

APPENDIX VIII

Robert Hazard

From: Doug Harm <dharm@brinkenv.com>
Sent: Friday, September 18, 2015 9:49 AM
To: 'Anna Pino'
Subject: RE: West Farms Sampling map
Attachments: Waste Characterization Report.pdf

See attached report.

Doug Harm
dharm@brinkenv.com



1805 Atlantic Avenue
Manasquan, NJ 08736
Phone: 732-223-2225, x12
Fax: 732-223-3666
Web: www.BrinkEnv.com

From: Anna Pino [mailto:apino@cleanearthinc.com]
Sent: Friday, September 18, 2015 9:39 AM
To: 'dharm@brinkenv.com'
Cc: 'stephen@joycon1st.com'
Subject: West Farms Sampling map

Morning Doug!

Can you please send me the sampling map with dimensions for West Farms?

Thank you,

Anna

Anna Pino
Inside Sales Representative

Clean Earth, Inc.
334 S. Warminster Road, Hatboro, PA 19040
T 215.734.1400 x 231 | C 443.567.1222 |
apino@cleanearthinc.com | www.cleanearthinc.com

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Robert Hazard

From: Doug Harm <dharm@brinkenv.com>
Sent: Friday, September 18, 2015 10:44 AM
To: 'Anna Pino'
Subject: RE: West Farms Sampling map
Attachments: RIR text maps and tables.pdf

[Additional data on the West Farms Site.](#)

Doug Harm

dharm@brinkenv.com



1805 Atlantic Avenue
Manasquan, NJ 08736
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Robert Hazard

From: Doug Harm <dharm@brinkenv.com>
Sent: Monday, October 05, 2015 10:15 AM
To: 'Anna Pino'; 'Stephen'
Cc: 'Jen Schrof'; 'Marcel Mercado'; 'Marc Conti'; 'Marc'; 'Joe Olive'; Sean Harrison; 'Pankaj Shah'; 'Eli'
Subject: RE: West Farms Meeting
Attachments: Historic_Fill_Transfer_and_Disposal_Notification_Form_West Farms.pdf

Anna:

I will need an approval Letter for Clean Earth for the West Farms Project to deliver to OER. Please reference the attached document is your letter. Please return to me as soon as you can. I need to get to OER before we start moving soil.

Thanks

Doug Harm

dharm@brinkenv.com

BRINKERHOFF



ENVIRONMENTAL SERVICES, INC.

1805 Atlantic Avenue
Manasquan, NJ 08736
Phone: 732-223-2225, x12
Fax: 732-223-3666
Web: www.BrinkEnv.com

From: Anna Pino [mailto:apino@cleaneearthinc.com]
Sent: Thursday, October 01, 2015 4:02 PM
To: Stephen
Cc: Jen Schrof; Marcel Mercado; Marc Conti; Marc; Joe Olive; Pankaj Shah; 'Harm, Doug'; Eli
Subject: Re: West Farms Meeting

Steve,
Let's meet at 1:00 on Wednesday.
Thanks,

Anna Pino

Clean Earth Inc.
334 South Warminster Road
Hatboro, PA 19040
[443.567.1222](tel:443.567.1222)

----- Original message-----

From: Stephen
Date: Thu, Oct 1, 2015 3:33 PM
To: Anna Pino;
Cc: Jen Schrof; Marcel Mercado; Marc Conti; Marc; Joe Olive; Pankaj Shah; 'Harm, Doug'; Eli;

Subject:RE: West Farms Meeting

Anna

Lets meet on Wednesday. As soon as we have the site fully enclosed with fence we can start excavation. Fence is scheduled to be done Wed/Thurs next week.

Doug

What is your schedule looking like for next week, would you be available for testing on Thursday/Friday?

