



OFFICE OF ENVIRONMENTAL REMEDIATION

100 Gold Street – 2nd Floor
New York, New York 10038

Daniel Walsh, Ph.D.
Director

Tel: (212) 788-8841

NOTICE TO PROCEED
DOB Job Number NB 321603608

May 10, 2017

Re: 633 Marcy Avenue: 629-633 Marcy Avenue
Brooklyn, Block 1771, Lot 5 (formerly 5, 7, 8)
Hazardous Materials, Air Quality "E" Designation
E-285: 10/11/2-12 Bedford Stuyvesant North Rezoning - CEQR 12DCP156Y
OER Project Number 17TMP0322K, 17EH-A127K/17CVCP060K

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, Air Quality remedial action plan that are 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 Anna Brooks at 212-788-7423.

Sincerely,

Shaminder Chawla
Deputy Director

cc: Ari Goldberger, Riverside Developers USA, Inc., ari@riversideny.com
Rachel Mittelman, Riverside Developers USA, Inc., rachel@riversideny.com
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Daniel Walsh, Shaminder Chawla, Zach Schreiber, Maurizio Bertini, Hannah Moore
Anna Brooks, PMA-OER



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DECISION DOCUMENT

NYC VCP, E-Designation Remedial Action Work Plan Approval

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The New York City Office of Environmental Remediation (OER) has completed its review of the Remedial Action Work Plan (RAWP) dated April 2017 with Stipulation Letter dated May 2017 and the Remedial Action Plan for Air Quality April 26, 2017 for the above-referenced project.

These Plans were 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 April 20, 2017. There were no public comments.

Project Description

The development project consists of redeveloping the entire site with a six-story residential building. The building will encompass the entire lot and will have a full cellar. Excavation for the cellar level will extend to at least 10 feet below grade. The cellar level will consist of four utility rooms (domestic water, sprinkler, gas room, and electrical room), a refuse room, two storage rooms, an open cellar area, two elevators and two stairwells. The first floor will consist of a ventilated parking garage. The second through sixth floors will consist of residential apartments. Each floor will be accessible by two elevators and two stairwells. The building footprint will cover the entire lot and will have a full height cellar level beneath the entire building footprint. The cellar will require excavation to a depth of approximately 11 feet below grade. An estimated 4,075 cubic yards (6,113 tons) of soil will require excavation for new building's cellar.

Statement of Purpose and Basis

This document presents the remedial action for the NYC Voluntary Cleanup Program and E-Designation project known as “633 Marcy Avenue” 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 for Hazardous Materials

The remedial action selected for the 633 Marcy Avenue site is protective of public health and the environment. The elements of the selected remedy are as follows:

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. Completion of a Waste Characterization Study prior to excavation activities. Waste characterization soil samples will be collected at a frequency dictated by disposal facility. A Waste Characterization Report documenting sample procedures, location, analytical results shall be submitted to NYCOER prior to start of remedial action.
4. Establishment of Site Specific (Track 4) Soil Cleanup Objectives (SCOs).
5. Site mobilization involving Site security setup, equipment mobilization, utility mark outs and marking & staking excavation areas.

6. Excavation and removal of soil/fill exceeding Track 4 Site Specific Use SCOs. For development purposes, the entire 10,000 ft² of the Site will be excavated to depth of approximately 11 feet for the new building's footings and foundation and 17 feet for an elevator pit. One hotspot identified during the subsurface investigation will be delineated excavated to approximately 14 ft below grade to achieve Track 4 Site Specific SCOs. Approximately 6,113 tons of soil will be removed.
7. Screening of excavated soil/fill during intrusive work for indications of contamination by visual means, odor, and monitoring with a PID.
8. Removal of underground storage tanks (if encountered) and closure of petroleum spills (if evidence of a spill/leak is encountered during Site excavation) in compliance with applicable local, State and Federal laws and regulations.
9. Management of excavated materials including temporarily stockpiling and segregating to prevent co-mingling of contaminated material and non-contaminated materials.
10. Transportation and off-Site disposal of all soil/fill material at 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 Track 4 Site Specific SCOs. Additional endpoint samples will be collected in the hotspot area and will be analyzed for contaminants of concern (pesticides). If end point data shows that Restricted Residential or Unrestricted Use SCOs are met, then that Track will be achieved.
12. Import of materials to be used for backfill and cover in compliance with this plan and in accordance with applicable laws and regulations.
13. Installation of a vapor barrier system below the concrete slab underneath the building as well as behind foundation walls of the proposed building. The vapor barrier will consist of the Vapor Block 20Plus system as manufactured by Raven Industries or equivalent system. VaporBlock 20Plus is a 20 mil thick HDPE film with a pressure sensitive adhesive that bonds to the poured concrete;
14. Installation of a passive sub-slab depressurization system (SSDS) consisting of a network of horizontal pipe set in the middle of a gas permeable layer will be installed immediately beneath the building slab and vapor barrier system in unventilated portions of the cellar. The horizontal piping will consist of fabric wrapped, perforated schedule 40 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 consist of a 6-inch thick layer of 1/2-3/4 inch gravel. The pipe will be finished at the roof line with a wind-driven turbine.
15. Construction and maintenance of an engineered composite cover consisting of 6-inch thick concrete building slab with a clean granular sub-base beneath the building to prevent human exposure to residual soil/fill remaining at the Site;
16. Implementation of storm-water pollution prevention measures in compliance with applicable laws and regulations.
17. Performance of all activities required for the remedial action, including permitting requirements and pretreatment requirements, in compliance with applicable laws and regulations;
18. Submission of a Remedial Action Report (RAR) that describes the remedial activities, certifies that the remedial requirements have been achieved, defines the Site boundaries, and describes all Engineering and Institutional Controls to be implemented at the Site, and lists any changes from this RAWP.
19. Submission of an approved Site Management Plan (SMP) in the 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; and
20. The property will continue to be registered with an E-Designation (under Track 4 remedy) by 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.

Description of Selected Remedy for Air Quality

The elements of the remedial action selected for Air Quality for the 633 Marcy Avenue site are as follows:

The Air Quality E-285 for Block 1771 Lot 5 requires the use of natural gas. In order to satisfy the requirements of

E-285, natural gas will be utilized at the site for the hot water heaters, and electric will be used for the split HVAC units.

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

6/27/2017



Date

Anna Brooks
Project Manager

6/27/2017



Date

Shaminder Chawla
Deputy Director

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