OFFICE OF ENVIRONMENTAL REMEDIATION
100 Gold Street – 2nd Floor
New York, New York 10038

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NOTICE TO PROCEED
DOB Job Number NB 121207773

April 29, 2022

Re: 1700 Park Avenue; 72 East 120th Street
Manhattan Block 1746, Lot 33
Hazardous Materials, Air Quality, and Noise "E" Designation
E-422: East Harlem Rezoning - CEQR 17DCP048M - 11/30/2017
OER Project Number 20EHAN255M

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 Numbers. 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, 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 §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 Samantha Catalanotto at 212-788-2676.

Sincerely,

Maurizio Bertini, Ph.D.
Assistant Director

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DECISION DOCUMENT
E-Designation
Remedial Action Work Plan Approval

April 29, 2022

Re: 700 Park Avenue; 72 East 120th Street
Manhattan Block 1746, Lot 33
Hazardous Materials, Air Quality, and Noise "E" Designation
E-422: East Harlem Rezoning - CEQR 17DCP048M - 11/30/2017
OER Project Number 20EHAN255M

The New York City Office of Environmental Remediation (OER) has completed its review of the Remedial Action Work Plan (RAWP) dated April 2022 and the Remedial Action Plan for Air Quality and Noise dated March 2022 for the above-referenced project.

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

Project Description
The proposed future use of the Site will consist of a new twenty-story mixed-use commercial and residential building with affordable and market rate housing units throughout, parking garages on the first and second floors, a lower terrace, and a roof bulkhead. The new building will also include a partial cellar that spans part of the building footprint on the northeast side of the Site and will feature residential amenities and utility rooms (gas, electric, trash compactor, stormwater detention tank, etc.). A pit for a car elevator will be constructed on the northwest portion of the Site. Total internal gross square footage is calculated to be 247,538 square feet which includes 52 affordable housing units under the 421-a and Mandatory Inclusionary Housing programs, as well as 156 market rate residential units. The overall footprint of the new building will be approximately 20,183 square feet. The cellar will extend to approximately 11 feet below land surface (ft bls), relative to the current grade of the Site. The pit for the car elevator will extend approximately 4.5 feet below grade. The remaining portion of the Site will contain a slab-on-grade foundation level with the existing grade.

Statement of Purpose and Basis
This document presents the remedial action for the E-Designation Program project known as "1700 Park 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 1700 Park Avenue site is protective of public health and the environment. The elements of the selected remedy are as follows:

1. Performance of a Community Air Monitoring Program (CAMP) for particulates and volatile organic carbon compounds.
2. Establishment of Site-specific Soil Cleanup Objectives (SCOs).
3. Site mobilization involving Site security setup, equipment mobilization, utility mark outs and marking & staking excavation areas.
4. 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).
5. Excavation and removal of soil/fill exceeding Site-specific SCOs. A partial cellar will be excavated to a depth of approximately 13 ft bls for development purposes, with localized deeper excavation for

foundation elements. The car elevator pit in the northwest portion of the Site will be excavated to approximately 6.5 ft bls. A small portion of the cellar will be excavated to approximately 22 ft bls for an elevator pit. The slab-on-grade portion within the building footprint will be excavated to approximately 1.5 ft bls with localized excavations between 3 and 8.5 ft bls for shallow pile caps. Approximately 5,800 cubic yards (8,700 tons) of soil/fill will be removed from the Site and properly disposed at an appropriate licensed or permitted facility.

