



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-321042331

October 31, 2016

Ira Gluckman, R.A.
Brooklyn Borough Commissioner
NYC Department of Buildings
210 Joralemon Street, 8th Floor
Brooklyn, NY 11201

Re: 573-581 4th Avenue
Brooklyn Block 1052, Lots 1, 2, 4, 5, 6, 81, 82 (future Lot 5)
Hazardous Materials, Air Quality and Noise “E” Designation
E-152: 11/16/2005 South Park Slope Rezoning – CEQR# 06 DCP 014K
OER Project Number 15EHAN003K / VCP 17CVCP030K


Dear Commissioner Gluckman:

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 and Noise 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,


Shaminder Chawla
Deputy Director

cc: David Ennis, The Daten Group – david@datengroup.com
Karl Fischer, R.A. – karl@kfarchitect.com
Kevin Brussee, EBC – kbrussee@ebcincny.com
Daniel Walsh, Zach Schreiber, Maurizio Bertini, Hannah Moore
Sarah Pong, PMA-OER



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DECISION DOCUMENT
NYC VCP and E-Designation
Remedial Action Work Plan Approval

October 31, 2016

Re: 573-581 4th Avenue
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The New York City Office of Environmental Remediation (OER) has completed its review of Remedial Action Work Plan (RAWP) dated October 2016 with Stipulation Letter dated October 24, 2016 and the Remedial Action Plan for Noise dated October 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 November 13, 2016. Any public comments that require changes to the RAWP will be addressed prior to commencement of the remedial action. NYS DEC was briefed on the site in October 2016.

Project Description

The Site is located at 573-581 4th Avenue in the Park Slope section of the Borough of Kings, New York, and is currently identified as Block 1052 and Lots 1, 2, 4, 5, 6, 81 and 82 (future Lot 5) on the New York City Tax Map. The Site is located on the northeast corner of the intersection of Prospect Avenue and 4th Avenue. The Site consists of 160.28 feet of street frontage on Prospect Avenue and 105.33 feet of street frontage on 4th Avenue for a total of approximately 17,421 ft². The Site is bordered by two churches and multiple 3-story row houses to the north, 4th Avenue to the west, several houses to the east, and Prospect Avenue to the south. All of the buildings constructed at the Site are currently being demolished. Lots 1, 2, 4, and 5 (front 4th Avenue) were developed with one/two story commercial buildings used most recently for check cashing, auto repair, auto glass repair, and office space. A 2.5-story house was constructed on Lot 82, and Lot 81 consisted of two residential buildings and a 2-story manufacturing building (rear of lot). Lot 6 was developed with a 2-story commercial building used as an auto repair shop on the first floor, and residential space on the 2nd floor.

The development project consists of redeveloping the Site with a new 10-story apartment building with 1st floor commercial space on the corner of Prospect Avenue and 4th Avenue. The building will occupy the entire footprint of the Site. A cellar level that will require excavation to approximately 11ft will be constructed across all of Lots 1, 2, 4, 5 and 6 (western half of site) and will consist of an 1,841 ft² commercial storage room, 928 ft² recreation room, 676 ft² play room, 789 ft² gym, 221 ft² music room, and the building’s meter rooms and utility rooms. The first floor above the cellar will consist of a 4,646 ft² (gross) commercial space, the residential lobby, and two apartments. The remainder of first floor across Lots 81 and 82 (eastern half of site) will consist of slab-on grade construction for an enclosed parking garage. Approximately 3,750 cubic yards (cy) (5,625 tons) of soil will be excavated for the building’s cellar, and an additional 600 cy (900 tons) of soil will be excavated from the remainder of the Site to a depth of approximately 2 feet below grade to construct the slab-on-grade parking garage. The water table is approximately 40 feet below grade surface (bgs) and therefore, will not be encountered

during excavation. The current primary zoning designation is R8-A with a C2-4 commercial overlay. 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 Program project known as “573-581 4th 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 573-581 4th Avenue 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. 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;
5. Site mobilization involving Site security setup, equipment mobilization, utility mark outs and marking & staking excavation areas;
6. Excavation and removal of soil/fill exceeding Track 4 Site-Specific SCOs. For development purposes, the new cellar level on Lots 1, 2, 4, 5 and 6 (50% of the Site) will require excavation to a depth of 11 feet and the remainder of the site will be excavated to a depth of 2 feet for the slab-on-grade garage. The new building will have an elevator which will require excavation to a depth of 16 feet. A hotspot located at SB3 will also be excavated to a depth of 2 feet. An estimated 3,750 cubic yards (5,625 tons) of soil will be removed from the Site and property disposed of 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;
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 underground storage tanks 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;
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 seven end-point samples (EP1 – EP7) across the building footprint a to determine the performance of the remedy with respect to attainment of SCOs;
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/around the elevator pit(s), below the cellar slab and behind all cellar foundation walls to grade, and below the concrete slab of the enclosed parking garage. The vapor barrier will consist of the Raven Industries VaporBlock PlusTM VBP20 or an equivalent system. 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. Installation of an active sub-slab depressurization systems (SSDS), consisting of two loops of horizontal perforated pipe installed within a gas permeable layer immediately beneath the vapor barrier system in the cellar level. Each loop consists of fabric wrapped, perforated schedule 40 4-inch PVC pipe connected to a 6-inch cast iron riser pipe that penetrates the slab and travels through the building to the roof. The gas permeable layer will consist of a 6-inch thick layer of ¾ inch blue stone. The active SSDS will be

