

23-12 40TH AVENUE

QUEENS, NEW YORK

Remedial Action Work Plan

NYC VCP Project Number: 15CVCP056Q

OER Project Number: 11EHAZ114Q

Prepared for:

23-12 LLC

23-12 40th Avenue

Queens, New York 11101

triboroelectric@gmail.com

Prepared by:



45-09 Greenpoint Avenue

Queens, New York 11104

ekarayel@athenica.com

(718) 784-7490

DECEMBER 2014

REMEDIAL ACTION WORK PLAN

TABLE OF CONTENTS

TABLE OF CONTENTS.....	ii
LIST OF ACRONYMS	v
CERTIFICATION	1
EXECUTIVE SUMMARY	2
COMMUNITY PROTECTION STATEMENT.....	8
REMEDIAL ACTION WORK PLAN	13
1.0 SITE BACKGROUND.....	13
1.1 Site Location and Current Usage	13
1.2 Proposed Redevelopment Plan	13
1.3 Description of Surrounding Property.....	14
1.4 Remedial Investigation	14
2.0 REMEDIAL ACTION OBJECTIVES.....	18
3.0 REMEDIAL ALTERNATIVES ANALYSIS.....	19
3.1 THRESHOLD CRITERIA	21
3.2. BALANCING CRITERIA.....	22
4.0 REMEDIAL ACTION	29
4.1 Summary of Preferred Remedial Action.....	29
4.2 Soil Cleanup Objectives and Soil/Fill Management.....	31
4.3 Engineering Controls	34
4.4 Institutional Controls	36
4.5 Site Management Plan	37
4.6 Qualitative Human Health Exposure Assessment	38
5.0 REMEDIAL ACTION MANAGEMENT.....	42
5.1 Project Organization and oversight.....	42
5.2 Site Security	42
5.3 Work Hours.....	42
5.4 Construction Health and Safety Plan	42
5.5 Community Air Monitoring Plan.....	43

5.6	Agency Approvals	45
5.7	Site Preparation	45
5.8	Traffic Control	49
5.9	Demobilization.....	49
5.10	Reporting and Record Keeping.....	50
5.11	Complaint Management.....	51
5.12	Deviations from the Remedial Action Work Plan	51
6.0	REMEDIAL ACTION REPORT	52
7.0	SCHEDULE	54

FIGURES

- Figure 1: Site Location Map
- Figure 2: Site Boundary Map and Surrounding Land Usage
- Figure 3: Proposed End-point Sample Locations
- Figure 4: Site Excavation Diagram
- Figure 5: Typical Cover Detail for Site-wide Composite Cover System
- Figure 6: Vapor Barrier/Waterproofing and Sub-Slab Depressurization Design Diagrams

TABLES

- Table 1: Unrestricted Soil Cleanup Objectives

APPENDICES

- Appendix 1: Citizen Participation Plan
- Appendix 2: Sustainability Statement
- Appendix 3: Soil/Materials Management Plan
- Appendix 4: Construction Health and Safety Plan
- Appendix 5: Vapor Barrier Manufacturer Specifications and Compatibility Letter

LIST OF ACRONYMS

Acronym	Definition
AOC	Area of Concern
AS/SVE	Air Sparging/Soil Vapor Extraction
BOA	Brownfield Opportunity Area
CAMP	Community Air Monitoring Plan
C & D	Construction and Demolition
COC	Certificate of Completion
CQAP	Construction Quality Assurance Plan
CSOP	Contractors Site Operation Plan
DCR	Declaration of Covenants and Restrictions
ECs/ICs	Engineering and Institutional Controls
HASP	Health and Safety Plan
IRM	Interim Remedial Measure
VCA	Voluntary Cleanup Agreement
MNA	Monitored Natural Attenuation
NOC	Notice of Completion
NYC VCP	New York City Voluntary Cleanup Program
NYC DEP	New York City Department of Environmental Protection
NYC DOHMH	New York State Department of Health and Mental Hygiene
NYCRR	New York Codes Rules and Regulations
NYC OER	New York City Office of Environmental Remediation
NYS DEC	New York State Department of Environmental Conservation
NYS DEC DER	New York State Department of Environmental Conservation Division of Environmental Remediation
NYS DOH	New York State Department of Health
NYS DOT	New York State Department of Transportation
ORC	Oxygen-Release Compound
OSHA	United States Occupational Health and Safety Administration
PE	Professional Engineer
PID	Photo Ionization Detector
QEP	Qualified Environmental Professional
QHHEA	Qualitative Human Health Exposure Assessment
RAOs	Remedial Action Objectives
RAR	Remedial Action Report
RAWP	Remedial Action Work Plan or Plan
RCA	Recycled Concrete Aggregate
RD	Remedial Design
RI	Remedial Investigation
RMZ	Residual Management Zone

SCOs	Soil Cleanup Objectives
SCG	Standards, Criteria and Guidance
SMP	Site Management Plan
SPDES	State Pollutant Discharge Elimination System
SVOC	Semi-Volatile Organic Compound
USGS	United States Geological Survey
UST	Underground Storage Tank
VOC	Volatile Organic Compound

CERTIFICATION

I, , am a Professional Engineer licensed in the State of New York. I have primary direct responsibility for implementation of the remedial action for the 23-12 40th Avenue Site (NYC OER Project Number 11EHAZ114Q and NYC VCP Project Number 15CVCP056Q).

I, William E. Silveri, am a Qualified Environmental Professional as defined in §43-140. I have primary direct responsibility for implementation of the remedial action for the 23-12 40th Avenue Site (NYC OER Project Number 11EHAZ114Q and NYC VCP Project Number 15CVCP056Q).

I certify that this Remedial Action Work Plan (RAWP) has a plan for handling, transport and disposal of soil, fill, fluids and other materials removed from the property in accordance with applicable City, State and Federal laws and regulations. Importation of all soil, fill and other material from off-Site will be in accordance with all applicable City, State and Federal laws and requirements. This RAWP has provisions to control nuisances during the remediation and all invasive work, including dust and odor suppression.

Name

NYS PE License Number

Signature

Date



QEP Name

QEP Signature

Date

EXECUTIVE SUMMARY

23-12 LLC has applied to enroll in the New York City Voluntary Brownfield Cleanup Program (NYC VCP) to investigate and remediate a 2,500-square foot site located at 23-12 40th Avenue in Queens, New York. A remedial investigation (RI) was performed to compile and evaluate data and information necessary to develop this Remedial Action Work Plan (RAWP). The remedial action described in this document provides for the protection of public health and the environment consistent with the intended property use, complies with applicable environmental standards, criteria and guidance and conforms to applicable laws and regulations.

Site Location and Current Usage

The Site is located at 23-12 40th Avenue in the Long Island City section in Queens, New York and is identified as Block 408 and Lot 26 on the New York City Tax Map. Figure 1 shows the Site location. The Site is approximately 2,500-square feet and is bounded by 40th Avenue to the north, a 2-story commercial warehouse to the south, a 1-story commercial warehouse to the east, and a 2-story residential building to the west. A map of the site boundary is shown in Figure 2. Currently, the Site is vacant and unoccupied.

Summary of Proposed Redevelopment Plan

The proposed future use of the Site will consist of a new 4-story mixed commercial and residential use building with a full cellar. The proposed building will contain commercial retail space and residential apartments. The total gross square footage of the proposed building will be approximately 9,470 square feet. The cellar will be utilized for contractor's establishment, storage, and utility rooms. The first floor will be used for commercial space and parking and the floors above will be utilized as residential apartments. Construction of the new basement will require excavation of the soils to approximately 10 feet below grade surface (bgs). Total approximate excavated soil for development of the Site will be 925 cubic yards. Layout of the proposed site development is presented in Figure 3. The current zoning designation is M1-2/R5D denoting it as a mixed-use manufacturing and residential area. The proposed use is consistent with existing zoning for the property.

The remedial action contemplated under this RAWP may be implemented independently of the proposed redevelopment plan.

Summary of Environmental Findings

1. Elevation of the property is approximately 22 feet.
2. Depth to groundwater ranges from 14 to 16 feet at the Site.
3. Groundwater flow is generally from west to east beneath the Site.
4. Bedrock was not encountered during this investigation.
5. The stratigraphy of the Site, from the surface down, consists of approximately 6 feet of medium coarse sand with urban fill and pebbles underlain by 10 feet of fine to medium.
6. Nine soil/fill samples results were compared to NYSDEC Unrestricted Use Soil Cleanup Objectives (UUSCOs) and Restricted Residential Soil Cleanup Objectives (RRSCO) as presented in 6NYCRR Part 375-6.8.. Soil/fill samples showed no VOCs detected other than trace levels of acetone. Several Polycyclic Aromatic Hydrocarbon (PAH) range SVOCs including benzo(a)anthracene (max. 6.2 ppm), benzo(b)fluoranthene (max. 5.5ppm), benzo(a)pyrene (max. 3.9ppm), benzo(k)fluoranthene (max. 1.3ppm), dibenz(a,h)anthracene (0.7ppm), chrysene (max. 5.1 ppm) and indeno(1,2,3-cd)pyrene (max. 3.1ppm) were detected above their respective Unrestricted Use SCOs in two of the nine soil samples at zero to 2 feet interval. The concentrations of these PAHs were well within published values for historic fill and therefore their presence is likely attributable to historic fill as opposed to past site use. Three pesticides; dieldrin (max. 0.28 ppm), 4,4-DDE (max. 0.093ppm) and 4,4-DDT (max. 0.068ppm) were identified at concentrations exceeding its Track 1 Unrestricted Use SCO in three soil samples taken from zero to 2 feet interval. Total PCBs (max. 0.14 ppm) were detected at concentrations slightly above the respective Track 1 Unrestricted Use SCOs in one shallow soil sample. Four (4) metals; lead (max. 400 ppm), mercury (max. 1.33 ppm), nickel (max. of 148 ppm) and zinc (max. of 206 ppm) were identified above Track 1 Unrestricted SCOs in five of the soil samples. Of these metals, mercury also exceeded its respective Restricted Residential

SCOs in one sample. Overall, the findings were consistent with observations for historic fill sites in areas throughout NYC.

7. Three groundwater samples results were compared to New York State 6NYCRR Part 703.5 Class GA groundwater quality standards (GQS). Groundwater samples collected during the RI showed no detected pesticides, PCBs, VOCs or SVOCs above Class GA Groundwater Standards (GQS) other than trichloroethene (13 ug/L) in one sample. Several metals were identified in the groundwater samples, but only three (3) dissolved metals; magnesium (max. 59,200 ug/L), manganese (max. 679 ug/L) and sodium (175,000 ug/L) were identified above their respective GQS.
8. Soil vapor results collected during the RI were compared to the compounds listed in Table 3.1 Air Guideline Values Derived by the NYSDOH located in the New York State Department of Health (NYSDOH) Final Guidance for Evaluating Soil Vapor Intrusion dated October 2006. Four soil vapor samples showed petroleum-related compounds including benzene, ethyl benzene, o-xylene, p- & m- xylenes and toluene among others with a total concentration (BTEX) of 5,430 µg/m³. Carbon tetrachloride was not detected in any of the soil vapor samples. Tetrachloroethylene (PCE) was detected in three of the four soil vapor samples, at a maximum concentration of 22 ug/m³. Trichloroethane (TCE) was detected in two of the four samples, at a maximum concentration of 170 ug/m³. 1,1,1-Trichloroethane was detected in one sample at trace concentrations. TCE concentrations are above the mitigation level range established by NYSDOH Final Guidance on Soil Vapor Intrusion (October 2006).

Summary of the Remedy

The proposed remedial action achieves protection of public health and the environment for the intended use of the property. The proposed remedial action achieves all of the remedial action objectives established for the project and addresses applicable standards, criterion, and guidance; is effective in both the short-term and long-term and reduces mobility, toxicity and volume of contaminants; is cost effective and implementable; and uses standards methods that are well established in the industry.

The proposed remedial action will consist of:

1. Preparation of a Community Protection Statement and performance of all required NYC VCP Citizen Participation activities according to an approved Citizen Participation Plan.
2. Performance of a Community Air Monitoring Program for particulates and volatile organic carbon compounds.
3. Establishment of Site-Specific (Track 4) SCOs.
4. Site mobilization involving Site security setup, equipment mobilization, utility mark outs and marking & staking excavation areas.
5. Completion of a Waste Characterization Study prior to excavation activities. Waste characterization soil samples will be collected at a frequency dictated by disposal facility(s).
6. Excavation and removal of soil/fill exceeding Track 4 Site-Specific SCOs. The entire footprint of the Site will be excavated to a depth of approximately 10 feet below grade for the construction of a new cellar. Approximately 925 cubic yards (1,385 tons) of soil will be excavated and removed from the Site.
7. Removal of underground storage tanks (if encountered) and closure of petroleum spills in compliance with applicable local, State and Federal laws and regulations.
8. Screening of excavated soil/fill during intrusive work for indications of contamination by visual means, odor, and monitoring with a PID. Appropriate segregation of excavated media on-Site.
9. Management of excavated materials including temporarily stockpiling and segregating in accordance with defined material types and to prevent co-mingling of contaminated material and non-contaminated materials.
10. Transportation and off-Site disposal of all soil/fill material at permitted facilities in accordance with applicable laws and regulations for handling, transport, and disposal, and this plan. Sampling and analysis of excavated media as required by disposal facilities.

