



OFFICE OF ENVIRONMENTAL REMEDIATION

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

Mark P. McIntyre, Esq.
Director

Tel: (212) 788-8841

NOTICE TO PROCEED
RIGHT OF WAY AND RELATED UTILITY CONSTRUCTION – ONLY

July 20, 2020

Re: West Street (Extension) - Greenpoint Landing
Brooklyn Block 2472, Lots 10, 10, 20, 25; Block 2494, Lots 5, 6 (partial)
Hazardous Materials, Air Quality, and Noise “E” Designation
E-138: Greenpoint - Williamsburg Rezoning - CEQR 04DCP003K HazMat - 5/11/2005
E-317: Greenpoint Landing - CEQR 14DCP004K - 12/10/2013
OER Project Number 19EHAN453K

Dear Brooklyn 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 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 work plan dated July 20, 2020 and prepared by Langan Engineering, Environmental, Surveying, Landscape Architecture and Geology, D.P.C. that are acceptable to the NYC OER and NYC DOT and has prepared a Construction Health and Safety Plan for implementation on this project. The project does not include any work requiring a Noise remedial action plan or Air Quality remedial action plan. OER’s Decision Document that defines the remedial actions required for this project has been prepared and filed and is available on request. No NYC DOB filings are subject to this Notice.

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. OER understands that the Notice of Satisfaction is prerequisite to transference of the privately owned portion of the property to NYC DOT. Once the entire project area is under NYC DOT control, the Notice of Satisfaction will support later NYC DOT petition to NYC DCP for removal of the E-designation and related requirements from the lots outlined above.

If you have any questions or comments, please feel free to contact Taylor Hard at 212-788-7426.

Sincerely,

Zach Schreiber, Ph.D.

cc: Kedari Reddy, NYC DOT – kreddy@dot.nyc.gov
Tracy Wheelwright, NYC DOT - twheelwright@dot.nyc.gov
Tika Gurung, NYC DOT - tgurung@dot.nyc.gov
Daniel Berger, Brookfield Properties - dan.berger@brookfieldproperties.com

John Alber, Brookfield Properties - john.alber@brookfieldproperties.com
Daven Johansen, Brookfield Properties - daven.johansen@brookfieldproperties.com
Kevin Davenport, Brookfield Properties - kevin.davenport@brookfieldproperties.com
Greg Wyka, Langan - gwyka@langan.com
Julia Leung, Langan - JLeung@Langan.com
Woo Kim, Langan - wkim@langan.com
Mark McIntyre, Shaminder Chawla, Maurizio Bertini, Sarah Pong
Taylor Hard, PMA-OER

COPY - NOT FOR DOB FILING



OFFICE OF ENVIRONMENTAL REMEDIATION

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

Mark P. McIntyre, Esq.
Director

Tel: (212) 788-8841

DECISION DOCUMENT

E-Designation Remedial Action Work Plan Approval

July 20, 2020

Re: West Street (Extension) - Greenpoint Landing
Brooklyn Block 2472, Lots 10, 20, 25; Block 2494, Lots 5, 6
Hazardous Materials, Air Quality, Noise E Designation
E-138: Greenpoint - Williamsburg Rezoning - CEQR 04DCP003K HazMat - 5/11/2005
E-317: Greenpoint Landing - CEQR 14DCP004K - 12/10/2013
OER Project Number 19EHAN453K

The New York City Office of Environmental Remediation (OER) has completed its review of the Remedial Action Work Plan (RAWP) dated July 20, 2020 for the above-referenced project.

The Plan was submitted to OER and NYC DOT under the E-Designation Program.

Project Description

The West Side Extension (WSE) Project comprises the construction of a new city street in Greenpoint, Brooklyn, in accordance with the New York City Department of Transportation (DOT) Standard Highway Specifications on a combination of city- and privately-owned lots. The new street will be a continuation of West Street, connecting the intersection of Commercial and Dupont Streets to the north with the corner of West Street and Eagle Street to the south. Water main and combined sewer extensions and other utilities and street infrastructure will be installed during construction. The completed right of way will include roadway, sidewalk, bike lane, and tree pits, as well as stormwater infrastructure, etc.

The privately owned Lots are Block 2472, Lot 10 and Block 2494, Lot 5 and the publicly owned Lots are Block 2472, Lots 20 and 25, and Block 2494, Lot 6.

No NYC DOB filings are subject to this remedial action.

Statement of Purpose and Basis

This document presents the remedial action for the E-Designation Program project known as “West Street (Extension) - Greenpoint Landing” pursuant to the Zoning Resolution and §24 - 07 of the Rules of the City of New York.

Description of Selected Remedy for Hazardous Materials

In an effort to satisfy the Hazardous Materials “E” requirements for this project, the applicant has submitted a RAWP which was reviewed by NYC OER and NYC DOT.

The remedial action selected for the West Street (Extension) - Greenpoint Landing site is protective of public health and the environment. The elements of the selected remedy are as follows:

The proposed remedy will consist of:

1. Implementation of a Community Air Monitoring Program for particulates and volatile organic carbon compounds during soil intrusive activities.

