

APPENDIX VII
NYCDEP Information

JOHN NASO, JR.
WILLIAM K. BECKMAN
DAN C. BUZEA
J. KEVIN POWERS
FRANK J. GETCHELL
CHARLES W. KREITLER
JEFFREY B. LENNOX
W. JOHN SEIFERT, JR.
DAVID A. WILEY
ROBERT F. GOOD, JR.
TIMOTHY L. KENYON
THOMAS P. CUSACK
DAVID B. TERRY
MATTHEW P. PERAMAKI

R. G. SLAYBACK
JOHN B. ASHWORTH

LEGGETTE, BRASHEARS & GRAHAM, INC.

PROFESSIONAL GROUND-WATER AND ENVIRONMENTAL ENGINEERING SERVICES

110 CORPORATE PARK DRIVE, SUITE 112
WHITE PLAINS, NY 10604
914-694-5711
FAX 914-694-5744
www.lbgweb.com

April 14, 2008

JOHN M. BENVENGA
JOHN L. BOGNAR
KIMBERLY R. BLOMKER
JORMA WEBER
JOSEPH W. STANDEN, JR.
MICHAEL A. MANOLAKAS
JAMES A. BEACH
WILLIAM P. PREHODA
JEFFREY M. TROMMER
DAVID S. HUME

BRUCE K. DARLING
KAREN B. DESTEFANIS
JEFFREY T. SCHICK
KENNETH D. TAYLOR
ROBERT M. ROHLFS
WILLIAM G. STEIN
JOHN W. NELSON
WILLIAM H. AVERY
ROY SILBERSTEIN
PAUL M. JOBMANN
BRIAN C. KIMPEL
JOHN R. DIEGO
KEITH J. SHORTSLEEVE
MICHAEL J. SUSCA
BRAD L. CROSS
MITCHELL W. KANNENBERG

New York City Department of
Environmental Protection
Inspection and Permitting Section
Bureau of Wastewater Treatment
96-05 Horace Harding Expressway, 1st Floor
Low-Rise Building
Corona, NY 11368

RE: Ground-Water Treatment System
Request for Permit Renewal &
NYC DEP Parameter Sampling
Fyn Paint & Lacquer Co., Inc.
Brooklyn, New York
File Case # C-4136

Dear Case Representative:

The following letter is being submitted to your attention on behalf of the Fyn Paint & Lacquer Co., Inc. (Fyn Paint) by Leggette, Brashears & Graham, Inc. (LBG). LBG is an authorized representative of Fyn Paint as per the attached letter. The Wastewater Quality Control (WQC) application for the above listed site was approved in accordance with the New York City Department of Environmental Protection (NYCDEP) procedures for ground-water discharge to the sanitary sewer or combined sewer on March 15, 2007. As is stipulated in the Letter of Approval from the Department of Wastewater Treatment, LBG provided notification to the Bureau of Customer Service prior to commencement of discharge.

As the permit was valid up until March 14, 2008, Fyn Paint requests that the permit be renewed for another 1 year period. The groundwater treatment system is currently inactive pending receipt of notification of permit renewal. All information submitted for the letter of approval issued March 15, 2007 remains the same. The ground-water treatment system remains unchanged from the specifications outlined in the application and consists of; an initial treatment of the ground water through the use of an air stripper; and, a secondary carbon polish to ensure that the effluent discharge meets NYCDEP sanitary sewer discharge limits.

Since the commencement of the ground-water treatment system in March of 2007, the system was monitored once per week for the first month of operation and subsequently has been monitored approximately once per month. This monitoring consisted of sampling and analysis of pre-treated and effluent water for volatile organic compounds (VOCs). However, during 2007, the treatment system was not operational continuously. A detailed *Summary of the 2007 Treatment System Operation* was submitted to your Division in January 2008. Of note, there was an oversight on the performance of the NYC DEP analytical requirements of quarterly analysis of discharge parameters. The sampling schedule has been reviewed in detail with field sampling personnel and subsequent sampling in 2008-2009 will comply with all NYC DEP analytical requirements (analysis for full required parameters on a quarterly basis and submission directly to the Bureau of Wastewater Treatment within 21 days).

