

326 WEST 37TH STREET
NEW YORK, NEW YORK

Remedial Action Work Plan

NYC VCP Number: 14CVCP238M

Prepared for:

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REMEDIAL ACTION WORK PLAN

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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/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
BCA	Brownfield 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, Shaik A. Saad, am a Professional Engineer licensed in the State of New York. I have primary direct responsibility for implementation of the remedial action for the 326 West 37th Street Site (Site No. N/A).

I, Mark E. Robbins, am a Qualified Environmental Professional as defined in §43-140. I have primary direct responsibility for implementation of the remedial action for the 326 West 37th Street Site (Site No. N/A).

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

PE Stamp

Mark E. Robbins

QEP Name

Mark E. Robbins

QEP Signature

3/17/14

Date

EXECUTIVE SUMMARY

McSam Hotel Group, LLC has applied to enroll in the New York City Voluntary Brownfield Cleanup Program (NYC VCP) to investigate and remediate a 7,406-square foot site located at 326 West 37th Street in New York, 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 with applicable laws and regulations.

Site Location and Current Usage

The Site is located at 326 West 37th Street in the Garment District section in New York, New York and is identified as Block 760 and Lots 58, 59 and 60 on the New York City Tax Map. Figure 1 shows the Site location. The Site is 7,406-square feet and is bounded by West 37th Street and multi-story commercial building to the north, multi-story commercial and residential mix use building to the south, multi-story commercial building to the east, and 5-story residential building to the west. A map of the site boundary is shown in Figure 2. Currently, the Site is vacant.

Summary of Proposed Redevelopment Plan

The proposed future use of the Site will consist of a new 22-story hotel with a cellar. The combine total gross square footage will be approximately 100,884 square feet. Total ground floor built area will be approximately 5,722 square feet and open space area will be 1,500 square feet. The open space yard will be over unexcavated soil or backfilling on a 6 inch concrete slab on grade construction. Cellar floor area will be approximately 5,827 square feet and 12 feet depth. Cellar will be utilized as a mechanical room and hotel amenities use such as fitness center, meeting room and bathrooms. The proposed construction will require excavation to 15 feet and 10 inches across the site in addition to elevator pit excavation of 25 feet and 4 inches. Depth of excavation includes cellar depth, 42 inches concrete matt and 4 inches of gravel. Total approximate excavated soil will be 4,590 cubic yards. Total approximate backfill required will

be 510 cubic yards. The main construction material for exterior walls will be standard size brick. Layout of the proposed site development is presented in Figure 3. The current zoning designation is C6-4M- Garment Center Special District Preservation Area P2. 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 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) Soil Cleanup Objectives (SCOs).
4. Site mobilization involving Site security setup, equipment mobilization, utility mark outs and marking & staking excavation areas.
5. Excavation and removal of soil/fill exceeding Track 4 SCOs. 80% (5,825 SF) of property will be excavated to a depth of approximately 16 feet inches below grade in addition to elevator pit excavation of more than 25 feet for development purposes. The remainder 1,500 sf of rear yard area will be excavated one to two feet and capped with concrete. Approximately 4,590 cubic yards (7,000 tons) of soil will be removed. Removal action is expected to achieve Unrestricted Use Track 1 SCOs.

6. 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.
7. Removal of underground storage tanks (if encountered) and closure of petroleum spills (if evidence of a spill/leak is encountered during Site excavation) in compliance with applicable local, State and Federal laws and regulations.
8. 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. Appropriate segregation of excavated media on-Site.
9. Collection and analysis of end-point samples to determine the performance of the remedy with respect to attainment of SCOs.
10. Import of materials to be used for backfill and cover in compliance with this plan and in accordance with applicable laws and regulations.
11. Implementation of storm-water pollution prevention measures in compliance with applicable laws and regulations.
12. Performance of all activities required for the remedial action, including permitting requirements and pretreatment requirements, in compliance with applicable laws and regulations.
13. Construction and maintenance of an engineered composite cover consisting of 42” concrete building slab across the footprint of the new building to prevent human exposure to residual soil/fill remaining under the Site. The rear yard area will be covered with two feet of clean soil and/or six inches of concrete.
14. Installation of a vapor barrier system beneath the building slab and outside foundation sidewalls below grade.

15. 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.
16. Submission of a Remedial Action Report (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 if Track 1 SCOs are not achieved, describes all Engineering and Institutional Controls to be implemented at the Site.
17. The property will continue to be registered with an E-Designation at the NYC Buildings Department. Establishment of Engineering Controls and Institutional Controls; 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 BCP, 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.

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 is Paul I. Matli and can be reached at (718) 636-0800.

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 onsite Project Manager Paul I. Matli at (718) 636-0800 or NYC Office of Environmental Remediation Project Manager Rebecca Bub at (212) 341-2073.

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 are 7:00 am to 4:30 pm and Monday through Friday.

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 Paul I. Matli at (718) 636-0800, the NYC Office of Environmental Remediation Project Manager Rebecca Bub at (212) 341-2073, 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 New York Public Library-Mid-Manhattan 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 defined in the property's deed or 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

McSam Hotel Group, LLC has applied to enroll in the New York City Voluntary Cleanup Program (NYC VCP) to investigate and remediate a property located at 326 West 37th Street in the Garment District section of New York, 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 326 West 37th Street in the Garment District section in New York, New York and is identified as Block 760 and Lots 58, 59 and 60 on the New York City Tax Map. Figure 1 shows the Site location. The Site is 7,406-square feet and is bounded by West 37th Street and multi-story commercial building to the north, multi-story commercial and residential mix use building to the south, multi-story commercial building to the east, and 5-story residential building to the west. A map of the site boundary is shown in Figure 2. Currently, the Site is vacant.

