

**2840 ATLANTIC AVENUE SITE  
BCP SITE NO. C224255  
2840 ATLANTIC AVENUE  
BROOKLYN, NEW YORK  
Block 3964 Lot 8**

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**INTERIM REMEDIAL MEASURE  
WORK PLAN  
(UST Removal)**

May 2020

*Prepared for:*

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**2840 Atlantic Avenue**

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I Ariel Czemerinski certify that I am currently a NYS registered professional engineer and that this Interim Remedial Measure Work Plan was prepared in accordance with all applicable statutes and regulations and in substantial conformance with the DER Technical Guidance for Site Investigation and Remediation (DER-10).

Signature



## 1.0 INTRODUCTION

This Work Plan was prepared on behalf of Empire State Dairy LLC for the property known as the Former Mugler Shoring Inc. Site, located at 2840 Atlantic Avenue, Brooklyn, New York. An application for acceptance into the New York State Brownfield Cleanup Program (BCP) was previously submitted to the New York State by the former property owner 2840 Atlantic Holdings LLC. On January 22, 2018, the New York State Department of Environmental Conservation (DEC) informed 2840 Atlantic Holdings that one of the three lots (Lot 8) was eligible for the BCP. The Brownfield Cleanup Agreement (BCA) was executed by the DEC on April 16, 2018. Supplemental testing was performed on the remaining lots (former Lots 4, 23) which were subsequently added to the BCA. HP Brooklyn Dairy Housing Development Fund Company, Inc. (Owner) and Empire State Dairy LLC (Owner affiliate) were added to the BCA on January 31, 2019.

This Work Plan addresses the removal of a 5,000 gallon underground fuel oil storage tank. This work will facilitate remediation of the Site and allow the future removal of free-phase oil under a comprehensive remedial plan to be submitted under separate cover.

### 1.1 SITE LOCATION AND DESCRIPTION

The street address for the Site is 2840 Atlantic Avenue, Brooklyn, NY (**Figure 1**). The Site is located in the City of New York in the Highland Park neighborhood of the Borough of Brooklyn. The Site is comprised of a single tax parcel identified as Block 3964, Lot 8. Lot 8 is a recent merger of the three original lots which made up the Site including Lots 4, 8 and 23. The total area of the Site is 43,050 sq. ft (0.98 acres). The Site has approximately 200 ft of street frontage on Atlantic Avenue, 200 feet of street frontage on Barbey Street and 240 ft of frontage on Shchenck Avenue (**Figure 2**). The property is developed with two 3-story commercial buildings and a single 1-story building which were constructed in 1914. The 3-story building facing Atlantic street was assigned landmark status by the City. This building also has a full cellar level. The 1-story building and 3-story building located to the south have a slab on grade foundation. A 12,000 sf parking lot is located south of the buildings. The buildings and parking lot are currently vacant.

The elevation of the Site ranges from 41 to 44 feet above the National Geodetic Vertical Datum (NGVD). The area topography gradually slopes to the south. The depth to groundwater beneath the Site is approximately 38 feet below grade. Based on regional groundwater elevation maps, groundwater flows to the southeast toward Jamaica Bay.

The area surrounding the property is highly urbanized. Properties in the immediate area around the Site are generally industrial / commercial interspersed with residential homes. Mixed-use commercial / residential properties line Atlantic Avenue and include first floor retail / automotive repair / service shops with residential units or office space on the upper floors. Residential single and multi-family homes comprise much of the cross streets north and south of the Atlantic Avenue business corridor. Adjacent land use includes auto repair shops, residential homes and manufacturing buildings to the west, auto repair shops, iron/steel works, houses of worship and mixed-use properties to the south, residential homes and a gas station to the east and mixed-use commercial / residential properties to the north.

## **1.2 SITE HISTORY**

Prior to 1908, the property was developed with a lumber yard, retail stores and dwellings back to 1887. The main building was constructed in approximately 1908 and expanded to the current extents by 1914/1915. The property was utilized as a dairy and food products manufacturing facility from the time of construction until the mid to late 1970s. From the 1980s to 2016, the site was utilized primarily as a plastics and floor tile products manufacturing facility.

## **1.3 GEOLOGY / HYDROGEOLOGY**

The geologic setting of Long Island is well documented and consists of crystalline bedrock overlain by layers of unconsolidated deposits. According to geologic maps of the area created by the United States Geologic Survey (USGS), the bedrock in this area of Brooklyn is an igneous intrusive classified as the Ravenswood grano-diorite of middle Ordovician to middle Cambrian age. The depth to bedrock in this area of Brooklyn is greater than 100 ft below grade. Unconsolidated sediments overlie the bedrock and consist of Pleistocene aged sand, gravel and silty clays, deposited by glacial-fluvial activity. Non-native fill materials consisting of dredge spoils, rubble and / or other materials have historically been used to reinforce and extend shoreline areas and to raise and improve the drainage of low lying areas.

Soil at the site is described as historic fill materials to a depth of approximately 4 to 5 feet below the surface followed by native brown fine to course sand. According to the USGS topographic map for the area (Brooklyn Quadrangle), the elevation of the property ranges from 41 to 44 feet above the National Geodetic Vertical Datum (NGVD). The area topography gradually slopes to the south.

Groundwater at the Site is present under water table conditions at a depth of approximately 38 feet below grade. Based on regional water table elevation maps, groundwater flow is expected to be southwest.

## **1.4 PREVIOUS ENVIRONMENTAL INVESTIGATION FINDINGS**

In June 2016, Environmental Building Solutions performed a limited subsurface investigation at the Site. The investigation included a geophysical survey to locate underground storage tanks, 11 soil borings and the collection and analysis of 10 soil, 2 groundwater, 2 subslab vapor and 1 indoor air samples.

The results of the investigation identified two underground storage tanks (USTs) including a 5,000 gallon fuel oil UST within the Barbey Street loading dock and a smaller, possibly 550 gallon tank, located in the parking area near Schenck Street. A 10,000 fuel oil aboveground tank is also present in the cellar beneath the landmarked building. Petroleum contamination in soil was identified around the 5,000 gallon tank. Groundwater did not appear to be affected. Several metals were also reported above unrestricted SCOs. Soil vapor results indicated that trichloroethene (TCE) was present in one of the samples at elevated levels though it was not detected in indoor air. The tank was later emptied.

EBC performed a supplemental subsurface investigation in February 2018 to evaluate soil quality within the parking lot area (former lots 4 and 23) and other areas of the Site including beneath the landmarked building cellar. Attempts were also made to delineate the previously identified petroleum contamination in the vicinity of the 5,000 gallon UST and to determine if groundwater was impacted.

This work included the installation of seventeen soil borings and one groundwater monitoring well. Of these, five borings were located on Lots 4 and 23. The results of this limited investigation identified elevated levels of metals (mercury and lead) above Restricted-Use Residential SCOs. Arsenic was also reported above Restricted-Use Commercial SCOs.

In addition to the metals, several SVOCs were also detected above Restricted-Use Residential and Restricted-Use Commercial SCOs at several locations. One location had odors and SVOC levels high enough to suggest a potential source of contamination. PCBs were also reported above Restricted-Use Commercial SCOs on Lot 23 with a concentration of 2,200 ug/kg. Low but elevated levels of benzene, naphthalene and some SVOC parameters were reported in the groundwater sample.

## **1.5 REDEVELOPMENT PLANS**

The proposed project consists of the adaptive reuse of the landmarked Empire State Dairy buildings along Atlantic Avenue and an adjacent new 14-story building to the south, with a cellar and bulkheads. The old and new structures will be connected on the cellar through 4th floors. The project has 335 affordable apartments and 29,500 sf of ground floor retail space, 2 loading docks and a 5,500 sf community facility. The total floor area of the project is approximately 337,536 gross square feet, including the cellar. Two amenity roof terraces for tenant use are on the second floor, with adjacent indoor amenity areas.

Plans include a full height cellar level requiring excavation to a depth of approximately 25 ft below grade. The cellar level will be used for parking and meter / utility rooms. With groundwater present at 38 feet below grade, dewatering will not be required during construction of the building's foundation.

## **2.0 INTERIM REMEDIAL MEASURES**

The work proposed for the Site consists of the removal of a 5,000 gallon underground fuel oil tank in the east loading dock area. This task will facilitate comprehensive site remediation pursuant to a Remedial Action Work Plan (RAWP).

### **2.1 OBJECTIVES**

The objective of the IRM work Plan is to properly remove the fuel oil tank in preparation for the excavation and removal of fill materials and free phase fuel oil at the Site.

### **2.2 UNDERGROUND STORAGE TANK (UST) REMOVAL**

The UST is located beneath the eastern loading dock area as shown in **Figure 2**. According to the NYSDEC Petroleum Bulk Storage (PBS) database, the tank was used to store No 2 fuel oil. Its listed as 5,000 gallons in capacity, constructed of steel and installed in 1953. The tank was reportedly emptied though it is listed in the database as “in-use”. The removal of the UST will be performed by a qualified tank removal contractor with fully trained (40 hr HAZWOPPER) personnel.

The UST will be removed in accordance with the applicable procedures described under the NYSDEC Memorandum for the Permanent Abandonment of Petroleum Storage Tanks and Section 5.5 of DER-10 (May 2010) as follows:

- Remove all product to its lowest draw-off point
- Drain and flush piping into the tank
- Vacuum out the tank bottom consisting of water product and sludge
- Remove the fill tube and disconnect the fill, gauge, product and vent lines and pumps. Cap and plug open ends of lines
- Temporarily plug all tank openings, complete the excavation, remove the tank and place it in a secure location
- Render the tank safe and check the tank atmosphere to ensure that petroleum vapors have been satisfactorily purged from the tank
- Clean tank or remove to a storage yard for cleaning (cleaning the tank interior with a high pressure rinse)
- If the tank is to be moved it must be transported by licensed waste transporter. Plug and cap all holes prior to transport leaving a 1/8 inch vent hole located at the top of the tank during transport
- After cleaning, the tank must be made acceptable for disposal at a scrap yard (cutting the tank in several pieces).

During the tank and pipe line removal the following field observations should be made and recorded:

- A description and photographic documentation of the tank and pipe line condition (pitting, holes, staining, leak points, evidence of repairs, etc.)

- Examination of the floor below the tank for physical evidence of contamination (odor, staining, sheen, etc.)
- Periodic field screening (through bucket return) of the floor and sidewalls of the excavation with a calibrated photoionization detector (PID).
- Endpoint sampling to be performed following tank removal.

## 2.3 SOIL REMOVAL

Tank removal will require exposing the top and sides of the tank. Soil excavated to expose the tank will be stockpiled on and, covered with, a polypropylene tarp for later disposal during full Site excavation. It is expected that 26 cubic yards of soil will be generated from the tank removal.

## 2.4 END-POINT SAMPLING

Following removal of the UST endpoint soil samples will be collected from the tank grave as follows:

- (1) Bottom of excavation endpoint soil samples will be collected following removal of the UST.
- (2) Sidewall endpoint soil samples will be collected from each sidewall of the excavation.

### *End-Point Sampling Frequency*

Endpoint sampling frequency will be in accordance with DER-10 section 5.4 which recommends the collection of one bottom sample per 900 sf of bottom area and one sidewall sample per 30 liner feet. The location of the endpoint samples is provided in **Figure 3**.

### *Methodology*

Collected samples be placed in glass jars supplied by the analytical laboratory and stored in a cooler with ice to maintain a temperature of 4 degrees C. Samples will either be picked up at the Site by a laboratory dispatched courier at the end of the day or transported back to the EBC /AMC office where they will be picked up the following day by the laboratory courier. All samples will be analyzed by a NYSDOH ELAP certified environmental laboratory

Endpoint soil samples will be analyzed for VOCs by EPA Method 8260B and SVOCs by EPA method 8270.

### *Reporting of Results*

Sample analysis will be provided by a New York State certified environmental laboratory. Laboratory reports will include ASP category B deliverables for use in the preparation of a data usability summary report (DUSR). All results will be provided in accordance with the NYSDEC Environmental Information Management System (EIMS) electronic data deliverable (EDD) format.



