

24 April 2015

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

**Re: Remedial Action Work Plan (RAWP) Stipulation List
VCP # 15CVCP053M / E-Designation # 15RHAZ261M
540 West 53rd Street
Manhattan, New York
Langan Project No. 100400601**

Dear Mr. Chawla:

Langan Engineering, Environmental, Surveying, and Landscape Architecture, D.P.C. 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 Clinton Housing Development Company. This letter serves as an addendum to the RAWP to stipulate additional content, requirements, and procedures that will be followed during the site remediation. The contents of this list are added to the RAWP and will supersede the content in the RAWP where there is a conflict in purpose or intent. The additional requirements/procedures include the following Stipulation List below:

1. As required by the New York State Department of Environmental Conservation, a total of three bedrock groundwater monitoring wells will be installed to characterize groundwater in the vicinity of the 536-538 West 53rd Street parcel. For the purposes of the investigation, one well will be installed in the inferred up-gradient direction, one well will be installed within the parcel and one well will be installed down-gradient. The wells will be installed for the purposes of collecting groundwater samples for laboratory analysis for volatile organic compounds (VOCs) semi-volatile organic compounds (SVOCs) and metals. The results of the sampling will be submitted to the NYCOER and NYSDEC in a letter report that will discuss any impacts observed and will make recommendations regarding these impacts.
2. The criterion attached in Attachment 1 will be utilized if additional petroleum containing tank or vessel is identified during the remedial action or subsequent redevelopment excavation activities. All petroleum spills will be reported to the NYSDEC hotline as required by applicable laws and regulations. This contingency plan is designed for heating oil tanks and other small or moderately sized storage vessels. If larger tanks, such as gasoline storage tanks are identified, OER will be notified before this criterion is utilized.

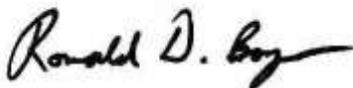
3. A pre-construction meeting is required prior to start of remedial excavation work at the site. A pre-construction meeting will be held at the site and will be attended by OER, the developer or developer representative, the consultant, excavation/general contractor, and if applicable, the soil broker.
4. A pre-approval letter from all disposal facilities will be provided to OER prior to any soil/fill material removal from the site. Documentation specified in the RAWP – Appendix C - 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.
5. Signage for the project will include a sturdy placard mounted in a publically accessible right of way to building and other permits signage will consist of the NYC VCP Information Sheet (attached Attachment 2) announcing the remedial action. The Information sheet will be laminated and permanently affixed to the placard.
6. In the event that hazardous waste is identified during the remedial action or subsequent redevelopment excavation activities at this NYC VCP project, and removal and transportation of hazardous waste becomes necessary, the project may be subject to the New York State Department of Environmental Conservation’s Special Assessment Tax (ECL 27-0923) and Hazardous Waste Regulatory Fees (ECL 72-00402). See DEC’s website for more information: <http://www.dec.ny.gov/chemical/9099.html>.
7. Collection and analysis of six end-point samples from the bottom of the excavation within the landscaped areas to evaluate the performance of the remedy with respect to attainment of Track 4 SCOs. A map indicating end-point sampling locations is attached in Attachment 3. Samples will be analyzed for contaminants of concern (SVOCs and metals). Additional end-point samples will be collected within the building footprint if fill/soil is still present within the building footprint after excavation has occurred.
8. OER requires parties seeking City Brownfield Incentive Grants to carry insurance. For a cleanup grant, both the excavator and the trucking firm(s) that handle removal of soil must carry or be covered under a commercial general liability (CGL) policy that provides \$1 million per claim in coverage. OER recommends that excavators and truckers also carry contractors pollution liability (CPL) coverage, also providing \$1 million per claim in coverage. The CGL policy, and the CPL policy if obtained, must name the City of New York, the NYC Economic Development Corporation, and Brownfield Redevelopment Solutions as additional insured. For an investigation grant, an environmental consultant must be a qualified vendor in the BIG program and carry \$1 million of professional liability (PL) coverage. A fact sheet regarding insurance is attached as Attachment 4.
9. Daily reports will be provided during active excavation work. If no work is performed for extended time period, daily report frequency will be reduced to weekly basis. Daily report template is attached in Attachment 5.

