September 5, 2012

New York City Office of Environmental Remediation
City Brownfield Cleanup Program
c/o Shaminder Chawla
100 Gold Street, 2nd Floor
New York, NY 10038

Re: 13CVCP076K
172-184 Nassau Street
Remedial Action Work Plan (RAWP) Stipulation List

Dear Mr. Chawla:

EBC hereby submits a Remedial Action Work Plan (RAWP) Stipulation List for the subject site to the New York City Office of Environmental Remediation (NYCOER) on behalf of Pinkstone Capital Group. This letter serves as an addendum to the RAWP to stipulate additional content, requirements and procedures that will be followed during the site remediation. The contents of this list are added to the RAWP and will supersede the content in the RAWP where there is a conflict in purpose or intent. The additional requirements/procedures include the following:

Stipulation List

1. The criterion attached in **Addendum 1** will be utilized if a petroleum containing tank or vessel is identified during the remedial action or subsequent redevelopment excavation activities. All petroleum spills will be reported to the NYSDEC hotline as required by applicable laws and regulations. This contingency plan is designed for heating oil tanks and other small or moderately sized storage vessels. If larger tanks, such as gasoline storage tanks are identified, OER will be notified before this criterion is utilized.

2. A Track 4 clean up is proposed for the Site. Post-remedial endpoint sampling will be conducted in accordance with RAWP Section 4.2. Endpoint samples for Track 4 will be analyzed for SVOCs, pesticides and TAL Metals (Lead, Mercury, Nickel and Zinc only). For areas where Track 1 Unrestricted Use SCOs are pursued, endpoint samples will be analyzed for the full list of VOCs, SVOCs, PCBs, Pesticides, and Metals. The analytical results of the 12-14 ft interval from the soil borings performed during the RIR will be serve as endpoint samples reducing the number of additional verification samples from 15 to 9.

3. A map indicating post-remedial End Point Sampling Locations is attached as **Addendum 2**.

4. The vapor barrier planned for this project is 20 mil HDPE as manufactured by GSE Lining Technologies, inc, (or equivalent) to be installed beneath the building slab. The manufacturer specifications are attached as **Addendum 3**.

5. This NYC BCP project involving the removal and transportation of hazardous waste may be subject to the New York State Department of Environmental Conservation's Special Assessment Tax (ECL 27-0923) and Hazardous Waste Regulatory Fees (ECL 72-00402). See DEC's website for more information: http://www.dec.ny.gov/chemical/9099.html.

6. A CD containing the final RAWP including this approved Stipulation List will be placed in the library that constitutes the primary public repository for project documents.

7. Signage for the project will include a sturdy placard mounted in a publically accessible right of way to building and other permits signage will consist of the NYC BCP Information Sheet (attached **Addendum 4**) announcing the remedial action. The Information sheet will be laminated and permanently affixed to the placard.

Sincerely,

Environmental Business Consultants

Kevin Brussee

Cc: W. Wong, NYCOER

Addendum 1

Generic Procedures for Management of Underground Storage Tanks identified under the NYC BCP

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Prior to Tank removal, the following procedures should be followed:

- Remove all fluid to its lowest draw-off point.
- Drain and flush piping into the tank.
- Vacuum out the "tank bottom" consisting of water product and sludge.
- Dig down to the top of the tank and expose the upper half.
- Remove the fill tube and disconnect the fill, gauge, product, vent lines and pumps. Cap and plug open ends of lines.
- Temporarily plug all tank openings, complete the excavation, remove the tank and place it in a secure location.
- Render the tank safe and check the tank atmosphere to ensure that petroleum vapors have been satisfactorily purged from the tank.
- Clean tank or remove to storage yard for cleaning.
- If the tank is to be moved, it must be transported by licensed waste transporter. Plug and cap all holes prior to transport leaving a 1/8 inch vent hole located at the top of the tank during transport.
- After cleaning, the tank must be made acceptable for disposal at a scrap yard, cleaning the tanks interior with a high pressure rinse and cutting the tank in several pieces.

