DECISION DOCUMENT

Former Bordens Farm Products
Brownfield Cleanup Program
Astoria, Queens County
Site No. C241294
June 2026

Prepared by
Division of Environmental Remediation
New York State Department of Environmental Conservation

DECLARATION STATEMENT - DECISION DOCUMENT

Former Bordens Farm Products
Brownfield Cleanup Program
Astoria, Queens County
Site No. C241294
June 2026

Statement of Purpose and Basis

This document presents the remedy for the Former Bordens Farm Products brownfield cleanup site. The remedial program was chosen in accordance with the New York State Environmental Conservation Law and Title 6 of the Official Compilation of Codes, Rules and Regulations of the State of New York (6 NYCRR) Part 375.

This decision is based on the Administrative Record of the New York State Department of Environmental Conservation (NYSDEC) for the Former Bordens Farm Products site and the public's input to the proposed remedy presented by NYSDEC.

Description of Selected Remedy

The elements of the selected remedy are as follows:

1. Remedial Design

A remedial design program will be implemented to provide the details necessary for the construction, operation, optimization, maintenance, and monitoring of the remedial program. Green remediation principles and techniques will be implemented to the extent feasible in the design, implementation, and site management of the remedy as per DER-31. The major green remediation components are as follows:

- Considering the environmental impacts of treatment technologies and remedy stewardship over the long term;
- Reducing direct and indirect greenhouse gases and other emissions;
- Increasing energy efficiency and minimizing use of non-renewable energy;
- Conserving and efficiently managing resources and materials;
- Reducing waste, increasing recycling and increasing reuse of materials which would otherwise be considered a waste;
- Maximizing habitat value and creating habitat when possible;
- Fostering green and healthy communities and working landscapes which balance ecological, economic and social goals;
- Integrating the remedy with the end use where possible and encouraging green and sustainable re-development; and
- Additionally, to incorporate green remediation principles and techniques to the

extent feasible in the future development at this site, any future on-site buildings shall be constructed, at a minimum, to meet the 2020 Energy Conservation Construction Code of New York (or most recent edition) to improve energy efficiency as an element of construction.

As part of the remedial design program, to evaluate the remedy with respect to green and sustainable remediation principles, an environmental footprint analysis will be completed. The environmental footprint analysis will be completed using an accepted environmental footprint analysis calculator such as SEFA (Spreadsheets for Environmental Footprint Analysis, USEPA), SiteWise^{TM} (available in the Sustainable Remediation Forum [SURF] library) or similar NYSDEC accepted tool. Water consumption, greenhouse gas emissions, renewable and non-renewable energy use, waste reduction and material use will be estimated, and goals for the project related to these green and sustainable remediation metrics, as well as for minimizing community impacts, protecting habitats and natural and cultural resources, and promoting environmental justice, will be incorporated into the remedial design program, as appropriate. The project design specifications will include detailed requirements to achieve the green and sustainable remediation goals. Further, progress with respect to green and sustainable remediation metrics will be tracked during implementation of the remedial action and reported in the Final Engineering Report (FER), including a comparison to the goals established during the remedial design program.

Additionally, the remedial design program will include a climate change vulnerability assessment, to evaluate the impact of climate change on the project site and the proposed remedy. Potential vulnerabilities associated with extreme weather events (e.g., hurricanes, lightning, heat stress and drought), flooding, and sea level rise will be identified, and the remedial design program will incorporate measures to minimize the impact of climate change on potential identified vulnerabilities.

2. Excavation

Excavation and off-site disposal of all on-site soils which exceed unrestricted SCOs, as defined by 6 NYCRR Part 375-6.8 to depths ranging from 1 to 22 feet below ground surface (ft bgs). This includes excavation and removal of any underground storage tanks (USTs), fuel dispensers, underground piping or other structures associated with a source of contamination. If a Track 1 cleanup is achieved, a Cover System will not be a required element of the remedy.

Approximately 8,500 cubic yards of contaminated soil will be removed from the site. Collection and analysis of confirmation samples at the remedial excavation depths will be used to verify that SCOs for the site have been achieved. If confirmation sampling indicates that SCOs were not achieved at the stated remedial depth, the Applicant must notify NYSDEC, submit the sample results and, in consultation with NYSDEC, determine if further remedial excavation is necessary. Further excavation for development will proceed after confirmation samples demonstrate that SCOs for the site have been achieved.

To ensure proper handling and disposal of excavated material, waste characterization sampling will be completed for all identified contaminated site material. Waste characterization sampling will be performed exclusively for the purposes of off-site disposal in a manner suitable to

receiving facilities and in conformance with applicable federal, state and local laws, rules, and regulations and facility-specific permits.

3. Backfill

Backfill meeting the requirements of 6 NYCRR Part 375-6.7(d) will be brought in to replace the excavated soil or complete the backfilling of the excavation and establish the designed grades at the site.

4. Vapor Intrusion Evaluation

As part of the Track 1 remedy, a soil vapor intrusion evaluation will be completed. The evaluation will include a provision for implementing actions recommended to address exposures related to soil vapor intrusion.

