



Michael A. Wilcken
Assistant General Counsel
Law Department

May 8, 2008

BY DHL EXPRESS

Daniel Walsh, P.E.
New York State Department of Environmental
Conservation – Region 2
1 Hunters Point Plaza
Long Island City, New York 11101

Re: Order on Consent and Administrative Settlement Index
No. W2-1114-07-12/ Operable Unit 2 Remedial Program
for Flushing Industrial Park Parcel 2 and Parcel 3

Dear Mr. Walsh:

Enclosed for the Department's consideration and approval is Con Edison's proposed Citizen Participation Plan ("CPP") under the above-referenced Order on Consent and Administrative Settlement ("Consent Order").

Con Edison has made arrangements with the Queens Borough Library located in Flushing to serve as the Document Repository for the Department-approved work plans and reports required by the Consent Order and the Department-approved fact sheets provided for in the enclosed CPP. However, Con Edison will begin using that Document Repository until it has been approved by the Department.

Very truly yours,

cc: Robert Cozzy, P.E – NYSDEC
Gary Litwin - NYSDOH
Rosalie K. Rusinko, Esq. - DEC

**CITIZEN PARTICIPATION PLAN
FOR THE
DEVELOPMENT AND IMPLEMENTATION OF A REMEDIAL
PROGRAM FOR CONTAMINATION EMANATING FROM FLUSHING
INDUSTRIAL PARK (WESTERN) PARCEL 2 AND FLUSHING
INDUSTRIAL PARK (WESTERN WATERFRONT) PARCEL 3**

NYSDEC SITE NOS. C241078 and C241079

**FLUSHING
QUEENS COUNTY, NEW YORK**

MAY 2008

PREPARED BY:

CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.

Table of Contents

Section

1. Introduction
2. Site Location and Description
3. Site History
4. Previous Environmental Studies and Remedial Actions
5. Major Elements of Required OU-2 Remedial Program
6. Con Edison Activities to Date
7. Major Issues of Public Concern
8. Citizen Participation Activities
9. Document Repository
10. Contact List

ATTACHMENTS

- 1) Figure 1 – Site Location Map
- 2) Figure 2 – Map of Flushing Industrial Park Property
- 3) NYSDEC Environmental Site Remediation Database Documents for Flushing Industrial Park (Eastern) Parcel 1, Flushing Industrial Park (Western) Parcel 2, and Flushing Industrial Park (Western waterfront) Parcel 3
- 4) Letter from Queens Public Library Agreeing to Serve as Document Repository
- 5) Contact List

Section 1. INTRODUCTION

This Citizen Participation Plan (“**Plan**”) has been developed by Consolidated Edison Company of New York, Inc. (“**Con Edison**”) in accordance with the requirements of the New York State Department of Environmental Conservation (“**NYSDEC**”) regulations codified in 6 NYCRR 375-1.10 and 375-2.10 and Order on Consent and Administrative Settlement Index No. W2-1114-07-12 (“**Consent Order**”), dated April 9, 2008, that the NYSDEC and Con Edison have entered for the development and implementation of an NYSDEC-approved remedial program for contamination emanating from Flushing Industrial Park (Western) Parcel 2 and Flushing Industrial Park (Western Waterfront) Parcel 3 in Flushing, New York. This Plan outlines the community outreach activities Con Edison will implement to ensure that the public is informed of and given an opportunity to participate in the development and implementation of the NYSDEC-approved remedial program provided for in the Consent Order -- the investigation and, if necessary, the remediation of off-site areas affected by such contamination.

The remainder of this Plan is organized as follows:

- | | |
|------------|---|
| Section 2 | Describes the Flushing Industrial Park property and identifies its location within Queens County, New York; |
| Section 3 | Describes the past uses of the Flushing Industrial Park property and the redevelopment taking place at that property; |
| Section 4 | Summarizes the environmental investigations and remediation activities that have been completed for the Flushing Industrial Park property; |
| Section 5 | Describes the major elements of the Consent Order’s process for the development and implementation of the NYSDEC-approved remedial program provided for in the Consent Order; |
| Section 6 | Identifies the activities that Con Edison has taken to date under the Consent Order; |
| Section 7 | Identifies anticipated major issues of public concern; |
| Section 8 | Outlines the community outreach activities Con Edison will implement to ensure that the public is informed of and given an opportunity to participate in the development and implementation of the NYSDEC-approved remedial program provided for in the Consent Order ; |
| Section 9 | Identifies the Document Repository that Con Edison has established for the NYSDEC-approved work plans and reports required under the Consent Order and the NYSDEC-approved fact sheets and notices provided for in this Plan; |
| Section 10 | Provides the Contact List that Con Edison has established for the development/implementation of NYSDEC-approved remedial program provided for in the Consent Order. |

Section 2. SITE LOCATION and DESCRIPTION

Flushing Industrial Park consists of an approximately 13.6-acre tract of improved real property and lands underwater located along the northwest corner of College Point Avenue and 40th Road in Flushing, Queens County, New York. The upland portion of the Flushing Industrial Park property is bordered by Roosevelt Avenue to the north, College Point Boulevard to the east, 40th Road to the south, and the Flushing River to the west. The portion of the Flushing Industrial Park property comprised of lands underwater is an approximately 0.3-acre mudflat area that is located in the Flushing River and exposed only during low tides. The Flushing

Industrial Park property has been designated as Block 5066, Lots 1, 100, 9001, 9002, and 9100 on the Tax Map of the City of New York for Queens County. The location of the Flushing Industrial Park property is shown on attached Figure 1. The current zoning of the upland portion of the Flushing Industrial Park property is C4-2, commercial with residential uses permissible.

The upland portion of the Flushing Industrial Park property has been divided into three parcels for the purpose of the NYSDEC-approved remedial actions that the current owners of the Flushing Industrial Park property have conducted under the New York State Brownfield Cleanup Program (“BCP”) for the sections of the property being redeveloped by them. These parcels are: (i) Parcel 1 (Eastern) which consists of an irregularly-shaped tract of approximately 5.42 acres located adjacent to College Point Boulevard and designated as NYSDEC Site No. C241051; (ii) Parcel 2 (Western) which consists of an irregularly-shaped tract of approximately 6.99 acres located in the central and western portions of the Flushing Industrial Park property and designated as NYSDEC Site No. C241078; and (iii) Parcel 3 (Western Waterfront) which consists of an irregularly-shaped tract of approximately 0.88 acres located along the bulkhead structure of the Flushing Industrial Park property and designated as NYSDEC Site No. C241079. Parcels 1, 2, and 3 and the mudflat area of the Flushing Industrial Park property are depicted on attached Figure 2.

Parcels 1 and 2 are reportedly being redeveloped for commercial and residential use (retail and parking structures with residential towers above portions of these structures). According to the current owners of the Flushing Industrial Park property, Parcel 3 will consist of a waterfront esplanade with an upland connection and small paved areas, with a portion of the Parcel 2 retail development extending onto Parcel 3.

