

18 May 2022

Ms. Veronica Zhune  
New York State Department of Environmental Conservation  
1 Hunter's Point Plaza  
47-40 21<sup>st</sup> Street  
Long Island City, NY 11101-5401

**Re: Aboveground Storage Tank Closure Report  
1487 First Avenue  
New York, New York  
Block 1452, Tentative Lot 27 (Lots 27, 28, 29 & 30)  
Langan Project No. 100963701  
NYSDEC Spill No. 2109276**

Dear Ms. Zhune:

Langan Engineering, Environmental, Surveying, Landscape Architecture and Geology, D.P.C. (Langan) prepared this Aboveground Storage Tank (AST) Letter Report for the site at 1487 First Avenue in New York, NY (the site). The report documents the AST removal and cleanup activities implemented to address New York State Department of Environmental Conservation (NYSDEC) Spill No. 2109276 on 14, 15, and 17 March 2022 by Brookside Environmental (Brookside) of Copiague, New York with observation by a Langan field engineer. An affidavit identifying that the AST was closed and permanently removed in accordance with New York City Fire Code, Chapter 34, Section FC3404.2.13 and FC3404.2.14, under supervision of Mr. Brian Gauderault of Brookside, a certified New York City Underground Tank Installer (License No. 81350266), is included as Attachment 1.

## Site Description

The site is an approximately 10,050-square-foot property located at Block 1452, Lots 27, 28, 29, and 30 (to be merged as Tentative Lot 27 in accordance with the New York City RP-602 Form partially executed on 6 January 2022) and is currently occupied by two four-story vacant buildings in the southern and northwestern portions of the site. The remaining portions of the site consist of vacant land where former building basements were partially backfilled with remnant demolition debris by the previous property owner.

## UST Closure Activities

On 21 January 2022, an approximately 275-gallon AST was discovered buried in the demolition debris left in place by the previous property owner in the northeastern corner of the site during preparation for the geotechnical and environmental investigations. The AST was removed and staged on tarpaulins and all surrounding demolition debris visually observed to be impacted with product from the AST was excavated and staged on tarpaulins. While excavating and stockpiling the impacted demolition debris, it was determined that the AST was located above the former basement slab. Following excavation and staging of the AST and impacted demolition debris, the slab observed

beneath the original AST location was subsequently covered by the non-impacted remnant demolition debris for construction of a site access ramp.

### AST Cleaning and Removal

AST cleaning and closure activities commenced on 14 March 2022 and included: removal of liquid sludge material, solid sludge, cleaning pads, and associate tank debris; cleaning and inspection of the AST; and the removal of all stockpiled petroleum-impacted demolition debris that had been removed from the area immediately surrounding the AST.

An access hole was cut into the top of the AST to facilitate removal of remaining liquids and accumulated sludge. Approximately 55-gallons of liquid sludge was removed from the AST and containerized within USDOT-approved 55-gallon drums for off-site transportation to Clean Water of New York in Staten Island, NY. The interior walls of the AST were then manually cleaned. All remaining liquids, accumulated sludge and cleaning fluids generated during these activities were containerized within USDOT-approved 55-gallon drums, and were transported to and disposed of at Clean Water of New York. A photographic log of UST closure activities is included as Attachment 2, and UST disposal documentation is included as Attachment 3.

All demolition debris and concrete in the vicinity of the original AST location and the AST and demolition debris staging area were evaluated for visual and olfactory indications of petroleum impacts (i.e. staining, odor). An approximately 10-ft by 6-ft excavation was completed to assess the condition of the demolition debris and the former concrete slab (approximately 9-ft below sidewalk level [bsl] and 4-ft below ground surface [bgs]) in the location where the AST was originally found and an additional 10-ft by 6-ft excavation was completed to assess the conditions of the concrete slab beneath where the AST and stockpiled demolition debris had been staged on tarpaulins (approximately 9-ft bsl, corresponding to 1-ft bgs).