Regards,

Stephen Ploska

Sr. Project Manager

JOY CONSTRUCTION CORP

From: Anna Pino [<mailto:apino@cleanearthinc.com>]

Sent: Thursday, October 01, 2015 10:50 AM

To: Marcel Mercado; Stephen

Cc: Jen Schrof

Subject: RE: West Farms Meeting

We could meet Wednesday around 12:30-1:00, if that works better for you, but we have appointments Thursday morning and couldn't meet earlier.

Attached is the final quote and a Project Information Sheet. If you could look over and complete the PIS I will then begin the profiles and applications.

When do you believe you will begin excavating? Are we going with the just the top 2' across the site to start?

Thanks Marcel!

Anna Pino

Inside Sales Representative

Clean Earth, Inc.

334 S. Warminster Road, Hatboro, PA 19040

T 215.734.1400 x 231 | C 443.567.1222 |

apino@cleanearthinc.com | www.cleanearthinc.com

Please consider the environment before printing this email.

From: Marcel Mercado [<mailto:marcel@joycon1st.com>]

Sent: Thursday, October 01, 2015 10:37 AM

To: Anna Pino; Stephen

Cc: Jen Schrof

Subject: RE: West Farms Meeting

Please forward latest proposal.

Thursday works, we can go in earlier. What time can you make it in the AM?

From: Anna Pino [<mailto:apino@cleanearthinc.com>]

Sent: Thursday, October 01, 2015 9:57 AM

To: Stephen

Cc: Marcel Mercado; Jen Schrof

Subject: West Farms Meeting

Good morning Steve & Marcel,

I just sent the revised quote to Marc Conti and we are beginning the profiles and application process today.

Jen and I would like to see the site and were hoping to meet you there next Thursday, October 8th at 1 or 2:00.

Please let me know if this works for you.

I look forward to working with you!

Thank you,

Anna

Anna Pino

Inside Sales Representative

Clean Earth, Inc.

334 S. Warminster Road, Hatboro, PA 19040

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

Date: October 5, 2015

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:

1939 West Farms Road
Bronx, NY
OER# 14EHAN170X
VCP# 14CVCP226X

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 H Zhang@dep.nyc.gov for more information.

Robert Hazard

From: Holberton, Shana <SHolberton@dep.nyc.gov>
Sent: Friday, October 16, 2015 5:08 PM
To: Doug Harm
Cc: Sean Harrison
Subject: Disposal of Soil/Fill from 1939 West Farms Road at Bayshore

Doug/Sean,

OER has received your documentation for proposed transport and disposal of soil and fill from the above referenced property. We understand from your correspondence that the proposed receiving facility has determined that it is appropriately licensed, permitted, registered, or otherwise authorized to receive this material. On this basis, OER has no objection to the proposed transfer. Further, OER has transmitted a Historic Fill/Soil Disposal Notification Form providing a regulatory notice and notice of availability of all data and information currently in OER's possession. Please be advised that OER does not regulate the operation of this receiving facility or transportation of the excavated material in any jurisdiction and this correspondence does not constitute regulatory approval of disposal at this receiving facility or the means of transportation. It is the obligation of the property owner, the professional engineer, the qualified environmental professional for the remedial action, the excavation contractor, soil disposal facilitators, trucking contractors, and the operator of the receiving facility to ensure that the facility is appropriately licensed, permitted, registered, or otherwise authorized to receive this material and that the trucks transporting excavated material satisfy all applicable transportation requirements. The receiving facility is regulated within the State of New Jersey and any questions regarding the suitability of the facility to receive the excavated material or requirements for transportation vehicles should be directed to the appropriate regulatory agency.

Best,

Shana Holberton
Project Manager
NYC Mayor's Office of Environmental Remediation
100 Gold Street, 2nd Floor, New York, NY 10038
Direct: (212)788-3220
Mobile: (347)889-0665
sholberton@dep.nyc.gov
www.nyc.gov/oer

From: Doug Harm [<mailto:dharm@brinkenv.com>]
Sent: Thursday, October 15, 2015 1:48 PM
To: Holberton, Shana
Cc: Sean Harrison
Subject: RE: 1939 West Farms Rd, Bronx, NY - DFR - 10.15.2015

Shanna:

Acceptance Letters from Clean Earth and Bayshore. It appears Clean Earth will dispose of most of the soil at Bayshore. This is why the approval letter goes to them.

