ADVANCED ENVIRONMENTAL REDEVELOPMENT, LLC

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YONKERS WATERFRONT DEVELOPMENT
SITE MANAGEMENT PLAN
SOUTHERN PARCEL C (OPERABLE UNIT 1) AND PARCEL B, NORTHERN PARCEL C (OPERABLE UNIT 2)
BCP #C360071
YONKERS, NEW YORK
PROJECT #368

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1.0 INTRODUCTION

ADVANCED ENVIRONMENTAL REDEVELOPMENT (AER) is pleased to submit this Site Management Plan as an element of a Brownfield Cleanup Program (BCP) of the Yonkers Waterfront Development Environmental Restoration Project, Parcels B and C, Yonkers, New York (the Site). This Site Management Plan (SMP) encompasses the design, installation, monitoring and maintenance of two systems: Sub-Slab Depressurization System (SSDS) and a site cover system. The Site is located along the eastern shore of the Hudson River in Yonkers, New York as shown on Figure 1. A small parcel located along the River, known as Parcel D, is included as part of this report. Since Parcel D is small and annexed to the southwestern tip of Parcel C it will be considered a part of Parcel C. AER was retained by Collins Yonkers II, LLC (the developer), to perform remedial activities at the Yonkers Waterfront Development Site, Parcels B and C, under the BCP. The revised BCP application was submitted to the New York State Department of Environmental Conservation (NYSDEC) on November 8, 2004 and the BCP Agreement was effective May 31, 2005.

The redevelopment project consisted of the construction of two structures. A four and one half-story parking structure consisting of approximately 400 spaces was constructed on Parcel B. A residential structure consisting of 294 apartments was constructed on Parcel C. The residential structure consisted of a 14-story tower in the north, a 12-story structure in the south and a four-story structure in the middle joining the two structures.

An Environmental Easement (EE) has been developed by DEC which will apply to the entire Site, and will include the metes and bounds description of the Site. The EE will restrict the use of the Site consistent with the level of remediation performed. In particular, the Site may be used for restricted residential use as long as the following long-term institutional and engineering controls are employed:

- The barrier layer consisting of the asphalt in the parking areas, impervious sidewalks/walkways, the soil cover in the landscaped areas and the building structures are maintained in accordance with the approved SMP.
- All future soil disturbance activities, including building renovation/expansion, subgrade utility line repair/relocation, and new construction are conducted in accordance with the approved SMP.
- The use of the groundwater underlying the Site is prohibited without treatment rendering it safe for intended purposes.
- The SSDS and site cover system will be operated and maintained as required by the approved SMP. Annual inspection and reporting will be performed in a manner specified in the approved SMP

The Site may not be used for a higher level of use such as unrestricted use and the described engineering controls may not be discontinued without an amendment or extinguishment of the EE. Until such time as the EE is extinguished in accordance with the requirements of Article 71, Title 36 of the ECL, deeds, leases, licenses and other instruments granting a right to own or use

the Site shall give notice of and incorporate by reference the EE. The EE shall also grant rights of access and inspection to NYSDEC, and will be provided to affected local governments.

The Environmental Easement can be found in Appendix B.

2.0 BACKGROUND

The Site is located in the downtown section of Yonkers, west of the Metro North Railroad right-of-way, and along the eastern bank of the Hudson River, as shown on Figure 1. The parcels have a history of industrial use dating back more than 100 years. A metes and bounds description of the site is included as Appendix A. The survey map of the Site is included as Figure 2. The property consists of two Operable Units (OU).

Operable Unit 1 is comprised of Parcel C, also referred to as Southern Parcel C (approximately 2.54 acres), and is surrounded by Metro North Commuter Railroad Yonkers Passenger Station to the east, Hudson River to the west, Parcel B/Northern Parcel C to the north and the Saw Mill River outlet to the south. Parcel D is located west of the southern portion of Parcel C and incorporates approximately 0.20 acres (which is included in the total acres stated above for Parcel C). Parcel C was occupied by Rockwell and Thomas Lumber Yard from before 1886 until sometime before 1917, at which time it was occupied by Otis Elevator. Coal and sand storage and a boat slip were located on Parcel C. Parcel C was occupied by Otis Elevator until sometime before 1991, at which time it was vacant. No water supply wells were located on the properties or adjacent properties. A residential structure has been constructed on Parcel C.

Operable Unit 2 is comprised of Parcel B/Northern Parcel C (approximately 2.12 acres) and is bounded by the North Yonkers Pump Station to the north, Alexander Street and Metro North Railroad tracks to the east, Parcel C to the south, and the Hudson River to the west and includes Wells Avenue. Parcel B was occupied by the Lawrence Bros. Lumber Yard from before 1886 until sometime before 1917, at which time it was occupied by Yonkers Builders Supply. By 1951, the Site was occupied by Otis Elevator which remained on-site until sometime between 1971 and 1975. The Site was then occupied by Plaza Sand & Stone Co. A parking garage facility has been constructed on Parcel B as part of the redevelopment.

The topography of the Site is relatively flat ranging in elevations of approximately five to ten feet above mean sea level. Groundwater is expected to flow toward the Hudson River except as influenced by tidal actions.

2.1 Constituents of Concern

Identified constituents of concern (COCs) in soil on both parcels included primarily semi-volatile organic compounds and select metals above the NYSDEC Recommended Soil Cleanup Objective. Groundwater analytical results indicated that volatile organic compounds, semi-volatile organic compounds and metals were detected above NYSDEC Standards in groundwater

samples collected. One detection of methylene chloride was reported in groundwater at a level that may have exceeded NYSDEC criteria. The presence of methylene chloride in site groundwater has driven the NYSDEC's request for the inclusion of a sub-slab depressurization system beneath the planned residential building. The locations for investigatory borings were chosen based on the results of preliminary surveys, including a Ground Penetrating Radar (GPR) survey and on the known history of the two parcels. These activities helped to establish the extent of affected soil and groundwater on the Site.

Further investigatory tasks were performed at the Site by AER in February and March 2006 at the request of the NYSDEC. This investigation was based upon AER's NYSDEC approved Supplemental Remedial Work Plan (September 2005) which detailed the collection of additional soil samples from the identified areas of concern and additional groundwater samples from the available groundwater monitor wells. During this investigation AER installed three replacement groundwater monitor wells and nine soil borings. AER collected groundwater samples from the eight groundwater monitor wells during two rounds of groundwater sampling, and nine soil boring samples from Parcels B and C.

Soil analytical results collected by AER indicated that limited levels of TCLP (Toxicity Characteristic Leaching Procedure) metals were detected below NYSDEC regulatory guidelines. Soil COCs include total metals and semi-volatile compounds. Specifically lead, mercury, benzo[a]anthracene, benzo[a]pyrene and chrysene have been detected in on-site soils over time.

Similar COCs have been found in site groundwater; namely, metals and semi-volatile compounds. No metals or semivolatile compounds were detected above NYSDEC criteria in filtered groundwater samples. AER did not detect any volatile organic compounds in the groundwater above criteria. The elevated turbidity levels present in Site wide groundwater samples can be attributed to the presence of fine grained soil beneath the water table surface. The presence of fine grained soil particles biases groundwater semi-volatile and metal results higher than that actually dissolved and migrating in groundwater.

AER also performed an Exposure Assessment to evaluate the potential risk to human, wildlife and environmental health from the metals and semi-volatiles detected. The Exposure Assessment indicated that exposure to COCs could be possible with the parcels in their pre-redevelopment condition. Site redevelopment and isolation of affected soil beneath buildings, hardscape or two feet of clean soil, would eliminate impacted soil exposure and greatly reduce any contaminant migration.

Detected compounds in soil and groundwater above TAGM (Technical Administrative Guidance Memorandum) 4046 (the operative cleanup guidelines at that time, since replaced by the Soil Cleanup Objectives (SCOs) established in 6NYCRR Subpart 375.6) at Parcels B and C are found below:

Compounds in Soil	***Highest Value Detected***	***SCO Standard(restricted residential)***
Benzo(a)anthracene	6,100 ug/kg	1,000 ug/kg
Benzo(b)fluoranthene	6,800 ug/kg	1,000 ug/kg
Benzo(k)fluoranthene	2,400 ug/kg	3,900 ug/kg
Benzo(a)pyrene	5,300 ug/kg	1,000 ug/kg
Chrysene	660 ug/kg	3,900 ug/kg
Dibenz(a,h)anthracene	940 ug/kg	330 ug/kg
Arsenic	17 mg/kg	16 mg/kg
Barium	306 mg/kg	400 mg/kg
Calcium	40,900 mg/kg	no standard
Chromium	40.0 mg/kg	110 mg/kg hexavalent
Copper	393 mg/kg	270 mg/kg
Iron	123,000 mg/kg	no standard
Lead	998 mg/kg	400 mg/kg
Magnesium	29,100 mg/kg	no standard
Mercury	3.4 mg/kg	0.81 mg/kg
Nickel	28.4 mg/kg	310 mg/kg
Zinc	253 mg/kg	10,000 mg/kg
Compounds in Groundwater	***Highest Value Detected***	***6NYCRR PART 703 or TOGS 1.1.1***
Methylene Chloride	260 ug/l	5 ug/l
Iron	3,650 mg/kg	0.3 mg/l
Magnesium	156,000 mg/kg	35 mg/l
Manganese	4,870 mg/kg	0.3 mg/l
Sodium	1,330,000 mg/kg	20 mg/l

2.2 The Cleanup Plan

The Brownfield Cleanup Program law provides for a multi-track approach. Track 4 – Restricted Use: Site-Specific Evaluation was selected as the clean-up objective for the Site. This clean-up includes the following as detailed in the approved RAWP:

- Land use and groundwater use restrictions
- Reliance upon institutional and engineering controls to prevent exposures to soil
- The NYSDEC and NYSDOH have found that the approved RAWP is protective
- Affected soil is covered by approximately two feet of clean soil

The approved RAWP involved capping the parcels with either an approximate two-foot clean soil cover on top of a high visibility (snow fence) layer, buildings, sidewalk or asphalt pavement. Soils that needed to be excavated for the intended construction were stockpiled on-site and tested to determine whether they could be used as on-site fill or require off-site disposal. As part of the RAWP, AER collected and analyzed 119 soil samples. Soil samples collected were analyzed for PAHs and total Target Analyte List (TAL) metals (contaminants of concern) at Severn Trent Laboratories (STL) located in Shelton, Connecticut a New York State Department of Health certified laboratory. (STL has recently changed their name to TestAmerica Laboratories.) STL is both ELAP and CLP certified. Also, the Work Plan included a soil management plan component that set forth how soils were to be handled through excavation, stockpiling and if necessary, off-site disposal.

The only non-hardscaped areas were the limited landscaped areas within the promenade and limited planted areas along the building/sidewalk area. In the event that the elevations were such that an approximate two-foot soil cover could not be placed in these areas, soil was excavated to an elevation that enabled the approximate two-foot soil cover to be placed. No native fill soils were disposed of off-site. The landscaped areas will be maintained to ensure the integrity of the soil cap as required in this Site Management Plan.

Review of the Site groundwater by the New York State Department of Health suggested that the presence of methylene chloride in the groundwater may pose an unacceptable risk to indoor air. AER designed a sub-slab depressurization system (SSDS) as part of the RAWP that manages sub-slab air beneath residential areas of the buildings. The system incorporated design elements found in the USEPA document *Radon Prevention in the Design and Construction of Schools and Other Large Structures,* June 1994. The AER report titled *Specifications For An Active Sub-slab Depressurization System, Parcels B and C, Yonkers, NY*, dated August 2006 details the SSDS. This report was approved by the DEC in October 2006. Figures 3 and 4 in this Final Engineering Report detail the as-built sub-surface depressurization system.

3.0 SITE MANAGEMENT PLAN

This site management plan encompasses the design, installation, monitoring and maintenance of two systems: SSDS and a site cover system.

3.1 Sub-Slab Depressurization System

A Sub-Slab Depressurization System (SSDS) was installed as a component of the new construction of the Hudson Park North building. This system was installed within the foundation of the building, prior to pouring the ground floor/foundation slab. Figures 3 and 4 in this Site Management Plan detail the as-built sub-surface depressurization system.

The system is a passive venting design, designed to provide a “preferential pathway” for sub-slab soil vapor underneath the foundation slab to be channeled to rooftop vents for dispersion into ambient air. In addition, a low-permeability, “rubberized asphalt” membrane, sealed to the foundation frost walls and the underside of the foundation slab, provides a barrier to sub-slab soil vapor intrusion into the building.

This engineering control was installed due to the historical identification of low concentrations of chlorinated volatile organic compounds (VOC) in groundwater at the property. In 1998, AKRF, Inc. submitted a Phase II Investigation Report to NYSDEC for the “Yonkers Development Waterfront Project”. This report identified two chlorinated VOC in groundwater at the property:

- Cis-1,2 dichloroethene, at 1.1 ug/l; and
- Dichloromenthane ("methylene chloride") at concentrations ranging from 23 to 260 ug/l.

For both of these concentrations the NYSDEC Division of Water Technical and Operational Guidance Series (TOGS) Table 1 clean-up objective is 5 ug/l.[1]

In August 2006, Advanced Environmental Redevelopment, Inc. (AER) submitted a "Supplemental Remedial Investigative Report" to NYSDEC, which described current conditions on the property.

Although there were no identified exceedances of VOC concentrations in soil and groundwater at the time of construction, New York State Board of Health policy is that all new construction must incorporate a vapor intrusion management system, capable of being converted into a sub-slab depressurization system, if future conditions warrant. The engineered control installed at the Hudson Park North building meets this requirement.

3.1.1 Description of Engineering Control

The engineering control installed at Hudson Park North is a SSDS and consists of three main components:

1. A permeable aggregate bed layer, to provide a high permeability zone immediately beneath the low permeability membrane, in order to allow VOCs to migrate easily to the vapor collection system and piping, and to allow for the relatively uniform propagation of vacuum under the foundation slab if an active sub-slab depressurization system is required in the future.
2. A vapor collection system, using CETCO GeoVent®, a high permeability, low profile, high structural strength product, designed to more effectively collect and transmit gasses and vapors. GeoVent® was selected due to the seasonal and tidal high groundwater elevation that may occur, which required that the vapor collection system have a lower than normal profile, extending just four inches beneath the foundation slab.

   GeoVent® is constructed of 12-inch wide by 1-inch high dimpled high-density polyethylene, wrapped in needle-punched nonwoven geotextile. As such, it provides a high interfacial contact area with the permeable aggregate bed layer, and provides approximately the same cross-sectional area for flow as a four-inch diameter pipe, but in a thickness of only one inch. The ends of each section of GeoVent® are terminated into end caps which join to three-inch ADS corrugated HDPE piping, which, in turn, lead to two, six-inch diameter vent stacks leading to the fourth floor roof.

[1] NYSDEC Technical & Operational Guidance Series 1.1.1 "Ambient Water Quality Standards and Guidance Values and Groundwater Effluent Limitations" June 1998 Edition

3. Low-permeability membrane. The CETCO "Liquid Boot" rubberized asphalt membrane was selected based on a number of factors:

    a. Documented low permeability to chlorinated solvent vapors;
    b. Ease of sealing to perimeter foundation walls, and pile caps;
    c. Ease of sealing sub-slab penetrations, including utilities and utility hangers; and
    d. Adhesion to the underside of the concrete foundation slab.

    Because of geotechnical concerns regarding settlement, the foundation design consisted of a concrete slab foundation with frost walls, supported on concrete piles. The building design called for all first floor utilities to be run beneath the first floor/foundation slab, and, again because of settlement concerns, all utilities are suspended on hangers anchored to the foundation slab, to avoid movement. This design required approximately 300 penetrations of the membrane, all of which required sealing to prevent vapor intrusion. The "spray in place" membrane system offers an unequalled ability to seal around penetrations, as well as to seal and anchor the membrane around the pile caps and frost wall/foundation wall.

The configuration of the SSDS is shown in Figures 3 and 4.

The passive SSDS is capable of being upgraded to an active system if required. If it is determined by appropriate sampling of the sub-slab soil vapor below the membrane that a potential exists to impact indoor air, an active mechanical vacuum extraction system can be installed on the fourth floor roof, in an appropriate weatherproof enclosure, in order to actively depressurize the permeable aggregate bed layer beneath the first floor foundation slab.

Vapor intrusion into buildings from underlying soils and groundwater is typically driven by the slight pressure gradient created between a closed building, the ambient atmosphere, and the ambient air pressure in the soils underlying the building. This pressure gradient is often largest in winter, when the heated air in a building is less dense than ambient air, and is exiting the building through leaks, cracks, vents, etc., creating a pressure in the building less than the air/soil vapor pressure in soils beneath the building. This then provides the pressure gradient to draw air and soil vapors from soils beneath the building into the building indoor air. This phenomenon is often referred to as the "chimney effect", because it is similar to how a fireplace chimney creates draft.

The first step in preventing this intrusion is to seal between the building and the underlying soils, which is the purpose of the membrane system described above. The second step is to depressurize (create a lower pressure) beneath the building foundation, and above the underlying soil; in other words, to lower the soil vapor pressure in the permeable aggregate bed layer below the lowest pressure within the building.

By depressurizing the permeable aggregate bed layer, sub-slab soil vapor will move toward the lower pressure in this layer, and, if there are any leaks or cracks in the building foundation,

indoor air will be drawn downward, into the low pressure zone in the permeable aggregate bed layer beneath the foundation slab and low-permeability membrane. Thus any sub-slab soil vapor will be collected in this low pressure zone beneath the membrane and beneath the foundation slab, and will be exhausted via the vent stacks to the fourth floor roof, where it can either be safely discharged to the atmosphere, or, if concentrations of contaminants are sufficiently high, it can be treated, for example, by adsorption onto vapor phase granular activated carbon, prior to discharge to the atmosphere.

The typical worst case pressure gradient between indoor air and soil vapor beneath the building is approximately negative 0.1 – 0.3 inches of water. Thus imposing a pressure of negative 0.5 inches of water or greater beneath a building foundation is usually more than sufficient to prevent vapor intrusion. Three vacuum and sub-slab soil vapor monitoring stations were incorporated into the sub-slab component of SSDS, to allow for monitoring vacuum in the permeable bed layer at the points where the vacuum influence of the mechanical system would be weakest (at the ends of the Geo-Vent® farthest from the vent stacks), as well as at the point where vacuum would be expected to be greatest (at the connection to the vent stacks).

Because the historic concentrations of VOCs detected in groundwater were so low, and because these concentrations could not subsequently be confirmed to be present prior to construction, the mechanical system has not been installed. Sub-slab soil vapor monitoring can be performed at the three vacuum and sub-slab soil vapor monitoring points to determine if contaminants are present in sub-slab soil vapor in the permeable bed layer beneath the membrane and first floor foundation, to determine if a potential for indoor air intrusion exists.

3.1.2 Qualitative Exposure Assessment

A qualitative exposure assessment was performed by AER's risk assessor in order to assess the potential indoor air impact of the VOC identified in groundwater by AKRF in 1998, using the highest observed values, i.e:

Cis-1,2-dichloroethene at 1.1 ug/l; and,
Dichloromethane (methylene chloride) at 260 ug/l.

Given groundwater concentrations of Dichloromethane (methylene chloride) ranging from 23 to 260 ug/l, and cis-1,2-dichloroethene at 1.1 ug/l, AER's risk assessor calculated the corresponding indoor air concentration that would result from vapor intrusion into a building using conservative assumptions about pathways and receptors.

To respond to this AER's risk assessor used the Johnson-Ettinger vapor intrusion model with default parameters for the soil and groundwater media. AER's risk assessor assumed risk model parameters consistent with the calculation of imminent hazards. These assumptions were selected to be conservative regarding the calculation of indoor air exposure levels and corresponding human health risk.

The results are summarized as follows:

Contaminant	GW Conc. (ug/l)	Indoor Air Conc. (ug/m3)	BOH*AGV(ug/m3)	HI (nd)	ELCR (nd)
Dichloromethane	260	0.97	60	3.1E-04	2.9E-08
Cis-1,2-dichloroethene	1.1	0.005	--	1.3E-04	0

Air guideline values derived by the NYSDOH[2]

Results were compared to the most recent NYS Board of Health Air Guideline Values, included in its final "Guidance for Evaluating Soil Vapor Intrusion in the State of New York (October 2006). Although there is no value given for cis-1,2-dichloroethene, the concentration observed by AKRF in 1998 (1.1 ug/l) was below the currently applicable TOGS concentration of 5 ug/l.

