

2009 Periodic Review Report

for

Hunts Point Food Distribution Center

Perimeter Site

Prepared for:



New York City
Economic Development
Corporation

110 William Street, New York, New York 10038

Prepared by:

Henningson, Durham & Richardson Architecture and Engineering, P.C.
One Blue Hill Plaza - 12th Floor, P.O. Box 1509, Pearl River New York 10965

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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 Periodic Review Report (PRR) for the Perimeter Site located along Food Center Drive (FCD) in the Hunts Point Food Distribution Center (HPFDC) of the Bronx, New York.

The Perimeter Site is part of the New York State Department of Environmental Conservation's (NYSDEC) Voluntary Cleanup Program (VCP), Site No. V00641. In accordance with the VCP, an Institutional and Engineering Controls Certification Form has been completed, and is included as Appendix A of this report. The Perimeter Site, with a total of 1.86 acres of land, may be broken into three primary areas: (1) underlying a portion of Food Center Drive; (2) extending into the eastern portion of Operable Unit 2 of Parcel E; and, (3) extending into the southern portion of both the Anheuser Busch Redevelopment Parcel and Greenway Park Redevelopment Parcel (AB Parcel and GP Parcel, respectfully). See Figure 1.

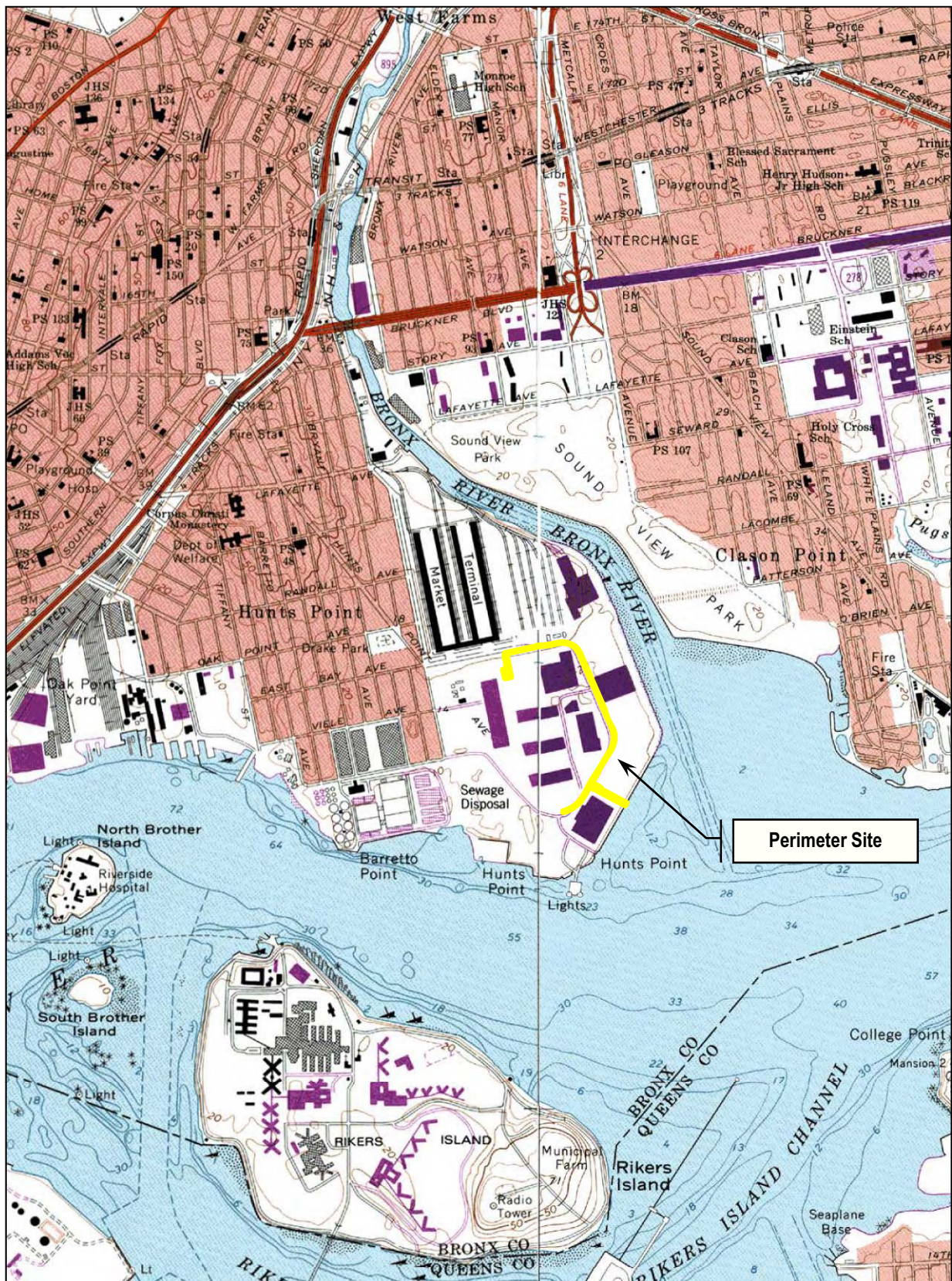
Site E OU-2 and sections of the AB Parcel (Site C OU-1) and GP Parcel (Site C OU-2) are additionally enrolled in the NYSDEC VCP. Approximately 0.4 acres of Site E OU-2 exists within the northern terminus of the Perimeter Site, 0.6 acre of AB Parcel exists within the northern terminus of the Perimeter Site, and 0.02 acre of GP Parcel exists within the southern terminus of the Perimeter Site (refer to Figure 2). The portions of the AB and GP Parcels that are occupied by the Perimeter Site are not otherwise enrolled in the VCP. The portion of the Perimeter Site that underlies Food Center Drive is approximately 3,940 feet in length (0.75 mile) and has an approximate area of 0.86 acres.