No development is planned for the mudflat area of the Flushing Industrial Park property, and NYSDEC-approved remediation has not been conducted for this area. Under its Consent Order with the NYSDEC, Con Edison must address all off-site areas affected by contamination emanating from Flushing Industrial Park Parcel 2 and Parcel 3, including the mudflat area of the Flushing Industrial Park property, the Flushing River, and any other properties that have been affected by contamination emanating from Parcels 2 and 3 of the Flushing Industrial Park property. The Consent Order refers to the investigation and, if necessary, the remediation of these off-site areas as Operable Unit 2 (“OU-2”) of Flushing Industrial Park Parcel 2 and Parcel 3.

Section 3. SITE HISTORY

A Con Edison predecessor company, Queens Electric Light and Power Company, purchased the majority of the Flushing Industrial Park property from Atlas Cereal Company, Inc. (acting for Remington Typewriter) in 1923. During the 1950's, Con Edison expanded the Flushing Industrial Park property when it acquired several row houses that at the time were located in what is now the southeastern portion of the property. On February 24, 1989, Con Edison transferred title to the Flushing Industrial Park property to C.E. Flushing Company (“C.E. Flushing”).

During the time the Flushing Industrial Park property was owned by Con Edison and its predecessor company, the property was operated as service center to support their electric and gas utility operations. The activities conducted on the property included: the servicing and cleaning of trucks; the storage of gasoline and diesel fuel in underground tanks; the operation of gasoline and diesel fuel dispensing pumps; the storage of electric cable, pipes, and wooden

utility poles; the storage of transformer oil that may have contained polychlorinated biphenyls ("PCBs") in aboveground tanks; the storage of electric distribution system equipment, including scrap cable and field returned transformers that may have contained oil contaminated with PCBs; and possibly the maintenance and repair of electric transformers or other electric equipment that may have contained oil contaminated with PCBs.

Until early 2005, C.E. Flushing leased portions of the Flushing Industrial Park property to wide a variety of commercial and industrial tenants. The former buildings on the property were reportedly used at times for the manufacturing and storage of garments, an automobile parts cleaning operation, a truck repair shop, the storage of electric equipment and lighting fixtures, and office space. The outdoor areas of the Site were reportedly used for the parking and storage of buses and automobiles and as an automobile parts salvage yard.

Section 4. PREVIOUS ENVIRONMENTAL STUDIES AND REMEDIAL ACTIVITIES

Investigations of the environmental conditions of Parcels 1, 2, and 3 of the Flushing Industrial Park property were conducted by C.E. Flushing from 1989 through 2004. The results of these investigation are presented in the following reports, copies of which are on file at the NYSDEC's Region 2 Office at One Hunters Plaza, 47-40 21st Street, Long Island City, New York and in the Document Repository that was established by the current Flushing Industrial Park property owners in the Queens Borough Public Library located at 89-11 Merrick Boulevard in Jamaica, New York :

- An investigation was conducted by Soil Engineering Service, Inc. in 1989, and consisted of the installation and sampling of four soil borings and four groundwater monitoring wells. The results of this investigation are presented in the report entitled, ***Environmental Engineering Report, Former Consolidated Edison Facility, College Point Blvd. and 40th Road, Queens, New York***, dated June 8, 1989.
- An investigation was conducted by AKRF, Inc. ("AKRF") in 1999, and consisted of the installation and sampling of 25 soil borings. The results of this investigation are presented in the report entitled, ***Results of Soil Testing - Former Consolidated Edison Facility, College Point Blvd. and 40th Road, Flushing, New York***, dated December 30, 1999.
- An investigation was performed by AKRF in 2001, and consisted of the installation and sampling of 17 soil borings and 12 groundwater monitoring wells. The results of this investigation are presented in the report entitled, ***Remedial Investigation/ Feasibility Study and OU-1 Remedial Work Plan, C.E. Flushing Site, College Point Blvd. and 40th Road, Queens, New York***, dated September 2001.
- Soil and groundwater sampling activities were conducted by AKRF in 2004. The soil sampling activities were conducted on Parcel 1 and consisted of the installation and sampling of seven soil borings that were converted into groundwater monitoring wells. The groundwater sampling activities conducted for Parcels 1, 2, and 3 consisted of sampling groundwater from various groundwater monitoring wells, performing rising and falling head tests on various groundwater monitoring wells, and performing a 24-hour tidal study. The results of these investigation activities are presented in the report entitled, ***Revised Supplemental Investigation Task Report No. 1, Parcel 1 Soil Study***

and Parcels 1, 2 & 3 Groundwater Study, C.E. Flushing Site, Queens, New York,
dated October 2004.

The results of these investigations are summarized in the NYSDEC Environmental Site Remediation Database Documents appended to this Plan as Attachment 3. In general, polychlorinated biphenyls ("PCBs") and various metals, volatile organic compounds, semi-volatile organic compounds, including polycyclic aromatic hydrocarbons, and pesticides were detected in the soils and groundwater of Flushing Industrial Park Parcels 1, 2, and 3 at concentrations that exceeded the NYSDEC's soil cleanup objectives and Class GA groundwater standards. PCB-contaminated light aqueous phase liquid ("LNAPL") was also found beneath portions of Parcels 2 and 3 of the Flushing Industrial Park property. Based on these findings, the NYSDEC determined that the contamination on Parcels 2 and 3 of the Flushing Industrial Park property presented a significant threat to human health and the environment.

C.E. Flushing has completed the remedial actions that the NYSDEC selected for Parcels 1, 2, and 3 of the Flushing Industrial Park property under the BCP. As indicated in the NYSDEC Environmental Site Remediation Database Documents contained in Attachment 3 to this Plan, the primary remedial activities completed for these parcels included: (i) the removal of aboveground oil storage tanks and underground oil storage tanks, drainage structures and geophysical anomalies; (ii) the installation of temporary and permanent subsurface sheeting; (iii) the excavation of contaminated soil exceeding NYSDEC-approved site-specific action levels, including excavation to the groundwater table in some areas of Parcels 2 and 3 and below the groundwater table in other areas of those parcels; (iv) the removal of PCB-contaminated LNAPL from the water table; and (v) the installation of a sub-slab soil gas/vapor depressurization system and soil barrier on the westernmost retail building footprint. Because the completed remedial actions did not achieve the NYSDEC's "unrestricted use" cleanup standards, Parcels 1, 2, and 3 of the Flushing Industrial Park property are subject to specified engineering and institutional controls, including an environmental easement that has been granted to the NYSDEC.

The previously described mudflat area of the Flushing Industrial Park property was initially designated as Parcel 4 (NYSDEC Site No. C241080) of the Flushing Industrial Park property, but has been withdrawn from the BCP. However, during 2005 before Parcel 4 was withdrawn from the BCP, C. E. Flushing conducted a limited remedial investigation of the mudflat area and the Flushing River in the vicinity of the Flushing Industrial Park property. This investigation was performed for C. E. Flushing by AKRF and consisted of the collection and analysis of sediment borings from locations within the mudflat area of the Flushing Industrial Park property and the collection and analysis of sediment borings from the channel of the Flushing River at locations upstream and downstream of the Flushing Industrial Park property. The results of this investigation are presented in the report entitled, ***Remedial Investigation Report, Flushing Industrial Park, Parcel 4, Flushing, New York***, dated November 2006. A copy of this report is on file at the NYSDEC's Region 2 office and in the current Flushing Industrial Park property owners' Document Repository in the Queens Borough Public Library at 89-11 Merrick Boulevard in Jamaica, New York. The results of this investigation indicated the presence of PCBs at concentrations that exceed the NYSDEC's sediment criteria for human health and aquatic life chronic toxicity in all but one of the sediment samples collected as part of the investigation.

