



August 29, 2012

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

**Re: VCP Project #13CVCP081K – 538 Union Avenue  
Remedial Action Work Plan (RAWP) Stipulation List**

Dear Mr. Chawla:

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

#### **Stipulation List**

1. 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 Appendix C of the RAWP (Section 1.6 “Materials Disposal Off-Site”) will be provided to OER. If a different facility for the soil/fill material is selected, OER will be notified immediately.
2. A CD containing the final RAWP including this approved Stipulation List will be placed in the library that constitutes that primary public repository for the project documents.
3. Signage for the project will include a sturdy placard mounted in a publically accessible right of way. The sign will consist of the NYC BCP Information Sheet (see Appendix 1) announcing the remedial action. The Information sheet will be printed out on 8” x 11.5” paper, laminated and permanently affixed to the placard.

4. Withers Owner LLC plans to excavate 2 feet below grade across the entire site and 3.5 feet below for the hot spot removal of B-10. Excavation is not expected to be below the groundwater table. Approximately 300 to 500 cubic yards of material is expected to be excavated and disposed of.
5. The end point sampling map has been revised (see Appendix 2). One confirmatory end point sample will be collected at the bottom of the hot spot excavation (B-10). Two confirmatory end point samples will be collected at the site. The end point samples will be analyzed for SVOCs, pesticides, and mercury following the removal of historic fill and prior to the installation of the active sub-slab depressurization system and composite cover system.
6. After the sub-slab depressurization system (SSDS) has been active for a period of time, a sub-slab soil vapor sample will be collected from the permanent soil vapor point. The sample will be collected using a 6 Liter Summa Canister that will be set to restrict the sample collection to not exceed 0.2 liters per minute over a 24 hour period. Before the sample is collected, the active SSDS shall be turned off and allowed to equilibrate for 24-48 hours. Additionally, one indoor air sample and one outdoor ambient air sample will be collected during the same 24 hour period as the soil vapor sampling. The samples, three in total, will be analyzed for EPA Method TO-15 using an ELAP certified laboratory. Based on the analytical data, CA RICH will determine if it is appropriate to petition OER to convert the active SSDS into a passive SSDS.
7. 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>.

Sincerely,

Deborah Shapiro  
Senior Project Manager

cc: M. Mandac, OER  
Withers Owner, LLC  
544 Union Owner LLC

## **Appendix 1**

### **NYC VCP Signage**



**NYC Voluntary Cleanup Program**

**538 Union Avenue  
Site #: 13CVCP081K**

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

For more information, log on  
to: [www.nyc.gov/oer](http://www.nyc.gov/oer)

Or scan with smart phone:



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](mailto:brownfields@cityhall.nyc.gov)