In addition, the resulting Hazard Index (HI), and, for dichloromethane, the Excess Lifetime Cancer Risk (ELCR) was calculated. A HI<1 and a ELCR< 1E-06 are regarded as concentrations which pose "No Significant Risk" in accordance with USEPA's "Risk Assessment Guidance for Superfund" (RAGS).

Chemical	**Air Guideline Value (mcg/m3)**	**Reference**
methylene chloride (also referred to as dichloromethane) MeCl	60	1
polychlorinated biphenyls PCBs	1	2,3
tetrachlorodibenzo-*p*-dioxin equivalentsTCDD	0.00001	3,4
tetrachloroethene PCE	100	5
trichloroethene TCE	5	6,7

References:
[1] NYSDOH. 1988. Letter from N. Kim to T. Allen, Division of Air, New York State Department of Environmental Conservation. November 28, 1988.
[2] NYSDOH. 1985. Binghamton State Office Building (BSOB) Re-Entry Guidelines: PCBs. Document 1330P. Albany, NY: Bureau of Toxic Substance Assessment.
[3] NYSDOH. 1988. Letter from D. Axelrod to J. Egan, New York State Office of General Services. March 8, 1988.
[4] NYSDOH. 1984. Re-Entry Guidelines. Binghamton State Office Building. Document 0549P. Albany, NY: Bureau of Toxic Substance Assessment.
[5] NYSDOH. 1997. Tetrachloroethene Ambient Air Criteria Document. Albany, NY: Bureau of Toxic Substance Assessment.
[6] NYSDOH. 2003. Letter from N. Kim to D. Desnoyers, Division of Environmental Remediation, New York State Department of Environmental Conservation. October 31, 2003. [Provided in Appendix D.]
[7] NYSDOH. 2006. Final Report: Trichloroethene (TCE) Air Criteria Document. Center for Environmental Health, Bureau of Toxic Substance Assessment. Troy, NY.

Thus, AER's risk assessor concluded that there exists no significant risk to human health from vapor intrusion to indoor air, based on AKRF's 1998 detections of dichloromethane and cis 1,2-dichloroethene in groundwater, even in the absence of engineering controls. However, the SSDS was installed as part of the new construction of the Hudson Park North building in accordance with NYSDOH policy that all new construction in potential Brownfields areas incorporate at

[2] NYSDOH: "(Final) Guidance for Evaluating Soil Vapor Intrusion in the State of New York", October 2006

least the sub-slab components of a SSDS, in case of changed conditions, such as a future release of VOC to groundwater that may impact the building.

The calculation of the indoor air concentration using the Johnson & Ettinger model and the calculation of the resulting child resident indoor air exposure and health risk are included as Table 1.

3.1.3 Environmental Monitoring

Based on the results of the Qualitative Exposure Assessment, the estimated concentrations of cis-1,2-dichloroethene and dichloromethane that might be present in indoor air, and conservative assumptions used with the Johnson & Ettinger model, as well as the installation of the sub-slab components of the SSDS, indoor air monitoring is not warranted.

However, the presence of the newly constructed building may influence the migration of VOCs in sub-slab soil vapor, and the size of the building footprint may allow VOCs to collect underneath the first floor foundation slab and low-permeability membrane. Thus, in order to assess the potential for indoor air intrusion and the potential for additional mechanical depressurization of the permeable aggregate bed layer, it is important to establish a baseline of soil vapor concentration within this layer.

Accordingly, the following sampling schedule is proposed:

Annual sampling at the three vacuum/soil vapor monitoring locations, using six-liter Summa canisters and analysis for VOC by the USEPA TO-15 method (full analyte list including tentatively identified compounds). Sampling shall be initiated within six weeks of the receipt of the NYSDEC BCP Certificate of Completion.

If no parameters are detected above criteria after two consecutive years of data collection, sampling will be suspended.

The reporting, or quantitation, limits for all analyses and for all target analytes must be below their applicable NYSDOH or NYSDEC guideline concentrations. If the reporting or quantitation limit for any target compound exceeds the applicable NYSDOH or NYSDEC guideline concentration, that sampling location shall be re-sampled, using the same methodology, within 30 days. Typically, TO-15 analyses should be able to achieve a reporting, or quantitation, limit of 1 microgram per cubic meter (ug/m3 or mcg/m3) for most compounds.

Prior to collecting any Summa Canister sample, a reading will be made and recorded, using an appropriately calibrated photoionization detector (PID) equipped with an 11.7-eV or higher lamp. *[Note: The ionization potential of dichloromethane is 11.35 eV.]*

If analytical results of any sample show concentrations in sub-slab soil vapor within the permeable aggregate bed layer exceeding then applicable NYSDOH or NYSDEC guidelines for

indoor air quality, a confirmation sub-slab soil vapor sample shall be collected, using the same methodology, and at the same location where the detection was made, within 30 days.

If the confirmation sample results also exceed then applicable NYSDOH or NYSDEC guidelines, NYSDEC shall be notified and a corrective action plan prepared and implemented. It is anticipated that the corrective action plan would incorporate both indoor air sampling in the portion of the building where the exceedance was detected, and plans for a pilot test to appropriately size an active mechanical system to depressurize that portion of the building.

However, if the first confirmation sampling results fail to show an exceedance of then applicable NYSDOH or NYSDEC guidelines, a second confirmation sampling shall be performed, using the same methodology, and at the same location where the detection was made, within 30 days.

If the second confirmation sampling results fail to show an exceedance of then applicable NYSDOH or NYSDEC guidelines, the original result will be determined to have been un-representative of soil vapor beneath the building and sampling shall be resumed on an annual basis as described above.

If the second confirmation sampling results show an exceedance of then applicable NYSDOH or NYSDEC guidelines, then sampling shall be performed on a monthly basis at the sampling location in question, until sample results for two consecutive months either exceed, or do not exceed, then applicable NYSDOH or NYSDEC guidelines, at which point a corrective action plan will be submitted to NYSDEC if results exceed applicable guidelines for two consecutive monthly sampling results, or sampling will revert to the annual frequency if results are below applicable guidelines for two consecutive monthly sampling results.

3.1.4 Inspection Procedures

Most of the passive components of the SSDS (permeable aggregate bed layer, vapor collection system and low permeability membrane) are below the first floor foundation slab, and thus not accessible to inspection under normal circumstances. If there are any future construction activities that might expose or alter these components, the Owner and NYSDEC shall be notified, and a corrective action plan prepared and implemented in order to restore the SSDS to its original effectiveness.

Two components of the SSDS are accessible and shall be inspected on an annual basis, beginning within six weeks of the receipt of the NYSDEC BCP Certificate of Completion/Certificate of Occupancy:

1. Sub-slab Vacuum/Soil vapor monitoring points; and
2. Vent stacks at fourth floor roof.

Vacuum/Soil Vapor Monitoring Points:

There are three sub-slab vacuum/soil vapor monitoring points located at each end of the building and at the center, as shown on Figure 4. These monitoring locations are located in maintenance closets.

Because it is necessary to penetrate the low-permeability membrane in order to monitor or sample the sub-slab soil vapor in the permeable aggregate bed layer below, these monitoring points represent a potential source of soil or groundwater vapor intrusion into indoor air.

IT IS CRITICAL THAT THE SAMPLING VALVE BE CLOSED AT ALL TIMES, UNLESS A SAMPLE IS BEING COLLECTED.

In addition, the monitoring point piping and valves shall be visually inspected at least annually to determine whether or not there are any cracks, leaks or other deficiencies that may allow vapor intrusion. If any such defects or deficiencies are noted, the Owner and NYSDEC shall be notified and the defect or deficiency shall be sealed immediately and repaired as soon as practicable. A follow-up inspection shall be performed to verify the repair or corrective action and shall be reported to the Owner and NYSDEC within 30 days.

Environmental monitoring shall be performed at the location where the defect(s), leak(s) or crack(s) are observed. Sampling shall be performed using six-liter Summa canisters and analysis for VOCs by the USEPA TO-15 method (full analyte list including tentatively identified compounds). The results of this analysis shall be communicated to the Owner and NYSDEC within 45 days of receipt.

Vent Stacks on Fourth Floor Roof:

The vent stacks protrude from the fourth floor roof, in the approximate location shown in Figure 4. These vent stacks are constructed of 4-inch diameter SCH-80 CPVC piping and are equipped with a "gooseneck" to prevent rainwater intrusion into the sub-slab components of the SSDS. The vent stacks protrude approximately 12 inches above the fourth floor roof. The vent stacks rise from the foundation slab through a pipe chase to the fourth floor roof.

Because of their diameter, penetration of the low-permeability membrane, and connection with the Geo-Vent® collection system in the permeable aggregate bed layer, the vent stacks have a potential to be a major source of vapor intrusion to indoor air if breached. There are no openings in the vent stacks within the building, and so, in normal circumstances, there should be no potential to impact indoor air.

ANY OBSERVED DEFECT(S), LEAK(S) OR CRACK(S) IN THE VENT STACKS WITHIN THE BUILDING SHALL BE SEALED IMMEDIATELY AND NYSDEC NOTIFIED. REPAIRS SHALL BE PERFORMED AS SOON AS PRACTICABLE.

Environmental monitoring shall be performed at the location where the defect(s), leak(s) or crack(s) are observed. Sampling shall be performed using six-liter Summa canisters and analysis for VOC by the USEPA TO-15 method (full analyte list including tentatively identified compounds). The results of this analysis shall be communicated to the Owner and NYSDEC within 45 days of receipt.

The vent stacks shall be visually inspected at least annually, to observe for any cracks, defects or deficiencies that might impair their performance. In particular, observation shall be made of the open end of the vent stacks to make sure they are free from obstruction, for example bird's nests, or accumulated snow, and that air flow is unimpeded. Also, observation shall be made for any cracks or leaks, or other conditions that would allow rainwater or snowmelt to enter the vent stacks and enter the sub-slab components.

Any observed deficiencies or defects, or potential interferences that would impede airflow or allow storm water intrusion shall be corrected as soon as practicable. A follow-up inspection shall be performed to verify the repair or corrective action and shall be reported to the Owner and NYSDEC within 30 days.

3.2 Site Cover System

As part of the development of Parcels B and C, the majority of these Parcels were capped with a building, paved roadway, sidewalk or other "hardscape" or impermeable surface. In the areas that were not capped with impermeable surfaces the site contractor placed approximately two feet of clean fill to act as a soil cap. A high visibility barrier fence (orange snow fence) was placed on top of the affected, native fill soil remaining in place and beneath the clean fill approximately two feet below the final grade. The visual demarcation barrier consisted of a horizontal layer of orange snow fence as shown on Figure 1. Maintenance of the cap is minimal, however, AER recommends the following to ensure the integrity and function of the soil cap:

- Landscaped areas must be maintained with a pitch away from buildings to keep water from entering the building and the pooling of water in the landscaped areas.

- The soil cap above the orange snow must be maintained at approximately two feet.

- The vegetation in the landscaped areas must be kept in place and maintained to retain the cover and prevent soil erosion.

- If the soil cap or hardscape is breached for any reason, any native soils removed from below the hardscape or below the orange snow fence must be stockpiled on and covered with a PVC liner and then returned to the same location below the orange snow fence. The breached snow fence must be repaired or replaced.

- Imported, clean fill soils from above the orange snow fence must be segregated from the deeper soils during any excavation. The imported fill may be returned to any portion of the excavation.

- Any additional soils needed to be placed above the orange snow fence and imported from off-site must be analyzed for semivolatile compounds (EPA 8270 PAH's only), volatile organic compounds (EPA 8260) and Total and TCLP TAL metals. The analytical results should be compared to and must not exceed the SCOs (6NYCRR Subpart 375-6).

- If the native stockpiled soils removed below the snow fence cannot be returned to their original area, these soils must disposed of off-site as special waste at a licensed soil recycling facility.

- Soils beneath the buildings, garages, sidewalks or other "hardscape" areas must be considered affected soil. Therefore, if any soils are excavated from beneath these areas, they must be treated as special waste and be placed back into the excavation and capped with "hardscape" or orange snow fence and approximately two feet of clean fill. Any soil not returned to the excavation must be disposed of off-site at a licensed facility.

- An annual certification must be made to the NYSDEC indicating that the requirements of this Plan have been met and denote areas where deficiencies have occurred, if any. A Site Management Report, including any required inspection or sampling documentation and certifications, shall be submitted by the Owner to NYSDEC by March 1st following the calendar reporting year, along with an Annual Certification, signed and certified by the Owner, and certifying that the engineering control (SSDS) and site cover system is in place and functioning correctly, or noting any deficiencies and including a corrective action plan for these deficiencies to be corrected. The owner will also certify that NYSDEC is allowed access to the Site to inspect the engineering control (SSDS).

3.3 Site Management Reporting

An inspection and monitoring log shall be kept in the building manager's office which shall include locations, dates and times of all inspections and sampling performed, the names, positions and employers of all persons performing such sampling activities, and copies of any sampling results, photographs, sketches or other documentation of such sampling or inspections.

A Site Management Report, including any required inspection or sampling documentation and certifications, shall be submitted by the Owner to NYSDEC by March 1st following the calendar reporting year, along with an Annual Certification, signed and certified by the Owner, and certifying that the engineering control (SSDS) and site cover system is in place and functioning correctly, or noting any deficiencies and including a corrective action plan for these deficiencies to be corrected. The owner will also certify that NYSDEC is allowed access to the Site to inspect the engineering control (SSDS).

Any corrective actions performed, as required as part of a corrective action plan submitted to NYSDEC or resulting from inspections, shall be documented and included in the annual Site Management Report. In addition, any sampling or monitoring performed, including any data resulting from such sampling or monitoring, and an opinion as to whether the SSDS is performing as designed, shall be included in each annual Site Management Report.

In addition, as part of the annual Site Management Report, the Owner shall provide to NYSDEC a certification by a New York State licensed professional engineer, that the engineering control (SSDS) is in place, that nothing has impaired the ability of the engineering control to protect human health or the environment, and that there have been no violations or failures to comply with the Site Management Plan, or, if such impairment(s), violation(s) or failure(s) has/have occurred, how it/they shall be corrected. This certification shall be submitted annually, as part of the Site Management Report, until NYSDEC informs the Owner, in writing, that such professional engineer's certification is no longer required.

A construction certification report stamped by a New York State licensed Professional Engineer will be prepared and submitted to the NYSDEC and NYSDOH. At a minimum, the report will include:

- An area map showing the parcel or sub parcel that was developed and the property's tax map number.
- A topographic map of the developed property showing actual building locations and dimensions, roads, parking areas, utility locations, berms, fences, property lines, sidewalks, green areas, contours and other pertinent improvements and features. The topographic map will be stamped by a New York State licensed surveyor.
- Plans showing areas and depth of fill removal.
- Description of erosion control measures.
- A text narrative describing the excavation activities performed, health and safety monitoring performed (both site specific and Community Air Monitoring), quantities and locations of soil/fill excavated, disposal locations for the soil/fill, soil sampling locations and results, a description of any problems encountered, location and acceptability test results for backfill sources, and other pertinent information necessary to document that the site activities were carried out properly.
- Plans showing before and after survey elevations on a 100-foot grid system to document the thickness of the clean soil cover system.
- A certification that all work was performed in conformance with the SMP.

Environmental inspection forms for the SSDS, SSDS vents and the site cover system are attached in Appendix C. Appendix C also includes a Corrective Action Form.

4.0 HEALTH AND SAFETY PROCEEDURES FOR INTRUSIVE OR MAINTENANCE ACTIVITIES

4.1 Construction Personnel Protection

Contractors engaged in subsurface (invasive) construction or maintenance activities (e.g.. foundation and utility workers) will be required to implement appropriate health and safety procedures. These procedures will involve, at a minimum, donning adequate personal protective equipment, performing appropriate air monitoring, and implementing other engineering controls as necessary to mitigate potential ingestion, inhalation and contact with residual constituents in the soils. A site-specific, activity-specific health and safety plan must be prepared by the contractor prior to on-site construction activities. Recommenced health and safety procedures include the following:

- While conducting invasive work at the site, the Contractor shall provide working conditions on each operation that shall be as safe and healthful as the nature of that operation permits. The Contractor shall comply with all New York State Department of Labor regulations and published recommendations and regulations promulgated under the Federal Occupational Safety and Health Act of 1970 and the Construction Safety Act of 1969 as amended, and with laws, rules, and regulations of other authorities having jurisdiction. Compliance with governmental requirements is mandated by law and considered only a minimum level of safety performance. The Contractor shall insure that all work is performed in accordance with recognized safe work practices.

- The Contractor shall be responsible for the safety of the Contractor's employees, the public and all other persons at or about the site of the work. The Contractor shall be solely responsible for the adequacy and safety of all construction methods, materials, equipment.

- The Contractor shall have a written health and safety plan (HASP.) prepared, signed and sealed by a safety professional. A safety professional and/or a trained safety representative(s) will be active on the job whenever the work is in progress; an effective and documented safety training program and a safety work method check list system will also be employed.

- The Contractor shall stop work whenever a work procedure or a condition at a work site is deemed unsafe by the safety professional or his trained safety representative.

- The Contractor shall employ a properly qualified safety professional whose duties shall be to initiate, review and implement measures for the protection of health and prevention of accidents. The Contractor shall also employ safety representative(s) whose duties, working under the direct supervision of the safety professional, shall include the implementation the safety program for the work at the site.

- Recognition as a safety professional shall be based on a minimum of certification by the Board of Certified Safety Professionals as a Certified Safety Professional and 5 years of professional safety management experience in the types of construction and conditions

expected to be encountered on the site.

- The safety representative(s) who will work under the direction of the safety professional will have appropriate qualifications. The required qualifications shall include a minimum of: five years of relevant construction experience; successful completion of a 30-hour OSHA Construction Safety and Health training course; 40-hour training as per 29 CFR 1926.65, Hazardous Waste Operations and Emergency Response; and, if confined space entry is required, training as per 29 CFR 1910.146, Permit-Required Confined Spaces.

- The safety professional shall visit and audit all work areas as often as necessary but at least once each week and shall be available for consultation whenever necessary.

- The safety representative(s) must be at the job site full-time (a minimum of 8 hours per working day) whenever intrusive work is in progress. When multiple shift work is in progress more than one safety representative may be required.

- The safety professional and his safety representative(s) shall be responsible for ensuring Contractor compliance with governing laws, rules and regulations as well as of good safety practice.

- The safety staff shall maintain and keep available safety records, up-to-date copies of all pertinent safety rules and regulations, Material Safety Data Sheets, and the Contractors' site specific HASPs and the site emergency response plan with emergency and telephone contacts for supportive actions.

- The responsible safety professional shall sign the Contractor's written site-specific HASP and the Plan shall be available to workers on site. The Contractor shall provide copies of the HASP to the Contractors' insurer, if required.

- The HASP will identify and define the following: the hazards anticipated for each major invasive task; the engineering, administrative and/or personal protective equipment control measures that will be implemented; the surveillance methods, and schedules of both walk through surveys and in-depth safety audits to be performed on site; medical monitoring and screening methods; the Contractors' pre-start-up and continuous safety-training program; emergency response equipment, notification, training and procedures; and include copies of safety inspection check-off sheets, specific to the work methods and crews performing work at the various job locations, to be used on a regular basis in evaluating the site and work methods.

The safety professional and/or his trained safety representative(s) shall as a minimum:

- Schedule and conduct safety meetings and safety training programs as required by law, the health and safety plan, and good safety practice. A specific schedule of dates of these meetings and an outline of materials to be covered shall be provided with the health and safety plan. All employees shall be instructed on the recognition of hazards, observance of precautions, of the contents of the health and safety plan and the use of protective and emergency equipment.

- Determine that operators of specific equipment are qualified by training and/or

experience before they are allowed to operate such equipment.

