From: Myralee Machol
To: Dudek, Heidi M (DEC); Similo, Ashley
Cc: Frank DeVita
Subject: FW: SMP refinements meeting
Date: Friday, April 10, 2015 4:26:55 PM

Hi Heidi and Ashley,

The Redevelopers forwarded this to me (their words) in preparation for discussion at the requested meeting. As you know the from your conference calls with Frank, Ellis and others that we are working on a simultaneous track to complete the remainder of testing. Please let me know if this helps.

I appreciate and thank you for your time and cooperation.

Myralee

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From: Evangelista, Tony [mailto:tevangelista@posillicoinc.com]
Sent: Thursday, April 09, 2015 1:03 PM
To: Haftel, Frank; Frank DeVita; Ellis Koch; Nemichand, Shashank; Myralee Machol
Subject: SMP refinements meeting

Myralee, as discussed, we would like to meet with the agencies to discuss our proposed SMP changes (attached). The changes were made with the following points in mind:

1. We are in the process of performing additional SPLP testing in order to agree upon a new "Site Management Cleanup Objective (SMCO)" which will be included as an appendix to the SMP.
2. RXR, in cooperation with the City, will perform additional remediation of all known exceedances above the SMCO, based on all sampling performed up to and including the current round of sampling.
3. Once this remediation is completed no further investigative sampling will be required unless stipulated in the SMP.
4. The current SMP was written with language typical for a site which has not been remediated. Due to the extensive amount of sampling and remediation which will have taken place, we are proposing the attached revisions for a new SMP which will be in effect AFTER the current remedy is completed and accepted by the agencies.
5. The SMP only addresses the sections related to the cover system, excavation, and backfill.

Revisions to other sections will be required based on the outcome of future negotiations.

6. Section 2.2.1 was revised to clarify the existing and proposed cover systems.
7. Section 3.1.1 – language regarding radiological testing and screening of soils has been deleted since it is anticipated that the FSSR will be revised and/or accepted by the time this SMP is in effect. Provisions related to Community and Worker Safety will be addressed through HASP and CAMP requirements stated elsewhere in the SMP.
8. Due to the large volumes of soil to be excavated and filled, limits for stockpile size have been deleted. However, stockpiles will still require appropriate management for erosion, dust, SWPPP, etc.
9. Since the remedy will be completed, the need for confirmation sampling will no longer be required. The only exception to this would be to confirm that the soil below the infiltration structures meets POGW standards. However, at this time we would like to propose the elimination of all infiltration structures by incorporating Storm Water Treatment Structures (SWTS) into the design.
10. Section 3.1.3 Backfill – it is proposed that existing on site material which has already been remedied be allowed for use as backfill below the demarcation layer without testing.
11. Section 3.1.3 Backfill – it is proposed the existing on site material, stockpiled, and tested meeting Restricted Residential SCO be allowed for use within the Cover System.
12. Section 3.1.3 Backfill – it is proposed that "off- site" material (say from another property which has already been remedied) be allowed for use as backfill below the demarcation layer as long as the material meets or exceeds the SMCO criteria.
13. Clarification of "onsite" vs. "offsite" materials will be determined by the designation of the limits of the SMP, i.e. if one SMP for the entire Waterfront Redevelopment than all material would be considered "on site", if 2 SMPs, say one for LT (Phase 1) and CC (Phase 2) then material would be considered "offsite" between the 2 phases.
14. Evidence of Gross contamination during an excavation still "trumps" all other provisions stated above.

Please forward this to the agencies for review and schedule a meeting with all interested parties at your earliest convenience.

Thanks,

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