1.2 PROPOSED REDEVELOPMENT PLAN

The proposed future use of the Site will consist of a new 22-story hotel with a cellar. The combine total gross square footage will be approximately 100,884 square feet. Total ground floor built area will be approximately 5,722 square feet and open space area will be 1,500 square feet. The open space yard will be over unexcavated soil or backfilling on a 6 inch concrete slab on grade construction. Cellar floor area will be approximately 5,827 square feet and 12 feet depth.

Cellar will be utilized as a mechanical room and hotel amenities use such as fitness center, meeting room and bathrooms. The proposed construction will require excavation to 15 feet and 10 inches across the site in addition to elevator pit excavation of 25 feet and 4 inches. Depth of excavation includes cellar depth, 42 inches concrete matt and 4 inches of gravel. Total approximate excavated soil will be 4,590 cubic yards. Total approximate backfill required will be 510 cubic yards. The main construction material for exterior walls will be standard size brick. Layout of the proposed site development is presented in Figure 3. The current zoning designation is C6-4M- Garment Center Special District Preservation Area P2. 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 area surrounding the property consists of commercial and residential buildings. The results of the Site inspection and an evaluation of the United States Geological Survey (USGS) 7-½ Minute Topographic Map containing the property indicates four (4) sensitive receptors are located within less than ¼ mile to the Subject Property. These sensitive receptors are Positive Health Care, Selfhelp Special Family Home Care, West Midtown Medical Group and Daytop Village Inc. Hydro Tech believes that the Subject Property should not represent an environmental concern to these sensitive receptors.

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, 326 West 37th Street*”, dated March 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 Hydro Tech in December 2013, a Site history was established. The Site was

developed prior to 1890 with three 5-story buildings. Each one of the lots was utilized with one 5-story building. The uses of the buildings are not listed. The building at Lot 60 was demolished prior to 1960. Lot 60 was utilized as parking between 1968 and 1980. The Site was listed as parking garage since 1982. This is consistent with the most recent use of the Site.

The AOCs identified for this site include:

1. Barium and Lead hotspots on northern, northwestern and western portions 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 six (6) soil borings across the entire project Site, and collected twelve (12) soil samples for chemical analysis from the soil borings to evaluate soil quality;
4. Installed three (3) groundwater monitoring wells throughout the Site to establish groundwater flow 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;
6. Collected one (1) ambient air sample for chemical analysis.

Summary of Environmental Findings

1. Elevation of the property is 39 feet.
2. No anomalies indicative of USTs were identified.
3. Depth to groundwater ranges from 21.87 to 23.66 feet.
4. Groundwater flow is towards north-northwest.
5. Bedrock was not encountered during the RI.

6. The stratigraphy of the site, from the surface down, consists of 6 feet of medium coarse sand with traces of urban fill, 4 feet of coarse sand with traces of urban fill and 10 to 12 feet of medium to fine grained sand.
7. Soil/fill samples collected during the RI were compared to 6 NYCRR Part 375-6.8 Track 1 Unrestricted Soil Cleanup Objectives (SCOs) and Track 2 Commercial SCOs. Soil sampling results showed no VOCs except for acetone (max. of 0.17 ppm) above Unrestricted Use SCOs. Trace levels of three other VOCs; 2-butanone (max. of 0.018ppm), naphthalene (0.087 ppm) and methylene chloride (0.0086 ppm) were detected in one or more soil samples. Seven (7) Polycyclic Aromatic Hydrocarbon (PAH) range SVOCs including Benzo(a)anthracene (max. of 5.2 ppm), Benzo(a)pyrene (max. of 3.6 ppm), Benzo(b)fluoranthene (max. of 5.5 ppm), Benzo(k)fluoranthene (max. of 1.6 ppm), Chrysene (max. of 4.8 ppm), Dibenzo(a,h)anthracene (0.5 ppm) and Indeno(1,2,3-cd)pyrene (max. of 1.4 ppm) were detected above their respective Unrestricted Use SCOs in four of the twelve soil samples. Of these SVOCs, Benzo(a)pyrene was also detected above its respective Track 2 Commercial SCO in two shallow and one deep soil samples. Pesticides including 4,4'-DDD (max. of 0.0081 ppm); 4,4'-DDE (max. of 0.072 ppm); 4,4'-DDT (max. of 2.8 ppb) and dieldrin (0.0075 ppm) were identified at a concentration exceeding their Track 1 Unrestricted Use SCOs in six shallow and deep soil samples. Ten (10) metals, including; Arsenic (max. of 14.4 ppm), Barium (max. of 3930 ppm), Cadmium (max. of 4.48 ppm), Chromium Hexavalent (max. of 2.2 ppm), Copper (max. of 93.1 ppm), Lead (max. of 1220 ppm), Manganese (max. of 2870 ppm), Zinc (max. of 2680 ppm), Mercury (max. of 1.58 ppm) and Selenium (max. of 6.49 ppm) were identified above Track 1 Unrestricted SCOs in nine of the soil samples. Of these metals, Barium (in two deep samples) and Lead (in one deep sample) also exceeded their Track 2 Commercial SCOs. Overall, the findings were consistent with observations for historic fill sites in areas throughout NYC.
8. Groundwater samples collected during the RI were compared to 6 NYCRR Part 703.5 Groundwater Quality standards (GQS). Groundwater samples showed no VOCs, SVOCs, Pesticides or PCBs at concentrations exceeding Groundwater Quality Standards (GQSs). Several metals were identified in groundwater samples, but only one (1) metal,

specifically magnesium (max of 469,000 ug/L) was detected in all three groundwater samples exceeding its respective GQs.

9. Soil vapor samples 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. Soil vapor samples collected during the RI showed low levels of petroleum and chlorinated VOCs. Petroleum-range VOCs (BTEX) were detected at a maximum concentration of 102.2 ug/m³. Tetrachloroethylene (PCE) was detected in two of the soil vapor samples, at a maximum concentration of 3.46 ug/m³. PCE Concentrations are below the monitoring level range established by NYSDOH Final Guidance on Soil Vapor Intrusion (October 2006). The VOCs 1,1,1-Trichloroethane, Carbon tetrachloride and Trichloroethylene were not detected in any of the soil vapor samples.

