



**OFFICE OF ENVIRONMENTAL REMEDIATION**

100 Gold Street – 2<sup>nd</sup> Floor  
New York, New York 10038

**Daniel Walsh, Ph.D.**  
**Director**

Tel: (212) 788-8841

**NOTICE TO PROCEED**  
**DOB Job Number NB- 121190326**

August 4, 2016

Martin Rebholz, R.A.  
Manhattan Borough Commissioner  
NYC Department of Buildings  
280 Broadway, 3<sup>rd</sup> Floor  
New York, NY 10007

Re: 2306 3<sup>rd</sup> Avenue: 2306-2320 3<sup>rd</sup> Avenue, 173-179 East 125 Street, 170-174 East 126 Street, 173-179 Dr.  
Martin Luther King Jr Boulevard  
Manhattan Block 1774, Lot 33  
Hazardous Materials, Air Quality and Noise “E” Designation  
E-201: 4/30/2008 125th Street Corridor Rezoning and Related Actions – CEQR# 07 DCP 030M  
OER Project Number 13EHAN211M

Dear Commissioner Rebholz:

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 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 §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 Sarah Pong at 212-442-8342.

Sincerely,

Maurizio Bertini, Ph.D.  
Assistant Director

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Sarah Pong, PMA-OER



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**DECISION DOCUMENT**

**E-Designation Remedial Action Plan Approval**

August 4, 2016

**Re: 2306 3<sup>rd</sup> Avenue: 2306-2320 3<sup>rd</sup> Avenue, 173-179 East 125 Street, 170-174 East 126 Street, 173-179 Dr. Martin Luther King Jr Boulevard  
Manhattan Block 1774, Lot 33  
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The New York City Office of Environmental Remediation (OER) has completed its review of Remedial Action Plan (RAP) dated February 2016 and the Remedial Action Plan for Air Quality and Noise dated August 2016 for the above-referenced project.

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

**Project Description**

The Site is located at 2306 Third Avenue in the Harlem section in Manhattan, New York and is identified as Block 1774 and Lot 33 on the New York City Tax Map. The Site is an approximately 17,993-square foot lot and is bounded by East 126<sup>th</sup> Street to the north, East 125<sup>th</sup> Street to the south, Third Avenue to the east, and a low-rise commercial structure to the west. Currently, the Site is used by the Salvation Army for community services. The first floor of the existing structure is occupied by a gymnasium, soup kitchen, boiler room, chapel, food pantry, offices, and several storage closets; the second floor is occupied by classrooms.

The proposed future use of the Site will consist of the demolition of the existing two-story structure and construction of a new twelve (12) story building with a full cellar for the Salvation Army that will include community facility spaces, sleeping quarters, common areas for its residents and retail space. The proposed structure will occupy the entire lot and encompasses an approximately 17,920 square-foot footprint. The cellar will house mechanical spaces, back-of-house spaces, as well as locker rooms and a basketball court. The first floor use will include a church, residential and community facility offices. The second and third floors include classrooms and multi-purpose rooms. The fourth through eleventh floors will include sleeping quarters and the twelfth floor will include a dining room, solarium, and outdoor space for residents. To allow construction of the proposed structure, the Site will be excavated to a depth of approximately 12 feet bgs. The depth of groundwater at the Site is located approximately 13 feet bgs. The proposed Site excavation activities will generate approximately 8,000 cubic yards (12,000 tons) of material to be removed from the site. The current zoning designation is a C4-4D commercial district. The proposed use is consistent with existing zoning for the property.

