



City of New York
Parks & Recreation

Adrian Benepe
Commissioner

The Arsenal
Central Park
New York, New York 10065

Capital Projects

Olmsted Center
Flushing Meadows Corona Park
Flushing, New York 11368

Thérèse Braddick
Deputy Commissioner

John J. Natoli, P.E., Chief Engineer
(718) 760-6725 / john.natoli@parks.nyc.gov

Ms. Ioana Munteanu-Ramnic, P.E.
Environmental Engineer
NYS-DEC-Region 2
1 Hunter's Point Plaza
47-40 21st Street
Long Island City, NY 11101

June 30, 2010

Re: **PERIODIC REVIEW REPORT – SITE NO. V00406**
ELMHURST PARK, QUEENS BOROUGH

Dear Ms. Munteanu-Ramnic,

The New York City Department of Parks and Recreation (DPR) hereby provides the New York State Department of Environmental Conservation (DEC) with information requested in a May 13, 2010 letter concerning the Elmhurst Park site in Queens. Four attachments are described as follows.

Attachment 1 – Site Management Periodic Review Report Notice / Institutional and Engineering Controls Certification Form

Attachment 2 – Periodic Review Report - June 2010

Attachment 3 - Field Inspection Form – Elmhurst Gas Tank Park

Attachment 4 – Procedural Plan for William Gross Construction Associates, Inc. – Elmhurst Gas Tank Park Site

Please call me at (718) 760-6725 should you have any questions.

Sincerely,

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

cc: Nancy Prince, NYC-DPR Project Manager

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NYS DEC REGION 2
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Attachment 1

Site Management Periodic Review Report Notice / Institutional and
Engineering Controls Certification Form



Enclosure 1

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 *restricted residential*

Site Acreage: 6.0

Owner: City of New York Parks and Recreation

1234 5th Ave., New York, NY 10029

use includes active recreation uses; eg., parkland (this is a deed restriction.)

Reporting Period: March 16, 2009 to March 16, 2010

Verification of Site Details

Box 2

- | | YES | NO |
|--|-------------------------------------|-------------------------------------|
| 1. Is the information in Box 1 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 during this Reporting Period? | <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 during this Reporting Period? | <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"/> | |
| 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"/> | |

Description of Institutional Controls

<u>Parcel</u>	<u>Institutional Control</u>
S_B_L Image: 28050031	Landuse Restriction Soil Management Plan
S_B_L Image: 2806-1	Ground Water Use Restriction Landuse Restriction Soil Management Plan

Description of Engineering Controls

<u>Parcel</u>	<u>Engineering Control</u>
S_B_L Image: 28050031	Cover System
S_B_L Image: 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: 28050031

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.

Control Description for Site No. V00406

Parcel: 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.

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.

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 Martin A. Rowland at 117-02 Roosevelt Ave. Flushing, NY 11368
print name print business address

am certifying as NYC Dept of Parks & Recreation (Owner or Remedial Party)

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

Martin A. Rowland, Ph.D., P.E. 6/30/10
Signature of Owner or Remedial Party Rendering Certification 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 117-02 Roosevelt Ave. Flushing, NY 11368
print name print business address

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.

Martin A. Rowland 087566 6/30/10
Signature of Qualified Environmental Professional, for Stamp (if Required) Date
the Owner or Remedial Party, Rendering Certification

Enclosure 2

Certification Instructions

I. Verification of Site Details (Box 1 and Box 2):

Answer the six questions in the Verification of Site Details Section. Questions 5 and 6 only refer to sites in the Brownfield Cleanup Program. The Owner and/or Qualified Environmental Professional (QEP) may include handwritten changes and/or other supporting documentation, as necessary.

II. Certification of Institutional / Engineering Controls (Boxes 3, 4, and 5)

1. Review the listed IC/ECs, confirming that all existing controls are listed, and that all existing controls are still applicable. If there is a control that is no longer applicable the Owner / Remedial Party is to petition the Department requesting approval to remove the control.
2. In Box 5, complete certifications for all Plan components, as applicable, by checking the corresponding checkbox.
3. If you cannot certify "YES" for each Control and/or certify the other SM Plan components that are applicable, continue to complete the remainder of this **Certification** form. Attach supporting documentation that explains why the **Certification** cannot be rendered, as well as a statement of proposed corrective measures, and an associated schedule for completing the corrective measures. Note that this **Certification** form must be submitted even if an IC or EC cannot be certified; however, the certification process will not be considered complete until corrective action is completed.

If the Department concurs with the explanation, the proposed corrective measures, and the proposed schedule, a letter authorizing the implementation of those corrective measures will be issued by the Department's Project Manager. Once the corrective measures are complete, a new Periodic Review Report (with IC/EC Certification) is to be submitted within 45 days to the Department. If the Department has any questions or concerns regarding the PRR and/or completion of the IC/EC Certification, the Project Manager will contact you.

III. IC/EC Certification by Signature (Box 6 and Box 7):

If you certified "YES" for each Control, please complete and sign the IC/EC Certifications page. Where the only control is an Institutional Control on the use of the property the certification statement in Box 6 shall be completed and may be made by the property owner. Where the site has Institutional and Engineering Controls, the certification statement in Box 7 must be completed by a Professional Engineer or Qualified Environmental Professional (see table below).

