June 10, 2013

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

Re: 13CVCP137Q
39-31 27th Street
Queens, NY
Remedial Action Work Plan (RAWP) Stipulation List

Dear Ms Bub:
Environmental Business Consultants (EBC or the consultant) hereby submits a Remedial Action Work Plan (RAWP) Stipulation List for the 39-31 27th Street Site (the Site) to the New York City Office of Environmental Remediation (OER) on behalf of Stemar Development. This letter serves as an addendum to the RAWP to stipulate additional content, requirements, and procedures that will be followed during the Site remediation. The contents of this list are added to the RAWP and will supersede the content in the RAWP where there is a conflict in purpose or intent. The additional requirements/procedures include the following Stipulation List below:

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

2. A pre-construction meeting is required prior to the start of remedial excavation work at the Site. A pre-construction meeting will be held at the Site and will be attended by OER, the developer or developer representative, the consultant, excavation/general contractor, and if applicable, the soil broker.

3. A pre-approval letter from all disposal facilities will be provided to OER prior to any soil/fill material removal from the Site. Documentation specified in the RAWP - Appendix D - Section 1.6 "Materials Disposal Off-Site" will be provided to OER. If a different disposal facility for the soil/fill material is selected, OER will be notified immediately.

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

5. Signage for the project will include a sturdy placard mounted in a publically accessible right of way to building and other permits signage will consist of the NYC VCP Information Sheet (attached **Appendix 2**) announcing the remedial action. The Information sheet will be laminated and permanently affixed to the placard.

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

7. Truck route is included in **(Appendix 3**).

8. The signed RIR certification page and stamped/signed RAWP certification page is included in **Appendix 4.**

9. **Appendix 5** includes Vapor Barrier Pre-Certification letter from Vapor Barrier manufacturer stating that the proposed vapor barrier system mitigates against the contaminants of concern at the site.

10. Since groundwater indicates high PCE, groundwater well MW3 will be resampled for VOCs. If MW3 is destroyed, an additional groundwater monitoring well will be installed in the vicinity of MW3. The ground water sample will be analyzed for VOCs. All procedures for well installation and resampling contained in RIWP will be followed.

11. As part of development, installation and operation of a passive sub-slab depressurization system (SSDS). SSDS layout is included in **Appendix 6**

12. The Site description and proposed project development is: (Lots 2 and 3 should be exclusded)
    The Site is located at 39-31 27th Street in the Long Island City Section of the Borough of Queens, New York, and is identified as Block 397 and Lots 4 and part of 5, on the New York City Tax Map. The Site is approximately 5,225-square feet and is bounded by Lot 7 to the north (a three-story residential building, Lots 2 and 3 to the south 9a nine-story hotel under construction), Lots 27, 28 and 29 to the east (all multi-story residential buildings), 27th Street and Block 396 Lot 10 (Evangel Church) to the west. Currently, Lots 4 and 5 are developed with multi-story residential buildings.

    The proposed future use of the Site will consist of an expansion of the Hotel Vetiver currently being developed on Lots 2 and 3. The expansion will include an eight story addition to the Hotel on Lot 4 and part of Lot 5, which includes a cellar with mechanical rooms and a gymnasium. The cellar will be accessible by both staircase and elevator. The first floor of the expansion will consist of a parking area for two vehicles and open entrance on the northwest portion of the Lot and a capped breezeway occupying the rear 60ft of the Lot. The northwest portion of Lot 5, in the rear of the existing residential building will remain undeveloped, as well as an 8-10ft area spanning the west and south sides of the proposed extension.

13. OER requires parties seeking City Brownfield Incentive Grants (BIG) grants to carry insurance. For a cleanup grant, both the excavator and the trucking firm(s) that handle removal of soil must carry or be covered under a commercial general liability (CGL) policy and a contractors pollution liability (CPL) policy, both of which must provide $1 million per claim in coverage. Both policies must name the City of New York, the NYC Economic Development Corporation, and Brownfield Redevelopment Solutions as additional insured. A fact sheet regarding insurance is attached as **Appendix 7**.

14. Daily reports will be provided during active excavation work. If no work is performed for an extended time period, daily report frequency will be reduced to a weekly basis. The Daily Report template is attached in **Appendix 8**.

