



**OFFICE OF ENVIRONMENTAL REMEDIATION**

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

**Mark P. McIntyre, Esq.**  
**Director**

Tel: (212) 788-8841

**DECISION DOCUMENT**  
**NYC VCP and E-Designation**  
**Remedial Action Work Plan Approval**

May 2, 2022

Re: 4180 Carpenter Avenue; 4176-4178 Carpenter Avenue; 633-639 East 232<sup>nd</sup> Street  
Bronx Block 4835, Lots 45, 43, 36, 37, 39  
Hazardous Materials, Noise E Designation  
E-279: Williamsbridge/ Baychester Rezoning - CEQR 11DCP148X - 10/5/2011  
OER Project Number 22EH-N126X / 22CVCP050X

The New York City Office of Environmental Remediation (OER) has completed its review of the Remedial Action Work Plan (RAWP) dated March 2022 with Stipulation Letter dated April 15, 2022 and the Remedial Action Plan for Noise dated April 2022 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 04/03/2022. There were no public comments. OER briefed NYSDEC and NYC DOHMH on March 2, 2022.

**Project Description**

The proposed future use of the Site will consist of a 5-story residential building covering 15,490-square feet of the Site. With the approximate 18-foot elevation change between Carpenter Avenue at the west side of the Site and the east end of the Site at East 232<sup>nd</sup> Street, the building will be benched into the slope with the west end of the project being one level below grade and the east end being two levels below grade. The lowest level will be identified as the sub-cellar with the cellar level being at grade elevation along Carpenter Avenue. The eastern end of the property will have an approximate 10 foot setback that will not be excavated to full cellar depth, however it is anticipated that excavation will extend to bedrock. The sub-cellar will consist of mechanical rooms, storage room and 27 indoor parking spaces; the cellar will consist of a lobby, recreation room, indoor parking space, compactor room and a community facility. The 1st floor will include a gym, a laundry room, a bicycle room, and indoor parking spaces. The 2nd to 5th floors will consist of 23 residential apartments per floor for a total of 92 units. The roof will house a boiler room, elevator machine room and a green roof area.

The new development will require excavation for the sub-cellar from approximately 9 feet from site grade elevation of 121.19 feet asl around the northwest corner, to 14 feet from site grade elevation of 126.63 feet asl around the southwest corner and down to approximately 30 feet from site grade elevation of elevation 142.4 feet asl along the eastern portions of the site.

**Statement of Purpose and Basis**

This document presents the remedial action for the NYC Voluntary Cleanup Program and E-Designation Program project known as “4180 Carpenter Avenue” pursuant to Subchapter 7 of Chapter 14 of Title 43 of the Rules of the City of New York and the Zoning Resolution and §43 - 1474 of the Rules of the City of New York.

**Description of Selected Remedy for Hazardous Materials**

The remedial action selected for the 4180 Carpenter 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 an approved Citizen Participation Plan.
2. Performance of a Community Air Monitoring Program for particulates and volatile organic carbon compounds.
3. Selection of Unrestricted Use (Track 1) 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). A Waste Characterization Report documenting sample procedures, location, analytical results shall be submitted to NYCOER prior to the start of remedial action
6. Excavation and removal of soil/fill exceeding Unrestricted Use (Track 1) SCOs. The entire perimeter (about 98% of the property) will be excavated to design grade for development purposes:
  - To a depth of 9 feet from site grade elevation of 121.19 feet asl around the northwest corner of Site;
  - To a depth of 13 feet from site grade elevation of elevation of 126.63 feet asl around the southwest corner;
  - To a depth of 30 feet from site grade elevation of elevation 142.40 feet asl along the eastern portion to an elevation of 112.4 feet asl for the layout of the sub-cellar, and;
  - to the depth of bedrock at approximately 2 to 4 feet from site grade elevation in undeveloped portions along the eastern and northeastern boundaries of the Site.
  - Approximately 1,560 cubic yards (or 2,028 tons) of soil/fill material and 9,000 cubic yards (or 13,500 tons) of crushed bedrock will be removed from the Site and properly disposed at an appropriately licensed or permitted facility.
7. 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.
8. 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.
9. Removal of all USTs that are encountered during soil 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.
10. 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.
11. Collection and analysis of end-point samples to determine the performance of the remedy with respect to attainment of Track 1 SCOs if soil remains above bedrock onsite.
12. Import of materials to be used for backfill and cover in compliance with this plan and in accordance with applicable laws and regulations.
13. 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.
14. Implementation of storm-water pollution prevention measures 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, and lists any changes from this RAWP.

If Track 1 Unrestricted Use SCOs/Track 2 Restricted Residential Use SCOs are not achieved, the following construction elements implemented as part of new development will constitute Engineering and Institutional Controls:

16. As part of development, construction of an engineered composite cover consisting of a 4-inch thick concrete building slab underlain by a 6-inch layer of 3/4-inch bluestone beneath all building areas.
17. As part of development, installation of a vapor barrier system consisting of 20-mil 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 20-mil vapor VaporBlock Plus membrane manufactured by Raven industries. All welds, seams and penetrations will be properly sealed to prevent preferential pathways for vapor migration.