5. Local Institutional Controls

If no Environmental Easement (EE) or Site Management Plan (SMP) is needed to achieve soil, groundwater, or soil vapor remedial action objectives, then the following local use restriction will be relied upon to prevent ingestion of groundwater: Article 141 of the NYCDOHMH code, which prohibits potable use of groundwater without prior approval.

Contingent Remedial Elements

In the event that Track 1 unrestricted use is not achieved, including achievement of soil and soil vapor remedial objectives, the following contingent remedial elements will be required, and the remedy will achieve a Track 2 restricted residential cleanup.

6. Institutional Control

Imposition of an institutional control in the form of an environmental easement and a Site Management Plan, as described below, will be required. The remedy will achieve a Track 2 restricted residential cleanup at a minimum.

Imposition of an institutional control in the form of an environmental easement for the controlled property which will:

- require the remedial party or site owner to complete and submit to the NYSDEC a periodic certification of institutional and engineering controls in accordance with Part 375-1.8 (h)(3);
- allow the use and development of the controlled property for restricted residential use as defined by Part 375-1.8(g), although land use is subject to local zoning laws; and
- require compliance with the NYSDEC approved Site Management Plan.

7. Site Management Plan (SMP)

A SMP is required, which includes the following:

a. an Institutional and Engineering Control Plan that identifies all use restrictions and engineering controls for the site and details the steps and media-specific requirements necessary to ensure the following institutional and engineering controls remain in place and effective:

- Institutional Controls: The EE discussed in Remedy Element 6 above.

This plan includes, but may not be limited to:

- an Excavation Plan which details the provisions for management of future excavations in areas of remaining contamination;
- descriptions of the provisions of the environmental easement including any land use, and groundwater use restrictions;
- a provision for evaluation of the potential for soil vapor intrusion for any occupied buildings on the site, including provision for implementing actions recommended to address exposures related to soil vapor intrusion;
- provisions for the management and inspection of the identified engineering controls;
- maintaining site access controls and NYSDEC notification; and
- the steps necessary for the periodic reviews and certification of the institutional and/or engineering controls.

b. a Monitoring Plan to assess the performance and effectiveness of the remedy. The plan includes, but may not be limited to:

- monitoring of groundwater and indoor air on and off-site to assess the performance and effectiveness of the remedy;
- a schedule of monitoring and frequency of submittals to the NYSDEC; and
- monitoring for vapor intrusion for any buildings on the site, as may be required by the Institutional and Engineering Control Plan discussed above.

Declaration

The remedy conforms with promulgated standards and criteria that are directly applicable, or that are relevant and appropriate and takes into consideration NYSDEC guidance, as appropriate. The remedy is protective of public health and the environment.

June 23, 2026

Date

Scott Deyette, Director
Remedial Bureau B

DECISION DOCUMENT

Former Bordens Farm Products
Astoria, Queens County
Site No. C241294
June 2026

SECTION 1: SUMMARY AND PURPOSE

The New York State Department of Environmental Conservation (NYSDEC), in consultation with the New York State Department of Health (NYSDOH), has selected a remedy for the above referenced site. The disposal of contaminants at the site has resulted in threats to public health and the environment that would be addressed by the remedy. The disposal or release of contaminants at this site, as more fully described in this document, has contaminated various environmental media. Contaminants include hazardous waste and/or petroleum.

The New York State Brownfield Cleanup Program (BCP) is a voluntary program. The goal of the BCP is to enhance private-sector cleanups of brownfields and to reduce development pressure on "greenfields." A brownfield site is real property, where a contaminant is present at levels exceeding the soil cleanup objectives or other health-based or environmental standards, criteria or guidance, based on the reasonably anticipated use of the property.

NYSDEC has issued this document in accordance with the requirements of New York State Environmental Conservation Law and 6 NYCRR Part 375. This document is a summary of the information that can be found in the site-related reports and documents.

SECTION 2: CITIZEN PARTICIPATION

NYSDEC seeks input from the community on all remedies. A public comment period was held, during which the public was encouraged to submit comment on the proposed remedy. All comments on the remedy received during the comment period were considered by NYSDEC in selecting a remedy for the site. Site-related reports and documents were made available for review by the public at the following document repositories:

DECInfo Locator - Web Application
https://gisservices.dec.ny.gov/gis/dil/index.html?rs=C241294

Queens Public Library at Broadway
40-20 Broadway
Astoria, NY 11103
Phone: 718-821-4770

Borough of Queens, Community Board 1
45-02 Ditmars Blvd., LL Suite 1025
Astoria, NY 11105
Phone: 718-786-3335

Receive Site Citizen Participation Information By Email

Please note that NYSDEC's Division of Environmental Remediation (DER) is "going paperless" relative to citizen participation information. The ultimate goal is to distribute citizen participation information about contaminated sites electronically by way of county email listservs. Information will be distributed for all sites that are being investigated and cleaned up in a particular county under the State Superfund Program, Environmental Restoration Program, Brownfield Cleanup Program and Resource Conservation and Recovery Act Program. We encourage the public to sign up for one or more county listservs at http://www.dec.ny.gov/chemical/61092.html

