

**2009 Periodic Review Report**

**for**

**Hunts Point Food Distribution Center**  
**Operable Unit One of Parcel E**

Prepared for:



New York City  
Economic Development  
Corporation

110 William Street, New York, New York 10038

Prepared by:

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## 1.0 INTRODUCTION

Henningson, Durham & Richardson Architecture and Engineering, P.C., in association with HDR Engineering, Inc. (HDR), was contracted by the New York City Economic Development Corporation (NYCEDC) to perform the 2009 - 2010 Periodic Review Report (PRR) for Operable Unit One of Parcel E (Site E OU-1) in Hunt's Point, Bronx, New York. Site E OU-1 is part of the New York State Department of Environmental Conservation's (NYSDEC) Voluntary Cleanup Program (VCP), Site No. V00414-2. In accordance with the VCP, a NYSDEC PRR form was completed and executed, and is included as Appendix A of this report. Site E OU-1 is owned by the City of New York and managed by the NYCEDC. The site address is 155 Food Center Drive, Hunts Point, Bronx, New York (Figure 1). Site E OU-1 is bounded on the north by Food Center Drive, on the south by the Hunts Point Cooperative Market, on the west by Operable Unit Two of Parcel E (Site E OU-2), and on the east by land owned by the City of New York and leased to Baldor Specialty Foods, Inc. (Baldor) as a food warehouse and distribution center (refer to Figure 2).

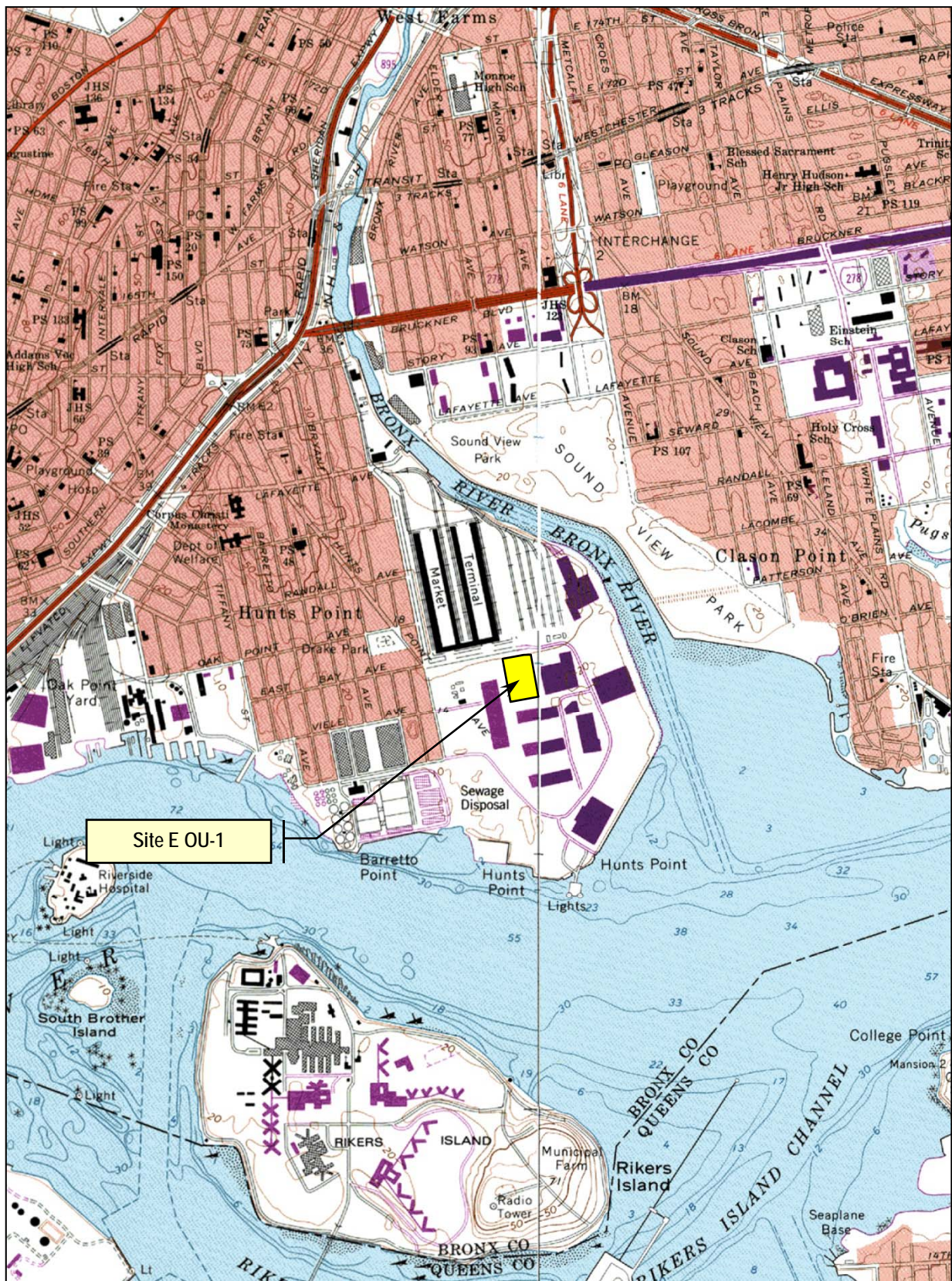
Site E OU-1 consists of 6.99 acres of land. The majority of the parcel is located within the bounds of the current Baldor leasehold (see Figure 2). Access to the Baldor property and Site E OU-1 is controlled by a secured gate and perimeter fencing. There is no fencing separating the E OU-1 parcel from the remainder of the Baldor leasehold or from the eastern boundary of the Site E OU-2 parcel. Site E OU-1 is partially occupied by a truck maintenance facility and tractor trailer parking lot under the existing leasehold between the City of New York and Baldor. Parcel E was historically part of a Consolidated Edison of New York, Inc. (Con Edison) manufactured gas plant (MGP), which consisted of several structures, and numerous below ground utilities. The parcel was also used for material storage. Investigative activities showed that contamination existed in three (3) primary forms: coal tar, purifier waste and petroleum contaminated soil.