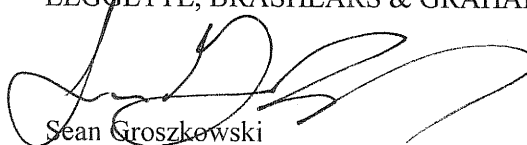
As is required by the NYC DEP, laboratory analysis was performed on the treatment system effluent sample (treated water being discharged to the combined sewer) encompassing the parameters of which the NYC DEP has discharge limits established. This sample was collected on February 4 & 5, 2008. A summary of the contaminant concentrations detected in the effluent water is presented on the attached Table 1. This table also indicates the applicable units for each parameter as well as the established NYC DEP Daily Limits. In addition to the summary table, a copy of the laboratory analytical report is attached. Additional effluent samples are going to be collected and analyzed for VOCs and metals in accordance with the required analytical methods listed in 40 C.F.R. pt. 136. (These analytical methods include 245.1 for mercury; 200.7 for total metals; and, 624 for VOCs) These laboratory results will be submitted to the Bureau of Wastewater Treatment as soon as the analysis is completed.

The liquid phase carbon was replaced with fresh carbon on April 3, 2008. Additionally, the schedule for the treatment system sampling, consisting of monthly sampling events, will continue throughout 2008 and 2009. Also of note, the anticipated annual discharge of **1,576,800 gallons** (as listed on the initial discharge permit for a rate of 5 GPM) was not reached. As of March 19, 2008, a total volume of **594,140 gallons** of treated groundwater was discharged to the sanitary sewer. The treatment system was shut down on March 19, 2008 following the collection of the monthly samples. This system shut-down took place 3 and ½ days following the expiration date of the discharge permit (upon realized that the discharge permit expired). As such, approximately 5,040 gallons of treated groundwater was discharged to the sanitary sewer after the expiration of the discharge permit on March 15, 2008.

The treated groundwater discharge will not be restarted until LBG receives notification of permit renewal from the NYC DEP. If you have any questions, please contact me at (914) 694-5711 or the owner of the site, Mr. William Feinstein at (718) 388-4130.

Very truly yours,

LEGETTE, BRASHEARS & GRAHAM, INC.



Sean Groszkowski
Associate

Reviewed By:



Dan C. Buzea, CPG
Vice President

SCG:dmd

f:\reports\keane beane\remediation system\treatment system data\2008\ NYC DEP sampling\4-14-08 update-- NYC DEP february 2008 -permit renewal & analytical sampling.doc

FYN PAINT & LACQUER COMPANY
230 KENT AVENUE
WILLIAMSBURG, BROOKLYN, NEW YORK

Ground-Water Treatment System
Summary of Effluent Parameters & NYC DEP ¹⁾ Limits
Sample Collected February 4 & 5, 2008

| Parameter | Concentration | Units | NYC DEP Daily Limit |
|------------------------------|---------------|--------------------|---------------------|
| Non-Polar Materials | <5.0 | mg/l ²⁾ | 50 |
| pH | 7.7 | SU's ³⁾ | 5-11 |
| Temperature | 60 | Degree °F | < 150 |
| Flash Point | >200 | Degree °F | > 140 |
| Cadmium | <0.004 | mg/l | 2 |
| Chromium (VI) | <0.01 | mg/l | 5 |
| Copper | <0.025 | mg/l | 5 |
| Lead | <0.0125 | mg/l | 2 |
| Mercury | <0.002 | mg/l | 0.05 |
| Nickel | <0.04 | mg/l | 3 |
| Zinc | 0.0315 | mg/l | 5 |
| Benzene | <1.0 | ppb ⁴⁾ | 134 |
| Carbon Tetrachloride | <2.0 | --- | --- |
| Chloroform | <2.0 | --- | --- |
| 1,4-Dichlorobenzene | <2.0 | --- | --- |
| Ethylbenzene | <2.0 | ppb | 380 |
| MTBE ²⁾ | <2.0 | ppb | 50 |
| Naphthalene | <5.0 | ppb | 47 |
| Phenol | <11.0 | --- | --- |
| Tetrachloroethylene (PCE) | <2.0 | ppb | 20 |
| Toluene | 4.3 | ppb | 74 |
| 1,2,4-Trichlorobenzene | <2.0 | --- | --- |
| 1,1,1-Trichloroethane | <2.0 | --- | --- |
| Total Xylenes | <4.0 | ppb | 74 |
| PCBs | <0.22 | ppb | 1 |
| Total Suspended Solids (TSS) | 66 | mg/l | 350 |

