



OFFICE OF ENVIRONMENTAL REMEDIATION

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Mark P. McIntyre, Esq.
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NOTICE TO PROCEED
DOB Job Number M00769995-11

June 27, 2023

Re: 738-742 Greenwich Street; 123-127 Perry Street
Manhattan Block 633, Lot 24
Hazardous Materials, Air Quality E Designation
E-431: West Village Houses Parking Authorization - CEQR 17DCP186M - 8/23/2017
OER Project Number 22EH-A173M / 23CVCP031M

Dear Manhattan 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 Subchapter 7 of Chapter 14 of Title 43 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 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 §43-1474 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 William Quinones at 212-788-2773.

Sincerely,

Maurizio Bertini, Ph.D.
Assistant Director

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DECISION DOCUMENT

NYC VCP, E-Designation Remedial Action Work Plan Approval

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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 March 2023, with Stipulation Letter dated May 15, 2023, and the Remedial Action Plan for Air Quality dated May 2023 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 ended on 03/27/2023. There were no public comments.

Project Description

The site is currently improved with a +/- 40,000 sq ft four story parking garage constructed in 1930 of fireproof steel and concrete. The site is within the Greenwich Village Historic District, which is a Designated Landmark District (LP-0489, Designated April 29, 1969).

The proposed future use of the Site will consist of replacing the existing structural system while preserving the existing landmarked façade. A new cellar, extending across the full Site, will have excavation depths of approximately 15 feet below land surface (ft bls), with an elevator pit to 20 ft bls. A new 5th floor penthouse will be added, as well as the creation of a new rear yard at the northwest corner of the Site. The proposed new use will be as a multifamily condominium with outdoor space on the first and fifth floors and rooftop, a common amenity space, and storage in the new cellar.

Statement of Purpose and Basis

This document presents the remedial action for the NYC Voluntary Cleanup Program and E-Designation Program project known as “738 Greenwich Street” pursuant to Title 43 of the Rules of the City of New York Chapter 14, Subchapter 1 and the Zoning Resolution and §43-1474 of the Rules of the City of New York.

Description of Selected Remedy for Hazardous Materials

The remedial action selected for the 738 Greenwich Street site is protective of public health and the environment. The elements of the selected remedy are as follows:

- Preparation of a Community Protection Statement and performance of all required New York City Voluntary Cleanup Program (NYC VCP) Citizen Participation activities according to an approved Citizen Participation Plan (CPP).
- Performance of a limited Community Air Monitoring Program (CAMP) for particulates and volatile organic carbon compounds.
- Establishment of Track 4 Site-specific Soil Cleanup Objectives (SCOs).

- Site mobilization involving Site security setup, equipment mobilization, utility mark outs, and marking and staking excavation areas.
- 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).
- Excavation and removal of soil/fill exceeding Track 4 Site Specific SCOs. The entire footprint of the Site (to the extent practicable) will be excavated to a depth of approximately 15 ft bls for development purposes. A small portion of Site will be excavated to 20 ft bls for placement of elevator pit(s). Although not expected, if any hotspot areas are identified during excavation, they will be removed to the extent practicable.
- Screening of excavated soil/fill during intrusive work for indications of contamination by visual means, odor, and monitoring with a photoionization detector (PID). Appropriate segregation of excavated media onsite.
- 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.
- Registration and removal of six (6) inactive and unregistered former gasoline USTs and one (1) inactive and unregistered former fuel oil UST from the north-central to northeastern portion of the Site, one (1) inactive oil/water separator and either one (1) additional inactive oil/water separator or one (1) hydraulic car lift. Registration of USTs, reporting of any petroleum spills associated with subsurface structures (if necessary), and appropriate closure of these petroleum spills in compliance with applicable local, State, and Federal laws and regulations will be performed.
- Transportation and offsite 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.
- Collection and analysis of end-point samples at the base of the excavation to confirm the performance of the remedy with respect to attainment of SCOs.
- Import of materials to be used for backfill and cover in compliance with this plan and in accordance with applicable laws and regulations.
- Construction of an engineered composite cover consisting of 5-inch-thick concrete building slab with 2-inch Extruded Polystyrene Rigid insulation or 2-inch mud slab on leveled, compacted soil across the entire site with crushed stone beneath the insulation in areas where groundwater is encountered.
- Installation of a waterproofing/vapor barrier system consisting of vapor barrier beneath the building slab and outside of all sub-grade foundation sidewalls to-grade to mitigate soil vapor migration into the building. The waterproofing/vapor barrier system will consist of a 70-mil Miraply H (or OER approved equal) waterproofing/vapor barrier membrane manufactured by Carlisle Coatings and Waterproofing below the entire cellar slab and Miraply V (or OER approved equal) outside all sub-grade foundation sidewalls. All welds, seams and penetrations will be properly sealed to prevent preferential pathways for vapor migration. The waterproofing/vapor barrier system is an Engineering Control for the remedial action. The remedial engineer will certify in the Remedial Action Report (RAR) that the vapor barrier system was designed and properly installed to mitigate soil vapor migration into the building.
- Performance of all activities required for the remedial action, including acquisition of required permits and attainment of pretreatment requirements, if necessary, in compliance with applicable laws and regulations.
- Limited dewatering in compliance with city, state, and federal laws and regulations. Extracted groundwater will either be containerized for offsite licensed or permitted disposal or will be treated under a permit from New York City Department of Environmental Protection (NYCDEP) to meet permit requirements prior to discharge to the sewer system. Based on the current sampling results, pretreatment is not expected to be required at this time.
- Implementation of stormwater pollution prevention measures in compliance with applicable laws and regulations.
- 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.

- 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.
- The property will continue to be registered with an E-Designation at the NYC Department of Buildings (DOB). Establishment of Engineering Controls and Institutional Controls (ECs/ICs) 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 as per standard OER procedures.

Description of Selected Remedy for Air Quality

The elements of the remedial action selected for Air Quality for the 738 Greenwich Street site are as follows: In order to satisfy the requirements of the E-designation, natural gas will be utilized at the site for hot water. Remaining systems, including space heating, HVAC systems, will be powered electrically.

In order to satisfy the requirements of the E-Designation, 2 stacks will be located on the roof. Stack 1 will be located 36'-6" from the north line of lot, 31'-7" from the east line of the lot, 50'-4" feet from the south line of the lot, and 81'-2" from the west line of the lot. The north lot line is closest to West 11th Street, the east lot line is closest to Greenwich Street, the south lot line is closest to Perry Street, the west lot line is closest to Washington Street.

Stack 2 will be located 35'-5" from the north line of lot, 31'-10" feet from the east line of the lot, 50'-8" from the south line of the lot, and 81'-3" from the west line of the lot. The north lot line is closest to West 11th Street, the east lot line is closest to Greenwich Street, the south lot line is closest to Perry Street, the west lot line is closest to Washington Street.

The remedies for Hazardous Materials, Air Quality 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.

06/27/2023

Date



William Quinones
Project Manager

06/27/2023

Date



Maurizio Bertini, Ph.D.
Assistant Director

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