



NYC Parks

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City of New York
Parks & Recreation

Olmsted Center
Flushing Meadows
Corona Park
Flushing, NY 11368
www.nyc.gov/parks

August 28, 2023

Christopher H. Allan, Environmental Engineer
Superfund and Brownfield Cleanup Section
Division of Environmental Remediation
NYS-DEC-Region 2
1 Hunter's Point Plaza
47-40 21st Street
Long Island City, NY 11101

Re: **SITE MANAGEMENT PRR & IC/EC CERTIFICATION - SITE NO. V00406**
ELMHURST PARK, QUEENS BOROUGH

Dear Mr. Allan,

The New York City Department of Parks & Recreation (Parks) hereby provides the New York State Department of Environmental Conservation (DEC) with the Preliminary Review Report (PRR) and Institutional Controls (ICs) and Engineering Controls (ECs) Report for the Elmhurst Park site (78-01 57th Avenue, Elmhurst, NY 11373) as you requested in your June 20, 2023 correspondence.

The formal name of the site is K-Newtown/Elmhurst Former Gas Holder, and Parks is the Parcel 28050031 and Parcel 2806-1 Owner. The reports cover the period of July 31, 2020 through July 31, 2023.

Parks requests a meeting with your office concerning the termination of future annual inspections and future periodic certification of the site remedy, as described in the Periodic Review Report attachment.

A hard copy of this report is being delivered to you by U.S. Postal Service and electronically by the internet (<https://fts.dec.state.ny.us/fts/>).

Please call me at (718) 760-6922 or (347) 865-3193 (cell) should you have any questions.

Sincerely,

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

cc: Kay Zias, NYC-DPR Director, Environmental Unit
Adriana Jacykewycz, NYC-DPR Deputy Chief, Queens Operations
Matthew Sheridan, NYC-DPR Park and Recreation Manager for Elmhurst Park

Enclosures: (1) Preliminary Review Report (PRR) (August 2023)
(2) Field Inspection Report/Photo Documentation of Site Visit (July 26, 2023)
(3) Field Inspection Form (July 26, 2023)
(4) Institutional Controls (ICs) / Engineering Controls (ECs) Report (August 28, 2023)



NYC Parks

Preliminary Review Report (PRR)
(August 2023)

Periodic Review Report – August 2023

Site No. V00406

Site Name: K – Newtown/Elmhurst Former Gas Holder

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

Reporting Period: July 31, 2020 to July 31, 2023

Site Location

Elmhurst Park (NYC Parks' name of the developed site) is located between 57th Avenue and Grand Avenue (south and north respectively), opposite 79th Street in the Borough of Queens. The site borders a CSX freight rail line on the west, and a Verizon facility (with truck parking) and residential rear yards on the east. See attached Metes and Bounds map of the site and Deed Restriction.

Summary of remedial 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 New York City Department of Parks & Recreation (Parks) for use as a park. In October 2007, Parks prepared a Site Management Plan (SMP), which was approved by the New York State Department of Environmental Conservation (DEC) in accordance with the requirements of DEC's DER-10 Technical Guidance for Site Investigation and Remediation, dated December 2002, and the guidelines provided by DEC. This SMP was prepared to manage residual contamination remaining at the site in perpetuity by providing a process for oversight of Institutional Controls (ICs) and Engineering Controls (ECs) and for regular reporting of the effectiveness of these controls in Periodic Review Reports (PRRs). The ICs include: a) Land Use Restriction of restricted residential use, including parkland; b) Soil Management Plan and Groundwater Use Restriction. The EC is the Cover System. Parks completed construction of the first phase of park development in October 2008. The first PRR followed this construction in early 2009. With cover complete and fully covered in lawn, the site remained closed to the public. In October 2009, phase two construction began; construction was completed in June 2011. The third and final phase began in June 2011 and was completed in June 2012.

Compliance and Recommendation

Site development as a park complies with the ICs' restricted residential land use restriction and groundwater use restriction. Park operations complies with the Soil and Pipe Management Plan of the SMP. Site development and operations complies with the EC's requirement of an engineered two feet of clean fill over the entire site, although many areas have significantly more than two feet. Phase two included the construction of a playground and building foundation, pavement, site furniture, and the planting of trees, shrubs, and groundcover. Park operations complies with the Soil and Pipe Management Plan of the SMP. Annual inspections during July will assess continued compliance.

