September 16, 2013

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

**Re:** 13CVCP150K
376-382 Wallabout Street
Brooklyn, NY
Remedial Action Work Plan (RAWP) Stipulation List

Dear Ms Bub:

Environmental Business Consultants (EBC or the consultant) hereby submits a Remedial Action Work Plan (RAWP) Stipulation List for the 376-382 Wallabout Street (the Site) to the New York City Office of Environmental Remediation (OER) on behalf of Throop Wallabout Realty, LLC. This letter serves as an addendum to the RAWP to stipulate additional content, requirements, and procedures that will be followed during the Site remediation. The contents of this list are added to the RAWP and will supersede the content in the RAWP where there is a conflict in purpose or intent. The additional requirements/procedures include the following Stipulation List below:

1. The criterion attached in **Appendix 1** will be utilized if additional petroleum containing tanks or vessels are identified during the remedial action or subsequent redevelopment excavation activities. All petroleum spills will be reported to the NYSDEC hotline as required by applicable laws and regulations. This contingency plan is designed for heating oil tanks and other small or moderately sized storage vessels. If larger tanks, such as gasoline storage tanks are identified, OER will be notified before this criterion is utilized.

2. A pre-construction meeting is required prior to the start of remedial excavation work at the Site. A pre-construction meeting will be held at the Site and will be attended by OER, the developer or developer representative, the consultant, excavation/general contractor, and if applicable, the soil broker.

3. A pre-approval letter from all disposal facilities will be provided to OER prior to any soil/fill material removal from the Site. Documentation specified in the RAWP - Appendix 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. 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.

5. Signage for the project will include a sturdy placard mounted in a publically accessible right of way to building and other permits signage will consist of the NYC VCP Information Sheet (attached **Appendix 2**) announcing the remedial action. The Information sheet will be laminated and permanently affixed to the placard.

6. This NYC VCP 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.

7. Collection and analysis of five post-excavation samples from the bottom of the excavation will be collected to evaluate the performance of the remedy with respect to attainment of Track 1 SCOs. Samples will be analyzed for contaminants of concern (SVOCs, PCBs, pesticides and metals only).

8. Passive SSDS is proposed in RAWP. During construction, if shallow groundwater is encountered and installation of a passive SSDS is not possible, EBC will notify OER.

9. Truck route is included in **(Appendix 3**).

10. The signed RIR certification page and stamped/signed RAWP certification page is included in **Appendix 4.**

11. **Appendix 5** includes Vapor Barrier Pre-Certification letter from Vapor Barrier manufacturer stating that the proposed vapor barrier system mitigates against the contaminants of concern at the site.

12. OER requires parties seeking City Brownfield Incentive Grants (BIG) 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 and a contractors pollution liability (CPL) policy, both of which must provide $1 million per claim in coverage. Both policies must name the City of New York, the NYC Economic Development Corporation, and Brownfield Redevelopment Solutions as additional insured. A fact sheet regarding insurance is attached as **Appendix 6**.

13. Daily report 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 **Appendix 7**.

Sincerely,
**Environmental Business Consultants**

Kristen DiScenza

cc: S. Chawla, OER


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# Appendix 1

Generic Procedures for Management of Underground Storage Tanks identified under the NYC BCP


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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).


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Impacted Soil Excavation Methods

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

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

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

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

- Wear appropriate health and safety equipment as outlined in the Health and Safety Plan.
- Prior to excavation, ensure that the area is clear of utility lines or other obstructions. Lay plastic sheeting on the ground next to the area to be excavated.
- Using a rubber-tired backhoe or track mounted excavator, remove overburden soils and stockpile, or dispose of, separate from the impacted soil.
- If additional UST's are discovered, the NYSDEC will be notified and the best course of action to remove the structure should be determined in the field. This may involve the continued trenching around the perimeter to minimize its disturbance.
- If physically contaminated soil is present (e.g., staining, odors, sheen, PID response, etc.) an attempt will be made to remove it, to the extent not limited by the site boundaries or the bedrock surface. If possible, physically impacted soil will be removed

using the backhoe or excavator, segregated from clean soils and overburden, and staged on separated dedicated plastic sheeting or live loaded into trucks from the disposal facility. Removal of the impacted soils will continue until visibly clean material is encountered and monitoring instruments indicate that no contaminants are present.