The majority of Site E OU-1 was developed for use as a truck maintenance facility and a paved parking area. The area of the truck maintenance facility includes a concrete slab and building foundation. A small area located adjacent west of the truck maintenance building is not paved. This area was intended to accommodate a building expansion. However, the expansion has not been completed. The southern half of this area is unfenced, but is contained within the Baldor fencing. The area has remained unpaved from the time of development, and is currently covered with gravel and void of vegetation. This area was recently grubbed; brush was placed in piles and stockpiled for subsequent disposal through the municipal trash system. During the grubbing process, subsurface soils were not disturbed. Additionally, there is an unpaved area adjacent to the southern site perimeter. This unpaved area is approximately 20 to 25 foot wide strip which is a New York City Department of Environmental Protection (NYCDEP) easement for the sewer/stormwater system.

A 40-foot wide, east-west orientated Con Edison easement runs through the paved area of the site. In addition, two gas lines cross the paved area of Site E OU-1. The smaller of the two gas lines runs parallel south of the easement and is noted by Con Edison as being abandoned. The northern high-pressure gas line is within the easement, measures 24-inches in diameter, and extends from the nearby Con Edison Halleck Street Transmission Station. The asphalt/concrete paving, concrete building slabs and one-foot of material overlying the vegetated area effectively constitute the engineering cap and control for Site E OU-1.

The purpose of this PRR is to certify that the conditions of the Site Management Plan (SMP) have been upheld over the previous year. Specific conditions taken into consideration include, visual observation and site interviews that were conducted during the site reconnaissance, as well as the engineering controls and institutional controls in place for Site E OU-1 as part of the NYSDEC-approved remedy and as the basis for the No Further Action (NFA) determination.





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**Site E OU-1 Location**  
Hunts Point • Bronx • New York • 10474

**Figure**  
**1**





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**Site E OU-1 Site Features**  
Hunts Point • Bronx • New York • 10474

**Figure  
2**

## **2.0 SITE RECONNAISSANCE**

An HDR representative conducted the site reconnaissance on December 16, 2009. Photographs were taken during the site visit and are included as Appendix B.

Upon arriving on Site E OU-1, HDR met with Manny Lopez, Baldor's onsite representative. Mr. Lopez stated that no intrusive activities have taken place within the bounds of Site E OU-1 over the past year other than replacing two sections of chain link fence at the Baldor entrance (northeastern section of Site E OU-1) with new decorative aluminum fencing. Mr. Lopez stated that the old chain link fence was removed from the post, rolled up, and removed from the site. Once the fencing was removed, the steel support post and concrete footings were removed. Both the concrete footing (which were free of subsurface soils) and the steel fence post were disposed of in a municipal landfill. New support posts were then erected in the same holes from which the original poles were removed. Once in place, the new poles were secured with concrete and then the cross rails and decorative fencing was hung, completing the fencing project. He also mentioned that clearing and grubbing of the area adjacent to the vehicle storage facility has taken place. Mr. Lopez also stated, that all materials (grasses and trees branches) generated during clearing and grubbing activities were stockpiled and will be sent to a municipal waste landfill.

