

2477 Third Avenue Property
BRONX, NEW YORK

Periodic Review Report
March 2022 to March 2023

NYSDEC Site Number: C203047

Prepared for:
Jiten LLC
30 Byrd Avenue
Carle Place, NY 11514

Prepared by:

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JANUARY 2024

TABLE OF CONTENTS

P.E. CERTIFICATION ii
EXECUTIVE SUMMARY iii
1.0 INTRODUCTION 1
2.0 BACKGROUND 1
 2.1 Site Description 1
 2.2 Geology and Hydrogeology..... 1
 2.3 Site History 2
 2.4 Nature and Extent of Contamination Prior to Remediation..... 2
3.0 SITE REMEDIATION 2
 3.1 Site Remediation 2
 3.2 Engineering Controls 4
 3.3 Institutional Controls 5
 3.4 Groundwater Monitoring..... 6
 3.5 Post-Remedial Construction Activities 6
4.0 REMEDY PERFORMANCE EVALUATION AND MAINTENANCE 6
 4.1 Composite Cover System Inspection and Maintenance 6
 4.2 Site-Wide Inspection 7
 4.3 Groundwater Monitoring and Treatment..... 7
5.0 CONCLUSIONS AND RECOMMENDATIONS 8

FIGURES

- Figure 1 Site Location
- Figure 2 Site Plan

APPENDICES

- Appendix A Site-wide Inspection Checklist and Annual Inspection Photographic Log
- Appendix B Institutional Control and Engineering Control (IC/EC) Certification Form

P.E. CERTIFICATION

I, Michelle Lapin, am currently a registered professional engineer licensed by the State of New York. I had primary direct responsibility for implementation of the Site Management Plan protocols, and I certify that the documentation of site management activities is accurately presented in the Periodic Review Report for the property at 2477 Third Avenue in the Bronx, New York, BCP Site No. C203047 (the “2477 Third Avenue Property”).

For each institutional or engineering control identified for the 2477 Third Avenue Property, I certify that all of the following statements are true:

- a) The institutional controls and engineering controls employed at the 2477 Third Avenue Property are unchanged from the date the controls were put in place, or last approved by the New York State Department of Environmental Conservation (NYSDEC) Division of Environmental Remediation (DER);
- b) Nothing has occurred that would impair the ability of such control to protect public health and the environment;
- c) Nothing has occurred that would constitute a violation or failure to comply with any Site Management Plan for this control; and
- d) Access to the 2477 Third Avenue Property will continue to be provided to DER to evaluate the remedy, including access to evaluate the continued maintenance of this control.

<u>Michelle Lapin, P.E.</u>	<u>1/8/2024</u>	
NYS Professional Engineer #073934-1	Date	Signature

EXECUTIVE SUMMARY

This Periodic Review Report (PRR) was prepared for the 2477 Third Avenue Property located at 2477 Third Avenue in the Bronx, New York (the “2477 Third Avenue Property”). The 2477 Third Avenue Property location, indicated on Figure 1, is an approximately 0.214-acre property in Bronx County, New York, identified as Block 2320, a portion of Lot 11 on the Bronx Tax Map. The 2477 Third Avenue Property is bounded by 136th Street to the north, 135th Street to the south, Third Avenue to the east, and the remainder of Lot 11 to the west, and includes the eastern portion of a four-story hotel. The first level of the 2477 Third Avenue Property contains an approximately 3,000-square foot hotel lobby surrounded by a driveway, ramp and parking spaces (mezzanine parking). An enclosed, stand-alone stairwell to the upper floors was constructed in the driveway along the Third Avenue property boundary. The driveway, parking ramp, and mezzanine parking are open to the exterior. The second through fourth floors of the building overhang the mezzanine parking and driveway areas and comprise the hotel guest rooms and associated operations. The west-adjacent portion of the hotel comprises the remainder of the four-story hotel (which is not part of the 2477 Third Avenue Property) and includes a basement.

The 2477 Third Avenue Property was remediated under the New York Department of Environmental Conservation (NYSDEC) Brownfield Cleanup Program (BCP) between 2011 and 2015. A Brownfield Cleanup Agreement (BCA), Index No. C203047-11-09, Site No. C203047, was executed on October 22, 2009. Following completion of remediation, as documented in the Final Engineering Report (FER), NYSDEC issued the Certificate of Completion (COC) in December 2015. Post-remediation monitoring requirements were established in the Site Management Plan (SMP), dated October 2015.

The purpose of this PRR is to document the site management activities and findings associated with the Institutional Controls and Engineering Controls (ICs/ECs) for the March 2022 to March 2023 reporting period, and to certify that these controls are being implemented in accordance with the SMP since the COC was issued.

Based on the inspections and data summarized in this report, the following conclusions and recommendations were developed:

- The IC/EC Certification Form for the 2477 Third Avenue Property was completed based on results from the site monitoring and inspections described in this report. The monitoring and inspection findings indicate that all ICs/ECs at the 2477 Third Avenue Property remain in place and effective.
- The composite cover system and vapor barrier components remain in good condition and have not been breached or compromised.
- Groundwater monitoring activities to assess natural attenuation are ongoing, as determined by the NYSDEC, until residual groundwater concentrations are found to be consistently below NYSDEC standards or have become asymptotic at an acceptable level over an extended period. Monitoring will continue until permission to discontinue is granted in writing by the NYSDEC.