Section 5. MAJOR ELEMENTS OF REQUIRED OU-2 REMEDIAL PROGRAM

The Consent Order requires Con Edison to develop and file with the NYSDEC by August 17,

2008, a draft remedial investigation/feasibility study (“**RI/FS**”) Work Plan for OU-2 of Flushing Industrial Park Parcels 2 and 3. The purpose of the RI/FS is to characterize and delineate the extent of any off-site contamination that emanated from Parcels 2 and 3 of the Flushing Industrial Park property sufficiently to support a determination by the NYSDEC whether remediation is required and to evaluate potential remedial alternatives for addressing such off-site contamination. After it is approved by the NYSDEC, Con Edison must implement the RI/FS Work Plan in accordance with the schedule specified in that work plan.

Remedial alternatives will be evaluated in the RI/FS based on the criteria specified in the NYSDEC’s regulations in 6 NYCRR 375-1.8 and 375-2.8. The results of the RI/FS must be presented in a draft report that is subject to the NYSDEC’s review and approval and that must be modified by Con Edison to respond to the NYSDEC’s comments and concerns.

After the NYSDEC has approved the RI/FS Report, the NYSDEC, in consultation with the New York State Department of Health (“**DOH**”), will determine whether remediation is required for the off-site contamination detected during the investigation activities that Con Edison conducted pursuant to the NYSDEC-approved RI/FS Work Plan and, if remediation is required, will propose a remedial action for the contamination. The NYSDEC will publish in the Environmental Notice Bulletin (“**ENB**”) a notice informing the public of the NYSDEC’s proposed OU-2 remedial action for off-site areas affected by contamination emanating from Flushing Industrial Park Parcels 2 and 3 and will provide the public with a period of at least 30 days in which to comment on the proposed OU-2 remedial action. If requested by the public, the NYSDEC may schedule a public meeting to receive oral comments on the proposed OU-2 remedial action. After reviewing and considering all comments on the proposed OU-2 remedial action, the NYSDEC will issue a Record of Decision (“**ROD**”) in which it selects the OU-2 remedial action for off-site areas affected by contamination emanating from Flushing Industrial Park Parcels 2 and 3.

If remediation is required by the NYSDEC, Con Edison must prepare a draft Remedial Design/Remedial Action (“**RD/RA**”) Work Plan for the development of the detailed engineering plans and specifications necessary for implementing the OU-2 remedial action selected in the ROD. If appropriate, the RD/RA Work Plan could potentially include provision for a pre-remedial design investigation to collect additional data and information needed to complete the remedial design. After the RD/RA Work Plan is approved by NYSDEC, Con Edison will implement that work plan and develop and submit to the NYSDEC for its approval the detailed engineering plans and specifications needed to carry out the selected OU-2 remedial action.

When the NYSDEC approves these engineering plans and specifications, Con Edison will procure remediation contractor services and implement the approved OU-2 remedial action in accordance with the NYSDEC-approved plans and specifications. After the remedy has been completed, Con Edison will submit a final engineering report to the NYSDEC for its review and approval. If the NYSDEC approves this report, it will issue a Certificate of Completion for the required OU-2 remedial action.

Section 6. CON EDISON’S ACTIVITIES TO DATE

Con Edison and the NYSDEC entered into the Consent Order on April 9, 2008. Under its terms, the Consent Order became effective on April 19, 2008. Con Edison has retained a qualified environmental consultant (ARCADIS) to prepare the draft RI/FS Work Plan required by the Consent Order and to implement that work plan once it is approved by the NYSDEC.

Section 7. MAJOR ISSUES OF PUBLIC CONCERN

At this time, Con Edison expects no major issues of concern.

Section 8. CITIZEN PARTICIPATION ACTIVITIES

In accordance with the requirements of the Consent Order and the NYSDEC's regulations in 6 NYCRR 375-1.10 and 375-2.10, Con Edison will use a number of vehicles to ensure that the public is informed of and given an opportunity to participate in the development and implementation of the OU-2 remedial program for off-site areas affected by contamination emanating from Flushing Industrial Park Parcels 2 and 3. They include:

- Issuing NYSDEC-approved fact sheets and public notices, as specified below in this Plan;
- Holding public meetings when required by the NYSDEC's regulations in 6 NYCRR 375-1.10 or 375-2.10, or when warranted due to public interest; and
- Establishing a Document Repository for all approved NYSDEC work plans, reports, fact sheets and public notices required under the Consent Order or this Plan to provide the public with on-going information on the required OU-2 remedial program for off-site areas affected by contamination emanating from Flushing Industrial Park Parcels 2 and 3.

A copy of the Consent Order, this Plan, and the NYSDEC-approved work plans, reports, notices, and fact sheets described in this section will be placed into the Document Repository identified below in Section 9 of this Plan. Information will be disseminated to the local elected officials, local property owners, the local schools, and the New York City and New York State agencies identified on the Contact List provided for below in Section 10 of this Plan, as follows:

(1) OU-2 RI/FS Work Plan

Before implementing the NYSDEC-approved RI/FS Work Plan, Con Edison will take the following actions:

- A copy of the NYSDEC-approved RI/FS Work Plan will be placed into the Document Repository;
- Con Edison will mail to the individuals and entities identified on the Contact List an NYSDEC-approved fact sheet that: (i) summarizes the scope of and implementation schedule for the NYSDEC-approved RI/FS Work Plan; (ii) informs the public that a copy of the work plan has been placed into the Document Repository; and (iii) identifies the Con Edison, DEC, and DOH representatives the public can contact for information pertaining to the required OU-2 remedial program for off-site areas affected by contamination emanating from Flushing Industrial Park Parcels 2 and 3.

(2) OU-2 RI/FS Report

When the NYSDEC approves the RI/FS Report, Con Edison will take the following actions:

- A copy of the NYSDEC-approved RI/FS Report will be placed into the Document Repository;

- Con Edison will mail to the individuals and entities identified on the Contact List an NYSDEC-approved fact sheet that: (i) summarizes the findings and conclusions of the NYSDEC-approved RI/FS Report; (ii) informs the public that a copy of that report has been placed into the Document Repository; and (iii) identifies the Con Edison, DEC, and DOH representatives the public can contact for information pertaining to the OU-2 remedial program for off-site areas affected by contamination emanating from Flushing Industrial Park Parcels 2 and 3.

(3) **ENB Notice for Proposed OU-2 Remedial Action**

When the NYSDEC publishes notice in the ENB of its proposed OU-2 remedial action for off-site areas affected by contamination emanating from Flushing Industrial Park Parcels 2 and 3, Con Edison will take the following actions:

- A copy of the ENB notice will be placed into the Document Repository; and
- Unless the NYSDEC takes such action, Con Edison will mail a copy of the ENB notice to the individuals and entities identified in the Contact List.

