DECISION DOCUMENT

261 Walton Avenue
Brownfield Cleanup Program
Bronx, Bronx County
Site No. C203135
September 2024

Prepared by
Division of Environmental Remediation
New York State Department of Environmental Conservation

DECLARATION STATEMENT - DECISION DOCUMENT

261 Walton Avenue
Brownfield Cleanup Program
Bronx, Bronx County
Site No. C203135
September 2024

Statement of Purpose and Basis

This document presents the remedy for the 261 Walton Avenue brownfield cleanup site. The remedial program was chosen in accordance with the New York State Environmental Conservation Law and Title 6 of the Official Compilation of Codes, Rules and Regulations of the State of New York (6 NYCRR) Part 375.

This decision is based on the Administrative Record of the New York State Department of Environmental Conservation (NYSDEC) for the 261 Walton Avenue site and the public's input to the proposed remedy presented by NYSDEC.

Description of Selected Remedy

The elements of the selected remedy are as follows:

1. Remedial Design

A remedial design program will be implemented to provide the details necessary for the construction, operation, optimization, maintenance, and monitoring of the remedial program. Green remediation principles and techniques will be implemented to the extent feasible in the design, implementation, and site management of the remedy as per DER-31. The major green remediation components are as follows:

- Considering the environmental impacts of treatment technologies and remedy stewardship over the long term;
- Reducing direct and indirect greenhouse gases and other emissions;
- Increasing energy efficiency and minimizing use of non-renewable energy;
- Conserving and efficiently managing resources and materials;
- Reducing waste, increasing recycling and increasing reuse of materials which would otherwise be considered a waste;
- Maximizing habitat value and creating habitat when possible;
- Fostering green and healthy communities and working landscapes which balance ecological, economic and social goals;
- Integrating the remedy with the end use where possible and encouraging green and sustainable re-development; and
- Additionally, to incorporate green remediation principles and techniques to the extent feasible in the future development at this site, any future on-site buildings shall be

constructed, at a minimum, to meet the 2020 Energy Conservation Construction Code of New York (or most recent edition) to improve energy efficiency as an element of construction.

As part of the remedial design program, to evaluate the remedy with respect to green and sustainable remediation principles, an environmental footprint analysis will be completed. The environmental footprint analysis will be completed using an accepted environmental footprint analysis calculator such as SEFA (Spreadsheets for Environmental Footprint Analysis, USEPA), SiteWise™ (available in the Sustainable Remediation Forum [SURF] library) or similar NYSDEC accepted tool. Water consumption, greenhouse gas emissions, renewable and non-renewable energy use, waste reduction and material use will be estimated, and goals for the project related to these green and sustainable remediation metrics, as well as for minimizing community impacts, protecting habitats and natural and cultural resources, and promoting environmental justice, will be incorporated into the remedial design program, as appropriate. The project design specifications will include detailed requirements to achieve the green and sustainable remediation goals. Further, progress with respect to green and sustainable remediation metrics will be tracked during implementation of the remedial action and reported in the Final Engineering Report (FER), including a comparison to the goals established during the remedial design program.

Additionally, the remedial design program will include a climate change vulnerability assessment, to evaluate the impact of climate change on the project site and the proposed remedy. Potential vulnerabilities associated with extreme weather events (e.g., hurricanes, lightning, heat stress and drought), flooding, and sea level rise will be identified, and the remedial design program will incorporate measures to minimize the impact of climate change on potential identified vulnerabilities.

2. Excavation

Excavation and off-site disposal of all on-site soils which exceed unrestricted use SCOs, as defined by 6 NYCRR Part 375-6.8. If a Track 1 unrestrictive cleanup is achieved, a Cover System will not be a required element of the remedy. Remediation will include excavation of all non-native fill and soil to depths required to meet unrestricted use SCOs, which are estimated to range between 3 and 9 feet bgs across the majority of the site and about 1 foot below the cellar slab of the former 6-story building in the southeastern portion of the site. The cellar slab is 10-12 ft below sidewalk grade.

Approximately 3,835 cubic yards of contaminated soil will be removed from the site. Collection and analysis of confirmation samples at the remedial excavation depths will be used to verify that SCOs for the site have been achieved. If confirmation sampling indicates that SCOs were not achieved at the stated remedial depth, the Applicant must notify NYSDEC, submit the sample results and, in consultation with NYSDEC, determine if further remedial excavation is necessary. Further excavation for development will proceed after confirmation samples demonstrate that SCOs for the site have been achieved.

To ensure proper handling and disposal of excavated material, waste characterization sampling will be completed for all identified contaminated site material. Waste characterization sampling

will be performed exclusively for the purposes of off-site disposal in a manner suitable to receiving facilities and in conformance with applicable federal, state and local laws, rules, and regulations and facility-specific permits.

3. Backfill
Clean fill meeting the requirements of 6 NYCRR Part 375-6.7(d) will be brought in to complete the backfilling of the excavation and establish the designed grades at the site.

4. Vapor Intrusion Evaluation
As part of the Track 1 remedy, a soil vapor intrusion evaluation will be completed. The evaluation will include a provision for implementing actions recommended to address exposures related to soil vapor intrusion.

