

NEW YORK CITY DEPARTMENT OF ENVIRONMENTAL PROTECTION
BROOKLYN-QUEENS AQUIFER FEASIBILITY STUDY

CITIZENS ADVISORY COMMITTEE MEETING: June 2, 2005

MINUTES

The 31st meeting of the Brooklyn-Queens Aquifer (BQA) Feasibility Study Citizens Advisory Committee (CAC) was held on Thursday, June 2, 2005 at the Hillside Manor Comprehensive Care Center. (See Attachment A for Attendance List.)

Helen Neuhaus, Helen Neuhaus & Associates (HNA), opened the meeting by asking for comments on Minutes of the May 5th CAC meeting. The Minutes were adopted unanimously.

Ms. Neuhaus then addressed follow-up items from the May 5th meeting. She indicated that the updated micro- and macro-scale schedules were distributed with the May CAC Minutes and that investigative reports on the Citgo and Atlas gas stations are being distributed tonight. In addition, it was noted that the New York City Department of Environmental Protection (DEP) will reset the monitoring well on 172nd Street. Ms. Neuhaus then turned the meeting over to Dave Chiusano, New York State Department of Environmental Conservation (DEC), for updates on West Side Corporation (WSC) site clean-up and the Soil Vapor Intrusion Study.

Project Update

WSC Site Clean-Up

Mr. Chiusano reported that the project team has installed 4 out of 32 Electrical Resistance Heating (ERH) electrodes, 13 out of 16 Soil Vapor Extraction (SVE) wells, and all of the temperature monitoring points and underground electrical lines. Most of the monitoring wells requested by the Scientific Review Panel (SRP) have also been installed. Mr. Chiusano informed the group that no air quality issues have arisen at the fence line or outside the WSC property. Trench work and installation of ERH and SVE points will continue this month.

Mr. Chiusano explained that the pipeline to carry condensate out of the ERH system will tie directly into the storm sewer system. After he indicated that the legality of the Atlantic Express Bus Company's existing connection to the storm sewer has not yet been determined, Deputy Commissioner Doug Greeley, DEP, offered to investigate this matter.

As mentioned during the May CAC meeting, two previously unidentified underground storage tanks (USTs) and one dry well were discovered on the WSC property. Soil samples collected in the area confirmed that one UST is not contaminated. The other UST will be sampled at a later date. However, because perchloroethylene (PCE) levels in the dry well are in parts per million, the well, which is approximately 10' in diameter, must be opened up for further examination. DEC will then decide whether or not the well will need to be remediated. In response to a question, it was noted that the dry well is located behind the Atlantic Express Bus Company building, along the perimeter fence.

Mr. Chiusano also announced the following:

- Exploratory drilling has been conducted in the area southeast of the site to ensure that the contaminated groundwater plume has not changed direction. A monitoring well will be installed in this area shortly.
- The indoor air treatment system installed at the Atlantic Express Bus Company building last month is operating properly.
- It is expected that the nine roll-off containers of non-hazardous soil will be removed within the next week.
- Construction work is approximately 35 days behind schedule but was accelerated during the last month. Start-up of the ERH system is currently scheduled for mid-to-late July.
- It is anticipated that a tour and presentation at the WSC site for the CAC and other interested members of the community will be scheduled in July or August.

Mr. Chiusano noted that he visited the Queens Borough Public Library (89-11 Merrick Boulevard) earlier today to verify that the WSC site documents, including the Community Protection Plan, Worker Health and Safety Plan and Soil Vapor Intrusion Study Work Plan, are available to the public. He announced that persons wishing to review these documents should ask for Judith Toddman, Director of the Long Island Division, for access to the WSC repository on the 2nd floor. He indicated that while older documents from the initial site investigation have been catalogued, more recent documents are available but not yet catalogued.

Ms. Neuhaus announced that the next two WSC progress meetings will be held on June 8th and June 22nd at 10:30 a.m. Following discussion among CAC members, it was decided that Irving Hicks will attend the June 8th meeting, and Debora Hunte will attend the June 22nd meeting.

