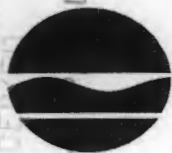


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FACT SHEET #8

December 2005

Atlas Park Site
The Shops at Atlas Park
8000 Cooper Avenue
Glendale, Queens, New York
Site No: C241045
NYSDEC Region 2

Remedial Action Complete at Atlas Park Brownfield Site

Final Engineering Report Available

This fact sheet is being provided to you pursuant to New York State Environmental Conservation Law and the New York State Department of Environmental Conservation's policies under the Brownfield Cleanup Program. Remedial action to address contamination related to Atlas Park Parcel A Site has been completed under New York State's Brownfield Cleanup Program (BCP). Atlas Park LLC has submitted a Final Engineering Report (FER) that documents the remedial action. This report is currently under review. The FER states that remediation requirements have been achieved regarding site contamination to fully protect public health and the environment for the proposed site use. The FER is available for your review at the document repositories identified in this fact sheet (see box at left).

Site Background: Atlas Park Parcel A site is situated on the site of an 80-year-old industrial park located at the intersection of Cooper Avenue and 80th Street, in the Glendale Section of Queens. Parcel A is located on the west-central portion of former Atlas Terminals, on an 8.4-acre area bounded roughly by 83rd Street to the east, and Cooper Avenue and the LIRR right of way to the north and south, respectively (map attached). Atlas Park LLC began remediation of Parcel A in the Winter/Spring of 2004. Subsequently a Remedial Investigation (RI) Report and Remedial Action Work Plan (RAWP), which summarized the remedial activities for the cleanup of the Site, were released for public review and comment in the Summer of 2005. All of these work plans were approved and have been fully implemented. A summary of all work completed in Parcel A is included in the FER.

Highlights of Remedial Action Report: The Final Engineering Report has several goals:

- describe the remedial activities completed;
- certify that remediation requirements have been achieved or will be achieved;
- define the boundaries of the site;
- describe any institutional/engineering controls to be used. An institutional control is a non-physical restriction on use of the site when the remedial action leaves residual contamination that makes the site suitable for some, but not all uses. An engineering control is a physical barrier or method to manage contamination (such as a cap or vapor barrier);
- certify that an operation, monitoring and maintenance plan for any engineering controls used at the site has been approved by NYSDEC.

Components of the Remedy:

- excavation of contaminated soil from the entire 8.4 acre Parcel A site;
- removal of tanks, vaults, dry wells, piping, etc. and associated contaminated liquids, sediments and soils;
- confirm completion of remedial excavation through post-excavation sampling;
- disposal of soils and waste materials at approved off-site facilities.

To achieve Track 1 objectives, the most comprehensive cleanup track under New York State's Brownfield Cleanup Program, the proposed remedy included excavation and off-Site disposal of ash, contaminated fill, and other unanticipated fill/soil exceeding Recommended Soil Cleanup Objectives. Excavation included all activities necessary for remediation and also for preparing the Site for construction of underground parking garages, retail buildings, storm-water detention systems, and utilities. All ash and contaminated fill was removed.

Next Steps NYSDEC will complete its review of the FER. Once the FER is approved, NYSDEC will issue a Certificate of Completion. With its receipt of a Certificate of Completion, Atlas Park LLC would:

- have no liability to the State for contamination at or coming from the site, subject to certain conditions; and
- be eligible for tax credits to offset the costs of performing remedial activities and for redevelopment of the site.

A Certificate of Completion may be modified or revoked if, for example, the applicant does not comply with the terms of its Brownfield Cleanup Agreement with NYSDEC, or if the applicant commits fraud regarding its application or its certification that it has met cleanup levels.

Atlas Park Site Location Map

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FACT SHEET #9

March 2006

Atlas Park Parcel B
The Shops at Atlas Park
8000 Cooper Avenue
Glendale, Queens, New York
Site No: C241088
NYSDEC Region 2

Documents Available for Public Comment

**Final Supplemental Remedial Investigation Report
Draft Remedial Action Work Plan**

This fact sheet is being provided to you pursuant to New York State Environmental Conservation Law and the New York State Department of Environmental Conservation's policies under the Brownfield Cleanup Program. Atlas Park L.L.C., a Participant in the Brownfield Cleanup Program, has completed environmental remediation related to Atlas Park Parcel A Site. Atlas Park L.L.C. continued implementation of the environmental Remedial Investigation (RI) program related to Parcel B site. RI field activities on Parcel B are now completed and a Final Supplemental Remedial Investigation Report (Final SRI-B) and Draft Remedial Action Work Plan for Parcel B (RAWP-B) are available for public comment.