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.

Soil

- Prevent direct contact with contaminated soil.
- Prevent exposure to contaminants volatilizing from contaminated soil.
- Prevent migration of contaminants that would result in groundwater or surface water contamination.

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 (Alternative #1 and Alternative #2) are considered for alternatives analysis for this site:

Alternative #1 involves:

- Establishment of Unrestricted Use (Track 1) Soil Cleanup Objectives (SCOs).
- Removal of all soil/fill exceeding Track 1 SCOs throughout the Site and confirmation

that Track 1 SCOs have been achieved with post-excavation endpoint sampling. If soil/fill-containing analytes at concentrations above Track 1 SCOs are still present at the base of the excavation, additional excavation will be performed to ensure complete removal of soil that does not meet Track 1 SCOs.

- No engineering or institutional controls are required in a Track 1 Unrestricted Use cleanup, however a composite cover will be installed as a part of new development.
- A vapor barrier will be installed beneath the basement foundation and outside foundation sidewalls of the new buildings sidewalls of the new buildings as part of new development to prevent any potential future exposures from off-Site soil vapor.

Alternative #2 involves:

- Establishment of Track 4 Soil Cleanup Objectives (SCOs).
- Removal of all soils exceeding Track 4 SCOs and confirmation that Track 4 has been achieved with post-excavation endpoint sampling. Excavation for development purposes would take place to a depth of approximately 16 feet on 80 % (5825 sf) of the Site in addition to more than 25 feet in elevator pit to construct new building's cellar. The remainder 1,500 sf of rear yard area will be excavated one to two feet and capped with concrete;
- Placement of a vapor barrier beneath the foundation slab and along foundation side walls up to grade;
- Placement of a final cover over the entire site to eliminate exposure to remaining soil/fill;
- Establishment of use restrictions including prohibitions on the use of groundwater from the site and prohibitions on other sensitive site uses, such as farming or vegetable gardening, to eliminate future exposure pathways;
- Establishment of an approved Site Management Plan (SMP) to ensure long-term management of these engineering controls, including the performance of periodic inspections and certification that the controls are performing as they were intended; and

- Continued registration as an E-designated property to memorialize the remedial action and the Engineering and Institutional Controls required by this RAWP.

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 soil/fill exceeding Track 1 Unrestricted Use SCOs and groundwater protection standards, thus eliminating the potential for human and environmental exposure to 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 employing institutional and engineering controls, including a vapor barrier and a composite cover system. The composite cover system would prevent direct contact with any remaining on-Site soil/fill. 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 during construction would be minimized by implementing a Construction Health and Safety Plan (CHASP), an approved Soils/Materials Management Plan (SMP) and Community Air Monitoring Plan (CAMP). Potential use of groundwater for potable supply would be prevented as its use is prohibited by city laws and regulations. Potential future migration of off-Site soil vapors into the new buildings would be prevented by the new buildings' basement slabs and vapor barrier.

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

Alternative #2 would achieve compliance with remedial goals, SCGs, and RAOs for soil through the removal of soil/fill to Track 4 SCOs and groundwater protection standards and capping the Site with a composite cover. Compliance with SCGs for soil vapor could be achieved by installing a vapor barrier below the new building's basement slab and continuing the vapor barrier around foundation walls. A site management plan would ensure that these engineering controls remain 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 the applicable SCGs. These measures would 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 Alternative 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. However, focused attention to means and methods during the remedial action for an Alternative 1 removal action, including community air monitoring and appropriate truck routing, would minimize or negate the overall impact of these activities and any differences between these alternatives.

An additional short-term adverse impact and risks to the community associated with both remedial alternatives is increased truck traffic. Approximately 275 truck trips (25-ton capacity) would be necessary to transport fill and soil excavated during Site development. Truck traffic will be routed on the most direct course using major thoroughfares where possible and flaggers will be used to protect pedestrians at Site entrances and exits.

Both alternatives would employ appropriate measures to prevent short-term impacts, including a Community Air Monitoring Plan (CAMP) and a Soil/Materials Management Plan (SMMP), during all on-Site soil disturbance activities and would effectively prevent 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 Health and Safety Plan (CHASP) will 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 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 Engineering Controls.

Alternative #1 would achieve long-term effectiveness and permanence related to on-site contamination by permanently removing all impacted soils and enabling unrestricted usage of the property.

Alternative #2 would provide long-term effectiveness by removing most on-site contamination and attaining Track 4 SCOs, establishing engineering controls including a composite cover system across the entire site, establishing institutional controls to ensure long-term management including use restrictions, a Site Management Plan, and continued registration as an E-designated property to memorialize these controls for the long term. The Site Management Plan would ensure long-term effectiveness of all engineering controls and institutional controls by requiring periodic inspection and certification that these controls and restrictions continue to be in place and are functioning as they were intended to and assuring that protections designed in the remedy would provide continued high levels of protection, in perpetuity.

Both alternatives would result in removal of soil contamination exceeding the 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 would 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 unrestricted use SCOs.

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

The excavation of soil for the new development in both scenarios would probably result in relatively minor differences between these 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.

Both Alternatives are feasible and implementable. The techniques, materials and equipment to implement Alternative #1 and #2 are readily available and have been proven effective in remediating the contaminants associated with the Site. They use standard materials, services, and well-established technology. The reliability of these remedies is also high. There are no specific difficulties associated with any of the activities proposed, which utilize standard/industry methods.

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.

Initial costs associated with Alternative #1 will be higher than Alternative #2 based on both the volume of soil that requires excavation and off-Site disposal. However, long-term costs for Alternative #2 are marginally higher than Alternative #1 based on implementation of a Site Management Plan as part of Alternative #2.

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 observations by the project team, both of the alternatives are expected to be acceptable to the community. This RAWP will be subject to a 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 1.

