

**445 WASHINGTON STREET
MANHATTAN, NEW YORK**

Remedial Action Work Plan

**NYC VCP Number: 14CVCP223M
E Designation Number: 14EHAZ083M**

Prepared for:

CBCS Washington Street LLC
312 Spring Street, New York, NY
347-558-1913

Prepared by:

Hydro Tech Environmental Corp
15 Ocean Avenue, 2nd Floor
Brooklyn, NY 11225
718-636-0800

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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 BCP | New York City Brownfield 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 445 Washington Street Site 14CVCP223M.

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 445 Washington Street Site 14CVCP223M.

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.

Shaik A. Saad

Name

NYS PE License Number

Signature

Date

PE Stamp

Mark E. Robbins

QEP Name

QEP Signature

Date

EXECUTIVE SUMMARY

CBCS Washington Street, LLC has enrolled in the New York City Voluntary Brownfield Cleanup Program (NYC VCP) to investigate and remediate a 11,962-square foot site located at 445 Washington Street, 24-30 Desbrosses Street and 454-456 Greenwich Street in Manhattan, 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 445 Washington Street, 24-30 Desbrosses Street and 454-456 Greenwich Street in the Tribeca section of Manhattan, New York and is identified as Block 224 and Lot 21, 32, 33 and 36 on the New York City Tax Map. **Figure 1** shows the Site location. The Site is 11,962-square feet and is bounded by mixed-use commercial-residential buildings to the north, Desbrosses Street to the south, Greenwich Street to the east, and Washington Street to the west. A map of the site boundary is shown in **Figure 2**. Currently, the Site is used for a commercial parking garage.

Summary of Proposed Redevelopment Plan

The proposed future use of the Site will consist of a 7-story hotel with a full cellar. A parking garage will be located in the western portion of the cellar. As of the date of this report, the development plans are still being finalized. The current zoning designation is C6-2A, Tribeca Mixed Use. The proposed use is consistent with existing zoning for the property. Lot 32 is included in a New York City Landmark district. The maximum depth of excavation at Lot 32 is twelve feet below grade. The maximum depth of excavation at the remaining portions of the Site is 18 feet below grade. The lots are to be merged as part of development. **Figure 3** provides the layout of the proposed development. No setbacks or ground level outdoor areas are planned. The preliminary development plans are provided in **Appendix 5**.

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. Establish 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 site Specific SCOs. Entire property will be excavated to a depth from 12 feet to 18 feet below grade for development purposes.
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. Installation of a vapor barrier/waterproofing system below the concrete slab underneath the building, as well as behind foundation walls of the proposed building. The vapor barrier will consist of Preprufe 300R, or equivalent, installed beneath the cellar slab and Preprufe 160R, or equivalent, installed along the exterior of the foundation walls.
12. Construction and maintenance of an engineered composite cover consisting of a 8” to 12” thick concrete slab across the footprint of the new building. The thickness of the slab has not yet been finalized but will be provided to the OER prior to the start of remediation.
13. Performance of all activities required for the remedial action, including permitting requirements and pretreatment requirements, in compliance with applicable laws and regulations. Since groundwater is at a depth of 16 feet below ground surface, dewatering permits will be obtained from NYCDEP.
14. Implementation of storm-water pollution prevention measures in compliance with applicable laws and regulations.
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, and describes all Engineering and Institutional Controls to be implemented at the Site, and lists any changes from this RAWP.
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 by 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 VCP, a thorough cleanup study of this property (called a remedial investigation) has been performed to identify past property usage, to sample and test soils, groundwater and soil vapor, and identify contaminant sources present on the property. The cleanup plan has been designed to address all contaminant sources that have been identified during the study of this property.

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

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

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 Sasha Rothenberg 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 Sasha Rothenberg, 718-636-0800, or NYC Office of Environmental Remediation Project Manager Samantha Morris, 212-341-2082.

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 5:00 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 Brownfield 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 Sasha Rothenberg at 718-606-0800, the NYC Office of Environmental Remediation Project Manager Samantha Morris at 212-341-2082, 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 Jefferson Market Public Library.

Long-Term Site Management. If long-term protection after the cleanup is required, 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. 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

CBCS Washington Street LLC has enrolled in the New York City Brownfield Cleanup Program (NYC BCP) to investigate and remediate a property located at 445 Washington Street, 24-30 Desbrosses Street and 454-456 Greenwich Street in the Tribeca section of Manhattan, 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 445 Washington Street, 24-30 Desbrosses Street and 454-456 Greenwich Street in the Tribeca section of Manhattan, New York and is identified as Block 224 and Lot 21, 32, 33 and 36 on the New York City Tax Map. **Figure 1** shows the Site location. The Site is 11,962-square feet and is bounded by mixed-use commercial-residential buildings to the north, Desbrosses Street to the south, Greenwich Street to the east and Washington Street to the west. A map of the site boundary is shown in **Figure 2**. Currently, the Site is used for a commercial parking garage.