10. Signed and stamped development plans for the building are provided in Attachment 6. The parcel at 543 West 52nd Street will be developed as an outdoor community space; however, the end use and design of this area has not yet been finalized. Construction of the outdoor space will be completed in a manner that is protective of public health and the environment in accordance with the NYCOER-approved Remedial Action Work Plan. Construction will include prevention of contact with residual contamination in soil via the installation of a capping system consisting of paved walkways and a minimum two-foot clean fill layer with an underlying demarcation system in any landscaped areas. Construction drawings will be submitted to NYCOER for review and approval prior to the commencement of construction on this parcel. In the interim, the parcel will be used as a staging area during construction of the new building.

Sincerely,
**Langan Engineering, Environmental, Surveying
and Landscape Architecture, D.P.C.**



Christopher McMahon
Senior Project Manager



Ronald D. Boyer
Principal / Vice President
NYS PE License Number 085831-1

CM:kn

Enclosure(s): Attachment 1 – Generic Procedures for UST Management
Attachment 2 – NYC VCP Signage
Attachment 3 – End Point Sampling Map
Attachment 4 – BIG Program Insurance Requirements
Attachment 5 – Daily Report Template
Attachment 6 – Development Plans

cc: Steve Ciambuschini, Amanda Forsburg - Langan

ATTACHMENT 1

Generic Procedures for UST Management

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.

ATTACHMENT 2

NYC VCP Signage



NYC Voluntary Cleanup Program

**540 West 53rd Street
Site #: 15CVCP053M**

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

Or scan with smart phone:

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



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

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

ATTACHMENT 3

End Point Sample Locations

Legend

-  Subject Property Boundary
-  Adjacent Re-Development Site
-  Tax Parcels
-  Proposed Cellar Excavation Extents
-  Proposed Landscaped Area Extents
-  Proposed Placement of Clean Fill Cap
-  Proposed Post Excavation Soil Sample Location



Block: 1082
Lot: 7501

Block: 1082
Lot: 25

WEST 53RD STREET

548 546 544 542 540 538 536

Block: 1081
Lot: 1

Block: 1081
Lot: 60

Block: 1081
Lot: 7501

Block: 1081
Lot: 7502

Block: 1081
Lot: 1

Block: 1081
Lot: 101

543

WEST 52ND STREET

ELEVENTH AVENUE

- Notes:**
1. Tax parcel boundaries from MapPLUTO copyrighted by the New York City Department of Planning.
 2. Proposed garden extents from "Site Plan A-005" by Perkins Eastman, dated 15 October 2013.
 3. Proposed excavation extents from "Slab Edge Cellar Floor Plan A-049" by Perkins Eastman, dated 26 June 2014.



 River Drive Center 1, 619 River Drive Elmwood Park, NJ 07407-1338 T: 201.794.6900 F: 201.794.0366 www.langan.com Langan Engineering & Environmental Services, Inc. Langan Engineering, Environmental, Surveying and Landscape Architecture, D.P.C. Langan International LLC Collectively known as Langan NJ CERTIFICATE OF AUTHORIZATION No. 24GA27996400	Project PROPOSED WEST 53RD STREET DEVELOPMENT BLOCK No. 1081, LOT No. 1 (Portion) MANHATTAN NEW YORK COUNTY NEW YORK	Drawing Title PROPOSED POST-EXCAVATION SOIL SAMPLES	Project No. 100400601 Date 10/22/2014 Scale 1"=40' Drawn By ATR Last Revised 4/14/2015	Attachment <div style="font-size: 2em; font-weight: bold; margin-top: 20px;">3</div>
	NEW YORK COUNTY NEW YORK			

ATTACHMENT 4

BIG Program Insurance Requirements

FACT SHEET – BIG PROGRAM INSURANCE REQUIREMENTS

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

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

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

- Its general contractor or excavation/foundation contractor hired to perform remedial work must maintain Commercial General Liability (CGL) insurance of at least \$1M per occurrence and \$2M in the general aggregate. It is recommended that the general contractor or excavation/foundation contractor also maintain a Contractors Pollution Liability policy (CPL) of at least \$1M per occurrence.
- Its subcontractors who are hired by the general contractor etc. to perform remedial work at a site, including soil brokers and truckers, must also maintain a CGL policy in the amount and with the terms set forth above. It is recommended that subcontractors also maintain a CPL policy in the amount and with the terms set forth above.

The CGL policy, and the CPL policy if in force, must list the city, EDC and BRS as additional insureds, include completed operations coverage and be primary and non-contributory to any other insurance the additional insureds may have.