No staining was observed on the demolition debris or on the concrete slab (9-ft bsl corresponding to 4-ft bgs) in the location where the AST was originally found. Staining was observed in a 2-ft by 4-ft area and a 3-ft by 3-ft area of the concrete slab immediately below where the AST and stockpiled demolition debris had been staged on tarpaulins. The concrete in both areas was broken up and containerized within USDOT-approved 55-gallon drums for off-site transportation to Clean Water of New York. A secondary concrete slab was observed under the 2-ft by 4-ft area and did not appear stained. Soil under the 3-ft by 3-ft stained concrete slab area was observed to be stained. Soil was screened for volatile organic compounds (VOC) using a photoionization detector and had readings of up to approximately 55 parts per million (ppm). Poly-sheeting was placed above the stained soil as a demarcation layer for future remediation under the Brownfield Cleanup Program (BCP). All demolition debris and concrete with evidence of petroleum impacts was containerized within USDOT-approved 55-gallon drums for off-site transportation to Clean Water of New York in Staten Island, NY.

In total, 36 55-gallon drums containing tank sludge, cleaning pads, plastic sheeting, and impacted demolition debris and concrete were transported off-site for disposal at Clean Water of New York. The empty AST was taken to Gershaw Recycling of Lindenhurst, NY and recycled as scrap metal.

A photographic log of AST closure and removal activities is included as Attachment 2 and removal and disposal documentation associated with the AST closure is included as Attachment 3.

## Closure

A 275-gallon AST found buried in remnant demolition debris at the above-referenced site and associated petroleum-impacted demolition debris and former basement slab concrete were removed for off-site disposal. Visual, olfactory, and instrumentation indications of petroleum impacts were observed in an approximately 3-ft by 3-ft area below the stained concrete basement slab that was removed during AST closure activities. Poly-sheeting was placed above the stained soil as a demarcation layer for future remediation under the BCP Program.

Please contact us via phone at (973) 560-4900 or via email at [aforsburg@langan.com](mailto:aforsburg@langan.com) with any questions.

Sincerely,  
**Langan Engineering, Environmental, Surveying,  
Landscape Architecture and Geology, D.P.C.**



Amanda Forsburg, CHMM  
Senior Project Scientist



Steven Ciambuschini, P.G.  
Senior Principal / Senior Vice President

AF:MM:kn

Attachments: Figure 1 – Site Location Plan  
Figure 2 – Site Plan  
Attachment 1 – Affidavit for UST Closure  
Attachment 2 – Photographic Log  
Attachment 3 – Disposal Documentation

cc: Kyle Becker, Stephen Martinell, Matt Feldman (CP VII 78<sup>th</sup> Street, LLC)  
Michael Bogin, Evan Preminger – Sive, Paget, & Riesel, PC  
Chris McMahon, Molly Mattern, Ashley Sandve – Langan