Contingent Track 1
The intent of the remedy is to achieve Track 1 unrestricted use; therefore, no environmental easement or site management plan is anticipated. If the soil vapor intrusion (SVI) evaluation is not completed prior to completion of the Final Engineering Report, then a Site Management Plan (SMP) and Environmental Easement (EE) will be required to address the SVI evaluation and implement actions as needed. If a mitigation or monitoring action is needed, a Track 1 cleanup can only be achieved if the mitigation system or other required action is no longer needed within 5 years of the date of the Certificate of Completion.

If no EE or SMP is needed to achieve soil or soil vapor remedial action objectives, then the following local use restriction will be relied upon to prevent ingestion of groundwater: Article 141 of the NYCDOH code, which prohibits potable use of groundwater without prior approval.

In the event that Track 1 unrestricted use is not achieved, the following contingent remedial elements will be required, and the remedy will achieve at least a Track 4 restricted residential cleanup at a minimum.

5. Cover System
A site cover will be required to allow for restricted residential use of the site in areas where the upper two feet of exposed surface soil will exceed the applicable soil cleanup objectives (SCOs). Where a soil cover is to be used it will be a minimum of two feet of soil placed over a demarcation layer, with the upper six inches of soil of sufficient quality to maintain a vegetative layer. Soil cover material, including any fill material brought to the site, will meet the SCOs for cover material for the use of the site as set forth in 6 NYCRR Part 375-6.7(d). Substitution of other materials and components may be allowed where such components already exist or are a component of the tangible property to be placed as part of site redevelopment. Such components may include, but are not necessarily limited to pavement, concrete, paved surface parking areas, sidewalks, building foundations and building slabs.

No cover system will be required for Track 2 cleanup.

6. Institutional Control
Imposition of an institutional control in the form of an environmental easement for the controlled

property which will:

- require the remedial party or site owner to complete and submit to the NYSDEC a periodic certification of institutional and engineering controls in accordance with Part 375-1.8 (h)(3);
- allow the use and development of the controlled property for restricted residential use as defined by Part 375-1.8(g), although land use is subject to local zoning laws;
- restrict the use of groundwater as a source of potable or process water, without necessary water quality treatment as determined by the NYSDOH or NYCDOHMH; and
- require compliance with the NYSDEC approved Site Management Plan.

7. Site Management Plan

A Site Management Plan is required, which includes the following:

a. an Institutional and Engineering Control Plan that identifies all use restrictions and engineering controls for the site and details the steps and media-specific requirements necessary to ensure the following institutional and/or engineering controls remain in place and effective:
   - Institutional Controls: The Environmental Easement discussed in Remedy Element 6 above.
   - Engineering Controls: The contingent Cover System discussed in Remedy Element 5, above.

   This plan includes, but may not be limited to:
   - an Excavation Plan which details the provisions for management of future excavations in areas of remaining contamination;
   - descriptions of the provisions of the environmental easement including any land use, groundwater and surface water use restrictions;
   - a provision for evaluation of the potential for soil vapor intrusion for any occupied buildings on the site, including provision for implementing actions recommended to address exposures related to soil vapor intrusion;
   - provisions for the management and inspection of the identified engineering controls;
   - maintaining site access controls and NYSDEC notification; and
   - the steps necessary for the periodic reviews and certification of the institutional and/or engineering controls.

b. a Monitoring Plan to assess the performance and effectiveness of the remedy. The plan includes, but may not be limited to:
   - monitoring for vapor intrusion for any buildings on the site, as may be required by the Institutional and Engineering Control Plan discussed above; and
   - a schedule of monitoring and frequency of submittals to the NYSDEC.

Declaration

The remedy conforms with promulgated standards and criteria that are directly applicable, or that are relevant and appropriate and takes into consideration NYSDEC guidance, as appropriate. The remedy is protective of public health and the environment.

September 13, 2024

Date

Jane H. O'Connell
Regional Remediation Engineer, Region 2

DECISION DOCUMENT

261 Walton Avenue
Bronx, Bronx County
Site No. C203135
September 2024

SECTION 1: SUMMARY AND PURPOSE

The New York State Department of Environmental Conservation (NYSDEC), in consultation with the New York State Department of Health (NYSDOH), has selected a remedy for the above referenced site. The disposal of contaminants at the site has resulted in threats to public health and the environment that would be addressed by the remedy. The disposal or release of contaminants at this site, as more fully described in this document, has contaminated various environmental media. Contaminants include hazardous waste and/or petroleum.

The New York State Brownfield Cleanup Program (BCP) is a voluntary program. The goal of the BCP is to enhance private-sector cleanups of brownfields and to reduce development pressure on "greenfields." A brownfield site is real property, where a contaminant is present at levels exceeding the soil cleanup objectives or other health-based or environmental standards, criteria or guidance, based on the reasonably anticipated use of the property.

NYSDEC has issued this document in accordance with the requirements of New York State Environmental Conservation Law and 6 NYCRR Part 375. This document is a summary of the information that can be found in the site-related reports and documents.

