

## **Appendix C – Regulatory Correspondence**



**OFFICE OF ENVIRONMENTAL REMEDIATION**

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

**Daniel Walsh, Ph.D.**  
**Director**

Tel: (212) 788-8841  
Fax: (212) 788-2941

**DECISION DOCUMENT**  
**E-Designation Remedial Action Plan Approval**

April 2, 2015

Re: **19 East Houston Street**  
**Manhattan Block 511, Lot 19**  
**Hazardous Materials and Noise “E” Designation**  
**E-339: October 22, 2014 19 East Houston Street Rezoning - CEQR 14DME001M**  
**OER Project Number 15EH-N263M**

The New York City Office of Environmental Remediation (OER) has completed its review of the Remedial Action Plan for Hazardous Materials dated October 9, 2014 and the Remedial Action Plan for Noise dated March 30, 2015 for the above-referenced project. These Plans were submitted to OER under the E-Designation Program.

**Project Description**

The proposed development includes construction of a six-story commercial (retail and office) building with two cellar levels. The sub-cellar will contain a fire pump room and fire suction tanks. The cellar level will include mechanical and retail areas, and will be connected by a corridor, which will be located immediately south of the proposed New York City Transit (NYCT) vent shaft. The ground floor slab will span the entire lot, which has a footprint of approximately 6,200 square feet. The first and second floors will be designated as retail space while the third through sixth floors will be utilized as office space.

**Statement of Purpose and Basis**

This document presents the remedial action for the E-Designation project known as “19 East Houston Street” pursuant to 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 19 East Houston Street site is protective of public health and the environment. The elements of the selected remedy are as follows:

1. Perform a Community Air Monitoring Program for particulates and volatile organic carbon compounds during excavation in the fill layer.
2. Establishing Soil Cleanup Objectives (SCOs) for contaminants of concern. Soil/fill will be excavated to depths ranging from 13.5 ft to 36 ft below grade surface (bgs) for the construction of cellar and sub-cellar levels and foundation elements.
3. Collection and analysis of three confirmation end-point samples to determine the performance of the remedy with respect to attainment of site-specific SCOs.
4. Site mobilization involving site security setup, equipment mobilization, utility mark outs and marking & staking excavation areas.
5. Implementation of storm-water pollution prevention measures, as necessary, in compliance with applicable laws and regulations.
6. Screening of excavated soil/fill during intrusive work for indications of contamination by visual means, odor, and monitoring with a photo-ionization detector (PID).

7. Appropriate segregation of excavated media on-site.
8. Transportation and off-site disposal of all excess soil/fill material generated during development at permitted facilities in accordance with applicable laws and regulations for handling, transport, and disposal, and the RAP. Sampling and analysis of excavated media as required by disposal facilities.
9. Importation of materials to be used for backfill and cover in compliance with the RAP and in accordance with applicable laws and regulations.
10. Installation of a waterproofing/vapor barrier system beneath the building slab and along foundation sidewalls.
11. Construction and maintenance of an engineered composite cover consisting of a six to twelve-inch concrete floor slab installed throughout the sub-cellar to prevent human exposure to residual soil/fill remaining under the site.
12. Performance of all activities required for the remedial action, including permitting and pretreatment requirements, in compliance with applicable laws and regulations.
13. Submission of a Remedial Closure Report (RCR) that documents the remedial activities, certifies that the remedial action goals have been achieved, describes all Engineering and Institutional Controls (ECs/ICs), and lists any changes from the RAP.
14. If Unrestricted Use Soil Cleanup Objectives are not met, the property will continue to be registered with an E-Designation by the NYC Buildings Department. Establishment of Engineering Controls and Institutional Controls in the 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 Noise**

The elements of the remedial action selected for Noise for the 19 East Houston Street site are as follows:

In order to meet the requirements of the E-Designation, a window/wall attenuation of at least 28 dBA will be achieved at the locations described below:

- Northern Façade (Curtain Wall)
- Eastern Façade (Floors 2 through 6)
- Eastern Façade (First Floor Storefront)

A summary of the windows to be installed along the northern façade and eastern façade is included in the table below.

