### Harlem Park 1800 Park Avenue New York, NY

### NYSDEC BCP Site No. C231041

# PERIODIC REVIEW REPORT

Prepared for: Harlem Park Acquisition, LLC 30 West 21<sup>st</sup> Street, 11<sup>th</sup> Floor New York, New York 10010

### **Prepared By:**



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Reporting Period: February 25, 2022 to February 24, 2025

FLS Project Number: 10235-001

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### **EXECUTIVE SUMMARY**

This Periodic Review Report (PRR) documents the activities subject to the Site Management Plan (SMP) for Harlem Park (Site) for the current reporting period (February 25, 2022 through February 24, 2025). The Site is comprised of Brownfield Cleanup Program (BCP) Site C231041 and is administered by the New York State Department of Environmental Conservation (NYSDEC). The engineering and institutional controls (EC/IC) were implemented and were maintained in accordance with the NYSDEC-approved SMP.

The purpose of this PRR and Annual Certification is to document ongoing Site management activities associated with the EC and ICs in place at the Site, and to certify that these controls are being maintained in accordance with the Brownfield Cleanup Agreement (BCA).

The Site management activities conducted during the reporting period include the following:

- Visual inspection of the cover system
- Shallow test pit excavation to confirm cover system integrity and depth

The implementation of remedial action, Site management activities, and continuous media monitoring were performed by Fleming, Lee Shue Environmental Engineering and Geology, D.P.C. (FLS). It was determined that ECs and ICs remain effective and continue to be protective of public health and the environment.

### 1.0 SITE OVERVIEW

### 1.1 Site Description

The Harlem Park Site is located in Manhattan, New York County, New York, and is identified as Block 1749 and Lot 33 (formerly Lots 31, 33, 35, 40, and 43) on the current New York City Tax Map.

The site is an approximately 0.83-acre area and is bounded by 125th Street to the north, Park Avenue to the east, 124th Street to the south, and mixed-use properties to the west including New York College of Podiatric Medicine. The Site Location and Layout are included as Figures 1 and 2, respectively. The boundaries of the site are more fully described in Appendix A – Metes and Bounds.

### 1.2 Site Development Status

BCP Site C231041 is absent from development. The Site consists of an excavated lot with a 2-foot site cover and a surrounding construction fence. The excavation footprint is of a lot line to lot line building as shown in Figure 2.

### 1.3 Nature and Extent of Contamination

NYSDEC spill numbers 0402211 and 1501648 were opened on May 28, 2004, and May 14, 2015, respectively; both of which were closed on October 24, 2016. Remedial investigations completed at the Site between 2003 and 2011 detected soil with elevated levels of volatile organic compounds (VOC) indicative of petroleum-related contamination. Additionally, elevated levels of metals were detected in the soil, indicative of urban fill. Groundwater analytical results for groundwater samples did not detect VOCs, semi-volatile organic compounds (SVOC), pesticides, or polychlorinated biphenyls (PCB) exceeding the Division of Water Technical and Operation Guidance Series 1.1.1 Ambient Water Quality Standards and Guidance Values and Groundwater Effluent Limitations – Class GA (TOGS).

### 1.4 Site Remediation

Remedial excavation took place from September 2014 to November 2015. As part of the Site remediation, soils from all hotspot grids were excavated to 13 ft. below ground surface (bgs), including the perimeter hotspot grids where soil was excavated to 13 ft.-bgs and backfilled with soil meeting re-use criteria from the Site to maintain the desired slope along the perimeter of the Site.

In addition to the soil removed for remedial purposes, the remainder of the Site was excavated to approximately 13 ft.-bgs for redevelopment purposes, with the exception of the perimeter of the Site. The soil around the perimeter of the Site along the north, south, and east property boundaries was left in place in order to achieve a 12-foot offset from the property boundary and a 2 to 1 slope to the bottom of the excavation.

The Site was remediated in accordance with the BCA Index# W2-1037-04-12 for BCP Site C231041. On June 23, 2006, the BCA was amended to add CV Harlem Park LLC as a Volunteer to the BCA. On June 6, 2013, the BCA was amended a second time to add Harlem Park Acquisition LLC as a Volunteer to the BCA. Harlem Park Acquisition LLC acquired the site by deed dated September 30, 2013. On July 8, 2015, the BCA was amended a third time to reflect the merger of the five tax lots that made up the property into a single lot. Additionally, on July 13, 2016, a fourth BCA amendment was executed to add 1800 Fee Owner LLC.

### 1.5 Cleanup Goals and Remedial Action Objectives

As detailed in the RAWP, Track 4 Site-Specific Soil Cleanup Objectives (SSSCO) have been established with NYSDEC. The SSSCOs are restricted residential use SCOs for all contaminants with the exceptions as presented in Table 1.

The Remedial Action Objectives (RAO) for the Site as listed in the Decision Document dated May 2013 are as follows:

### Groundwater

### **RAOs for Public Health Protection**

• 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.

### 2.0 REMEDY EVALUATION

The contamination remaining on-Site is documented by the results of the endpoint samples collected at the bottom of the excavation, at a frequency of one per every 900 square feet, and soil samples collected during the RI below the excavation depth (13 ft.-bgs). Sidewall samples were collected, from perimeter hotspot grids at a frequency of one per every 30 linear feet, to document conditions that will remain at the exterior boundary of the Site excavation.

All endpoint samples were analyzed by Accutest Laboratories, a New York State ELAP-certified laboratory, for VOCs by U. S. Environmental Protection Agency (EPA) Method 8260; SVOCs by EPA Method 8270; metals by EPA Methods 6010, SW846 3060/7196 and SW846 7471A; pesticides by EPA Method 8081; and PCBs by EPA Method 8082.

No VOCs were detected above the SSSCOs. Only four samples show one or a few VOCs concentrations (1,2-dichloroethane, 2-butanone (MEK), acetone, methylene chloride, and vinyl chloride) above Track 1, unrestricted use, SCOs, but below SSSCOs.

No SVOCs were detected above the SSSCOs. Only eight samples show one or a few SVOCs (benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, benzo(k)fluoranthene, chrysene, dibenzo(a,h)anthracene, indeno(1,2,3-cd)pyrene) detected at a concentration above Track 1 (unrestricted use) SCOs, but below the SSSCOs.

Three samples [HH10-63, HH15-18, and EP-A1-I(SW-E-11)] show metals above the SSSCOs (mercury: 3.01 mg/kg; selenium: 419 mg/kg, and lead: 2570 mg/kg, respectively). However, HH10-63 and HH15-18 were collected in August 2004 as part of the RI. EP-A1-I(SW-E-11) is a sidewall sample and documents conditions at the exterior boundary of the Site excavation.

No pesticides were detected above the SSSCOs. Six samples show one or few pesticides (dieldrin, 4,4'-DDD, 4,4'-DDE, and 4,4'-DDT) detected at concentrations above Track 1 SCOs, but below the SSSCOs.

The achieved cleanup objectives are consistent with the goals of the BCA and for the intended use of the Site.