The following issues were raised during this discussion:

- Don Cohen, Malcolm Pirnie, explained that a dry well is essentially a large hole dug in the ground to collect surface runoff. It is likely that the recently discovered well was built during operation of WSC in the 1970's. Soil analysis indicated that most of the PCE had already seeped through the soil and into the groundwater, which will be treated at Station 24. Therefore, discovery of the dry well will not alter the site remediation approach.
- In response to an inquiry from Jeff Diggs, Mr. Chiusano noted that the dry well was not found during the initial site investigation. He explained that geophysical survey equipment used during the investigation encountered significant interference, since the Atlantic Express Bus Company had paved over everything on the site, including abandoned railroad tracks and monitoring wells. In response to a question from Commissioner Greeley, Mr. Chiusano confirmed that a site map from the New York City Department of Buildings was examined but did not show the dry well in question.

Ms. Hunte inquired about the possibility of discovering other dry wells at the site. Mr. Chiusano concurred that this was a possibility, noting that unexpected items are often encountered during a construction project. He emphasized that monitoring wells around the site will identify any areas where PCE levels have not decreased after treatment. These areas will be reinvestigated by DEC. In a final comment, Mr. Chiusano remarked that although elevated PCE levels were found in the dry well, there is no indication that

the well is a major source of contamination at the site. The majority of contamination, located in three previously identified source areas, will be remediated by ERH.

- Linda Hazel noted that a former WSC employee who still resides in the community may be able to share information on WSC disposal practices. Manny Caughman volunteered to reach out to him to determine if he is interested in meeting with the project team.

Soil Vapor Intrusion Study

Mr. Chiusano noted that 30 outdoor soil vapor samples were collected during Phase 1 of the Soil Vapor Intrusion Study, including CAC-requested sites at P.S. 116 and the new homes along 106th Road. The samples have been sent for laboratory analysis, with results expected in July. Following validation of data by URS, the New York State Department of Health (DOH) will evaluate the results to determine which sites, if any, will be recommended for Phase 2 (indoor sampling). Mr. Chiusano noted that results will be made available to the CAC and SRP.

Ms. Hunte inquired about Phase 1 vapor level thresholds that will be used to determine whether Phase 2 sampling is recommended for a residence. Mr. Chiusano indicated that DOH has not established threshold limits for outdoor PCE soil vapors. Recommendations for Phase 2 sampling are made by DOH on a case-by-case basis, factoring in data received from Phase 1 sampling, as well as other characteristics recorded by the field representative. Based on previous experience, Mr. Chiusano remarked that DOH will likely recommend Phase 2 sampling for any site with even minimally elevated outdoor soil vapor levels. He suggested that CAC members contact DOH directly to request more information on the decision-making process for conduct of Phase 2 sampling. In response to a follow-up question from Ms. Hunte, Mr. Chiusano explained that the laboratory detection level for PCE can be as low as one part per trillion.

It was reiterated that the sampling being conducted in South Jamaica is part of DOH's statewide soil vapor intrusion sampling program. Following up on this comment, Mr. Cohen noted that a soil vapor intrusion study was recently conducted at his office building, the Bulova Center, in Jackson Heights. The building formerly housed a wristwatch factory that used trichloroethylene (TCE) in the manufacturing process. Detection of TCE at the site, attributed to seepage from USTs, raised concerns about the possibility of a contaminated groundwater plume that would compromise the health of employees and the surrounding residential community. Similar to the CAC, residents near the Bulova Center asked DOH to provide specific outdoor TCE thresholds that would trigger Phase 2 sampling. DOH responded that it has not established threshold limits for outdoor TCE vapors. However, when Phase 1 results indicated the presence of TCE, DOH proceeded to conduct Phase 2 sampling. Mr. Cohen added that this indoor sampling documented TCE levels that were thousands of times lower than levels indicative of potential health risk.

