



**OFFICE OF ENVIRONMENTAL REMEDIATION**

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**Shaminder Chawla**  
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**DECISION DOCUMENT**  
**NYC VCP Remedial Action Work Plan Approval**

November 20, 2024

Re: 390 Nostrand Avenue  
Brooklyn Block 1812, Lots 42  
OER Project Number 24CVCP009K

The New York City Office of Environmental Remediation (OER) has completed its review of the Remedial Action Work Plan (RAWP) dated May 30, 2024, with Stipulation Letter dated July 16, 2024, for the above-referenced project.

The Plan was submitted to OER under the NYC Voluntary Cleanup Program. The RAWP was released for public comment for 30 days as required by program rule. That comment period ended on 07/05/2024. There were no public comments.

**Project Description**

The planned site renovations will not change the current use. The current zoning designation is R6A residential use on the west portion of the property with a C2-4 commercial overly on the eastern extent. The proposed current and future use is consistent with existing zoning for the property.

Current renovation plans include renovation to all units (new kitchens, baths, countertops, cabinets, flooring, painting), renovation of interior common areas, renovation of 5% of units for compliance with Uniform Federal Accessibility Standards (UFAS), extensive repair and cosmetic alterations to the building facade, landscaping improvements for a new open-space recreational area, rehabilitation of the existing 1st floor tenant storage and demolition of two loading platforms at the southern end of the building. The proposed renovations are not anticipated to breach the cellar slab.

**Statement of Purpose and Basis**

This document presents the remedial action for the NYC Voluntary Cleanup Program project known as “390 Nostrand Avenue” pursuant to Title 43 of the Rules of the City of New York Chapter 14, Subchapter 1 and §43-1474 of the Rules of the City of New York.

**Description of Selected Remedy:**

The proposed remedial action will consist of:

1. Site mobilization involving equipment mobilization, utility mark outs, and marking out excavation areas.
2. Performance of a Community Air Monitoring Program (CAMP) for particulates and volatile organic carbon compounds.
3. Collection of waste characterization samples from trench excavations. Sample results will be used to facilitate approval of soil/fill disposal at permitted facilities.
4. Excavation and off-site disposal of approximately 40 cubic yards of soil/fill to be generated as part of the SSDS construction.


5. Screening of excavated soil/fill during intrusive work for indications of contamination by visual means, odor, and monitoring with a photoionization detector (PID) and appropriate segregation of excavated waste streams.
6. Management of excavated materials including temporarily stockpiling and segregating waste in accordance with defined material types and to prevent co-mingling of contaminated material and non-contaminated materials.
7. Transportation and off-site disposal of excess soil/fill material at licensed or permitted facilities in accordance with applicable laws and regulations for handling, transport, and disposal, and this plan.
8. Import of materials to be used for backfill and cover in compliance with this plan and in accordance with applicable laws and regulations.
9. Installation of an active SSDS consisting of a series of about 24 depressurization pits beneath the building slab connected to four roof-mounted blowers. Vacuum monitoring points will be installed in the building slab to verify SSDS performance. The active SSDS is an Engineering Control for the remedial action. The remedial engineer will certify in the Remedial Action Report (RAR) that the active SSDS was designed and installed to establish a vacuum in the subsurface and a negative pressure gradient across the building slab to prevent vapor migration into the building.
10. The site cover system (building slab and exterior areas) will be inspected for any significant breaches and any that are identified will be sealed. The site cover is an Engineering Control for the Remedial Action. The remedial engineer will certify in the RAR that the site cover system was properly sealed.
11. 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.
12. Submission of a 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.
13. 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.
14. Recording of a Declaration of Covenants and Restrictions that includes a listing of Engineering Controls and Institutional Controls 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 remedies for the 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.

11/20/2024  
Date

  
Narjis Rachad  
Project Manager

11/20/2024  
Date

  
Shaminder Chawla  
Acting Director

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