The Site was historically part of a Consolidated Edison of New York, Inc. (Con Edison) Manufactured Gas Plant (MGP) which included several structures, material storage, and numerous below ground utilities. Investigative activities across the HPFDC have shown that contamination exists in three dominant forms: coal tar, purifier waste and petroleum contaminated soil.

This report will serve to document that the conditions of the Site Management Plan (SMP) have been upheld over the previous year, including: the environmental guidelines for the management of soil/fill material and for the maintenance/replacement of the cover system(s) (e.g., engineering controls) implemented on the site. Conditions taken into consideration during this evaluation include those observed during the site reconnaissance.

2.0 SITE OVERVIEW

The portion of the Perimeter Site that extends into Site E OU-2 is bound on the north and east with chain-link fencing and locked gates. There is no public access to this portion of the site. The portion of the Perimeter Site that extends into AB Parcel is also bound on the south, east, and west with chain-link fencing. Access to the AB Parcel portion of the Site is restricted to site occupants associated with Anheuser Busch. Lastly, the portion of the Perimeter Site that extends into GP Parcel is bound on the east by the East River and on the south and west with chain-link fencing. The GP Parcel is planned to undergo final redevelopment for end-use as the South Market portion of the South Bronx Greenway, as detailed in the South Bronx Greenway Master Plan dated 2005, providing a recreational path for pedestrian and bicycle traffic. It is, however, currently gated and only accessible to the occupants of the Anheuser Busch leasehold. Additional NYSDEC-approved SMPs exist for Parcel C (including the entire AB and GP Parcels) and Parcel E. The SMPs for these sites contain similar language to the Perimeter Site SMP.



Henningson, Durham & Richardson
Architecture and Engineering, P.C.
in association with HDR Engineering, Inc.
One Blue Hill Plaza, 12th Floor
Pearl River, New York 10965

Perimeter Site Location

Hunts Point • Bronx • New York • 10474

Figure
1



Henningson, Durham & Richardson
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Perimeter Site Features