1.2 PROPOSED REDEVELOPMENT PLAN

The proposed future use of the Site will consist of a 7-story hotel with a full cellar. A parking garage will be located in the western portion of the cellar. As of the date of this report, the development plans are still being finalized. The current zoning designation is C6-2A, Tribeca Mixed Use. The proposed use is consistent with existing zoning for the property. Lot 32 is included in a New York City Landmark district. The maximum depth of excavation at Lot 32

is twelve feet below grade. The maximum depth of excavation at the remaining portions of the Site is 18 feet below grade. The lots are to be merged as part of development. Figure 3 provides the layout of the proposed development. No setbacks or ground level outdoor areas are planned. The preliminary development plans are provided in Appendix 5.

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

1.3 DESCRIPTION OF SURROUNDING PROPERTY

The Site is located in a commercial and residential neighborhood.

Within a 500-foot radius of the Site, there is a variety of land used including commercial, residential, mixed residential-commercial and industrial. Figure 2 shows the surrounding land usage.

Sensitive Receptors

There are no sensitive receptors within a 500-foot radius of the Site.

1.4 REMEDIAL INVESTIGATION

A remedial investigation was performed and the results are documented in a companion document called “*Remedial Investigation Report, 445 Washington Street*”, dated December 2013 (RIR).

Summary of Past Uses of Site and Areas of Concern

Based on a review of the May 2013 Phase I ESA prepared by Hydro Tech it appears that the Site was developed prior to 1894 with 4-story and 5-story mixed use commercial and residential buildings. These buildings were demolished and replaced with a motor freight station between 1928 and 1950. The historical records further indicate that the Site has been occupied by the Tribeca Parking Corp from 2006 through 2012. This is consistent with the current use of the Site.

According to ACRIS records, the Site was owned by Oneida Motor Freight Inc. from 1968 through 1978 and Ponte Steak House Inc. from 1978 through 2013. CBCS Washington Street, LLC currently owns the Site.

The AOCs identified for this site include:

1. The historical use of the Site as a freight trucking facility
2. The historical presence of underground storage tanks
3. The presence of urban fill material

Summary of the Work Performed under the Remedial Investigation

Hydro Tech performed the following scope of work on behalf of CBCS Washington Street LLC:

1. Conducted a Site inspection to identify AOCs and physical obstructions (i.e. structures, buildings, etc.);
2. Conducted a geophysical survey consisting of a Ground Penetrating Radar (GPR) survey.
3. Installed twelve (12) soil borings across the entire project Site, and collected twenty-two (22) soil samples for chemical analysis from the soil borings to evaluate soil quality;
4. Installed four (4) groundwater monitoring wells throughout the Site to establish groundwater flow and collected four (4) groundwater samples for chemical analysis to evaluate groundwater quality;
5. Installed five (5) soil vapor probes around Site perimeter and collected five (5) soil vapor samples for chemical analysis.
6. Collected one (1) ambient outdoor air sample.

Summary of Environmental Findings

1. Elevation of the property ranges from 8 to 9 feet above sea level.
2. Depth to groundwater ranges from 12.20 to 16.40 feet below grade at the Site.

3. Groundwater flow is generally from east to west beneath the Site.
4. Bedrock was not encountered over the course of this investigation.
5. The stratigraphy of the site, from the surface down, consists of 14 to 16 feet of urban fill (sand, brick, pebbles, concrete, glass, charcoal) underlain by moist brown and gray sand and silty sand.
6. Six vent pipes and two manhole access covers are located in the northeast portion of the Site along Greenwich Street. Two vent pipes are located in the southwest portion of the Site along Washington Street. The GPR survey did not identify any anomalies indicative of underground storage tanks.
7. Six vent pipes and two manhole access covers are located in the northeast portion of the Site along Greenwich Street. Two vent pipes are located in the southwest portion of the Site along Washington Street. The GPR survey did not identify any anomalies indicative of underground storage tanks.
8. The soil samples collected during the RI show that two VOCs including Naphthalene (maximum of 120 ppm) and acetone (maximum of 3.1 ppm) exceeding Unrestricted Use SCOs. No VOCs were detected at concentrations exceeding Track 2 Restricted Commercial SCOs in any of the soil samples. Acetone was also detected in two of the laboratory batch blanks. PCE and TCE were not detected in any of the soil samples. SVOCs were detected in five of the ten shallow samples and two of the ten deep samples at concentrations exceeding the Track 2 Commercial SCOs. These SVOCs included benzo(a)anthracene (maximum of 157 ppm), benzo(a)pyrene (maximum of 105 ppm), benzo(b)fluoranthene (maximum of 92.4 ppm), benzo(k)fluoranthene (maximum of 80.4 ppm), chrysene (maximum of 139 ppm), dibenzo(a,h)anthracene (maximum of 7.17 ppm), phenanthrene (maximum of 354 ppm), pyrene (maximum of 287 ppm) and indeno(1,2,3-cd)pyrene (maximum of 28.4 ppm). Four pesticides including 4,4'-DDD (maximum of 0.00931 ppm), 4,4'-DDT (maximum of 0.047 ppm), 4,4'-DDE (maximum of 0.374 ppm) and dieldrin (maximum of 0.00682 ppm) were detected in the shallow soil at a concentration exceeding the Track 1 Unrestricted Use SCOs but well below the Restricted Commercial SCO. No PCBs were detected in any of the soil samples

