April 28, 2016

New York City Office of Environmental Remediation
E-Designation Program
c/o Zach Schreiber
100 Gold Street, 2nd Floor
New York, NY 10038

Re: E-Designation # 16EH-N048Q
108-01 Atlantic Avenue
Remedial Action Plan (RAP) Stipulation List

Dear Mr. Schreiber:

Tyll Engineering and Consulting, PC hereby submits a Remedial Action Plan (RAWP) Stipulation List for the Site to the New York City Office of Environmental Remediation (OER) on behalf of Atlantic 108, LLC. This letter serves as an addendum to the RAWP to stipulate additional content, requirements, and procedures that will be followed during the site remediation. The contents of this list are added to the RAWP and will supersede the content in the RAWP where there is a conflict in purpose or intent. The additional requirements/procedures include the following Stipulation List below:

1. The criterion attached in **Appendix 1** will be utilized if additional petroleum containing tank or vessel is identified during the remedial action or subsequent redevelopment excavation activities. All petroleum spills will be reported to the NYSDEC hotline as required by applicable laws and regulations. This contingency plan is designed for heating oil tanks and other small or moderately sized storage vessels. If larger tanks, such as gasoline storage tanks are identified, OER will be notified before this criterion is utilized.

2. A Historic Fill Transfer and Disposal Notification Form to each disposal facility and a pre-approval letter from all disposal facilities will be provided to OER prior to any soil/fill material removal from the site. The Historic Fill Transfer and Disposal Notification Form template is attached in **Appendix 2**. Documentation specified in the RAP - Appendix 3 - Section 1.6 “Materials Disposal Off-Site” will be provided to OER. If a different disposal facility for the soil/fill material is selected, OER will be notified immediately.

3. Daily reports will be provided during active excavation work. If no work is performed for extended time period, daily report frequency will be reduced to weekly basis. Daily report template is attached in **Appendix 3.**

4. Monthly reports will be provided by the owner/developer after excavation work is completed for the duration of the construction period. Monthly report template is attached in **Appendix 4**.

5. Trucking log sheets will be utilized as trucks are transported from sites, and completed logs should be attached to the Remedial Closure Report (RCR) as an appendix. The goal of this log is to clearly document the destination of material leaving the site, the parties responsible for its transfer, and other pertinent details. The trucking log template is provided in **Appendix 5**.

6. Revised Site Excavation Plan is attached in **Appendix 6**.

7. Revised passive SSDS Layout Plan is attached in **Appendix 7.**

8. Revised Proposed Development Plan in **Appendix 8.**

9. Revised Endpoint Sample Location Plan in **Appendix 9.**

10. Updated project description: Propose to remove the top 1.5 foot of urban/historic fill throughout the Site, excavate basements; 750 square feet for Lot 23 and 375 square feet for Lot 30 (both to be used for storage, utilities, and mechanical rooms), and build two commercial buildings (9,494 sq.ft. on Lot 23 and 5,731 sq.ft. on Lot 30).

Respectfully submitted,
TYLL ENGINEERING AND CONSULTING, PC

Karen G. Tyll, P.E.
Professional Engineer

Cc: A. Alfieri, NYCOER
Jim DeMartinis, Seacliff Environmental
David Koptiev, Atlantic 108, LLC

APPENDICES

Appendix 1

Generic Procedures for Management of Underground Storage Tanks
Identified under the NYC E-Designation

Prior to Tank removal, the following procedures should be followed:

- Remove all fluid to its lowest draw-off point.
- Drain and flush piping into the tank.
- Vacuum out the "tank bottom" consisting of water product and sludge.
- Dig down to the top of the tank and expose the upper half.
- Remove the fill tube and disconnect the fill, gauge, product, vent lines and pumps. Cap and plug open ends of lines.
- Temporarily plug all tank openings, complete the excavation, remove the tank and place it in a secure location.
- Render the tank safe and check the tank atmosphere to ensure that petroleum vapors have been satisfactorily purged from the tank.
- Clean tank or remove to storage yard for cleaning.
- If the tank is to be moved, it must be transported by licensed waste transporter. Plug and cap all holes prior to transport leaving a 1/8 inch vent hole located at the top of the tank during transport.
- After cleaning, the tank must be made acceptable for disposal at a scrap yard, cleaning the tanks interior with a high pressure rinse and cutting the tank in several pieces.

