



OFFICE OF ENVIRONMENTAL REMEDIATION

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

Mark P. McIntyre, Esq.
Director

Tel: (212) 788-8841

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

April 01, 2020

Re: 4519-4523 White Plains Road
Bronx Block 5081, Lot 89
Hazardous Materials, Air Quality, Noise E Designation
E-181: Wakefield / Eastchester Rezoning - CEQR 07DCP058X - 7/25/2007
OER Project Number 19EHAN164X / VCP Number 19CVCP067X

The New York City Office of Environmental Remediation (OER) has completed its review of the Remedial Action Work Plan (RAWP) dated December 2019 with Stipulation Letter dated 03/24/2020 and the Remedial Action Plan for Air Quality and Noise dated March 2020 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 July 14, 2019. There were no public comments.

Project Description

The proposed development is a new 9-story residential building with a partial cellar and rear yard. The building will have a footprint of 11,024 square feet encompassing 80% of the property. A landscaped courtyard spanning approximately 3,263 square feet across the remaining rear portion of the property will be utilized for passive recreation. A 5,042 square-foot partial cellar will be constructed centrally at 10 feet below grade surface (bgs) which will span the full width of the property and utilized for storage and utility operations. The ground floor will consist of staff office space and amenity spaces. The building will contain a total of 98 residential units.

Statement of Purpose and Basis

This document presents the remedial action for the NYC Voluntary Cleanup Program and E-Designation Program project known as “4519-4523 White Plains Road” 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 4519-4523 White Plains Road 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. Selection of New York State DEC Part 375 Restricted-Residential (Track 2) 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 Restricted-Residential Use (Track 2) SCOs. The entire footprint of the basement building area will be excavated to a depth of approximately ten feet below grade for development purposes. A small portion of property will be excavated to the depth of 13-17 feet below grade for elevator pits and building footings. The area of the rear yard will be excavated to two feet bgs to facilitate placement of clean fill. The area under the green roof will be slab on grade and excavated down to four feet bgs for installation of building footings and installation of utilities. All soil/fill will be removed from the Site and properly disposed at an appropriately licensed or permitted facility. The total tonnage of soil/fill to be disposed of off-site is 3,500 tons.
7. Screening of excavated soil/fill during intrusive work for indications of contamination by visual means, odor, and monitoring with a 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 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 the RAWP. Sampling and analysis of excavated media as required by disposal facilities.
11. Collection and analysis of six post-excavation confirmation samples to determine the performance of the remedy with respect to attainment of Track 2 Restricted Residential SCOs.
12. Import of materials to be used for backfill and cover in compliance with the RAWP and in accordance with applicable laws and regulations.
13. 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.
14. Implementation of storm-water pollution prevention measures in compliance with applicable laws and regulations.
15. 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 the RAWP.

If Track 2 Restricted Residential SCOs are not achieved, the following construction elements implemented as part of new development will constitute Engineering and Institutional Controls:

16. Demarcation of residual soil/fill in landscaped areas
17. As part of development, construction of an engineered composite cover consisting of a 6-inch thick concrete building slab with a 6-inch clean granular 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.
18. As part of development, 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 20-mil vapor barrier below the slab throughout the full building area and a 20-mil vapor barrier outside all sub-grade foundation sidewalls. All welds, seams and penetrations will be properly sealed to prevent preferential pathways for vapor migration. The specific vapor barrier manufacturer and model is not selected at this time but will be forwarded to OER when the selection is finalized.
19. The property will continue to be registered with an E-Designation at the NYC Buildings Department. Establishment of Engineering Controls and Institutional Controls in the 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 4519-4523 White Plains Road site are as follows:

In order to satisfy the requirements of the E-designation, natural gas will be utilized at the site for domestic hot water. Remaining systems, including non-domestic hot water (Lars Neotherm NTV-1200 hot water heater) and HVAC cooling and heating systems (Daikin FX models) will be powered electrically.

The proposed development will utilize natural gas for hot water and electrical for HVAC systems, therefore stack location requirement outlined in the E-Designation does not apply.

Description of Selected Remedy for Noise

The elements of the remedial action selected for Noise for the 4519-4523 White Plains Road site are as follows:

In order to meet the requirements of the E-Designation, the following window/wall attenuation will be achieved at the locations described below:

1. 35 dBA in all residential and community facility spaces; and
2. 30 dBA in the commercial office space based on an allowed reduction of 5 dBA from the attenuation requirement outlined in the E-Designation. It is understood that this reduction may prevent the project from obtaining a Final Notice of Satisfaction for the Noise E as the site is not protective for all allowable uses.

The following windows will be installed:



Façade Floor Range	OITC Rating	OITC Certification	Manufacturer and Model	Glazing
All Façades Floors 1-9 Community Facility and Residential Spaces (Operable Windows)	38	ASTM E-90 Lab Test Report No. E8788.01A for exact window and glazing	Intus Windows Arcade Series Dual Action Window	1-9/16" Insulated Glass Unit (IG) Exterior: 5/16 - inch laminated Airspace: ¾- inch air space Interior: 1/2-inch laminated
All facades Floors 1-9 Community Facility and Residential Spaces (Fixed window)	38	ASTM E-90 Lab Test Report No. E8787.01A for exact window and glazing	Intus Windows Arcade Series Fixed Window	1-9/16" Insulated Glass Unit (IG) Exterior: 5/16 - inch laminated Airspace: ¾- inch air space Interior: 1/2-inch laminated
Front/Rear Façade Sidelites/Transoms Entrance Doors	32	ASTM E90 Lab Test Report No. F0243.01A for exact door and glazing	Kawneer 250T Acoustical Entrance Door	1" Insulated Glass Unit (IG) Exterior: ¼-inch tempered Airspace: 1/2-inch air space Interior: ¼-inch laminated

All doors on the first floor that enter from the street lead to vestibules which subsequently enter into the community center or a residential lobby.

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. **Trickle Vents:** Installing at least one trickle vent, Intus Windows Brookvent SM 1000, in residential bedroom and living room windows. Fresh air will be provided to all bedrooms and living rooms by the trickle vents. Heating and cooling will be provided to residential spaces receiving fresh air via trickle vents by Daikin VRV III supply mounted units. Alternate means of ventilation in the ground floor Community Rooms, Office Space Rooms, Library and Laundry Room and Cellar Fitness Room will consist of ducted outdoor air tempered and filtered from dedicated Daikin VRV III supply ceiling cassette units. These heat pump units are used for air conditions and heating with ducted outside air to each unit and motorized damper to shut the damper when unit is turned off.
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 Hazardous Materials, Air Quality, and Noise E-Designation 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.

<u>04/01/2020</u>	
Date	Caleb Bailey Project Manager
<u>04/01/2020</u>	
Date	Sarah Pong Assistant Director

cc: John McDonald, 4519 WPR Housing Dev Fund- john@doe.org
John Coogan, R.A., OCV Architects - jcoogan@ocvarch.com
Chris Hirschmann, Hillmann Consulting, LLC - chirschmann@hillmannngroup.com
Mark McIntyre, Shaminder Chawla, Zach Schreiber, Maurizio Bertini
Caleb Bailey, PMA-OER