11. Collection and analysis of end-point samples to determine the performance of the remedy with respect to attainment of Track 4 Site-Specific SCOs.
12. Import of materials to be used for backfill and cover in compliance with this plan and in accordance with applicable laws and regulations.
13. Installation of a vapor barrier system consisting of W.R. Grace & Co Preprufe® 300R and 160R beneath the building slab as well as behind foundation sidewalls of the proposed building up to grade.
14. Installation and operation of an active sub-slab depressurization system.
15. Construction and maintenance of an engineered composite cover consisting of 6” building slab to prevent human exposure to residual soil/fill remaining under the Site.
16. Implementation of storm-water pollution prevention measures in compliance with applicable laws and regulations.
17. Performance of all activities required for the remedial action, including permitting requirements and pretreatment requirements, in compliance with applicable laws and regulations.
18. Submission of a RAR that describes the remedial activities, certifies that the remedial requirements have been achieved, defines the Site boundaries, lists any changes from this RAWP, and describes all Engineering and Institutional Controls to be implemented at the Site.
19. Submission of an approved Site Management Plan (SMP) in the RAR for long-term management of residual contamination, including plans for operation, maintenance, monitoring, inspection and certification of Engineering and Institutional Controls and reporting at a specified frequency.
20. The property will continue to be registered with an E-Designation by the NYC Buildings Department. Establishment of Engineering Controls and Institutional Controls in this RAWP and a requirement that management of these controls must be in compliance with an approved SMP. Institutional Controls will include prohibition of the following: (1) vegetable gardening and farming; (2) use of groundwater without treatment rendering it

safe for the intended use; (3) disturbance of residual contaminated material unless it is conducted in accordance with the SMP; and (4) higher level of land usage without OER-approval.

COMMUNITY PROTECTION STATEMENT

The Office of Environmental Remediation created the New York City Voluntary Cleanup Program (NYC VCP) to provide governmental oversight for the cleanup of contaminated property in NYC. This Remedial Action Work Plan (“cleanup plan”) describes the findings of prior environmental studies that show the location of contamination at the site, and describes the plans to clean up the site to protect public health and the environment.

This cleanup plan provides a very high level of protection for neighboring communities and also includes many other elements that address common community concerns, such as community air monitoring, odor, dust and noise controls, hours of operation, good housekeeping and cleanliness, truck management and routing, and opportunities for community participation. The purpose of this Community Protection Statement is to explain these community protection measures in non-technical language to simplify community review.

Remedial Investigation and Cleanup Plan. Under the NYC VCP, a thorough cleanup study of this property (called a remedial investigation) has been performed to identify past property usage, to sample and test soils, groundwater and soil vapor, and identify contaminant sources present on the property. The cleanup plan has been designed to address all contaminant sources that have been identified during the study of this property.

Identification of Sensitive Land Uses. Prior to selecting a cleanup, the neighborhood was evaluated to identify sensitive land uses nearby, such as schools, day care facilities, hospitals and residential areas. The cleanup program was then tailored to address the special conditions of this community.

Qualitative Human Health Exposure Assessment. An important part of the cleanup planning for the Site is the performance of a study to find all of the ways that people might come in contact with contaminants at the Site now or in the future. This study is called a Qualitative Human Health Exposure Assessment (QHHEA). A QHHEA was performed for this project. This assessment has considered all known contamination at the Site and evaluated the potential for people to come in contact with this contamination. All identified public exposures will be addressed under this cleanup plan.

Construction Health and Safety Plan. This cleanup plan includes a Construction Health and Safety Plan (CHASP) that is designed to protect community residents and on-Site workers. The elements of this plan are in compliance with safety requirements of the United States Occupational Safety and Health Administration (OSHA). This plan includes many protective elements including those discussed below.

Site Safety Coordinator. This project has a designated Site safety coordinator to implement the Health and Safety Plan. The safety coordinator maintains an emergency contact sheet and protocol for management of emergencies. The Site safety coordinator's name and number will be reported to OER once determined prior to remedial action.

Worker Training. Workers participating in cleanup of contaminated material on this project are required to be trained in a 40-hour hazardous waste operators training course and to take annual refresher training. This pertains to workers performing specific tasks including removing contaminated material and installing cleanup systems in contaminated areas.

Community Air Monitoring Plan. Community air monitoring will be performed during this cleanup project to ensure that the community is properly protected from contaminants, dust and odors. Air samples will be tested in accordance with a detailed plan called the Community Air Monitoring Plan or CAMP. Results will be regularly reported to the NYC Office of Environmental Remediation. This cleanup plan also has a plan to address any unforeseen problems that might occur during the cleanup (called a 'Contingency Plan').

Odor, Dust and Noise Control. This cleanup plan includes actions for odor and dust control. These actions are designed to prevent off-Site odor and dust nuisances and includes steps to be taken if nuisances are detected. Generally, dust is managed by application of physical covers and by water sprays. Odors are controlled by limiting the area of open excavations, physical covers, spray foams and by a series of other actions (called operational measures). The project is also required to comply with NYC noise control standards. If you observe problems in these areas, please contact the on-Site Project Manager (name and number will be reported to OER once determined prior to remedial action) or NYC Office of Environmental Remediation Project Manager Eric Ilijevich at (212) 341-2034.

Quality Assurance. This cleanup plan requires that evidence be provided to illustrate that all cleanup work required under the plan has been completed properly. This evidence will be summarized in the final report, called the Remedial Action Report. This report will be submitted to the NYC Office of Environmental Remediation and will be thoroughly reviewed.

Storm-Water Management. To limit the potential for soil erosion and discharge, this cleanup plan has provisions for storm-water management. The main elements of the storm water management include physical barriers such as tarp covers and erosion fencing, and a program for frequent inspection.

Hours of Operation. The hours for operation of cleanup will comply with the NYC Department of Buildings construction code requirements or according to specific variances issued by that agency. For this cleanup project, the hours of operation will be reported to OER before the start of the remedial action.

Signage. While the cleanup is in progress, a placard will be prominently posted at the main entrance of the property with a laminated project Fact Sheet that states that the project is in the NYC Voluntary Cleanup Program, provides project contact names and numbers, and locations of project documents can be viewed.

Complaint Management. The contractor performing this cleanup is required to address all complaints. If you have any complaints, you can call the facility Project Manager (name and number will be reported to OER once determined prior to remedial action), the NYC Office of Environmental Remediation Project Manager Eric Ilijevich at (212) 341-2034, or call 311 and mention the Site is in the NYC Voluntary Cleanup Program.

Utility Mark-outs. To promote safety during excavation in this cleanup, the contractor is required to first identify all utilities and must perform all excavation and construction work in compliance with NYC Department of Buildings regulations.

Soil and Liquid Disposal. All soil and liquid material removed from the Site as part of the cleanup will be transported and disposed of in accordance with all applicable City, State and Federal regulations and required permits will be obtained.

Soil Chemical Testing and Screening. All excavations will be supervised by a trained and properly qualified environmental professional. In addition to extensive sampling and chemical testing of soils on the Site, excavated soil will be screened continuously using hand-held instruments, by sight, and by smell to ensure proper material handling and management, and community protection.

Stockpile Management. Soil stockpiles will be kept covered with tarps to prevent dust, odors and erosion. Stockpiles will be frequently inspected. Damaged tarp covers will be promptly replaced. Stockpiles will be protected with silt fences. Hay bales will be used, as needed to protect storm water catch basins and other discharge points.

Trucks and Covers. Loaded trucks leaving the Site will be covered in compliance with applicable laws and regulations to prevent dust and odor. Trucks will be properly recorded in logs and records and placarded in compliance with applicable City, State and Federal laws, including those of the New York State Department of Transportation. If loads contain wet material that can leak, truck liners will be used. All transport of materials will be performed by licensed truckers and in compliance with all laws and regulations.

Imported Material. All fill materials proposed to be brought onto the Site will comply with rules outlined in this cleanup plan and will be inspected and approved by a qualified worker located on-Site. Waste materials will not be brought onto the Site. Trucks entering the Site with imported clean materials will be covered in compliance with applicable laws and regulations.

Equipment Decontamination. All equipment used for cleanup work will be inspected and washed, if needed, before it leaves the Site. Trucks will be cleaned at a truck inspection station on the property before leaving the Site.

Housekeeping. Locations where trucks enter or leave the Site will be inspected every day and cleaned regularly to ensure that they are free of dirt and other materials from the Site.

Truck Routing. Truck routes have been selected to: (a) limit transport through residential areas and past sensitive nearby properties; (b) maximize use of city-mapped truck routes; (c) limit total distance to major highways; (d) promote safety in entry to highways; (e) promote overall safety in trucking; and (f) minimize off-Site line-ups (queuing) of trucks entering the

property. Operators of loaded trucks leaving the Site will be instructed not to stop or idle in the local neighborhood.

Final Report. The results of all cleanup work will be fully documented in a final report (called a Remedial Action Report) that will be available for you to review in the public document repositories located at Queens Library – Long Island City branch.

Long-Term Site Management. To provide long-term protection after the cleanup is complete, the property owner will be required to comply with an ongoing Site Management Plan that calls for continued inspection of protective controls, such as Site covers. The Site Management Plan is evaluated and approved by the NYC Office of Environmental Remediation. Requirements that the property owner must comply with are established through a city environmental designation. A certification of continued protectiveness of the cleanup will be required from time to time to show that the approved cleanup is still effective.

REMEDIAL ACTION WORK PLAN

1.0 SITE BACKGROUND

23-12 LLC has applied to enroll in the New York City Voluntary Cleanup Program (NYC VCP) to investigate and remediate a property located at 23-12 40th Avenue in the Long Island City section of Queens, New York (the “Site”). A Remedial Investigation (RI) was performed to compile and evaluate data and information necessary to develop this Remedial Action Work Plan (RAWP) in a manner that will render the Site protective of public health and the environment consistent with the contemplated end use. This RAWP establishes remedial action objectives, provides a remedial alternatives analysis that includes consideration of a permanent cleanup, and provides a description of the selected remedial action. The remedial action described in this document provides for the protection of public health and the environment, complies with applicable environmental standards, criteria and guidance and applicable laws and regulations.

1.1 SITE LOCATION AND CURRENT USAGE

The Site is located at 23-12 40th Avenue in the Long Island City section in Queens, New York and is identified as Block 408 and Lot 26 on the New York City Tax Map. Figure 1 shows the Site location. The Site is approximately 2500-square feet and is bounded by 40th Avenue to the north, a 2-story commercial warehouse to the south, a 1-story commercial warehouse to the east, and a 2-story residential building to the west. A map of the site boundary is shown in Figure 2. Currently, the Site is used for vacant and unoccupied.

1.2 PROPOSED REDEVELOPMENT PLAN

The proposed future use of the Site will consist of a new 4-story mixed commercial and residential use building with a full cellar. The proposed building will contain commercial retail space and residential apartments. The total gross square footage of the proposed building will be approximately 9,470 square feet. The cellar will be utilized for contractor’s establishment, storage, and utility rooms. The first floor will be used for commercial space and parking and the floors above will be utilized as residential apartments. Construction of the new basement will require excavation of the soils to approximately 10 feet below grade surface (bgs). Total approximate excavated soil for development of the Site will be 925 cubic yards. Layout of the

proposed site development is presented in Figure 3. The current zoning designation is M1-2/R5D denoting it as a mixed-use manufacturing and residential area. The proposed use is consistent with existing zoning for the property.

The remedial action contemplated under this RAWP may be implemented independently of the proposed redevelopment plan.

1.3 DESCRIPTION OF SURROUNDING PROPERTY

The Site is located within a primarily mixed use residential, commercial, and manufacturing area of Queens, New York. The Site is bounded by 40th Avenue to the north, a 2-story commercial warehouse to the south, a 1-story commercial warehouse to the east, and a 2-story residential building to the west.

According to the OER Searchable Property Environmental E-Database (SPEED), there are no sensitive receptors (such as schools, hospitals and day-care facilities) within a 500-foot radius of the Site. Previous Figure 2 shows the surrounding land usage.

1.4 REMEDIAL INVESTIGATION

A remedial investigation was performed and the results are documented in a companion document called “*Remedial Investigation Report, 23-12 40th Avenue*”, dated November, 2014 (RIR).

Summary of Past Uses of Site and Areas of Concern

Based upon the review of the Phase I Environmental Site Assessment (ESA) Report prepared by Athenica in April 2014, the Site history was established. The Site consists of a 2,500 square-foot lot that is currently vacant and undeveloped. The Site was developed with a 1-story residential building from at least 1898 until demolition in 2005. During this time, the site was listed as occupied by private residents.

The AOCs identified for this site include:

1. Presence of urban fill from grade to approximately 6 feet bgs throughout the Site.
2. Presence of trichloroethylene (TCE) both in groundwater and soil vapor beneath central portion of the Site.

Summary of the Work Performed under the Remedial Investigation

1. Conducted a Site inspection to identify AOCs and physical obstructions (i.e. structures, buildings, etc.);
2. Performed a GPR survey;
3. Installed four (4) soil borings across the entire project Site, and collected nine (9) soil samples for chemical analysis from the soil borings to evaluate soil quality;
4. Installed three (3) groundwater monitoring wells and collected three (3) groundwater samples for chemical analysis to evaluate groundwater quality;
5. Installed four (4) soil vapor probes around Site perimeter and collected four (4) samples for chemical analysis.

