



Enclosure 2
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: V00228

Site Name: Ballpark at St. George Station (Empire Outlets South Site 2)

Site Address: Between North Ramp and Jersey Street Block 2 Lot 15

Zip Code: 10301

City/Town: Staten Island

County: Richmond

Site Acreage: 2.2

Reporting Period: October 13, 2022 to July 13, 2023

YES NO

1. Is the information above correct?

If NO, include handwritten above or on a separate sheet.

2. Has some or all of the site property been sold, subdivided, merged, or undergone a tax map amendment during this Reporting Period?

3. Has there been any change of use at the site during this Reporting Period (see 6NYCRR 375-1.11(d))?

4. Have any federal, state, and/or local permits (e.g., building, discharge) been issued for or at the property during this Reporting Period?

If you answered YES to questions 2 thru 4, include documentation or evidence that documentation has been previously submitted with this certification form.

5. Is the site currently undergoing development?

Box 2

YES NO

6. Is the current site use consistent with the use(s) listed below?
 Restricted-Residential, Commercial, and Industrial

7. Are all ICs in place and functioning as designed?

IF THE ANSWER TO EITHER QUESTION 6 OR 7 IS NO, sign and date below and DO NOT COMPLETE THE REST OF THIS FORM. Otherwise continue.

A Corrective Measures Work Plan must be submitted along with this form to address these issues.

Andrew Albino (AGENT)

Signature of Owner, Remedial Party or Designated Representative

07-14-23

Date

SITE NO. V00228

Site Name Ballpark at St. George Station (Empire Outlets – South Site 2)

Description of Institutional Controls

Box 3

<u>Parcel</u>	<u>Owner</u>	<u>Institutional Control</u>
2-15	NYC EDC	Ground Water Use Restriction Land Use Restriction

- 1) Declaration of Covenants shall run with the land
- 2) Prohibition of land use for purpose other than commercial use
 - See Attachment II – Letter from New York State Department of Environmental Conservation to New York City Economic Development Corporation re: Deed Restriction Modification.
- 3) Prohibition of groundwater use
- 4) ECs - sub-slab methane venting system and gas monitoring system
- 5) Shall be no excavation unless prior approval by DEC:
 - In paved areas - no excavation below underlying imported subgrade layer
 - In areas covered by buildings - no excavation below the footprint of such structures and underlying imported subgrade materials.

Description of Engineering Controls

Box 4

<u>Parcel</u>	<u>Engineering Control</u>
2-15	Vapor Mitigation Cover System Subsurface Barriers Methane monitoring system

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 Engineering Control 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. For each Engineering control listed in Box 4, I certify by checking "YES" below that all of the following statements are true:

- (a) The 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; see the note regarding scheduled maintenance at the end of this form.
- (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

IF THE ANSWER TO QUESTION 2 IS NO, sign and date below and DO NOT COMPLETE THE REST OF THIS FORM. Otherwise continue.

A Corrective Measures Work Plan must be submitted along with this form to address these issues.


Signature of Owner, Remedial Party or Designated Representative

07-14-23
Date

IC CERTIFICATIONS
SITE NO. 130086

Box 6

SITE OWNER OR DESIGNATED REPRESENTATIVE SIGNATURE

I certify that all information and statements in Boxes 1, 2, and 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 Isidoro Albino at Empire Outlets
353 REYNOLDS TERRACE, SUITE. MGMT
STATEN ISLAND, NY 10301
print name print business address

am certifying as REMEDIAL PARTY (Owner or Remedial Party)

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

Isidoro Albino (AGENT)
Signature of Owner, Remedial Party, or Designated Representative
Rendering Certification

07-14-23
Date

EC CERTIFICATIONS

Box 7

Qualified Environmental Professional 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 Gary Rozmus at GEI Consultants, Inc., P.C,
1000 New York Ave., Huntington Station, NY,
print name print business address

am certifying as a Qualified Environmental Professional for the Empire Outlets
(~~Owner~~ or Remedial Party)



7/14/2023

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

Stamp
(Required for PE)

Date

Scheduled Maintenance

As noted in the annual inspection report prepared by GEI Consultants, dated July 14, 2023, the Institutional and Engineering Controls at the site are functioning, and are protective of human health. However, maintenance is required on some elements of the methane monitoring system as described below:

- GEI will order the appropriate quick connect fitting to enable multi gas meter readings to be taken from SSDS monitoring point MP 2 during future inspections.
- The system installer (Donovan Electric) will consult with their supplier and/or the manufacturer (Honeywell) regarding the two detectors that failed to connect to the Bluetooth app and the five detectors that failed span calibration. These seven detectors will be repaired, replaced, or reconfigured, as necessary, to restore functionality.
- Following restoration of the above mentioned seven methane detectors, GEI will bump test the detectors to confirm functionality. Field calibration will be performed by GEI if bump test readings are found to be out of range.

Implementation of these maintenance activities is underway, and documentation of completion of the maintenance work will be reported in the September 2023 quarterly inspection report.