### 3.0 INSTITUTIONAL AND ENGINEERING CONTROLS COMPLIANCE

### 3.1 Institutional Controls

The ICs are non-physical controls, such as Site use restrictions, implemented in order to protect human health and the environment. The SMP requires annual certification of the ICs for the Site to ensure that they continue to be implemented in order to prevent exposure to residual contamination. The ICs for the Site include:

- The property may be used for: restricted residential, commercial, and industrial uses;
- All ECs must be operated and maintained as specified in this SMP;
- All ECs must be inspected at a frequency and in a manner defined in the SMP.
- The use of groundwater underlying the property is prohibited without necessary water quality treatment as determined by the NYSDOH or the New York City Department of Health and Mental Hygiene to render it safe for use as drinking water or for industrial purposes, and the user must first notify and obtain written approval to do so from the Department.
- Soil vapor and other environmental or public health monitoring must be performed as defined in this SMP;
- Data and information pertinent to site management must be reported at the frequency and in a manner as defined in this SMP;
- All future activities that will disturb remaining contaminated material must be conducted in accordance with this SMP;
- Monitoring to assess the performance and effectiveness of the remedy must be performed as defined in this SMP;
- Operation, maintenance, monitoring, inspection, and reporting of any mechanical or physical component of the remedy shall be performed as defined in this SMP;
- Access to the site must be provided to agents, employees or other representatives of the
  State of New York with reasonable prior notice to the Site Management Plan, Site #
  C231041 property owner to assure compliance with the restrictions identified by the
  Environmental Easement.

- The potential for vapor intrusion must be evaluated for any buildings developed in the area
  within the IC boundaries, and any potential impacts that are identified must be monitored
  or mitigated; and
- Vegetable gardens and farming on the site are prohibited.

Site-wide inspections will be performed annually by a Professional Engineer or by a person under the direct supervision of the Professional Engineer. Site-wide inspections will also be performed after all severe weather conditions that may affect ECs or monitoring devices. During these inspections, inspection forms will be completed as provided in Appendix B. The form will compile sufficient information to assess the following:

- Compliance with all ICs, including Site usage;
- General Site conditions at the time of the inspection;
- The Site management activities being conducted including, where appropriate, confirmation sampling and a health and safety inspection; and
- Confirm that Site records are up to date.
- A comprehensive Site-wide inspection will be conducted and documented according to the SMP schedule, regardless of the frequency of the PRR. The inspections will determine and document the following:
  - Compliance with requirements of the SMP and the Environmental Easement; and
  - If Site records are complete.

### **3.2 Engineering Controls**

The ECs are physical controls employed to contain, stabilize, and monitor residual contamination. Since residual contaminated soil exists beneath the Site, the ECs will continue to remain protecting human health and the environment. The on-Site EC required by the SMP consists of a temporary site cover. The SMP requires an annual inspection and certification of the EC to ensure that it continues to perform as designed and continues to be protective of human health and the environment.

An annual inspection of the on-Site cover was conducted by Fleming, Lee Shue Environmental Engineering and Geology, D.P.C (FLS) on January 13, 2023, January 17, 2024, and January 24, 2025. These annual inspections were undertaken to ensure the Site remained compliant with all

ICs, including site usage, as well as an evaluation of the condition and continued effectiveness of ECs.

2023 Reporting Year (February 2022 – February 2023)

FLS conducted an annual site inspection on January 13, 2023. The EC for the Site, consisting of a cover system comprised of two (2) feet of Recycled Concrete Aggregate (RCA), was inspected and found to have remained in place and protective of human health. Some general debris was observed on-Site, but no evidence of chemical dumping or other hazardous materials were observed.

Generally, the visual inspection comprised of the Site comprised of a walkthrough of the property while searching for deviations in the surroundings that may have occurred over the previous year. A photograph was taken at select, fixed points around the Site in order to facilitate easier comparison to previous and future inspection photographs, and to ensure that any gradual erosion (that would be more difficult to recognize during the walkthrough) could be monitored effectively. Debris found onsite were compared to those from previous inspection events to monitor dumping activities onsite and to ensure that no potentially hazardous materials have been left within the Site boundaries. Debris or equipment with the theoretical capacity for hazardous material storage were checked for contents and all were found to be empty.

Photographs from this inspection are included in the Photo Log provided as Appendix C. Field inspection sheets from the investigation are provided in Appendix D.

2024 Reporting Year (February 2023 – February 2024)

FLS conducted an annual site inspection on January 17, 2024. The EC for the Site, consisting of a cover system comprised of two (2) feet of RCA, was inspected and found to have remained in place and protective of human health. As was found in the previous year, some general debris was observed on-Site, but no evidence of chemical dumping or other hazardous materials were observed.

Debris or equipment with the theoretical capacity for hazardous material storage were checked for contents and all were found to be empty. Two empty 55-gallon drums exist on Site.

For confirmation that the cover system has remained at the established depth, a two (2) foot deep test pit was dug into the RCA cover system near the northern border of the Site. After the depth was measured, this hole was backfilled. The RCA was found to be two (2) feet deep as intended, although some dirt and vegetation were found to be sparingly mixed into the RCA. It is believed that this organic material has simply been deposited over time through natural events such as rainfall and animal activity, and is not indicative of contaminated soil breakthrough of the cover system.

Photographs from this inspection are included in the Photo Log provided as Appendix C. The field inspection sheet from this investigation is provided as Appendix D.

2025 Reporting Year (February 2024 – February 2025)

FLS conducted an annual site inspection on January 24, 2025. The EC for the Site, consisting of a cover system comprised of two (2) feet of RCA, was inspected and the cover system was found to have remained in place and protective of human health. Some general debris was still observed on-Site, but no evidence of chemical dumping or other hazardous materials were observed.

Debris found onsite were compared to those from previous inspection events to monitor dumping activities onsite and to ensure that no potentially hazardous materials have been left within the Site boundaries. Debris or equipment with the theoretical capacity for hazardous material storage were checked for contents and all were found to be empty.

Photographs from this inspection are included in the Photo Log provided as Appendix C. The field inspection sheet from this investigation is provided as Appendix D.

### **3.3 Corrective Measures**

### 3.3.1 Institutional Controls

There were no deficiencies observed during the reporting period that would require corrective measures for the ICs.

### 3.3.2 Engineering Controls

There were no deficiencies observed during the reporting period that would require corrective measures for the ECs.

### 3.4 Certification of Engineering and Institutional Controls

The owner and the developer parties are responsible for overseeing, documenting, and certifying that the work at the Site was performed by or on behalf of each and done in accordance with the applicable SMP. The annual certifications were performed by FLS on behalf of Harlem Park Acquisition, LLC. The completed EC/IC Certification Forms are provided as Appendix B.

### 4.0 MONITORING PLAN COMPLIANCE

### 4.1 Components of the Monitoring Plan

There is no post-remediation media monitoring or sampling required for the Site.

### **4.2 Summary of the Monitoring Completed**

Table 2 below describes the monitoring tasks completed during the reporting period. Annual inspections of the cover system were completed on January 13, 2023; January 17, 2024; and January 24, 2025.

**Table 2 – Monitoring Requirements** 

Monitoring Task	Frequency	Description
Composite Cover System	Annually	Inspection of the cover system

### 4.3 Comparisons with the Remedial Objectives

The Composite Cover System prevents exposure to soil. Inspection found that the cover was in good condition and no bare soil exposed. Consequently, the remedial measures are functioning as intended and preventing any exposure to contaminants.

### **4.4 Monitoring Deficiencies**

The EC is functioning as intended and there are no discernable deficiencies.

### 4.5 Conclusions and Recommendations for Changes

The monitoring has demonstrated that the EC is operating properly and is accomplishing the RAOs.

### 5.0 CONCLUSIONS AND RECOMMENDATIONS

### **5.1 Compliance with the SMP**

Based on the evaluation of the inspections and monitoring data, FLS concludes the following:

- The EC and ICs were in place and remained effective at the Site during the reporting period. Based on the evaluation of the inspections and monitoring data, FLS recommends the following:
  - All ECs and ICs at the Site will continue in operation in the next reporting period (February 25, 2025 through February 26, 2028).

### 5.2 Performance and Effectiveness of the Remedy

The remedy has been effective in reaching and maintaining its stated objectives. The contaminated soil was excavated per the approved RAWP and the soil cleanup goals were attained.

### **5.3 Future PRR Submittals**

In accordance with the approved SMP, and NYSDEC approval dated June 11, 2019, PRRs will be submitted every three (3) years. The next PRR will be due in March 2028.

