NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Remediation, Remedial Bureau B
625 Broadway, 12th Floor, Albany, NY 12233-7016
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www.dec.ny.gov

Transmitted via Email

March 2, 2022

EC A1 Limited Partnership
c/o The Arker Companies
1044 Northern Boulevard
Roslyn, NY 11576
dmoritz@arkercompanies.com

Re: **SPDES Permit Equivalent**
Former Peninsula Hospital Site (a/k/a
Edgemere Commons Building A1)
C241200
Far Rockaway, Queens County

Dear Daniel Moritz:

The New York State Department of Environmental Conservation (NYSDEC) has reviewed the application for the SPDES Permit Equivalency dated December 22, 2021, which was prepared by Cichetti Engineering on behalf of EC A1 Limited Partnership (the Volunteer) for on-site discharge of treated groundwater in connection of the remedial activities at the Former Peninsula Hospital Site located in Far Rockaway, Queens County.

Please find in the attachment, two tables:

1. Effluent Limitations & Monitoring Requirements – Outfall 001
2. Effluent Limitations & Monitoring Requirements – Outfall 002

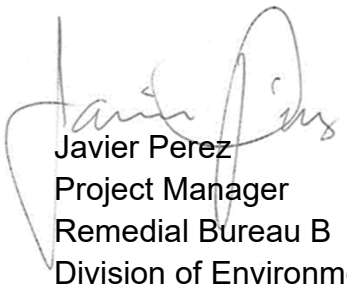
The requirements and obligations of the permit will be administered through the Division of Environmental Remediation under the Brownfield Cleanup Program. This letter and attachments constitute the "SPDES Permit Equivalent" for the Former Peninsula Hospital Site and will be attached to, and as a revision of, the Remedial Action Work Plan (RAWP), which was approved on March 4, 2021.

Once a month (approximately every 30 days), submit results of effluent samples analyzed for the parameters listed on the attached sheets. Send them to my attention. The site is authorized to discharge under this SPDES Equivalent up to 500 GPM for the duration of the remediation up to February 28, 2023. Discharge to Outfall 001 is allowed from March 1, 2022, until June 1, 2022. Discharge to Outfall 002 is allowed from June 1, 2022, until February 28, 2023.

The Volunteer, Volunteer's consultant, and its contractors are solely responsible for safe execution of all invasive and other field work performed under the RAWP. The Volunteer and its contractors must obtain all local, state, and/or federal permits or approvals that may be required to perform work under the RAWP. Further, the Volunteer and its contractors are solely responsible for the identification of utilities that might be affected by work under the work plan and implementation of all required, appropriate, or necessary health and safety measures during performance of work under the RAWP.

In accordance with the requirements of the Brownfield Cleanup Agreement, a copy of the approved Permit Equivalent, including this letter and attachments, must be placed by the Volunteer in all repositories within one week of the date of this letter. If you have any questions, please feel free to contact me at (518) 402-8172 or javier.perez-maldonado@dec.ny.gov.

Sincerely,



Javier Perez
Project Manager
Remedial Bureau B
Division of Environmental Remediation

Enclosure (1)

ec:
G. Burke, W. Bennett, J. O'Connell – NYSDEC DER
S. Southwell, A. Rahman – NYSDEC DOW
S. Watts – NYSDEC DEP
S. McLaughlin, S. Wagh – NYSDOH
A. Arker, M. Benner – BCP Applicant Rep
S. Davies – FPM Group
M. Cichetti – Cichetti Engineering
J. Mahon – Subsurface Consulting Services, LLC

EFFLUENT LIMITATIONS & MONITORING REQUIREMENTS

OUTFALL	DISCHARGE TYPE	LATITUDE/ LONGITUDE	RECEIVING WATER and CLASS	EFFECTIVE	EXPIRING
001	Treated Remediation Wastewater	73° 46' 53" N 40° 35' 36" W	Groundwater, Class GA	3/1/2022	6/1/2022