We did not prepare a specific letter to the facility, only emails.

Let me know if you need anything else.

Doug

Doug Harm

dharm@brinkenv.com



1805 Atlantic Avenue
Manasquan, NJ 08736
Phone: 732-223-2225, x12
Fax: 732-223-3666
Web: www.BrinkEnv.com

From: Holberton, Shana [<mailto:SHolberton@dep.nyc.gov>]
Sent: Thursday, October 15, 2015 1:28 PM
To: Sean Harrison
Cc: 'Doug Harm'; Zhang, Horace; Walsh, Dan (Cityhall)
Subject: RE: 1939 West Farms Rd, Bronx, NY - DFR - 10.15.2015

Hi Sean,

OER has not approved any disposal facilities for this site. As soon as possible (**and prior to any further offsite disposal**) send OER the following for all facilities you plan to ship material to:

- The letter from Brinkerhoff to the facility requesting to transport soil/fill from the site to the facility – this letter should reference both the waste characterization and the RIR and should have a link to OER's document repository
- Waste characterization data that was supplied to the facility
- The Historic Fill Notification Form
- The Facility Approval Letter

Once OER receives these items, we will contact the facility to confirm that they received the documents that were supplied to us (specifically the Historic Fill Notification Form). After they have confirmed receipt we will issue a formal approval which looks like this:

OER has received your documentation for proposed transport and disposal of soil and fill from the above referenced property. We understand from your correspondence that the proposed receiving facility has determined that it is appropriately licensed, permitted, registered, or otherwise authorized to receive this material. On this basis, OER has no objection to the proposed transfer. Further, OER has transmitted a Historic Fill/Soil Disposal Notification Form providing a regulatory notice and notice of availability of all data and information currently in OER's possession. Please be advised that OER does not regulate the operation of this receiving facility or transportation of the excavated material in any jurisdiction and this correspondence does not constitute regulatory approval of disposal at this receiving facility or the means of transportation. It is the obligation of the property owner, the professional engineer, the qualified environmental professional for the remedial action, the excavation contractor, soil disposal facilitators, trucking contractors, and the operator of the receiving facility to ensure that the facility is appropriately licensed, permitted, registered, or otherwise

authorized to receive this material and that the trucks transporting excavated material satisfy all applicable transportation requirements. The receiving facility is regulated within the State of New Jersey and any questions regarding the suitability of the facility to receive the excavated material or requirements for transportation vehicles should be directed to the appropriate regulatory agency.

Please call me with any questions.

Best,

Shana Holberton
Project Manager
NYC Mayor's Office of Environmental Remediation
100 Gold Street, 2nd Floor, New York, NY 10038
Direct: (212)788-3220
Mobile: (347)889-0665
sholberton@dep.nyc.gov
www.nyc.gov/oer

From: Sean Harrison [<mailto:sharrison@brinkenv.com>]
Sent: Thursday, October 15, 2015 12:46 PM
To: Holberton, Shana
Cc: 'Doug Harm'
Subject: 1939 West Farms Rd, Bronx, NY - DFR - 10.15.2015

Shana,

Attached is the daily field report for site activities completed today, October 15, 2015 at 1939 West Farms Road, Bronx, New York. Please let me know if you have any questions.