Sincerely,

Environmental Business Consultants

Kristen DiScenza

cc: S. Chawla, OER

Appendix 1

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

1808 Middle Country Road
Ridge, NY 11961
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Prior to Tank removal, the following procedures should be followed:

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

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

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

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Impacted Soil Excavation Methods

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

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

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

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

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

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

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

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

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NYC Voluntary Cleanup Program

39-31 27th Street
Site #: 13CVCP137Q

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

For more information,
log on to: www.nyc.gov/oer
Or scan with smart phone:

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

Shaminder Chawla at (212) 442-3007
or email us at brownfields@cityhall.nyc.gov

Addendum 3

Truck Route

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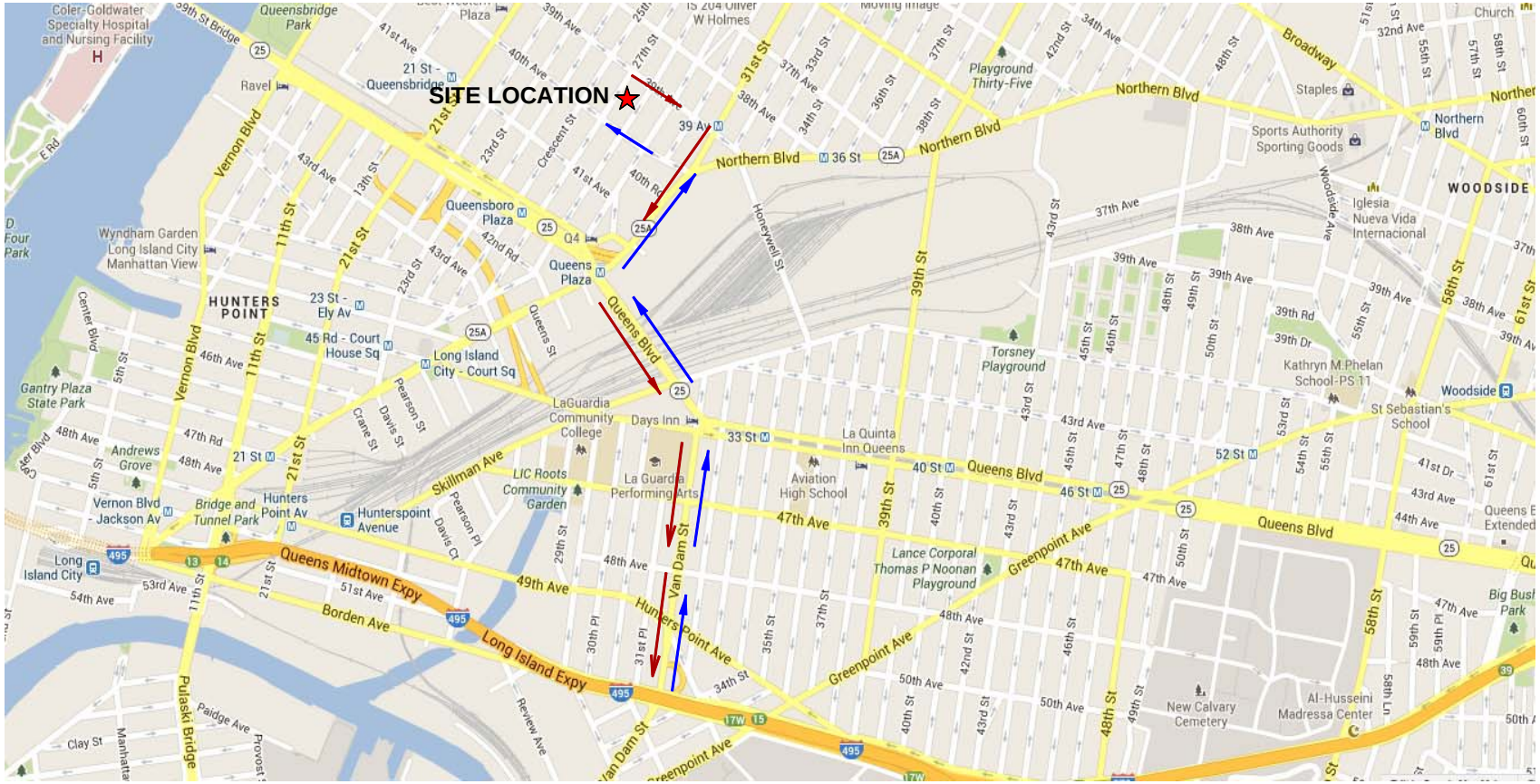
Phone 631.504.6000
Fax 631.924.2870