Summary of Environmental Findings

1. Elevation of the property is approximately 22 feet.
2. Depth to groundwater ranges from 14 to 16 feet at the Site.
3. Groundwater flow is generally from west to east beneath the Site.
4. Bedrock was not encountered during this investigation.
5. The stratigraphy of the Site, from the surface down, consists of approximately 6 feet of medium coarse sand with urban fill and pebbles underlain by 10 feet of fine to medium.
6. Nine soil/fill samples results were compared to NYSDEC Unrestricted Use Soil Cleanup Objectives (UUSCOs) and Restricted Residential Soil Cleanup Objectives (RRSCO) as presented in 6NYCRR Part 375-6.8.. Soil/fill samples showed no VOCs detected other than trace levels of acetone. Several Polycyclic Aromatic Hydrocarbon (PAH) range SVOCs including benzo(a)anthracene (max. 6.2 ppm), benzo(b)fluoranthene (max. 5.5ppm), benzo(a)pyrene (max. 3.9ppm), benzo(k)fluoranthene (max. 1.3ppm), dibenz(a,h)anthracene (0.7ppm), chrysene (max. 5.1 ppm) and indeno(1,2,3-cd)pyrene (max. 3.1ppm) were detected above their respective Unrestricted Use SCOs in two of the nine soil samples at zero to 2 feet interval. The concentrations of these PAHs were well within published values for historic fill and therefore their presence is likely attributable

to historic fill as opposed to past site use. Three pesticides; dieldrin (max. 0.28 ppm), 4,4-DDE (max. 0.093ppm) and 4,4-DDT (max. 0.068ppm) were identified at concentrations exceeding its Track 1 Unrestricted Use SCO in three soil samples taken from zero to 2 feet interval. Total PCBs (max. 0.14 ppm) were detected at concentrations slightly above the respective Track 1 Unrestricted Use SCOs in one shallow soil sample. Four (4) metals; lead (max. 400 ppm), mercury (max. 1.33 ppm), nickel (max. of 148 ppm) and zinc (max. of 206 ppm) were identified above Track 1 Unrestricted SCOs in five of the soil samples. Of these metals, mercury also exceeded its respective Restricted Residential SCOs in one sample. Overall, the findings were consistent with observations for historic fill sites in areas throughout NYC.

7. Three groundwater samples results were compared to New York State 6NYCRR Part 703.5 Class GA groundwater quality standards (GQS). Groundwater samples collected during the RI showed no detected pesticides, PCBs, VOCs or SVOCs above Class GA Groundwater Standards (GQS) other than trichloroethene (13 ug/L) in one sample. Several metals were identified in the groundwater samples, but only three (3) dissolved metals; magnesium (max. 59,200 ug/L), manganese (max. 679 ug/L) and sodium (175,000 ug/L) were identified above their respective GQS.
8. Soil vapor results collected during the RI were compared to the compounds listed in Table 3.1 Air Guideline Values Derived by the NYSDOH located in the New York State Department of Health (NYSDOH) Final Guidance for Evaluating Soil Vapor Intrusion dated October 2006. Four soil vapor samples showed petroleum-related compounds including benzene, ethyl benzene, o-xylene, p- & m- xylenes and toluene among others with a total concentration (BTEX) of 5,430 $\mu\text{g}/\text{m}^3$. Carbon tetrachloride was not detected in any of the soil vapor samples. Tetrachloroethylene (PCE) was detected in three of the four soil vapor samples, at a maximum concentration of 22 ug/m^3 . Trichloroethane (TCE) was detected in two of the four samples, at a maximum concentration of 170 ug/m^3 . 1,1,1-Trichloroethane was detected in one sample at trace concentrations. TCE concentrations are above the mitigation level range established by NYSDOH Final Guidance on Soil Vapor Intrusion (October 2006).

For more detailed results, consult the RIR. Based on an evaluation of the data and information from the RIR and this RAWP, disposal of significant amounts of hazardous waste is not suspected at this site.

2.0 REMEDIAL ACTION OBJECTIVES

Based on the results of the RI, the following Remedial Action Objectives (RAOs) have been identified for this Site:

Groundwater

- Prevent direct exposure to contaminated groundwater.
- Prevent exposure to contaminants volatilizing from contaminated groundwater.

Soil

- Prevent direct contact with contaminated soil.
- Prevent exposure to contaminants volatilizing from contaminated soil.

Soil Vapor

- Prevent exposure to contaminants in soil vapor.
- Prevent migration of soil vapor into dwelling and other occupied structures.

3.0 REMEDIAL ALTERNATIVES ANALYSIS

The goal of the remedy selection process under is to select a remedy that is protective of human health and the environment taking into consideration the current, intended and reasonably anticipated future use of the property. The remedy selection process begins by establishing RAOs for media in which chemical constituents were found in exceedance of applicable standards, criteria and guidance values (SCGs). A remedy is then developed based on the following ten criteria:

- Protection of human health and the environment;
- Compliance with SCGs;
- Short-term effectiveness and impacts;
- Long-term effectiveness and permanence;
- Reduction of toxicity, mobility, or volume of contaminated material;
- Implementability;
- Cost effectiveness;
- Community Acceptance;
- Land use; and
- Sustainability.

The following is a detailed description of the alternatives analysis and remedy selection to address impacted media at the Site. As required, a minimum of two remedial alternatives are evaluated, as follows:

Alternative 1 involves:

- Selection of NYSDEC 6NYCRR Part 375 Unrestricted Use (Track 1) Soil Cleanup Objectives (SCOs).

- Removal of all soil/fill exceeding Track 1 Unrestricted Use SCOs throughout the Site and confirmation that Track 1 Unrestricted Use SCOs have been achieved with post-excavation endpoint sampling. If soil/fill containing analytes at concentrations above Unrestricted Use SCOs is still present at the base of the excavation after removal of all soil required for construction of the new building's cellar level is complete, additional excavation will be performed to ensure complete removal of soil that does not meet Track 1 Unrestricted Use SCOs.
- No Engineering or Institutional Controls are required for a Track 1 cleanup, but a vapor and waterproof barrier would be installed beneath the basement foundation and behind foundation sidewalls of the new building as a part of development to prevent any potential future exposures from off-Site soil vapor.
- Placement of a final cover over the entire Site as part of construction.

Alternative 2 involves:

- Establishment of Site-Specific (Track 4) SCOs (listed in Section 4.2).
- Removal of all soil/fill exceeding Track 4 Site-Specific SCOs and confirmation that Track 4 Site-Specific SCOs have been achieved with post-excavation endpoint sampling. Historic fill at Site extends to six feet below grade. Excavation for construction of the new building's cellar would take place to a depth of approximately 10 feet across the entire Site. If soil/fill containing analytes at concentrations above Track 4 Site-Specific SCOs is still present at the base of the excavation, additional excavation will be performed to meet Track 4 Site-Specific SCOs.
- Placement of a cover system over the entire Site to prevent exposure to remaining soil/fill;
- Installation of a waterproofing/vapor barrier system beneath the building slab and along foundation side walls to prevent potential exposures from soil vapor;
- Installation of an active Sub Slab Depressurization System (SSDS);

- Establishment of use restrictions including prohibitions on the use of groundwater from the Site; prohibitions of sensitive Site uses, such as farming or vegetable gardening, to prevent future exposure pathways; and prohibition of a higher level of land use without OER approval;
- Establishment of an approved Site Management Plan (SMP) to ensure long-term management of these Engineering and Institutional Controls including the performance of periodic inspections and certification that the controls are performing as they were intended. The SMP will note that the property owner and property owner's successors and assigns must comply with the approved SMP; and
- The property will continue to be registered with an E-Designation at the NYC Buildings Department.

3.1 THRESHOLD CRITERIA

Protection of Public Health and the Environment

This criterion is an evaluation of the remedy's ability to protect public health and the environment, and an assessment of how risks posed through each existing or potential pathway of exposure are eliminated, reduced or controlled through removal, treatment, and implementation of Engineering Controls or Institutional Controls. Protection of public health and the environment must be achieved for all approved remedial actions.

Alternative 1 would be protective of human health and the environment by removing the historic fill exceeding Track 1 Unrestricted Use SCOs and groundwater protection standards, thus eliminating potential for direct contact with contaminated soil/ fill once construction is complete and eliminating the risk of contamination leaching into groundwater.

Alternative 2 would achieve comparable protection of human health and the environment by excavating and removing soil/fill at the Site and by ensuring that remaining soil/fill on-Site meets Track 4 Site-Specific SCOs, as well as by placement of Institutional and Engineering controls, including a composite cover system, a vapor barrier and an active SSDS. The composite cover system would prevent direct contact with any remaining on-Site soil/fill. A vapor barrier and SSDS would mitigate any vapor issues. Implementing institutional controls

including a Site Management Plan and continued “E” designation of property would ensure that the composite cover system remains intact and protective. Establishment of Track 4 Site-Specific SCOs would minimize the risk of contamination leaching into groundwater.

For both Alternatives, potential exposure to contaminated soils or groundwater during construction would be minimized by implementing a Construction Health and Safety Plan, a Soil and Materials Management Plan and Community Air Monitoring Plan (CAMP). Potential contact with contaminated groundwater would be prevented as its use is prohibited by city laws and regulations. Potential future migration of off-Site soil vapors into the new building would be prevented by installing a vapor barrier below the new building's basement slab and continuing the vapor barrier around foundation walls and an SSDS system.

3.2. BALANCING CRITERIA

Compliance with Standards, Criteria and Guidance (SCGs)

This evaluation criterion assesses the ability of the alternative to achieve applicable standards, criteria and guidance.

Alternative 1 would achieve compliance with the remedial goals, chemical-specific SCGs for soil through removal of soil to achieve Track 1 Unrestricted Use SCOs and Protection of Groundwater Standards. Compliance with SCGs for soil vapor would also be achieved by operation of an SSDS and by installing a vapor barrier/waterproofing system below the new building's basement slab and continuing the vapor barrier around foundation walls, as part of development.

Alternative 2 would achieve compliance with the remedial goals, chemical-specific SCGs and RAOs for soil through removal of soil to meet Track 4 SCOs. Compliance with SCGs for soil vapor would also be achieved by installing an active SSDS and a vapor barrier / waterproofing below the new building's basement slab and continuing the vapor barrier around foundation walls. A Site Management Plan would ensure that these controls remained protective for the long term.

Health and safety measures contained in the CHASP and Community Air Monitoring Plan (CAMP) that comply with the applicable SCGs shall be implemented during Site redevelopment

under this RAWP. For both Alternatives, focused attention on means and methods employed during the remedial action would ensure that handling and management of contaminated material would be in compliance with applicable SCGs. These measures will protect on-site workers and the surrounding community from exposure to Site-related contaminants.

Short-term effectiveness and impacts

This evaluation criterion assesses the effects of the alternative during the construction and implementation phase until remedial action objectives are met. Under this criterion, alternatives are evaluated with respect to their effects on public health and the environment during implementation of the remedial action, including protection of the community, environmental impacts, time until remedial response objectives are achieved, and protection of workers during remedial actions.

Both Alternatives 1 and 2 have similar short-term effectiveness during their respective implementations, as each requires excavation of historic fill material. Both alternatives would result in short-term dust generation impacts associated with excavation, handling, load out of materials, and truck traffic. Short term impacts could potentially be higher for Alternative 1 if excavation of greater amounts of historical fill material is encountered below the excavation depth of the proposed building. However, focused attention to means and methods during the remedial action during a Track 1 removal action, including community air monitoring and appropriate truck routing, would minimize or negate the overall impact of these activities.

Another short-term adverse effect and risk to the community associated with both remedial alternatives is increased truck traffic. Approximately 55, 25-ton capacity truck trips will be necessary to transport soil/fill excavated during the construction.

Both alternatives would employ appropriate measures to prevent short-term impacts, including a Construction Health and Safety Plan (CHASP), Community Air Monitoring Plan (CAMP) and a Soil/Materials Management Plan (SMMP), during all on-Site soil disturbance activities and would minimize the release of significant contaminants into the environment. Both alternatives provide short term effectiveness in protecting the surrounding community by decreasing the risk of contact with on-Site contaminants. Construction workers operating under appropriate management procedures and a CHASP would be protected from on-Site

contaminants (personal protective equipment would be worn consistent with the documented risks within the respective work zones).

Long-term effectiveness and permanence

This evaluation criterion addresses the results of a remedial action in terms of its permanence and quantity/nature of waste or residual contamination remaining at the Site after response objectives have been met, such as permanence of the remedial alternative, magnitude of remaining contamination, adequacy of controls including the adequacy and suitability of Engineering Controls/Institutional Controls (ECs/ICs) that may be used to manage contaminant residuals that remain at the Site and assessment of containment systems and ICs that are designed to eliminate exposures to contaminants, and long-term reliability of ECs.

Alternative 1 would achieve long-term effectiveness and permanence related to on-Site contamination by permanently removing all impacted soils above Track 1 Unrestricted Use SCOs. Removal of on-Site contaminant sources will prevent future groundwater contamination.

Alternative 2 would provide long-term effectiveness by removing most on-Site contamination and attaining Track 4 SCOs; a composite cover system across the Site, maintaining use restrictions, establishing an SMP to ensure long-term management of ICs, ECs, and maintaining continued registration as an E-designated property to memorialize these controls for the long term. The SMP will ensure long-term effectiveness of all ECs and ICs by requiring periodic inspection and certification that these controls and use restrictions continue to be in place and functioning as they were intended assuring that protections designed into the remedy will provide continued high level of protection in perpetuity.

Both alternatives would result in removal of soil contamination exceeding their respective SCOs, providing the highest level, most effective and permanent remedy over the long-term with respect to a remedy for contaminated soil, which will eliminate any migration to groundwater. Potential sources of soil vapor and groundwater contamination will also be eliminated as part of the remedy.

