



**OFFICE OF ENVIRONMENTAL REMEDIATION**

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

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

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**NOTICE TO PROCEED**  
**DOB Job Number A1 321669654**

May 20, 2019

Re: 975 Manhattan Avenue  
Brooklyn Block 2532, Lot 46  
Hazardous Materials and Noise “E” Designation  
E-232: Greenpoint - Williamsburg Contextual Rezoning - CEQR 09DCP056K - 7/29/2009  
OER Project Number 18EH-N439K / 19CVCP060K

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 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 Work Plan and Noise 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 Tara Ostock at 212-788-7527.

Sincerely,

Shaminder Chawla  
Deputy Director

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**DECISION DOCUMENT**

**NYC VCP, E-Designation Remedial Action Work Plan Approval**

May 20, 2019

Re: 975 Manhattan Avenue  
Brooklyn Block 2532, Lots 46  
Hazardous Materials, Noise E Designation ,  
E-232: Greenpoint - Williamsburg Contextual Rezoning - CEQR 09DCP056K - 7/29/2009  
OER Project Number 18EH-N439K / 19CVCP060K

The New York City Office of Environmental Remediation (OER) has completed its review of the Remedial Action Work Plan (RAWP) dated April 2019 with Stipulation Letter dated May 2019 and the Remedial Action Plan for Noise dated March 2019 for the above-referenced project.

These Plans were submitted to OER under the NYC Voluntary Cleanup Program and E-Designation Program.

NYS DEC was briefed on the remedy on 01/24/2019. The RAWP was released for public comment for 30 days as required by program rule. That comment period ended on 02/24/2019. There were no public comments.

**Project Description**

The existing, one- and two-story building and cellar is planned for demolition and removal. The proposed development will consist of a six-story, mixed-use building with one cellar level and a penthouse level. The cellar will occupy the entire footprint of the lot (approximately 2,500 square feet) and will be for commercial use. The first floor of the building will occupy an approximately 2,451 square feet area of the lot and include approximately 2,043 square feet of commercial and approximately 408 square feet of residential spaces. Each of the second through sixth floors of the proposed building will include approximately 1,624 square feet of residential space. The penthouse level will feature a 593 square feet residential space. The bulkhead floor will include a 288 square feet boiler room, a 93 square feet machine room, and a 106 square feet stair space. The proposed development, including the cellar, the first to sixth floors, penthouse level and bulkhead floor, will have a gross square footage of approximately 14,103 square feet. Of the 10 residential units proposed for construction, 1 will be affordable residential unit and 9 will be market rate residential units.

**Statement of Purpose and Basis**

This document presents the remedial action for the NYC Voluntary Cleanup Program and E-Designation Program project known as “975 Manhattan Avenue” 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 975 Manhattan Avenue 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 (CAMP) for particulates and volatile organic carbon compounds.
2. Selection of Unrestricted Use (Track 1) 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).
5. Excavation and removal of soil/fill exceeding Unrestricted Use (Track 1) SCOs. The entirety of the buildable portion (2,451 SF) of the Site will be excavated to 9- to 14 -foot bgs for the construction of the building cellar and foundation and installation of a passive SSDS. The electrical room and pump room area will be excavated to approximately 14 feet bgs, the elevator lift area will be excavated to approximately 10 feet bgs, the machine room and stairwell area will be excavated to approximately 12 feet bgs, and the remainder of the Site (southern and western portions of existing cellar and the western portion of the Site without a cellar) will be excavated to 9 feet bgs. Approximately 600 CY (800 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 photo-ionization detector (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. 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.
9. 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.
10. Collection and analysis of end-point samples to determine the performance of the remedy with respect to attainment of Track 1 SCOs.
11. 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.
12. 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.
13. Implementation of storm-water pollution prevention measures in compliance with applicable laws and regulations.
14. 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 are not achieved, the following construction elements implemented as part of new development will constitute Engineering and Institutional Controls (EC/ICs):

15. As part of development, construction of an engineered composite cover consisting of 6-inch thick concrete building slab underlain by 8-inch thick clean granular sub-base material underneath the entire building footprint.
16. As part of development, installation of a waterproofing/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 46-mil Grace Preprufe 300R below the slab throughout the full building area and a 31-mil Grace Preprufe 160R outside all sub-grade foundation sidewalls. All welds, seams and penetrations will be properly sealed to prevent preferential pathways for vapor migration.
17. As part of development, installation of a SSDS consisting of a network of 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, slotted schedule 40 4-inch PVC pipe connected to a 6-inch galvanized steel riser pipe that penetrates the slab and travels through the building to the roof. The gas permeable layer will consist of a 12-inch thick layer of 2-inch trap rock stone. The pipe will be finished at the roof line. After the cellar slab has been installed and the building constructed, a Soil Vapor

Intrusion (SVI) study will be conducted at the Site. If results indicate a passive system is acceptable, the remedial engineer will certify in the RAR that the SSDS was designed and properly installed as part of development. If results of the SVI study indicate an active system is warranted, the SSDS pipe will finish at the roof with a Fantech Rn3 6-inch Radon Fan. The active SSDS will constitute 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.

