



Consulting  
Engineers and  
Scientists

## 2023 Periodic Review Report

Hunts Point Site A OU-1

For the Property located at 355 Food Center Drive  
Bronx, New York 10474  
Former NYSDEC VCP Site No. V00233

**Prepared for:**

New York State Department of Environmental Conservation  
Division of Environmental Remediation  
625 Broadway  
Albany, New York 12233-7020

**On Behalf of:**

New York City Economic Development Corporation  
1 Liberty Plaza  
New York, New York 10006

**Prepared by:**

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June 2023

**FINAL**

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## 1.0 Introduction and Site Overview

GEI Consultants, Inc., P. C. (GEI) has prepared this Periodic Review Report (PRR) on behalf of the New York City Economic Development Corporation (NYCEDC) for Operable Unit One of Parcel A (Site A OU-1) in Bronx, NY (**Figure 1**). The remedy was completed in September 2005 under the New York State Department of Environmental Conservation (NYSDEC) Voluntary Cleanup Program (VCP) as Site No. V00233. In accordance with the former Voluntary Cleanup Agreement (VCA) between the City of New York and NYSDEC, this PRR package has been completed and executed. The Institutional and Engineering Controls Certification Form is included as **Appendix A** of this report.

Site A OU-1 was historically part of a Con Edison Manufactured Gas Plant (MGP) that was constructed to manufacture both oven gas and carbureted water gas, producing coke, ammonium sulfate, coal tar, water gas tar, and light oil as major by-products. Former investigative activities showed that contamination existed in three (3) dominant forms: coal tar, purifier waste, and petroleum contaminated soil.

Site A OU-1 is bounded to the north by the current Brownfield Cleanup Program (BCP) Viele Avenue Site (No. C203103), to the south by Food Center Drive (FCD), to the west by current BCP Parcel A-2 (No. C203094), and to the east by the Nebraskaland Inc. building, a tenant of the Hunts Point Cooperative Market, which is currently enrolled in the BCP as the 355 FCD Site (No. C203099) (**Figure 2**).

Site A OU-1 is 7.65 acres in size and is currently divided between three separate portions of land within the Hunts Point Food Distribution Center (HPFDC). The remedy and redevelopment for Site A OU-1 included the construction of two paved parking lots consisting of a minimum 6-inch asphalt and gravel layer: one approximate 2.6-acre area in the Meat Market, to the west of Nebraskaland (completed in 2002), and one approximate 4.7-acre area to the north of the Meat Market lot, initially intended to serve as overflow employee parking areas for the New Fulton Fish Market (completed in 2004). Instead, this area is currently undergoing an additional redevelopment as a food distribution center under the direction of NYCEDC and New York State Regional Food Hub, LLC (NYSRFH).

This PRR excludes the portion of Site A OU-1 that lies within the metes and bounds of the current NYSRFH development. This area is currently under construction and is subject to regular construction updates to NYSDEC as it also contains the entirety of the Viele Avenue BCP Site. When the project is completed and a Certificate of Completion (COC) is issued for the Viele Avenue BCP Site, a discussion with NYSDEC will take place to determine if the portion of VCP Site A OU-1 that lies within the NYSRFH development will be included in the PRR for the Viele Avenue BCP Site or if the original VCP Site A OU-1 area will be maintained.

A sliver of unused land capped with vegetation and partial asphalt remains between the two aforementioned paved parking areas and is surrounded by fencing with a gated entryway. The

southern perimeter of the parking area within the Meat Market was left unpaved, graded with imported fill material, and is partially planted with grass. No fill material was excavated and disposed of off-site as part of the remedy, however clean fill was imported to complete the grading effort.

The third portion of Site A OU-1 is located along the extreme western boundary, containing a narrow swath of land (approximately 0.3 acres) that is currently undeveloped and was part of the BCP Parcel A-2 initial remediation performed in January through August 2018.

The purpose of this PRR is to certify that the conditions of the Site Management Plan (SMP) have been upheld since the last performed PRR, following the Site remedy completion and submittal of the Final Engineering Report (FER) in 2005. Specific conditions taken into consideration include conditions since the adjacent BCP Parcel A-2 remediation, site reconnaissance, as well as the Engineering Controls (ECs) and Institutional Controls (ICs) in place for the Site as part of the NYSDEC-approved remedy signifying that the remedial objectives for the Site have been met and as the basis for the No Further Action (NFA) determination.