6. Screening of excavated soil/fill during intrusive work for indications of contamination by visual means, odor, and monitoring with a PID.
7. 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.
8. Removal of all UST's that are encountered during soil/fill removal actions. Registration of tanks (if required based on size) 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.
9. Transportation and off-Site 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. Appropriate segregation of excavated media on-Site.
10. Collection and analysis of eight end-point samples (plus sufficient quantity of quality assurance/quality control samples) to determine the performance of the remedy with respect to attainment of SCOs.
11. Import of materials to be used for backfill and cover in compliance with this plan and in accordance with applicable laws and regulations, if needed.
12. Construction of an engineered composite cover consisting of 12-inch thick concrete building slab with a six-inch clean granular sub-base beneath all building areas.
13. Installation of a vapor barrier system consisting of vapor barrier beneath the building slab and outside of sub-grade foundation sidewalls to meet grade to mitigate soil vapor migration into the building. The vapor barrier system will consist of a 20-mil (minimum) waterproofing membrane and vapor barrier. GCP Applied Technologies Preprufe® 300R, or NYC OER approved equivalent, will be applied beneath the foundation slab of the building within the cellar footprint and Stego Industries LLC 20-mil Stego® Wrap vapor barrier, or NYC OER approved equivalent, will be applied beneath the foundation slab in the slab on grade portion of the building. A 20-mil (minimum) vapor barrier consisting of GCP Applied Technologies Bituthene 3000 self-adhesive waterproofing membrane (20-mil minimum) or Preprufe® 160R, or NYC OER approved equivalent, will be installed outside all sub-grade foundation sidewalls to meet grade. Locations at which the Preprufe® or Bituthene 3000 and the Stego® Wrap materials meet will overlap by a minimum of 4 inches at the seams and will be sealed with manufacturer supplied pressure sensitive tape (Preprufe® Tape or Stego® Tape). The GCP Applied Technologies products will be applied first followed by the Stego products at all locations where the two manufacturer's products meet. All welds, seams and penetrations will be properly sealed (with the pressure sensitive tape and/or Bituthene Liquid Membrane) 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 RCR that the vapor barrier system was designed and properly installed to mitigate soil vapor migration into the building.
14. As part of the new development, construction and operation of a grade-level parking garage with high volume air exchange in conformance with NYC Building Code.
15. 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.
16. Dewatering in compliance with city, state, and federal laws and regulations. Dewatering for this site will utilize a pumping system and settling tanks. The need for a treatment system prior to discharge into the city sewer system will be evaluated during the permitting process and installed as necessary under a permit from New York City Department of Environmental Protection (NYCDEP) to meet pretreatment requirements prior to discharge to the sewer system.
17. Implementation of stormwater pollution prevention measures in compliance with applicable laws and regulations.
18. Submission of a Remedial Closure Report (RCR) that describes the remedial activities, certifies that the remedial requirements have been achieved, defines the Site boundaries, lists any changes from this RAP,

and describes all Engineering and Institutional Controls to be implemented at the Site.

19. Submission of an approved Site Management Plan (SMP) in the RCR 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. The property will continue to be registered with an E-Designation at the NYC Buildings Department. Establishment of Engineering Controls and Institutional Controls in this RAP 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 1700 Park Avenue site are as follows:
In order to satisfy the requirements of the E-designation, natural gas, electric equipment, will be utilized at the site for space heating, hot water, and/or HVAC systems.

Heating and domestic hot water will be primarily provided by three natural-gas fired condensing boilers (B1, B2, and B-3): Lochinvar Crest FBN3001. The boilers have a gas output of 2,760 MBH and operate at up to 96% efficiency. The boilers will serve a hydronic heating system connected to the PTAC units (described below) in the apartments and PTACs and unit heaters in some common areas. The boilers will also provide domestic hot water for the building in conjunction with Cemline indirect water heaters.

Domestic water heating in the building will be provided with a central domestic hot water system comprised of 4 indirect hot water heaters, located in 2 zones. High zone will house 2 indirect heaters in the boiler room on the roof. The low zone will have 2 indirect heaters located on the second floor water heater room. The two low zone units are Cemline V200SPH500, 200-gallon indirect heaters. The two high zone units are Cemline V300SPH1500, 300-gallon indirect heaters. The Cemline units transfers heat from the boilers listed above and are not gas-fired or combustion equipment.

Common areas in the building will be heated and cooled by VRF split type heat pumps, manufactured by LG. Indoor air handler models are: ARNU183M1A4, ARNU053SJA4, ARNU243SKA4, ARNU123TRD4, ARNU363M2A4, ARNU543M3A4, and outdoor condensing unit models are: ARUN060GSS4, ARUM072BTE5, ARUM216BTE5, ARUM121BTE5.

All building's entrances are heated via CUH-1 hydronic cabinet unit heater (Modine model C-06-002), and FFH-1/ FFH-2 electric resistance heaters (Berko models FRA4020/ GFR1500F). Future retail spaces are heated with temporary electric heaters, EUH-1 (Berko model HUHAA520).

Gas fired emergency generator, Generac model SG 100 will be used to back up the emergency lighting, Fire Alarm System, and (1) one elevator. The gas input is rated at 1,116 MBH

Description of Selected Remedy for Noise

The elements of the remedial action selected for Noise for the 1700 Park Avenue site are as follows:

In order to meet the requirements of the E Designation, the following window/wall attenuation requirement(s) will be achieved at the locations described below:

1. 33 dBA in the commercial space based on an allowed reduction of 5 dBA from the attenuation requirement outlined in the E-Designation. It is understood that this reduction may prevent the project from obtaining a Final Notice of Satisfaction for the Noise E as the site is not protective for all allowable uses;
2. 33 dBA in residential amenity spaces based on an allowed reduction of 5 dBA from the attenuation requirement outlined in the E-Designation.
3. 33 dBA in residential spaces on the West façade without direct line-of-sight to any surrounding noise source, for windows up to 125 feet above street level, based on a 5 dBA reduction for shielding of windows from direct noise impacts by 1700 Park Avenue facing both elevated train and vehicular traffic on Park Avenue.

