

**25-10 38<sup>TH</sup> AVE**

**ASTORIA, NEW YORK 11102**

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# **Remedial Action Work Plan**

**NYC VCP Number: 14CVCP213Q**

**E-Designation Site Number: 14EHAZ129Q**

**Prepared for:**

Gil Homes AKA MIKA

1808 25<sup>th</sup> Road

Astoria New York 11102

**Prepared by:**

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110 Colin Drive Holbrook, New York 11741

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**DECEMBER 2013**

# **REMEDIAL ACTION WORK PLAN**

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## LIST OF ACRONYMS

| <b>Acronym</b> | <b>Definition</b>   |
|----------------|---|
| AOC            | Area of Concern   |
| BOA            | Brownfield Opportunity Area                                 |
| CAMP           | Community Air Monitoring Plan                               |
| COC            | Certificate of Completion                                   |
| CSOP           | Contractors Site Operation Plan                             |
| ECs/ICs        | Engineering and Institutional Controls                      |
| HASP           | Health and Safety Plan                                      |
| VCA            | Voluntary Cleanup Agreement                                 |
| NOC            | Notice of Completion  |
| NYC VCP        | New York City Voluntary 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    | NYSDEC Division of Environmental Remediation                |
| NYS DOH        | New York State Department of Health                         |
| NYS DOT        | New York State Department of Transportation                 |
| 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, Michael Veraldi have primary direct responsibility for implementation of the remedial action for the Redevelopment Project located at 25-10 38<sup>th</sup> Avenue Astoria, NY, Site number 14EHAZ129Q.

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.

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Michael Veraldi, President, Director of Laboratories

## **EXECUTIVE SUMMARY**

Gil Homes has enrolled in the New York City Voluntary Cleanup Program (NYC VCP) to investigate and remediate a 4,000-ft<sup>2</sup> Site located at 25-10 38<sup>th</sup> Avenue Astoria, 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 25-10 38<sup>th</sup> Avenue in the Astoria section of Queens, New York, and is identified as Block 387 and Lot 17 on the New York City Tax Map. Figure 1 shows the Site location. The Site is 4,000-square feet and is bounded to the North directly adjacent to 38<sup>th</sup> Avenue by an office building, to the South there are mixed use commercial buildings located on 39<sup>th</sup> Avenue, to the East there is a commercial building “Liberty Electric and Elevator Supply” located on 27<sup>th</sup> Street, and to the West there is a residential building located on Crescent Street. Currently the subject site is vacant.

### **Summary of Proposed Redevelopment Plan**

The proposed future use of the Site will consist of a new 7-story residential apartment building. The structure will cover approximately 75% of the Lot and includes a cellar beneath the footprint of the building which will be utilized for a gym, accessory recreation space, bicycle storage, laundry and meter rooms. The remainder of the lot will be capped with a concrete slab that will be used for ground-level parking. Layout of the proposed site development is presented in Figure 3. The current zoning designation is R6A/M1-2. The proposed use is consistent with existing zoning for the property.

### **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 1 Unrestricted Use Soil Cleanup Objectives (SCOs). Onsite soil currently meets Track 1 Unrestricted use 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 for development purposes. Entire footprint of new building will be excavated to a depth of approximately 8 feet below grade and rear yard will be excavated to two feet below grade for development purposes. Approximately 3100 tons of soil will be excavated and removed from the Site.
6. Screening of excavated soil/fill during intrusive work for indications of any new contamination by visual means.
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. Placement of demarcation layer in the parking lot area.
9. Collection and analysis of end-point samples to determine the performance of the remedy with respect to attainment of SCO's.
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. Transportation and off-site disposal of all soil/fill material at permitted facilities in accordance with applicable laws and regulations of handling, transport, and disposal, and this plan. Sampling and analysis of excavated media as required by disposal facilities. Appropriate segregation of excavated media onsite.

12. Implementation of storm-water pollution prevention measures in compliance with applicable laws and regulations.
13. Performance of all activities required for the remedial action, including permitting requirements and pretreatment requirements, in compliance with applicable laws and regulations.
14. 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, if Track 1 SCO's are not achieved, describes all Engineering and Institutional Controls to be implemented at the Site, and lists any changes from this RAWP.

If Track 1 Cleanup SCOs are not achieved, the following EC/ICs will be implemented;

15. As part of new construction, installation of a vapor barrier system beneath the building slab. The vapor barrier will consist of Raven Industries' VaporBlock 20 Plus, which is a seven layer co-extruded barrier made from state-of-the art polyethylene and EVOH resins.
16. As part of development, construction and maintenance of an engineered composite cover consisting of 6" thick concrete slab across the footprint of the new building and two foot of clean soil in rear yard areas.
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.

