



OFFICE OF ENVIRONMENTAL REMEDIATION

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DECISION DOCUMENT

NYC VCP, E-Designation Remedial Action Work Plan Approval

October 18, 2024

Re: 1760 & 1768 Jerome Avenue
Bronx Block 2850, Lots 3, 7
Hazardous Materials, Noise E Designation
E-442: Jerome Avenue Rezoning - CEQR 17DCP019X - 3/21/2018
OER Project Number 24EH-N008X / 24CVCP030X

The New York City Office of Environmental Remediation (OER) has completed its review of the Remedial Action Work Plan (RAWP) dated August 2024 with Stipulation Letter dated October 2024 and the Remedial Action Plan for Noise dated October 2024 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 08/10/2024. There were no public comments.

Project Description

The proposed development project includes demolition of the existing industrial buildings, followed by construction of a 14-story residential affordable and supportive housing building on the western portion of the Site (105 units of supportive housing for homeless single adults exiting the shelter system, 69 studio and multi-bedroom units for households earning up to 60% of the Area Median Income, and one superintendent's unit) and a partially sunken rear courtyard on the eastern portion of the Site. The new building will have a full cellar to approximately 11 feet below ground surface (bgs). The rear courtyard will have a sunken portion to approximately 11 feet bgs (level with the cellar slab) and an at grade portion (level with the first floor). The existing partial cellar located on Lot 7 is within the proposed full cellar footprint and will require further excavation during redevelopment.

Statement of Purpose and Basis

This document presents the remedial action for the NYC Voluntary Cleanup Program and E-Designation Program project known as "1760 & 1768 Jerome Avenue" pursuant to Title 43 of the Rules of the City of New York Chapter 14, Subchapter 1 and the Zoning Resolution and §43-1474 of the Rules of the City of New York.

Description of Selected Remedy for Hazardous Materials

The remedial action selected for the 1760 & 1768 Jerome Avenue 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 (CAMP) for particulates and VOCs.
3. Selection of Track 2 RRSCOs with a contingent establishment of Track 4 Site-Specific SCOs.
4. Site mobilization involving Site security setup, equipment mobilization, utility mark outs and marking

and 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 Track 2 RRSCOs up to 15 feet bgs. It is expected that this alternative would be achieved by excavating for construction of the new building's cellar level and the sunken portion of the rear courtyard to a depth of 15 feet bgs (with limited deeper excavations for footings and elevator pits extending up to 20 feet bgs) and excavating the remaining portions of the rear courtyard to depths ranging from 2 to 15 feet bgs. If Track 2 RRSCOs are not achieved, the overall remedy would be Track 4 Site-Specific SCOs. Based on proposed excavation depths, approximately 7,000 cubic yards (10,500 tons) of soil/fill will be removed from the Site and properly disposed of 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 photoionization detector (PID). Appropriate segregation of excavated media on-Site.
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 USTs that are encountered during soil/fill removal actions. Registration of tanks and reporting of any petroleum spills associated with USTs 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 12 end-point samples to determine the performance of the remedy with respect to attainment of Track 2 RRSCOs (or contingent Track 4 Site-Specific SCOs).
12. Demarcation of residual soil/fill in landscaped areas.
13. Import of materials to be used for backfill in compliance with this plan and in accordance with applicable laws and regulations.
14. As part of redevelopment, installation of a minimum 6-inch-thick concrete building slab, and minimum 6-inch-thick concrete paved surfaces and/or minimum 2-foot-thick soil cover areas across the entire rear courtyard. If a contingent Track 4 remedy is required, these Site restoration features would serve as an EC for the Site (i.e., the engineered composite cover system).
15. As part of redevelopment, installation of a waterproofing/vapor barrier system consisting of a vapor barrier beneath the building slab and outside of sub-grade foundation sidewalls to grade to mitigate soil vapor migration into the building. The vapor barrier system will consist of a minimum 20-mil (0.02-inch thick) vapor barrier. Preprufe 300R/160R and/or Bithuthene 3000/4000 membrane systems, manufactured by GCP Applied Technologies, will be used. The vapor barrier will extend throughout the area occupied by the footprint of the new building and up the foundation sidewalls to grade. All welds, seams and penetrations will be properly sealed to prevent preferential pathways for vapor migration. If a contingent Track 4 remedy is required, the vapor barrier would serve as an EC for the remedial action, and 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. 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.
17. Dewatering in compliance with city, state, and federal laws and regulations. Extracted groundwater will either be containerized for off-site 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.
18. Implementation of storm-water pollution prevention measures in compliance with applicable laws and regulations.
19. Submission of a 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.
20. If a contingent Track 4 remedy is required, the RAR will include a SMP for long-term management of residual contamination, including plans for operation, maintenance, monitoring, inspection and certification of ECs and ICs and reporting at a specified frequency.