Reduction of toxicity, mobility, or volume of contaminated material

This evaluation criterion assesses the remedial alternative's use of remedial technologies that permanently and significantly reduce toxicity, mobility, or volume of contaminants as their principal element. The following is the hierarchy of source removal and control measures that are to be used to remediate a Site, ranked from most preferable to least preferable: removal and/or treatment, containment, elimination of exposure and treatment of source at the point of exposure. It is preferred to use treatment or removal to eliminate contaminants at a Site, reduce the total mass of toxic contaminants, cause irreversible reduction in contaminants mobility, or reduce of total volume of contaminated media.

Alternative 1 would permanently eliminate the toxicity, mobility, and volume of contaminants from on-Site soil by removing all soil in excess of Track 1 Unrestricted Use SCOs.

Alternative 2 would permanently eliminate the toxicity, mobility, and volume of contaminants from on-site soil by removing soil/fill in excess of Track 4 Site-Specific SCOs, and remaining soil/fill beneath the new building would meet Track 4 site specific SCOs.

Alternative 1 would eliminate a greater total mass of contaminants on-Site. The removal of soil to 10 feet bgs for the new development in both scenarios would most likely result in relatively minor differences between two alternatives.

Implementability

This evaluation criterion addresses the technical and administrative feasibility of implementing an alternative and the availability of various services and materials required during its implementation, including technical feasibility of construction and operation, reliability of the selected technology, ease of undertaking remedial action, monitoring considerations, administrative feasibility (e.g. obtaining permits for remedial activities), and availability of services and materials.

The techniques, materials and equipment to implement both remedial Alternatives 1 and 2 are readily available and have been proven effective in remediating the contaminants associated with the Site. They use standard materials and services that are well-established technology. The

reliability of these remedies is also high. There are no specific difficulties associated with any of the activities proposed.

Cost effectiveness

This evaluation criterion addresses the cost of alternatives, including capital costs (such as construction costs, equipment costs, and disposal costs, engineering expenses) and site management costs (costs incurred after remedial construction is complete) necessary to ensure the continued effectiveness of a remedial action.

Since historic fill at the Site was found during the RI to only extend to a depth of up to 6 feet below grade, and the new building requires excavation of the entire Site to a depth of 10 feet, the costs associated with both Alternative 1 and Alternative 2 will likely be comparable. Costs associated with Alternative 1 could potentially be higher than Alternative 2 if soil with analytes above Track 1 Unrestricted Use SCOs is encountered below the excavation depth required for development. Additional costs would include disposal of additional soil, and import of clean soil for backfilling. However, long-term costs for site management are eliminated for Alternative 1 and may be required for Alternative 2.

The remedial plan creates an approach that combines the remedial action with the redevelopment of the Site. The remedial plan is also cost effective in that it will take into consideration the selection of the most appropriate disposal facilities to reduce the transportation and disposal costs during the disposal of historic fill and other soils during the redevelopment of the Site. In both cases, appropriate public health and environmental protections are achieved.

Community Acceptance

This evaluation criterion addresses community opinion and support for the remedial action. Observations here will be supplemented by public comment received on the RAWP.

Based on the overall goals of the remedial program and initial permitting associated with the proposed site development, no adverse community opinion is anticipated for either alternative. This RAWP will be subject to public review under the NYC VCP and will provide the opportunity for detailed public input on the remedial alternatives and the selected remedial action. This public comment related to site remediation will be considered by OER prior to

approval of this plan. The Citizen Participation Plan for the project is provided in Appendix 2. Observations here will be supplemented by public comment received on the RAWP.

Land use

This evaluation criterion addresses the proposed use of the property. This evaluation has considered reasonably anticipated future uses of the Site and takes into account: current use and historical and/or recent development patterns; applicable zoning laws and maps; NYS Department of State's Brownfield Opportunity Areas (BOA) pursuant to section 970-r of the general municipal law; applicable land use plans; proximity to real property currently used for residential use, and to commercial, industrial, agricultural, and/or recreational areas; environmental justice impacts, Federal or State land use designations; population growth patterns and projections; accessibility to existing infrastructure; proximity of the site to important cultural resources and natural resources, potential vulnerability of groundwater to contamination that might emanate from the site, proximity to flood plains, geography and geology; and current Institutional Controls applicable to the site.

Both alternatives for remedial action at the site are comparable with respect to the proposed use and to land uses in the vicinity of the Site. The proposed future use of the Site includes a residential and commercial mixed use. This proposed use is consistent with the existing zoning designation for the property and is consistent with recent development patterns. The Site is surrounded by commercial and residential properties and both alternatives provide comprehensive protection of public health and the environment for these uses. Improvements in the current brownfield condition of the property achieved by both alternatives are also consistent with the City's goals for cleanup of contaminated land and bringing such properties into productive reuse. Both alternatives are equally protective of natural resources and cultural resources.

Sustainability of the Remedial Action

This criterion evaluates the overall sustainability of the remedial action alternatives and the degree to which sustainable means are employed to implement the remedial action including those that take into consideration NYC's sustainability goals defined in *PlaNYC: A Greener, Greater New York*. Sustainability goals may include: maximizing the recycling and reuse of

non-virgin materials; reducing the consumption of virgin and non-renewable resources; minimizing energy consumption and greenhouse gas emissions; improving energy efficiency; and promotion of the use of native vegetation and enhancing biodiversity during landscaping associated with Site development.

Alternative 1 would use the most energy and produce the most greenhouse gasses, as it would have the largest volume of material to truck off site. While Alternative 2 would result in lower energy usage based on reducing the volume of material transported off-site, both remedial alternatives are comparable with respect to the opportunity to achieve sustainable remedial action. The remedial plan would take into consideration the shortest trucking routes during off-Site disposal of historic fill and other soils, which would reduce greenhouse gas emissions and conserve energy used to fuel trucks. New York City Clean Soil Bank program may be utilized for reuse of native soils. To the extent practicable, energy efficient building materials, appliances, and equipment will be utilized to complete the development. A complete list of green remedial activities considered as part of the NYC VCP is included in the Sustainability Statement, included as Appendix 3.

4.0 REMEDIAL ACTION

4.1 SUMMARY OF PREFERRED REMEDIAL ACTION

The preferred remedial action alternative is Alternative 2 the Track 4 Alternative. The preferred remedial action alternative achieves protection of public health and the environment for the intended use of the property. The preferred remedial action alternative will achieve all of the remedial action objectives established for the project and addresses applicable SCGs. The preferred remedial action alternative is effective in both the short-term and long-term and reduces mobility, toxicity and volume of contaminants. The preferred remedial action alternative is cost effective and implementable and uses standards methods that are well established in the industry.

The proposed remedial action will consist of:

1. Preparation of a Community Protection Statement and performance of all required NYC VCP Citizen Participation activities according to an approved Citizen Participation Plan.
2. Performance of a Community Air Monitoring Program for particulates and volatile organic carbon compounds.
3. Establishment of Site-Specific (Track 4) SCOs.
4. Site mobilization involving Site security setup, equipment mobilization, utility mark outs and marking & staking excavation areas.
5. Completion of a Waste Characterization Study prior to excavation activities. Waste characterization soil samples will be collected at a frequency dictated by disposal facility(s).
6. Excavation and removal of soil/fill exceeding Track 4 Site-Specific SCOs. The entire footprint of the Site will be excavated to a depth of approximately 10 feet below grade for the construction of a new cellar. Approximately 925 cubic yards (1,385 tons) of soil will be excavated and removed from the Site.
7. Removal of underground storage tanks (if encountered) and closure of petroleum spills in compliance with applicable local, State and Federal laws and regulations.

8. Screening of excavated soil/fill during intrusive work for indications of contamination by visual means, odor, and monitoring with a PID. Appropriate segregation of excavated media on-Site.
9. Management of excavated materials including temporarily stockpiling and segregating in accordance with defined material types and to prevent co-mingling of contaminated material and non-contaminated materials.
10. Transportation and off-Site disposal of all soil/fill material at permitted facilities in accordance with applicable laws and regulations for handling, transport, and disposal, and this plan. Sampling and analysis of excavated media as required by disposal facilities.
11. Collection and analysis of end-point samples to determine the performance of the remedy with respect to attainment of Track 4 Site-Specific SCOs.
12. Import of materials to be used for backfill and cover in compliance with this plan and in accordance with applicable laws and regulations.
13. Installation of a vapor barrier system consisting of W.R. Grace & Co Preprufe® 300R and 160R beneath the building slab as well as behind foundation sidewalls of the proposed building up to grade.
14. Installation and operation of an active sub-slab depressurization system.
15. Construction and maintenance of an engineered composite cover consisting of 6” building slab to prevent human exposure to residual soil/fill remaining under the Site.
16. Implementation of storm-water pollution prevention measures in compliance with applicable laws and regulations.
17. Performance of all activities required for the remedial action, including permitting requirements and pretreatment requirements, in compliance with applicable laws and regulations.
18. Submission of a RAR that describes the remedial activities, certifies that the remedial requirements have been achieved, defines the Site boundaries, lists any changes from

this RAWP, and describes all Engineering and Institutional Controls to be implemented at the Site.

19. Submission of an approved Site Management Plan (SMP) in the RAR for long-term management of residual contamination, including plans for operation, maintenance, monitoring, inspection and certification of Engineering and Institutional Controls and reporting at a specified frequency.
20. The property will continue to be registered with an E-Designation by the NYC Buildings Department. Establishment of Engineering Controls and Institutional Controls in this RAWP and a requirement that management of these controls must be in compliance with an approved SMP. Institutional Controls will include prohibition of the following: (1) vegetable gardening and farming; (2) use of groundwater without treatment rendering it safe for the intended use; (3) disturbance of residual contaminated material unless it is conducted in accordance with the SMP; and (4) higher level of land usage without OER-approval.

4.2 SOIL CLEANUP OBJECTIVES AND SOIL/FILL MANAGEMENT

Track 4 Site-Specific Soil Cleanup Objectives (SCOs) are proposed for this project. The SCOs for this Site are listed in the 6NYCRR Part 375, Table 6.8(b) Restricted Residential Use SCOs as amended by following Site Specific SCOs:

<u>Contaminant</u>	<u>Track 4 SCOs</u>
SVOCs	200 ppm
Lead	800 ppm
Mercury	1.5 ppm

Soil and materials management on-Site and off-Site, including excavation, handling and disposal, will be conducted in accordance with the Soil/Materials Management Plan in Appendix 3. The location of planned excavations is shown in Figure 4.

Discrete contaminant sources (such as hotspots) identified during the remedial action will be identified by GPS or surveyed. This information will be provided in the Remedial Action Report.

Estimated Soil/Fill Removal Quantities

The total quantity of soil/fill expected to be excavated and disposed off-Site is approximately 1,385 tons.

Disposal facilities will be reported to OER when they are identified and prior to the start of remedial action.

End-Point Sampling

Removal actions for development purposes under this plan will be performed in conjunction with confirmation soil sampling. Three (3) confirmation samples will be collected from the base of the excavation at locations to be determined by OER. For comparison to Track 1 SCOs, analytes will include VOCs, SVOC, pesticides, PCBs and metals according to analytical methods described below. For comparison to Track 4 SCOs, analytes will only include trigger compounds and elements established on the Track 4 SCO list.

Hot-spot removal actions, whether established under this RAWP or identified during the remedial program, will be performed in conjunction with post remedial end-point samples to ensure that hot-spots are fully removed. Analytes for end-point sampling will be those parameters that are driving the hot-spot removal action and will be approved by OER. Frequency for hot-spot end-point sample collection is as follows:

1. For excavations less than 20 feet in total perimeter, at least one bottom sample and one sidewall sample biased in the direction of surface runoff.
2. For excavations 20 to 300 feet in perimeter:
 - For surface removals, one sample from the top of each sidewall for every 30 linear feet of sidewall and one sample from the excavation bottom for every 900 square feet of bottom area.
 - For subsurface removals, one sample from each sidewall for every 30 linear feet of sidewall and one sample from the excavation bottom for every 900 square feet of bottom area.

3. For sampling of volatile organics, bottom samples should be taken within 24 hours of excavation, and should be taken from the zero to six-inch interval at the excavation floor. Samples taken after 24 hours should be taken at six to twelve inches.
4. For contaminated soil removal, post remediation soil samples for laboratory analysis should be taken immediately after contaminated soil removal. If the excavation is enlarged horizontally, additional soil samples will be taken pursuant to bullets 1-3 above.

Post-remediation end-point sample locations and depth will be biased towards the areas and depths of highest contamination identified during previous sampling episodes unless field indicators such as field instrument measurements or visual contamination identified during the remedial action indicate that other locations and depths may be more heavily contaminated. In all cases, post-remediation samples should be biased toward locations and depths of the highest expected contamination.

New York State ELAP certified labs will be used for all confirmation and end-point sample analyses. Labs performing confirmation and end-point sample analyses will be reported in the RAR. The RAR will provide a tabular and map summary of all confirmation and end-point sample results and will include all data including non-detects and applicable standards and/or guidance values. End-point samples will be Confirmation samples will be analyzed for compounds and elements as described above utilizing the following methodology:

Soil analytical methods will include:

- Volatile organic compounds by EPA Method 8260;
- Semi-volatile organic compounds by EPA Method 8270;
- Target Analyte List metals; and
- Pesticides/PCBs by EPA Method 8081/8082.

If either LNAPL and/or DNAPL are detected, appropriate samples will be collected for characterization and “finger print analysis” and required regulatory reporting (i.e. spills hotline) will be performed.

