



OFFICE OF ENVIRONMENTAL REMEDIATION

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

March 16, 2022

Re: 743 East Gun Hill Road
Bronx Block 4657, Lot 1 (Former Lot 1 & Partial Lot 4)
Hazardous Materials and Noise “E” Designation
E-279: Williamsbridge/ Baychester Rezoning - CEQR 11DCP148X - 10/5/2011
OER Project Number 22EH-N010X / 22CVCP004X

The New York City Office of Environmental Remediation (OER) has completed its review of the Remedial Action Work Plan (RAWP) dated August 2021 (revised February 2022) with Stipulation Letter dated February 17, 2022 and the Remedial Action Plan for Noise dated February 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 October 2, 2021. There were no public comments.

Project Description

The project consists of redeveloping Lot 1 (Former Lot 1 and partial Lot 4) with a new 8-story residential building with a full cellar level (approximately 11,455 square feet) and a concrete capped rear courtyard (2,821 square feet). The cellar will include parking for 43 cars accessible from a ramp that enters/exits from East Gun Hill Road, a 656 square foot electrical meter room, and a 1,041 square foot bicycle storage room. The 1st floor will consist of parking for an additional 33 cars and the residential lobby with a mail room. The 2nd through 8th 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 “743 East Gun Hill Road” 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 743 East Gun Hill Road 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. A Waste Characterization Report documenting sample procedures, location, analytical results shall be submitted to NYCOER prior to start of remedial action;

6. Excavation and removal of soil/fill exceeding Track 4 Site-Specific SCOs. For development purposes, excavation to a depth of approximately 11 feet below grade will be performed for the building's 11,455 square foot cellar, with additional excavation to 16 feet for the elevator pit. The top two feet of soil/fill will be removed along the rear of the cellar walls adjacent to the funeral home building, and then sloped excavation will be performed down to approximately 11 feet to the base of the cellar walls. The rear courtyard will require removal of the top 1 to 2 feet to install a level concrete slab. An estimated 6,000 cubic yards (9,000 tons) of soil/fill and bedrock will be removed from the Site and properly disposed of 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;
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 any underground storage tanks encountered during soil/fill removal actions. Registration of tanks and reporting of any petroleum spills associated with USTs 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 permitted facilities in accordance with applicable laws and regulations for handling, transport, and disposal, and the RAWP. Sampling and analysis of excavated media as required by disposal facilities. Appropriate segregation of excavated media on-Site;
11. Collection and analysis of eight site-wide post-excavation end-point samples (EP1 - EP8) to determine the performance of the remedy with respect to attainment of Track 4 Site-Specific SCOs. All collected site-wide endpoint soil samples will be analyzed for SVOCs and metals to determine if Track 4 Site-Specific SCOs can be achieved;
12. Import of materials to be used for backfill and cover in compliance with the RAWP and in accordance with applicable laws and regulations;
13. Performance of all activities required for the remedial action, including permitting requirements and pretreatment requirements, in compliance with applicable laws and regulations;
14. Installation of a vapor barrier system beneath the entire cellar slab, behind all cellar walls to grade, and below/around the elevator pit to mitigate soil vapor migration into the building. The vapor barrier system will consist of Raven Industries VaporBlock Plus® Series (VBP20) 20-mil vapor barrier system or an equivalent system. 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 following to prevent human exposure to residual soil/fill remaining at the Site:
 - a. The cellar and elevator pit will be capped with a 6-inch thick concrete slab underlain with Raven Industries VaporBlock Plus® Series (VBP20) 20-mil vapor barrier system, and ¾" bluestone.
 - b. The rear courtyard will be capped with a minimum 4-inch thick concrete slab underlain with residual soil or imported soil.
16. Installation of an active sub-slab depressurization system (SSDS). The active SSDS will consist of a single zone installed below the occupied portion of the cellar slab (area not utilized as ventilated parking). The SSDS zone will consist of a 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 4-inch PVC pipe connected to a 6-inch cast iron riser pipe that penetrates the slab and travels through the building to the roof. The gas permeable layer will consist of a 6-inch layer of ASTM 5. The SSDS will be hardwired and will include a RadonAway RP265 blower installed above the roof line and a separate set of a pressure gauge and alarm installed in a protective case located in an accessible area in the building. A total of three permanent monitoring points will be installed. The SSDS exhaust location will be located on the roof level and will be 10 feet from any operable window, operable doors, intakes or operable hatches, or outdoor recreational space. The 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
17. Upon completion of an active SSDS, a post construction meeting is required with consultant, developer

and building superintendent.

