



January 19, 2012

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

Re: NYC BCP Project #12CBCP029K
547-549 Myrtle Avenue
Remedial Action Work Plan (RAWP) Stipulation List

Dear Mr. Chawla,

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

Stipulation List

1. The criterion attached in Appendix 1 will be utilized if petroleum containing tank or vessel is identified during the remedial action or subsequent redevelopment excavation activities. All petroleum spills will be reported to the NYSDEC hotline as required by applicable laws and regulations. This contingency plan is designed for heating oil tanks and other small or moderately sized storage vessels. If larger tanks, such as gasoline storage tanks are identified, OER will be notified before this criterion is utilized.
2. Stamped architectural/engineering plans, including the final design for the engineered composite cover (consisting of the building foundation slab, sidewalls, vapor barrier under the building foundation and concrete courtyard area) are to be provided when the bid set of plans are available from the architect.
3. A pre-approval letter from all disposal facilities will be provided to OER prior to any soil/fill material removal from the site. Documentation specified in the RAWP – Attachment D - Section 1.6 “Materials Disposal Off-Site” will be provided to OER. If a different disposal facility for the soil/fill material is selected, OER will be notified immediately.



4. End point samples will be collected to assess the attainment of Track 4 SCOs at the locations shown in attached Appendix 2.
5. A CD containing the final RAWP including this approved Stipulation List will be placed in the library that constitutes the primary public repository for project documents.
6. Signage for the project will include a sturdy placard mounted in a publically accessible right of way to building and other permits signage will consist of the NYC BCP Information Sheet (attached Appendix 3) announcing the remedial action. The Information sheet will be laminated and permanently affixed to the placard.
7. This NYC BCP project involving the removal and transportation of hazardous waste may be subject to the New York state Department of Environmental Conservation's Special Assessment Tax (ECL 27-0923) and Hazardous Waste Regulatory Fees (ECL 72-00402). See DEC's website for more information:
<http://www.dec.ny.gov/chemical/9099.html>.

Very truly yours,

Environmental Business Consultants



Charles B. Sosik, P.G., P.H.G.

Principal

Appendix 1

Generic Procedures for Management of Underground Storage Tanks Identified Under the NYC BCP

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

- Remove all fluid to its lowest draw-off point.

- Drain and flush piping into the tank.

- Vacuum out the “tank bottom” consisting of water product and sludge.

- Dig down to the top of the tank and expose the upper half.

- Remove the fill tube and disconnect the fill, gauge, product, vent lines and pumps. Cap and plug open ends of lines.

- Temporarily plug all tank openings, complete the excavation, remove the tank and place it in a secure location.

- Render the tank safe and check the tank atmosphere to ensure that petroleum vapors have been satisfactorily purged from the tank.

- Clean tank or remove to storage yard for cleaning.

- If the tank is to be moved, it must be transported by licensed waste transporter. Plug and cap all holes prior to transport leaving a 1/8 inch vent hole located at the top of the tank during transport.

- After cleaning, the tank must be made acceptable for disposal at a scrap yard, cleaning the tanks interior with a high pressure rinse and cutting the tank in several pieces.

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

- A description and photographic documentation of the tank and pipe line condition (pitting, holes, staining, leak points, evidence of repairs, etc.).

- Examination of the excavation floor and sidewalls for physical evidence of contamination (odor, staining, sheen, etc.).

- Periodic field screening (through bucket return) of the floor and sidewalls of the excavation, with a calibrated photoionization detector (PID).

Impacted Soil Excavation Methods

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

- A description and photographic documentation of the excavation.

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

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

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

- Wear appropriate health and safety equipment as outlined in the Health and Safety Plan.
- Prior to excavation, ensure that the area is clear of utility lines or other obstructions. Lay plastic sheeting on the ground next to the area to be excavated.
- Using a rubber-tired backhoe or track mounted excavator, remove overburden soils and stockpile, or dispose of, separate from the impacted soil.
- If additional UST's are discovered, the NYSDEC will be notified and the best course of action to remove the structure should be determined in the field. This may involve the continued trenching around the perimeter to minimize its disturbance.
- If physically contaminated soil is present (e.g., staining, odors, sheen, PID response, etc.) an attempt will be made to remove it, to the extent not limited by the site boundaries or the bedrock surface. If possible, physically impacted soil will be removed using the backhoe or excavator, segregated from clean soils and overburden, and staged on separated dedicated plastic sheeting or live loaded into trucks from the disposal facility. Removal of the impacted soils will continue until visibly clean material is encountered and monitoring instruments indicate that no contaminants are present.
- Excavated soils which are temporarily stockpiled on-site will be covered with tarp material while disposal options are determined. Tarp will be checked on a daily basis and replaced, repaired or adjusted as needed to provide full coverage. The sheeting will be shaped and secured in such a manner as to drain runoff and direct it toward the interior of the property.

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



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Appendix 2 End Point Sampling Map

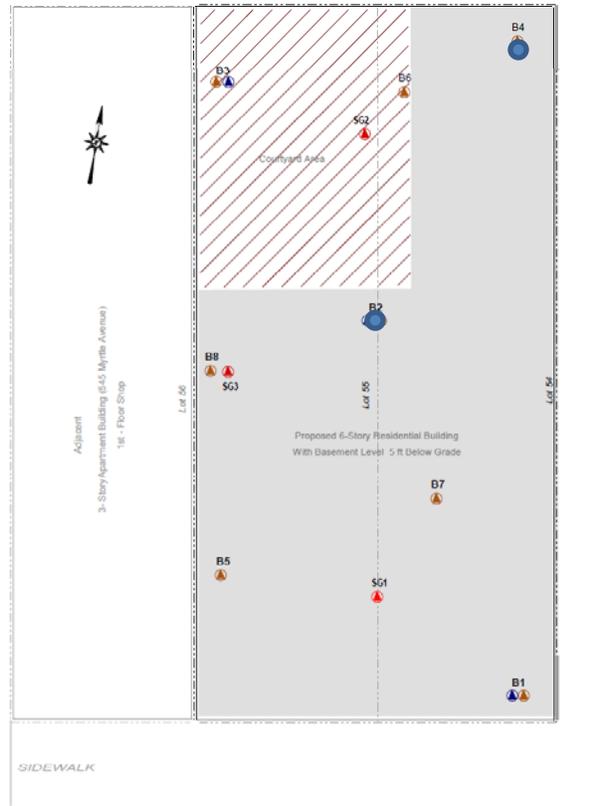


ENVIRONMENTAL BUSINESS CONSULTANTS

1808 MIDDLE COUNTRY ROAD
RIDGE, NY 11961

PHONE 631.504.6000
FAX 631.924.2870

547 & 549 Myrtle Avenue End Point Sampling Map



MYRTLE AVENUE

EMERSON PLACE

1 inch = 15 feet

Legend:
● End Point Sampling Location
▲ Area of Concern Location
▲ Area of Concern Location
▲ Area of Concern Location

● End Point sampling location for Zinc and Full List SVOCs



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Appendix 3 NYC BCP Signage



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NYC Brownfield Cleanup Program

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

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



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

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

547-549 Myrtle Avenue



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Site #: 12CBCP029K



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