- Develop and implement emergency response procedures. Post the name, address and hours of the nearest medical doctor, name and address of nearby clinics and hospitals, and the telephone numbers of the appropriate ambulance service, fire, and the police department.
- Post appropriate notices regarding safety and health regulations at locations that afford maximum exposure to all personnel at the job site.
- Post appropriate instructions and warning signs in regard to the hazardous areas or conditions that cannot be eliminated. Identification of these areas shall be based on experience, on site surveillance, and severity of hazard. Such signs shall not be used in place of appropriate workplace controls.
- Ascertain by personal inspection that the safety rules and regulations are enforced. Make inspections at least once a shift to ensure that all machines, tools and equipment are in a safe operating condition; and that all work areas are free of hazards. Take necessary and timely corrective actions to eliminate all unsafe acts and/or conditions, and submit to the Engineer each day a copy of his findings on the inspection check list report forms established in the health and safety plan.
- Provide safety training and orientation to authorized visitors to ensure their safety while occupying the job site.
- Perform related tasks necessary to achieve the highest degree of safety that the nature of the work permits.
- The Contractor shall have proper safety and rescue equipment, adequately maintained and readily available, for foreseeable contingencies. This equipment may include such applicable items as: proper fire extinguishers, first aid supplies, safety ropes and harnesses, stretchers, water safety devices, oxygen breathing apparatus, resuscitators, gas detectors, oxygen deficiency indicators, combustible gas detectors, etc. This equipment should be kept in protected areas and checked at scheduled intervals. A log shall be maintained indicating who checked the equipment, when it was checked, and that it was acceptable. This equipment log shall be updated monthly and be submitted with the monthly report. Equipment that requires calibration shall have copies of dated calibration certificates on site. Substitute safety and rescue equipment must be provided while primary equipment is being serviced or calibrated.
- All personnel employed by the Contractor or his subcontractors or any visitors whenever entering the job site, shall be required to wear appropriate personal protection equipment required for that area. The Contractor may remove from the site any person who fails to comply with this or any other safety requirement.

5.0 COMMUNITY AIR MONITORING PROGRAM

Ambient air monitoring will be conducted on a real-time basis during subsurface construction activities using a minimum of a photo ionization detector and a dust meter (PM-10). Battery charge level for each instrument will be checked at the beginning and end of each day. The instruments will be calibrated at a frequency recommended by the manufacturer. All air monitoring readings will be recorded in a logbook and will be available for review by the NYSDEC and New York State Department of Health (NYSDOH).

Baseline conditions will be measured at proposed intrusive activity locations prior to commencement of operations. Air quality within the work zone will be monitored in accordance with the site-specific health and safety plan created by the contractor. In addition to monitoring the work area for worker health and safety, volatile organic compounds will be monitored at the downwind perimeter of the work area every hour. If downwind perimeter organic vapor levels exceed five parts per million (ppm) above the upwind work area perimeter concentrations, the Vapor Emission Response Plan will be implemented.

Appropriate dust suppression techniques will be employed at all times during site redevelopment activities. These techniques include the application of water or other chemicals for dust suppression. Using a dust meter, particulates will be continuously monitored immediately downwind in the work area and integrated over a period not to exceed 15 minutes. If the downwind particulate level is more than 150 ug/m^3, then upwind (background) levels must be measured immediately. If the downwind levels are more than 100 ug/m^3 above background, additional dust suppression measures must be taken.

5.1 Vapor Emission Response Plan

If the downwind area perimeter air concentrations of organic vapors exceed the upwind work area perimeter concentration by 5 ppm but less than 25 ppm, the following actions will be taken:

- Every 30 minutes monitor the perimeter work area location.
- Every 30 minutes monitor the organic vapor concentration 200 feet downwind of the work area perimeter or half the distance to the nearest receptor, whichever is less. If this reading exceeds the perimeter work area upwind organic vapor concentration by 5 ppm, work must halt and monitoring increased to every 15 minutes. If, at any time, this reading exceeds the perimeter work area upwind concentration by 10 ppm, the Major Vapor Emissions Response Plan will be initiated.
- If organic vapor levels 200 feet downwind of the perimeter work area or half the distance to the nearest downwind receptor, whichever is less, exceeds by 5 ppm the work area perimeter upwind concentration persistently, then air quality monitoring must be performed within 20 feet of the nearest downwind receptor (20-foot zone). If the readings in the 20-foot zone exceed the perimeter work area upwind concentration by 5 ppm for more than 30 minutes, then the Major Vapor Emissions Response Plan will be

implemented.

- Work activities can resume only after the downwind 200-foot reading and the 20-foot zone reading are less than 5 ppm above the perimeter work area upwind concentration. In addition, the downwind perimeter work area concentration must be less than 25 ppm above the perimeter work area upwind concentration.

5.2 Major Vapor Emission Response Plan

If the downwind work area perimeter organic vapor concentration exceeds the upwind work area perimeter concentration by more than 25 ppm, then the Major Vapor Emission Response Plan will be activated. Upon activation, the following activities will be undertaken:

1. Work will halt.
2. Emergency Response Contacts as listed in the Health and Safety Plan will be contacted.
3. The NYSDEC, NYSDOH, and the Westchester County Health Department will be notified and advised of the situation.
4. The local police and fire department authorities will immediately be contacted by the Safety Officer and advised of the situation.
5. Frequent air monitoring will be conducted at 30-minute intervals within the 20-foot zone. If two successive readings below action levels are measured, air monitoring may be halted or modified by the Safety Officer and work may resume.

Summary of Air Monitoring Plan with Action Levels

Sample Location	**Monitoring Frequency**	**Instrument**	**Measured Level**	**Response Action**
Upwind and Downwind Edges of Site Perimeter	Before start of work each day. Before start of intrusive	PID	Established Background	Determine action levels.
		PM		
Downwind Side of Work Zone	Continuously during intrusive work, documenting levels every 15 minutes	PID	Less than 5 ppm above background	Continue Operations.
			Sustained readings of greater than 5 ppm above background	Monitor at downwind site perimeter
		PM	Less than 150 ug/m^3 Sustained readings of greater than 150-250 ug/m^3	Continue Operations. Initiate engineering controls to reduce dust concentrations. Monitor at downwind site perimeter.
			Sustained readings of greater than 250 ug/m^3	Discontinue work. Monitor at downwind site perimeter.
Downwind Site Perimeter when Work Zone Measurements Exceed 5 ppm or 150 ug/m^3	As required.	PID	Less than 5 ppm above background	Continue operations. Monitor every 30 minutes until work zone measurements are below 5 ppm
			Sustained readings of greater than 5-25 ppm above background	Discontinue work. Implement the Vapor Emission Response Plan.
			Sustained readings of greater than 25 ppm above background	Discontinue work. Implement the Major Emission Response Plan.
		PM	Less than 150 ug/m^3 above background	Continue operations. Monitor every 30 minutes until work zone measurements are below 150 ug/m^3.
			Sustained readings of greater than 150 ug/m^3 above background	Discontine work until engineering controls are controlling dust levels. Monitor every 15 minutes until work zone measurements are below 150 ug/m^3.

PID=Photo-ionization Detector PM=Particulate Monitor

6.0 EXCAVATION AND HANDLING OF POTENTIALLY CONTAMINATED SOIL/FILL

A. Scope:

1. Provide labor, materials, equipment and incidentals required to perform excavating, backfilling, filling and grading, and disposing of soil/fill materials as required for construction of structures, manholes, vaults, conduits, pipelines, roads, and other facilities.
2. Stockpile and characterize soil/fill in which evidence of contamination (staining, odors, and/or elevated photoionization detector measurements) is observed. Stained soil is soil that is discolored, unnaturally mottled, or exhibits a sheen.
3. Prepare waste disposal applications and shipping manifests and make arrangements for transportation and disposal of contaminated material.

QUALITY ASSURANCE

A. Permits and Regulations:
   1. Obtain necessary permits for work in roads, rights-of-way, railroads, etc. Also obtain permits as required by local, state and federal agencies for discharging water from excavations.
   2. Perform excavation work in compliance with applicable requirements of governing authorities having jurisdiction.

B. Reference Standards: Comply with applicable provisions and recommendations of OSHA Standard, Title 29, Code of Federal Regulations, Part 1926, Section .650 (Subpart P - Excavations).

SUBMITTALS

A. No excavation, grading or disturbance of the final vegetated soil over or existing subgrade soil/fill shall be initiated prior to a minimum of five working days written notification to the NYSDEC's Central Office in Albany. The notification will include a description of planned excavation activities and protective measures, and the name of the site supervisor.

B. Provide waste manifests, bills of lading, certified weight scale tickets, or other transportation records for soil/fill material removed from the site, to the NYSDEC, if requested.

C. Test Reports - Characterization of Soil/Fill and Borrow Materials:
   1. Provide NYSDEC analytical results, if requested, for the following :
      a. Tests of soil/fill with evidence of contamination of material removed during excavation.
      b. Tests, if necessary, of off-site material that will be used as fill or cover material at the site.

JOB CONDITIONS

A. Subsurface Information: Refer to Remedial Action Work Plan and previous investigation reports on subsurface conditions. Data is not intended as a representation or warranty of continuity of conditions between soil borings nor of groundwater levels at dates and times other than date and time when measured.

B. Existing Structures and Utilities: Due to site history, underground structures and utilities may be present in the area of the site.
   1. Contractor may need to explore ahead of the required excavation to determine the exact location of all structures and utilities.
   2. Locate existing underground utilities in the areas of work. If utilities are to remain in place, provide adequate means of protection during all operations.
   3. Should uncharted or incorrectly charted piping or other utilities be encountered during excavation, consult piping or utility owner immediately for directions as to procedure. Cooperate with utility owner in keeping services and facilities in operation. Repair damaged utilities to satisfaction of utility owner.
   4. Should underground storage tanks or drums be encountered, the contractor shall notify the Remedial Engineer who shall notify the NYSDEC immediately. The contractor shall also

take appropriate measures to protect the health and safety of on-site workers. Any tanks or drums encountered shall be evaluated to the satisfaction of the NYSDEC and properly closed in place or removed and properly disposed.

5. Should foundations be encountered, the contractor shall either remove the foundation in areas necessary to complete the work or modify the work to accommodate the foundations.

C. Protection of Persons and Property: Barricade open excavations occurring as part of the work and post with warning lights, if necessary. Operate warning lights, if necessary, during hours from dusk to dawn each day and as otherwise required.

1. Protect structures, utilities, sidewalks, pavements, and other facilities from damage caused by settlement, lateral movement, undermining, washout and other hazards created by earthwork operations.

D. Dust Control: Conduct operations and maintain areas of activity, including sweeping and sprinkling of roadways, to minimize creation and dispersion of dust.

EXECUTION

INSPECTION

A. Provide NYSDEC with a minimum of one week notice and with means to examine the areas and conditions under which excavating, filling, and grading are occurring.

SITE PREPARATION

A. Clear areas to be excavated of trees, brush, roots, stumps, logs, wood and other materials and debris. All contaminated waste materials shall be removed from site and properly disposed. Burning will not be permitted unless permitted by the appropriate authorities.

B. If cover material was previously placed in the area to be excavated, the covermaterial may be stripped from the surface and stockpiled separately for reuse.

TEST PITS

A. CONTRACTOR may, if necessary, excavate and backfill, in advance of construction, test pits to determine conditions or location of existing facilities. The test pit operations will be conducted in accordance with the excavation procedures outlined below.

EXCAVATION

A. Perform excavation required to complete the work as necessary. Excavations shall include earth, sand, clay, gravel, hardpan, boulders not requiring drilling and blasting for removal, decomposed rock, pavements, rubbish and other materials within the excavation limits.

B. Work shall be completed in accordance with air quality standards as determined by applicable federal, state, and local regulations.

C. Excavations for structures and utilities shall be open excavations. Provide excavation protection system(s) required by ordinances, codes, law and regulations to prevent injury to workmen and to prevent damage to new and existing structures or pipelines. Unless shown or specified otherwise, protection system(s) shall be utilized under the following conditions.
    1. Excavation Less Than 5 Feet Deep: Excavations in stable rock or in soil conditions where there is no potential for a cave-in may be made with vertical sides. Under all other conditions, excavations shall be sloped and benched, shielded, or shored and braced.
    2. Excavations More Than 5 Feet Deep: Excavations in stable rock may be made with vertical sides. Under all other conditions, excavations shall be sloped and benched, shielded or shored and braced.
    3. All excavations or disturbances must be covered using appropriate cover material within 10 working days of backfilling or as otherwise approved by the NYSDEC.

D. Pumping of water from excavations, if necessary, shall be done in such a manner to prevent the dispersion of particulates, soil/fill, or unsolidified concrete materials, and to prevent damage to the existing subgrade.
    1. Water from the excavations will be disposed properly in accordance with all applicable regulations in such a manner as not to endanger public health, property, or any portion of the work under construction or completed.
    2. Based on the groundwater analytical results, water in the excavations may be discharged to the ground surface unless staining or elevated PID measurements are observed in the excavation, a sheen is present on the water surface or if pH is less than 6.5 or greater than 8.5. If any of these conditions exist, the water pumped from the excavations will be containerized or may be discharged to the local sewer authority under a discharge permit if the water quality falls within the conditions of the permit. If the water quality is such that the permit requirements will be exceeded, the groundwater removed from the excavation will be containerized and sampled. Containerized water not meeting the Surface Water and Groundwater Quality Standards set forth in 6 NYCRR Part 703.5 will be transported off-site for proper disposal.

E. Utility Trench Preparation:
    1. No more than 100 feet of trench may be opened in advance of utility placement.
    2. Trench width shall be minimized to greatest extent practical but shall conform to the following:
        a. Sufficient to provide room for installing, jointing and inspecting utilities.
        b. Enlargements at pipe joints may be made if required.
        c. Sufficient for shoring and bracing, or shielding and dewatering.
        d. Sufficient to allow thorough compaction of backfill adjacent to bottom half of utility.
        e. Do not use excavating equipment that requires the trench to be excavated to excessive width or depth.

F. Field Screening of Excavated Materials:
    1. The soil/fill removed during excavation will be inspected for staining and will be field screened

for the presence of volatile organic vapors with a photoionization detector (PID).

2. Excavated soil/fill with no evidence of contamination (no staining or elevated PID measurements) may be used as subgrade or excavation subgrade backfill. However, soils with high pH (8.5 to 12.5) will not be used as backfill in utility trenches or as subsurface material in the construction of berms.
3. Excavated soil/fill that is visibly stained or produces elevated PID readings (i.e., sustained 10 ppm or greater) will be considered potentially contaminated soil/fill. Potentially contaminated soil/fill will be stockpiled on polyethylene sheeting and then sampled for reuse, treatment or disposal.
    a. Sampling and analysis of soil/fill exhibiting staining and/or elevated PID measurements will be completed in accordance with the protocols delineated in the Soil/Fill Management Plan (S/FMP). Sampling and analysis will also be completed in accordance with the requirements of the disposal facility at which the soil/fill with concentrations of contaminants above the site-specific action levels (SSALs) will be disposed.
    b. Soil/fill containing one or more constituents in excess of SSALs in the S/FMP will be transported off-site to a permitted waste management facility.
    c. Excavated or disturbed soil/fill that has been analyzed and found to meet SSALs may be used as subgrade or excavation subgrade backfill

G. Material Storage:

1. Stockpile soil/fill with no evidence of contamination (no staining or elevated PID measurements) in approved areas in approximately 50 cubic yard piles, until required for backfill or fill. Place, grade and shape stockpiles for proper drainage.
    a. Locate and retain soil materials away from edge of excavations.
    b. Dispose of excess soil material and waste materials appropriately.
2. Stockpile soil/fill with evidence of contamination (staining and/or elevated PID measurements) in approved areas in approximately 50 cubic yard piles, until sample analysis is completed. Place, grade and shape stockpiles for proper drainage. Ensure effective weather proofing of potentially contaminate soil stockpiles.
    a. Locate and retain soil materials away from edge of excavations.
    b. The stockpiled soil/fill will be placed on top of and be completely covered using polyethylene sheeting with a minimum thickness of 3-mil to reduce the infiltration of precipitation and the entrainment of dust. A berm wall shall be constructed around the stockpile using uncontaminated material covered with the same sheeting as the stockpiled material. The stockpile area shall be protected from storm water runoff. Edges of the sheeting shall overlap a minimum of two feet and duct tape shall be applied along all seams to prevent movement of sheeting and infiltration of precipitation into the stockpiled soil. Non-soil weights (e.g. tires) may be necessary to inhibit movement of the cover sheeting by wind.

H. Sample Collection and Analysis:

1. Collect a minimum of one composite sample, and one duplicate sample using five grab samples per 100 cubic yards of potentially contaminated soil as described in the site Soil/Fill Management Plan. The characterization samples should be collected from stockpiled potentially contaminated soil/fill within five days of excavation.
2. Engage the services of a NYSDOH ELAP certified analytical laboratory to analyze samples in order to determine the proper handling and disposal of potentially contaminated soil/fill material as listed below.
3. Required Analyses:

a. Target Compound List (TCL) Volatile Organic Compounds (VOCs) by New York State Department of Environmental Conservation (NYSDEC) Analytical Services Protocol (ASP) 2000-1.
b. TCL SVOCs by NYSDEC ASP 2000-2.
c. TCL pesticides and polychlorinated benzenes (PCBs) by NYSDEC ASP (2000-3).
d. Target Analyte List (TAL) metals by NYSDEC ASP 2000-M.

4. If contaminants are present at concentrations above the SSALs, additional analysis will be required by the disposal facility and will likely include:
   a. Toxicity Leaching Characteristic Procedure (TCLP)
   b. RCRA Characteristics (Ignitability, Corrosivity, and Reactivity).

LOADING AND TRANSPORTING

A. Furnish labor, materials, equipment, and incidentals required to load and transport all contaminated soil/fill from the site.

B. Notify the NYSDEC in writing when loading of contaminated soil/fill will occur and include the name and location of the disposal facility to be used. Submit to the NYSDEC, if requested, a full description of the disposal facility, licenses, permits, and compliance status.

C. Do not load and transport contaminated soil and debris until receipt of approval from the disposal facility that the contaminated soil and debris will be disposed in.

D. Conduct all loading and transportation activities in accordance with all applicable federal, state, and local regulations, including but not limited to United States Department of Transportation and USEPA regulations 40 CFR 172-179.

E. Conduct all loading activities to minimize the formation of dust.

F. Obtain and comply with the required permits and authorization for transportation of contaminated soil and debris in accordance with State and local jurisdictions. The contaminated soil and debris shall be transported by a licensed waste hauler.

G. All trucks transporting contaminated soil and debris for off-site disposal shall be lined, covered, and secured in accordance with all federal, State, and local regulations. Any liner that cannot be decontaminated shall be disposed of with the contaminated soil and debris. Trucks used for transportation of contaminated soiland debris shall travel on authorized roads in accordance with all federal, state and local regulations.

H Contaminated soil and debris shall be transported for disposal in containers that are watertight. Leaking containers shall be unloaded at the site and any leaked liquids cleaned up as spills.

I. Contaminated soil and debris transport containers shall be covered to prevent release of dust and particulates and exposure of the contaminated soil and debris to precipitation.

J. Employ a temporary transport vehicle pad for vehicle loading operations to control and contain contaminated soil and debris spillage.

K. Inspect and clean loaded transport vehicle tires and undercarriage to remove any adhering contaminated soil and debris prior to vehicle departure from the site.

DISPOSAL OF EXCAVATED MATERIALS

A. Soil/Fill with concentrations of contaminants above the SSALs will be disposed of within 90 days of excavation at an appropriate, permitted disposal facility.

B. Prepare all applications for waste disposal at appropriate disposal facilities and waste transportation and disposal manifests and any other documents necessary for the off-site disposal of contaminated soil/fill material. Submit waste transportation and disposal documentation to the NYSDEC, if requested.

C. Prepare a waste transportation and disposal manifest, and all other documents required for waste shipment, for each load of waste material that is transported from the site.

D. Maintain a waste disposal log on-site containing pertinent waste disposal information. If requested, the NYSDEC on-site representative may review the log.