During the tank and pipe line removal, the following field observations should be made and recorded:

- A description and photographic documentation of the tank and pipe line condition (pitting, holes, staining, leak points, evidence of repairs, etc.).
- Examination of the excavation floor and sidewalls for physical evidence of contamination (odor, staining, sheen, etc.).
- Periodic field screening (through bucket return) of the floor and sidewalls of the excavation, with a calibrated photoionization detector (PID).

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Impacted Soil Excavation Methods

The excavation of the impacted soil will be performed following the removal of the existing tanks. Soil excavation will be performed in accordance with the procedures described under Section 5.5 of Draft DER-10 as follows:

- A description and photographic documentation of the excavation.
- Examination of the excavation floor and sidewalls for physical evidence of contamination (odor, staining, sheen, etc.).
- Periodic field screening (through bucket return) of the floor and sidewalls of the excavation, with calibrated photoionization detector (PID).

Final excavation depth, length, and width will be determined in the field, and will depend on the horizontal and vertical extent of contaminated soils as indentified through physical examination (PID response, odor, staining, etc.). Collection of verification samples will be performed to evaluate the success of the removal action as specified in this document.

The following procedure will be used for the excavation of impacted soil (as necessary and appropriate):

- Wear appropriate health and safety equipment as outlined in the Health and Safety Plan.
- Prior to excavation, ensure that the area is clear of utility lines or other obstructions. Lay plastic sheeting on the ground next to the area to be excavated.
- Using a rubber-tired backhoe or track mounted excavator, remove overburden soils and stockpile, or dispose of, separate from the impacted soil.
- If additional UST's are discovered, the NYSDEC will be notified and the best course of action to remove the structure should be determined in the field. This may involve the continued trenching around the perimeter to minimize its disturbance.
- If physically contaminated soil is present (e.g., staining, odors, sheen, PID response, etc.) an attempt will be made to remove it, to the extent not limited by the site boundaries or the bedrock surface. If possible, physically impacted soil will be removed

using the backhoe or excavator, segregated from clean soils and overburden, and staged on separated dedicated plastic sheeting or live loaded into trucks from the disposal facility. Removal of the impacted soils will continue until visibly clean material is encountered and monitoring instruments indicate that no contaminants are present.

- Excavated soils which are temporarily stockpiled on-site will be covered with tarp material while disposal options are determined. Tarp will be checked on a daily basis and replaced, repaired or adjusted as needed to provide full coverage. The sheeting will be shaped and secured in such a manner as to drain runoff and direct it toward the interior of the property.

Once the site representative and regulatory personnel are satisfied with the removal effort, verification of confirmatory samples will be collected from the excavation in accordance with DER-10.