SECTION 3: SITE DESCRIPTION AND HISTORY

Location: The 0.739-acre site is located in an urban area at 35-18 Steinway Street in the Astoria neighborhood of Queens, NY. The site is identified on the New York City Tax Map as a portion of Block 668, Lot 5. An application to subdivide Lot 5 into two lots has been filed with the City of New York and the tentative lot assigned to the site is Lot 6. The site is bounded by the intersection of 35th Avenue and 38th Street to the north, beyond which are commercial establishments. To the south, the site is bordered by an appliance store, with multi-family residential buildings beyond. Steinway Street lies to the east, across which are a public playground, a vacant commercial building, and a car dealership. The NYC Transit Authority M/R Subway runs beneath Steinway Street. To the west, the site is bounded by 38th Street, beyond which are a film and TV production studio.

Site Features: The site is generally square shaped and encompasses an area of 32,172 square feet. The site consists of an asphalt-paved parking lot associated with the adjacent appliance store. The topography of the site generally slopes to the west.

Current Zoning and Land Use: The site is currently an asphalt-paved parking lot associated with an adjacent existing commercial building. The site is zoned M1-4/R9 and M1-4/R7-3 for residential, commercial, and light industrial uses. The site and the surrounding area are within the special purpose district MX-24, which permits side-by-side residential and non-residential uses. The area surrounding the site has mixed manufacturing and residential zoning. The nearest residential areas are multi-family residential buildings to the south of the site-adjacent commercial building. The site is located within a Disadvantaged Community. The site is located approximately 900 feet east of the nearest daycare center. There is an elementary school within 300 feet of the site to the west.

Past Use of the Site: The site was historically vacant land until 1915. From 1915 to 1930, residential dwellings and a milk pasteurizing facility occupied by Bordens Farm Products Co. Inc. occupied some of the previously vacant lots. Over time, Bordens Farm Products Co. Inc. included wagon areas, pasteurizing plants, a bottle washing area, garages, and offices. The site remained in

this state until the 1970s, when the buildings were demolished and the site became vacant. The current parking lot was constructed in 1984.

Site Geology and Hydrogeology: The subsurface strata consist of a layer of urban fill material that extends to depths ranging from 2 to 18 ft bgs. The fill layer, which consists of dark brown fine sand with varying amounts of asphalt, brick, concrete, and glass, was observed to be thicker in the south/central portion of the site where there appeared to be a former cellar. Native soil consists of light brown poorly sorted fine to coarse sands with little to trace amounts of gravel to a maximum boring depth of 25 ft bgs. Bedrock was not encountered during the remedial investigation but is estimated to be greater than 100 ft bgs based on measurements from nearby sites. Depth to groundwater ranges from about 18 to 21 ft bgs. Groundwater flow direction is from northeast to southwest towards the Dutch Kills and Newtown Creek, approximately 1.25 miles from the site.

A site location map is attached as Figure 1 and a site plan is attached as Figure 2.

SECTION 4: LAND USE AND PHYSICAL SETTING

NYSDEC may consider the current, intended, and reasonably anticipated future land use of the site and its surroundings when evaluating a remedy for soil remediation. For this site, an alternative that restricts the use of the site to restricted-residential use (which allows for commercial use and industrial use) as described in Part 375-1.8(g) was evaluated in addition to an alternative which would allow for unrestricted use of the site.

A comparison of the results of the Remedial Investigation (RI) to the appropriate standards, criteria and guidance values (SCGs) for the identified land use and the unrestricted use SCGs for the site contaminants is available in the RI Report.

SECTION 5: ENFORCEMENT STATUS

The Applicant under the Brownfield Cleanup Agreement is a Volunteer. The Applicant does not have an obligation to address off-site contamination. However, NYSDEC has determined that this site does not pose a significant threat to public health or the environment; accordingly, no enforcement actions are necessary.

SECTION 6: SITE CONTAMINATION

6.1: Summary of the Remedial Investigation

A remedial investigation (RI) serves as the mechanism for collecting data to:

- characterize site conditions;
- determine the nature of the contamination; and
- assess risk to human health and the environment.

The RI is intended to identify the nature (or type) of contamination which may be present at a site and the extent of that contamination in the environment on the site, or leaving the site. The RI

reports on data gathered to determine if the soil, groundwater, soil vapor, indoor air, surface water or sediments may have been contaminated. Monitoring wells are installed to assess groundwater and soil borings or test pits are installed to sample soil and/or waste(s) identified. If other natural resources are present, such as surface water bodies or wetlands, the water and sediment may be sampled as well. Based on the presence of contaminants in soil and groundwater, soil vapor will also be sampled for the presence of contamination. Data collected in the RI influence the development of remedial alternatives. The RI report is available for review in the site document repository and the results are summarized in section 6.3.