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 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. Following remediation, the Site will meet either Track 1 Unrestricted Use or Track 4 Site-Specific SCOs, both of which are appropriate for its planned commercial use. Improvements in the current environmental 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. This RAWP will be subject to public review under the NYC VCP and will provide the opportunity for detailed public input on the land use factors described in this section. This public comment will be considered by OER prior to approval of this plan.

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.

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.

4.0 REMEDIAL ACTION

4.1 SUMMARY OF PREFERRED REMEDIAL ACTION

The preferred remedial action alternative is Alternative 1, the Track 1 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) Soil Cleanup Objectives (SCOs).
4. Site mobilization involving Site security setup, equipment mobilization, utility mark outs and marking & staking excavation areas.
5. Excavation and removal of soil/fill exceeding Track 4 SCOs. 80% (5,825 SF) of property will be excavated to a depth of approximately 16 feet inches below grade in addition to elevator pit excavation of more than 25 feet for development purposes. The remainder 1,500 sf of rear yard area will be excavated one to two feet and capped with concrete. Approximately 4,590 cubic yards (7,000 tons) of soil will be removed. Removal action is expected to achieve Unrestricted Use Track 1 SCOs.
6. 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.

7. Removal of underground storage tanks (if encountered) and closure of petroleum spills (if evidence of a spill/leak is encountered during Site excavation) in compliance with applicable local, State and Federal laws and regulations.
8. 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. Appropriate segregation of excavated media on-Site.
9. Collection and analysis of end-point samples to determine the performance of the remedy with respect to attainment of SCOs.
10. Import of materials to be used for backfill and cover in compliance with this plan and in accordance with applicable laws and regulations.
11. Implementation of storm-water pollution prevention measures in compliance with applicable laws and regulations.
12. Performance of all activities required for the remedial action, including permitting requirements and pretreatment requirements, in compliance with applicable laws and regulations.
13. Construction and maintenance of an engineered composite cover consisting of 42” concrete building slab across the footprint of the new building to prevent human exposure to residual soil/fill remaining under the Site. The rear yard area will be covered with two feet of clean soil and/or six inches of concrete.
14. Installation of a vapor barrier system beneath the building slab and outside foundation sidewalls below grade.
15. Submission of a Remedial Action Report (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 if Track 1 SCOs are not achieved, describes all Engineering and Institutional Controls to be implemented at the Site.

16. 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.
17. The property will continue to be registered with an E-Designation at the NYC Buildings Department. Establishment of Engineering Controls and Institutional Controls; 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

Site Specific (Track 4) Soil Cleanup Objectives (SCOs) are proposed for this project. The following SCOs for this Site are established:

<u>Contaminant</u>	<u>Track 4 SCOs</u>
Total SVOCs	100 ppm
Barium	750 ppm
Lead	1,000 ppm
Mercury	2.0 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 Longitudinal Section Drawing A-301.01.

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 4,590 cubic yards (7,000 tons).

The proposed disposal locations for Site-derived impacted materials are listed below. Additional disposal locations established at a later date will be reported promptly to the OER Project Manager.

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. Five (5) 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

Quality Assurance/Quality control sampling will consist of collecting blind field duplicates, field blanks, and matrix spike duplicates. Hydro Tech will perform a completeness check of the analytical data packages and review the QA/QC observations and deficiencies.

Collected samples will be appropriately packaged, placed in coolers, and shipped via overnight courier or delivered directly to the analytical laboratory by field personnel. Samples will be containerized in appropriate laboratory provided glassware and shipped in plastic coolers. Samples will be preserved through the use of ice or “cold-paks” to maintain a temperature of 4°C.

Dedicated disposable sampling materials will be used for the collection of endpoint samples, eliminating the need to prepared field equipment (rinsate) blanks. However, if non-disposable equipment is used (stainless steel scoop, etc.), field rinsate blanks will be prepared at a rate of 1 for every eight samples collected. Decontamination of non-dedicated sampling equipment will consist of the follow:

- Gently tap or scrape to remove adhered soil,
- Rinse with tap water,
- Wash with Alconox detergent solution and scrub,
- Rinse with tap water, and
- Rinse with distilled or deionized water.

Prepare field blanks by pouring distilled or deionized water over decontaminated equipment and collecting the water in laboratory provided containers. Trip blanks will be used whenever samples are transported to the laboratory for analysis of VOCs. Trip blanks will not be used for samples to be analyzed for metals, SVOCs, pesticides, and PCBs. One blind duplicate sample will be prepared and submitted for analysis for every 20 samples.

Import and Reuse of Soils

Import of soils onto the property and reuse of soils already onsite will be performed in conformance with the Soil/Materials Management Plan in Appendix 3. The estimated quantity of soil to be imported into the Site for backfill and cover soil is 510 cubic yards.

4.3 ENGINEERING CONTROLS

The excavation required for the proposed Site development will achieve Track 4 Site Specific SCOs. Engineering Controls are required to address residual contamination at the Site. The following construction elements will be incorporated into the foundation design as part of the development and will constitute Engineering Controls: composite cover system and vapor barrier.

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:

- 42^[D1] inches of concrete matt on four inches of gravel beneath the proposed cellar

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 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 at least 20-mil thickness will be installed beneath the building slab and sidewalls. Membrane specifications and data sheets will be provided to the OER in the Stipulation List. The installation of the VBS will be described in the RAR. The Remedial Action Report will include photographs (maximum of two photos per page) 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. The extent (cross section) of the proposed vapor barrier membrane and installation details (penetrations, joints, etc.) with respect to the proposed building foundation, footings, slab, and sidewalls will be provided in STIP letter prior to approvals.

4.4 INSTITUTIONAL CONTROLS

Institutional Controls (IC) will be utilized 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 ^[D2]implemented under a site-specific Site Management Plan (SMP) that will be included in the RAR.