Hunts Point • Bronx • New York • 10474

Figure
2

Following the installation of a high pressure gas transmission line, exposure to the remaining contaminants in the Perimeter Site soils was eliminated by the installation of a cap, and a Declaration of Covenants and Restrictions, dated July 18, 2007, was filed. Subsequently, the AB Parcel was developed as a large distribution facility. During redevelopment the pavement over the Perimeter Site VCP parcel was removed. After removal, the pavement was crushed and redistributed over the area. The AB Parcel portion of the Site was completed as asphalt parking with a landscaped strip along the southern fence. The landscaped area was capped by laying a geotextile fabric over the site fill materials, then one foot of clean fill was placed and the area was planted. In conjunction with the AB Parcel, the GP Parcel underwent redevelopment including the rehabilitation of the waterfront bulkhead. During the bulkhead rehabilitation, the relieving platform and associated overburden (upland fill) materials were removed. A geotextile overlain with stone and then riprap was placed on the slope to stabilize the shoreline. All overburden material, classified as upland fill, was reused on Site C OU-1 as fill in accordance with a NYSDEC-approved Beneficial Use Determination (BUD) dated May 7, 2007. The upland section of the GP Parcel was completed by laying a geotextile fabric over the site fill materials, then one foot of clean fill was placed and the area was seeded. During the AB and GP Parcel redevelopments all materials were handled in accordance with the approved Site C SMP as documented in the NYSDEC approved 2008 PRR.

The entrance to the Parcel C portion of the Perimeter Site is set east of the CSX Railroad lines and has a locked gated entrance, as illustrated in Photograph No. 7 in Appendix B. The existing Iroquois Gas Pipeline maintenance facilities remain active, and in place near the southwestern terminus of the AB Parcel (refer to Photograph No. 8 in Appendix B).

The portion of the Perimeter Site that underlies FCD is completely paved with asphalt roadway. No landscaped vegetation exists in this area of the site. FCD was previously a private street under NYCEDC's jurisdiction. It has recently gone through the formal mapping process. In April 2007, an application was filed to map the FCD as a public street as per the Uniform Land Use Review Procedure (ULURP). As part of this process, the utility companies and relevant municipal departments of Transportation, City Planning and Environmental Protection participated in the mandated agency mapping conference and commented on the application. The Bronx Borough President approved the changes and the ULURP process was completed in early 2009. Food Center Drive is now mapped as a one way public street.

3.0 EVALUATION OF REMEDY PERFORMANCE AND PROTECTIVENESS

The purpose of the engineering control at the Perimeter Site is to address possible human health exposures to residual contaminants. Virtually the entire length of the Perimeter site is capped by an asphalt roadway, except for the GP Parcel and a small landscaped strip along the southern extent of the AB Parcel; all landscaped areas are capped with one foot of material as described above. In addition, the secured portion of the E OU-2 Parcel is covered in coarse gravel.

Site groundwater is relatively shallow and is approximately 8 to 10 feet below the ground surface (bgs). The groundwater has the potential to be impacted by residual coal tar waste, purifier waste, and light oils that were produced as by-products of the manufactured gas process; however, Site groundwater is not used as a potable source anywhere in Hunts Point peninsula.

Therefore, the remaining contamination on-site in the soil/fill, rock, or groundwater could only be released during intrusive activities that breach the cap. In order to avoid exposures associated with Site contaminants a SMP, and HASP have been approved by the NYSDEC and will be implemented whenever intrusive work is conducted. A CAMP will also be used whenever it is deemed necessary by

NYSDEC in order to protect workers and the community from contaminant exposure. These plans are designed to protect workers, tenants and their employees, and passers-by from residual MGP contaminants. The plans include ways to avoid inhalation, ingestion and dermal contact exposures. The HASP, SMP, and CAMP also provide proper handling information for any contaminated media that may be generated in the future as the result of any intrusive work, as well as ways to minimize possible pathways to on or off site receptors.

4.0 SMP COMPLIANCE REPORT

The NYCEDC maintains a comprehensive plan for notifying utilities and City of New York agencies of the subsurface conditions present at the Perimeter Site. Previously, all utility companies were notified of the potential site conditions and to coordinate planned and emergency subsurface utility activities with NYCEDC staff. In addition to the NYCEDC notification plan, both Con Edison and Verizon maintain comprehensive Standard Operating Procedures (SOP), which include detailed health and safety practices, and material handling and disposal procedures which have been established in association with The City of New York and take into account the special handling procedure set forth in the Perimeter Site SMP.