Site Background: Atlas Park Parcel B (Site) is situated on the site of an 80-year-old industrial park located at the intersection of Cooper Avenue and 80th Street, in the Glendale Section of Queens. Parcel B is located on the west third of the former Atlas Terminals, on a 3.5-acre area bounded roughly by 80th Street to the west, Cooper Avenue to the north, Parcel A to the east, and the LIRR right of way to the south (map attached). Atlas Park, LLC began the investigation of Parcel B in the Summer of 2004. Subsequently, a Remedial Investigation (RI) Report, which summarized the investigation for the Site, was released for public comment in January 2005. Final confirmatory investigation work on Parcel A revealed vapor data suggesting potential sources of contamination on Parcel B that were not discovered during the initial RI. Therefore, a Supplemental Remedial Investigation Work Plan for Parcel B was prepared and publicly noticed for comment from September 26-October 26, 2005. Additional investigation of Parcel B beyond that contemplated in the Supplemental Remedial Investigation Work Plan for Parcel B has been implemented in an attempt to delineate the nature and extent of contamination on Parcel B. A summary of all investigation work completed on Parcel B is provided in the Final Supplemental Remedial Investigation Report for Parcel B and a proposal for remedial work is summarized in the Draft Remedial Action Work Plan for Parcel B. NYSDEC and NYSDOH are in the process of reviewing the Final SRI-B and Draft RAWP-B, and have not yet approved the content of these reports.

Highlights of the Supplemental Remedial Investigation Report: The SRI Report prepared by the Participant states:

- the presence of contaminated historic fill under all of the buildings;
- no "hot spot" sources of contamination present have been identified, however, the residual contamination present may cause residual groundwater and vapor contamination on Parcel B enabling vapors to migrate onto the northern portion of Parcel A from a network of newly discovered pipes that has since been excavated. The piping network was situated under the north half of former Building 28, and at least one of the pipes had cracked near the Parcel A boundary (North B Contamination).
- Vapor contamination under former Building 1 in the southern portion of Parcel B is not explained by any identified source of soil contamination (South B Contamination);
- Groundwater contamination present along the 80th Street west property boundary in concentrations suggesting an off-site groundwater plume emanating from the North B Contamination, but no vapor contamination in off-site sampling points across 80th Street.

Components of the Proposed Remedy in the Remedial Action Work Plan:

The Participant has suggested the following remedy. This proposed remedy has not been reviewed or

- North B Contamination - installation of a soil vapor extraction system (SVE) to address the residual soil contamination that may have contributed to groundwater contamination, and installation of sub slab depressurization systems (SSDS) under the north half of former Building 28 and under Parcel A Buildings 4 and 6 to address vapor contamination;
- Center B - installation of a SSDS to mitigate any potential vapor as a pre-cautionary measure;
- South B Contamination - installation of a SSDS to mitigate discovered vapors for which no source of soil contamination could be found.
- A boundary groundwater well m
- A boundary groundwater well monitoring program.

Since the remedy for Parcel B will not be a Track 1 unrestricted remedy as it was on Parcel A, but a restricted Track 4 remedy, institutional controls (ICs) and engineering controls (ECs) will be used as part of the remedy to ensure protection of public health and the environment:

- An institutional control is a non-physical restriction on use of the site when the remedial action leaves residual contamination that makes the site suitable for some, but not all uses. With respect to Parcel B, Atlas Park, LLC has suggested a deed restriction including preventing use of on-site groundwater and restricting the future use of the site to commercial uses. Atlas Park, LLC will also grant NYSDEC an environmental easement to enter the property to confirm Atlas Park, LLC is in compliance with the ICs and ECs.
- An engineering control is a physical barrier or method to manage contamination (such as a cap or vapor barrier). With respect to Parcel B, Atlas Park, LLC has suggested that the entire Parcel B footprint will be paved with asphalt or covered with building foundation materials forming a physical barrier that prevents exposure to on-site soils. Atlas Park, LLC will maintain the pavement and foundation cap in good condition to prevent exposure to on-site soils in accordance with an operation, monitoring and maintenance plan (OM&M), which will be prepared after the approved remedy is implemented to ensure that the ICs and ECs required to be implemented at the Site continue to be maintained. Atlas Park, LLC will be required to annually certify through a professional engineering firm that the OM&M Plan, including the ICs and ECs, are being monitored and maintained.

Your Opportunity to Comment on Project Documents: The public is encouraged to provide substantive comments to NYSDEC on the SRI-B and RAWP-B through the identification of any specific grounds which could lead the Department to impose changes to the work implementation. Based on these comments, the NYSDEC may require the Participant to revise the documents. **Your comments are important and strongly encouraged.** Please direct comments to NYSDEC's Project Manager at address shown on the left-hand side of the first page. The documents are subject to a 45 day comment period from March 24, 2006 through May 8, 2006.

Next Steps NYSDEC and NYSDOH will complete their review of the Final SRI-B, and then, NYSDEC will determine whether the site is deemed a significant threat to human health and the environment. In addition, NYSDEC and NYSDOH will review the RAWP-B, and determine if the remedy selected by Atlas Park, LLC, which has been summarized above, will be the approved remedy. In the event NYSDEC determines that the site poses a significant threat, NYSDEC may select a remedy that is different than the preferred remedy selected by Atlas Park, LLC. These decisions will be made after a full review and consideration of the Final SRI-B and Draft RAWP-B documents, as well as consideration of your comments.

