



**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 NB-421133918, DOB NOW Job Numbers Q00534236, Q00540042, Q00480862, Q00484676, Q00474334, 440669545, Q00473955**

June 16, 2021

Re: 44-14 Douglaston Parkway  
Queens Block 8092, Lot 25  
Hazardous Materials Restrictive Declaration and Air Quality and Noise "E" Designation  
R-233: Douglaston Parkway Rezoning - CEQR 06DCP092Q - 11/17/2010  
E-494: Douglaston Parkway Rezoning - CEQR 06DCP092Q - 3/13/2019  
OER Project Number 20RHAN011Q / 20CVCP080Q

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 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, Noise Remedial Action 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 212-788-8319.

Sincerely,

Sarah Pong  
Assistant Director

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**DECISION DOCUMENT**

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

June 16, 2021

Re: 44-14 Douglaston Parkway  
Queens Block 8092, Lots 25  
Hazardous Materials Restrictive Declaration and Air Quality and, Noise "E" Designation  
R-233: Douglaston Parkway Rezoning - CEQR 06DCP092Q - 11/17/2010  
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OER Project Number 20RHAN011Q / 20CVCP080Q

The New York City Office of Environmental Remediation (OER) has completed its review of the Remedial Action Work Plan (RAWP) dated June 2020 with Stipulation Letter dated June 15, 2021 and the Remedial Action Plan for Air Quality and Noise dated May 2021 for the above-referenced project.

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

The RAWP was released for public comment for 30 days as required by program rule. That comment period ended on September 26, 2020. There were no public comments.

**Project Description**

The redevelopment project consists of a new 7-story residential building with open-air parking in the cellar and the sub-cellar. The Site will be developed with one building with two seven-story towers. The sub cellar will encompass 95% of the lot and will consist of open air parking. The cellar will consist of open air parking, stair and elevator access, two residential units and outdoor space. The first floor will consist of parking, reception areas and residential units. The second through seventh floors will consist of residential units. The site will have a total of (30% senior affordable housing and 80% AMI) 48 residential units and has a total gross square footage of 34,494.89. The building height will be approximately 76 feet. In addition, the building's sub cellar will contain a parking garage with high volume air exchange that conforms to the NYC Building Code.

Excavations for the new building footings, foundation elements, cellar and sub cellar will be performed to at least 20.8 feet below sidewalk grade for the first 118.2 feet on a slope (from an elevation of 63.64 to an elevation of 42.50). An additional 5 feet will be excavated for the elevator pits. An estimated 900 cubic yards or 1,350 tons of soil will require excavation for the new building's sub-cellar.

**Statement of Purpose and Basis**

This document presents the remedial action for the NYC Voluntary Cleanup Program and E-Designation/Restrictive Declaration Program project known as "44-14 Douglaston Parkway" 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 44-14 Douglaston Parkway 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). Selected SCOs for this project includes: lead 800 ppm and barium 600ppm;
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(s);
6. Excavation and removal of soil/fill exceeding Track 4 Site-Specific SCOs across the Site to at least 20.8 feet below sidewalk grade for the first 118.2 feet on a slope (from an elevation of 63.64 to an elevation of 42.50) for the new building footings, foundation elements, cellar and sub cellar. An additional 5 feet will be excavated for the elevator pits. An estimated 900 cubic yards or 1,350 tons of soil will require excavation for the new building's sub cellar;
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. 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 five post-excavation confirmation samples to determine the performance of the remedy with respect to attainment of SCOs. Samples will be analyzed for contaminants of concern VOCs, SVOCs, Metals, PCBs, and Pesticides;
11. Import and reuses of materials to be used for backfill and cover in compliance with this plan and in accordance with applicable laws and regulations;
12. Installation of a waterproofing membrane/vapor barrier system below the cellar level concrete slab as well as outside of sub-grade foundation sidewalls and below/around the elevator pits of the proposed building. The vapor barrier system will consist of a 20-mil polyethylene and EVOH resin vapor barrier liner (Raven Vapor Block Plus), or OER-approved equivalent below the slab throughout the full building area and outside all sub-grade foundation sidewalls. All welds, seams and penetrations will be properly sealed to prevent preferential pathways for vapor migration. In addition, the building's sub cellar will contain a parking garage with high volume air exchange that conforms to the NYC Building Code;
13. Construction and maintenance of an engineered composite cover consisting of a 6-inch-thick concrete sub cellar slab under the footprint of the new building;
14. 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;
15. Implementation of storm-water pollution prevention measures in compliance with applicable laws and regulations;
16. Dewatering is not anticipated for this site; however, if the water table should be encountered, dewatering will occur 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;
17. Submission of an approved Site Management Plan (SMP) in the Remedial Action Plan (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;