Parks respectfully requests per Section 6.3(a)(5)(i) that future PRRs be discontinued on the basis that the final cover system (the sole EC) has not changed since the beginning of the PRR reports

in 2009. Also, the IC prohibitions against farming, groundwater use, and cover disturbance are sufficiently addressed in the maintenance and operations of this active and passive recreational use park site.

Parkland use is inalienable (i.e. land use will not change – whether for farming or other use -- without State-enabling legislation, which Parks and no other party is pursuing) and the groundwater is not a source of drinking water. DEC will be notified in advance in the instance of any incidental or emergency site repairs that may warrant disturbance of the cover system.

SCHEDULE A-1

(Description)

AS TO BLOCK 2805 LOT 31:

ALL that certain plot, piece or parcel of land, situate, lying and being in the former Town of Newtown, now the Second Ward of the Borough of Queens, City and State of New York, being part of the Braw Farm and bounded and described as follows to Wit;

BEGINNING at the Northwesterly corner thereof at a point on the Southerly side of Grand Street where the same is intersected by the boundary line, between the premises hereby conveyed and land formerly belonging to William Fawn and now or late of S.M. Parker, as the fence now stands, and;

RUNNING THENCE along said side of Grand Street North sixty six degrees, forty six minutes, twenty five seconds East one hundred fifty six and thirty seven one hundredths feet to a fence separating the premises hereby conveyed from the land now or formerly belonging to Mary J. Robins on thence along said fence and land of Mary J. Robinson South twenty three degrees, one minute fifteen seconds East forty seven and fifty three one hundredths feet to the Southwesterly corner of said land of Robinson;

THENCE along said land of Robinson, as the fence now stands a North sixty nine degrees, thirty two minutes thirty seconds East, one hundred and sixty one feet,

THENCE still along said land of Robinson as the fence now stands, and along land now or late of J. Krum formerly of Edward Leverich the three following courses and distances South eleven degrees, thirty eight minutes forty four seconds East, one hundred and thirty five feet and South eleven degrees, twelve minutes East four hundred and thirty one and twenty one one hundredths feet, and South ten degrees, twelve minutes East, one hundred and eighty nine and fifty one hundredths feet to the Northerly side of the North Hempstead Plank Road;

THENCE along said side of said Road, North eighty seven degrees fifty seconds West, three hundred and fifty and forty six one hundredths feet to said land formerly belonging to William Swan as the fence now stands, and

THENCE along said last mentioned less as the fence now stands, North nine degrees, twenty five minutes West six hundred and fifty eight and eighty three one hundredths feet to the point or place of BEGINNING.

Excepting therefrom that portion of the premises that lies with lot 22 block 22 as shown on the present tax map for the City of New York, Queens County.

AS TO BLOCK 2806 LOT 1

ALL that certain tract, or parcel of land situate as Maspeth in the Second Ward of the Borough of Queens, City and State of new York, bounded and described as follows:

BEGINNING at a point in the southeasterly line of Grand Street, where the same is intersected by the easterly line of land of the Newtown Gas Company, which point of beginning is distant 67.78 feet Northeasterly from the Northeasterly line of Greiffenberg Street as established on the Final Map of the City of New York; and

RUNNING THENCE southeasterly along said land of the Newtown Gas company on a course which forms an interior angle of 90 degrees 12 minutes 20 seconds with the southeasterly line of Grand Street a distance of 47.53 feet to an angle in said land;

THENCE northeasterly still along said land on a course which forms an interior angle of 92 degrees 35 minutes 50 seconds with the last course a distance of 160.94 feet to an angle in said land;

THENCE southerly along said land on a course which forms an exterior angle of 81 degrees 18 minutes 20 seconds with the last course a distance of 134.95 feet to an angle in said land;

THENCE easterly still along said land on a course which forms an interior angle of 89 degrees 40 minutes 30 seconds with the last course a distance of 76.50 feet to the land now or formerly of Amelia Archer;

THENCE northerly along said land on a course which forms an interior angle of 89 degrees 56 minutes 29.63 feet to the southeasterly side of Grand Street; and

THENCE southwesterly along said Street 172 feet 11 inches; and

THENCE still along said Street 112.43 feet to the point or place of BEGINNING

APPENDIX B
DEED RESTRICTION

DECLARATION OF COVENANTS and RESTRICTIONS

THIS COVENANT, made the 21st day of August, 2007, by and through the City of New York, by and through its Department of Parks and Recreation, a duly authorized department of a municipal corporation organized and existing under the laws of the State of New York and having an office for the transaction of business at 1234 Fifth Avenue, New York, NY 10029 in favor of the New York State Department of Conservation ("the Department"), an agency of the State of New York, with offices at 625 Broadway, Albany, New York 12233.