# **Tables**



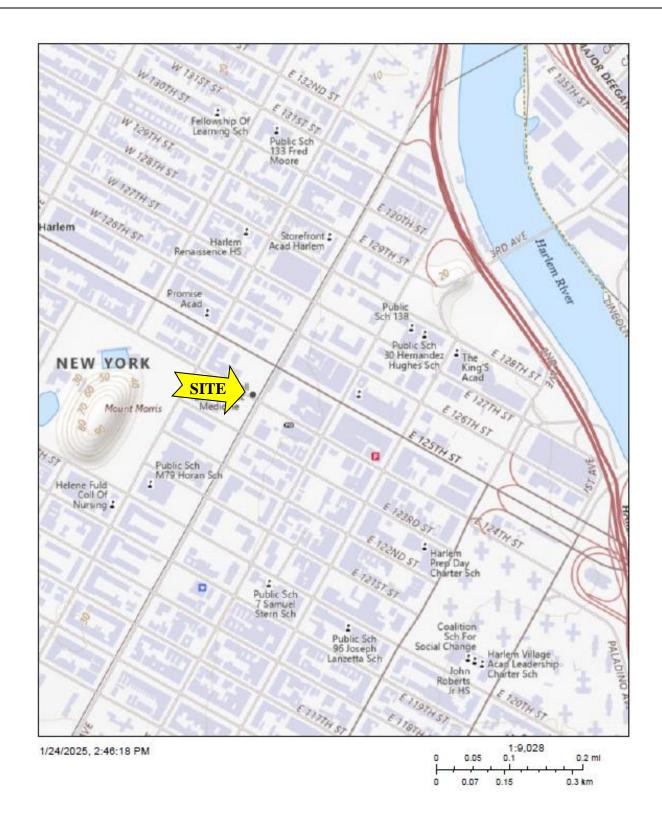
Table 1 - Soil Remedial Goals and Soil Cleanup Objectives
Harlem Park, New York, NY

Analyte	Remedial Goal / SCO
VOCs	RRUSCOs (Restricted Residential SCOs)
Total SVOCs	< 500 parts per million (ppm)
Metals	RRUSCOs, with the following exceptions:
	SSSCOs (Site Specific SCOs), ppm:
Barium	820 ppm (Protection of Groundwater SCO)
Cadmium	6.5
Lead	1,000*
Manganese	2,500*
Mercury	2.8
Hazardous Lead	Removal of all hazardous lead [< 5 milligrams per liter (mg/L) TCLP]
Observed Gross Petroleum Contamination	Removal of Observed Gross Petroleum Contamination, if encountered, during proposed remedial excavations, as determined either visually or with plastic bag shake test. Gross petroleum contamination will be removed in areas that are otherwise being excavated.

<sup>\*</sup>FLS recommended these SSSCOs for lead and manganese based on the results of the 2011 Supplemental Remedial Investigation report

# **Figures**





Quadrant 7.5 Minute Topographic Map, published by the USGS, and obtained from National Map Viewer ©2025

