



City of New York  
Parks & Recreation

Adrian Benepe  
Commissioner

Capital Projects

Olmsted Center  
Flushing Meadows-Corona Park  
Flushing, New York 11368

Thérèse Braddick, Deputy Commissioner  
(718) 760-6602

New York State Department of Environmental Conservation  
Hunters Point Plaza  
47-40 21st Street  
Long Island City, NY 11101  
Att: Ioana Munteanu-Ramnic, Project Manager

May 12, 2009

Re: **SITE MANAGEMENT PERIODIC REVIEW**  
**SITE NO. V00406**  
**NEWTOWN / ELMHURST FORMER GAS HOLDER (ELMHURST)**

Dear Ms. Munteanu-Ramnic,

The New York City Department of Parks and Recreation (DPR) hereby submits this letter in response to your March 23, 2009 correspondence announcing a 45-day reminder for the submittal of our Site Management Periodic Review Report (PRR).

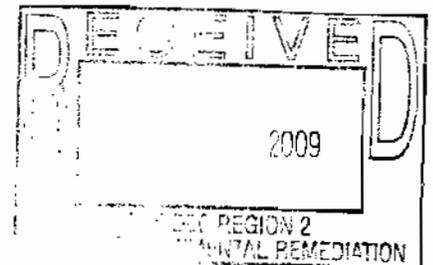
Attached to this letter please find our first Site Management PRR for the Elmhurst site.

Please do not hesitate to call me at (718) 760-6922 should you have any questions about the information supplied or if you require any additional information. In addition, we would be pleased to have the opportunity to meet with you should you wish.

Sincerely,

Marty Rowland, Ph.D., P.E.  
Senior Project Manager for Environmental Remediation  
New York City Department of Parks and Recreation  
Capital Projects

cc: Mary Pazan, Capital Projects Legal Counsel



## **Periodic Review Report May 2009**

**Site No. V00406**

**Site Name: Gas holder Site**

**Site Address: 78-01 57<sup>th</sup> Avenue 11373  
Elmhurst, Queens**

### **Summary of remedial and site history**

The Site was remediated by KeySpan energy, the former property owner, in accordance with the Voluntary Cleanup agreement (VCA) Index# D2-0002-99-10 which was issued in 2000. This VCA required KeySpan to investigate and remediate contaminated media, which was defined as soil and groundwater at the Newtown Holders Tank Site.

The land was transferred to the City of New York for use as a park. In October 2007 City of New York Parks Prepared a Site Management Plan (SMP) This SMP has been approved by New York State Department of Environmental Conservation (NYSDEC) in accordance with the requirements in NYSDEC Draft DER-10 Technical guidance for Site Investigation and Remediation, Dated December 2002 and the guidelines provided by NYSDEC. This SMP was prepared to manage residual contamination remaining at the site in perpetuity by providing a process for oversight of Institutional controls (IC) and Engineering Controls (EC).

Site Institutional Controls (IC):

Land use Restriction (Restricted residential uses including Parkland)

Soil Management Plan

Groundwater Use Restriction

Engineering Control (EC):

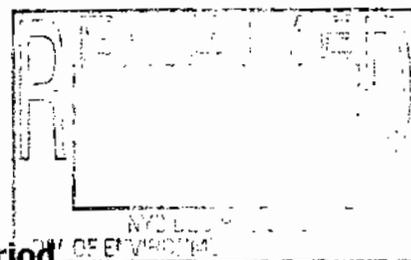
Cover System

### **Compliance and Recommendations**

#### **Institutional controls compliance during reporting period**

The site development as a park is in compliance with the restricted residential use Land use restriction and Groundwater restriction. All construction work was in compliance with the Soil and Pipe Management Plan.

City of New York Parks completed construction of the first Phase of Park development October 2008. This park construction was done in compliance with the Soil Management Plan and the Piping Management plan of the DEC approved Site Management Plan. The final Report detailing this work and compliance is attached.



**Engineering control compliance during reporting period**

The Engineering Control, the cover (2' of clean fill) is complete and intact. There is a minimum two feet of clean fill over the entire site. Many areas of the site have significantly more cover. The park is closed to the public pending completion of phase two of park construction. It is anticipated that this 12 month construction will start within the next 3 months. During construction the entire site will be closed. The work on phase two will fully comply with the Soil Management Plan and the piping Management Plan of the Site Management Plan.