During the tank and pipe line removal, the following field observations should be made and recorded:

- A description and photographic documentation of the tank and pipe line condition (pitting, holes, staining, leak points, evidence of repairs, etc.).
- Examination of the excavation floor and sidewalls for physical evidence of contamination (odor, staining, sheen, etc.).
- Periodic field screening (through bucket return) of the floor and sidewalls of the excavation, with a calibrated photoionization detector (PID).

<u>Impacted Soil Excavation Methods</u>

The excavation of the impacted soil will be performed following the removal of the existing tanks. Soil excavation will be performed in accordance with the procedures described under Section 5.5 of Draft DER-10 as follows:

- A description and photographic documentation of the excavation.
- Examination of the excavation floor and sidewalls for physical evidence of contamination (odor, staining, sheen, etc.).
- Periodic field screening (through bucket return) of the floor and sidewalls of the excavation, with calibrated photoionization detector (PID).

Final excavation depth, length, and width will be determined in the field, and will depend on the horizontal and vertical extent of contaminated soils as indentified through physical examination (PID response, odor, staining, etc.). Collection of verification samples will be performed to evaluate the success of the removal action as specified in this document.

The following procedure will be used for the excavation of impacted soil (as necessary and appropriate):

- Wear appropriate health and safety equipment as outlined in the Health and Safety Plan.
- Prior to excavation, ensure that the area is clear of utility lines or other obstructions. Lay plastic sheeting on the ground next to the area to be excavated.
- Using a rubber-tired backhoe or track mounted excavator, remove overburden soils and stockpile, or dispose of, separate from the impacted soil.
- If additional UST's are discovered, the NYSDEC will be notified and the best course of action to remove the structure should be determined in the field. This may involve the continued trenching around the perimeter to minimize its disturbance.
- If physically contaminated soil is present (e.g., staining, odors, sheen, PID response, etc.) an attempt will be made to remove it, to the extent not limited by the site boundaries or the bedrock surface. If possible, physically impacted soil will be removed using the backhoe or excavator, segregated from clean soils and overburden, and staged on separated dedicated plastic sheeting or live loaded into trucks from the disposal facility. Removal of the impacted soils will continue until visibly clean material is encountered and monitoring instruments indicate that no contaminants are present.
- Excavated soils which are temporarily stockpiled on-site will be covered with tarp material while disposal options are determined. Tarp will be checked on a daily basis and replaced, repaired or adjusted as needed to provide full coverage. The sheeting will be shaped and secured in such a manner as to drain runoff and direct it toward the interior of the property.

Once the site representative and regulatory personnel are satisfied with the removal effort, verification of confirmatory samples will be collected from the excavation in accordance with DER-10.

Appendix 2

Historic Fill Transfer and Disposal Notification Form

Historic Fill & Soil Disposal Notification Form
New York City Office of Environmental Remediation

Date: April 28, 2016

To operators and representatives of disposal facilities and government regulators:

The New York City Office of Environmental Remediation (OER) operates several environmental remediation regulatory programs in New York City that manage light to moderately contaminated properties that are planned for redevelopment. These projects commonly involve the removal of historical fill and soil from properties for development and other purposes. As with any environmental regulatory program, lawful transport and disposal of historic fill and soil is mandatory. It is also our highest priority.

Disposal facilities, recycling facilities and clean fill facilities (collectively, "receiving facilities") for historic fill and soil may be located in New York or neighboring states. Our research has indicated that a wide range of facility types and a complex set of regulatory requirements and obligations for a receiving facility operation exist within each jurisdiction. Receiving facilities are required to comply with applicable laws and regulations and may operate under state and local authority via permits, licenses, registrations, agreements and other legal instruments that dictate requirements for the material they can receive. Operating requirements may include adherence to applicable chemical standards, guidance levels, criteria, policy or other bases to determine the suitability for receipt of historical fill or soil at a receiving facility. Such requirements may also specify sample frequency, location, sampling method, chemical analytes, or analytical methods. Receiving facility soil/fill sampling requirements often differ from standard remedial investigation protocol performed in the original environmental study of the property.

Given the variability of data requirements for receiving facilities, the wide range of receiving facility types, and the complexity of regulatory requirements and obligations, OER is seeking to assist government regulators and facility operators and their technical representatives to achieve compliance with regulatory requirements for disposal of historic fill and soil at receiving facilities for projects we administer. Further, we seek to ensure that all of the data and information that is developed in OER's regulatory programs (for instance, site environmental history and soil chemistry) is available to government regulators and to facility managers when making decisions on suitability for disposal to a receiving facility.