4. 38 dBA for windows North, South and East elevations, less than 125 feet above street level/less than 100 feet above elevated track level;
5. 35 dBA for windows North, South and East elevations from 126 - 225 feet above street level based on a reduction of 3 dBA from the projected track street-level L10 value of 81.3 to 78.3; Floors 13-20.
6. 30 dBA for windows East, South and West 126 feet above street level and higher at residential amenity, based on a reduction of 3 dBA from the projected track street-level L10 value of 81.3 to 78.3, and allowed reduction of 5 dBA at amenity spaces.
7. 50+ dBA with the masonry/ wall elements.

The following window(s) will be installed:

WINDOWS 0-125 FEET ABOVE STREET LEVEL

Façade Floor Range	**OITC Rating**	**OITC Certification**	**Manufacturer and Model**	**Glazing**
North, South and East Facades Floors 1 & 2 Commercial; Residential Amenity Spaces	32 (assumed framing loss 3 dBA) Full Assembly (33 required)	Full assembly rating based on glass only OITC 36 manufacturer data, RAL-TL97-181. Full assembly ASTM E90 test report to be provided to OER prior to purchase and installation.	Viracon Glass Only	1-1/4" ¼" annealed glass, ½" air space ½" laminated glass
West Facade Floors 2-10 Residential	32 (35 required) (composite calculation rating 34)	See ASTM E-90 acoustical report for the exact window and glazing. Test No. I6990.01-113-11-R1, Option I6990.01H	Intus Supera Casement Window	1-11/32"; 5/16" annealed exterior, 21/32" argon, 3/8" annealed interior
North, South and East Facades Floors 2-13 Residential	38 (38 required)	See ASTM E-90 acoustical report for the exact window and glazing. Report No. I6990.01-113-11-R1, Option I6990.01N	Intus Supera Casement Window	1-1/2": 5/16" laminated SR exterior, 13/16" argon, 3/8" annealed interior
West Facade Floor 2 Residential Terrace Doors	34 (33 required) (composite calculation rating 36)	See ASTM E-90 acoustical report for the exact window and glazing. Report No. J5848.01-113-11-R1, Option J5848.01F	Intus Supera Balcony Doors	1-11/32": 5/16" annealed exterior, 21/32" argon, 3/8" annealed interior

WINDOWS 126 - 225 FEET ABOVE STREET LEVEL

Façade Floor Range	OITC Rating	OITC Certification	Manufacturer and Model	Glazing
West Facade Floors 14-20 Residential	32 (33 required) (composite calculation rating 36)	See ASTM E-90 acoustical report for the exact window and glazing. Test No. I6990.01-113-11-R1, Option I6990.01H	Intus Supera Casement Window	1-11/32"; 5/16" annealed exterior, 21/32" argon, 3/8" annealed interior
North, South and East Facades Floors 14-20 (101' above street level and higher) Residential	33 (35 required) (composite calculation rating 35)	See ASTM E-90 acoustical report for the exact window and glazing. Report No. I6990.01-113-11-R1, Option I6990.01H	Intus Supera Casement Window	1-11/32"; 5/16" annealed exterior, 21/32" argon, 3/8" annealed interior
South and East Facades Floor 14 (101' above street level and higher) Residential Terrace Doors	34 (35 required) (composite calculation rating 36)	See ASTM E-90 acoustical report for the exact window and glazing. Report No J5848.01-113-11-R1, Option J5848.01F	Intus Supera Balcony Doors	1-11/32": 5/16" annealed exterior, 21/32" argon, 3/8" annealed interior

In order to satisfy the requirements of the E Designation, 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. **PTAC Units:** Installing RSXC model PTAC units manufactured by Ice Air in each residential unit for heating and cooling. Fresh air will be provided to all bedrooms and living rooms via outside air damper built-in to each PTAC unit. In all cases, the rate of outside air (cfm) delivered to each habitable space (bedrooms and living spaces) will meet or exceed that specified in the 2014 New York City Mechanical Code table 403.3. These rates will be the greater of 0.35 air changes per hour or 15 cfm per person, representing the outdoor ventilation otherwise provided by the operable windows. The PTAC units continuously provide outdoor air via a motorized damper, which come factory installed with manufacturer warranty.
2. **Compliance with Mechanical Code:** Providing outside air to commercial spaces and common areas such as lobbies and corridors in accordance with the 2014 NYC Mechanical Code.

The remedies for Hazardous Materials, Air Quality, and Noise "E" Designations 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.

4/29/2022

Date

Samantha Catalanotto
Project Manager

4/29/2022

Date

Maurizio Bertini, Ph.D.
Assistant Director

4/29/2022

Date

Shaminder Chawla
Deputy Director

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