# FIGURES



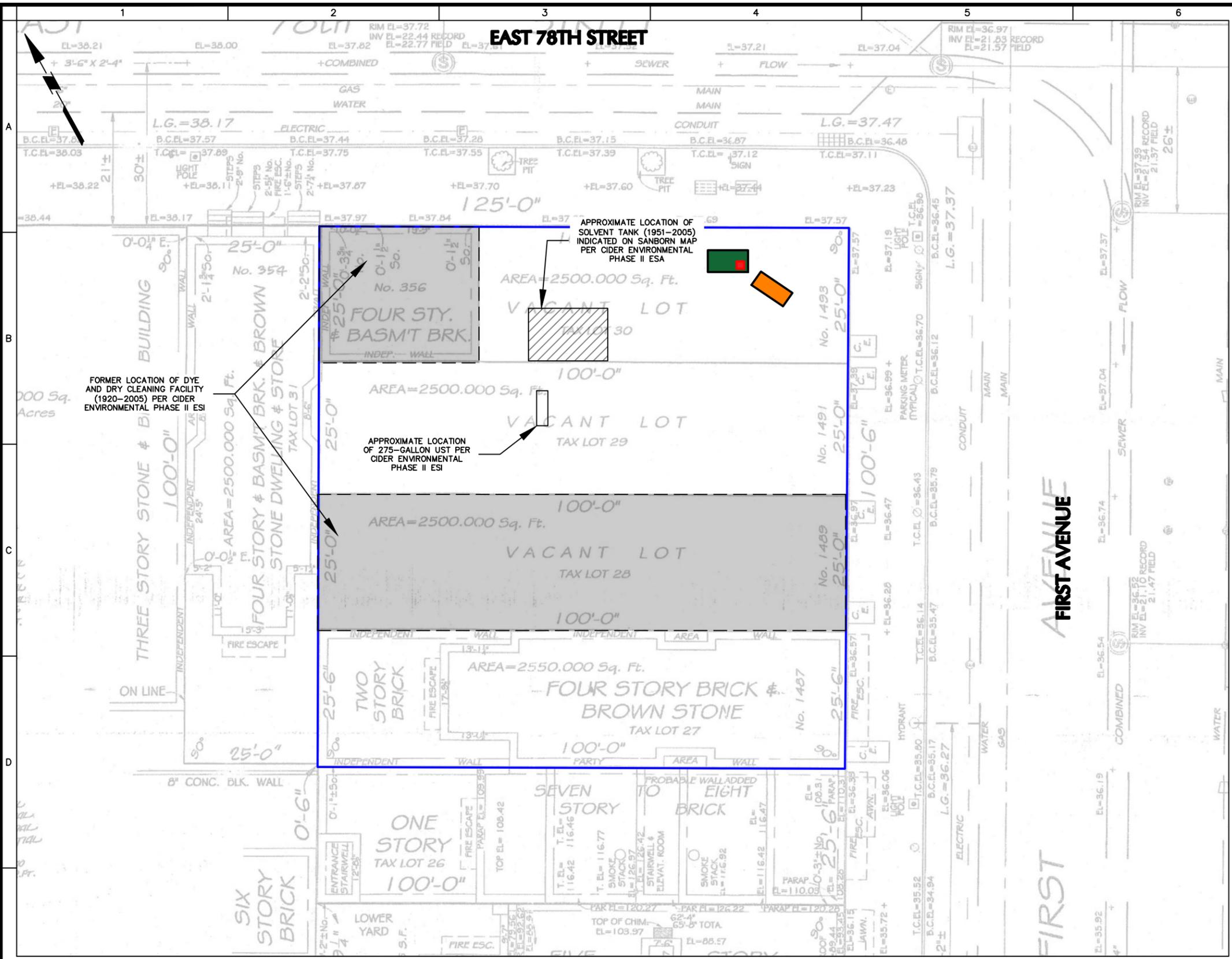
**LANGAN**  
 300 Kimball Drive  
 Parsippany, NJ 07054  
 T: 973.560.4900 F: 973.560.4901 www.langan.com

Langan Engineering & Environmental Services, Inc.  
 Langan Engineering, Environmental, Surveying,  
 Landscape Architecture and Geology, D.P.C.  
 Langan International LLC  
 Collectively known as Langan

Project  
**1487 FIRST AVENUE**  
 BLOCK No. 1452, LOT No.27, 28, 29 & 30  
 MANHATTAN  
 NEW YORK NEW YORK

Drawing Title  
**SITE  
 LOCATION MAP**

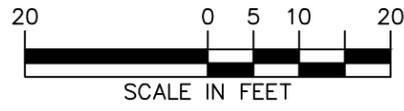
Project No. 100963701	Figure 1
Date 12/3/2021	
Scale 1"=2,000'	
Drawn By JF	
Submission Date	



LEGEND

- APPROXIMATE SITE BOUNDARY
- No. 2 FUEL OIL AST LOCATION
- DYE AND DRY CLEANING HISTORICAL SITE USE
- No. 2 FUEL OIL STAGING LOCATION
- IMPACTED SOIL LOCATION