Key

Truck Route to the Site

Truck Route from the Site

EBC

ENVIRONMENTAL BUSINESS CONSULTANTS
1808 MIDDLE COUNTRY ROAD, RIDGE, NY 11961

Phone 631.504.6000
Fax 631.924.2780

REDEVELOPMENT PROJECT
39-31 27TH STREET, LONG ISLAND CITY, NY

FIGURE 1 TRUCK ROUTES

Addendum 4

RIR/RAWP Certification Page

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Ridge, NY 11961
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CERTIFICATION

I, Kristen DiScenza, am a Qualified Environmental Professional, as defined in RCNY § 43-1402(ar). I have primary direct responsibility for implementation of the Remedial Investigation for the Renovation Project located at 39-31 27th Street, Long Island City, NY, (NYC VCP Site No. 13CVCP137Q). I am responsible for the content of this Remedial Investigation Report (RIR), have reviewed its contents and certify that this RIR is accurate to the best of my knowledge and contains all available environmental information and data regarding the property.

Kristen DiScenza	5/16/13	
Qualified Environmental Professional	Date	Signature

CERTIFICATION

I, Ariel Czemerinski, am a Professional Engineer licensed in the State of New York. I have primary direct responsibility for implementation of the remedial action for the Redevelopment Project located at 39-31 27th Street, Long Island City, New York, Site number 13CVCP137Q.

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.

Ariel Czemerinski

Name

076508

NYS PE License Number

Signature

6-13-2013

Date

PE Stamp

Addendum 5

Compatibility Letter

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June 17, 2013

Ms. Kristen DiScenza
Environmental Business Consultants
1808 Middle Country Road
Ridge, New York 11961

Dear Mr. Brussee,

I have reviewed the Remedial Investigation Report (EBC, May 2013) for the remediation/construction project located at 39-31 27th Street, Long Island City, Queens, NY and noted the contaminants specifically described on the following pages:

Table 2 - Soil Analytical Results (VOCs)
Table 3 - Soil Analytical Results (SVOCs)
Table 4 - Soil Analytical Results (Pesticides/PCBs)
Table 5 - Soil Analytical Results (Metals)
Table 6 - Groundwater Analytical Results (VOCs)
Table 7 - Groundwater Analytical Results (SVOCs)
Table 8 - Groundwater Analytical Results (Pesticides/PCBs)
Table 9 - Groundwater Analytical Results (Dissolved Metals)
Table 10 - Groundwater Analytical Results (Total Metals)
Table 11 - Soil Gas Analytical Results (VOCs)
Figure 6 - Soil Exceedences Map
Figure 7 - Groundwater Exceedences Map
Figure 8 - Soil Vapor Detections

The identified contaminants at the levels reported will not have an adverse effect on the intended performance of VaporBlock Plus VBP20 as a vapor barrier, provided standard design and application procedures are followed. Standard installation instructions and details can be found on our website at www.ravenefd.com. If you have any questions, please feel free to call or send an e-mail.

Sincerely,

Erika Arens
Product Development Specialist
Engineered Films Division
Raven Industries, Inc.
(605) 357-0453
Erika.Arens@ravenind.com

