



**OFFICE OF ENVIRONMENTAL REMEDIATION**

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**DECISION DOCUMENT**

**NYC VCP and E-Designation Remedial Action Work Plan Approval**

November 21, 2018

Re: 13-15 Greenpoint Avenue: 26-40 Kent Avenue, 13 Greenpoint Avenue, 15-17 Greenpoint Avenue  
Brooklyn Block 2556, Lot 45 (former Lots 45 and 46)  
Hazardous Materials and Noise “E” Designation  
E-138: **11/5/2005** Greenpoint-Williamsburg Rezoning - CEQR 04DCP003K  
OER Project Number 18EH-N179K/18CVCP059K

The New York City Office of Environmental Remediation (OER) has completed its review of the Remedial Action Work Plan (RAWP) dated February 2018 [with Stipulation Letter dated April 9, 2018] and the Remedial Action Plan for Noise dated September 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 May 6, 2018. Public comments were received from City Council Member Stephen Levin on behalf of Friends of Transmitter Park and the neighboring community regarding redevelopment and the short term effects related to dust, contaminated soils, and traffic during excavation activities were addressed in a Community Protection Summary, dated June 21, 2018.

NYS Department of Environmental Conservation and NYC Department of Health and Mental Hygiene were briefed on site contamination and remediation in February 2018.

**Project Description**

The development project consists of redeveloping the Site with a new 11-story slab on grade mixed-used building. A 20 to 30 ft setback along the western portion of the Site will be established between the new building foundation and the property boundary along Transmitter Park. The entire footprint of the Site will be excavated to a depth of 4-4 ½ feet below sidewalk grade. The ground floor cellar will consist of an enclosed parking area for 16 cars with access along Kent Street and Greenpoint Avenue, a retail space along Kent Street, a retail space along Greenpoint Avenue, the Site Supervisor apartment along Kent Street, a gym, a trash room, residential lobby along Kent Street, elevators and a staircase. The second floor of the southern portion of the building Greenpoint Avenue will consist of a roof top recreational space. The second through eleventh floors of the northern portion of the building along Kent Street will consist of 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 “13-15 Greenpoint 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 13-15 Greenpoint 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 for particulates and volatile organic carbon compounds.
3. Establishment of Site-Specific (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. A Waste Characterization Report documenting sample procedures, location, analytical results shall be submitted to NYCOER prior to start of remedial action.
6. Excavation and removal of soil/fill exceeding Site-Specific (Track 4) SCOs. For development purposes, the cellar level will require excavation to a depth of approximately 4 ½ feet below grade across the entirety of the Site. Approximately 5,600 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. Appropriate segregation of excavated media on-Site.
8. Management of excavated materials including temporarily stockpiling and segregating to prevent co-mingling of contaminated material and non-contaminated materials.
9. Removal of the underground storage tank located on Lot 46 and any others (if encountered). The closure of petroleum spills (if evidence of a spill/leak is encountered during Site excavation) will be conducted in compliance with applicable local, State and Federal laws and regulations.
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 nine post-excavation end-point samples to determine the performance of the remedy with respect to attainment of SCOs. Endpoints will be sampled for Track 4 SCOs, including SVOCs, lead, and mercury.
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 and outside of all sub-grade foundation sidewalls. The vapor barrier system will consist of the 20-mil VaporBlock Plus VBP20 membrane manufactured by Raven Industries or an equivalent system. All weld, 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.
14. Construction and maintenance of an engineered composite cover consisting of the 4 to 6-inch-thick concrete building slab under the footprint of the new building and two feet of clean soil above a demarcation layer in all open spaces and landscaped areas. The new building slab will cover approximately 75% of the site, and the remaining 25% will be landscaped.
15. Performance of all activities required for the remedial action, including permitting requirements and pretreatment requirements, in compliance with applicable laws and regulations.
16. Implementation of storm-water pollution prevention measures in compliance with applicable laws and regulations.
17. Dewatering is not intended for this redevelopment. If dewatering is needed, it will be conducted 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. 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.
20. The property will continue to be registered with an E-Designation 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 Noise**

The elements of the remedial action selected for Noise for the 13-15 Greenpoint 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 space based on an allowed reduction of 5 dBA from the attenuation requirement outlined in the E-Designation;

The following windows will be installed:

<b>Façade Floor Range</b>	<b>OITC Rating</b>	<b>OITC Certification</b>	<b>Manufacturer and Model</b>	<b>Glazing</b>
All Façades Floors 1 – 11 Residential	30  28 dBA Required	ASTM E-90 Lab Test Report (Appendix H)	Thomas Manufacturing, TH- 1450	1-1/16 IG (1/4" annealed exterior, 1/2" air space, 5/16" annealed interior)
All Façades Floors 7 – 11 (terrace doors) Residential	30  28 dBA Required	Letter from Manufacturer  (Appendix H)	Thomas Manufacturing, TH- 1450	1-1/16 IG (1/4" annealed exterior, 1/2" air space, 5/16" annealed interior)
North, South, and West Facades Floors 1 and 11 Retail/Amenity	26  23 dBA Required	ASTM E-90 Lab Test Report (Appendix H)	YKK AP America, YCW 750 OG	1" IG (1/4" annealed exterior, 1/2" air space, 1/4" annealed interior)

The acoustical reports described above are representative of the acoustical performance of all proposed windows/doors/curtain walls.

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 (Residential): Installing TV4000 400 Canopy trickle vents manufactured by Trimvent in at least one window in each living room and bedroom in residential units. Fresh air will be provided to all bedrooms and living rooms by the trickle vents. Each apartment has been designed with individual HVAC systems containing a high efficiency, water source heat pump unit. Each apartment air handler will be provided with 24/7 condenser water supply for independent heating and cooling modes. The cooling capacities vary from 1.5 ton to 3.0 ton capacity, depending on the cooling load of the particular dwelling units.
2. Compliance with Mechanical Code (Retail): Providing outside air to commercial spaces and common areas such as lobbies and corridors in accordance with the NYC Mechanical Code 2014.

The remedies for Hazardous Materials 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.



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11/21/2018

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Project Manager



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11/21/2018

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Shaminder Chawla  
Deputy Director



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11/21/2018

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