(4) **ROD for OU-2 Remedial Action**

When the NYSDEC issues its ROD selecting the required OU-2 remedial action for off-site areas affected by contamination emanating from Flushing Industrial Park Parcels 2 and 3, Con Edison will take the following actions:

- A copy of the ROD and any response document that the NYSDEC may prepare for public comments received on the NYSDEC's proposed remedial action will be placed into the Document Repository;
- Con Edison will mail to the individuals and entities identified on the Contact List an NYSDEC-approved fact sheet that: (i) summarizes the scope of the required OU-2 remedial action selected in the ROD; (ii) informs the public that a copy of the ROD (and NYSDEC comment response document, if any) has been placed into the Document Repository; and (iii) identifies the Con Edison, DEC, and DOH representatives the public can contact for information pertaining to the OU-2 remedial program for off-site areas affected by contamination emanating from Flushing Industrial Park Parcels 2 and 3.

(5) **OU-2 RD/RA Work Plan**

If the OU-2 remedial action selected in the ROD requires the implementation of remedial construction activities, Con Edison will take the following actions before implementing the selected remedial action:

- A copy of the NYSDEC-approved RD/RA Work Plan and all NYSDEC-approved remedial design plans and specifications will be placed into the Document Repository;
- Con Edison will mail to the individuals and entities identified on the Contact List an NYSDEC-approved fact sheet that: (i) summarizes the scope of and implementation schedule for the remedial action selected in the ROD; (ii) informs the public that a copy of the NYSDEC-approved RD/RA Work Plan and detailed design plans and specifications have been placed into the Document Repository; and (iii) identifies the Con Edison, DEC, and DOH representatives the public can contact for information

pertaining to the OU-2 remedial program for off-site areas affected by contamination emanating from Flushing Industrial Park Parcels 2 and 3.

(6) **OU-2 Final Engineering Report**

If the selected OU-2 remedial action for off-site areas affected by contamination emanating from Flushing Industrial Park Parcels 2 and 3 entails the performance of remedial construction activities, Con Edison will take the following actions when the NYSDEC approves the Final Engineering Report for that work:

- A copy of the NYSDEC-approved Final Engineering Report will be placed into the Document Repository;
- Con Edison will mail to the individuals and entities identified on the Contact List an NYSDEC-approved fact sheet that: (i) summarizes the findings and conclusions of the NYSDEC-approved Final Engineering Report; (ii) informs the public that a copy of the report has been placed into the Document Repository; and (iii) identifies the Con Edison, DEC, and DOH representatives the public can contact for information pertaining to the required OU-2 remedial action program for off-site areas affected by contamination emanating from Flushing Industrial Park Parcels 2 and 3.

Section 9. DOCUMENT REPOSITORY

A Document Repository where the public can review the Consent Order, this Plan, and the NYSDEC-approved work plans, reports, notices, and fact sheets described above in Section 8 has been established at the following location:

Queens Borough Public Library
41-17 Main Street
Flushing, New York 11355

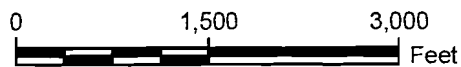
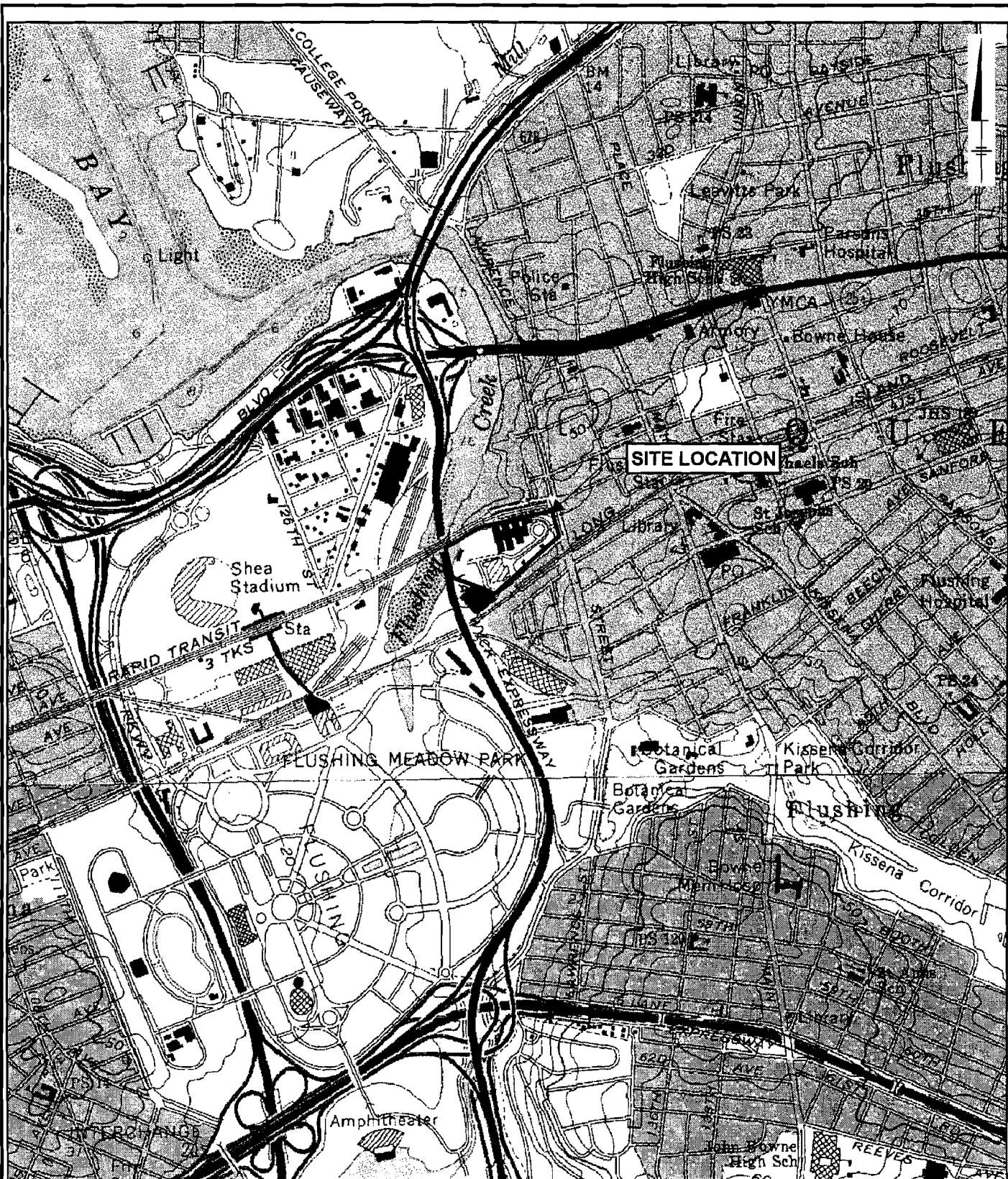
Proof of Queens Borough Public Library's willingness to serve as a Document Repository for such materials is provided in Attachment 4 to this Plan.

Section 10. SITE CONTACT LIST

The "Contact List" presented in Attachment 5 to Plan identifies the local elected officials, local property owners, local schools, and the New York State and New York City agencies to whom the notices and NYSDEC-approved fact sheets specified above in Section 8 of this Plan will be mailed by Con Edison. The Contact List will be amended, as necessary, to include individuals and entities who request information pertaining to the required OU-2 remedial program for off-site areas affected by contamination emanating from Flushing Industrial Park Parcels 2 and 3.