The discharges from the treatment facility shall be limited and monitored by the operator as specified below:

Outfall and Parameters	**CAS No.**	**Monthly Avg. Limits**	**Daily Max Limits**	**Units**	**Minimum Monitoring Requirements**		**FN**
Outfall 001					**Measurement Frequency**	**Sample Type**	
Flow	NA	Monitor	500	GPM	Continuous	Recorder	
pH	NA	6.5-8.5		SU	Monthly	Grab	1
Perfluorooctanesulfonic Acid (PFOS)	1763-23-1	Monitor	6.5	ng/L	Monthly	Grab	1,4
Perfluorooctanoic Acid (PFOA)	335-67-1	Monitor	6.7	ng/L	Monthly	Grab	1,4
Aluminum, Total	07439-90-5	Monitor	2	mg/L	Monthly	Grab	1
Arsenic, Total	07440-38-2	Monitor	0.05	mg/L	Monthly	Grab	1
Barium, Total	07440-39-3	Monitor	2	mg/L	Monthly	Grab	1
Beryllium, Total	07440-41-7	Monitor	0.003	mg/L	Monthly	Grab	1
Cadmium, Total	7440-43-9	Monitor	0.01	mg/L	Monthly	Grab	1
Chromium, Total	7440-47-3	Monitor	0.1	mg/L	Monthly	Grab	1
Iron, Total	07439-89-6	Monitor	0.6	mg/L	Monthly	Grab	1
Lead, Total	7439-92-1	Monitor	0.05	mg/L	Monthly	Grab	1
Magnesium, Total	07439-95-4	Monitor	35	mg/L	Monthly	Grab	1
Manganese, Total	07439-96-5	Monitor	0.6	mg/L	Monthly	Grab	1
Sum of Iron and Manganese	NA	Monitor	1	mg/L	Monthly	Grab	1
Mercury, Total	7439-97-6	Monitor	0.0014	mg/L	Monthly	Grab	1,3
Nickel, Total	7440-02-0	Monitor	0.2	mg/L	Monthly	Grab	1
Selenium, Total	07782-49-2	Monitor	0.02	mg/L	Monthly	Grab	1
Thallium, Total	07440-28-0	Monitor	0.0005	mg/L	Monthly	Grab	1
Zinc, Total	7440-66-6	Monitor	5	mg/L	Monthly	Grab	1
Benzo(b)fluoranthene	00205-99-4	Monitor	0.002	µg/L	Monthly	Grab	1
Benz(a)anthracene	00056-55-3	Monitor	0.002	µg/L	Monthly	Grab	1
Benzo(a)pyrene	00050-32-8	Monitor	Not Detectable	µg/L	Monthly	Grab	1
Benzo(k)fluoranthene	00207-08-9	Monitor	0.002	µg/L	Monthly	Grab	1

Bis(2-ethylhexyl) phthalate	00117-81-7	Monitor	5	µg/L	Monthly	Grab	1
Chrysene	00218-01-9	Monitor	0.002	µg/L	Monthly	Grab	1
Indeno(1,2,3-cd) pyrene	00193-39-5	Monitor	0.002	µg/L	Monthly	Grab	1
Acenaphthylene	00208-96-8	Monitor	10	µg/L	Monthly	Grab	1
Benzo(ghi)perylene	00191-24-2	Monitor	10	µg/L	Monthly	Grab	1
beta-Endosulfan	33213-65-9	Monitor	10	µg/L	Monthly	Grab	1
Dibenz(a,h)anthracene	00053-70-3	Monitor	10	µg/L	Monthly	Grab	1
PCB-1254 (Aroclor 1254)	11097-69-1	Monitor	0.065	µg/L	Monthly	Grab	1,2
Pyrene	00129-00-0	Monitor	1	µg/L	Monthly	Grab	1

Footnotes:

1. The measurement frequency of parameters listed on this page shall be Monthly following a period of 12 (twelve) consecutive weekly sampling events showing no exceedances of the stated discharge limitations. If discharge limitation of any parameter listed on this page exceeds the stated limit, the measurement frequency for all parameters listed on this page shall again be weekly, until a period of four consecutive sampling events showing no exceedances at which point monthly monitoring may resume.