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Addendum 2

End Point Sampling Plan

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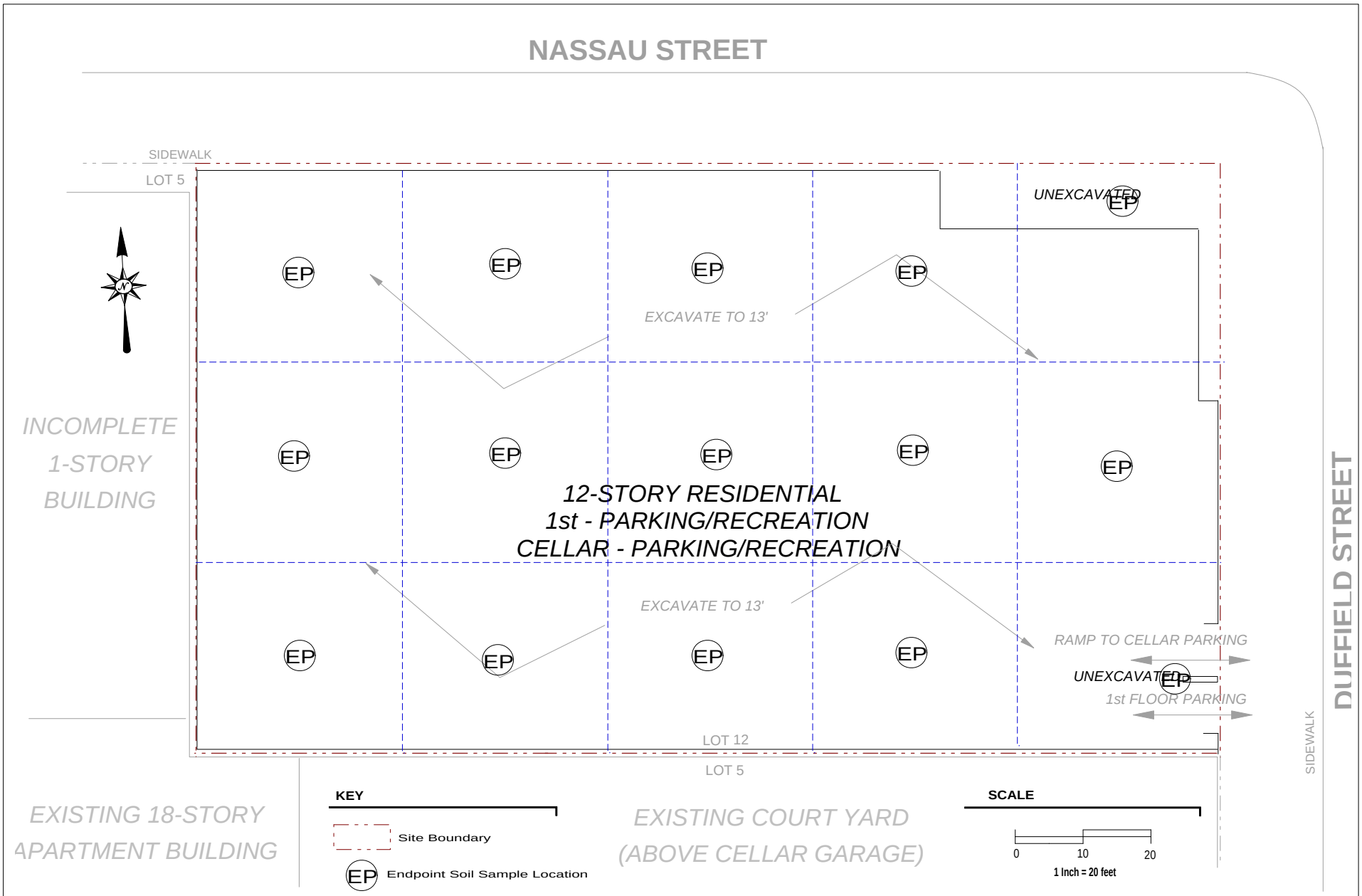

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180 NASSAU STREET
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FIGURE 6 PROPOSED ENDPOINT LOCATIONS

Addendum 3

Vapor Barrier Specifications

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Permeability For GSE Geomembranes

Due to its chemical structure, polyethylene is an (essentially) impermeable substance. The material is made up of very long molecules. There does exist, however, molecular voids (sometimes referred to as "free space") among the individual polyethylene chains. The existence of these spaces is recognized when we say polyethylene is essentially impermeable. Permeation may exist when, for instance, the pressure behind the permeant is very high or the permeant's molecular size is very small. However, the degree of permeation exhibited is difficult to determine using currently available test procedures. As a result, test results frequently reflect the inaccuracy of the procedure rather than the permeation of the material. Testing of GSE HDPE performed by an independent laboratory produced the following results.

Test	ASTM Method	Results
Methane Permeability	D 1434	2.0 x 10-6 mL/cm²·s
Water Vapor Permeability	E 96	1.7 x 10-9 mL/cm²·s

It must be emphasized that different chemicals will permeate at different rates due to differences in molecular shape, polarity and phase (gas or liquid). For example, the relatively small water molecule (atomic weight 18) will more easily permeate the polyethylene matrix as compared to a large molecule such as cyclohexanol (atomic weight 94).

