

**NEW YORK STATE
DEPARTMENT OF**



**ENVIRONMENTAL
CONSERVATION**

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NYSDEC, Region 2 Office

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Long Island City, New York 11101
(Call in advance): (718) 482-4900
Hours: Mon. to Fri. 8AM to 4 PM

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For more information on NYSDEC's
Brownfield Cleanup Program, visit:
www.dec.ny.gov/chemical/8450.html

FACT SHEET # 9
BROWNFIELD CLEANUP PROGRAM

OCA LIC Fifth Street
Mixed-Use Housing
Long Island City, NY
Site No.: C241098

NYSDEC REGION 2

January 2011

**NYSDEC Certifies Remediation
Requirements Achieved at Brownfield Site**

The New York State Department of Environmental Conservation ("NYSDEC") has determined that OCA-Long Island City, LLC (the "Volunteer") has achieved remediation requirements to address contamination related to the OCA LIC Fifth Street Mixed-Use Housing site (the "Site") located at 5-20 46th Road in Long Island City, New York, under the New York State Brownfield Cleanup Program ("BCP"). See attached map for the location of the Site. NYSDEC has issued a Certificate of Completion ("COC") to the Volunteer for the Site. A copy of the COC and other project-related documents are available at the document repositories identified in this Fact Sheet.

Site Description: The Site was formerly occupied by 1-, 2-, and 3-story buildings which were constructed in several stages and were operated for a variety of industrial uses. All the buildings on-site have been demolished. The Site is enclosed by a secured fence. Most of the Site buildings were initially constructed during the early 1900s. The Site had previously been used for varnish works, an ink factory, metal castings and plating, cleaners and dyers and a dry cleaner. Hazardous materials associated with the historical uses include industrial solvents, lubricating and cutting oils, metal polishing material, plating bath solutions, paint and painting products and dye products. The Volunteer entered into a Brownfield Cleanup Agreement ("BCA") with NYSDEC in June 2007 to investigate and remediate the Site.

Project Background: A Remedial Action Work Plan ("RAWP"), which summarized the requirements for the cleanup of the Site, was approved by the NYSDEC, in cooperation with the New York State Department of Health ("NYSDOH"), in July 2009. The Volunteer has fully implemented the RAWP and is continuing to monitor improvements in environmental conditions at the Site under an approved Site Management Plan ("SMP") dated December 2010. The Volunteer submitted a Final Engineering Report ("FER") dated December 2010 that documents the remedial activities. The SMP, FER and other project related documents are available at the document repositories.

Certificate of Completion: The COC issued by NYSDEC contains:

- A description of the Remedial activities completed;
- A certification that remediation requirements have been achieved ; and
- A description of the boundaries of the site.

Site Remediation (removal of contaminated soil, groundwater and petroleum for off-site disposal) was completed under a Track 4 restricted residential use cleanup. Site management is on-going and consists of installation of a vapor barrier and sub-slab depressurization system in all occupied buildings to be constructed on the Site; continued operation of devices to recovery petroleum; and long-term monitoring of groundwater quality at the Site. In addition, an Environmental Easement has been recorded to ensure continued site management activities and to restrict groundwater use at the site.

Next Steps: NYSDEC issued the COC based on review and approval of the SMP and FER submitted by the Volunteer. The FER described the remedial activities completed and certified that remediation requirements have been achieved for the site. With its receipt of a COC, the Volunteer is eligible for tax credits related to the redevelopment of the site.

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BROWNFIELD CLEANUP PROGRAM

Brownfield Cleanup Program 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 enters into a Brownfield Cleanup Agreement (“BCA”) 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 of liability from the NYSDEC is provided with standard reservations, and a COC is issued. With their receipt of a COC, OCA Long Island City, LLC would:

- Have no liability to the State for contamination at or coming from the Site, subject to certain conditions;
- Be eligible for tax credits to offset the cost of performing remedial activities and for redevelopment of the Site.

A COC may be modified or revoked if, for example, the Volunteer does not comply with the terms of its BCA with NYSDEC, or if the applicant commits fraud regarding its application or its certification that has met cleanup levels.

For further information on New York’s Brownfield Cleanup Program, please visit the Department’s web-site at:

www.dec.ny.gov/chemical/8450.html

Contact the NYSDEC project manager if you have any or questions about the project, or if you know someone who would like to be added to the project contact list to receive future fact sheets for this Site. We encourage you to share this Fact Sheet with neighbors and tenants, and/or post this Fact Sheet in a prominent area of your building for others to see.

Figure 1 Site Map

