

NEW YORK STATE  
DEPARTMENT OF



ENVIRONMENTAL  
CONSERVATION

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47-40 21<sup>st</sup> Street  
Long Island City, New York 11101  
(call in advance) (718) 482-6446  
Hours: Mon. to Fri. 9am to 5pm

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# FACT SHEET #13

## Atlas Park Site Parcel B

DECEMBER 2006

The Shops at Atlas Park  
8000 Cooper Avenue  
Glendale, Queens, NY  
Site No: C241088

### NYSDEC Certifies Remediation Requirements Achieved at Atlas Park Site - Parcel B Brownfield Site

New York State Department of Environmental Conservation (NYSDEC) acting through its Commissioner has determined that the remediation requirements set forth in Article 27, Title 14 of the New York State Environmental Conservation Law (ECL) will be achieved as established in the remedial work plan, for the Atlas Park Site - Parcel B (the Site) located at 8000 Cooper Avenue in Queens County, New York. In accordance with the provisions of ECL § 27-1419, NYSDEC has issued a Certificate of Completion (COC) for the Site. A copy of the COC is available at the document repository identified in this fact sheet.

**Certificate of Completion:** The COC issued by NYSDEC is based on, but not limited to, a review and approval of the Final Engineering Report (FER) and execution of an Environmental Easement for the Site. The FER contains:

1. a description of the remedial activities completed;
2. a certification that remediation requirements will be achieved;
3. the boundaries of the site;
4. a description of Engineering/Institutional Controls (ECs & ICs) to be used.
  - An Engineering Control is a physical barrier or method to manage contamination such as a cover or vapor barrier;
  - An Institutional Control is a non-physical restriction on use of the site, such as a deed restriction, when the remedial action leaves residual contamination that makes the site suitable for some, but not all uses.
5. a certification that an operation, monitoring and maintenance plan for any engineering controls used at the site has been approved by NYSDEC.

Site remediation included excavation of contaminated soil "hot spots" as well as on-site and off-site groundwater and soil vapor monitoring, and on-site groundwater and soil vapor remediation. Remediation proceeded under a Track 4 cleanup, which includes land use restrictions and relies on ECs & ICs to prevent exposures to residual contamination. A Site Management Plan (SMP) has been prepared in order to address the groundwater and soil vapor monitoring and sampling program, and the on-site groundwater and soil vapor remediation systems. With these actions, the Site will remain protective of human health and the environment.

**Engineering & Institutional Controls:** An Environmental Easement has been recorded to ensure proper implementation of ECs and ICs. This Property may be used for commercial purposes as long as the following long-term controls are employed:

- a composite cover system consisting of asphalt or concrete pavement in walkways and driving surfaces, and concrete slabs under building structures must be inspected, certified and maintained as required in the NYSDEC-approved Site Management Plan (SMP);
- a soil vapor mitigation system consisting of a sub-slab depressurization system under all building structures must be inspected, certified, operated and maintained as required in the SMP;
- a groundwater air-sparge/soil vapor extraction system must be inspected, certified, operated and maintained as required in the SMP;



**Engineering & Institutional Controls (cont'd):**

- onsite environmental monitoring devices, including but not limited to, groundwater monitor wells and soil vapor probes, must be protected and replaced as necessary to ensure continued functioning in the manner specified in the SMP; vegetable gardens and farming on the Controlled Property are prohibited;
- the use of the groundwater underlying the Controlled Property is prohibited without treatment rendering it safe for intended purpose;
- all future activities on the Controlled Property that will disturb residual contaminated material protected under this environmental easement, including any proposed soil excavation, are prohibited unless they are conducted in accordance with the soil management provisions in the SMP.

**Next Steps:** NYSDEC issued the COC based on a review and approval of a FER submitted by Atlas Park, LLC, data submitted pursuant to the brownfield site agreement for the Site as well as other relevant information regarding the Site. The FER described the remedial activities completed, and certified that remediation requirements will be achieved for the site.

