

2024 Periodic Review Report

Hunts Point Parcel A OU-1

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

Submitted to:

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

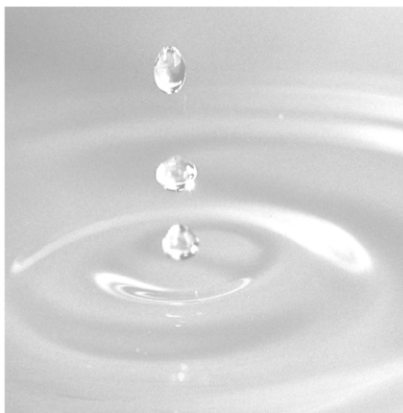
On Behalf of:

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

Submitted by:

GEI Consultants, Inc., P. C.
530 7th Avenue, Suite 2007
New York, NY 10018
212.687.8282

July 2024
Project No. 1901379



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Senior Project Manager/Environmental Lead

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SM/SN/GR

1. 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, New York (**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 Consolidated Edison of New York, Inc. (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 within the footprint of former facility: coal tar, purifier waste, and petroleum contaminated soil.

Site A OU-1 is located in the Hunts Point area of the south Bronx on a large peninsula that extends into the East River. The Site 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 (Meat Market), which is currently enrolled in the BCP as the 355 FCD Site (No. C203099). 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) (**Figure 2**).

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 recently underwent additional redevelopment, now hosting a 60,000 square foot warehouse and associated loading docks and parking lot to serve 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. The construction on this area was completed in April 2024 under the oversight of a Qualified Environmental Professional (QEP), who provided daily reporting for all work activities and regular construction updates to NYSDEC. The Final Engineering Report is being prepared by AKRF for this Site, which contains the entirety of the Viele Avenue BCP Site in addition to the approximate 4.7-acre area of Site A OU-1. When 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.

2. Site Reconnaissance

Site reconnaissance was conducted on June 18, 2024, by Savanna Marino and Matthew Sellitti (GEI) along with Operations Manager of the Hunts Point Cooperative Market, Mr. Nick Hill. 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 the only area able to be 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. Hill, he informed GEI that no disturbance to the asphalt cap has been performed since the last PRR. Additionally, no ground intrusive work or final redevelopment activities have taken place on the extreme western portion of Site A OU-1 since completion of the BCP Parcel A-2 remediation.

The 4.7-acre area located within the northern portion of Site A OU-1 was unable to be inspected as it is included within the footprint of the recently completed NYSRFH development, along with the northern adjacent BCP Viele Avenue Site (No. C203102). Construction activities began in March 2021 and were completed in April 2024; the Site now contains a 60,000 square foot food distribution warehouse, and engineering controls in the form of paved parking areas, loading dock areas, and a passive sub-slab venting system. All work was 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 was present on-site with a Qualified Environmental Professional QEP during all work activities and provided daily reporting, Community Air Monitoring (CAMP), and construction oversight for the duration of the redevelopment. The RAWP and Decision Document (DD) included 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.

3. Conclusion

The previously installed engineering controls for Parcel A OU-1, also known as NYSDEC VCP Site No. V00233 (Site A OU-1), are not known or were observed to have been disturbed since submittal of the last PRR. Therefore, none of the engineering controls at Site A OU-1 have been altered in a way that would constitute a violation or failure to comply with the 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 efforts 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.