ATTACHMENT 1

FIGURE 1 - SITE LOCATION MAP



GRAPHIC SCALE

CON EDISON
 FLUSHING, NEW YORK
 CITIZEN PARTICIPATION PLAN

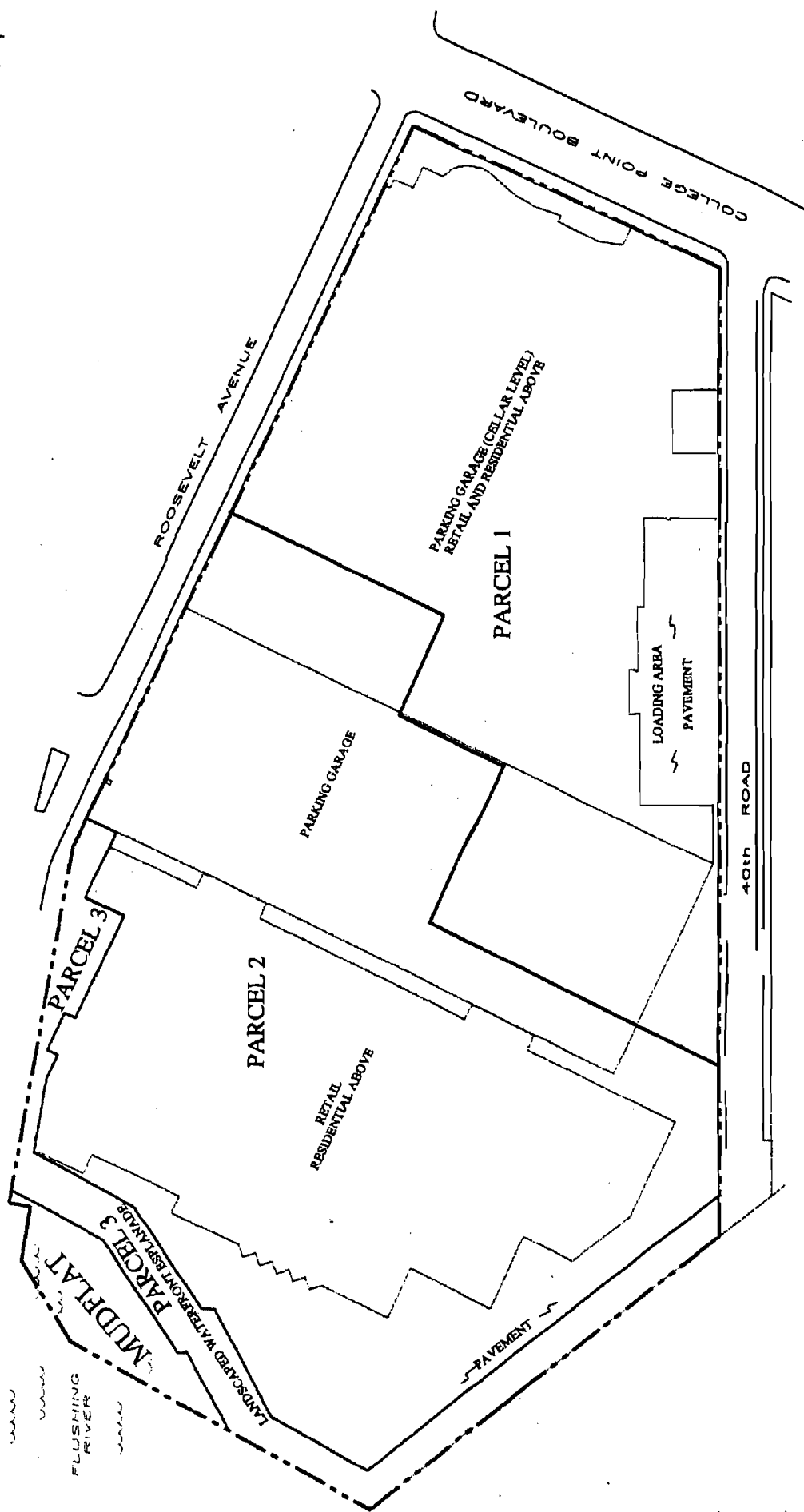
PROJECT SITE LOCATION



FIGURE
 1

ATTACHMENT 2

FIGURE 2 – MAP OF FLUSHING INDUSTRIAL PARK PROPERTY



Legend:

---	PLANNED BUILDING LINE
---	PARCEL BOUNDARY
---	PROPERTY BOUNDARY

ATTACHMENT 3

**NYSDEC ENVIRONMENTAL SITE REMEDIATION DATABASE DOCUMENTS FOR
FLUSHING INDUSTRIAL PARK PARCELS 1, 2, AND 3**



Environmental Site Remediation Database Search Details

Site Record

Administrative Information

Site Name: Flushing Industrial Park (Eastern) Parcel 1
Site Code: C241051
Program: Brownfield Cleanup Program
Classification: C
EPA ID Number:

Location

DEC Region: 2
Address: NW Corner of College Pt Boulevard & 40th Road
City: Flushing **Zip:** 11354
County: Queens
Latitude: 40.758489520
Longitude: -73.834787950
Site Type:
Estimated Size: 5.000 Acres

Institutional And Engineering Controls

Control Name:
Ground Water Use Restriction
Vapor Mitigation
Soil Management Plan
Cover System
Subsurface Barriers
Alternate Water Supply
Landuse Restriction
Building Use Restriction
Environmental Easement

Site Owner(s) and Operator(s)

Current Owner Name: C.E. FLUSHING, LLC
Current Owner(s) Address: 118-35 QUEENS BOULEVARD
FOREST HILLS, NY, 11375
Owner(s) during disposal: Information not available
Operator during disposal: Information not available

Site Document Repository

No Repository Information Available

Hazardous Waste Disposal Period

No Hazardous Waste Disposal information available

Site Description:

Flushing Industrial Park (Eastern) Parcel 1, (Former #V00374, OU-1) is part of the 13.6 acre property which has been divided in 4 Parcels for development purposes. Parcel 1 is approximately 5.42 acres and is located at the northwestern corner of the intersection of College Point Boulevard and 40th Road, Flushing, Queens, NY 11354. The property consisting of Parcels 1,2,3, and 4 is bordered by Roosevelt Avenue to the north, by College Point Boulevard to the east, by 40th Road to the south, and by Flushing River to the west. The Downtown Flushing Rezoning Resolution designated the site from M3, Heavy Manufacturing, to C4-2, Commercial. The site is a former Con Edison property. The main features of the site include few buildings, parking lots and roadways. For more than 30 years it was used as a garage, a storage facility, an equipment maintenance facility (including an electric transformer service station), a blacksmith shop, an incinerator, a paint house, and a gas station, and as an office. The multiple industrial uses of the site lead to the contamination of the soil and groundwater at the site. In the last ten years the buildings located on site were rented to small businesses such as cloth manufacturing, car repair shop, storage and distribution of electronics, offices, and a garage. The open area of the site was used for truck, bus, and car parking lots, a junkyard, and an open sky car repair shop. The neighborhood is mixed manufacturing, commercial and residential. The Remedial Action Work Plan (RAWP) was approved in 2003. The interim remedial measure (IRM) work plan was approved in September 2005. The remedial field work started in December 2005. The remedial work ended with a Certificate of Completion executed on 12/21/2007. An Environmental Easement was executed by the Department on this property and filed in the Queens County Clerk's Office on 12/19/2007. The Site Management Plan was accepted on 12/21/2007 and will be reviewed for compliance in January 2008. The Final Engineering Report was approved on 12/21/2007 and the COC issued on 12/21/2007.