While this Site was closed under the VCP and an SMP is in place for this area, NYSDEC has upgraded the requirements of the SMP to meet the New York Codes, Rules and Regulations (NYCRR) Part 375 site management protocols. This specifically includes performing community air monitoring under a Community Air Monitoring Plan (CAMP), materials management, submittal of an Excavation Work Plan (EWP), as well as submittal of a fill importation request for any imported material to be used during construction. The SMP will be updated along with other Hunts Point VCP SMP documents in order to bring all sites up to current requirements.

## 2.0 Site Reconnaissance and Redevelopment

Site reconnaissance was conducted on May 3<sup>rd</sup>, 2023, by Savanna Marino (GEI). Photographs were taken during the site inspection and are included as **Appendix B**.

Of the two primary uses for Site A OU-1 as described above, the portion within the Hunts Point Cooperative Market (adjacent to Nebraskaland) was first observed. GEI noted typical wear in the heavily trafficked parking lot with potholes of various widths and depths dispersed throughout, however no soil/subgrade material was exposed. While being escorted by Mr. Nick Hill, Operations Manager of the Hunts Point Cooperative Market, Mr. Hill informed GEI that no disturbance to the asphalt cap has been performed since the last PRR.

In September 2022, pothole repairs were performed on the portion of Site A OU-1 adjacent to Nebraskaland. Air monitoring was not conducted during pothole repairs, however the sub-base and soil beneath the pavement were not exposed at any point during the repairs.

The 4.7-acre area located within the northern portion of Site A OU-1 was unable to be inspected as it is currently undergoing redevelopment activities as directed by NYCEDC and NYSRFH along with the northern adjacent BCP Viele Avenue Site (No. C203102). Construction activities began in March 2021 and are expected to be completed in Summer 2023 with a food distribution warehouse, with engineering controls in the form of paved parking areas, loading dock areas, and a passive sub-slab venting system. All work is being performed under a NYSDEC-approved Remedial Action Work Plan (RAWP) for the Viele Avenue BCP Site as well as the SMP for VCP Site A OU-1. AKRF is present on-site with a Qualified Environmental Professional (QEP) during all work activities and provided daily reporting, Community Air Monitoring (CAMP), and oversight until completion of the redevelopment. The RAWP and Decision Document (DD) include details for the full replacement of the entire engineered surface cap/controls, which will be further documented in the Final Engineering Report (FER) to be submitted to NYSDEC following completion.

### **3.0 Conclusion**

The previously installed ECs for Site A OU-1, also known as NYSDEC VCP Site No. V00233, are known to have been disturbed since submittal of the last PRR, however, none of the ECs have been disturbed or altered in a way that would constitute a violation or failure to comply with the currently existing SMP for the site.

The western perimeter of Site A OU-1 that was included in the 2018 and 2023 BCP Parcel A-2 remediation remains in its current state with a temporary soil/on-site fill cap and will continue to stay in this condition until future redevelopment plans are designed and implemented. The entirety of the BCP Parcel A-2 Site and extreme western portion of VCP Site A OU-1 is surrounded by chain-link fencing with barbed wire and several locked gates, preventing access to the area, and thus limiting the potential for the public to come in contact with the current cover system and any impacted material remaining within the subsurface.