The analytical data collected on this site includes data for:

- groundwater
- soil
- soil vapor

6.1.1: Standards, Criteria, and Guidance (SCGs)

The remedy must conform to promulgated standards and criteria that are directly applicable or that are relevant and appropriate. The selection of a remedy must also take into consideration guidance, as appropriate. Standards, Criteria and Guidance are hereafter called SCGs.

To determine whether the contaminants identified in various media are present at levels of concern, the data from the RI were compared to media-specific SCGs. NYSDEC has developed SCGs for groundwater, surface water, sediments, and soil. The NYSDOH has developed SCGs for drinking water and soil vapor intrusion. For a full listing of all SCGs see: http://www.dec.ny.gov/regulations/61794.html

6.1.2: RI Results

The data have identified contaminants of concern. A "contaminant of concern" is a contaminant that is sufficiently present in frequency and concentration in the environment to require evaluation for remedial action. Not all contaminants identified on the property are contaminants of concern. The nature and extent of contamination and environmental media requiring action are summarized below. Additionally, the RI Report contains a full discussion of the data. The contaminants of concern identified at this site are:

benzo(a)anthracene
benzo(a)pyrene
benzo(b)fluoranthene
benzo(g,h,i)perylene
benzo(k)fluoranthene
chrysene
dibenzo[a,h]anthracene
indeno(1,2,3-cd)pyrene
phenanthrene
cadmium
chromium
copper
lead
mercury
nickel
zinc
polychlorinated biphenyls
DDE
PFOS

The contaminants of concern exceed the applicable SCGs for:

- soil

6.2: Interim Remedial Measures

An interim remedial measure (IRM) is conducted at a site when a source of contamination or exposure pathway can be effectively addressed before issuance of the Decision Document.

There were no IRMs performed at this site during the RI.

6.3: Summary of Environmental Assessment

This section summarizes the assessment of existing and potential future environmental impacts presented by the site. Environmental impacts may include existing and potential future exposure pathways to fish and wildlife receptors, wetlands, groundwater resources, and surface water. The RI report presents a detailed discussion of any existing and potential impacts from the site to fish and wildlife receptors.

Nature and Extent of Contamination:

Soil and groundwater were analyzed for volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs), metals, polychlorinated biphenyls (PCBs), per- and polyfluoroalkyl substances (PFAS), and pesticides. Soil vapor samples were analyzed for VOCs. Based upon investigations conducted to date, the primary contaminants of concern include petroleum-related VOCs, SVOCs, metals, PCBs, pesticides, and PFAS in soil.

Soil:
Sample results were compared against the unrestricted soil cleanup objectives (UUSCO). With the exception of acetone, a common lab artifact, no VOCs were detected at concentrations exceeding the UUSCOs.

SVOCs detected include benzo(a)anthracene up to 17 parts per million (ppm) compared to the UUSCO of 1 ppm, benzo(a)pyrene up to 14 ppm (UUSCO of 1 ppm), benzo(b)fluoranthene up to 19 ppm (UUSCO of 1 ppm), benzo(g,h,i)fluoranthene up to 5.5 ppm (UUSCO of 0.64 ppm), benzo(k)fluoroanthene up to 4.6 ppm (UUSCO of 0.8 ppm), chrysene up to 16 ppm (UUSCO of 1 ppm), dibenzo(a,h)anthracene up to 1.7 ppm (UUSCO of 0.33 ppm), indeno(1,2,3-cd)pyrene up to 6.3 ppm (UUSCO of 0.5 ppm), and phenanthrene up to 22 ppm (UUSCO of 1.1 ppm).

Metals detected include cadmium up to 2.9 ppm (UUSCO of 2.5 ppm), chromium up to 549 ppm (UUSCO of 30 ppm), copper up to 9,320 ppm (UUSCO of 50 ppm), lead up to 1,290 ppm (UUSCO of 63 ppm), mercury up to 0.79 ppm (UUSCO of 0.18 ppm), nickel up to 302 ppm (UUSCO of 30 ppm), and zinc up to 813 ppm (UUSCO of 109 ppm).

Polychlorinated biphenyls (Aroclor 1254) were detected at a maximum concentration of 0.25 ppm (UUSCO of 0.1 ppm).

The pesticide DDE was detected at a maximum concentration of 0.0055 ppm (UUSCO of 0.0033 ppm).

Perfluorooctanesulfonic acid (PFOS) was detected in soil at a maximum concentration of 0.9 parts per billion (ppb) (unrestricted use guidance value of 0.88 ppb).

Data does not indicate any off-site impacts in soil related to this site.

Groundwater:
Other than naturally occurring minerals such as sodium, magnesium, and manganese, no dissolved metals were detected above their respective NYS Ambient Water Quality Standards and Guidance Values (AWQSGV). No VOCs, SVOCs, PCBs or pesticides were detected above their respective AWQSGVs.

PFAS were found in groundwater exceeding the AWQSGV, including PFOS up to 86.7 parts per trillion (ppt) (AWQSGV of 2.7 ppt) and perfluorooctanoic acid (PFOA) up to 34.4 ppt (AWQSGV of 6.7 ppt).