SECTION 2: CITIZEN PARTICIPATION

NYSDEC seeks input from the community on all remedies. A public comment period was held, during which the public was encouraged to submit comment on the proposed remedy. All comments on the remedy received during the comment period were considered by NYSDEC in selecting a remedy for the site. Site-related reports and documents were made available for review by the public at the following document repositories:

DECInfo Locator - Web Application
https://gisservices.dec.ny.gov/gis/dil/index.html?rs=C203135

New York Public Library - Mott Haven Branch
321 East 140th Street
Bronx, NY 10454
Phone: (718) 665-4878

Bronx Community Board 1
3024 Third Avenue
Bronx, NY 10455
Phone: (718) 585-7117

Receive Site Citizen Participation Information By Email

Please note that NYSDEC's Division of Environmental Remediation (DER) is "going paperless" relative to citizen participation information. The ultimate goal is to distribute citizen participation information about contaminated sites electronically by way of county email listservs. Information will be distributed for all sites that are being investigated and cleaned up in a particular county under the State Superfund Program, Environmental Restoration Program, Brownfield Cleanup Program and Resource Conservation and Recovery Act Program. We encourage the public to sign up for one or more county listservs at http://www.dec.ny.gov/chemical/61092.html

SECTION 3: SITE DESCRIPTION AND HISTORY

Location:
The site is located at 261 Walton Avenue, Bronx, NY within an urban area. The area of the site is approximately 0.63 acres (27,454 square feet) and is identified on the Bronx Borough Tax Map as Block 2344, Lot 60. The site is bound by industrial/manufacturing building to the north, Walton Avenue followed by industrial buildings to the east, a gas station to the south, and Gerard Avenue followed by the Major Deegan Expressway to the west.

Site Features:
The site is currently vacant. The site formerly contained a six-story building with a cellar, a two-story building, and a one-story building, which were formerly occupied by a commercial storage facility. The buildings were demolished between February and May 2023. Portions of the site remain covered by the former building concrete foundation slabs. An asphalt-paved and gravel-covered parking lot surrounds the former building footprints.

Current Zoning and Land Use:
The site is located in a M1-4/R6A light manufacturing and high-density residential district. The site is also located in the MX-13 Special Mixed-Use District that was established in 1997. The Special Mixed-Use District was designated to "encourage investment in, and enhance the vitality of, existing neighborhoods with mixed residential and industrial uses for new mixed-use communities."

Past Use of the Site:
Past site use included an electrical specialties and lumber storage facility (1908); an automotive wrecking yard (1909-1965); a card and paper warehouse (1927-1956); a brick, lime and cement manufacturing company with a 550-gallon gasoline underground storage tank (1935); an automotive repair facility (1936-1976); and a furniture warehouse and showroom (1977-2007). The site is currently vacant.

Site Geology and Hydrogeology:
Based on findings from the remedial investigations performed to date, non-native fill was encountered consisting of dark brown to gray, fine- to coarse-grained sand and gravel with silt, brick, glass, concrete, metal, and wood fragments. Fill was observed from immediately below surface cover to boring termination depths, which varied between 0.8 and 9 feet below ground surface (bgs). The fill layer is underlain by bedrock consisting of gneiss at depths ranging from 3 to 9 feet bgs.

The measured depth to groundwater was between 6.93 and 9.83 feet bgs and flows to the west towards the Harlem River, which is located approximately 500 feet from the site.

A site location map is attached as Figure 1.

SECTION 4: LAND USE AND PHYSICAL SETTING

NYSDEC may consider the current, intended, and reasonably anticipated future land use of the site and its surroundings when evaluating a remedy for soil remediation. For this site, an alternative that restricts the use of the site to restricted-residential use (which allows for commercial use and industrial use) as described in Part 375-1.8(g) was evaluated, in addition to an alternative which would allow for unrestricted use of the site.

A comparison of the results of the Remedial Investigation (RI) to the appropriate standards, criteria and guidance values (SCGs) for the identified land use and the unrestricted use SCGs for the site contaminants is available in the RI Report.

SECTION 5: ENFORCEMENT STATUS

One or more of the Applicants under the Brownfield Cleanup Agreement is a Participant. The Participants have an obligation to address on-site and off-site contamination. Accordingly, no enforcement actions are necessary.

SECTION 6: SITE CONTAMINATION

6.1: Summary of the Remedial Investigation

A remedial investigation (RI) serves as the mechanism for collecting data to:

- characterize site conditions;
- determine the nature of the contamination; and
- assess risk to human health and the environment.

The RI is intended to identify the nature (or type) of contamination which may be present at a site and the extent of that contamination in the environment on the site, or leaving the site. The RI reports on data gathered to determine if the soil, groundwater, soil vapor, indoor air, surface water or sediments may have been contaminated. Monitoring wells are installed to assess groundwater, and soil borings or test pits are installed to sample soil and/or waste(s) identified.