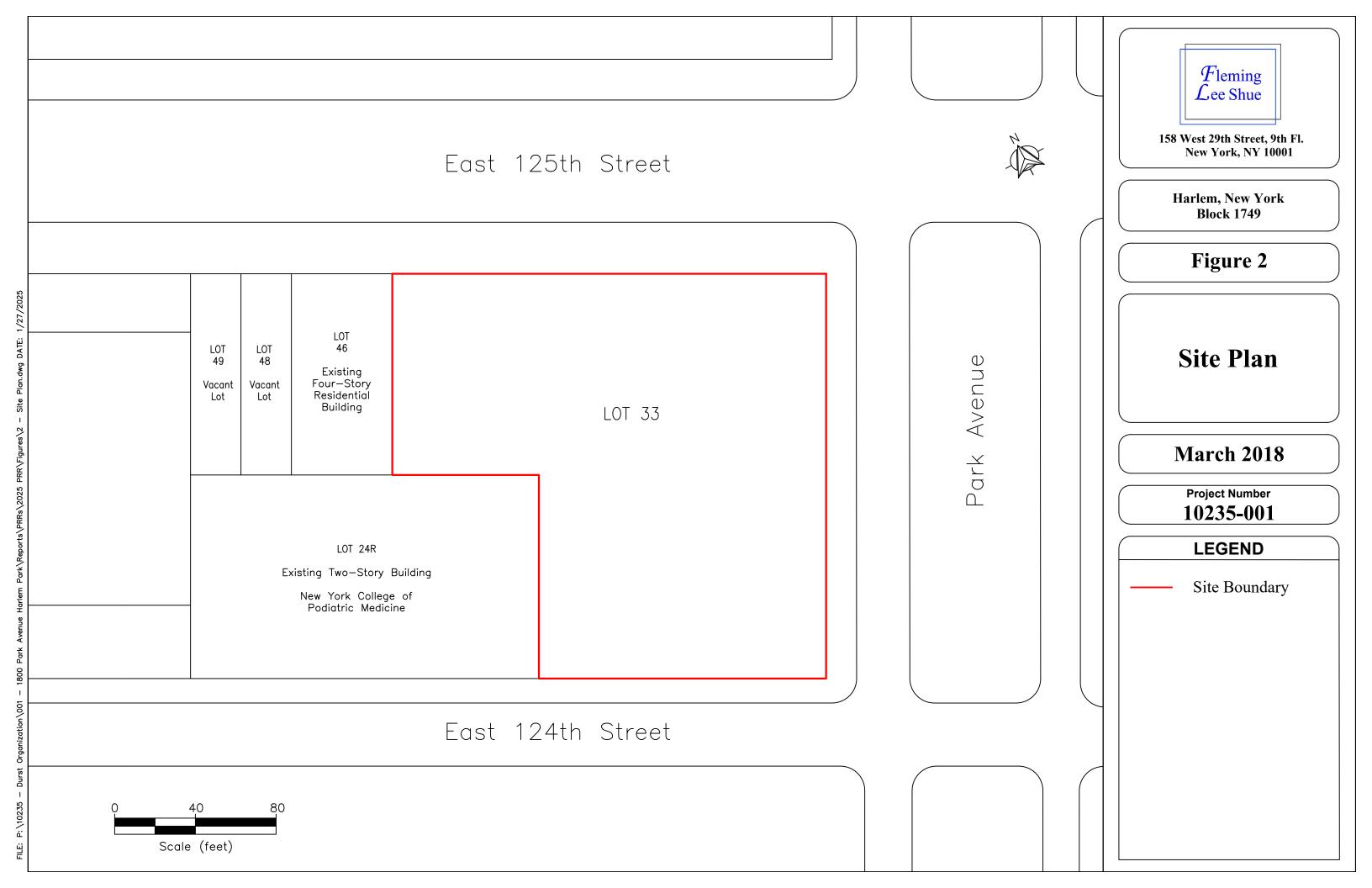


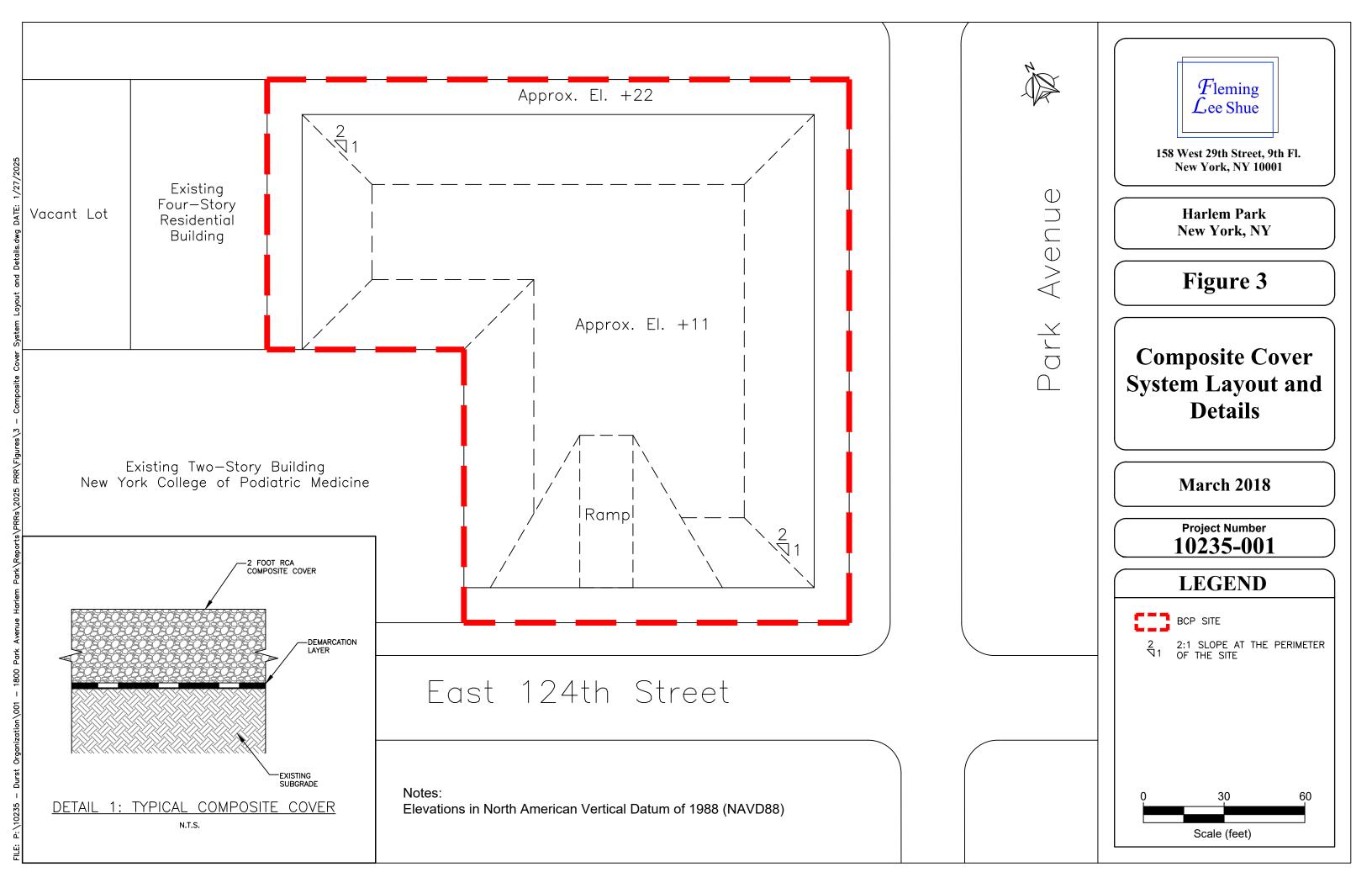
### FIGURE 1: SITE LOCATION MAP

SITE: Harlem Park, 1800 Park Avenue, New York, 10035

CLIENT: Harlem Park Acquisition, LLC

Environmental Management & Consulting, 158 W 29th Street, New York, NY 10001





# **Appendix A**

Metes and Bounds



# <u>Legal Description of Environmental Easement – 1800 Park Avenue, New York, NY, BCP Site No. C231041, Manhattan Block 1794, Lot 33 (formerly lots 31, 33, 35, 40, 43)</u>

GPS Coordinates of Starting Point: 40° 48' 16.41 73° 56' 22.95"

ALL that certain plot, piece or parcel of land, situate, lying and being in the Borough of Manhattan, City, County and State of New York, bounded and described as follows:

BEGINNING at a point formed by the intersection of the northerly side of East 124th Street with the westerly side of Park Avenue (formerly Fourth Avenue);

RUNNING THENCE westerly along the northerly side of East 124th Street 142 feet 6 inches;

THENCE northerly parallel with the westerly side of Park Avenue, 100 feet 11 inches to the center line of the block between East 124th and East 125th Streets;

THENCE westerly along said center line of the block 72 feet 6 inches;

THENCE northerly parallel with the westerly side of Park Avenue, 100 feet 11 inches to the southerly side of East 125th Street;

THENCE easterly along the southerly side of East 125th Street, 215 feet to the westerly side of Park Avenue;

THENCE southerly along the westerly side of Park Avenue201 feet 10 inches to the point and place of BEGINNING.

CONTAINING 0.83 acres more or less.

TOGETHER WITH the rights, obligations and benefits accruing to the owner of the above land pursuant to the Zoning Lot Development and Easement Agreement dated as of May 10, 2007, by and between New York College of Podiatric Medicine and CV Harlem Park LLC, and recorded in the Office of the New York City Register on May 23, 2007, under CRFN 2007000269640.

### ORIGINAL LOT DESCRIPTIONS PARCEL I (BLOCK 1749, LOT 31):

ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND, SITUATE, LYING AND BEING IN THE BOROUGH OF MANHATTAN, CITY OF NEW YORK, COUNTY AND STATE OF NEW YORK, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHERLY SIDE OF 124TH STREET, DISTANT 89 FEET 7 INCHES WESTERLY FROM THE CORNER FORMED BY THE INTERSECTION OF THE WESTERLY SIDE OF PARK (FORMERLY KNOWN AS 4TH) AVENUE WITH THE NORTHERLY SIDE OF 124TH STREET;

THENCE RUNNING NORTHERLY AND PARALLEL WITH SAID PARK AVENUE, 100 FEET 11 INCHES TO THE CENTER LINE OF THE

THENCE RUNNING WESTERLY ALONG SAID CENTER LINE OF THE BLOCK, 17 FEET 11 INCHES

THENCE RUNNING SOUTHERLY AND PARALLEL MITH SAID PARK AVENUE AND PART OF THE WAY THROUGH THE CENTER OF A PARTY WALL, 100 FEET 11 INCHES TO THE NORTHERLY SIDE OF 124TH STREET;

THENCE RUNNING EASTERLY ALONG THE SAID NORTHERLY SIDE OF 124TH STREET, 17 FEET 11 INCHES TO THE POINT OR PLACE OF BEGINNING.

ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND, SITUATE, LYING AND BEING IN THE BOROUGH OF MANHATTAN, CITY, COUNTY AND STATE OF NEW YORK, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHERLY SIDE OF 124TH STREET, DISTANT 69 FEET 4 INCHES WESTERLY FROM THE NORTHEASTERLY COMER OF PARK AVENUE AND 124TH STREET;

RUNNING THENCE NORTHERLY PARALLEL WITH THE MESTERLY SIDE OF PARK AVENUE AND PART OF THE WAY THROUGH A PARTY WALL, 100 FEET 11 INCHES TO THE CENTER LINE OF THE BLOCK;

THENCE MESTERLY ALONG THE CENTER LINE OF THE BLOCK, 20 FEET 3 INCHES;
THENCE SOUTHERLY AGAIN PARALLEL WITH THE WESTERLY SIDE OF PARK AVENUE, 100 FEET 11 INCHES TO THE NORTHERLY
SIDE OF 1244H STREET;

THENCE EASTERLY ALONG THE NORTHERLY SIDE OF 124TH STREET, 20 FEET 3 INCHES TO THE POINT OR PLACE OF BEGINNING

ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND, SITUATE, LYING AND BEING IN THE BOROUGH OF MANHATTAN, CITY, COUNTY AND STATE OF NEW YORK, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHERLY SIDE OF 125TH STREET, DISTANT 90 FEET MESTERLY FROM THE CORNER FORMED BY THE INTERSECTION OF THE SOUTHERLY SIDE OF 125TH STREET AND THE MESTERLY SIDE OF PARK (FORMERLY FOURTH) AVENUE;