Quality Assurance/Quality Control

The fundamental QA objective with respect to accuracy, precision, and sensitivity of analysis for laboratory analytical data is to achieve the QC acceptance of the analytical protocol. The accuracy, precision and completeness requirements will be addressed by the laboratory for all data generated.

Quality assurance (duplicate and trip blanks) and quality control (field blanks) samples will be incorporated into the sampling events, and will consist of duplicate soil and field blank for every 20 end-point soil samples and every groundwater sampling event. In addition, a trip blank will be included in every groundwater sampling event. Soil and ground field blanks will be analyzed for SVOCs, Pesticides, and metals. The trip blank will be analyzed for only VOCs.

Import and Reuse of Soils

Import of soils onto the property and reuse of soils already on-site is not anticipated at this time. In the event that import and/or reuse of soil is necessary, import and/or reuse will be performed in accordance with the Soil/Materials Management Plan in Appendix 3.

4.3 ENGINEERING CONTROLS

The excavation required for the proposed Site development will achieve Site Specific Track 4 SCOs. Engineering Controls are required in the remedial action to address residual contamination remaining at the site. The Site has 3 primary Engineering Control Systems. These are:

- composite cover system consisting of 6" concrete building slab;
- minimum 20-mil vapor barrier;
- an active sub-slab depressurization system.

Composite Cover System

Exposure to residual soil/fill will be prevented by an engineered, composite cover system to be built on the Site. This composite cover system is comprised of:

- 6" concrete building slab across the entire Site.

Figure 5 shows the typical design for each remedial cover type used on this Site and the location of each cover type built at the Site.

The composite cover system is a permanent engineering control for the Site. The system will be inspected and reported at specified intervals as required by this RAWP and the SMP. A Soil Management Plan will be included in the Site Management Plan and will outline the procedures to be followed in the event that the composite cover system and underlying residual soil/fill is disturbed after the remedial action is complete. Maintenance of this composite cover system will be described in the Site Management Plan in the RAR.

Vapor Barrier

Migration of soil vapor will be mitigated with a combination of concrete building slab and vapor barrier. In order to prevent subsurface vapors from impacting the interior air of the buildings, a vapor barrier system (VBS) consisting of Preprufe® 300R and 160R will be installed beneath the building slab and behind the foundation walls up to grade. Preprufe® 300R and 160R are manufactured by W.R. Grace & Co. Penetrations will be grouted if the penetration is not stable, and the membrane will be fitted tight to the penetration. If the membrane is not within 12 mm of the penetration, Preprufe® tape (a self-adhesive 200 mm wide strip) will be used to cover the gap. Bituthene® Liquid Membrane will be applied around the penetrations using a fillet to provide a water tight seal between the Preprufe® membrane and Preprufe® tape. If seams are encountered, Preprufe® tape will be applied. Vertical and horizontal overlaps will be 3 inches. Where applicable, overlap of horizontal and vertical membranes at corners will be 4 inches. Mechanical fastening of overlaps will be in accordance with the manufacturer installation diagram and specifications. The installation of the VBS will be described in the RAR. The Remedial Action Report will include photographs of the installation process, PE/RA certified letter (on company letterhead) from primary contractor responsible for installation oversight and field inspections, and a copy of the manufacturers certificate of warranty.

The project's Professional Engineer licensed by the State of New York will have primary direct responsibility for overseeing the implementation of the vapor barrier. Figure 6 shows the details of the vapor barrier system. Details including the specifications and compatibility letter are provided in Appendix 5.

Sub-Slab Depressurization System

Migration of soil vapor will be mitigated with the construction of an active sub-slab depressurization system. The SSDS will prevent soil gas from accumulating in the building by creating a negative pressure zone beneath the slab. To create this negative pressure zone, an active SSDS will be installed beneath storage area of the proposed cellar. . The SSDS will consist of one depressurization pit (2 by 2 feet in area and 2 feet in depth) installed beneath the future slab. A 4-inch diameter schedule 40 PVC perforated piping will be installed in the pit and the end of the perforated pipe will be connected to an exhaust pipe that runs to the roof of the building. Minimum of 4 inches of crushed stone will be placed above and below the pipe. An electric fan will be installed on the exhaust pipe to maintain negative pressure beneath the building foundation. The visible exhaust pipe should be labeled and the labels made visible to future occupants. Previous Figure 6 shows the details of the proposed SSDS.

4.4 INSTITUTIONAL CONTROLS

Institutional Controls (IC) have been incorporated in this remedial action to manage residual soil/fill and other media and render the Site protective of public health and the environment. Institutional Controls are listed below. Long-term employment of EC/ICs will be implemented under a site-specific Site Management Plan (SMP) that will be included in the RAR. The property will continue to be registered with an E-Designation at the NYC Buildings Department.

Institutional Controls for this remedial action are:

- The property will continue to be registered with an E-Designation by the NYC Buildings Department. This RAWP includes a description of all ECs and ICs and summarizes the requirements of the Site Management Plan which will note that the property owner and property owner's successors and assigns must comply with the approved SMP;
- Submittal of a Site Management Plan in the RAR for approval by OER that provides procedures for appropriate operation, maintenance, monitoring, inspection, reporting and certification of ECs. SMP will require that the property owner and property owner's successors and assigns will submit to OER a periodic written statement that certifies that: (1) controls employed at the Site are unchanged from the previous certification or that any changes to the controls were approved by OER; and, (2) nothing has occurred that

impairs the ability of the controls to protect public health and environment or that constitute a violation or failure to comply with the SMP. OER retains the right to enter the Site in order to evaluate the continued maintenance of any controls. This certification shall be submitted at a frequency to be determined by OER in the SMP and will comply with RCNY §43-1407(1)(3).

- Vegetable gardens and farming on the Site are prohibited in contact with residual soil materials;
- Use of groundwater underlying the Site is prohibited without treatment rendering it safe for its intended use;
- All future activities on the Site that will disturb residual material must be conducted pursuant to the soil management provisions in an approved SMP;
- The Site will be used for residential and commercial use and will not be used for a higher level of use without prior approval by OER.

4.5 SITE MANAGEMENT PLAN

Site Management is the last phase of remediation and begins with the approval of the Remedial Action Report and issuance of the Notice of Completion (NOC) for the Remedial Action. The Site Management Plan (SMP) describes appropriate methods and procedures to ensure implementation of all ECs and ICs that are required by this RAWP. The Site Management Plan is submitted as part of the RAR but will be written in a manner that allows its use as an independent document. Site Management continues until terminated in writing by OER. The property owner is responsible to ensure that all Site Management responsibilities defined in the Site Management Plan are implemented.

The SMP will provide a detailed description of the procedures required to manage residual soil/fill left in place following completion of the remedial action in accordance with the Brownfield Cleanup Agreement with OER. This includes a plan for: (1) implementation of EC's and ICs; (2) implementation of monitoring programs; (3) operation and maintenance of EC's; (4) inspection and certification of EC's; and (5) reporting.

Site management activities, reporting, and EC/IC certification will be scheduled by OER on a periodic basis to be established in the SMP and will be subject to review and modification by OER. The Site Management Plan will be based on a calendar year and certification reports will be due for submission to OER by July 31 of the year following the reporting period.

4.6 QUALITATIVE HUMAN HEALTH EXPOSURE ASSESSMENT

The objective of the qualitative exposure assessment is to identify potential receptors and pathways for human exposure to the contaminants of concern (COC) that are present at, or migrating from, the Site. The identification of exposure pathways describes the route that the COC takes to travel from the source to the receptor. An identified pathway indicates that the potential for exposure exists; it does not imply that exposures actually occur.

Investigations reported in the Remedial Investigation Report (RIR) are sufficient to complete a Qualitative Human Health Exposure Assessment (QHHEA). As part of the VCP process, a QHHEA was performed to determine whether the Site poses an existing or future health hazard to the Site's exposed or potentially exposed population. The sampling data from the RI were evaluated to determine whether there is any health risk by characterizing the exposure setting, identifying exposure pathways, and evaluating contaminant fate and transport. This QHHEA was prepared in accordance with Appendix 3B and Section 3.3 (b) 8 of the NYSDEC Draft DER-10 Technical Guidance for Site Investigation and Remediation.

Known and Potential Sources

Urban fill is present at the Site from grade to approximately 6 feet below grade. Based on the results of the RIR, the contaminants of concern are as follows:

Soil:

- Metals including lead, mercury and zinc exceeding unrestricted SCOs in shallow soil.

Groundwater:

- VOCs including TCE exceeding GQS in groundwater.
- Metals including magnesium and sodium exceeding GQS in groundwater.

Soil Vapor:

- Presence of gasoline-related VOCs in soil vapor and
- Presence of PCE above the mitigation level range established by NYSDOH Final Guidance on Soil Vapor Intrusion.

Nature, Extent, Fate and Transport of Contaminants

VOCs were not detected in any of the soil samples. SVOCs, pesticides, PCBs, and metals were detected in shallow urban fill samples slightly exceeding the NYSDEC Part 375 Unrestricted Use SCOs but were not detected at concentrations above Unrestricted Use SCOs in the deeper underlying native material. Concentrations of dissolved metals in the groundwater were significantly lower than the levels of total metals in groundwater. Trichloroethene (TCE) was detected in groundwater slightly above the GQS. Chlorinated VOCs were detected in soil vapor samples at slightly elevated levels and thought to originate from an off-site source.

Potential Routes of Exposure

The five elements of an exposure pathway are: (1) a contaminant source; (2) contaminant release and transport mechanisms; (3) a point of exposure; (4) a route of exposure; and (5) a receptor population. An exposure pathway is considered complete when all five elements of an exposure pathway are documented. A potential exposure pathway exists when any one or more of the five elements comprising an exposure pathway cannot be documented. An exposure pathway may be eliminated from further evaluation when any one of the five elements comprising an exposure pathway has not existed in the past, does not exist in the present, and will never exist in the future. Three potential primary routes exist by which chemicals can enter the body:

- Ingestion of water, fill, or soil;
- Inhalation of vapors and particulates; and
- Dermal contact with water, fill, soil, or building materials.

Existence of Human Health Exposure

Current Conditions: The potential for exposure to urban fill and soil vapors exist under current conditions because of the vacant lot and the potential for exp. The Site is served by public water supply and groundwater use for potable supply is prohibited, groundwater is not used at the Site and there is no potential for exposure.

Construction/Remediation Activities: During remedial action, construction workers will be exposed to site constituents including metals in soils as a result of on-Site construction and excavation activities. The proposed Site development includes the removal of existing soil to a depth of approximately 11 feet across the entire Site and construction of a new 4-story building with a full basement floor slab over the entire footprint of the Site. On-Site construction workers potentially could ingest, inhale or have dermal contact with any exposed impacted soil, and fill. Similarly, off-Site receptors could be exposed to dust and vapors from on-Site activities. During construction, on-Site and off-Site exposures to contaminated dust from on-Site will be addressed through the Soil/Materials Management Plan, dust controls, and through the implementation of the Community Air-Monitoring Program and a Construction Health and Safety Plan.

Proposed Future Conditions: Under future remediated conditions, all soils in excess of Track 4 Site-Specific SCOs will be removed. The Site will be fully capped, limiting potential direct exposure to soil and groundwater remaining in place, and an active SSDS and vapor barrier system will prevent any exposure to potential off-Site soil vapors in the future. The Site is served by a public water supply, and groundwater is not used at the Site for potable supply. There are no plausible off-Site pathways for ingestion, inhalation, or dermal exposure to contaminants derived from the Site under future conditions.

Receptor Populations

On-Site Receptors: Current on-Site receptors are limited to workers, site representatives and visitors granted access to the property. During construction, on-Site receptors will include construction worker, site representatives, and visitors. After construction, on-Site receptors will include child and adult residents and visitors.

Off-Site Receptors: Potential off-site receptors within a 0.25-mile radius of the Site include: adult and child residents; commercial and construction workers; pedestrians; trespassers, and cyclists, based on the following:

1. Commercial Businesses (up to 0.25 miles) – existing and future
2. Residential Buildings (up to 0.25 miles) –existing and future
3. Building Construction/Renovation (up to 0.25 miles) – existing and future
4. Pedestrians, Trespassers, Cyclists (up to 0.25 miles) – existing and future
5. Schools (up to 0.25 mile) – existing and future

Overall Human Health Exposure Assessment

There are no potential complete exposure pathways (i.e., source, route to exposure, receptor population) for the current condition. There is a potential complete, exposure pathway that requires mitigation during implementation of the remedy. There is no complete exposure pathway under future conditions after the Site is developed. Based upon this analysis, complete on-site exposure pathways appear to be present only during the construction/remediation phase. During remedial construction, on-Site and off-Site exposures to contaminated dust from historic fill material will be addressed through dust controls, and through the implementation of the Community Air Monitoring Program, the Soil/Materials Management Plan, and a Construction Health and Safety Plan. After the remedial action is complete, there will be no remaining exposure pathways to on-Site soil/fill, as all soil above Track 4 Site Specific SCOs will have been removed and a vapor barrier and SSDS will have been installed as part of development. The vapor barrier system and SSDS will prevent potential vapor intrusion. The composite cover system and use restrictions will prevent contact with residual soil or groundwater and continued protection after the remedial action will be achieved by the implementation of site management including periodic inspection and certification of the performance of remedial controls. Potential post-construction use of groundwater is not considered an option because groundwater in this area of New York City is not used as a potable water source.

5.0 REMEDIAL ACTION MANAGEMENT

5.1 PROJECT ORGANIZATION AND OVERSIGHT

Principal personnel who will participate in the remedial action include Ezgi Karayel (Project Manager) and William Silveri (Sr. Project Manager). The Professional Engineer (PE) and Qualified Environmental Professionals (QEP) for this project are Reza Sharif and William Silveri, PG, CHMM, respectively.