## 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 Site Safety Coordinator maintains an emergency contact sheet and protocol for management of emergencies. The Site Safety Coordinator is Mr. Robert Miata of Long Island Analytical Laboratories and can be reached at 1-631-472-3400.

**Worker Training.** Workers participating in cleanup of contaminated material on this project are required to be trained in a 24-hour hazardous waste operators training course and to take annual refresher training. This pertains only to workers performing specific tasks including removing hazardous 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 (CAMP). Results will be regularly reported to the NYC OER. 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 on-Site Project Manager, Howard Hernandez at (347) 534-6984 or NYC Office

of Environmental Remediation Project Manager, Eric Ilijevich (212) 341-2034.

**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 7:00AM to 6:00PM 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 Voluntary 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, Mr. Dylan Salant at (718) 776-0776, the NYC Office of Environmental Remediation Project Manager, Eric Ilijevich at (212) 341-2034, 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 Queens Library - Court Square.

**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 OER. Requirements that the property owner must comply with are established through a city environmental designation. 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**

Gil Homes has applied to enroll in the New York City Voluntary Cleanup Program (NYC VCP) to investigate and remediate a property located at 25-10 38<sup>th</sup> Avenue in the Astoria section of Queens, 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 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 25-10 38<sup>th</sup> Avenue in the Astoria section of Queens, New York, and is identified as Block 387 and Lot 17 on the New York City Tax Map. Figure 1 shows the Site location. The Site is 4,000-square feet and is bounded to the North directly adjacent to 38<sup>th</sup> Avenue by an office building, to the South there are mixed use commercial buildings located on 39<sup>th</sup> Avenue, to the East there is a commercial building “Liberty Electric and Elevator Supply” located on 27<sup>th</sup> Street, and to the West there is a residential building located on Crescent Street. Currently the subject site is vacant.

### **1.2 Proposed Redevelopment Plan**

The proposed future use of the Site will consist of a new 7-story residential apartment building. The structure will cover approximately 75% of the Lot and includes a cellar beneath the footprint of the building which will be utilized for a gym, accessory recreation space, and bicycle storage, laundry and meter rooms. The remainder of the lot will be capped with a concrete slab that will be used for ground-level parking. Layout of the proposed site development is presented in Figure 3. The current zoning designation is R6A/M1-2. The proposed use is consistent with

existing zoning for the property.

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

### 1.3 Description of Surrounding Property

The area surrounding the Site consists of a mix of residential, industrial and vacant properties. Figure 4 shows the surrounding land usage of the adjacent properties listed below as well as additional properties located up to 500 feet away from the Site. No hospitals, daycare facilities or schools are located within a 250 ft radius of the Site.

**Surrounding Property Usage**

| <b>Direction</b>                                   | <b>Property Description</b>   |
|--|---|
| <b>North</b> –<br>Adjacent to 38 <sup>th</sup> Ave | Office building.  |
| <b>South</b> –<br>Adjacent property                | Mixed residential and commercial building.                            |
| <b>East</b> –<br>Adjacent Property                 | Commercially developed lots with industrial/manufacturing properties. |
| <b>West</b> –<br>Adjacent property                 | Residential building.   |

### 1.4 Remedial Investigation

A remedial investigation was performed and the results are documented in a companion document called “*Remedial Investigation Report, 25-10 38<sup>th</sup> Avenue, Astoria Queens, NY*”, dated November 2013 (RIR).

### Summary of Past Uses of Site and Areas of Concern

A Phase I Environmental Assessment was completed by Long Island Analytical Laboratories Inc. (LIAL) for Lot 17 (25-10 38<sup>th</sup> Ave). LIAL was able to establish a history for Lot 17 to 1898 when the site was improved for residential usage. From 1955 through 1960 the Lot was used for retail sales only. Sometime after 1960 the site was used for electric motor services up until 1970. From 1970 up until June of 2012 the site was used as warehouse storage. The site has been vacant since June of 2012.

Based upon historic Sanborn Maps, the subject building was constructed sometime between 1950 and 1970 and had been used for Electric Motor Services. The site was originally developed sometime prior to 1898 for residential purposes.

The AOCs identified for this Site include:

- Historic fill layer is present at the Site from grade to depths less than 1 foot below grade.