RUNNING THENCE SOUTHERLY AND PARALLEL WITH PARK AVENUE, 100 FEET 11 INCHES TO THE CENTER LINE OF THE BLOCK BETWEEN 124TH AND 125TH STREETS;

THENCE NORTHERLY AND PARALLEL WITH PARK AVENUE, 100 FEET 11 INCHES TO THE SOUTHERLY SIDE OF 125TH STREET;

ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND, SITUATE, LYING AND BEING IN THE BOROUGH OF MANHATTAN, CITY, COUNTY AND STATE OF NEW YORK, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT FORMED BY THE INTERSECTION OF THE NORTHERLY SIDE OF EAST 124TH STREET WITH THE WESTERLY SIDE OF PARK AVENUE (FORMERLY FOURTH AVENUE);

THENCE WESTERLY AND PARALLEL WITH EAST 124TH STREET AND PART OF THE WAY THROUGH THE CENTER OF A PARTY WALL, 69 FEET 6 INCHES MORE OR LESS TO THE CENTER OF ANOTHER PARTY WALL;

THENCE SOUTHERLY AND PARALLEL WITH SAID PARK AVENUE AND PART OF THE WAY THROUGH THE CENTER OF SAID PARTY WALL, 50 FEET 11 INCHES TO THE NORTHERLY SIDE OF EAST 124TH STREET;

THENCE EASTERLY ALONG THE NORTHERLY SIDE OF EAST 124TH STREET, 69 FEET 6 INCHES MORE OR LESS TO THE POINT OR PLACE OF BEGINNING.

ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND, SITUATE, LYING AND BEING IN THE BOROUGH OF MANHATTAN, CITY OF NEW YORK, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WESTERLY SIDE OF FOURTH AVENUE, DISTANT 50 FEET 11 INCHES NORTHERLY FROM THE NORTHWESTERLY CORNER OF FOURTH AVENUE AND 124TH STREET;

RUNNING THENCE NORTHERLY ALONG THE WESTERLY SIDE OF FOURTH AVENUE, 50 FEET,

RUNNING THENCE EASTERLY AGAIN PARALLEL WITH THE NORTHERLY SIDE OF 124TH STREET AND PART OF THE WAY THROUGH A PARTY WALL, 69 FEET 4 INCHES TO THE POINT OR PLACE OF BEGINNING.

ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND, SITUATE, LYING AND BEING IN THE BOROUGH OF MANHATTAN, CITY, COUNTY AND STATE OF NEW YORK, BOUNDED AND DESCRIBED AS FOLLOWS:

BECINNING AT A POINT ON THE WESTERLY SIDE OF PARK AVENUE, DISTANT 100 FEET 11 INCHES SOUTHERLY FROM THE SOUTHEASTERLY CORNER OF PARK AVENUE AND 125TH STREET;

RUNNING THENCE WESTWARDLY AND PARALLEL TO 125TH STREET, 90 FEET; THENCE NORTHWARDLY AND PARALLEL TO PARK AVENUE, 100 FEET 11 INCHES;

THENCE EASTWARDLY ALONG THE SOUTHERLY SIDE OF 125TH STREET, 90 FEET TO THE WESTERLY LINE OR SIDE OF PARK AVENUE: THENCE SOUTHWARDLY ALONG THE WESTERLY LINE OF PARK AVENUE, 100 FEET 11 INCHES TO THE POINT OR PLACE OF BEGINNING.

THENCE WESTERLY ALONG THE SOUTHERLY SIDE OF 125TH STREET, 75 FEET;

ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND, SITUATE, LYING AND BEING IN THE BOROUGH OF MANHATTAN, CITY, COUNTY AND STATE OF NEW YORK, CONSISTING OF THREE (3) LOTS ON THE SOUTHERLY SIDE OF 125TH STREET, MOME PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHERLY SIDE OF 125TH STREET, 140 FEET WESTERLY FROM THE CORNER FORMED BY THE INTERSECTION OF THE SOUTHERLY SIDE OF SAID STREET WITH THE WESTERLY SIDE OF PARK (FORMERLY 4TH) AVENUE;

THENCE SOUTHERLY AND PARALLEL WITH PARK AVENUE, 100 FEET 11 INCHES TO THE CENTER LINE OF THE BLOCK BETWEEN 125TH AND 124TH STREET;

THENCE EASTERLY ALONG SAID CENTER LINE OF BLOCK, 75 FEET;
THENCE NORTHERLY AND PARALLEL WITH PARK AVENUE, 100 FEET 11 INCHES TO THE POINT OR PLACE OF BEGINNING.

### CURRENT LOT DESCRIPTION

THE ABOVE PARCELS WHEN TAKEN TOGETHER ARE MORE PARTICULARLY BOUNDED AND DESCRIBED ACCORDING TO THE FOLLOWING PERIMETER DESCRIPTION FOR BLOCK 1794 LOT 33 IN ITS ENTIRETY AS SHOWN HEREON:

ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND, SITUATE, LYING AND BEING IN THE BOROUGH OF MANHATTAN, CITY, COUNTY AND STATE OF NEW YORK, BOUNDED AND DESCRIBED AS FOLLOWS:

RUNNING THENCE WESTERLY ALONG THE NORTHERLY SIDE OF EAST 124TH STREET 142 FEET 6 INCHES;

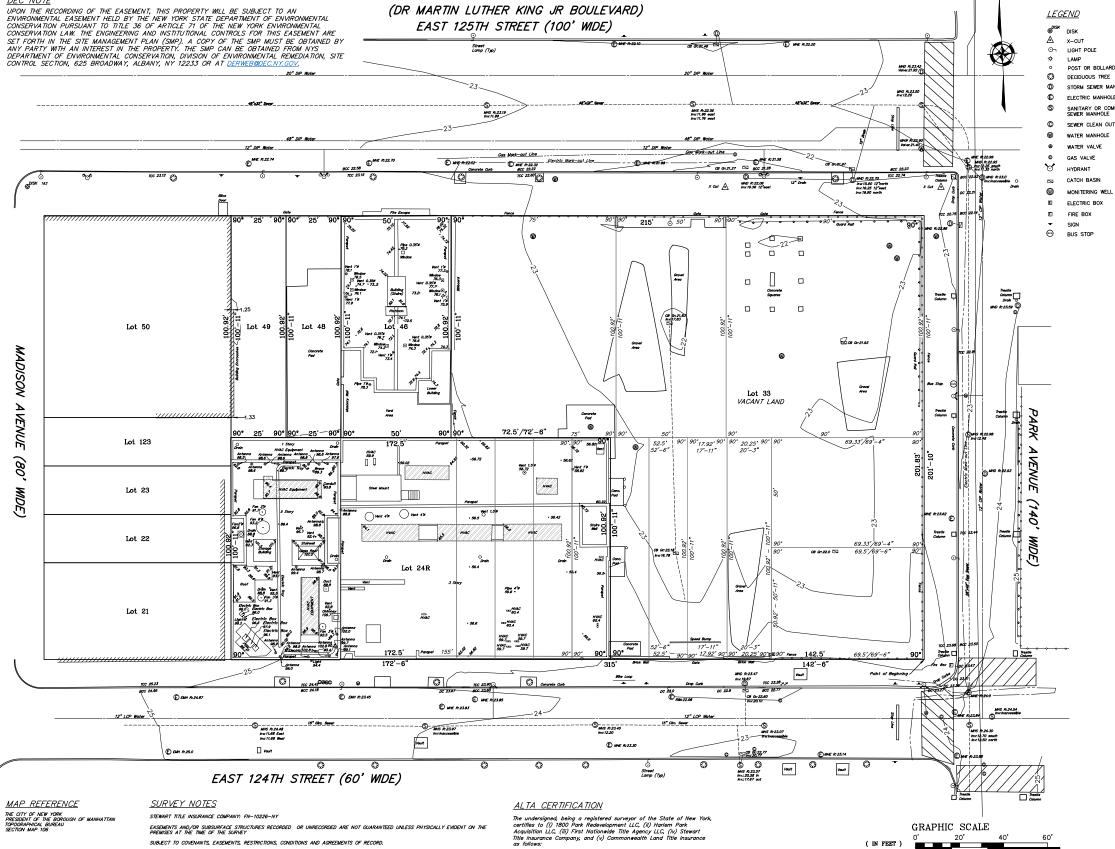
THENCE NORTHERLY PARALLEL WITH THE WESTERLY SIDE OF PARK AVENUE, 100 FEET 11 INCHES TO THE CENTER LINE OF THE BLOCK BETWEEN EAST 124TH AND EAST 125TH STREETS;