Data does not indicate any off-site impacts in groundwater related to this site.

Soil Vapor:
Petroleum-related and chlorinated VOCs were detected in soil vapor samples, including ethylbenzene up to 69 micrograms per cubic meter (ug/m3) and m,p-xylene up to 200 ug/m3.

Data does not indicate any off-site impacts to soil vapor related to this site.

6.4: Summary of Human Exposure Pathways

This human exposure assessment identifies ways in which people may be exposed to site-related contaminants. Chemicals can enter the body through three major pathways (breathing, touching or swallowing). This is referred to as *exposure.*

Since the site is covered by asphalt, people will not come into contact with site-related soil contamination unless they dig below the surface. Contaminated groundwater at the site is not used for drinking or other purposes and the site is served by a public water supply that obtains water from a different source not affected by this contamination. Volatile organic compounds in soil vapor (air spaces within the soil) may move into overlying buildings and affect the indoor air quality. This process, which is similar to the movement of radon gas from the subsurface into the indoor air of buildings, is referred to as soil vapor intrusion. Because the site is vacant, the inhalation of site-related contaminants due to soil vapor intrusion does not represent a current concern. Environmental sampling indicates soil vapor intrusion is not a concern for off-site buildings.

6.5: Summary of the Remediation Objectives

The objectives for the remedial program have been established through the remedy selection process stated in 6 NYCRR Part 375. The goal for the remedial program is to restore the site to pre-disposal conditions to the extent feasible. At a minimum, the remedy shall eliminate or mitigate all significant threats to public health and the environment presented by the contamination identified at the site through the proper application of scientific and engineering principles.

The remedial action objectives for this site are:

Groundwater

RAOs for Public Health Protection

- Prevent ingestion of groundwater with contaminant levels exceeding drinking water standards.

Soil

RAOs for Public Health Protection

- Prevent ingestion/direct contact with contaminated soil.

RAOs for Environmental Protection

- Prevent migration of contaminants that would result in groundwater contamination.

Soil Vapor

RAOs for Public Health Protection

- Mitigate impacts to public health resulting from existing, or the potential for, soil vapor intrusion into buildings at a site.

SECTION 7: ELEMENTS OF THE SELECTED REMEDY

The alternatives developed for the site and the evaluation of the remedial criteria are presented in the Alternative Analysis. The remedy is selected pursuant to the remedy selection criteria set forth in DER-10, Technical Guidance for Site Investigation and Remediation and 6 NYCRR Part 375.

The selected remedy is a Track 1: Unrestricted use remedy.

The selected remedy is referred to as the Excavation remedy.

The elements of the selected remedy, as shown in Figure 3, are as follows:

1. Remedial Design

A remedial design program will be implemented to provide the details necessary for the construction, operation, optimization, maintenance, and monitoring of the remedial program. Green remediation principles and techniques will be implemented to the extent feasible in the design, implementation, and site management of the remedy as per DER-31. The major green

remediation components are as follows:

- Considering the environmental impacts of treatment technologies and remedy stewardship over the long term;
- Reducing direct and indirect greenhouse gases and other emissions;
- Increasing energy efficiency and minimizing use of non-renewable energy;
- Conserving and efficiently managing resources and materials;
- Reducing waste, increasing recycling and increasing reuse of materials which would otherwise be considered a waste;
- Maximizing habitat value and creating habitat when possible;
- Fostering green and healthy communities and working landscapes which balance ecological, economic and social goals;
- Integrating the remedy with the end use where possible and encouraging green and sustainable re-development; and
- Additionally, to incorporate green remediation principles and techniques to the extent feasible in the future development at this site, any future on-site buildings shall be constructed, at a minimum, to meet the 2020 Energy Conservation Construction Code of New York (or most recent edition) to improve energy efficiency as an element of construction.

As part of the remedial design program, to evaluate the remedy with respect to green and sustainable remediation principles, an environmental footprint analysis will be completed. The environmental footprint analysis will be completed using an accepted environmental footprint analysis calculator such as SEFA (Spreadsheets for Environmental Footprint Analysis, USEPA), SiteWise^{TM} (available in the Sustainable Remediation Forum [SURF] library) or similar NYSDEC accepted tool. Water consumption, greenhouse gas emissions, renewable and non-renewable energy use, waste reduction and material use will be estimated, and goals for the project related to these green and sustainable remediation metrics, as well as for minimizing community impacts, protecting habitats and natural and cultural resources, and promoting environmental justice, will be incorporated into the remedial design program, as appropriate. The project design specifications will include detailed requirements to achieve the green and sustainable remediation goals. Further, progress with respect to green and sustainable remediation metrics will be tracked during implementation of the remedial action and reported in the Final Engineering Report (FER), including a comparison to the goals established during the remedial design program.

Additionally, the remedial design program will include a climate change vulnerability assessment, to evaluate the impact of climate change on the project site and the proposed remedy. Potential vulnerabilities associated with extreme weather events (e.g., hurricanes, lightning, heat stress and drought), flooding, and sea level rise will be identified, and the remedial design program will incorporate measures to minimize the impact of climate change on potential identified vulnerabilities.

