



OFFICE OF ENVIRONMENTAL REMEDIATION

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

Shaminder Chawla
Acting Director

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NOTICE TO PROCEED
DOB Job Number M00943364-I1

December 19, 2023

Re: 527-529 & 531-533 West 19th Street
Manhattan Block 691, Lot 15
Hazardous Materials, Air Quality, and Noise “E” Designation
E-142: Highline / West Chelsea Rezoning - CEQR 03DCP069M - 6/23/2005
OER Project Number 24EHAN058M

Dear Manhattan 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 Numbers. This correspondence is provided pursuant to OER’s responsibilities as established in Subchapter 7 of Chapter 14 of Title 43 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, and 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 §43-1474 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 Justin Holder at 212-676-0459.

Sincerely,

Maurizio Bertini, Ph.D.
Assistant Director

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DECISION DOCUMENT
E-Designation Remedial Action Work Plan Approval

December 19, 2023

Re: 527-529 & 531-533 West 19th Street
Manhattan Block 691, Lot 15
Hazardous Materials, Air Quality, Noise E Designation,
E-142: Highline / West Chelsea Rezoning - CEQR 03DCP069M - 6/23/2005
OER Project Number 24EHAN058M

The New York City Office of Environmental Remediation (OER) has completed its review of the Soil/Materials Management Plan (SMMP) dated December 15th, 2023 and the Remedial Action Plan for Air Quality and Noise dated November 2023 for the above-referenced project.

These Plans were submitted to OER under the E-Designation Program.

Project Description

The proposed project includes the renovating the existing 2-story commercial slab-on-grade building to support construction of larger gallery spaces at ground level. The proposed renovation will include the partial demolition of interior load-bearing walls, portions of the existing slab-on-grade, and street-facing façade. The existing second story and roof will be partially demolished, and the roof will be raised to accommodate new offices on the second story. A new elevator is planned in the southwest corner of the existing building. The renovated building will contain a vestibule, offices, storage areas, and art galleries at grade, and floor 2 will be used for office and art storage spaces.

Statement of Purpose and Basis

This document presents the remedial action for the E-Designation Program project known as “533 West 19th Street” pursuant to 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 533 West 19th Street site is protective of public health and the environment. The elements of the selected remedy are as follows:

- Requirement of the Hazardous Material remedy will be satisfied through the Soil/Materials Management Plan
- The demolished concrete slab will be replaced with new 6- to 8-inch-thick, steel-reinforced concrete.
- A vapor barrier will be installed underneath the new concrete slab and a waterproofing membrane will be installed along the base and sidewalls of foundation elements, sump pits and the elevator pit.
- The vapor barrier will consist of a Class A product per ASTM E1745, with a minimum 20 mil thickness and permeance rating of less than 0.01 perms. Utility and foundation penetration and incidental punctures will be sealed in accordance with the manufacturer’s specifications.
- A vapor barrier product has not been selected. When information on the proposed product becomes available, the manufacturer’s specifications will be provided to NYCOER for review and approval.

- The waterproofing membrane will consist of GCP Applied Technologies, Inc. (GCP) Preprufe® 300R Plus (Preprufe) or Bituthene® 4000 (Bituthene) membranes.
- The Preprufe waterproofing membrane will be installed along the base and sidewalls of foundation elements, sump pits, and elevator pit, and beneath the floor assembly.
- Bituthene will be installed along accessible foundation walls.
- Waterproofing products will be installed in accordance with manufacturer's specifications.
- Soil/fill represented within the limits of this waste characterization study to be excavated as part of construction must be managed as a solid waste in New York State. Excavated soil should be handled and transported to a disposal or reuse facility that is permitted to accept this material in accordance with applicable local, state, and federal regulations, including 6 NYCRR Part 360.

Description of Selected Remedy for Air Quality

The elements of the remedial action selected for Air Quality for the 533 WEST 19TH STREET site are as follows:

Based on the correspondence from NYC OER dated October 27, 2023, the proposed renovation project will not be subject to the E-142 Air Quality E-Designation requirements, as the rooftop unit replacements are in-kind in terms of location and the proposed design does not include stacks.

An Air Quality Installation Report (IR) will not be submitted to NYC OER as this renovation project is not subject to the Air Quality E-Designation requirements (Section 2.1). Documentation (e.g., as-builts) that the rooftop units were replaced in-kind and the renovation did not include stacks will be included in the Noise IR

Description of Selected Remedy for Noise

The elements of the remedial action selected for Noise for the 533 WEST 19TH STREET site are as follows:

The Noise E-142 for Block 691 and Lot 15 requires the following: "in order to insure an acceptable interior noise environment, future commercial uses must provide a closed window condition with a minimum of 30 dB(A) window/wall attenuation, based on a recorded Max L₁₀ of 73.3 dBA. In order to maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, central air conditioning or air conditioning sleeves, or containing air conditioners."

The requirements of the E-Designation are as follows:

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

1. 25 dBA for all facades based on an allowed reduction of 5 dBA from the attenuation requirement outlined in the E-Designation.

The following windows will be installed:

Façade Floor Range	OITC Rating	OITC Certification	Manufacturer and Model	Glazing
South & East Facades Floor 2 Second Floor Windows	34 Glass Only 29 – with framing loss (required 25)	See ASTM E-90 acoustical test report RAL-TL98-40 for the glazing	Peerless Products Inc. G605 Fixed and Awning Window Assembly	1-5/16" IGU 1/4" – 1/2" air space – 9/16" laminated (1/4" – 0.06" PVB – 1/4")

Façade Floor Range	OITC Rating	OITC Certification	Manufacturer and Model	Glazing
Rooftop Floor 2 Skylights	34 Glass Only 29 – with framing loss (required 25)	See ASTM E-90 acoustical test report RAL-TL98-40 for the glazing	Linel Custom Thermally Broken, Aluminum Framed Skylight System.	1-5/16" IGU 1/4" – 1/2" air space – 9/16" laminated (1/4" – 0.06" PVB – 1/4")
South Façade Floor 1 Storefront	34 Glass Only 29 – with framing loss (required 25)	See ASTM E-90 acoustical test report RAL-TL98-40 for the glazing	PandaTS19	1-5/16" IGU 9/16" laminated (1/4" – 0.06" PVB – 1/4") – 1/2" air space – 1/4"

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

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 E-90 test on file for the specific window assemblies to be installed, a mockup will be laboratory tested as per ASTM E-90 to demonstrate compliance with the minimum OITC requirement. An Owner/Developer Commitment Letter is provided.

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.

Alternate Means of Ventilation

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. **Compliance with Mechanical Code:** Providing outside air to commercial spaces and common areas such as lobbies and corridors in accordance with the 2020 NYC Mechanical Code.

The remedies for Hazardous Materials, Air Quality, Noise E Designation described above conforms to the promulgated standards and criteria that are directly applicable, or that are relevant and appropriate and takes into consideration OER guidance, as appropriate.



12/19/2023

Date

Justin Holder
Project Manager

12/19/2023



Date

Maurizio Bertini, Ph.D.
Assistant Director

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