THENCE WESTERLY ALONG SAID CENTER LINE OF THE BLOCK 72 FEET 6 INCHES;

THENCE NORTHERLY PARALLEL WITH THE WESTERLY SIDE OF PARK AVENUE, 100 FEET 11 INCHES TO THE SOUTHERLY SIDE OF EAST 125TH STREET;

THENCE EASTERLY ALONG THE SOUTHERLY SIDE OF EAST 125TH STREET, 215 FEET TO THE WESTERLY SIDE OF PARK AVENUE, THENCE SOUTHERLY ALONG THE WESTERLY SIDE OF PARK AVENUE 201 FEET 10 INCHES TO THE POINT AND PLACE OF REGINNING

# DEC NOTE



### PARCELS SURVEYED

UNDERGROUND UTILITIES SHOWN HEREON BASED ON UTILITY EVIDENCE VISIBLE AT GROUND SURFACE AND ARE SUBJECT TO FIELD VERIFICATION BY EXCAVATION UTILITIES SHOWN DO NOT PURPORT TO CONSTITUTE OR REPRESENT ALL UTILITIES LOCATED UPON OR ADJACENT TO THE SURVEYED

THIS IS TO CERTIFY THAT THERE ARE NO STREAMS NOR NATURAL WATERCOURSES ON THE PROPERTY AS SHOWN ON THE SURVEY.

UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 7209, SUBDIVISION 2, OF THE NEW YORK STATE EDUCATION LAW. CERTIFICATIONS INDICATED HEREON SIGNIFY THAT THIS SURVEY WAS PREPARED IN ACCORDANCE WITH THE EXISTING CODE OF PRACTICE FOR LAND SURVEYS ADOPTED BY THE NEW YORK STATE ASSOCIATION OF PROFESSIONAL LAND SURVEYORS. THIS PLAN NOT VALID UNLESS ORIGINAL STAMP AND SIGNATURE OF A LICENSED SURVEYOR ARE LOCATED HEREON

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2011 Minimum Standard Detail Requirements for ALTA/ACSM Land Tille Surveys, jointly established and adopted by the American Land Tille Association (ALTA) and the Notional Society of Professional Surveys ("NSPS"), and includes learn 2, 3, 4, 8, 8, 10, 11(0), and 15, or falle). A thereof. The field work was completed on August 20, 2013.

GARY M. REED NY LIC. # 050557

# ( IN FEET )

### ALTA/ACSM LAND TITLE SURVEY 1800 PARK AVE

Project no. 1300055		ject no. 1300055	Date: 8/20/2013	<b>WSF</b>
le:	1" = 20'	Drawn: HP	Checked: EG, GR	<b>MA 442</b> 1
5	3/18/15	REVISIONS AS PER REQUEST		555 Pleasantville Ro
4	11/14/14	DATUM CONVERSION TO NAVD88		Briarcliff Manor, NY 105
3	7/22/14	REVISED PER NYCDEP COMMENTS		(914) 747-11
2	5/6/14	ADDED WATER COURSE NOTE		www.wspgroup.com/u
1	4/11/14	REVISED NOTES PER NYCDOB		
ev.	date	description		sneet 1 OF 1

# **Appendix B**

Institutional and Engineering Control Certifications





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



Sit	Site Details te No. C231041		Box 1		
Sit	ite Name Harlem Park				
Cit <sub>y</sub>	te Address: 1800 Park Avenue Zip Code: 10035-1940 ity/Town: New York ounty: New York te Acreage: 0.830				
Re	eporting Period: February 24, 2022 to February 24, 2025				
			YES	NO	
1.	Is the information above correct?				
	If NO, include handwritten above or on a separate sheet.				
2.	Has some or all of the site property been sold, subdivided, merged, or unde tax map amendment during this Reporting Period?	rgone a			
3.	Has there been any change of use at the site during this Reporting Period (see 6NYCRR 375-1.11(d))?				
4.	Have any federal, state, and/or local permits (e.g., building, discharge) beer for or at the property during this Reporting Period?	n issued			
	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?				
			Box 2		
			YES	NO	
6.	Is the current site use consistent with the use(s) listed below? Restricted-Residential, Commercial, and Industrial				
7.	Are all ICs in place and functioning as designed?				
	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.					
 Sig	gnature of Owner, Remedial Party or Designated Representative	Date			

		Box 2	A
		YES	NO
8.	Has any new information revealed that assumptions made in the Qualitative Exposure Assessment regarding offsite contamination are no longer valid?		
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)			
	If you answered NO to question 9, the Periodic Review Report must include an updated Qualitative Exposure Assessment based on the new assumptions.		
SITE	E NO. C231041	Вох	ς 3
ı	Description of Institutional Controls		
arce	Owner Institutional Contra	<u>ol</u>	
749-	Harlem Park Acquisition, LLC		
	Site Management	Plan	

IC/EC Plan

Monitoring Plan

Ground Water Use Restriction

Soil Management Plan

- Prohibition against ground water use without treatment
- Compliance with Site Management Plan
- Site use maintained as restricted residential, commercial or industrial only
- The potential for vapor intrusion must be evaluated for any buildings developed in the area within the IC boundaries

Box 4

### **Description of Engineering Controls**

<u>Parcel</u> <u>Engineering Control</u>

1749-33

Cover System

- Site Cover

Box	5
-----	---

	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 compete.  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 Date

# IC CERTIFICATIONS SITE NO. C231041

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	at ,
print name	print business address
am certifying as	(Owner or Remedial Party)
for the Site named in the Site Details Se	ction of this form.
Signature of Owner, Remedial Party, or Rendering Certification	Designated Representative 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 at	
print name	print business address
am certifying as a Professional Engineer for the	
	(Owner or Remedial Party)
Amell F. Plening	OF NEW LOOP IN THE STREET OF NEW LOOP IN THE STREET OF NEW LOOP IN THE STREET OF THE S
Signature of Professional Engineer, for the Owner	·
Remedial Party, Rendering Certification	(Required for PE)