collected. Four (4) metals were identified in the shallow and deep soil samples at concentrations exceeding the Track 1 Unrestricted SCOs. The metals include arsenic (maximum of 20.1 ppm), barium (maximum of 1,100 ppm), copper (maximum of 54.7 ppm), chromium trivalent (maximum of 128 ppm), lead (maximum of 1,180 ppm), mercury (maximum of 0.964 ppm), nickel (maximum of 38 ppm) and zinc (maximum of 372 ppm). Of these metals, arsenic, barium, lead and mercury also exceeded Restricted Commercial SCOs. Overall, concentrations and distribution of SVOCs and metals in soils is indicative of historic fill material. Groundwater samples collected during the RI showed no PCBs, pesticides or chlorinated VOCs at concentrations exceeding the Part 703.5 GQS. Total VOCs range from 4 ppb to 78 ppb detected in MW-3. Three VOCs, Isopropylbenzene (maximum of 15 ppb), n-Propylbenzene (maximum of 37 ppb) and sec-Butylbenzene (maximum of 12 ppb) were detected in the groundwater sample collected from MW-3 located in the southwest portion of the Site at concentrations exceeding the GQS. Other VOCs including 1,2,4-trimethylbenzene, acetone, MTBE and sec-isopropyltoluene were detected in this groundwater sample at trace concentrations, well below the GQS. PCE and TCE were not detected in any of the groundwater samples. Three SVOCs including benzo(a)pyrene (maximum of 2.32 ppb), benzo(b)fluoranthene (maximum of 2.23 ppb) and chrysene (maximum 2.55 ppb) were detected in MW-3 at concentrations exceeding the GQS. No other SVOCs were detected in any of the groundwater samples at concentrations exceeding the GQS. Several metals including magnesium, manganese, selenium and sodium exceeded their respective GQS.

9. The soil vapor results collected during the RI showed sixteen (16) petroleum and chlorinated VOCs were detected in soil vapor samples collected during the RI. Highest concentrations were detected for acetone (maximum of 1,200 ug/m³), methylene chloride (max. 44), n-Hexane (62), and toluene (max. 39). Maximum total concentrations ranged from 214 ug/m³ to 1353 ug/m³. Chlorinated VOC, tetrachloroethylene (PCE) was detected in all of the soil vapor samples at a maximum concentration of 90 ug/m³. Trichloroethylene (TCE), TCA and carbon tetrachloride were not detected in soil vapors samples. The PCE concentrations are below the monitoring level ranges established within the State DOH soil vapor guidance matrix.

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

2.0 REMEDIAL ACTION OBJECTIVES

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

Groundwater

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

Soil

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

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 are evaluated, as follows:

Alternative 1 involves:

- Establishment of NYSDEC Part 375 Unrestricted Use (Track 1) Soil Cleanup Objectives (SCOs);
- Removal of soils exceeding Track 1 SCOs throughout the site and confirmation that Track 1 Unrestricted Use SCOs have been achieved with post-excavation endpoint sampling. Based on the results of the Remedial Investigation, it is expected that this

alternative would require excavation to a minimum depth of approximately 16 feet throughout the Site to remove all historic fill. If soil/fill containing analytes at concentrations above Unrestricted Use SCOs is still present at the base of the excavation, after removal of all soil required for construction of the proposed development is complete, additional excavation will be performed to ensure complete removal of soil that does not meet Track 1 Unrestricted Use SCOs;

- No Engineering or Institutional Controls are required for a Track 1 cleanup, but a soil vapor barrier would be installed beneath the building slab and along foundation side walls of the new building as a part of development to prevent any potential future exposures from on and off-Site soil vapor;
- Placement of a final cover consisting of a concrete slab as part of new development; and
- As part of new development, a ventilated parking garage underneath the western portion of the building.