WHEREAS, The City of New York is the owner of real property located at 78-01 57th Avenue in Queens County, State of New York, which is part of lands conveyed by the Brooklyn Union Gas Company to the City of New York by deed dated November 1, 2005 and recorded in the Office of the New York City Register on March 30, 2007, CRFN No. 2007000166275, and hereinafter referred to as "the Controlled Property"; and

WHEREAS, the Controlled Property is the subject of a Voluntary Cleanup Agreement entitled "In the Matter of the Implementation of an Investigation and, if needed, remediation of 78-01 57th Avenue, Elmhurst, Queens, by The Brooklyn Union Gas Company, d/b/a Brooklyn Union, Index No. D2-0002-99 10, effective October 24, 2000 ("Agreement"); and

WHEREAS, the New York State Department of Environmental Conservation approved the Remedial Action Work Plan ("RAWP") for the Controlled Property which set forth the selected remedy for the Controlled Property, and such RAWP required submission of a Site Management Plan and that the Controlled Property be subject to restrictive covenants

NOW, THEREFORE, New York City Department of Parks and Recreation, for itself and its successors and/or assigns, covenants that

First, the Controlled Property subject to this Declaration of Covenants and Restrictions is as shown on the map attached to this declaration as Schedule "A" and made a part hereof, and consists of the parcel of land, in the Borough of Queens, County of Queens, State of New York, identified as Tax Map Block No. 2805, Lot No. 31 and Block No. 2806, Lot No. 1, and more particularly bounded and described in Schedule "B"

Second, unless prior written approval by the New York State Department of Environmental Conservation or, if the Department shall no longer exist, any New York State agency or agencies subsequently created to protect the environment of the State and the health of the State's citizens, hereinafter referred to as "the Relevant Agency," is first obtained

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.

2007-029-713

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.

Third, this Declaration is and shall be deemed a covenant that shall run with the land and shall be binding upon the owner and all future owners of the Controlled Property and shall provide that the owner, and its successors and assigns, consent to the enforcement by the Relevant Agency of the prohibitions and restrictions contained herein, and hereby covenants not to contest the authority of the Department to seek enforcement

Fourth, any deed of conveyance of the Controlled Property, or any portion thereof, shall recite, unless the Relevant Agency has consented to the termination of such covenants and restrictions, that said conveyance is subject to this Declaration of Covenants and Restrictions and the Site Management Plan

IN WITNESS WHEREOF the undersigned has executed this instrument the day written below


CITY OF NEW YORK
Department of Parks and Recreation

By: 

Sworn to before me this 20 day of
August, 2007


Notary Public

APPROVED AS TO FORM


~~STATE OF NEW YORK~~
8/13/07

Notary Public - State of NY
00005002107
1/26/2010



NYC Parks

Field Inspection Report/Photo Documentation of Site Visit

(July 26, 2023)