# **Appendix C**

Site Photographs



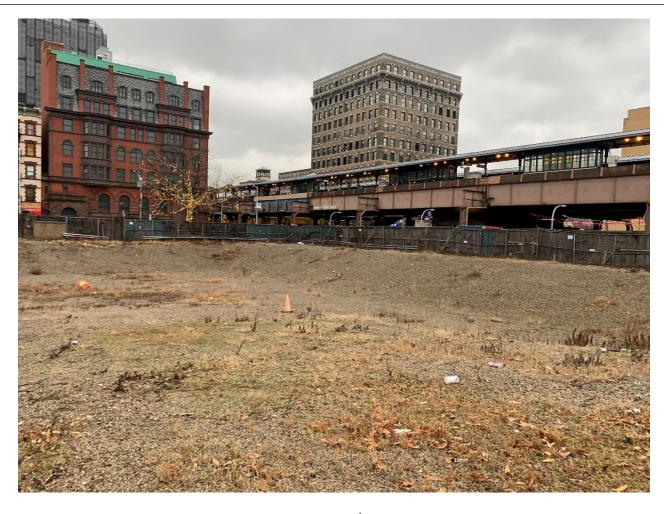


Photo 1: Temporary cover system, facing northeast toward Park Avenue and 125<sup>th</sup> Street (January 13, 2023)





Photo 2: Temporary cover system, facing west toward Madison Avenue (January 13, 2023)



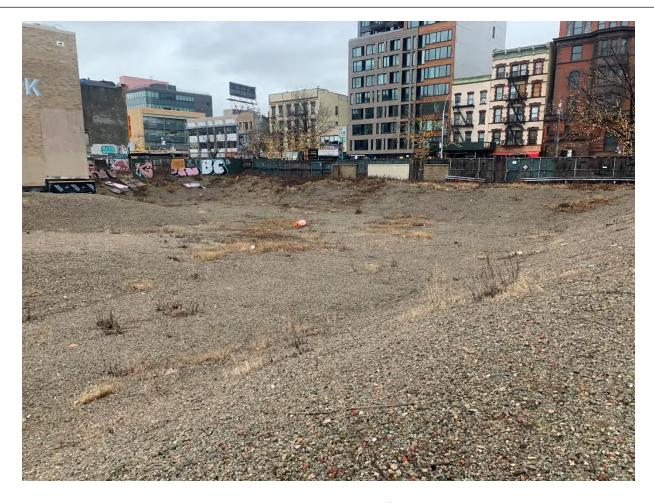


Photo 3: Temporary cover system, facing northwest toward Madison Avenue and 125<sup>th</sup> Street (January 13, 2023)





Photo 4: Temporary cover system and ramp, facing south toward 124<sup>th</sup> Street (January 13, 2023)



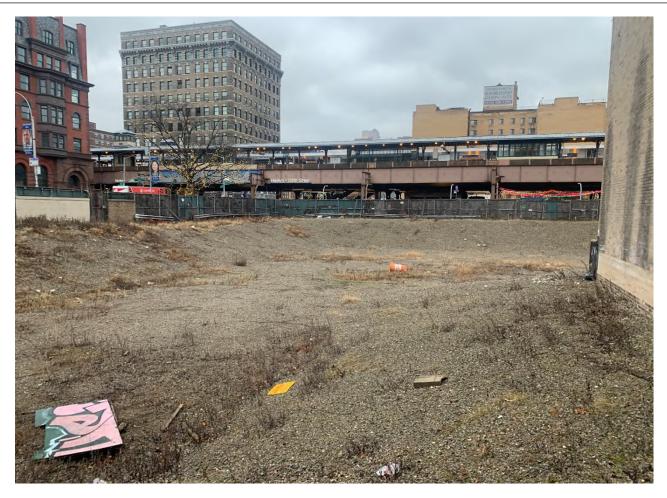


Photo 5: Temporary cover system, facing east toward Park Avenue (January 13, 2023)





Photo 6: Temporary cover system, facing northeast toward Park Avenue and 125<sup>th</sup> Street (January 17, 2024)



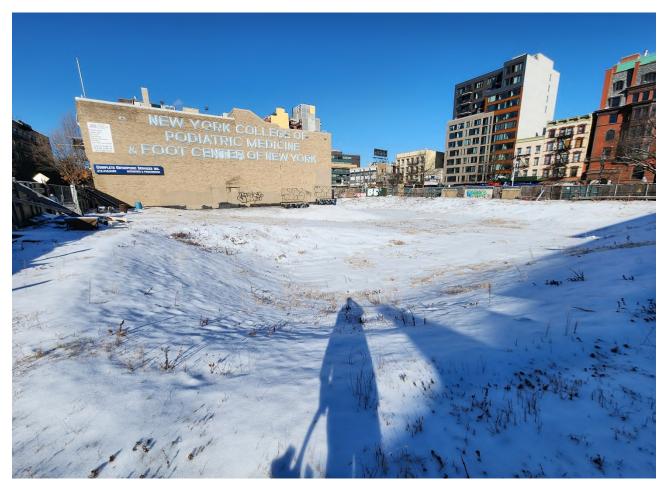


Photo 7: Temporary cover system, facing northwest toward Madison Avenue and 125th Street (January 17, 2024)



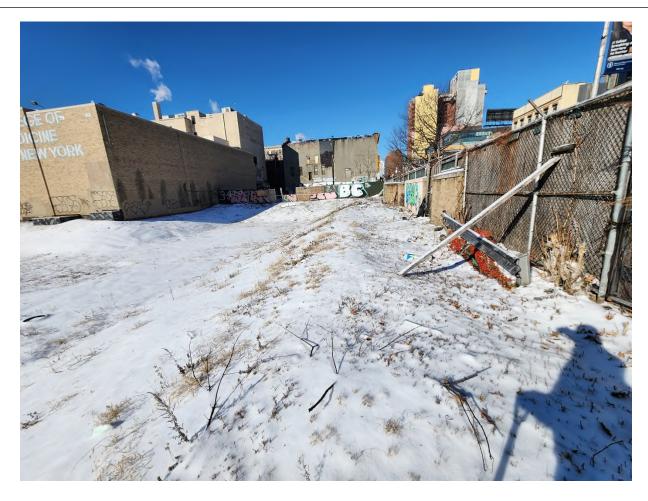


Photo 8: View of temporary cover system facing west from the corner of Park Avenue and East 125th Street (January 17, 2024)





Photo 9: Temporary cover system and ramp, facing south toward 124<sup>th</sup> Street (January 17, 2024)





Photo 10: Temporary cover system, facing east toward Park Avenue (January 17, 2024)



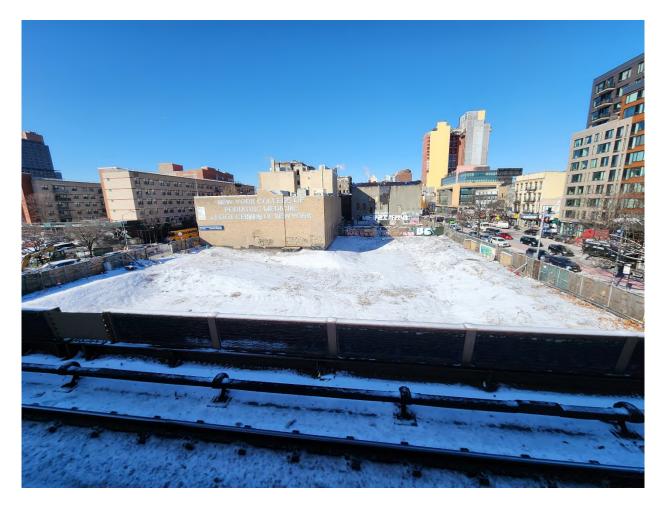


Photo 11: View of the Site from Metro-North 125<sup>th</sup> Street Station platform, facing west (January 17, 2024)





Photo 12: 2 ft. Test Pit to confirm RCA depth (January 17, 2024)





Photo 13: Temporary cover system with Test Pit to confirm RCA depth, facing west toward Madison Avenue (January 17, 2024)