18. 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; and
19. 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 44-14 Douglaston Parkway site are as follows:

In order to satisfy the requirements of the E-designation, natural gas and electric equipment will be utilized at the site for space heating, hot water, and/or HVAC systems. Hot water heaters (Intellihot IQ751) are located on the roof and powered by natural gas. Heating and cooling systems are located on the roof (condensing units manufactured by LG model numbers ARUM168BTE5, ARUM121BTE5, ARUM096BTE5, ARUM144BTE5) and in the residential units (air handling units manufactured by LG with model numbers ARNU073SJA4, ARNU153SJA4, ARNU183SKA4, ARNU483M3A4, ARNU363M3A4, ARNU123SJA4). These air handling units are wall mounted, or concealed in the ceiling. All heating and cooling equipment is powered by electricity.

In order to satisfy the requirements of the E-Designation, four stacks will be located on the roof. All of the stacks will be located 102 feet above street grade which is greater than the height requirement of 88 feet.

#### **Description of Selected Remedy for Noise**

The elements of the remedial action selected for Noise for the 44-14 Douglaston Parkway site are as follows:

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

1. 28 dBA for all facades;

The following window(s) 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 Elevation (east), Rear Elevation (west) and Side Elevation (south)  Cellar Floor to 8 <sup>th</sup> Floor  Residential	28 (required 28)	ASTM E-90 Lab Test Report(s), Intertek report number J4760.0111311R0 and Option J4760.01A	Vistaza Inc; Vi6 Series; Patio Door; type W-01, W-02, W-03, W-05, W- 06, W-07, W-09, W-11, W-12, W-21, W-23,	15/16" IG (5/32" annealed, 5/8" argon, 5/32" annealed)
Front Elevation (east), Rear Elevation (west), Inner Court Front Elevation (west), Inner Court Front Elevation (east), and Side Elevation (south)	32 (required 28)	ASTM E-90 Lab Test Report, Intertek report number J4756.0111311R0 and Option J4756.01B	Vistaza Inc; Vi6 Series; Fixed Windows; type W-02, W-03, W-04, W- 06, W-07, W-08, W-09, W-10, W-11, W-13, W- 14, W-15, W-16, W-17,	1-1/4" IG (1/4" annealed exterior, 5/8" argon, 3/8" annealed interior)

Façade Floor Range	OITC Rating	OITC Certification	Manufacturer and Model	Glazing
Cellar Floor to 8 <sup>th</sup> Floor Residential			W-18, W-19, W-20, W-21, W-22, W-23	
Front Elevation (east), Rear Elevation (west), Inner Court Front Elevation (west), Inner Court Front Elevation (east), and Side Elevation (south)  1 <sup>st</sup> Floor to 8 <sup>th</sup> Floor Residential	34 (required 28)	ASTM E-90 Lab Test Report(s), Intertek report number J4759.0111311R0 and Option J4759.01B	Vistaza Inc; Vi6 Series DAW; Dual Action Windows; type W-04, W-08, W-10, W-13, W-14, W-15, W-17, W-18, W-22	1-1/4" IG (1/4" annealed exterior, 5/8" argon, 3/8" 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. Trickle Vents:** Installing SF Xtra 464 and SF464 trickle vents manufactured by Titon in in each living room and bedroom. Fresh air will be provided to all bedrooms and living rooms by the trickle vents. Heating and cooling systems are located on the roof (condensing units manufactured by LG) and in the residential units (air handling units manufactured by LG). These air handling units are wall mounted, or concealed in the ceiling.

**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.

The remedies for Hazardous Materials Restrictive Declaration and Air Quality and Noise E Designation 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.

6/16/21

Date



Kestana Anokye  
Project Manager

6/16/21

Date



Sarah Pong  
Assistant Director

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