In summary, the remedy remains effective and protective of human health and the environment and remains in compliance with the requirements set forth in the SMP. Periodic inspections, including annual post-remedial groundwater sampling and annual site-wide and composite cover system inspections will continue to be performed in accordance with the SMP.

1.0 INTRODUCTION

This Periodic Review Report (PRR) was prepared for the site located at 2477 Third Avenue in the Bronx, New York (the “2477 Third Avenue Property”). The 2477 Third Avenue Property location, indicated on Figure 1, is an approximately 0.214-acre property in Bronx County, New York, identified as Block 2320, a portion of Lot 11 on the Bronx Tax Map. The 2477 Third Avenue Property is bounded by 136th Street to the north, 135th Street to the south, Third Avenue to the east, and the remainder of Lot 11 to the west. The 2477 Third Avenue Property includes the eastern portion of a four-story hotel.

The 2477 Third Avenue Property was remediated under the New York Department of Environmental Conservation (NYSDEC) Brownfield Cleanup Program (BCP) between 2011 and 2015. A Brownfield Cleanup Agreement (BCA), Index No. C203047-11-09, Site No. C203047, was executed on October 22, 2009. Following completion of remediation, as documented in the Final Engineering Report (FER), NYSDEC issued the Certificate of Completion (COC) in December 2015. Post-remediation site monitoring requirements were established in the Site Management Plan (SMP), dated October 2015.

The purpose of this PRR is to document the site management activities and findings associated with the Institutional Controls and Engineering Controls (ICs/ECs) for the March 2022 to March 2023 reporting period, and to certify that these controls are being implemented in accordance with the SMP since the COC was issued.

2.0 BACKGROUND

2.1 Site Description

The first level of the 2477 Third Avenue Property (at-grade) contains an approximately 3,000-square foot hotel lobby surrounded by a driveway, ramp, and parking spaces (mezzanine parking). An enclosed, stand-alone stairwell to the upper floors was constructed in the driveway along the Third Avenue property boundary. The driveway, parking ramp, and mezzanine parking are open to the exterior. The second through fourth floors of the building overhang the mezzanine parking and driveway areas and comprise the hotel guest rooms and associated operations. The west-adjacent portion of the hotel comprises the remainder of the four-story hotel (not part of the 2477 Third Avenue Property) and includes a basement. A Certificate of Occupancy was obtained in December 2017. A Site Plan is provided as Figure 2.

2.2 Geology and Hydrogeology

The surface topography at the 2477 Third Avenue Property is generally level. According to a survey performed by Montrose Surveying Co., LLP, the outdoor portions of the 2477 Third Avenue Property are generally at an elevation of 8.5 to 10 feet above the Bronx Topographical Bureau datum (BTBD), which is 2.608 feet above mean sea level. On-site investigations indicated that soil/fill beneath the 2477 Third Avenue Property consists of fill materials underlain by sand (possibly native). AKRF’s November 2010 Remedial Investigation (RI) found presumed bedrock beneath Lot 11 at depths ranging from 55 to 150 feet below grade.

The water table has typically been encountered approximately 7 to 10 feet below grade (approximately elevation 0.5 to 1.0 BTBD) and was determined by the elevation survey conducted as part of AKRF’s November 2010 RI to flow in a south-southwesterly direction towards the Harlem River, approximately 800 feet west-southwest of the 2477 Third Avenue Property. The Harlem River is tidally influenced and brackish, and seasonal fluctuations affect the elevation of the water table. Nonetheless, the dominant regional groundwater flow direction is to the southwest.

2.3 Site History

Historic Sanborn maps indicate that the 2477 Third Avenue Property was occupied by a Drain Pipes and Fireproof Materials company and was developed with several structures including a store house and stable prior to 1891. A wagon yard occupied the 2477 Third Avenue Property in 1908. From 1951 through 1989, the 2477 Third Avenue Property comprised a gasoline filling station.

Previous documentation indicated that releases of petroleum were identified in several on-site monitoring wells between 1984 and 1986. A gasoline spill (Spill No. 0230034) was reported to the NYSDEC on January 31, 2002, and analytical data of subsequent investigations between 2002 and 2008 indicated that a plume consisting of gasoline-related hydrocarbons was identified in groundwater migrating southeast from the 2477 Third Avenue Property. Regulatory records during initial assessment of the 2477 Third Avenue Property identified three 4,000-gallon gasoline underground storage tanks (USTs), one 4,000-gallon diesel UST, and three 12,000-gallon gasoline USTs at the 2477 Third Avenue Property and/or on the adjacent portion of Lot 11. An additional four 550-gallon USTs and one 1,200-gallon UST were identified during the remedial actions conducted under the BCP.

2.4 Nature and Extent of Contamination Prior to Remediation

An RI was performed to characterize the nature and extent of contamination at the 2477 Third Avenue Property. The results of the RI are described in detail in AKRF's 2010 Remedial Investigation Report (RIR). The investigation report included the results of groundwater samples collected in October 2009 from nine previously installed shallow monitoring wells.