**Statement of Purpose and Basis**

This document presents the remedial action for the E-Designation Program project known as “2306 3<sup>rd</sup> Avenue” 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 2306 3<sup>rd</sup> Avenue site is protective of public health and the environment. The elements of the selected remedy are as follows:

1. Performance of a Community Air Monitoring Program for particulates and volatile organic carbon compounds.
2. Establishment of Site-Specific Soil Cleanup Objectives (SCOs).
3. Site mobilization involving Site security setup, equipment mobilization, utility mark outs and marking & staking excavation areas.
4. 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).
5. Excavation and removal of soil/fill exceeding Site-Specific SCOs. The cellar will cover the full footprint of the site and will require excavation to a depth of 12 feet bgs. Approximately 12,000 tons of soil will be excavated and removed during redevelopment.
6. 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 onsite.
7. 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.
8. 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 onsite.
9. Removal of any underground storage tanks (USTs) that are encountered during soil/sill 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. Collection and analysis of end-point samples to determine the performance of the remedy with respect to attainment of SCOs.
11. Import of materials to be used for backfill and cover in compliance with this plan and in accordance with applicable laws and regulations.
12. Performance of all activities required for the remedial action, including permitting requirements and pretreatment requirements, in compliance with applicable laws and regulations.
13. Implementation of storm-water pollution prevention measures in compliance with applicable laws and regulations.
14. Construction of an engineered composite cover consisting of the building's new 36-60-inch thick concrete cellar slab with a 3-inch layer of clean granular sub-base beneath the slab.
15. Installation of a vapor barrier system consisting of vapor barrier/waterproofing 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 W.R. Grace & Co. Preprufe 300R (46 mil) or 160R (32 mil) waterproofing membrane. 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 RCR that the vapor barrier system was designed and properly installed to mitigate soil vapor migration into the building.
16. Submission of a Remedial Closure Report (RCR) 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 the RAP.
17. Submission of an approved Site Management Plan (SMP) in the RCR 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.
18. 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 RAP and a requirement that management of these 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 2306 3<sup>rd</sup> Avenue 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. Remaining systems, including PTAC Units on residential floors 4 through 11, will be powered electrically.

Each residential apartment on the 4<sup>th</sup> through 11<sup>th</sup> floors of the new building will be heated via hot water coils equipped within each PTAC unit, Islandaire Model EZNY07-16 or equivalent. Classrooms will be heated by perimeter finned tube radiation.

#### **Description of Selected Remedy for Noise**

The elements of the remedial action selected for Noise for the 2306 3<sup>rd</sup> Avenue site are as follows:

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

1. 38 dBA for South-Facing Residential/Classroom windows;
2. 33 dBA for South-Facing Commercial windows based on an allowed reduction of 5 dBA from the attenuation requirement outlined in the E-Designation;
3. 30 dBA for North, West & East-Facing and inner courtyard Residential/Classroom windows; and
4. 25 dBA for North, West & East-Facing and inner courtyard Commercial windows based on an allowed reduction of 5 dBA from the attenuation requirement outlined in the E-Designation.

The following window will be installed:

<b>Façade Floor Range</b>	<b>OITC Rating</b>	<b>OITC Certification</b>	<b>Manufacturer and Model</b>	<b>Glazing</b>
Southern Façade Residential Floors 4-11	42  (OITC 38 dBA full assembly required)	See ASTM E-90 lab acoustical report RAL- TL15-333 in Appendix I. Full assembly ASTM E- 90 lab test report for actual window system to be provided to OER prior to purchase or installation.	Window manufactured by Alumil or OER approved equivalent	<b><u>Unit 1</u></b> <b><u>Upper Glazing (Vent):</u></b> 1.91" IG [0.68" glazing, 0.73" air space, 0.5" glazing] + additional 0.4" laminated glass on receive side <b><u>Lower Glazing (Fixed):</u></b> 1.93" IG [0.67" glazing, 0.76" air space, 0.5" glazing] + additional 0.4" laminated glass on receive side  <b><u>Unit 2</u></b> <b><u>Upper and Lower</u></b> <b><u>Glazing (Fixed):</u></b> 1.93" IG [0.67" glazing, 0.76" air space, 0.5" glazing] + additional 0.4" laminated glass on receive side
Southern and Eastern Façades Commercial & Classroom (residential) Floors 1-3 and 12	minimum 37 (glazing only)  (OITC 38 dBA full assembly required)*	Glass only rating based on manufacturer data and architect's certification in Appendix I. Full assembly ASTM E-	Glass manufactured by Viracon  Framing by Graham 2500	1.375" IGU [0.3125" glass, 0.625" air space, 0.1875" glass, 0.060" PVB, 0.1875" glass] + additional 4.87" air space and 0.25" glass on receive