Station 24

Mr. Chiusano reported that URS will provide Malcolm Pirnie and DEP with comments on the final design documents for Station 24 next week. He anticipates DEC approval of the documents by the end of June. Nicole Brown-Williams, Malcolm Pirnie, and Bill Yulinsky, DEP, noted that the documents will then be sent to the New York City Office of Management and Budget (OMB) for approval, a process that could take two months. It is expected that the Station 24 project will be advertised for bidding in early Fall 2005.

It was also reported that DEC and DEP attorneys continue to work on the agreement under which DEC will assume financial responsibility for both WSC site clean-up and Station 24. The draft agreement calls for DEP to construct the system and DEC to oversee operations. DEC will retain Malcolm Pirnie to continue the remediation work.

Station 6

Mr. Cohen reported that the response document to the Value Engineering (VE) report has been prepared and will go to DEP for review before submission to OMB. He explained that the project team accepted 8 of the VE team's 38 recommendations, partially accepted 10-12 and rejected the remainder. Accepted comments related to mechanical and architectural changes, including rearrangement of electrical connections, reconfiguration of air blowers and pumps, and reduced use of stainless steel and glass. Rejected comments included separation of the administrative and groundwater treatment facilities into two buildings. Mr. Cohen emphasized that although some changes were accepted, the look and concept of the facility remain the same.

Mr. Chiusano noted that DEC has completed its review of the investigative report on methyl tert-butyl ether (MTBE) contamination at the Atlas gas station. Although MTBE levels at this site are not exceptionally high, DEC has requested further investigation and installation of additional wells. The data indicates that the Atlas site is not a main contributor to MTBE contamination at Station 6.

Following up on CAC comments about a strong odor emanating from the Citgo gas station at 105-15 Merrick Boulevard, Mr. Chiusano confirmed that the odor was caused by contaminated soil uncovered during installation of monitoring wells. He also indicated that DEC is currently reviewing the investigative report on the Citgo property and that further work may be required. Mr. Cohen observed that MTBE levels at Citgo are approximately 2800 parts per million, much higher than levels detected at the Atlas site. He surmised that there may be a correlation between MTBE levels at Citgo and Well 6D but commented that further investigation is needed before reaching a conclusion.

In a final comment, Mr. Chiusano remarked that of the approximately 15,000 spill sites in the New York City area, the Atlas and Citgo sites are being given special attention because of their proximity to Station 6.

The following issues were raised during this discussion:

- Mr. Diggs inquired about recent activities at the BP Amoco gas station on the corner of Merrick and Linden Boulevards, noting that it appears that the station may soon reopen. Mr. Chiusano offered to examine DEC records for information on that site for inclusion in the CAC Minutes. (See Attachment B.)
- Yvonne Reddick inquired about the status of remediation of the MTA bus garage and the BP Amoco gas station on the corner of Merrick Boulevard and Liberty Avenue. She expressed concern about potential impacts to a senior citizens housing complex on 107th Street. Acknowledging her concern, Mr. Chiusano replied that he would try to obtain updated information on these projects for inclusion in the CAC Minutes. He noted that URS is involved with the bus garage project. (See Attachment B.)

Mr. Cohen added that he will be paying close attention to these remediation projects, since they have potentially mutually beneficial effects for Station 6. Specifically, he noted that successful remediation at the gas stations would lower MTBE levels in the groundwater, resulting in significant cost savings for Station 6. By lowering the groundwater table in the area, pumping at Station 6 will increase the effectiveness of remediation efforts at the bus garage.

Station 6 Art Subcommittee

Ms. Neuhaus noted that Richard Hellenbrecht will not be serving on the Art Subcommittee and that Tracey Bowes will be unable to attend meetings during the summer because of scheduling conflicts. She asked if any other CAC members would like to join the subcommittee, and Earl Roberts volunteered to serve. Ms. Neuhaus then indicated that the first meeting of the subcommittee, held earlier this evening, was intended to establish operational guidelines for the group. However, the discussion primarily focused on the role of the CAC and DEP in working with the New York City Department of Cultural Affairs' (DCA) Percent for Art Program. She then turned the meeting over to Peter Richards for a report on the Art Subcommittee's discussion.