Generally, the RI determined that contamination identified at the 2477 Third Avenue Property was predominantly associated with gasoline-related volatile organic compounds (VOCs) detected in the shallow groundwater in the southern half of the 2477 Third Avenue Property. The detected contamination appeared to be from gasoline tanks located in the southern half of the 2477 Third Avenue Property, though the exact source/tank was not determined. This contamination resulted in elevated levels of gasoline-related vapors in the soil gas. Some contaminants identified in soil were attributed to the urban fill at the 2477 Third Avenue Property.

3.0 SITE REMEDIATION

3.1 Site Remediation

The 2477 Third Avenue Property was remediated in accordance with AKRF's NYSDEC-approved Remedial Action Work Plan/Remedial Work Plan (RAWP/RWP), dated June 2011.

The selected Remedial Action Objectives (RAOs) were designed to achieve the Track 4 remedial program, in accordance with Part 375-3.8(e) and Title 14 - § 27-1415, which imposes cleanup requirements consistent with the restricted use specific to the 2477 Third Avenue Property (i.e., commercial use). The remedial action goals were designed to be protective of public health and the environment given the intended use of the 2477 Third Avenue Property and to remove or eliminate identifiable sources of contamination to the extent feasible. The following is a summary of the Remedial Actions performed at the 2477 Third Avenue Property:

- Removal of the nine on-site USTs and associated contaminated soil;
- Excavation of test pits in the former suspected UST areas to confirm soil quality;

- Five applications of chemical oxidation products and implementation of four Enhanced Fluid Recovery (EFR) events during site development and subsequent monitoring for the degradation of gasoline-related hydrocarbons in the groundwater;
- Excavation and disposal of soil for 2477 Third Avenue Property development;
- Installation of a vapor barrier beneath the foundation of the entire building structure at the 2477 Third Avenue Property;
- Installation of a site cap in the form of structures and pavement; and
- Implementation of Institutional Controls (ICs), including a Site Management Plan (SMP) and Environmental Easement to ensure continual and proper management of any residual contamination.

3.1.1 Contaminated Materials Removal

Soil remediation entailed the removal of the USTs and associated soil contamination, and also included the excavation of test pits in the areas of suspected former USTs and in the location where elevated levels of petroleum-related compounds were detected by the RI. Approximately 700 cubic yards of petroleum-contaminated soil were removed. End-point soil samples were collected following the UST and petroleum-contaminated soil removals.

Based on the applicable site use (commercial), the soil cleanup objectives (SCOs) for the primary contaminants of concern (COCs) for the 2477 Third Avenue Property are the Part 375 Protection of Groundwater SCOs.

3.1.2 Site-Related Treatment Systems

Five in-situ chemical oxidation (ISCO) groundwater treatments were conducted in the southern portion of the 2477 Third Avenue Property where elevated concentrations of gasoline-related VOCs were detected. Since the removal of the USTs and petroleum-contaminated soil in May 2012, AKRF conducted the following in-situ treatments:

- June 2012: Applied 70 pounds of Regenesys Oxygen Release Compound (ORC) Advanced[®] and 200 pounds of Regenox[™] treatment via 18 temporary injection wells.
- June 2013: Applied Chemical Oxidation (CO) treatments consisting of approximately 5,300 gallons of an oxidant slurry solution containing 6% sodium persulfate and 8-9% calcium peroxide (approximately 3,000 pounds of sodium persulfate and 4,000 pounds of calcium peroxide) via 24 temporary injection wells.
- August 2013: Applied CO treatments consisting of approximately 14,900 gallons of a 6% solution of hydrogen peroxide combined with approximately 2.8% ferrous sulfate and 5.5% sodium citrate via 53 temporary injection wells. An additional 1,500 gallons of an 8% solution of sodium persulfate was injected into 16 of the wells where liquid surfacing was observed.
- December 2013: Applied supplemental in-situ treatment program via a test pit in the southern corner of the 2477 Third Avenue Property. Approximately 300 pounds of CO material were applied to the exposed water table and underlying soil. The treatment consisted of sodium persulfate combined with an engineered form of calcium peroxide, which has a “capping” agent that allows oxygen release over a longer time frame.

- May 2015: Injected approximately 4,400 gallons of a CO solution containing 5-7% sodium percarbonate activated with minimal sodium citrate and ferrous sulfate via the on-site injection wells.
- July 2017: Injected approximately 4,400 gallons of a CO solution containing 5-7% sodium percarbonate activated with minimal sodium citrate and ferrous sulfate via the on-site injection wells.

Enhanced Fluid Recovery (EFR) was conducted following the groundwater treatment events. EFR was not one of the Remedial Actions outlined in the approved RAWP/RWP and was a modification to the plan. In accordance with the July 14, 2014 Modified RWP, AKRF conducted four rounds of Enhanced Fluid Recovery (EFR) from a combination of temporary and permanent on-site wells using a vacuum truck to remove the desorbed VOCs. The following is a summary of the EFR events:

Summary of EFR Events

Date	Total Gallons Fluids Removed
May 7, 2014	2,228
Nov 11, 2014	670
Jan 16, 2015	1,450
August 11 – 13, 2015	8,215
Dec 4, 2015	2,416
Aug 10, 2016	1,163

Following each of the groundwater treatment and EFR events, groundwater was monitored via four permanent monitoring wells installed in this portion of the 2477 Third Avenue Property in accordance with the RAWP/RWP. No long-term treatment systems were installed as part of the site remedy.