<b>Façade Floor Range</b>	<b>OITC Rating</b>	<b>OITC Certification</b>	<b>Manufacturer and Model</b>	<b>Glazing</b>
		90 lab test report to be provided to OER prior to purchase or installation.	Series Curtain Wall and Graham Integral Blind Unit	side
Northern, Eastern, Western Residential Floors 4-11	37  (OITC 30 dBA full assembly required)	See ASTM E-90 lab acoustical report RAL-TL15-326 in Appendix I. Full assembly ASTM E-90 lab test report for actual window system to be provided to OER prior to purchase or installation.	Window manufactured by Alumil or OER approved equivalent	<b><u>Unit 1</u></b> <b><u>Upper Glazing (Vent):</u></b> 1.87" IG [0.7" glazing, 0.67" air space, 0.5" glazing] <b><u>Lower Glazing (Fixed):</u></b> 1.94" IG [0.67" glazing, 0.77" air space, 0.5" glazing]  <b><u>Unit 2</u></b> <b><u>Upper and Lower Glazing (Fixed):</u></b> 1.94" IG [0.67" glazing, 0.77" air space, 0.5" glazing]
Northern and Western Facades Commercial & Classroom (residential) Floors 1-3 and 12	37 (glazing only)  (OITC 30 and 25 dBA full assembly required)	Glass only rating based on manufacturer data in Appendix I. Full assembly ASTM E-90 lab test report to be provided to OER prior to purchase or installation.	Glass manufactured by Viracon  Framing by Graham 2500 Series Curtain Wall and Graham Integral Blind Unit	1.375" IGU [0.3125" glass, 0.625" air space, 0.1875" glass, 0.060" PVB, 0.1875" glass]

\* The R.A. has certified that based on their experience, a window utilizing the specified glazing would achieve a minimum OITC rating of 38 dBA

Once performed, the acoustical reports described above will be representative of the acoustical performance of all proposed windows which will use the same glazing, gasket and frame as the tested windows and therefore expected to have the same OITC rating as the tested windows.

While the window manufacturer has not been selected at this time, the applicant commits to demonstrating that the selected product to be installed achieves the minimum OITC ratings outlined above. If the selected manufacturer does not have ASTM E-90 test data on file for the specific window assembly to be installed, a mock-up window will be laboratory tested as per ASTM E-90 to demonstrate compliance with the attenuation requirements. 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 cannot be compensated for with façade wall elements.

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 EZNY07-16 (or equivalent) PTAC units manufactured by Islandiare built into the window frame in each habitable room on residential Floors 4-11. Fresh outdoor air will be provided to all bedrooms and living rooms of each residential unit by the PTAC units. Heating will be supplied via hot water coils equipped within each PTAC unit. The PTAC units can be operated by user to provide outdoor air via a motorized fresh air damper. The outdoor airflow rate for each of the PTAC units is 72 CFM.
2. **Compliance with Mechanical Code:** Providing outside air to community spaces, classrooms, meeting room, fitness center, cafeteria, café, computer rooms, offices, house of worship, gymnasium, corridors (Cellar through Floor 3); public corridors (residential Floors 4-11); and cafeteria, kitchen, lobby and back of house spaces (Floor 12) in accordance with the 2014 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.

August 4, 2016

Date



Sarah Pong  
Project Manager

August 4, 2016

Date



Maurizio Bertini, Ph.D.  
Assistant Director

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