### **Summary of the Work Performed under the Remedial Investigation**

Gil Homes performed the following scope of work:

1. Conducted a Site inspection to identify AOCs and physical obstructions (i.e. structures, buildings, etc.);
2. Installed 4 soil borings across the entire project Site, and collected 12 soil samples and one duplicate soil sample for chemical analysis from the soil borings to evaluate soil quality;
3. Installed 3 temporary groundwater monitoring wells throughout the Site to establish groundwater flow and collected 3 groundwater samples and one duplicate groundwater sample for chemical analysis to evaluate groundwater quality; and
4. Installed 3 soil vapor probes around Site perimeter and collected 5 samples for chemical analysis.

### **Summary of Environmental Findings**

1. Elevation of the property ranges from 34.98 to 37.25 feet.
2. Depth to groundwater ranges from 33.1 to 33.3 feet at the Site.
3. Groundwater flow is generally from north to south beneath the Site.
4. Depth to bedrock at the Site is greater than 100 feet.
5. The stratigraphy of the Site, from the surface down, consists of less than one foot of historic fill material underlain by native brown silty sand.
6. Soil/fill samples collected during the RI showed trace concentrations of acetone and PCE in one sample each. No VOCs were detected at concentrations above NYSDEC Unrestricted Use and/or the Restricted Residential Use Soil Cleanup Objectives. PCBs were not detected in any of the soil/fill samples. Semi-Volatile Organic (SVOC) hydrocarbons including benzo-(b)fluoranthene (maximum of 1,320 ppb), chrysene

(maximum of 1,120 ppb), and indeno(123-cd) pyrene (maximum of 784 ppb) exceeded Restricted Residential Use SCOs in two shallow soil samples. All other SVOCs were well below Unrestricted Use SCOs. Two pesticides including 4,4-DDE (maximum of 6.39 ppb), and 4,4-DDT (maximum of 11.5 ppb) slightly exceeded Unrestricted Use SCOs, at levels will below their Restricted Residential SCOs. Two metals including lead (maximum of 297 ppm) and mercury (maximum of 0.44 ppm) exceeded Unrestricted Use SCOs in several soil samples. All other metal results were below Unrestricted Use SCOs. Overall, the findings of soil quality were unremarkable and do not point to any disposal conditions.

7. Groundwater samples collected during the RI showed no detection or exceedances of the NYSDEC 6NYCRR Part 703.5 Groundwater Quality Standards (GQS) for VOCs, PCBs, or Pesticides. Several metals were detected in groundwater an only sodium exceeded it GQS.
8. Soil vapor samples collected during the RI showed thirteen (13) VOCs were detected at varying concentrations. Most compounds were detected at concentrations less than 25 ug.m<sup>3</sup> except for acetone at 130 ug/m<sup>3</sup> and Dichlorodiflouromethane at 290 ug/m<sup>3</sup>. Chlorinated VOCs including tetrachloroethylene (PCE) was detected at a concentration of 150 ug/m<sup>3</sup> in one of three soil vapor samples. 1,1,1-Trichloroethane was detected at a concentration of 6.0 ug/m<sup>3</sup>. TCE and carbon tetrachloride were not detected in any soil vapor samples. The PCE concentrations are within 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 REMDIAL ACTION OBJECTIVES

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

### SOIL VAPOR

- Prevent exposure to contaminants in soil vapor.
- Prevent migration of soil vapor into dwelling and other occupied structures.

### GROUNDWATER

- Prevent direct exposure to groundwater.
- Prevent migration of contaminants that would result in groundwater contamination.

### SOIL

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

## **2.0 REMEDIAL ACTION OBJECTIVES**

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

### **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.

#### **Alternative 1 Involves:**

- Establishment of Unrestricted Use (Track 1) Soil Cleanup Objectives (SCOs).
- Removal of all soil/fill that exceeds Track 1 Unrestricted Use SCOs for the entire site and confirmation that Track 1 Unrestricted Use SCOs have been achieved with post-excavation endpoint sampling. If soil/fill containing analytes at concentrations above Track I Unrestricted Use SCOs is still present at the base of the excavation after removal of all soil required for construction of the new building cellar an rear yard is complete, additional excavation will be performed to ensure complete removal of soil that does not meet Track 1 Unrestricted Use SCO;
- No Engineering or Institutional Controls are required for a Track 1 Unrestricted Use cleanup, but a vapor barrier would be installed beneath the basement foundation and

elevator pit as well as behind foundation sidewalls of the new building as part of development to prevent any potential future exposures to soil vapor;

- Placement of a final cover over the entire Site as part of new development.