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Addendum 6

SSDS Layout

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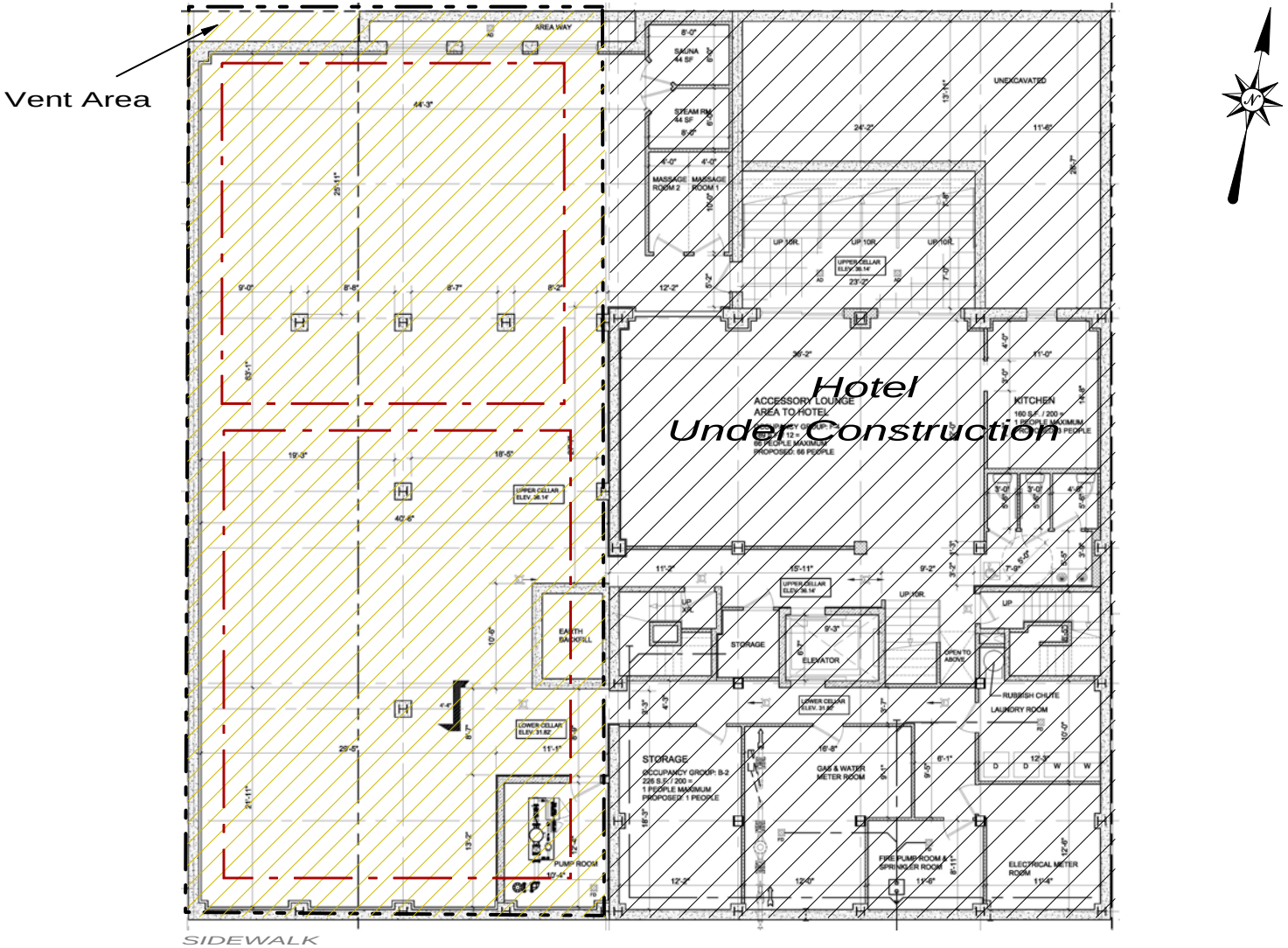

KEY

- 4 inch Corrugated HDPE Pipe
- SSDS Zone/20 mil HDPE Vapor Barrier

SCALE:

0 10 20

Scale: 1 inch = 20 feet

EBC
Environmental Business Consultants
Phone 631.504.6000
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Figure No. 1

Site Name: Redevelopment Project

Site Address: 39-31 27th Street, Long Island City, NY

Drawing Title: SSD System Layout

Addendum 7

Insurance Fact Sheet

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FACT SHEET – BIG PROGRAM INSURANCE REQUIREMENTS

Investigation Grants – for a developer or site owner to be eligible for a BIG investigation grant, its environmental consultant(s) must be:

- a Qualified Vendor in the BIG Program; and
- maintain Professional Liability (PL) insurance of $1M per claim and annual aggregate.

