



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
DOB Job Number NB-321590328

August 27, 2020

Re: 1010 Pacific Street
Brooklyn Block 1133, Lot 32 (formerly Lots 32 & 42)
Hazardous Materials and Air Quality “E” Designation
E-503: 1010 Pacific Street Rezoning - CEQR - 5/8/2019
OER Project Number 20EH-A173K / 20CVCP072K

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 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 §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 Kestana Anokye at 212-788-8841.

Sincerely,

Maurizio Bertini
Assistant Director

cc: Solomon Schwimmer, Twin Group Associates Inc - sschwimmer@tgany.com
Kevin Brussee, Environmental Business Consultants - kbrussee@ebcincny.com
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DECISION DOCUMENT

NYC VCP, E-Designation Remedial Action Work Plan Approval

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E-503: 1010 Pacific Street Rezoning - CEQR - 5/8/2019
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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 2020 with Stipulation Letter dated August 2020 and the Remedial Action Plan for Air Quality dated August for the above-referenced project.

These Plans were submitted to OER under the NYC Voluntary Cleanup Program.

The RAWP was released for public comment for 30 days as required by program rule. That comment period ended on 05/28/2020. There were no public comments. OER briefed NYSDEC and NYCDOHMH on May 15, 2020.

Project Description

The development project consists of the construction of a new 9-story mixed-use building (commercial and residential) with a partial cellar. The cellar will occupy approximately 84% of the lot and will consist of a 14,075 ft² parking garage accessible from a ramp on the east side of the building, a 2,319 ft² mechanical space room, and a 3,448 ft² residential recreational space. The first floor will occupy the first 72 ft of the lot, leaving a 38 ft by 235 ft rear courtyard. The courtyard will be constructed mostly over the cellar and will consist of an accessory open parking garage (5,297 ft²) and a 4,566 ft² outdoor recreational space. The first floor of the building will consist of a commercial space, a recreational space, seven residential apartments, and the building’s mail/package room, a laundry room, a refuse/chute room, lobby. A garage entrance (concrete capped) on the east side of the building will provide access to the rear parking area (concrete capped) constructed above the cellar and located behind the building. A 4,566 ft² outdoor recreational space will be located west of the rear parking lot, also over the cellar. The 2nd through 9th floors will consist of residential apartments.

Statement of Purpose and Basis

This document presents the remedial action for the NYC Voluntary Cleanup Program and E-Designation Program project known as “1010 Pacific 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 for Hazardous Materials

The remedial action selected for the 1010 Pacific 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. Delineation (horizontal and vertical) of PCB and VOC hotspot around SB-6.
5. Site mobilization involving Site security setup, equipment mobilization, utility mark outs and marking & staking excavation areas;
6. Completion of a Waste Characterization Study prior to excavation activities. Waste characterization soil samples will be collected at a frequency dictated by disposal facility. A Waste Characterization Report documenting sample procedures, location, analytical results shall be submitted to NYCOER prior to start of remedial action;
7. Excavation and removal of soil/fill exceeding Track 4 Site-Specific SCOs. For development purposes, excavation to a minimum depth of approximately 12 ft below sidewalk grade will be performed for the new building's cellar and footings, with additional excavation to a depth of approximately 16 ft for the elevator pit(s). The 10ft wide strip around the sides and rear of the building will be excavated to a depth of approximately 4 ft, and then sloped excavation will be performed to the base of the cellar excavation. Additional excavations are required in hotspot area by soil boring SB6. An estimated 11,000 cubic yards (16,500 tons) of soil/fill will be removed from the Site and properly disposed of at an appropriately licensed or permitted facility;
8. Screening of excavated soil/fill during intrusive work for indications of contamination by visual means, odor, and monitoring with a PID;
9. 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;
10. Removal of the 10,000-gallon underground storage tank, and any other underground storage tanks 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;
11. Transportation and off-Site disposal of all soil/fill material at 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;
12. Collection and analysis of eight end-point samples (EP1 – EP8) to determine the performance of the remedy with respect to attainment of Track 4 Site-Specific SCOs. All eight site-wide endpoint soil samples will be analyzed for full TCL parameters to determine if Track 2 SCOs can be achieved;
13. Import of materials to be used for backfill and cover in compliance with this plan and in accordance with applicable laws and regulations;
14. Installation of a vapor barrier system below the cellar slab, behind all cellar foundation walls to grade, below/around the elevator pits and other sub-slab structures, and below the at-grade portion of the building that extends beyond the cellar. The vapor barrier system will consist of 20-mil Raven Industries VaporBlock

Plus® Series (VBP20) 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;

15. Construction and maintenance of an engineered composite cover consisting of the new building's 6 inch thick concrete cellar slab and 6 inch thick concrete at-grade slab over the 10ft wide strip along the rear and sides of the property to prevent human exposure to residual soil/fill remaining at the Site;
16. Performance of all activities required for the remedial action, including permitting requirements and pretreatment requirements, in compliance with applicable laws and regulations;
17. Groundwater is 70 feet deep. Dewatering is not anticipated;
18. Implementation of storm-water pollution prevention measures in compliance with applicable laws and regulations;
19. Submission of an approved Site Management Plan (SMP) in the Remedial Action Report 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. 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 describes all Engineering and Institutional Controls to be implemented at the Site, and lists any changes from this RAWP; and
21. 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.

Description of Selected Remedy for Air Quality

The elements of the remedial action selected for Air Quality for the 1010 Pacific Street site are as follows:

In order to satisfy the requirements of E-503, electric will be utilized for HVAC systems for the amenity spaces, public corridors and common areas, and all residential apartments. Natural gas will be used for domestic hot water.

The residential apartments, amenity spaces, public corridors and common areas will be heated and cooled using by electric Mitsubishi split type heat pump systems consisting of outdoor condensing unit installed on the roof (models PUMY-P36NKMU1, PUHY-P96TLMU-A, PUHY-P144TLMUA, and PUMY-P48NKMU1) installed on the roof, and indoor fan coils (models PKFY-P06NBMU-E2, PKFY-P08NHMU-E2, PKFY-P12NHMU-E2, PKFY-P18NHMU-E2, PKFY-P24NKMU-E2, PEFY-P48NMAU-E3, PEFY-P12NMAU-E3, PEFY-P08NMAU-E3, PEFY-P36NMAU-E3, and PLFY-P12NFMU-E) installed within each apartment.

Domestic hot water will be provided to the apartments by four Laars NTV1000 gas fired condensing boilers installed in a mechanical room on the roof.

In order to satisfy the requirements of the E-designation, four stacks associated with four Laars NTV1000 gas fired condensing boilers will extend 3 ft above the bulkhead. The location of stacks associated with natural gas equipment is described below:

The four stacks associated with the Laars NTV1000 gas fired condensing boilers will be 6-inches in diameter and will terminate 3 feet above the bulk head. The total elevation of the four stacks will be approximately 108'-0" feet above sidewalk grade.

The remedies for Hazardous Materials, Air Quality 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.



8-27-2020

Date

Kestana Anokye
Project Manager



8-27-2020

Date

Maurizio Bertini
Assistant Director

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