OFFICE OF ENVIRONMENTAL REMEDIATION
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New York, New York 10038

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NOTICE TO PROCEED
DOB Job Number NB 321642273

August 16, 2018

Re: 2718 Fulton Street, 2718-2722 Fulton Street, 71 Wyona Street
Brooklyn Block 3673, Lot 14 (Former Lots 14, 15, and 16)
Hazardous Materials and Noise "E" Designation
E-366: East New York - CEQR 15DCP102K - 4/20/2016
OER Project Number 18EH-N452K / 18CVCP046K

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 and Noise 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 Tara Ostock at 212-788-7527.

Sincerely,

Shaminder Chawla
Deputy Director

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DECISION DOCUMENT
NYC VCP, E-Designation Remedial Action Work Plan Approval

August 16, 2018

Re: 2718 Fulton Street, 2718-2722 Fulton Street, 71 Wyona Street
Brooklyn Block 3673, Lot 14 (Former Lots 14, 15, and 16)
Hazardous Materials, Noise E Designation ,
E-366: East New York - CEQR 15DCP102K - 4/20/2016
OER Project Number 18EH-N452K / 18CVCP046K

The New York City Office of Environmental Remediation (OER) has completed its review of the Remedial Action Work Plan (RAWP) dated June 2018 and the Remedial Action Plan for Noise dated July 2018 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 07/25/2018. There were no public comments.

Project Description
The future proposed building will consist of a ten story hotel with a cellar, parking in the rear, and open space. The hotel will contain one hundred guestrooms. The building will encompass 3,110 SF of the 7,500 SF site.

Statement of Purpose and Basis
This document presents the remedial action for the NYC Voluntary Cleanup Program and E-Designation Program project known as "2718 Fulton 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 for Hazardous Materials
The remedial action selected for the 2718 Fulton Street 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. Establishment of Site Specific Use (Track 4) Soil Cleanup Objectives (SCOs).
4. Site mobilization involving Site security setup, equipment mobilization, utility mark outs and marking & staking excavation areas.
5. Completion of a Waste Characterization Study prior to excavation activities. Waste characterization soil samples will be collected at a frequency dictated by disposal facility(s).
6. Excavation and removal of soil/fill exceeding Site Specific Use (Track 4) SCOs. The entire footprint of the building area (about 41% of the property) will be excavated to a depth of approximately 6 feet below grade for development purposes. The parking lot area (about 38% of the property) will be excavated to a depth of approximately 2 feet below grade for development purposes. A small portion of property will be excavated to the depth of 10 feet below grade for elevator pits and the meter room. Approximately 1,550

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. 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.
10. Collection and analysis of end-point samples to determine the performance of the remedy with respect to attainment of Track 4 SCOs.
11. Import of materials to be used for backfill and cover in compliance with this plan and in accordance with applicable laws and regulations.
12. 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.
13. Implementation of storm-water pollution prevention measures in compliance with applicable laws and regulations.
14. 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 lists any changes from this RAWP, and describes all Engineering and Institutional Controls to be implemented at the Site.
15. Construction of an engineered composite cover consisting of a 3,110 sq. ft. building with a 6 ft deep cellar and a six-inch thick concrete building slab with a 34-inch clean aggregate sub-base beneath all building areas, 4-inch poured concrete on a 6-inch sub-base in sidewalk areas, and two feet of clean soil in all open space and landscaped areas.
16. Installation of a vapor barrier system consisting of vapor barrier beneath the building slab and outside of sub-grade foundation sidewalls to mitigate soil vapor migration into the building. The vapor barrier system will consist of a Vaporblock Plus 20-mil vapor barrier (Raven VBP 20) below the slab throughout the full building area and a Vaporblock Plus 20-mil vapor barrier (Raven VBP 20) outside all sub-grade foundation sidewalls. 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.
17. 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, 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 consistent of 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 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.
18. A deed restriction will be placed on the property to document the installation of, and continued operation of, an active SSDS. The deed restriction can be removed if OER determines that the active SSDS has achieved its goals and is no longer warranted.
19. 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.
20. The property will continue to be registered with an E-Designation 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.

Description of Selected Remedy for Noise

The elements of the remedial action selected for Noise for the 2718 Fulton Street site are as follows:

1. 37 dBA for all facades

Façade Floor Range	**OITC Rating**	**OITC Certification**	**Manufacturer and Model**	**Glazing**
North Facade Floor 1 Front Door Entrance D1	37	Certification from Architect, Commitment to test according to ASTM E-90.	Kawneer Front Entrance Doors Viracon Glass	1 3/8" Insulated Laminated Glass (5/16" Glass, 5/8" Air Space, 3/16" Glass, .060" Interlayer, 3/16" Glass.)
North Façade Floor 1 Store Font Glass Windows W2	37	Certification from Architect, Commitment to test according to ASTM E-90.	Kawneer Store Front with Viracon Glass (Fixed)	1 3/8" Insulated Laminated Glass (5/16" Glass, 5/8" Air Space, 3/16" Glass, .060" Interlayer, 3/16" Glass.)
North Façade Floors 2 through 10 South Façade Floors 1-10 Dual sash windows W3 &W4	37	See ASTM E-90 acoustical report for the exact window and glazing	St. Cloud Window model 940 A7	(1/8" glass-1/4" air space-1/8" glass) – 3 7/8" air space – ¼" glass
South Façade Cellar Dual sash windows W3	37	See ASTM E-90 acoustical report	St. Cloud Window model 940 A7	(1/8" glass-1/4" air space-1/8" glass) – 3 7/8" air space – ¼" glass

In order to satisfy the requirements of the E Designation, Alternate Means of Ventilation (AMV) will be installed in order to maintain a closed window condition. AMV for this project will be achieved by:

1. Central System: Installing Greenheck ERV20-15L and ERV-10-20Lmodel split systems with condensing systems manufactured by Mitsubishi on the roof and air handling units in each residential unit serving the cellar, hotel guestrooms on floors 1 to 10, and the elevator control room. Fresh air intakes are located on the roof and air handling units and associated ducting will provide fresh air to each bedroom and living room in each guestroom unit. P.E./R.A. certified mechanical drawings depicting the AMV system and the pathway of fresh air delivery into each of the living spaces (bedrooms and living rooms) are provided. A letter from the engineer who designed the HVAC system that describes the system, the equipment involved (stating the manufacturer and model information), and how fresh air is delivered into each of the living spaces was also provided.
2. Compliance with Mechanical Code: Providing outside air to commercial spaces and common areas such as lobbies and corridors in accordance with the NYC Mechanical Code.

The remedies for the Hazardous Materials and Noise E Designations 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.

August 16, 2018
Date

Tara Ostock
Project Manager

August 16, 2018
Date

Maurizio Bertini
Assistant Director

August 16, 2018
Date

Shaminder Chawla
Deputy Director

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