2. Selection of Commercial Use (CU) SCOs as applicable soil cleanup criteria.
3. Site mobilization involving site security setup, equipment mobilization, utility mark outs and marking and staking excavation areas.
4. Completion of a waste characterization study before material transportation off-site. Waste characterization soil samples will be collected at a frequency dictated by disposal facility(s).
5. Excavation and removal of soil/fill to construct the roadway and install utilities, manholes, catch basins, tree pits, and sidewalks. Excavation will occur to the following elevations (and depths):
 - o Between about el. 2.75 feet and el. 5 feet (about 7 and 9 feet bgs) to accommodate the combined sewer line and associated manholes.
 - o Between about el. 5.5 feet and el. 8 feet (about 5 and 7 feet bgs) to accommodate the water main.
 - o Between about el. 7.5 feet and el. 10 feet (about 2.5 feet bgs) to accommodate tree pits.
 - o Between about el. 3.5 feet and el. 6 feet (about 5 and 7.5 feet bgs) to accommodate catch basins
 - o Between about el. 8.5 feet and el. 11 feet (about 1.5 feet bgs) to grade the site to design grades and to accommodate the roadway, bike lanes, and sidewalks.
6. 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 on-site.
7. Management of excavated materials including temporarily stockpiling and segregating in accordance with defined material types and to prevent co-mingling of contaminated and non-contaminated materials.
8. 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.
9. Import of materials to be used for backfill and cover in compliance with this plan and in accordance with applicable laws and regulations. Sub-grade utility trenches will be backfilled with clean backfill material creating clean corridors around utilities and infrastructure. The clean corridors will be documented to facilitate future invasive maintenance or repair needs.
10. Construction of an engineered composite cover consisting of:
 - a. A 3-inch thick layer of asphalt underlain by 9-inches of concrete and a 6-inch sub-base (consisting of gravel, stone, or sand) in the roadway (travel lane, bike lane, and parking lane);
 - b. 4-inches of concrete underlain by a 6-inch sub-base (consisting of gravel, stone, or sand) in sidewalks; and
 - c. Two feet of clean fill material meeting the lower of Restricted Use Residential and Protection of Groundwater SCOs in tree pits.
11. Implementation of stormwater pollution prevention measures in compliance with applicable laws and regulations.
12. Performance of all activities required for the remedial action, including acquisition of required permits, in compliance with applicable laws and regulations.
13. 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 deviations from this RAWP, and describes all Engineering and Institutional Controls implemented at the site.
14. Submission of an approved Site Management Plan (SMP) in the RAR that applies to the privately owned lots in the project area, only, for the management of residual contamination, including plans for operation, maintenance, monitoring; inspection and certification of Engineering and Institutional Controls; and reporting at a specified frequency. After the West Street Extension including the privately owned lots are transferred to the City and NYCDOT, the City and the NYCDOT shall not be responsible for any of the aforementioned obligations in this Section and enumerated in the SMP.
15. The privately owned lots will continue to be registered with an E-Designation at the NYC Buildings Department until the West Street Extension is fully transferred to the NYCDOT and title to the privately-owned lots are transferred to the City of New York. The E-Designation will require that the

Engineering Controls and Institutional Controls described in this RAWP to be maintained and managed by the private property owner on the privately-owned Lots 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. Once the privately-owned parcels are transferred to NYCDOT, OER will work with NYCDOT and NYCDOP to remove the E-Designation from all City-owned lots within the project area.

Description of Selected Remedy for Air Quality

The elements of the remedial action selected for Air Quality for the West Street (Extension) - Greenpoint Landing site are as follows:

No Air Quality remedy is required for this project.

Description of Selected Remedy for Noise

The elements of the remedial action selected for Noise for the West Street (Extension) - Greenpoint Landing site are as follows:

No Noise remedy is required for this project.

The remedies for 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.

July 20, 2020



Date

Taylor Hard
Project Manager

July 20, 2020



Date

Zach Schreiber, Ph.D.
Assistant Director

cc: Kedari Reddy, NYC DOT – kreddy@dot.nyc.gov
Tracy Wheelwright, NYC DOT - twheelwright@dot.nyc.gov
Tika Gurung, NYC DOT - tgurung@dot.nyc.gov
Daniel Berger, Brookfield Properties - dan.berger@brookfieldproperties.com
John Alber, Brookfield Properties - john.alber@brookfieldproperties.com
Daven Johansen, Brookfield Properties - daven.johansen@brookfieldproperties.com
Kevin Davenport, Brookfield Properties - kevin.davenport@brookfieldproperties.com
Greg Wyka, Langan - gwyka@langan.com
Julia Leung, Langan - JLeung@Langan.com
Woo Kim, Langan - wkim@langan.com
Mark McIntyre, Shaminder Chawla, Maurizio Bertini, Sarah Pong
Taylor Hard, PMA-OER