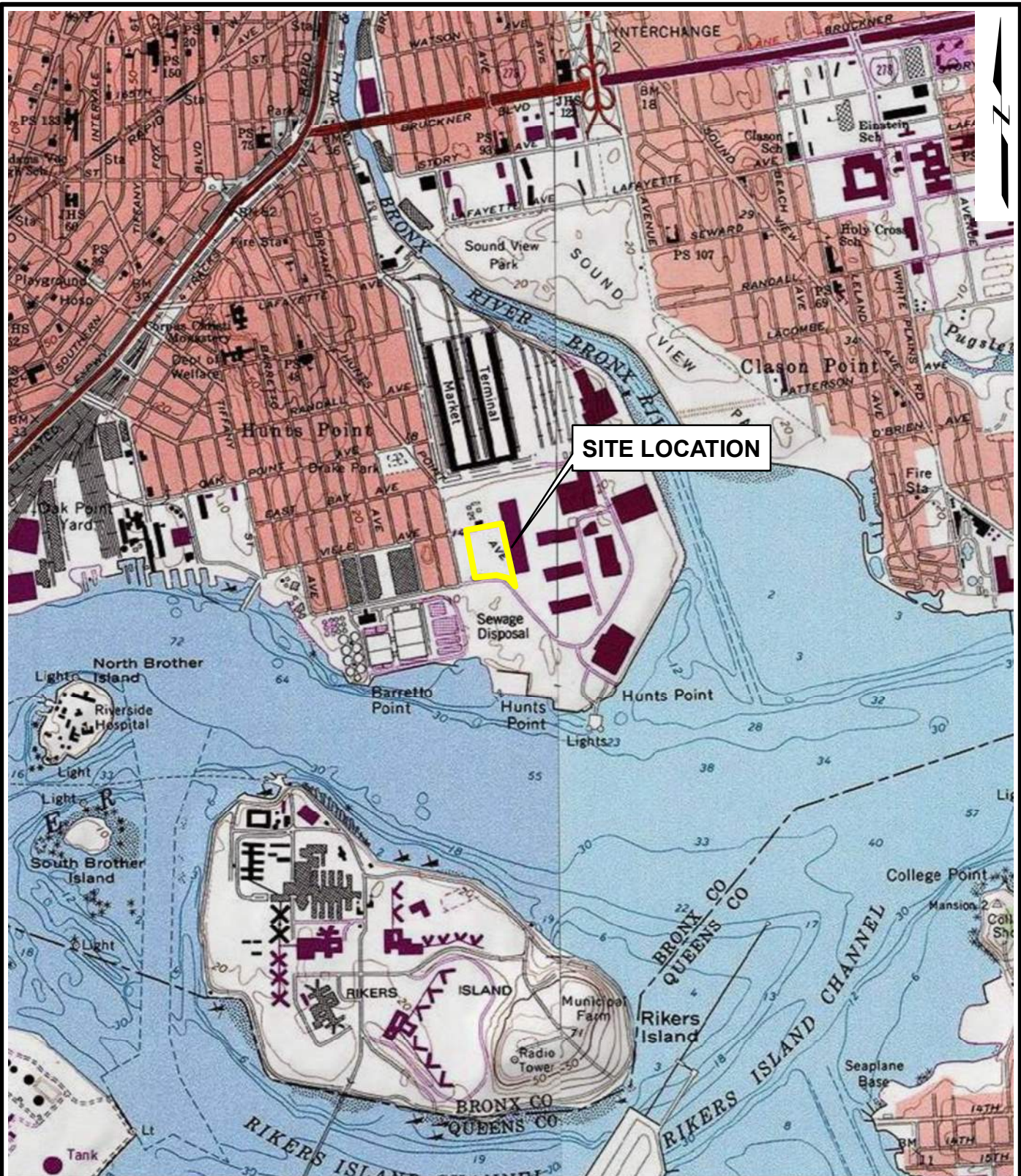
The portion of Site A OU-1 within the Nebraskaland parking lot also remains in compliance with the established ICs as the site continues to be used for commercial purposes only, and the groundwater is not used as a source for supplying drinking water to the area.

Ongoing remedial and redevelopment activities for the northern portion of VCP Site A OU-1 and the northern adjacent Viele Avenue BCP Site will be further documented in the FER following completion of all intrusive activities as well as within the next PRR. No subsurface material is exposed on the Site, with redevelopment coming to a close. All remedial and redevelopment activities will be documented by a QEP as required in the NYSDEC-approved RAWP and SMP. Additionally, for future PRRs, NYSDEC has requested that the SMP for this site, which was executed under the VCP, is updated to meet the current requirements of the BCP.

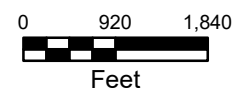
## Figures

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**SOURCE:**  
 1. USGS 7.5' TOPOGRAPHIC QUADRANGLE CENTRAL PARK, NY;  
 FLUSHING, NY



Hunts Point  
 Site A OU-1  
 Bronx, New York

New York City Economic Development Corporation (NYCEDC)  
 Bronx, NY



VCP Site #V00233

## SITE LOCATION MAP

May 2023

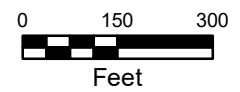
Fig. 1





**SOURCE:**

1. 2020 ESRI WORLD IMAGERY



Hunts Point  
Site A OU-1  
Bronx, New York

New York City Economic Development Corporation (NYCEDC)  
Bronx, NY



VCP Site #V00233

**SITE LAYOUT**

May 2023

Fig. 2



## Appendix A

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NYSDEC Periodic Review Report Form