- GENERAL NOTES:
1. BASE MAP SOURCE: PROPERTY SURVEY BY HAYNES LAND SURVEYORS OF SYOSSET, NY (DATED SEPTEMBER 14, 2015)
  2. SAMPLING LOCATIONS ARE APPROXIMATE.
  3. NC - NOT COMPLETED
  4. VERTICAL ELEVATION DATUM: NATIONAL VERTICAL DATUM OF 1988 (NAVD88)
  5. PREVIOUS SOIL BORING AND SOIL GAS LOCATIONS SAMPLED DURING THE CIDER PHASE II ESA.



 Langan Engineering, Environmental, Surveying, Landscape Architecture and Geology, D.P.C. 300 Kimball Drive Parsippany, NJ 07054 T: 973.560.4900 F: 973.560.4901 www.langan.com NJ Certificate of Authorization No.24GA27996400	Project <b>1487 FIRST AVENUE</b> BLOCK No. 1452, TENTATIVE LOT No. 27 (LOTS 27, 28, 29, & 30) MANHATTAN NEW YORK NEW YORK	Drawing Title <b>SITE PLAN</b>	Project No. 100963701	Drawing No. <b>2</b>
			Date 2/24/2022	Drawn By GCW
		Checked By MSR	1	1

# **ATTACHMENT 1**

## **Affidavit for UST Closure**

March 25, 2022

FDNY, Bureau of Fire Prevention  
Bulk Fuel Safety Unit, Room 3E-102  
9 Metro Tech Center  
Brooklyn, NY 11201-3857

Re: 1487 First Avenue  
New York, NY 10075

### AFFIDAVIT

**Brian Gaudreault** being duly sworn says that on March 14<sup>th</sup> 2022, Brookside Environmental completed the cleaning and removal of one 275 gallon aboveground storage tank containing heating oil in accordance with the provisions of the New York City Fire Code, Chapter 34, Section FC3404.2.13 and FC3404.2.14.

During the removal of the tank, Brookside:

- Inerted and cleaned the tank.
- Removed and disposed of 1 drum of tank sludge.
- Disposed of tank as scrap metal.

This affidavit is issued to attest to the proper tank cleaning and removal procedures by a FDNY Licensed Underground Storage Tank Installer/Remover. An environmental site assessment has been performed in accordance with the requirements of federal or state laws/regulations.



