KP1451 NNW > 1 1.834 mi. 9686 ft. | **8020 BAY PARK WAY 8020 BAY PKWY BROOKLYN, NY** | **NY Spills** | **S104879470 N/A**

Site 1 of 2 in cluster KP

Relative: Higher

Actual: 25 ft.

SPILLS:

Name:	APT COMPLEX
Address:	8020 BAY PKWY
City,State,Zip:	BROOKLYN, NY
Spill Number/Closed Date:	9602901 / 1997-12-31
Facility ID:	9602901
Facility Type:	ER
DER Facility ID:	112129
Site ID:	130131
DEC Region:	2
Spill Cause:	Equipment Failure
Spill Class:	B3
SWIS:	2401
Spill Date:	1996-03-01
Investigator:	MMMULQUE
Referred To:	Not reported
Reported to Dept:	1996-05-30
CID:	323
Water Affected:	Not reported
Spill Source:	Institutional, Educational, Gov., Other
Spill Notifier:	Other
Cleanup Ceased:	Not reported
Cleanup Meets Std:	False
Last Inspection:	Not reported
Recommended Penalty:	False
UST Trust:	False
Remediation Phase:	0
Date Entered In Computer:	1996-05-30
Spill Record Last Update:	2009-08-05
Spiller Name:	ROGER POST
Spiller Company:	APT COMPLEX
Spiller Address:	8020 BAY PKWY
Spiller Company:	001
Contact Name:	ROGER POST
DEC Memo:	"Prior to Sept, 2004 data translation this spill Lead_DEC Field was MULQUEEN PROPERTY OWNER DID INVESTIGATION AND NO IMPACT TO SUBSURFACE. 10/18/2000 - A new complaint has been made on the same site. Spill # 0008418 has been opened on this site. see documents on e-docs under spill #: 0008418."
Remarks:	"VENT ALARM FAILED, CAUSING AN OVERFILL. PROPERTY OWNER STS SPILL IS UNDER PARKING LOT, AND APPROX. 1000 GAL"

All Materials:

Site ID:	130131
Operable Unit ID:	1030463
Operable Unit:	01
Material ID:	349139
Material Code:	0001A
Material Name:	#2 fuel oil
Case No.:	Not reported
Material FA:	Petroleum
Quantity:	4.00
Units:	G
Recovered:	4.00

Oxygenate:	Not reported
Name:	8020 BAY PARK WAY
Address:	8020 BAY PKWY
City,State,Zip:	BROOKLYN, NY
Spill Number/Closed Date:	0008418 / 2009-12-11
Facility ID:	0008418
Facility Type:	ER
DER Facility ID:	112129
Site ID:	146921
DEC Region:	2
Spill Cause:	Unknown
Spill Class:	C4
SWIS:	2401
Spill Date:	2000-10-18
Investigator:	hrpatel
Referred To:	Not reported
Reported to Dept:	2000-10-18
CID:	270
Water Affected:	Not reported
Spill Source:	Unknown
Spill Notifier:	DEC
Cleanup Ceased:	Not reported
Cleanup Meets Std:	False
Last Inspection:	Not reported
Recommended Penalty:	False
UST Trust:	False
Remediation Phase:	0
Date Entered In Computer:	2000-10-18
Spill Record Last Update:	2009-12-11
Spiller Name:	PATRICIA ROMANO
Spiller Company:	PATRICIA ROMANO
Spiller Address:	8020 BAY PARK WAY
Spiller Company:	001
Contact Name:	PATRICIA ROMANO
DEC Memo:	"Prior to Sept, 2004 data translation this spill Lead_DEC Field was SANGESLAND Reopen of site #9602901 - (prior Mike Mulqueen site) SEVERAL PHONE NUMBERS ON PAGE 1 OF THIS SPILL REPORT ARE INCORRECT. 11/21/2000 SANGESLAND SPOKE WITH PATRICIA ROMANO (CO-OWNER OF BUILDING) SHE STATES THAT THERE IS NO NEW SPILL AT THE SITE. APPARENTLY THE PRIOR SPILL NUMBER (9602901) MAY HAVE BEEN CLOSED PREMATURELY. SANGESLAND STATED THAT IF MS. ROMANO BELIEVES THERE IS STILL A PROBLEM AT THE SITE, THEN THE FOLLOWING WORK SHOULD BE DONE. 1) PROPERTY OWNER SHOULD HIRE A CONSULTANT TO DEFINE THE PROBLEM (SIZE, DEPTH, CONDITION OF ANY CONTAMINATION OF THE SITE) 2) OWNERS CONSULTANT SHOULD PREPARE A REMEDIATION PROPOSAL WHICH DEFINES THE CURRENT PROBLEM AND PROPOSES A REMEDIATION PLAN FOR THE SITE (i.e.additional dig out, bioremediation, pump&treat) 3) THE OWNER SHOULD SUBMIT THIS REMEDIATION PLAN TO THE DEC FOR APPROVAL. THE OWNER COULD REQUEST A MEETING WITH THE DEC TO REVIEW THE PLAN'S OPTIONS. SANGESLAND IS SCHEDULED TO VISIT THE SITE ON DEC.1, 2000. IF ANY CONTAMINATION IS INDICATED, DEC WILL ISSUE A WRITTEN REQUEST TO THE OWNER TO CONDUCT THE CONTAMINATION DEFINE/REMEDIATION WORK WRITTEN ABOVE. Sangesland visited the site. Problem appears to be a longterm spill with staining around the Western & Southern wall of the basement. Question concerning who actually owns the building and who is acting for the owner. There appears to be several voices speaking for the site. Sangesland suggested that when they get the