3.2 Engineering Controls

Since remaining contaminated soil and groundwater/soil vapor exists beneath the 2477 Third Avenue Property, Engineering Controls (ECs) are required to protect human health and the environment. The 2477 Third Avenue Property has two ECs, as described in the following subsection.

Vapor Barrier

As a precaution to prevent potential vapors from entering the 2477 Third Avenue Property building, a vapor barrier was installed as part of the waterproofing system beneath the building at the 2477 Third Avenue Property. The vapor barrier consists of Grace Preprufe 300R[®] below the foundation slab, which was certified by the manufacturer to be capable of withstanding exposure to the gasoline-range VOCs at the 2477 Third Avenue Property. The barrier was installed in accordance with the manufacturer's specifications, including sealing of any penetrations through the foundations.

Composite Cover System

Exposure to remaining contamination in soil/fill at the 2477 Third Avenue Property is prevented by a site cover placed over the 2477 Third Avenue Property. This cover system comprises a

minimum of a one-foot concrete building slab over the entire 2477 Third Avenue Property, which is completely covered by building foundation/driveway pavement; therefore, no other type of cover/cap is present.

3.3 Institutional Controls

A series of ICs are required by the RAWP to: (1) implement, maintain and monitor EC systems; (2) prevent future exposure to remaining contamination by controlling disturbances of the subsurface contamination; and (3) limit the use and development of the 2477 Third Avenue Property to restricted commercial uses only. Adherence to these ICs on the 2477 Third Avenue Property is required by the Environmental Easement and are implemented under the SMP. These ICs are:

- Compliance with the Environmental Easement and the SMP by the Grantor and the Grantor's successors and assigns;
- Inspection of all ECs on the Controlled Property at a frequency and in a manner defined in the SMP;
- Groundwater monitoring must be performed as defined in the SMP; and
- Data and information pertinent to Site Management of the Controlled Property must be reported at the frequency and in a manner defined in the SMP.

The 2477 Third Avenue Property has a series of ICs in the form of site restrictions. Adherence to these restrictions is required by the Environmental Easement. Site restrictions that apply to the Controlled Property are:

- The property may be used only for restricted commercial use, provided that the long-term Engineering Controls and Institutional Controls (ECs/ICs) included in the SMP are employed.
- The property may not be used for a higher level of use, such as unrestricted and restricted residential use, without additional remediation and amendment of the Environmental Easement, as approved by the NYSDEC.
- All future activities on the property that will disturb remaining contaminated material must be conducted in accordance with the SMP.
- The use of the groundwater underlying the property is prohibited without treatment rendering it safe for intended use.
- Vegetable gardens and farming on the property are prohibited.
- The 2477 Third Avenue Property owner or remedial party will submit to NYSDEC a written statement that certifies, under penalty of perjury, that: (1) controls employed at the Controlled Property are unchanged from the previous certification or that any changes to the controls were approved by the NYSDEC; 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. NYSDEC retains the right to access such Controlled Property at any time to evaluate the continued maintenance of any and all controls. This certification shall be submitted annually, or an alternate period of time that NYSDEC may allow and will be made by an expert that the NYSDEC finds acceptable.

3.4 Groundwater Monitoring

Periodic groundwater monitoring is continuing in accordance with the procedures outlined in the RAWP/RWP. Groundwater samples are analyzed by a New York State Department of Health-certified laboratory for VOCs using EPA Method 8260 and semi-volatile organic compounds (SVOCs) using EPA Method 8270. A trend analysis of the following indicator compounds is being monitored:

- 1,2,4-trimethylbenzene
- Benzene
- Ethylbenzene
- Methyl tert Butyl Ether (MTBE)
- Naphthalene
- Total Xylenes
- Toluene

Water quality parameters measured in the field during the monitoring events [dissolved oxygen (DO), oxidation reduction potential (ORP), and pH] are indicative of sustained desorption and oxidation, suggesting that additional ISCO and/or EFR events would be effective in further reducing contaminant levels. Based on these conditions, ISCO and EFR treatments will be continued as necessary. These objectives are also provided in the SMP prepared for the 2477 Third Avenue Property.

In an effort to ensure that ISCO treatments could be applied following redevelopment of the property, five 2-inch injection wells were installed in the area of residual groundwater contamination at the locations shown on Figure 2.

3.5 Post-Remedial Construction Activities

No further on-site soil excavation work has been conducted following post-remediation soil excavation work conducted in May 2013. As required by the SMP, any future site excavation activities will be conducted in accordance with work-specific Excavation Work Plans, which will be submitted to NYSDEC for review and approval prior to the start of any proposed excavation work.

4.0 REMEDY PERFORMANCE EVALUATION AND MAINTENANCE

The SMP describes the measures for evaluating the performance and effectiveness of the ICs/ECs. Annual site-wide, composite cover system inspections, and annual groundwater monitoring and sampling were conducted in accordance with the SMP.

4.1 Composite Cover System Inspection and Maintenance

The composite cover system inspection was conducted on March 30, 2023, and consisted of checking all surficial components of the 2477 Third Avenue Property cover system, including the asphalt/concrete pavement, for holes, cracking and/or other signs of damage. During the inspection, all observed site cover system components were found to be intact, with no signs of significant cracking or damage. No corrective actions are recommended. The Site-Wide Inspection Checklist and Annual Inspection Photographic Log are provided in Appendix A.