- Excavated soils which are temporarily stockpiled on-site will be covered with tarp material while disposal options are determined. Tarp will be checked on a daily basis and replaced, repaired or adjusted as needed to provide full coverage. The sheeting will be shaped and secured in such a manner as to drain runoff and direct it toward the interior of the property.

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


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# Appendix 2

Signage


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# NYC Voluntary Cleanup Program

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**

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
376-382 Wallabout Street
Site #: 13CVCP150K

# Addendum 3

Truck Route


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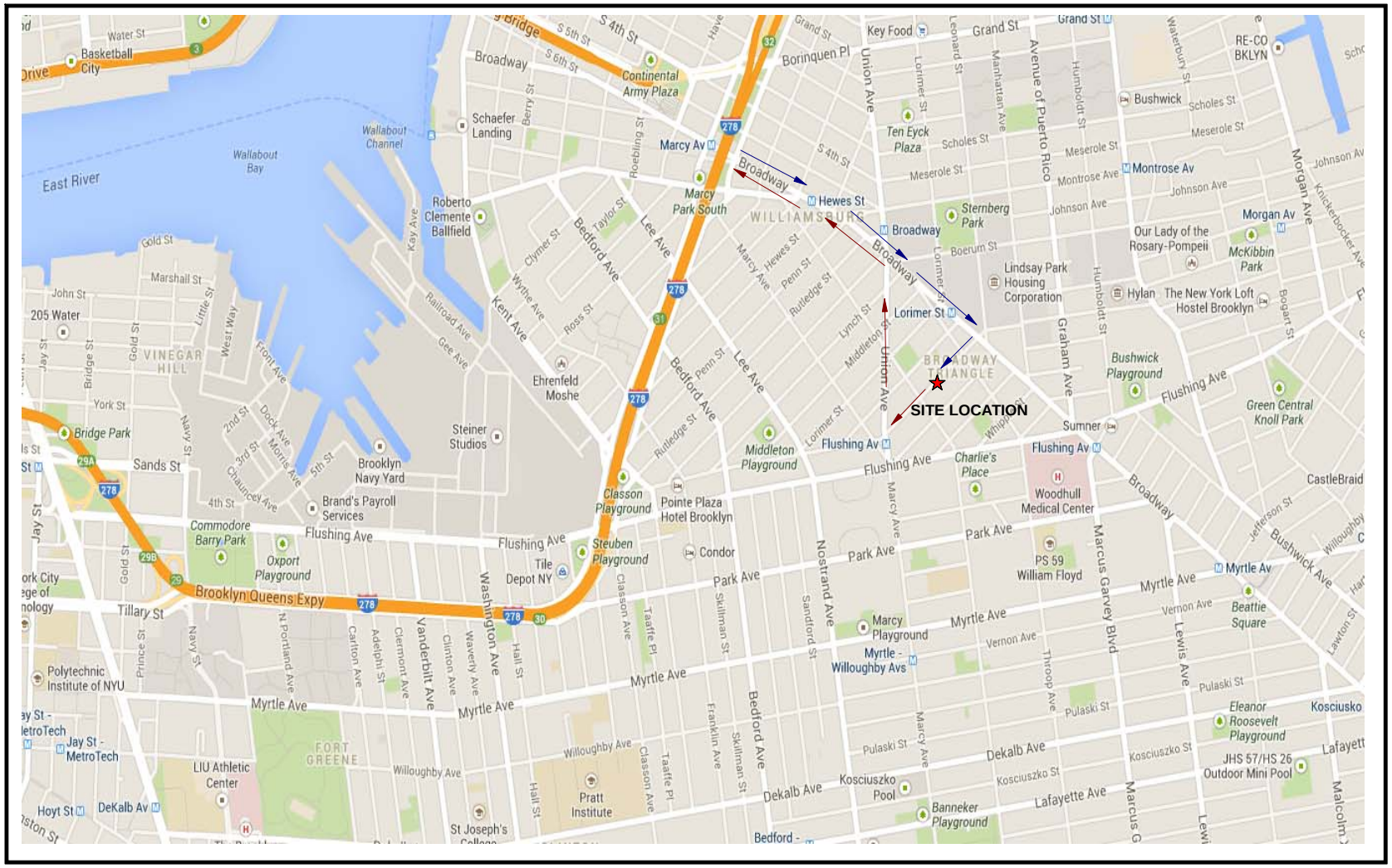