SOIL/FILL COVER SYSTEM

A. Backfill all excavations as promptly as work permits.

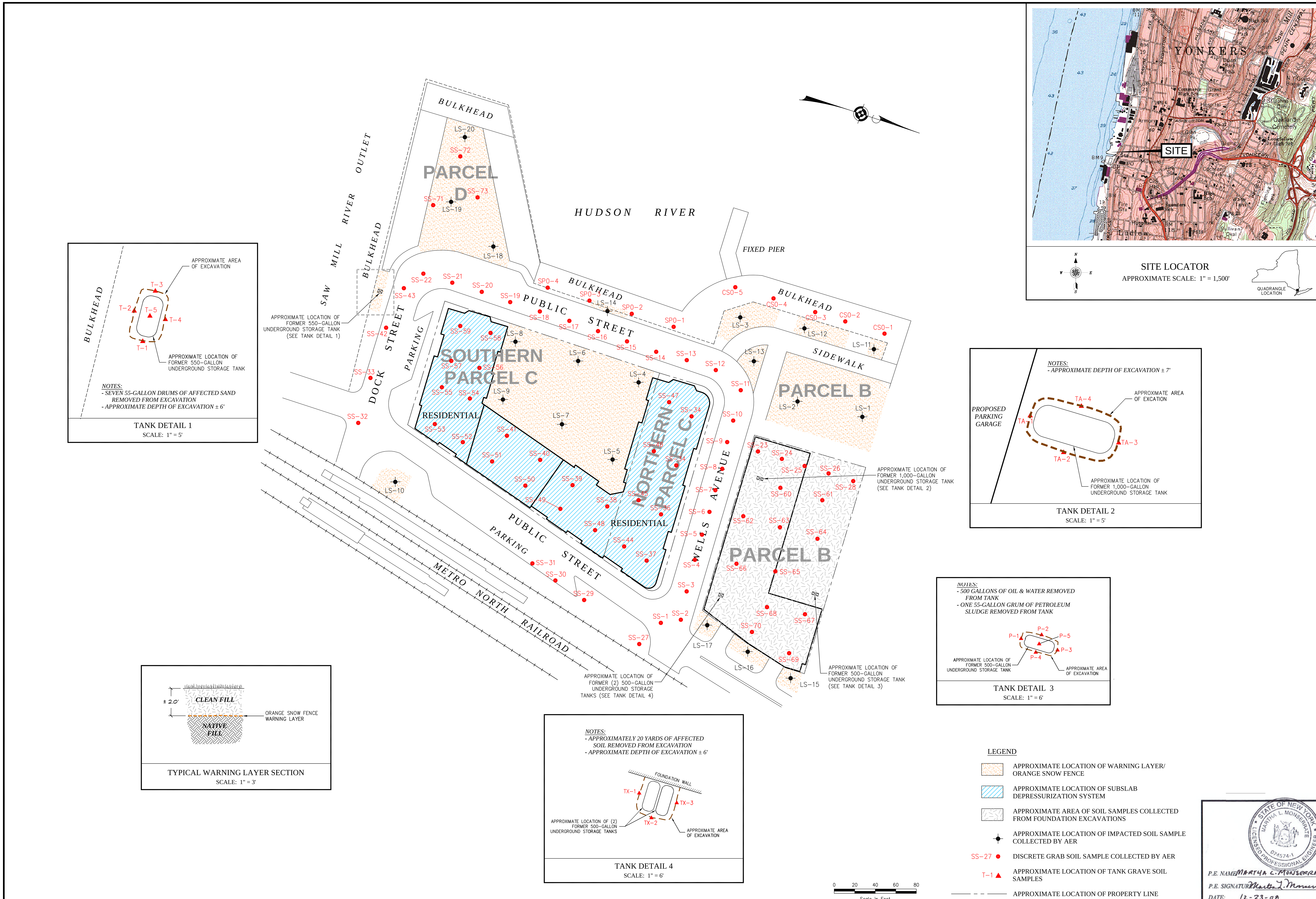
B. Replace cover material within 10 days of backfilling excavations. The cover material shall be consistent with and will be placed in accordance with the Remedial Action Work Plan.

C. If working conditions require the excavation to remain open for a period greater than ten days, plastic or metal sheeting will be used to cover the entire or portions of the excavation during periods of inactivity

TABLES

TABLE 1														
CHILD RESIDENT INDOOR AIR EXPOSURE & RISK CALC														
Hudson Park North, Parcel C, Yonkers, NY														
Case 1:	**ImHaz Conditions (5yr 1ft soil); max soil 0-3 ft; max GW contact; indoor air from GW samples.**													
	ADE = EPC*(ET*EF*ED) / (AP*C) = EPC*K / AP													
	HI = ADE / RfC	ELCR = LADE*UR												
Receptor Exposure Parameters			Child female resident.		Data are max detected EPC from latest available samples									
ET =	Expos hrs per work day	24	(hr/day)/event				Age =	1-7	yrs	Avg age =	3<4			
EF =	Work days per year	350	days/yr				BW =	NA	kg					
ED =	Expos period (yrs)	5	yr				AP nc =	5	yrs					
C =	Conversion factor (hr/day)	24	hr/day				AP c =	75	yrs					
K =	Constant (days) = Net days exposure in expos period = ET*EF*ED/C =				1750	days								
Chemical and Toxicology Input Data						**Risk Calculations - Chronic**					**Risk Calculations - Lifetime**			
	Chemical	EPC air	DEP BG air	EPC > BG ?	EPC air	K	AP nc	ADE	RfC	**HI**	AP c	LADE	UR	**ELCR**
		mg/m3	mg/m3		mg/m3	days	days	mg/m3	mg/m3	nd	days	mg/m3	1 / (mg/m3)	nd
		Max GW Samples			**Final**									
Other Volatiles		***												
	Methylene chloride (MC)	9.70E-01	0	yes	0.970	1750	1825	0.9299452	3000	3.10E-04	27375	0.0619963	4.70E-07	2.91E-08
	cis-1,2-Dichloroethylene (c12 DCE)	4.83E-03	0	yes	0.00483	1750	1825	0.0046358	35	1.32E-04	27375	0.0003091	**0.00E+00**	0.00E+00
TOTAL										**4.42E-04**				**2.91E-08**

FIGURES



RESEARCH ◆ REMEDIATE ◆ REBUILD

AER Advanced Environmental Redevelopement, LLC

900 Madison Avenue, Suite 213 Bridgeport, Connecticut 06606 www.aerct.com

HUDSON PARK NORTH
PARCELS B & C, YONKERS, NY

SITE LOCATION PLAN AND AS-BUILT WARNING LAYER INSTALLATION

DRAWN BY:	JJS
APPROVED BY:	CK
REVISION DATE:	12/20/08
FILE No.	0368-1G
DATE CREATED	3/29/06
SCALE	AS SHOWN
PROJECT No.	0368
FIGURE No.	1

LEGAL DESCRIPTIONS

OPERABLE UNIT 1
PARCEL "C " AND "D"

PARCEL "C" and "D" - (FOR INFORMATION ONLY: TAX LOT 45):

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

BEGINNING at a point where the boundary line between Parcel "C" and Northern Parcel "C" intersects the westerly side of lands now or formerly of N.Y. Central Railroad Co.; said point being distant South 36° 02' 00" West 52.97' along the westerly side of said N.Y. Central from the southeasterly terminus of Alexander Street;

RUNNING THENCE along the westerly side of the aforementioned Railroad, South 36° 02' 00" West 318.53 feet (Map) 318.58 feet (Survey) to the northerly line of Tax Lot 30 in Block 2600 as shown on the Official Tax Map of the City of Yonkers;

RUNNING THENCE along the aforementioned Tax Lot 30 and Tax Lot 35 in Block 2600 the following six courses and distances:

1) North 73° 41' 20" West 138.23 feet;
2) North 70° 13' 25" West 119.95 feet;
3) North 72° 02' 35" West 74.00 feet;
4) North 73° 48' 02" West 47.87 feet;
5) North 18° 57' 10" East 13.00 feet;
6) North 71° 02' 50" West 20.44 feet to the approximate edge of water of the Hudson River as located September 16, 2004;

RUNNING THENCE along the said edge of the Hudson River the following six courses and distances:

1) North 20° 28' 48" East 78.14 feet;
2) North 87° 12' 32" East 32.69 feet;
3) North 80° 02' 13" East 57.15 feet;
4) North 74° 29' 40" East 87.56 feet;
5) North 18° 59' 09" East 137.03 feet;
6) South 71° 02' 50" East 16.50 feet to a point;

RUNNING THENCE partly along said edge of the Hudson River and partly along the boundary line between Parcel "C" and Northern Parcel "C",

South 70° 13' 05" East 322.61 feet (Map) 322.63 feet (Survey) to the point or place of BEGINNING.

OPERABLE UNIT 2
1.) PARCEL "B "

PARCEL "B" - (FOR INFORMATION ONLY: BLOCK 2605, LOT 73):

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

BEGINNING at the intersection of the northerly side of Wells Avenue with the westerly side of Alexander Street;

RUNNING THENCE from said point of beginning along the northerly side of Wells Avenue,

North 69° 30' 00" West 361.65 feet to the approximate edge of water of the Hudson River as located September 16, 2004;

RUNNING THENCE along the said Hudson River the following two courses and distances:

1) North 29° 39' 18" East 80.19 feet;
2) North 39° 39' 17" East 52.48 feet; to the boundary line between the premises herein described and Block 2605 Lot 67;

RUNNING THENCE along the last mentioned boundary line,

South 69° 30' 00" East 367.45 feet to the westerly side of Alexander Street;

RUNNING THENCE along the westerly side of Alexander Street,

South 36° 02' 00" West 133.62 feet to the point or place of BEGINNING.

OPERABLE UNIT 2
3.) WELLS AVENUE

WELLS AVENUE:

ALL that certain plot, piece or parcel of land, lying and being in the City of Yonkers, County of Westchester and State of New York, being more particularly described as follows:

BEGINNING at a point where the northerly side of Wells Avenue is intersected by the westerly line of Alexander Street;

RUNNING THENCE along the northerly side of Wells Avenue,

North 69° 30' 00" West 354.70 feet to a point on the approximate edge of water as located September 16, 2004;

RUNNING THENCE along the last mentioned boundary line,

South 20° 30' 00" West 25.00 feet to the southerly line of Wells Avenue;

RUNNING THENCE along the southerly line of Wells Avenue,

South 69° 30' 00" East 361.65 feet to the westerly side of Alexander Street;

running thence along the westerly side of Alexander Street,

North 36° 02' 00" East 25.95 feet to the point or place of BEGINNING.

OPERABLE UNIT 2
2.) NORTHERN PARCEL "C "

NORTHERN PARCEL "C" - (FOR INFORMATION ONLY: TAX LOT 67):

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

BEGINNING at a corner formed by the intersection of the southerly side of a 25' right of way known as Wells Avenue and the westerly side of Alexander Street;

RUNNING THENCE along the westerly side of Alexander Street,

South 36° 02' 00" West 25.23' to a point;

THENCE across Alexander Street,

South 69° 30' 00" East 53.22' to the westerly line of lands now and formerly of N.Y. Central Railroad Co.;

THENCE along the westerly line of lands now or formerly of N.Y. Central Railroad Co.,

South 36° 02' 00" West 52.97' to the southerly line of land granted to James and George Stewart by Letters Patent dated August 5, 1884 and recorded in the Office of the Register of the County of Westchester in Liber 2037 cp 267;

THENCE along said lands of Stewart and lands granted to Imogen J. Rockwell by Letters Patent dated July 12, 1887 and recorded in the Office of the Register of the County of Westchester in Liber 2027 cp 264,

North 70° 13' 05' West 304.10' to the approximate edge of water of the Hudson River as located September 16, 2004;

RUNNING THENCE along the last mentioned lands the following three courses and distances:

1) North 19° 46' 55" East 32.52 feet;
2) North 70° 04' 45" West 82.50 feet;
3) North 20° 30' 00" East 47.47 feet to the southerly side of Wells Avenue;

RUNNING THENCE along the southerly side of Wells Avenue,

South 69° 30' 00" East 354.70 feet to the westerly side of Alexander Street, the place or point of BEGINNING;

ENVIRONMENTAL EASEMENT DESCRIPTION

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

BEGINNING at a point on the westerly line of land now or formerly N.Y. Central Railroad Co. (Lot 1, Block 7000 as shown on the Tax Maps of the City of Yonkers), where the same is intersected by the northerly line of Tax Lot 30, Block 2600;

RUNNING THENCE along the northerly line of Tax Lots 30 and 35, the following courses and distances:

N 73 degrees 41 minutes 20 seconds W, 138.23 feet to a point,
N 70 degrees 13 minutes 25 seconds W, 119.95 feet to a point,
N 72 degrees 02 minutes 35 seconds W, 74.00 feet to a point,
N 73 degrees 48 minutes 02 seconds W, 47.84 feet to a point,
N 18 degrees 57 minutes 10 seconds E, 13.00 feet to a point,
N 71 degrees 02 minutes 50 seconds W, 20.44 feet to a point;

RUNNING THENCE through Tax Lots 45, 40 and 33, Block 2600, along the approximate easterly edge of water of the Hudson River, as located September 16, 2004 by Aristotle Bournazos, P.C., Land Surveyors – Planners, the following courses and distances:

N 20 degrees 28 minutes 48 seconds E, 78.14 feet to a point,
N 87 degrees 12 minutes 32 seconds E, 32.69 feet to a point,
N 80 degrees 02 minutes 13 seconds E, 57.15 feet to a point,
N 74 degrees 29 minutes 40 seconds E, 87.56 feet to a point,
N 18 degrees 59 minutes 09 seconds E, 137.03 feet to a point;
S 71 degrees 02 minutes 50 seconds E, 16.50 feet to a point,
S 70 degrees 13 minutes 05 seconds E, 18.53 feet to a point,
N 19 degrees 46 minutes 55 seconds E, 32.52 feet to a point,
N 70 degrees 04 minutes 45 seconds W, 82.50 feet to a point,
N 20 degrees 30 minutes 00 seconds E, 72.47 feet to a point,
N 29 degrees 39 minutes 18 seconds E, 80.19 feet to a point,
N 39 degrees 39 minutes 17 seconds E, 52.58 feet; to the boundary line between the premises herein described and Block 2605 Lot 67;

RUNNING THENCE along the last mentioned boundary line,

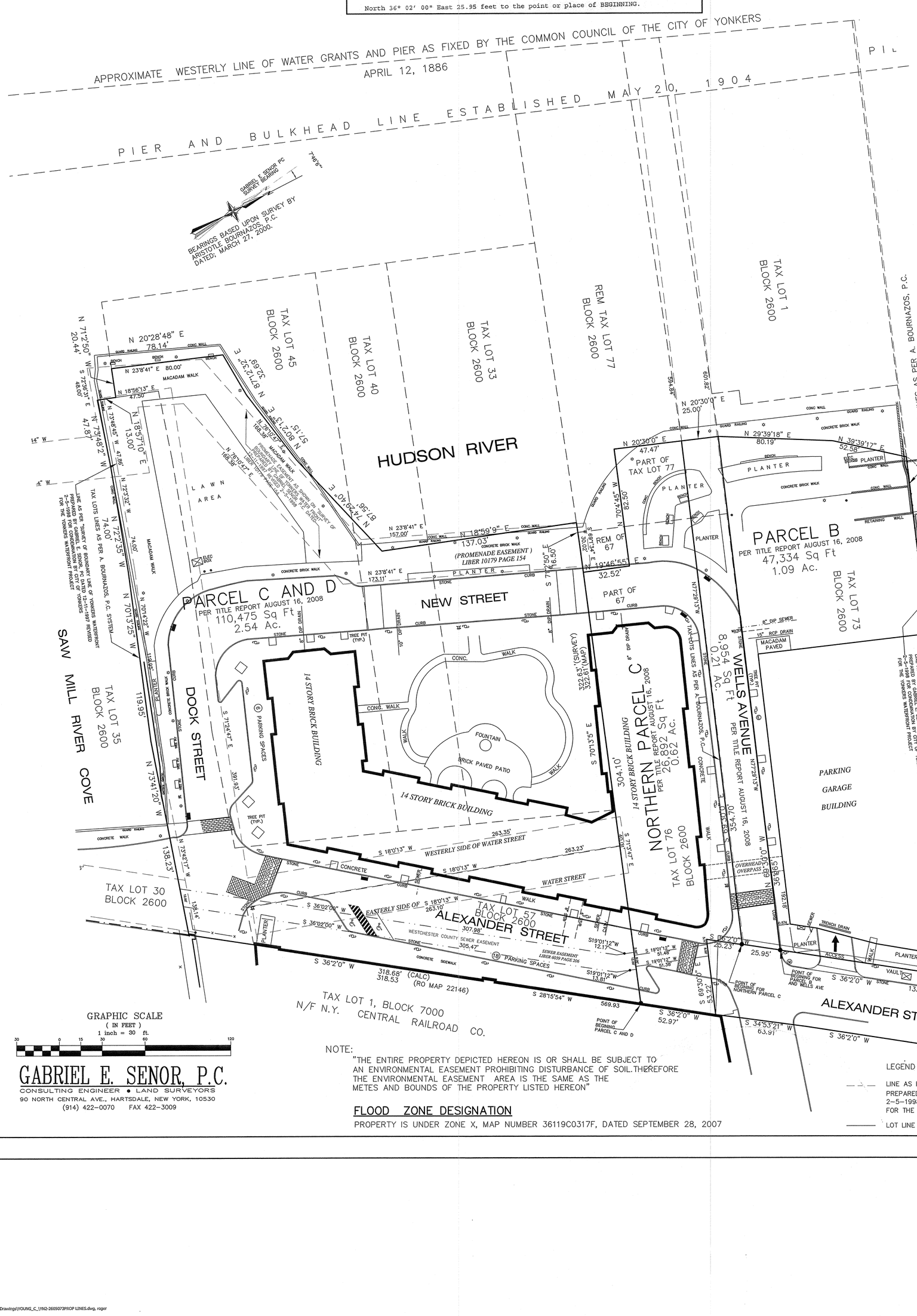
S 69 degrees 30 minutes 00 seconds E, 367.4 feet to the westerly side of Alexander Street;

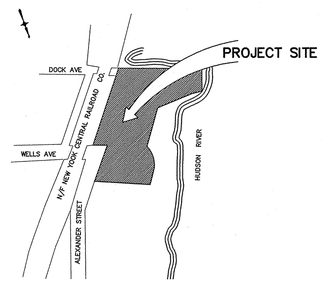
S 36 degrees 02 minutes 00 seconds W, 184.80 feet to a point on the southerly boundary of Alexander Street;

RUNNING THENCE along the southerly boundary line of Alexander Street;

S 69 degrees 30 minutes 00 seconds E, 53.22 feet to point on the westerly line of land now or formerly N.Y. Central Railroad Co. (Lot 1, Block 7000 as shown on the Tax Maps of the City of Yonkers),

RUNNING THENCE along said westerly line, S 36 degrees 02 minutes 00 seconds W, 371.65 (calc.), 371.50 feet (R.O. 22146) to the point or place of BEGINNING.





VICINITY MAP

Possession only where indicated.

This is to certify that this map or plat and the survey on which it is based were made in accordance with the "Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys" jointly established and adopted by ALTA and NSPS in 2005 and includes items 2, 3, 4, 8, 9, 10, 11b, 13, 14 and 16 of Table A thereof. Pursuant to the Accuracy Standards as adopted by ALTA and NSPS and in effect on the date of this certification, undersigned further certifies that in my profesional opinion, as a land surveyor registered in the State of New York, the Relative Positional Accuracy of this survey does not exceed that, which, is specified therein.

Eliot Senor, L.S. N.Y.S. Lic. No. 049822

Certifications indicated are limited only to the person for whom this survey was prepared and on his behalf to the title company, governmental agency and lending institution for the policy numbers listed hereon. These certifications are not transferable.

Certified to: Collins Yonkers II, LLC, HSBC Bank USA, National Association, as administrative agent, its successors and/or assigns Chicago Title Insurance Company, Title number 3708-00455, as updated Electronic Land Services, Inc., First American Title Insurance Company of New York, Cohn Birnbaum & Shea, P.C., City of Yonkers Industrial Development Agency, Yonkers Community Development Agency. Collins Yonkers III LLC, Collins Yonkers IV LLC, and The People of the State of New York Acting Through Their Commissioner of the Department of Environmental Conservation.

Unauthorized alteration or additions survey map is a violation of section 7209 ub-section 2, of the New York State Education Law.