4.2 Site-Wide Inspection

The Site-wide inspection was conducted at the same time as the composite cover inspection to ensure that all aspects of the remedy were in-place and effective. Based on the inspection results, all ICs and ECs remain in compliance with the SMP and remain effective and protective of human health and the environment. The Site-Wide Inspection Checklist is included in Appendix A.

4.3 Groundwater Monitoring and Treatment

Quarterly groundwater monitoring is required and will continue as requested by the NYSDEC. The most recent groundwater monitoring was conducted in March 2023. Groundwater Monitoring Reports for the latest sampling events will be submitted to the NYSDEC under separate cover. The next groundwater monitoring event will be conducted in July 2023.

5.0 CONCLUSIONS AND RECOMMENDATIONS

The purpose of this PRR is to document the site management activities and findings associated with the ICs/ECs and to certify that these controls are being implemented in accordance with the SMP. The March 2022 to March 2023 IC/EC Certification Form is provided in Appendix B.

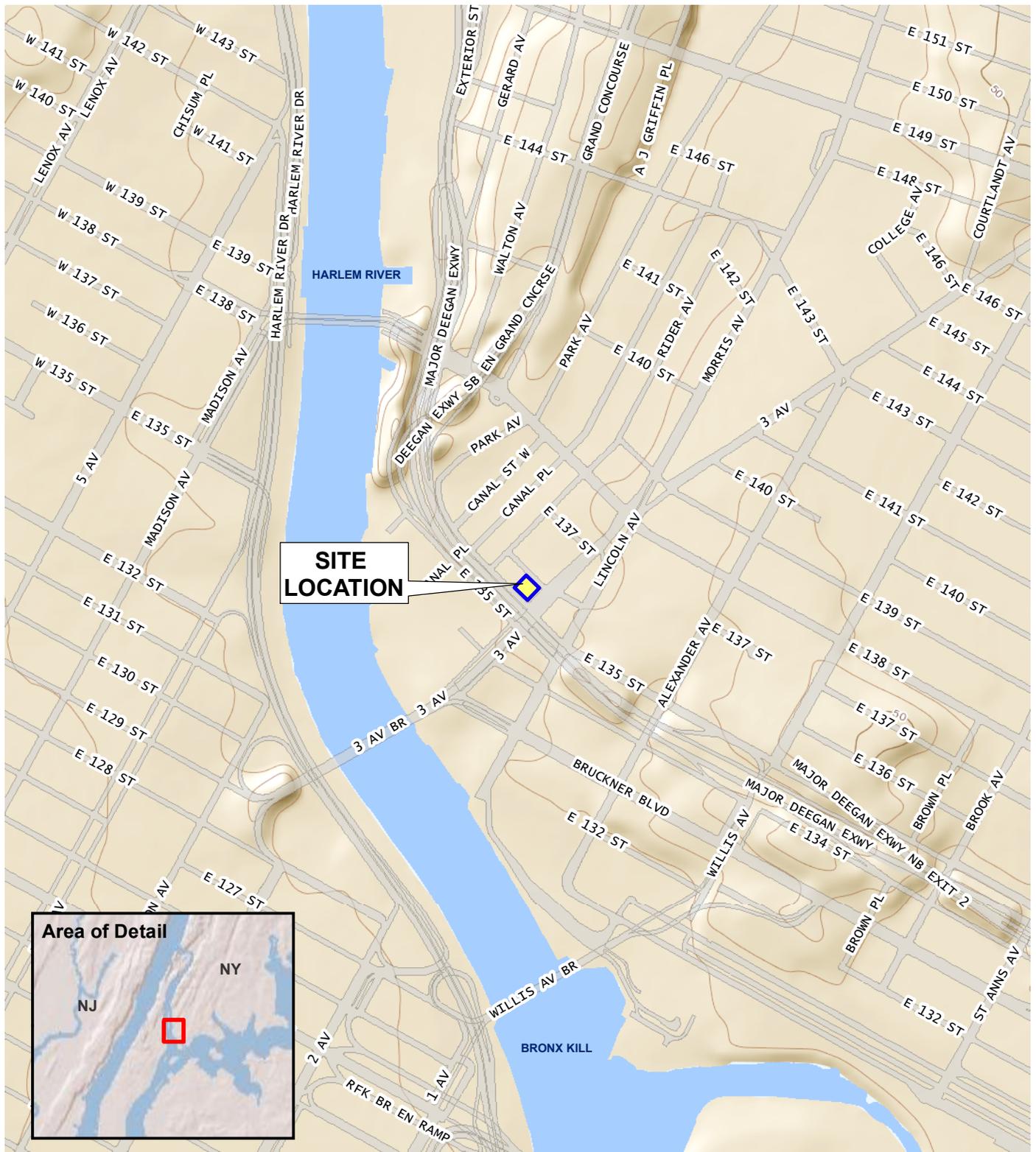
Based on the inspections and data summarized in this report, the following conclusions and recommendations were developed:

- The IC/EC Certification Form for the 2477 Third Avenue Property was completed based on results from the site monitoring and inspections described in this report. The monitoring and inspection findings indicate that all ICs/ECs at the 2477 Third Avenue Property remain in place and effective. However, the well casing for MW-2 is loose and was raised over time, thereby causing the well to be consistently dry. This well should be repaired.
- The composite cover system remains in good condition, and the composite cover and vapor barrier components have not been breached or compromised.
- Groundwater monitoring activities to assess natural attenuation are ongoing, as determined by the NYSDEC, until residual groundwater concentrations are found to be consistently below NYSDEC standards or have become asymptotic at an acceptable level over an extended period. Monitoring will continue until permission to discontinue is granted in writing by the NYSDEC.