18. Prior to OER sign-off at project close out, the SSDS drawings will be filed with DOB, as required. Documentation of filing with DOB, for example, as a post-approval amendment (PAA) to the new building filing, can be presented to OER at any time during remedial implementation. To avoid delay at closeout, drawings should be filed prior to system construction.
 - a. SSDS riser diagram: The SSDS riser diagram will be included in NYC Department of Buildings (DOB) Applicant of Record mechanical drawings and riser diagrams. The riser design must meet applicable DOB code. The drawing will be stamped by the responsible P.E./R.A.;
 - b. Rooftop plan: The HVAC roof plan identifying the exhaust location(s) and labeling distances to all operable openings, air intakes and occupied spaces (i.e. rooftop recreational space) will be included in NYC Department of Buildings (DOB) Applicant of Record mechanical drawings and riser diagrams. Discharge point must exhaust at the roof and be at least 10 feet from any operable openings, air intakes and occupied spaces and must meet DOB code. The drawing will be stamped by the responsible P.E./R.A.
19. Construction and operation of a cellar parking garage with high volume air exchange in conformance with NYC Building Code.
20. Performance of all activities required for the remedial action, including permitting requirements and pretreatment requirements, in compliance with applicable laws and regulations;
21. Dewatering in compliance with city, state, and federal laws and regulations. Extracted groundwater will either be containerized for off-site licensed or permitted disposal or will be treated under a permit from New York City Department of Environmental Protection (NYCDEP) to meet pretreatment requirements prior to discharge to the sewer system.
22. Implementation of storm-water pollution prevention measures in compliance with applicable laws and regulations;
23. 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;
24. 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 the RAWP;
25. Recording of a Declaration of Covenants and Restrictions that includes a listing of Engineering Controls and Institutional Controls 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; and
26. The property will continue to be registered with an E-Designation at the NYC Buildings Department.

Description of Selected Remedy for Noise

The elements of the remedial action selected for Noise for the 743 East Gun Hill Road site are as follows:

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

1. 33 dB(A) for all facades.

The following windows and doors will be installed:

Window/Door Types	OITC Rating	OITC Certification	Manufacturer and Model	Glazing
Residential Windows All Facades Floors 2-8	33 33 required	See ASTM E90 Sound Transmission Loss Test Report No. F9417.01-113-11-R0 Report Date: 09/21/16 Data File No. F9417.01B	Crystal Window and Door Systems, Ltd. Series/Model 8510 Beside 8500 Fixed Beside Casement Window	1-1/4" IG (5/16" laminated exterior, 3/4" air space, 3/16" annealed interior)

In order 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:

- 1. PTAC Units:** Installing PTAC units manufactured by Islandaire (models EZLT07A2A1N40AA and EZLT09A2A1N40AA) within each bedroom and living room from the 2nd to 8th floors. Fresh air will be provided to all bedrooms and living rooms by the PTAC units. The Islandaire PTAC units models EZLT07A2A1N40AA and EZLT09A2A1N40AA will be supplied with a motorized outdoor air intake kit that has an optional manual damper. The Motorized Outside Damper feature utilizes a motor that opens and closes the damper whenever the evaporator fan is active. This permits fresh outdoor air intake at a rate of 60 cubic feet per minute (CFM). The damper, which includes a noise reduction cover, is located on the PTAC's firewall that separates the evaporator (indoor) and condenser (outdoor) sections. When the unit is not in any of its three operating modes (i.e., Cooling Mode, Heating Mode or Fan Mode), the evaporator fan is de-energized and the Motorized Outside Damper is closed. When the unit is in either Cooling Mode, Heating Mode or Fan Mode, the evaporator fan is energized and the Motorized Outside Damper is opened. The Motorized Outside Damper will remain open as long as the evaporator fan is energized. If the outdoor air ambient temperature falls below 32 °F, the Motorized Outside Damper will close even if the evaporator fan is energized, preventing cold air intake and allowing the unit to operate at higher efficiency. There are two Motorized Outside Damper configurations available based on customer preference; "Normally Open Vent" or "Normally Closed Vent". The key difference is the position that the damper door defaults to in the event of power removal, such as during a power outage. The "Normally Open Vent" would default to an open vent state if power is lost, whereas the "Normally Closed Vent" would default to a closed vent state with loss of power. Motorized Outside Damper operation can be overridden and kept permanently closed by setting an Auto/Off rocker switch to the Off position. This switch can be accessed by removing the front panel of the EZLT Unit's enclosure, where it can be readily seen on the chassis (see attached page for switch location). In order to achieve the alternate means of ventilation required by OER, the optional 20 CFM kit would have to be included, thus allowing the configuration of a normally open vent.

The Fresh Air Switch is located on the front of the PTAC unit beneath the chassis panel. Each unit is able to provide fresh air at a rate of up to 20 CFM to the associated apartment area. Air conditioning will be provided to each residential unit by the Islandaire PTAC units described above. Heat will be provided to each residential unit by hot water baseboard with hot water circulated by a Viessman gas fired boiler. The units will be controlled via programmable thermostats located on the walls.

- 2. Compliance with 2014 NYC Mechanical Code:** Providing outside air to residential common areas such as the lobbies, corridors, and amenity spaces in accordance with the 2014 NYC Mechanical Code.

The remedies for the Hazardous Materials and Noise 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.

March 16, 2022

Date

Shirley Chen
Project Manager

March 16, 2022

Date

Zach Schreiber, Ph.D.
Assistant Director

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