DECISION DOCUMENT

Former Sears Auto Center Site Brownfield Cleanup Program Bronx, Bronx County Site No. C203147 March 2022



Prepared by Division of Environmental Remediation New York State Department of Environmental Conservation

DECLARATION STATEMENT - DECISION DOCUMENT

Former Sears Auto Center Site Brownfield Cleanup Program Bronx, Bronx County Site No. C203147 March 2022

Statement of Purpose and Basis

This document presents the remedy for the Former Sears Auto Center site, a brownfield cleanup site. The remedial program was chosen in accordance with the New York State Environmental Conservation Law and Title 6 of the Official Compilation of Codes, Rules and Regulations of the State of New York (6 NYCRR) Part 375.

This decision is based on the Administrative Record of the New York State Department of Environmental Conservation (the Department) for the Former Sears Auto Center site and the public's input to the proposed remedy presented by the Department.

Description of Selected Remedy

The elements of the selected remedy are as follows:

1. Remedial Design

A remedial design program will be implemented to provide the details necessary for the construction, operation, optimization, maintenance, and monitoring of the remedial program. Green remediation principles and techniques will be implemented to the extent feasible in the design, implementation, and site management of the remedy as per DER-31. The major green remediation components are as follows:

- Considering the environmental impacts of treatment technologies and remedy stewardship over the long term;
- Reducing direct and indirect greenhouse gases and other emissions;
- Increasing energy efficiency and minimizing use of non-renewable energy;
- Conserving and efficiently managing resources and materials;
- Reducing waste, increasing recycling and increasing reuse of materials which would otherwise be considered a waste;
- Maximizing habitat value and creating habitat when possible;
- Fostering green and healthy communities and working landscapes which balance ecological, economic and social goals;
- Integrating the remedy with the end use where possible and encouraging green and sustainable re-development; and

• Additionally, to incorporate green remediation principles and techniques to the extent feasible in the future development at this site, any future on-site buildings will include, at a minimum, a 20-mil vapor barrier/waterproofing membrane on the foundation to improve energy efficiency as an element of construction.

2. Excavation

Excavation and off-site disposal of all on-site soils which exceed unrestricted SCOs, as defined by 6 NYCRR Part 375-6.8, including any underground storage tanks (USTs), fuel dispensers, underground piping or other structures associated with a source of contamination. If a Track 1 cleanup is achieved, a Cover System will not be a required element of the remedy.

Approximately 13,500 cubic yards of contaminated soil will be removed from the site.

3. Backfill

Clean fill meeting the requirements of 6 NYCRR Part 375-6.7(d) will be brought in to complete the backfilling of the excavation and establish the designed grades at the site.

4. Dewatering & Treatment

Dewatering and treatment will be implemented to facilitate the excavation phase of remediation. The extracted groundwater will be treated and discharged per applicable permits and local rules and regulations. The method of the groundwater treatment will be determined during the remedial design.

5. Local Institutional Controls

If no EE or SMP is needed to achieve soil, groundwater, or soil vapor remedial action objectives, then the following local use restriction will be relied upon to prevent ingestion of groundwater: Article 141 of the NYCDOH code which prohibits potable use of groundwater without prior approval and local institutional controls.

6. Vapor Intrusion Evaluation

As part of the Track 1 remedy, a soil vapor intrusion evaluation will be completed. The evaluation will include a provision for implementing actions recommended to address exposures related to soil vapor intrusion.

Declaration

The remedy conforms with promulgated standards and criteria that are directly applicable, or that are relevant and appropriate and takes into consideration Department guidance, as appropriate. The remedy is protective of public health and the environment.

March 11, 2022

Date

Ad WBh

Gerard Burke, Director Division Direction

DECISION DOCUMENT

Former Sears Auto Center Site Bronx, Bronx County Site No. C203147 March 2022

SECTION 1: SUMMARY AND PURPOSE

The New York State Department of Environmental Conservation (the Department), in consultation with the New York State Department of Health (NYSDOH), has selected a remedy for the above referenced site. The disposal of contaminants at the site has resulted in threats to public health and the environment that would be addressed by the remedy. The disposal or release of contaminants at this site, as more fully described in this document, has contaminated various environmental media. Contaminants include hazardous waste and/or petroleum.

The New York State Brownfield Cleanup Program (BCP) is a voluntary program. The goal of the BCP is to enhance private-sector cleanups of brownfields and to reduce development pressure on "greenfields." A brownfield site is real property, where a contaminant is present at levels exceeding the soil cleanup objectives or other health-based or environmental standards, criteria or guidance, based on the reasonably anticipated use of the property.

The Department has issued this document in accordance with the requirements of New York State Environmental Conservation Law and 6 NYCRR Part 375. This document is a summary of the information that can be found in the site-related reports and documents.