Once the interview was complete, HDR traversed the site and inspected the engineering controls. HDR noted the following observations. The southern unpaved NYCDEP easement continues to be unobstructed, per the requirements of the easement. The unpaved area ends shortly before the eastern perimeter of Site E OU-1 and is bordered to the north by a 3-foot high metal guard rail. The majority of the site is paved with asphalt and tractor-trailer parking spaces are delineated with concrete-paved strips. This engineered cap is in place and is unchanged from the previous Periodic Certification Report. The existing truck maintenance building is near the northern perimeter of Site E OU-1 and remains unchanged. The western half of the originally designed structure has a concrete foundation with rebar protruding from the ground surface but construction was never completed. This area continues to remain unpaved and covered with gravel. The area is void of vegetation and a stockpile of grasses and branches were noted in the south west corner of this area, which is consistent with Mr. Lopez's statements. HDR also noted that this area is currently being used for storage of miscellaneous items including pallets of tile, fencing, truck parking and machinery storage. Two parking lot light poles were also observed in this area, which is consistent with prior reports.

As mentioned above, subsurface utilities do exist in Site E OU-1. However, no maintenance or upgrades requiring subsurface intrusion have been performed on these structures within the past year.

A Generic Worker/Department Notification plan has been created to provide notification, prior to the commencement of work, to the NYSDEC when intrusive activities are scheduled. This plan has been included as Appendix C.

After completion of the site visit conducted on December 16, 2009, HDR observed that the engineering controls for Site E OU-1 have been sufficiently maintained and continue to be fully operational.

## **3.0 CONCLUSION**

The institutional controls and engineering controls for Site E OU-1, also known as NYSDEC VCP Site No. V00414-2, have remained in place from the final redevelopment dates and continue to exist.

These controls include the paved surfaces, concrete slabs and surface cover. Nothing has occurred that would constitute a violation or failure to comply with the SMP for the controls implemented on Site E OU-1.

## Appendix A

### NYSDEC Periodic Review Report Form

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**Enclosure 1**  
**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.** **V00414**

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

Site Address: ~~1400 East Bay Ave.~~ Hunts Point Zip Code: 10474  
City/Town: Bronx \* 155 Food Center Drive  
County: Bronx  
Allowable Use(s) (if applicable, does not address local zoning): Industrial  
Site Acreage:  
Owner: New York City Economic Development Corp.  
110 William Street, New York, NY 10038

Reporting Period: August 11, ~~2006~~ to August 11, 2009  
\*2008

**Verification of Site Details** **Box 2**

- |  | YES                                 | NO                                  |
|--|-------------------------------------|-------------------------------------|
| 1. Is the information in Box 1 correct?  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| If NO, are changes handwritten above or included on a separate sheet?  | <input checked="" type="checkbox"/> |                                     |
| 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"/> |
| If YES, is documentation or evidence that documentation has been previously submitted included with this certification?  | <input type="checkbox"/>            |                                     |
| 3. Have any federal, state, and/or local permits (e.g., building, discharge) been issued for or at the property during this Reporting Period?  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| If YES, is documentation (or evidence that documentation has been previously submitted) included with this certification?  | <input type="checkbox"/>            |                                     |
| 4. If use of the site is restricted, is the current use of the site consistent with those restrictions?  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| If NO, is an explanation included with this certification?   | <input type="checkbox"/>            |                                     |
| 5. For non-significant-threat Brownfield Cleanup Program Sites subject to ECL 27-1415.7(c), has any new information revealed that assumptions made in the Qualitative Exposure Assessment regarding offsite contamination are no longer valid? | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| If YES, is the new information or evidence that new information has been previously submitted included with this Certification?  | <input type="checkbox"/>            |                                     |
| 6. For non-significant-threat Brownfield Cleanup Program Sites subject to ECL 27-1415.7(c), are the assumptions in the Qualitative Exposure Assessment still valid (must be certified every five years)?                                       | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| If NO, are changes in the assessment included with this certification?   | <input type="checkbox"/>            |                                     |

**SITE NO. V00414**

**Box 3**

**Description of Institutional Controls**

Parcel

Institutional Control

S\_B\_L Image:

Ground Water Use Restriction  
Landuse Restriction  
Soil Management Plan

**Box 4**

**Description of Engineering Controls**

Parcel

Engineering Control

S\_B\_L Image:

Cover System  
Fencing/Access Control

Attach documentation if IC/ECs cannot be certified or why IC/ECs are no longer applicable.  
(See instructions)

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**Control Description for Site No. V00414**

**Parcel:**

1. Prohibits use of the site for any purpose other than the Contemplated Use set forth in the Agreement (Restricted Commercial use);
2. Prohibits use of the groundwater underlying the site without rendering it safe for drinking water or industrial purposes through treatment, unless the user obtains permission to do from DEC;
3. 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;
4. Provides that the City, its successors and assigns hereby consent to DEC's enforcement of this covenant.

