



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-220152117

May 24, 2016

**Re: St. Barnabas Wellness Care North: 4507-4511 3rd Avenue, East 183rd Street
Bronx Block 3051, Lot 34
Hazardous Materials, Air Quality, Noise “E” Designation
E-255: 9/15/2010 Third Avenue/ East Tremont Avenue Rezoning - CEQR 10DCP043X
OER Project Number 15EHAN401X / VCP Number 16CVCP069X**

Dear Bronx 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, Noise remedial action 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 Isabel McRae at (212) 341-2034.

Sincerely,

Shaminder Chawla
Deputy Director

cc: Charlotte Abrams, L+M Development Partners Inc. – cabrams@lmdevpartners.com
Stephanie Pollert, Impact Environmental – spollert@impactenvironmental.com
Greg Mendez-Chicas, Impact Environmental – gmendez-chicas@impactenvironmental.com
Denise Miller, AKRF, Inc. – dmiller@akrf.com
Daniel Walsh, Zach Schreiber, Maurizio Bertini, Hannah Moore
Isabel McRae, PMA-OER



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DECISION DOCUMENT

NYC VCP and 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 May 2016 with Stipulation Letter dated May 20, 2016 and the Remedial Action Plan for Air Quality and Noise dated May 2016 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 will end on June 2, 2016.

Project Description

The proposed redevelopment of the Site includes new construction of a mixed-use multi-story building for healthcare, retail and residential purposes, all of which is consistent with the existing zoning for the property. The development project will include removal of the existing building on lot 43. Development plans include approximately 181,000 square feet (sf) of residential space providing 182 residential units; 50,800 sf of medical space; 17,500 sf of commercial space and 35,500 sf of parking. Development plans include a parking area below grade, an ambulatory care center, health club, café, pharmacy, physical therapy space, and daycare center on the first level, residential apartment units as well as health club and ambulatory care center space on the second level, and residential apartment units on floors three through eleven. The project will be ready to close on construction financing in June of 2016 and is anticipated to take 28 months to complete construction at the Site. The proposed development will include ground surface disturbance activities, including soil excavation for the installation of a subterranean parking area, building foundation and associated footings.

Statement of Purpose and Basis

This document presents the remedial action for the NYC Voluntary Cleanup Program and E-Designation Program project known as “St. Barnabas Wellness Care North” pursuant to 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 St. Barnabas Wellness Care North 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 NYSDEC Part 375 Section 6.8(b) Restricted Residential Use (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 building area (about 90% of the property) will be excavated to a terminal depth of approximately 13.5 feet below grade for redevelopment purposes. Approximately 36,450 tons (30,000 cubic yards) 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. 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, if any, during soil/fill removal actions.
10. Registration of any discovered underground storage tanks (USTs) and reporting of any related petroleum spills associated with said UST's and appropriate closure of these petroleum spills in compliance with applicable local, State and Federal laws and regulations if applicable.
11. 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.
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. Collection and analysis of eight (8) end-point samples to determine the performance of the remedy with respect to attainment of SCOs.
14. Installation of a vapor barrier system consisting of vapor 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, VaporBlock® Plus™ 20. 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.
15. Construction and operation of a grade-level parking garage with high volume air exchange in conformance with NYC Building Code.
16. Import of materials to be used for backfill and cover in compliance with this plan and in accordance with applicable laws and regulations.
17. Implementation of storm-water pollution prevention measures in compliance with applicable laws and regulations.
18. 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.
19. 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.

Description of Selected Remedy for Air Quality

The elements of the remedial action selected for Air Quality for the St. Barnabas Wellness Care North site are as follows:

In order to satisfy the requirements of the E-designation, natural gas will be utilized at the site for space heating, hot water, and HVAC systems.

Description of Selected Remedy for Noise

The elements of the remedial action selected for Noise for the St. Barnabas Wellness Care North 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. 28 dBA in residential spaces;
2. 23 dBA in the commercial, community facility, and residential amenity spaces based on an allowed reduction of 5 dBA from the residential attenuation requirement;

The following window(s) will be installed:

Façade Floor Range	OITC Rating	OITC Certification	Manufacturer and Model	Glazing
All Façades All floors where applicable Residential	28 (OITC 28 required)	See ASTM E-90 acoustical report in Appendix H	410i Single LHSU, Type TP Horizontal Sliding windows manufactured by Wausau, or approved equivalent	1/4" annealed – 1/2" argon – 1/4" annealed
North Façade of Third Ave Building Floor 2 Ambulatory Care Center	30 (OITC 23 required)	See ASTM E-90 acoustical report in Appendix H	Trifab VG 451T Storefront system manufactured by Kawneer	0.128" ply – 0.030" laminate – 0.128" ply exterior, 0.526" air space, 0.130" ply – 0.030" laminate – 0.130" ply interior
East Façade of Third Ave Building Floors 1-2 where applicable Retail and Ambulatory Care Center	26 (OITC 23 required)	See ASTM E-90 acoustical report in Appendix H	Series 1600 Curtain Wall System manufactured by Kawneer, or approved equivalent	1/4" tempered – 1/2" argon – 1/4" tempered
West Façade (Interior Courtyard) of Third Ave Building Floor 2 Ambulatory Care Center	30 (OITC 23 required)	See ASTM E-90 acoustical report in Appendix H	Trifab VG 451T Storefront system manufactured by Kawneer	0.128" ply – 0.030" laminate – 0.128" ply exterior, 0.526" air space, 0.130" ply – 0.030" laminate – 0.130" ply interior

Façade Floor Range	OITC Rating	OITC Certification	Manufacturer and Model	Glazing
West Façade of Bathgate Ave Building Floor 1 Ambulatory Care Center	30 (OITC 23 required)	See ASTM E-90 acoustical report in Appendix H	Trifab VG 451T Storefront system manufactured by Kawmner	0.128" ply – 0.030" laminate – 0.128" ply exterior, 0.526" air space, 0.130" ply – 0.030" laminate – 0.130" ply interior

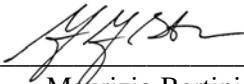
The acoustical reports described above are representative of the acoustical performance of all proposed windows/doors/curtain walls. Color-coded elevations and the labeled window schedule attached in Appendix G show the locations of the window/ door types.

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. **PTAC Units:** Installing model RSNU PTAC units with outside air dampers manufactured by Ice Air in all residential units. Fresh air will be provided to all bedrooms and living rooms by the PTAC units. Floor plans showing the locations of PTAC units are included in Appendix J. Manufacturer specifications showing the fresh air intake for the PTAC units are included as Appendix I. The PTAC units can be operated manually by user to provide outdoor air.
2. **Combination of Dedicated Fresh Air/ HVAC System.** The Ambulatory Care Center and first floor Community Facility space will be provided with louver bands along the front and the rear yard for fresh air intake/exhaust needs. Design of the HVAC system for this area will be the responsibility of future tenants.
3. **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 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.

May 24, 2016
Date 
Isabel McRae
Project Manager

May 24, 2016
Date 
Maurizio Bertini, Ph.D.
Assistant Director

May 24, 2016
Date 
Shaminder Chawla
Deputy Director

- cc: Charlotte Abrams, L+M Development Partners Inc. – cabrams@lmdevpartners.com
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