Now that FCD is mapped, a more automated Notification System is being implemented. A copy of the current NYCEDC Workers/Department Notification Plan can be found appended to this report as Appendix D. This system consists of using the New York State Code Rule 753 notification system (Call before you dig) and the NYC Department of Transportation road opening permit systems. Under the current Code Rule 753 Contractors are required to contact the “New York City (NYC)/Long Island (LI) One Call Center” network for any road opening work within the Street and Right-of-Way. As a standard process, the Office of Construction Mitigation and Coordination (OCMC) for New York City Department of Transportation (NYCDOT) will be notified by NYC/LI One-Call Center with specific work information, dates and contacts. Arrangements have been made between NYCDOT and NYCEDC to have notification passed immediately from NYCDOT to NYCEDC of any anticipated invasive subsurface work in Food Center Drive.

Site reconnaissance was conducted on February 15th by HDR. Photographs were taken during the site visit and are included as Appendix B. The following conditions were observed during reconnaissance activities:

- The northeastern portion of Site E OU-2 is occupied by a Con Edison Compressor station and is unpaved and covered in coarse gravel with the exception of the entrance that is paved as roadway and bordered by guardrails. The area has signage notifying the public of the Iroquois Gas Pipeline’s existence on the property. Two locked gates secure the entrance to the unpaved portion of the site, as seen in Photograph No. 6, included in Appendix B of this report.
- There have been no intrusive activities on the AB or GP Parcel portions of the Site since the 2008 PRR and Certification of the Site.
- Since the 2008 Site Certification intrusive work has been performed on the FCD portion of the Site. This work was presented to NYSDEC by Con Edison and approved in a letter dated July 17, 2009. At the time of the Site reconnaissance, all intrusive work was complete and the asphalt cap had been replaced. Photographs 1 and 5 documents typical asphalt repairs and that the engineering controls for the roadway portion of the Perimeter Site continue to be fully operational.

5.0 CONCLUSION

The Perimeter Site, also known as NYSDEC VCP Site No. V00641, has been developed into four uses: a paved roadway, an unpaved Con Edison compressor station, a paved parking area with minimal landscaping, and an area of public green space. The condition of the engineering controls in each of those areas is summarized below:

5.1 Paved Roadway

The engineering controls for the paved roadway are currently in place and have remained in place since the 2008 PRR and Certification with the following exception:

- Intrusive work was completed in FCD by Con Edison. This work was presented to NYSDEC by Con Edison and approved in a letter dated July 17, 2009 (Appendix C). At the time of the Site reconnaissance, all intrusive work was complete and the asphalt cap had been replaced and was fully functional.

5.2 Unpaved Con Edison Compressor Station (Site E OU-2)

The engineering controls for the compressor station are currently in place and have remained in place since the 2008 PRR and Certification with the following exception:

- Intrusive work was completed in the compressor station by Con Edison. This work was related to the work completed in FCD and was presented to NYSDEC by Con Edison and approved in a letter dated July 17, 2009 (Appendix C). At the time of the Site reconnaissance, all intrusive work was complete and the gravel cap had been replaced and was fully functional.

5.3 Paved Area

The engineering controls for the paved and landscaped areas of the AB Parcel are currently in place and have remained in place since the 2008 PRR and Certification.

5.4 Greenway

The engineering controls for the landscaped areas of the GP Parcel are currently in place and have remained in place since the 2008 PRR and Certification.

Appendix A

NYSDEC Periodic Review Report Form



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.	V00641		
Site Name Hunts Pt. FDC Perimeter			
Site Address: Food Center Drive		Zip Code: 10474-	
City/Town: Bronx			
County: Bronx			
Allowable Use(s) (if applicable, does not address local zoning): ** See Attached			
Site Acreage: 1.9			
Owner: Ms. Kay Zias			
110 William Street, New York, NY 10038			
Reporting Period: February 22, 2009 to February 22, 2010			

Verification of Site Details		Box 2	
		YES	NO
1. Is the information in Box 1 correct?		<input checked="" type="checkbox"/>	<input type="checkbox"/>
If NO, are changes handwritten above or included on a separate sheet?		<input 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. V00641

Box 3

Description of Institutional Controls

Parcel

S_B_L Image: 2781-500

Institutional Control

Ground Water Use Restriction
Landuse Restriction
Soil Management Plan

Box 4

Description of Engineering Controls

Parcel

S_B_L Image: 2781-500

Engineering Control

Cover System

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

Control Description for Site No. V00641

Parcel: 2781-500

1. The realty subject to this Declaration of Covenants and Restriction is known as the Perimeter Site, and consists of certain property and improvements situated on Block 2781, Lot 500 in the Borough of the Bronx, County of Bronx, City and State of New York, bounded and described in a metes and bounds description attached as Schedule B and made part of this covenant;