<b>Façade Floor Range</b>	<b>OITC Rating</b>	<b>OITC Certification</b>	<b>Manufacturer and Model</b>	<b>Glazing</b>
Northern Façade (Curtain Wall)  Floors 2 – 6 and most of Floor 1  Commercial (Offices/Retail)	32	An ASTM E-90 Lab Test Report for glazing only and a commitment to provide OER with an ASTM E-90 Lab Test Report for the proposed windows prior to purchase and installation were submitted with the RAP.	Guardian SN68 or approved equal	Windows: 3/8" - 1/2" AS - 3/8"

<b>Façade Floor Range</b>	<b>OITC Rating</b>	<b>OITC Certification</b>	<b>Manufacturer and Model</b>	<b>Glazing</b>
Eastern Façade  Floors 2 – 6  Commercial (Offices/Retail)	31	Composite window/wall calculation.	Mannix aluminum operable window or approved equal	Windows: 1/4” - 1/2" AS - 1/4”
Eastern Façade (First Floor Storefront)  Floor 1  Commercial (Retail Only)	30	An ASTM E-90 Lab Test Report for glazing only and a commitment to provide OER with an ASTM E-90 Lab Test Report for the proposed windows prior to purchase and installation were submitted with the RAP.	Guardian SN68 or approved equal	Windows: 1/4” - 1/2" AS - 1/4”

#### Northern Façade (Curtain Wall)

To satisfy the requirements of E-339, a window/wall attenuation of 28 dBA or greater will be achieved on the northern façade. Five different types of windows, all with the same glazing, will make up the curtain wall, which covers most of Floor one and all of Floors two through six. The proposed glazing configuration for each type of window is 3/8-inch glass, 1/2-inch air space, 3/8-inch glass.

ASTM E-90 laboratory test data identifies a glazing configuration of 3/8-inch glass, 1/2-inch air space, 3/8-inch glass as having an OITC rating of 32. Per Chapter 19 of the CEQR Technical Manual, dated March 2014, it is generally understood that upon framing, the OITC rating for a specific glazing configuration will decrease by approximately 2 to 4 dBA. Therefore, it is assumed that a window with an OITC-rated glazing configuration of 32 dBA will achieve an OITC rating of at least 28 dBA within a frame. A commitment letter from the Owner's Representative stating that OITC ratings for the specific windows will be confirmed by lab testing according to ASTM E-90 was submitted with the RAP. The updated ASTM E-90 lab test data will be provided to OER for review.

#### Eastern Façade (Floors two through six)

To satisfy the requirements of E-339, a window/wall attenuation of 28 dBA or greater will be achieved on the eastern façade. Floors two through six of the eastern façade will consist of a brick masonry wall with six windows spaced at regular intervals along each floor. The windows proposed to be installed in floors two through six are the Mannix aluminum operable window with a glazing of 1/4-inch glass, 1/2-inch air space and 1/4-inch glass. The windows achieve an OITC rating of 26 dBA. A conservative estimate of the composite window/wall attenuation was calculated for the worst-case glazing percentage scenario, which is present at Floor four. The composite window/wall calculation resulted in an OITC rating of 31 dBA.

#### Eastern Façade (First Floor Storefront)

The eastern façade first floor storefront extends along the entire length of the eastern façade and wraps around the northeast corner. The first floor will only include retail space. The windows proposed for the first floor storefront will be made up of 1-inch insulated glass with a glazing configuration of 1/4-inch glass, 1/2-inch air space, 1/4-inch glass. Per the ASTM E-90 lab test data, this glazing configuration has an OITC rating of 30. Based on the information cited above from the CEQR Technical Manual, dated March 2014, it is assumed that a window with an OITC-rated glazing configuration of 30 dBA will achieve an OITC rating of 26 to 28 dBA within a frame. A commitment letter from the Owner's Representative stating that OITC ratings for the specific windows will be confirmed by lab testing according to ASTM E-90 was submitted with the RAP. The updated ASTM E-90 lab test data will be provided to OER for review.

Alternate means of ventilation (AMV) will be provided in order to maintain a closed window condition. AMV for this project will be achieved by:

1. Central System: Retail and office spaces located on all floors of the building will receive unconditioned ventilation air from a rooftop louvered penthouse (WIH-R-1) and an outdoor air intake fan (OAF-6-1). Each floor will be equipped with an outside air capped outlet, which will be adequately sized to deliver the minimum required amount of fresh air via duct routed from the outdoor fan. To maintain the circulation of fresh air, each floor will also be equipped with a general exhaust inlet routed to the rooftop mounted general exhaust fan (GXF-R-1) via appropriately sized ducts.
2. 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 and Noise described above conform to the promulgated standards and criteria that are directly applicable, or that are relevant and appropriate and takes into consideration OER guidance, as appropriate.

