



OFFICE OF ENVIRONMENTAL REMEDIATION

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DECISION DOCUMENT

NYC VCP and E-Designation Remedial Action Work Plan Approval

February 18, 2015

Re: 4729 Park Avenue
Bronx Block 3032, Lot 37
Hazardous Materials and Air Quality “E” Designation
E-255: **9/15/2010** Third Avenue/ East Tremont Avenue Rezoning- CEQR 10DCP043X
OER Project Number 14EH-A378X/VCP Number 15CVCP007X

The New York City Office of Environmental Remediation (OER) has completed its review of the Remedial Action Work Plan (RAWP) dated July 2014 with Stipulation Letter dated February 2015 and the Remedial Action Plan for Air Quality dated February 2015 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 August 24, 2014. There were no public comments.

Project Description

The proposed future use of the Site will consist of a new 12-story, mixed-use commercial and residential building with a full basement. The proposed development will involve an excavation to 19 feet below grade surface. The proposed elevator pit will be excavated to 24 feet bgs. The water table is located at 17.45 feet bgs. The current zoning designation is “C4-5X”. 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 project known as “4729 Park 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 Hazmat

The remedial action selected for the 4729 Park Avenue site is protective of public health and the environment. The elements of the selected remedy are as follows:

The proposed remedial action will consist of:

1. Preparation of a Community Protection Statement and performance of all required NYC VCP Citizen Participation activities according to Citizen Participation Plan.
2. Perform a Community Air Monitoring Program for particulates and volatile organic carbon compounds.

3. Establishment of Site Specific (Track 4) Soil Cleanup Objectives (SCOs).
4. Site mobilization involving Site security setup, equipment mobilization, utility mark outs and marking & staking excavation areas.
5. Excavation and removal of soil/fill exceeding SCOs. The entire property will be excavated to a final grade of 19 feet below ground surface. A small area (for elevator pit) will be excavated to 24 feet bgs. A total estimated 13,000 tons of soil will be excavated and removed from the property.
6. Screening of excavated soil/fill during intrusive work for indications of contamination by visual means, odor, and monitoring with a PID. Appropriate segregation of excavated media on-Site.
7. Removal of underground storage tanks (if encountered) and closure of petroleum spills (if evidence of a spill/leak is encountered during Site excavation) in compliance with applicable local, State and Federal laws and regulations.
8. 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.
9. Collection and analysis of end-point samples to determine the performance of the remedy with respect to attainment of SCOs.
10. Import of materials to be used for backfill and cover in compliance with this plan and in accordance with applicable laws and regulations.
11. Construction and maintenance of an engineered composite cover consisting of the concrete building slab to prevent human exposure to residual soil/fill remaining under the Site.
12. Installation of a vapor barrier/waterproofing system beneath the building slab and outside foundation sidewalls below grade. A vapor barrier consisting of Grace Preprufe® 300R membrane beneath the building slab and Grace Preprufe® 160R membrane behind the foundation walls.
13. Implementation of storm-water pollution prevention measures in compliance with applicable laws and regulations.
14. Performance of all activities required for the remedial action, including permitting requirements and pretreatment requirements, in compliance with applicable laws and regulations.

15. 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.
16. 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.
17. The property will continue to be registered with an E-Designation by 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 4729 Park Avenue site are as follows:

The Air Quality E-255 for Block 3032 and Lot 37 requires “Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 15 feet for oil No.4/2 from the lot line facing Webster Avenue and E 188 Street for fuel oil or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.”

In order to satisfy the requirements of E-255, natural gas and electricity will be utilized at the site.

The remedies for Hazardous Materials and Air Quality 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.

02/18/15

Date

Alysha Alfieri

Alysha Alfieri
Project Manager

2/18/15

Shaula Chalkin

Date

Shaminder Chawla
Deputy Director

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Date

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