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



**Site Details**

**Box 1**

**Site No.**            **V00233**

**Site Name**   **Hunts Point Food Distr Ctr (Parcel A)**

Site Address: 355 Food Center Drive    Zip Code: 10474

City/Town: Bronx

County: Bronx

Site Acreage: 7.650

Reporting Period: September 17, 2021 to May 3, 2023

- |   | YES                      | NO                       |
|---|--------------------------|--------------------------|
| 1. Is the information above correct?  | <b>X</b>                 | <input type="checkbox"/> |
| If NO, include handwritten above or on a separate sheet.  |                          |                          |
| 2. Has some or all of the site property been sold, subdivided, merged, or undergone a tax map amendment during this Reporting Period?   | <input type="checkbox"/> | <b>X</b>                 |
| 3. Has there been any change of use at the site during this Reporting Period (see 6NYCRR 375-1.11(d))?  | <b>X</b>                 | <input type="checkbox"/> |
| 4. Have any federal, state, and/or local permits (e.g., building, discharge) been issued for or at the property during this Reporting Period?   | <b>X</b>                 | <input type="checkbox"/> |
| <b>If you answered YES to questions 2 thru 4, include documentation or evidence that documentation has been previously submitted with this certification form.</b><br><small>Regular and continuing progress reports are being submitted by the development team to document the identification and control of impacted material as the construction continues until the engineering cap is fully replaced.</small> |                          |                          |
| 5. Is the site currently undergoing development?  | <b>X</b>                 | <input type="checkbox"/> |

**Box 2**

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

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

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

\_\_\_\_\_  
Signature of Owner, Remedial Party or Designated Representative

\_\_\_\_\_  
Date

**Description of Institutional Controls**ParcelOwnerInstitutional Control**2781-500**

City of New York

Landuse Restriction

Ground Water Use Restriction  
Soil Management Plan

1. The realty subject to this Declaration and Restrictions is known as Operable Unit 1 of Site A (the "Site"), and consists of certain property and improvements thereon situated on Block 2778, Lot 100 and 2781, Lot 500 in the Borough of the Bronx, County of the Bronx, City and State of New York;

2. This covenant prohibits the use of the Site for any purpose other than commercial uses consistent with local zoning, except the development of residential housing, community facilities, public recreating, day care/child care facilities or medical facilities, without the express written waiver of such prohibition by the Department, or if the Department shall no longer exist, any New York State agency or agencies subsequently created to protect the environment of the State and the health of its citizens, hereinafter referred to as the "Relevant Agency";

3. This covenant prohibits the use of groundwater underlying the Site without rendering it safe for drinking water or industrial purposes through treatment, unless the user obtains permission to do so from the Department or Relevant Agency;

4. This covenant requires that the City, its successors and assigns continue in full force and effect all institutional and engineering controls required by the Final Engineering Report for Operable Unit 1 of Parcel A, Bronx, NY, and maintain such controls unless the owner first obtains permission to discontinue such controls from DEC or Relevant Agency;

5. This covenant provides that this declaration shall be binding on all future owners of the Site, and shall provide that owner, its successors and assigns, consent to the enforcement by the Department or Relevant Agency, and hereby covenant not to contest the authority of the Department or the Relevant Agency to seek enforcement;

6. This covenant requires that any deed of conveyance of the Site, or any portion thereof, shall recite, unless the Department or the Relevant Agency has consented to the termination of such covenants and restriction, that said conveyance is subject to this Declaration of Covenants and Restrictions.

**Description of Engineering Controls**ParcelEngineering Control**2781-500**

Cover System

**Periodic Review Report (PRR) Certification Statements**

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

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

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

YES NO

☒ ☐

2. If this site has an IC/EC Plan (or equivalent as required in the Decision Document), for each Institutional or Engineering control listed in Boxes 3 and/or 4, I certify by checking "YES" below that all of the following statements are true:

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

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

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

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

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

YES NO

☒ ☐

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

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

\_\_\_\_\_  
Signature of Owner, Remedial Party or Designated Representative

\_\_\_\_\_  
Date



**IC CERTIFICATIONS**  
**SITE NO. V00233**

**Box 6**

**SITE OWNER OR DESIGNATED REPRESENTATIVE SIGNATURE**

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

I David Aneiro at NYCEDC - One Liberty Plaza 14th Floor NY, NY 10006,  
print name print business address

am certifying as Owner (On behalf of the City of NY) (Owner or Remedial Party)

