



**OFFICE OF ENVIRONMENTAL REMEDIATION**

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

**Mark P. McIntyre, Esq.**  
**Director**

Tel: (212) 788-8841

**NOTICE TO PROCEED**  
**DOB Job Number NB 210178449**

December 17, 2018

Re: 1215 SPOFFORD AVENUE: 707 Barretto Street, 1201 – 1231 Spofford Avenue, 700 – 722 Tiffany Street (aka The Peninsula Building 1A)  
Bronx Block 2738, p/o Lot 35 (Tentative Lot 36)  
Hazardous Materials, Air Quality, and Noise “E” Designation  
E-451: Spofford Campus Redevelopment - CEQR 17DME001X - 3/21/2018  
OER Project Number 18EHAN451X, NYSDEC BCP Site No. C203097

Dear Bronx 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 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 NYSDEC approved Hazardous Materials remedial action work plan and NYSDEC issued Decision Document. Applicant has also submitted 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 Isabel McRae at 212-341-2034.

Sincerely,

Shaminder Chawla  
Deputy Director

cc: RORY MELVIN, NYC EDC - OPERATIONS@EDC.NYC  
Claire Weisz, WXY Architecture + Urban Design, claire@wxystudio.com  
Frank Cherena, Roux Associates, Inc. - fcherena@rouxinc.com  
Mark McIntyre, Zach Schreiber, Maurizio Bertini, Sarah Pong  
Isabel McRae, PMA-OER



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**DECISION DOCUMENT**

**E-Designation Remedial Action Work Plan Approval**

December 18, 2018

Re: 1215 SPOFFORD AVENUE: 707 Barretto Street, 1201 – 1231 Spofford Avenue, 700 – 722 Tiffany Street (aka The Peninsula Phase 1A)  
Bronx Block 2738, p/o Lot 35 (Tentative Lot 36)  
Hazardous Materials, Air Quality, and Noise “E” Designation  
E-451: Spofford Campus Redevelopment - CEQR 17DME001X - 3/21/2018  
OER Project Number 18EHAN451X, NYSDEC BCP Site No. C203097

The New York City Office of Environmental Remediation (OER) has received the Remedial Action Work Plan (RAWP) dated December 14, 2018 submitted to the New York State Department of Environmental Conservation (NYSDEC) with the NYSDEC Decision Document dated December 2018 and reviewed the Remedial Action Plan for Air Quality and Noise dated December 2018 for the above-referenced project.

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

**Project Description**

Building 1A, at 1215 Spofford Ave, will be a newly constructed 2-story mixed light industrial and commercial building with a partial cellar located at the intersection of Tiffany Street and Spofford Avenue. The building will be used for accessory and mechanical space on the cellar level, light-industrial and commercial space, and lobby space on the ground floor. It is anticipated that Building 1A will contain five to seven tenants with entrances on Spofford Avenue and Tiffany Street.

**Statement of Purpose and Basis**

This document presents the remedial action for the E-Designation Program project known as “1221 SPOFFORD 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 1215 SPOFFORD AVENUE site is protective of public health and the environment. The elements of the NYSDEC selected remedy are as follows:

1. A remedial design program will be implemented to provide the details necessary for the construction, operation, optimization, maintenance, and monitoring of the remedial program.
2. Excavation and off-site disposal of all on-site soils which exceed unrestricted soil cleanup objectives (SCOs), as defined by 6 NYCRR Part 375-6.8. If a Track 1 cleanup is achieved, a site cover will not be a required element of the remedy.
3. Dewatering will be performed to facilitate the excavation. Contaminated groundwater from dewatering operations will be treated as necessary prior to discharge to the municipal sewer system.
4. On-site soil which does not exceed unrestricted SCOs criteria may be used backfill approximately 1,000 cubic yards of excavation. Clean fill meeting the requirements of 6 NYCRR Part 375-6.7(d) will be brought in to replace approximately 11,230 cubic yards of the excavated soil and establish the designed grades at the site.
5. As a contingency, in-situ chemical oxidation (ISCO) will be implemented to treat contaminants in saturated soil and groundwater below excavation limits if the SCOs cannot be achieved.
6. As part of the Track 1 remedy, a soil vapor intrusion evaluation will be completed.

7. These remedy components might be changed by NYSDEC during implementation.

#### **Description of Selected Remedy for Air Quality**

The elements of the remedial action selected for Air Quality for the 1221 SPOFFORD 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. No cogeneration is included in this development.

In addition, the exhaust vent(s) for all combustion sources (e.g., brew kettles, grain dryers) will be located a minimum of 45 feet away from any operable windows or air intakes on the nearest façade of Building 1B. In addition, the closest cooking and oven exhaust vent will be located 99'-8" away from any operable windows or air intakes on the nearest façade of Building 1B.

