



OFFICE OF ENVIRONMENTAL REMEDIATION

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

Mark P. McIntyre, Esq.
Director

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NOTICE TO PROCEED
DOB Job Number NB-440651572

March 17, 2022

Re: 5-01 47th Road: 5-01 to 5-09 47th Road
Queens Block 29, Lot 21
Hazardous Materials “E” Designation
E-129: Hunters Point Subdistrict Rezoning - CEQR 04DCP011Q - 8/12/2004
OER Project Number 21EHAZ161Q

Dear Queens 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 Numbers. 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 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 Alysha Alfieri at 212-676-0459.

Sincerely,

Sarah Pong
Assistant Director

cc: Lenny Vays, BK Developers Inc. - Lenny@bkdevelopers.com
Igor Zaslavskiy, R.A., ZPROEKT - igor@zproekt.com
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DECISION DOCUMENT
E-Designation Remedial Action Plan Approval

March 17, 2022

Re: 5-01 47th Road
Queens Block 29, Lot 21
Hazardous Materials E Designation
E-129: Hunters Point Subdistrict Rezoning - CEQR 04DCP011Q - 8/12/2004
OER Project Number 21EHAZ161Q

The New York City Office of Environmental Remediation (OER) has completed its review of the Remedial Action Plan (RAP) dated March 2022 with Stipulation Letter dated March 16, 2022, for the above-referenced project.

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

Project Description

The Site is located in the Hunters Point neighborhood of Long Island City, Queens County and is currently vacant. The Site formerly contained one 2,500 square-foot partial two-story and partial one-story structure that covered the entire Site. The two-story contained a full seven-foot-deep basement. The existing basement slab remains on the Site and was backfilled with recycled construction aggregate (RCA) on top of the slab to sidewalk grade after demolition.

The proposed future use of the Site consists of constructing a new five-story mixed use commercial/residential building covering the entire Site. In addition, the full basement will be partially above grade and will extend to a depth of approximately 7 feet bgs with the proposed elevator shaft and footings extending to 8 feet bgs. The existing basement slab and backfill material will be removed prior to redevelopment. The water table is present at approximately 12 feet below grade and therefore will not be encountered during excavation.

The proposed use of the partially below grade basement is for commercial (retail) and will also contain utility rooms. All remaining floors will be residential apartments (apartments and common areas will be located on the ground floor).

Statement of Purpose and Basis

This document presents the remedial action for the E-Designation Program project known as “5-01 47th Road” pursuant to 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 5-01 47th Road site is protective of public health and the environment. The elements of the selected remedy are as follows:

1. Performance of a Community Air Monitoring Program for particulates and volatile organic carbon compounds.
2. Selection of NYSDEC Part 375-6.8 (b) Restricted Residential Use Soil Cleanup Objectives (SCOs).
3. Site mobilization involving Site security setup, equipment mobilization, utility mark outs and marking & staking excavation areas.

4. 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 start of remedial action
5. Excavation and removal of soil/fill exceeding Restricted Residential Use SCOs. For development purposes, excavation to 7 feet below grade will be performed across the Site for the cellar and deeper excavation to 8 feet below grade for footings and the elevator pit. Approximately 648 tons of soil/fill will be removed from the Site and properly disposed at an appropriately licensed or permitted facility.
6. 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.
7. 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.
8. Removal of all USTs that are encountered during soil/fill removal actions.
9. 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 licensed or permitted facilities in accordance with applicable laws and regulations for handling, transport, and disposal, and the RAP. Sampling and analysis of excavated media as required by disposal facilities. Appropriate segregation of excavated media on-Site.
11. Collection and analysis of four post-excavation confirmation soil samples to determine the performance of the remedy with respect to attainment of Restricted Residential Use SCOs.
12. Import of materials to be used for backfill and cover in compliance with the RAP and in accordance with applicable laws and regulations.
13. Construction of a composite cover consisting of a six-inch thick concrete building slab across the Site with an 8-inch clean granular sub-base. The full footprint of the Site will be capped with concrete; no at-grade landscaped areas are proposed. The remedial engineer will certify in the RCR that the composite cover system was designed and properly installed to prevent exposure to remaining soil/fill.
14. Installation of a vapor barrier system consisting of vapor barrier beneath the building slab and outside of sub-grade foundation sidewalls to mitigate soil vapor migration into the building. The vapor barrier system will consist of a 30-mil Raven Absolute Barrier Y30BAC membrane below the slab throughout the full building area and a 30-mil Raven Absolute Barrier Y30BAC membrane outside all sub-grade foundation sidewalls. All welds, seams and penetrations will be properly sealed to prevent preferential pathways for vapor migration. The remedial engineer will certify in the RCR that the vapor barrier system was designed and properly installed to mitigate soil vapor migration
15. Import of materials to be used for backfill and cover in compliance with the RAP and in accordance with applicable laws and regulations.
16. 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.
17. Implementation of storm-water pollution prevention measures in compliance with applicable laws and regulations.
18. Submission of a RCR that describes the remedial activities, certifies that the remedial requirements have been achieved, defines the Site boundaries, lists any changes from the RAP, and describes all Engineering Controls to be installed at the Site.
19. Continued registration with the E-designation at the Department of Buildings.

The remedy 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.

March 17, 2022



Date

Alysha Alfieri
Project Manager

March 17, 2022



Date

Sarah Pong
Assistant Director

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