### 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

☒ ☐

3. If this site has an ~~Operation and Maintenance (O&M) Plan~~ (or equivalent as required in the Decision Document); \* Site Management Plan (SMP)

I certify by checking "YES" below that the ~~O&M Plan~~ Requirements (or equivalent as required in the Decision Document) are being met. \* SMP

YES NO

☒ ☐

4. If this site has a Monitoring Plan (or equivalent as required in the remedy selection document);

I certify by checking "YES" below that the requirements of the Monitoring Plan (or equivalent as required in the Decision Document) is being met.

YES NO

☒ ☐

**IC CERTIFICATIONS  
SITE NO. V00414**

**Box 6**

**SITE OWNER OR DESIGNATED REPRESENTATIVE SIGNATURE**

I certify that all information and statements in Boxes 2 and/or 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 Kay Zias at 110 William Street, New York, NY 10038,  
print name print business address

am certifying as Owner's Representative (Owner or Remedial Party)

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

\_\_\_\_\_  
Signature of Owner or Remedial Party Rendering Certification

\_\_\_\_\_  
Date

**IC/EC CERTIFICATIONS**

**Box 7**

**QUALIFIED ENVIRONMENTAL PROFESSIONAL (QEP) 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 Thomas E. Pease at One Blue Hill Plaza, Pearl River, NY 10965,  
print name print business address

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

(Owner or Remedial Party) for the Site named in the Site Details Section of this form.

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

\_\_\_\_\_  
Stamp (if Required)

\_\_\_\_\_  
Date



## Appendix B

### December 2009 Site Photographs

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Photograph No. 1 – Site E OU-1: View from the eastern edge parking lot of the site (looking east)



Photograph No. 2 – Site E OU-1: View from the southern edge of site (looking west)





Photograph No. 3 – Site E OU-1: Southern perimeter and NYCDEP sewer/stormwater easement (looking east)





Photograph No. 4 – Site E OU-1: Southern perimeter and NYCDEP sewer/stormwater easement (looking west)

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Photograph No. 5 – Site E OU-1: Incomplete construction of truck maintenance building expansion (looking northeast)



Photograph No. 6 – Site E OU-1: Incomplete construction of truck maintenance building expansion (looking southwest)

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Photograph No. 7 – Site E OU-1: Marker for Consolidated Edison of New York easement and 24-inch gas line and saw-cut asphalt associated with gas line-installation and maintenance (looking north-northwest)



Photograph No. 8 – Looking Southeast



Photograph No. 9 – Looking Northwest



Photograph No. 10 – Looking East



Photograph No. 11

Photograph No. 8 through 11 – Site E OU-1: Typical Patch of Asphalt Cap Site Wide.





Photograph No. 12 – Site E OU-1: Newly Installed Aluminum Fencing (looking east)



## Appendix C

### Generic Worker/Department Notification Plan

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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 Ron Day (Hunts Point Food Distribution Center Site Manager, NYCEDC's Asset Management Division), who is at the site on a regular basis, and Ms. Kay Zias (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 Voluntary Cleanup Program (VCP) 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.

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 the 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  
625 Broadway  
Albany, NY 12233-7016  
Tel: (518) 402-9768

And

Director, Division of Environmental Remediation  
NYSDEC  
625 Broadway  
Albany, NY 12233-7010

Notifications to the Relevant Agency will be submitted by:

Ms. Kay Zias  
NYCEDC  
110 William Street, 6<sup>th</sup> Floor  
New York, NY 10038

Or

Mr. Kevin McCarty  
HDR  
One Blue Hill Plaza, 12<sup>th</sup> Floor  
P.O. Box 1509  
Pearl River, NY 10965

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 characteristic and disposed of in accordance with all applicable state and federal regulations. Excavated soils that exhibit signs of coal tar or purifier waste contamination as described in the approved SMP will be segregated and stocked piled separately, sampled for waste characterization, and then subsequently transported off site for disposal at an appropriately permitted facility.