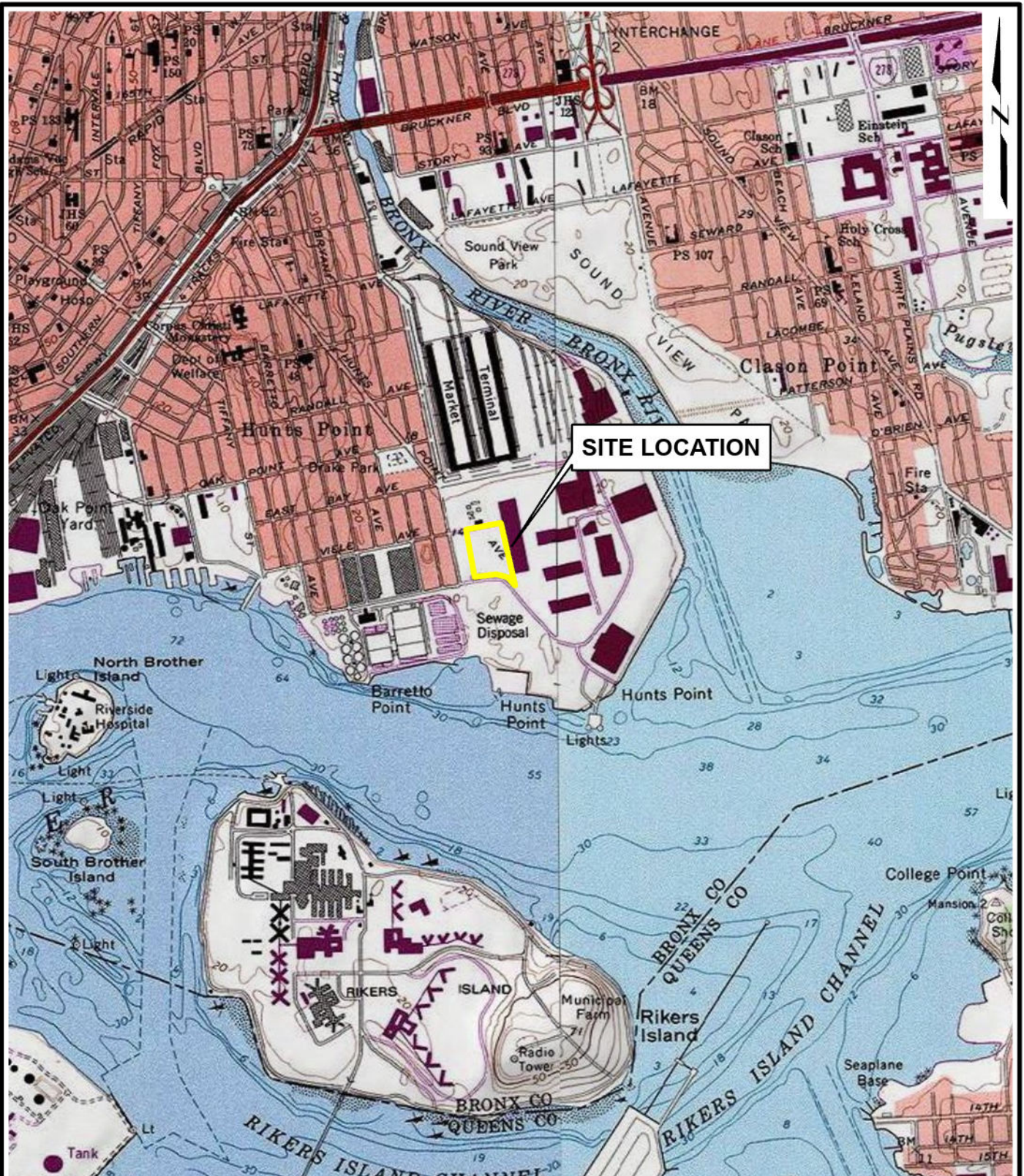
The portion of Site A OU-1 within the Nebraskaland parking lot also remains in compliance with the established institutional controls, as the site continues to be used for commercial purposes only and the groundwater is not used as a source for supplying drinking water to the area, in accordance with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

The completed 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 submitted by AKRF. No subsurface material is currently exposed on the Site, with redevelopment being completed in April 2024. All remedial and redevelopment activities were documented by a QEP as required by the NYSDEC-approved RAWP and SMP.

Figures

Figure 1. Site Location

Figure 2. Site Layout



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

0 925 1,850
SCALE: 1:23,040

Periodic Review Report
Parcel A OU-1 (VCP Site No. V00233)
Bronx, New York

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



Project 1901379

SITE LOCATION MAP

July 2024

Fig. 1



SOURCE:
1. ESRI WORLD IMAGERY

0 150 300
SCALE: 1:3,640

Periodic Review Report
Parcel A OU-1 (VCP Site No. V00233)
Bronx, New York

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



Project 1901379

SITE LAYOUT

July 2024

Fig. 2

Appendix A NYSDEC Institutional and Engineering Controls Certification 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: May 4, 2023 to June 18, 2024

- | | YES | NO |
|---|-------------------------------------|-------------------------------------|
| 1. Is the information above correct? | <input checked="" type="checkbox"/> | <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"/> | <input checked="" type="checkbox"/> |
| 3. Has there been any change of use at the site during this Reporting Period (see 6NYCRR 375-1.11(d))? | <input checked="" type="checkbox"/> | <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? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| If you answered YES to questions 2 thru 4, include documentation or evidence that documentation has been previously submitted with this certification form. | | |
| Regular and continuing progress reports were being submitted by the development team to document the identification and control of impacted material as the construction was ongoing, until the engineering cap was fully replaced. | | |
| 5. Is the site currently undergoing development? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Box 2

- | | YES | NO |
|--|-------------------------------------|--------------------------|
| 6. Is the current site use consistent with the use(s) listed below?
Commercial and Industrial | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 7. Are all ICs/ECs in place and functioning as designed? | <input checked="" type="checkbox"/> | <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 ControlsParcelOwnerInstitutional 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 ControlsParcelEngineering 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 - 1 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

07/15/2024

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)

7/8/2024

Date

Appendix B Site Photographs



Photo 1. Facing northwest towards the NYSRFH warehouse; the central portion of the paved Nebraskaland parking area. Minor cracking and patching from prior repair efforts noted.