If other natural resources are present, such as surface water bodies or wetlands, the water and sediment may be sampled as well. Based on the presence of contaminants in soil and groundwater, soil vapor will also be sampled for the presence of contamination. Data collected in the RI influence the development of remedial alternatives. The RI report is available for review in the site document repository and the results are summarized in section 6.3.

The analytical data collected on this site includes data for:

- groundwater
- soil
- soil vapor

6.1.1: Standards, Criteria, and Guidance (SCGs)

The remedy must conform to promulgated standards and criteria that are directly applicable or that are relevant and appropriate. The selection of a remedy must also take into consideration guidance, as appropriate. Standards, Criteria and Guidance are hereafter called SCGs.

To determine whether the contaminants identified in various media are present at levels of concern, the data from the RI were compared to media-specific SCGs. NYSDEC has developed SCGs for groundwater, surface water, sediments, and soil. The NYSDOH has developed SCGs for drinking water and soil vapor intrusion. For a full listing of all SCGs see: http://www.dec.ny.gov/regulations/61794.html

6.1.2: RI Results

The data have identified contaminants of concern. A "contaminant of concern" is a contaminant that is sufficiently present in frequency and concentration in the environment to require evaluation for remedial action. Not all contaminants identified on the property are contaminants of concern. The nature and extent of contamination and environmental media requiring action are summarized below. Additionally, the RI Report contains a full discussion of the data. The contaminants of concern identified at this site are:

benzo(a)anthracene	barium
benzo(a)pyrene	perfluorooctanoic acid
benzo(b)fluoranthene	perfluorooctane sulfonic acid
lead	tetrachloroethene (PCE)
mercury	trichloroethene (TCE)
chromium	1,4-dioxane

The contaminants of concern exceed the applicable SCGs for:

- groundwater
- soil

6.2: Interim Remedial Measures

An interim remedial measure (IRM) is conducted at a site when a source of contamination or exposure pathway can be effectively addressed before issuance of the Decision Document.

There were no IRMs performed at this site during the RI.

6.3: Summary of Environmental Assessment

This section summarizes the assessment of existing and potential future environmental impacts presented by the site. Environmental impacts may include existing and potential future exposure pathways to fish and wildlife receptors, wetlands, groundwater resources, and surface water. The RI report presents a detailed discussion of any existing and potential impacts from the site to fish and wildlife receptors.

Environmental Assessment:
Soil and groundwater were analyzed for volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs), metals, polychlorinated biphenyls (PCBs), per- and polyfluoroalkyl substances (PFAS), and pesticides. Soil vapor was analyzed for VOCs. Based upon investigations conducted to date, the primary contaminants of concern are SVOCs and metals in soil, and VOCs in groundwater.

Soil - Soil data was compared to Unrestricted Use Soil Cleanup Objectives (UUSCOs) and Protection of Groundwater Soil Cleanup Objectives (PGWSCOs). No VOCs were detected at concentrations exceeding UUSCOs or PGSCOs. For SVOCs, the maximum concentrations detected were benzo(a)anthracene at 2.71 parts per million (ppm), compared to the UUSCO of 1 ppm; benzo(a)pyrene at 2.12 ppm (UUSCO of 1 ppm); and benzo(b)fluoranthene at 1.98 ppm (UUSCO of 1 ppm). Metals identified at maximum concentrations include lead at 9,210 ppm (UUSCO of 63 ppm), mercury at 3.05 ppm (UUSCO of 0.18 ppm), chromium at 216 ppm (UUSCO of 30 ppm), and barium at 3,680 ppm (UUSCO of 350 ppm). The maximum concentration of PCBs was 0.14 ppm (UUSCO of 0.1 ppm). Pesticides identified include 4,4'-DDD at a maximum concentration of 0.0145 ppm (UUSCO of 0.0033 ppm).

1,4-dioxane was not detected above the reporting limit. Perfluorooctane sulfonic acid (PFOS) was detected at a maximum of 1.14 parts per billion (ppb), which exceeds the Protection of Groundwater Guidance Value (PGGV) of 1.1 ppb and Unrestricted Use Guidance Value (UUGV) of 0.88 ppb. Perfluorooctanoic acid (PFOA) was detected at a maximum of 0.69 ppb which does not exceed PGGV of 0.8 ppb, but exceeds UUGV of 0.66 ppb.

Data does not indicate any off-site impacts in soil related to this site.

Groundwater - Groundwater results were compared against the NYSDEC Ambient Water Quality Standards and Guidance Values (AWQSGVs). For VOCs, the maximum concentrations detected were tetrachloroethene (PCE) at 95.9 ppb (AWQGV of 5 ppb), and trichloroethene (TCE) at 16.4 ppb (AWQGV of 5 ppb). Metals identified include selenium at a maximum concentration of 12.8 ppb (AWQGV of 10 ppb). Pesticides identified include dieldrin at a

maximum concentration of 0.0064 ppb (AWQGV of 0.004 ppb). There were no exceedances of AWQSGVs for SVOCs or PCBs in groundwater samples.

PFOA and PFOS were detected at concentrations of up to 150 and 50 parts per trillion (ppt), respectively, exceeding the AWQSGV of 6.7 ppt and 2.7 ppt respectively. 1,4-dioxane was detected at a maximum concentration of 1.55 ppb, exceeding the AWQSGV of 0.35 ppb.