Thanks,

Sean

Sean Harrison
sharrison@brinkenv.com



1805 Atlantic Avenue
Manasquan, NJ 08736
Phone: 732-223-2225, xt 26
Fax: 732-223-3666
Web: www.BrinkEnv.com

BAYSHORE

Soil Management, LLC

75 Crows Mill Road, P.O. Box 290
Keasbey, New Jersey 08832
Phone: (732) 738-6000 • Fax: (732) 738-0620
www.bayshorerecycling.com

October 16, 2015

Ms. Jen Schrof
Clean Earth Inc.
334 South Warminster Rd.
Hatboro, PA 19040

RE: 1939 West Farms Road
NYC VCP No. 14CVCP229X
Bronx, NY 10460

Dear Ms. Schrof:

Bayshore Soil Management, LLC (BSM) has reviewed the provided analytical results for soils/fill materials from the 1939 West Farms Road site in Bronx, NY. BSM understands that this site is being under NYC VCP No. 14CVCP229X. In review of the provided analyses, BSM has identified soils that appear to meet our acceptance criteria for Petroleum Contaminated Soils/Urban Fill. This decision was based on the submitted generator waste profile and analytical testing results stemming from site remedial investigation work. This review also included the following documents:

- Historic Fill & Soil Disposal Notification Form, New York City Office of Environmental Remediation, dated 10/5/2015
- Remedial Investigation Report for 1926 Longfellow Ave & 1939 West Farms Road, prepared by Hydro Tech Environmental Corp., dated January 2014

Bayshore Soil Management, LLC can only accept non-hazardous contaminated soil and based on our review of the soil chemistry data, the material is acceptable under the guidelines of our operating permits.

The job is currently approved for up to 1,800 tons under BSM#2715-1297. To facilitate approval of the estimated 5,000 tons, BSM will require the following additional analyses on composite samples, which we can collect on inbound material for the following costs: for materials beyond the initial 3,600 tons, TCL/TAL to satisfy the facility 1 per 1,200-ton requirement, and for material beyond the initial 1,800 tons, EPH to satisfy the facility 1 per 600-ton frequency requirement. Contingent TCLP will also be required for any chemical exceeding the RCRA 20x Rule. An estimated 2 TCL/TAL and 6 EPH will be required.

Should you have any questions, or require further information, please feel free to contact me at 732-738-6000.

Kind Regards,



Kassandra Lacerda
Compliance Manager



1805 Atlantic Avenue
Manasquan, New Jersey 08736
Tel: (732) 223-2225
Fax: (732) 223-3666
www.brinkenv.com

March 16, 2016

TRANSMITTED VIA EMAIL ONLY BethlehemEarth@gmail.com

Bethlehem Earth
3200 Commerce Center Blvd
Bethlehem, PA 18015
Attn: Joe Walkowiak

RE: Soil Disposal Request Letter -
Bethlehem Earth Facility
1939 West Farms Road, Block 3016, Lot 50
Bronx, New York
NYCOER No. 14EHAN171X
NYCOER VCP No: 14CVCP229X
Brinkerhoff Project No. 15BR031A

Dear Mr. Walkowiak:

Brinkerhoff Environmental Services, Inc. (Brinkerhoff) is seeking approval for acceptance from the Bethlehem Earth Facility, located at 3200 Commerce Center Blvd, Bethlehem, Pennsylvania, for the disposal/recycling of non-hazardous soil from the above-referenced site. This site was assigned with an E Designation by the New York City Department of City Planning. The E Designation requires an environmental investigation and soil management with oversight by the New York City Office of Environmental Remediation (NYCOER). The NYCOER E Designation Number is 14EHAN171X. Additionally, this site is enrolled in the NYCOER Voluntary Cleanup Program (VCP) and has been assigned NYCOER VCP Number: 14CVCP229X.

The site is currently undergoing soil remediation and to date, approximately 10,350 cubic yards of non-hazardous petroleum-contaminated soil/urban fill have been excavated and removed off-site to Bayshore Soil Management, LLC Facility in Keasbey, New Jersey. The contractor, Joy Construction Corp., anticipates to excavate, remove, and dispose the remainder of the site soil at your facility.