This document provides formal notification from OER of the availability of environmental information regarding the physical and chemical content of historical fill and soil that is proposed for transfer to a disposal, recycling or clean fill facility from a property located at:

108-01 Atlantic Avenue, Queens, New York
OER Site # 16EH-N048Q

The above referenced property has undergone regulated environmental investigation and is the subject of remedial action work plan under the authority of OER. All environmental data and information generated during this regulatory process is available online in OER's Document Repository listed below. Be advised that many properties are also regulated under state environmental law, and additional data may be available from state agencies. OER reserves the right to share this information with applicable state regulators.

http://www.nyc.gov/html/oer/html/document-repository/document-repository.shtml

Note: when logged on to above URL, select the borough for the site (listed in the address above) and scroll through the list and select the address for the site (listed above). All documents are available in PDF format.

According to New York State DER-10 Technical Guidance for Site Investigation and Remediation, historical fill is non-indigenous fill material deposited on a property to raise its topographic elevation. The origin of historical fill is unknown but it is commonly known to contain ash from wood and coal combustion, slag, clinker, construction debris, dredge spoils, incinerator residue, and demolition debris. Historic fill is a regulated solid waste in the State of New York. Prior to making a determination regarding the suitability of historic fill and/or soil from this property for disposal at this receiving facility, **we strongly recommend that you review all of the data and information available for this property in our Document Repository** listed above. The repository includes:

- A Phase 1 history of use of the property;
- A Remedial Investigation Report for the property which includes:
    - Boring logs that describe physical observations of the historical fill material made by a trained environmental professional;
    - Chemical data for grab samples of historical fill collected during the remedial investigation;
- A Remedial Action Work Plan for the property.

If you have any questions, please contact Horace Zhang at (212) 788-8484 or Hzhang@dep.nyc.gov for more information.

Appendix 3
Daily Report Template

DAILY STATUS REPORT

Prepared By: Enter Your Name Here

WEATHER	Snow		Rain		Overcast		Partly Cloudy	x	Bright Sun	
TEMP.	< 32		32-50		50-70	x	70-85		>85	

VCP Project No.:	16EH-N048Q	E-Number Project No.:	E-281	Date:	01/01/2016
Project Name:	108-01 Atlantic Avenue, Queens				

Consultant: Person(s) Name and Company Name	Safety Officer: Person(s) Name and Company Name
General Contractor: Person(s) Name and Company Name	Site Manager/ Supervisor: Person(s) Name and Company Name

Work Activities Performed (Since Last Report):

Provide details about the work activities performed.

Working In Grid #: A1, B1, C1

Samples Collected (Since Last Report):

No samples collected or provide details

Air Monitoring (Since Last Report):

No air monitoring performed or provide details

Prestart Conditions – PID = 0.0 ppm, Dust = 0.000

High Conditions – PID = 0.0 ppm, Dust = 0.000

Problems Encountered:

No problems encountered or provide details

Planned Activities for the Next Day/ Week:

Provide details about the work activities planned for the next day/ week.

Example:

Facility # Name/ Location Type of Waste Solid Or Liquid	Facility # Name Location Type of Waste Solid *Or* Liquid		Facility # Name Location Type of Waste Solid *Or* Liquid		Facility # Name Location Type of Waste Solid *Or* Liquid		Facility # Name Location Type of Waste Solid *Or* Liquid		# # # # # # # ABC Facility New York, NY petroleum soils Solid	
(Trucks, Cu.Yds. Or Gallons)	Trucks	Cu. Yds. *Or* Gallons	Trucks	Cu. Yds. *Or* Gallons	Trucks	Cu. Yds. *Or* Gallons	Trucks	Cu. Yds. *Or* Gallons	Trucks	Cu. Yds.
Today									5	120
Total									25	600

NYC Clean Soil Bank		Receiving Facility: Name/ Address (Approved by OER)
Tracking No.:	16CCSB000	

Today	Trucks 5	Cu. Yds. 25	Total	Trucks 120	Cu. Yds. 600

Site Grid Map

Insert the site grid map here

Photo Log

Photo 1 – provide a caption	Insert Photo Here – Photo of the entire site
Photo 2 – provide a caption	Insert Photo Here – Photo of the work activities performed
Photo 3 – provide a caption	Insert Photo Here – Photo of the work activities performed

Appendix 4

Weekly / Monthly Report Template

WEEKLY / MONTHLY STATUS REPORT

Prepared By: Enter Your Name Here

VCP Project No.:	16EH-N048Q	E-Number Project No.:	E-281	Date:	01/01/2016

Project Name:	108-01 Atlantic Avenue, Queens

Project Updates (Since Last Report):
Provide details about the work activities performed.

