



OFFICE OF ENVIRONMENTAL REMEDIATION

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

Daniel Walsh, Ph.D.
Director

Tel: (212) 788-8841

NOTICE TO PROCEED
DOB Job Number NB - 310100761

February 2, 2018

Re: 141 North 6th Street
Brooklyn Block 2327, Lot 32 (formerly p/o Lot 19)
Hazardous Materials "E" Designation
E-138: Greenpoint – Williamsburg Rezoning – 5/11/2005 – CEQR 04DCP003K
OER Project Number 17EHAZ209K / 17CVCP068K

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 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 §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 Colin Sullivan at 212-341-2082.

Sincerely,

Zach Schreiber, Ph.D.
Assistant Director

cc: Jerry Lebedowicz, North 6th Street 141, LLC - viperuki@aol.com
A.J. Infante, Athenica Environmental Services - ainfante@athenica.com
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Colin Sullivan, PMA-OER



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DECISION DOCUMENT

NYC VCP, E-Designation Remedial Action Work Plan Approval

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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 April 2017 with Stipulation Letter dated January 2018 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 05/26/2017. There were no public comments. NYSDEC and NYC DOHMH were briefed on this project in March 2017.

Project Description

The development project consists of a new mixed residential and commercial use building with a rear yard. The new building will have 6 floors and a cellar that encompasses the entire site. The proposed building has a setback on the 5th and 6th floors. The cellar will be utilized as storage, utility and meter rooms and accessory use for residential units. The first floor will be used as a community facility, medical facility and residential units. The second through 6th floors will be used as residential units. The Site will be excavated to approximately 12 feet below grade surface (bgs) for the construction of a new cellar.

Statement of Purpose and Basis

This document presents the remedial action for the NYC Voluntary Cleanup Program and E-Designation Program project known as “141 North 6th Street” 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

The remedial action selected for the 141 North 6th 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(s).

6. Excavation and removal of soil/fill exceeding Track 4 Site Specific SCOs. The entire footprint of the Site will be excavated to a depth of approximately 12 feet below grade for development purposes. Additional excavations to 19 feet below grade for an elevator pit and 14 feet below grade for installation of a storm water catch basin will be performed for development purposes. Approximately 3,300 tons of soil/fill will be removed from the Site and properly disposed at an appropriately licensed or permitted facility.

7. Management of soil in the area of SB-1 and B-4 as hotspots.

8. Site soil will be remediated to the specified Site SCOs, and as specified by the NYSDEC, an attempt will be made to remediate cadmium in soils to its SCO for Groundwater Protection (7.5 parts per million [ppm]). The Site-specific SCOs identified in the RAWP include 10 ppm for cadmium and 350 ppm for copper. The Site-specific SCO for cadmium presented in the RAWP is amended to meet the SCO for Groundwater Protection. In order to achieve this SCO, hot spot excavation and off-site removal of cadmium-impacted soils is proposed. This hot spot excavation will include removal of impacted soils to a depth greater than the site-wide excavation of 12-feet below grade for developmental purposes. Supplemental end-point soil samples will be collected to confirm attainment of the targeted SCOs at the Site. In the event that excavation to the targeted SCOs (i.e. SCO for Groundwater Protection of cadmium) is not feasible, stabilization/solidification will be utilized to immobilize cadmium in Site soil. A method for stabilization/solidification (i.e. cement/soil mixing) will be approved by the NYCOER and NYSDEC prior to application. Disposal of hazardous soil from the Site will be conducted under the USEPA Hazardous Waste Generator ID obtained for the Site: #NYR000231977.

9. 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.

10. Management of excavated materials including temporarily segregating and stockpiling in accordance with defined material types and to prevent co-mingling of contaminated material and non-contaminated materials.

11. Removal of all USTs that are encountered during soil/fill removal actions. Registration of tanks and reporting of any petroleum spills associated with UST's and appropriate closure of these petroleum spills in compliance with applicable local, State and Federal laws and regulations.

12. 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.

13. Collection and analysis of five end-point samples to determine the performance of the remedy. Two end-point soil samples will be biased towards the two hotspot locations identified during the Remedial Investigation (SB-1 and B-4).

14. Import of materials to be used for backfill and cover in compliance with this plan and in accordance with applicable laws and regulations.

15. Construction of an engineered composite cover consisting of a 5-inch thick concrete building slab with a 6-inch $\frac{3}{4}$ " clean bluestone sub-base beneath all building areas.

16. Installation of a vapor barrier system consisting of a continuous vapor barrier beneath the building slab and outside of sub-grade foundation sidewalls to grade to mitigate soil vapor migration into the building. The vapor barrier system will consist of the Stego Wrap 20-mil vapor barrier below the slab throughout the full building area and outside all sub-grade foundation sidewalls to grade. 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 RAR that the vapor barrier system was designed and properly installed to mitigate soil vapor migration into the building.

17. Installation of an active sub-slab depressurization system (SSDS) consisting of two closed loops of horizontal pipe set in the middle of a gas permeable layer immediately beneath the building slab and vapor barrier system. The horizontal piping will consist of fabric wrapped, perforated schedule 40 4-inch PVC pipe. The two horizontal piping loops will be connected to individual 4-inch steel or cast iron riser pipes that penetrate the slab and travel through the building to the roof. The riser pipes will be finished with a rain cap to prevent rain infiltration, will be located a minimum of 10 feet from fresh air intakes and outdoor recreational space and will be located in an area accessible only to building maintenance staff. The gas permeable layer will consist of $\frac{3}{4}$ -inch diameter fresh quarried bluestone or approved equivalent and will be installed below the entire slab area. The active SSDS will be hardwired and will include a Radon Away RP265 blower installed on the roof line and a pressure gauge and alarm located in an accessible area in the basement. The active SSDS is an Engineering Control for the remedial action. The remedial engineer will certify in the RAR

that the active SSDS was designed and properly installed to establish a vacuum in the gas permeable layer and a negative (decreasing outward) pressure gradient across the building slab to prevent vapor migration into the building.

18. 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.

19. Implementation of storm-water pollution prevention measures in compliance with applicable laws and regulations.

20. Submission of an 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.

21. Submission of an approved Site Management Plan (SMP) in the Remedial Action Plan (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.

22. 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 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 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.



February 2, 2018

Date

Colin Sullivan
Project Manager



February 2, 2018

Date

Zach Schreiber, Ph.D.
Assistant Director

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