A Remedial Investigation was completed in January 2014 by Hydro Tech Environmental Corp. and the soil at the site consists of urban historic fill containing elevated levels of metals, pesticides, and poly nuclear aromatic hydrocarbons (PAHs). A copy of the Remedial Investigation report is being provided to Bethlehem Earth and can be found at:

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

Mr. Joe Walkowiak
Bethlehem Earth
Re: Soil Disposal Request Letter -
Bethlehem Earth Facility
1939 West Farms Road, Block 3016, Lot 50
Bronx, New York
Brinkerhoff Project No. 15BR031A

March 16, 2016
Page 2 of 2

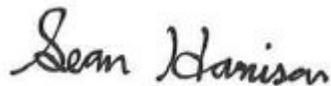
As part of the soil management, Brinkerhoff performed a Waste Characterization Investigation and a copy of the Disposal Sampling and Waste Classification Report, dated September 15, 2015, is provided as **Attachment I**. On February 26, 2016, Brinkerhoff collected three (3) additional waste characterization samples (WC-6 through WC-8) of the remaining soil at the site that is scheduled for off-site disposal. The Sample Results Summary Table, the Analytical Data Package, and the Sample Location Map for the additional waste characterization samples are provided as **Attachments II, III, and IV**.

Please verify in writing that the fill material for this site is acceptable under the terms and conditions of your facility.

If you have any questions or comments, please feel free to contact the undersigned at 732-223-2225.

Respectfully submitted,

BRINKERHOFF ENVIRONMENTAL SERVICES, INC.



SEAN HARRISON
Project Geologist



**3200 Commerce Center Blvd.
Bethlehem, PA 18105**

Joy Construction Corp.
40 Fulton St.
21st Floor
New York, NY 10038

March 18, 2016

Re: 16527 – 1939 West Farms Rd, Block 3016, Lot 50, Bronx, NY
NYCOER VCP #14CVP229X
NYCOER # 14EHAN171X
Brinkerhoff Project # 15BR031A
Approval and Acceptance for 3,000 cyds or 4,500 tons

Dear Sirs:

The Bethlehem Earth Facility located at 3200 Commerce Center Blvd., Bethlehem, PA is a fully permitted reclamation site with PADEP oversight. We will accept through our Marketing Team of 1 844 EZ 2 Dump, LLC; all material that meets the requirements for PADEP Regulated Fill in accordance with our permit #WMGR096-NE004 and the August 2010 Management of Fill Policy (258-2182-773).

Based on the review of the NYCOER VCP Site # 14CVCP229X Remedial Investigation Report prepared by Hydro Tech Environmental dated January 2014 with samples analyzed by York Laboratories, Historic Fill & Soil Disposal Notification dated February 2016, Disposal Sampling & Waste Classification Report prepared by Brinkerhoff dated November 25, 2015 and the March 16, 2016 letter from Brinkerhoff documenting that Bayshore Soil Management has accepted 10,350 cyds. The remaining material was tested in February 2016, the additional analytical was included in the March 16th letter as Attachment II, III, IV; this material appears to meet our acceptance criteria as PA Regulated Fill.

Under the PADEP Management of Fill Policy (258-2182-773), material must not contain any strong odors or not contain any free liquid. The material must not contain wood, metal or trash/garbage. Any and all wire contain in concrete must be cut flush, not protruding. Any material received that does not meet the acceptance criteria and specifications as outlined will be rejected, reloaded and returned to the site of origin. All associated cost and fees for transportation, and facility handling will be accrued due to non- acceptance of material and will be your responsibility.

Should you have any questions regarding the above, please contact me at (609) 517-0607 or bethlehemearth@gmail.com.

Sincerely,

A handwritten signature in black ink that reads "Joseph Walkowiak". The signature is written in a cursive style with a large, looped initial "J".

Joe Walkowiak
Bethlehem Earth