SECTION 2: CITIZEN PARTICIPATION

The Department seeks input from the community on all remedies. A public comment period was held, during which the public was encouraged to submit comment on the proposed remedy. All comments on the remedy received during the comment period were considered by the Department in selecting a remedy for the site. Site-related reports and documents were made available for review by the public at the following document repositories:

DECInfo Locator - Web Application https://gisservices.dec.ny.gov/gis/dil/index.html?rs=C203147

Bronx Community Board 6 1932 Arthur Avenue, Room 403-A Bronx, NY 10457 Phone: (718) 579-6990

NYPL - Bronx Library Center 310 East Kingsbridge Road Bronx, NY 10458 Phone: (718) 579-4244

Receive Site Citizen Participation Information By Email

Please note that the Department's Division of Environmental Remediation (DER) is "going paperless" relative to citizen participation information. The ultimate goal is to distribute citizen participation information about contaminated sites electronically by way of county email listservs. Information will be distributed for all sites that are being investigated and cleaned up in a particular county under the State Superfund Program, Environmental Restoration Program, Brownfield Cleanup Program and Resource Conservation and Recovery Act Program. We encourage the public to sign up for one or more county listservs at http://www.dec.ny.gov/chemical/61092.html

SECTION 3: SITE DESCRIPTION AND HISTORY

Location: The 0.82-acre site is located in the Belmont section of the Bronx, NY which is primarily a residential-use neighborhood. The site is comprised of three contiguous tax parcels with associated addresses of 4720 Third Avenue (Tax Block 3042, Lot 13), 4734 Third Avenue (Tax Block 3042, Lot 22), and 448 East 189th Street, Bronx, New York 10458, (Tax Block 3042, Lot 28). The site is bounded by East 189th Street to the north, a commercial building to the south, a parking lot and a middle school to the east, and Third Avenue, a gas station, and a residential apartment building to the west of the site.

Site Features: The site is flat and currently vacant. The former 18,800-square foot one-story building has been demolished and the foundation slab removed. The remaining portion of the site was covered by an asphalt parking lot. Both the foundation slab and asphalt have been removed under the implemented interim remedial measure (IRM).

Current Zoning and Land Use: The site is currently located in the C4-5X Zoning District which allows for both commercial and residential uses. The surrounding properties consist of a commercial and retail shopping center, parking lot, school, gas station, residential apartment building, and post office. The closest residential area is a residential building 200 feet west of the site. The closest rail line is approximate 300 feet from the site to the northwest.

Past Use of the Site: The site was first developed in approximately 1896 with six two-story apartment buildings and a stable. From 1914 through 1924, the site was improved with three two-story buildings along Third Avenue used for both commercial and residential purposes. The site was redeveloped with a larger one-story building in 1924 which contained two partial basements. Plaza Garage, an automotive service-related operation, occupied the site in 1927. A & L Knitting Mills was also an occupant of the site in 1949. The site was subsequently used as a car dealership from approximately 1950 until 1993. A Sears Automotive service and repair facility occupied the site from 1993 until approximately 2014 when it ceased operation and vacated the site.

Site Geology and Hydrogeology: The stratigraphy of the site consists of a layer of fill material extending from ground surface to between 3 and 11 feet below ground surface (ft bgs). Based on soil borings, this fill layer contains broken pieces of rock, brick, and concrete. Beneath the fill, there is a layer of native fine to coarse grained sands ranging in thickness from 6 to over 20 ft bgs. Clay lenses are present in multiple spots throughout the site above bedrock. Bedrock, or refusal, was encountered approximately 15 to 20 ft bgs.

Monitoring well data indicates groundwater flows from east to west beneath the site towards the Hudson River. The depth to groundwater ranges from approximately 13 to 15 ft bgs.

A site location and site boundary map are attached as Figures 1 and 2 respectively.

SECTION 4: LAND USE AND PHYSICAL SETTING

The Department may consider the current, intended, and reasonably anticipated future land use of the site and its surroundings when evaluating a remedy for soil remediation. For this site, alternatives (or an alternative) that restrict(s) the use of the site to restricted residential use as described in Part 375-1.8(g) were/was evaluated in addition to an alternative which would allow for unrestricted use of the site.

A comparison of the results of the Remedial Investigation (RI) to the appropriate standards, criteria and guidance values (SCGs) for the identified land use and the unrestricted use SCGs for the site contaminants is available in the RI Report.

SECTION 5: ENFORCEMENT STATUS

The Applicant(s) under the Brownfield Cleanup Agreement is a/are Volunteer(s). The Applicant(s) does/do not have an obligation to address off-site contamination. However, the Department has determined that this site does not pose a significant threat to public health or the environment; accordingly, no enforcement actions are necessary.

SECTION 6: SITE CONTAMINATION

6.1: <u>Summary of the Remedial Investigation</u>

A remedial investigation (RI) serves as the mechanism for collecting data to:

- characterize site conditions;
- determine the nature of the contamination; and
- assess risk to human health and the environment.