FIELD INSPECTION REPORT

Date: July 26, 2023

Site Name: Elmhurst Gas Tank Park		ERU staff: Marty Rowland	
Site Location: Queens, New York; Grand Avenue, 57 Ave, btwn 74 Street and 80 Street, 11373		Reason for Visit: Every July, NYS DEC wants this site photo-documented for compliance with SMP regarding security of the cover. On this day, I met with Matthew Sheridan, Parks and Recreation Manager for the Elmhurst Park.	
Weather Conditions			
General Description	Fair, Sunny		
Temperature	88 F		
Wind	3 mph, N		
Health & Safety			
If any box below is checked "Yes", provide explanation under "Health & Safety Comments".			
Were there any changes to the Health & Safety Plan?	Yes	No	<input checked="" type="checkbox"/>
Were there any exceedances of the perimeter air monitoring reported on this date?	Yes	No	<input checked="" type="checkbox"/>
Were there any nuisance issues reported/observed on this date?	Yes	<input checked="" type="checkbox"/>	NA
Health & Safety Comments			
Few of the park visitors were wearing face masks			
Summary of Work Performed	Arrived at site:	10:00 am	Departed Site: 10:45 am
<ol style="list-style-type: none"> 1. Entered park at NE entrance 2. Walked on paved pathways 3. Took photos of site conditions 4. Departed site at N Central exit 			
Equipment/Material Tracking Comments:			
None			
Attendees			
Name	Representing	Entered Exclusion/CRZ Zone	
Marty Rowland	DPR, Capital Projects Division, ERU	<input checked="" type="checkbox"/>	
Matthew Sheridan	DPR, M&O Division	<input checked="" type="checkbox"/>	
Project Schedule Comments			
None			
Issues Pending			
None			
Interaction with Public, Property Owners, Media, etc.			
No interaction with public.			

FIELD INSPECTION REPORT

Date: July 26, 2023



#1, NE entrance fence rusted; park signage defaced, gate damaged



#2, Looking south toward comfort station; pleasant shaded area



FIELD INSPECTION REPORT

Date: July 26, 2023

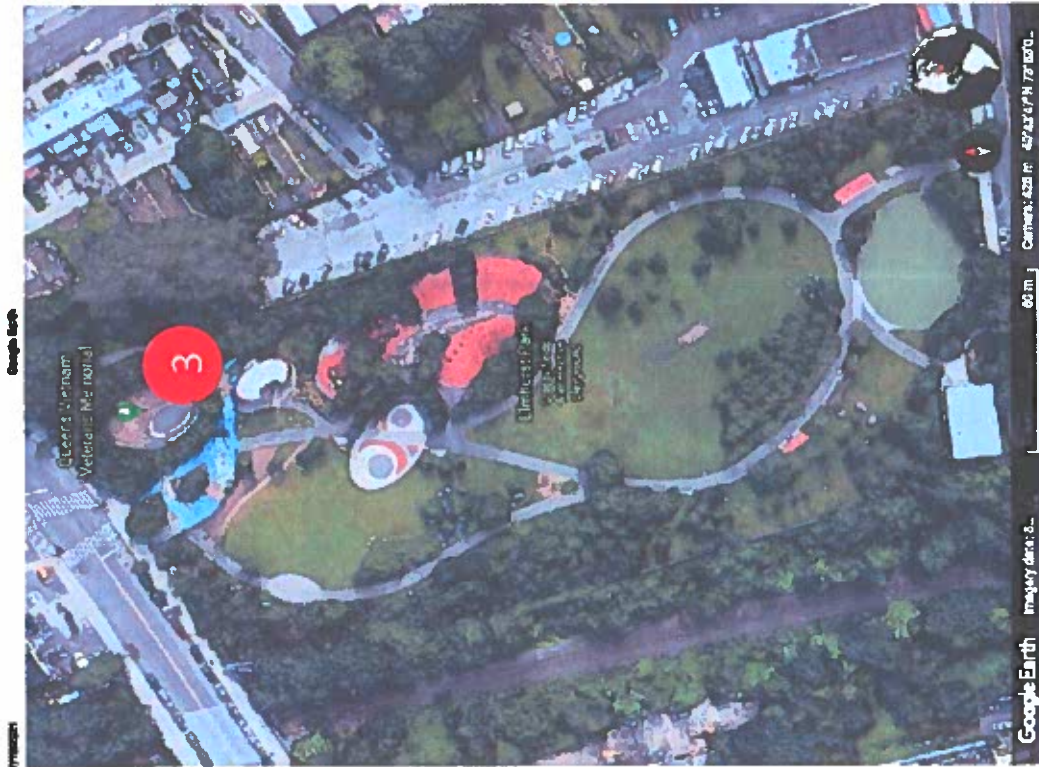


#3, Vietnam Veterans Memorial, well kept.



FIELD INSPECTION REPORT

Date: July 26, 2023



#4, Fountain area, pleasant family space.