Table 1. Signature Requirements for Control Certification Page

Type of Control	Example of IC/EC	Required Signatures
EC which does not include a treatment system or engineered caps.	Fence, Clean Soil Cover, Individual House Water Treatment System, Vapor Mitigation System	A site or property owner or remedial party, and a QEP. (P.E. license not required)
EC that includes treatment system or an engineered cap.	Pump & Treat System providing hydraulic control of a plume, Part 360 Cap.	A site or property owner or remedial party, and a QEP with a P.E. license.

WHERE to mail the signed Certification Form and electronic copy by **Wednesday, June 30, 2010:**

New York State Department of Environmental Conservation

Hunters Point Plaza

47-40 21 St

Long Island City, NY 11101

Attn: Ioana Munteanu-Ramnic, Project Manager

Please note that extra postage may be required.

Attachment 2

Periodic Review Report – June 2010

Periodic Review Report - June 2010

Site No. V00406

Site Name: Gas holder Site

**Site Address: 78-01 57th Avenue 11373
Elmhurst, Queens**

I. Introduction

Site Location

Elmhurst Park is located between 57th Avenue and Grand avenue opposite 79th street in the Borough of Queens. The site is bordered on one west by a CSX freight rail line. A Verizon facility with truck parking and residential rear yards border the park on the East.

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

City of New York Parks completed construction of the first Phase of Park development October 2008.

City of New York Parks completed construction of the first Phase of Park development in October 2008. The first PRR followed this construction. The site with the cover complete and fully covered in lawn remained closed to the public. In October 2009 Phase two of park construction started. The phase two work is scheduled to be complete in October 2010. There will be a third phase of construction. This third phase will complete the comfort station (bathroom building) on the foundation installed in phase two. This job will be sent out to bid in the next two months.

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 and continues in compliance with the Soil and Pipe Management Plan of the site management plan.

Engineering control compliance during reporting period

Phase two includes constructing the playground and building foundation, installing pavements, site furniture and additional trees, shrubs and groundcovers. Additional fill is added to the hill to make it higher for winter sledding. The construction is approx 90% complete. All construction work was and continues in compliance with the Soil and Pipe Management Plan of the Site management Plan (SMP). No contamination was detected during all construction to date. Phase two was/is constructed according to a the Procedural plan prepared for Parks by Shapiro Engineering. (copy attached). Following completion of Phase two Shapiro Engineering will prepare for Parks a final report. 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.

Recommendation

Following completion of all phases of construction Parks recommends an evaluation be conducted to determine if the requirements for discontinuing site management have been met for a portion or the entire site. There are significant areas of the park where the cover far exceeds 2'.

Monitoring Plan compliance

All construction work during the reporting period and continuing is in compliance with the Soil and Pipe Management Plan of the Site management Plan (SMP). Specific measures are outlined in a procedural plan prepared for Parks by Shapiro Engineering. (Attachment 4). No contamination was detected during all construction to date. The Engineering control- 2' of cover is intact.

Attachment 3

Field Inspection Report Form – Elmhurst Gas Tank Park Site



Supplemental Sheet

Field Inspection Form – Elmhurst Gas Tank Park
Periodic Review of IC / EC Elements*

Inspection Date (month/day/year): Su M T W Th F Sa 4 / 13 / 10
Inspection Time: 10:00am Inspector Name: Marty Rowland

Institutional Controls (IC) [restrictions]

acceptable unacceptable**

- 1. Active recreational uses allowed (as well as passive and nature-based uses)
- 2. Prohibition of vegetable gardens / farming
- 3. Prohibition of groundwater use
- 4. Prohibition against disturbing covered, contaminated soils

Engineering Controls (EC)

- 5. Soil cover system – at least 2 feet of clean, imported soils and / or concrete building slabs; no subsidence, potholes, or cracked slabs

** why unacceptable (identify by nos. 1-5): _____

Note: Contaminated soils have been removed.

Park development is now in Phase 2.

No exposed chemically-impacted soils.

Soil cap is intact.

* as described in the October 2007 Elmhurst Gas Tank Park Site Management Plan, DEC Site # V00-406

Attachment 4

Procedural Plan for William A. Gross Construction Associates, Inc.
Elmhurst Gas Tank Park Site

PROCEDURAL PLAN
FOR
WILLIAM A. GROSS CONSTRUCTION
ASSOCIATES, INC.

at the
NEW YORK CITY DEPARTMENT OF
PARKS AND RECREATION
CONTRACT # Q 492-107M
ELMHURST GAS TANK SITE
57TH AVENUE
ELMHURST, NY 11378

CITY OF NEW YORK - PARKS & REC.	
CONTRACTOR SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS IN THE FIELD. HE SHALL COORDINATE ALL WORK SHOWN ON THIS ORIG. WITH THAT OF THE OTHER CONTRACTORS, SUBCONTRACTORS & TRADES. APPROVAL DOES NOT RELIEVE CONTRACTOR FROM RESPONSIBILITY FOR FULL COMPLIANCE WITH CONTRACT DRAWINGS.	
CONTRACT NO.: Q492-107M	
APPROVED	CONTRACTOR
DISAPPROVED	CONSTR. DIV. FIELD
REVISE & RESUBMIT	DESIGN DIV. <input checked="" type="checkbox"/>
APPROVED as noted <input checked="" type="checkbox"/>	MAP FILE
CHECKED BY HO 83	APPROVED BY
DATE: 10/13/09	DATE: →

PREPARED BY:

SHAPIRO ENGINEERING, P.C.
CONSULTING ENGINEERS
181 SOUTH FRANKLIN AVENUE, SUITE 305
VALLEY STREAM, NEW YORK 11581
516 791-2300
FAX: 516 791-0782
E-MAIL: shapiroengineers@att.net