2. Excavation

Excavation and off-site disposal of all on-site soils which exceed unrestricted SCOs, as defined by 6 NYCRR Part 375-6.8. If a Track 1 cleanup is achieved, a Cover System will not be a required element of the remedy.

Approximately 8,500 cubic yards of contaminated soil will be removed from the site. Collection and analysis of confirmation samples at the remedial excavation depths will be used to verify that SCOs for the site have been achieved. If confirmation sampling indicates that SCOs were not achieved at the stated remedial depth, the Applicant must notify DEC, submit the sample results and, in consultation with DEC, determine if further remedial excavation is necessary. Further excavation for development will proceed after confirmation samples demonstrate that SCOs for the site have been achieved.

To ensure proper handling and disposal of excavated material, waste characterization sampling will be completed for all identified contaminated site material. Waste characterization sampling will be performed exclusively for the purposes of off-site disposal in a manner suitable to receiving facilities and in conformance with applicable federal, state and local laws, rules, and regulations and facility-specific permits.

Excavation and removal of any underground storage tanks (USTs), fuel dispensers, underground piping or other structures associated with a source of contamination.

3. Backfill

Backfill meeting the requirements of 6 NYCRR Part 375-6.7(d) will be brought in to replace the excavated soil or complete the backfilling of the excavation and establish the designed grades at the site.

4. Vapor Intrusion Evaluation

As part of the Track 1 remedy, a soil vapor intrusion evaluation will be completed. The evaluation will include a provision for implementing actions recommended to address exposures related to soil vapor intrusion.

5. Local Institutional Controls

If no Environmental Easement (EE) or Site Management Plan (SMP) is needed to achieve soil, groundwater, or soil vapor remedial action objectives, then the following local use restriction will be relied upon to prevent ingestion of groundwater: Article 141 of the NYCDOHMH code, which prohibits potable use of groundwater without prior approval.

Contingent Remedial Elements

In the event that Track 1 unrestricted use is not achieved, including achievement of soil and soil vapor remedial objectives, the following contingent remedial elements will be required, and the remedy will achieve a Track 2 restricted residential cleanup.

6. Institutional Control

Imposition of an institutional control in the form of an environmental easement and a Site Management Plan, as described below, will be required. The remedy will achieve a Track 2 restricted residential cleanup at a minimum.

Imposition of an institutional control in the form of an environmental easement for the controlled property which will:

- require the remedial party or site owner to complete and submit to the NYSDEC a periodic certification of institutional and engineering controls in accordance with Part 375-1.8 (h)(3);
- allow the use and development of the controlled property for restricted residential use as defined by Part 375-1.8(g), although land use is subject to local zoning laws; and
- require compliance with the NYSDEC approved Site Management Plan.

7. Site Management Plan (SMP)

An SMP is required, which includes the following:

a. an Institutional and Engineering Control Plan that identifies all use restrictions and engineering controls for the site and details the steps and media-specific requirements necessary to ensure the following institutional and engineering controls remain in place and effective:

   - Institutional Controls: The Environmental Easement discussed in Remedy Element 6 above.

   This plan includes, but may not be limited to:

   - an Excavation Plan which details the provisions for management of future excavations in areas of remaining contamination;
   - descriptions of the provisions of the environmental easement including any land use, and groundwater use restrictions;
   - a provision for evaluation of the potential for soil vapor intrusion for any occupied buildings on the site, including provision for implementing actions recommended to address exposures related to soil vapor intrusion;
   - provisions for the management and inspection of the identified engineering controls;
   - maintaining site access controls and NYSDEC notification; and
   - the steps necessary for the periodic reviews and certification of the institutional and/or engineering controls.

b. a Monitoring Plan to assess the performance and effectiveness of the remedy. The plan includes, but may not be limited to:

   - monitoring of groundwater and indoor air on and off-site to assess the performance and effectiveness of the remedy; and
   - a schedule of monitoring and frequency of submittals to the NYSDEC.

- monitoring for vapor intrusion for any buildings on the site, as may be required by the Institutional and Engineering Control Plan discussed above.