NO	DATE	DESC	BY
6	12-04-08	ALTA SURVEY	SGA
5	12-02-08	DEC	SGA
4	11-26-08	SEWER EASEMENT	SGA
3	11-7-08	EASEMENT	RAD
2	10-22-08	WELLS DESC	RAD
1	10-15-08	SEWER WELLS	SGA

REVISIONS

ALTA SURVEY OF
PARCEL "C" & "D",
NORTHERN PARCEL "C" AND
PARCEL "B"
PROPERTY LINES
LOCATED IN THE
CITY OF YONKERS
WESTCHESTER COUNTY, NEW YORK

SCALE: 1"=30'
DATE: OCTOBER 7, 2008
DRAWN BY: RAD
CHECKED BY: ES.

GRAPHIC SCALE
(IN FEET)
1 inch = 30 ft.
30 0 15 30 60 120

GABRIEL E. SENOR, P.C.
CONSULTING ENGINEER • LAND SURVEYORS
90 NORTH CENTRAL AVE., HARTSDALE, NEW YORK, 10530
(914) 422-0070 FAX 422-3009

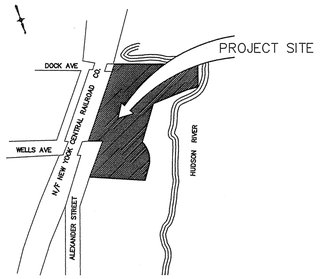
NOTE:
"THE ENTIRE PROPERTY DEPICTED HEREON IS OR SHALL BE SUBJECT TO AN ENVIRONMENTAL EASEMENT PROHIBITING DISTURBANCE OF SOIL. THEREFORE THE ENVIRONMENTAL EASEMENT AREA IS THE SAME AS THE METES AND BOUNDS OF THE PROPERTY LISTED HEREON"

FLOOD ZONE DESIGNATION
PROPERTY IS UNDER ZONE X, MAP NUMBER 36119C0317F, DATED SEPTEMBER 28, 2007

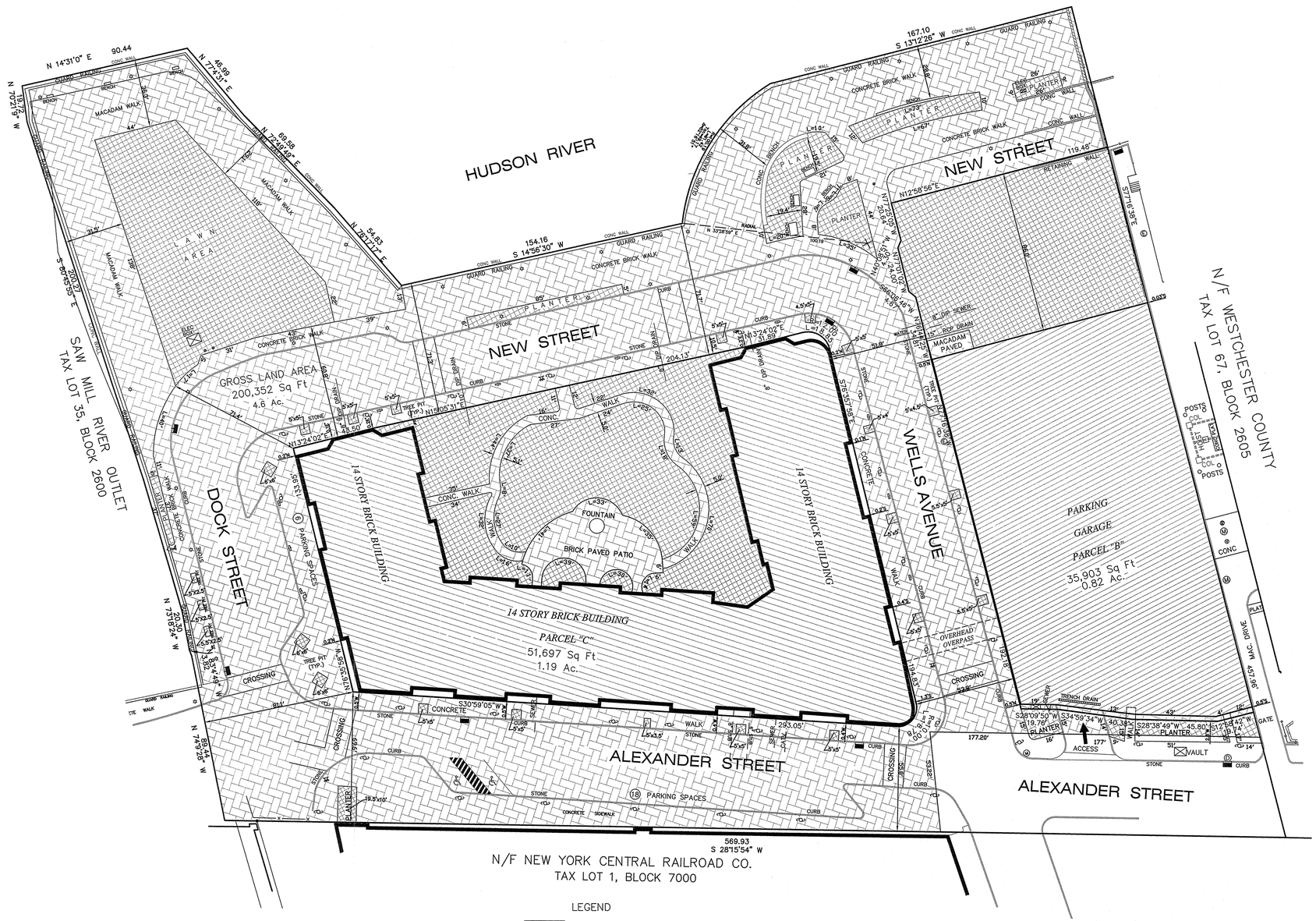
LEGEND
— · — LINE AS PER "SURVEY OF BOUNDARY LINE OF YONKERS WATERFRONT" PREPARED BY GABRIEL E. SENOR, PC DATED 12-11-1997 REVISED 2-5-1998 FOR CONDEMNATION BY CITY OF YONKERS FOR THE YONKERS WATERFRONT PROJECT
——— LOT LINE AS PER BOURNAZOS, P.C.

P:\DWG Drawings\YOUNG_C_\YN2-2605073PROP LINES.dwg, roger

JOB # YN-2-2605073



VICINITY MAP



LEGEND

BUILDING AREA--AREA OF SUB-SLAB DEPRESSIONIZATION SYSTEM(ENTIRE BUILDING FOOTPRINT)

HARD LANDSCAPE AREA

SOFT LANDSCAPE AREA--UNDERLAIN BY APPROXIMATELY TWO FEET OF CLEAN FILL OVER WARNING LAYER(ORANGE SNOW FENCE)

GARAGE AREA

FLOOD ZONE DESIGNATION

PROPERTY IS UNDER ZONE X, MAP NUMBER 36119C0317F, DATED SEPTEMBER 28, 2007

GRAPHIC SCALE

30 0 15 30 60 120

(IN FEET)
1 inch = 30 ft.

GABRIEL E. SENOR, P.C.
Engineer & Surveyor
90 CENTRAL PARK AVE, HARTSDALE, NEW YORK 10530
(914) 422-0070

Possession only where indicated.

This is to certify that this map or plat and the survey on which it is based were made in accordance with the "Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys" jointly established and adopted by ALTA and NSPS in 2005 and includes items 2, 3, 4, 8, 9, 10, 11b, 13, 14 and 16 of Table A threreof. Pursuant to the Accuracy Standards as adopted by ALTA and NSPS and in effect on the date of this certification, undersigned further certifies that in my profesional opinion, as a land surveyor registered in the State of New York, the Relative Positional Accuracy of this survey does not exceed that which is specified therein.

Eliot Senor, L.S. N.Y.S. Lic. No. 049822

Certifications indicated are limited only to the person for whom this survey was prepared and on his behalf to the title company, governmental agency and lending institution for the policy numbers listed hereon. These certifications are not transferable.

Certified to: Collins Yonkers II, LLC, HSBC Bank USA, National Association, as administrative agent, its successors and/or assigns Chicago Title Insurance Company, Title number 3708-00455, as updated Electronic Land Services, Inc., First American Title Insurance Company of New York, Cohn Birnbourm & Shea, P.C., City of Yonkers Industrial Development Agency, Yonkers Community Development Agency. Collins Yonkers III LLC, Collins Yonkers IV LLC, and The People of the State of New York Acting Through Their Commissioner of the Department of Environmental Conservation.

Unauthorized alteration or additions survey map is a violation of section 7209 ub-section 2, of the New York State Education Law.

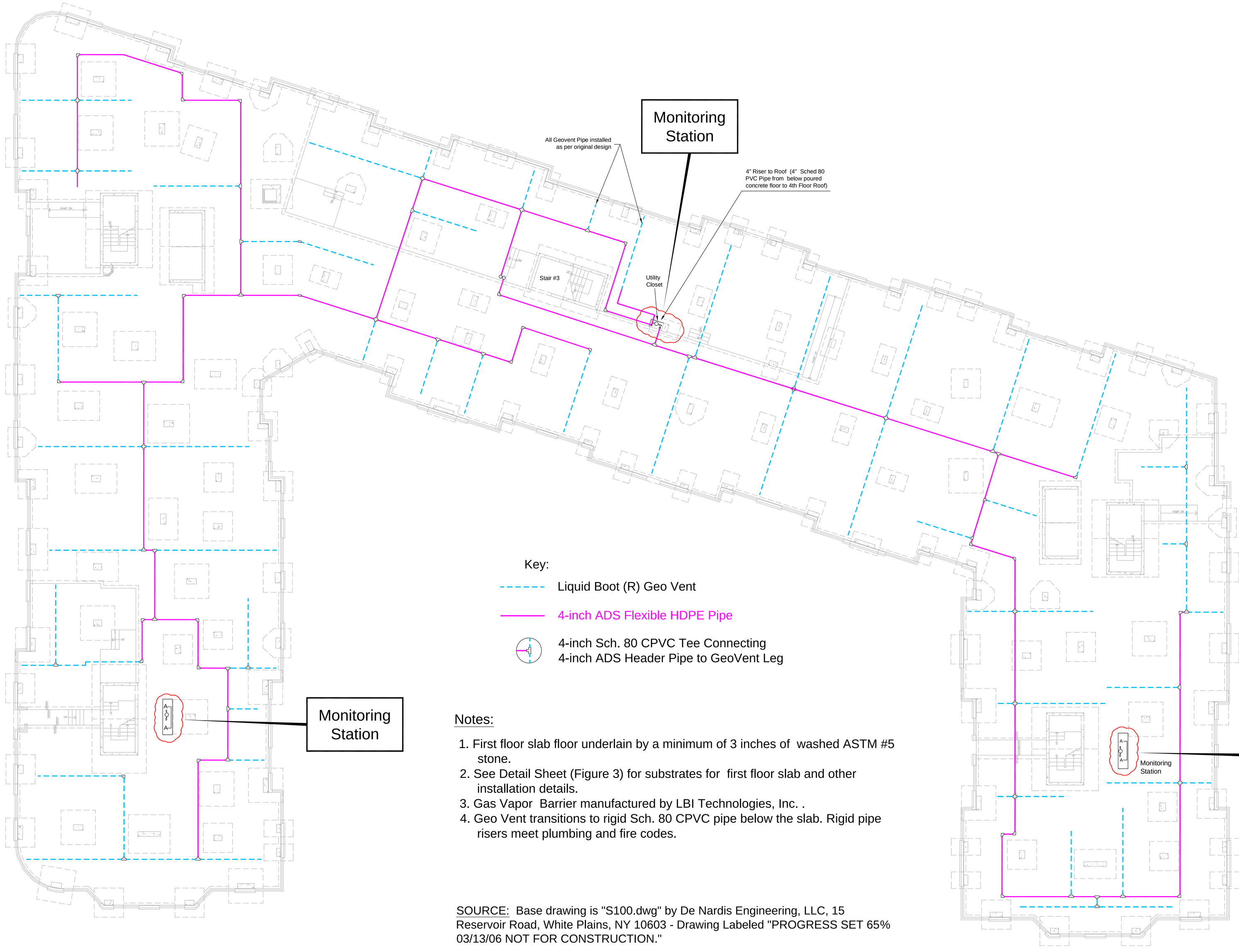
1	12-10-08	DEC DIMENSIONS	RAD
NO	DATE	DESC	BY
REVISIONS			

ALTA SURVEY OF
PARCEL "B" & "C"
YONKERS WATERFRONT
LOCATED IN THE
CITY OF YONKERS
WESTCHESTER COUNTY, NEW YORK

GABRIEL E. SENOR, P.C.
CONSULTING ENGINEER • LAND SURVEYORS
90 NORTH CENTRAL AVE., HARTSDALE, NEW YORK, 10530
(914) 422-0070 FAX 422-3009

SCALE: 1"=30'	
DATE: DECEMBER 02, 2008	
DRAWN BY RAD	CHECKED BY: ES.

P:\SYS Drawings\SOUND_C_SYS-2605073.dwg, 12/12/2008 4:05:18 PM, ebrot



Key:

- Liquid Boot (R) Geo Vent
- 4-inch ADS Flexible HDPE Pipe
- 4-inch Sch. 80 CPVC Tee Connecting 4-inch ADS Header Pipe to GeoVent Leg

Notes:

1. First floor slab floor underlain by a minimum of 3 inches of washed ASTM #5 stone.
2. See Detail Sheet (Figure 3) for substrates for first floor slab and other installation details.
3. Gas Vapor Barrier manufactured by LBI Technologies, Inc. .
4. Geo Vent transitions to rigid Sch. 80 CPVC pipe below the slab. Rigid pipe risers meet plumbing and fire codes.

SOURCE: Base drawing is "S100.dwg" by De Nardis Engineering, LLC, 15 Reservoir Road, White Plains, NY 10603 - Drawing Labeled "PROGRESS SET 65% 03/13/06 NOT FOR CONSTRUCTION."

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Advanced Environmental Redevelopement, LLC
900 Madison Avenue, Suite 213 Bridgeport, Connecticut 06606 www.aerct.com

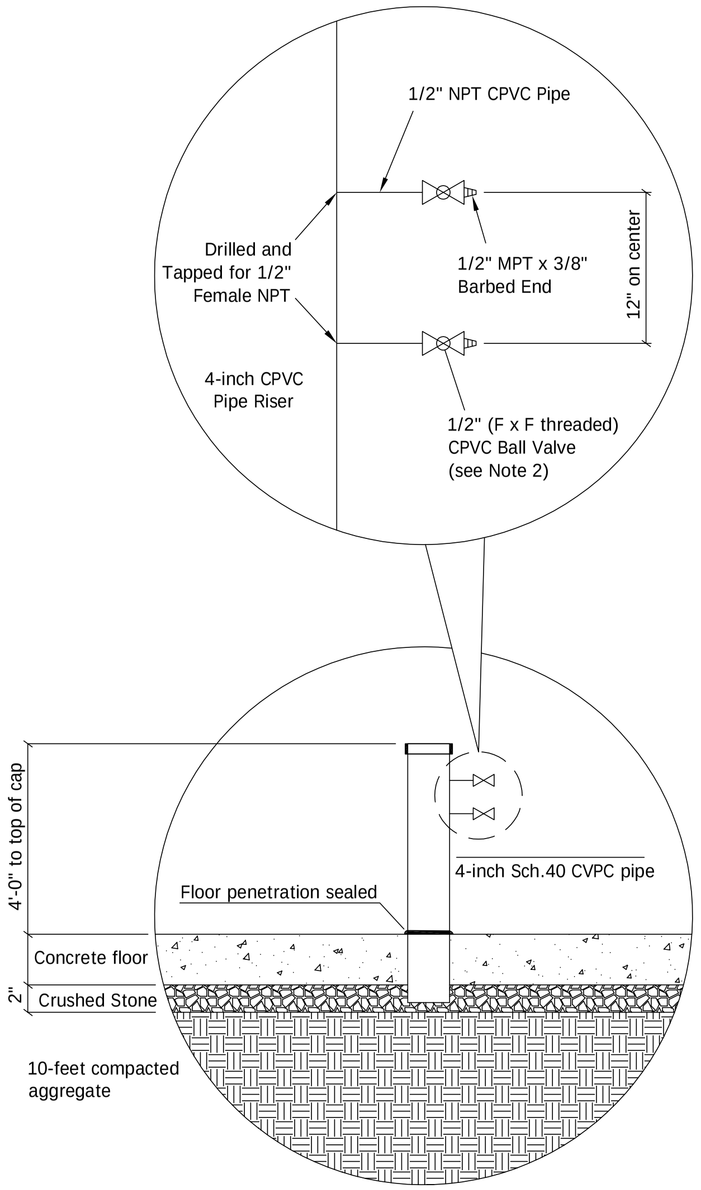
HUDSON PARK NORTH
PARCELS B & C, YONKERS, NY

SUB SLAB DEPRESSURIZATION SYSTEM
FIRST FLOOR - AS-BUILT DRAWING

DRAWN BY: JJS
APPROVED BY: CK
REVISION DATE: 12/20/08
FILE No. 0368-F1b
DATE CREATED 3/29/06
SCALE 3/32"=1'-0"
PROJECT No. 0368
FIGURE No. 3

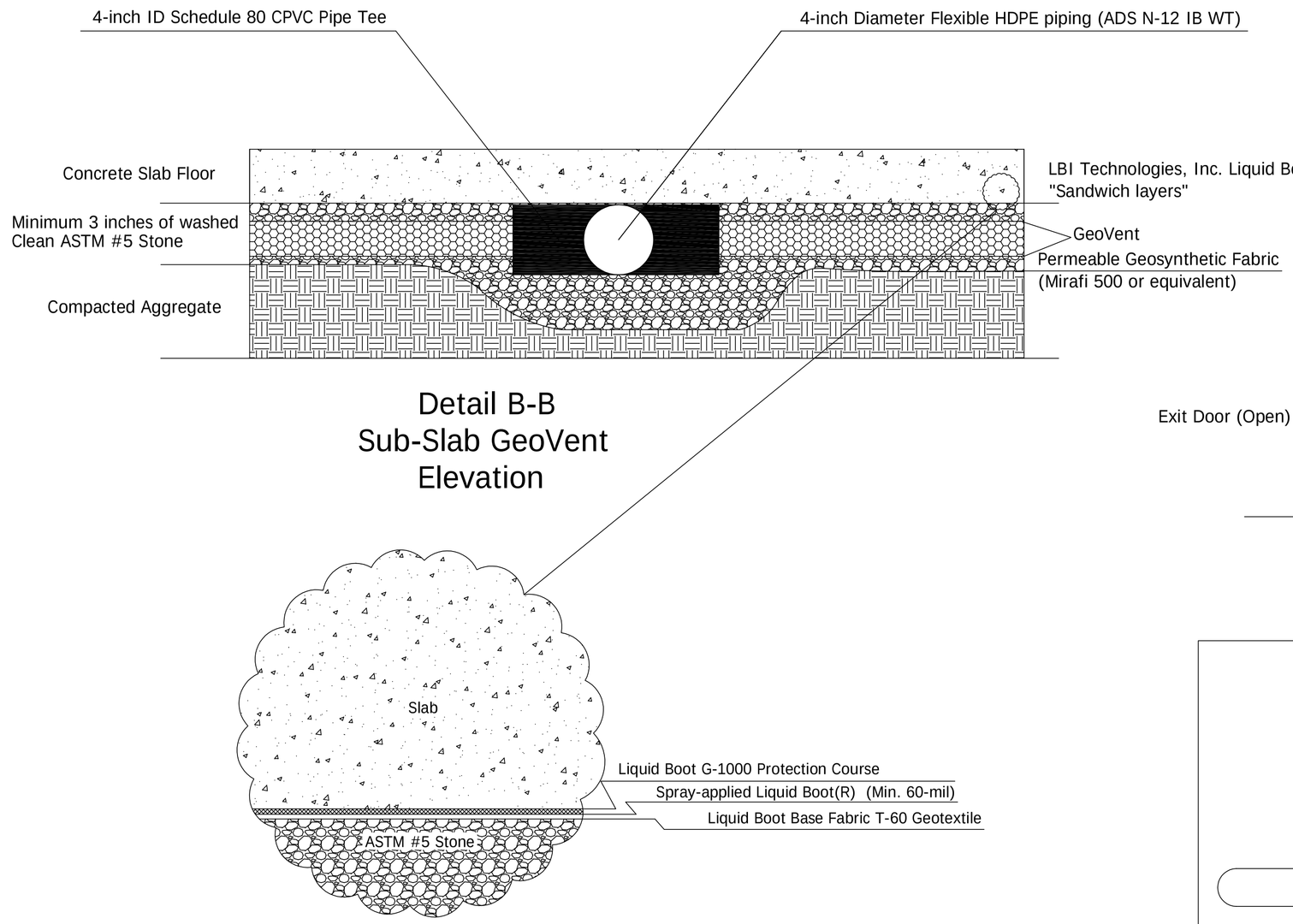
STATE OF NEW YORK MATTHEW E. HAGMAN 083776 LICENSED PROFESSIONAL ENGINEER
P.E. NAME: Matthew E. Hagman
P.E. SIGNATURE: Matthew E. Hagman
DATE: 23 December 2008