April 2, 2015



Date

Shana Holberton  
Project Manager

April 2, 2015



Date

Shaminder Chawla  
Deputy Director

April 2, 2015



Date

Maurizio Bertini  
Assistant Director

cc: Jonathan Ratner, Madison Capital - jr@mcapny.com  
Brian Gochenaaur, Langan - bgochenaaur@Langan.com  
Navid Qaim-Maqami, R.A., Perkins Eastman Architects, PC - N.Maqami@perkinseastman.com  
Douglas Mass, P.E., Cosentini Associates - nycdob@cosentini.com  
Daniel Walsh, Shaminder Chawla, Zach Schreiber, Maurizio Bertini, Hannah Moore  
Shana Holberton, PMA-OER



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**Daniel Walsh, Ph.D.**  
**Director**

Tel: (212) 788-8841  
Fax: (212) 788-2941

**NOTICE TO PROCEED**  
**DOB Job Number NB 121187090**

April 2, 2015

Martin Rebholz, R.A.  
Manhattan Borough Commissioner  
NYC Department of Buildings  
280 Broadway, 3rd Floor  
New York, NY 10007

Re: 19 East Houston Street  
Manhattan Block 511, Lot 19  
Hazardous Materials and Noise “E” Designation  
E-339: October 22, 2014 19 East Houston Street Rezoning - CEQR 14DME001M  
OER Project Number 15EH-N263M

Dear Commissioner Rebholz:

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 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 Hazardous Materials remedial action plan and Noise 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 Shana Holberton at (212)788-3220.

Sincerely,

Maurizio Bertini  
Assistant Director

cc: Jonathan Ratner, Madison Capital - jr@mcapny.com  
Brian Gochenaur, Langan - bgochenaur@Langan.com  
Navid Qaim-Maqami, R.A., Perkins Eastman Architects, PC - N.Maqami@perkinseastman.com  
Douglas Mass, P.E., Cosentini Associates - nycdob@cosentini.com  
Daniel Walsh, Shaminder Chawla, Zach Schreiber, Maurizio Bertini, Hannah Moore

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## Michele Rogers

---

**From:** Anderson, Noel <NAnderson@dep.nyc.gov>  
**Sent:** Thursday, July 21, 2016 11:31 AM  
**To:** Michele Rogers  
**Cc:** Ilkay Cam-Spanos; Brandon Nathe; Bertini, Maurizio  
**Subject:** RE: 19 East Houston - Soil Disposal Notification letters

Michele,

OER has received your documentation for proposed transport and disposal of soil and fill from the above referenced property. We understand from your correspondence that the proposed receiving facility has determined that it is appropriately licensed, permitted, registered, or otherwise authorized to receive this material. On this basis, OER has no objection to the proposed transfer. Further, OER has transmitted a Historic Fill/Soil Disposal Notification Form providing a regulatory notice and notice of availability of all data and information currently in OER's possession. Please be advised that OER does not regulate the operation of this receiving facility or transportation of the excavated material in any jurisdiction and this correspondence does not constitute regulatory approval of disposal at this receiving facility or the means of transportation. It is the obligation of the property owner, the professional engineer, the qualified environmental professional for the remedial action, the excavation contractor, soil disposal facilitators, trucking contractors, and the operator of the receiving facility to ensure that the facility is appropriately licensed, permitted, registered, or otherwise authorized to receive this material and that the trucks transporting excavated material satisfy all applicable transportation requirements. The receiving facility is regulated within the State of New Jersey and any questions regarding the suitability of the facility to receive the excavated material or requirements for transportation vehicles should be directed to the appropriate regulatory agency.