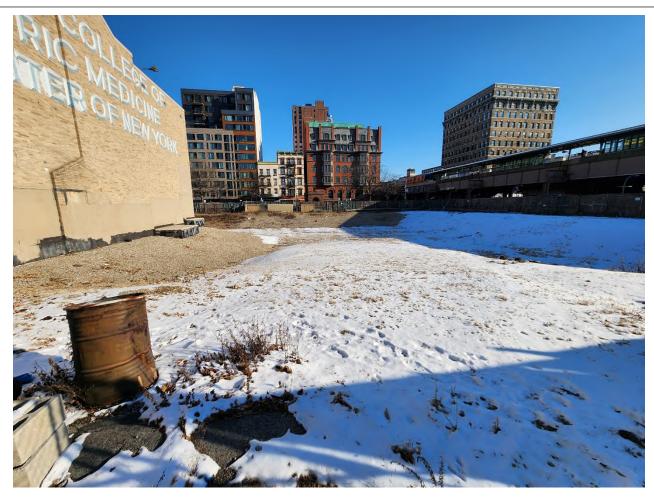


Photo 14: Temporary cover system, facing north toward 125<sup>th</sup> Street (January 24, 2025)



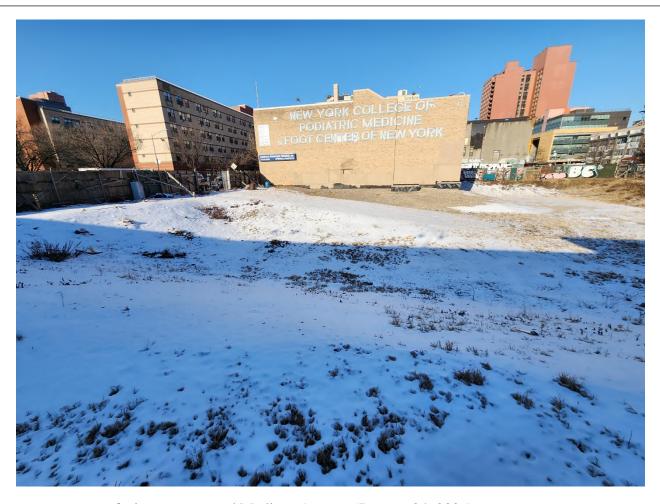


Photo 15: Temporary cover system, facing west toward Madison Avenue (January 24, 2025)



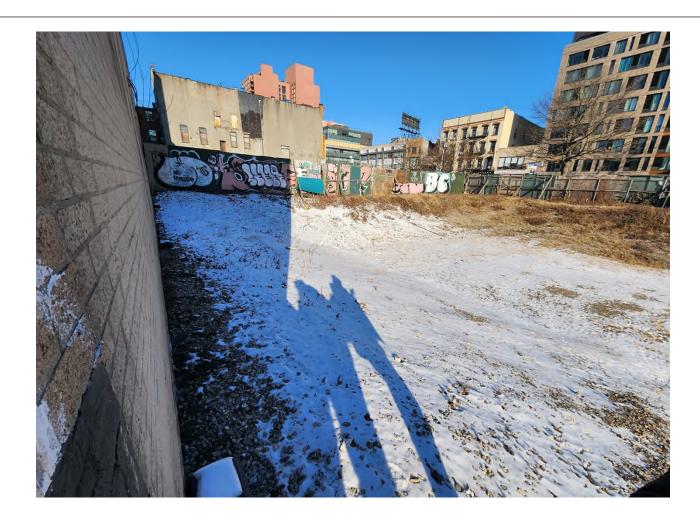


Photo 16: View of the western portion of the temporary cover system, facing northwest toward Madison Avenue and 125th Street (January 24, 2025)



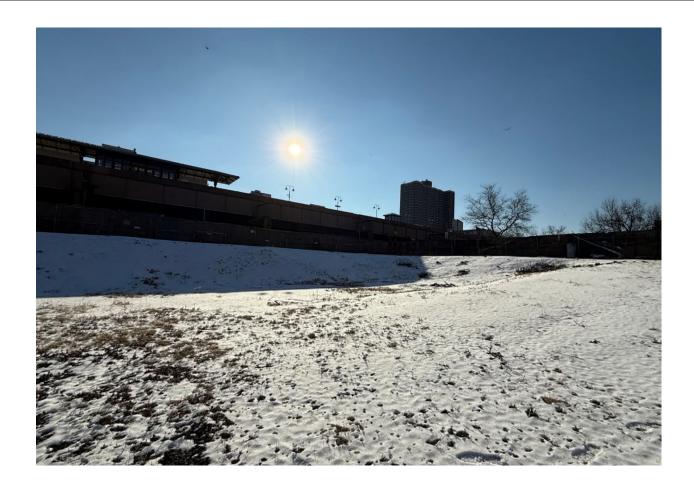


Photo 17: Temporary cover system and ramp, facing southeast toward Park Avenue and 124<sup>th</sup> Street (January 24, 2025)



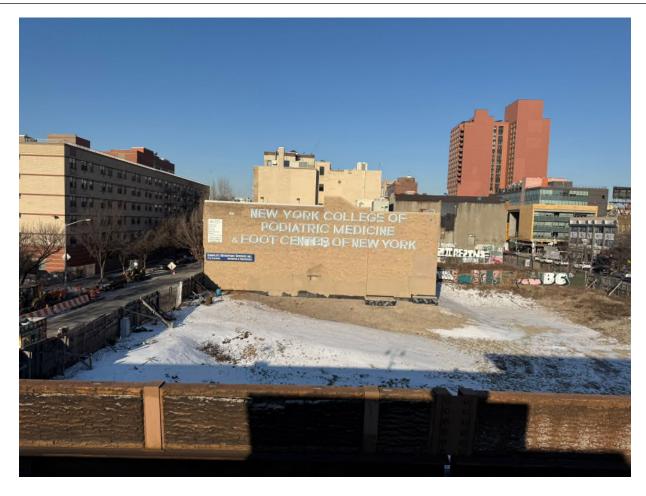


Photo 18: View of the Site from Metro-North 125<sup>th</sup> Street Station platform, facing west (January 24, 2025)



# Appendix D

Field Inspection Sheets



## Site Inspection Form BCP Site C231041

1800 Park Avenue New York, New York

Name of Inspector
Company
Date of Inspection
Current Site Use
Has a change of use occurred since the last certification? Yes No
If yes, explain:
General Description of Engineering Control:
The on-site engineering control consists of a cover system over the Site footprint. At the time of the inspection,
the cover system is comprised of a minimum of 2' of recycled concrete aggregate over the entirety of the Site.
Are the Engineering Controls functioning as intended? Yes?No?
If No, then explain:
If No, what corrective actions should be taken:

Signature and Date



#### Site Inspection Form BCP Site C231041 1800 Park Avenue New York, New York

Name of Inspector Landon Silverman
Company FLS
Date of Inspection 1/17/2024
Current Site Use Vacant
Has a change of use occurred since the last certification?Yes XNo
If yes, explain:
General Description of Engineering Control:
The on-site engineering control consists of a cover system over the Site footprint. At
the time of the inspection, the cover system is comprised of a minimum of 2 ft. of
recycled concrete aggregate over the entirety of the Site.
Are the Engineering Controls functioning as intended? X Yes? No?
If No, then explain:
f No, what corrective actions should be taken:

Signature and Date

### Site Inspection Form BCP Site C231041

1800 Park Avenue New York, New York

Name of InspectorLandon Silverman
CompanyFLS
Date of Inspection
Current Site Use Vacant
Has a change of use occurred since the last certification? Yes $\underline{X}$ No
If yes, explain:
General Description of Engineering Control:
The on-Site engineering control consists of a cover system over the Site footprint. At the time
of the inspection, the cover system is comprised of a minimum of 2 ft. of recycled concrete
aggregate over the entirety of the Site.
Are the Engineering Controls functioning as intended? X Yes?No?
If No, then explain:
If No, what corrective actions should be taken:

Signature and Date