Data does not indicate any off-site impacts in ground or surface water related to this site.

Soil Vapor - The maximum concentrations detected in soil vapor were PCE at 10.7 micrograms per cubic meter (ug/m3) and TCE at 0.265 ug/m3.

Data does not indicate any off-site impacts in soil vapor related to this site.

6.4: Summary of Human Exposure Pathways

This human exposure assessment identifies ways in which people may be exposed to site-related contaminants. Chemicals can enter the body through three major pathways (breathing, touching or swallowing). This is referred to as *exposure.*

The site is completely fenced, which restricts public access. However, persons who enter the site could contact contaminants in the soil by walking on the site, digging or otherwise disturbing the soil. People are not expected to come into direct contact with contaminated groundwater unless they dig below the ground surface. People are not drinking the contaminated groundwater because the area is served by a public water supply that is not affected by this contamination. Volatile organic compounds in soil vapor (air spaces within the soil), may move into overlying buildings and affect the indoor air quality. This process, which is similar to the movement of radon gas from the subsurface into the indoor air of buildings, is referred to as soil vapor intrusion. Soil vapor intrusion does not represent a current concern because the site is vacant. However, the potential exists for the inhalation of site contaminants due to soil vapor intrusion for any future on-site development. Environmental sampling indicates soil vapor intrusion from site-related contamination is not a concern for off-site buildings.

6.5: Summary of the Remediation Objectives

The objectives for the remedial program have been established through the remedy selection process stated in 6 NYCRR Part 375. The goal for the remedial program is to restore the site to pre-disposal conditions to the extent feasible. At a minimum, the remedy shall eliminate or mitigate all significant threats to public health and the environment presented by the contamination identified at the site through the proper application of scientific and engineering principles.

The remedial action objectives for this site are:

Groundwater

RAOs for Public Health Protection

- Prevent ingestion of groundwater with contaminant levels exceeding drinking water standards.
- Prevent contact with, or inhalation of volatiles, from contaminated groundwater.

RAOs for Environmental Protection

- Remove the source of ground or surface water contamination.

Soil

RAOs for Public Health Protection

- Prevent ingestion/direct contact with contaminated soil.
- Prevent inhalation of or exposure from contaminants volatilizing from contaminants in soil.

RAOs for Environmental Protection

- Prevent migration of contaminants that would result in groundwater or surface water contamination.

Soil Vapor

RAOs for Public Health Protection

- Mitigate impacts to public health resulting from existing, or the potential for, soil vapor intrusion into buildings at a site.

SECTION 7: ELEMENTS OF THE SELECTED REMEDY

The alternatives developed for the site and the evaluation of the remedial criteria are presented in the Alternative Analysis. The remedy is selected pursuant to the remedy selection criteria set forth in DER-10, Technical Guidance for Site Investigation and Remediation and 6 NYCRR Part 375.

The selected remedy is a Conditional Track 1 remedy.

The selected remedy is referred to as the Excavation remedy.

The elements of the selected remedy, as shown in Figure 2, are as follows:

1. Remedial Design

A remedial design program will be implemented to provide the details necessary for the construction, operation, optimization, maintenance, and monitoring of the remedial program. Green remediation principles and techniques will be implemented to the extent feasible in the design, implementation, and site management of the remedy as per DER-31. The major green remediation components are as follows:

- Considering the environmental impacts of treatment technologies and remedy stewardship over the long term;
- Reducing direct and indirect greenhouse gases and other emissions;
- Increasing energy efficiency and minimizing use of non-renewable energy;
- Conserving and efficiently managing resources and materials;
- Reducing waste, increasing recycling and increasing reuse of materials which would otherwise be considered a waste;

- Maximizing habitat value and creating habitat when possible;
- Fostering green and healthy communities and working landscapes which balance ecological, economic and social goals;
- Integrating the remedy with the end use where possible and encouraging green and sustainable re-development; and
- Additionally, to incorporate green remediation principles and techniques to the extent feasible in the future development at this site, any future on-site buildings shall be constructed, at a minimum, to meet the 2020 Energy Conservation Construction Code of New York (or most recent edition) to improve energy efficiency as an element of construction.

As part of the remedial design program, to evaluate the remedy with respect to green and sustainable remediation principles, an environmental footprint analysis will be completed. The environmental footprint analysis will be completed using an accepted environmental footprint analysis calculator such as SEFA (Spreadsheets for Environmental Footprint Analysis, USEPA), SiteWise^{TM} (available in the Sustainable Remediation Forum [SURF] library) or similar NYSDEC accepted tool. Water consumption, greenhouse gas emissions, renewable and non-renewable energy use, waste reduction and material use will be estimated, and goals for the project related to these green and sustainable remediation metrics, as well as for minimizing community impacts, protecting habitats and natural and cultural resources, and promoting environmental justice, will be incorporated into the remedial design program, as appropriate. The project design specifications will include detailed requirements to achieve the green and sustainable remediation goals. Further, progress with respect to green and sustainable remediation metrics will be tracked during implementation of the remedial action and reported in the Final Engineering Report (FER), including a comparison to the goals established during the remedial design program.