**Description of Selected Remedy for Noise**

The elements of the remedial action selected for Noise for the 4180 Carpenter Avenue site are as follows:

To satisfy the requirements of the E-designation, the following window/wall attenuation requirements will be achieved at the locations described below:

1. 33 dBA on all facades.

The following windows will be installed:

Façade Floor Range	OITC Rating (dBA)	OITC Certification	Manufacturer and Model	Glazing
Western Façade- Residential spaces on Floors 2 to 5  Northern, Southern and Eastern Façades- Residential spaces on Floors 2 to 5	33 (Required 33)	See ASTM E-90 acoustical test report F9417.01-113-11-R0, Data File No. F9417.01B for the exact window and glazing system included in the Noise RAP	Fixed Beside Casement Window; Crystal Window and Door Systems, LTD; 8510 (fixed) & 8500 (casement)	1-1/4" IG (5/16" laminated exterior, 3/4" air space, 3/16" annealed interior)
Western Façade- Residential lobby in cellar and residential amenities on Floor 1  Southern and Eastern Façades- Community space on Floor 1	33 (Required 33)	See ASTM E-90 acoustical test report RAL™-TL22-041 for test specimen consisting of a combination of Oldcastle storefront window mounted inside Trifab® Versa Glaze® frame included in the Noise RAP	Insulated glazing by Oldcastle Building Envelope and metal frame by Kawaneer Architectural Aluminum Storefront Systems	1/4" laminated exterior, 1/2" air space, 1/4" laminated interior)

**Alternate Means of Ventilation**

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:

- **Louvers:** Installing louvers at the cellar floor of the building in the west building elevation fronting Carpenter Avenue and on first floor in the east elevation toward the rear yard that will provide fresh air to the recreation spaces on these two floors. The ventilation air in this space is ducted from louvers and is treated by energy recovery units (Daikin model VAM600). Installing louvers at the first floor in the south building elevation toward East 232<sup>nd</sup> Street that will provide fresh air to the recreation space (gym), laundry room on first floor and also to corridors in floors 1 through 5. The ventilation air in these spaces is ducted from louvers and is treated by an energy recovery unit (Daikin model VAM1200).
- **Combination of Dedicated Fresh Air/ HVAC System.** Installing at the roof of the building two HVAC Daikin units ACCU1 and ACCU2 model RXYQ120XATJA and one Daikin unit ACCU3 model RXYQ192XATJA that will provide fresh air to community space on cellar floor through ducted VRF units distributing fresh air throughout this space.

- **PTAC Units:** Installing PTAC units EZ series LT manufactured by Islandaire that will be built into the window frames of each residential unit. PTAC units are specified as model EZLT09A2 for the living rooms and EZLT07A2 for the bedrooms. Both of these models numbers will be ending with symbol “B” for being equipped with a motorized fresh air damper as alternate means of ventilation that will deliver fresh air to all bedrooms and living rooms. The motorized fresh air damper is an integral part of the PTAC unit and will be purchased separately and assembled on the unit per manufacturer specifications. The motorized damper will open when the PTAC unit fan is energized in the operation mode (i.e. cooling mode, heating mode or fan mode) and is specified to permit fresh outdoor air intake at a rate of 20 CFM. The motorized damper will be configured to a Normally Open Vent mode that will default to open position in the event of power failure (See M-205). Motorized outside air damper will close if outdoor air ambient temperature falls below 32 °F.
- **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 Air Quality and Hazardous Materials E Designation described above conform to the promulgated standards and criteria that are directly applicable, or that are relevant and appropriate and take into consideration OER guidance, as appropriate.

05/02/2022	
Date	Miranda Fatolitis Project Manager
05/02/2022	
Date	Zach Schreiber Assistant Director

cc: Jay Martino, Stagg Group - [JMartino@StaggGroup.Com](mailto:JMartino@StaggGroup.Com)  
 Paul Matli, HydroTech Environmental Engineering and Geology, DPC - [pmatli@hydrotechenvironmental.com](mailto:pmatli@hydrotechenvironmental.com)  
 Tarek Khouri, Hydro Tech Environmental Engineering and Geology, DPC - [tkhouri@hydrotechenvironmental.com](mailto:tkhouri@hydrotechenvironmental.com)  
 Mark Robbins, HydroTech Environmental Engineering & Geology, DPC - [mrobbins@hydrotechenvironmental.com](mailto:mrobbins@hydrotechenvironmental.com)  
 Dominic Cullen, A Degree of Freedom, PLLC - [dominic@adegreeoffreedom.com](mailto:dominic@adegreeoffreedom.com)  
 Virxhinia Daci, HydroTech Environmental Engineering & Geology, DPC - [vdaci@hydrotechenvironmental.com](mailto:vdaci@hydrotechenvironmental.com)  
 Mark McIntyre, Shaminder Chawla, Maurizio Bertini, Sarah Pong  
 Miranda Fatolitis, PMA-OER