

Environmental Management & Consulting

October 6, 2010

Mr. John Durnin
New York State Department of Environmental Conservation
Division of Environmental Remediation
625 Broadway, 12th Floor
Albany, NY 12233-7016

Re: Discrete Soil Sampling Plan in Amtrak Easement
West 34th Street Development
555 West 34th Street – New York, New York
BCP Site #C231049

Dear Mr. Durnin:

Meushar 34th Street, LLC (the “Volunteer”) is in the process of implementing the approved June 2007 Remedial Action Work Plan (RAWP) for the West 34th Street Development (the “Site”). The sampling and analysis plan for this effort was approved by New York State Department of Environmental Conservation (NYSDEC) in a letter dated November 5, 2008. The purpose of this letter is to provide NYSDEC with a sampling plan to characterize the native sands which overlie bedrock west of the bulkhead wall and address this material in a manner consistent with a Track 1 remediation. Due to the unique structural concerns within the Amtrak easement (in addition to being bisected by the rail line, the easement is below the 11th Avenue bridge structure and next to the bulkhead wall), limiting the depth of the excavation in this area will lower the risk of compromising one or more of these structures. Fleming-Lee Shue, Inc. and Arnold F. Fleming, P.E. (collectively, “FLS”) is proposing to collect pre-characterization soil samples from the native sands to determine if the material meets the Part 375 Unrestricted Use Soil Cleanup Objectives (UUSCOs).

Background

In a letter dated February 19, 2010, FLS submitted the results of the July/August 2009 soil classification program conducted within the Amtrak easement area by Langan Engineering and Environmental Services, P.C. (Langan). FLS’ preliminary review of the Langan Waste Characterization Letter Report dated October 5, 2009 included the following notes (underlining has been added for emphasis):

- the lithology consists predominantly of urban fill overlying bedrock. Native sands are present below the fill where the bedrock is deepest;

- volatile organic compounds (VOCs) and semi-volatile organic compounds (SVOCs) were not detected in soil at concentrations above the Part 375 Unrestricted Use Soil Cleanup Objectives (UUSCOs). Metals, including chromium, copper, lead, nickel and zinc, were detected above the UUSCOs in five grids (all except AEG2). Pesticides were detected above the UUSCOs in the four northernmost grids (AEG3 through AEG6). Polychlorinated biphenyls (PCBs) were detected above the UUSCOs only in the northwest grid AEG6.

Following a more detailed review, FLS noted that, in several locations (within grids AEG1, AEG2 and AEG5), the boring logs indicate that native sands overlie the bedrock at the Site. Previous sampling of the native sands located east of the bulkhead wall (i.e., Area A) indicated that contaminant concentrations are below the UUSCOs. These earlier samples were collected from beneath the bulkhead wall and from the base of a structural pier that supports 11th Avenue. Based on NYSDEC concurrence that the sands meet the UUSCOs, the native sands in these three areas were not removed.

Proposed Sampling Plan

FLS is proposing the sampling and remediation plan described below in order to determine the feasibility of leaving the native sands in place, thereby addressing the structural concerns, while ensuring that the cleanup meets all Track 1 requirements.

The proposed locations and depths are detailed in Table 1 and shown on the attached cross section of the lithology. During the previous waste characterization program, a "slight petroleum-like odor", with no corresponding readings on the photoionization detector (PID), was noted in several locations within the native sands. The locations of these petroleum-like odors, is shown on the attached figure. Where no odors were detected, FLS proposes to collect a sample from the first occurrence of native sands. At locations where the "slight petroleum like odor" was noted, FLS proposes to collect two sets of samples; the first from the most shallow interval of native sands (as shown by a green square on the attached figure); and the second from the location of the first occurrence of native sands without indication of petroleum-like odors (as shown by a blue circle on the attached figure). Note that the actual depth of these locations will be based on field observations and screening methods.

The samples from the first set (first occurrence of native sands as indicated by green squares) will initially be analyzed for VOCs and SVOCs only. If the VOCs and SVOC results meet the UUSCOs, the additional parameters (metals, pesticides and PCBs) will be analyzed. Samples from the second set will be held pending the results of the analysis of the first set of samples. If any VOC or SVOC from the first set does not meet the UUSCOs, the second set deeper sample (blue circle) will be analyzed for VOCs, SVOCs, metals, pesticides and PCBs.

If the results of the sample analysis indicate that the native sands meet the UUSCOs, FLS will petition NYSDEC to allow these sands to remain in place. Those areas in which native sands are not present or where the native sands do not meet the UUSCOs, will be excavated to bedrock in accordance with the June 2007 RAWP.

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End-point samples will be collected at a frequency of one per 900 square feet (based on the requirements of DER-10 / Technical Guidance for Site Investigation and Remediation issued May 3, 2010) following the completion of the excavation to document that the remaining soils meet the UUSCOs. In the event that the end-point samples do not meet the UUSCOs, additional soil will be removed. Soil will continue to be removed until end-point samples meet the UUSCOs or bedrock is encountered.

As noted in FLS' October 23, 2008 letter, plastic sheeting will be placed on the sidewalls prior to any backfilling. Orange temporary construction fencing will be placed over any identified native sands that will remain in place.

Feel free to contact us if you need any additional information.

Sincerely,
Fleming-Lee Shue, Inc.