Best,  
Noel

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Noel Elizabeth Anderson | Project Manager  
NYC Mayor's Office of Environmental Remediation  
**A:** 100 Gold Street, 2<sup>nd</sup> Fl. | New York, NY 10038  
**T:** (212) 341-2073 | **M:** (646) 529-0454  
**E:** [NAnderson@dep.nyc.gov](mailto:NAnderson@dep.nyc.gov)  
**W:** <http://www.nyc.gov/oer>

---

**From:** Michele Rogers [mailto:mrogers@langan.com]  
**Sent:** Thursday, July 21, 2016 10:35 AM  
**To:** Anderson, Noel  
**Cc:** Ilkay Cam-Spanos; Brandon Nathe; Bertini, Maurizio  
**Subject:** RE: 19 East Houston - Soil Disposal Notification letters

Hi Noel,

Please find attached the Clean Earth of North Jersey approval letter, which references the soil disposal notification letter we submitted to them. This is the proposed disposal facility for the hazardous lead-impacted soils. Please review the attached and let me know if we are good to begin trucking. If you have any questions or require further information, give me a call.



Thanks,

**Michele Rogers, P.E.**  
**Project Engineer**  
Direct: 212.479.5429  
Mobile: 973.896.9277  
[File Sharing Link](#)

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**From:** Michele Rogers  
**Sent:** Monday, July 18, 2016 2:33 PM  
**To:** [nanderson@dep.nyc.gov](mailto:nanderson@dep.nyc.gov)  
**Cc:** Ilkay Cam-Spanos; Brandon Nathe; [MaurizioB@dep.nyc.gov](mailto:MaurizioB@dep.nyc.gov)  
**Subject:** 19 East Houston - Soil Disposal Notification letters

Hi Noel,

Please find attached two soil disposal notification letters that have been submitted to the proposed disposal facilities (Phase III Palmerton and Clean Earth of North Jersey). I will forward the approval letters when I receive them later this week. Let me know if you have any questions.

Thanks,

**Michele Rogers, P.E.**  
**Project Engineer**  
Direct: 212.479.5429  
Mobile: 973.896.9277  
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## Michele Rogers

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**From:** Anderson, Noel <NAnderson@dep.nyc.gov>  
**Sent:** Monday, August 01, 2016 4:41 PM  
**To:** Michele Rogers  
**Cc:** Ilkay Cam-Spanos; Brandon Nathe; Bertini, Maurizio  
**Subject:** RE: 19 East Houston - disposal facility approval letters

Michele,

OER has received your documentation for proposed transport and disposal of soil and fill from the above referenced property. We understand from your correspondence that the proposed receiving facility has determined that it is appropriately licensed, permitted, registered, or otherwise authorized to receive this material. On this basis, OER has no objection to the proposed transfer to Griffin Pipe and Phase III. Further, OER has transmitted a Historic Fill/Soil Disposal Notification Form providing a regulatory notice and notice of availability of all data and information currently in OER's possession. Please be advised that OER does not regulate the operation of this receiving facility or transportation of the excavated material in any jurisdiction and this correspondence does not constitute regulatory approval of disposal at this receiving facility or the means of transportation. It is the obligation of the property owner, the professional engineer, the qualified environmental professional for the remedial action, the excavation contractor, soil disposal facilitators, trucking contractors, and the operator of the receiving facility to ensure that the facility is appropriately licensed, permitted, registered, or otherwise authorized to receive this material and that the trucks transporting excavated material satisfy all applicable transportation requirements. The receiving facility is regulated within the State of New Jersey and Pennsylvania and any questions regarding the suitability of the facility to receive the excavated material or requirements for transportation vehicles should be directed to the appropriate regulatory agency.

Best,  
Noel

---

Noel Elizabeth Anderson | Project Manager  
NYC Mayor's Office of Environmental Remediation  
**A:** 100 Gold Street, 2<sup>nd</sup> Fl. | New York, NY 10038  
**T:** (212) 341-2073 | **M:** (646) 529-0454  
**E:** [NAnderson@dep.nyc.gov](mailto:NAnderson@dep.nyc.gov)  
**W:** <http://www.nyc.gov/oer>

---

**From:** Michele Rogers [<mailto:mrogers@langan.com>]  
**Sent:** Monday, August 01, 2016 2:27 PM  
**To:** Anderson, Noel  
**Cc:** Ilkay Cam-Spanos; Brandon Nathe; Bertini, Maurizio  
**Subject:** 19 East Houston - disposal facility approval letters

Hi Noel,

Please find attached the approval letters for Griffin Pipe (facility and LSRP approvals) and Palmerton (facility approval), which reference the soil disposal notification letter we submitted to them. Please review the attached. If you have any questions or require further information, give me a call.