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

The elements of the remedial action selected for Noise for the 1221 SPOFFORD 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. 28 dBA in the commercial space along Tiffany Street (west façade) based on an allowed reduction of 5 dBA from the attenuation requirement outlined in the E-Designation;
2. 23 dBA in the commercial space along Spofford Avenue (south façade) based on an allowed reduction of 5 dBA from the attenuation requirement outlined in the E-Designation;

The following window(s) will be installed:

<b>Façade Floor Range</b>	<b>OITC Rating</b>	<b>OITC Certification</b>	<b>Manufacturer and Model</b>	<b>Glazing</b>
Building 1A South Façade (Spofford Ave.) and West Façade (Tiffany St) Commercial	29	Window ASTM E-90 Lab Test Report to be provided to OER prior to purchase and installation. See guide specs in Appendix H.	Kawneer 1620 CW System	1/4" lam. – 1/2" air space – 1/4" lam.

The acoustical reports described above are representative of the acoustical performance of all proposed windows/doors/curtain walls. Color coded elevations and the labeled window schedule attached in Appendix H show the locations of the window/door types.

In addition, Alternate Means of Ventilation (AMV) will be installed in order to maintain a closed window condition. The building will be used for accessory and mechanical space on the cellar level, light-industrial and commercial space, and lobby space on the ground floor. The Project Sponsors will be providing a core and shell along with ventilation provisions including louvers, and fresh air ductwork connections as depicted in Appendix I. The tenants will be responsible for designing and providing the remainder of the ventilation components. It is anticipated that the AMV for this project will be achieved by:

**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, 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.

December 18, 2018

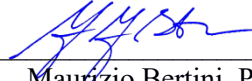
Date



Isabel McRae  
Project Manager

December 18, 2018

Date



Maurizio Bertini, Ph.D.  
Assistant Director

December 18, 2018

Date



Shaminder Chawla  
Deputy Director

cc: RORY MELVIN, NYC EDC - OPERATIONS@EDC.NYC  
Claire Weisz, WXY Architecture + Urban Design, claire@wxystudio.com  
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**NOTICE TO PROCEED**  
**DOB Job Number NB 210178500**

March 14, 2019

Re: 1201 SPOFFORD AVENUE: 707 Barretto Street, 1201 – 1231 Spofford Avenue, 700 – 722 Tiffany Street (aka The Peninsula Building)  
Bronx Block 2738, Lot 35 and Block 2763, p/o Lots 1, 2, & 29 (Tentative Block 2738 Lot 37)  
Hazardous Materials, Air Quality, and Noise “E” Designation  
E-451: Spofford Campus Redevelopment - CEQR 17DME001X - 3/21/2018  
OER Project Number 18EHAN451X, NYSDEC BCP Site No. C203097

Dear Bronx Borough Commissioner:

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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 Isabel McRae at 212-341-2034.

Sincerely,

Maurizio Bertini, Ph.D.  
Assistant Director

cc: RORY MELVIN, NYC EDC - OPERATIONS@EDC.NYC  
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Tel: (212) 788-8841

**DECISION DOCUMENT**

**E-Designation Remedial Action Work Plan Approval**

March 14, 2019

Re: 1201 SPOFFORD AVENUE: 707 Barretto Street, 1201 – 1231 Spofford Avenue, 700 – 722 Tiffany Street (aka The Peninsula Building)  
Bronx Block 2738, Lot 35 and Block 2763, p/o Lots 1, 2, & 29 (Tentative Block 2738 Lot 37)  
Hazardous Materials, Air Quality, and Noise “E” Designation  
E-451: Spofford Campus Redevelopment - CEQR 17DME001X - 3/21/2018  
OER Project Number 18EHAN451X, NYSDEC BCP Site No. C203097

The New York City Office of Environmental Remediation (OER) has received the Remedial Action Work Plan (RAWP) dated December 14, 2018 submitted to the New York State Department of Environmental Conservation (NYSDEC) with the NYSDEC Decision Document dated December 2018 and reviewed the Remedial Action Plan for Air Quality and Noise dated March 2019 for the above-referenced project.

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

**Project Description**

Building 1B, at 720 Tiffany Street, will be a newly constructed 14-story mixed commercial, community facility, and residential building located on Tiffany Street, at the northwest corner of the site. It will contain 184 residential dwelling units. On the first and second floors will be retail and community facility uses and 100% affordable dwelling units on the upper floors.