The COC allows Atlas Park, LLC to redevelop the Site, subject to specified restrictions. In addition, as provided in the COC, Atlas Park, LLC:

- has no liability to the State arising out of the presence of any contamination in, or emanating from the Site to the extent provided in ECL § 27-1421; and,
- is eligible for tax credits to offset the costs of performing remedial activities and for redevelopment of the site.

To the extent provided in ECL § 27-1419(5), a COC may be transferred, modified or revoked by the Commissioner of the NYSDEC.

**Site Background:** Atlas Park - Parcel B (Site) is situated on the site of an 80-year-old industrial park located at the intersection of Cooper Avenue and 80<sup>th</sup> Street, in the Glendale Section of Queens. Parcel B is located on the western portion of the former Atlas Terminals, on a 3.5 acre-area bounded roughly by 80<sup>th</sup> Street to the west, Cooper Avenue to the north, Parcel A to the east, and the LIRR right of way to the south (map attached). Investigation of Parcel B was implemented to delineate the nature and extent of an identified groundwater plume under Parcel B and the extent of offsite migration in groundwater and soil vapor. A plan to remediate contamination on-Site, and emanating in groundwater from the Site is summarized in the Remedial Action Work Plan. That plan and all project documents can be viewed at the document repositories listed in box on the first page.

The New York State Department of Environmental Conservation (NYSDEC) in cooperation with the New York State Department of Health (NYSDOH) approved the Remedial Action Work Plan (RAWP) for the Atlas Park Site - Parcel B on December 28, 2006. Atlas Park, LLC has submitted a Final Engineering Report (FER) dated December 29, 2006 that documents the remedial action. The FER and other project documents are available at the document repositories.