**Alternative 2 Involves:**

- Establishment of Track 4 Site-Specific SCOs.
- Removal of all soil/fill exceeding Track 4 Site Specific SCOs and confirmation that Track4 Site-Specific SCOs have been achieved with post-excavation endpoint sampling. Excavation for construction of the new buildings cellar level would take place to a depth of approximately 8 feet below grade, and would cover 75% of the Site. The remaining portions of the Site will be capped with concrete and utilized for parking, this area will require excavation of 25% of the property to a depth of approximately 2 feet below grade. 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 cellar and rear yard is complete, additional excavation will be performed to ensure complete removal of soil that does not meet Track 4 Site-Specific SCOs.
- Placement of a final cover over the entire Site to prevent exposure to remaining soil/fill.
- Installation of a soil vapor barrier system beneath the buildings slab, elevator pit and along foundation side walls to prevent any potential future exposures form off-Site soil vapor.
- Establishment of use restrictions including prohibitions on the use of groundwater from the Site; prohibitions of 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.

The Alternative 1 would be protective of human health and the environment by removing contaminated soil/fill exceeding Track I Unrestricted Use SCOs and groundwater protection standards, thus eliminating potential for direct contact with contaminated soil/fill once construction is complete and eliminating the risk of contamination leaching into the groundwater. Vapor migration to the new building will be prevented through the installation of a soil vapor barrier below the new buildings basement slab and continuing the barrier around the foundation walls. Potential contact with groundwater would be prevented as its use is prohibited by city laws and regulations.

The Alternative 2 would achieve comparable protection of human health and the environment by excavating historic fill at the Site and documenting that remaining soil/fill meets Track 4 Site Specific SCOs, and 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 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. Establishment of Track 4 Site-Specific SCOs would minimize the risk of contamination leaching into groundwater.

In both alternatives, a site-wide cap consisting of a concrete slab would be constructed to prevent direct contact with underlying soil and groundwater at the Site. A vapor barrier system would be installed to prevent migration of vapors into the occupied structure and eliminate

associated inhalation exposures consistent with remedial action objectives.

For both alternatives, potential exposure to impacted soil or groundwater during construction would be minimized by implementing a Construction Health and Safety Plan (CHASP), an approved Soil/Materials Management Plan (SMMP) and Community Air Monitoring Plan (CAMP). Potential contact with impacted groundwater would be mitigated as its use is prohibited by city laws and regulations. Potential future migration of off-Site soil vapors would be mitigated by installing a vapor barrier/waterproofing membrane below the new buildings basement slab and continuing the vapor barrier/waterproofing membrane up along the foundation walls.

### **3.2. Balancing Criteria**

#### **Compliance with Standards, Criteria and Guidance (SCGs)**

This evaluation criterion assesses the ability of the Remedy to comply with applicable standards, criteria and guidance.

Alternative 1 would achieve compliance with the remedial goals, chemical specific SCGs and RAOs for soil through removal of the soil to achieve Track 1 Unrestricted Use SCOs and groundwater protection standards. Compliance with SCCs for soil vapor would also be achieved by installing a vapor barrier and concrete slab as part of development.

Alternative 2 would achieve compliance with the remedial goals, chemical specific SCGs, and RAOs for soil through removal of the soil to achieve Track 4 Specific SCOs. Compliance with SCGs for soil vapor would also be achieved by installing a vapor barrier below the new buildings basement slab and continuing the vapor barrier around foundation walls. An SMP would document the long-term integrity and protectiveness of these controls.

Health and safety measures contained in the CHASP and CAMP that conform to applicable SCGs will be implemented during Site redevelopment under this RAWP. For both Alternatives, focused attention on means and methods employed during the remedial action such that handling and management of impacted 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 as well as increased 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 in the parking areas of the proposed redevelopment. However, focused attention to means and methods during the remedial action during Track 1 removal, including community air monitoring and appropriate truck routing, would minimize or negate the overall impact of these activities. Approximately 3,111 tons of soil will be excavated from this project.

Approximately 124, 25-ton capacity truck trips would be necessary to transport fill and soil which meets Track 1 Unrestricted Use SCOs excavated during Site development. Truck traffic will 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 Construction Health and Safety Plan, 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 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 Construction Health and Safety Plan (CHASP) 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 soil and fill above Track I Unrestricted Use SCOs and thereby eliminating any potential on-Site sources of contaminated soil vapor and groundwater consistent with the RAOs.

Alternative 2 would also provide long-term effectiveness by removal of soil/fill above Track 4 Site-Specific SCOs and implementation of an SMP to ensure long-term management of ECs/IC, and maintaining continued registration as an E-designated property to record these controls for long term. The SMP would document long-term effectiveness of the EC/IC by requiring periodic inspection and certification that these controls and restrictions continue to be in place and are functioning as there were intended thereby documenting that protections designed into the remedy would continue to provide an acceptable level of protection.