2. Unless prior approval 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 the State's citizens, hereinafter referred to as the "Relevant Agency", is first obtained, there shall be no excavation at the Perimeter Site which threatens the integrity of the pavement or building foundations or which results in unacceptable human exposure to contaminated soils;

3. The owner of the Perimeter Site shall maintain the pavement or building foundations existing at the Perimeter Site or, after obtaining the written approval of the Department or Relevant Agency, shall cover the Perimeter Site with another material. If redevelopment or excavation occurs on the Perimeter Site, any soils that are excavated must be managed, characterized, and properly disposed of off-site in an approved and permitted landfill in accordance with regulations and directives of the Department or Relevant Agency, or re-deposited on-site and covered by filter fabric and a two-foot soil cover unless the owner demonstrates to the satisfaction of the Department or Relevant Agency that such soil is not contaminated with any substance that will pose a risk to human health;

4. The owner shall prohibit use of the Perimeter Site for purposes other than restricted commercial/industrial uses, without the express written waiver of such prohibition by the Department or Relevant Agency;

5. The owner of the Perimeter Site shall prohibit use of the groundwater underlying the Perimeter Site without treatment rendering it safe for drinking water or industrial purposes, as appropriate, unless the user first obtains permission to do so from the Department or Relevant Agency;

6. The owner of the Perimeter Site shall continue in full force and effect any institutional and/or engineering controls required under the Agreement and maintain such controls unless the owner first obtains permission to discontinue such controls from the Department or Relevant Agency. The owner of the Perimeter Site shall annually certify to the Department or Relevant Agency that any such institutional control and/or engineering controls have been maintained;

7. This declaration is and shall be deemed a covenant and shall run with the land and shall be binding on all future owners of the Perimeter Site, and shall provide that the owner, its successors and assigns, consent to the enforcement by the Department or the Relevant Agency or the covenants and restriction that Paragraph XI of the Agreement require to be recorded, and hereby covenant not to contest the authority of the Department or the Relevant Agency to seek enforcement;

8. Any deed of conveyance of the Perimeter 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 Restriction.

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. V00641

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.

Kay Zias
Signature of Owner or Remedial Party Rendering Certification

5/4/10
Date

IC/EC CERTIFICATIONS

Box 7

QUALIFIED ENVIRONMENTAL PROFESSIONAL (QEP) SIGNATURE

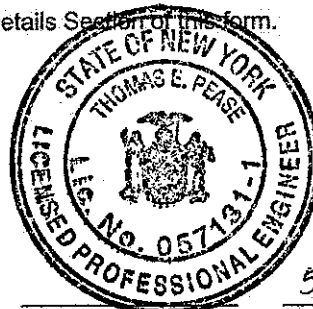
I certify that all information in Boxes 4 and 5 are true. I understand that a false statement made herein is punishable as a Class "A" misdemeanor, pursuant to Section 210.45 of the Penal Law.

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.

Thomas E. Pease
Signature of Qualified Environmental Professional, for
the Owner or Remedial Party, Rendering Certification



Stamp (if Required)