Thanks,

**Michele Rogers, P.E.**  
**Project Engineer**  
Direct: 212.479.5429  
Mobile: 973.896.9277  
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## Michele Rogers

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**From:** Anderson, Noel <NAnderson@dep.nyc.gov>  
**Sent:** Tuesday, August 23, 2016 11:09 AM  
**To:** Michele Rogers  
**Cc:** Ilkay Cam-Spanos; Brandon Nathe; Bertini, Maurizio  
**Subject:** RE: 19 East Houston - disposal facility approval letter

Michele,

OER has received your documentation for proposed transport and disposal of soil and fill from the above referenced property. We understand from your correspondence that the proposed receiving facility has determined that it is appropriately licensed, permitted, registered, or otherwise authorized to receive this material. On this basis, OER has no objection to the proposed transfer to IRRC. Further, OER has transmitted a Historic Fill/Soil Disposal Notification Form providing a regulatory notice and notice of availability of all data and information currently in OER's possession. Please be advised that OER does not regulate the operation of this receiving facility or transportation of the excavated material in any jurisdiction and this correspondence does not constitute regulatory approval of disposal at this receiving facility or the means of transportation. It is the obligation of the property owner, the professional engineer, the qualified environmental professional for the remedial action, the excavation contractor, soil disposal facilitators, trucking contractors, and the operator of the receiving facility to ensure that the facility is appropriately licensed, permitted, registered, or otherwise authorized to receive this material and that the trucks transporting excavated material satisfy all applicable transportation requirements. The receiving facility is regulated within the State of New Jersey and any questions regarding the suitability of the facility to receive the excavated material or requirements for transportation vehicles should be directed to the appropriate regulatory agency.

Best,  
Noel

---

Noel Elizabeth Anderson | Project Manager  
NYC Mayor's Office of Environmental Remediation  
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**From:** Michele Rogers [<mailto:mrogers@langan.com>]  
**Sent:** Tuesday, August 16, 2016 11:40 AM  
**To:** Anderson, Noel  
**Cc:** Ilkay Cam-Spanos; Brandon Nathe; Bertini, Maurizio  
**Subject:** 19 East Houston - disposal facility approval letter

Hi Noel,

Please find attached the approval letter from the Impact Reuse & Recovery Center (IRRC) located in Lyndhurst, NJ. The approval letter references the soil disposal notification letter we previously submitted. Please review the attached. If you have any questions or require further information, give me a call.

Thanks,

**Michele Rogers, P.E.**  
**Project Engineer**  
Direct: 212.479.5429  
Mobile: 973.896.9277  
[File Sharing Link](#)

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## Ilkay Cam-Spanos

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**From:** Bertini, Maurizio <MaurizioB@dep.nyc.gov>  
**Sent:** Thursday, December 22, 2016 9:54 AM  
**To:** Michele Rogers  
**Cc:** Ilkay Cam-Spanos; Chawla, Shaminder; Anderson, Noel  
**Subject:** Re: FW: 19 East Houston - import material

Michele,

I did not have a chance to read and confirm the numbers you are reporting below; however, based on what you are reporting, it seems as if the soil meets restricted residential standards.

Soil and material meeting restricted residential standards would be acceptable for this project.

Let me know if you have any questions.

Sent from my Verizon 4G LTE Smartphone

On Dec 21, 2016 4:34 PM, Michele Rogers <[mrogers@langan.com](mailto:mrogers@langan.com)> wrote:

Hi Maurizio,

Per our phone conversation, we collected one sample of import material for laboratory analysis of NYSDEC Part 375 parameters. All compound concentrations meet the site SCOs (i.e., Commercial Use), and with the exception of two compounds (mercury at 0.4 ppm and 4,4'-DDD at 0.00608 ppm), all compound concentrations also meet Unrestricted Use SCOs. The lab data is attached for your reference.

For some background information, about 200 cy of material was imported to the site on Thursday (12/15) and Friday (12/16) from Maspeth Recycling. Based on the photos provided in both daily reports (also attached), Noel requested that we submit one sample for laboratory analysis.

Give me a call if you have any questions.