5.2 SITE SECURITY

Site access will be controlled by DOB approved construction fence. For work areas of limited size, barrier tape will be sufficient to delineate and restrict access.

5.3 WORK HOURS

The hours for operation of remedial construction will be from 7:00 am to 5:00 pm. These hours conform to the New York City Department of Buildings construction code requirements.

5.4 CONSTRUCTION HEALTH AND SAFETY PLAN

The Health and Safety Plan is included in Appendix 4. The Site Safety Coordinator will be determined prior to construction. Remedial work performed under this RAWP will be in full compliance with applicable health and safety laws and regulations, including Site and OSHA worker safety requirements and HAZWOPER requirements. Confined space entry, if any, will comply with OSHA requirements and industry standards and will address potential risks. The parties performing the remedial construction work will ensure that performance of work is in compliance with the HASP and applicable laws and regulations. The HASP pertains to remedial and invasive work performed at the Site until the issuance of the Notice of Completion.

All field personnel involved in remedial activities will participate in training required under 29 CFR 1910.120, including 40-hour hazardous waste operator training and annual 8-hour refresher training. Site Safety Officer will be responsible for maintaining workers training records.

Personnel entering any exclusion zone will be trained in the provisions of the HASP and be required to sign an HASP acknowledgment. Site-specific training will be provided to field

personnel. Additional safety training may be added depending on the tasks performed. Emergency telephone numbers will be posted at the site location before any remedial work begins. A safety meeting will be conducted before each shift begins. Topics to be discussed include task hazards and protective measures (physical, chemical, environmental); emergency procedures; PPE levels and other relevant safety topics. Meetings will be documented in a log book or specific form.

An emergency contact sheet with names and phone numbers is included in the HASP. That document will define the specific project contacts for use in case of emergency.

5.5 COMMUNITY AIR MONITORING PLAN

Real-time air monitoring for volatile organic compounds (VOCs) and particulate levels at the perimeter of the exclusion zone or work area will be performed. Continuous monitoring will be performed for all ground intrusive activities and during the handling of contaminated or potentially contaminated media. Ground intrusive activities include, but are not limited to, soil/waste excavation and handling, test pit excavation or trenching, and the installation of soil borings or monitoring wells.

Periodic monitoring for VOCs will be performed during non-intrusive activities such as the collection of soil and sediment samples or the collection of groundwater samples from existing monitoring wells. Periodic monitoring during sample collection, for instance, will consist of taking a reading upon arrival at a sample location, monitoring while opening a well cap or overturning soil, monitoring during well baling/purging, and taking a reading prior to leaving a sample location. Depending upon the proximity of potentially exposed individuals, continuous monitoring may be performed during sampling activities. Examples of such situations include groundwater sampling at wells on the curb of a busy urban street, in the midst of a public park, or adjacent to a school or residence. Exceedences of action levels observed during performance of the Community Air Monitoring Plan (CAMP) will be reported to the OER Project Manager and included in the Daily Report.

VOC Monitoring, Response Levels, and Actions

Volatile organic compounds (VOCs) will be monitored at the downwind perimeter of the immediate work area (i.e., the exclusion zone) on a continuous basis during invasive work. Upwind concentrations will be measured at the start of each workday and periodically thereafter to establish background conditions. The monitoring work will be performed using equipment appropriate to measure the types of contaminants known or suspected to be present. The equipment will be calibrated at least daily for the contaminant(s) of concern or for an appropriate surrogate. The equipment will be capable of calculating 15-minute running average concentrations, which will be compared to the levels specified below.

- If the ambient air concentration of total organic vapors at the downwind perimeter of the work area or exclusion zone exceeds 5 parts per million (ppm) above background for the 15-minute average, work activities will be temporarily halted and monitoring continued. If the total organic vapor level readily decreases (per instantaneous readings) below 5 ppm over background, work activities will resume with continued monitoring.
- If total organic vapor levels at the downwind perimeter of the work area or exclusion zone persist at levels in excess of 5 ppm over background but less than 25 ppm, work activities will be halted, the source of vapors identified, corrective actions taken to abate emissions, and monitoring continued. After these steps, work activities will resume provided that the total organic vapor level 200 feet downwind of the exclusion zone or half the distance to the nearest potential receptor or residential/commercial structure, whichever is less - but in no case less than 20 feet, is below 5 ppm over background for the 15-minute average.
- If the organic vapor level is above 25 ppm at the perimeter of the work area, activities will be shutdown.

All 15-minute readings must be recorded and be available for OER personnel to review. Instantaneous readings, if any, used for decision purposes will also be recorded.

Particulate Monitoring, Response Levels, and Actions

Particulate concentrations will be monitored continuously at the upwind and downwind perimeters of the exclusion zone at temporary particulate monitoring stations. The particulate

monitoring will be performed using real-time monitoring equipment capable of measuring particulate matter less than 10 micrometers in size (PM-10) and capable of integrating over a period of 15 minutes (or less) for comparison to the airborne particulate action level. The equipment will be equipped with an audible alarm to indicate exceedance of the action level. In addition, fugitive dust migration should be visually assessed during all work activities.

- If the downwind PM-10 particulate level is 100 micrograms per cubic meter (mcg/m^3) greater than background (upwind perimeter) for the 15-minute period or if airborne dust is observed leaving the work area, then dust suppression techniques will be employed. Work will continue with dust suppression techniques provided that downwind PM-10 particulate levels do not exceed $150 \text{ mcg}/\text{m}^3$ above the upwind level and provided that no visible dust is migrating from the work area.
- If, after implementation of dust suppression techniques, downwind PM-10 particulate levels are greater than $150 \text{ mcg}/\text{m}^3$ above the upwind level, work will be stopped and a re-evaluation of activities initiated. Work will resume provided that dust suppression measures and other controls are successful in reducing the downwind PM-10 particulate concentration to within $150 \text{ mcg}/\text{m}^3$ of the upwind level and in preventing visible dust migration.

All readings will be recorded and be available for OER personnel to review.

5.6 AGENCY APPROVALS

All permits or government approvals required for remedial construction have been or will be obtained prior to the start of remedial construction. Approval of this RAWP by OER does not constitute satisfaction of these requirements and will not be a substitute for any required permit.

5.7 SITE PREPARATION

Pre-Construction Meeting

OER will be invited to attend the pre-construction meeting at the Site with all parties involved in the remedial process prior to the start of remedial construction activities.

Mobilization

Mobilization will be conducted as necessary for each phase of work at the Site. Mobilization includes field personnel orientation, equipment mobilization (including securing all sampling equipment needed for the field investigation), marking/staking sampling locations and utility mark-outs. Each field team member will attend an orientation meeting to become familiar with the general operation of the Site, health and safety requirements, and field procedures.

Utility Marker Layouts, Easement Layouts

The presence of utilities and easements on the Site will be fully investigated prior to the performance of invasive work such as excavation or drilling under this plan by using, at a minimum, the One-Call System (811). Underground utilities may pose an electrocution, explosion, or other hazard during excavation or drilling activities. All invasive activities will be performed in compliance with applicable laws and regulations to assure safety. Utility companies and other responsible authorities will be contacted to locate and mark the locations, and a copy of the Markout Ticket will be retained by the contractor prior to the start of drilling, excavation or other invasive subsurface operations. Overhead utilities may also be present within the anticipated work zones. Electrical hazards associated with drilling in the vicinity of overhead utilities will be prevented by maintaining a safe distance between overhead power lines and drill rig masts.

Proper safety and protective measures pertaining to utilities and easements, and compliance with all laws and regulations will be employed during invasive and other work contemplated under this RAWP. The integrity and safety of on-Site and off-Site structures will be maintained during all invasive, excavation or other remedial activity performed under the RAWP.

Equipment and Material Staging

Equipment and materials will be stored and staged in a manner that complies with applicable laws and regulations.

Stabilized Construction Entrance

Steps will be taken to ensure that trucks departing the site will not track soil, fill or debris off-Site. Such actions may include use of cleaned asphalt or concrete roads or use of stone or

other aggregate-based egress paths between the truck inspection station and the property exit. Measures will be taken to ensure that adjacent roadways will be kept clean of project related soils, fill and debris.

Truck Inspection Station

An outbound-truck inspection station will be set up close to the Site exit. Before exiting the NYC VCP Site, trucks will be required to stop at the truck inspection station and will be examined for evidence of contaminated soil on the undercarriage, body, and wheels. Soil and debris will be removed. Brooms, shovels and potable water will be utilized for the removal of soil from vehicles and equipment, as necessary.

Extreme Storm Preparedness and Response Contingency Plan

Damage from flooding or storm surge can include dislocation of soil and stockpiled materials, dislocation of site structures and construction materials and equipment, and dislocation of support of excavation structures. Damage from wind during an extreme storm event can create unsafe or unstable structures, damage safety structures and cause downed power lines creating dangerous site conditions and loss of power. In the event of emergency conditions caused by an extreme storm event, the enrollee will undertake the following steps for site preparedness prior to the event and response after the event.

Storm Preparedness

Preparations in advance of an extreme storm event will include the following: containerized hazardous materials and fuels will be removed from the property; loose materials will be secured to prevent dislocation and blowing by wind or water; heavy equipment such as excavators and generators will be removed from holes, trenches and depressions on the property to high ground or removed from the property; an inventory of the property with photographs will be performed to establish conditions for the site and equipment prior to the event; stockpile covers for soil and fill will be secured by adding weights such as sandbags for added security and worn or ripped stockpile covers will be replaced with competent covers; stockpiled hazardous wastes will be removed from the property; stormwater management systems will be inspected and fortified, including, as necessary: clean and reposition silt fences, haybales; clean storm sewer filters and traps; and secure and protect pumps and hosing.

Storm Response

At the conclusion of an extreme storm event, as soon as it is safe to access the property, a complete inspection of the property will be performed. A site inspection report will be submitted to OER at the completion of site inspection and after the site security is assessed. Site conditions will be compared to the inventory of site conditions and material performed prior to the storm event and significant differences will be noted. Damage from storm conditions that result in acute public safety threats, such as downed power lines or imminent collapse of buildings, structures or equipment will be reported to public safety authorities via appropriate means such as calling 911. Petroleum spills will be reported to NYS DEC within 2 hours of identification and consistent with State regulations. Emergency and spill conditions will also be reported to OER. Public safety structures, such as construction security fences will be repaired promptly to eliminate public safety threats. Debris will be collected and removed. Dewatering will be performed in compliance with existing laws and regulations and consistent with emergency notifications, if any, from proper authorities. Eroded areas of soil including unsafe slopes will be stabilized and fortified. Dislocated materials will be collected and appropriately managed. Support of excavation structure will be inspected and fortified as necessary. Impacted stockpiles will be contained and damaged stockpile covers will be replaced. Storm-water control systems and structures will be inspected and maintained as necessary. If soil or fill materials are discharged off site to adjacent properties, property owners and OER will be notified and corrective measure plan designed to remove and clean dislocated material will be submitted to OER and implemented following approval by OER and granting of site access by the property owner. Impacted offsite areas may require characterization based on site conditions, at the discretion of OER. If onsite petroleum spills are identified, a qualified environmental professional will determine the nature and extent of the spill and report to NYS DEC's spill hotline at DEC 800-457-7362. If the source of the spill is ongoing and can be identified, it should be stopped if this can be done safely. Potential hazards will be addressed immediately, consistent with guidance issued by NYS DEC.

Storm Response Reporting

A site inspection report will be submitted to OER at the completion of site inspection. An inspection report established by OER is available on OER's website (www.nyc.gov/oer) and will

be used for this purpose. Site conditions will be compared to the inventory of site conditions and material performed prior to the storm event and significant differences will be noted. The site inspection report will be sent to the OER project manager and will include the site name, address, tax block and lot, site primary and alternate contact name and phone number. Damage and soil release assessment will include: whether the project had stockpiles; whether stockpiles were damaged; photographs of damage and notice of plan for repair; report of whether soil from the site was dislocated and whether any of the soil left the site; estimates of the volume of soil that left the site, nature of impact, and photographs; description of erosion damage; description of equipment damage; description of damage to the remedial program or the construction program, such as damage to the support of excavation; presence of onsite or offsite exposure pathways caused by the storm; presence of petroleum or other spills and status of spill reporting to NYS DEC; description of corrective actions; schedule for corrective actions. This report should be completed and submitted to OER project manager with photographs within 24 hours of the time of safe entry to the property after the storm event.

5.8 TRAFFIC CONTROL

Drivers of trucks leaving the NYC VCP Site with soil/fill will be instructed to proceed without stopping in the vicinity of the site to prevent neighborhood impacts. The planned route on local roads for trucks leaving the site is 40th Avenue and Queens Plaza N.

5.9 DEMOBILIZATION

Demobilization will include:

- As necessary, restoration of temporary access areas and areas that may have been disturbed to accommodate support areas (e.g., staging areas, decontamination areas, storage areas, temporary water management areas, and access area);
- Removal of sediment from erosion control measures and truck wash and disposal of materials in accordance with applicable laws and regulations;
- Equipment decontamination, and;
- General refuse disposal.

Equipment will be decontaminated and demobilized at the completion of all field activities. Investigation equipment and large equipment (*e.g.*, soil excavators) will be washed at the truck inspection station as necessary. In addition, all investigation and remediation derived waste will be appropriately disposed.