5/10/10
Date

IC Certifications

Site No. V00641 – Box 1 **

****Allowable Uses:** Mapped Roadway, Utility Easement, Public Greenway, Paved Parking Area.

Appendix B

February 2010 Site Photographs



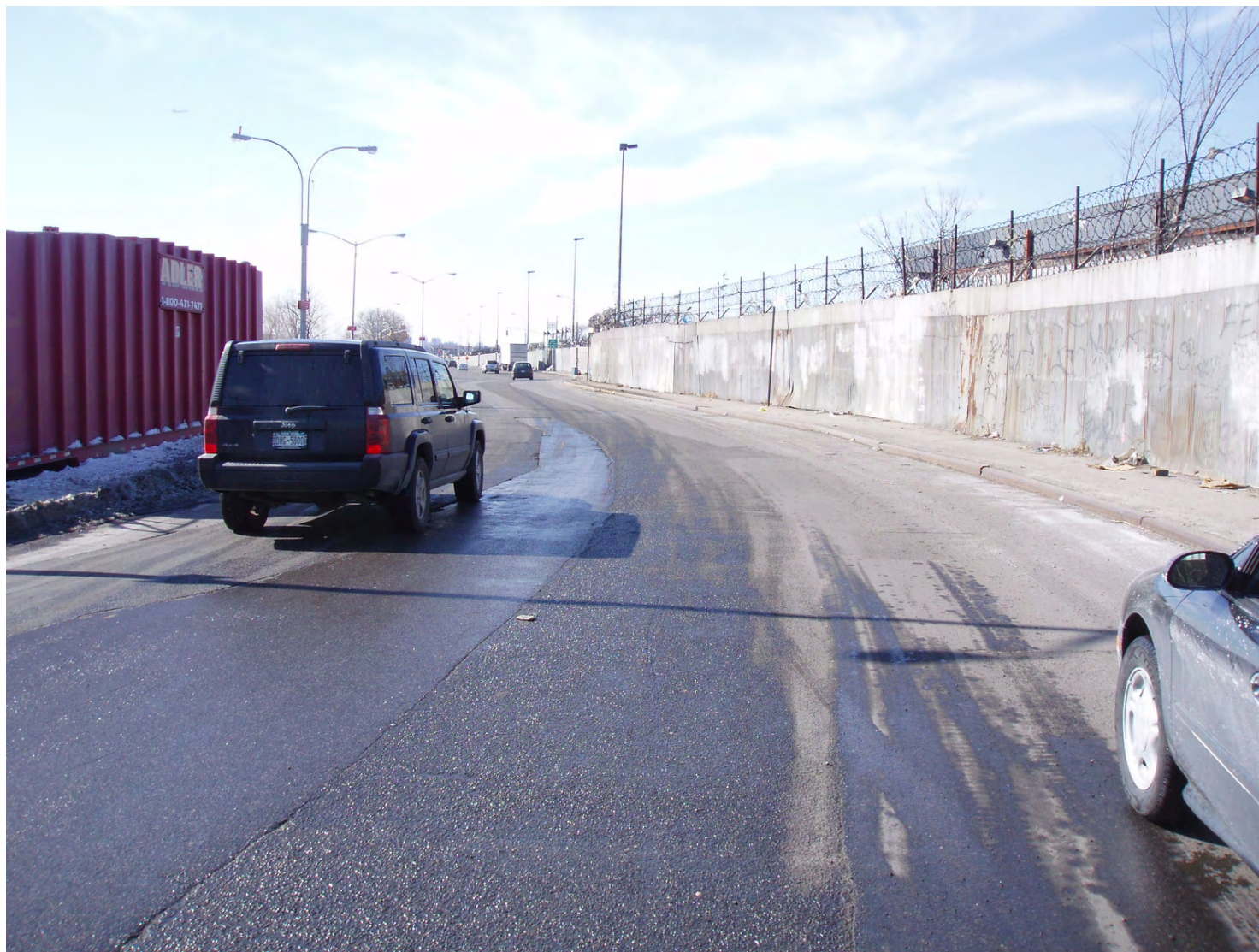
Photograph No. 1 – Southern terminus of Perimeter Site at southeast corner of intersection with Food Center Drive and Farragut Street (looking northeast)



Photograph No. 2 – Southern portion of Perimeter Site, Food Center Drive (looking northeast)



Photograph No. 3 – Southern Portion of Perimeter Site, Food Center Drive (looking northeast)



Photograph No. 4 – Northern portion of Perimeter Site, Food Center Drive (looking west)



Photograph No. 5 – Northern portion of Perimeter Site, cutting across Food Center Drive into Site E OU-2 (looking west)



Photograph No. 6 –Portion of Perimeter Site at entrance into Site E OU-2 (looking south)



Photograph No. 7 –Portion of Perimeter Site at entrance into Site C OU-1 (looking east-southeast)



Photograph No. 8 –Iroquois Gas Pipeline monitoring station location on the Perimeter Site and Site C OU-1 (looking southwest)



Photograph No. 9 –Portion of Perimeter Site extending into Site C OU-1 (looking east-southeast)



Photograph No. 10 – Portion of Perimeter Site extending into Site C OU-2 (looking east-southeast)