Thanks,

**Michele Rogers, PE**  
**Project Engineer**  
Direct: 212.479.5429  
Mobile: 973.896.9277  
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**From:** Michele Rogers  
**Sent:** Wednesday, December 21, 2016 12:38 PM  
**To:** [nanderson@dep.nyc.gov](mailto:nanderson@dep.nyc.gov)  
**Cc:** Ilkay Cam-Spanos ([icam@Langan.com](mailto:icam@Langan.com))  
**Subject:** RE: 19 East Houston - import material

Noel,

I left you a voicemail concerning the import material sample results. As discussed, we collected one sample for laboratory analysis of NYSDEC Part 375 parameters. All compound concentrations meet the site SCOs (i.e., Commercial Use), and with the exception of two compounds (mercury at 0.4 ppm and 4,4'-DDD at 0.00608 ppm), all compound concentrations also meet Unrestricted Use SCOs. The lab data is attached for your reference.

Please give me a call if you have any questions.

Thanks,

**Michele Rogers, PE**

**Project Engineer**

Direct: 212.479.5429

Mobile: 973.896.9277

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**From:** Michele Rogers

**Sent:** Tuesday, December 20, 2016 9:43 AM

**To:** [nanderson@dep.nyc.gov](mailto:nanderson@dep.nyc.gov)

**Cc:** Ilkay Cam-Spanos ([icam@Langan.com](mailto:icam@Langan.com))

**Subject:** 19 East Houston - import material

Hi Noel,

Per our conversation yesterday afternoon, we collected one sample from the import material brought to the site last Thursday and Friday. The sample was sent to Alpha Analytical, Inc. for analysis of NYSDEC Part 375 parameters (VOCs, SVOCs, metals, PCBs and pesticides). I will forward the results as soon as we have them.

Please give me a call if you have any questions.

Thanks,

**Michele Rogers, PE**

**Project Engineer**

Direct: 212.479.5429

Mobile: 973.896.9277

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## Ilkay Cam-Spanos

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**From:** Michele Rogers  
**Sent:** Wednesday, January 25, 2017 11:42 AM  
**To:** Anderson, Noel  
**Cc:** Ilkay Cam-Spanos; Bertini, Maurizio  
**Subject:** RE: 19 East Houston Street  
**Attachments:** Location of Native Soil Reuse.pdf

Hi Noel,

Please find attached a map showing the proposed location of native soil reuse. The soil will be placed on top of the sub-cellar mat slab against the lagging currently installed in front of the SOE heel blocks.

Please let us know if OER takes issue with this plan or if you have any questions.

Thanks,

**Michele Rogers, PE**  
**Project Engineer**  
Direct: 212.479.5429  
Mobile: 973.896.9277  
[File Sharing Link](#)

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**From:** Michele Rogers  
**Sent:** Tuesday, January 24, 2017 11:38 AM  
**To:** 'Anderson, Noel'  
**Cc:** Ilkay Cam-Spanos; Bertini, Maurizio  
**Subject:** RE: 19 East Houston Street

Hi Noel,

A couple of 19 East Houston Street updates:

- I should have a map showing where the native soil will be reused on-site before the end of the day.
- We were not on-site yesterday (1/23) because the foundation contractor (Kingdom) was installing formwork, rebar, and waterproofing.

Give me a call if you have any questions.

Thanks,

**Michele Rogers, PE**  
**Project Engineer**

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Mobile: 973.896.9277  
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**From:** Anderson, Noel [<mailto:NAnderson@dep.nyc.gov>]

**Sent:** Friday, January 20, 2017 1:17 PM

**To:** Michele Rogers

**Cc:** Ilkay Cam-Spanos; Bertini, Maurizio

**Subject:** RE: 19 East Houston Street

Michele,

Could you submit a map of where the soil will be reused onsite? Once we have the site map, OER is okay with reuse of the native soil onsite, based on the waste characterization data.

Best,  
Noel

---

Noel Elizabeth Anderson | Project Manager  
NYC Mayor's Office of Environmental Remediation  
**A:** 100 Gold Street, 2<sup>nd</sup> Fl. | New York, NY 10038  
**T:** (212) 341-2073 | **M:** (646) 529-0454  
**E:** [NAnderson@dep.nyc.gov](mailto:NAnderson@dep.nyc.gov)  
**W:** <http://www.nyc.gov/oer>

---

**From:** Michele Rogers [<mailto:mrogers@langan.com>]

**Sent:** Friday, January 20, 2017 10:47 AM

**To:** Anderson, Noel

**Cc:** Ilkay Cam-Spanos; Bertini, Maurizio

**Subject:** 19 East Houston Street

Hi Noel,

I just left you a voicemail because I have a couple of 19 East Houston Street updates.