**Recommendation**

Given that the site will be closed to the public and under construction according to the SMP Parks recommends scheduling the next Periodic Review report to coincide with completion of phase two work. It is anticipated that this work will be completed no sooner than 15 months from May 6, 2009.



NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION  
Site Management Periodic Review Report Notice  
Institutional and Engineering Controls Certification Form



Site Details		Box 1	
Site No.	V00406		
Site Name	Newtown/Elmhurst Former Gas Holder		
Site Address:	78-01 57th Avenue	Zip Code:	11373
City/Town:	Elmhurst		
County:	Queens		
Allowable Use(s) (if applicable, does not address local zoning):	Industrial <i>restricted residential use includes active recreation uses; e.g., parkland (this is a deed restriction)</i>		
Site Acreage:	6.0		
Verification of Site Details		Box 2	
		YES	NO
1.	Are the Site Details above, correct?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	If NO, are changes handwritten above or included on a separate sheet?	<input checked="" type="checkbox"/>	
2.	Has some or all of the site property been sold, subdivided, merged, or undergone a tax map amendment since the initial/last certification?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	If YES, is documentation or evidence that documentation has been previously submitted included with this certification?	<input type="checkbox"/>	
3.	Have any federal, state, and/or local permits (e.g., building, discharge) been issued for or at the property since the initial/last certification?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	If YES, is documentation (or evidence that documentation has been previously submitted) included with this certification? <i>see attachment</i>	<input checked="" type="checkbox"/>	
4.	If use of the site is restricted, is the current use of the site consistent with those restrictions?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	If NO, is an explanation included with this certification?	<input type="checkbox"/>	
5.	For non-significant-threat Brownfield Cleanup Program Sites subject to ECL 27-1415.7(c), has any new information revealed that assumptions made in the Qualitative Exposure Assessment regarding offsite contamination are no longer valid?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	If YES, is the new information or evidence that new information has been previously submitted included with this Certification?	<input type="checkbox"/>	
6.	For non-significant-threat Brownfield Cleanup Program Sites subject to ECL 27-1415.7(c), are the assumptions in the Qualitative Exposure Assessment still valid (must be certified every five years)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	If NO, are changes in the assessment included with this certification?	<input type="checkbox"/>	

SITE NO. V00406

Box 3

**Description of Institutional Controls**

Parcel

Institutional Control

S\_B\_L Image: 28050031

Landuse Restriction  
Soil Management Plan

S\_B\_L Image: ~~2805-1~~

2806-1

Ground Water Use Restriction  
Landuse Restriction  
Soil Management Plan

*see attachment  
for documentation  
of parcel ID*

Box 4

**Description of Engineering Controls**

Parcel

Engineering Control

S\_B\_L Image: 28050031

Cover System

S\_B\_L Image: ~~2805-1~~

2806-1

Cover System

Attach documentation if IC/ECs cannot be certified or why IC/ECs are no longer applicable.  
(See instructions)

**Control Description for Site No. V00406**

**Parcel:** ~~2805-1~~ 2806-1

The Controlled Property shall not be used for a less restrictive use than restricted-residential. Restricted-residential includes active recreational uses i.e. parkland.

Vegetable gardens and farming are prohibited.

The owner must operate and maintain all engineering controls as specified in the Site Management Plan.

The owner must cause all engineering controls on the Controlled Property to be inspected and certified at a frequency and in a manner as specified in the Site Management Plan.

The owner must cause all data and information pertinent to management of the Controlled Property to be reported at the frequency and in the manner defined in the Site Management Plan.

All future activities on the Controlled Property that will disturb residual contaminated material remaining under the soil cover system (consisting of at least two feet of clean imported soils and concrete building slabs) are prohibited unless such activities are conducted in accordance with the soil and piping management provisions in the Site Management Plan.

The use of the groundwater underlying the Controlled Property is prohibited without treatment rendering it safe for the intended purpose.

**Parcel: 28050031**

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The use of the groundwater underlying the Controlled Property is prohibited without treatment rendering it safe for the intended purpose.

**Periodic Review Report (PRR) Certification Statements**

1. I certify by checking "YES" below that:

a) the Periodic Review report and all attachments were prepared under the direction of, and reviewed by, the party making the certification;

b) to the best of my knowledge and belief, the work and conclusions described in this certification are in accordance with the requirements of the site remedial program, and generally accepted engineering practices; and the information presented is accurate and complete.