### **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 Track 1- Unrestricted Use SCOs. Alternative 2 would remove most of the historic fill at the Site, and remaining on Site soil beneath the new

building will meet Track 4-Site Specific SCOs. Alternative 1 would eliminate a greater total mass of contaminants on Site. The removal of soil to 13 feet for building footprint and 2 feet in parking areas 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.

The proposed remedial action is both feasible and implementable. The techniques, materials and equipment to implement the Remedy are readily available and have been proven effective in remediating the contaminants associated with the Site. They use standard materials and services that are well established technology. The reliability of each remedy is also high. There are no special 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.

The remedial plan creates an approach that combines the remedial action with the redevelopment of the Site, including the construction of the building foundation and subgrade structures. 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 soil during the redevelopment of the Site

As onsite soil currently slightly exceed Track 1 Unrestricted Use SCOs no additional excavation

beyond that which is necessary for redevelopment activities will be needed.

### **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 a public review under the NYC VCP and will provide the opportunity for detailed public input on the remedial alternatives and the selected remedy. This public comment will be considered by OER prior to approval of this plan. The Citizen Participation Plan for the project is provided in Attachment B.

### **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.

### **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.

The remedial plan would take into consideration the shortest trucking routes during off-Site disposal of soil, 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. A complete list of green remedial activities considered as part of the NYC VCP is included in the Sustainability Statement, included as Appendix C.

## **4.0 REMEDIAL ACTION**

### **4.1 Summary of Preferred Remedial Action**

The preferred remedial action is Alternative 1 Track 1 Remedy. The preferred remedial action achieves protection of public health and the environment for the intended use of the property. The preferred remedial action will achieve all of the remedial action objectives established for the project and addresses applicable SCGs. The preferred remedial action is effective in both the short-term and long-term and reduces mobility, toxicity and volume of contaminants. The preferred remedial action 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. Establishment of Track 1 Unrestricted Use 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 for development purposes. Entire footprint of new building will be excavated to a depth of approximately 8 feet below grade and rear yard will be excavated to two feet below grade for development purposes. Approximately 3100 tons of soil will be excavated and removed from the Site.
6. Screening of excavated soil/fill during intrusive work for indications of any new contamination by visual means.
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. Placement of demarcation layer in the parking lot area.
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. 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 onsite.
12. Implementation of storm-water pollution prevention measures in compliance with applicable laws and regulations.
13. Performance of all activities required for the remedial action, including permitting requirements and pretreatment requirements, in compliance with applicable laws and regulations.
14. 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, if Track 1 SCO's are not achieved, describes all Engineering and Institutional Controls to be implemented at the Site, and lists any changes from this RAWP.

If Track 1 Cleanup SCOs are not achieved, the following EC/ICs will be implemented;

15. As part of new construction, installation of a vapor barrier system beneath the building slab. The vapor barrier will consist of Raven Industries "VaporBlock 20 Plus" which is a seven layer co-extruded barrier made from state-of-the-art polyethylene and EVOH resins.
16. As part of development, construction and maintenance of an engineered composite cover consisting of 6" concrete slab across the footprint of the new building and two feet of clean soil in rear yard areas. 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 1 Soil Cleanup Objectives (SCOs) are proposed for this project. Onsite soil currently meets Track 1 SCOs, which are listed in Table 1. The location of planned excavations is shown in Figure 5.

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 expected to be excavated and disposed off-Site is 3,111 tons.

Disposal location(s) will be reported promptly to the OER Project Manager prior to the start of the remedial action.

### **End-Point Sampling**

Removal actions under this plan will be performed in conjunction with remedial end point sampling. Confirmation end-point sampling and testing will be performed following materials removal and completed proper to Site development activities. To evaluate attainment of Tack 1 Site-Specific SCOs, three confirmation end-point samples will be collected and analyzed for the trigger compounds and elements established on the Track 1 Site-Specific SCOs list.

In addition, if hotspots are encountered, hotspot removal end-point sampling frequency will consist of the following:

1. For excavations less than 20 feet in total perimeter, at least one bottom sample and one sidewall sample biased in the direction of surface runoff.
2. For excavations 20 to 300 feet in perimeter:
  - For surface removals, one sample from the top of each sidewall for every 30 linear feet of sidewall and one sample from the excavation bottom for every 900 square feet of bottom area.
  - For subsurface removals, one sample from each sidewall for every 30 linear feet of sidewall and one sample from the excavation bottom for every 900 square feet of bottom area.
3. For sampling of volatile organics, bottom samples should be taken within 24 hours of

excavation, and should be taken from the zero to six-inch interval at the excavation floor. Samples taken after 24 hours should be taken at six to twelve inches.