Cleanup Grants – for a developer or site owner to be eligible for a BIG cleanup grant:

- Its general contractor or excavation/foundation contractor hired to perform remedial work must maintain:

    a. Commercial General Liability(CGL) insurance of at least $1M per occurrence and $2M in the general aggregate; and

    b. Contractors Pollution Liability (CPL) insurance of at least $1M per occurrence.

    Both policies must list the city, EDC and BRS as additional insureds, include completed operations coverage and be primary and non-contributory to any other insurance the additional insureds may have.

- Its subcontractors who are hired by the general contractor etc. to perform remedial work at a site, including soil brokers and truckers, must also maintain CGL and CPL policies in the amount and with the terms set forth above; and

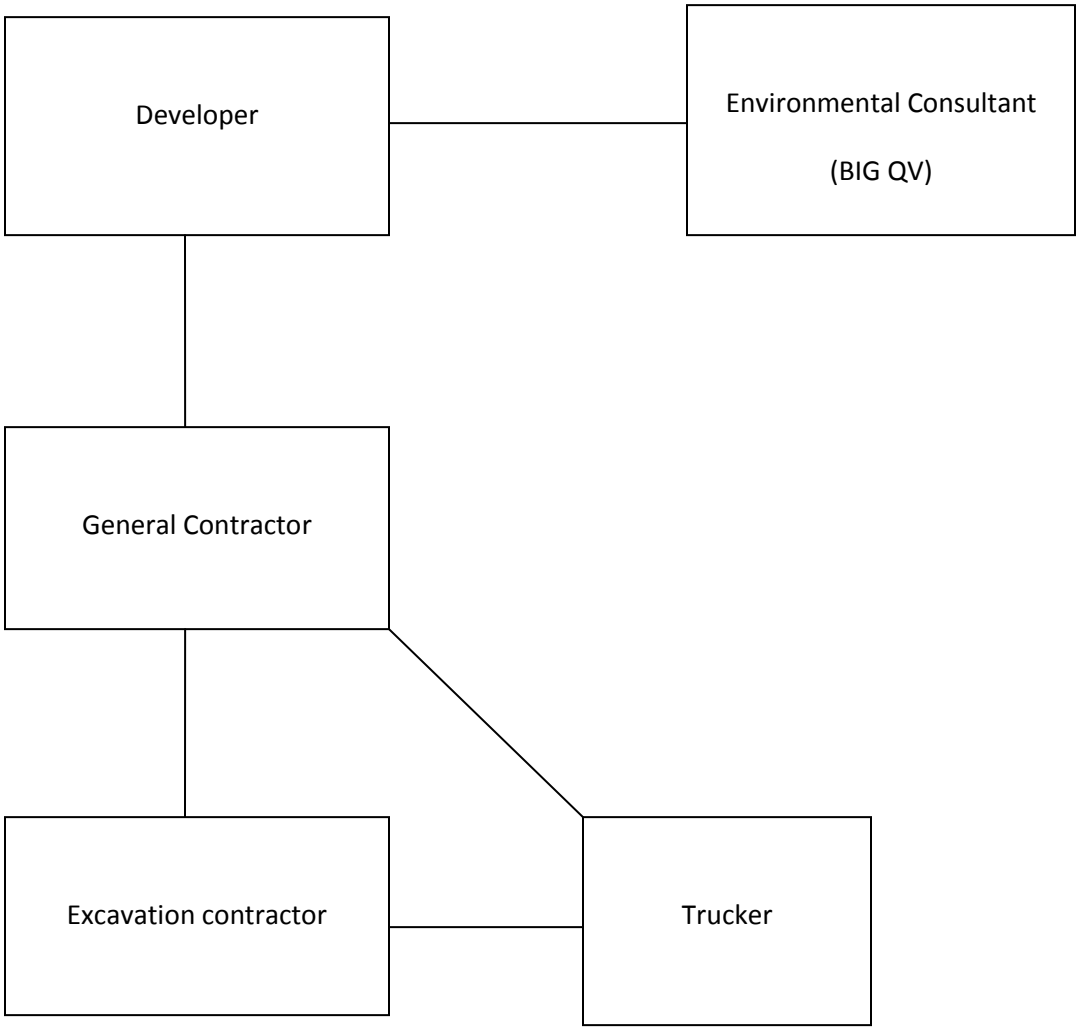
- Its environmental consultant(s) hired to oversee the cleanup must be:
    a. a BIG Qualifed Vendor; and
    b. maintain Professional Liability (PL) insurance of $1M per claim and annual aggregate.