### *QA/QC*

The fundamental QA objective with respect to accuracy, precision, and sensitivity of analysis for laboratory analytical data is to achieve the QC acceptance of the analytical protocol. The accuracy, precision and completeness requirements will be addressed by the laboratory for all data generated.

Collected samples will be appropriately packaged, placed in coolers and shipped via overnight courier or delivered directly to the analytical laboratory by field personnel. Samples will be containerized in appropriate laboratory provided glassware and shipped in plastic coolers. Samples will be preserved through the use of ice or cold-pak(s) to maintain a temperature of 4oC.

Dedicated disposable sampling materials will be used for soil samples, eliminating the need to prepare field equipment (rinsate) blanks. However, if non-disposable equipment is used, (stainless steel scoop, etc.) field rinsate blanks will be prepared at the rate of 1 for every eight samples collected. Field blanks will be prepared by pouring distilled or deionized water over decontaminated equipment and collecting the water in laboratory provided containers. Trip blanks will accompany samples each time they are transported to the laboratory.

### *DUSR*

The DUSR provides a thorough evaluation of analytical data without third party data validation. The primary objective of a DUSR is to determine whether or not the data, as presented, meets the site/project specific criteria for data quality and data use. Verification and/or performance monitoring samples collected under this IRMWPs will be reviewed and evaluated in accordance with the Guidance for the Development of Data Usability Summary Reports as presented in Appendix 2B of DER-10. The completed DUSR for verification/performance samples collected during implementation of this IRMWPs will be included in the final Engineering Report.

## **2.5 NOTIFICATIONS**

In accordance with the requirements of the BCP, the DEC PM will be notified 7 days in advance of the commencement of work.

A Pre-Work Notification for Bulk Storage Tank Closure will be submitted to the NYSDEC PBS Unit at least 2 business days before the removal date along with a cover letter noting the tank is being removed as part of an IRM under the BCP.

Following removal of the tank, a Petroleum Bulk Storage Application will be submitted to the Region 2 PBS Compliance unit along with a Tank Removal Report which will include a NYFD Tank Removal Affidavit, photos, job tickets, manifests, lab results and detailed discussion of the removal and endpoint soil sample collection/results.

This information will also be included in the Final Engineering Report.

## 2.6 SITE PREPARATION

### 2.6.1 Work Hours

The hours for operation will conform to the NYCDOB construction code requirements or according to specific variances issued by that agency. DEC will be notified by the Volunteer of any variances issued by the NYCDOB. Typical Work hours are 7 am to 6 pm, Monday through Friday

### 2.6.2 Site Security

The lot currently has an 8 ft high chain link fence and gate along the parking lot facing Schenck Avenue and Barbey Street. An 8 foot high plywood construction fence will be installed along the Schenck and Barbey sidewalks in accordance with the NYCDOB demolition permit. The north side of the property is bordered by the landmarked building which has a sidewalk shed installed along Atlantic Avenue. The south of the property borders an adjacent building. The fences and gates will be maintained during the demolition activity and properly secured at the end of the day.

### 2.6.3 Emergency Contact Information

An emergency contact sheet with names and phone numbers is included in **Table 1**. The table identifies specific project contacts for use by NYSDEC, NYSDOH or the public in the case of a day or night emergency.

### 2.6.4 Health & Safety Plan (HASP)

The HASP takes into account the specific hazards inherent to the site and presents the minimum requirements which are to be met by the Tank Removal Contractor, and other on-site personnel in order to avoid and, if necessary, protect against health and/or safety hazards.

The Tank Removal Contractor will use their own HASP and will be fully responsible for complying with all OSHA safety regulations, NYSDOL laws and all NYCDOB requirements as specified in the approved plans.

### 2.6.5 Community Air Monitoring Plan (CAMP)

The CAMP provides measures for protection for on-site workers and the downwind community (i.e., off-site receptors including residences, businesses, and on-site workers not directly involved in the remedial work) from potential airborne contaminant releases resulting from remedial activities. CAMP monitoring will be performed during tank removal activities.

The action levels specified require increased monitoring, corrective actions to abate emissions, and/or work shutdown. Additionally, the CAMP helps to confirm that the remedial work did not spread contamination off-site through the air. The primary concerns for this site are vapors, nuisance odors and dust particulates if soil disturbance activity takes place. The CAMP prepared for this project is provided in **Attachment A**.

### 2.6.6 Utility Mark-outs, Easements and Permits

The Tank Removal Contractor and its sub-contractors are solely responsible for the identification of utilities that might be affected by work under the tank removal plan and implementation of all required, appropriate, or necessary health and safety measures during performance of work under

this Plan. The Tank Removal Contractor and its sub-contractors are solely responsible for safe execution of all invasive and other work performed under this Work Plan. The Tank Removal Contractor and its sub-contractors must obtain any local, State or Federal permits or approvals pertinent to such work that may be required to perform work under the Plan including but not limited to NYC Department of Buildings work permits. Approval of this Plan by NYSDEC does not constitute satisfaction of these requirements. The presence of utilities and easements on the Site will be investigated by the Tank Removal Contractor and it must be determined that no risk or impediment to the planned work under the Plan is posed by utilities or easements on the Site.

#### 2.6.7 Equipment and Material Staging

Equipment and materials used for the tank removal work will be staged on Site within the fenced perimeter.

#### 2.6.8 Dust Control Plan

A dust suppression plan that addresses dust management during the work will include, at a minimum, the items listed below:

- Dust producing operations shall be wetted down to the amount necessary to control the dust. A NYCDEP permit will be required if water from a hydrant will be used.

### **3.0 SCHEDULE**

The Work is anticipated to begin approximately 2 weeks following NYSDEC approval of the Work Plan. The estimated duration of the UST removal is 2 weeks.

## **4.0 REPORTING**

### **4.1.1 Daily Reports**

Daily reports will be submitted to NYSDEC and NYSDOH Project Managers by the end of each day in which remedial activity takes place. Daily reports will include:

- An update of progress made during the reporting day;
- A summary of any and all complaints with relevant details (names, phone numbers);
- A summary of CAMP finding, including excursions;
- An explanation of notable Site conditions.

Daily reports are not intended to be the mode of communication for notification to the NYSDEC of emergencies (accident, spill), requests for changes to the IRMWP or other sensitive or time critical information. However, such conditions must also be included in the daily reports. Emergency conditions and changes to the IRMWP will be addressed directly to NYSDEC Project Manager via personal communication.

These reports will include a summary of air sampling results, odor and dust problems and corrective actions, and all complaints received from the public.

### **4.1.2 Monthly Reports**

Monthly reports will be submitted to NYSDEC and NYSDOH Project Managers within 10 days following the end of the month of the reporting period and will include:

- Activities relative to the Site during the previous reporting period and those anticipated for the next reporting period, including a quantitative presentation of work performed (i.e. tons of material exported and imported, etc.);
- Description of approved activity modifications, including changes of work scope and/or schedule;
- Sampling results received following internal data review and validation, as applicable; and,
- An update of the remedial schedule including the percentage of project completion, unresolved delays encountered or anticipated that may affect the future schedule, and efforts made to mitigate such delays.

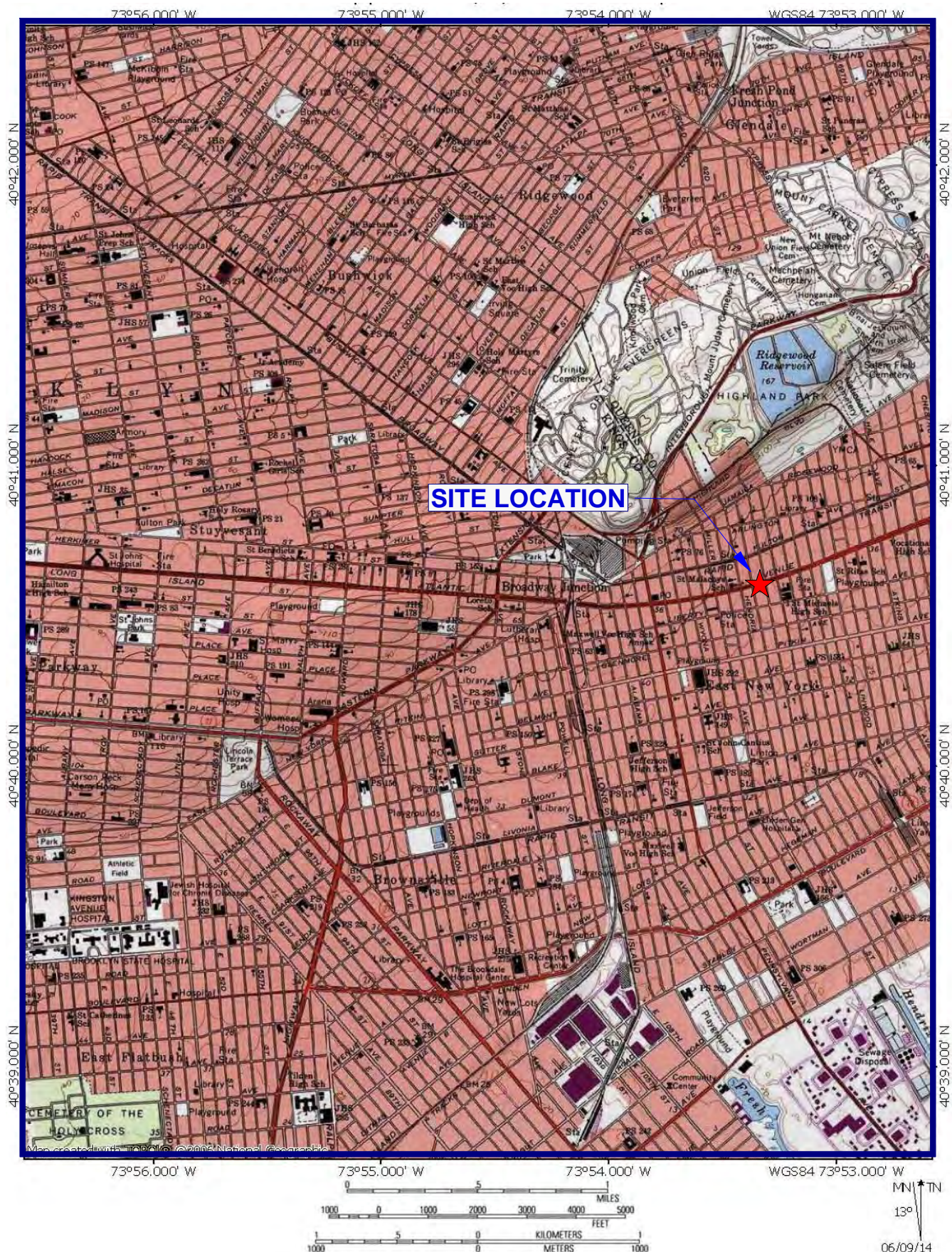
# **TABLES**

**TABLE 1**  
**SUMMARY OF**  
**SAMPLING PROGRAM RATIONALE AND ANALYSIS**

Matrix	Location	Approximate Number of Samples	Frequency	Rationale for Sampling	Laboratory Analysis	Duplicates	Matrix Spikes	Spike Duplicates	Trip Blanks
Soil	UST excavation base	2	Base: 1 per 900 sq ft	Endpoint evaluation from tank grave	VOCs EPA Method 8260B, SVOCs EPA Method 8270	1 per day	1 per 20 samples	1 per 20 samples	1 per trip
Soil	UST Sidewall	4	Sidewall: 1 per 30 ln ft.	Endpoint evaluation from tank grave	VOCs EPA Method 8260B, SVOCs EPA Method 8270				