2. PCBs:
    a. The treatment plant operator must monitor this discharge for PCBs using USEPA laboratory method 608. The laboratory must make all reasonable attempts to achieve a Minimum Detection Level (MDL) of 0.065 µg/l.
    b. 0.065 µg/l is the discharge goal. The treatment plant operator shall report all values above the MDL (0.065 µg/l per Aroclor). If the level of any Aroclor is above 0.065 µg/l, the treatment must evaluate the treatment system and identify the cause of the detectable level of PCBs in the discharge.
    c. If the Department determines that effluent monitoring results above can be prevented by implementation of additional measures as proposed by the treatment plant operator in footnote 3.b above, and approved by the Department, the treatment plant operator shall implement such additional measures.

3. Mercury shall be analyzed using USEPA Method 1631.

4. PFOA/PFOS:
    a. Sampling for PFOA shall use EPA Method 537, Version 1.1.
    b. Sampling for PFOS shall use EPA Method 537, Version 1.1. The compliance level provided above represents this methods Lowest Concentration Minimum Reporting Level (LCMRL) for PFOS. The Water Quality Based Effluent Limit (WQBEL) for PFOS is 2.7 ng/L.

OUTFALL	DISCHARGE TYPE	LATITUDE/ LONGITUDE	RECEIVING WATER and CLASS	EFFECTIVE	EXPIRING
002	Treated Remediation Wastewater	73° 46' 48" N 40° 35' 48" W	Jamaica Bay, Class SB	6/1/2022	2/28/2023

The discharges from the treatment facility shall be limited and monitored by the operator as specified below:

Outfall and Parameters	**CAS No.**	**Monthly Avg. Limits**	**Daily Max Limits**	**Units**	**Minimum Monitoring Requirements**		**FN**
Outfall 001					**Measurement Frequency**	**Sample Type**	
Flow	NA	Monitor	500	GPM	Continuous	Recorder	
pH	NA	6.0-9.0		SU	Monthly	Grab	1
Copper, Total	7440-50-8	Monitor	0.034	mg/L	Monthly	Grab	1
Cyanide, Total	00057-12-5	Monitor	0.01	mg/L	Monthly	Grab	1
Lead, Total	7439-92-1	Monitor	0.08	mg/L	Monthly	Grab	1
Mercury, Total	7439-97-6	Monitor	26	ng/L	Monthly	Grab	1,3
Nickel, Total	7440-02-0	Monitor	0.082	mg/L	Monthly	Grab	1
Zinc, Total	7440-66-6	Monitor	0.66	mg/L	Monthly	Grab	1
Benzo(b)fluoranthene	00205-99-4	Monitor	10	µg/L	Monthly	Grab	1
4,4'-DDE	00072-55-9	Monitor	10	µg/L	Monthly	Grab	1
4,4'-DDT	00050-29-3	Monitor	10	µg/L	Monthly	Grab	1
Acenaphthylene	00208-96-8	Monitor	10	µg/L	Monthly	Grab	1
Anthracene	00120-12-7	Monitor	10	µg/L	Monthly	Grab	1
Benz(a)anthracene	00056-55-3	Monitor	10	µg/L	Monthly	Grab	1
Benzo(ghi)perylene	00191-24-2	Monitor	10	µg/L	Monthly	Grab	1
Benzo(k)fluoranthene	00207-08-9	Monitor	10	µg/L	Monthly	Grab	1
Bis(2-ethylhexyl) phthalate	00117-81-7	Monitor	10	µg/L	Monthly	Grab	1
Chrysene*	00218-01-9	Monitor	1	µg/L	Monthly	Grab	1
cis-1,2-Dichloroethylene	00156-59-2	Monitor	10	µg/L	Monthly	Grab	1
Dibenz(a,h)anthracene	00053-70-3	Monitor	10	µg/L	Monthly	Grab	1
Fluoranthene	00206-44-0	Monitor	10	µg/L	Monthly	Grab	1
Indeno(1,2,3-cd) pyrene	00193-39-5	Monitor	10	µg/L	Monthly	Grab	1
Methyl Bromide	00074-83-9	Monitor	10	µg/L	Monthly	Grab	1
PCB-1254 (Aroclor 1254)	11097-69-1	Monitor	0.065	µg/L	Monthly	Grab	1,2
Pyrene	00129-00-0	Monitor	1	µg/L	Monthly	Grab	1
Vinyl chloride	00075-01-4	Monitor	10	µg/L	Monthly	Grab	1
Benzo(a)pyrene	00050-32-8	Monitor	0.006	µg/L	Monthly	Grab	1
beta-Endosulfan	33213-65-9	Monitor	0.01	µg/L	Monthly	Grab	1