The RI is intended to identify the nature (or type) of contamination which may be present at a site and the extent of that contamination in the environment on the site or leaving the site. The RI reports on data gathered to determine if the soil, groundwater, soil vapor, indoor air, surface water or sediments may have been contaminated. Monitoring wells are installed to assess groundwater and soil borings or test pits are installed to sample soil and/or waste(s) identified. If other natural resources are present, such as surface water bodies or wetlands, the water and sediment may be sampled as well. Based on the presence of contaminants in soil and groundwater, soil vapor will also be sampled for the presence of contamination. Data collected in the RI influence the development of remedial alternatives. The RI report is available for review in the site document repository and the results are summarized in section 6.3. The analytical data collected on this site includes data for:

- groundwater
- soil
- soil vapor

6.1.1: Standards, Criteria, and Guidance (SCGs)

The remedy must conform to promulgated standards and criteria that are directly applicable or that are relevant and appropriate. The selection of a remedy must also take into consideration guidance, as appropriate. Standards, Criteria and Guidance are hereafter called SCGs.

To determine whether the contaminants identified in various media are present at levels of concern, the data from the RI were compared to media-specific SCGs. The Department has developed SCGs for groundwater, surface water, sediments, and soil. The NYSDOH has developed SCGs for drinking water and soil vapor intrusion. For a full listing of all SCGs see: <u>http://www.dec.ny.gov/regulations/61794.html</u>

6.1.2: <u>RI Results</u>

The data have identified contaminants of concern. A "contaminant of concern" is a contaminant that is sufficiently present in frequency and concentration in the environment to require evaluation for remedial action. Not all contaminants identified on the property are contaminants of concern. The nature and extent of contamination and environmental media requiring action are summarized below. Additionally, the RI Report contains a full discussion of the data. The contaminant(s) of concern identified at this site is/are:

benzo(a)anthracene	copper
benzo(b)fluoranthene	zinc
benzo(a)pyrene	cadmium
benzo(k)fluoranthene	nickel
chrysene	barium
dibenz[a,h]anthracene	chromium
indeno(1,2,3-cd)pyrene	tetrachloroethane (PCE)
lead	trichloroethene (TCE)
mercury	cis-1,2-dichloroethene (DCE)

The contaminant(s) of concern exceed the applicable SCGs for:

- groundwater

- soil

6.2: Interim Remedial Measures

An interim remedial measure (IRM) is conducted at a site when a source of contamination or exposure pathway can be effectively addressed before issuance of the Decision Document.

The following IRM(s) has/have been completed at this site based on conditions observed during the RI.

Excavation of Contaminated Soils:

Starting in January 2022, the Department-approved November 2021 Interim Remedial Measures Work Plan (IRMWP) was implemented allowing excavation of the upper 5 feet, or approximately 6,600 cubic yards, of contaminated urban fill. Previous site investigations (Remedial Investigation) had determined the initial IRM excavation limits (both vertically and horizontally) using 32 soil borings into site soils. Additional sampling was conducted as part of this IRM to further delineate and verify the deepest extent of soil impacts that exceeds the UUSCOs.

To aid in the IRM excavation, the former on-site building slab was removed, as well as the associated parking lot asphalt. Additionally, the preliminary installation of the support of excavation (SOE) system commenced to allow for additional remedial and/or construction-related excavation. As the excavation progressed, the removal of a 550-gallon underground storage tank (UST), oil-water separator (OWS), fuel dispensers, underground piping or other structures was completed. In addition, three previously unidentified USTs (275, 550, 550 gallon) were uncovered, removed, and properly disposed of off-site.

Activities associated with this IRM are ongoing. The IRM will be documented in the Final Engineering Report.

The extent of the IRM excavation is depicted in the attached Figure 5.

6.3: <u>Summary of Environmental Assessment</u>

This section summarizes the assessment of existing and potential future environmental impacts presented by the site. Environmental impacts may include existing and potential future exposure pathways to fish and wildlife receptors, wetlands, groundwater resources, and surface water. The RI report presents a detailed discussion of any existing and potential impacts from the site to fish and wildlife receptors.

Nature and Extent of Contamination: Soil and groundwater were analyzed for volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs), metals, polychlorinated biphenyls (PCBs), per- and polyfluoroalkyl substances (PFAS), and pesticides. Soil vapor was analyzed for VOCs. Based upon investigations conducted to date, the primary contaminants of concern include SVOCs and metals.

Soil:

No VOCs were identified in soils at concentrations exceeding the 6NYCRR Part 375 unrestricted use soil cleanup objectives (UUSCOs). Soil impacts at the subject site primarily consisted of SVOCs, specifically polyaromatic hydrocarbons (PAHs), and metals, at concentrations exceeding the UUSCOs within the historic fill layer which extends to 11 feet below ground surface. In general, the highest concentrations were detected in the upper five feet of site soils. However,

elevated concentrations of SVOCs and metals did extend into deeper soils in the northwest portion of the site.