21. If a contingent Track 4 remedy is required, the Site will continue to be registered with an “E” Designation at the NYC DOB. Establishment of ECs and ICs in this RAWP and a requirement that management of these controls must be in compliance with an approved SMP. ICs will include prohibition of the following: (1) in-ground 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 1760 & 1768 Jerome Avenue site are as follows:

The following windows will be installed:

Façade Floor Range	OITC Rating	OITC Certification	Manufacturer and Model	Glazing
East and West Façades Cellar and Floor 1 Amenity and Offices	30 30 dBA Required	Full assembly rating based on glass only OITC 33 manufacturer data. Full assembly ASTM E90 test report to be provided to OER prior to purchase and installation.	Storefront System with Viracon Glass or OER-approved equivalent	1/4” glass, 1/2” air space, 5/16” glass
East and West Façades Floors 1 to 14 Residential	36 35 dBA Required	ASTM E90 Acoustical Test Report Intertek Test Report No. J8864.02-113-11-R0 Data File No. J8863.01B	Intus Supera Casement CW Casement Window or OER-approved equivalent	5/16” laminated exterior, 13/16” argon, 1/2” laminated interior
East and West Façades Floors 1 to 14 Residential	36 35 dBA Required	ASTM E90 Acoustical Test Report Intertek Test Report No. J8864.01-113-11-R0 Data File No. J8863.01C	Intus Supera Fixed CW/AW Fixed Window or OER-approved equivalent	5/16” laminated exterior, 13/16” argon, 1/2” laminated interior

The acoustical reports described above are representative of the acoustical performance of all proposed windows and storefront systems. The applicant commits to demonstrating that the selected manufacturer’s window products achieve the minimum OITC requirement outlined in the table above. If the selected manufacturer does not have ASTM E90 test on file for the specific window assemblies to be installed, a mockup will be laboratory tested as per ASTM E90 to demonstrate compliance with the minimum OITC requirement.

The glazing-only OITC ratings presented in the table may reduce substantially once noise transmission through the window frames is evaluated. The glazing presented above may need to be reevaluated if the attenuation losses due to framing elements render the window attenuation performance inadequate to satisfy the requirements.

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 DPS012A and DPS016A model dedicated outdoor air system units manufactured by Daikin on the roof serving all residential, amenity, and office uses. Heating and cooling will be provided to these spaces by FXSQ05TBVJU, FXSQ07TBVJU, FXSQ09TBVJU, FXSQ15TBVJU, FXSQ24TBVJU, FXSQ48TBVJU, FXAQ07PVJU, FXAQ18PVJU, and FXAQ24PVJU model fan coil units manufactured by Daikin and model REYQ72AATJA, REYQ96AATJA, REYQ120AATJA, REYQ144AATJA, and REYQ168AATJA air cooled condensers manufactured by Daikin on the roof. Fresh air intakes are located directly on the dedicated outdoor air system units and associated ducting will provide fresh air to each bedroom and living room in each residential unit, amenity, and office use. In all cases, the rate of outside air (cfm) delivered to each habitable space

(bedrooms and living spaces), amenity, and office use will meet or exceed that specified in the 2022 New York City Mechanical Code table 403.3.1.1. These rates will be the greater of 0.35 air changes per hour or 15 cfm per person, representing the outdoor ventilation otherwise provided by the operable windows.

2. **Compliance with Mechanical Code:** Providing outside air to commercial spaces and common areas such as lobbies and corridors in accordance with the 2022 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 take into consideration OER guidance, as appropriate.

10/17/2024

Date



Adrian Singleton
Project Manager

10/17/2024

Date



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