**Key**

Truck Route to the Site

Truck Route from the Site


EBC

ENVIRONMENTAL BUSINESS CONSULTANTS

1808 MIDDLE COUNTRY ROAD, RIDGE, NY 11961

Phone 631.504.6000

Fax 631.924.2780


REDEVELOPMENT PROJECT

376 WALLABOUT STREET, BROOKLYN

FIGURE 1

TRUCK ROUTES

# Addendum 4

RIR and RAWP Certification Page


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# CERTIFICATION

I, Ariel Czemerinski, am a Professional Engineer licensed in the State of New York. I have primary direct responsibility for implementation of the remedial action for the Redevelopment Project located at 376-382 Wallabout Street, Brooklyn, New York, VCP Site number 13CVCP150K.

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.

Ariel Czemerinski

Name

076508

NYS PE License Number

Signature

8/10/13

Date

PE Stamp

# CERTIFICATION

I, Kristen DiScenza, am a Qualified Environmental Professional, as defined in RCNY § 43-1402(ar). I have primary direct responsibility for implementation of the Remedial Investigation for the Redevelopment Project located at 376-382 Wallabout Street, Brooklyn, NY, (NYC VCP Site No. 13CVCP150K). I am responsible for the content of this Remedial Investigation Report (RIR), have reviewed its contents and certify that this RIR is accurate to the best of my knowledge and contains all available environmental information and data regarding the property.

KEVIN BRUSSEE 6/10/2013

Qualified Environmental Professional Date Signature

# Addendum 5

Compatibility Letter


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RAVEN
INDUSTRIES

Ms. Kristen DiScenza
Environmental Business Consultants
1808 Middle Country Road
Ridge, New York 11961

September 17, 2013

Re: 376 Wallabout Street, Brooklyn, NY

Dear Ms. DiScenza,

I have reviewed the following documents for the above referenced project:

- Remedial Investigation Report, 376-382 Wallabout Street, Brooklyn, NY
  NYC VCP Site Number13CVCP150K, Dated June 2013 and noted the contaminants specifically described on the following pages:

  Table 2 - Soil Analytical Results (VOCs)
  Table 3 - Soil Analytical Results (SVOCs)
  Table 4 - Soil Analytical Results (Pesticides/PCBs)
  Table 5 - Soil Analytical Results (Metals)
  Table 6 - Groundwater Analytical Results (VOCs)
  Table 7 - Groundwater Analytical Results (SVOCs)
  Table 8 - Groundwater Analytical Results (Pesticides/PCBs)
  Table 9 - Groundwater Analytical Results (Dissolved Metals)
  Table 10 - Groundwater Analytical Results (Total Metals)
  Table 11 - Soil Gas Analytical Results (VOCs)

  Figure 6 - Soil Exceedences Map
  Figure 7- Groundwater Exceedences Map
  Figure 8 - Soil Vapor Detections

The identified contaminants at the levels reported will not have an adverse effect on the vapor barrier properties of the proposed 20-mil thick, "VaporBlock PLUS" vapor barrier liner system, manufactured by Raven Industries, Inc., provided standard design and installation procedures are followed. Standard installation instructions and details can be found on our website at www.ravenefd.com. Raven VaporBlock Plus is not intended for primary waterproofing of structures with floors below the water table.