5.10 REPORTING AND RECORD KEEPING

Daily Reports

Daily reports providing a general summary of activities for each day of *active remedial work* will be emailed to the OER Project Manager by the end of the following day. Those reports will include:

- Project number and statement of the activities and an update of progress made and locations of work performed;
- Quantities of material imported and exported from the Site;
- Status of on-Site soil/fill stockpiles;
- A summary of all citizen complaints, with relevant details (basis of complaint; actions taken; etc.);
- A summary of CAMP excursions, if any;
- Photograph of notable Site conditions and activities.

The frequency of the reporting period may be revised in consultation with OER project manager based on planned project tasks. Daily email reports are not intended to be the primary mode of communication for notification to OER of emergencies (accidents, spills), requests for changes to the RAWP or other sensitive or time critical information. However, such information will be included in the daily reports. Emergency conditions and changes to the RAWP will be communicated directly to the OER project manager by personal communication. Daily reports will be included as an Appendix in the Remedial Action Report.

Record Keeping and Photo-Documentation

Job-site record keeping for all remedial work will be performed. These records will be maintained on-Site during the project and will be available for inspection by OER staff. Representative photographs will be taken of the Site prior to any remedial activities and during major remedial activities to illustrate remedial program elements and contaminant source areas. Photographs will be submitted at the completion of the project in the RAR in digital format (i.e. jpeg files).

5.11 COMPLAINT MANAGEMENT

All complaints from citizens will be promptly reported to OER. Complaints will be addressed and outcomes will also be reported to OER in daily reports. Notices to OER will include the nature of the complaint, the party providing the complaint, and the actions taken to resolve any problems.

5.12 DEVIATIONS FROM THE REMEDIAL ACTION WORK PLAN

All changes to the RAWP will be reported to the OER Project Manager and will be documented in daily reports and reported in the Remedial Action Report. The process to be followed if there are any deviations from the RAWP will include a request for approval for the change from OER noting the following:

- Reasons for deviating from the approved RAWP;
- Effect of the deviations on overall remedy; and
- Determination that the remedial action with the deviation(s) is protective of public health and the environment.

6.0 REMEDIAL ACTION REPORT

A Remedial Action Report (RAR) will be submitted to OER following implementation of the remedial action defined in this RAWP. The RAR will document that the remedial work required under this RAWP has been completed and has been performed in compliance with this plan. The RAR will include:

- Information required by this RAWP;
- As-built drawings for all constructed remedial elements, required certifications, manifests and other written and photographic documentation of remedial work performed under this remedy;
- Site Management Plan (if Track 1 is not achieved);
- Description of any changes in the remedial action from the elements provided in this RAWP and associated design documents;
- Tabular summary of all end point sampling results and all material characterization results, QA/QC results for end-point sampling, and other sampling and chemical analysis performed as part of the remedial action and DUSR;
- Test results or other evidence demonstrating that remedial systems are functioning properly;
- Account of the source area locations and characteristics of all contaminated material removed from the Site including a map showing source areas;
- Account of the disposal destination of all contaminated material removed from the Site. Documentation associated with disposal of all material will include transportation and disposal records, and letters approving receipt of the material.
- Account of the origin and required chemical quality testing for material imported onto the Site.
- Continue registration of the property with an E-Designation by the NYC Department of Buildings.
- Reports and supporting material will be submitted in digital form.

Remedial Action Report Certification

The following certification will appear in front of the Executive Summary of the Remedial Action Report. The certification will include the following statements:

I, [REDACTED], am currently a professional engineer licensed by the State of New York. I had primary direct responsibility for implementation of the remedial action for the 23-12 40th Avenue Site (NYC OER Project Number 11EHAZ114Q and NYC VCP Project Number 15CVCP056Q).

I, William E. Silveri, am a Qualified Environmental Professional as defined in §43-140. I had primary direct responsibility for implementation of the remedial action for the 23-12 40th Avenue Site (NYC OER Project Number 11EHAZ114Q and NYC VCP Project Number 15CVCP056Q).

I certify that the OER-approved Remedial Action Work Plan dated [REDACTED] and Stipulations in a letter dated [REDACTED]; if any were implemented and that all requirements in those documents have been substantively complied with. I certify that contaminated soil, fill, liquids or other material from the property were taken to facilities licensed to accept this material in full compliance with applicable laws and regulations.

7.0 SCHEDULE

The table below presents a schedule for the proposed remedial action and reporting. If the schedule for remediation and development activities changes, it will be updated and submitted to OER. Currently, a three month remediation period is anticipated.

Schedule Milestone	Weeks from Remedial Action Start	Duration (weeks)
OER Approval of RAWP	0	-
Fact Sheet 2 announcing start of remedy	2	-
Mobilization	4	2 (days)
Remedial Excavation	5	1-2
Demobilization	7	2 (days)
Submit Remedial Action Report	13	4

APPENDIX 1

CITIZEN PARTICIPATION PLAN

The NYC Office of Environmental Remediation and 23-12 LLC have established this Citizen Participation Plan because the opportunity for citizen participation is an important component of the NYC Voluntary Cleanup Program. This Citizen Participation Plan describes how information about the project will be disseminated to the Community during the remedial process. As part of its obligations under the NYC VCP, 23-12 LLC will maintain a repository for project documents and provide public notice at specified times throughout the remedial program. This Plan also takes into account potential environmental justice concerns in the community that surrounds the project Site. Under this Citizen Participation Plan, project documents and work plans are made available to the public in a timely manner. Public comment on work plans is strongly encouraged during public comment periods. Work plans are not approved by the NYC Office of Environmental Remediation (OER) until public comment periods have expired and all comments are formally reviewed. An explanation of cleanup plans in the form of a public meeting or informational session is available upon request to OER's project manager assigned to this Site, Eric Ilijevich, who can be contacted about these issues or any others questions, comments or concerns that arise during the remedial process at (212) 788-8841

Project Contact List. OER has established a Site Contact List for this project to provide public notices in the form of fact sheets to interested members of the Community. Communications will include updates on important information relating to the progress of the cleanup program at the Site as well as to request public comments on the cleanup plan. The Project Contact List includes owners and occupants of adjacent buildings and homes, principal administrators of nearby schools, hospitals and day care centers, the public water supplier that serves the area, established document repositories, the representative Community Board, City Council members, other elected representatives and any local Brownfield Opportunity Area (BOA) grantee organizations. Any member of the public or organization will be added to the Site Contact List on request. A copy of the Site Contact List is maintained by OER's project

manager. If you would like to be added to the Project Contact List, contact NYC OER at (212) 788-8841 or by email at brownfields@cityhall.nyc.gov.

Repositories. A document repository is maintained in the nearest public library that maintains evening and weekend hours. This document repository is intended to house, for community review, all principal documents generated during the cleanup program including Remedial Investigation plans and reports, Remedial Action work plans and reports, and all public notices and fact sheets produced during the lifetime of the remedial project. 23-12 LLC will inspect the repositories to ensure that they are fully populated with project information. The repository for this project is:

Queens Public Library – Long Island City Branch

37-44 21 Street, Long Island City, NY 11101

(718) 752-3700

Monday: 9:00am to 8:00pm

Tuesday: 2:00pm to 7:00pm

Wednesday: 11:00pm to 7:00pm

Thursday: 11:00am to 7:00pm

Friday: 11:00am to 7:00pm

Saturday: 10:00am to 5:30pm

Sunday: Closed

Digital Documentation. NYC OER strongly encourages the use of digital documents in repositories as a means of minimizing paper use while also increasing convenience in access and ease of use.

Identify Issues of Public Concern. The major issues of concern to the public will be potential impacts of nuisance odors and dust during the disturbance of soil at the Site. This work will be performed in accordance with procedures that will be specified under a Remedial Program and considers and takes preventive measures for exposure to future residents of the property and those on adjacent properties during construction. Detailed plans to monitor the

potential for exposure including a HASP and a CAMP are required components of the remedial program. Implementation of these plans will be under the direct oversight of the NYCOER.

Public Notice and Public Comment. Public notice to all members of the Project Contact List is required at three major steps during the performance of the cleanup program (listed below) and at other points that may be required by OER. Notices will include Fact Sheets with descriptive project summaries, updates on recent and upcoming project activities, repository information, and important phone and email contact information. All notices will be prepared by 23-12 LLC, reviewed and approved by OER prior to distribution and mailed by 23-12 LLC. Public comment is solicited in public notices for all work plans developed under the NYC Voluntary Cleanup Program. Final review of all work plans by OER will consider all public comments. Approval will not be granted until the public comment period has been completed.

Citizen Participation Milestones. Public notice and public comment activities occur at several steps during a typical NYC VCP project. See flow chart on the following page, which identifies when during the NYC VCP public notices are issued: These steps include:

Public Notice of the availability of the Remedial Investigation Report and Remedial Action Work Plan and a 30-day public comment period on the Remedial Action Work Plan.

- Public notice in the form of a Fact Sheet is sent to all parties listed on the Site Contact List announcing the availability of the Remedial Investigation Report and Remedial Action Work Plan and the initiation of a 30-day public comment period on the Remedial Action Work Plan. The Fact Sheet summarizes the findings of the RIR and provides details of the RAWP. The public comment period will be extended an additional 15 days upon public request. A public meeting or informational session will be conducted by OER upon request.

Public Notice announcing the approval of the RAWP and the start of remediation

- Public notice in the form of a Fact Sheet is sent to all parties listed on the Site Contact List announcing the approval of the RAWP and the start of remediation.

Public Notice announcing the completion of remediation, designation of Institutional and Engineering Controls and issuance of the Notice of Completion

- Public notice in the form of a Fact Sheet is sent to all parties listed on the Site Contact List announcing the completion of remediation, providing a list of all Institutional and Engineering Controls implemented for to the Site and announcing the issuance of the Notice of Completion.

APPENDIX 2

SUSTAINABILITY STATEMENT

This Sustainability Statement documents sustainable activities and green remediation efforts planned under this remedial action.

Reuse of Clean, Recyclable Materials. Reuse of clean, locally-derived recyclable materials reduces consumption of non-renewable virgin resources and can provide energy savings and greenhouse gas reduction.

An estimate of the quantity (in tons) of clean, non-virgin materials (reported by type of material) reused under this plan will be quantified and reported in the RAR.

Reduce Consumption of Virgin and Non-Renewable Resources. Reduced consumption of virgin and non-renewable resources lowers the overall environmental impact of the project on the region by conserving these resources.

An estimate of the quantity (in tons) of virgin and non-renewable resources, the use of which will be avoided under this plan, will be quantified and reported in the RAR.

Reduced Energy Consumption and Promotion of Greater Energy Efficiency. Reduced energy consumption lowers greenhouse gas emissions, improves local air quality, lessens in-city power generation requirements, can lower traffic congestion, and provides substantial cost savings.

Best efforts will be made to quantify energy efficiencies achieved during the remediation and will be reported in the Remedial Action Report (RAR). Where energy savings cannot be easily quantified, a gross indicator of the amount of energy saved or the means by which energy savings was achieved will be reported.

Conversion to Clean Fuels. Use of clean fuel improves NYC's air quality by reducing harmful emissions.

An estimate of the volume of clean fuels used during remedial activities will be quantified and reported in the RAR.

Recontamination Control. Recontamination after cleanup and redevelopment is completed undermines the value of work performed, may result in a property that is less protective of public health or the environment, and may necessitate additional cleanup work later or impede future redevelopment. Recontamination can arise from future releases that occur within the property or by influx of contamination from off-Site.

An estimate of the area of the Site that utilizes recontamination controls under this plan will be reported in the RAR in square feet.

Storm-water Retention. Storm-water retention improves water quality by lowering the rate of combined storm-water and sewer discharges to NYC's sewage treatment plants during periods of precipitation, and reduces the volume of untreated influent to local surface waters.

An estimate of the enhanced storm-water retention capability of the redevelopment project will be included in the RAR.

Linkage with Green Building. Green buildings provide a multitude of benefits to the city across a broad range of areas, such as reduction of energy consumption, conservation of resources, and reduction in toxic materials use.

The number of Green Buildings that are associated with this brownfield redevelopment property will be reported in the RAR. The total square footage of green building space created as a function of this brownfield redevelopment will be quantified for residential, commercial and industrial/manufacturing uses.

Paperless Brownfield Cleanup Program. 23-12 LLC is participating in OER's Paperless Brownfield Cleanup Program. Under this program, submission of electronic documents will replace submission of hard copies for the review of project documents, communications and milestone reports.

Low-Energy Project Management Program. 23-12 LLC is participating in OER's low-energy project management program. Under this program, whenever possible, meetings are held using remote communication technologies, such as videoconferencing and teleconferencing to reduce energy consumption and traffic congestion associated with personal transportation.

Trees and Plantings. Trees and other plantings provide habitat and add to NYC's environmental quality in a wide variety of ways. Native plant species and native habitat provide optimal support to local fauna, promote local biodiversity, and require less maintenance.

An estimate of the land area that will be vegetated, including the number of trees planted or preserved, will be reported in square feet in the RAR.

APPENDIX 3

SOIL/MATERIALS MANAGEMENT PLAN

1.1 Soil Screening Methods

Visual, olfactory and PID soil screening and assessment will be performed under the supervision of a Qualified Environmental Professional and will be reported in the RAR. Soil screening will be performed during invasive work performed during the remedy and development phases prior to issuance of the Notice of Completion.