# **FIGURES**





USGS South Amboy, NJ-NY Quadrangle 1995, Contour Interval = 10 feet



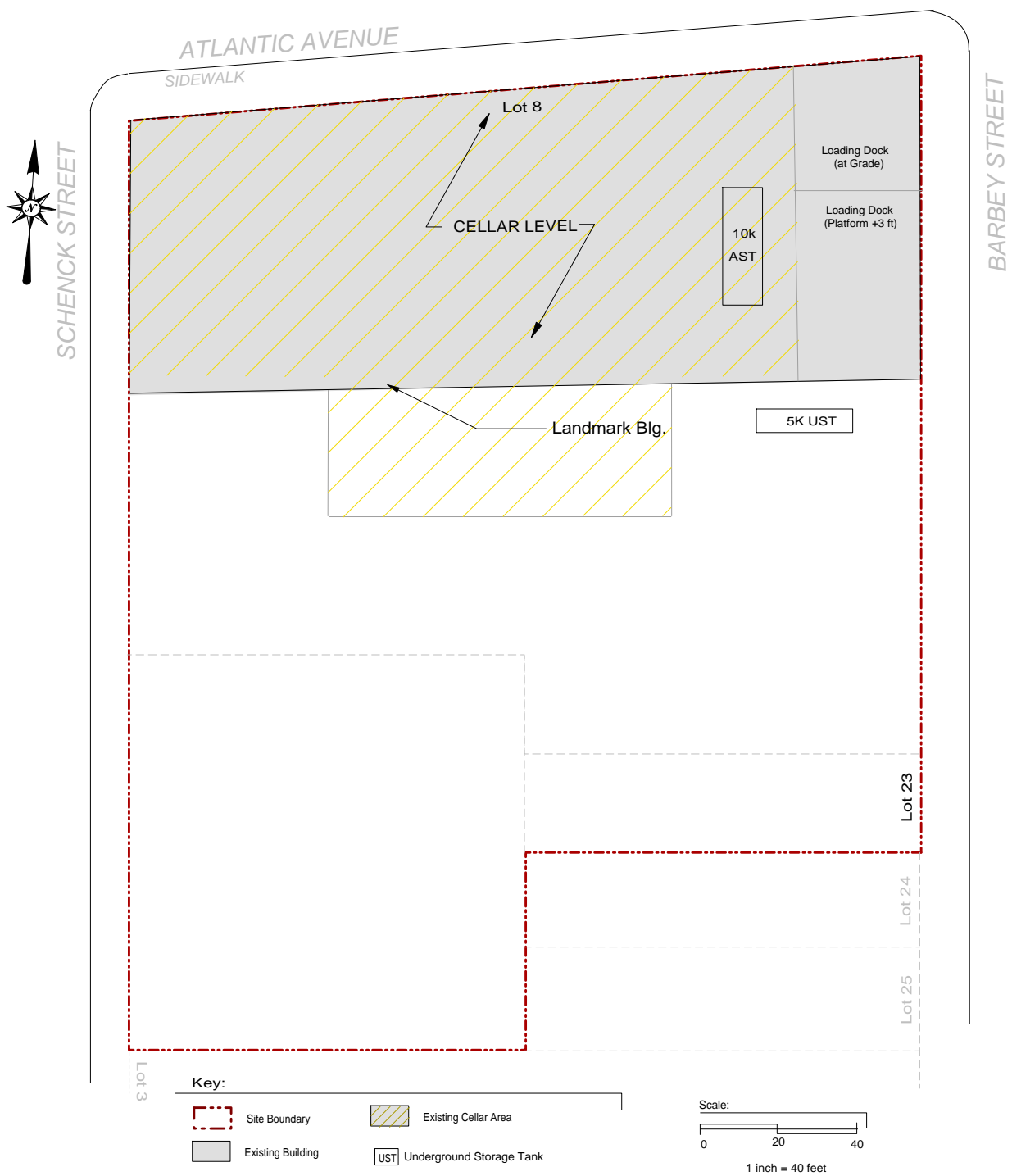
Phone 631.504.6000  
Fax 631.924.2870

2840 ATLANTIC AVENUE, BROOKLYN, NY

**FIGURE 1**

**SITE LOCATION MAP**





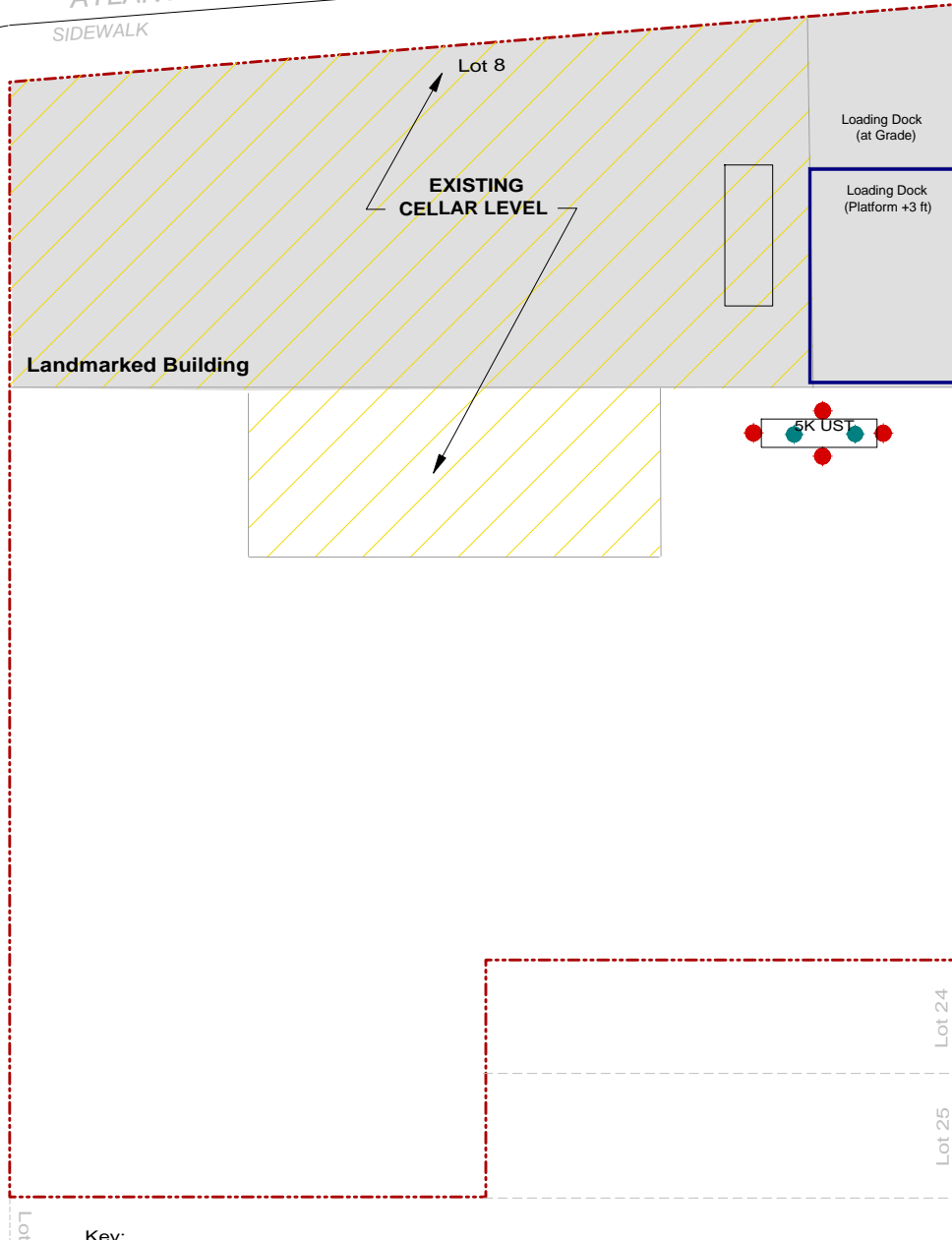


SCHENCK STREET

ATLANTIC AVENUE

SIDEWALK

BARBEY STREET



Key:



Site Boundary



Landmarked Building



Bottom Endpoint Sampling Location

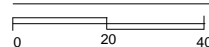


Sidewall Sampling Location



Underground Storage Tank

Scale:



1 inch = 40 feet



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**FIGURE**  
**3**

3/19/2020

Site Name: 2840 ATLANTIC AVENUE

Site Address: 2840 ATLANTIC AVENUE, BROOKLYN NY

Drawing Title: ENDPOINT SAMPLING PLAN

# **ATTACHMENT A**

## ***Community Air Monitoring Plan***

COMMUNITY AIR MONITORING PLAN

2840 ATLANTIC AVENUE  
BROOKLYN, NY

MARCH - 2020

**COMMUNITY AIR MONITORING PLAN  
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***APPENDICES***

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Appendix A    Action Limit Report

## 1.0 INTRODUCTION

This Community Air Monitoring Plan (CAMP) has been prepared for the excavation and construction activities to be performed under a Remedial Action Work Plan (RAWP) at 2840 Atlantic Avenue, Brooklyn, NY. The CAMP provides measures for protection for the downwind community (i.e., off-site receptors including residences, businesses, and on-site workers not directly involved in the investigation activities) from potential airborne contaminant releases resulting from excavation activities at the site.

Compliance with this CAMP is required during all activities associated with soil disturbance activities that have the potential to generate airborne particulate matter and volatile organic compounds (VOCs). These activities include the removal of an underground storage tank, pumping of free phase fuel oil and the excavation and loading of affected soil. This CAMP has been prepared to ensure that remedial activities do not adversely affect passersby, residents, or workers in the area immediately surrounding the Site and to preclude or minimize airborne migration of site-related contaminants to off-site areas.

### 1.1 Regulatory Requirements

This CAMP was established in accordance with the following requirements:

- New York State Department of Health's (NYSDOH) Generic Community Air Monitoring Plan as presented in DER-10 Technical Guidance for Site Investigation and Remediation (NYSDEC May 3, 2010). This guidance specifies that a community air-monitoring program shall be implemented to protect the surrounding community and to confirm that the work does not spread contamination off-site through the air.

## **2.0 AIR MONITORING**

Petroleum volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs), metals and pesticides are the constituents of concern at the Site. The appropriate method to monitor air for these constituents during remediation activities is through real-time VOC and air particulate (dust) monitoring.

### **2.1 Meteorological Data**

At a minimum, wind direction will be evaluated at the start of each workday, noon of each workday, and the end of each workday. These readings will be utilized to position the monitoring equipment in appropriate upwind and downwind locations.

### **2.2 Community Air Monitoring Requirements**

To establish ambient air background concentrations, air will be monitored at several locations around the site perimeter before activities begin. These points will be monitored periodically in series during the site work. When the excavation area is within 20 feet of potentially exposed populations or occupied structures, the perimeter monitoring points will be located to represent the nearest potentially exposed individuals at the downwind location and will take into account the locations of ventilation system intakes of nearby structures.

Fugitive respirable dust will be monitored using a MiniRam Model PDM-3 aerosol monitor (or equivalent). Air will be monitored for VOCs with a portable Ionscience 3000 photoionization detector (PID), or equivalent. All air monitoring data will be documented in a site log book by the designated site safety officer. The site safety officer or delegate must ensure that air monitoring instruments are calibrated and maintained in accordance with manufacturer's specifications. All instruments will be zeroed daily and checked for accuracy. A daily log will be kept. If additional monitoring is required, the protocols will be developed and appended to this plan



### 3.0 VOC MONITORING, RESPONSE LEVELS, AND ACTIONS

Volatile organic compounds (VOCs) will be monitored at the downwind perimeter of the immediate work area (i.e., the exclusion zone) on a continuous basis or as otherwise specified. Upwind concentrations should be measured at the start of each workday and periodically thereafter to establish background conditions. The monitoring work should be performed using equipment appropriate to measure the types of contaminants known or suspected to be present.

The equipment should be calibrated at least daily for the contaminant(s) of concern or for an appropriate surrogate. The equipment should be capable of calculating 15-minute running average concentrations, which will be compared to the levels specified below.