Institutional Controls for this remedial action are:

- The property will continue to be registered with an E-Designation at 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 determine 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 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 will be 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 ~~D3~~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 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 Voluntary 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

Based on the results of the RIR, the contaminants of concern are:

Soil:

- Several SVOCs were detected above Unrestricted Use SCOs, but only one SVOC; Benzo(a)pyrene exceeded Track 2 Commercial SCOs.
- Metals including Barium and Lead exceeded Track 2 Commercial SCOs.

Groundwater:

- One metal; Magnesium was detected above Groundwater Quality Standards (GQS) in all samples.

Soil Vapor:

- All chlorinated VOC were below the NYS DOH monitoring thresholds; and
- Petroleum VOCs were detected at low concentrations.

Nature, Extent, Fate and Transport of Contaminants

SVOCs are present in the soil in the northwestern and central portions of the Site. SVOCs were also exceeded in one deep soil sample. Hotspots were identified in deep soil for metals in the northern, northwestern and western portions of the Site. The filtered groundwater samples did not have exceedances of the GQS, with the exception magnesium, which only slightly exceeded the GQS. One chlorinated VOC; tetrachloroethylene was identified in one soil vapor sample in the northeastern and central portions of the Site below guidance issued by New York State DOH.

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 surficial historic fill does not exist under current conditions because of the existing concrete slab. Groundwater is not exposed at the Site,

and because the Site is served by the public water supply and groundwater use for potable supply is prohibited, there is no potential for exposure. The only concern is the potential for accumulation of soil vapors beneath the slab.

Construction/Remediation Activities: Once redevelopment activities begin, construction workers will come into direct contact with surface and subsurface soils and groundwater, as a result of on-Site construction and excavation activities. 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 SCOs will be removed and the site will meet, at minimum, Track 4 SCOs/Track 2 commercial SCOs. The site will be fully capped, limiting potential direct exposure to soil and groundwater remaining in place, and engineering controls including the building foundation and vapor barrier system will prevent exposure to soil and soil vapor. The site is served by a public water supply, and groundwater is not used at the site. There are no plausible off-site pathways for ingestion, inhalation, or dermal exposure to contaminants derived from the site.

Receptor Populations

On-Site Receptors: Current onsite receptors are limited to workers, site representatives and visitors granted access to the property. During construction, onsite receptors will include construction worker, site representatives, and visitors. After construction, onsite 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, and commercial and construction workers, pedestrians, trespassers, and cyclists, based on the following:

1. Commercial Businesses – existing and future
2. Residential Buildings – existing and future
3. Building Construction/Renovation – existing and future

4. Pedestrians, Trespassers, Cyclists– existing and future
5. Schools– existing and future

Overall Human Health Exposure Assessment

Based upon this analysis, complete on-Site exposure pathways appear to be present during the remedial action phase. Under current conditions, on-Site exposure pathways exist for contractors and others that may access the Site. There is no complete exposure pathway under future conditions after the site is developed. 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 or groundwater, as all soil above Unrestricted Use SCOs will have been removed and a vapor barrier system will have been installed as part of development.

This assessment takes into consideration the reasonably anticipated use of the site, which includes residential structures, site-wide impervious surface cover cap, [D4] and a subsurface vapor barrier system for the building. 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 Paul I. Matli (Project Manager) and Rachel Ataman (Sr. Vice President). The Professional Engineer (PE) is Shaik A. Saad and Qualified Environmental Professionals (QEP) for this project is Mark E. Robbins.

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 4:30 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 Paul I. Matli. 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.

Dewatering

Local dewatering will be needed during the elevator pit excavation. OER will be notified of the dewatering plan upon completion.

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 will be planned by the construction manager for the Site and reported to OER.

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, _____, am currently a professional engineer licensed by the State of New York. I had primary direct responsibility for implementation of the remedial program for the Site name Site Site number.

I, _____, am a qualified Environmental Professional. I had primary direct responsibility for implementation remedial program for the Site name Site Site number .

I certify that the OER-approved Remedial Action Work Plan dated month day year and Stipulations in a letter dated month day, year; 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 12 month remediation period is anticipated.

Schedule Milestone	Weeks from Remedial Action Start	Duration (weeks)
OER Approval of RAWP	0	2
Fact Sheet 2 announcing start of remedy	0	2
Mobilization	1	1
Remedial Excavation	2	8
Demobilization	8	1
Submit Remedial Action Report	12	4

TABLES

Table-1- Unrestricted Use Soil Cleanup Objectives

Contaminant	Unrestricted Use SCO
Metals	
Arsenic	13 ^c
Barium	350 ^c
Beryllium	7.2
Cadmium	2.5 ^c
Chromium, hexavalent ^e	1 ^b
Chromium, trivalent ^e	30 ^c
Copper	50
Total Cyanide ^{e, f}	27
Lead	63 ^c
Manganese	1600 ^c
Total Mercury	0.18 ^c
Nickel	30
Selenium	3.9 ^c
Silver	2
Zinc	109 ^c
PCBs/Pesticides	
2,4,5-TP Acid (Silvex) ^f	3.8
4,4'-DDE	0.0033 ^b
4,4'-DDT	0.0033 ^b
4,4'-DDD	0.0033 ^b
Aldrin	0.005 ^c
alpha-BHC	0.02
beta-BHC	0.036
Chlordane (alpha)	0.094
delta-BHC ^g	0.04
Dibenzofuran ^f	7
Dieldrin	0.005 ^c
Endosulfan I ^{d, f}	2.4
Endosulfan II ^{d, f}	2.4
Endosulfan sulfate ^{d, f}	2.4
Endrin	0.014
Heptachlor	0.042
Lindane	0.1
Polychlorinated biphenyls	0.1
Semivolatile Organic Compounds	
Acenaphthene	20
Acenaphthylene ^f	100 ^a
Anthracene ^f	100 ^a
Benz(a)anthracene ^f	1 ^c
Benzo(a)pyrene	1 ^c
Benzo(b)fluoranthene ^f	1 ^c
Benzo(g,h,i)perylene ^f	100
Benzo(k)fluoranthene ^f	0.8 ^c
Chrysene ^f	1 ^c
Dibenz(a,h)anthracene ^f	0.33 ^b
Fluoranthene ^f	100 ^a
Fluorene	30
Indeno(1,2,3-cd)pyrene ^f	0.5 ^c
m-Cresol ^f	0.33 ^b
Naphthalene ^f	12
o-Cresol ^f	0.33 ^b
p-Cresol ^f	0.33 ^b
Pentachlorophenol	0.8 ^b
Phenanthrene ^f	100
Phenol	0.33 ^b
Pyrene ^f	100