Additionally, the remedial design program will include a climate change vulnerability assessment, to evaluate the impact of climate change on the project site and the proposed remedy. Potential vulnerabilities associated with extreme weather events (e.g., hurricanes, lightning, heat stress and drought), flooding, and sea level rise will be identified, and the remedial design program will incorporate measures to minimize the impact of climate change on potential identified vulnerabilities.

2. Excavation

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Approximately 3,835 cubic yards of contaminated soil will be removed from the site. Collection and analysis of confirmation samples at the remedial excavation depths will be used to verify that SCOs for the site have been achieved. If confirmation sampling indicates that SCOs were

not achieved at the stated remedial depth, the Applicant must notify NYSDEC, submit the sample results and, in consultation with NYSDEC, determine if further remedial excavation is necessary. Further excavation for development will proceed after confirmation samples demonstrate that SCOs for the site have been achieved.

To ensure proper handling and disposal of excavated material, waste characterization sampling will be completed for all identified contaminated site material. Waste characterization sampling will be performed exclusively for the purposes of off-site disposal in a manner suitable to receiving facilities and in conformance with applicable federal, state and local laws, rules, and regulations and facility-specific permits.

3. Backfill

Clean fill meeting the requirements of 6 NYCRR Part 375-6.7(d) will be brought in to complete the backfilling of the excavation and establish the designed grades at the site.

4. Vapor Intrusion Evaluation

As part of the track 1 remedy, a soil vapor intrusion evaluation will be completed. The evaluation will include a provision for implementing actions recommended to address exposures related to soil vapor intrusion.

Contingent Track 1

The intent of the remedy is to achieve Track 1 unrestricted use; therefore, no environmental easement or site management plan is anticipated. If the soil vapor intrusion (SVI) evaluation is not completed prior to completion of the Final Engineering Report, then a Site Management Plan (SMP) and Environmental Easement (EE) will be required to address the SVI evaluation and implement actions as needed; if a mitigation or monitoring action is needed, a Track 1 cleanup can only be achieved if the mitigation system or other required action is no longer needed within 5 years of the date of the Certificate of Completion.

If no EE or SMP is needed to achieve soil or soil vapor remedial action objectives, then the following local use restriction will be relied upon to prevent ingestion of groundwater: Article 141 of the NYCDOH code, which prohibits potable use of groundwater without prior approval.

In the event that Track 1 unrestricted use is not achieved, the following contingent remedial elements will be required, and the remedy will achieve at least a Track 4 restricted residential cleanup at a minimum.

5. Cover System

A site cover will be required to allow for restricted residential use of the site in areas where the upper two feet of exposed surface soil will exceed the applicable soil cleanup objectives (SCOs). Where a soil cover is to be used it will be a minimum of two feet of soil placed over a demarcation layer, with the upper six inches of soil of sufficient quality to maintain a vegetative layer. Soil cover material, including any fill material brought to the site, will meet the SCOs for cover material for the use of the site as set forth in 6 NYCRR Part 375-6.7(d). Substitution of other materials and components may be allowed where such components already exist or are a component of the tangible property to be placed as part of site redevelopment. Such components

may include, but are not necessarily limited to pavement, concrete, paved surface parking areas, sidewalks, building foundations and building slabs.

No cover system will be required for Track 2 cleanup.

6. Institutional Control

Imposition of an institutional control in the form of an environmental easement for the controlled property which will:

- require the remedial party or site owner to complete and submit to the NYSDEC a periodic certification of institutional and engineering controls in accordance with Part 375-1.8 (h)(3);
- allow the use and development of the controlled property for restricted residential use as defined by Part 375-1.8(g), although land use is subject to local zoning laws;
- restrict the use of groundwater as a source of potable or process water, without necessary water quality treatment as determined by the NYSDOH or NYCDOHMH; and
- require compliance with the NYSDEC approved Site Management Plan.