06-0368 AER - Hudson Park North Active Soil Depressurization System - Bldg C - Sub - Slab (Figure 1) (3-27-06).dwg

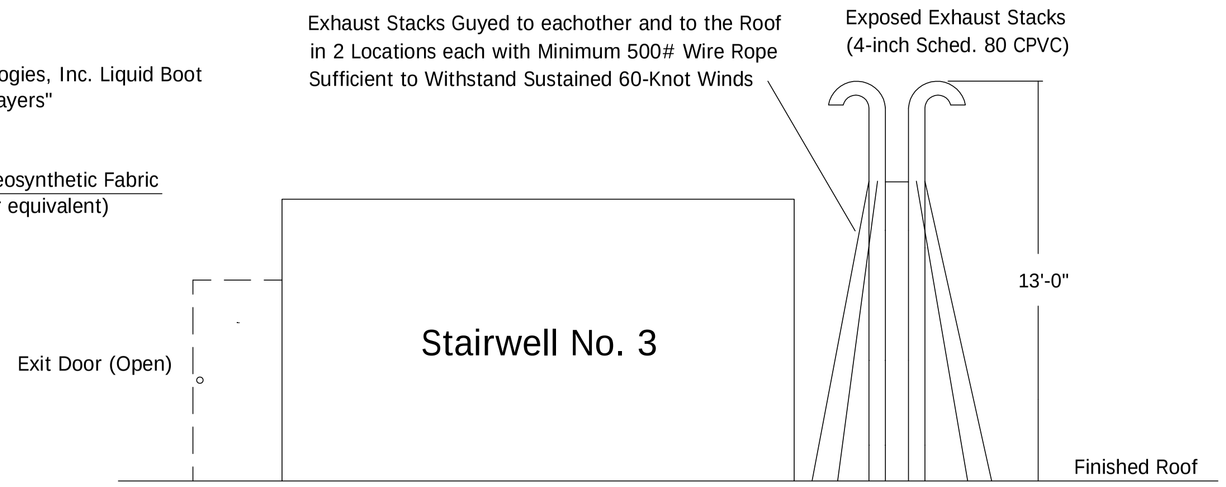


Detail A-A
Utility Closet Vacuum Stubbed-Out
Elevation View

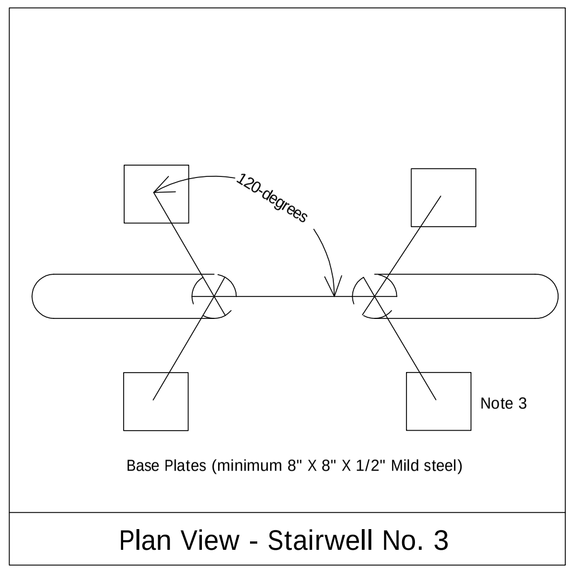
Note 1: Both Assemblies identical
Note 2: Hayward True Union or equivalent



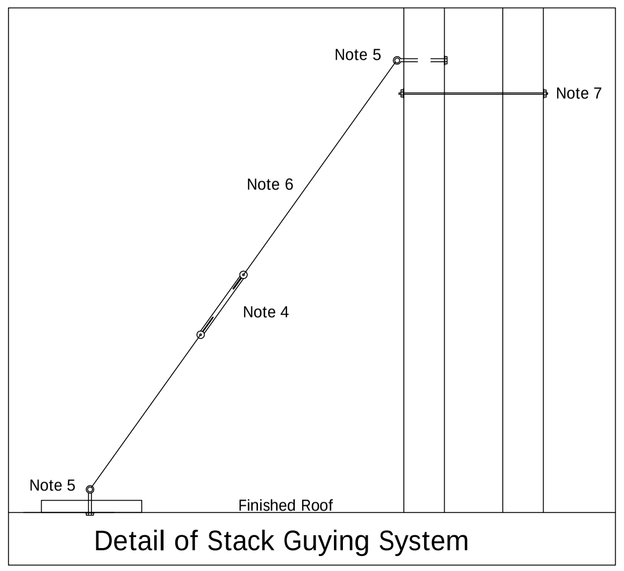
Detail B-B
Sub-Slab GeoVent
Elevation



4th Floor Exhaust Stacks



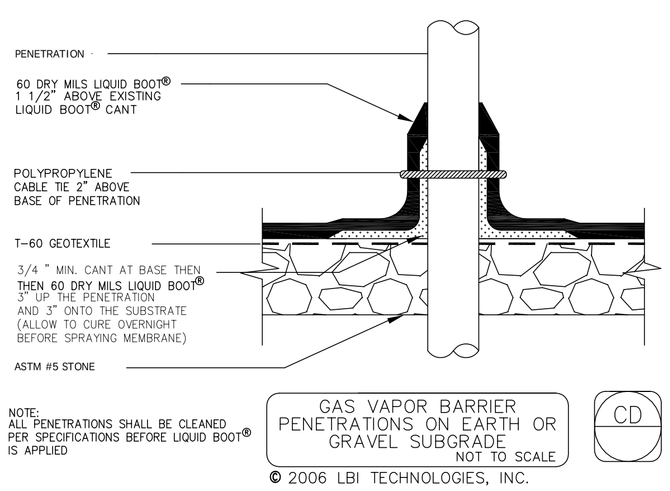
Plan View - Stairwell No. 3

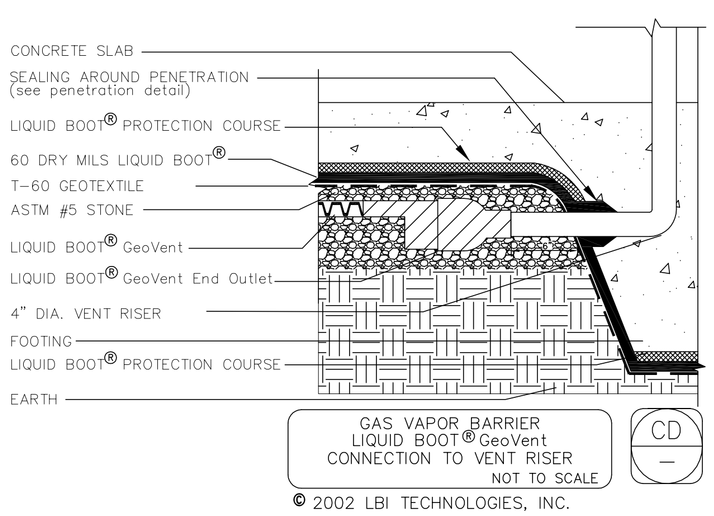


Detail of Stack Guying System

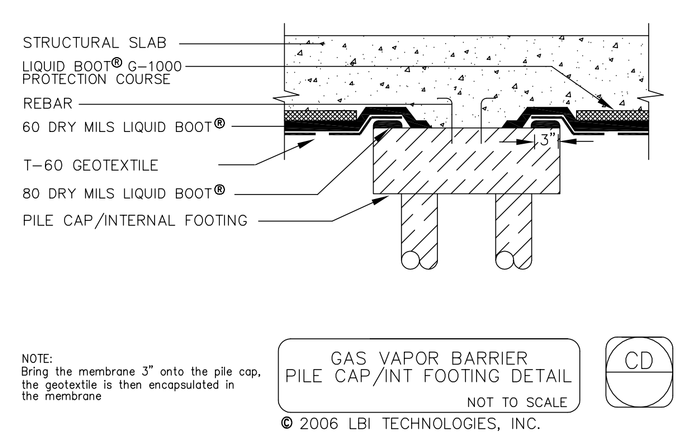
NOTES:

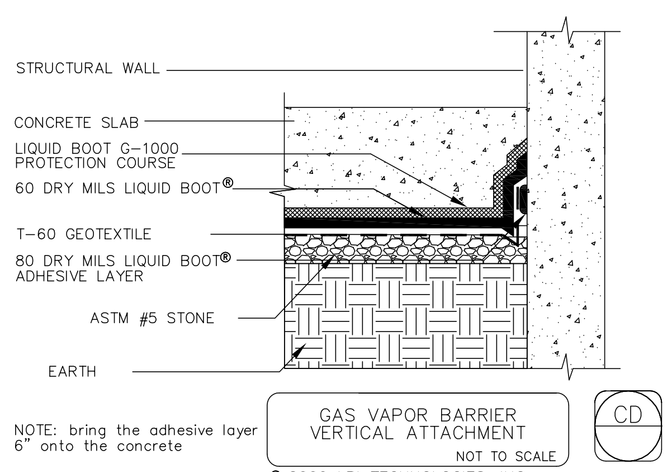
Note 1- 180 degree Stack Vent formed by connecting two-90-degree Ells with a 12-inch long nipple.
Note 2- Exhaust Stacks Guyed to each other and to the Roof in 2 Locations each with Minimum 400# Wire Rope Sufficient to Withstand Sustained 60-Knot Winds.
Note 3- Roof Anchoring System to be Approved by Structural Engineer. Base Plates to be Secured at all 4 Corners with 3/8" 316 SS Bolts to the Roof Substrate Adequate to Withstand 400# Rating.
Note 4- 3/8" x 6" E/E T/B S/S Working Load Limit (WLL) 900#.
Note 5- 3/8"X6" S/S EYEBOLT (WLL 1,000#) Backed by 3/16 SS Washer.
Note 6- 1/16" 304 SS 7 X 7 Aircraft Cable (WLL 480#).
Note 7- 3/8" SS All Thread with 3/8" SS Nuts and Washers.





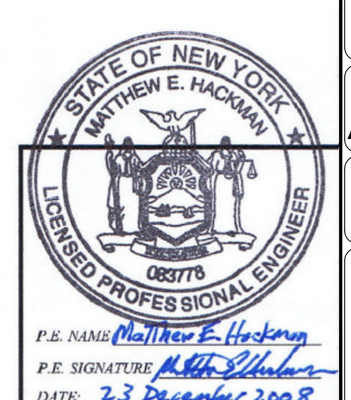
GeoVent Connection to Vent Riser





Liquid Boot Attachment to Vertical

Note:
LBI Drawings shown for connection & sealing method purposes only.



P.E. NAME: Matthew E. Hackman
P.E. SIGNATURE: Matthew E. Hackman
DATE: 23 December 2008

RESEARCH ◆ REMEDIATE ◆ REBUILD
AER
Advanced Environmental Redevelopement, LLC
900 Madison Avenue, Suite 213 Bridgeport, Connecticut 06606 www.aerct.com

HUDSON PARK NORTH
PARCELS B & C, YONKERS, NY
SUB SLAB DEPRESSURIZATION SYSTEM
DESIGN DETAIL SHEET

DRAWN BY: JJS
APPROVED BY: CK
REVISION DATE: 12/20/08
FILE No. 0368-F3b
DATE CREATED 3/29/06
SCALE AS SHOWN
PROJECT No. 0368
FIGURE No. 4

APPENDIX A
METES AND BOUNDS DESCRIPTION OF SITE

Exhibit "B"

Revised BCA Metes and Bounds Site Description

Legal Description – Operable Unit 1
Parcel C (includes Parcel D, Water St. and portion of Dock St.)

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

BEGINNING at a point on the westerly line of land now or formerly N.Y. Central Railroad Co. (Lot 1, Block 7000 as shown on the Tax Maps of the City of Yonkers), where the same is intersected by the northerly line of Tax Lot 30, Block 2600;

RUNNING THENCE along the northerly line of Tax Lots 30 and 35, the following courses and distances:

N 73 degrees 41 minutes 20 seconds W, 138.23 feet to a point,
N 70 degrees 13 minutes 25 seconds W, 119.95 feet to a point,
N 72 degrees 02 minutes 35 seconds W, 74.00 feet to a point,
N 73 degrees 48 minutes 02 seconds W, 47.84 feet to a point,
N 18 degrees 57 minutes 10 seconds E, 13.00 feet to a point,
And N 71 degrees 02 minutes 50 seconds W, 20.44 feet to a point;

RUNNING THENCE through Tax Lots 45, 40 and 33, Block 2600, along the approximate easterly edge of water of the Hudson River, as located September 16, 2004 by Aristotle Bournazos, P.C., Land Surveyors – Planners, the following courses and distances:

N 20 degrees 28 minutes 48 seconds E, 78.14 feet to a point,
N 87 degrees 12 minutes 32 seconds E, 32.69 feet to a point,
N 80 degrees 02 minutes 13 seconds E, 57.15 feet to a point,
N 74 degrees 29 minutes 40 seconds E, 87.56 feet to a point,
And N 18 degrees 59 minutes 09 seconds E, 137.03 feet to a point;

RUNNING THENCE along the southerly line of Tax Lots 77 and 67, Block 2600, the following courses and distances:

S 71 degrees 02 minutes 50 seconds E, 16.50 feet to a point,
And S 70 degrees 13 minutes 05 seconds E, 322.63 feet to a point on the westerly line of land now or formerly N.Y. Central Railroad Co. (Tax Lot 1, Block 7000);

RUNNING THENCE along said westerly line, S 36 degrees 02 minutes 00 seconds W, 318.58 feet to the point or place of BEGINNING,

CONTAINS 2.5421 Acres.

Legal Description – Operable Unit 2
Parcel B/Northern Parcel C
(includes portion of Wells Avenue)
Consisting of the following 3 parcels:

1. Parcel B

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

BEGINNING at a point formed by the intersection of the westerly side of Alexander Street with the northerly side of Wells Avenue;

RUNNING THENCE along said northerly side of Wells Avenue, N 69 degrees 30 minutes 00 seconds W, 361.65 feet to a point;

RUNNING THENCE through Lot 73, Block 2605 as shown on the Tax Maps of the City of Yonkers, and along the approximate easterly edge of water of the Hudson River, as located September 16, 2004 by Aristotle Bournazos, P.C., Land Surveyors and Planners, the following courses and distances:

N 29 degrees 39 minutes 18 seconds E, 80.19 feet to a point,
And N 39 degrees 39 minutes 17 seconds E, 52.58 feet to a point on the southerly line of Tax Lot 67, Block 2605;

RUNNING THENCE along the southerly line of Tax Lot 67, block 2605, S 69 degrees 30 minutes 00 seconds E, 367.45 feet to a point on the westerly side of Alexander Street;

RUNNING THENCE along said westerly side of Alexander Street, S 36 degrees 02 minutes 00 seconds W, 133.62 feet to the point or place of BEGINNING.

CONTAINS 1.0858 Acres.

2. Northern Parcel C

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

BEGINNING at a point on the westerly line of land now or formerly N.Y. Central Railroad Co. (Lot 1, Block 7000 as shown on the Tax Maps of the City of Yonkers) where the same is intersected by the northerly line of Tax Lot 57, Block 2600;

RUNNING THENCE along the northerly line of Tax lot 57, Block 2600, the northerly terminus of Water Street, and the northerly line of Tax Lot 33, Block 2600, S 70 degrees 13 minutes 05 seconds E, 304.10 feet to a point;

RUNNING THENCE through Tax Lots 67 and 77, Block 2600, and along the approximate easterly edge of water of the Hudson River, as located September 16, 2004 by Aristotle Bournazos, P.C. Land Surveyors and Planners, the following courses and distances:

N 19 degrees 46 minutes 55 seconds E, 32.52 feet to a point,
N 70 degrees 04 minutes 45 seconds W, 82.50 feet to a point,
And N 20 degrees 30 minutes 00 seconds E, 47.47 feet to a point on the southerly side of Wells Avenue;

RUNNING THENCE along said southerly side of Wells Avenue, S 69 degrees 30 minutes 00 seconds E, 354.70 feet to a point on the westerly side of Alexander Street;

RUNNING THENCE along said westerly side of Alexander Street, S 36 degrees 02 minutes 00 seconds W, 25.23 feet to the southerly side of Alexander Street;

RUNNING THENCE along the southerly side of Alexander Street, S 69 degrees 30 minutes 00 seconds E, 53.22 feet to a point on the westerly line of land now or formerly N.Y. Central Railroad Co. (Tax Lot 1, Block 7000);

RUNNING THENCE along said westerly line, S 36 degrees 02 minutes 00 seconds W, 52.97 feet to the point or place of BEGINNING.

CONTAINES 0.6174 Acres.

3. Portion of Wells Avenue

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

BEGINNING at the corner formed by the intersection of the westerly side of Alexander Street with the northerly side of Wells Avenue;

RUNNING THENCE along the westerly side of Alexander Street, S 36 degrees 02 minutes 00 seconds W, 25.95 feet through the road bed of Wells Avenue to the corner formed by said westerly side of Alexander Street with the southerly side of Wells Avenue;

RUNNING THENCE along the southerly side of Wells Avenue, N 69 degrees 30 minutes 00 seconds W, 354.70 feet to the approximate easterly edge of water of the Hudson River, as located September 16, 2004 by Aristotle Bournazos, P.C., Land Surveyors and Planners;

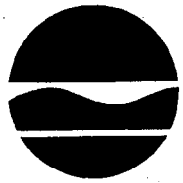
RUNNING THENCE along said easterly edge of water, N 20 degrees 30 minutes 00 seconds E, 25.00 feet to a point on the northerly side of Wells Avenue;

RUNNING THENCE along said northerly side of Wells Avenue, S 69 degrees 30 minutes 00 seconds E, 361.65 feet to the point or place of BEGINNING.

CONTAINS 0.206 Acres.

APPENDIX B
ENVIRONMENTAL EASEMENT

New York State Department of Environmental Conservation
Office of General Counsel, 14th Floor
625 Broadway, Albany, New York 12233-1500
FAX: (518) 402-9018 or (518) 402-9019
Website: www.dec.ny.gov



Alexander B. Grannis
Commissioner

SENT OVER-NIGHT DELIVERY

December 22, 2008

William Anderson
Chicago Title Insurance Company
245 Main Street
White Plains, New York 10601

Re: Brownfield Site Cleanup Agreement No.: W8-1065-05-05/Site No.: C 360071
Yonkers Industrial Development Agency, Collins Yonkers II LLC, Collins Yonkers III, LLC and Collins Yonkers IV, LLC
75 Dock Street, 1 Alexander Street, and 11 Alexander Street
Yonkers, Westchester County

Dear Mr. Anderson:

Pursuant to Attorney Douglas Pelham's instructions, enclosed please find an original-executed Environmental Easement covering the above -referenced property, which was accepted today by Commissioner Grannis. Please have your client record and index this easement & survey in the office of the Westchester County Clerk's Office, in the manner prescribed by New York State Real Property Law Article 9 and Environmental Conservation Law Article 71, Title 36. A TP 584.2 form is provided with this letter. Once this Environmental Easement is recorded, the local municipality will need to be notified.

It is imperative that you contact the Project Manager, Tom Gibbons by e-mail at tlgibbon@gw.dec.state.ny.us with the recording information. The Bureau Chief, Bob Cozzy should also be copied at rjcozzy@gw.dec.state.ny.us. Failure to provide that information will result in the delay in the issuance of the Certificate of Completion.

Please return a copy of the recorded easement marked by the recorder with the date and location of recording, a certified copy of the municipal notice along with the final title insurance policy to my attention. Please feel free to contact me if you need further assistance with this matter.

Very truly yours,

Yvonne M. Ward

Easement Attorney

cc: D. Pelham

w/out enc.