hardwired and will include a RadonAway RP265 blower installed above the parking garage roof and a pressure gauge and alarm located in an accessible area in the cellar. The active SSDS is an Engineering Control for the remedial action. The remedial engineer will certify in the RAR that the active SSDS was designed and properly installed to establish a vacuum in the gas permeable layer and a negative (decreasing outward) pressure gradient across the building slab to prevent 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. Construction and maintenance of an engineered composite cover consisting of a 4 inch thick concrete cellar slab and 6 inch thick slab-on grade parking garage to prevent human exposure to residual soil/fill remaining at the Site;
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 permitting requirements and 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 describes all Engineering and Institutional Controls to be implemented at the Site, and lists any changes from this RAWP; and
20. Submission of an approved Site Management Plan (SMP) in the Remedial Action Report 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.
21. 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.

Description of Selected Remedy for Air Quality

The elements of the remedial action selected for Air Quality for the 573-581 4th Avenue site are as follows:

Hot water for each apartment will be provided by Armor X2 Water Heaters (model AWN1300PM) as manufactured by Lochinvar which will be installed in a rooftop mechanical room.

Each residential unit will be provided with cooling and heating by water source heat pump systems with cooling tower installed on the roof and boiler installed in the roof boiler room. The two cooling towers installed on the roof will be Baltimore Aircoil Company model VES15E-1285-07JN. The three gas fired boilers installed within the roof boiler room will be Lochinvar Model #FBN-1501. The condenser water will be pumped to multiple water source heat pumps installed within each unit.

A natural gas fired make-up air unit (Aaon Model RN-025) will be installed on the roof to provide outdoor air to each public corridor on each residential floor.

Description of Selected Remedy for Noise

The elements of the remedial action selected for Noise for the 573-581 4th 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. 35 dBA on all façades

The following window will be installed:

Façade Floor Range	OITC Rating	OITC Certification	Manufacturer and Model	Glazing
1st-11th Floors All Facades (Residential & Commercial)	35	See ASTM E90 Sound Transmission loss Test Report (D1170.01-113-11) in Appendix E.	Series/Model CS68 Tilt-Turn Window manufactured by Reynaers Aluminum Systems, LTD	1-9/16" IG (1/2" laminated exterior, 3/4" air space, 5/16" laminated interior)
1st Floor 4 th Avenue, Prospect Avenue, and east and north Facades (Commercial) 2-8 th Floors – 4 th Avenue, north Façade (Residential)	35	See ASTM E90 Sound Transmission loss Test Report (D1170.01-113-11) in Appendix E. The referenced laboratory test is sufficiently representative of the attenuation performance of the door.	Series/Model CS68 Door manufactured by Reynaers Aluminum Systems, LTD	1-9/16" IG (1/2" laminated exterior, 3/4" air space, 5/16" laminated interior)

The acoustical reports described above are representative of the acoustical performance of all proposed windows/doors/curtain walls. The acoustical report for the Series/Model CS68 Tilt-Turn Window manufactured by Reynaers is representative of the acoustical performance of the Series/Model CS68 Door manufactured by Reynaers. The Series/Model CS68 doors have the same glazing and frame/construction as the Series/Model CS68 Tilt-Turn Window as described in a letter from the manufacturer of the window and door systems.

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:** Installing Ventalis ventilation units manufactured by Reynaers Aluminum N.V. in each bedroom and living room at a rate of one Ventalis ventilation unit per room. Fresh air will be provided to all bedrooms and living rooms by the Ventalis ventilation units.
2. **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.

October 31, 2016

Date



Sarah Pong
Project Manager

October 31, 2016

Date



Shaminder Chawla
Deputy Director

October 31, 2016

Date



Maurizio Bertini, Ph.D.
Assistant Director

cc: David Ennis, The Daten Group – david@datengroup.com
Karl Fischer, R.A. – karl@kfarchitect.com
Kevin Brussee, EBC – kbrussee@ebcincny.com
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Sarah Pong, PMA-OER