In summary, the remedy remains effective and protective of human health and the environment and remains in compliance with the requirements set forth in the SMP. Periodic inspections, including annual post-remedial groundwater sampling and annual Site-wide and composite cover system inspections will continue to be performed in accordance with the SMP.

FIGURES

© 2015 AKRF, Inc. Environmental Consultants O:\Projects\11160 - 2477 Third Avenue BRONX\Hazmat\maps\11160 Fig 1 prop loc map.mxd



SOURCE
 USGS 7.5 Minute Topographic Map
 Central Park Quad 2011



2477 Third Avenue
 Bronx, New York

SITE LOCATION

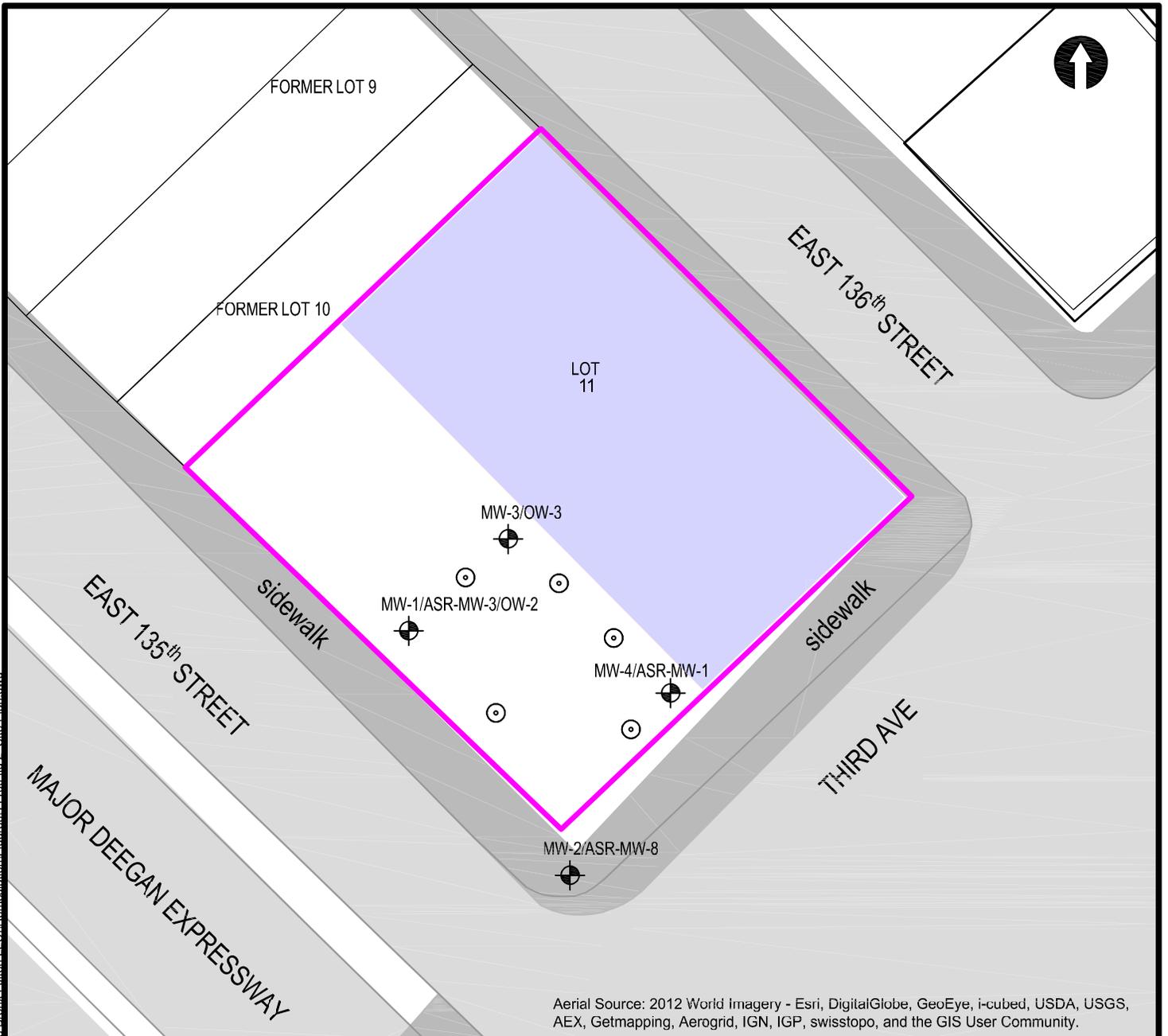


Environmental Consultants
 440 Park Avenue South, New York, N.Y. 10016

DATE
3/12/2015

PROJECT No.
11160

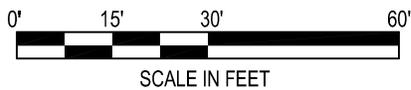
FIGURE
1



Aerial Source: 2012 World Imagery - Esri, DigitalGlobe, GeoEye, i-cubed, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community.