Volatile organic compounds	
1,1,1-Trichloroethane ^f	0.68
1,1-Dichloroethane ^f	0.27
1,1-Dichloroethene ^f	0.33
1,2-Dichlorobenzene ^f	1.1
1,2-Dichloroethane	0.02 ^c
cis -1,2-Dichloroethene ^f	0.25
trans-1,2-Dichloroethene ^f	0.19
1,3-Dichlorobenzene ^f	2.4
1,4-Dichlorobenzene	1.8
1,4-Dioxane	0.1 ^b
Acetone	0.05
Benzene	0.06
n-Butylbenzene ^f	12
Carbon tetrachloride ^f	0.76
Chlorobenzene	1.1
Chloroform	0.37
Ethylbenzene ^f	1
Hexachlorobenzene ^f	0.33 ^b
Methyl ethyl ketone	0.12
Methyl tert-butyl ether ^f	0.93
Methylene chloride	0.05
n - Propylbenzene ^f	3.9
sec-Butylbenzene ^f	11
tert-Butylbenzene ^f	5.9
Tetrachloroethene	1.3
Toluene	0.7
Trichloroethene	0.47
1,2,4-Trimethylbenzene ^f	3.6
1,3,5-Trimethylbenzene ^f	8.4
Vinyl chloride ^f	0.02
Xylene (mixed)	0.26

All soil cleanup objectives (SCOs) are in parts per million (ppm).

^a The SCOs for unrestricted use were capped at a maximum value of 100 ppm. See Technical Support Document (TSD), section 9.3.

^b For constituents where the calculated SCO was lower than the contract required quantitation limit (CRQL), the CRQL is used as the Track 1 SCO value.

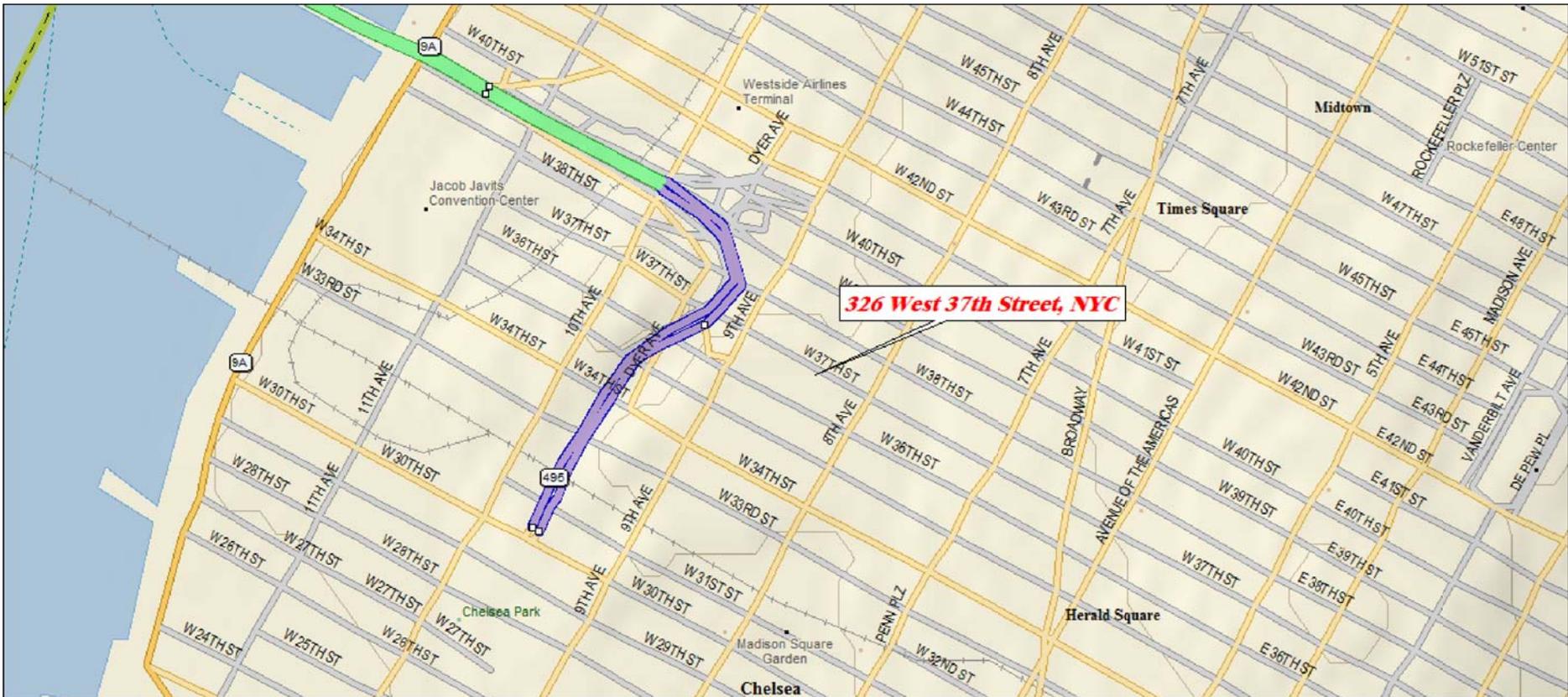
^c For constituents where the calculated SCO was lower than the rural soil background concentration, as determined by the Department and Department of Health rural soil survey, the rural soil background concentration is used as the Track 1 SCO value for this use of the site.