The molecules' polarity must also be considered (recall the adage "like dissolves like"). Polyethylene is a non-polar molecule, therefore other non-polar molecules will permeate the matrix better. Examples of these molecules are hydrocarbons - especially those such as octane, pentane and hexene. The permeation of these are therefore greater than for polar molecules such as water.

A sometimes overlooked factor when reviewing permeation data is that most permeameters apply pressure to encourage permeation. In geotechnical and environmental applications, geomembranes are not subjected to the high pressures of potential permeants as they are in a permeation laboratory test. The lack of a driving force greatly diminishes actual permeation since the gaseous molecules find an easier path to follow than through the polyethylene liner. Also, because of the high pressures required to force permeants through polyethylene, failure of the permeameter is common. This is commonly in the form of a test apparatus leak. Such leaks can result in erroneous results.

TN006 PermeabilityGeomem R03/17/06

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Asia Pacific	GSE Lining Technology Company Limited	Bangkok, Thailand		66 2 937 0091	Fax: 66 2 937 0097
Europe & Africa	GSE Lining Technology GmbH	Hamburg, Germany		49 40 767420	Fax: 49 40 7674234
Middle East	GSE Lining Technology-Egypt	The 6th of October City, Egypt		202 2 828 8888	Fax: 202 2 828 8889

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Technical Note

Chemical Resistance For GSE Geomembranes

GSE geomembranes are made of high quality, virgin polyethylene which demonstrates excellent chemical resistance. GSE polyethylene geomembranes are resistant to a great number and combinations of chemicals. It is this property of (HDPE) high density polyethylene geomembranes that makes it the lining material of choice.

In order to gauge the durability of a material in contact with a chemical mixture, testing is required in which the material is exposed to the chemical environment in question. Chemical resistance testing is a very large and complex topic because of two factors. First, the number of specific media is virtually endless and second, there are many criteria such as tensile strength, hardness, etc. that may be used to assess a material's resistance to degradation.

The chemical resistance of polyethylene has been investigated by many people over the past few decades. We are able to draw from that work when making statements about the chemical resistance of today's polyethylene geomembranes. In addition to that, many tests have been performed that specifically use geomembranes and certain chemical mixtures. Naturally, however, every mixture of chemicals cannot be tested for. As a result of these factors, GSE published a chemical resistance chart, demonstrating general guidelines.

Polyethylene is, for practical purposes, considered impermeable. Be aware, however, that all materials are permeable to some extent. Permeability varies with concentration, temperature, pressure and type of permeant. The rates of permeation are usually so low, however, that they are insignificant. As a point of reference, polyethylene is commonly used for packaging of several types of materials. These include gasoline, motor oil, household cleaners (i.e. bleach), muratic acid, pesticides, insecticides, fungicides, and other highly concentrated chemicals. Also, you should be aware that there are some chemicals which may be absorbed by the material but only when present at very high concentrations. These include halogenated and/or aromatic hydrocarbons at greater than 50%; their absorption results in swelling and slight changes in physical properties such as increased tensile elongations. This includes many types of fuels and oils. Recognize that this action, however, does not affect the liner's ability to act as a barrier for the material it is containing.

Since polyethylene is a petroleum product, it can absorb other petroleum products. Like a sponge, the material becomes slightly thicker and more flexible but does not produce a hole or void. However, unlike a sponge, this absorption is not immediate. It takes a much longer time for a polyethylene liner to swell than it does for a sponge. The exact time it takes for swelling to occur depends on the particular constituents and concentrations of the contained media. However, a hole would not be produced. Also, this absorption is reversible and the material will essentially return to it's original state when the chemical is no longer in contact with the liner.

With regard to typical municipal landfills in the United States, legally allowable levels of chemicals have been demonstrated to have no adverse affect on polyethylene geomembrane performance. The very low levels of salts, metals and organic compounds do not damage polyethylene. A double-lined containment with a leachate (leak detection) removal system effectively prevents any significant, continuous exposure of the secondary membrane to these materials and for practical purposes makes the total liner system even more impermeable.