Photo 2. Facing southeast adjacent to Nebraskaland; the southern portion of the paved parking lot and internal roadway within the Meat Market facility showing minor wear and potholes from vehicle traffic, as well as former asphalt patching.



Photo 3. Facing south within the truck loading area of the paved parking lot, adjacent to Nebraskaland. Asphalt in fair condition, with minor cracking and potholes present.



Photo 4. Facing east in front of the Nebraskaland loading dock; larger cracks and potholes noted, former patched area (left) in fair condition.



Photo 5. Facing north in the western portion of the Nebraskaland paved parking lot; asphalt in fair condition with evidence of minor wear from vehicle traffic.



Photo 6. Facing southeast along the Nebraskaland loading dock; reinforced concrete slab in fair condition with minor asphalt cracking noted.



Photo 7. Facing east towards the Nebraskaland Pickup loading dock; minor cracks and potholes noted from vehicle traffic.



Photo 8. Facing west in the northern portion of the Nebraskaland parking lot, adjacent to the NYSRFH site boundary. Minor cracks present in asphalt.



Photo 9. Facing northwest along the southwest-west perimeter of the Nebraskaland parking area; view of the western, fenced-in sliver of Parcel A OU-1, capped with asphalt and vegetation.

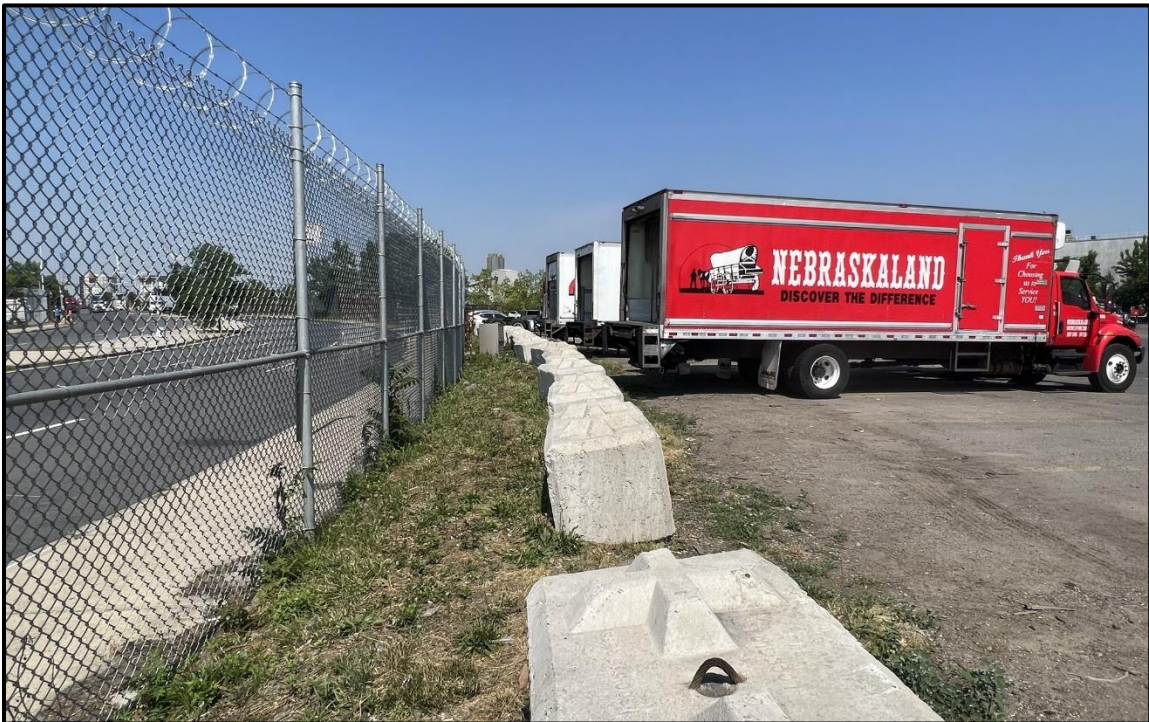


Photo 10. Facing northwest along the southern perimeter of the Nebraskaland parking area; unpaved area of Parcel A OU-1 along Food Center Drive in fair condition, with vegetation present. Minor cracking noted in adjacent paved parking area.

Appendix C Worker/Department Notification

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 Ms. Cristina Ventarola (Operations Associate, NYCEDC Asset Management Division), Mr. John Tseng (Vice President, NYCEDC Asset Management Division), and Mr. Rasheed Lucas (Assistant 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

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 7th Avenue, Suite 2007
New York, NY 10018