Problems Encountered:
No problems encountered or provide details

Planned Activities for the Next three months:
Provide details about the future work activities.

Photo Log

Photo 1 – provide a caption	Insert Photo Here – Photo of the entire site
Photo 2 – provide a caption	Insert Photo Here – Photo of the work activities performed

Photo 3 – provide a caption	Insert Photo Here – Photo of the work activities performed

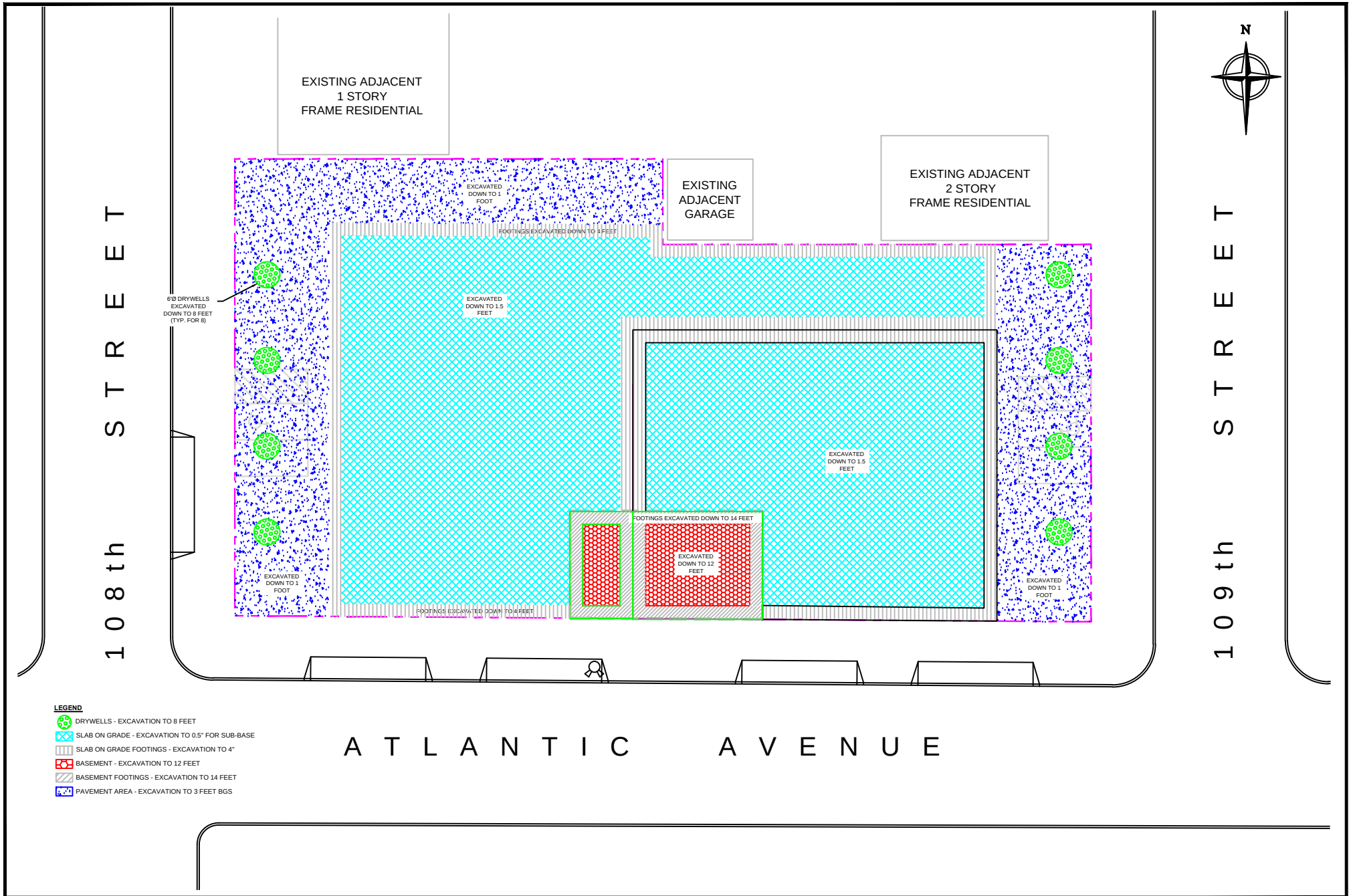
Appendix 5

Soil Disposal and Trucking Log Sheet

Soil Disposal and Trucking Log Sheet

Shipment Date	Manifest Number	Transporter Name/Truck Name	License Plate	On-Site Location (approx. depth)	Off-Site Disposal Facility	Tonnage
8/25/2013	66357	ABC Trucking/201	NJ-AP458	WC-1(0-8')	Jones Landfill	32.90