Mr. Richards emphasized that the subcommittee was extremely concerned that the Percent for Art regulations provide no voting role for the community in selecting artists for public facilities included in their program. He noted that the voting members of Percent for Art panels for eligible projects only include the DCA Commissioner, a representative of the agency having jurisdiction over the project (in this case, DEP), and three arts professionals selected by DCA. Mr. Richards added that the CAC could have a non-voting, advisory role, similar to that of the Queens Borough President, Queens Community Board #12, and Councilman Leroy Comrie. However, he indicated that subcommittee members involved in previous Percent for Art projects reported that although they were invited to presentations on the proposed installations, they felt that they had no influence on the outcome.

Mr. Richards then shared the following suggestions proposed by the subcommittee:

- Contact Councilman Comrie to assess his possible support for legislative reform to provide greater community involvement in the Percent for Art process. Specifically, the subcommittee recommended giving the community a voting role on the panel.
- Encourage local artists to participate in the Percent for Art process. This could include a workshop to assist local artists in completing the Percent for Art registry application process, as well as to introduce them to the Station 6 project by means of a presentation and display of the Station 6 model. The workshop would ideally be held in September or October 2005.
- Work on parallel efforts to encourage community participation in artwork for Station 6. Recognizing that changing legislation may not be possible and would, at best, be a lengthy process that may not be accomplished within the timeframe of the Station 6 project, the subcommittee suggested such possibilities as local competitions for artwork to be displayed in the community space inside the plant and outreach to neighborhood schools and arts organizations.

The CAC accepted the subcommittee's recommendations, and Mr. Diggs offered to consult with Councilman Comrie regarding a change in Percent for Art legislation. In addition, CAC members provided the following suggestions:

- Mr. Diggs advised the subcommittee to collaborate with other project committees that have similar objections to the Percent for Art selection process. Mr. Diggs and Ms. Reddick noted that such organizations as Cultural Collaborative Jamaica and the Jamaica Center for Arts and Learning may support a change in the Percent for Art selection process. Surmising that other groups throughout the City would also want to provide input on public artwork in their neighborhoods, Ms. Hazel suggested forming a broader coalition to work on changing Percent for Art legislation.
- Commissioner Greeley remarked that when the Percent for Art law was passed in 1982, communities were probably grateful for any artwork and therefore not focusing on their non-voting role. He also suggested approaching the Mayor to request a mayoral override for Station 6 based on community objections to the art selection process. Mr. Diggs concurred that a mayoral override would be faster than changing legislation through the City Council.
- Mr. Yulinsky conjectured that DCA would be opposed to limiting its artist search to a specific region, since the \$400,000 available for art on Station 6 is a significant sum, and DCA will be looking for a range of artists who show the artistic and administrative capabilities of producing large-scale public art installations. Fred Simmons commented that, at the very least, Jamaica artists should be given fair consideration.
- In response to an inquiry from Edwin Mills, resident and artist, Ms. Neuhaus indicated that the Percent for Art program requires the project team to give DCA-selected artist candidates a tour and presentation on the background and architecture of the new plant. These artists are then expected to generate original concepts.
- Commissioner Greeley suggested reviewing Section 854 of the City Charter regarding Art Commission procedures for possible exemptions from the Percent for Art process.

The subcommittee scheduled a second meeting **for Thursday, June 23, 2005 at 6:30 p.m.** at the DEP Training Room, 106-22A 180th Street, Jamaica. Proposed agenda items for this meeting include adoption of operational guidelines and further discussion of the artists' workshop. In response to a request from Ms. Hazel, Ms. Neuhaus agreed to audio-tape the meeting. It was also decided that Ms. Neuhaus will facilitate the meeting and provide a summary to the CAC.

New Business

Mr. Caughman announced that he was recently interviewed by Dan Hendricks for an article in Newsday. He anticipated that it would be published within the next week.