FIELD INSPECTION REPORT

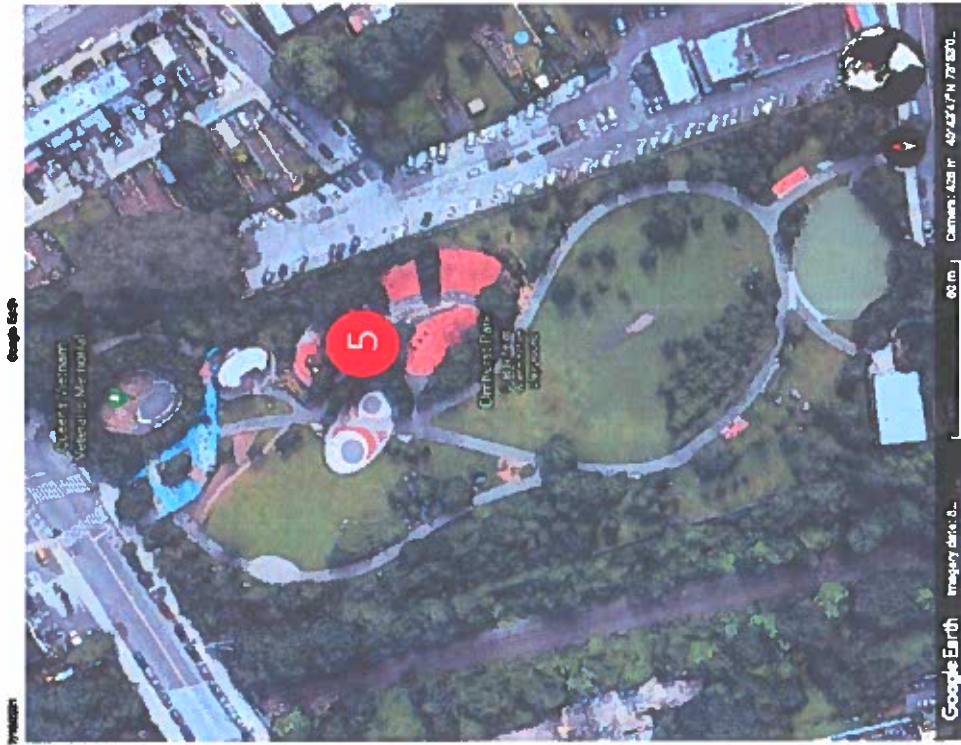
Date: July 26, 2023



#5, Looking west, well-kept lawn

FIELD INSPECTION REPORT

Date: July 26, 2023



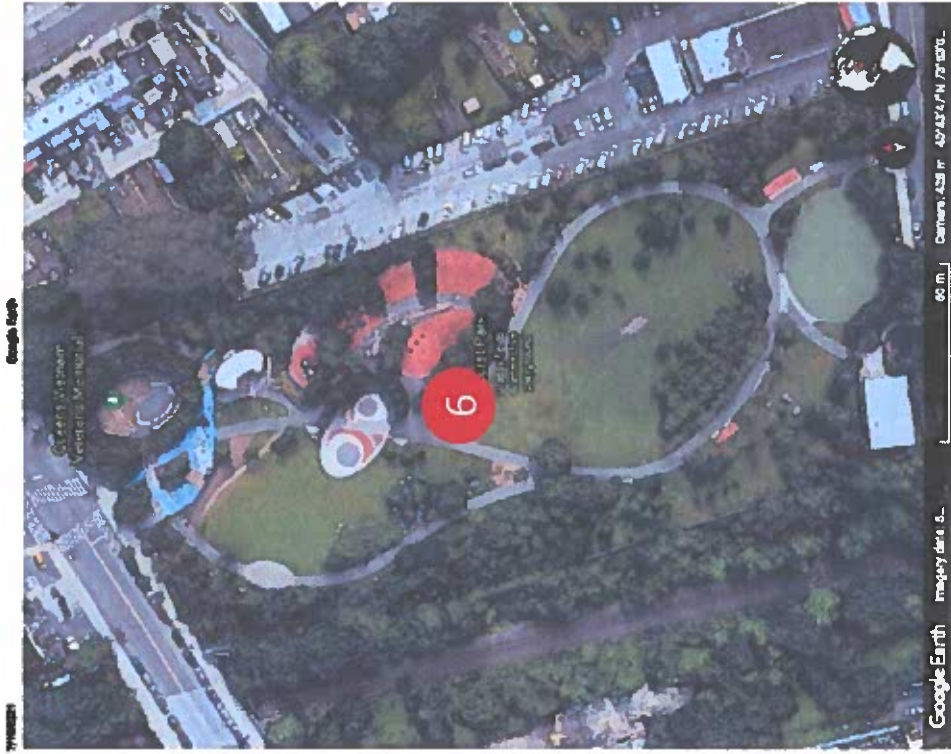
#6, Toboggan Hill, looking south, well-kept