If, in the alternative, the developer hires its environmental consultant to perform the cleanup, the environmental consultant must maintain CGL and CPL insurance in the amount and with the terms set forth above.

A schematic presenting the contractual relationships described above appears on page 2. Parties who must be named as Additional Insureds on Cleanup Grant insurance policies (CGL and CPL) are presented on page 3.

Example of Contractual Relationships for Cleanup Work

The Office of Environmental Remediation's Voluntary Cleanup Plan program requires applicants to identify the parties who are engaged in active remediation of their sites including: the General Contractor hired to remediate and/or the excavation contractor hired to excavate soil from the site and the trucking firm(s) that remove soil from the site for disposal at approved facilit(ies).



The chart above shows contractual relationships that typically exist for projects that are enrolled in the Voluntary Cleanup Program.

BIG Program Additional Insureds

The full names and addresses of the additional insureds required under the Required CGL and Required CPL Policies are as follows:

"City and its officials and employees"
New York City Mayor's Office of Environmental Remediation
253 Broadway, 14th Floor
New York, NY 10007

"NYC EDC and its officials and employees"
New York City Economic Development Corporation
110 William Street
New York, NY 10038

"BIG Grant Administrator and its officials and employees"
Brownfield Redevelopment Solutions, Inc.
739 Stokes Road, Units A & B
Medford, NJ 08055

Addendum 8

Daily Status Report Template

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DAILY STATUS REPORT

Prepared By: Enter Your Name Here

WEATHER	Snow		Rain		Overcast		Partly Cloudy	x	Bright Sun	
TEMP.	< 32		32-50		50-70	x	70-85		>85	

VCP Project No.:	13CVCP000M	E-Number:	13EHAN000M	Date:	01/01/2013
Project Name:	Name or Address				

Consultant: Person(s) Name and Company Name	Safety Officer: Person(s) Name and Company Name
General Contractor: Person(s) Name and Company Name	Site Manager/ Supervisor: Person(s) Name and Company Name
Work Activities Performed (Since Last Report): Provide details about the work activities performed.	
Working In Grid #: A1, B1, C1	

Samples Collected (Since Last Report): No samples collected or provide details
Air Monitoring (Since Last Report): No air monitoring performed or provide details
Problems Encountered: No problems encountered or provide details
Planned Activities for the Next Day/ Week: Provide details about the work activities planned for the next day/ week.

 File Name: _____

									Example:	
Facility # Name/ Location Type of Waste Solid Or Liquid	Facility # Name Location Type of Waste Solid *Or* Liquid		Facility # Name Location Type of Waste Solid *Or* Liquid		Facility # Name Location Type of Waste Solid *Or* Liquid		Facility # Name Location Type of Waste Solid *Or* Liquid		# # # # # # # Clean Earth Carteret, NJ petroleum soils Solid	
(Trucks, Cu.Yds. Or Gallons)	Trucks	Cu. Yds. *Or* Gallons	Trucks	Cu. Yds. *Or* Gallons	Trucks	Cu. Yds. *Or* Gallons	Trucks	Cu. Yds. *Or* Gallons	Trucks	Cu. Yds.
Today									5	120
Total									25	600

NYC Clean Soil Bank		Receiving Facility: Name/ Address (Approved by OER)			
Tracking No.:	13CCSB000				
Today	Trucks 5	Cu. Yds. 25	Total	Trucks 120	Cu. Yds. 600

Site Grid Map

Insert the site grid map here

 File Name: _____

Photo Log

Photo 1 – provide a caption	Insert Photo Here – Photo of the entire site
Photo 2 – provide a caption	Insert Photo Here – Photo of the work activities performed
Photo 3 – provide a caption	Insert Photo Here – Photo of the work activities performed

 File Name: _____