TN005 ChemicalResistance R03/17/06

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Technical Note

Chemical Resistance Chart

GSE is the world's leading supplier of high quality, polyethylene geomembranes. GSE polyethylene geomembranes are resistant to a great number and combinations of chemicals. Note that the effect of chemicals on any material is influenced by a number of variable factors such as temperature, concentration, exposed area and duration. Many tests have been performed that use geomembranes and certain specific chemical mixtures. Naturally, however, every mixture of chemicals cannot be tested for, and various criteria may be used to judge performance. Reported performance ratings may not apply to all applications of a given material in the same chemical. Therefore, these ratings are offered as a guide only. This information is provided for reference purposes only and is not intended as a warranty or guarantee. GSE assumes no liability in connection with the use of this information.

Medium	Concentration	Resistance at: 20 °C (68 °F)	60 °C (140 °F)
A			
Acetic acid	100%	S	L
Acetic acid	10%	S	S
Acetic acid anhydride	100%	S	L
Acetone	100%	L	L
Adipic acid	sat. sol.	S	S
Allyl alcohol	96%	S	S
Aluminum chloride	sat. sol.	S	S
Aluminum fluoride	sat. sol.	S	S
Aluminum sulfate	sat. sol.	S	S
Alum	sol.	S	S
Ammonia, aqueous	dil. sol.	S	S
Ammonia, gaseous dry	100%	S	S
Ammonia, liquid	100%	S	S
Ammonium chloride	sat. sol.	S	S
Ammonium fluoride	sol.	S	S
Ammonium nitrate	sat. sol.	S	S
Ammonium sulfate	sat. sol.	S	S
Ammonium sulfide	sol.	S	S
Amyl acetate	100%	S	L
Amyl alcohol	100%	S	L
Aniline	100%	S	L
Antimony trichloride	90%	S	S
Arsenic acid	sat. sol.	S	S
Aqua regia	HCI-HNO3	U	U
B			
Barium carbonate	sat. sol.	S	S
Barium chloride	sat. sol.	S	S
Barium hydroxide	sat. sol.	S	S
Barium sulfate	sat. sol.	S	S
Barium sulfide	sol.	S	S
Benzaldehyde	100%	S	L
Benzene	—	L	L
Benzoic acid	sat. sol.	S	S
Beer	—	S	S
Borax (sodium tetraborate)	sat. sol.	S	S
Boric acid	sat. sol.	S	S
Bromine, gaseous dry	100%	U	U
Bromine, liquid	100%	U	U
Butane, gaseous	100%	S	S
1-Butanol	100%	S	S
Butyric acid	100%	S	L
C			
Calcium carbonate	sat. sol.	S	S
Calcium chlorate	sat. sol.	S	S
Calcium chloride	sat. sol.	S	S
Calcium nitrate	sat. sol.	S	S
Calcium sulfate	sat. sol.	S	S
Calcium sulfide	dil. sol.	L	L
Carbon dioxide, gaseous dry	100%	S	S
Carbon disulfide	100%	L	U
Carbon monoxide	100%	S	S
Chloracetic acid	sol.	S	S
Carbon tetrachloride	100%	L	U
Chlorine, aqueous solution	sat. sol.	L	U
Chlorine, gaseous dry	100%	L	U
Chloroform	100%	U	U
Chromic acid	20%	S	L
Chromic acid	50%	S	L
Citric acid	sat. sol.	S	S

