



OFFICE OF ENVIRONMENTAL REMEDIATION

100 Gold Street – 2nd Floor
New York, New York 10038

Shaminder Chawla
Acting Director

Tel: (212) 788-8841

NOTICE TO PROCEED
DOB Job Number X00694310-11

October 4, 2023

Re: 711-713 East 214th Street
Bronx Block 4662, Lots 25 & 26
Hazardous Materials “E” Designation
E-279: Williamsbridge/ Baychester Rezoning - CEQR 11DCP148X - 10/5/2011
OER Project Number 23EHAZ192X / 24CVCP007X

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 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 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 §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 Shirley Chen at 212-341-2034.

Sincerely,

Shaminder Chawla
Acting Director

cc: Jack Klein, 303 Whyte Ave LLC - jack@bmanage.com
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DECISION DOCUMENT
NYC VCP & E-Designation
Remedial Action Work Plan Approval

October 4, 2023

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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 September 2023 with Stipulation Letter dated September 12, 2023 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 September 24, 2023. There were no public comments.

Project Description

The proposed redevelopment of the Site consists of the construction of a new 8-story residential building with a cellar level that will occupy the entire footprint of the lot. The cellar will consist of the electric meter room, water meter room, compactor room, laundry room, bicycle room, and parking lot attendant's office and restroom. The rear of the cellar will consist of parking accessible from a ramp along the west side of the building. The cellar level parking area will extend onto the west adjacent property, behind the existing building. The 1st floor will consist of the residential entrance, the parking garage ramp, and six residential apartments. A 2,254 SF recreational space will be constructed behind the building above the cellar level parking garage. The 2nd through 8th floors will consist of residential apartments.

Statement of Purpose and Basis

This document presents the remedial action for the NYC Voluntary Cleanup Program and E-Designation Program project known as "711-713 East 214th Street" pursuant to Title 43 of the Rules of the City of New York Chapter 14, Subchapter 7 and the Zoning Resolution and §43 - 1474 of the Rules of the City of New York.

Description of Selected Remedy

The remedial action selected for the 711-713 East 214th 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. 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.
6. The top of the cellar slab will be constructed at elevation 104.6' which will require excavation across the Site to a minimum elevation of 103.6', with deeper excavation to elevation 102.6' for footings and elevation 97.6' for the elevator pit. The top of the cellar slab of the existing building and the concrete slab in the rear yard courtyard behind the building is located at approximate elevation 106.5'. Therefore, excavation to a depth of at least 3 ft below existing cellar grade will be required in the area of the existing cellar and rear courtyard with additional deeper excavation to 4 ft below existing cellar grade for footings and 9 ft below existing cellar grade for the elevator pit. The areas of the Site that currently consist of the at-grade portions of the existing building (elevation 111') will require excavation to a depth of at least 7.5 ft below sidewalk grade (bsg) with deeper excavation to 8.5 ft bsg for footings. The redevelopment plans indicate the front brick cellar wall of the existing building will remain in place, which will require installation of three heel blocks. Excavation to elevation 99.5' (depth of 7 ft below existing cellar grade and 11.5 ft bsg for existing slab-on grade areas) will be performed for the three heel blocks. An estimated 1,200 cy (1,800 tons) of material will be excavated from the Site. The water table was encountered at approximately 10 ft bsg, therefore dewatering may be required during redevelopment.
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 (USTs) encountered during soil/fill removal actions. Registration of tanks and reporting of any petroleum spills associated with USTs 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 the Remedial Action Work Plan (RAWP);
11. Collection and analysis of six (6) site-wide post-excavation end-point samples to determine the performance of the remedy with respect to attainment of Track 4 Site-Specific SCO's. Of these endpoints, EP3 and EP5 will be collected at the base of excavation in the location of the two of the RI Soil samples that had an elevated lead concentration (SB-3 and SB-5).
12. Import of materials to be used for backfill and cover in compliance with the RAWP and in accordance with applicable laws and regulations;
13. Performance of all activities required for the remedial action, including permitting requirements and pretreatment requirements, in compliance with applicable laws and regulations;
14. Installation of a waterproofing/vapor barrier system beneath the entire building's footprint. The vapor barrier system installed below the cellar slab, below/around footings, below/around the elevator pit, and behind all cellar walls will consist of the Raven Industries VaporBlock Plus (VBP20) 20-mil vapor barrier. 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 Remedial Action Report (RAR) that the vapor barrier system was designed and properly installed to mitigate soil vapor migration into the building;
15. Construction and maintenance of an engineered composite cover consisting of the following to prevent human exposure to residual soil/fill remaining at the Site:
 - a. Concrete Cellar Slab – The entire Site will be capped with the new building's 6-inch-thick concrete cellar slab underlain with Raven Industries VaporBlock Plus (VBP20) 20-mil vapor barrier system (or OER- approved equivalent system) installed over a 6-inch layer of ¾" bluestone underlain with residual soil.
16. Performance of all activities required for the remedial action, including permitting requirements and pretreatment requirements, in compliance with applicable laws and regulations;
17. Dewatering will likely be required during excavation of the rear parking lot cellar area and will be performed in compliance with city, state, and federal laws and regulations. Extracted groundwater will either be containerized for off-site licensed or permitted disposal or will be treated under a permit from

New York City Department of Environmental Protection (NYCDEP) to meet pretreatment requirements prior to discharge to the sewer system.

18. Implementation of storm-water pollution prevention measures in compliance with applicable laws and regulations;
19. Submission of an approved Site Management Plan (SMP) in the Remedial Action Report (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.
20. 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 the RAWP;
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 the 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 the Hazardous Materials 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.

October 4, 2023



Date

Shirley Chen
Project Manager

October 4, 2023



Date

Shaminder Chawla
Acting Director

cc: Jack Klein, 303 Whyte Ave LLC - jack@bmanage.com
Shaye Schlesinger, B Contractors - shaye@bmanage.com
Nikolai Katz, R.A., Nikolai Katz Architect - nkatz@nkatz.com
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