Alternative 2 involves:

- Establishment of Track 4 Site-Specific SCOs;
- Removal of soils/fill exceeding Track 4 SCOs and confirmation that Track 4 Site-Specific SCOs have been achieved with post-excavation endpoint sampling. Excavation for construction of the new building's cellar level would take place to a depth of approximately 18 feet in the western portion and 12 feet in the eastern portion for the footprint of the new building. Therefore, if soil/fill containing analytes at concentrations above Track 4 Site-Specific SCOs is still present at the base of the excavation after removal of all soil required for construction of the new building is complete, additional excavation will be performed to meet Track 4 Site-Specific SCOs;
- Collection of endpoint samples to determine the effectiveness of the remedy in comparison to the Track 4 SCOs;
- Installation of a soil vapor barrier beneath the building slab and along foundation side walls to prevent any potential future exposures from on and off-Site soil vapor;

- Placement of a final cover consisting of a concrete cellar slab over the entire Site as part of new development;
- Establishment of use restrictions including prohibitions on the use of groundwater from the site; prohibitions on other sensitive site uses, such as farming or vegetable gardening, to prevent future exposure pathways; and prohibition of a higher level of land use without OER approval;
- Establishment of an approved Site Management Plan (SMP) to ensure long-term management of these engineering and institutional controls, including the performance of periodic inspections and certification that the controls are performing as they were intended; and
- Continued registration as an E-designated property to memorialize the remedial action and the Engineering and Institutional Controls required by the 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 contaminated soil/fill exceeding Track 1 Unrestricted Use SCOs, thus eliminating potential for direct contact with contaminated soil/fill once construction is complete and eliminating the risk of contaminants leaching into groundwater.

Alternative 2 would achieve comparable protections of human health and the environment by ensuring that remaining soil/fill on-Site meets Track 4 Site-Specific SCOs, as well as by placement of Institutional and Engineering controls, including a vapor barrier, a ventilated parking garage and 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. For both Alternatives, potential exposure to the contaminated soils or groundwater during construction would be minimized by implementing a Construction Health and Safety Plan (CHASP), a Soil and Materials Management Plan, and Community Air Monitoring Plan (CAMP). Potential use of contact with contaminated 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 building would be prevented by installing a vapor/waterproofing barrier system below the new building’s basement slab and continuing the vapor barrier around the foundation walls. A ventilated parking garage in the western portion of the Site and a composite cover over the entire site would also prevent contact with soil vapors and contaminated soil.

3.2. BALANCING CRITERIA

Compliance with Standards, Criteria and Guidance (SCGs)

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

Alternative 1 would achieve compliance with the remedial goals, chemical-specific SCGs and ROAs for soil through removal of soil to achieve 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 building's slab and continuing the vapor barrier around foundation walls, as part of development, and the inclusion of a ventilated parking garage.

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

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

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

Additional short-term adverse impact and risks to the community associated with both remedial alternatives is increased truck traffic. Truck traffic would 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 minimize the release of significant contaminants into the environment. Both alternatives provide short-term effectiveness in protecting the surrounding community by decreasing the risk of contact with on-Site contaminants. Construction workers operating under appropriate management procedures

and a Health and Safety Plan (HASP) 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 soil/fill 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 E-designated property. The SMP would ensure long-term effectiveness of all ECs and ICs by requiring periodic inspection and certification that these controls and restrictions continue to be in place and are functioning as they were intended assuring that protections designed into the remedy will provide continued high level of protection in perpetuity.

Both alternatives would result in removal of soil contamination exceeding the SCOs providing the highest level, most effective and permanent remedy over the long-term with respect to a remedy for contaminated soil, which would eliminate any migration to groundwater.

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 1 would eliminate a greater total mass of contaminants on site.

Alternative 2 would likely remove most of the soil/fill at the Site, and remaining soil/fill beneath the new building will meet Track 4 - Site-Specific SCOs. Removal of soils to approximately 18 feet in the western portion and 12 feet in the eastern portion would occur for development purposes.

The removal of soil from 12 to 18 feet 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 Alternatives 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.

Cost effectiveness

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

Since historic fill at the Site was found during the RI to only extend to a depth of up to 16 feet below grade, and the new building requires excavation of the entire Site to a depth from 12 to 18 ft, the costs associated with both Alternative 1 and Alternative 2 will likely be the comparable.

Costs associated with Alternative 1 could potentially be higher than Alternative 2 if soil with analytes above Unrestricted Use SCOs is encountered below the excavation depth required for development. Additional costs would include installation of additional shoring/underpinning, disposal of additional soil, and import of clean soil for backfill. However, long-term costs for Alternative 2 are likely higher than Alternative 1 based on implementation of a Site Management Plan as part of Alternative 2. The remedial plan creates an approach that combines the remedial action with the redevelopment of the Site, including the construction of the building foundation. The remedial plan is also cost effective in that it will take into consideration the selection of the closest and most appropriate disposal facilities to reduce transportation and disposal costs during the excavation of historic fill and other soils during the redevelopment of the Site.

Community Acceptance

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

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

Because of the complete soil removal proposed for the Track 1 alternative, it provides protection of public health and the environment for both the proposed use of the Site and any future use. The Track 1 alternative provides a remedial action that is beneficial to the surrounding community and is consistent with the goals of the City for remediating and redeveloping brownfield sites. The Track 4 alternative also provides environmental and public health protection for the intended use. This alternative would allow the use of engineering controls and institutional controls that would provide protections against vapor migration.

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. 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.