4. For contaminated soil removal, post remediation soil samples for laboratory analysis should be taken immediately after contaminated soil removal. If the excavation is enlarged horizontally, additional soil samples will be taken pursuant to bullets 1-3 above.

Post-remediation sample locations and depth will be biased towards the areas and depths of highest contamination identified during previous sampling episodes unless field indicators such as field instrument measurements or visual contamination identified during the remedial action indicate that other locations and depths may be more heavily contaminated. In all cases, post-remediation samples should be biased toward locations and depths of the highest expected contamination.

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 exceedence is identified) utilizing the following methodology:

Soil analytical methods will include:

- Volatile organic compounds by EPA Method 8260;
- Semi-volatile organic compounds by EPA Method 8270;
- Target Analyte List metals; and
- Pesticides/PCBs by EPA Method 8081/8082.

If either LNAPL and/or DNAPL are detected, appropriate samples will be collected for characterization 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. One trip blank will be submitted to the laboratory with each shipment of soil samples.

Collected samples will be appropriately packaged, placed in coolers and shipped via overnight courier or delivered directly to the analytical laboratory by field personnel. 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 withalconox® 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. One blind duplicate sample will be prepared and submitted for analysis every 20 samples.

### **Import and Reuse of Soils**

The estimated quantity of soil to be imported into the Site for backfill and cover soil is 0 tons. The estimated quantity of onsite soil/fill expected to be reused/relocated on Site is 0 tons.

### **4.3 Engineering Controls**

The excavation required for the proposed Site development will achieve Track1 Unrestricted use SCOs. No Engineering Controls are required to address residual soil contamination at the Site. However, the following elements will be incorporated into the foundation design as part of the development: composite cover system and soil vapor barrier. If Track 1 is not achieved, these two elements will constitute Engineering Controls that will be employed in the remedial action to address residual contamination remaining at the Site.

#### **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 6 inch thick concrete-building slab beneath the area of the proposed building. Parking yard area will be capped with two foot of clean soil and layered with thin concrete.

If Track 1 SCO's are not achieved at the Site, the composite cover system will be a permanent engineering control. The system will then be inspected and reported at specified intervals as required by this RAWP and the SMP. A Soil Management Plan will then be required. 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**

Migration of soil vapor will be mitigated with a combination of building slab and vapor barrier. The vapor barrier will consist of Raven Industries' VaporBlock 20 Plus, which is a seven layer co-extruded barrier made from state-of-the-art polyethylene and EVOH resins. The vapor barrier will be installed prior to pouring the building's concrete slab. The vapor barrier will extend throughout the area occupied by the footprint of the new building and up the foundation sidewalls in accordance with manufacturer specifications. The specifications for installation will be provided to the construction management company and the foundation contractor or installer of the liner. 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. Installation details (penetrations, joints, etc.) with respect to the proposed building foundation, footings, slab, and sidewalls are provided in Figure 6. Product specification sheets are provided in Attachment D. The Remedial Closure Report will include photographs (maximum of two photos per page) of the installation process, PE/RA certified letter (on company letterhead) from primary contractor responsible for installation oversight and field inspections, and a copy of the manufacturer's certificate of warranty.

#### **4.4 Institutional Controls**

Track 1 remedial actions do not require Engineering Controls, if Track 1 SCOs are not achieved, 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. The property will continue to be flagged with an E-Designation by the NYC Buildings Department.

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.
- Site Management Plan approved by OER that provides procedures for appropriate operation, maintenance, inspection and certification of EC's and IC's. 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 at a frequency to be determined by OER in the SMP and will comply with RCNY 43-14077(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 the 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 residential use and will not be used for a higher level of use without prior approval by OER.

#### **4.5 Site Management Plan**

Site Management is not required on sites that achieve Track 1 Remedial Action. However, if Track 1 Unrestricted Use SCOs are not achieved, site management will be performed and will be 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 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 Voluntary Cleanup Agreement with OER. This includes a plan for: (1) implementation of EC's and IC's; (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 a 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 30 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 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 EA 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 less than 1 foot below grade. Based on the results of the Remedial Investigation Report, the contaminants of concern found are:

##### Soil

- Semi-Volatile Organic (SVOC) hydrocarbons including benzo-(b)fluoranthene, chrysene, and indeno(1,2,30cd) pyrene exceeded Restricted Residential Use SCOs.
- Two Pesticides including 4,4-DDE, and 4,4-DDT were identified but did not exceed Restricted Use SCOs.

- Two metals including lead and mercury exceeded Unrestricted Use SCOs but did not exceed Restricted Residential Use SCOs.

#### Groundwater

- Several metals were identified in groundwater but only sodium exceeded the GOS.