- If the ambient air concentration of total organic vapors at the downwind perimeter of the work area or exclusion zone exceeds 5 parts per million (ppm) above background for the 15-minute average, work activities must be temporarily halted and monitoring continued. If the total organic vapor level readily decreases (per instantaneous readings) below 5 ppm over background, work activities can resume with continued monitoring.
- If total organic vapor levels at the downwind perimeter of the work area or exclusion zone persist at levels in excess of 5 ppm over background but less than 25 ppm, work activities must be halted, the source of vapors identified, corrective actions taken to abate emissions, and monitoring continued. After these steps, work activities can resume provided that the total organic vapor level 200 feet downwind of the exclusion zone or half the distance to the nearest potential receptor or residential/commercial structure, whichever is less - but in no case less than 20 feet, is below 5 ppm over background for the 15-minute average.
- If the organic vapor level is above 25 ppm at the perimeter of the work area, activities must be shutdown. All 15-minute readings must be recorded and be available for State (DEC and DOH) personnel to review. Instantaneous readings, if any, used for decision purposes should also be recorded.

All readings will be recorded and made available for NYSDEC and NYSDOH personnel to review. If an exceedance of the Action Limits occurs, an Action Limit Report, as shown in Appendix A, will be completed.

#### 3.1 Potential Corrective Measures and VOC Suppression Techniques

If the 15-minute integrated VOC level at the downwind location persists at a concentration that exceeds the upwind level by more than 5 ppm but less than 25 ppm during remediation activities, then vapor suppression techniques will be employed. The following techniques, or others, may be employed to mitigate the generation and migration of fugitive organic vapors:

- limiting the excavation size;
- limiting the drop-height when loading soil into trucks;
- spraying chemical odorants onto the soil;
- covering soil stockpiles with 6-mil plastic sheeting or tarps;
- hauling waste materials in properly tarped containers; and/or
- applying vapor suppressant foam.

#### 4.0 PARTICULATE MONITORING

Air monitoring for particulates (i.e., dust) will be performed continuously during excavation and loading activities using both air monitoring equipment and visual observation at upwind and downwind locations. Monitoring equipment capable of measuring particulate matter smaller than 10 microns (PM<sub>10</sub>) and capable of integrating (averaging) over periods of 15 minutes or less will be set up at upwind (i.e., background) and downwind locations, at heights approximately four to five feet above land surface (i.e., the breathing zone). Monitoring equipment will be MIE Data Ram monitors, or equivalent. The audible alarm on the particulate monitoring device will be set at 90 micrograms per cubic meter ( $\mu\text{g}/\text{m}^3$ ). This setting will allow proactive evaluation of worksite conditions prior to reaching the action level of 100  $\mu\text{g}/\text{m}^3$  above background. The monitors will be calibrated at least once per day prior to work activities and recalibrated as needed thereafter. In addition, fugitive dust migration will be visually assessed during all intrusive work activities.

The following summarizes particulate action levels and the appropriate responses:

- If the downwind PM-10 particulate level is 100  $\mu\text{g}/\text{m}^3$  greater than background (upwind perimeter) for the 15-minute period, or if airborne dust is observed leaving the work area, then dust suppression techniques must be employed. Work may continue with dust suppression techniques provided that downwind PM-10 particulate levels do not exceed 150  $\mu\text{g}/\text{m}^3$  above the upwind level and provided that no visible dust is migrating from the work area.
- If, after implementation of dust suppression techniques, downwind PM-10 particulate levels are greater than 150  $\mu\text{g}/\text{m}^3$  above the upwind level, work must be stopped and an evaluation of activities initiated. Work can resume provided that dust suppression measures (as described in Section 2.3.1 below) and other controls are successful in reducing the downwind PM-10 particulate concentration to within 150  $\mu\text{g}/\text{m}^3$  of the upwind level and in preventing visible dust migration.

All readings will be recorded and be available for NYSDEC and NYSDOH personnel to review. If an exceedance of the Action Limits occurs, an Action Limit Report as shown in **Appendix A** will be completed.

#### 4.1 Potential Particulate Suppression Techniques

If the integrated particulate level at the downwind location exceeds the upwind level by more than 100  $\mu\text{g}/\text{m}^3$  at any time during remediation activities, then dust suppression techniques will be employed. The following techniques, or others, may be employed to mitigate the generation and migration of fugitive dusts:

- limiting the excavation size;
- spraying water onto the excavation faces and equipment;
- covering soil stockpiles with plastic sheeting or tarps;
- Use of gravel paths / roadways;
- hauling waste materials in properly tarped containers; and/or
- limiting vehicle speeds onsite.

Work may continue with dust suppression techniques provided that downwind PM<sub>10</sub> levels are not more than 150  $\mu\text{g}/\text{m}^3$  greater than the upwind levels.

There may also be situations where the dust is generated by remediation activities and migrates to downwind locations, but is not detected by the monitoring equipment at or above the action level. Therefore, if dust is observed leaving the working area, dust suppression techniques such as those listed above will be employed.

If dust suppression techniques do not lower particulates to below  $150 \mu\text{g}/\text{m}^3$ , or visible dust persists, work will be suspended until appropriate corrective measures are identified and implemented to remedy the situation.

All air monitoring readings will be recorded in the field logbook and will be available for the NYSDEC and NYSDOH personnel to review.

## **5.0 DATA QUALITY ASSURANCE**

### **5.1 Calibration**

Instrument calibration shall be documented on instrument calibration and maintenance sheets or in the designated field logbook. All instruments shall be calibrated as required by the manufacturer. Calibration checks may be used during the day to confirm instrument accuracy. Duplicate readings may be taken to confirm individual instrument response.

### **5.2 Operations**

All instruments shall be operated in accordance with the manufacturer's specifications. Manufacturers' literature, including an operations manual for each piece of monitoring equipment will be maintained on-site by the SSO for reference.

### **5.3 Data Review**

The SSO will interpret all monitoring data based the established criteria and his/her professional judgment. The SSO shall review the data with the PM to evaluate the potential for worker exposure, upgrades/downgrades in level of protection, comparison to direct reading instrumentation and changes in the integrated monitoring strategy.

Monitoring and sampling data, along with all sample documentation will be periodically reviewed by the PM.

## **6.0 RECORDS AND REPORTING**

All air readings must be recorded on daily air monitoring log sheets and made available for review by personnel from NYSDEC and NYSDOH.

**APPENDIX A**  
**ACTION LIMIT REPORT**

**CAMP  
ACTION LIMIT REPORT**

Project Location: \_\_\_\_\_

Date: \_\_\_\_\_

Time: \_\_\_\_\_

Name: \_\_\_\_\_

Contaminant: \_\_\_\_\_ PM-10: \_\_\_\_\_ VOC: \_\_\_\_\_

Wind Speed: \_\_\_\_\_

Wind Direction: \_\_\_\_\_

Temperature: \_\_\_\_\_

Barometric Pressure: \_\_\_\_\_

**DOWNWIND DATA**

Monitor ID #: \_\_\_\_\_ Location: \_\_\_\_\_ Level Reported: \_\_\_\_\_

Monitor ID#: \_\_\_\_\_ Location: \_\_\_\_\_ Level Reported: \_\_\_\_\_

**UPWIND DATA**

Monitor ID #: \_\_\_\_\_ Location: \_\_\_\_\_ Level Reported: \_\_\_\_\_

Monitor ID#: \_\_\_\_\_ Location: \_\_\_\_\_ Level Reported: \_\_\_\_\_

**BACKGROUND CORRECTED LEVELS**

Monitor ID #: Location: \_\_\_\_\_ Level Reported: Level Reported: \_\_\_\_\_

**ACTIONS TAKEN**

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**ATTACHMENT B**  
***Quality Assurance Project Plan***



**QUALITY ASSURANCE PROJECT PLAN**  
**2840 ATLANTIC AVENUE**  
**BROOKLYN, NY**

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**Prepared on behalf of:**

Empire Dairy LLC  
3611 14th Avenue  
Brooklyn, NY 11218

March 2020

**Prepared by:**

***EBC***  
***ENVIRONMENTAL BUSINESS CONSULTANTS***  
1808 MIDDLE COUNTRY ROAD  
RIDGE, NY 11961

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2840 Atlantic Avenue, Brooklyn, NY

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## 1.0 INTRODUCTION

This Quality Assurance Project Plan (QAPP) has been prepared in accordance with DER-10 to detail procedures to be followed during the course of the sampling and analytical portion of the project, as required by the approved work plan.

To ensure the successful completion of the project each individual responsible for a given component of the project must be aware of the quality assurance objectives of his / her particular work and of the overall project. The EBC Project Director, Charles Sosik, will be directly responsible to the client for the overall project conduct and quality assurance/quality control (QA/QC) for the project. The Project Director will be responsible for overseeing all technical and administrative aspects of the project and for directing QA/QC activities. Ms. Chawinie Reilly will serve as the Quality Assurance Officer (QAO) and in this role may conduct:

- conduct periodic field and sampling audits;
- interface with the analytical laboratory to resolve problems; and
- interface with the data validator and/or the preparer of the DUSR to resolve problems.

Keith Butler will serve as the Project Manager and will be responsible for implementation of the Remedial Investigation and coordination with field sampling crews and subcontractors. Reporting directly to the Project Manager will be the Field Operations Officer, Thomas Gallo; who will serve as the on-Site qualified environmental professional who will record observations, direct the field crews and be responsible for the collection and handling of all samples.

### 1.1 Organization

Project QA will be maintained under the direction of the Project Manager, in accordance with this QAPP. QC for specific tasks will be the responsibility of the individuals and organizations listed below, under the direction and coordination of the Project Manager.

GENERAL RESPONSIBILITY	SCOPE OF WORK	RESPONSIBILITY OF QUALITY CONTROL
Field Operations	Supervision of Field Crew, sample collection and handling	Thomas Gallo, EBC
Project Manager	Implementation of the remedial action according to the RAWP.	Keith Butler, EBC
Laboratory Analysis	Analysis of soil samples by NYSDEC ASP methods Laboratory	NYSDOH-Certified Laboratory
Data review	Review for completeness and compliance	3 <sup>rd</sup> party validation

## **2.0 QUALITY ASSURANCE PROJECT PLAN OBJECTIVES**

### **2.1 Overview**

Overall project goals are defined through the development of Data Quality Objectives (DQOs), which are qualitative and quantitative Statements that specify the quality of the data required to support decisions; DQOs, as described in this section, are based on the end uses of the data as described in the work plan.

In this plan, Quality Assurance and Quality Control are defined as follows:

- Quality Assurance - The overall integrated program for assuring reliability of monitoring and measurement data.
- Quality Control - The routine application of procedures for obtaining prescribed standards of performance in the monitoring and measurement process.

### **2.2 QA / QC Requirements for Analytical Laboratory**

Samples will be analyzed by a New York State Department of Health (NYSDOH) certified laboratory that is certified in the appropriate categories. Data generated from the laboratory will be used to evaluate contaminants such as chlorinated and other volatile organic compounds (VOCs) in soil, soil gas and groundwater. The QA requirements for all subcontracted analytical laboratory work performed on this project are described below. QA elements to be evaluated include accuracy, precision, sensitivity, representativeness, and completeness. The data generated by the analytical laboratory for this project are required to be sensitive enough to achieve required quantification limits as specified in NYSDEC Analytical Services Protocol (NYSDEC ASP, 07/2005) and useful for comparison with clean-up objectives. The analytical results meeting the required quantification limits will provide data sensitive enough to meet the data quality objectives of this remedial program as described in the work plan. Reporting of the data must be clear, concise, and comprehensive. The QC elements that are important to this project are completeness of field data, sample custody, sample holding times, sample preservation, sample storage, instrument calibration and blank contamination.

#### *2.2.1 Instrument Calibration*

Calibration curves will be developed for each of the compounds to be analyzed. Standard concentrations and a blank will be used to produce the initial curves. The development of calibration curves and initial calibration response factors must be consistent with method requirements presented in the most recent version of NYSDEC ASP 07/2005).

#### *2.2.2 Continuing Instrument Calibration*

The initial calibration curve will be verified every 12 hrs by analyzing one calibration standard. The standard concentration will be the midpoint concentration of the initial calibration curve. The calibration check compound must come within 25% relative percent difference (RPD) of the average response factor obtained during initial calibration. If the RPD is greater than 25%, then corrective action must be taken as provided in the specific methodology.