*Note: The remedial action final report that is attached was prepared prior to the QLEP (Masty Rowland) employment at DPR.*

YES NO

2. If this site has an IC/EC Plan (or equivalent as required in the Decision Document), for each Institutional or Engineering control listed in Boxes 3 and/or 4, I certify by checking "YES" below that all of the following statements are true:

(a) the Institutional Control and/or Engineering Control(s) employed at this site is unchanged since the date that the Control was put in-place, or was last approved by the Department;

(b) nothing has occurred that would impair the ability of such Control, to protect public health and the environment;

(c) access to the site will continue to be provided to the Department, to evaluate the remedy, including access to evaluate the continued maintenance of this Control;

(d) nothing has occurred that would constitute a violation or failure to comply with the Site Management Plan for this Control; and

(e) if a financial assurance mechanism is required by the oversight document for the site, the mechanism remains valid and sufficient for its intended purpose established in the document.

YES NO

3. If this site has an Operation and Maintenance (O&M) Plan (or equivalent as required in the Decision Document);

I certify by checking "YES" below that the O&M Plan Requirements (or equivalent as required in the Decision Document) are being met.

YES NO

4. If this site has a Monitoring Plan (or equivalent as required in the remedy selection document);

I certify by checking "YES" below that the requirements of the Monitoring Plan (or equivalent as required in the Decision Document) is being met.

YES NO

IC CERTIFICATIONS  
SITE NO. V00406

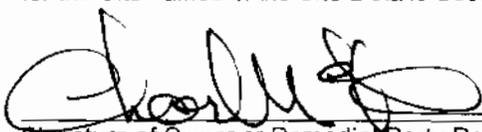
Box 6

**SITE OWNER OR DESIGNATED REPRESENTATIVE SIGNATURE**

I certify that all information and statements in Boxes 2 and/or 3 are true. I understand that a false statement made herein is punishable as a Class "A" misdemeanor, pursuant to Section 210.45 of the Penal Law.

I, Charles McKinney at 117-02 Roosevelt Ave  
print name print business address  
am certifying as New York City Dept of Parks & Recreation (Owner or Remedial Party)

for the Site named in the Site Details Section of this form.



Signature of Owner or Remedial Party Rendering Certification

May 12, 09  
Date

IC/EC CERTIFICATIONS

Box 7

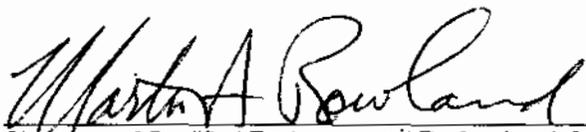
**QUALIFIED ENVIRONMENTAL PROFESSIONAL (QEP) SIGNATURE**

I certify that all information in Boxes 4 and 5 are true. I understand that a false statement made herein is punishable as a Class "A" misdemeanor, pursuant to Section 210.45 of the Penal Law.

I, Martin A. Rowland at NYC- Dept of Parks & Recreation  
117-02 Roosevelt Ave., Flushing,  
print name print business address NY 11368

am certifying as a Qualified Environmental Professional for the NYC Dept of Parks & Recreation

(Owner or Remedial Party) for the Site named in the Site Details Section of this form.



Signature of Qualified Environmental Professional, for the Owner or Remedial Party, Rendering Certification

Stamp (if Required)

5/12/09  
Date



# NYC BUILDINGS

## Work Permit Department of Buildings

Permit Number: 410025789-01-EW-OT

Issued: 03/04/2008

Expires: 05/01/2009

Address: QUEENS 77-51 57 AVENUE

### Description of Work:

ALTERATION TYPE 2 - GEN CONST  
RECONSTRUCTION OF THE PLUMBING SYSTEM INCL. PRESSURE BOOSTER PUMP, RPZ &  
SECONDARY RPZ, FLOOR DRAIN, GAS METER & PIPING C & H WATER SUPPLY TO EXISTING  
FIXTURES. REPLACEMENT OF WINDOWS AND DOORS. CONSTRUCTION WILL NOT CHANGE THE  
OCCUPANCY NUMBER AND METHOD OF EGRESS OR THE FLOOR AREA

For detailed information regarding this permit, please log on to BISWeb at [www.nyc.gov/buildings](http://www.nyc.gov/buildings)

Emergency Telephone Day or Night: 311

Borough Commissioner:



Commissioner of Buildings:



Tampering with or knowingly making a false entry in or falsely altering this permit is a crime that is punishable by a fine imprisonment or both.