Appendix C

NYSDEC July 17th, 2009 Approval Letter

New York State Department of Environmental Conservation
Division of Environmental Remediation
Remedial Bureau B
625 Broadway, Albany, New York 12233-7016
Phone: (518) 402-9768 • FAX: (518) 402-9020
Website: www.dec.state.ny.us



July 17, 2009

Ms. Yelena Skorobogatov
Consolidation Edison Company
of New York, Inc.
31-01 20th Avenue
Long Island City, NY 11105-2048

Re: Voluntary Cleanup Project
Con Edison Gas Compressor Station
Site No. V00605-2

Dear Ms. Skorobogatov:

I have reviewed the proposed scope of work for soil excavation activities to be undertaken at the above-referenced site as part of the construction of a new 36-inch gas transmission pipeline, as described in your e-mail to me dated June 24, 2009. It is understood that all trenching and welding activities will be performed in accordance with applicable OSHA regulations. Based on my review, the proposed scope of work is hereby approved pursuant to the following conditions:

1. Ground-intrusive activities within the Con Edison Gas Compressor Station Site will be conducted in accordance with the approved Site Management Plan (SMP) for the Hunts Point Gas Compressor Station Site, dated June 2004.
2. During all ground-intrusive activities on or off-site, soils exhibiting visible signs of contamination will be managed in general accordance with the approved SMP for the Hunts Point Gas Compressor Station Site.
3. Dust monitoring, dust suppression, and the handling of any groundwater encountered during the excavation of the trenches will be conducted as described in your June 24, 2009 email.
4. The trenches will be inspected daily and as conditions change by a competent person prior to worker entry to ensure the elimination of excavation hazards. A competent person is an individual who is capable of identifying existing and predictable hazards or working conditions that are hazardous, unsanitary, or

dangerous to workers and who is authorized to eliminate or control these hazards.

5. Any trenches five (5) feet or greater will require a protective system to protect workers from cave-ins of material that can fall or roll into the excavation, or from collapse of nearby structures. Sloping, shoring, shielding or some other equivalent means of protection shall be provided where workers may be exposed to moving ground or cave-ins.
6. Safe access and egress to all trenches will be provided, including ladders, steps, ramps, or other safe means of exit for personnel working in the trench excavations four (4) feet or deeper. These devices must be located within twenty-five (25) feet of all workers.
7. After the completion of ground-intrusive activities, all excavations will be backfilled with clean fill, and the surface cover restored to its original condition (i.e., gravel, asphalt or pavement).
8. Since it is anticipated that some of the work will involve the performance of "hot work" operations (welding), the following specific procedures must be followed:
 - Pre-entry atmospheric testing will be performed.
 - The trenches will be covered with fire retardant poly tarps and all welding locations will be covered with fire resistant blankets prior to welding activity.
 - Welding electrodes must be removed from their holders during suspension of work (e.g., during lunch or overnight). The welding machine must be disconnected from its power source.
 - Mechanical ventilation will be mandatory.
 - Compressed gas cylinders and welding machines must be left outside of the trench.
 - Portable equipment on wheels must be secured to prevent accidental movement.
 - Gas welding and cutting equipment, such as hoses, connections, torches, etc. must be inspected and tested to ensure their integrity.
 - Means must be available for the quick removal of a welder in the event of an emergency. Full body harness or safety belts attached to a lifeline must be used whenever their use will facilitate rescue.

- An attendant with a pre-planned rescue procedure must be stationed outside of the trench.
- Torch valves must be closed and the fuel, gas and oxygen supply positively shut off at some point outside of the trench when the torch is not to be used for a substantial period of time (e.g. during lunch or overnight). Additionally, the torch and hose must also be removed from the trench where practicable.
- Welders and helpers must use appropriate respiratory protection when ventilation controls are insufficient.
- Oxygen will never be used to ventilate the trench.

If you have any questions, you may call me at (518) 402-9768.

Sincerely,



Ronnie E. Lee, P.E.
Project Manager
Division of Environmental Remediation

cc: R. Lee / file

ec: A. Nagi
S. Dewes
S. Selmer, NYSDOH

Appendix D

Worker/Department 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 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, 6th Floor
New York, NY 10038

Or

Mr. Kevin McCarty
HDR
One Blue Hill Plaza, 12th 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.