#### *2.2.3 Method Blanks*

Method blank or preparation blank is prepared from an analyte-free matrix which includes the same reagents, internal standards and surrogate standards as the related samples. It is carried through the

entire sample preparation and analytical procedure. A method blank analysis will be performed once for each 12 hr period during the analysis of samples for volatiles. An acceptable method blank will contain less than two (2) times the CRQL of methylene chloride, acetone and 2-butanone. For all other target compounds, the method blank must contain less than or equal to the CRQL of any single target compound. For non-target peaks in the method blank, the peak area must be less than 10 percent of the nearest internal standard. The method blank will be used to demonstrate the level of laboratory background and reagent contamination that might result from the analytical process itself.

#### 2.2.4 Trip Blanks.

Trip blanks consist of a single set of sample containers filled at the laboratory with deionized, laboratory-grade water. The water used will be from the same source as that used for the laboratory method blank. The containers will be carried into the field and handled and transported in the same way as the samples collected that day. Analysis of the trip blank for VOCs is used to identify contamination from the air, shipping containers, or from other items coming in contact with the sample bottles. (The bottles holding the trip blanks will be not opened during this procedure.) A complete set of trip blanks will be provided with each shipment of samples to the certified laboratory.

#### 2.2.5 Surrogate Spike Analysis

For organic analyses, all samples and blanks will be spiked with surrogate compounds before purging or extraction in order to monitor preparation and analyses of samples. Surrogate spike recoveries shall fall within the advisory limits in accordance with the NY5DEC ASP protocols for samples falling within the quantification limits without dilution.

#### 2.2.6 Matrix Spike / Matrix Spike Duplicate / Matrix Spike Blank (MS/MSDIMSB) Analysis

MS, MSD and MSB analyses will be performed to evaluate the matrix effect of the sample upon the analytical methodology along with the precision of the instrument by measuring recoveries. The MS / MSD / MSB samples will be analyzed for each group of samples of a similar matrix at a rate of 5% (one for every 20 field samples). The RPD will be calculated from the difference between the MS and MSD. Matrix spike blank analysis will be performed to indicate the appropriateness of the spiking solution(s) used for the MS/MSD. 10% of the samples of each matrix should be sampled and analyzed as Duplicates.

### 2.3 Accuracy

Accuracy is defined as the nearness of a real or the mean (x) of a set of results to the true value. Accuracy is assessed by means of reference samples and percent recoveries. Accuracy includes both precision and recovery and is expressed as percent recovery (% REC). The MS sample is used to determine the percent recovery. The matrix spike percent recovery (% REC) is calculated by the following equation:

$$\%REC = \frac{SSR - SR}{SA} \times 100$$

Where:

SSR = spike sample results

SR = sample results

SA = spike added from spiking mix

## 2.4 Precision

Precision is defined as the measurement of agreement of a set of replicate results among themselves without a Precision is defined as the measurement of agreement of a set of replicate results among themselves without assumption of any prior information as to the true result. Precision is assessed by means of duplicate/replicate sample analyses.

Analytical precision is expressed in terms of RPD. The RPD is calculated using the following formula:

$$\text{RPD} = \frac{D^1 - D^2}{(D^1 + D^2)/2} \times 100$$

Where:

RPD = relative percent difference

D<sup>1</sup> = first sample value

D<sup>2</sup> = second sample value (duplicate)

## 2.5 Sensitivity

The sensitivity objectives for this plan require that data generated by the analytical laboratory achieve quantification levels low enough to meet the required detection limits specified by NYSDEC ASP and to meet all site-specific standards, criteria and guidance values (SGCs) established for this project.

## 2.6 Representativeness

Representativeness is a measure of the relationship of an individual sample taken from a particular site to the remainder of that site and the relationship of a small aliquot of the sample (i.e., the one used in the actual analysis) to the sample remaining on site. The representativeness of samples is assured by adherence to sampling procedures described in the Remedial Investigation Work Plan.

## 2.7 Completeness

Completeness is a measure of the quantity of data obtained from a measurement system as compared to the amount of data expected from the measurement system. Completeness is defined as the percentage of all results that are not affected by failing QC qualifiers, and should be between 70 and 100% of all analyses performed. The objective of completeness in laboratory reporting is to provide a thorough data support package. The laboratory data package provides documentation of sample analysis and results in the form of summaries, QC data, and raw analytical data. The laboratory will be required to submit data packages that follow NYSDEC ASP Category B reporting format which, at a minimum, will include the following components:

1. All sample chain-of-custody forms.
2. The case narrative(s) presenting a discussion of any problems and/or procedural changes required during analyses. Also presented in the case narrative are sample summary forms.
3. Documentation demonstrating the laboratory's ability to attain the contract specified detection limits for all target analytes in all required matrices.
4. Tabulated target compound results and tentatively identified compounds.
5. Surrogate spike analysis results (organics).
6. Matrix spike/matrix spike duplicate/matrix spike blank results.
7. QC check sample and standard recovery results
8. Blank results (field, trip, and method).
9. Internal standard area and RT summary.

## 2.8 Laboratory Custody Procedures

The following elements are important for maintaining the field custody of samples:

- Sample identification
- Sample labels
- Custody records
- Shipping records
- Packaging procedures

Sample labels will be attached to all sampling bottles before field activities begin; each label will contain an identifying number. Each number will have a suffix that identifies the site and where the sample was taken. Approximate sampling locations will be marked on a map with a description of the sample location. The number, type of sample, and sample identification will be entered into the field logbook. A chain-of-custody form, initiated at the analytical laboratory will accompany the sample bottles from the laboratory into the field. Upon receipt of the bottles and cooler, the sampler will sign and date the first received blank space. After each sample is collected and appropriately identified, entries will be made on the chain-of-custody form that will include:

- Site name and address
- Samplers' names and signatures

## 2.9 Sample Handling and Decontamination Procedures

Collected samples will be appropriately packaged, placed in coolers and shipped via overnight courier or delivered directly to the analytical laboratory by field personnel. Samples will be containerized in appropriate laboratory provided glassware and shipped in plastic coolers. Samples will be preserved through the use of ice or cold-pak(s) to maintain a temperature of 4°C.

Dedicated disposable sampling materials will be used for both soil and groundwater samples (if collected), eliminating the need to prepare field equipment (rinsate) blanks. However, if non-disposable equipment is used, (stainless steel scoop, etc.) field rinsate blanks will be prepared at the rate of 1 for every eight samples collected. No field filtering will be conducted; any required filtration will be completed by the laboratory.

Decontamination of non-dedicated sampling equipment will consist of the following:

- Gently tap or scrape to remove adhered soil;
- Rinse with tap water;
- Wash withalconox® detergent solution and scrub ;
- Rinse with tap water;
- Rinse with distilled or deionized water.

Prepare field blanks by pouring distilled or deionized water over decontaminated equipment and collecting the water in laboratory provided containers. Trip blanks will accompany samples each time they are transported to the laboratory. Matrix spike and matrix spike duplicates (MS/MSD) will be collected at the rate of one per 20 samples submitted to the laboratory and duplicate samples will be collected at a rate of one per ten samples submitted to the laboratory.

### 3.0 ANALYTICAL PROCEDURES

#### 3.1 Laboratory Analysis

Samples will be analyzed by the NYSDOH ELAP laboratory for one or more of the following parameters: VOCs in soil by USEPA Method 8260C, SVOCs in soil by USEPA Method 8270D, Target Analyte List (TAL) Metals 6010 in soil and pesticides / PCBs in soil by USEPA Method 8081B/8082A (Table 2). If any modifications or additions to the standard procedures are anticipated and if any nonstandard sample preparation or analytical protocol is to be used, the modifications and the nonstandard protocol will be explicitly defined and documented. Prior approval by EBC's PM will be necessary for any nonstandard analytical or sample preparation protocol used by the laboratory, i.e., dilution of samples or extracts by greater than a factor of five (5).



## **4.0 DATA REDUCTION, REVIEW, AND REPORTING**

### **4.1 Overview**

The process of data reduction, review, and reporting ensures the assessments or a conclusion based on the final data accurately reflects actual site conditions. This plan presents the specific procedures, methods, and format that will be employed for data reduction, review and reporting of each measurement parameter determined in the laboratory and field. Also described in this section is the process by which all data, reports, and work plans are proofed and checked for technical and numerical errors prior to final submission.

### **4.2 Data Reduction**

Standard methods and references will be used as guidelines for data handling, reduction, validation, and reporting. All data for the project will be compiled and summarized with an independent verification at each step in the process to prevent transcription/typographical errors. Any computerized entry of data will also undergo verification review.

Sample analysis will be provided by a New York State certified environmental laboratory. Laboratory reports will include ASP category B deliverables for use in the preparation of a data usability summary report (DUSR). All results will be provided in accordance with the NYSDEC Environmental Information Management System (EIMS) electronic data deliverable (EDD) format. Analytical results shall be presented on standard NYSDEC ASP-B forms or equivalents, and include the dates the samples were received and analyzed, and the actual methodology used. Note that if waste characterization samples are analyzed they will be in results only format and will not be evaluated in the DUSR.

Laboratory QA/QC information required by the method protocols will be compiled, including the application of data QA/QC qualifiers as appropriate. In addition, laboratory worksheets, laboratory notebooks, chains-of-custody, instrument logs, standards records, calibration records, and maintenance records, as applicable, will be provided in the laboratory data packages to determine the validity of data. Specifics on internal laboratory data reduction protocols are identified in the laboratory's SOPs.

Following receipt of the laboratory analytical results by EBC, the data results will be compiled and presented in an appropriate tabular form. Where appropriate, the impacts of QA/QC qualifiers resulting from laboratory or external validation reviews will be assessed in terms of data usability.

### **4.3 Laboratory Data Reporting**

All sample data packages submitted by the analytical laboratory will be required to be reported in conformance to the NYSDEC ASP (7/2005), Category B data deliverable requirements as applicable to the method utilized. All results will be provided in accordance with the NYSDEC Environmental Information Management System (EIMS) electronic data deliverable (EDD) format. Note that waste characterization samples, if analyzed, will be in results only format and will not be evaluated in the DUSR.

## 5.0 CORRECTIVE ACTION

Review and implementation of systems and procedures may result in recommendations for corrective action. Any deviations from the specified procedures within approved project plans due to unexpected site-specific conditions shall warrant corrective action. All errors, deficiencies, or other problems shall be brought to the immediate attention of the EBC PM, who in turn shall contact the Quality Assurance/Data Quality Manager or his designee (if applicable).

Procedures have been established to ensure that conditions adverse to data quality are promptly investigated, evaluated and corrected. These procedures for review and implementation of a change are as follows:

- Define the problem.
- Investigate the cause of the problem.
- Develop a corrective action to eliminate the problem, in consultation with the personnel who defined the problem and who will implement the change.
- Complete the required form describing the change and its rationale (see below for form requirements).
- Obtain all required written approvals.
- Implement the corrective action.
- Verify that the change has eliminated the problem.

During the field investigation, all changes to the sampling program will be documented in field logs/sheets and the EBC PM advised.

If any problems occur with the laboratory or analyses, the laboratory must immediately notify the PM, who will consult with other project staff. All approved corrective actions shall be controlled and documented.

All corrective action documentation shall include an explanation of the problem and a proposed solution which will be maintained in the project file or associated logs. Each report must be approved by the necessary personnel (e.g., the PM) before implementation of the change occurs. The PM shall be responsible for controlling, tracking, implementing and distributing identified changes.