Referencing the brief discussion at last month's CAC meeting, Ms. Neuhaus proposed that the CAC adjourn until September. She noted that this would not preclude scheduling a meeting if warranted by project events or scheduling the WSC site tour and presentation. CAC members agreed with this proposal.

The next CAC meeting will be held on **Thursday, September 8, 2005 at 7:00 p.m.** at the Hillside Manor Comprehensive Care Center, 188-11 Hillside Avenue, Jamaica Estates.

Follow-up Items

1. Reset monitoring well installed at 109-56 172nd Street (Manny Caughman). Responsibility: DEP, Malcolm Pirnie.
2. Notify Art Subcommittee members of second meeting (Thursday, June 23rd, 6:30 p.m. at DEP Training Room, 106-22A 180th Street, Jamaica). Responsibility: HNA.
3. Audio-tape June 23rd Art Subcommittee meeting (Linda Hazel). Responsibility: HNA.
4. Share Art Subcommittee suggestions for legislative reform with Councilman Leroy Comrie. Responsibility: Jeff Diggs.
5. Provide Art Subcommittee with information on Section 854 of the City Charter regarding Art Commission procedures (Deputy Commissioner Doug Greeley, DEP). Responsibility: HNA.
6. Gauge interest of former WSC employee in meeting with project team to discuss WSC disposal practices. Responsibility: Manny Caughman.
7. Provide copy of Newsday article to Dave Chiusano, DEC, following publication. Responsibility: HNA.
8. Coordinate CAC representation at June 8th (Irving Hicks) and June 22nd (Deborah Hunte) WSC progress meetings. Responsibility: HNA.
9. Examine DEC records for information on recent activities at BP Amoco gas station (Merrick and Linden Boulevards) (Jeff Diggs). Include information with June CAC Minutes, if available. Responsibility: Dave Chiusano, DEC; HNA.
10. Determine status of remediation at MTA bus garage and BP Amoco gas station (Merrick Boulevard and Liberty Avenue) (Yvonne Reddick). Include information with June CAC Minutes, if available. Responsibility: Dave Chiusano, DEC; HNA.
11. Distribute Soil Vapor Intrusion Study Phase 1 results to CAC and SRP when available. Responsibility: DEC, HNA.
12. Schedule presentation and site visit at WSC site once clean-up is underway (tentatively July/August). Responsibility: DEP, DEC, Malcolm Pirnie, HNA, Irving Hicks, Thermal Remediation Services.
13. Assist DEC in determining legality of Atlantic Express Bus Company's storm sewer connection at WSC site. Responsibility: DEP.

Brooklyn-Queens Aquifer Feasibility Study
Citizens Advisory Committee
Thursday, June 2, 2005

Attendance List

CAC Members/Alternates

Manuel Caughman
Community Board #12/Office of
New York State Assemblyman
William Scarborough

Jeff Diggs
Office of New York City Councilman
Leroy Comrie

Kenneth Gill
Addisleigh Park Civic Association

Linda Caleb Hazel
A Better Day Inc./St. Benedict The Moor/
St. Bonaventure

Richard Hellenbrecht
Community Board #13

Irving Hicks
Brinkerhoff Action Association

Sarah Hicks
Brinkerhoff Action Association

Debora Hunte
Brinkerhoff Action Association

Yvonne Reddick
Community Board #12

Peter Richards
Community Board #13

Earl Roberts
113th Precinct Council

Fred Simmons
Residential People for Improvement

Michael Turner
Addisleigh Park Civic Association

Guests

Edwin E. Mills
South Queens Park Association

Andy Rousseau
Resident/New York City Department of
Environmental Protection

Media

Amy Lotven
Queens Chronicle

Project Team

Nicole Brown-Williams
Malcolm Pirnie, Inc.

Dave Chiusano
New York State Department of
Environmental Conservation

Don Cohen
Malcolm Pirnie, Inc.