Atlas Park Site Location Map



Base Map taken from New York USGS Quadrangle Map - Jamaica

Langan
Engineering and Environmental Services

100 N. 10th St., Suite 100, New York, NY 10017 • PH: 212-693-1000 • FAX: 212-693-1001 • WWW: LANGAN.COM

TOPOGRAPHIC MAP OF PROJECT SITE **ATLAS PARK** **REMEDIAL INVESTIGATION**

Queens

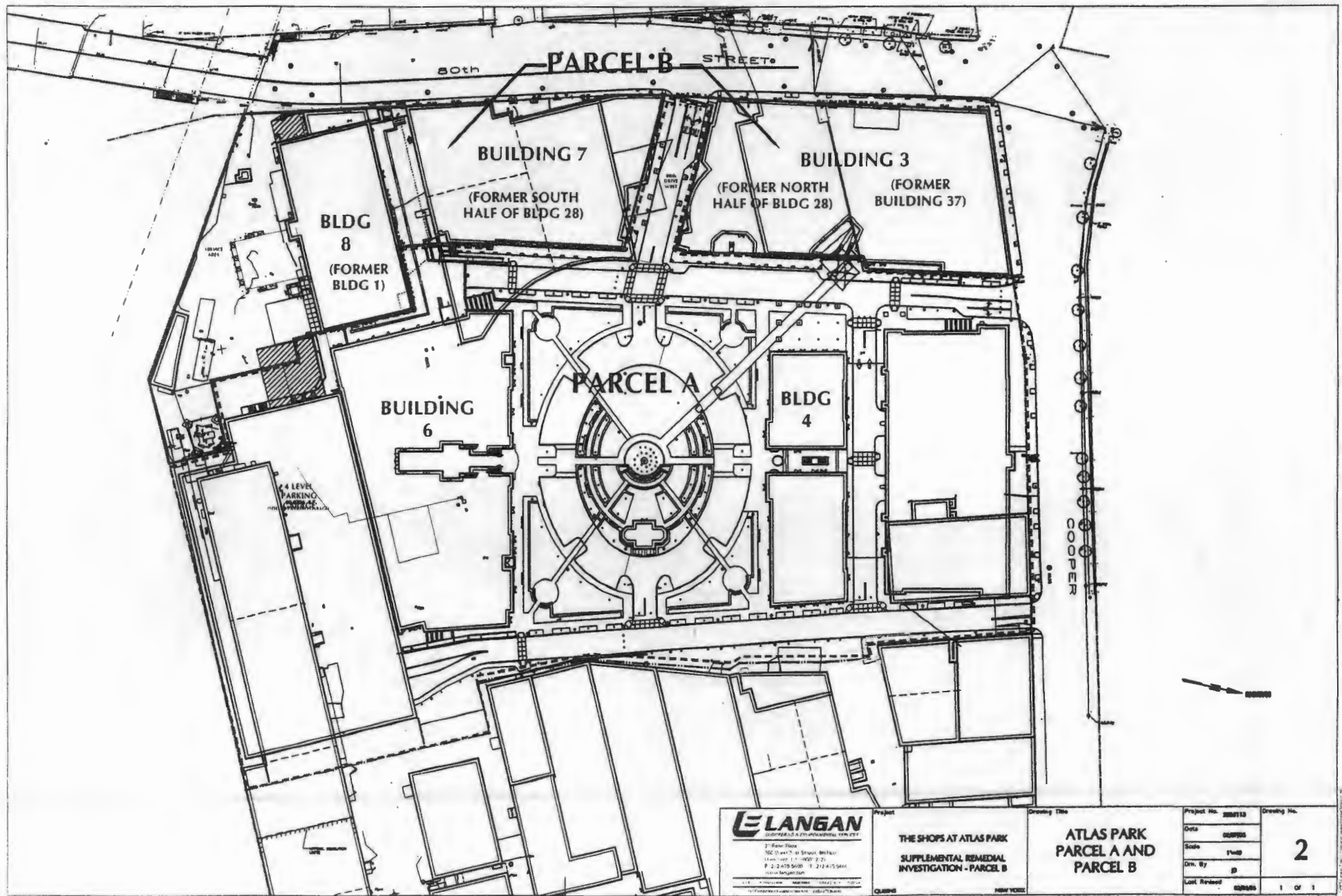
New York

PROJ. NO. 5555107

SCALE: NTS

DATE 1/12/05

FIG. 1



ELANGAN
 Environmental & Landmark Architects, Inc.
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 Tel: 817.342.1000 Fax: 817.342.1001
 www.elangan.com

**THE SHOPS AT ATLAS PARK
 SUPPLEMENTAL REMEDIAL
 INVESTIGATION - PARCEL B**

**ATLAS PARK
 PARCEL A AND
 PARCEL B**

Project No.	2007113	Drawing No.	
Date	02/09/05		
Scale	1"=40'		2
Drawn By	JD		
Check/Reviewed	GD/MS	1 OF 1	