#### Soil Vapor

- Petroleum related VOCs detected at low levels.
- Tetrachloroethylene (PCE) was detected at concentrations within the monitoring level ranges established within the State DOH soil vapor guidance matrix.

### **Nature, Extent, Fate and Transport of Contaminants**

SVOCs and metals are present in the historic fill materials in shallow soils. Pesticides were detected two shallow samples. One dissolved metal- sodium was detected above GQS. The chlorinated VOC, PCE was detected above monitoring level guidance issued by New York State DOH. PCE was not found in any of the on-Site soil or groundwater samples collected.

### **Receptor Populations**

On-Site Receptors – The entire area of the Site is currently developed with a single-story commercial buildings which are currently vacant and secured. During redevelopment of the Site, the on-Site potential receptors will include construction workers, site representatives, and visitors. Once the Site is redeveloped, the on-Site potential sensitive receptors will include adult and child building residents and visitors.

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 (up to 0.25 mile) – existing and future
2. Residential Buildings (up to 0.25 mile) – existing and future
3. Building Construction/Renovation (up to 0.25 mile) – existing and future
4. Pedestrians, Trespassers, Cyclists (up to .25 mile) – existing and future
5. Schools (up to .25 mile) – existing and future

### **Potential Routes of Exposure**

The five elements of an exposure pathway are: (1) a contaminant source; (2) contaminant release and transport mechanisms; (3) a point of exposure; (4) a route of exposure; and (5) a receptor population. 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 or soil;
- Inhalation of vapors and particulates; and
- Dermal contact with water, soil, or building materials.

### **Existence of Human Health Exposure**

Current Conditions: The potential for exposure to historic fill is limited due to a concrete cap constructed over the entire lot. Groundwater is not contaminated and 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. Under current conditions, accumulation of soil vapor within the currently on-Site structures does not appear to be a significant concern.

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. Similarly, off-Site receptors could be exposed to dust and vapors from on-Site activities. As onsite soil currently slightly exceed Track 1 Unrestricted Use SCOs, on-Site and off-Site exposures to contaminated dust from on-Site is not a significant issue.

Proposed Future Conditions: Under future remediated conditions, potential post-remediation exposures to on-Site residents from soil vapors migrating on-Site from an off-Site source remain a concern after the remedial action. A vapor barrier system will prevent any exposure to existing and potential soil vapors in the future. The Site is served by a public water supply, and groundwater is not used at the Site for potable supply. There are no plausible off-Site pathways for ingestion, inhalation, or dermal exposure to contaminants derived from the Site under future conditions.

### **Overall Human Health Exposure Assessment**

There are potential complete 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.

Based upon this analysis, complete on-Site exposure pathways appear to be present only during the current un-remediated phase. Under current conditions, on-Site exposure pathways exist for employees, visitors, contractors and others that may access the Site. 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 Health and Safety Plan. After the remedial action is complete, there will be no remaining exposure pathways to on-Site soil, as all soil above Unrestricted Use SCOs will have been removed and a vapor barrier system will have been installed as part of development.

## **5.0 REMEDIAL ACTION MANAGEMENT**

### **5.1 Project Organization and Oversight**

Principal personnel who will participate in the remedial action include Dylan Salant, Project Manager and Howard Herandez.

### **5.2 Site Security**

Site access will be controlled by a chain link or wooden construction fence, which will surround the property.

### **5.3 Work Hours**

The hours for operation of remedial construction will be from 7:00AM to 6:00PM. 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 1. The Site Safety Coordinator will be Michael Veraldi LIAL. 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 log book 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**

As onsite soil currently slightly exceed Track 1 Unrestricted Use SCOs, a modified Community Air Monitoring Plan will be required.

Real-time air monitoring for 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 including but 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 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 situation 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.

### **Particulate Monitoring, Response Levels, and Acitons**

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 (PM10) 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 exceedances 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 ( $\text{mcg}/\text{m}^3$ ) 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**

In the event that dewatering of groundwater during construction 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. Staging locations will be reported to OER prior to the start of the remedial action.

### **Stabilized Construction Entrance**

Steps will be taken to ensure that trucks departing the Site will not track soil 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 VCP 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 on-Site 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](http://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 VCP Site with soil 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 is the following:

- a) Left on 38<sup>th</sup> Avenue
- b) Right on 23<sup>rd</sup> street
- c) Right on 37th Avenue
- d) Right on Jackson Ave
- e) Left on Queens Blvd.