ownership issues resolved, DEC would be happy to work with their consultant. 8/05 - Spill Transfered to Central Office. 3/06 - Site under litigation in 2000. Have not been able to contact current owner of building, file numbers are no longer valid. From documentation in file, the site will require additional investigation. - Dudek 4/2/09 - Austin - Transferred from Needs Reassignment to Patel for further work to remediate and close - end 04/10/09-Hiralkumar Patel. visited site. its C-shaped building along Bay parkway between 80th street and 81st street. portion of site along Bay parkway known as parcel A , portion along 80th street known as parcel B and portion along 81st street is known as parcel C . could not find super's apartment. inspected area around and found vent pipe near foundation wall of parcel B in backyard. found about 2 ft wide by 10-12 ft long previously excavated area (and not restored completely), perpendicular to foundation wall where vent pipe located. also found small pipe in this unfinished parking area, coming out from ground, about 4-5 ft away from vent pipe. 06/09/09-Hiralkumar Patel. alternate addresses: 8002-8024 Bay Pkwy, 2173-2183 81st St, 2174-2184 80th St other spill #s: 9602901 PBS#: 2-332100. site has one 4,500 gal #2 oil UST. 11:17 AM:- spoke with Adi Joseph, property manager. he mentioned that current owner baught property in 2007 and doesn't know anything about spill. asked him for site visit. he requested history of the spill before visiting the site and he needs to talk to his boiler company, so they can be present for technical matters. Mr. Joseph mentioned that R&R Management Co. was previous owner during

spill event. Bay Parkway Holdings LLC. **property owner and management** 1301 Cornaga Ave, Suite D (or PO Box 900417) Far Rockaway, NY 11691 Attn.: Adi Joseph **property manager** Ph. (718) 471-5224 (917) 642-3179 (C) Fax (718) 471-5225 email: adij@verizon.net spill #: 9602901 was reported on 05/30/1996 by an oil company. oil company reported spill of about 4 gal due to faulty vent. property owner states that spill was under parking lot and it was approx. 1000 gal spill. spill was closed on 10/18/2000 as owner did investigation and no impact to subsurface. reviewed documents in old file.
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-*-*-*-*-*-* 06/10/1996: Enviro-Comp Consultants, Inc. sent letter to DEC Michael Mulqueen. Enviro-comp was hired by R&R Management. Enviro-comp sent letter requesting copy of available documents to the department. oil was spilled during delivery. Edwart T. Minor, Inc. delivered oil at the site. Robert-Carl Olsen President Enviro-Comp Consultants, Inc. Ph. (516) 727-8445 Fax (516) 369-8492 Patricia Romano R&R Management Co. 07/15/1996: letter from Enviro-comp to DEC. site investigation was performed on 07/09/1996. soil samples collected via 7 borings (C1 to C7) for visual and olfactory observations only. 6 drains (D1 to D6) were investigaged. no samples sent to lab for analysis. drains were inspected in impacted area to determine final discharge locations. drains were determined to be leaching facilities or dry wells. recommended to excavate area around tank to a distance of 20 ft. C1 - core total of 27 inches through asphalt; 4 inch thick asphalt; 3 inches of fuel oil comtaminated soil under asphalt; remainder of core was gravel and clean sand C2 - core total of 29 inches; 4.5 inch thick asphalt; liquid fuel oil noted in top 6 inches of core which liquied is retained by a dense, well compacted layer of sand approx. 2 inches thick; fuel oil contamination observed through entire length of core C3 - core total of 24 inches; 3 inch thick asphalt; 4 inches of contaminate soil; remainder of core was gravel and clean sand C4 - core total of 28 inches; 5 inches thick asphalt; 1 inch of contaminated soil under