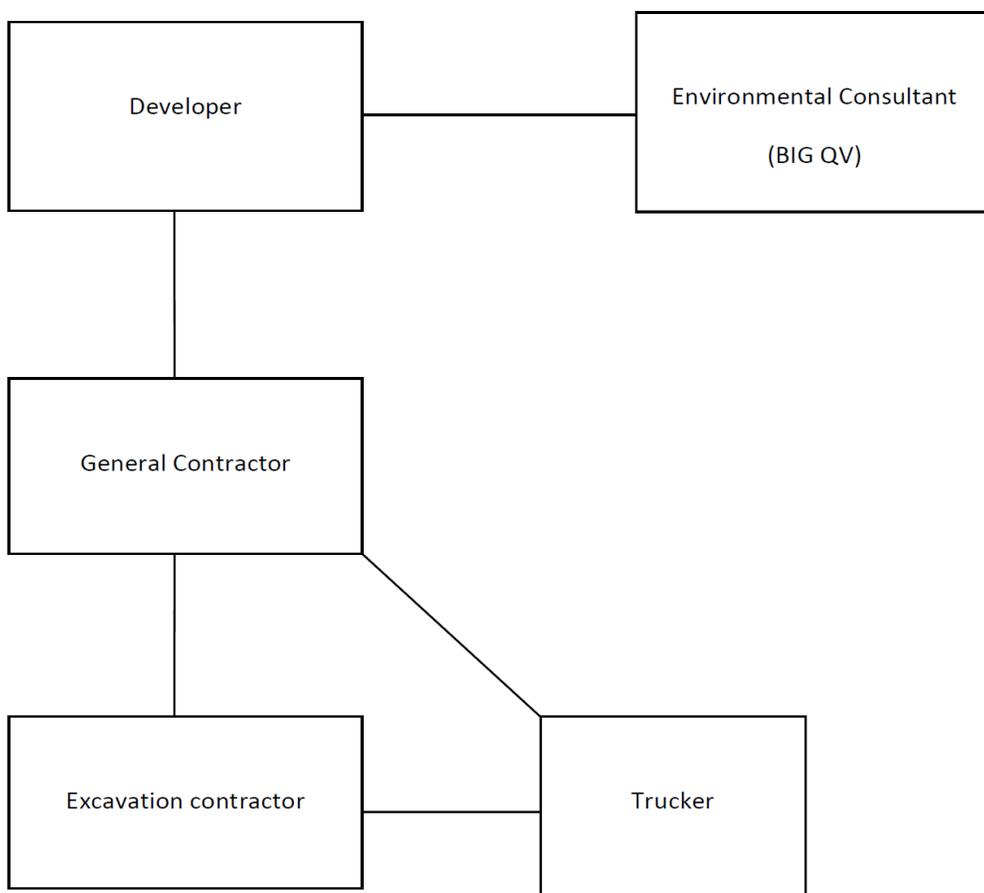
- Its environmental consultant(s) hired to oversee the cleanup must be:
 - a. a BIG Qualified Vendor; and
 - b. maintain Professional Liability (PL) insurance of \$1M per claim and annual aggregate.

If, in the alternative, the developer hires its environmental consultant to perform the cleanup, the environmental consultant must maintain CGL insurance in the amount and with the terms set forth above. It is recommended that the environmental consultant also maintain CPL coverage in the amount and with the terms set forth in the first two bulleted items listed above.

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

Example of Contractual Relationships for Cleanup Work

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



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

BIG Program Additional Insureds

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

“City and its officials and employees”

New York City Mayor’s Office of Environmental Remediation
253 Broadway, 14th Floor
New York, NY 10007

“NYC EDC and its officials and employees”

New York City Economic Development Corporation
110 William Street
New York, NY 10038

“BIG Grant Administrator and its officials and employees”

Brownfield Redevelopment Solutions, Inc.
739 Stokes Road, Units A & B
Medford, NJ 08055

ATTACHMENT 5

Daily Report Template

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DAILY STATUS REPORT

Prepared By: **Enter Your Name Here**

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

Langan Project No:	100400601	Project:	Clinton Housing Development Company	Date:	Date
VCP Project No:	14CVCP000M	E- Project No.:	14EHAN000M	Time:	0635-1510