## **Appendix 2**

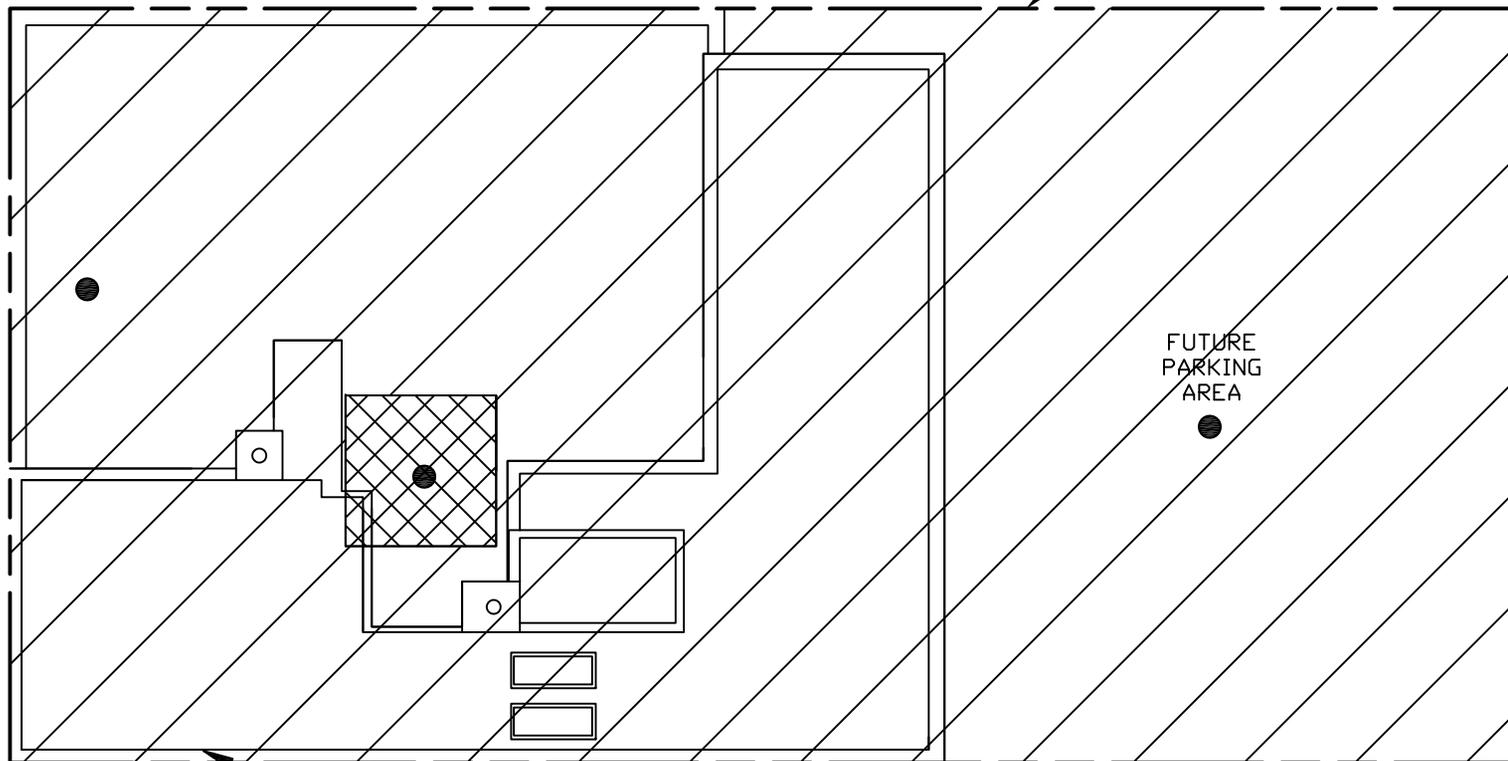
### **Revised End Point Sampling Map**



WITHERS STREET

Approximate Property Boundary  
is Extent of Area of Concern

UNION AVENUE



ADJACENT 2-STORY BUILDING

**LEGEND**

PROPOSED NEW BUILDING

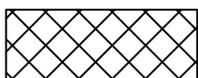
ADJACENT PARKING LOT



Proposed Soil Endpoint  
Sample Location



Proposed 2-Foot Deep  
Site-Wide Excavation Area



Proposed 3.5-Foot Deep  
Remedial Excavation Area

0 15 30



Graphic Scale in Feet

**CA RICH CONSULTANTS, INC.**

Environmental Specialists Since 1982  
17 Dupont Street, Plainview, New York 11803

**STEPHEN J. OSMUNDSEN, PE**

Consulting Engineer  
514 Pantigo Road #16, East Hampton, NY 11937

**TITLE:** Proposed Endpoint  
Sample Locations

**DATE:** 9/6/12

**SCALE:**  
As Shown

**FIGURE:**  
3

WITHERS OWNER, LLC  
538 UNION AVENUE  
BROOKLYN, NEW YORK

**DRAWN BY:**  
S.T.M.

**DRAWING NO:**  
2012-5aa

**APPR. BY:**  
S.J.O.