^d SCO is the sum of endosulfan I, endosulfan II and endosulfan sulfate.

^e The SCO for this specific compound (or family of compounds) is considered to be met if the analysis for the total species of this contaminant is below the specific SCO.

^f Protection of ecological resources SCOs were not developed for contaminants identified in Table 375-6.8(b) with "NS". Where such contaminants appear in Table 375-6.8(a), the applicant may be required by the Department to calculate a protection of ecological resources SCO according to the TSD.

FIGURES



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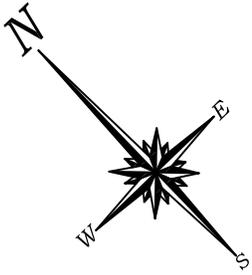
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326 West 37th Street
 New York, NY.
 HTE Job # 130309

Drawn By: C.Q.
 Reviewed By: M.R.
 Approved By: M.S.
 Date: 03/10/14
 Scale: AS NOTED

TITLE:

FIGURE 1: TOPOGRAPHIC MAP



ADJACENT 24-STORY
RESIDENTIAL

WEST 37th STREET

SIDEWALK

ADJACENT 5-STORY
RESIDENTIAL

VACANT LOT

ADJACENT 15-STORY
COMMERCIAL

ADJACENT 12-STORY
COMMERCIAL



SCALE IN FEET (FT.)



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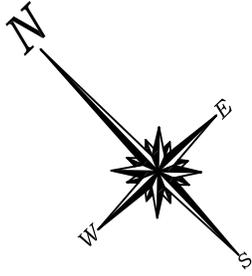
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TITLE:

FIGURE 2: SITE BOUNDARY MAP



ADJACENT 24-STORY
RESIDENTIAL

WEST 37th STREET

SIDEWALK

ADJACENT 5-STORY
RESIDENTIAL

**PROPOSED
22-STORY
BUILDING WITH
CELLAR**

ADJACENT 15-STORY
COMMERCIAL

REAR
YARD

ADJACENT 12-STORY
COMMERCIAL



SCALE IN FEET (FT.)



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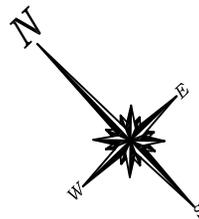
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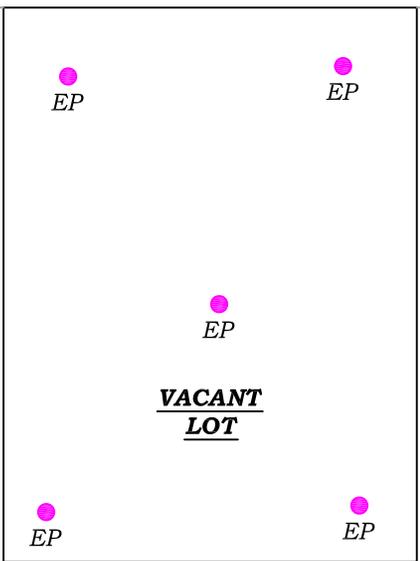
FIGURE 3: PROPOSED REDEVELOPMENT PLAN



ADJACENT 24-STORY
RESIDENTIAL

WEST 37th STREET

SIDEWALK



ADJACENT 5-STORY
RESIDENTIAL

ADJACENT 15-STORY
COMMERCIAL

**VACANT
LOT**

ADJACENT 12-STORY
COMMERCIAL

LEGEND:

● PROPOSED END POINT SAMPLES (EP)



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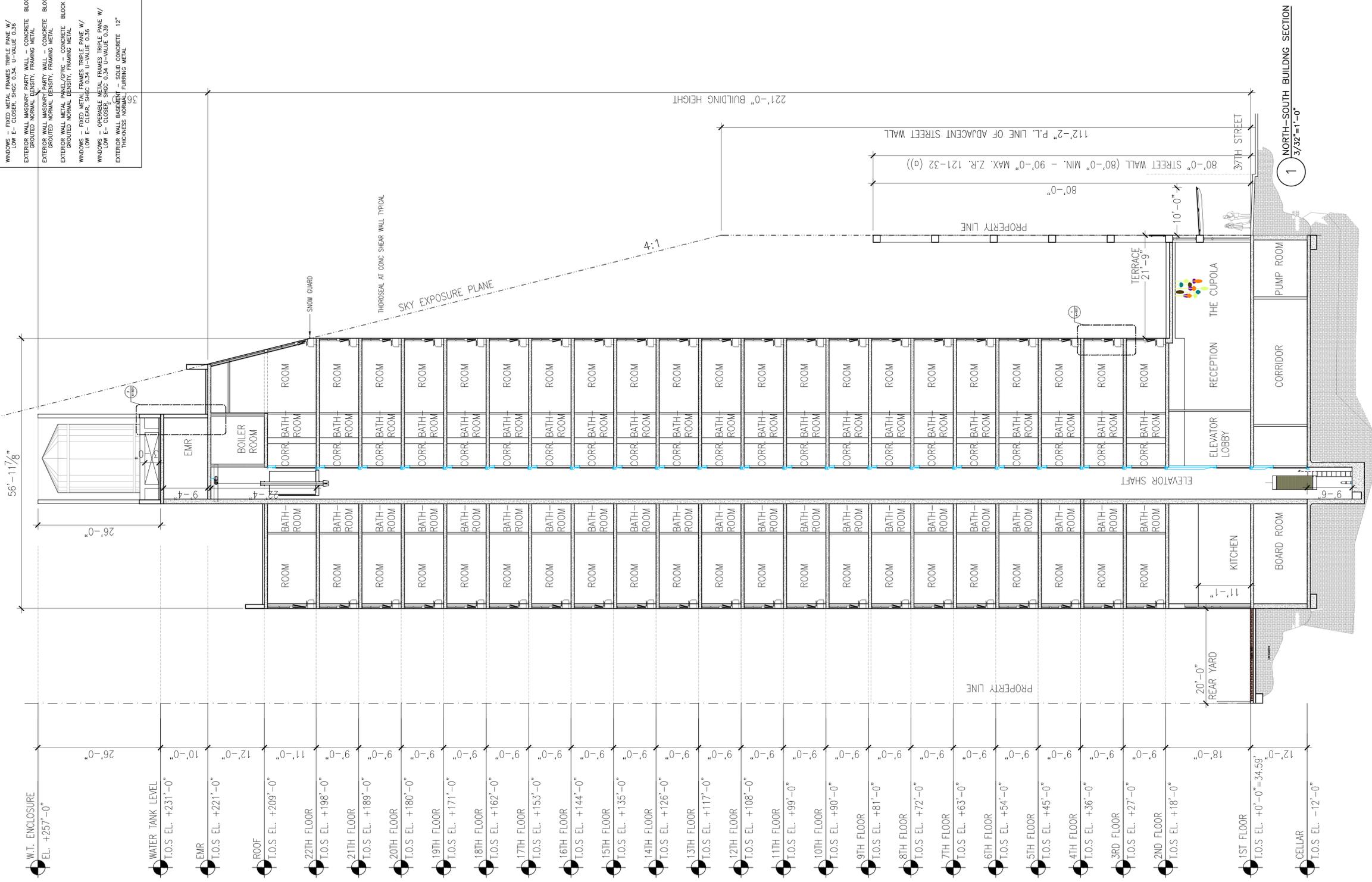
TITLE:

FIGURE 4: PROPOSED END POINT SAMPLING PLAN

COMPONENT, NAME AND DESCRIPTION	R-VALUE
ROOF 1- ALL ROOF SURFACES INSULATION ENTIRELY ABOVE DECK	20.0
EXTERIOR WALL MASONRY FACADE - CONCRETE BLOCK 6" SOLID	12.8
EXTERIOR WALL MASONRY PARTY WALL - CONCRETE BLOCK 6" SOLID	-
WINDOWS - FIXED METAL FRAMES TRIPLE PANE W/ LOW E - CLEAR, SHGC 0.34 U-VALUE 0.36	10.5
WINDOWS - OPERABLE METAL FRAMES TRIPLE PANE W/ LOW E - CLEAR, SHGC 0.34 U-VALUE 0.36	10.5
WINDOWS - OPERABLE METAL FRAMES TRIPLE PANE W/ LOW E - CLOSER, SHGC 0.34 U-VALUE 0.39	11.2
EXTERIOR WALL BASEMENT - SOLID CONCRETE 12" THICKNESS NORMAL FLURRING METAL	-
EXTERIOR WALL BASEMENT - SOLID CONCRETE 12" THICKNESS NORMAL FLURRING METAL	13.8

ENERGY NOTE:

ROOF 1- ALL ROOF SURFACES INSULATION ENTIRELY ABOVE DECK
 EXTERIOR WALL MASONRY FACADE - CONCRETE BLOCK 6" SOLID
 EXTERIOR WALL MASONRY PARTY WALL - CONCRETE BLOCK 6" SOLID
 WINDOWS - FIXED METAL FRAMES TRIPLE PANE W/ LOW E - CLEAR, SHGC 0.34 U-VALUE 0.36
 WINDOWS - OPERABLE METAL FRAMES TRIPLE PANE W/ LOW E - CLEAR, SHGC 0.34 U-VALUE 0.36
 WINDOWS - OPERABLE METAL FRAMES TRIPLE PANE W/ LOW E - CLOSER, SHGC 0.34 U-VALUE 0.39
 EXTERIOR WALL BASEMENT - SOLID CONCRETE 12" THICKNESS NORMAL FLURRING METAL



1 NORTH-SOUTH BUILDING SECTION
 3/32" = 1'-0"



REVISIONS:		
#	DATE	DESCRIPTION
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04	01-08-14	ISSUED FOR DOB
03	11-27-13	ISSUED FOR DOB
02	11-26-13	ISSUED FOR BRAND
01	11-12-13	ISSUED FOR DOB
#	DATE	DESCRIPTION

GENE KAUFMAN ARCHITECT PC
 525 BROADWAY, NEW YORK, N.Y. 10012
 TEL. (212) 625-8700 FAX. (212) 625-8867

PROJECT:
326 WEST 37 STREET
 NEW YORK, NY.

BUILDING SECTION

SEAL & SIGNATURE: DATE: DEC 18, 2013
 SCALE: AS NOTED
 DRAWING NUMBER:
A-301.01
 PAGE: 23 OF

THE GENERAL CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND REPORT ALL ERRORS AND OMISSIONS TO THE ARCHITECTS. DO NOT SCALE THE DRAWINGS. THIS DRAWING SHALL NOT BE USED FOR CONSTRUCTION PURPOSES UNTIL SIGNED BY THE CONSULTANTS.

APPENDICES

APPENDIX 1

CITIZEN PARTICIPATION PLAN

The NYC Office of Environmental Remediation and McSam Hotel Group, 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, McSam Hotel Group, 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, Shana Holberton, 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. McSam Hotel Group, LLC will inspect the repositories to ensure that they are fully populated with project information. The repository for this project is:

New York Public Library – Mid-Manhattan Branch

455 5th Avenue at 40th Street, New York, NY 10016

(212) 340-0863

M-T-W-Th: 8:00 am – 11:00 pm

F: 8:00 am – 8:00 pm

Sa-S: 10:00 am – 6:00 pm

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 CHASP 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 McSam Hotel Group, LLC, reviewed and approved by OER prior to distribution and mailed by McSam Hotel Group, 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. McSam Hotel Group, 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. McSam Hotel Group, 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 will be determined prior to the start of the excavation activities. 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 New York, 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.

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