1.2 Stockpile Methods

Excavated soil from suspected areas of contamination (e.g., hot spots, USTs, drains, etc.) will be stockpiled separately and will be segregated from clean soil and construction materials. Stockpiles will be used only when necessary and will be removed as soon as practicable. While stockpiles are in place, they will be inspected daily, and before and after every storm event. Results of inspections will be recorded in a logbook and maintained at the Site and available for inspection by OER. Excavated soils will be stockpiled on, at minimum, double layers of 8-mil minimum sheeting, will be kept covered at all times with appropriately anchored plastic tarps, and will be routinely inspected. Broken or ripped tarps will be promptly replaced.

All stockpile activities will be compliant with applicable laws and regulations. Soil stockpile areas will be appropriately graded to control run-off in accordance with applicable laws and regulations. Stockpiles of excavated soils and other materials shall be located at least of 50 feet from the property boundaries, where possible. Hay bales or equivalent will surround soil stockpiles except for areas where access by equipment is required. Silt fencing and hay bales will be used as needed near catch basins, surface waters and other discharge points.

1.3 Characterization of Excavated Materials

Soil/fill or other excavated media that is transported off-Site for disposal will be sampled in a manner required by the receiving facility, and in compliance with applicable laws and regulations. Soils proposed for reuse on-Site will be managed as defined in this plan.

1.4 Materials Excavation, Load-Out and Departure

The PE/QEP overseeing the remedial action will:

- oversee remedial work and the excavation and load-out of excavated material;
- ensure that there is a party responsible for the safe execution of invasive and other work performed under this work plan;
- ensure that Site development activities and development-related grading cuts will not interfere with, or otherwise impair or compromise the remedial activities proposed in this RAWP;
- ensure that the presence of utilities and easements on the Site has been investigated and that any identified risks from work proposed under this plan are properly addressed by appropriate parties;
- ensure that all loaded outbound trucks are inspected and cleaned if necessary before leaving the Site;
- ensure that all egress points for truck and equipment transport from the Site will be kept clean of Site-derived materials during Site remediation.

Locations where vehicles exit the Site shall be inspected daily for evidence of soil tracking off premises. Cleaning of the adjacent streets will be performed as needed to maintain a clean condition with respect to Site-derived materials.

Open and uncontrolled mechanical processing of historical fill and contaminated soil on-Site will not be performed without prior OER approval.

1.5 Off-Site Materials Transport

Loaded vehicles leaving the Site will comply with all applicable materials transportation requirements (including appropriate covering, manifests, and placards) in accordance with applicable laws and regulations, including use of licensed haulers in accordance with 6 NYCRR Part 364. If loads contain wet material capable of causing leakage from trucks, truck liners will be used. Queuing of trucks will be performed on-Site, when possible in order to minimize off Site disturbance. Off-Site queuing will be minimized.

Outbound truck transport routes are from 40th Avenue to 21st Street and to Queens Plaza N. This routing takes into account the following factors: (a) limiting transport through residential areas and past sensitive sites; (b) use of mapped truck routes; (c) minimizing off-Site queuing of trucks entering the facility; (d) limiting total distance to major highways; (e) promoting safety in access to highways; and (f) overall safety in transport. To the extent possible, all trucks loaded with Site materials will travel from the Site using these truck routes. Trucks will not stop or idle in the neighborhood after leaving the project Site.

1.6 Materials Disposal Off-Site

The following documentation will be established and reported by the PE/QEP for each disposal destination used in this project to document that the disposal of regulated material exported from the Site conforms with applicable laws and regulations: (1) a letter from the PE/QEP or Enrollee to each disposal facility describing the material to be disposed and requesting written acceptance of the material. This letter will state that material to be disposed is regulated material generated at an environmental remediation Site in Queens, New York under a governmental remediation program. The letter will provide the project identity and the name and phone number of the PE/QEP or Enrollee. The letter will include as an attachment a summary of all chemical data for the material being transported; and (2) a letter from each disposal facility stating it is in receipt of the correspondence (1, above) and is approved to accept the material. These documents will be included in the RAR.

The Remedial Action Report will include an itemized account of the destination of all material removed from the Site during this remedial action. Documentation associated with disposal of all material will include records and approvals for receipt of the material. This information will be presented in the RAR.

All impacted soil/fill or other waste excavated and removed from the Site will be managed as regulated material and will be disposed in accordance with applicable laws and regulations. Historic fill and contaminated soils taken off-Site will be handled as solid waste and will not be disposed at a Part 360-16 Registration Facility (also known as a Soil Recycling Facility).

Waste characterization will be performed for off-Site disposal in a manner required by the receiving facility and in conformance with its applicable permits. Waste characterization

sampling and analytical methods, sampling frequency, analytical results and QA/QC will be reported in the RAR. A manifest system for off-Site transportation of exported materials will be employed. Manifest information will be reported in the RAR. Hazardous wastes derived from on-Site will be stored, transported, and disposed of in compliance with applicable laws and regulations.

If disposal of soil/fill from this Site is proposed for unregulated disposal (i.e., clean soil removed for development purposes), including transport to a Part 360-16 Registration Facility, a formal request will be made for approval by OER with an associated plan compliant with 6NYCRR Part 360-16. This request and plan will include the location, volume and a description of the material to be recycled, including verification that the material is not impacted by site uses and that the material complies with receipt requirements for recycling under 6NYCRR Part 360. This material will be appropriately handled on-Site to prevent mixing with impacted material.

1.7 Materials Reuse On-Site

Soil and fill that is derived from the property that meets the soil cleanup objectives established in this plan may be reused on-Site. The soil cleanup objectives for on-Site reuse are listed in Table 1. 'Reuse on-Site' means material that is excavated during the remedy or development, does not leave the property, and is relocated within the same property and on comparable soil/fill material, and addressed pursuant to the NYC VCP agreement subject to Engineering and Institutional Controls. The PE/QEP will ensure that reused materials are segregated from other materials to be exported from the Site and that procedures defined for material reuse in this RAWP are followed. OER will be notified if soil will be reused on Site.

Organic matter (wood, roots, stumps, etc.) or other waste derived from clearing and grubbing of the Site will not be buried on-Site. Soil or fill excavated from the site for grading or other purposes will not be reused within a cover soil layer or within landscaping berms.

1.8 Demarcation

After completion of hotspot removal and any other invasive remedial activities, and prior to backfilling, the top of the residual soil/fill will be defined by one of three methods: (1) placement of a demarcation layer. The demarcation layer will consist of geosynthetic fencing or equivalent material to be placed on the surface of residual soil/fill to provide an observable reference layer.

A description or map of the approximate depth of the demarcation layer will be provided in the SMP; or (2) a land survey of the top elevation of residual soil/fill before the placement of cover soils, pavement and associated sub-soils, or other materials or structures or, (3) all materials beneath the approved cover will be considered impacted and subject to site management after the remedy is complete. Demarcation may be established by one or any combination of these three methods. As appropriate, a map showing the method of demarcation for the Site and all associated documentation will be presented in the RAR.

This demarcation will constitute the top of the site management horizon. Materials within this horizon require adherence to special conditions during future invasive activities as defined in the Site Management Plan.

1.9 Import of Backfill Soil from Off-Site Sources

This Section presents the requirements for imported fill materials to be used below the cover layer and within the clean soil cover layer. All imported soils will meet OER-approved backfill and cover soil quality objectives for this Site. The backfill and cover soil quality objectives are listed in Table 1.

A process will be established to evaluate sources of backfill and cover soil to be imported to the Site, and will include an examination of source location, current and historical use(s), and any applicable documentation. Material from industrial sites, spill sites, environmental remediation sites or other potentially contaminated sites will not be imported to the Site.

The following potential sources may be used pending attainment of backfill and cover soil quality objectives:

- Clean soil from construction projects at non-industrial sites in compliance with applicable laws and regulations;
- Clean soil from roadway or other transportation-related projects in compliance with applicable laws and regulations;
- Clean recycled concrete aggregate (RCA) from facilities permitted or registered by the regulations of NYS DEC.

All materials received for import to the Site will be approved by a PE/QEP and will be in compliance with provisions in this RAWP. The RAR will report the source of the fill, evidence that an inspection was performed on the source, chemical sampling results, frequency of testing, and a Site map indicating the locations where backfill or soil cover was placed.

Source Screening and Testing

Inspection of imported fill material will include visual, olfactory and PID screening for evidence of contamination. Materials imported to the Site will be subject to inspection, as follows:

- Trucks with imported fill material will be in compliance with applicable laws and regulations and will enter the Site at designated locations;
- The PE/QEP is responsible to ensure that every truck load of imported material is inspected for evidence of contamination; and
- Fill material will be free of solid waste including pavement materials, debris, stumps, roots, and other organic matter, as well as ashes, oil, perishables or foreign matter.

Composite samples of imported material will be taken at a minimum frequency of one sample for every 500 cubic yards of material. Once it is determined that the fill material meets imported backfill or cover soil chemical requirements and is non-hazardous, and lacks petroleum contamination, the material will be loaded onto trucks for delivery to the Site.

Recycled concrete aggregate (RCA) will be imported from facilities permitted or registered by NYSDEC. Facilities will be identified in the RAR. A PE/QEP is responsible to ensure that the facility is compliant with 6NYCRR Part 360 registration and permitting requirements for the period of acquisition of RCA. RCA imported from compliant facilities will not require additional testing, unless required by NYSDEC under its terms for operation of the facility. RCA imported to the Site must be derived from recognizable and uncontaminated concrete. RCA material is not acceptable for, and will not be used as cover material.

1.10 Fluids Management

All liquids to be removed from the Site, including dewatering fluids, will be handled, transported and disposed in accordance with applicable laws and regulations. Liquids discharged

into the New York City sewer system will receive prior approval by New York City Department of Environmental Protection (NYC DEP). The NYC DEP regulates discharges to the New York City sewers under Title 15, Rules of the City of New York Chapter 19. Discharge to the New York City sewer system will require an authorization and sampling data demonstrating that the groundwater meets the City's discharge criteria. The dewatering fluid will be pretreated as necessary to meet the NYC DEP discharge criteria. If discharge to the City sewer system is not appropriate, the dewatering fluids will be managed by transportation and disposal at an off-Site treatment facility.

Discharge of water generated during remedial construction to surface waters (i.e. a stream or river) is prohibited without a SPDES permit issued by New York State Department of Environmental Conservation.

1.11 Storm-water Pollution Prevention

Applicable laws and regulations pertaining to storm-water pollution prevention will be addressed during the remedial program. Erosion and sediment control measures identified in this RAWP (silt fences and barriers, and hay bale checks) will be installed around the entire perimeter of the remedial construction area and inspected once a week and after every storm event to ensure that they are operating appropriately. Discharge locations will be inspected to determine whether erosion control measures are effective in preventing significant impacts to receptors. Results of inspections will be recorded in a logbook and maintained at the Site and available for inspection by OER. All necessary repairs shall be made immediately. Accumulated sediments will be removed as required to keep the barrier and hay bale check functional. Undercutting or erosion of the silt fence toe anchor will be repaired immediately with appropriate backfill materials. Manufacturer's recommendations will be followed for replacing silt fencing damaged due to weathering.

1.12 Contingency Plan

This contingency plan is developed for the remedial construction to address the discovery of unknown structures or contaminated media during excavation. Identification of unknown contamination source areas during invasive Site work will be promptly communicated to OER's Project Manager. Petroleum spills will be reported to the NYS DEC Spill Hotline. These findings

will be included in the daily report. If previously unidentified contaminant sources are found during on-Site remedial excavation or development-related excavation, sampling will be performed on contaminated source material and surrounding soils and reported to OER. Chemical analytical testing will be performed for TAL metals, TCL volatiles and semi-volatiles, TCL pesticides and PCBs, as appropriate.

1.13 Odor, Dust and Nuisance Control

Odor Control

All necessary means will be employed to prevent on- and off-Site odor nuisances. At a minimum, procedures will include: (a) limiting the area of open excavations; (b) shrouding open excavations with tarps and other covers; and (c) use of foams to cover exposed odorous soils. If odors develop and cannot otherwise be controlled, additional means to eliminate odor nuisances will include: (d) direct load-out of soils to trucks for off-Site disposal; and (e) use of chemical odorants in spray or misting systems.

This odor control plan is capable of controlling emissions of nuisance odors. If nuisance odors are identified, work will be halted and the source of odors will be identified and corrected. Work will not resume until all nuisance odors have been abated. OER will be notified of all odor complaint events. Implementation of all odor controls, including halt of work, will be the responsibility of the PE/QEP's certifying the Remedial Action Report.

Dust Control

Dust management during invasive on-Site work will include, at a minimum:

- Use of a dedicated water spray methodology for roads, excavation areas and stockpiles.
- Use of properly anchored tarps to cover stockpiles.
- Exercise extra care during dry and high-wind periods.
- Use of gravel or recycled concrete aggregate on egress and other roadways to provide a clean and dust-free road surface.

This dust control plan is capable of controlling emissions of dust. If nuisance dust emissions are identified, work will be halted and the source of dusts will be identified and corrected. Work

will not resume until all nuisance dust emissions have been abated. OER will be notified of all dust complaint events. Implementation of all dust controls, including halt of work, will be the responsibility of the PE/QEP's responsible for certifying the Remedial Action Report.

Other Nuisances

Noise control will be exercised during the remedial program. All remedial work will conform, at a minimum, to NYC noise control standards.

Rodent control will be provided, during Site clearing and grubbing, and during the remedial program, as necessary, to prevent nuisances.

APPENDIX 4

CONSTRUCTION HEALTH AND SAFETY PLAN

APPENDIX 5

VAPOR BARRIER SPECIFICATIONS AND MANUFACTURER COMPATIBILITY LETTER