18. If SVI study determines that an active SSDS is required, a deed restriction will be placed on the property to document the installation of, and continued operation, of the active SSD systems.
19. Submission of a RAR that describes the remedial activities, certifies that the remedial requirements have been achieved, defines the Site boundaries, lists any changes from this RAWP, and describes all Engineering and Institutional Controls to be implemented at the Site.
20. Submission of an approved Site Management Plan (SMP) in the Remedial Action Report (RAR) 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.
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 Noise**

The elements of the remedial action selected for Noise for the 975 Manhattan Avenue site are as follows:

1. 30 dBA for commercial spaces; and
2. 30 dBA in residential spaces.

The following windows will be installed:

<b>Façade Floor Range</b>	<b>OITC Rating</b>	<b>OITC Certification</b>	<b>Manufacturer and Model</b>	<b>Glazing</b>
Front (East) Facades Cellar (Commercial)	31	See ASTM E-90 acoustical report for the exact window and glazing	Tubelite Series/Model T24000w (window tag S3)	1-1/16" IG (1/4" exterior, 1/2" air space, 5/16" laminated interior)
Front (East) Facades 1 <sup>st</sup> Floor (Commercial)	31	See ASTM E-90 acoustical report for the exact window and glazing	Tubelite Series/Model T24000w (window tag S2)	1-1/16" IG (1/4" exterior, 1/2" air space, 5/16" laminated interior)
Front (East) Façade Floors 2-6 (Residential)	33	See ASTM E-90 acoustical report for the exact window and glazing	Wausau 2250i Series Invent (window tag W1)	1-1/16" IG(1/4" annealed exterior, 1/2" air space, 5/16" annealed interior)

Façade Floor Range	OITC Rating	OITC Certification	Manufacturer and Model	Glazing
Front (East) Façade Penthouse (Residential)	31	See ASTM E-90 acoustical report for the exact window and glazing	Wausau Series 5100 sliding glass door and Series 4250 fixed window (window tag W2)	1" IG (1/4" laminated exterior, 1/2" air space, 1/4" tempered interior)
Rear (West) Façade Floors 2-6 (Residential)	33, 31	See ASTM E-90 acoustical report for the exact window and glazing	Wausau 2250i Series Invent (window tag W1)  Wausau Series 5100 sliding glass door and Series 4250 fixed window (window tag W2)	2250i: 1-1/16" IG(1/4" annealed exterior, 1/2" air space, 5/16" annealed interior)  5100: 1" IG (1/4" laminated exterior, 1/2" air space, 1/4" tempered interior)
Front (East) Façade Floors Roof (Residential Egress Stair)	33	See ASTM E-90 acoustical report for the exact window and glazing	Wausau 2250i Series Invent (window tag W4)	1-1/16" IG(1/4" annealed exterior, 1/2" air space, 5/16" annealed interior)

To satisfy the requirements of the E Designation, Alternate Means of Ventilation (AMV) will be installed to maintain a closed window condition. AMV for this project will be achieved by:

1. Trickle Vents: Installing TrimventTV90 250 trickle vents with canopy and flat grill manufactured by Titon on windows and sliding doors in apartment units. Fresh air will be provided to all bedrooms and living rooms by the trickle vents. Manufacturer specifications for the trickle vents are included. Floor plans showing the locations of trickle vents are provided. Heating and cooling will be provided to residential spaces with split air conditional system. The certified alternate means of ventilation letter from mechanical engineer is provided.
2. Compliance with Mechanical Code: Providing outside air to commercial spaces and common areas such as lobbies and corridors in accordance with the NYC Mechanical Code 2018.

The remedies for the Hazardous Materials and Noise E Designations described above conform to the promulgated standards and criteria that are directly applicable, or that are relevant and appropriate and takes into consideration OER guidance, as appropriate.

May 20, 2019

Date



Tara Ostock  
Project Manager

May 20, 2019

Date



Maurizio Bertini, Ph.D.  
Assistant Director

May 20, 2019

Date



Shaminder Chawla  
Deputy Director

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