- We did not perform oversight yesterday because the foundation contractor (Kingdom) was installing formwork for foundation walls and rebar for pile caps.
- With the exception of one historic fill stockpile, only native soil that meets the Part 375 Unrestricted Use SCOs (per waste characterization samples COMPA\_25-29, COMPAB\_12.5-18, COMPAB\_18-25, SB02\_12.5-13, SB02\_23-23.5, and SB02\_25.5-26) remains on-site. The contractor would like to reuse this native soil as backfill to alleviate the remaining import material needs. Please let me know if OER would take issue with this plan.

Give me a call if you have any questions or if you would like to further discuss.

Thanks,

**Michele Rogers, PE**  
**Project Engineer**

Direct: 212.479.5429

Mobile: 973.896.9277

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## Ilkay Cam-Spanos

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**From:** Bertini, Maurizio <MaurizioB@dep.nyc.gov>  
**Sent:** Wednesday, February 01, 2017 1:26 PM  
**To:** Michele Rogers; Anderson, Noel  
**Cc:** Ilkay Cam-Spanos; Michael D. Burke; Chawla, Shaminder; Baptiste, Desai  
**Subject:** RE: 19 East Houston - import

Michelle,

The numbers are going up. I really do not see the how the grid would work at this point.

This material has to be removed.

We are sending Desai to the site, this afternoon to take some pictures of the material.

Let's work on a removal plan.

Thank you,

**Maurizio Marezio Bertini, Ph.D.** | [Assistant Director](#) | [Office of Environmental Remediation](#)  
Tel 212.788.3922 | [mbertini@dep.nyc.gov](mailto:mbertini@dep.nyc.gov)

---

**From:** Michele Rogers [mailto:mrogers@langan.com]  
**Sent:** Wednesday, February 01, 2017 1:02 PM  
**To:** Anderson, Noel  
**Cc:** Bertini, Maurizio; Ilkay Cam-Spanos; Michael D. Burke  
**Subject:** RE: 19 East Houston - import

Hi Noel,

We received the analytical results for the second sample of import material collected on Saturday (1/28). This sample was representative of about 335 cy of import material brought to the site on Friday and Saturday. The analytical results identified mercury at a concentration of 6.3 mg/kg (see attached lab report); the remaining parameters were not detected or identified at concentrations below the Part 375 Unrestricted Use SCOs. After our phone call yesterday, I spoke with the owner's representative and construction manager about the possibility of gridding the imported material horizontally and vertically and collecting one five-point composite sample from each grid for laboratory analysis of mercury and the on-site contaminants of concern (i.e., SVOCs). If the team decides to move forward with gridding the imported material, we will present the grid layout to OER for review before we collect samples. If we do not grid the material and collect additional samples, the imported material brought to the site last Thursday, Friday and Saturday will be removed from the site in accordance with the OER-approved RAP. I will let you know when a decision has been made regarding the import.

Give me a call if you have any questions.

Thanks,

**Michele Rogers, PE**  
**Project Engineer**  
Direct: 212.479.5429  
Mobile: 973.896.9277  
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**From:** Michele Rogers  
**Sent:** Tuesday, January 31, 2017 10:28 AM  
**To:** 'Anderson, Noel'  
**Cc:** Bertini, Maurizio; Ilkay Cam-Spanos; Michael D. Burke  
**Subject:** RE: 19 East Houston - import

Yes, I can do the call at 11:30 today.

**Michele Rogers, PE**  
**Project Engineer**  
Direct: 212.479.5429  
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**From:** Anderson, Noel [<mailto:NAnderson@dep.nyc.gov>]  
**Sent:** Tuesday, January 31, 2017 10:07 AM  
**To:** Michele Rogers  
**Cc:** Bertini, Maurizio; Ilkay Cam-Spanos; Michael D. Burke  
**Subject:** RE: 19 East Houston - import

Hi Michele,

Could you do a call today at 1130? Otherwise we are available at 4.