Material Disposed of at Site and Quantity:

Type of Waste	Quantity of Waste
MERCURY	UNKNOWN
ARSENIC	UNKNOWN
ENDRIN	UNKNOWN
1,1,2,2-TETRACHLOROETHANE	UNKNOWN
POLYCHLORINATED BIPHENYLS (PCB)	UNKNOWN
PCB-AROCOR 1260	UNKNOWN

Assessment of Environmental Problems:

The Phase I and Phase II of the Environmental Investigation of Flushing Industrial Park (Eastern) Parcel 1, revealed soil and groundwater greatly contaminated by substantial amounts of PCBs, AROCLOR 1260 ranging in soil from 0 to 4,480ppm); metals including arsenic (ranging in soil from ND to 23.3ppm), cadmium (ranging in soil from ND to 4.88ppm), lead (ranging in soil from ND to 9,200ppm), mercury (ranging in soil from ND to 5.58ppm), nickel (ranging in soil from ND to 66.7ppm); volatile organic compounds (VOCs), including acetone, benzene, ethylbenzene, chlorobenzene, 1,1,2,2-tetrachloroethane, toluene, xylene; semi volatile organic compounds (SVOCs) including polycyclic, aromatic hydrocarbons, including anthracene, benzo(a)pyrene, benzo(b)fluoranthene, benzo(k)fluoranthene, fluorene, fluoranthene, naphthalene, phenanthrene; pesticides including aldrin, endrin, endosulfan, toxaphene. Concentrations of these contaminants in soil and groundwater exceeded the NYSDEC recommended soil cleanup objectives and Class GA groundwater standards, respectively. Remediation of Parcel 1 was required prior to development and re-use of the site as a commercial/residential building. In September 2003, the site Remedial Action Work Plan was approved (during the VCP). The associated remedial field work started in December 2005. The remedial field work included: removal of the ASTs and USTs; removal of the drainage structures; installation of temporary and permanent sheeting; excavation of contaminated soil with concentrations greater than the site-specific action levels, including soil below the water table. Institutional Controls(ICs)/Environmental Easement was placed at the Queens County Register. Engineering Controls included an asphalt and concrete cover. The Certificate of Completion (COC) was executed on 12/21/2007. The Site Management Plan (SMP) and the Final Engineering Report are in the repositories. The Site Management Plan started on 12/27/2007. The Department does not foresee any unacceptable impacts to the environment from the site provided the SMP continues to be implemented. A Fact Sheet was distributed to the site contact list to announce the end of the remedial phase of this project.

Assessment of Health Problems:

Soil and groundwater are contaminated with volatile and semi-volatile organic compounds, metals and PCBs. Exposure through ingestion of contaminated groundwater is unlikely since the area is served by public water. Currently, site access is restricted and remediation is on-going. Contaminated soil is being excavated and properly disposed of off-site. The remedy included a site-specific cap that will prevent exposure to residually contaminated soil. The lower level of the proposed building is a ventilated garage, which will minimize the potential for exposures due to soil vapor intrusion.

For more Information: E-mail Us



Environmental Site Remediation Database Search Details

Site Record

Administrative Information

Site Name: Flushing Industrial Park (Western) Parcel 2

Site Code: C241078

Program: Brownfield Cleanup Program

Classification: A

EPA ID Number:

Location

DEC Region: 2

Address: NW Corner of College Pt Blvd & 40th Road

City: Flushing **Zip:** 11354

County: Queens

Latitude: 40.757023849

Longitude: -73.836487690

Site Type:

Estimated Size: 7.000 Acres

Institutional And Engineering Controls

Control Name:

Ground Water Use Restriction

Vapor Mitigation

Soil Management Plan

Cover System

Subsurface Barriers

Alternate Water Supply

Landuse Restriction

Building Use Restriction

Environmental Easement

Site Owner(s) and Operator(s)

Current Owner Name: C.E. FLUSHING, LLC

Current Owner(s) Address: 118-35 QUEENS BOULEVARD
FOREST HILLS, NY, 11375

Owner(s) during disposal: Information not available

Operator during disposal: Information not available

Site Document Repository

No Repository Information Available

Hazardous Waste Disposal Period

No Hazardous Waste Disposal information available

Site Description:

Flushing Industrial Park (Western) Parcel 2, is part of a 13.6 acre property located at the northwestern corner of College Point Boulevard and 40th Road, in Flushing, Queens, NY 11354. The property has been divided into 4 parcels for development purposes. Parcel 2 is 6.99 acres in the western part of the property. The property is bordered to the north by Roosevelt Avenue, to the east by College Point Boulevard, to the south by 40th Road, and by Flushing River to the west. Parcel 2 is 30 feet away from the Flushing River and is located between Parcels 1, and 3. In August 1998, the Downtown Flushing Rezoning Resolution redesignated the site from M3 (Heavy Manufacturing), to C4-2 (Commercial). The site was a former Con Edison property for more than 30 years. Con Edison used the site mainly for storage and maintenance of electric transformers containing PCBs oil. In 2005, on the site few buildings were used as a garage, a blacksmith shop, an incinerator, a paint house, a gas station, offices, a cloth manufacturing work shop, a car repair shop, a storage warehouse, a distribution facility for electronics, and large parking areas including a junkyard. The industrial uses of the site and uncontrolled dumping through dry drains represent the source of the contamination in soil and in groundwater at the site. The neighborhood is mixed manufacturing, commercial, and residential. In September 2005, an IRM work plan was approved and in December 2005, the IRM remedial field activity started. In June 2006, the demolition of the on site buildings and the remedial investigation ended and the Remedial Action Work Plan approved. The contemplated use of Parcel 2 is commercial with high rise residential apartment buildings. In July 2007, the construction of an open garage structure started. The remedial work was approved on 12/27/2007. An Environmental Easement was executed by the Department on this property and filed in the Queens County Clerk's Office on 12/19/2007. The Site Management Plan was approved on 12/27/2007. The Final Engineering Report was approved on 12/27/2007 and a Certificate of Completion was issued on 12/27/2007. A Fact Sheet announcing the engineering controls and institutional controls and the end of the remedial work was distributed to the site contact list in December 2007.