**TABLE 1**  
**SUMMARY OF**  
**SAMPLING PROGRAM RATIONALE AND ANALYSIS**

Matrix	Location	Approximate Number of Samples	Frequency	Rationale for Sampling	Laboratory Analysis	Duplicates	Matrix Spikes	Spike Duplicates	Trip Blanks
Soil	UST excavation base	2	Base: 1 per 900 sq ft	Endpoint evaluation from tank grave	VOCs EPA Method 8260B, SVOCs EPA Method 8270	1 per day	1 per 20 samples	1 per 20 samples	1 per trip
Soil	UST Sidewall	4	Sidewall: 1 per 30 ln ft.	Endpoint evaluation from tank grave	VOCs EPA Method 8260B, SVOCs EPA Method 8270				

**TABLE 2**  
**SAMPLE COLLECTION AND ANALYSIS PROTOCOLS**

<b>Sample Type</b>	<b>Matrix</b>	<b>Sampling Device</b>	<b>Parameter</b>	<b>Sample Container</b>	<b>Sample Preservation</b>	<b>Analytical Method#</b>	<b>CRQL / MDLH</b>	<b>Holding Time</b>
Grab	Soil	Scoop Direct into Jar	VOCs	(1) 2 oz Jar	Cool to 4° C	EPA Method 8260C (test method 5035A)	Compound specific (1-5 ug/kg)	14 days
Grab	Soil	Scoop Direct into Jar	SVOCs	(1) 8 oz jar	Cool to 4° C	EPA Method 8270D	Compound specific (1-5 ug/kg)	14 day ext/40 days

*Notes:*

All holding times listed are from Verified Time of Sample Receipt (VTSR) unless noted otherwise. \* Holding time listed is from time of sample collection.

The number in parentheses in the "Sample Container" column denotes the number of containers needed.

Triple volume required when collected MS/MSD samples

The number of trip blanks are estimated.

CRQL / MDL = Contract Required Quantitation Limit / Method Detection Limit

NA = Not available or not applicable.

# **ATTACHMENT C**

## ***PBS Forms***

# New York State Department of Environmental Conservation

## Pre-Work Notification for Bulk Storage (PBS or CBS) Tank Installation or Closure



This form provides notice of an upcoming tank installation and/or closure per 6 NYCRR Sections 613-1.9(h) and (f), 613-2.6(b) (1), 613-3.5 (b) (1) and 613-4.5 (b) (1) of the Petroleum Bulk Storage (PBS) Regulations, or 6 NYCRR Sections 596.2(f) and (h) of the Chemical Bulk Storage (CBS) Regulations. Submit the completed form to the Department's Regional Office at least 30 days prior to action for PBS tank installation \* and permanent closure\*\* ; at least 3 days prior for CBS tank installation \*\*\* . For CBS permanent tank closure, a minimum of 3 day prior notice is recommended. **If the schedule for work changes you must notify the Department's Regional Office before work begins. Once the work is complete, the facility (property) owner is responsible for submitting a PBS or CBS application to the Department with the complete tank information including the date the action was completed.** The Owner is also responsible to ensure that all work is completed in compliance with the applicable PBS or CBS regulations (i.e., Parts 613 or 598/599). Any questions, call the Department's Regional Office. Information on the Chemical and Petroleum Bulk Storage Programs be found at: <http://www.dec.ny.gov/chemical/287.html>

\*not required for temporary tank system

\*\* unless in response to corrective action

\*\*\* unless immediate action is required

**Check Applicable Program:** \_\_\_\_\_ PBS \_\_\_\_\_ CBS      **Facility PBS or CBS Registration No.** \_\_\_\_\_

Site Name:	Contractor:
Site Address:	Address:
Site Address (cont):	Address(cont):
Site Contact:	Contact:
Phone Number:                      Fax Number:	Phone Number:                      Fax Number:
Email Address:	Email Address:

Tank Number	Type of Action (Close & Remove, Close in Place, Install)	Proposed Date (mm/dd/yy)	Tank Location (Aboveground or Underground)	Capacity (Gallons)	Spills/Leaks? (Yes/No w/Spill # if Yes)	Reason for Action

I hereby certify under penalty of law that the information provided on this form is true to the best of my knowledge and belief. False statements made herein are punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.

**Name of Owner or Authorized Representative (print):** \_\_\_\_\_ **Title:** \_\_\_\_\_

**Signature** \_\_\_\_\_ **Date** \_\_\_\_\_

# Petroleum Bulk Storage Application

Pursuant to the Environmental Conservation Law: Article 17, Title 10; and  
Regulations 6 NYCRR Part 613 and 6 NYCRR Subpart 374-2

Return Completed Form & Fees To:



**PBS Number:**

(Please Type or Print Clearly and Complete All Items for Sections A, B & C)

## Section A - Facility/Property Owner/Contact Information

Expiration Date:

<b>Transaction Type:</b> <input type="checkbox"/> 1) Initial/New Facility 2) Change of Ownership 3) Tank Installation, Closing, or Repair 4) Information Correction 5) Renewal	F A C I L I T Y	Facility Name:		Tax Map Info		<b>TYPE OF PETROLEUM FACILITY</b> (Check only one) <input type="checkbox"/> 01=Storage Terminal/Petrol. Distributor <input type="checkbox"/> 02=Retail Gasoline Sales <input type="checkbox"/> 03=Other Retail Sales <input type="checkbox"/> 04=Manufacturing <input type="checkbox"/> 05=Utility <input type="checkbox"/> 06=Trucking/Transportation/Fleet <input type="checkbox"/> 07=Apartment/Office Building <input type="checkbox"/> 08=School <input type="checkbox"/> 09=Farm <input type="checkbox"/> 10=Private Residence <input type="checkbox"/> 11=Airline/Air Taxi/Airport <input type="checkbox"/> 12=Chemical Distributor <input type="checkbox"/> 13=Municipality <input type="checkbox"/> 15=Railroad <input type="checkbox"/> 25=Auto Service/Repair (No Gasoline Sales) <input type="checkbox"/> 28=Cemetery/Memorial <input type="checkbox"/> 26=Religious (Church, Synagogue, Mosque, Temple, etc.) <input type="checkbox"/> 27=Hospital/Nursing Home/Health Care <input type="checkbox"/> 52=Marina 53=Nuclear Power Plant <input type="checkbox"/> 99=Other (Specify):	
		Facility Address (Physical Address, No P.O. Boxes):		Block:			
		Facility Address (cont.):		Lot			
		City:	State: <b>NY</b>	ZIP Code:			
		County:	Township/City:	Facility Phone Number:			
Facility Operator:		Emergency Contact Name:		Emergency Telephone Number:			
<b>NOTE:</b>  <b>Fill in Property Owner information here....&gt;&gt;&gt;&gt;</b>  <b>Indicate Tank Owner in Section C.</b>	O W N E R	Facility (Property) Owner (from Deed):				<b>I hereby certify, under penalty of law, that all of the information provided on this form is true and correct. False statements made herein may be punishable as a criminal offense and/or a civil violation in accordance with applicable state and federal law.</b>  Name of Owner or Authorized Representative:    Amount Enclosed: \$  Title:  Signature:    Date:	
		Facility Owner Address (Street and/or P.O. Box):					
		City:	State:	ZIP Code:			
		Owner Telephone Number:					
		Type of Owner (check only one):    3 <input type="checkbox"/> Local Government 1 <input type="checkbox"/> Private Resident    4 <input type="checkbox"/> Federal Government 2 <input type="checkbox"/> State Government    5 <input type="checkbox"/> Corporate/Commercial/Other					
Official Use Only Date Received: ____/____/____ Date Processed: ____/____/____ Amount Received: \$_____ Reviewed By: _____ Rev. 6/26/2019	C O R R E S P O N D E N C E	(Please keep this information up to date.)					
		Facility Contact Person Name:					
		Contact Person Company Name:					
		Address:					
		Address (cont.):					
		City/State/ZIP Code:					
		Tel. Number:			eMail Address:		

**PBS Number:**

## **Section B - Tank Information**

Page 2 of 3

(Please use the key located on the last page to complete each item/column)

**Registration Expiration Date:**

[illegible]

**Note: If you need to add tanks to your registration, write them in using blank lines above. Attach additional sheets as needed.**

**Blank Section B is available at [http://www.dec.ny.gov/docs/remediation\\_hudson\\_pdf/pbsrenewal.pdf](http://www.dec.ny.gov/docs/remediation_hudson_pdf/pbsrenewal.pdf)**



PBS Number:

# Petroleum Bulk Storage Application

## Section C - Tank Ownership Information (for PBS tanks listed in Section B

<div>Tank Owner Information</div> <div><input type="checkbox"/> Check box if same as Facility (Property) Owner. If tank owner is different from property owner, fill out information below:</div>		
Tank Owner Name (Company/Individual):		
Contact Person:		
Tank Owner Address:		
City:	State:	ZIP:
Contact Person Telephone Number:	Contact Person email:	
<div>Specific Tanks Owned</div> <div><input type="checkbox"/> Check box if this owner owns all tanks at this facility. If not, list tanks owned by this owner below:</div>		
Tank Number:		
Name of Class B (Daily On-Site) Operator:	Authorization No:	
Name of Class A (Primary) Operator:	Authorization No:	

<div>Tank Owner Information</div> <div><input type="checkbox"/> Check box if same as Facility (Property) Owner. If tank owner is different from property owner, fill out information below:</div>		
Tank Owner Name (Company/Individual):		
Contact Person:		
Tank Owner Address:		
City:	State:	ZIP:
Contact Person Telephone Number:	Contact Person email:	
<div>Specific Tanks Owned</div> <div><input type="checkbox"/> Check box if this owner owns all tanks at this facility. If not, list tanks owned by this owner below:</div>		
Tank Number:		
Name of Class B (Daily On-Site) Operator:	Authorization No:	
Name of Class A (Primary) Operator:	Authorization No:	

# PETROLEUM BULK STORAGE APPLICATION - SECTION B - TANK INFORMATION - CODE KEYS

## Action (1)

1. Initial Listing
2. Add Tank
3. Close/Remove Tank
4. Information Correction
5. Repair/Reline Tank

## Tank Location (3)

1. Aboveground-contact w/soil
2. Aboveground-contact w/impervious barrier
3. Aboveground on saddles, legs, stilts, rack or cradle
4. Partially buried tank (tank with 10% or more below ground)
5. Underground including vaulted with no access for inspection
6. Aboveground in Subterranean Vault w/access for inspections

## Status (4)

1. In-service
2. Out-of-service
3. Closed-Removed
4. Closed- In Place
5. Tank converted to Non-Regulated use

## Products Stored (7)

### Heating Oils: On-Site Consumption

0001. #2 Fuel Oil  
0002. #4 Fuel Oil  
0259. #5 Fuel Oil  
0003. #6 Fuel Oil  
0012. Kerosene  
0591. Clarified Oil  
2711. Biodiesel (Heating)  
2642. Used Oil (Heating)

### Heating Oils: Resale/Redistribution

2718. #2 Fuel Oil  
2719. #4 Fuel Oil  
2720. #5 Fuel Oil  
2721. #6 Fuel Oil  
2722. Kerosene  
2723. Clarified Oil

## Motor Fuels

0009. Gasoline  
2712. Gasoline/Ethanol

0008. Diesel  
2710. Biodiesel  
0011. Jet Fuel  
1044. Jet Fuel (Biofuel)  
2641. Aviation Gasoline

## Emergency Generator Fuels

0001. #2 Fuel Oil  
2730. Biodiesel (E-Gen)  
2731. Diesel (E-Gen)

## Lubricating/Cutting Oils

0013. Lube Oil  
0015. Motor Oil  
1045. Gear/Spindle Oil  
0010. Hydraulic Oil  
0007. Cutting Oil  
0021. Transmission Fluid  
1836. Turbine Oil  
0308. Petroleum Grease

## Oils Used as Building Materials

2626. Asphaltic Emulsions  
0748. Form Oil

## Petroleum Spirits

0014. White/Mineral Spirits  
1731. Naptha

## Mineral/Insulating Oils

0020. Insulating Oil (e.g., Transformer, Cable Oil)  
2630. Mineral Oil

## Waste/Used/Other Oils

- 0022 Waste/Used Oil  
9999. Other-Please list:\*

## Crude Oil

0006. Crude Oil  
0701. Crude Oil Fractions

## Tank Type (8)

01. Steel/Carbon Steel/Iron  
02. Galvanized Steel Alloy  
03. Stainless Steel Alloy  
04. Fiberglass Coated Steel  
05. Steel Tank in Concrete  
06. Fiberglass Reinforced Plastic (FRP)  
07. Plastic  
08. Equivalent Technology