1) - New York City Department of Environmental Protection

2) - Milligrams per liter

3) - Standard Units

4) - Parts Per Billion

Note: Discharge at the Site is Less Than 10,000 Gallons Per Day (GPD)

JOHN NASO, JR.
WILLIAM K. BECKMAN
DAN C. BUZEA
J. KEVIN POWERS
FRANK J. GETCHELL
CHARLES W. KREITLER
JEFFREY B. LENNOX
W. JOHN SEIFERT, JR.
DAVID A. WILEY
ROBERT F. GOOD, JR.
TIMOTHY L. KENYON
THOMAS P. CUSACK
DAVID B. TERRY
MATTHEW P. PERAMAKI

R. G. SLAYBACK
JOHN B. ASHWORTH

LEGGETTE, BRASHEARS & GRAHAM, INC.

PROFESSIONAL GROUND-WATER AND ENVIRONMENTAL ENGINEERING SERVICES

110 CORPORATE PARK DRIVE, SUITE 112
WHITE PLAINS, NY 10604
914-694-5711
FAX 914-694-5744
www.lbgweb.com

JOHN M. BENVENGA
JOHN L. BOGNAR
KIMBERLY R. BLOMKER
JORMA WEBER
JOSEPH W. STANDEN, JR.
MICHAEL A. MANOLAKAS
JAMES A. BEACH
WILLIAM P. PREHODA
JEFFREY M. TROMMER
DAVID S. HUME

BRUCE K. DARLING
KAREN B. DESTEFANIS
JEFFREY T. SCHICK
KENNETH D. TAYLOR
ROBERT M. ROHLFS
WILLIAM G. STEIN
JOHN W. NELSON
WILLIAM H. AVERY
ROY SILBERSTEIN
PAUL M. JOBMANN
BRIAN C. KIMPEL
JOHN R. DIEGO
KEITH J. SHORTSLEEVE
MICHAEL J. SUSCA
BRAD L. CROSS
MITCHELL W. KANNENBERG

May 1, 2008

Mr. Alex Castro
New York City Department of
Environmental Protection
Inspection and Permitting Section
Bureau of Wastewater Treatment
96-05 Horace Harding Expressway, 1st Floor
Low-Rise Building
Corona, NY 11368

RE: Ground-Water Treatment System
Request for Permit Renewal
System Modification Explanation
Fyn Paint & Lacquer Co., Inc.
Brooklyn, New York
File Case # C-4136

Dear Mr. Castro:

The following letter is being submitted to your attention on behalf of the Fyn Paint & Lacquer Co., Inc. (Fyn Paint) by Leggette, Brashears & Graham, Inc. (LBG). LBG is an authorized representative of Fyn Paint as per the attached letter. The Wastewater Quality Control (WQC) application for the above listed site was approved, in accordance with the New York City Department of Environmental Protection's (NYCDEP) procedures for ground-water discharge to the sanitary sewer or combined sewer, on March 15, 2007. As is stipulated in the Letter of Approval from the Department of Wastewater Treatment, LBG provided notification to the Bureau of Customer Service prior to commencement of discharge.

A letter of request for renewal of the discharge permit was submitted to your office on April 14, 2008. Based on the laboratory analysis of the effluent water, toluene was detected at a concentration of 29 micrograms per liter (ug/l), which exceeds the allowed NYCDEP monthly discharge limit of 28 ug/l.

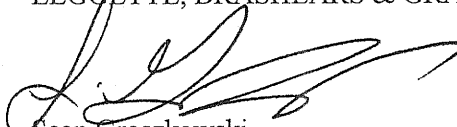
The groundwater treatment system initially treats groundwater through use of an air stripper to 'strip' volatile organic compounds (VOCs) from the water. After treatment by the air stripper, the water accumulates in a sump in the bottom of the air stripper. Once approximately 100 gallons of water accumulates in the sump, it is pumped via a transfer pump, through the granular activated carbon vessel and subsequently discharged to the sanitary sewer. The original configuration of the transfer pump was set for maximum flow through the carbon at a rate of approximately 20 gallons per minute (GPM). In order to address the issue of toluene exceeding the allowable discharge concentration, the treatment system was modified by decreasing the rate of the transfer pump. The transfer pump discharge rate was reduced to approximately 5 GPM, increasing the contact time between the groundwater and the carbon by a factor of four. The increased contact time enhances the effective absorption of VOCs by the carbon. The resulting

concentrations (following the modification to the treatment system) indicate that all VOCs meet the NYCDEP discharge limits. A table showing the VOC concentrations following the modification is attached. In addition to the reduction in the transfer pump discharge rate, a secondary liquid phase carbon vessel was installed after the primary carbon. This secondary carbon vessel was installed to ensure that, in the event there is breakthrough of VOCs (concentrations above the NYCDEP discharge limits) after the primary carbon, the groundwater will be treated by the secondary unit prior to discharge to the sanitary sewer.