Material Disposed of at Site and Quantity:

Type of Waste	Quantity of Waste
MERCURY	UNKNOWN
ARSENIC	UNKNOWN
1,1,2,2-TETRACHLOROETHANE	UNKNOWN
PCB-AROCOR 1260	UNKNOWN
PCB-AROCOR 1260	UNKNOWN
ALDRIN	UNKNOWN

Assessment of Environmental Problems:

Phase I and Phase II Environmental Assessment of Parcel 2 revealed soil and groundwater contaminated by substantial amounts of PCBs (ranging in soil from non detected (ND) to 14,200 ppm and free product in groundwater), metals (arsenic ranging in soil from ND to 76,2 ppm), lead (ranging in soil from ND to 9,200 ppm), mercury (ranging in soil from ND to 5.58 ppm), volatile organic compounds (VOCs)(ranging in groundwater from ND to a VOCs total of 681,000ppb),including acetone, benzene, thylbenzene, chlorobenzene, 1,1,2,2-tetrachloroethane, toluene, xylene, semi volatile organic compounds (SVOCs),including polycyclic aromatic hydrocarbons, anthracene, benzo(a)pyrene, benzo(b)fluoranthene, benzo(k)fluoranthene, fluorene, fluoranthene, naphtalene, phenanthrene), pesticides , including aldrin, endrin, endosulfan, toxaphene. Concentrations of these contaminants in soil and groundwater greatly exceeded the NYSDEC recommended soil cleanup objectives and Class GA and groundwater standards, respectively. The site presented a significant threat to human health and the environment due to releases from the source areas of contaminants into the groundwater. Remediation of Parcel 2 was required prior to development and re-use of the site as a commercial/residential building. Studies were performed to determine how far the contamination has migrated into the Flushing Creek. In September 2005, an IRM work plan was approved. In December 2005, the IRM remedial field activities started. The IRM constituents were: permanently and temporarily sheeting the areas where the remedial excavation would be completed below the water table, LNAPL removal through the activated carbon filtration process, excavation of the rest of the site to the groundwater level, backfill with clean material, USTs and ASTs removal, drainage and geophysical anomalies removal, air and odor control, and CAMP implementation. In July 2006 the RAWP was approved and the remedial field work started in accordance with this RAWP, HASP, SGMP, and SWPPP. After the demolition of the main building, the slab was removed and the contaminated soil (above SSAL) under the slab was excavated. Extensive excavation of the contaminated soil with concentrations greater than the SSALs including soil below the water table to the extent practicable was performed. On the westernmost retail building foot print a sub-slab soil gas/vapor depressurization system and a soil gas barrier were installed. An environmental easement was recorded to ensure proper implementation of the Site Management Plan (SMP). The Site Management began with approval of the Final Engineering Report and issuance of the CoC on 12/27/2007. The Department does not foresee any unacceptable impacts to the environment from the site provided the SMP continues to be implemented.

Assessment of Health Problems:

Soil and groundwater are contaminated with volatile and semi-volatile organic compounds, metals, and PCBs. Exposure through ingestion of contaminated groundwater is unlikely since the area is served by public water. Currently, site access is restricted and contaminated soil is being excavated and removed as an interim remedial measure. The remedy will include a site-specific cap to minimize the potential for exposure to residual contaminated soil. The lower level of the proposed building is a ventilated garage, which will minimize the potential for exposures due to soil vapor intrusion.

For more Information: E-mail Us



Environmental Site Remediation Database Search Details

Site Record

Administrative Information

Site Name: Flushing Indust. Pk. (Western Waterfront) Parcel 3

Site Code: C241079

Program: Brownfield Cleanup Program

Classification: A

EPA ID Number:

Location

DEC Region: 2

Address: NW Corner of College Pt Blvd & 40th Road

City: Flushing **Zip:** 11354

County: Queens

Latitude: 40.757417553

Longitude: -73.837183781

Site Type:

Estimated Size: 1.000 Acres

Institutional And Engineering Controls

Control Name:

Ground Water Use Restriction

Vapor Mitigation

Soil Management Plan

Cover System

Alternate Water Supply

Landuse Restriction

Building Use Restriction

Environmental Easement

Site Owner(s) and Operator(s)

Current Owner Name: C.E. FLUSHING, LLC

Current Owner(s) Address: 118-35 QUEENS BOULEVARD
FOREST HILLS, NY, 11375

Owner(s) during disposal: Information not available

Operator during disposal: Information not available

Site Document Repository

No Repository Information Available

Hazardous Waste Disposal Period

No Hazardous Waste Disposal information available

Site Description:

Flushing Industrial Park (Western Waterfront) Parcel 3, is a 0.88 acre, part of a 13.6 acre property located at the northwestern corner of College Point Boulevard and 40th Road in Flushing, Queens, NY 11354. The site is a strip of land, around the western and southwestern border of the Flushing Industrial Park (Western) Parcel 2. Parcel 3 is adjacent to the Flushing River. The property consisting of Parcels 1, 2, 3, and 4, is bordered to the north by Roosevelt Avenue, to the east by College Point Boulevard, to the west by Flushing River, and to the south by 40th Road. The Downtown Flushing Rezoning Resolution redesignated the site from M3 (Heavy Manufacturing), to C4-2 (Commercial). The immediate area surrounding the site is mixed manufacturing, commercial, and residential. The main site features include buildings surrounded by parking areas and roadways. The site was a former Con Edison property. For more than 30 years, Con Edison used the site mainly for storage and maintenance of transformers containing PCB oils. C.E. Flushing LLP bought the property and rented it to numerous businesses as a cloth manufacturing work shop, a warehouse for electronics, a cement mixing facility, a parking lot for buses and trucks, and as a junkyard. The site was actively used until the remedial excavation and demolition started. The industrial uses of the site have led to site contamination. The IRM work plan was approved in September 2005. The field work for the IRM started in December 2005. In June 2006, remedial investigation ended and the remedial action work plan (RAWP) was approved. The contemplated use of the site is as promenade associated with commercial and residential development on Parcels 1 and 2. An Environmental Easement was executed on 12/19/2007 by NYSDEC on this property and filed in the Queens County Clerk's Office on 12/26/2007. A Site Management Plan was accepted on 12/27/2007. The Final Engineering Report was approved on 12/27/2007 and a Certificate of Completion was issued on 12/27/2007. A Fact Sheet announcing the Engineering Controls and the Institutional Controls was distributed to the site contact list in December 2007.

Material Disposed of at Site and Quantity:

Type of Waste	Quantity of Waste
MERCURY	UNKNOWN
ARSENIC	UNKNOWN
1,1,2,2-TETRACHLOROETHANE	UNKNOWN
PCB-AROCOR 1260	UNKNOWN
ALDRIN	UNKNOWN

Assessment of Environmental Problems:

Phase I and Phase II Investigation of Parcel 3 revealed soil and groundwater contaminated with elevated concentrations of PCBs, including AROCLOR 1260 (ranging in soil from non detected (ND) to 14,200 ppm and free product in groundwater), metals, including arsenic (ranging in soil from ND to 76.2 ppm), chromium (ranging in soil from ND to 370ppm), lead (ranging in soil from ND to 9,200ppm), mercury (ranging in soil from ND to 4.0ppm), and nickel (ranging in soil from ND to 53 ppm); volatile organic compounds (VOCs)(ranging in groundwater from ND to 681,000ppb), including acetone, benzene, ethylbenzene, chlorobenzene, 1,1,2,2-tetrachloroethane, toluene, xylene; semi-volatile organic compounds (SVOCs), including polycyclic, aromatic hydrocarbons, including anthracene, benzo(a)pyrene, benzo(b)fluoranthene, benzo(k)fluoranthene, fluorene, fluoranthene, naphtalene, phenanthrene; pesticides, including aldrin, endrin, endosulfan, toxaphene. Concentrations of these contaminants in soil and groundwater greatly exceeded the NYSDEC recommended soil cleanup objectives and Class GA groundwater standards, respectively. The site presented a significant threat to human health and the environment due to releases from source areas. Remediation of Parcel 3 was required prior to development and re-use of the site as an access pathway to the waterfront next to the commercial/residential development. An Interim Remedial Measure (IRM) Work Plan was approved in September 2005. The associated remedial field work started in December 2005. In June 2006, the remedial investigation ended and the Remedial Action (RA) Work Plan was approved. The remedial field work started in accordance with this RA Work Plan, Health and Safety Plan, Soil and Groundwater Management Plan, and Storm Water Prevention Plan. The remedial work included also removal of the aboveground and underground storage tanks; removal of the drainage structures; installation of the temporary and permanent sheeting; excavation of contaminated soil with concentrations greater than the site-specific action levels (SSAL), including soil below the water table to the practicable extend. Studies were performed to determine how far the contaminant plume impacted the Flushing Creek. Institutional Controls/Environmental Easement was registered. Engineering controls included capping the site to prevent exposure to residual contamination which was left in place. The Site Management phase began with approval of the Final Engineering Report and issuance of the CoC on 12/27/2007. The department does not foresee any unacceptable impacts to the environment from the site provided the Site Management Plan continues to be implemented.