N
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S

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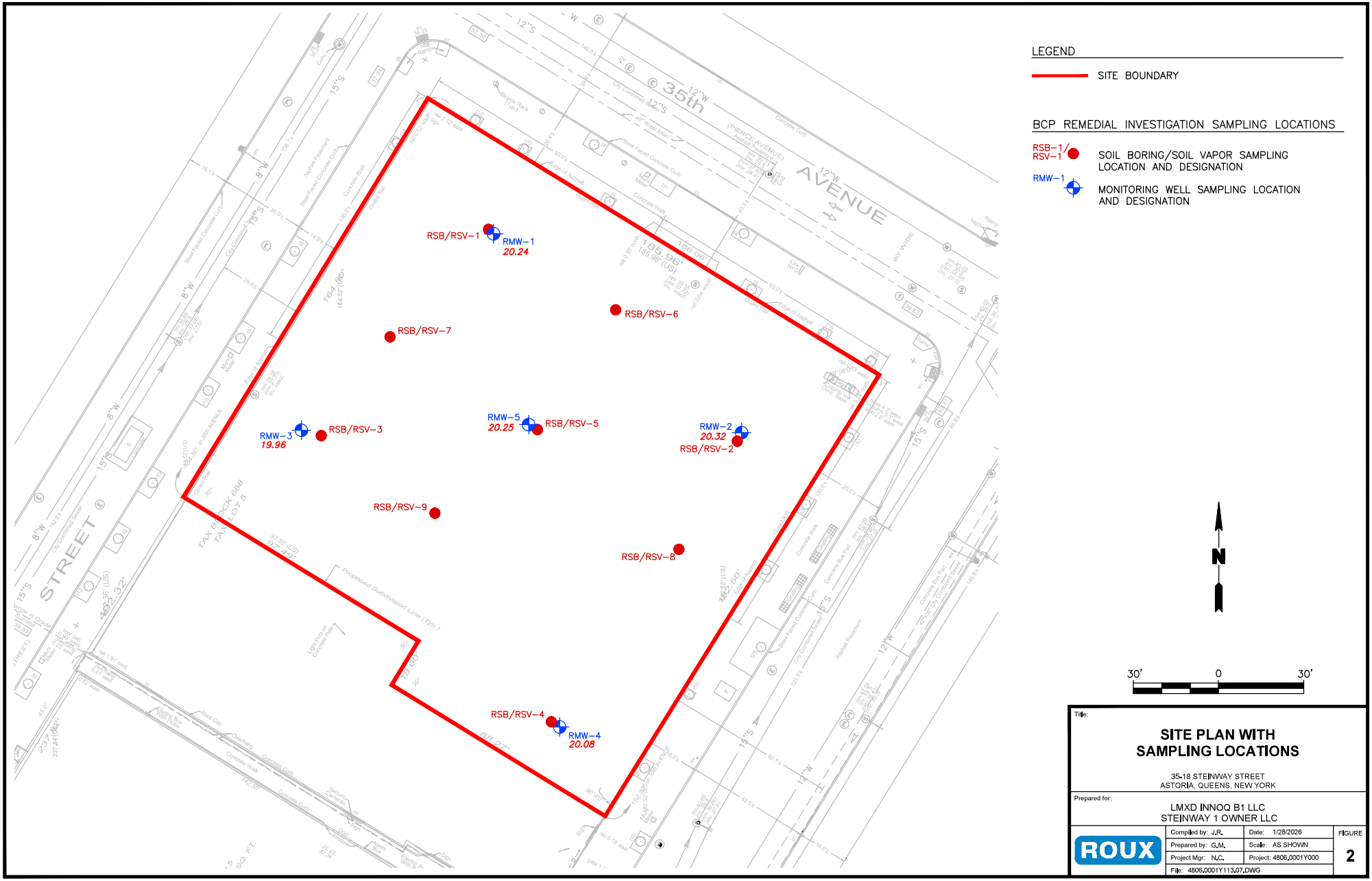
Feet

Site Map

Former Bordens Farm Products
Astoria, NY
Site No. C241294

NEW YORK STATE | Department of Environmental Conservation



Title:

SITE PLAN WITH SAMPLING LOCATIONS

35-18 STEINWAY STREET
ASTORIA, QUEENS, NEW YORK

Prepared for:

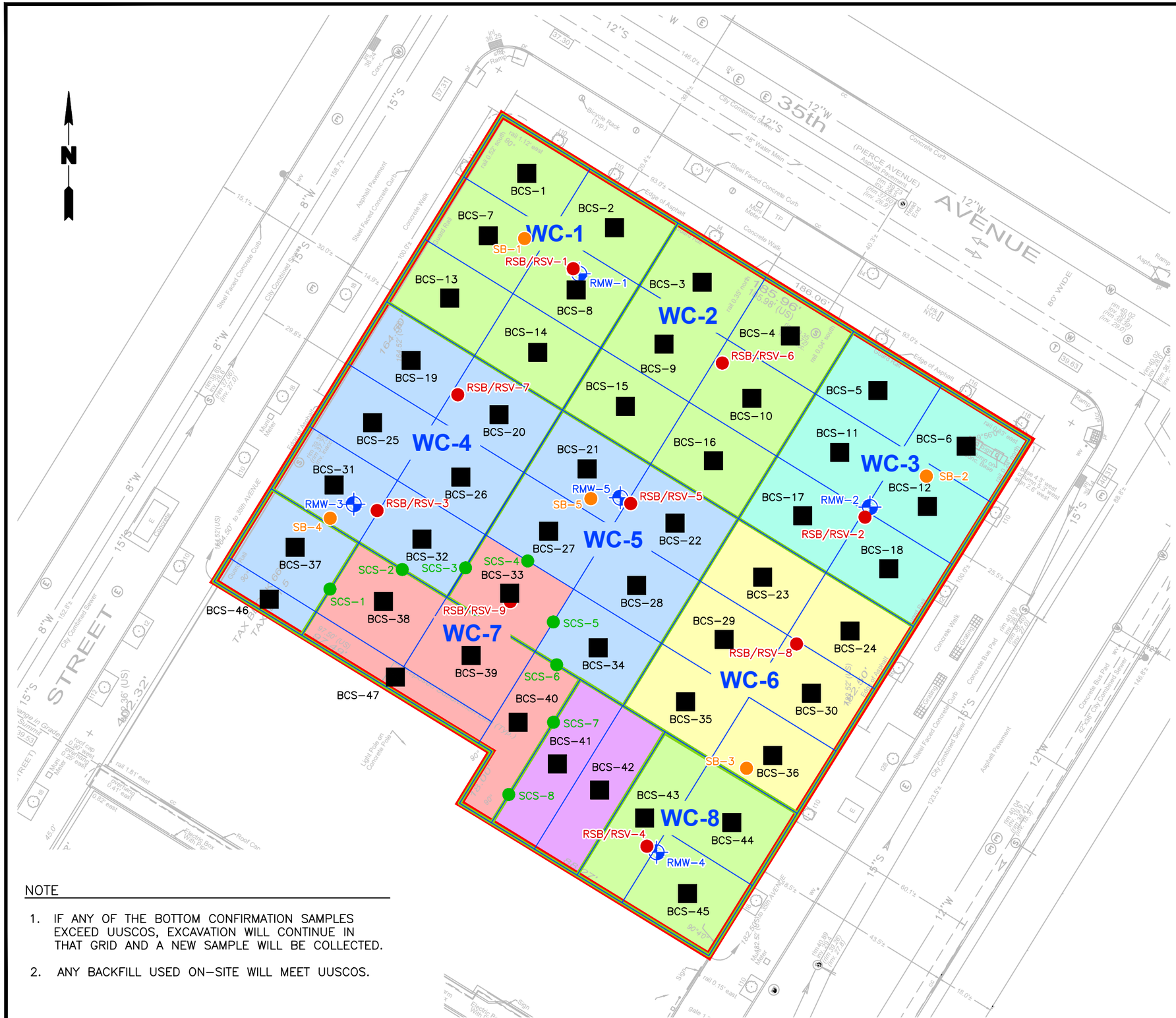
LMXD INNOQ B1 LLC
STEINWAY 1 OWNER LLC

ROUX

Compiled by: J.R.	Date: 1/28/2026
Prepared by: G.M.	Scale: AS SHOWN
Project Mgr: N.C.	Project: 4806.0001Y000
File: 4806.0001Y113.07.DWG	

FIGURE
2

V:\CAD\PROJECTS\4806\Y0001Y113\4806.0001Y113.07.DWG GMILTON



LEGEND

- SITE BOUNDARY
- WC-1 — WASTE CHARACTERIZATION GRID
- BOTTOM CONFIRMATION ENDPOINT SAMPLE GRID

BCP REMEDIAL INVESTIGATION SAMPLING LOCATIONS

- RSB–1/RSV–1 — SOIL BORING/SOIL VAPOR SAMPLING LOCATION AND DESIGNATION – 2025 REMEDIAL INVESTIGATION
- RMW–1 — MONITORING WELL SAMPLING LOCATION AND DESIGNATION – 2025 REMEDIAL INVESTIGATION
- BCS–1 — PROPOSED BOTTOM CONFIRMATION SAMPLE
- SCS–1 — PROPOSED SIDEWALL CONFIRMATION SAMPLE
- SB–1 — SOIL BORING SAMPLING LOCATION AND DESIGNATION – 2024 BCP ELIGIBILITY SAMPLING
- PROPOSED EXCAVATION TO 3 FT BLS
- PROPOSED EXCAVATION TO 5 FT BLS
- PROPOSED EXCAVATION TO 8 FT BLS
- PROPOSED EXCAVATION TO 9 FT BLS
- PROPOSED EXCAVATION TO 13 FT BLS
- PROPOSED EXCAVATION TO 23 FT BLS
- FT BLS — FEET BELOW LAND SURFACE
- UUSCOs — UNRESTRICTED USE SOIL CLEANUP OBJECTIVES

30' 0 30'

NOTE

1. IF ANY OF THE BOTTOM CONFIRMATION SAMPLES EXCEED UUSCOS, EXCAVATION WILL CONTINUE IN THAT GRID AND A NEW SAMPLE WILL BE COLLECTED.
2. ANY BACKFILL USED ON–SITE WILL MEET UUSCOS.

Title:

REMEDIAL ALTERNATIVE 1: TRACK 1 UNRESTRICTED USE CLEANUP

35-18 STEINWAY STREET
ASTORIA, NEW YORK

Prepared for:
LMXD INNOQ B1 LLC
STEINWAY 1 OWNER LLC

ROUX

Compiled by: J.R.	Date: 3/5/2026	FIGURE
Prepared by: G.M.	Scale: AS SHOWN	3
Project Mgr: N.C.	Project: 4806.0001Y000	
File: 4806.0001Y113.02.DWG		

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