Dan Smith
Senior Development Engineer
Raven Ind. Inc.
(800) 635-3456
dan.smith@ravenind.com


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# Addendum 6

Insurance Fact Sheet


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# 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:

    a. Commercial General Liability(CGL) insurance of at least $1M per occurrence and $2M in the general aggregate; and

    b. Contractors Pollution Liability (CPL) insurance of at least $1M per occurrence.

    Both policies 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 subcontractors who are hired by the general contractor etc. to perform remedial work at a site, including soil brokers and truckers, must also maintain CGL and CPL policies in the amount and with the terms set forth above; and

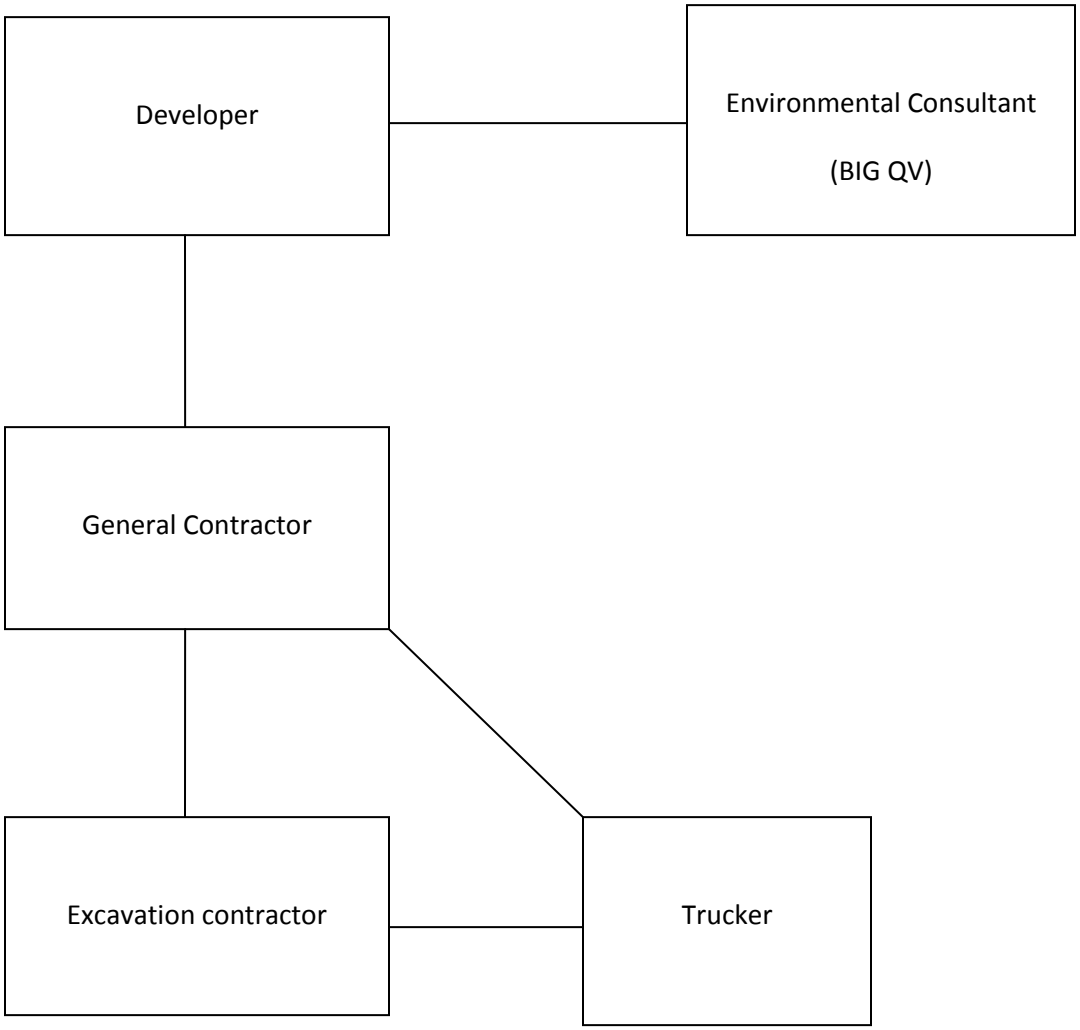
- Its environmental consultant(s) hired to oversee the cleanup must be:
    a. a BIG Qualifed Vendor; and
    b. maintain Professional Liability (PL) insurance of $1M per claim and annual aggregate.