09. Concrete  
10. Urethane Clad Steel  
99. Other-Please list:\*

## Internal Protection (9)

00. None  
01. Epoxy Liner  
02. Rubber Liner  
03. Fiberglass Liner (FRP)  
04. Glass Liner  
99. Other-Please list:\*

## External Protection (10/18)

00. None  
01. Painted/Asphalt Coating  
02. Original Sacrificial Anode  
03. Original Impressed Current  
04. Fiberglass  
05. Jacketed  
06. Wrapped (Piping)  
07. Retrofitted Sacrificial Anode  
08. Retrofitted Impressed Current  
09. Urethane  
99. Other-Please list:\*

## Tank Secondary Containment (11)

00. None  
01. Diking (AST Only)  
02. Vault (w/access)  
03. Vault (w/o access)  
04. Double-Walled (UST Only)  
05. Synthetic Liner  
06. Remote Impounding Area  
07. Excavation Liner  
09. Modified Double-Walled (AST Only)  
10. Impervious Underlayment (AST Only)\*\*  
11. Double Bottom (AST Only)\*\*  
12. Double-Walled (AST Only)  
99. Other - Please list\*

## Tank Leak Detection (12)

00. None  
01. Interstitial Electronic Monitoring  
02. Interstitial Manual Monitoring  
03. Vapor Well  
04. Groundwater Well  
05. In-Tank System (Auto Tank

06. Impervious Barrier/Concrete Pad (AST Only)  
07. Statistical Inventory Reconciliation (SIR)  
08. Weep holes in vaults with no access for inspection  
99. Other-Please list: \*

## Overfill Protection (13)

00. None  
01. Float Vent Valve  
02. High Level Alarm  
03. Automatic Shut-Off  
04. Product Level Gauge (AST Only)  
05. Vent Whistle  
99. Other-Please list:\*

## Spill Prevention (14)

00. None  
01. Catch Basin  
99. Other-Please list:\*

## Pumping/Dispensing Method (15)

00. None  
01. Presurized Dispenser  
02. Suction Dispenser  
03. Gravity  
04. On-Site Heating System (Suction)  
05. On-Site Heating System (Supply/Return)  
06. Tank-Mounted Dispenser  
07. Loading Rack/Transfer Pump

## Piping Location (16)

00. No Piping  
01. Aboveground  
02. Underground/On-ground  
03. Aboveground/Underground Combination

## Piping Type (17)

00. None  
01. Steel/Carbon Steel/Iron  
02. Galvanized Steel  
03. Stainless Steel Alloy  
04. Fiberglass Coated Steel  
05. Steel Encased in Concrete

06. Fiberglass Reinforced Plastic (FRP)  
07. Plastic  
08. Equivalent Technology  
09. Concrete  
10. Copper  
11. Flexible Piping  
99. Other-Please list:\*

## Piping Secondary Containment (19)

00. None  
01. Diking (Aboveground Only)  
02. Vault (w/access)  
04. Double-Walled (Underground Only )  
06. Remote Impounding Area  
07. Trench Liner  
12. Double-Walled (Aboveground Only)  
99. Other-Please list: \*

## Pipe Leak Detection (20)

00. None  
01. Interstitial Electronic Monitoring  
02. Interstitial Manual Monitoring  
03. Vapor Well  
04. Groundwater Well  
07. Pressurized Piping Leak Detector  
09. Exempt Suction Piping  
10. Statistical Inventory Reconciliation (SIR)  
99. Other-Please list:\*

## Under Dispenser Containment (UDC) (21)

Check Box if Present

.....

\* If other, please list on a separate sheet including tank number,

\*\* Each of these codes must be combined with code 01 or 06 to meet compliance requirements.

## **INSTRUCTIONS: SECTION A OF PETROLEUM BULK STORAGE APPLICATION**

**GENERAL INSTRUCTIONS** – For specific registration requirements, refer to 6NYCRR §613-1.9 and 6NYCRR Subpart 374-2, available at <http://www.dec.ny.gov/regulations/regulations.html>. Type or print all items, except signature in Section A. Facility owners in delegated counties (Nassau, Suffolk, Westchester), need to contact the county to obtain the county registration form. Facilities in delegated counties owned by NYS agencies or NYS public authorities need to register with the NYSDEC.

**PBS NUMBER** - Enter the seven-digit NYSDEC Registration Number if the facility was previously registered; otherwise, leave blank.

**TRANSACTION TYPE** - Enter the appropriate number in the box to indicate type of transaction for the following:

- 1) Initial/New Facility ..... First application for registration by the facility (property) owner of a regulated facility. **A copy of the first page of the deed showing the parties involved and the date of ownership is needed.** The expiration date of the registration certificate will generally be five years from the date of facility (property) ownership, as determined by the deed. Operating a facility without a valid registration is a violation of 6 NYCRR §613-1.9.
- 2) Change of Ownership ..... Application for registration by the new owner of the facility (property). Obtain a pre-printed transfer of ownership application by submitting a request to the appropriate DEC office. Complete all sections. **A copy of the first page of the deed showing the parties involved and the date of ownership is needed.** The expiration date of the registration certificate will be five years from the date of ownership, as determined by the deed. Failing to re-register a facility within 30 days of an ownership transfer is a violation of 6 NYCRR §613-1.9(d)(1).
- 3) Tank Installation, Closing, or Repair ..... Application for one or more new stationary tanks that are added to the facility, or if an existing stationary tank has been replaced, repaired, or permanently closed.
- 4) Information Correction ..... Application for any information changes that have occurred since the last application, when the property ownership has not transferred, and the registration has not expired.
- 5) Renewal ..... Application for a previously registered facility that has not changed property ownership since the last registration. The registration for a petroleum bulk storage facility must be renewed every five years until the Department receives written notice from the facility owner that the facility has been permanently closed or the ownership of the facility has been transferred as shown by the deed.

**FACILITY INFORMATION** - Enter the name and address/location (**not** PO Box) of the facility. For township, enter the geographical location, not the mailing city.

**FACILITY OPERATOR:** Enter the name of the person who leases, operates, controls or supervises the facility.

**FACILITY PHONE NUMBER:** Phone number during business hours.

**OWNER INFORMATION** - Enter the name, address and telephone number of the facility (property) owner. For renewal applications, if you are listed as the facility owner, but are the tank owner and not the property owner, update the facility owner information and submit the application on behalf of the property owner if duly authorized (see below).

**TYPE OF OWNER** - Check the appropriate box (check only one).

**CORRESPONDENCE INFORMATION-** Enter the contact person name, company, address, telephone number, and email address for mailing/contact purposes. This information must be kept up-to-date.

**TYPE OF PETROLEUM FACILITY** - Check the most appropriate box (only one). If "other," specify the type of facility in the space provided.

**EMERGENCY CONTACT** - Enter the emergency contact name and telephone number.

**NAME AND OFFICIAL TITLE OF OWNER OR OWNER'S AUTHORIZED REPRESENTATIVE** - Type or print the name and title of the owner (property) or authorized representative. See [http://www.dec.ny.gov/docs/remediation\\_hudson\\_pdf/pbscbsowner.pdf](http://www.dec.ny.gov/docs/remediation_hudson_pdf/pbscbsowner.pdf) for a suggested authorization form.

**AMOUNT ENCLOSED** - Indicate the fee, and back fees enclosed. Fees are required for initial registrations, renewals, and changes of facility (property) ownership. For changes of facility ownership, registration fees are based on the date the current owner took title. No fee is required for tank installation, closing/or repair, or information corrections provided that the property ownership has not transferred since the last application and the existing registration has not expired. Make check/money order payable to "New York State Dept. of Environmental Conservation." **Use the PBS Registration Worksheet, [http://www.dec.ny.gov/docs/remediation\\_hudson\\_pdf/pbsform.pdf](http://www.dec.ny.gov/docs/remediation_hudson_pdf/pbsform.pdf) to determine applicable fee.**

## **INSTRUCTIONS: SECTION B OF PETROLEUM BULK STORAGE APPLICATION**

**GENERAL INSTRUCTIONS** - Provide detail for each regulated tank (one complete line per tank; use additional forms as required). Enter one choice per block. Make only one entry per column, except for tank external protection, tank secondary containment, tank leak detection, tank overfill prevention, piping external protection, and piping leak detection columns, where you may indicate a primary and secondary choice. **Refer to the "Section B – Tank Information - Code Keys" to indicate your responses.**

**(Column 1) ACTION** - Enter the type of action from the following choices:

1. Initial Listing..... Initial registration of a tank at a newly registered facility.
2. Add Tank ..... Installing a new tank at a facility.
3. Close/Remove Tank..... Permanently closing a tank or conversion to non-regulated substance/use.
4. Information Correction.... Information changes for any tanks that have occurred since the last application. Correct the information in the appropriate spaces.
5. Repair/Reline Tank..... Repairs/relining performed in compliance with §613-2/-3/-4 as applicable.

**(Column 2) TANK NUMBER** - A unique tank number is required for each tank. Enter the number of the tank, using the tank numbering system at the facility. If none exists, establish one (e.g. 001, 002, etc.). Duplicate tank numbers at the same facility or "000" are not acceptable. For replacement tanks, the newly installed tank must have a different number than the closed tank. Otherwise, any combination of letters and numbers is acceptable, except manifolded tanks and compartmented tanks as noted below:

Manifolded (interconnected) tanks – numbering protocol: List each interconnected tank of the manifolded system on a separate line of the application, assigning a separate tank number for each, with a letter suffix. Sum the capacity for all tanks of the manifolded system and list it as the capacity for the first tank in the group. For the remaining tanks in the group, list 0 gallons as the capacity. Attach a separate sheet entitled "manifold tank details" listing individual tank capacities and tank numbers for each set of manifolded tanks. Example – a facility has two separate manifolded tank systems. The first system has two 1,000 gallon tanks interconnected by piping. The tanks would be listed on the application as follows (tank number, capacity): 1A, 2000 gallons; 1B, 0 gallons. The second system has three 550 gallon tanks interconnected by piping. The tanks would be listed on the application as follows (tank number, capacity): 2A, 1650 gallons; 2B, 0 gallons; 2C, 0 gallons. On the manifolded tank detail sheet list: Tank 1A: 1000 gallons, Tank 1B: 1000 gallons; Tank 2A: 550 gallons, Tank 2B: 550 gallons, Tank 2C: 550 gallons.

Tank with individual compartments – numbering protocol: List each compartment on a separate line of the application, assigning each compartment a separate tank number with a letter suffix. Under capacity, list the storage capacity of the compartment. Example – a facility has a tank with 3 individual compartments of 2000 gallons, 2000 gallons, and 1000 gallons. The tanks would be listed as follows (tank number, capacity): 1A, 2000 gallons; 1B, 2000 gallons; and 1C, 1000 gallons.

**(Column 3) TANK LOCATION** - Specify the location of the tank from the following choices:

1. Aboveground - contact with soil..... Tank bottom rests on soil, allowing no visual inspection.
2. Aboveground - contact with impervious barrier ... Tank bottom rests on impervious barrier, allowing visual indication of leaks.
3. Aboveground - on saddles, legs, racks, etc..... Tank bottom is elevated above grade or tank pad, allowing visual inspection.
4. Partially buried tank (tank with 10% or more below ground)..... Tank is less than 90% above grade, partially buried.

**(Column 3) TANK LOCATION continued**

5. Underground including vaulted with no access for inspections..... Completely covered with materials or vaulted with no access for inspection.
6. Aboveground in subterranean vault with access for inspections..... Tank in subterranean vault but accessible for inspection.