LEGEND:

-  PROJECT SITE BOUNDARY
-  LOCATION OF MONITORING WELL
-  LOCATION OF 2" INJECTION WELL
-  LOCATION OF HOTEL BUILDING



2477 Third Avenue
Bronx, New York

SITE PLAN



Environmental Consultants
440 Park Avenue South, New York, N.Y. 10016

DATE
3.12.2015

PROJECT No.
11160

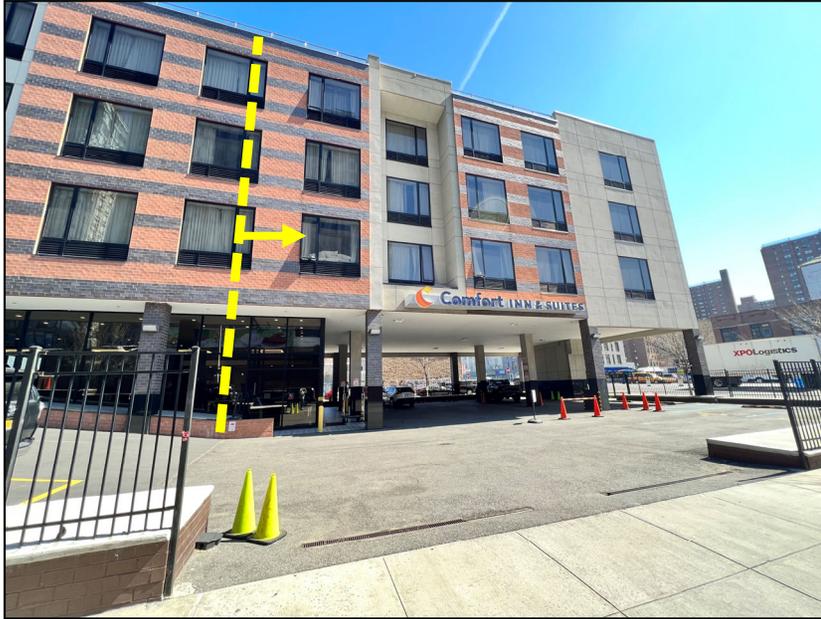
SCALE
as shown

FIGURE
2

APPENDIX A
SITE-WIDE INSPECTION CHECKLIST AND ANNUAL INSPECTION PHOTOGRAPHIC LOG

Site-Wide Inspection Check List
2477 Third Avenue
Bronx, New York
BCP Site# C203047
Date of Inspection: April 10, 2022
Inspector Name: Axel Schwendt

Compliances to be Addressed	Comments
Provide an evaluation of the condition and continued effectiveness of engineering controls (foundation slab and vapor barrier).	All Site cover system elements, including foundation slabs and the vapor barrier, remain intact with no evidence of damage that would constitute a breach of the composite cover system.
Are all institutional controls, including Site usage in compliance?	Site operations and maintenance remain in compliance with the institutional controls. The Site building continues to be used as a commercial hotel. Groundwater underlying the property is not being used as a potable source. No contaminated material underlying the site cap is being disturbed; no excavation activities were or are being conducted.
What are the general Site conditions?	The Site continues to be operated as a hotel. Cover system elements remain uncompromised.
Are Site management activities being conducted including, confirmation sampling and a health and safety inspection?	Site management is being conducted in accordance with the October 2015 SMP, inclusive of groundwater monitoring and sampling.
Are all Site records up to date?	All Site records are in compliance with the requirements set forth in the SMP.
Does Site access remain available to maintain engineering controls?	All necessary Site access was given and can be made available as needed.
Are all permits and schedules included in the Operation and Maintenance Plan in Compliance?	No permits are required for this reporting period. Site management work is being conducted in accordance with the Operation and Maintenance schedule in the SMP.



Photograph 1. BCP portion of the Hotel (the Site), looking north.



Photograph 2. Location of monitoring wells and injection wells on the southeastern portion of the Site (post-remedial monitoring area).



Photograph 3. The Site looking west from Third Avenue (hotel lobby and at-grade parking areas).



Photograph 4. Parking area looking south towards the Major Deegan Expressway with the monitoring and injection wells in the background.