SVOCs detected at levels exceeding UUSCOs include: benzo(a)anthracene up to 9.8 parts per million (ppm) (UUSCO of 1 ppm), benzo(a)pyrene up to 8.5 ppm (UUSCO of 1 ppm), benzo(b)fluoranthene up to 12 ppm (UUSCO of 1 ppm), benzo(k)fluoranthene up to 3.2 ppm (UUSCO of 0.8 ppm), chrysene up to 9.8 ppm (UUSCO of 1 ppm), dibenzo(a,h)anthracene up to 1.2 ppm (UUSCO 0.33 ppm), and indeno(1,2,3-cd)pyrene up to 5.1 ppm (UUSCO of 0.5 ppm).

Metals detected at levels exceeding UUSCOs include: lead up to 2,060 ppm (UUSCO 63 ppm), mercury up to 7.3 ppm (UUSCO 0.18 ppm), copper up to 102 ppm (UUSCO 50 ppm), zinc up to 801 ppm (UUSCO of 109 ppm), cadmium up to 6.96 ppm (UUSCO of 2.5 ppm), nickel up to 70.6 ppm (UUSCO of 30 ppm), barium up to 1,030 ppm (UUSCO of 350 ppm), and chromium up to 121 ppm (UUSCO of 36 ppm).

Three pesticides were detected above UUSCOs including: 4,4'-DDD up to 0.0168 ppm (UUSCO up to 0.0033 ppm), 4,4'-DDT up to 0.283 ppm (UUSCO up to 0.0033), and 4,4'-DDE up to 0.0228 ppm (UUSCO up to 0.005 ppm). The PCB aroclor 1260 was detected at one location at 0.106 ppm (UUSCO of 0.1 ppm).

The PFAS compounds perfluorooctanoic acid (PFOA) and perfluorooctanesulfonic acid (PFOS) were detected in soil at concentrations above their respective unrestricted use guidance values of 0.66 parts per billion (ppb) and 0.88 ppb, respectively. PFOA was detected at a maximum concentration of 0.72 ppb and PFOS was detected at a maximum concentration of 1.52 ppb.

Data does not indicate any off-site impacts in soil related to this site.

Groundwater:

VOCs detected above Class GA Ambient Water Quality Standards (AWQS) include: 1,2,4trimethylbenzene up to 11 ppb, isopropylbenzene up to 7.2 ppb, sec-butylbenzene up to 5.2 ppb, and p-isopropyltoluene up to 6.7 ppb, all with an AWQS of 5 ppb. Chloroform was also detected above AWQS at 22 ppb (AWQS of 7 ppb). No other VOCs were detected above AWQS. SVOCs detected above AWQS include: benzo(a)anthracene up to 0.07 ppb, benzo(b)fluoranthene up to 0.09 ppb, benzo(k)fluoranthene up to 0.03 ppb, chrysene up to 0.02 ppb, and indeno(1,2,3cd)pyrene up to 0.08 ppb, all with an AWQS of 0.002 ppb. Benzo(a)pyrene exceeded it's respective AWQS of 0 ppb at a maximum concentration of 0.08 ppb. Excluding naturally occurring minerals, no metals were detected above their respective AWQS and no pesticides, or PCBs detected above the AWQS.

For PFAS compounds, PFOA and PFOS were reported at concentrations up to 270 parts per trillion (ppt) and 421 ppt, respectively, exceeding the Maximum Contaminant Levels (MCLs) (drinking water standard) of 10 ppt each in groundwater. The compound 1,4- dioxane was not detected above the MCL of 1 ppb. There are no public water supply wells within a half a mile and there is a municipal prohibition for use of groundwater at the site.

Data does not indicate any off-site impacts in groundwater related to this site.

Soil Vapor:

The total cumulative maximum concentrations for benzene, toluene, ethylbenzene, and xylenes (BTEX) compounds was 216 micrograms per cubic meter (ug/m3). Multiple VOCs were detected in soil vapor samples collected throughout the site. The most elevated concentrations detected were collected from sub-slab sample locations from beneath the prior-onsite building concrete slab. This includes: tetrachloroethene (PCE), cis-1,2-dichloroethane (DCE), and trichloroethene (TCE) which were detected with maximum concentrations of 241 ug/m3, 6.5 ug/m3, and 45.9 ug/m3 respectively.

Data does not indicate any off-site impacts in soil vapor related to this site.

6.4: <u>Summary of Human Exposure Pathways</u>

This human exposure assessment identifies ways in which people may be exposed to site-related contaminants. Chemicals can enter the body through three major pathways (breathing, touching or swallowing). This is referred to as *exposure*.

Persons who enter the site could contact contaminants in the soil by walking on, digging, or otherwise disturbing the soil. People are not drinking the contaminated groundwater because the area is served by a public water supply that is not contaminated by the site. Volatile organic compounds in soil vapor (air spaces within the soil) may move into buildings and affect the indoor air quality. This process, which is similar to the movement of radon gas from the subsurface into the indoor air of buildings, is referred to as soil vapor intrusion. Because the site is vacant, the inhalation of site-related contaminants due to soil vapor intrusion does not represent a current concern. However, the potential exists for the inhalation of site contaminants due to soil vapor intrusion for any future on-site development. Sampling indicates soil vapor intrusion is not a concern for off-site buildings.

