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Memorandum

To:	Bob Kanaparthi	From:	Rebecca Kinal
Company:	NYCSCA	Date:	April 18, 2016
Project No.:	LLW NO. 100273	Phone No.:	914.922.2362
Re:	Pre-Kindergarten Facility 444X, Bronx, NY		
	Review of Waste Characterization Data		

AKRF Engineering, P.C. (AKRF) has reviewed the laboratory analytical data submitted by KG Construction Services, Inc. for the X444 Pre-Kindergarten Center (the “Site”) located at 2510 Marion Avenue in the Bronx. The data is for two composite waste characterization samples collected by Sound Environmental Associates, LLC: sample ID “COMPOSITE PREELE 444X”, collected on March 18, 2016, and sample ID “COMPOSITE B”, collected on March 30, 2016. We have the following comments:

- The analytical results for sample ID “COMPOSITE PREELE 444X” are consistent with Non-Hazardous Excavated Material (NHEM) as defined in Section 02201. Therefore, soil excavated from the areas where this sample was collected (discrete sample locations 1 through 5, in the main auditorium area) should be disposed of off-site at one of the approved disposal facilities in the Contractor’s Excavated Materials Disposal Plan (EMDP). Appropriate waste profile forms and disclosure/acceptance letters must be submitted as specified in our April 5, 2016 EMDP comment memo prior to transporting any of this material off-site.
- The TCLP lead concentrations reported for sample ID “COMPOSITE B” (5.5 mg/L in the initial analysis, and 12.2 mg/L in a confirmatory re-run) exceed the hazardous waste threshold for lead of 5 mg/L. Therefore, soil excavated from the areas where this sample was collected (discrete sample locations 6 through 10, in the classroom areas to the north and south of the main auditorium) must be disposed of off-site as hazardous waste. As per Section 02201 Article 3.06-B, a separate EMDP for the hazardous waste must be submitted for NYCSCA review and approval prior to transporting this material off-site. The EMDP must be prepared in accordance with Section 02201 Article 3.06-B. The EMDP shall apply to all soil disturbance activities, including excavation for installation of the SSDS, plumbing connections, etc.
- A Community Air Monitoring Plan (CAMP) should be implemented during excavation and handling of all hazardous waste. The Contractor shall prepare a CAMP in accordance with NYSDEC DER-10 Appendix 1A (NYSDOH Generic CAMP), and submit it for NYCSCA review and approval prior to the start of excavation activities. Appropriate dust control materials/equipment should be available on-site for use in the event of a CAMP action level exceedance.

- The Contractor is responsible for obtaining a USEPA Hazardous Waste Generator number for the Site by filing a Notification of RCRA Subtitle C Activity form with the EPA regional office on behalf of the NYCSCA.
- The Contractor shall provide copies of all fully-executed hazardous waste manifests to the NYCSCA promptly upon receipt. The NYCSCA will file appropriate paperwork and pay fees and taxes associated with disposal of the hazardous waste.
- The Contractor is responsible for using appropriately-trained workers, conducting work-zone air monitoring, supplying proper personal protective equipment etc. The health and safety of the Contractor's employees is the sole responsibility of the Contractor.

AKRF's review was limited to verifying submittal requirements in Section 02201 of the contract documents only. The comments above are intended only to provide clarification regarding the submittal. The comments should not be construed in any way as intent to limit the contractor's responsibilities. The absence of a comment with respect to a specific contract requirement should not be interpreted as a suggestion to change a contract requirement.