Consultant: Langan Engineering, Environmental, Surveying and Landscape Architecture, D.P.C.	Safety Officer: Enter Your Name Here
Contractor(s): Person(s) Name and Company Name	
Equipment: Cat 210C (ACS), Cat 308D (ACS), Bauer BS 20H (TDS)	
Personnel Onsite: Enter Your Name Here, Person(s) Name and Company Name	
Work Activities Performed (Since Last Report): Provide details about the work activities performed. Air monitoring stations were installed at the site in accordance with the RAWP, CHASP, and CAMP.	
Working in Grid #: WC-1, WC-2, WC-3, WC-5	

Samples Collected (Since Last Report): No samples collected or provide details			
Air Monitoring (Since Last Report):			
Particulate Monitoring (ug/m ³)		Organic Vapor Monitoring (ppm)	
Daily Background	X	Daily Background	X
Averaging Period	Downwind Perimeter (AMS#1)	Averaging Period	Downwind Perimeter (AMS#1)
Daily Time Weighted Average	X	Daily Time Weighted Average	X
Maximum 15-min Average	X	Maximum 15-min Average	X
Maximum 1-min Instant Reading	X	Maximum 1-min Instant Reading	X
Minimum 1-min Instant Reading	X	Minimum 1-min Instant Reading	X
ug/m ³ = micrograms per meter cubed, ppm = parts per million			

LANGAN

Problems Encountered: **No problems encountered or provide details**

Planned Activities for Next Work Day:

Provide details about the work activities planned for the next day/ week.

Facility # Name/ Location Type of Waste Solid <u>Or</u> Liquid	Facility # Name Location Type of Waste Solid <u>Or</u> Liquid		##### Clean Earth Carteret, NJ petroleum soils Solid							
	Trucks	Cu. Yds. <u>Or</u> Gallons	Trucks	Cu. Yds.						
Today									5	120
Total									25	600