asphalt; remainder of core was gravel and clean sand C5 - core total of 25 inches; 5 inches thick asphalt; liquid fuel oil noted in top 4 inches of core which liquid is retained by a dense, well compacted layer of sand approx. 2 inches thick; fuel oil contamination obaserved throughout entire length of core C6 - core total of 30 inches; 5 inches thick asphalt; 2 inches of slight fuel oil contaminated soil; remainder of core was gravel and clean sand C7 - core total of 26 inches; 5 inches thick asphalt; no contmaination noted D1 - driveway drain constructed of PVC catch basin; connected to building drain; only one outlet noted D2 - driveway drain constructed of concrete; connected to D3; only one outlet noted D3 - driveway drain constructed of concrete; connected to D5; one inlet and one outlet noted D4 - sidewalk drain set in concrete; interconnected with D5 and D6 D5 - sidewalk drain set in concrete; interconnected with D4 and D6 D6 - sidewalk drain set in concrete; interconnected with D4 and D5; has a connection that proceeds to building interior and connected to building sewer system 07/22/1996: letter from Enviro-comp to DEC with copy of tank test result. tank test done on 07/13/1996 and found tank system tight. as per tank test result, tank was 19 ft long by 6 ft in diameter and tank bottom was 101 inches (8 ft 5 inches) below grade. 07/29/1996: letter from Enviro-comp to DEC with comparison result for 5 year of fuel usage. highest monthly average use was 2,524 gal (1991) and largest single

month of usage was 5,100 gal in Jan. 1991. for the period of Jan 29 through Mar 1, 1996, Minor fuel attempted to deliver total of 8,800 gal of fuel. 11/29/1996: letter from Enviro-comp to DEC. remediation was scheduled for 12/03/1996. 01/24/1997: letter from Enviro-comp to DEC. Enviro-comp claimed that remediation of the spill was successfully completed on 12/03/1996. total of 15.29 tons of contaminated soils were removed. an end point sample for physical analysis and PID screening was procured. sample demonstrated no indication of contamination and PID readings were negative. 09/25/2000: Subpoena issued to DEC by Supreme court to bring all documents related to this spill case and copies of spill reports/documents where Minor fuel involved. 10/18/2000: email from DEC Thomas Plesnarski to DEC Randy Austin. Thomas spoke with Mr. Olsen who stated that free product was still migrating through the basement walls and puddling on the floors. only partial tank was excavated and removed some contaminated soil and several buckets of free product (probably saturated soil). but because of tank's location next to the foundation could not excavate everything. Thomas mentioned in email that during conversation with Patricia Romano, she mentioned that approx. 1,000 gal of #2 fuel oil was spilled during delivery on 03/01/1996. Ms. Romano mentioned that no spill was reported as oil company told that it was not necessary. spill was eventually reported for only 4 gal. there were odors in the building. DEC Thomas was contacted by Phil Flax (EPA Enforcement Coordinator) as Phil got request from Ms. Romano to help getting spill cleaned up by oil company (as spill happened during delivery and was overfill). Philip Flax RCRA Senior Enforcement Team Leader EPA Ph. (212) 637-4143 Fax (212) 637-4949 email: flax.phil@epamail.epa.gov 01/06/2001: letter from Enviro-comp to DEC Sangesland with copy of some photographs taken during remediation. DEC Steve, Mr. Olsen (from Enviro-comp) and Mr. Flax (from EPA) visited site on 12/01/2000. Mr. Olsen also sent copy of two delivery tickets (02/17/1996 for 1000.1 gal and 02/26/1996 for 1800 gal). photographs includes from 06/02/1996, 06/09/1996, 06/17/1996, 12/03/1996 and 09/21/2000. 02/05/2001: DEC Steve Sangesland sent fax to EPA Ron Voelkel with copy of spill report (9602901) and copy of letter from Enviro-comp