**(Column 4) STATUS** - Specify the status of the tank. In-service tanks are status 1. If a tank is permanently out of service (Status 3 or 4), it must be closed pursuant to 6 NYCRR 613-2.6/-3.5/-4.5. If not properly closed, it must be considered out-of-service (Status 2) and then closed or put back into service within 12 months of being taken out of service. A tank converted to non-regulated use (Status 5) is one storing something other than a regulated petroleum product (see list available under PBS at <http://www.dec.ny.gov/chemical/4767.html>).

**(Column 5) INSTALLATION, OUT OF SERVICE, OR PERMANENT CLOSURE DATE** - For Action 1, 2, 4, or 5, enter the month, day, and year the tank was completely installed. If installation date is unknown, you must provide your best estimate. For Action 3 (Closure), enter the month, day, and year the tank was permanently closed in compliance with Part 613 or converted to non-regulated substance/use. If a tank is being taken out-of-service, update status (column 4) to 2 (Out-of-Service) and in column 5 write in the date the tank was taken out of service.

**(Column 6) CAPACITY** - Specify the total storage design or maximum capacity of the tank in gallons. Do not use the working capacity. For manifolded/compartmented tanks, see the instructions above for "tank number."

**(Column 7) PRODUCT STORED** - Specify the type of petroleum product stored in the tank by entering the proper code. For heating oil, choose a code based on whether the product in tank is consumed on-site or resold/redistributed. Examples: code 0001 is used for #2 fuel oil fed to a boiler to heat this facility; code 2718 is used for #2 fuel oil stored at a bulk plant for later resale or redistribution; code 2642 is entered for used oil that feeds an on-site boiler or furnace; code 0022 is entered for used oil that will be hauled away by a waste hauler or other legal disposal. For gasoline blended with ethanol or diesel blended with biodiesel, list percent additive of ethanol or biodiesel in % column.

**(Column 8) TANK TYPE** - Specify tank type. If tank type is unknown, or the tank is coated/painted steel, enter 01. Tanks used must be in compliance with the requirements of Part 613.

**(Column 9) TANK INTERNAL PROTECTION** - Specify the type of protection provided for the tank to prevent internal corrosion.

**(Column 10) TANK EXTERNAL PROTECTION** - Specify the type(s) of protection provided for the tank to prevent external corrosion.

**(Column 11) TANK SECONDARY CONTAINMENT** - Specify type(s) of secondary containment provided that are in compliance with Part 613. For aboveground tanks, 10,000 gallons or larger, and some smaller capacity aboveground tanks, secondary containment is required per 6 NYCRR §613-4.1(b)(1)(v). Aboveground tanks with impervious underlayment or double bottoms must also have diking or remote impoundment (use second column to specify which). Select "09" (Modified Double – Walled, Aboveground Only) for double wall aboveground tanks that provide containment for all spill scenarios, including overfills and leaks from tank top connections, as specified in DER-25, Aboveground Storage Tanks, §XVD, available at [http://www.dec.ny.gov/docs/remediation\\_hudson\\_pdf/der25.pdf](http://www.dec.ny.gov/docs/remediation_hudson_pdf/der25.pdf). Select "12" (Double – Walled, Aboveground Only) for double wall aboveground tanks that do not provide containment for all spill scenarios as specified in DER-25.

**(Column 12) TANK LEAK DETECTION** - Specify leak detection method(s) used that are in compliance with Part 613. List leak detection equipment that is operational and in use on a consistent basis.

**(Column 13) TANK OVERFILL PREVENTION** - Specify the type(s) of overfill prevention equipment used that are in compliance with Part 613.

**(Column 14) TANK SPILL PREVENTION** – Indicate if there is a spill catch basin (also known as a spill bucket) at the fill port (required for federally-regulated underground tanks).

**(Column 15) PUMPING/DISPENSING METHOD** - Specify method/pump used to remove product from tank.

**(Column 16) PIPING LOCATION** - Specify piping location.

00. No Piping.....No piping exists for this tank.
01. Aboveground .....Piping is elevated and not in contact with the surface (soil, concrete, asphalt, etc.).
02. Underground/On-ground.....Piping completely covered with earth or resting in contact with surface (soil, concrete, asphalt, etc.).
03. Aboveground/Underground Combination .....Piping system contains both aboveground and underground piping.

**(Column 17) PIPING TYPE** - Specify piping type from the tank to the end use point (e.g., dispenser; not to the fill port or vent pipe). For aboveground/underground combination, list the piping type for the underground portion.

**(Column 18) PIPING EXTERNAL PROTECTION** - Specify the type(s) of protection provided for the pipe to prevent external corrosion.

**(Column 19) PIPING SECONDARY CONTAINMENT** - Specify the type of secondary containment system.

**(Column 20) PIPING LEAK DETECTION** - Specify leak detection method used. List leak detection equipment that is operational and in use on a consistent basis. For a description of "Exempt Suction Piping" and when it can be listed as leak detection, refer to DER-25, §IIB, available at, [http://www.dec.ny.gov/docs/remediation\\_hudson\\_pdf/der25.pdf](http://www.dec.ny.gov/docs/remediation_hudson_pdf/der25.pdf).

**(Column 21) UNDER DISPENSER CONTAINMENT (UDC)** - Check box if sump/containment underneath a motor fuel dispenser is present.

#### **INSTRUCTIONS: SECTION C OF PETROLEUM BULK STORAGE APPLICATION**

**GENERAL INSTRUCTIONS:** List the owners for all tanks listed in Section B. By no later than October 11, 2016, facilities with certain underground tanks (generally those storing motor fuels) must have specified the names and authorization numbers for their authorized Class A and Class B Operators. See <http://www.dec.ny.gov/chemical/102202.html> for more guidance.

#### **TANK OWNER INFORMATION:**

If all tanks are owned by the facility (property) owner listed in Section A, check the box in the upper left hand corner and skip the remainder of Section C. If one or more tanks are owned by someone other than the facility (property) owner listed in Section A, fill out name, address, and contact information for each tank owner and then complete "Specific Tanks Owned" directly below. If there are multiple tank owners, fill out the adjacent columns with their information (use extra sheets if necessary).

**SPECIFIC TANKS OWNED:** If all tanks are owned by one owner, check the box indicated. It is not necessary to list associated tank numbers. If there is more than one tank owner, do not check this box. Instead, list each tank number for the corresponding owner listed in the section above using the tank number listed in Section B. **AS AN EXAMPLE ONLY** - a facility has six tanks; five are owned by Joe Smith, the sixth is owned by ABC Company. The owner information for Joe Smith would be added to the first column. The tank numbers for the five tanks he owns would be listed under "Specific Tanks Owned." The owner information for the ABC Company would be added in the second tank owner information column, and the tank number for the one tank owned by ABC Company would be listed under "Specific Tanks Owned."

**CHANGE OF TANK OWNERSHIP (with no change of property ownership):** Enter the new tank ownership information. This is considered an information correction transaction (see instructions in Section A above) and should be submitted within 30 days of the tank ownership change. No fee is required, unless the property ownership has also changed in which case the facility must be re-registered under the new owner.

**Class B (Daily On-Site) Operator:** For facilities with underground storage tank systems regulated under 6NYCRR Subpart 613-2, enter the Class B Operator and their Operator Authorization number. The Class B Operator typically implements field aspects of operation, maintenance, and associated recordkeeping for the storage tank(s) at the facility. For facilities not regulated under Subpart 613-2, leave the Class B Operator and Authorization number blank.

**Class A (Primary) Operator:** For facilities with underground storage tank systems regulated under 6NYCRR Subpart 613-2, enter the Class A Operator and their Operator Authorization number. The Class A Operator typically manages resources and personnel through establishing work assignments to achieve and maintain compliance with the requirements of the PBS Regulations. For all other facilities, leave the Class A Operator and Authorization number blank.



## INSTRUCTIONS: RETURNING COMPLETED APPLICATIONS AND POSTING OF CERTIFICATE

**SUBMITTING APPLICATION TO DEC:** Proofread the application, and refer to the check list below to make sure that all required information is filled-in accurately. Applications that show significant deficiencies will be returned. An authorized person must sign and date the application. If a registration fee is required, make sure that the check is made out for the correct amount to "New York State Dept. of Environmental Conservation." Provide one check per facility and note the PBS number on your check (except for initial applications). For initial applications and transfer of ownership applications, provide a copy of the first page of the deed(s) showing the parties involved and the date of ownership. Return the completed application package to the appropriate NYSDEC Office. For pre-printed renewal applications, the address is printed on the top of Section A. Applications with fees for facilities located in the City of New York (DEC Region 2) should be sent to NYSDEC, 625 Broadway, Albany, NY 12233-7020. For other transactions, the form should be submitted to the NYSDEC regional office where the facility is located (see <http://www.dec.ny.gov/about/50230.html> for a list of regional offices). Allow a minimum of 4 weeks for the application to be processed.

**POSTING OF REGISTRATION CERTIFICATE:** The facility operator must display a registration certificate which is current and valid on the premises of the facility at all times (see 6 NYCRR §613-1.9(g)).

### Checklist for Ensuring Your PBS Registration Application is Complete

To avoid submitting an incomplete or inaccurate application, please review the following items before submitting the application.

- ☐ **Completeness** - Fill in all blanks applicable to this facility. Note the "Facility Owner" (Section A) is defined as the current property owner. If required, provide the information for the Class A and B Operators. In section B, make sure that all regulated tanks are listed. List the owner(s) of the tanks in Section C. Application instructions, frequently asked questions and the list of regulated petroleum products are available on the DEC's website (<http://www.dec.ny.gov/chemical/4767.html>). **By no later than 10/11/2016, owners of facilities with certain underground tanks (not applicable to heating oil tanks at apartment buildings) must have designated their "Class A" and "Class B" trained operators with their authorization numbers** (see <http://www.dec.ny.gov/chemical/102202.html> for more guidance).
- ☐ **Accuracy** - All information on the forms must accurately reflect the equipment and information for the facility.
- ☐ **Compliance** - All tank system equipment must meet the applicable regulatory requirements of 6 NYCRR Part 613 (e.g., secondary containment, leak detection, overfill protection, external protection, etc.; see <http://www.dec.ny.gov/regs/2490.html>).
- ☐ **Tank and Piping Tightness Tests** - Any required tightness tests for underground tanks and lines must be up-to-date, with satisfactory (passing) results and test reports submitted to the DEC (see <http://www.dec.ny.gov/chemical/8637.html> for more guidance).
- ☐ **Aboveground Tank Secondary Containment** - All aboveground tanks with a capacity of 10,000 gallons or greater must have compliant secondary containment (see 6 NYCRR 613-4.1(b)(1)(v)(b) for requirements for smaller tanks).
- ☐ **Whenever ownership of a facility/property changes**, the new owner must register within 30 days and include a copy of the deed page(s) that shows the property owner and the date that ownership began. Registrations are not transferable from one owner to another.
- ☐ **Tank Installation Date** - The date of installation, or if unknown, a best estimate, must be provided for all tanks.
- ☐ **Unique Tank ID Numbers** - Each tank at a facility must be assigned a unique identification number. For replacement tanks, the newly installed tank must have a different number from the closed tank.
- ☐ **Registration Fee** - Fee payment (if applicable) must be for the correct amount. Use the PBS Registration Fee Worksheet, [http://www.dec.ny.gov/docs/remediation\\_hudson\\_pdf/pbsform.pdf](http://www.dec.ny.gov/docs/remediation_hudson_pdf/pbsform.pdf) to calculate the correct fee. Make check out to "New York State Dept. of Environmental Conservation" and write the PBS number on the check. If applications are submitted for multiple facilities, include one check per facility.
- ☐ **Application Certification** - The application must be signed by the facility (property) owner or an authorized representative (see [http://www.dec.ny.gov/docs/remediation\\_hudson\\_pdf/pbscbowner.pdf](http://www.dec.ny.gov/docs/remediation_hudson_pdf/pbscbowner.pdf) for a suggested form).

Upon receipt of a complete application and correct fee, the DEC will issue a new five-year certificate. Allow four weeks for the application to be processed. If you have questions or need a printed copy of any of the instructions or forms noted above, please call the DEC office listed on the upper right hand corner of Section A of the application.