



**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: A1-321191358**

January 9, 2018

Re: 112 North 6<sup>th</sup> Street: 108-112 North 6<sup>th</sup> Street  
Brooklyn Block 2334, New Lot 20 (Former Lots 20, 21, and 22)  
Hazardous Materials "E" Designation  
E-138: 05/11/2005 – Greenpoint – Williamsburg Rezoning - CEQR 04DCP003K  
OER Project Number 17EHAZ212K / VCP Number 18CVCP019K / EPIC Number 17TMP0453K

Dear Brooklyn 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 that is 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 Colin Sullivan at 212-341-2082.

Sincerely,

Shaminder Chawla  
Deputy Director

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**DECISION DOCUMENT**

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

January 9, 2018

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Hazardous Materials “E” Designation  
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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 December 2017 with Stipulation Letter dated December 19, 2017 for the above-referenced project.

The Plan was 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 December 6, 2017. There were no public comments. NYSDEC and NYSDOH were briefed on this project on November 20<sup>th</sup>, 2017.

**Project Description**

The proposed future use of the Site will consist of a 2-story commercial building with a basement. The current on-site buildings will be gut renovated; upper floors, formerly utilized for residential use, will be demolished and the Site will be redeveloped as retail stores. The footprint of the current structures will not be altered. The building will occupy 95% of the Site with the currently present concrete-paved rear area taking up the remainder of the Site. It should be noted that currently only Lot 22 of the Site has an E-Designation (E-138) for hazardous materials as a result of rezoning of the general surrounding area for the Greenpoint-Williamsburg Rezoning action (CEQR #14DCP003K). The three tax lots will be merged into one tax lot; tentative Tax Lot 20. Minor excavation of approximately 5 feet below grade for construction of an elevator pit and minor excavation of approximately 4 feet below grade for installation of new footings will take place at Lot 22, minor excavation across the entire lot footprint of approximately 3 feet below grade will take place at Lots 20 and 21 to raise the cellar height from 9'-0" to approximately 11'-6", and minor excavation of 5 feet below grade will take place for the installation of an elevator pit on Lot 21. Additionally, minor excavation of approximately another foot will take place for installation of new footings across Lots 20 and 21 (i.e. footings will be immediately below the new slab). An estimated total of 550-650 cubic yards of soil will be generated during the excavation activities. The groundwater table beneath the Site is approximately 23-25 feet below grade surface (bgs), therefore, dewatering is not planned as part of the construction.

The current zoning designation is M1-2/R6A. The proposed use is consistent with existing zoning for the property.

**Statement of Purpose and Basis**

This document presents the remedial action for the NYC Voluntary Cleanup Program and E-Designation project known as “112 North 6<sup>th</sup> Street” 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 Description of Selected Remedy**


The remedial action selected for the 112 North 6<sup>th</sup> Street 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. Establishment of Track 4 Site-specific Soil Cleanup Objectives (SCOs).
4. Site mobilization involving Site security setup, equipment mobilization, utility mark outs and marking & staking excavation areas.
5. Excavation and removal of soil/fill exceeding Track 4 Site Specific SCOs. The entire footprint of Lots 20 and 21 will be excavated to a depth of approximately 3 feet below cellar grade for development purposes, and small portions will be excavated another foot (total of 4 feet bgs) for installation of new footings. A small portion of property will be excavated to the depths of 5 feet below grade for elevator pit(s). Minor excavation of approximately 5 feet below grade for construction of an elevator pit and minor excavation of approximately 4 feet below grade for installation of new footings will take place at Lot 22. A hotspot identified at SB-1 on Lot 22 will be excavated to meet Track 4 SCOs for mercury. Estimated 825 to 975 tons of soil/fill will be excavated and removed from this Site.
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 on-Site.
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. 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.
9. 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.
10. Collection and analysis of five end-point samples to determine the performance of the remedy with respect to attainment of SCOs. The endpoint in location SB-1 will serve as a hotspot delineation sample and endpoint sample. In addition, four sidewall samples will be taken around SB-1 to delineate hotspot.
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. Construction of an engineered composite cover consisting of 6 inches of reinforced concrete slab underlain by 6 inches of clean sub-base material over compacted soil. The composite cover will cover the entirety of the cellars on Lots 20 and 21 and the partial cellar on Lot 22. The existing ground floor slab of Lot 22 will remain in place.
13. 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 Florprufe 120 by W.R. Grace & Co., or approved equal below the slab throughout the full building area in the cellars of lots 20 and 21 and in the partial cellar of Lot 22 and, 32-mil Preprufe 160R by W.R. Grace & Co., or spray applied waterproofing or approved equal behind any foundations walls to be built (i.e. for stairs) and below and behind the walls of the new elevator pit. Retro-Coat<sup>TM</sup> vapor intrusion coating system will be installed over the existing ground floor slab of Lot 22. Prior to installation of this system, a light grind and cleaning of the existing concrete slab will be performed in preparation for the Retro-Coat installation per manufacturer's specifications. One coat of primer and two coats of Retro-Coat will be installed over the existing ground floor slab of Lot 22. 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.
14. 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.
15. Implementation of storm-water pollution prevention measures in compliance with applicable laws and regulations.

16. Submission of a Remedial Action Report (RAR) that describes the remedial activities, certifies that the remedial requirements have been achieved, defines the Site boundaries, lists any changes from this RAWP, and describes all Engineering and Institutional Controls to be implemented at the Site.
17. 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.
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 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.

The remedy for Hazardous Materials 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.

<u>1/9/2018</u> Date	 _____ Colin Sullivan Project Manager
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<u>1/9/2018</u> Date	 _____ Shaminder Chawla Deputy Director
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