Appendix 6
Site Excavation Plan



PREPARED BY:

TYLL ENGINEERING & CONSULTING PC

169 Commack Road, Suite H173, Commack, NY 11725
PHONE: (631) 629-5373 info@tyllengineering.com

TITLE:

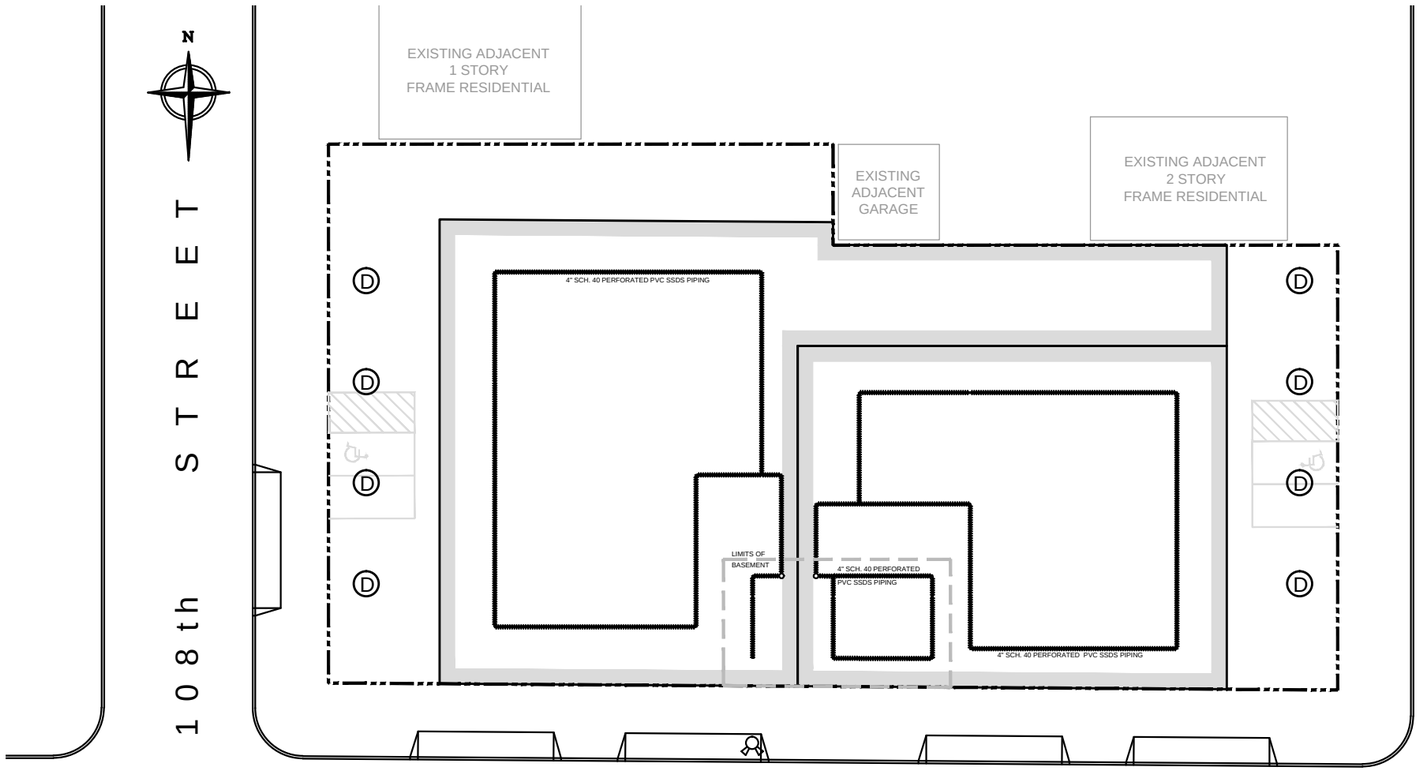
SITE EXCAVATION PLAN

108-01 ATLANTIC AVENUE
QUEENS, NY

DRAWN:	SCALE:	DATE:	PROJECT NO.:
-	NTS	1-28-16	SEI1503
CHECKED:	APPROVED:	REVISION:	NOTES:
KT	KT	-	-

FIGURE NO.: 5

Appendix 7
(Passive) SSDS Layout Diagram