The treatment system and subsequent treated groundwater discharge will not be restarted until LBG receives notification of permit renewal. If you have any questions, please contact me at (914) 694-5711 or the owner of the site, Mr. William Feinstein at (718) 388-4130.

Very truly yours,

LEGGETTE, BRASHEARS & GRAHAM, INC.



Sean Groszkowski
Associate

Reviewed By:



Dan C. Buzea, CPG
Vice President

SCG:dmd

f:\reports\keane beane\remediation system\treatment system data\2008\ NYC dep sampling\ NYC dep permit renewal - system modification explanation.doc

FYN PAINT & LACQUER COMPANY
230 KENT AVENUE
WILLIAMSBURG, BROOKLYN, NEW YORK

Ground-Water Treatment System
Summary of Effluent Parameters & NYC DEP ¹⁾ Limits
Sample Collected April 14, 2008

| Parameter | Concentration | Units | NYC DEP Daily Limit | NYC DEP Monthly Limit |
|------------------------------|---------------|--------------------|---------------------|-----------------------|
| Non-Polar Materials | * | mg/l ²⁾ | 50 | --- |
| pH | * | SU's ³⁾ | 5-11 | --- |
| Temperature | * | Degree °F | < 150 | --- |
| Flash Point | * | Degree °F | > 140 | --- |
| Cadmium | <0.004 | mg/l | 2 | --- |
| Chromium (VI) | * | mg/l | 5 | --- |
| Copper | <0.025 | mg/l | 5 | --- |
| Lead | <0.012 | mg/l | 2 | --- |
| Mercury | <0.002 | mg/l | 0.05 | --- |
| Nickel | <0.04 | mg/l | 3 | --- |
| Zinc | 4.6 | mg/l | 5 | --- |
| Benzene | <2.0 | ppb ⁴⁾ | 134 | 57 |
| Carbon Tetrachloride | <2.0 | --- | --- | --- |
| Chloroform | <2.0 | --- | --- | --- |
| 1,4-Dichlorobenzene | * | --- | --- | --- |
| Ethylbenzene | <2.0 | ppb | 380 | 142 |
| MTBE ²⁾ | * | ppb | 50 | --- |
| Naphthalene | <5.0 | ppb | 47 | 19 |
| Phenol | * | --- | --- | --- |
| Tetrachloroethylene (PCE) | <2.0 | ppb | 20 | --- |
| Toluene | 29 | ppb | 74 | 28 |
| 1,2,4-Trichlorobenzene | * | --- | --- | --- |
| 1,1,1-Trichloroethane | <2.0 | --- | --- | --- |
| Total Xylenes | <4.0 | ppb | 74 | 28 |
| PCBs | * | ppb | 1 | --- |
| Total Suspended Solids (TSS) | * | mg/l | 350 | --- |

1) - New York City Department of Environmental Protection

2) - Milligrams per liter

3) - Standard Units

4) - Parts Per Billion

Note: Discharge at the Site is Less Than 10,000 Gallons Per Day (GPD)

* - Concentration detected below NYC DEP limit on February 4 & 5, 2008 sampling events

FYN PAINT & LACQUER COMPANY
230 KENT AVENUE
WILLIAMSBURG, BROOKLYN, NEW YORK

Ground-Water Treatment System
Summary of Effluent Parameters & NYC DEP ¹⁾ Limits
Sample Collected April 30, 2008