Lillie Farrell
New York City Department of
Environmental Protection

Doug Greeley
New York City Department of
Environmental Protection

Natasha Harper
New York City Department of
Environmental Protection

Helen Neuhaus
Helen Neuhaus & Associates Inc.

Sara Pecker
New York City Department of
Environmental Protection

Andrea Wong
Helen Neuhaus & Associates Inc.

Anita Wright
Helen Neuhaus & Associates Inc.

Bill Yulinsky
New York City Department of
Environmental Protection

NEW YORK CITY DEPARTMENT OF ENVIRONMENTAL PROTECTION
BROOKLYN-QUEENS AQUIFER FEASIBILITY STUDY

Status Update on Other Remediation Projects as Requested by the CAC

BP Amoco Station, 113-40 Merrick Boulevard:

Elevated levels of gasoline-related contaminants, including methyl tert-butyl ether (MTBE), were detected at the site. The gas station has been closed since October 2004. In January 2005, groundwater monitoring wells were installed to determine if MTBE was moving off-site. While groundwater results showed minor hits for MTBE, additional data showed no impact to the two water supply wells closest to the site, both of which are inactive. In March 2005, vapor monitoring wells installed along the site perimeter indicated that there will be no effects on surrounding properties.

Although the project is currently on hold pending determination of a scope of work, a meeting between the New York State Department of Environmental Conservation (DEC) and BP Amoco in April 2005 confirmed that the underground storage tanks (USTs) at the site will be replaced. Contaminated soils will also be removed during the tank replacement. The most recent groundwater monitoring results (first quarter 2005) showed no benzene, toluene, ethylbenzene, xylene (otherwise known as BTEX) or MTBE off-site.

Source: DEC Region 2 Office, E-mail to Helen Neuhaus & Associates – June 21, 2005.

Jamaica Bus Depot, 165-18 South Road:

Initial site investigations found diesel fuel and No. 2 heating oil floating on the groundwater table beneath the bus depot. Some of the fuel and oil has been recovered via pump and treat technology since remediation began in 1995. However, contaminants remain trapped in the soil beneath the water table as a result of rising groundwater levels in the area and cannot be treated effectively with the current remediation system.

At a meeting between DEC and New York City Transit (NYCT) in February 2005, a new remediation approach was identified. This approach involves concentrating the full capacity of the treatment system to a single well, which will sufficiently lower the groundwater table in a localized area to free trapped contaminants for recovery. It was noted that shutting down other site wells to concentrate recovery efforts on a single well would not affect off-site migration of contaminants. The proposed remediation technique is detailed in the March 2005 Remedial Plan and Design Report, which was approved by DEC in May 2005.

Source: URS Corporation, Site-Specific Remedial Plan and Remedial Design for Enhancing Product Recovery. Prepared for NYCT – March 2005.

BP Amoco Station, 165-25 Liberty Avenue:

An Air Sparge and Soil Vapor Extraction remediation system was operated and maintained on a monthly basis between June 2002 and July 2004, when BP Amoco terminated its lease at the site. Prior to shutdown (when contaminant recovery rates were already on the decline), the system had recovered approximately 277 lbs. of BTEX; 1,264 lbs. of MTBE; and 31,194 lbs. of total petroleum hydrocarbons from the soil.

In October 2004, BP Amoco arranged for the excavation and removal of 11 USTs, gasoline-carrying pipes, and 211 tons of contaminated soil generated during excavation.

In March 2005, studies were conducted to determine whether natural attenuation [the breakdown of hazardous substances in the environment through natural (physical, chemical or biological) processes] was taking place at the site. Results confirmed this to be the case and indicated that the MTBE and BTEX contaminant plume was shrinking. Exposure assessment models indicated that concentrations of BTEX and MTBE at the closest water supply well (currently inactive) would meet applicable DEC groundwater standards.

Groundwater in this area will be sampled quarterly through April 2008 to monitor progress of the natural attenuation process.

Source: Delta Environmental Consultants, Remedial Action Plan – Monitored Natural Attenuation. Prepared for BP Amoco – April 6, 2005.