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March 20, 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: 13CVCP115M
E-Des # 11EHAN269M
5 West 125th Street
Remedial Action Work Plan (RAWP) Stipulation List

Dear Mr. Chawla:

HOLZMACHER, MCLENDON & MURRELL, P.C. (H2M) of New York hereby submits a Remedial Action Work Plan (RAWP) Stipulation List for the Site to the New York City Office of Environmental Remediation (OER) on behalf of CA 5-15 125TH STREET LLC. 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 tank or vessel is identified during the remedial action or subsequent redevelopment excavation activities. All petroleum spills will be reported to the NYSDEC hotline as required by applicable laws and regulations. This contingency plan is designed for heating oil tanks and other small or moderately sized storage vessels. If larger tanks, such as gasoline storage tanks are identified, OER will be notified before this criterion is utilized.
2. A pre-construction meeting is required prior to 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 3 - 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.

Mr. Shaminder Chawla
NYCOER
Re: 5 W 125TH Street, NY, NY
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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. In the event that hazardous waste is identified during the remedial action or subsequent redevelopment excavation activities at this NYC VCP project, and removal and transportation of hazardous waste becomes necessary, the project 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. Section 4.3 of the RAWP describes the vapor barrier that includes 1.2 mm thick Grace Preprufe 300R and 0.8 mm thick Preprufe 160R membranes that will be installed beneath the structure's slab and along foundation sidewalls.
8. An engineered composite site cover will be placed over the entire footprint of the Site. The composite cover system will be comprised of 4-inch thick concrete building slab across the building footprint. PE/RA certified drawings of the composite site cover are provided as **Appendix 3** and shows the typical design for the remedial cover type to be used on this site and the location of each cover type to be built at the site, respectively.
9. The Truck route is provided in **Appendix 4**.
10. If Track 1 SCOs are achieved then no ICs is required.

Sincerely,

Hardik P. Parekh, P.E.

Cc: W. Wong, NYCOER

Appendix 1

Generic Procedures for Management of Underground Storage Tanks Identified under the NYC VCP

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).

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.

Appendix 2
NYC VCP Signage



NYC Voluntary Cleanup Program

**5 West 125th Street
Site #: 13CVCP115M**

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.

Or scan with smart phone:

For more information,
log on to: www.nyc.gov/oer



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

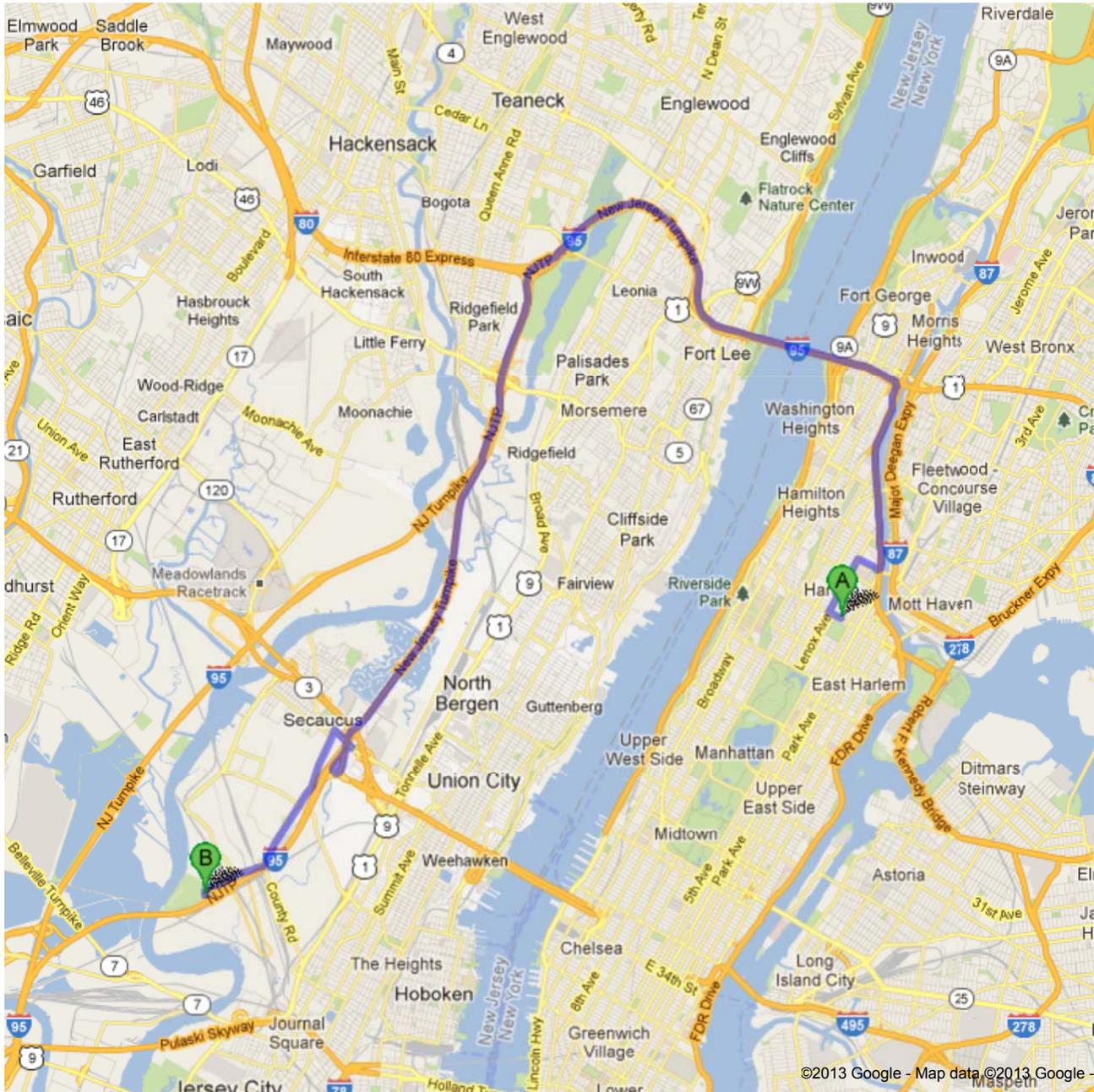
Shaminder Chawla at (212) 442-3007
or email us at brownfields@cityhall.nyc.gov

Appendix 3
Composite Site Cover Design and Location

Appendix 4
Truck Route



Directions to Laurel Hill Park
Secaucus, NJ 07094
18.4 mi – about 28 mins
MALANKA LANDFILL



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 5 W 125th St, New York, NY 10027

	1. Head northwest on W 125th St/Dr Martin Luther King Jr Blvd toward Lenox Ave	go 0.2 mi total 0.2 mi
	2. Take the 1st right onto Lenox Ave About 3 mins	go 0.7 mi total 0.9 mi
	3. Turn right onto W 139th St	go 0.2 mi total 1.0 mi
	4. Take the ramp onto Harlem River Dr About 2 mins	go 1.7 mi total 2.8 mi
	5. Take exit 24 on the left for I-95 S/Geo Washington Bridge About 1 min	go 0.7 mi total 3.5 mi
	6. Slight left onto Interstate 95 Lower Level S Partial toll road Entering New Jersey About 3 mins	go 2.4 mi total 5.9 mi
	7. Continue onto I-95 S (signs for I-80/Hackensack) About 9 mins	go 8.6 mi total 14.5 mi
	8. Take exit 17 toward New Jersey 3/Secaucus Toll road About 1 min	go 0.8 mi total 15.2 mi
	9. Continue toward Paterson Plank Rd	go 0.2 mi total 15.4 mi
	10. Keep left at the fork to continue toward Paterson Plank Rd	go 0.2 mi total 15.6 mi
	11. Turn left onto Paterson Plank Rd About 1 min	go 0.3 mi total 15.9 mi
	12. Turn left onto County Ave About 4 mins	go 1.7 mi total 17.6 mi
	13. Continue onto New County Rd About 2 mins	go 0.7 mi total 18.3 mi
	14. Turn left onto Dinosaur Way	go 0.1 mi total 18.4 mi

 **Laurel Hill Park**
Secaucus, NJ 07094

These directions are for planning purposes only. You may find that construction projects, traffic, weather, or other events may cause conditions to differ from the map results, and you should plan your route accordingly. You must obey all signs or notices regarding your route.

Map data ©2013 Google

Directions weren't right? Please find your route on maps.google.com and click "Report a problem" at the bottom left.