**Statement of Purpose and Basis**

This document presents the remedial action for the E-Designation Program project known as “1221 SPOFFORD 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 1201 SPOFFORD AVENUE site is protective of public health and the environment. The elements of the NYSDEC selected remedy are as follows:

1. A remedial design program will be implemented to provide the details necessary for the construction, operation, optimization, maintenance, and monitoring of the remedial program.
2. Excavation and off-site disposal of all on-site soils which exceed unrestricted soil cleanup objectives (SCOs), as defined by 6 NYCRR Part 375-6.8. If a Track 1 cleanup is achieved, a site cover will not be a required element of the remedy.
3. Dewatering will be performed to facilitate the excavation. Contaminated groundwater from dewatering operations will be treated as necessary prior to discharge to the municipal sewer system.
4. On-site soil which does not exceed unrestricted SCOs criteria may be used backfill approximately 1,000 cubic yards of excavation. Clean fill meeting the requirements of 6 NYCRR Part 375-6.7(d) will be brought in to replace approximately 11,230 cubic yards of the excavated soil and establish the designed grades at the site.
5. As a contingency, in-situ chemical oxidation (ISCO) will be implemented to treat contaminants in saturated soil and groundwater below excavation limits if the SCOs cannot be achieved.
6. As part of the Track 1 remedy, a soil vapor intrusion evaluation will be completed.
7. These remedy components might be changed by NYSDEC during implementation.

### **Description of Selected Remedy for Air Quality**

The elements of the remedial action selected for Air Quality for the 1221 SPOFFORD AVENUE site are as follows:

In order to satisfy the requirements of the E-designation, fossil fuel-fired combustion systems will utilize only natural gas. The natural gas-fired cogeneration system will utilize 65 kW microturbine(s), which is above the 35kW limit imposed by the E-Designation. A Supplemental Air Quality Analysis was provided to OER to demonstrate that the proposed design satisfies air quality impact criteria as per the NYC CEQR Technical Manual. The Supplemental Air Quality Analysis, included in Appendix D of the RAP, demonstrated that the operation of proposed microturbine and boiler systems would result in less emissions than those that were analyzed in the FEIS, and therefore, is acceptable. Correspondence from OER and the Lead Planning Agency accepting this proposed change to the E-designation requirement for air quality is attached in Appendix D of the RAP.

In addition, In order to satisfy the requirements of the E-Designation, fossil fuel-fired cogeneration system and heating and hot water equipment exhaust stacks are located at 166 feet above grade, and a minimum distance of 259'-2.25" away from any operable windows or air intakes on the upper levels of the nearest façade of Building 2B.

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

The elements of the remedial action selected for Noise for the 1221 SPOFFORD 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. 33 dBA for window/wall attenuation on the base 100 feet for residential/community facility uses on the western façade along Tiffany Street,
2. 31 dBA for elevations of 100 to 200 feet on the western façade along Tiffany Street,
3. 35 dBA window/wall attenuation on the base 100 feet on the eastern façade along the interior Play Area,
4. 31 dBA window/wall attenuation for elevations of 100 to 200 feet of the eastern façade along the interior Play Area,
5. 28 dBA in the commercial space along Tiffany Street based on an allowed reduction of 5 dBA from the attenuation requirement outlined in the E-Designation.

The following window(s) will be installed:

<b>Façade Floor Range</b>	<b>OITC Rating</b>	<b>OITC Certification</b>	<b>Manufacturer and Model</b>	<b>Glazing</b>
Building 1B West Façade and East Façade along interior play area  Residential/Community Facility	30 (East Composite 37/West Composite 34)	See test reports and composite window/ wall calculations in Appendix I.	REHAU Inc. 4500 tilt/turn casement window	1/4" - 7/8" air space – 3/16"
Building 1B West Façade (Tiffany St)  Commercial/Spaceworks Community Office Facility	30	Window ASTM E- 90 Lab Test Report to be provided to OER prior to purchase and installation.	SF Kawneer 451T	1/4" lam. – 1/2" air space – 1/4" lam.

The acoustical reports described above are representative of the acoustical performance of all proposed windows/doors/curtain walls. Color coded elevations and the labeled window schedule attached in Appendix H show the locations of the window/door types.

In addition, Alternate Means of Ventilation (AMV) will be installed in order to maintain a closed window condition. AMV for this project will be achieved by:

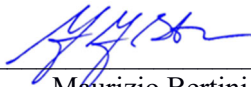
1. **Trickle Vents:** Installing Trimvent (SM405) trickle vents manufactured by Triton in all residential apartment windows. Fresh air will be provided to all bedrooms and living rooms by the trickle vents. Floor plans showing the locations of trickle vents are included in Appendix J. Manufacturer specifications for the trickle vents are included as Appendix K. A certified letter concerning the AMV is provided as Appendix L.
2. **Compliance with Mechanical Code:** Providing outside air to commercial spaces, community facilities, and common areas such as lobbies and corridors in accordance with the 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.

March 14, 2019  
Date

  
Isabel McRae  
Project Manager

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