Assessment of Health Problems:

Soil and groundwater are contaminated with volatile and semi-volatile organic compounds, metals, and PCBs. Exposure through ingestion of contaminated groundwater is unlikely since the area is served by public water. Currently, site access is restricted and contaminated soil is being excavated and removed as an interim remedial measure. The remedy will include a site-specific cap to minimize the potential for exposure to residual contaminated soil. The lower level of the proposed building is a ventilated garage, which will minimize the potential for exposures due to soil vapor intrusion.

For more Information: E-mail Us

ATTACHMENT 4

LETTER FROM QUEENS BOROUGH PUBLIC LIBRARY



Queens Library

Enrich your life

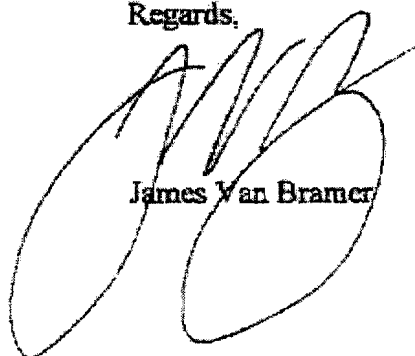
April 22nd, 2008

Con Edison
4 Irving Place
Room 1650-S
New York, NY 10003

To Whom It May Concern:

This is to confirm that the Flushing Branch of the Queens Library, located at 41-17 Main Street, has agreed to be a document repository for Consolidated Edison Company of New York, Inc. ("Con Edison") and will hold all documents related to the order on consent for the former Flushing Service Center and make them available to the public.

Regards,



James Van Bramer

ATTACHMENT 5

CONTACT LIST

Public Officials and Government Contacts

Mayor Michael R. Bloomberg
City Hall
New York, NY 10007

Honorable Ellen Young
New York State Assembly Member
39-07 Prince Street, Suite C
Flushing, NY 11354

Honorable Toby Stavisky
New York State Senator
144-36 Willets Point Blvd.
Flushing, NY 11357

Honorable Gary Ackerman
U.S. Congressman
218-14 Northern Boulevard
Bayside, NY 11361

Honorable John Liu
New York City Councilman
135-27 38th Avenue, Suite 388
Flushing, NY 11357

Honorable Helen Marshall
Queens Borough President
120-55 Queens Blvd.
Kew Gardens, NY 11424

Mr. Robert Kulikowski, PhD, Director
Mayor's Office of Environmental Coordination
253 Broadway – 14th Floor
New York, NY 10007

Mr. Moustafa Fawzy, Director
NYC Department of Environmental Protection
Division of Hazardous Materials Management
59-17 Junction Boulevard, 8th Floor
Corona, NY 11368-5107

Public Officials and Government Contacts (cont.):

Mr. Gary Litwin, Director
New York State Department of Health
Bureau of Environmental Exposure Investigation
Flanigan Square
547 River Street, Room 300
Troy, NY 12180

Owners/Occupants of Adjacent Properties:

JOSEPH PONZINI
144-14 32nd Avenue
Flushing, NY 11354-2319

FLUSHING PROPERTY LLC
217 Centre Street, Floor 8
New York, NY 10013-3624

CARLOS MUFFLER & TIRE
132-01 Roosevelt Avenue
Flushing, NY 11354

LUXURY STAINLESS DOORS, INC.
132-01 Roosevelt Avenue
Flushing, NY 11354

HI TECH AUTO, INC.
132-01 Roosevelt Avenue
Flushing, NY 11354

CITY-WIDE ADMINISTRATIVE SERVICES
NYC DEPT OF GENERAL SERVICES
1 Centre Street, Floor 19
New York, NY 10007-1602

MOBIL OIL CORPORATION
PO Box 53
Houston TX 77001-0053

YINFUN FARINA WANG
133-11 Roosevelt Avenue
Flushing, NY 11354

NEW YORK CITY HOUSING AUTHORITY
250 Broadway
New York, NY 10007-2516

Owners/Occupants of Adjacent Properties (cont.):

Building Manager – PLEASE POST
Bland Houses
40-21 College Point Blvd
Flushing, NY 11354

BBN REALTY COMPANY
211 Broadway
Lynbrook, NY 11563-3290

SOK HYON MUN
131-66 40th Road
Flushing, NY 11354

FLUSHING TWINS REALTY
4415 College Point Boulevard
Flushing NY 11355-4908

FORTY REALTY INC
131-63 40th Road
Flushing NY 11354-5136

FORTY REALTY INC
131-36 40th Road
Flushing NY 11354-5137

HERMAN THOMPSON
131-14 40th Road
Flushing NY 11354-5137

DOROTHY CRAWLEY
131-12 40th Road
Flushing, NY 11354

XIU XIA CHEN
131-10 40th Road
Flushing NY 11354-5137

XIAO LING ZHANG GAO
131-08 40th Road
Flushing NY 11354-5137

MICKEY K UDDIN
408 Kneeland Avenue
Yonkers, NY 10704-2714

ATEK HOLDING, LLC
131-04 40th Road
Flushing, NY 11354

Owners/Occupants of Adjacent Properties (cont.):

MARCO DONOSO
9412 240th Street
Floral Park, NY 11001-3827

J E LOOMIS
131-18 40th Road
Flushing NY 11354-5137

HOUSE OF REALTY CORP.
15705 Horace Harding Expy
Flushing NY 11367-1251

SHAPE UP INC
40-70 Delong Street
Flushing NY 11354

Local Schools

Mr. Joel Klein, Chancellor
NYC Department of Education
52 Chambers Street
New York, NY 10007

Better Community Life Day Care Center
133-16 Roosevelt Avenue
Flushing, NY 11354

Martin Luther King Jr Memorial Day Care Center
36-06 Prince Street
Flushing, NY 11354

St. Michael School
136-58 41st Avenue
Flushing, NY 11355

The Windsor School
41-60 Kissena Boulevard
Flushing, NY 11355

Elementary School PS 20
142-30 Barclay Avenue
Flushing, NY 11355

Macedonia Child Development Center
37-22 Union Street
Flushing, NY 11355