Matthew Carroll
Environmental Engineer

cc: B. Callaghan, NYSDOH, Bureau of Environmental Exposure Investigation
O. Brecher, Meushar 34th Street LLC

Table 1
555 West 34th Street - Amtrak Easement
Sample Locations, Depths and Analysis

Grid	Boring #	Sample Type	Depth (ft-bg)	Analysis
AEG1	1	Shallow	8 - 8.5	Full scan
	2	Shallow	3 - 3.5	VOCs/SVOCs initially. Full scan if VOC/SVOCs meet UUSCOs
		Deep	9.5 - 10	Hold sample. If shallow samples does not meet UUSCOs, run full scan
	3	Shallow	5 - 5.5	VOCs/SVOCs initially. Full scan if VOC/SVOCs meet UUSCOs
		Deep	8 - 8.5	Hold sample. If shallow samples does not meet UUSCOs, run full scan
	4	Shallow	4 - 4.5	VOCs/SVOCs initially. Full scan if VOC/SVOCs meet UUSCOs
		Deep	9.5 - 10	Hold sample. If shallow samples does not meet UUSCOs, run full scan
	5	Shallow	4 - 4.5	Full scan
AEG2	3	Shallow	5 - 5.5	Full scan
AEG5	4	Shallow	5.5 - 6	Full scan

Notes

Full scan is VOCs, SVOCs, metals, pesticides and PCBs

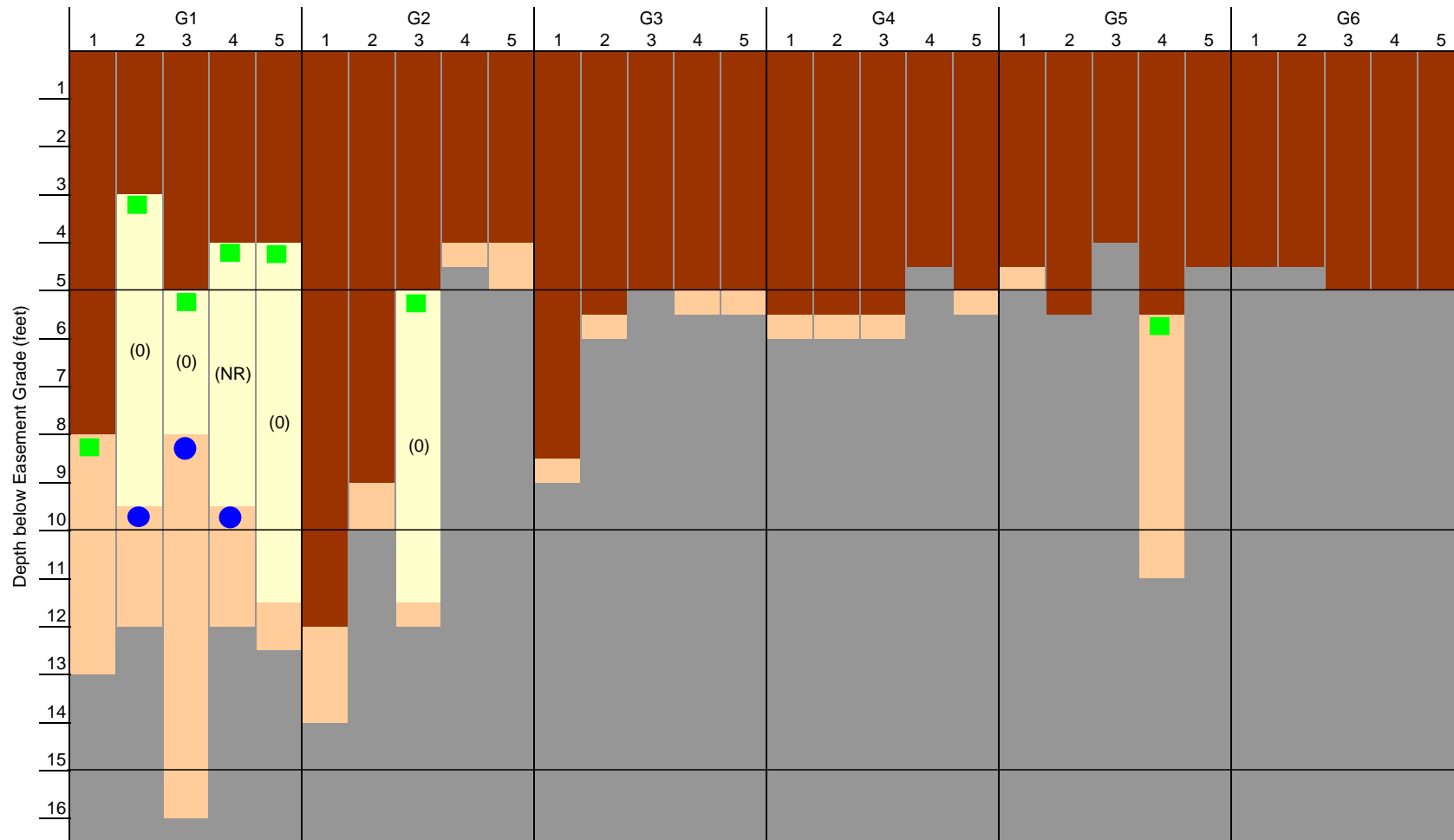
VOCs - volatile organic compounds

SVOCs - semi-volatile organic compounds

PCBs - polychlorinated biphenyls

Specific analytes will be in accordance with Quality Assurance Project Plan (QAPP)

555 West 34th Street - Amtrak Easement
Lithology of Soil Characterization Borings and Proposed Sampling Locations



Fill
 Native - with "slight petroleum like odors" noted
 Native - no evidence of petroleum
 Bedrock

PID readings from areas with "slight petroleum like odors" are noted in parenthesis
 NR = not recorded
 Only analyze VOCs and SVOCs initially. If meet UUSCOs, analyze for full scan parameters.
 Hold samples. Analyze if above samples do not meet UUSCOs.

Data from Langan October 5, 2009 "Waste Characterization Letter Report"