Photo Log

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

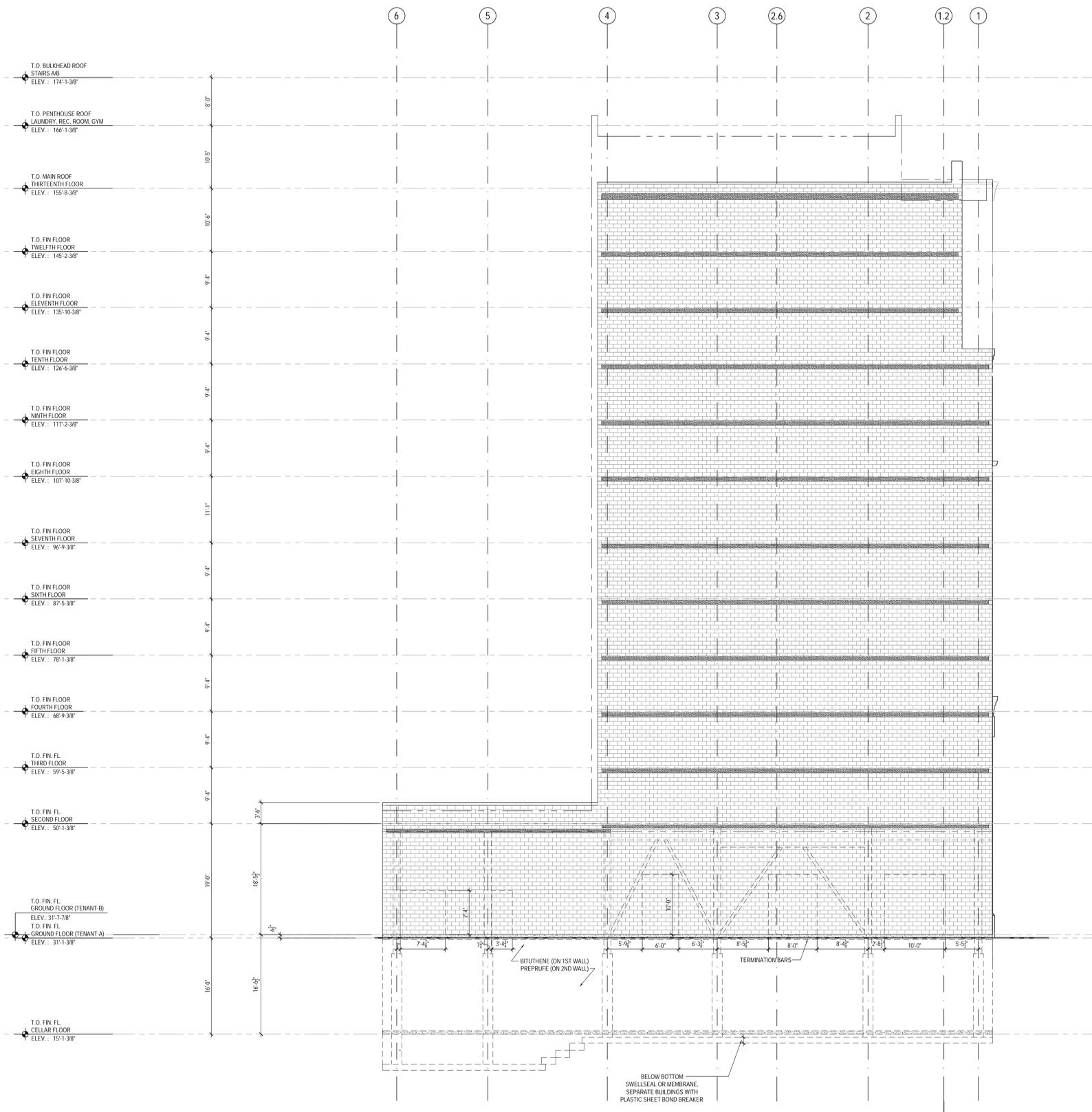
By: Type Your Name and Your Position

SIGNATURE, Date

Langan Engineering, Environmental, Surveying and Landscape Architecture, D.P.C

ATTACHMENT 6

Development Plans



1
A204 ELEVATION EAST FACADE
SCALE: 1/8" = 1'-0"

NO.	DATE	SUBMISSION
2014.06.26		Foundation Pricing Set-Addendum 1



Perkins Eastman
 115 FIFTH AVENUE
 NEW YORK, NY 10003
 T. 212.902.7200
 F. 212.353.7676

Owner:
 CHDC
 403 WEST 40TH STREET
 NEW YORK, NY 10118, TEL (212) 967-1644

Structural:
 ROBERT SILLMAN ASSOCIATES, P.C.
 88 UNIVERSITY PLACE
 NEW YORK, NY 10003, TEL (212) 620-7970

MEP
 ABRAHAM JOSELOW P.C., P.E.
 45 WEST 34TH STREET SUITE 1101
 NEW YORK, NY 10001, TEL (212) 736-2584

PROJECT TITLE:
CHDC - SITE 7

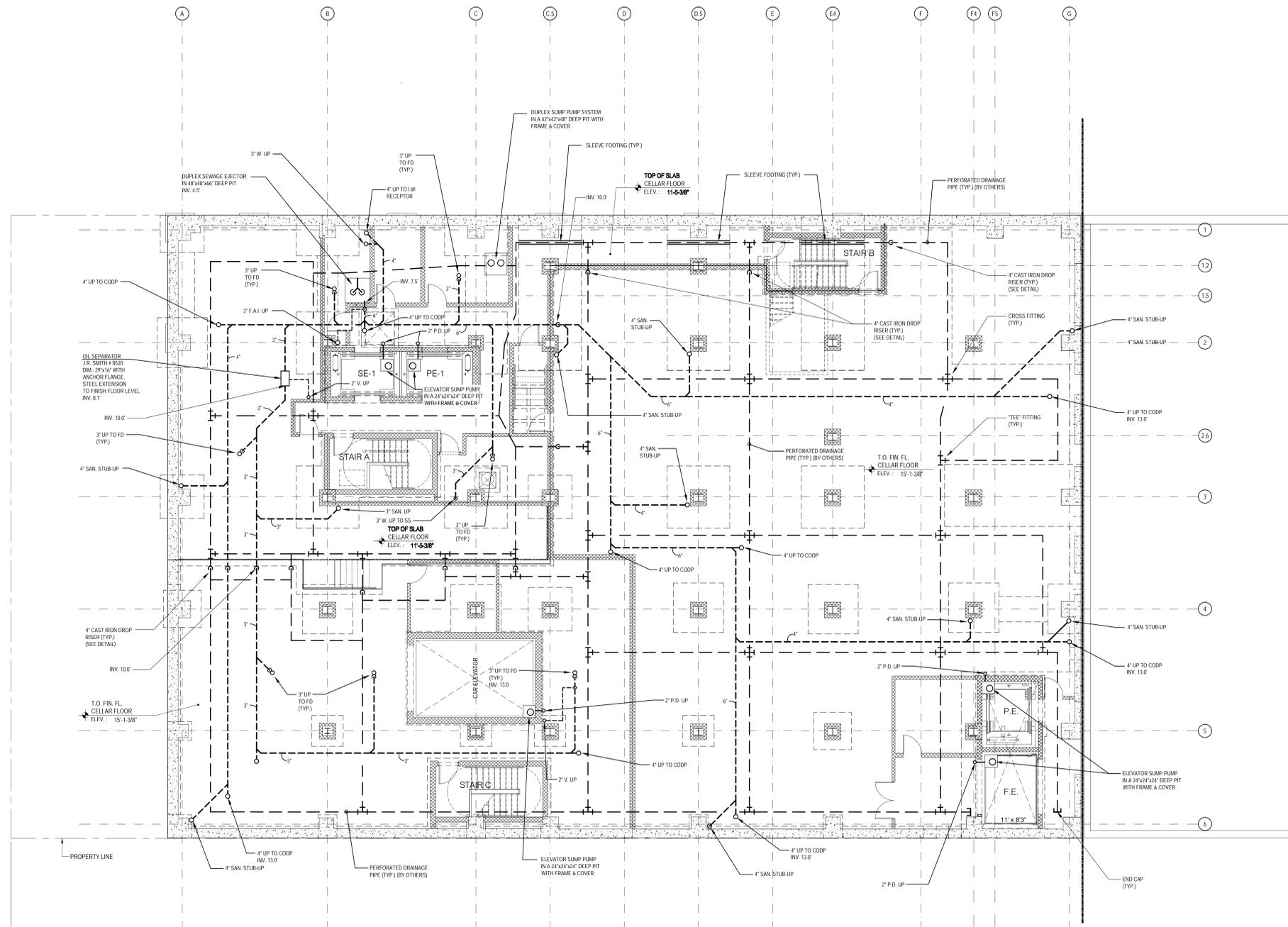
540W 53RD STREET
 NEW YORK, NY
 PROJECT No: 35191.00
 DOB No: XXXXX
 DRAWING TITLE:
**ELEVATION
 EAST FACADE**