Track 1 remediation would use the most energy and produce the most greenhouse gasses, as it would have the largest volume of material to truck off site. While Alternative 2 would result in lower energy use based on reducing the volume of material transported off-site, both remedial alternatives are comparable with respect to the opportunity to achieve sustainable remedial action.

The remedial plan of both alternatives 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. While Alternative 2 would potentially result in lower energy usage based on reducing the volume of material transported off-Site, both remedial alternatives are comparable with respect to the opportunity to achieve sustainable remedial action. A complete list of green remedial activities considered as part of the NYC VCP is included in the Sustainability Statement, included as **Appendix 2**.

4.0 REMEDIAL ACTION

4.1 SUMMARY OF PREFERRED REMEDIAL ACTION

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

The proposed remedial action will consist of:

1. Preparation of a Community Protection Statement and performance of all required NYC VCP Citizen Participation activities according to an approved Citizen Participation Plan.
2. Performance of a Community Air Monitoring Program for particulates and volatile organic carbon compounds.
3. Establish 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 site Specific SCOs. Entire property will be excavated to a depth from 12 feet to 18 feet below grade for development purposes.
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. Installation of a vapor barrier/waterproofing system below the concrete slab underneath the building, as well as behind foundation walls of the proposed building. The vapor barrier will consist of Preprufe 300R, or equivalent, installed beneath the cellar slab and Preprufe 160R, or equivalent, installed along the exterior of the foundation walls.
12. Construction and maintenance of an engineered composite cover consisting of a 8” to 12” thick concrete slab across the footprint of the new building. The thickness of the slab has not yet been finalized but will be provided to the OER prior to the start of remediation.
13. Performance of all activities required for the remedial action, including permitting requirements and pretreatment requirements, in compliance with applicable laws and regulations. Since groundwater is at a depth of 16 feet below ground surface, dewatering permits will be obtained from NYCDEP.
14. Implementation of storm-water pollution prevention measures in compliance with applicable laws and regulations.
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, and describes all Engineering and Institutional Controls to be implemented at the Site, and lists any changes from this RAWP.
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

Track 4 Soil Cleanup Objectives (SCOs) are proposed for this project. The SCOs for this Site are the NYSDEC Part 375 Restricted Commercial SCOs and are listed in Table 1 and modified as below:

The following Track 4 Site-Specific SCOs will be used:

| <u>Contaminant</u> | <u>Track 4 SCOs</u> |
|--------------------|---------------------|
| Total SVOCs | 250 ppm |
| Lead | 1,200 ppm |
| Mercury | 2.5 ppm |
| Barium | 750 ppm |

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

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

Estimated Soil/Fill Removal Quantities

The total quantity of soil/fill to be excavated and disposed off-Site is approximately 9,220 tons. As of the date of this RAWP, the disposal locations for Site-derived impacted materials have not been determined. The disposal locations will be reported to the OER when they are identified and prior to the start of remedial action.

End-Point Sampling

Removal actions under this plan will be performed in conjunction with remedial end-point sampling. The analytical results from in situ sampling performed during the RI will be used in lieu of post excavation sampling for the majority of the Site. The in situ soil samples are identified below:

| Soil Probe ID | Sampling Depth (feet) |
|---------------|-----------------------|
| SP-1 | 18-20 |
| SP-2 | 18-20 |
| SP-3 | 18-20 |
| SP-4 | 18-20 |
| SP-5 | 18-20 |
| SP-7 | 18-20 |
| SP-8 | 12-14 |
| SP-9 | 12-14 |
| SP-11 | 12-14 |

One of ten deep samples collected during the RI from depths below anticipated excavation showed SVOCs present at concentrations exceeding the Restricted Commercial SCOs. Therefore three post-excavation end point samples will be collected from site. End point sample locations will be selected in consultation with OER.

New York State ELAP certified labs will be used for all end-point sample analyses. Labs for end-point sample analyses will be reported in the RAR. The RAR will provide a tabular and map summary of all end-point sample results and will include all data including non-detects and applicable standards and/or guidance values. End-point samples will be analyzed for trigger analytes (those for which SCO exceedance is identified) utilizing the following methodology:

Soil analytical methods will include:

- Semi-volatile organic compounds by EPA Method 8270;

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

Quality Assurance/Quality Control

The fundamental QA objective with respect to accuracy, precision, and sensitivity of analysis for laboratory analytical data is to achieve the QC acceptance of the analytical protocol. The accuracy, precision and completeness requirements will be addressed by the laboratory for all data generated. One duplicate sample for every 20 samples collected will be submitted to the approved laboratory for analysis of the same parameters.

Collected samples will be appropriately packaged, placed in coolers and transferred under proper Chain of Custody to the analytical laboratory. 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 endpoint samples, eliminating the need to prepare field equipment (rinsate) blanks. However, if non-disposable equipment is used, (stainless steel scoop, etc.) field rinsate blanks will be prepared at the rate of 1 for every eight samples collected. Decontamination of non-dedicated sampling equipment will consist of the following:

- Gently tap or scrape to remove adhered soil
- Rinse with tap water
- Wash with Alconox® detergent solution and scrub
- Rinse with tap water
- 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 or pesticides.