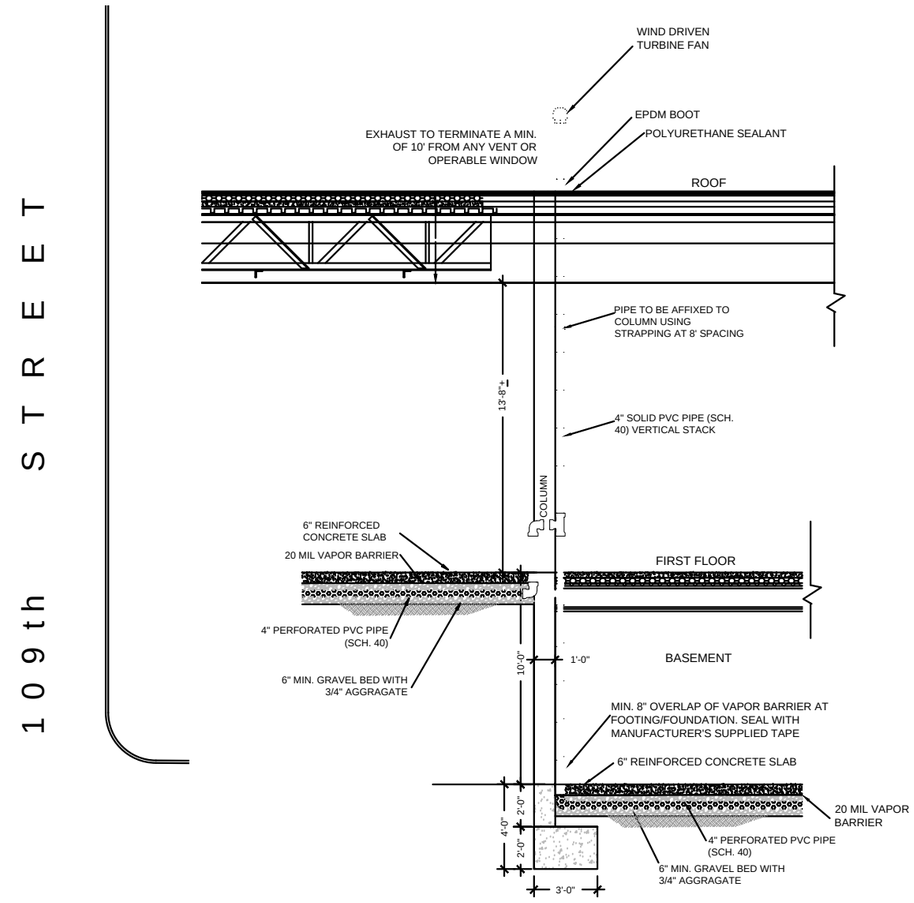


TYPICAL SSDS HORIZONTAL PIPE INSTALLATION

SCALE: N.T.S.

NOTES:

1. SEAL ALL PERFORATIONS, JOINTS AND SEAMS FOLLOWING MANUFACTURER'S RECOMMENDATIONS WITH SUPPLIED TAPE .
2. OER MUST PRE-APPROVE ALL FILL MATERIAL BEFORE DELIVERY TO SITE.
3. TEC/SEACLIFF MUST INSPECT, PHOTOGRAPH, AND DOCUMENT SSDS INSTALLATION (PIPING AND VAPOR BARRIER) BEFORE BACKFILLING.



SSDS VERTICAL PIPE CROSS - SECTION

SCALE: N.T.S.