If, in the alternative, the developer hires its environmental consultant to perform the cleanup, the environmental consultant must maintain CGL and CPL insurance in the amount and with the terms set forth 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 and Required CPL Policies 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

# Addendum 7

Daily Status Report Template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## DAILY STATUS REPORT

Prepared By: Enter Your Name Here

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

| VCP Project No.: | 13CVCP000M | E-Number: | 13EHAN000M | Date: | 01/01/2013 |
|---|---|---|---|---|---|
| Project Name: | Name or Address | | | | |

| | |
|---|---|
| Consultant:<br>Person(s) Name and Company Name | Safety Officer:<br>Person(s) Name and Company Name |
| General Contractor:<br>Person(s) Name and Company Name | Site Manager/ Supervisor:<br>Person(s) Name and Company Name |
| Work Activities Performed (Since Last Report):<br>Provide details about the work activities performed. | |
| Working In Grid #: A1, B1, C1 | |

| |
|---|
| Samples Collected (Since Last Report):<br>No samples collected or provide details |
| Air Monitoring (Since Last Report):<br>No air monitoring performed or provide details |
| Problems Encountered:<br>No problems encountered or provide details |
| Planned Activities for the Next Day/ Week:<br>Provide details about the work activities planned for the next day/ week. |

 **File Name:** _____

| | | | | | | | | | Example: | |
|---|---|---|---|---|---|---|---|---|---|---|
| **Facility #<br>Name/ Location<br>Type of Waste<br>Solid Or Liquid** | Facility #<br>Name<br>Location<br>Type of Waste<br>Solid *Or* Liquid | | Facility #<br>Name<br>Location<br>Type of Waste<br>Solid *Or* Liquid | | Facility #<br>Name<br>Location<br>Type of Waste<br>Solid *Or* Liquid | | Facility #<br>Name<br>Location<br>Type of Waste<br>Solid *Or* Liquid | | # # # # # # #<br>Clean Earth<br>Carteret, NJ<br>petroleum soils<br>Solid | |
| **(Trucks, Cu.Yds. Or Gallons)** | Trucks | Cu. Yds. *Or* Gallons | Trucks | Cu. Yds. *Or* Gallons | Trucks | Cu. Yds. *Or* Gallons | Trucks | Cu. Yds. *Or* Gallons | Trucks | Cu. Yds. |
| **Today** | | | | | | | | | 5 | 120 |
| **Total** | | | | | | | | | 25 | 600 |

| | | | | | |
|---|---|---|---|---|---|
| NYC Clean Soil Bank | | Receiving Facility:<br>Name/ Address (Approved by OER) | | | |
| Tracking No.: | 13CCSB000 | | | | |
| Today | Trucks<br>5 | Cu. Yds.<br>25 | Total | Trucks<br>120 | Cu. Yds.<br>600 |

Site Grid Map

Insert the site grid map here

 **File Name:** _____

# 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 |
| Photo 3 – provide a caption | Insert Photo Here – Photo of the work activities performed |

 **File Name:** _____