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



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

07/17/2023

Date

## IC/EC CERTIFICATIONS

**Box 7**

### Qualified Environmental Professional Signature

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

I Gary Rozmus of GEI Consultants, Inc., P.C. at 530 7th Avenue, Suite 2007, New York, NY 10018,  
print name print business address

am certifying as a Qualified Environmental Professional for the NYCEDC (Owner's Representative)  
(Owner or Remedial Party)

  
\_\_\_\_\_  
Signature of Qualified Environmental Professional, for  
the Owner or Remedial Party, Rendering Certification



\_\_\_\_\_  
Stamp  
(Required for PE)

7/7/2023  
Date

## Appendix B

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### Site Photographs



**Photo 1.** Facing north towards the NYSRFH warehouse; the paved parking lot within the northern portion of the Nebraskaland parking area. Minor cracking and potholes present.



**Photo 2.** Facing east adjacent to Nebraskaland; the southern portion of the paved parking lot within the Meat Market facility showing minor wear.

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**Photo 3.** Facing north within the paved parking lot adjacent to Nebraskaland. Asphalt in fair condition and evidence of former patching.



**Photo 4.** Facing north in the Nebraskaland paved parking lot; evidence of general wear from vehicular traffic.

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**Photo 5.** Facing south; between the Nebraskaland paved parking lot and the pedestrian walkway; area capped with portions of asphalt and vegetation (trees and grass).



**Photo 6.** Facing east; loading dock in the eastern portion of the Nebraskaland parking lot. Minor cracking and potholes noted.

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**Photo 7.** Facing east in the northern portion of the Nebraskaland parking lot. Minor potholes and cracking present.



**Photo 8.** Facing northwest within the paved Nebraskaland parking lot; sliver of Parcel A OU-1 fenced in and capped with vegetation and asphalt.

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## Appendix C

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### Worker/Department Notification Plan



## **NYCEDC Department/Worker Notification Plan**

The New York City Economic Development Corporation (NYCEDC) maintains a comprehensive plan for notifying utilities and City agencies of the subsurface conditions present. Currently under this comprehensive plan, all utility companies have been notified to coordinate planned and emergency subsurface utility work with Mr. Steve Bettencourt (Hunts Point Food Distribution Center Site Manager, NYCEDC's Asset Management Division), and Mrs. Tracey Bell (Vice President, NYCEDC Planning Division).

At that time, NYCEDC will contact the parties performing the anticipated work about the potential contamination beneath the site and inform them that any soil handling work that is conducted in this area must conform to the approved Site Management Plan (SMP). NYCEDC will instruct their consultant to be present and provide guidance during any subsurface work and to coordinate notifications to the New York State Department of Environmental Conservation (NYSDEC).

Furthermore, all tenant leaseholds within the Food Distribution Center, whether or not they are located on a former Voluntary Cleanup Program (VCP) or current Brownfield Cleanup Program (BCP) project site, are contractually obligated to abide by the notification systems described above for any invasive work within their leaseholds. Both the approved SMP and Health and Safety Plan (HASP) requirements are appended to all tenant leases.

Soils generated during any invasive work will be segregated and stockpiled based on soil composition. Any soils that cannot be reused within the confines of the excavated area will be sampled for waste characterization and disposed of in accordance with all applicable state and federal regulations. Excavated soils that exhibit signs of MGP-related contamination (coal tar and/or purifier waste) as described in the approved SMP will be segregated and stockpiled separately, sampled for waste characterization, and then subsequently transported offsite for disposal at an appropriately permitted facility.

At least 10 days prior to the start of any activity that is reasonably anticipated to encounter remaining contamination, the site owner or their representative will notify NYSDEC, or if the NYSDEC shall no longer exist, any New York State agency or agencies subsequently created to protect the environment of the state and the health of the state's citizens, hereinafter referred to as "the Relevant Agency." Currently this notification will be made to:

Mr. Ronnie Lee, P.E.  
Division of Environmental Remediation  
NYSDEC Central Office  
625 Broadway  
Albany, NY 12233  
Tel: (518) 402-9768

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And

Director, Division of Environmental Remediation  
NYSDEC Regional Office  
625 Broadway  
Albany, NY 12233

Notifications to the Relevant Agency will be submitted by:

Mr. Rasheed Lucas  
NYCEDC  
1 Liberty Plaza  
New York, NY 10006

Or

Mr. Kevin McCarty  
GEI Consultants, Inc., P.C.  
530 7<sup>th</sup> Avenue, Suite 2007  
New York, NY 10018

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