NYC Parks

FIELD INSPECTION REPORT

Date: July 26, 2023



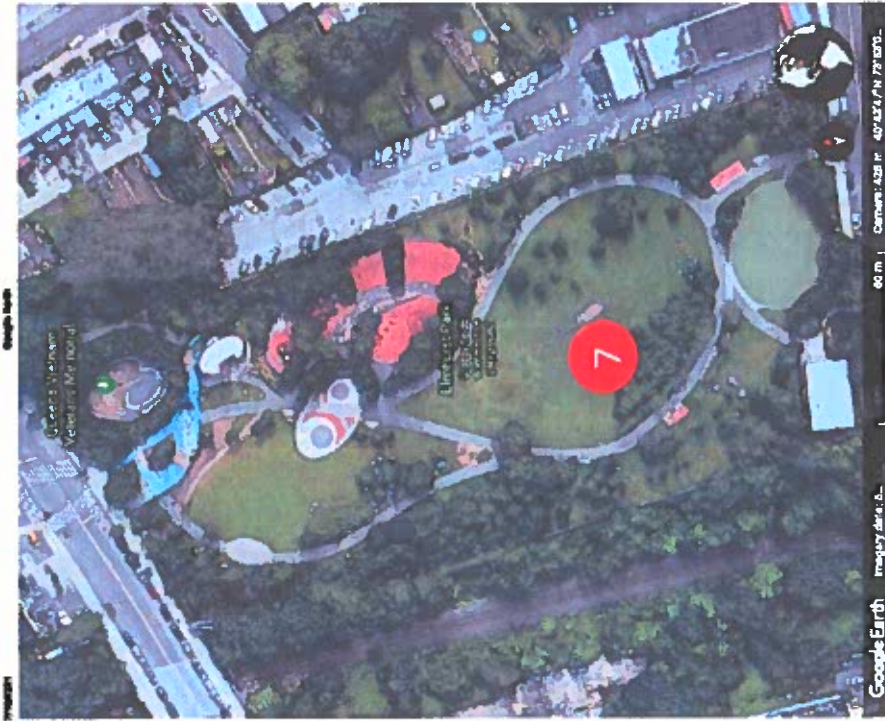
#7, West Side of Toboggan Hill, looking east, well-kept



NYC Parks

FIELD INSPECTION REPORT

Date: July 26, 2023



https://www.google.com/maps/@49.8347,-72.9370,15z/data=!3m1!1e3!3m2!1s49.8347,-72.9370,15z



#8, Synthetic Turf, gaps in surface appearing



FIELD INSPECTION REPORT

Date: July 26, 2023



#8, Walkway towards southern entrance

FIELD INSPECTION REPORT

Date: July 26, 2023



#8, Root damage to sidewalk and entrance gate column (leaning)



#8, Toboggan Hill, east side, looking west, well-kept



DAILY HEALTH CHECKLIST

Is social distancing being practiced?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Is the tail gate safety meeting held outdoors? Not Applicable	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Are remote/call in job meetings being held in lieu of meeting in person where possible? NA	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Were personal protective gloves, masks, and eye protection being used? NA	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Are sanitizing wipes, wash stations or spray available?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Have any workers/visitors been excluded based on close contact with individuals diagnosed with COVID-19, have recently traveled to restricted areas or countries, or are symptomatic (fever, chills, cough/shortness of breath)?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
<u>Comments:</u> Few park visitors were wearing face masks.		