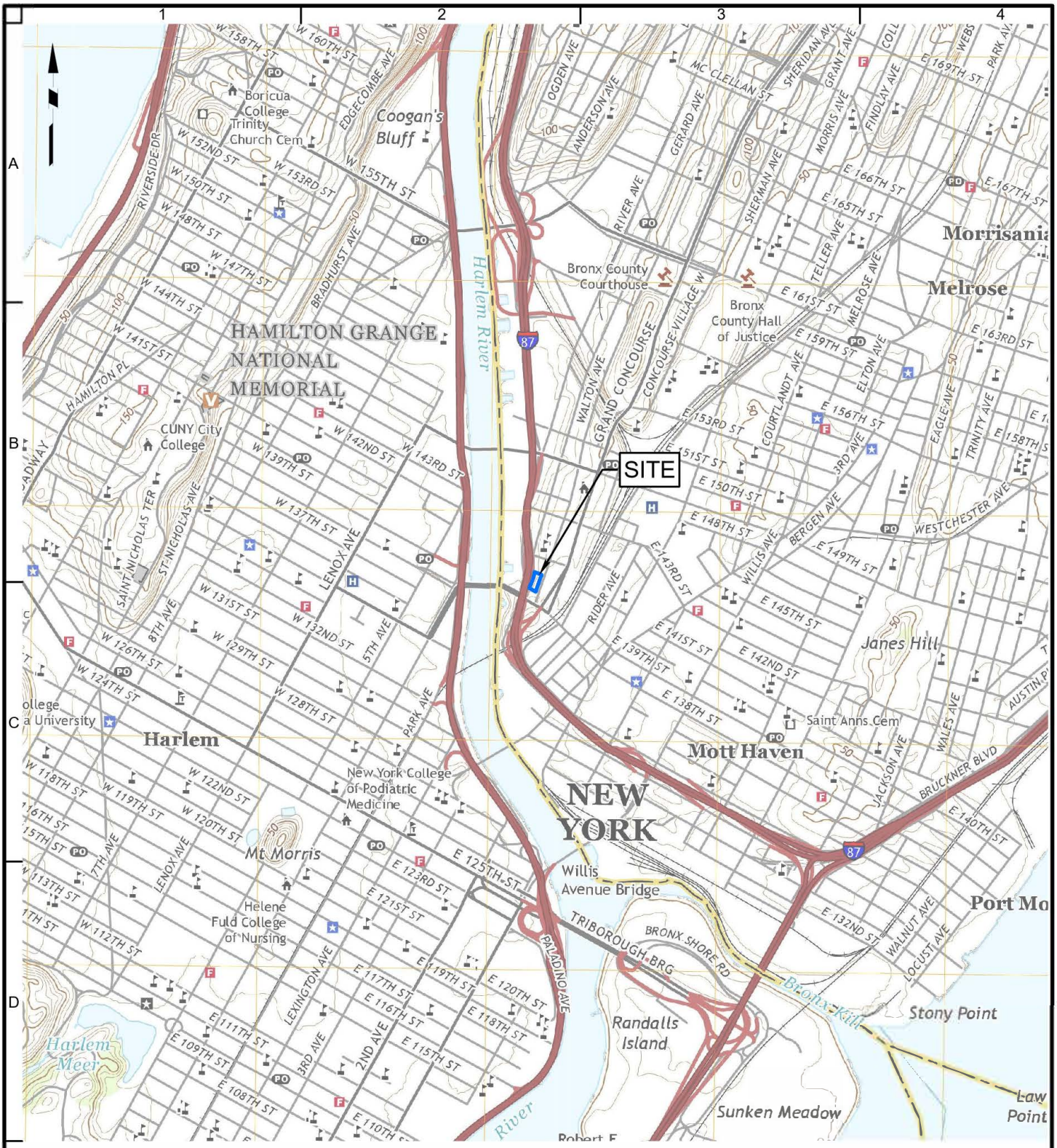
7. Site Management Plan

A Site Management Plan is required, which includes the following:

a. an Institutional and Engineering Control Plan that identifies all use restrictions and engineering controls for the site and details the steps and media-specific requirements necessary to ensure the following institutional and/or engineering controls remain in place and effective:
   - Institutional Controls: The Environmental Easement discussed in Remedy Element 6 above.
   - Engineering Controls: The contingent Cover System discussed in Remedy Element 5, above.

   This plan includes, but may not be limited to:
   - an Excavation Plan which details the provisions for management of future excavations in areas of remaining contamination;
   - descriptions of the provisions of the environmental easement including any land use, groundwater and surface water use restrictions;
   - a provision for evaluation of the potential for soil vapor intrusion for any occupied buildings on the site, including provision for implementing actions recommended to address exposures related to soil vapor intrusion;
   - provisions for the management and inspection of the identified engineering controls;
   - maintaining site access controls and NYSDEC notification; and
   - the steps necessary for the periodic reviews and certification of the institutional and/or engineering controls.

b. a Monitoring Plan to assess the performance and effectiveness of the remedy. The plan includes, but may not be limited to:
   - monitoring for vapor intrusion for any buildings on the site, as may be required by the Institutional and Engineering Control Plan discussed above; and
   - a schedule of monitoring and frequency of submittals to the NYSDEC.



LEGEND

APPROXIMATE SITE BOUNDARY

2,000 0 2,000

SCALE IN FEET

NOTES:

1. BASEMAP ADAPTED FROM UNITED STATES GEOLOGICAL SURVEY (USGS) 7.5-MINUTE SERIES TOPOGRAPHICAL MAPS, CENTRAL PARK, NEW YORK, QUADRANGLE.