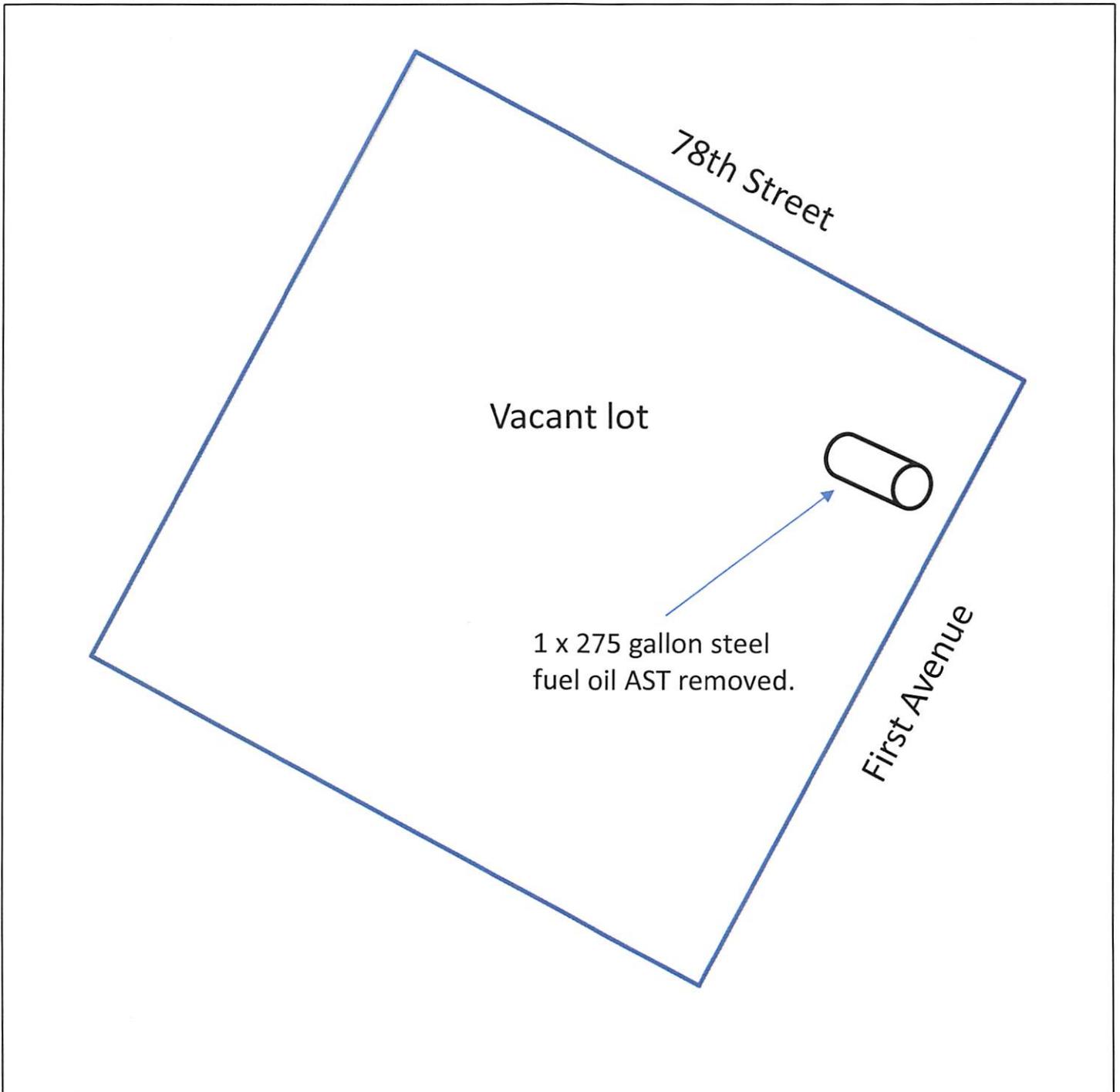
Brian Gaudreault  
C.O.F. Type W-16  
FDNY License # 81350266  
Expires: 6/07/2023

State of New York  
County of Suffolk  
Sworn before this 25<sup>th</sup> day of March 2022

Notary Public Dawn Siegel

DAWN M SIEGEL  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 01SI5082958  
Qualified in Suffolk County  
My Commission Expires 08-04-2025

BIC#2935



## Aboveground Storage Tank Location

1487 First Avenue  
New York, NY 10075

Date: 03/125/22  
Drawn by: BG  
Scale: NTS

**ATTACHMENT 2**

**Photographic Log**



Photo 1: AST staging area, facing northwest. 14 March 2022.



Photo 2: Removal of remaining tank sludge, facing west. 14 March 2022.



Photo 3: Previously stockpiled petroleum-impacted demolition debris staged on tarpaulins, facing east. 14 March 2022.



Photo 4: AST staging and cleaning, facing southwest. 14 March 2022.



Photo 5: Concrete slab below original AST location, facing southeast. 14 March 2022.



Photo 6: Concrete slab below original AST location, facing southeast. 14 March 2022.



Photo 7: Concrete slab below original AST location, facing southeast. 14 March 2022.



Photo 8: 55-gallon drums for offsite disposal, facing north. 14 March 2022.



*Photo 9:* Removal of remaining product and impacted demolition debris previously stockpiled and staged on tarpaulins, facing east. 15 March 2022.



*Photo 10:* Removal of remaining impacted demolition debris previously stockpiled and staged on tarpaulins, facing north. 15 March 2022.



Photo 11: Stained concrete below AST staging area, facing north. 15 March 2022.