REMEDIAL ACTIVITIES AT PROPERTIES

1. Has anyone at this location been tested and confirmed to have COVID-19? NA	Yes <input type="checkbox"/>	No <input type="checkbox"/>
2. Is anyone at this location isolated or quarantined for COVID-19? NA	Yes <input type="checkbox"/>	No <input type="checkbox"/>
3. Has anyone at this location had contact with anyone known to have COVID-19 in the past 14 days? NA	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4. Does anyone at this locaton have any symptoms of a respiratory infection (e.g., cough, sore throat, fever, or shortness of breath)?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
5. Does Parks have permission to enter the property at this time?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
If Yes to <u>any</u> of 1-4 above: NA		
<ul style="list-style-type: none"> If it is <u>not</u> critical that service/entry be carried out immediately and can be postponed until the risk of COVID-19 is lower, or can be accomplished remotely/without entry, postpone or conduct service without entry. If it <u>is</u> critical that service/entry be carried out immediately, advise occupants that as a precaution and for our own protection, project personnel will be donning appropriate PPE* (including respiratory protection) - and do so prior to entry. 	Yes <input type="checkbox"/>	No <input type="checkbox"/>



FIELD INSPECTION REPORT

Date: July 26, 2023

NUISANCE CHECKLIST

Were there any community complaints related to work on this date?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
Were there any odors detected on this date?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
Was noise outside specification and/or above background on this date?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
Were vibration readings outside specification and/or above background on this date?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Any visible dust observed beyond the work perimeter on this date?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
Any visible contrast (turbidity) beyond engineering controls observed on this date?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Was turbidity checked at any outfall?	AM <input type="checkbox"/>	PM <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Were any property owners NOT provided advance notice for work performed on this property on this date?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Was the temporary fabric structure closed at the end of the day?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Has Contractor failed to protect all foundations and structures adjacent to and adjoining the site which are affected by the excavations or other operations connected with performance of the Work?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
If yes, has Contractor been notified?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
<u>Comments:</u> No nuisance conditions.			



NYC Parks

Field Inspection Form
(July 26, 2023)



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 7 / 26 / 23
Inspection Time: 10 : 00 AM 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): _____

Park site is very well maintained
MR
7/26/23

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



NYC Parks

**Institutional Controls (ICs) and Engineering
Controls (ECs) Certification Report
(August 28, 2023)**



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. V00406

Site Name K - Newtown/Elmhurst Former Gas Holder

Site Address: 78-01 57TH AVENUE Zip Code: 11373
 City/Town: Elmhurst
 County: Queens
 Site Acreage: 6.000

Reporting Period: July 31, 2020 to July 31, 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.

 Signature of Owner, Remedial Party or Designated Representative

 Date

Enclosure 1

Certification Instructions

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

Answer the three questions in the Verification of Site Details Section. The Owner and/or Qualified Environmental Professional (QEP) may include handwritten changes and/or other supporting documentation, as necessary.

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

1.1.1. 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 should petition the Department separately to request 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 listed in Box 3 & Box 4, sign and date the form in Box 5. Attach supporting documentation that explains why the **Certification** cannot be rendered, as well as a plan 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) must 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 as follows:

- For the Institutional Controls on the use of the property, the certification statement in Box 6 shall be completed and may be made by the property owner or designated representative.
- For the Engineering Controls, the certification statement in Box 7 must be completed by a Professional Engineer or Qualified Environmental Professional, as noted on the form.

Description of Institutional Controls

<u>Parcel</u>	<u>Owner</u>	<u>Institutional Control</u>
28050031	City of New York Parks and Recreation	Soil Management Plan Landuse Restriction

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.

2806-1	City of New York Parks and Recreation	Ground Water Use Restriction Soil Management Plan Landuse Restriction
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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.

Description of Engineering Controls

Parcel
28050031

Engineering Control

Cover System

2806-1

Cover System

Box 5

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;
- (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

Date

IC CERTIFICATIONS
SITE NO. V00406

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 KAY ZIAS at 117-02 Roosevelt Ave, Corona NY
print name print business address 11368

am certifying as Director Environmental Remediation for (Owner or Remedial Party)

NEW YORK CITY Dept of Parks & Recreation
for the Site named in the Site Details Section of this form.

Kay Zias
Signature of Owner, Remedial Party, or Designated Representative
Rendering Certification

1/28/23
Date

EC CERTIFICATIONS

Box 7

Professional Engineer 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.

Martin A. Rowland at 117-02 Roosevelt Ave.
print name print business address

am certifying as a Professional Engineer for the NYC Dept Parks & Recreation
(Owner or Remedial Party)

Martin A. Rowland

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



8/21/23
Date