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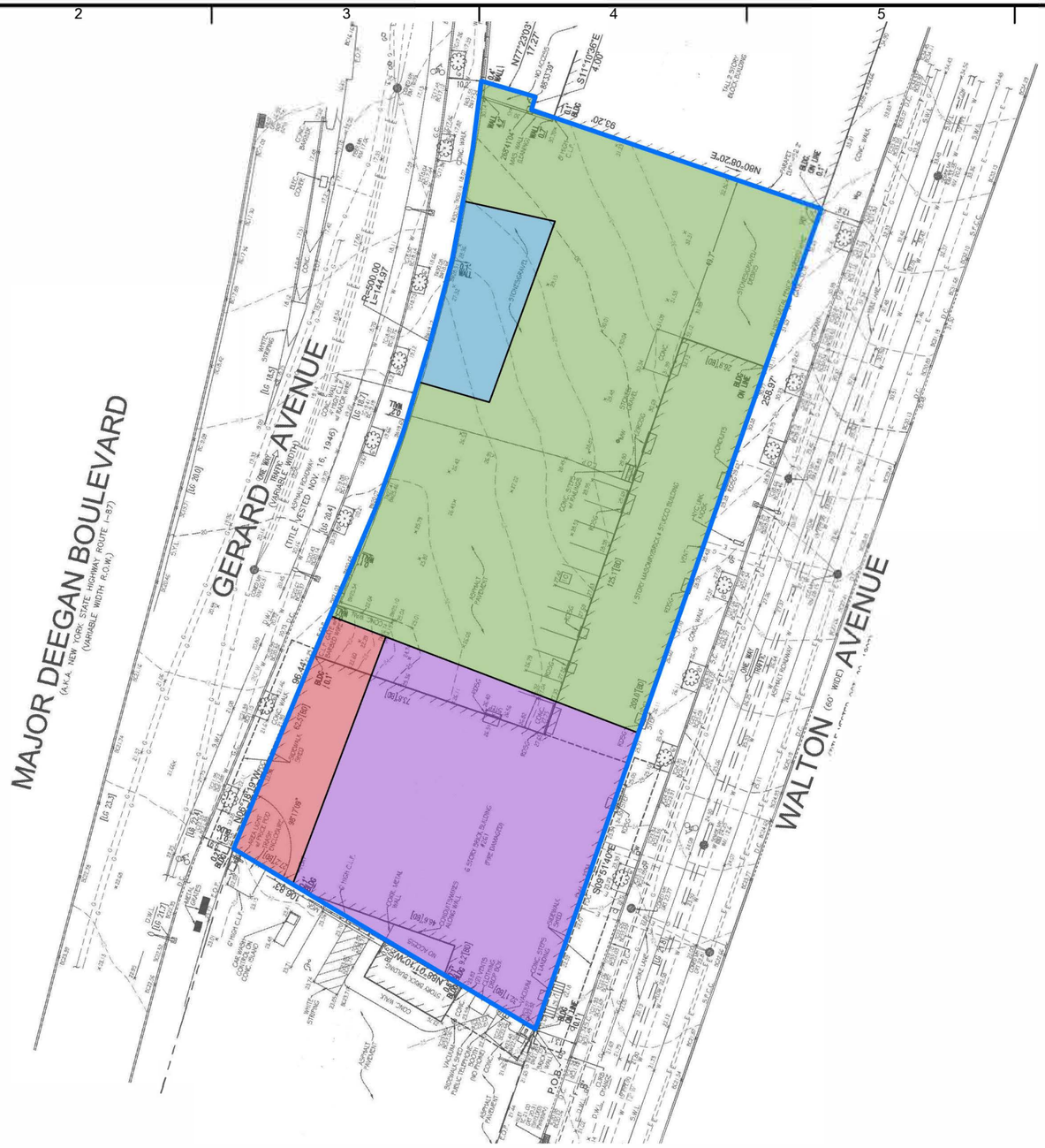
Langan Engineering, Environmental, Surveying, Landscape Architecture and Geology, D.P.C.
Langan International LLC

Collectively known as Langan

Project	261 WALTON AVENUE BLOCK No. 2344, LOT No. 60 BRONX NEW YORK
Figure Title	SITE LOCATION MAP
Project No.	170601702
Date	7/25/2023
Scale	1"=2,000'
Drawn By	MG
Submission Date	
Figure No.	1

Path: \\langan.com\data\NY\data7\170601701\Project Data\ArcGIS\APRX\170601701\170601701.aprx Date: 7/25/2023 User: mgeorgalas Time: 9:50 AM



LEGEND

- APPROXIMATE SITE BOUNDARY
- APPROXIMATE EXCAVATION TO 1 FOOT BGS
- APPROXIMATE EXCAVATION TO 3 TO 6 FEET BGS
- APPROXIMATE EXCAVATION TO 3 TO 5 FEET BGS
- APPROXIMATE EXCAVATION TO 6 TO 9 FEET BGS

NOTES:
1. BASEMAP PROVIDED BY GALLAS SURVEYING GROUP, DRAWING G17274.01.DWG, DATED 6/27/2022.
2. BGS - BELOW GRADE SURFACE

40 0 40
SCALE IN FEET

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Project
261 WALTON AVENUE
BLOCK No. 2344, LOT No. 60
BRONX NEW YORK

Figure Title
ALTERNATIVE I - TRACK 1 CLEANUP PLAN

Project No. 170601702	Figure No. 2
Date 5/20/2024	
Scale 1"=40'	
Drawn By MG	

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