



**OFFICE OF ENVIRONMENTAL REMEDIATION**

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**Director**

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**NOTICE TO PROCEED**  
**DOB Job No. NB - 220354952**

March 31, 2014

Werner de Foe, A.I.A.  
Bronx Borough Commissioner  
NYC Department of Buildings  
1932 Arthur Ave., 5th Floor  
Bronx, NY 10457

Re: **316 East 162<sup>nd</sup> Street – Hazardous Materials, Air Quality, and Noise “E” Designation**  
**E-225: Block 2421, Lot 27, Bronx, CD 4**  
**161 Street/River Avenue Rezoning- CEQR #09DCP024X**  
**OER Project # 14EHAN299X**

Dear Commissioner de Foe:

The New York City Office of Environmental Remediation (OER) has reviewed Ecosystems' March 2014 Remedial Action Plan (RAP) and March 2014 Noise Remedial Action Plan (RAP: Noise), and received the site-specific Construction Health and Safety Plan (CHASP). These documents were prepared on behalf of Urban Pathways, Inc. (the applicant) to support construction of a new 10-story residential building with a partial cellar. Excavation for the partial cellar of the new building will encompass a portion of the site and extend to a depth of approximately 12 feet below grade. The balance of the unexcavated property will be capped either by the remainder of the building footprint or by a front entrance and rear-yard area. The depth to groundwater is estimated to be below weathered bedrock found at 16 feet bgs. The NYC Department of City Planning placed an "E" Designation for Hazardous Materials and Noise (E-225) on the subject parcels as part of the 161 Street/River Avenue Rezoning action (CEQR # 09 DCP 024X).

**Hazardous Materials**

In order to satisfy the requirements of E-225, the applicant has agreed to: removing/disposing of all excavated soil/fill from the site in accordance with all applicable federal, state, and local regulations including transportation manifests, weight tickets, and disposal/recycling certificates; vapor barrier system consisting of VaporBlock®, or comparable alternatives (minimum 20-mil thickness), and/or ProCore® spray-on moisture barrier, beneath the foundation slab(s) as well as upwards along all sidewalls to grade; composite cover of the entire site with the concrete building foundation; CAMP implementation, etc.

**Air Quality**

In order to meet the Air Quality requirements, Natural Gas will be utilized at the site for two residential water heater boilers, the HVAC unit and a generator. The applicant is proposing to install one (1) natural gas fired roof-top HVAC unit, Model JIOZI manufactured by Johnson Controls, two (2) natural gas fired hot water boilers, model PBN0752 manufactured by Lochinvar, and one (1) natural gas fired generator, model 150RZGC manufactured by Kohler. The applicant has provided OER with all of the required documentation regarding air quality requirements.

**Noise**

In order to satisfy the requirements of E-225 a window/wall attenuation of 35 dBA will be achieved. The owner has committed to installing new windows according to the following description: windows manufactured by TRACO, division of Kawneer, model NX-3100 Casement Outswing, with a glazing made of 9/16" clear laminated interior lite, 3/4" air space and 1/4" annealed outer lite will be installed in the front and rear façade of the building. The proposed window has been rated with an OITC of 35dBA.

An alternate means of ventilation (AMV) will be achieved in all of the residential units via operable fresh air dampers within individual PTAC units, EZ Series NY, model numbers EZ07, EZ09, and EZ12, manufactured by Islandaire. An alternate means of ventilation will be achieved by a ventilation system that introduces outside air to all common/administration areas per the requirements of the New York City Mechanical Code of 2014 for commercial space.

### **Conclusion**

OER has concluded that the applicant may proceed with remediation/construction, provided that a P.E. certified RCR (or RAR equivalent) and PE/RA-certified Air Quality and Noise Installation Report be submitted by the applicant to OER for review and approval at the conclusion of remediation/construction activities. No other permits (i.e., Temporary or Certificate of Occupancy) should be issued by the NYC Department of Buildings (DOB) until OER has issued a "Notice of Satisfaction" for the proposed project.

If you have any questions or comments, please feel free to contact Mr. Eric Ilijevich at (212) 341-2034.

Sincerely,



Maurizio Bertini, Ph.D.  
Assistant Director

cc: D. Walsh, S. Chawla, Z. Schreiber, M. Bertini, E. Ilijevich, PMA-OER  
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