SCALE: 1/8" = 1'-0" PAGE: XXXX OF XXXX
A-204.00

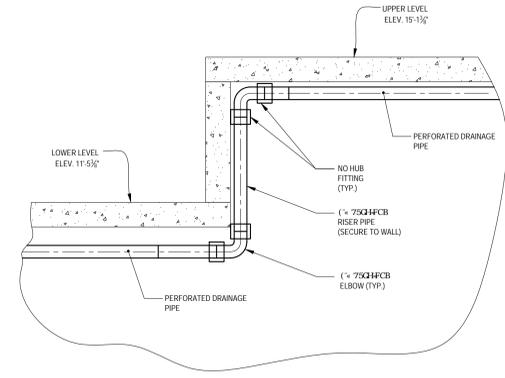
DOB BSCAN STICKER



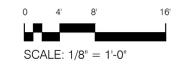
SEAL



1 CELLAR - UNDERGROUND PLUMBING PLAN
 A099 SCALE: 1/8" = 1'-0"



DROP DOWN RISER DETAIL
 NO SCALE



01 2014.09.08 SUBMITTED FOR DOB FILING
 NO. DATE SUBMISSION



Perkins Eastman
 115 FIFTH AVENUE
 NEW YORK, NY 10003
 T. 212.904.7200
 F. 212.353.7676

Owner:
 CHDC
 403 WEST 40TH STREET
 NEW YORK, NY 10018, TEL (212) 967-1644
 Structural:
 ROBERT SILLMAN ASSOCIATES, P.C.
 88 UNIVERSITY PLACE
 NEW YORK, NY 10003, TEL (212) 620-7970
 MEP:
 ABRAHAM JOSELOW P.C., P.E.
 310 FIFTH AVENUE, 3RD FLOOR
 NEW YORK, NY 10001, TEL (212) 736-2584

PROJECT TITLE:
CHDC - SITE 7

540W 53RD STREET
 NEW YORK, NY
 PROJECT No: 35191.00
 DOB No: XXXXX.

DRAWING TITLE:
**PLUMBING
 CELLAR UNDERGROUND
 PLAN**

SCALE: 1/8" = 1'-0" PAGE: XXXX OF XXXX

P-100.00

DOB BSCAN STICKER



SEAL

These Plans are approved only for the work indicated on the application specification sheet. All other matters shown are not to be relied upon or to be considered as other being approved or in accordance with applicable codes.

FILING SET
 2014.04.15