Photo 12: Concrete pad removal with stained soil and secondary clean concrete pad below AST staging area, facing northeast. 15 March 2022.



Photo 13: Concrete pad removal with stained soil and secondary clean concrete pad below AST staging area, facing northeast. 15 March 2022.



Photo 14: Remaining stained soil and clean concrete pad below AST staging area, facing northeast. 15 March 2022.



*Photo 15:* Placement of polysheeting over AST staging area and stained soil as a demarcation layer for future remediation, facing west. 15 March 2022.



*Photo 16:* Placement of polysheeting over AST staging area and stained soil as a demarcation layer for future remediation, facing west. 15 March 2022.

**ATTACHMENT 3**

**Disposal Documentation**

<b>NON-HAZARDOUS WASTE MANIFEST</b>	1. Generator ID Number <i>Not required</i>	2. Page 1 of <i>1</i>	3. Emergency Response Phone <i>631-608-8810</i>	4. Waste Tracking Number <i>2769-1</i>		
5. Generator's Name and Mailing Address <i>CP VII 78th Street Owner, LLC 805 Third Avenue, 20th Floor New York NY 10022</i>		Generator's Site Address (if different than mailing address) <i>CP VII 78th Street Owner, LLC 1487 First Avenue New York NY 10075</i>				
Generator's Phone:						
6. Transporter 1 Company Name <i>Brookside Environmental, Inc.</i>		U.S. EPA ID Number <i>NYR000081661</i>				
7. Transporter 2 Company Name		U.S. EPA ID Number				
8. Designated Facility Name and Site Address <i>Clean Water of New York 3249 Richmond Terrace Staten Island NY 10303</i>		U.S. EPA ID Number <i>NYD0000968545</i>				
Facility's Phone: <i>718 981-4600</i>						
GENERATOR	9. Waste Shipping Name and Description	10. Containers		11. Total Quantity	12. Unit Wt./Vol.	
		No.	Type			
	<i>1. Non-regulated waste, solid</i>	<i>12</i>	<i>DM</i>	<i>4800</i>	<i>P</i>	
	<i>2.</i>					
	<i>3.</i>					
13. Special Handling Instructions and Additional Information <i>1) Oily debris. Approval 237-028</i>						
14. GENERATOR'S/OFFEROR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by the proper shipping name, and are classified, packaged, marked and labeled/placarded, and are in all respects in proper condition for transport according to applicable international and national governmental regulations.						
Generator's/Offeror's Printed/Typed Name <i>CP VII 78th Street Owner, LLC</i>		Signature <i>[Signature]</i>		Month <i>03</i>	Day <i>14</i>	Year <i>22</i>
TRANSPORTER	15. International Shipments <input type="checkbox"/> Import to U.S. <input type="checkbox"/> Export from U.S.		Port of entry/exit: _____			
	Transporter Signature (for exports only): _____		Date leaving U.S.: _____			
	16. Transporter Acknowledgment of Receipt of Materials					
Transporter 1 Printed/Typed Name <i>Brookside Environmental, Inc.</i>		Signature <i>[Signature]</i>		Month <i>03</i>	Day <i>14</i>	Year <i>22</i>
Transporter 2 Printed/Typed Name		Signature		Month	Day	Year
17. Discrepancy						
17a. Discrepancy Indication Space <input type="checkbox"/> Quantity <input type="checkbox"/> Type <input type="checkbox"/> Residue <input type="checkbox"/> Partial Rejection <input type="checkbox"/> Full Rejection						
Manifest Reference Number: _____						
DESIGNATED FACILITY	17b. Alternate Facility (or Generator)		U.S. EPA ID Number			
	Facility's Phone:					
	17c. Signature of Alternate Facility (or Generator)		Month	Day	Year	
18. Designated Facility Owner or Operator: Certification of receipt of materials covered by the manifest except as noted in Item 17a						
Printed/Typed Name <i>Nick Heppeman</i>		Signature <i>[Signature]</i>		Month <i>03</i>	Day <i>14</i>	Year <i>22</i>