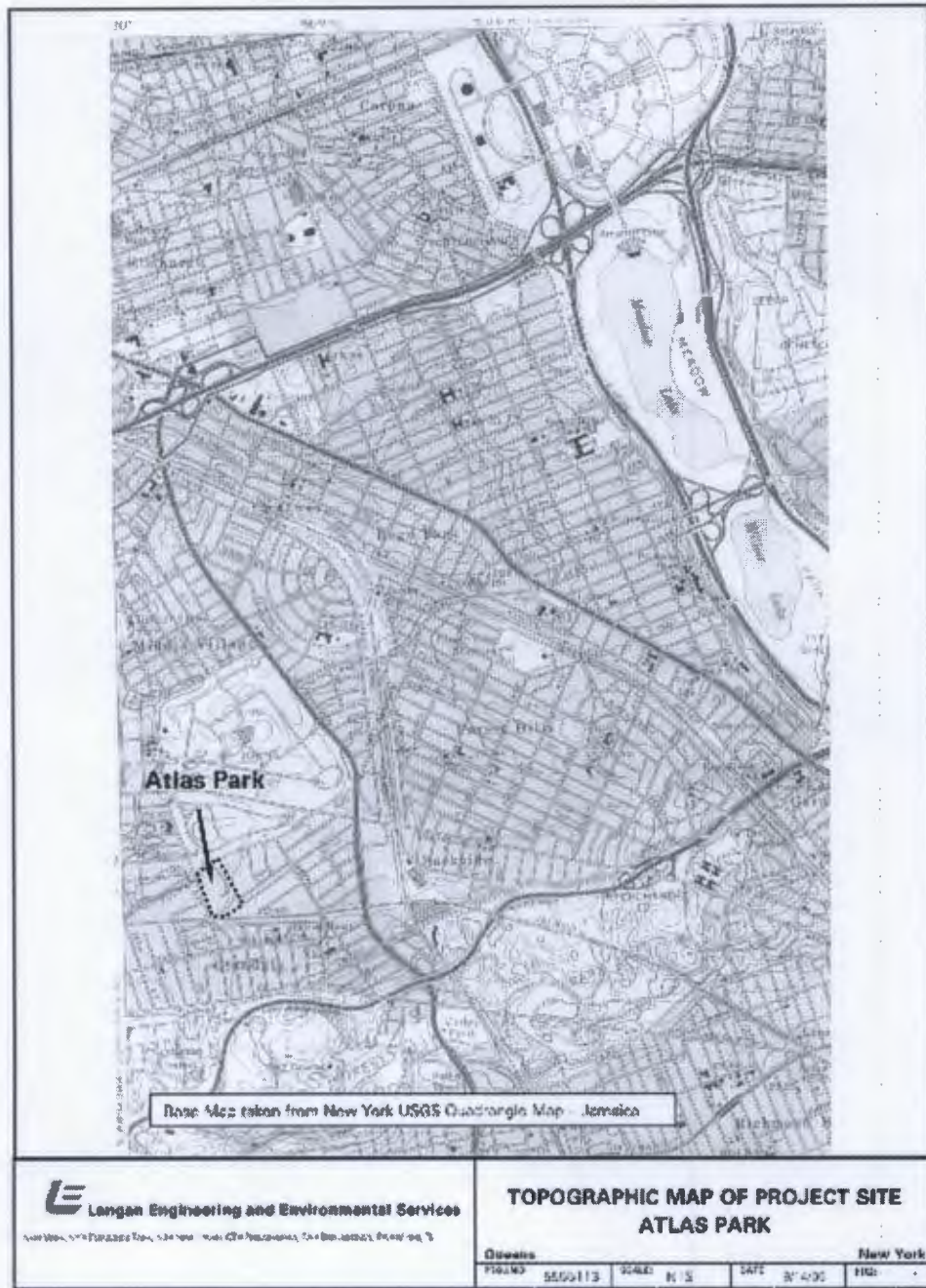
**Brownfield Cleanup Program (BCP) Overview:** New York established its BCP to address the environmental, legal, and financial barriers that often hinder the redevelopment and reuse of contaminated properties and to enhance private sector cleanups. New York's BCP is a cooperative approach among the NYSDEC, the NYSDOH, and Volunteers or Participants to investigate and/or remediate contaminated Sites. Under the BCP, a Volunteer or Participant enters into a Brownfield Cleanup Agreement with the NYSDEC and thereafter submits one or more work plans to investigate and, if necessary, remediate a site. The goal under the BCP is to remediate sites to a level that is protective to public health and the environment consistent with the proposed uses of the site. When a Volunteer or Participant completes work, a release from liability from the NYSDEC is provided with standard reservations.

For information regarding New York State's Brownfield Cleanup Program, please visit our web Site at:

<http://www.dec.state.ny.us/webSite/der/bfield>.



### Atlas Park Site Location Map

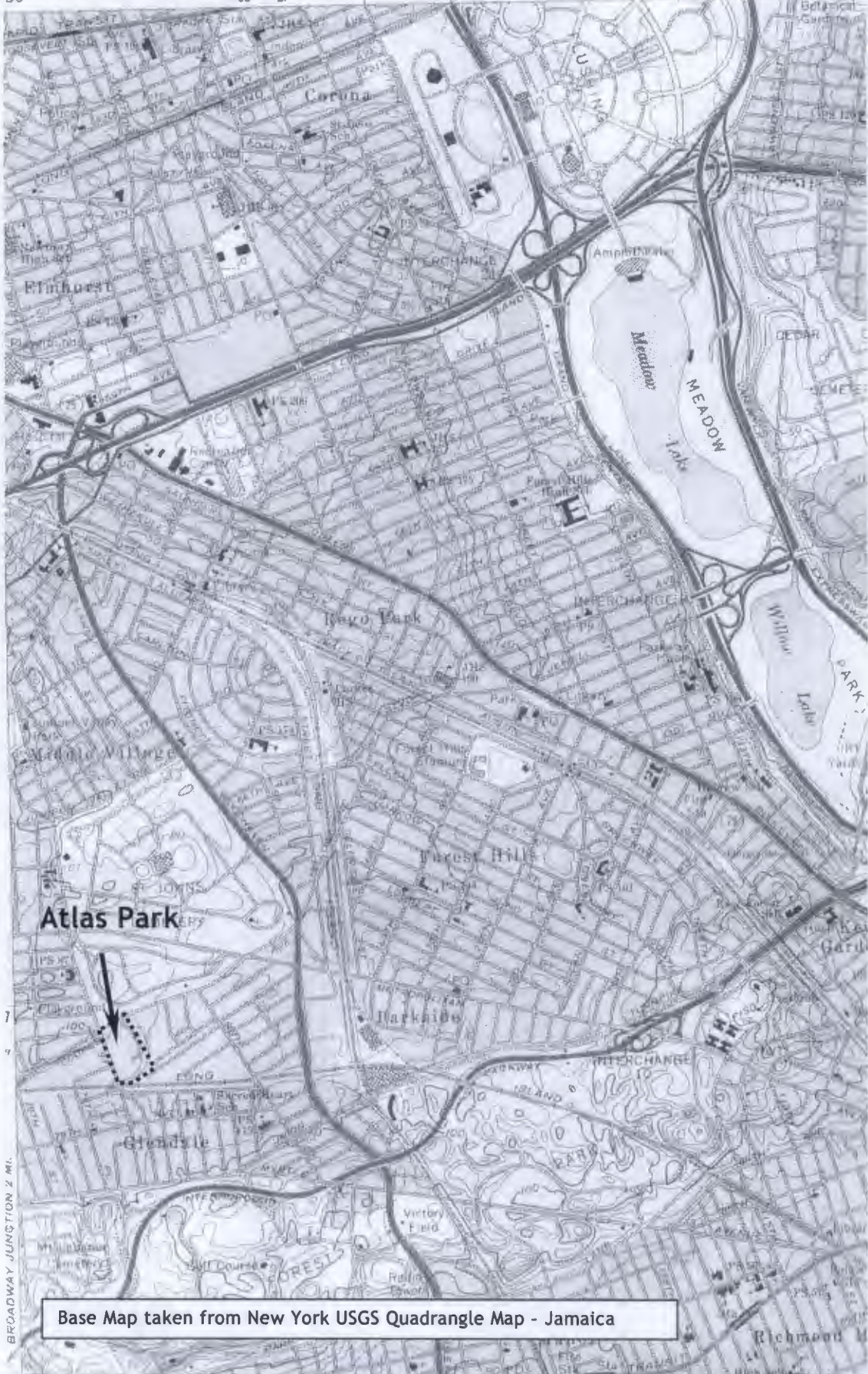




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Base Map taken from New York USGS Quadrangle Map - Jamaica



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**TOPOGRAPHIC MAP OF PROJECT SITE  
ATLAS PARK  
FINAL ENGINEERING REPORT**

Queens

New York

PROJ. NO	SCALE:	DATE	FIG:
5555113	NTS	9/14/06	1



Site Name: ATLAS Park – Parcel B  
BCP SITE NO. C241088

**CERTIFICATION OF RELEASE OF FACT SHEET CONTACT LIST**

I, Miriam Mucchi certify that I mailed FACT SHEET Number 13 for the above referenced site to all members of the contact list on the attached list and that it was mailed in an envelope with the NYSDEC Region 2 return address. This FACT SHEET Number 13 was delivered to the Glendale Post Office on January 24, 2007. I also certify that FACT SHEET Number 13 was mailed unchanged and unaltered from the version approved by NYSDEC and that no other material or information was included in that mailing.

Miriam Mucchi  
Signature

1/24/07  
Date

MIRIAM MUCCHI  
Printed Name

Repositories Certified as complete

1. Glendale Public Library (Via Hand Delivery on January 25, 2007)
2. Community Board 5 (Via Hand Delivery on January 25, 2007)
3. NYSDEC Region 2 Office (Via Email on January 24, 2007)

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