| Parameter | Concentration | | Units | NYC DEP Daily Limit | NYC DEP Monthly Limit |
|------------------------------|---------------|----------|--------------------|---------------------|-----------------------|
| | Mid-Carbon | Effluent | | | |
| Non-Polar Materials | * | * | mg/l ²⁾ | 50 | --- |
| pH | * | * | SU's ³⁾ | 5-11 | --- |
| Temperature | * | * | Degree °F | < 150 | --- |
| Flash Point | * | * | Degree °F | > 140 | --- |
| Cadmium | ** | NA | mg/l | 2 | --- |
| Chromium (VI) | * | * | mg/l | 5 | --- |
| Copper | ** | NA | mg/l | 5 | --- |
| Lead | ** | NA | mg/l | 2 | --- |
| Mercury | ** | NA | mg/l | 0.05 | --- |
| Nickel | ** | NA | mg/l | 3 | --- |
| Zinc | ** | NA | mg/l | 5 | --- |
| Benzene | <2.0 | <2.0 | ppb ⁴⁾ | 134 | 57 |
| Carbon Tetrachloride | <2.0 | <2.0 | --- | --- | --- |
| Chloroform | <2.0 | <2.0 | --- | --- | --- |
| 1,4-Dichlorobenzene | <2.0 | <2.0 | --- | --- | --- |
| Ethylbenzene | <2.0 | <2.0 | ppb | 380 | 142 |
| MTBE ²⁾ | <2.0 | <2.0 | ppb | 50 | --- |
| Naphthalene | ** | NA | ppb | 47 | 19 |
| Phenol | * | * | --- | --- | --- |
| Tetrachloroethylene (PCE) | <2.0 | <2.0 | ppb | 20 | --- |
| Toluene | 22 | <2.0 | ppb | 74 | 28 |
| 1,2,4-Trichlorobenzene | <2.0 | <2.0 | --- | --- | --- |
| 1,1,1-Trichloroethane | <2.0 | <2.0 | --- | --- | --- |
| Total Xylenes | <4.0 | <4.0 | ppb | 74 | 28 |
| PCBs | * | * | ppb | 1 | --- |
| Total Suspended Solids (TSS) | * | * | mg/l | 350 | --- |

1) - New York City Department of Environmental Protection

2) - Milligrams per liter

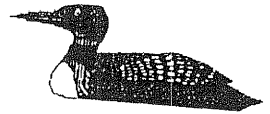
3) - Standard Units

4) - Parts Per Billion

Note: Discharge at the Site is Less Than 10,000 Gallons Per Day (GPD)

* - Concentration detected below NYC DEP limit on February 4 & 5, 2008 sampling events

** - Concentration detected below NYC DEP limit on April 14, 2008 sampling event



May 07, 2008

ANALYTICAL TEST RESULTS

Sean Groszkowski
Leggette, Brashears & Graham, Inc.
110 Corporate Park Drive
Suite 112
White Plains, NY 10604
TEL: 914-694-5711
FAX: 914-694-5744

Subject: FYN Paint

Workorder No.: 0805001

Dear Sean Groszkowski:

AMRO Environmental Laboratories Corp. received 2 samples on 5/1/2008 for the analyses presented in the following report.

AMRO is accredited in accordance with NELAC and certifies that these test results meet all the requirements of NELAC, where applicable, unless otherwise noted in the case narrative.

The enclosed Sample Receipt Checklist details the condition of your sample(s) upon receipt. Please be advised that any unused sample volume and sample extracts will be stored for a period of 60 days from sample receipt date (90 days for samples from New York). After this time, AMRO will properly dispose of the remaining sample(s). If you require further analysis, or need the samples held for a longer period, please contact us immediately.

This report consists of a total of 18 pages. This letter is an integral part of your data report. All results in this project relate only to the sample(s) as received by the laboratory and documented in the Chain-of-Custody. This report shall not be reproduced except in full, without the written approval of the laboratory. If you have any questions regarding this project in the future, please refer to the Workorder Number above.

Sincerely,

Nancy Stewart
Vice President

State Certifications: NH (NELAC): 1001, MA: M-NH012, CT: PH-0758, NY: 11278 (NELAC), ME: NH012 and 1001, NJ: NH125, RI: 00105, U.S. Army Corps of Engineers (USACE), Naval Facilities Engineering Service Center (NFESC).

Hard copy of the State Certification is available upon request.

AMRO Environmental Laboratories Corp.

Date: 06-May-08

CLIENT: Leggette, Brashears & Graham, Inc.
Project: FYN Paint
Lab Order: 0805001
Date Received: 5/1/08

Work Order Sample Summary

| Lab Sample ID | Client Sample ID | Collection Date | Collection Time |
|---------------|---------------------------|-----------------|-----------------|
| 0805001-01A | Treatment System Mid-Carb | 4/30/08 | 2:45 PM |
| 0805001-02A | Treatment System Effluent | 4/30/08 | 2:46 PM |

AMRO Environmental Laboratories Corp.

