OFFICE OF ENVIRONMENTAL REMEDIATION
100 Gold Street – 2nd Floor
New York, New York 10038

Mark P. McIntyre, Esq.
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NOTICE TO PROCEED
DOB Job Number 321191517

July 2, 2020

Re: 156 – 160 17th Street
Brooklyn Block 630, Lot 22
Hazardous Materials "E" Designation
E-495: 160 17th Street - CEQR 18BSA064K - 8/21/2018
OER Project Number 19EHAZ090K / 20CVCP041K

Dear Brooklyn Borough Commissioner:

The New York City Office of Environmental Remediation (OER) hereby issues a Notice to Proceed for the above-referenced Department of Buildings Job Number. This correspondence is provided pursuant to OER's responsibilities as established in Chapter 24 of Title 15 of the Rules of the City of New York and Section 11-15 of the Zoning Resolution of the City of New York. The Applicant has filed a Hazardous Materials remedial action work plan that is acceptable to this Office and has prepared a Construction Health and Safety Plan for implementation on this project. OER's Decision Document that defines the remedial actions required for this project has been prepared and filed and is available on request.

At the conclusion of remedial activities required under this action, the Zoning Resolution and §24-07 of the Rules of the City of New York requires that OER issue a Notice of Satisfaction signifying that all remedial action requirements established for this project have been satisfied prior to issuance of the Certificate of Occupancy or Temporary Certificate of Occupancy by Department of Buildings.

If you have any questions or comments, please feel free to contact Samantha Catalanotto at 212-788-2676.

Sincerely,

Shaminder Chawla
Deputy Director

cc: Barbara Resnicow, SDS Companiew - barbarar@sdsbrooklyn.com
Frank Gehrling, Galli Engineering, PC - fgehrling@gallieng.com
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DECISION DOCUMENT
NYC VCP, E-Designation
Remedial Action Work Plan Approval

July 2, 2020

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Hazardous Materials "E" Designation
E-495: 160 17th Street - CEQR 18BSA064K - 8/21/2018
OER Project Number 19EHAZ090K / 20CVCP041K

The New York City Office of Environmental Remediation (OER) has completed its review of the Remedial Action Work Plan (RAWP) dated May 2020 with Stipulation Letter dated June 18, 2020 for the above-referenced project.

The Plan was submitted to OER under the NYC Voluntary Cleanup Program and E-Designation Program.

The RAWP was released for public comment for 30 days as required by program rule. That comment period ended on June 26, 2020. There were no public comments. NYSDEC and NYSDOHMH were briefed on this project on December 5, 2019.

Project Description
The proposed future use of the Site is an eight-story building with a cellar that has a small area of slab on grade with a stepped foundation on its eastern side adjacent to a small residential building. The major use for the building will be a charter school, the Brooklyn Prospect Charter School (BPSC), with operations of the Park Slope Voluntary Ambulance Corps (PSVAC) in a limited portion of the building. At its new location at 160 17th Street, the BPCS will have its own state of the art middle school facility.

The building will contain approximately 41,686.7 gross square feet of floor area. It will have 8 floors with a mezzanine above the 8th floor. There will be a setback of 15 feet at the street level and the building will have a street wall height of 105 feet; the cellar will extend to the street property line. The building will be designed to maintain complete separation between BPCS and PSVAC. BPCS will utilize 34,298 gross square feet of floor area. It will have a separate entrance, lobby, elevator and two stairways for its exclusive use. It will be the sole occupant of floors 2 to 8. The PSVAC will utilize 5,264 gross square feet of floor area. This use will be confined to the cellar and first floor, where there will be ambulance bay. The cellar is currently proposed to be 20' deep for commercial and mechanical use.

Statement of Purpose and Basis
This document presents the remedial action for the NYC Voluntary Cleanup Program and E-Designation Program project known as "160 17TH STREET" pursuant to Title 43 of the Rules of the City of New York Chapter 14, Subchapter 1 and the Zoning Resolution and §24 - 07 of the Rules of the City of New York.

Description of Selected Remedy
The remedial action selected for the 160 17th Street site is protective of public health and the environment. The elements of the selected remedy are as follows:

The proposed remedial action will consist of:

1. Preparation of a Community Protection Statement and performance of all required NYC VCP Citizen Participation activities according to an approved Citizen Participation Plan.
2. Performance of a Community Air Monitoring Program for particulates and volatile organic carbon compounds.
3. Establishment of Track 4 Site-specific Soil Cleanup Objectives (SCOs).
4. Site mobilization involving Site security setup, equipment mobilization, utility mark outs and marking & staking excavation areas.
5. Utilizing the sample results from the RIR, submission of the soil results to a licensed disposal facility along with the proper application for acceptance of the material for disposal prior to excavation activities. If needed, additional soil samples will be collected at a frequency dictated by disposal facility(s).
6. Excavation and removal of soil/fill exceeding Track 4 Site Specific SCOs. The new building is a zero lot line building on three sides with a 15' setback from the sidewalk. The street side cellar foundation wall extends to the sidewalk property line. The majority of the building area will be excavated to a depth of approximately 20 feet below grade for development purposes. A small portion of property will be excavated to the depth of 25 feet below grade for an elevator pit. There is also a small portion of the foundation that is slab on grade and will be excavated to 5 feet below grade. Approximately 7,800 tons of soil/fill will be removed from the Site and properly disposed at an appropriately licensed or permitted facility.
7. Screening of excavated soil/fill during intrusive work for indications of contamination by visual means, odor, and monitoring with a PID.
8. Management of excavated materials including temporarily stockpiling and segregating in accordance with defined material types and to prevent co-mingling of contaminated material and non-contaminated materials.
9. Removal of all UST's that are encountered during soil/fill removal actions. Registration of tanks and reporting of any petroleum spills associated with UST's and appropriate closure of these petroleum spills in compliance with applicable local, State and Federal laws and regulations.
10. Transportation and off-Site disposal of all soil/fill material at licensed or permitted facilities in accordance with applicable laws and regulations for handling, transport, and disposal, and this plan. Sampling and analysis of excavated media as required by disposal facilities. Appropriate segregation of excavated media on-Site.
11. Collection and analysis of end-point samples to determine the performance of the remedy with respect to attainment of SCOs.
12. Demarcation of residual soil/fill is not necessary as the entire lot is capped.
13. Import of materials to be used for backfill and cover in compliance with this plan and in accordance with applicable laws and regulations.
14. Construction of an engineered composite cover consisting of a cover of a 4' thick mat slab, underlain by an approved vapor barrier of 20-mil thickness and crushed stone of an active Sub-Slab Depressurization System. This cover would be over the entire site.
15. Installation of a vapor barrier system consisting of vapor barrier beneath the building slab and outside of sub-grade foundation sidewalls to meet grade to mitigate soil vapor migration into the building. The vapor barrier system will consist of 20-mil W. R. Meadows Perminator EVOH or OER-approved equivalent, below the slab throughout the full building area and a 20-mil W. R. Meadows Perminator EVOH or OER-approved equivalent outside all sub-grade foundation sidewalls to meet grade. All welds, seams and penetrations will be properly sealed to prevent preferential pathways for vapor migration. The vapor barrier system is an Engineering Control for the remedial action. The remedial engineer will certify in the RAR that the vapor barrier system was designed and properly installed to mitigate soil vapor migration into the building.
16. Installation of an active sub-slab depressurization system (SSDS) consisting of a network of horizontal pipe set in the middle of a gas permeable layer immediately beneath the building slab and vapor barrier system. The horizontal piping will consist of fabric wrapped, schedule 40 perforated 4-inch PVC pipe connected to a 6-inch steel riser pipe that penetrates the slab and travels through the building to the roof. The gas permeable layer will consistent of at least a 6-inch thick layer of 2-inch trap rock stone. The pipe will be finished at the roof line with a 6-inch goose neck pipe to prevent rain infiltration. The active SSDS will be hardwired and will include a blower (OBAR model GBR89) installed on the roof line and a pressure gauge and alarm located in an accessible area in the basement. The active SSDS is an

Engineering Control for the remedial action. The remedial engineer will certify in the RAR that the active SSDS was designed and properly installed to establish a vacuum in the gas permeable layer and a negative (decreasing outward) pressure gradient across the building slab to prevent vapor migration into the building.

17. Performance of all activities required for the remedial action, including acquisition of required permits and attainment of pretreatment requirements, in compliance with applicable laws and regulations.
18. Dewatering is not anticipated, but if needed, will be in compliance with city, state, and federal laws and regulations. Extracted groundwater will either be containerized for offsite licensed or permitted disposal or will be treated under a permit from New York City Department of Environmental Protection (NYCDEP) to meet pretreatment requirements prior to discharge to the sewer system. As noted in the RIR, static groundwater level is 32.1' below grade. No dewatering is anticipated for this project as excavation deeper than 20' below grade is not anticipated.
19. Implementation of storm-water pollution prevention measures in compliance with applicable laws and regulations.
20. Submission of a RAR that describes the remedial activities, certifies that the remedial requirements have been achieved, defines the Site boundaries, lists any changes from this RAWP, and describes all Engineering and Institutional Controls to be implemented at the Site.
21. Submission of an approved Site Management Plan (SMP) in the Remedial Action Report (RAR) for long-term management of residual contamination, including plans for operation, maintenance, monitoring, inspection and certification of Engineering and Institutional Controls and reporting at a specified frequency.
22. The property will continue to be registered with an E-Designation or Restrictive Declaration at the NYC Buildings Department. Establishment of Engineering Controls and Institutional Controls in this RAWP and a requirement that management of these controls must be in compliance with an approved SMP. Institutional Controls will include prohibition of the following: (1) vegetable gardening and farming; (2) use of groundwater without treatment rendering it safe for the intended use; (3) disturbance of residual contaminated material unless it is conducted in accordance with the SMP; and (4) higher level of land usage without OER-approval.
23. Placement of a deed restriction to record the ECs/ICs on the deed to ensure that future owners of the Site continue to comply with the SMP, as required.

The remedies for Hazardous Materials "E" Designation described above conforms to the promulgated standards and criteria that are directly applicable, or that are relevant and appropriate and takes into consideration OER guidance, as appropriate.

7/2/2020

Date

Samantha Catalanotto
Project Manager

7/2/2020

Date

Shaminder Chawla
Deputy Director – Hazardous Materials

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