Enclosure: Environmental Easement
TP.584.2

EDMS # 327342

TP-584.2 (10/96)

Recording Office Time Stamp

Real Estate Transfer Tax Return For Public Utility Companies' and Governmental Agencies' Easements and Licenses

This form may only be used by public utility companies regulated by the Public Service Commission and governmental agencies for the recording of easements and licenses where the consideration for the grant of such easement or license is $500.00 or less.

Name of grantee (public utility company or governmental agency)
The New York State Department of Environmental Conservation

Federal employer identification number *(if applicable)* 14-6013200

Address of grantee
625 Broadway, Albany, NY 12233-1500

Name and telephone number of person to contact
Yvonne Ward (518)408-5753

	Name(s) of Grantor Of Easement or License	Address of Property	Consideration Given For Easement or License
1.	Yonkers Industrial Development Agency,	75 Dock Street,	$0.00
2.	Collins Yonkers II LLC, Collins Yonkers III, LLC	1 Alexander Street	
3.	Collins Yonkers IV, LLC	11 Alexander Street	
4.			
5.	ENVIRONMENTAL BASEMENT HELD BY NYSDEC		
6.	PURSUANT TO TITLE 36 OF ARTICLE 71		
7.	OF THE NYS ENVIRONMENTAL CONSERVATION LAW		
8.	SITE NO. C 360071		
9.			
10.			
11.			
12.			
13.			
14.			
15.			

If more than fifteen conveyances are to be recorded, attach a schedule of such other conveyances.

Signature of Grantee

I certify that the grantee is a public utility regulated by the Public Service Commission or is a governmental agency and the grantee of the easements and/or licenses above; that it is true to the best knowledge of the grantee that the granting of each such easement and/or license is exempt from Real Estate Transfer Tax imposed by Article 31 of the Tax Law by reason that each such conveyance is for a consideration of five hundred dollars or less and/or the conveyance is being made to a governmental agency.

THE PEOPLE OF THE STATE OF NY ACTING THROUGH THEIR COMMISSIONER OF THE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Name of grantee

Yvonne M Ward

Signature of partner, officer of corporation, governmental official, etc.

NEW YORK STATE - OGC

(518-408-5753) Title SENIOR ATTORNEY

ENVIRONMENTAL EASEMENT GRANTED PURSUANT TO ARTICLE 71, TITLE 36 OF THE NEW YORK STATE ENVIRONMENTAL CONSERVATION LAW

THIS INDENTURE made this 22nd day of December, 2008, between Owner(s) **City of Yonkers Industrial Development Agency (Fee Interest)** having an office at 470 Nepperhan Avenue, Suite 200, Yonkers, NY 10701 and **Collins Yonkers II, LLC, Collins Yonkers III, LLC and Collins Yonkers IV, LLC (Tenant)** having an office at c/o Collins Enterprises, 2001 West Main Street, Suite 175, Stamford, Connecticut 06902 (collectively, the "Grantor"), and The People of the State of New York (the "Grantee."), acting through their Commissioner of the Department of Environmental Conservation (the "Commissioner", or "NYSDEC" or "Department" as the context requires) with its headquarters located at 625 Broadway, Albany, New York 12233,

WHEREAS, the Legislature of the State of New York has declared that it is in the public interest to encourage the remediation of abandoned and likely contaminated properties ("sites") that threaten the health and vitality of the communities they burden while at the same time ensuring the protection of public health and the environment; and

WHEREAS, the Legislature of the State of New York has declared that it is in the public interest to establish within the Department a statutory environmental remediation program that includes the use of Environmental Easements as an enforceable means of ensuring the performance of operation, maintenance, and/or monitoring requirements and of ensuring the potential restriction of future uses of the land, when an environmental remediation project leaves residual contamination at levels that have been determined to be safe for a specific use, but not all uses, or which includes engineered structures that must be maintained or protected against damage to perform properly and be effective, or which requires groundwater use or soil management restrictions; and

WHEREAS, the Legislature of the State of New York has declared that Environmental Easement shall mean an interest in real property, created under and subject to the provisions of Article 71, Title 36 of the New York State Environmental Conservation Law ("ECL") which contains a use restriction and/or a prohibition on the use of land in a manner inconsistent with engineering controls which are intended to ensure the long term effectiveness of a site remedial program or eliminate potential exposure pathways to hazardous waste or petroleum; and

WHEREAS, The Grantor, is the owner of real property located at the address of 75 Dock Street, Yonkers, NY 10701, 1 Alexander Street, Yonkers , NY 10701 and 11 Alexander Street, Yonkers, NY 10701 in the City of Yonkers and County of Westchester, New York known and designated on the tax map of the County Clerk of Westchester as part of tax map parcel numbers; Section 2 Block 2600 Lots 45 [Parcel "C"]; Section 2 Block 2600 Lot 67 &77 [Northern Parcel "C"]; Section 2 Block 2605 Lots 73 [Parcel "B"] and , being the same as that property conveyed to Grantor by Deed on December 4, 2008, recorded as Control No. 370800455, being the same property described in a Deed dated March 10, 2005, recorded as Control No. 452590056 and Correction Deed dated December 7, 2005, recorded as Control No. 460410369 as to Northern Parcel "C"; conveyed by Deed dated June 30, 2006 and recorded in Control No. 463040852 [Parcel"B"] in the Land Records of the Westchester County Clerk, and acquired by virtue of condemnation proceedings under Index No. 2086-85 [Parcel "C"] filed August 7, 1985 evidenced by Acquisition Map No. 22146; and by Deed dated September 19, 2007 recorded as Control No. 482950304 filed in the Westchester County Clerk's Office, comprised of approximately **4.45** acres, and hereinafter more fully described in Schedule "A" attached hereto and made a part hereof (the " Controlled Property"); and

WHEREAS, the Commissioner does hereby acknowledge that the Department accepts this Environmental Easement in order to ensure the protection of human health and the environment and to achieve the requirements for remediation established at this Controlled Property until such time as this Environmental Easement is extinguished pursuant to ECL Article 71, Title 36;

NOW THEREFORE, in consideration of the covenants and mutual promises contained herein and the terms and conditions of **Brownfield Cleanup Agreement Number W3-1065-05-05** Grantor grants, conveys and releases to Grantee a permanent Environmental Easement pursuant to Article 71, Title 36 of the ECL in, on, over, under, and upon the Controlled Property as more fully described herein ("Environmental Easement").

1. Purposes. Grantor and Grantee acknowledge that the Purposes of this Environmental Easement are: to convey to Grantee real property rights and interests that will run with the land in perpetuity in order to provide an effective and enforceable means of encouraging the reuse and redevelopment of this Controlled Property at a level that has been determined to be safe for a specific use while ensuring the performance of operation, maintenance, and/or monitoring requirements; and to ensure the potential restriction of future uses of the land that are inconsistent with the above-stated purpose.

2. Institutional and Engineering Controls. The following controls apply to the use of the Controlled Property, run with the land, are binding on the Grantor and the Grantor's successors and assigns, and are enforceable in law or equity against any owner of the Controlled Property, any lessees, and any person using the Controlled Property:

A. The Controlled Property may be used for **restricted residential and commercial** use (as presently defined in 6 NYCRR Part 375-1.8 (g)) as long as the following long-term engineering controls are employed and the land use restrictions specified below are adhered to:

Description of Engineering Controls

The engineering controls installed at the Controlled Property (Hudson Park North) are as follows:

i) a Sub-Slab Depressurization System consisting of three main components:

- A permeable aggregate bed layer, to provide a high permeability zone immediately beneath the low permeability membrane, in order to allow VOCs to migrate easily to the vapor collection system and piping, and to allow for the relatively uniform propagation of vacuum under the foundation slab if an active sub-slab depressurization system (SSDS) is required in the future.

- A vapor collection system within the aggregate layer which utilizes a high permeability, low profile, high structural strength vent layer, designed to effectively collect and transmit gasses and vapors.

- Low-permeability membrane above the venting layer designed to limit chlorinated solvent vapors from entering the on-site structure.

The passive SSDS is capable of being upgraded to an active system if required. If it is determined by appropriate sampling of the sub-slab soil vapor below the membrane that a potential exists to impact indoor air, an active mechanical vacuum extraction system can be installed, in an appropriate weatherproof enclosure, in order to actively depressurize the permeable aggregate bed layer beneath the first floor foundation slab.

Sub-slab soil vapor monitoring can be performed at the three vacuum and sub-slab soil vapor monitoring points to determine if contaminants are present in sub-slab soil vapor in the permeable bed layer beneath the membrane and first floor foundation, to determine if a potential for indoor air intrusion exists.

ii) Site Cover System

As part of the development of Parcels B and C, the majority of these Parcels were capped with a building, paved roadway, sidewalk or other "hardscape" or impermeable surface. In the areas that were not capped with impermeable surfaces, a minimum two-feet soil cap was constructed. A high visibility demarcation barrier fence (orange snow fence) was placed on top of the affected, native fill soil remaining in place and beneath the clean fill approximately two feet below the final grade. Maintenance of the cap would require the following:

- Landscaped areas must be maintained with a pitch away from buildings to keep water from entering the building and the pooling of water in the landscaped areas.
- The soil cap above the orange snow fence must be maintained at approximately two feet.
- The vegetation in the landscaped areas must be kept in place and maintained to retain the cover and prevent soil erosion.
- If the soil cap or hardscape is breached for any reason, any underlying soils removed from below the hardscape or below the orange snow fence must be stockpiled on and covered with a PVC liner and then returned to the same location below the demarcation barrier. The breached barrier must be repaired or replaced.
- Imported, clean fill soils from above the demarcation barrier must be segregated from the deeper soils during any excavation. The imported fill may be returned to any portion of the excavation.
- Any additional soils needed to be placed above the demarcation barrier, and imported from off-site, must be analyzed for semivolatile compounds (EPA 8270 PAH's only), volatile organic compounds (EPA 8260) and metals. The analytical results should be compared to and must not exceed the soil cleanup objectives (6NYCRR Subpart 375-6).
- If the native stockpiled soils removed below the demarcation barrier cannot be returned to their original area, these soils must be disposed of off-site at a licensed facility in accordance with applicable rules and regulations.
- Soils beneath the buildings, garages, sidewalks or other "hardscape" areas must be considered affected soil. Therefore, if any soils are excavated from beneath these areas, they must be placed back into the excavation and capped with "hardscape" or demarcation barrier and approximately two feet of clean fill. Any soil not returned to the excavation must be disposed of off-site at a licensed facility in accordance with applicable rules and regulations.
- An annual certification must be made to the NYSDEC indicating that the requirements of this Plan have been met and denote areas where deficiencies have occurred, if any. A Site Management Report, including any required inspection or sampling documentation and certifications, shall be submitted by the Owner to NYSDEC by March 1st following the calendar reporting year, along with an Annual Certification, signed and certified by the Owner, and certifying that the engineering controls (SSDS and site cover system) are in place and functioning correctly, or noting any deficiencies and including a corrective action plan for these deficiencies to be corrected. The owner will also certify that NYSDEC is allowed access to the Site to inspect the engineering controls.

The institutional controls installed at the Controlled Property are as follows:

i) The impermeable surfaces, consisting of the asphalt in the parking areas and sidewalks/walkways and the soil cover in the landscaped areas and the building structures are maintained in accordance with the approved Site Management Plan (SMP).

ii) All future soil disturbance activities, including building renovation/expansion, subgrade utility line repair/relocation, and new construction are conducted in accordance with the approved SMP.

iii) The use of the groundwater underlying the Site is prohibited without treatment rendering it safe for intended purposes.

iv) The SSDS and site cover system will be operated and maintained as required by the approved SMP dated December 2008. Annual inspection and reporting will be performed in a manner specified in the approved SMP dated December 2008.

B) Grantor shall provide all persons who acquire any interest in the Controlled Property a true and complete copy of the Site Management Plan that the Department has approved for the Controlled Property and all Department-approved amendments to that Site Management Plan.

C) The Grantor hereby acknowledges receipt of a copy of the NYSDEC-approved Site Management Plan dated December, 2008 ("SMP"). The SMP describes obligations that the Grantor assumes on behalf of Grantor, its successors and assigns. The Grantor's assumption of the obligations contained in the SMP which may include sampling, monitoring, and/or operating a treatment system on the Controlled Property, and providing certified reports to the NYSDEC, is and remains a fundamental element of the Department's determination that the Controlled Property is safe for a specific use, but not all uses. Upon notice of not less than thirty (30) days the Department in exercise of its discretion and consistent with applicable law may revise the SMP. The notice shall be a final agency determination. The Grantor and all successors and assigns, assume the burden of complying with the SMP and obtaining an up-to-date version of the SMP from:

Regional Remediation Engineer:
Region 3
NYS DEC
21 South Putt Corners Road
New Paltz, NY 12561-1696

or

Site Control Section
Division of Environmental Remediation
NYS DEC
625 Broadway
Albany, NY 12233

D. The Controlled Property may not be used for a higher level of use such as **unrestricted residential** use (as presently defined in 6 NYCRR Part 375-1.8 (g)) and the above-stated engineering controls may not be discontinued without an amendment or extinguishment of this Environmental Easement.

E. Grantor covenants and agrees that until such time as the Environmental Easement is extinguished in accordance with the requirements of Article 71, Title 36 of the ECL, the property deed and all subsequent instruments of conveyance relating to the Controlled Property shall state in at least fifteen-point bold-faced type:

This property is subject to an Environmental Easement held by the New York State Department of Environmental Conservation pursuant of Title 36 to Article 71 of the Environmental Conservation Law.

F. Grantor covenants and agrees that this Environmental Easement shall be incorporated in full or by reference in any leases, licenses, or other instruments granting a right to use the Controlled Property.

G. Grantor covenants and agrees that it shall annually, or such time as NYSDEC may

allow, submit to NYSDEC a written statement by an expert the NYSDEC may find acceptable certifying under penalty of perjury that the controls employed at the Controlled Property are unchanged from the previous certification or that any changes to the controls employed at the Controlled Property were approved by the NYSDEC, and that nothing has occurred that would impair the ability of such control to protect the public health and environment or constitute a violation or failure to comply with any Site Management Plan for such controls and giving access to such Controlled Property to evaluate continued maintenance of such controls.

3. Right to Enter and Inspect. Grantee, its agents, employees, or other representatives of the State may enter and inspect the Controlled Property in a reasonable manner and at reasonable times to assure compliance with the above-stated restrictions.

4. Reserved Grantor's Rights. Grantor reserves for itself, its assigns, representatives, and successors in interest with respect to the Property, all rights as fee owner of the Controlled Property, including:

1. Use of the Controlled Property for all purposes not inconsistent with, or limited by the terms of this Environmental Easement;

2. The right to give, sell, assign, or otherwise transfer the underlying fee interest to the Controlled Property by operation of law, by deed, or by indenture, subject and subordinate to this Environmental Easement;

5. Enforcement

A. This Environmental Easement is enforceable in law or equity in perpetuity by Grantor, Grantee, or any affected local government, as defined in ECL Section 71-3603, against the owner of the Property, any lessees, and any person using the land. Enforcement shall not be defeated because of any subsequent adverse possession, laches, estoppel, or waiver. It is not a defense in any action to enforce this Environmental Easement that: it is not appurtenant to an interest in real property; it is not of a character that has been recognized traditionally at common law; it imposes a negative burden; it imposes affirmative obligations upon the owner of any interest in the burdened property; the benefit does not touch or concern real property; there is no privity of estate or of contract; or it imposes an unreasonable restraint on alienation.

B. If any person intentionally violates this Environmental Easement, the Grantee may revoke the Certificate of Completion provided under ECL Article 27, Title 14, or Article 56, Title 5 with respect to the Controlled Property.

C. Grantee shall notify Grantor of a breach or suspected breach of any of the terms of this Environmental Easement. Such notice shall set forth how Grantor can cure such breach or suspected breach and give Grantor a reasonable amount of time from the date of receipt of notice in which to cure. At the expiration of such period of time to cure, or any extensions granted by Grantee, the Grantee shall notify Grantor of any failure to adequately cure the breach or suspected breach. Grantor shall then have a reasonable amount of time from receipt of such notice to cure. At the expiration of said second period, Grantee may commence any proceedings and take any other appropriate action reasonably necessary to remedy any breach of this Environmental Easement in accordance with applicable law to require compliance with the terms of this Environmental Easement.

D. The failure of Grantee to enforce any of the terms contained herein shall not be deemed a waiver of any such term nor bar its enforcement rights in the event of a subsequent breach of or noncompliance with any of the terms of this Environmental Easement.

6. Notice. Whenever notice to the State (other than the annual certification) or approval from the State is required, the Party providing such notice or seeking such approval shall identify the Controlled Property by referencing the following information:

County, NYSDEC Site Number, NYSDEC Contract or Order Number, and the County tax map number or the Liber and Page or computerized system identification number.

Parties shall address correspondence to: Site No. C 360071
Environmental Easement Attorney
Office of General Counsel
NYSDEC
625 Broadway
Albany New York 12233-5500

Such correspondence shall be delivered by hand, or by registered mail or by Certified mail and return receipt requested. The Parties may provide for other means of receiving and communicating notices and responses to requests for approval.

7. Recordation. Grantor shall record this instrument, within thirty (30) days of execution of this instrument by the Commissioner or her/his authorized representative in the office of the recording officer for the county or counties where the Property is situated in the manner prescribed by Article 9 of the Real Property Law.

8. Amendment. This Environmental Easement may be amended only by an amendment executed by the Commissioner of the New York State Department of Environmental Conservation and filed with the office of the recording officer for the county or counties where the Property is situated in the manner prescribed by Article 9 of the Real Property Law.

9. Extinguishment. This Environmental Easement may be extinguished only by a release by the Commissioner of the New York State Department of Environmental Conservation and filed with the office of the recording officer for the county or counties where the Property is situated in the manner prescribed by Article 9 of the Real Property Law.

10. Joint Obligation. If there are two or more parties identified as Grantor herein, the obligations imposed by this instrument upon them shall be joint and several.

IN WITNESS WHEREOF, Grantor has caused this instrument to be signed in its name.

Grantor's Name: **City of Yonkers Industrial Development Agency**

By: Melvin A. Bartlett

Title: Chief Financial Officer Date: 12/8/03

Grantor's Name: **Collins Yonkers II LLC**

By: Hudson Park North Holding LLC
Its Managing Member

By: Collins Yonkers North, LLC
Its Managing Member

By:_____
Arthur Collins II - A Manager

Title: Principal Date: 12/9/08

Collins Yonkers III LLC

By: Collins Enterprises LLC

By:_____
Arthur Collins II - A Manager

Title: Principal Date: 12/9/08

By:_____
Dwight Collins - A Manager

Title: Principal Date: 12/9/08

Collins Yonkers IV LLC

By: Collins Enterprises LLC

By:_____ 12/9/08
Arthur Collins II - A Manager

Title: Principal Date:_____

By:_____
Dwight Collins - A Manager

Title: Principal Date: 12/9/08

THIS ENVIRONMENTAL EASEMENT IS HEREBY ACCEPTED BY THE PEOPLE OF THE STATE OF NEW YORK, Acting By and Through the Department of Environmental Conservation

by:_____
Alexander B. Grannis, Commissioner

Grantor's Acknowledgment

STATE OF NEW YORK)
) ss:
COUNTY OF Westchester)

On the 8 day of December, in the year 2008, before me, the undersigned, personally appeared Melanie Cutler, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary Public - State of New York

DAVID ROTHMAN
NOTARY PUBLIC-STATE OF NEW YORK
No. 02RO6184852
Qualified in Westchester County
My Commission Expires April 07, 2012

Grantor's Acknowledgment

STATE OF ~~NEW YORK~~ Connecticut)
) ss: Stamford
COUNTY OF Fairfield)

On the 9th day of December, in the year 2008, before me, the undersigned, personally appeared Arthur Collins, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary Public - State of New York

CATHERINE WENDY NEIMAN
NOTARY PUBLIC
MY COMMISSION EXPIRES APR. 30, 2010

Grantor's Acknowledgment

STATE OF ~~NEW YORK~~ Connecticut)
) ss: Stamford
COUNTY OF Fairfield)

On the 9th day of December, in the year 2008, before me, the undersigned, personally appeared Dwight Collins, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary Public - State of New York

CATHERINE WENDY NEIMAN
NOTARY PUBLIC
MY COMMISSION EXPIRES APR. 30, 2010

Grantor's Acknowledgment

STATE OF NEW YORK)
) ss:
COUNTY OF)

On the _____ day of _____, in the year 20 __, before me, the undersigned, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary Public - State of New York

Grantee's Acknowledgment

STATE OF NEW YORK)
) ss:
COUNTY OF Albany)

On the 22 day of December, in the year 2008, before me, the undersigned, personally appeared Alexander B. Grannis, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name is (are) subscribed to the within instrument and acknowledged to me that he/she/ executed the same in his/her/ capacity as Commissioner of the State of New York Department of Environmental Conservation, and that by his/her/ signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public - State of New York

CINDYLOU M. FRINKS-DIXON
Notary Public, State of New York
No. 4805685
Qualified in Albany County
Commission Expires August 24, 2009

SCHEDULE "A"
PROPERTY DESCRIPTION

Legal Description – Operable Unit 1
Parcel C (includes Parcel D, Water St. and portion of Dock St.)