6.5: <u>Summary of the Remediation Objectives</u>

The objectives for the remedial program have been established through the remedy selection process stated in 6 NYCRR Part 375. The goal for the remedial program is to restore the site to pre-disposal conditions to the extent feasible. At a minimum, the remedy shall eliminate or mitigate all significant threats to public health and the environment presented by the contamination identified at the site through the proper application of scientific and engineering principles.

The remedial action objectives for this site are:

<u>Groundwater</u>

RAOs for Public Health Protection

- Prevent ingestion of groundwater with contaminant levels exceeding drinking water standards.
- Prevent contact with, or inhalation of volatiles, from contaminated groundwater.

<u>Soil</u>

RAOs for Public Health Protection

Prevent ingestion/direct contact with contaminated soil.

RAOs for Environmental Protection

Prevent migration of contaminants that would result in groundwater or surface water contamination.

<u>Soil Vapor</u>

RAOs for Public Health Protection

• Mitigate impacts to public health resulting from existing, or the potential for, soil vapor intrusion into buildings at a site.

SECTION 7: ELEMENTS OF THE SELECTED REMEDY

The alternatives developed for the site and the evaluation of the remedial criteria are presented in the Alternative Analysis. The remedy is selected pursuant to the remedy selection criteria set forth in DER-10, Technical Guidance for Site Investigation and Remediation and 6 NYCRR Part 375.

The selected remedy is a Track 1: Unrestricted use remedy.

The selected remedy is referred to as the Soil Excavation and Soil Vapor Intrusion Remedy.

The elements of the selected remedy, as shown in Figures 3 and 4, are as follows:

1. Remedial Design

A remedial design program will be implemented to provide the details necessary for the construction, operation, optimization, maintenance, and monitoring of the remedial program. Green remediation principles and techniques will be implemented to the extent feasible in the design, implementation, and site management of the remedy as per DER-31. The major green remediation components are as follows:

- Considering the environmental impacts of treatment technologies and remedy stewardship over the long term;
- Reducing direct and indirect greenhouse gases and other emissions;
- Increasing energy efficiency and minimizing use of non-renewable energy;
- Conserving and efficiently managing resources and materials;
- Reducing waste, increasing recycling and increasing reuse of materials which would otherwise be considered a waste;
- Maximizing habitat value and creating habitat when possible;
- Fostering green and healthy communities and working landscapes which balance ecological, economic and social goals;
- Integrating the remedy with the end use where possible and encouraging green and sustainable re-development; and

• Additionally, to incorporate green remediation principles and techniques to the extent feasible in the future development at this site, any future on-site buildings will include, at a minimum, a 20-mil vapor barrier/waterproofing membrane on the foundation to improve energy efficiency as an element of construction.

2. Excavation

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Approximately 13,500 cubic yards of contaminated soil will be removed from the site.

3. Backfill

Clean fill meeting the requirements of 6 NYCRR Part 375-6.7(d) will be brought in to complete the backfilling of the excavation and establish the designed grades at the site.

4. Dewatering & Treatment

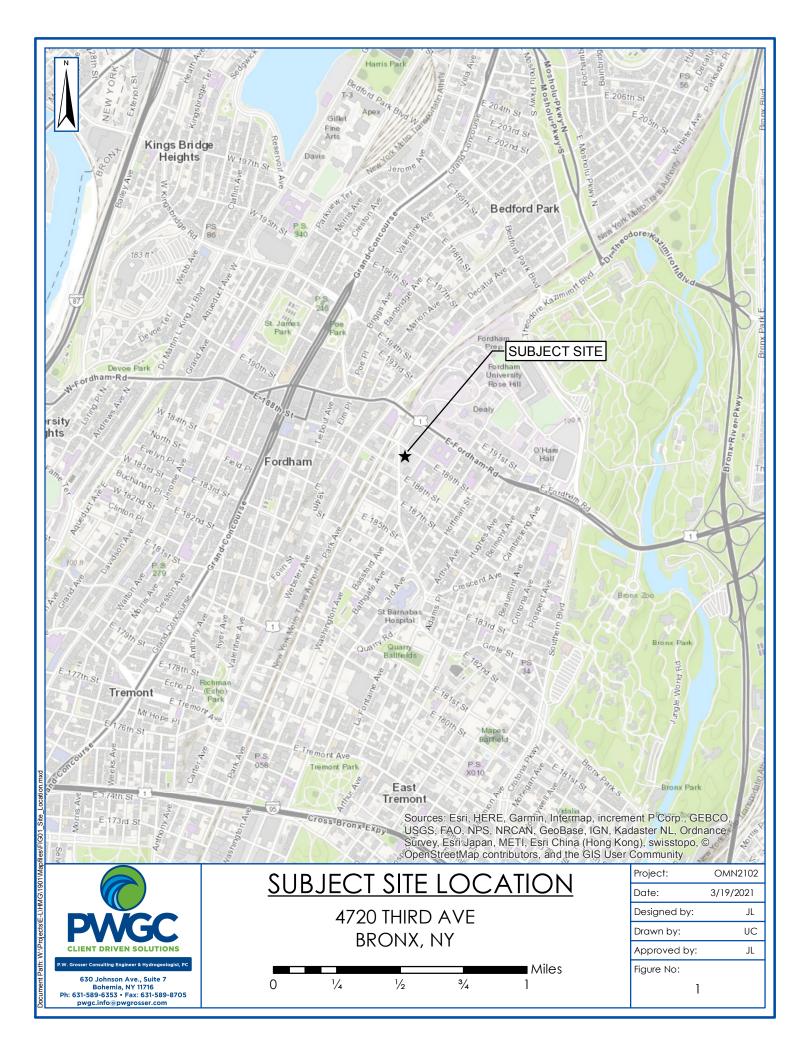
Dewatering and treatment will be implemented to facilitate the excavation phase of remediation. The extracted groundwater will be treated and discharged per applicable permits and local rules and regulations. The method of the groundwater treatment will be determined during the remedial design.