(dated 01/24/1997). 02/09/2001: DEC Steve Sangesland sent letter to Envir-comp. Steve visited site in Dec. 2000 and found oil staining around the interior perimeter of the basement. Steve asked for investigation and remediation plan based on the investigation results. 03/07/2001: DEC Mulqueen sent email to Ronald Voelkel (voelkel.ronald@epamail.epa.gov) at EPA. DEC Mulqueen mentioned that he visited site in 1996 and met Ms. Romano. he visited site well after spill had occurred. fill pipe was in the street and vent pipe was in courtyard behind the building. during site visit, Ms. Romano mentioned that spill happened from vent pipe and oil reached to multiple drains in courtyard. drains connected to sewer main inside the basement. Mulqueen checked drain runs and could not find evidence of discharged oil remaining. inspected basement walls and found oil stain on basement wall adjacent to UST. he could not acertain by staining if it was a fresh release or not. UST was found un-registered at the time of site visit. Ms. Romano hired consultant, who sampled, excavated contaminated soil, collected endpoint samples and requested closure upon submission of a report. case closure was granted based on findings in the report.
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-*-*-*-*-*-* review of available photographs indicates: - two fill

ports for the tank: remote fill port was located on 80st street nearby driveway entrance and direct fill port on tank in courtyard (06/02/1996) - window located next to vent pipe (on left side) and spilled oil from vent entered into basement through this window (06/02/1996) - stains found around remote fill port (06/09/1996) - pool of oil found in excavation (06/17/1996) - discoloration on walls and floor from oil seepage into basement - due to slope of the parking lot, significant portion of fuel lost during the overfill ran along the base of the wall and into the driveway and the driveway drain 3:11 PM:- faxed copy of spill report to Mr. Joseph. 3:18 PM:- spoke with front desk lady at Mr. Joseph's office. she received a fax. summary: - as per owner, about 1000 gal #2 oil spilled from vent on 05/30/1996 due to overfill - tank system was tested on 07/13/1996 and found system tight <------- - multiple drains located in courtyard/driveway were impacted - contaminated soil and free product found in excavation during remediation - oil seeped into basement through foundation wall - DEC Sangesland observed stains on Western and Southern wall of the basement - tank was 19 ft long by 6 ft in diameter and tank bottom was 101 inches (8 ft 5 inches) below grade - according to letter dated 01/24/97, remediation was completed and samples were taken. but report doesn't include endpoint sample analyticals. - tank was last tested on 04/23/2008 07/06/09-Hiralkumar Patel. 2:07 PM:- left message for Mr. Joseph. 07/20/09-Hiralkumar Patel. 11:31 AM:- after trying for several days, finally got person on phone at management office. left message for Mr. Joseph. asked front desk lady to inform Mr. Joseph that if he doesn't call back by the end of tomorrow (07/21/09) then this case will be referred to legal division. 08/05/09-Hiralkumar Patel. 11:21 AM:- left message for Mr. Joseph at his office. office lady refused to give super's contact info. 1:22 PM:- spoke with Larry Collins at Approved oil at number provided for ET Minor Fuel in 1996. Larry mentioned that Mr. Post owned a delivery company named ET Minor Fuel and then Larry baught business from Mr. Post under Approved oil. Approved oil never delivered oil at the site. Larry mentioned that Mr. Post is out of business, but still has office at same location with same business name. he will contact Mr. Post and will ask to call. Larry Collins Approved Oil PH. (718) 439-5066 discussed with DEC legal. legal suggested to send STIP to the property owner. sent STIP letter to Bay

Parkway Holdings LLC. at street address (via certified mail) as well as at PO Box address requiring soil and/or GW investigation in basement nearby tank location area and GW investigation via wells in courtyard around tank and impacted drains. letter faxed to Mr. Joseph. 08/06/09-Hiralkumar Patel. 11:31 AM:- received call from Mr. Joseph. explained him about previous spills. informed him about STIP letter. got Mr. Joseph's email address. sent copy of STIP letter to Mr. Joseph. Mr. Joseph refused to give building super's contact info. 08/11/09-Hiralkumar Patel. 12:07 PM:- received message from Christine (631-234-4280) from Associated environmental. 3:01 PM:- spoke with Christine. Associated environmental was contacted by Mr. Joseph to understand letter from the department. explained to Christine that based on spill history in 1996 and observation of oil seepage during site visit in Oct. 2000, the Department requires soil/gw investigation around tank and in basement including site specific groundwater flow direction. she will contact Mr. Joseph and will call back if associated gets contract. 08/12/09-Hiralkumar Patel. 9:55 AM:- received email from Christine from Associated requesting copy of available documents. 1:58 PM:- spoke with Christine and informed her