Footnotes:

1. The measurement frequency of parameters listed on this page shall be Monthly following a period of 12 (twelve) consecutive weekly sampling events showing no exceedances of the stated discharge limitations. If discharge limitation of any parameter listed on this page exceeds the stated limit, the measurement frequency for all parameters listed on this page shall again be weekly, until a period of four consecutive sampling events showing no exceedances at which point monthly monitoring may resume.

2. PCBs:
    a. The treatment plant operator must monitor this discharge for PCBs using USEPA laboratory method 608. The laboratory must make all reasonable attempts to achieve a Minimum Detection Level (MDL) of 0.065 µg/l.
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    c. If the Department determines that effluent monitoring results above can be prevented by implementation of additional measures as proposed by the treatment plant operator in footnote 3.b above, and approved by the Department, the treatment plant operator shall implement such additional measures.

3. Mercury shall be analyzed using USEPA Method 1631.

Additional Conditions:

1. Discharge is not authorized until such time as an engineering submission showing the method of treatment is approved by the Department. The discharge rate may not exceed the effective or design treatment system capacity. All monitoring data, engineering submissions and modification requests must be submitted to:

    Javier Perez-Maldonado
    Division of Environmental Remediation
    NYSDEC, 625 Broadway, Albany, New York 12233- 7015,
    Tel: 518-402-8172

    With a copy sent to:

    Regional Water Engineer, Region 2
    One Hunters Point Plaza, Long Island City, New York, 11101-5407 Phone: (718) 482-4933

2. Samples and measurements, to comply with the monitoring requirements specified above, must be taken from the effluent side of the final treatment unit prior to discharge to the receiving water body unless otherwise noted above.

3. Monitoring and analysis shall be conducted using sufficiently sensitive test procedures approved under 40 CFR Part 136, unless other test procedures have been specified in this permit.