5. Local Institutional Controls

If no EE or SMP is needed to achieve soil, groundwater, or soil vapor remedial action objectives, then the following local use restriction will be relied upon to prevent ingestion of groundwater: Article 141 of the NYCDOH code which prohibits potable use of groundwater without prior approval and local institutional controls.

6. Vapor Intrusion Evaluation

As part of the Track 1 remedy, a soil vapor intrusion evaluation will be completed. The evaluation will include a provision for implementing actions recommended to address exposures related to soil vapor intrusion.



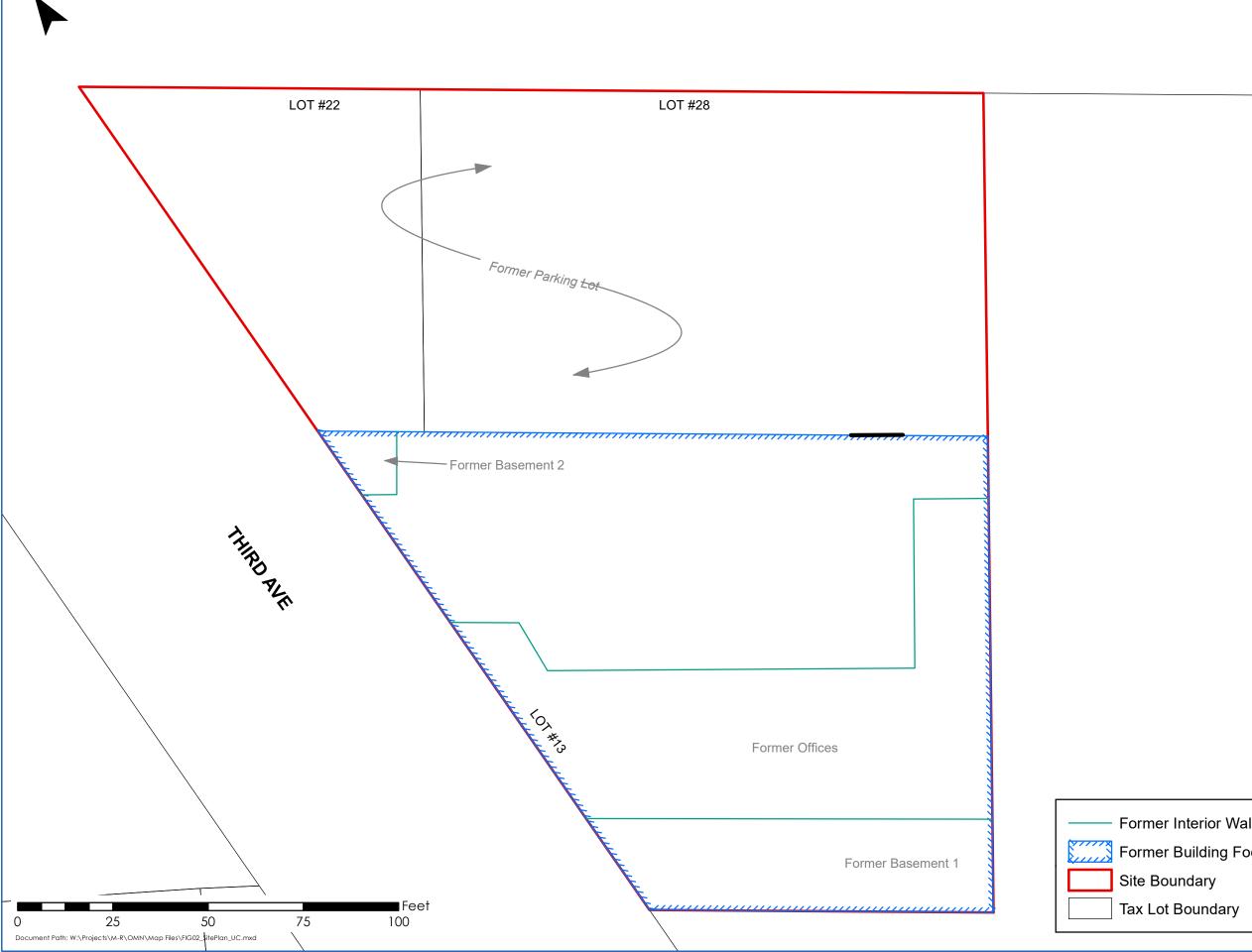
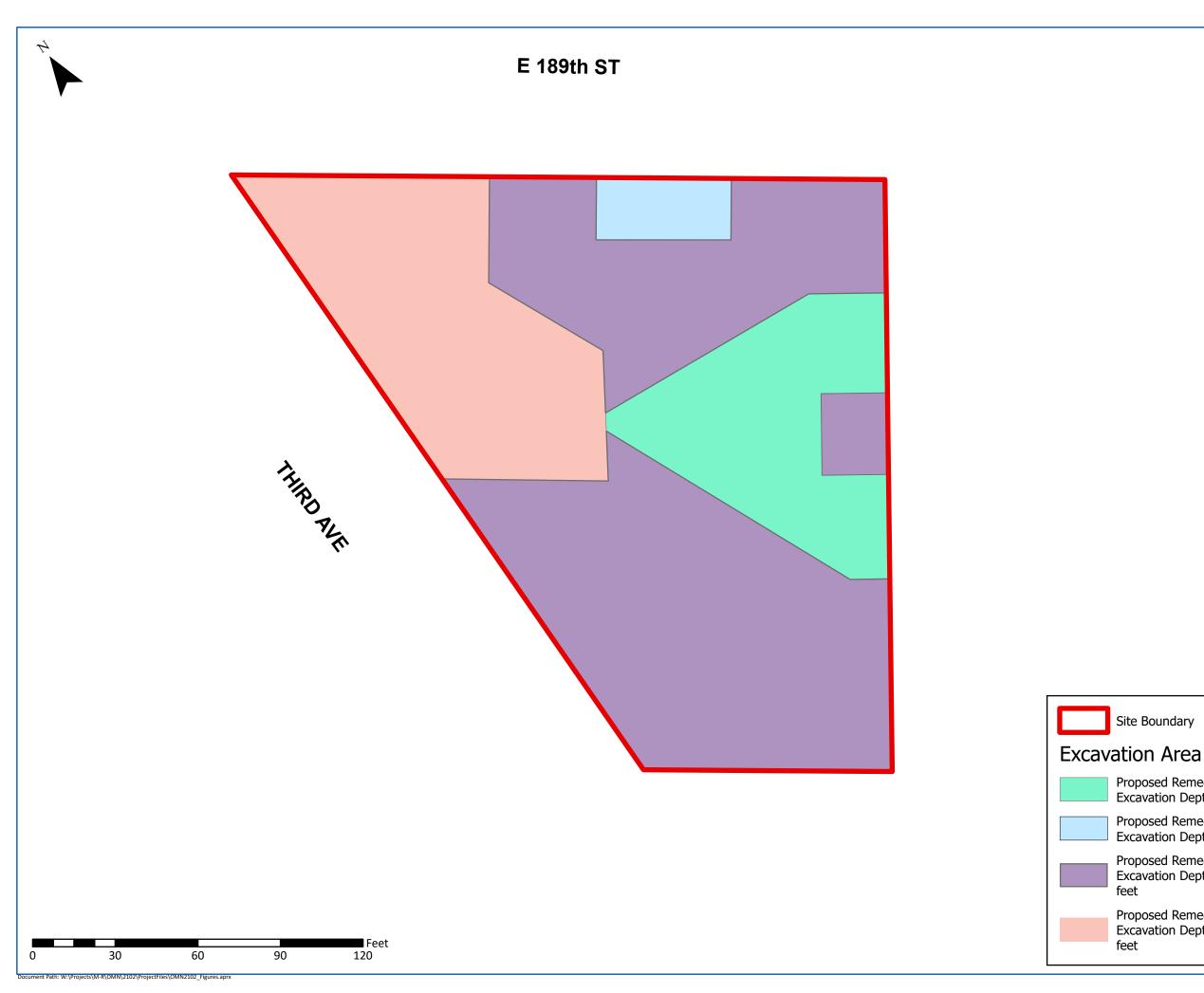
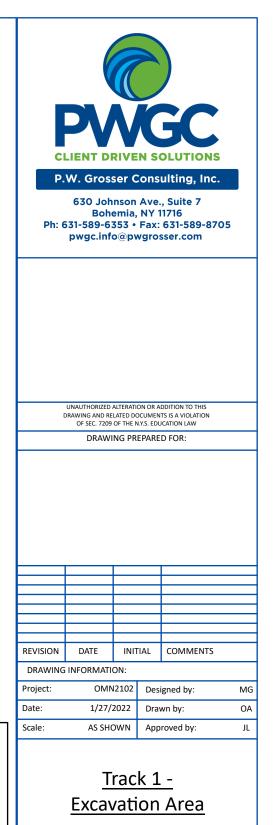