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

BEGINNING at a point on the westerly line of land now or formerly N.Y. Central Railroad Co. (Lot 1, Block 7000 as shown on the Tax Maps of the City of Yonkers), where the same is intersected by the northerly line of Tax Lot 30, Block 2600;

RUNNING THENCE along the northerly line of Tax Lots 30 and 35, the following courses and distances:

N 73 degrees 41 minutes 20 seconds W, 138.23 feet to a point,
N 70 degrees 13 minutes 25 seconds W, 119.95 feet to a point,
N 72 degrees 02 minutes 35 seconds W, 74.00 feet to a point,
N 73 degrees 48 minutes 02 seconds W, 47.84 feet to a point,
N 18 degrees 57 minutes 10 seconds E, 13.00 feet to a point,
And N 71 degrees 02 minutes 50 seconds W, 20.44 feet to a point;

RUNNING THENCE through Tax Lots 45, 40 and 33, Block 2600, along the approximate easterly edge of water of the Hudson River, as located September 16, 2004 by Aristotle Bournazos, P.C., Land Surveyors – Planners, the following courses and distances:

N 20 degrees 28 minutes 48 seconds E, 78.14 feet to a point,
N 87 degrees 12 minutes 32 seconds E, 32.69 feet to a point,
N 80 degrees 02 minutes 13 seconds E, 57.15 feet to a point,
N 74 degrees 29 minutes 40 seconds E, 87.56 feet to a point,
And N 18 degrees 59 minutes 09 seconds E, 137.03 feet to a point;

RUNNING THENCE along the southerly line of Tax Lots 77 and 67, Block 2600, the following courses and distances:

S 71 degrees 02 minutes 50 seconds E, 16.50 feet to a point,
And S 70 degrees 13 minutes 05 seconds E, 322.63 feet to a point on the westerly line of land now or formerly N.Y. Central Railroad Co. (Tax Lot 1, Block 7000);

RUNNING THENCE along said westerly line, S 36 degrees 02 minutes 00 seconds W, 318.58 feet to the point or place of BEGINNING,

CONTAINS 2.5421 Acres.

Legal Description – Operable Unit 2
Parcel B/Northern Parcel C
(includes portion of Wells Avenue)
Consisting of the following 3 parcels:

1.Parcel B

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

BEGINNING at a point formed by the intersection of the westerly side of Alexander Street with the northerly side of Wells Avenue;

RUNNING THENCE along said northerly side of Wells Avenue, N 69 degrees 30 minutes 00 seconds W, 361.65 feet to a point;

RUNNING THENCE through Lot 73, Block 2605 as shown on the Tax Maps of the City of Yonkers, and along the approximate easterly edge of water of the Hudson River, as located September 16, 2004 by Aristotle Bournazos, P.C., Land Surveyors and Planners, the following courses and distances:

N 29 degrees 39 minutes 18 seconds E, 80.19 feet to a point,
And N 39 degrees 39 minutes 17 seconds E, 52.58 feet to a point on the southerly line of Tax Lot 67, Block 2605;

RUNNING THENCE along the southerly line of Tax Lot 67, block 2605, S 69 degrees 30 minutes 00 seconds E, 367.45 feet to a point on the westerly side of Alexander Street;

RUNNING THENCE along said westerly side of Alexander Street, S 36 degrees 02 minutes 00 seconds W, 133.62 feet to the point or place of BEGINNING.

CONTAINS 1.0858 Acres.

2.Northern Parcel C

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

BEGINNING at a point on the westerly line of land now or formerly N.Y. Central Railroad Co. (Lot 1, Block 7000 as shown on the Tax Maps of the City of Yonkers) where the same is intersected by the northerly line of Tax Lot 57, Block 2600;

RUNNING THENCE along the northerly line of Tax lot 57, Block 2600, the northerly terminus of Water Street, and the northerly line of Tax Lot 33, Block 2600, S 70 degrees 13 minutes 05 seconds E, 304.10 feet to a point;

RUNNING THENCE through Tax Lots 67 and 77, Block 2600, and along the approximate easterly edge of water of the Hudson River, as located September 16, 2004 by Aristotle Bournazos, P.C. Land Surveyors and Planners, the following courses and distances:

N 19 degrees 46 minutes 55 seconds E, 32.52 feet to a point,
N 70 degrees 04 minutes 45 seconds W, 82.50 feet to a point,
And N 20 degrees 30 minutes 00 seconds E, 47.47 feet to a point on the southerly side of

Wells Avenue;

RUNNING THENCE along said southerly side of Wells Avenue, S 69 degrees 30 minutes 00 seconds E, 354.70 feet to a point on the westerly side of Alexander Street;

RUNNING THENCE along said westerly side of Alexander Street, S 36 degrees 02 minutes 00 seconds W, 25.23 feet to the southerly side of Alexander Street;

RUNNING THENCE along the southerly side of Alexander Street, S 69 degrees 30 minutes 00 seconds E, 53.22 feet to a point on the westerly line of land now or formerly N.Y. Central Railroad Co. (Tax Lot 1, Block 7000);

RUNNING THENCE along said westerly line, S 36 degrees 02 minutes 00 seconds W, 52.97 feet to the point or place of BEGINNING.

CONTAINES 0.6174 Acres.

3.Portion of Wells Avenue

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

BEGINNING at the corner formed by the intersection of the westerly side of Alexander Street with the northerly side of Wells Avenue;

RUNNING THENCE along the westerly side of Alexander Street, S 36 degrees 02 minutes 00 seconds W, 25.95 feet through the road bed of Wells Avenue to the corner formed by said westerly side of Alexander Street with the southerly side of Wells Avenue;

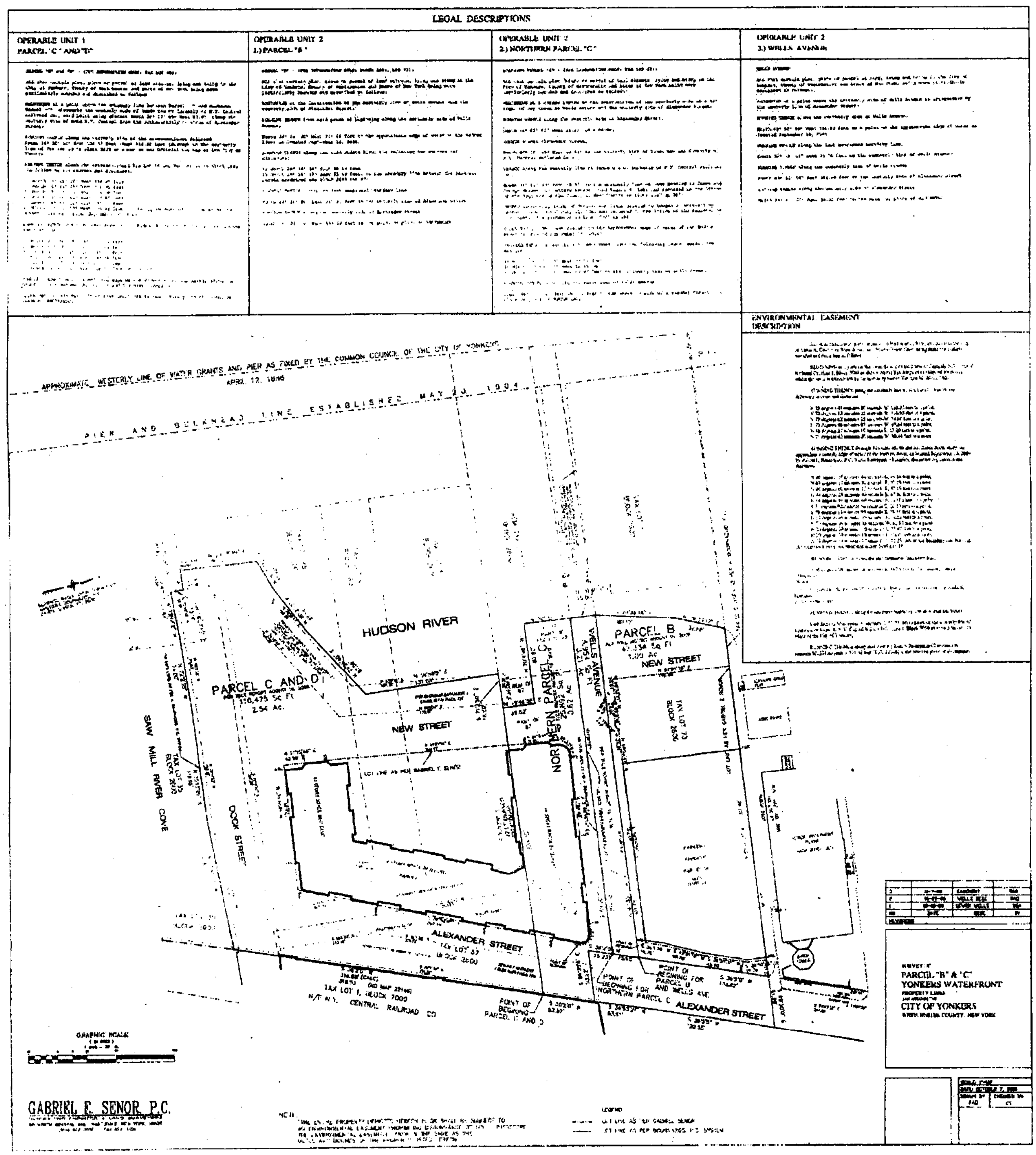
RUNNING THENCE along the southerly side of Wells Avenue, N 69 degrees 30 minutes 00 seconds W, 354.70 feet to the approximate easterly edge of water of the Hudson River, as located September 16, 2004 by Aristotle Bournazos, P.C., Land Surveyors and Planners;

RUNNING THENCE along said easterly edge of water, N 20 degrees 30 minutes 00 seconds E, 25.00 feet to a point on the northerly side of Wells Avenue;

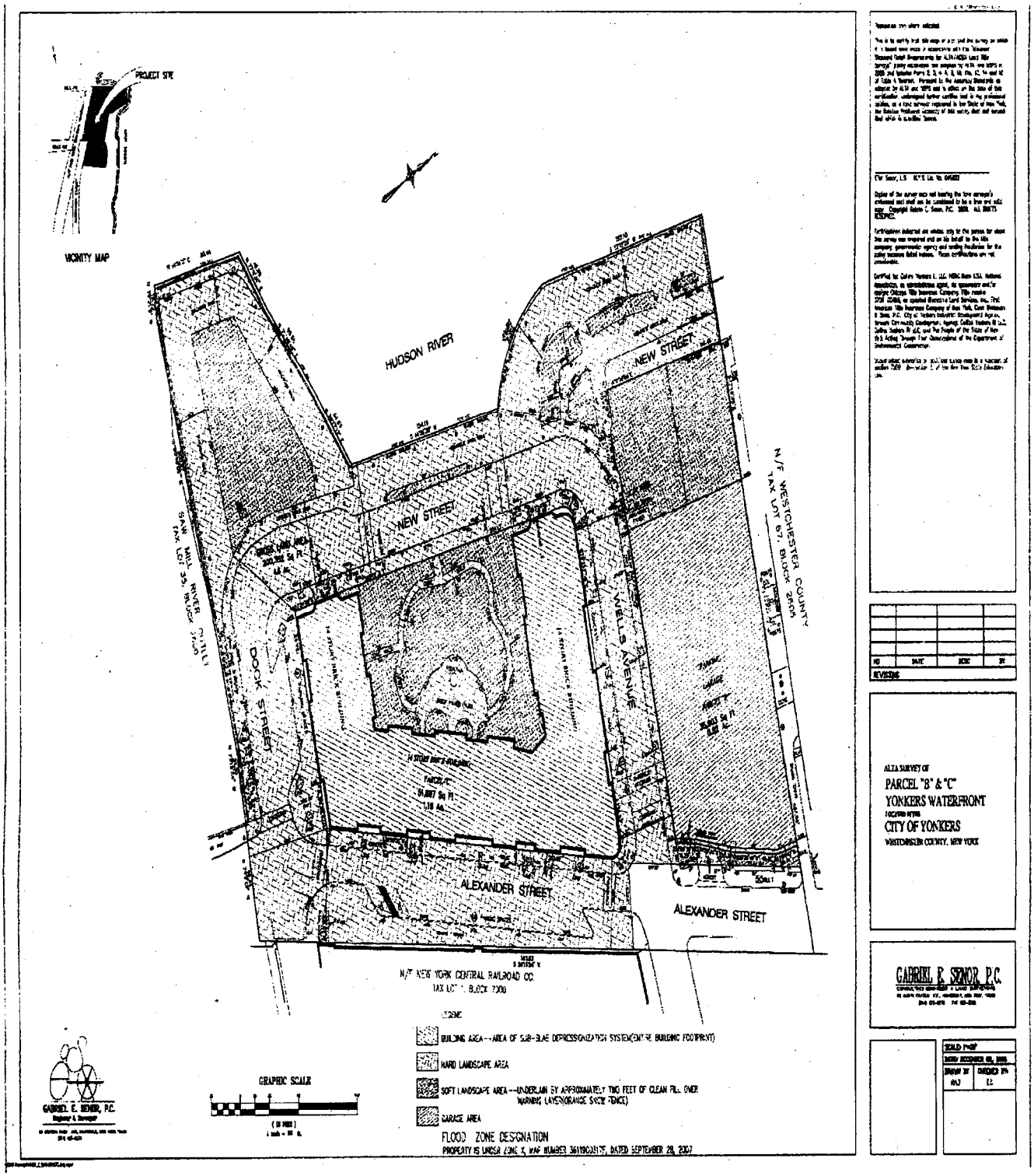
RUNNING THENCE along said northerly side of Wells Avenue, S 69 degrees 30 minutes 00 seconds E, 361.65 feet to the point or place of BEGINNING.

CONTAINS 0.206 Acres.

SURVEY



LEGAL DESCRIPTIONS
OPERABLE UNIT 1
PARCEL "C" AND "D"
OPERABLE UNIT 2
1.) PARCEL "B"
OPERABLE UNIT 2
2.) NORTHERN PARCEL "C"
OPERABLE UNIT 2
3.) WELLS AVENUE
ENVIRONMENTAL EASEMENT DESCRIPTION
APPROXIMATE WESTERLY LINE OF WATER GRANTS AND PIER AS FIXED BY THE COMMON COUNCIL OF THE CITY OF YONKERS
APRIL 12, 1846
PIER AND BULKHEAD LINE ESTABLISHED MAY 20, 1904
HUDSON RIVER
PARCEL C AND D
110,475 Sq Ft
2.54 Ac.
NEW STREET
SAW MILL RIVER COVE
DOCK STREET
TAX LOT 35
BLOCK 2600
PARCEL B
1.09 Ac
NORTHERN PARCEL C
3.62 Ac
WELLS AVENUE
TAX LOT 73
BLOCK 2600
ALEXANDER STREET
TAX LOT 1, BLOCK 7000
N/F N.Y. CENTRAL RAILROAD CO
POINT OF BEGINNING PARCEL C AND D
POINT OF BEGINNING FOR NORTHERN PARCEL C
POINT OF BEGINNING FOR PARCEL B AND WELLS AVE
GRAPHIC SCALE
GABRIEL E. SENOR, P.C.
LEGEND
SURVEY OF
PARCEL "B" & "C"
YONKERS WATERFRONT
CITY OF YONKERS
WESTCHESTER COUNTY, NEW YORK


PROJECT SITE
VICINITY MAP
HUDSON RIVER
NEW STREET
NEW STREET
WELLS AVENUE
DOCK STREET
ALEXANDER STREET
ALEXANDER STREET
N/F WESTCHESTER COUNTY
TAX LOT 67, BLOCK 2505
SAW MILL RIVER OUTLET
TAX LOT 35, BLOCK 2500
N/F NEW YORK CENTRAL RAILROAD CO.
TAX LOT ", BLOCK 7300
PARCEL "C"
51,883 Sq. Ft.
1.19 Ac.
LEGEND
BUILDING AREA--AREA OF SUB-SLAB DEPRESSURIZATION SYSTEM(ENTIRE BUILDING FOOTPRINT)
HARD LANDSCAPE AREA
SOFT LANDSCAPE AREA--UNDERLAIN BY APPROXIMATELY TWO FEET OF CLEAN FILL OVER WARNING LAYER(ORANGE SNOW FENCE)
GARAGE AREA
FLOOD ZONE DESIGNATION
PROPERTY IS LOCATED IN ZONE X, MAP NUMBER 36119C0311F, DATED SEPTEMBER 28, 2007
GRAPHIC SCALE
GABRIEL E. SENOR, P.C.
NO
DATE
DESC
BY
REVISIONS
ALTA SURVEY OF
PARCEL "B" & "C"
YONKERS WATERFRONT
LOCATED WITHIN
CITY OF YONKERS
WESTCHESTER COUNTY, NEW YORK
GABRIEL E. SENOR, P.C.
SEALED PROP
DRAWN BY
CHECKED BY
AMJ
EE

EDMS # 321898

APPENDIX C
ENVIRONMENTAL INSPECTION FORMS

ENVIRONMENTAL INSPECTION FORM
Hudson Park North, Yonkers, New York

Property Name:_____ Inspection Date:_____
Property Address:_____
City:_____ State:_____ Zip Code:_____
Property ID Tax Assessment Map: Section:_____ Block:_____ Lot:_____

Weather conditions during inspection: Temperature_____
Conditions:_____

SIGNATURE

The findings of this inspection were discussed with appropriate personnel, corrective actions (if warranted), were identified and implemented in accordance with the approved Site Management Plan. Inspector:_____ Date:_____
Next scheduled Inspection Date:_____

Sub-Slab Depressurization System

Are sub-slab soil vapor concentrations above NYSDOH or NYSDEC guidelines?	Yes____ No____

Visual Inspection

Sub-slab vacuum/soil vapor monitor points: Any cracks or potential leaks?	Yes____ No____
Valve closed?	Yes____ No____
Roof stack cracked or leaking?	Yes____ No____
Roof stack fixed to roof securely?	Yes____ No____
Roof stack clear of debris?	Yes____ No____
Roof stack drainage good?	Yes____ No____

Site Cover System

Is there any evidence of ponding, settlement, erosion, sloughing?	Yes____ No____
Is there any evidence of distressed vegetation or turf?	Yes____ No____
Are unusual cracks visible in soil, sidewalk or building slab?	Yes____ No____
Is there any breach of the site cover system?	Yes____ No____

Comments:

_____
_____
_____

Attachments:
Site Sketch
Photographs
Laboratory reports

CORRECTIVE ACTION FORM
Hudson Park North, Yonkers, New York

Property Name:_____ Inspection Date:_____
Property Address:_____
City:_____ State:_____ Zip Code:_____
Property ID Tax Assessment Map: Section:_____ Block:_____ Lot:_____

Weather conditions during inspection: Temperature_____
Conditions:_____

An inspection of the subject property identified the need for corrective actions described below:

CORRECTIVE ACTIONS TAKEN
(attach site sketch and photographs)

_____
_____
_____
_____
_____
_____
_____
_____
_____
_____
_____
_____
_____
_____
_____
_____
_____
_____

Date completed:_____ Signature:_____
The corrective actions described above were completed in accordance with the relevant requirements of the Remedial Action Plan.

Attachments:
Site Sketch
Photographs
Laboratory reports