Thanks,  
Noel

---

Noel Elizabeth Anderson | Project Manager  
NYC Mayor's Office of Environmental Remediation  
**A:** 100 Gold Street, 2<sup>nd</sup> Fl. | New York, NY 10038  
**T:** (212) 341-2073 | **M:** (646) 529-0454  
**E:** [NAnderson@dep.nyc.gov](mailto:NAnderson@dep.nyc.gov)  
**W:** <http://www.nyc.gov/oer>

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**From:** Michele Rogers [<mailto:mrogers@langan.com>]  
**Sent:** Tuesday, January 31, 2017 8:28 AM  
**To:** Anderson, Noel  
**Cc:** Bertini, Maurizio; Ilkay Cam-Spanos; Michael D. Burke  
**Subject:** 19 East Houston - import

Hi Noel,

The contractor (Kingdom) imported general backfill to 19 East Houston Street from Maspeth Recycling (a NYSDEC Part 360 registered facility) on Thursday, Friday and Saturday of last week. We collected one sample from about 255 cy of import material delivered on Thursday and submitted the sample to Alpha for analysis of Part 375 parameters on a 24-hour turnaround time. We received the laboratory analytical results (see attached) on Saturday morning and with the exception of mercury, all contaminant concentrations meet the Unrestricted Use SCOs. Due to the elevated mercury concentration (i.e., 5 mg/kg), we collected a second sample on Saturday that was representative of about 335 cy of import material brought to the site on Friday and Saturday. We are currently awaiting the results of the second sample.

Can we set up a call for today to discuss how to proceed regarding the import material brought to the site on Thursday?

Thanks,

**Michele Rogers, PE**  
**Project Engineer**  
Direct: 212.479.5429  
Mobile: 973.896.9277  
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## Ilkay Cam-Spanos

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**From:** Zhang, Horace <HZhang@dep.nyc.gov>  
**Sent:** Thursday, February 16, 2017 2:07 PM  
**To:** Michele Rogers; Bertini, Maurizio  
**Cc:** Chawla, Shaminder; Ilkay Cam-Spanos; Anderson, Noel  
**Subject:** RE: 19 East Houston - import

Hi Michele,

Thank you for providing the soil characterization data. OER does not object to the import and placement of this material at the Site.

Best,  
Horace

---

**From:** Michele Rogers [<mailto:mrogers@langan.com>]  
**Sent:** Thursday, February 16, 2017 12:12 PM  
**To:** Bertini, Maurizio  
**Cc:** Chawla, Shaminder; Ilkay Cam-Spanos; Anderson, Noel; Zhang, Horace  
**Subject:** 19 East Houston - import

Hi Maurizio,

The Contractor at 19 East Houston Street would like to import general backfill from the IRRRC facility in Lyndhurst to supplement the backfill we will be getting from 300 Lafayette Street through the Clean Soil Bank. Please find attached a letter detailing IRRRC's soil testing/screening protocol and laboratory analytical results for two samples collected from a stockpile of soil that would be transported to our site. Based on the data, the soil meets Part 375 Restricted Use Restricted-Residential SCOs. The Contractor plans to import about 1,000 cubic yards of this soil to the site beginning as early as tomorrow. Please let me know if OER takes any issue with the import of this material.

Give me a call if you have any questions. I am asking you this question because Noel is on vacation, but if I should direct this email to someone else's attention, please let me know.

Thanks,

**Michele Rogers, PE**  
**Project Engineer**  
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## Ilkay Cam-Spanos

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**From:** Michele Rogers  
**Sent:** Thursday, April 06, 2017 7:06 PM  
**To:** nanderson@dep.nyc.gov  
**Cc:** MaurizioB@dep.nyc.gov; Ilkay Cam-Spanos  
**Subject:** 19 East Houston Street (15EH-N263M) - update

Hi Noel,

As of this afternoon, all material imported to the 19 East Houston Street site from Maspeth Recycling on January 26 through 28, 2016, has been transported off-site and disposed of at the Bayshore Soil Management facility in Keasbey, New Jersey. All daily reports documenting this work have been uploaded to EPIC.

Please give me a call if you have any questions.

Thanks,

**Michele Rogers, PE**  
**Project Engineer**  
Direct: 212.479.5429  
Mobile: 973.896.9277  
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