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Former Interior Wal

Tax Lot Boundary





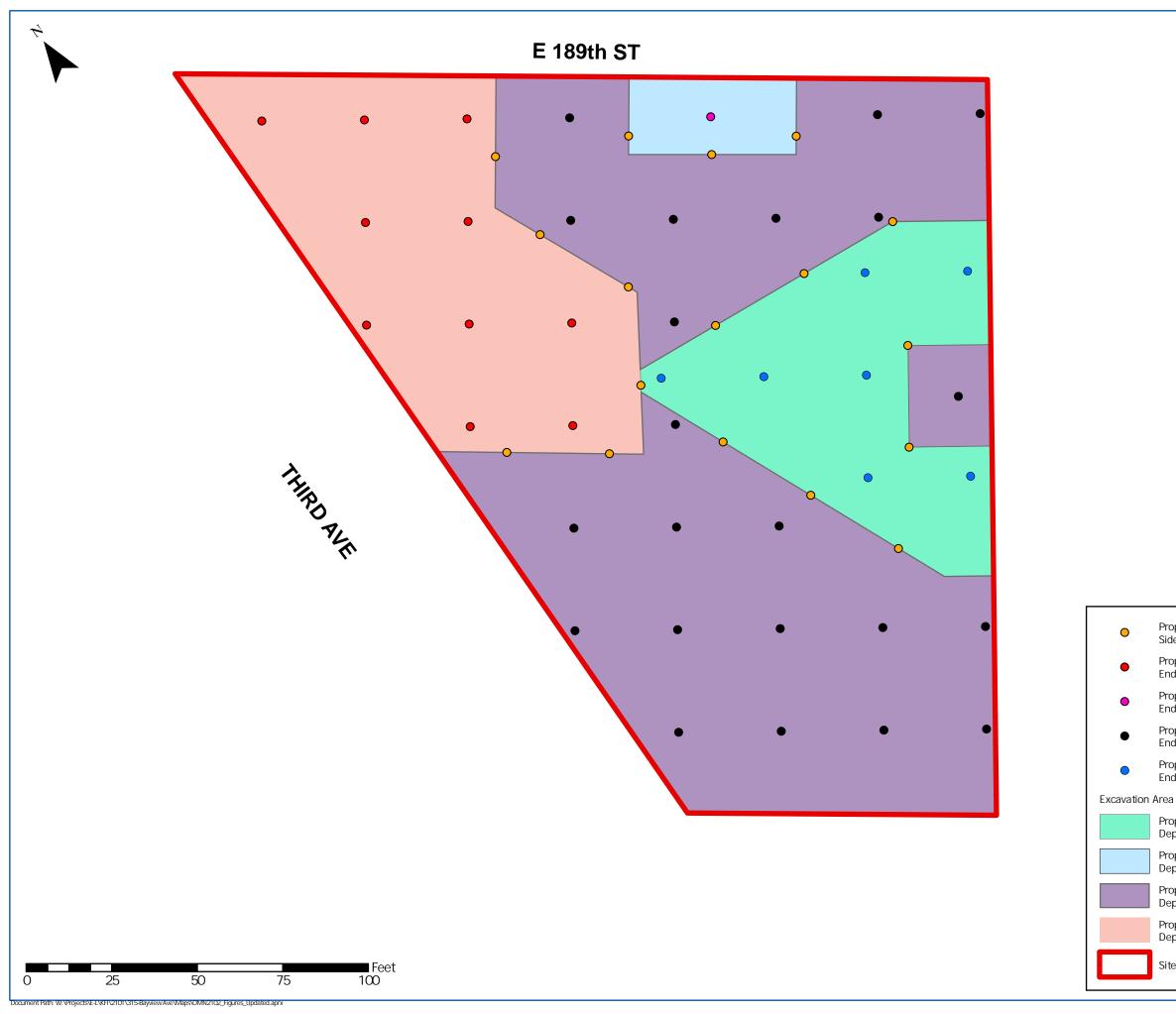
4720 Third Street Bronx, NY

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FIGURE NO:

Site Boundary

- Proposed Remedial Excavation Depth - 4 feet
- Proposed Remedial Excavation Depth - 6 feet
- Proposed Remedial Excavation Depth - 10
- Proposed Remedial Excavation Depth - 20



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Proposed Confirmation Endpoint Locat ons

4720 Third Street Bronx, NY

FIGURE NO:

Proposed Remedial Confirmation Sidewall Sample

Proposed Remedial Confirmation Endpoint Sample - 20 feet

Proposed Remedial Confirmation Endpoint Sample - 6 feet

Proposed Remedial Confirmation Endpoint Sample - 10 feet

Proposed IRM Confirmation Endpoint Sample - 4 feet

Proposed Remedial Excavation Depth - 4 feet

Proposed Remedial Excavation Depth - 6 feet

Proposed Remedial Excavation Depth - 10 feet

Proposed Remedial Excavation Depth - 20 feet

Site Boundary

4