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**. At this point in

development, the amount of backfill material that will be needed is not known. Any backfill material will be sampled and analyzed for full E parameters and the results will be provided to the OER prior to import.

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 Site has three primary Engineering Control Systems. These are:

- Composite cover system consisting of clean fill, and concrete building slabs;
- Soil vapor barrier; and
- Ventilated parking garage.

Composite Cover System

As part of new development, the entire property will be covered by an engineered permanent cover system. This cover system will be comprised of a 8 to 12 inches thick concrete-building slab beneath the area of the proposed building.

As a permanent engineering control to address residual soils, the entire property will be covered by an engineered permanent cover system. This composite cover system is comprised of a concrete building slab covering the entire footprint of 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

As part of development, migration of potential soil vapor from offsite in the future will be achieved with a combination of a building slab and vapor barrier. The vapor barrier will consist of Preprufe 300R, or equivalent, installed beneath the cellar slab and Preprufe 160R, or

equivalent, installed along the exterior of the foundation walls. The vapor barrier system will extend throughout the area occupied by the footprint of the new building that is to be constructed at the Site. The specifications for installation will be provided to the construction management company and the foundation contractor or installer of the liner and will be implemented under this plan. The specifications state that all vapor barrier seams, penetrations, and repairs will be sealed either by the tape method or weld method, according to the manufacturer's recommendations and instructions.

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 of the proposed vapor barrier membrane is provided in **Figure 6**. The installation of the vapor barrier will be photo documented and documentation will be provided in the Remedial Action Report. The Remedial Action Report will also include stamped as-built plans and a letter (on company letterhead) from primary contractor responsible for installation oversight and field inspections. A compatibility letter indicating that the product is compatible with the compounds detected in the soil, groundwater and soil vapor at the Site will be provided to the OER prior to the start of construction.

Ventilated Parking Garage

A ventilated parking garage (per NYC Building's Department codes) will be constructed beneath the western portion of the new building will prevent against vapor intrusion.

Sub-grade parking will be mechanically vented in accordance with NYCDOB Code. An air exchange system will be installed in the parking garage occupying the cellar area to provide continuous ventilation of the parking area. The air exchange system will be specified to provide an exhaust capacity compatible with NYC building code. Specifications of the ventilation system will be provided to OER when selected and prior to the start of remedial action.

4.4 Institutional Controls

Institutional Controls are required on sites that achieve Track 4 Remedial Action. 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 implemented under a site-

specific Site Management Plan (SMP) that will be included in the RAR. Institutional Controls for this remedial action are:

- Continued registration of the E-Designation for the property. This RAWP includes a description of all EC's and IC's 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 annually and will comply with RCNY §43-1407(1)(3).
- Vegetable gardens and farming on the Site are prohibited;
- 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 (hotel) and will not be used for a higher level of use without prior approval by OER.

4.5 SITE MANAGEMENT PLAN

Site Management is the last phase of remediation and begins with the approval of the Remedial Action Report and issuance of the Notice of Completion (NOC) for the Remedial

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

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

Site management activities, reporting, and EC/IC certification will be scheduled on an 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

Historic fill material is present at the Site from grade to approximately 16 feet below grade. Based on the results of the RIR, the contaminants of concern are:

Soil:

- VOC including Naphthalene exceeding Restricted Residential SCOs
- SVOCs including Anthracene, Benzo(a)Anthracene, Benzo(a)Pyrene, Benzo(b)Flouranthene, Benzo(k)Flouranthene, Chrysene, Dibenzo(a,h)Anthracene, Dibenzofuran, Fluoranthene, Indeno (1,2,3-cd)pyrene, Phenanthrene and Pyrene exceeding Restricted Residential SCOs. Several of these benzo compounds also exceeded Restricted Commercial SCOs.
- Metals including arsenic, barium and lead exceeded Restricted Commercial SCOs.
- Pesticides were identified but none exceeded Restricted Residential SCOs.

Groundwater:

- VOCs including Isopropylbenzene, n-Propylbenzene and sec-Butylbenzene exceeding the GQS
- SVOCs including Benzo(a)Pyrene, Benzo(b)Fluoranthene and Chrysene exceeding the GQS
- Dissolved metals including Sodium, Magnesium, Selenium and Manganese exceeding the GQS

Soil Vapor:

- Tetrachloroethylene (PCE) was detected exceeding NYSDOH monitoring guidelines;

Nature, Extent, Fate and Transport of Contaminants

SVOCs and metals are present in the shallow soil throughout the Site and in the deep soil in the southeast portion of the Site. Metals detected in soil above regulatory standards were not detected in groundwater at concentrations exceeding the standards. Petroleum and chlorinated

VOCs were detected in soil vapors throughout the Site. PCE was detected above the monitoring threshold established by the New York State DOH and was not detected in soil or groundwater.