Medium	Concentration	Resistance at: 20 °C (68 °F)	60 °C (140 °F)
Copper chloride	sat. sol.	S	S
Copper nitrate	sat. sol.	S	S
Copper sulfate	sat. sol.	S	S
Cresylic acid	sat. sol.	L	—
Cyclohexanol	100%	S	S
Cyclohexanone	100%	S	L
D			
Decahydronaphthalene	100%	S	L
Dextrine	sol.	S	S
Diethyl ether	100%	L	—
Dioctylphthalate	100%	S	L
Dioxane	100%	S	S
E			
Ethanediol	100%	S	S
Ethanol	40%	S	L
Ethyl acetate	100%	S	U
Ethylene trichloride	100%	U	U
F			
Ferric chloride	sat. sol.	S	S
Ferric nitrate	sol.	S	S
Ferric sulfate	sat. sol.	S	S
Ferrous chloride	sat. sol.	S	S
Ferrous sulfate	sat. sol.	S	S
Fluorine, gaseous	100%	U	U
Fluorosilicic acid	40%	S	S
Formaldehyde	40%	S	S
Formic acid	50%	S	S
Formic acid	98-100%	S	S
Furfuryl alcohol	100%	S	L
G			
Gasoline	—	S	L
Glacial acetic acid	96%	S	L
Glucose	sat. sol.	S	S
Glycerine	100%	S	S
Glycol	sol.	S	S
H			
Heptane	100%	S	U
Hydrobromic acid	50%	S	S
Hydrobromic acid	100%	S	S
Hydrochloric acid	10%	S	S
Hydrochloric acid	35%	S	S
Hydrocyanic acid	10%	S	S
Hydrofluoric acid	4%	S	S
Hydrofluoric acid	60%	S	L
Hydrogen	100%	S	S
Hydrogen peroxide	30%	S	L
Hydrogen peroxide	90%	S	U
Hydrogen sulfide, gaseous	100%	S	S
L			
Lactic acid	100%	S	S
Lead acetate	sat. sol.	S	—
M			
Magnesium carbonate	sat. sol.	S	S
Magnesium chloride	sat. sol.	S	S
Magnesium hydroxide	sat. sol.	S	S
Magnesium nitrate	sat. sol.	S	S
Maleic acid	sat. sol.	S	S
Mercuric chloride	sat. sol.	S	S

- Continued -

Medium	Concentration	Resistance at: 20 °C (68 °F)	60 °C (140 °F)
Mercuric cyanide	sat. sol.	S	S
Mercuric nitrate	sol.	S	S
Mercury	100%	S	S
Methanol	100%	S	S
Methylene chloride	100%	L	—
Milk	—	S	S
Molasses	—	S	S
N			
Nickel chloride	sat. sol.	S	S
Nickel nitrate	sat. sol.	S	S
Nickel sulfate	sat. sol.	S	S
Nicotinic acid	dil. sol.	S	—
Nitric acid	25%	S	S
Nitric acid	50%	S	U
Nitric acid	75%	U	U
Nitric acid	100%	U	U
O			
Oils and Grease	—	S	L
Oleic acid	100%	S	L
Orthophosphoric acid	50%	S	S
Orthophosphoric acid	95%	S	L
Oxalic acid	sat. sol.	S	S
Oxygen	100%	S	L
Ozone	100%	L	U
P			
Petroleum (kerosene)	—	S	L
Phenol	sol.	S	S
Phosphorus trichloride	100%	S	L
Photographic developer	cust. conc.	S	S
Picric acid	sat. sol.	S	—
Potassium bicarbonate	sat. sol.	S	S
Potassium bisulfide	sol.	S	S
Potassium bromate	sat. sol.	S	S
Potassium bromide	sat. sol.	S	S
Potassium carbonate	sat. sol.	S	S
Potassium chlorate	sat. sol.	S	S
Potassium chloride	sat. sol.	S	S
Potassium chromate	sat. sol.	S	S
Potassium cyanide	sol.	S	S
Potassium dichromate	sat. sol.	S	S
Potassium ferricyanide	sat. sol.	S	S
Potassium ferrocyanide	sat. sol.	S	S
Potassium fluoride	sat. sol.	S	S
Potassium hydroxide	10%	S	S
Potassium hydroxide	sol.	S	S
Potassium hypochlorite	sol.	S	L
Potassium nitrate	sat. sol.	S	S
Potassium orthophosphate	sat. sol.	S	S
Potassium perchlorate	sat. sol.	S	S
Potassium permanganate	20%	S	S
Potassium persulfate	sat. sol.	S	S
Potassium sulfate	sat. sol.	S	S
Potassium sulfite	sol.	S	S
Propionic acid	50%	S	S
Propionic acid	100%	S	L
Pyridine	100%	S	L
Q			
Quinol (Hydroquinone)	sat. sol.	S	S
S			
Salicylic acid	sat. sol.	S	S