REV	DATE	CK	DESCRIPTION
			REVISIONS

SSDS LAYOUT PLAN

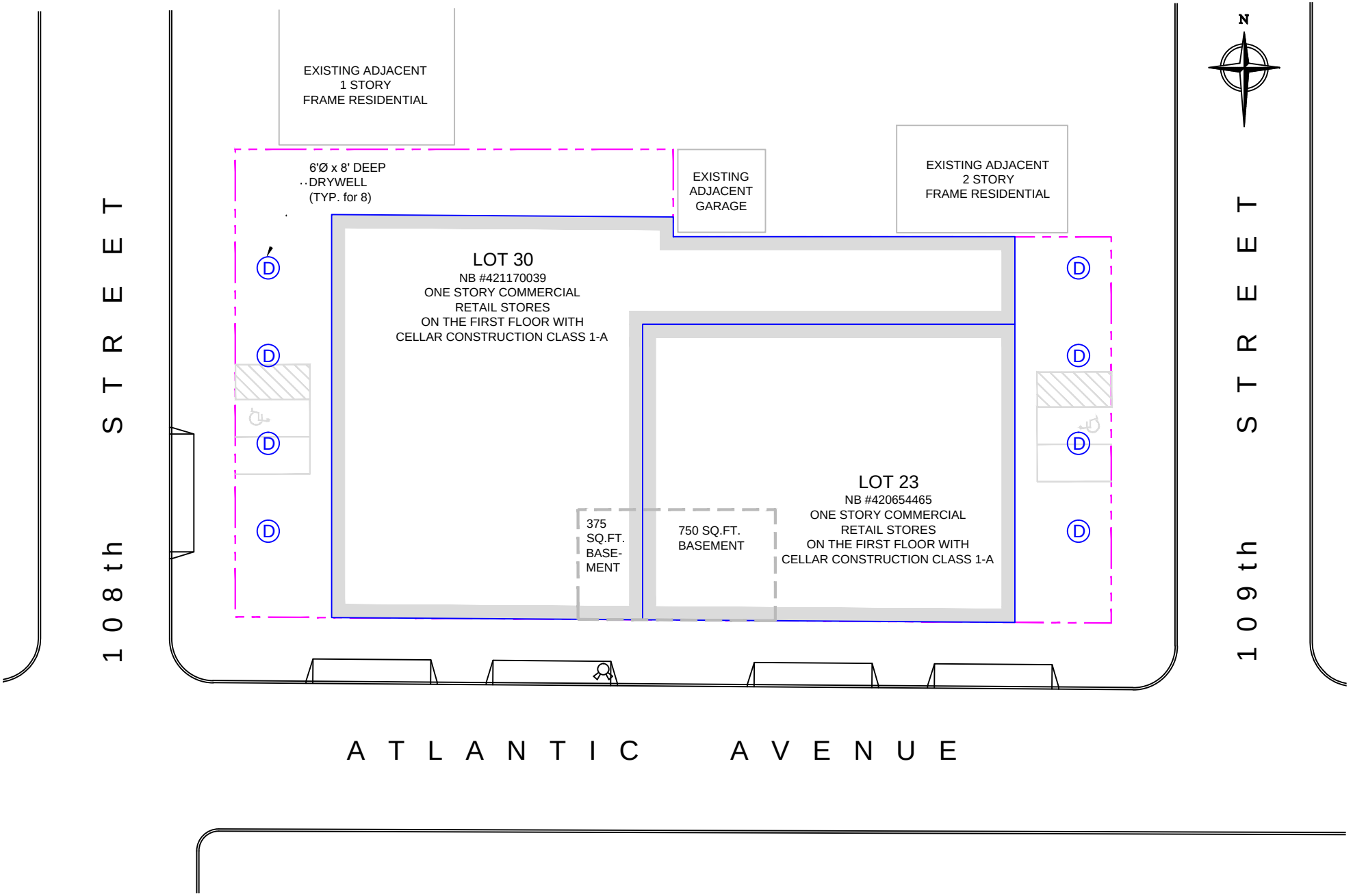
ATLANTIC 108 LLC
108-01 ATLANTIC AVENUE
QUEENS, NEW YORK

TEC
TYLL ENGINEERING & CONSULTING PC
169 Commack Road, Suite H173, Commack, NY 11725
PHONE: (631) 629-5373 info@tyllengineering.com

SHEET TITLE:	SSDS LAYOUT PLAN		
DESIGNED BY:	KT	SCALE:	AS SHOWN
REVIEWED BY:	KT	DATE:	JANUARY 29, 2016
PLAN SHEET BY:	KT	PROJECT NO:	SEI1503

9

Appendix 8
Revised Proposed Development Plan



PREPARED BY:

TYLL ENGINEERING & CONSULTING PC
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TITLE:

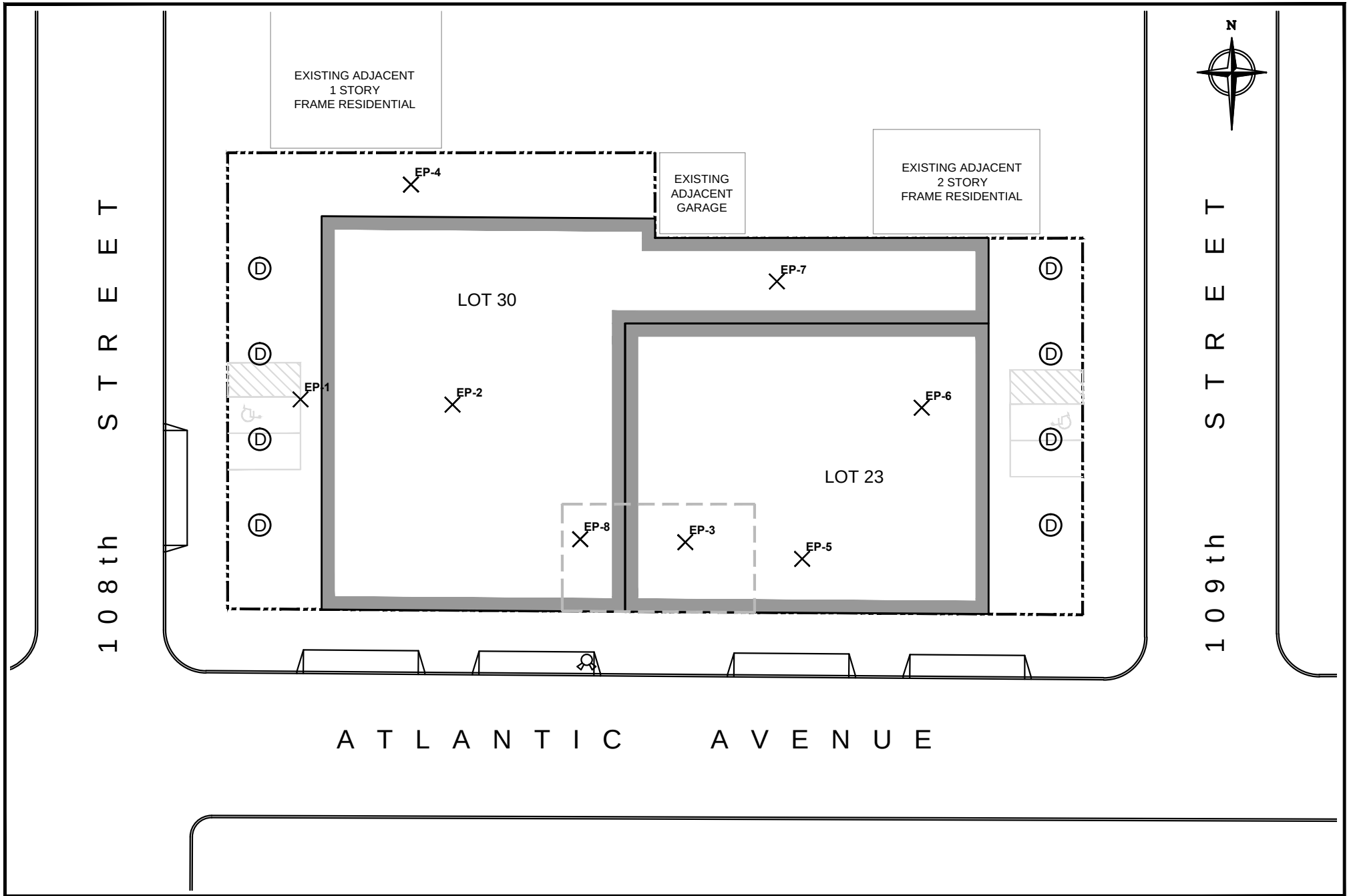
PROPOSED DEVELOPMENT PLAN

108-01 ATLANTIC AVENUE
QUEENS, NY

DRAWN:	SCALE:	DATE:	PROJECT NO.:
-	1"=30'	1-28-16	SEI1503
CHECKED:	APPROVED:	REVISION:	NOTES:
KT	KT	-	-

FIGURE NO.: 2

Appendix 9
Revised Endpoint Sample Location Plan



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PHONE: (631) 629-5373 info@tyllengineering.com

TITLE:

END POINT SAMPLE LOCATION MAP

108-01 ATLANTIC AVENUE
QUEENS, NY

DRAWN:	SCALE:	DATE:	PROJECT NO.:
-	NTS	1-29-16	SEI1503
CHECKED:	APPROVED:	REVISION:	NOTES:
KT	KT	-	-

FIGURE NO.: 7