### **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.

## 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.
- Continue registration of the property with an E-Designation at the NYC Department of Buildings.
- 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, \_\_\_\_\_, am currently an Environmental Professional and licensed by the State of New York Department of Health. I had primary direct responsibility for implementation of the remedial program for the Site name Site number.14EHAZ129Q*

*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 6 month remediation period is anticipated.

| <b>Schedule Milestone</b>               | <b>Weeks from Remedial Action Start</b> | <b>Duration (weeks)</b> |
|---|---|-------------------------|
| OER Approval of RAWP                    | 0                                       | -                       |
| Fact Sheet 2 announcing start of remedy | 0                                       | -                       |
| Mobilization                            | 1                                       | 1                       |
| Remedial Excavation                     | 2                                       | 2                       |
| Demobilization                          | 4                                       | 1                       |
| Submit Remedial Action Report           | 6                                       | -                       |

## **ATTACHMENT B**

### **CITIZEN PARTICIPATION PLAN**

The NYC Office of Environmental Remediation and Gil Homes has established this Citizen Participation Plan because the opportunity for citizen participation is an important component of the NYC Voluntary 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 VCP, Gil Homes 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, Eric Ilijevich, 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](mailto: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. Gil Homes will inspect the repositories to ensure that they are fully populated with project information. The repository for this project is:

Repository Name: Queens Library - Court Square

Repository Address: 25-01 Jackson Avenue, Long Island City, NY

Repository Telephone Number: (718) 937-2790

Repository Hours of Operation:

|     |                    |
|-----|--------------------|
| Mon | 10:00 AM - 7:00 PM |
| Tue | 1:00 PM - 7:00 PM  |
| Wed | 1:00 PM - 7:00 PM  |
| Thu | 11:00 AM - 7:00 PM |
| Fri | 11:00 AM - 7:00 PM |
| Sat | Closed             |
| Sun | 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.

**Identify Issues of Public Concern.** The major issues of concern to the public will be potential impacts of nuisance odors and dust during the disturbance of soils at the Site. This work will be performed in accordance with procedures which will be specified under a detailed Remedial Program which considers and takes preventive measures for exposures to future residents of the property and those on adjacent properties during construction. Implementation of these plans will

be under the direct oversight of the New York City Department of Environmental Remediation (NYCOER).

**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 Gil Homes, reviewed and approved by OER prior to distribution and mailed by YBG Construction of NY LLC. Public comment is solicited in public notices for all work plans developed under the NYC Voluntary 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.

**Citizen Participation Milestones.** Public notice and public comment activities occur at several steps during a typical NYC VCP project. See flow chart on the following page, which identifies when during the NYC VCP public notices are issued: These steps include:

- **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

## ATTACHMENT C 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.

This project intends to use recycled concrete aggregate wherever possible in grading and backfilling the Site. 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.

The project will reduce the consumption of virgin materials by substituting recycled concrete aggregate for mined gravel and/or sand backfill whenever possible. 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.

Recycled concrete materials and other backfill materials will be locally sourced reducing the energy consumption associated with transporting these materials to the Site. 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.

**Paperless Voluntary Cleanup Program.** Gil Homes is participating in OER's Paperless Voluntary 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.** Gil Homes 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.

## **ATTACHMENT D SOIL/MATERIALS MANAGEMENT PLAN**

### **1.1 SOIL SCREENING MERTHODS**

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 STOCPILE 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 practical. 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 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, and
- 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 historic fill and contaminated soil on-Site will not be performed without 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 are the following:

1. Left on 38<sup>th</sup> avenue
2. Right on 23<sup>rd</sup> street
3. Right on 37<sup>th</sup> avenue
4. Right on Jackson avenue
5. Left on Queens Blvd.

This routing takes 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 and access to highways; and (f) overall safety 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 the material to be disposed is regulated material generated at an environmental remediation Site in Queens 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 Gil Homes. 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.

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 soil 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 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 the on-Site will be stored, transported, and disposed of in compliance with all applicable laws and regulations.

If disposal of soil/fill from this Site is proposed for unregulated disposal (i.e., clean soil removed for development purposes), including transport to a Part 360-16 Registration Facility, a formal request will be made for approval by OER with an associated plan compliant with 6NYCRR Part 360-16. This request and plan will include the location, volume and a description of the material to be recycled, including verification that the material is not impacted by site uses and that the material complies with receipt requirements for recycling under 6NYCRR Part 360. This material will be appropriately handled on-Site to prevent mixing with impacted material.

#### 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 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 VCP 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 the 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 for 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.

## 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 listed in Table 1.

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 recycled concrete aggregate (RCA) from facilities permitted or registered by the regulations of NYSDEC.

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 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 FLUID 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 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 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 SPEDES 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 NYSDEC 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 PCB's 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 adequately abated. OER will be notified of all odor compliant 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 adequately abated. OER will be notified of all dust compliant 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.