4. Only site generated wastewater is authorized for treatment and discharge.

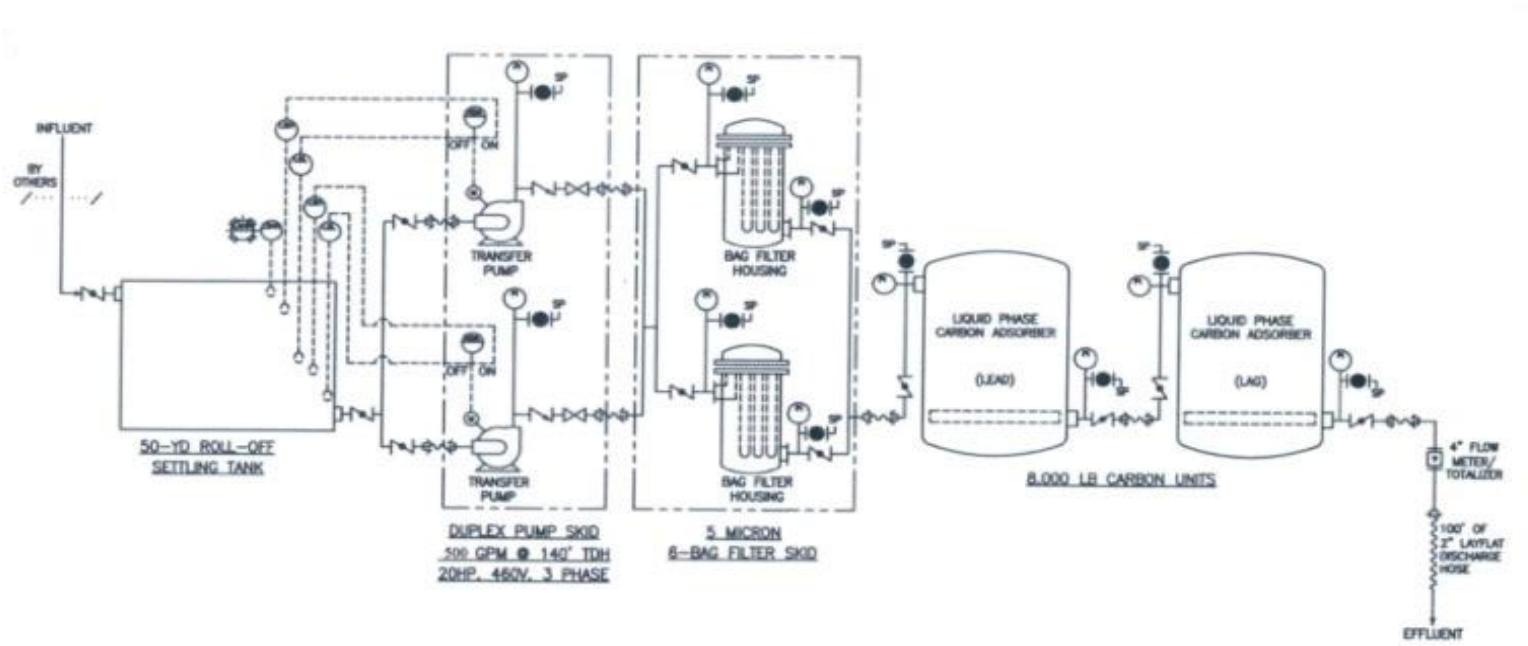
5. Authorization to discharge is valid only for the period noted above but may be renewed if appropriate. A request for renewal must be received 6 months prior to the expiration date to allow for a review of monitoring data and reassessment of monitoring requirements.

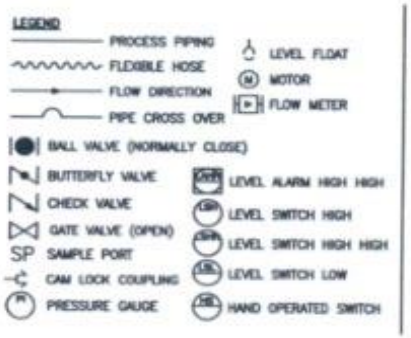
6. Both concentration (mg/l or µg/l) and mass loadings (lbs/day) must be reported to the Department for all parameters except flow and pH.

7. Any use of corrosion/scale inhibitors, biocidal-type compounds, or other water treatment chemicals used in the treatment process must be approved by the department prior to use.

8. This discharge and administration of this discharge must comply with the substantive requirements of 6NYCRR Part 750.

MONITORING LOCATIONS





NOTES:
1) MAXIMUM FLOWRATE = 500 GPM
2) SYSTEM FOOTPRINT APPROX. 10' X 75'
3) NOT ALL VALVES, INSTRUMENTATION AND PIPING, ETC. SHOWN FOR CLARITY
4) GENERATOR BY OTHERS - 460V, 3 PHASE, 70 AMPS

EARTH CONSTRUCTION SERVICES

PIPING & INSTRUMENT DIAGRAM
500 GPM PROPOSED TEMPORARY
WATER TREATMENT SYSTEM