that as Associated has not been contracted by property owner, the department can not release any documents. she will talk to property owner. 08/18/09-Hiralkumar Patel. 11:49 AM:- received call from Mr. Joseph. he requested copy of spill notes again. 11:55 AM:- sent email to Mr. Joseph with copy of spill notes. 09/01/09-Hiralkumar Patel. 10:47 AM:- received call from Mr. Joseph. he hired Associated Environmental and requested a site visit. scheduled a site visit at 2:30 PM on 09/10/09. Mr. Joseph also questioned about signing a STIP. he discussed with his attorney and his attorney suggested him not to sign STIP. informed Mr. Joseph that the department can wait for STIP until results of soil/gw investigation are available. if contamination found at the site, then STIP must be signed. Mr. Joseph agreed with it. John Schretzmayer Associated Environmental Services Ltd. Ph. (631) 234-4280 (O) (516) 658-5304 (C) email: associatedenv@aol.com 09/10/09-Hiralkumar Patel. 2:15 PM:- visited site. met Mr. Joseph and John. inpsected basement along tank location area. no seepage found in basment. Mr. Joseph mentioned that petrometer gauge line was replaced recently. asked John to install three monitoring wells around tank (one on south side towards Bay Pkway, one on west side towards 81st street and one on north side towards adjance building) and three soil borings inside basment along foundation wall near tank location. asked John to collect two soil samples from each borings/well (one at highest PID and another at deepest clean) or only one soil sample at water table if no PID detected. asked Mr. Joseph to submit work schedule by 09/14/09. 09/24/09-Hiralkumar Patel. 3:47 PM:- spoke with John regarding investigation work. he will send work plan tomorrow. 09/30/09-Hiralkumar Patel. 1:26 PM:- received email from John. he received signed contract from owner. John proposed to install three 2 inch wells around tank and 2-3 soil borings inside basement and proposed to analyze soil and groundwater sample for 8021 and 8270. 10/01/09-Hiralkumar Patel. 10:47 AM:- sent email to John. asked him to send site map with well/boring locations and work schedule. also asked him to analyze all soil and groundwater samples for 8260 (not 8021) and 8270. informed him that wells must be within 25 ft distance from existing tank. 10/21/09-Hiralkumar Patel. received message from Christine (at 12:37 PM on 10/16/09) from Associate. they received signed proposal from owner and in process of scheduling a work. 11/12/09-Hiralkumar Patel. received email from Christine (at 12:11 PM on 11/11/09) from Associated environmental. Associated environmental

installed required borings/wells on 11/10/09. 11/17/09-Hiralkumar Patel. 3:43 PM:- received message from Christine. they will submit report once ready. 12/01/09-Hiralkumar Patel. 1:42 PM:- left message for John to provide updates. 12/02/09-Hiralkumar Patel. 10:13 AM:- received email from John. will submit report by 12/04/09. 12/10/09-Hiralkumar Patel. 3:10 PM:- received report from John. installed three soil borings (SB-4 to SB-6) inside basement and three wells (SB-1 to SB-3). boring inside basement were installed in area close to tank location and these borings were installed to depth of 16 ft bg. installed three 2 inch wells around UST to depth of 35 ft bg. groundwater found at 27 ft bg. collected soil samples above water table from SB-1 to SB-3 and from end of boring from SB-4 and SB-6. no contamination found in five soil or three water samples. no PID readings or olfactory evidence of contamination found in any boring. based on submitted report, case closed. 12/11/09-Hiralkumar Patel. 1:50 PM:- sent SCL to Mr. Joseph. letter emailed to Mr. Joseph and John."

Remarks: "NO COMMENTS"

All Materials:

Site ID:	146921
Operable Unit ID:	829012
Operable Unit:	01
Material ID:	545926
Material Code:	0001A
Material Name:	#2 fuel oil
Case No.:	Not reported
Material FA:	Petroleum
Quantity:	.00
Units:	G
Recovered:	.00
Oxygenate:	Not reported