06-May-08

Lab Order: 0805001
Client: Leggette, Brashears & Graham, Inc.
Project: FYN Paint

DATES REPORT

| Sample ID | Client Sample ID | Collection Date | Matrix | Analytical Test Name | Preparatory Test Name | Prep Date | Batch ID | Analysis Date | TCLP Date |
|-------------|-----------------------------|--------------------|-------------|---|---|-----------|------------------|------------------|-----------|
| 0805001-01A | Treatment System Mid-Carbon | 4/30/08 2:45:00 PM | Groundwater | EPA 624 Volatile Organics in Wastewater | EPA 624 Volatile Organics in Wastewater | 4/30/08 | 5/1/08 R39896 | 5/1/08 R39896 | |
| 0805001-02A | Treatment System Effluent | 4/30/08 2:46:00 PM | | EPA 624 Volatile Organics in Wastewater | EPA 624 Volatile Organics in Wastewater | 4/30/08 | 5/2/08 R39889 | 5/2/08 R39889 | |
| | | | | EPA 624 Volatile Organics in Wastewater | EPA 624 Volatile Organics in Wastewater | 4/30/08 | 5/1/08 R39889 | 5/1/08 R39889 | |

AMRO Environmental Laboratories Corporation
 111 Herrick Street
 Merrimack, NH 03054

CHAIN-OF-CUSTODY RECORD

Office: (603) 424-2022
 Fax: (603) 429-8496
 web: www.amrolabs.com

56869

| | | | | |
|---|---|--|---|---------------------------|
| Project No.: | Project Name: FYN PAINT | Project Manager: SEAN GOSLAWSKI | Samplers (Signature): | AMRO Project No.: 0805001 |
| P.O.#: | Results Needed by: | Project State: NY | REQUESTED ANALYSES | |
| QUOTE #: | Seal Intact? Yes No N/A | Total # of Cont. & Size | Remarks | |
| Sample ID.: | Date/Time Sampled | Matrix | | |
| TREATMENT | 4/30/08 1445 | GW | X | |
| SYSTEM MED-CARBON | | | X | |
| TREATMENT | 4/30/08 1446 | GW | X | |
| SYSTEM EFFLUENT | | | X | |
| Preservative: Cl-HCl, MeOH, N-HNO3, S-H2SO4, Na-NaOH, O- Other | | | | |
| Send Results To: LSC INC | PRIORITY TURNAROUND TIME AUTHORIZATION | | METALS 8 RCRA <input type="checkbox"/> 13 PP <input type="checkbox"/> 23 TAL <input type="checkbox"/> 14 MCP <input type="checkbox"/> | |
| 110 CORCORATE PARK DR. | Before submitting samples for expedited TAT, you must have a coded AUTHORIZATION NUMBER | | Method: 6010 <input type="checkbox"/> 200.7 <input type="checkbox"/> Other Metals: | |
| SUITE 118 | AUTHORIZATION No.: BY: | | Dissolved Metals Field Filtered? YES <input type="checkbox"/> NO <input type="checkbox"/> | |
| WHITE PLAIN, NY 10604 | FAX #: (914) 694-5711 | | MCP Presumptive Certainty Required? YES <input type="checkbox"/> NO <input type="checkbox"/> | |
| PHONE #: (914) 644-5711 | Date/Time | | MCP Methods Needed: YES <input type="checkbox"/> NO <input type="checkbox"/> | |
| E-mail: | Received By: | | AMRO report package level needed: EDD required: | |
| | 4/30/08 1700 | | Required Reporting Limits: S-1 <input type="checkbox"/> GW-1 <input type="checkbox"/> | |
| | | | S-2 <input type="checkbox"/> GW-2 <input type="checkbox"/> | |
| | | | S-3 <input type="checkbox"/> GW-3 <input type="checkbox"/> | |
| | | | Other: <input type="checkbox"/> | |
| Please print clearly, legibly and completely. Samples can not be logged in and the turnaround time clock will not start until any ambiguities are resolved. | | AMRO policy requires notification in writing to the laboratory in cases where the samples were collected from highly contaminated sites. | | KNOWN SITE CONTAMINATION: |
| White: Lab Copy | Yellow: Client Copy | | AMROCC2004, Rev3 08/18/04 | |