Medium	Concentration	Resistance at: 20 °C (68 °F)	60 °C (140 °F)
Silver acetate	sat. sol.	S	S
Silver cyanide	sat. sol.	S	S
Silver nitrate	sat. sol.	S	S
Sodium benzoate	sat. sol.	S	S
Sodium bicarbonate	sat. sol.	S	S
Sodium biphosphate	sat. sol.	S	S
Sodium bisulfite	sol.	S	S
Sodium bromide	sat. sol.	S	S
Sodium carbonate	sat. sol.	S	S
Sodium chlorate	sat. sol.	S	S
Sodium chloride	sat. sol.	S	S
Sodium cyanide	sat. sol.	S	S
Sodium ferricyanide	sat. sol.	S	S
Sodium ferrocyanide	sat. sol.	S	S
Sodium fluoride	sat. sol.	S	S
Sodium hydroxide	40%	S	S
Sodium hydroxide	sat. sol.	S	S
Sodium hypochlorite	15% active chlorine	S	S
Sodium nitrate	sat. sol.	S	S
Sodium nitrite	sat. sol.	S	S
Sodium orthophosphate	sat. sol.	S	S
Sodium sulfate	sat. sol.	S	S
Sodium sulfide	sat. sol.	S	S
Sulfur dioxide, dry	100%	S	S
Sulfur trioxide	100%	U	U
Sulfuric acid	10%	S	S
Sulfuric acid	50%	S	S
Sulfuric acid	98%	S	U
Sulfuric acid	fuming	U	U
Sulfurous acid	30%	S	S
T			
Tannic acid	sol.	S	S
Tartaric acid	sol.	S	S
Thionyl chloride	100%	L	U
Toluene	100%	L	U
Triethylamine	sol.	S	L
U			
Urea	sol.	S	S
Urine	—	S	S
W			
Water	—	S	S
Wine vinegar	—	S	S
Wines and liquors	—	S	S
X			
Xylenes	100%	L	U
Y			
Yeast	sol.	S	S
Z			
Zinc carbonate	sat. sol.	S	S
Zinc chloride	sat. sol.	S	S
Zinc (II) chloride	sat. sol.	S	S
Zinc (IV) chloride	sat. sol.	S	S
Zinc oxide	sat. sol.	S	S
Zinc sulfate	sat. sol.	S	S

Specific immersion testing should be undertaken to ascertain the suitability of chemicals not listed above with reference to special requirements.

NOTES:

(S) Satisfactory: *Liner material is resistant to the given reagent at the given concentration and temperature. No mechanical or chemical degradation is observed.*

(L) Limited Application Possible: *Liner material may reflect some attack. Factors such as concentration, pressure and temperature directly affect liner performance against the given media. Application, however, is possible under less severe conditions, e.g. lower concentration, secondary containment, additional liner protections, etc.*

(U) Unsatisfactory: ***Liner material is not resistant to the given reagent at the given concentration and temperature. Mechanical and/or chemical degradation is observed.***

(–) Not tested

sat. sol. = *Saturated aqueous solution, prepared at 20°C (68°F)*

sol. = *aqueous solution with concentration above 10% but below saturation level*

dil. sol. = *diluted aqueous solution with concentration below 10%*

cust. conc. = *customary service concentration*

TN032 ResistChart R03/17/06

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Addendum 4

Signage

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NYC Voluntary Cleanup Program

This property is enrolled in the New York City Voluntary Cleanup Program for environmental remediation. This is a voluntary program administered by the NYC Office of Environmental Remediation.

For more information, log on to:

www.nyc.gov/oer

If you have questions or would like more information, please contact:

Shaminder Chawla at (212) 788-8841
or email us at brownfields@cityhall.nyc.gov

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