Potential Routes of Exposure

The five elements of an exposure pathway are:

- 1) The source of contamination;
- 2) The environmental media and transport mechanisms;
- 3) The point of exposure;
- 4) The route of exposure;
- 5) The receptor population.

These elements of an exposure pathway may be based on past, present, or future events. 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: There is potential for soil vapors to accumulate beneath the existing building at the Site. There is no potential for direct exposure and ingestion of water, soil and fill currently at the site due to the existing parking garage building and the asphalt cover.

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, groundwater is not used at the Site and there is no potential for exposure.

Construction/ Remediation Activities: Once redevelopment activities begin, construction workers will come into direct contact with surface and subsurface soils, as a result of on-Site construction and excavation activities. Contact with groundwater is not anticipated due to the depth of water. 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, most or all soils in excess of Track 4 SCOs will be removed. The Site will be fully capped, limiting potential direct exposure to soil and groundwater remaining in place, and engineering controls including a vapor barrier system and composite cover will prevent potential for inhalation via soil vapor intrusion. 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: A parking garage currently occupies the Site. During construction, onsite receptors will include construction worker and visitors. After construction, onsite receptors will include customers and employees of the hotel.

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

There are no exposure pathways for the current site condition. There is a potential complete exposure pathway that requires mitigation during implementation of the remedy. There is no complete exposure pathway under future conditions after the site is developed. This assessment takes into consideration the reasonably anticipated use of the site, which includes a residential structure, site-wide impervious surface cover cap, 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.

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. The vapor barrier, composite cover, and long-term site management will interrupt any remaining exposure pathways. Continued protection after the remedial action will be achieved by the implementation of site management including periodic inspection and certification of the performance of remedial controls.

5.0 REMEDIAL ACTION MANAGEMENT

5.1 PROJECT ORGANIZATION AND OVERSIGHT

Principal personnel who will participate in the remedial action include Sasha Rothenberg (Project Manager) and Rachel Ataman (Senior Vice President). The Professional Engineer (PE) for this project is Shaik Saad and the Qualified Environmental Professionals (QEP) is Mark E. Robbins.

5.2 SITE SECURITY

Site access will be controlled by barriers that will be installed around work areas as needed to delineate and restrict access to the work area. For work areas of limited size, barrier tape will be sufficient to delineate and restrict access. For larger worker areas, temporary fencing will be provided.

5.3 WORK HOURS

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

5.4 CONSTRUCTION HEALTH AND SAFETY PLAN

The Health and Safety Plan is included in **Appendix 4**. The Site Safety Coordinator will be Sasha Rothenberg. 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 logbook 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. Exceedances 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

Groundwater is anticipated to be encountered during construction based on depth so dewatering will be necessary. The water will be disposed into the New York City combined sanitary/storm sewer system. A permit to discharge will be obtained from the New York City Department of Environmental Protection (NYCDEP). As part of the permit to discharge, the location of discharge will be based on the Site-Specific requirements of the DEP. The need for pretreatment will be determined by DEP's requirements for the discharge permit. If pretreatment is required by the DEP, it will be performed in accordance with the requirements of the DEP.

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 BCP 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 BCP 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 provided to the OER once the soil disposal facilities have been determined.

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.

5.13 DATA USABILITY SUMMARY REPORT

The primary objective of a Data Usability Summary Report (DUSR) is to determine whether or not data meets the site-specific criteria for data quality and data use. The DUSR provides an evaluation of analytical data without third party data validation. The DUSR for post-remedial samples collected during implementation of this RAWP will be included in the Remedial Action Report (RAR).

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;
- 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.
- 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, Shaik A. Saad, 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, Mark E. Robbins, 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 | - |
| Fact Sheet 2 announcing start of remedy | 0 | - |
| Mobilization | 16 | 2 |
| Remedial Excavation | 18 | 4 |
| Demobilization | 40 | 2 |
| Submit Remedial Action Report | 48 | - |

APPENDIX 1

CITIZEN PARTICIPATION PLAN

The NYC Office of Environmental Remediation and CBCS Washington Street LLC have established this Citizen Participation Plan because the opportunity for citizen participation is an important component of the NYC Brownfield 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 BCP, CBCS Washington Street 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, Samantha Morris, 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. 445 Washington Street LLC will inspect the repositories to ensure that they are fully populated with project information. The repository for this project is:

Jefferson Market Public Library

425 Avenue of the Americas, New York, NY 10011

(212) 243 - 4334

Monday and Wednesday: 10:00 AM – 8:00 PM

Tuesday and Thursday: 11:00 AM – 6:00 PM

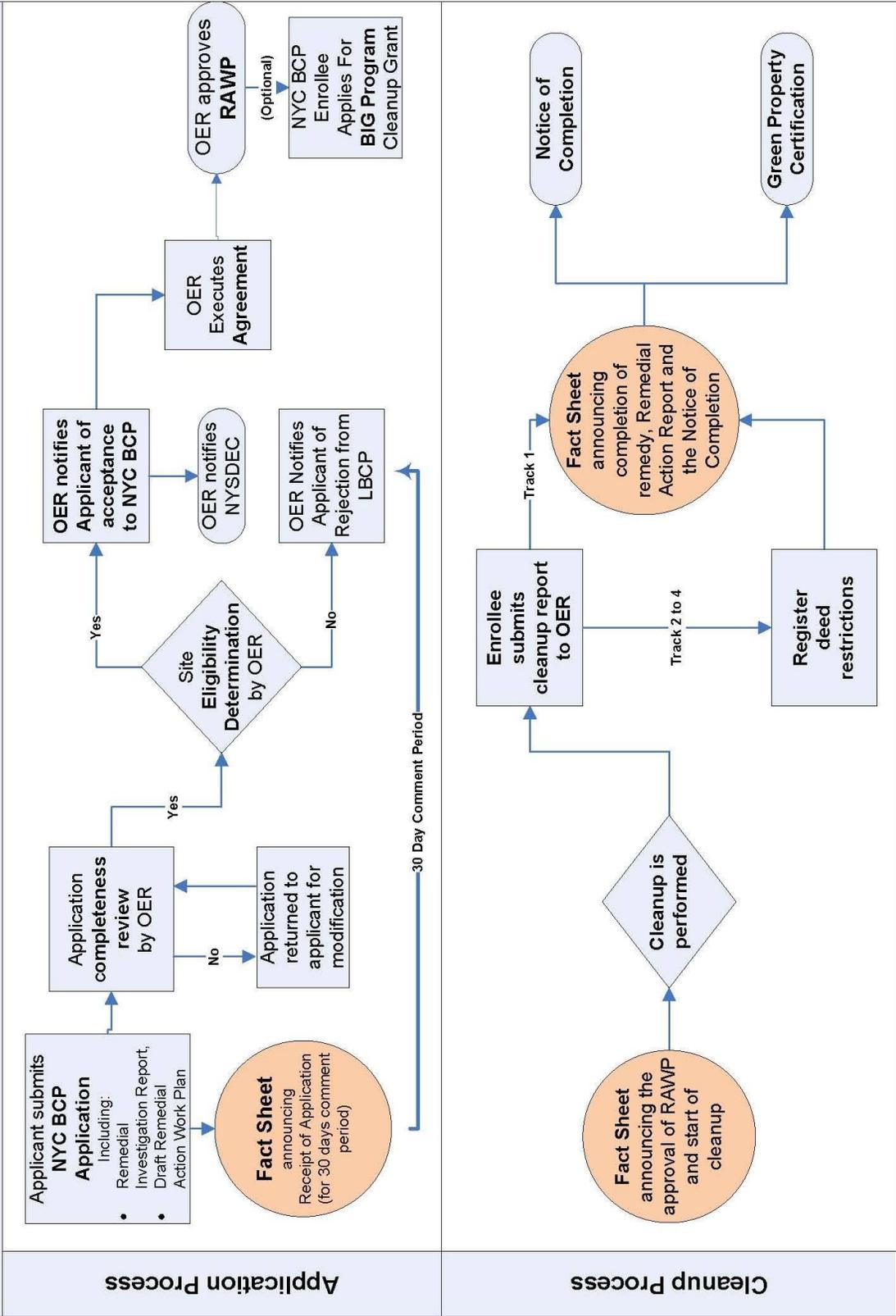
Saturday: 10:00 AM – 5:00 PM

Sunday: Closed

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

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 CBCS Washington Street LLC, reviewed and approved by OER prior to distribution and mailed by CBCS Washington Street LLC. Public comment is solicited in public notices for all work plans developed under the NYC Brownfield 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.

Flow Chart For NYC Brownfield Cleanup Program (NYC BCP)



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. Recycled concrete aggregate may be used for backfill material at this Site. As of the date of this report, the amount of backfill material is not known.

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. Reduced consumption of virgin materials will be achieved by using the NYC Clean Soil Bank for clean backfill material needed. 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. The new development will be heated via natural gas which is a cleaner alternative to fuel oil.

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. The new development will be heated via natural gas which reduces harmful emissions since natural gas is a cleaner alternative to heating oil.

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. Recontamination controls include a vapor barrier and concrete building slab.

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. If storm-water retention methods are used, an estimate of the enhanced storm-water retention capability of the redevelopment project will be included in the RAR.

Paperless Brownfield Cleanup Program. CBCS Washington Street 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. CBCS Washington Street 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. Trees may be planted along the sidewalks bordering the new development. 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 provided once soil disposal facilities have been determined. This routing will take 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 Manhattan, 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.

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 previous 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 BCP 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 the Unrestricted Use Soil Cleanup Objectives as defined by NYSDEC Part 375.

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.