APPENDIX B
INSTITUTIONAL CONTROL AND ENGINEERING CONTROL CERTIFICATION FORM



Enclosure 2
NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Site Management Periodic Review Report Notice
Institutional and Engineering Controls Certification Form



Site Details

Site No. **C203047**

Box 1

Site Name 2477 Third Avenue Property

Site Address: 2477 Third Avenue Zip Code: 10454
City/Town: Bronx
County: Bronx
Site Acreage: 0.214

Reporting Period: March 16, 2022 to March 16, 2023

- | | YES | NO |
|--|-------------------------------------|-------------------------------------|
| 1. Is the information above correct? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| If NO, include handwritten above or on a separate sheet. | | |
| 2. Has some or all of the site property been sold, subdivided, merged, or undergone a tax map amendment during this Reporting Period? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3. Has there been any change of use at the site during this Reporting Period (see 6NYCRR 375-1.11(d))? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4. Have any federal, state, and/or local permits (e.g., building, discharge) been issued for or at the property during this Reporting Period? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| If you answered YES to questions 2 thru 4, include documentation or evidence that documentation has been previously submitted with this certification form. | | |
| 5. Is the site currently undergoing development? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Box 2

- | | YES | NO |
|--|-------------------------------------|--------------------------|
| 6. Is the current site use consistent with the use(s) listed below?
Commercial and Industrial | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 7. Are all ICs in place and functioning as designed? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

IF THE ANSWER TO EITHER QUESTION 6 OR 7 IS NO, sign and date below and DO NOT COMPLETE THE REST OF THIS FORM. Otherwise continue.

A Corrective Measures Work Plan must be submitted along with this form to address these issues.

April 10, 2023

Signature of Owner, Remedial Party or Designated Representative

Date

Box 2A

YES NO

8. Has any new information revealed that assumptions made in the Qualitative Exposure Assessment regarding offsite contamination are no longer valid?

 YES NO

If you answered YES to question 8, include documentation or evidence that documentation has been previously submitted with this certification form.

9. Are the assumptions in the Qualitative Exposure Assessment still valid?
(The Qualitative Exposure Assessment must be certified every five years)

 YES NO

If you answered NO to question 9, the Periodic Review Report must include an updated Qualitative Exposure Assessment based on the new assumptions.

SITE NO. C203047

Box 3**Description of Institutional Controls**ParcelOwnerInstitutional Control

9-2320-11

Jiten, LLC

Ground Water Use Restriction
Landuse Restriction
Monitoring Plan
Site Management Plan

Soil Management Plan
O&M Plan
IC/EC Plan

- Compliance with the Environmental Easement and SMP
- Inspection of all Engineering Controls at frequency specified in the SMP
- Groundwater monitoring at frequency specified in the SMP
- Reporting of data at frequency specified in SMP

Institutional Controls in the form of site restrictions:

- Long-term IC/EC must be employed to allow for restricted commercial or industrial use
- Property may not be used for a higher level of use
- Future activities disturbing remaining contamination must be adhere to SMP
- Prohibited use of groundwater without treatment
- Prohibited farming and vegetable gardens
- Periodic review and certification at frequency specified in the SMP

Box 4**Description of Engineering Controls**ParcelEngineering Control

9-2320-11

Vapor Mitigation
Cover System

- Composite cover (pavement, concrete, building slabs)
- Vapor barrier beneath building

Periodic Review Report (PRR) Certification Statements

1. I certify by checking "YES" below that:

a) the Periodic Review report and all attachments were prepared under the direction of, and reviewed by, the party making the Engineering Control certification;

b) to the best of my knowledge and belief, the work and conclusions described in this certification are in accordance with the requirements of the site remedial program, and generally accepted engineering practices; and the information presented is accurate and complete.

YES NO

2. For each Engineering control listed in Box 4, I certify by checking "YES" below that all of the following statements are true:

(a) The Engineering Control(s) employed at this site is unchanged since the date that the Control was put in-place, or was last approved by the Department;

(b) nothing has occurred that would impair the ability of such Control, to protect public health and the environment;

(c) access to the site will continue to be provided to the Department, to evaluate the remedy, including access to evaluate the continued maintenance of this Control;

(d) nothing has occurred that would constitute a violation or failure to comply with the Site Management Plan for this Control; and

(e) if a financial assurance mechanism is required by the oversight document for the site, the mechanism remains valid and sufficient for its intended purpose established in the document.

YES NO

IF THE ANSWER TO QUESTION 2 IS NO, sign and date below and DO NOT COMPLETE THE REST OF THIS FORM. Otherwise continue.

A Corrective Measures Work Plan must be submitted along with this form to address these issues.

Signature of Owner, Remedial Party or Designated Representative

April 10, 2023

Date

**IC CERTIFICATIONS
SITE NO. C203047**

Box 6

SITE OWNER OR DESIGNATED REPRESENTATIVE SIGNATURE

I certify that all information and statements in Boxes 1,2, and 3 are true. I understand that a false statement made herein is punishable as a Class "A" misdemeanor, pursuant to Section 210.45 of the Penal Law.

I Axel Schwendt at 440 Park Avenue South, New York, NY,
print name print business address

am certifying as _____ the Remedial Party _____ (Owner or Remedial Party)

for the Site named in the Site Details Section of this form.



April 10, 2023

Signature of Owner, Remedial Party, or Designated Representative
Rendering Certification

Date

EC CERTIFICATIONS

Box 7

Professional Engineer Signature

I certify that all information in Boxes 4 and 5 are true. I understand that a false statement made herein is punishable as a Class "A" misdemeanor, pursuant to Section 210.45 of the Penal Law.

I Michelle Lapin, P.E. at 440 Park Avenue South, New York, NY 10016
print name print business address

I am certifying as a Professional Engineer for the _____
(Owner or Remedial Party)




Signature of Professional Engineer, for the Owner or Remedial Party Rendering Certification

Stamp
(Required for PE)

4-10-2023
Date