<b>NON-HAZARDOUS WASTE MANIFEST</b>	1. Generator ID Number <b>Not required</b>	2. Page 1 of <b>1</b>	3. Emergency Response Phone <b>631-608-8810</b>	4. Waste Tracking Number <b>2769-2</b>
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5. Generator's Name and Mailing Address <b>CP VII 78th Street Owner, LLC 805 Third Avenue, 20th Floor New York NY 10022</b>	Generator's Site Address (if different than mailing address) <b>CP VII 78th Street Owner, LLC 1487 First Avenue New York NY 10075</b>
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6. Transporter 1 Company Name <b>Brookside Environmental, Inc.</b>	U.S. EPA ID Number <b>NYR000081661</b>
7. Transporter 2 Company Name	U.S. EPA ID Number

8. Designated Facility Name and Site Address <b>Clean Water of New York 3249 Richmond Terrace Staten Island NY 10303</b>	U.S. EPA ID Number <b>NYD0000968545</b>
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9. Waste Shipping Name and Description	10. Containers		11. Total Quantity	12. Unit Wt./Vol.
	No.	Type		
1. <b>Non-regulated waste, solid</b>	<b>24</b>	<b>DM</b>	<b>14,400</b>	<b>P</b>
2.				
3.				
4.				

13. Special Handling Instructions and Additional Information  
**1) Only debris. Approval # 237-628  
029**

14. GENERATOR'S/OFFEROR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by the proper shipping name, and are classified, packaged, marked and labeled/placarded, and are in all respects in proper condition for transport according to applicable international and national governmental regulations.

Generator's/Offeror's Printed/Typed Name: **CP VII 78th Street** Signature: **[Signature]** as agent for CP VII 78th Street Owner, LLC Month: **3** Day: **15** Year: **2022**

15. International Shipments  Import to U.S.  Export from U.S. Port of entry/exit: \_\_\_\_\_ Date leaving U.S.: \_\_\_\_\_

16. Transporter Acknowledgment of Receipt of Materials

Transporter 1 Printed/Typed Name <b>Oscar Paredo</b>	Signature <b>[Signature]</b>	Month <b>3</b>	Day <b>15</b>	Year <b>2022</b>
Transporter 2 Printed/Typed Name	Signature	Month	Day	Year

17. Discrepancy

17a. Discrepancy Indication Space  Quantity  Type  Residue  Partial Rejection  Full Rejection

Manifest Reference Number: \_\_\_\_\_

17b. Alternate Facility (or Generator) U.S. EPA ID Number

Facility's Phone: \_\_\_\_\_

17c. Signature of Alternate Facility (or Generator) Month Day Year

18. Designated Facility Owner or Operator: Certification of receipt of materials covered by the manifest except as noted in Item 17a

Printed/Typed Name: **Alexis Acardo** Signature: **[Signature]** Month: **3** Day: **17** Year: **22**

**RETAIL TICKET**

TME IN: 03/17/22 10:59 AM  
 TME OUT: 03/17/22 11:06 AM  
 STATUS: PAID  
 VENDOR: 276776 Brookside Enviromental (



655 Muncy Ave.  
 Lindenhurst, NY 11757  
 Phone 631 587-1991  
 Fax 631 884-2823  
 NYD7054828



TICKET#: 2821034  
 REFERENCE#:  
 CONTRACT#:  
 CARRIER:  
 TRUCK NO:  
 DESCRIP:  
 DRIVER:  
 VENDOR TRUCK #:  
 WEIGHER:  
 TOTAL \$:  
 TOTAL LBS: 2,320

D.LIC#: 302232324  
 PHONE:  
 FAX:  
 CELL:  
 EMAIL:

Code	Commodity	Gross	Tare	Contamin.	Tare2	Net U	Price	Total
10278	Light Iron	32,000	29,680			2,320	C	
		32,000	29,680			2,320		

Notes:

