



OFFICE OF ENVIRONMENTAL REMEDIATION

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

Daniel Walsh, Ph.D.

Director

Tel: (212) 788-8841

NOTICE TO PROCEED
DOB Job Number NB 320592550

August 4, 2016

Re: 402 Union Avenue: 79-83 Ainslie Street
Brooklyn Block 2767, Lot 1
Hazardous Materials and Noise “E” Designation
E-232: Greenpoint-Williamsburg Rezoning - CEQR 09DCP056K
OER Project Number 15EH-N123K / 16CVCP009K

Dear Manhattan 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 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 Katherine Glass at 212-676-4925.

Sincerely,

Shaminder Chawla
Deputy Director

cc: Andrew Infante, Hydrotech – andrew@hydrotechenvironmental.com
Rachel Ataman, Hydrotech – rataman@hydrotechenvironmental.com
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DECISION DOCUMENT

NYC VCP and E-Designation Remedial Action Work Plan Approval

July 29, 2016

Re: 402 Union Avenue: 79-83 Ainslie Street
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Hazardous Materials and Noise “E” Designation
E-232: Greenpoint-Williamsburg Rezoning - CEQR 09DCP056K
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The New York City Office of Environmental Remediation (OER) has completed its review of the Remedial Action Work Plan (RAWP) dated August 2015 with Stipulation Letter dated June 2016 and the Remedial Action Plan for Noise dated May 2016 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 July 2016. There were no public comments.

Project Description

The proposed future use of the Site will consist of a mixed-use commercial and residential building that will occupy the entire footprint of the lot. The redevelopment plan consists of constructing a new 5-story building with a penthouse and a full basement. The basement will contain a mechanical room, boiler room and will be utilized as accessory use for the residents of the building. The first floor will contain two stores, the second floor will contain two commercial office spaces and an open terrace, and floors three through five will be residential. The site is currently vacant with an empty cellar and slab. No excavation below the existing cellar slab is anticipated. A narrow section on the eastern edge of the site is not covered by the slab and has not been excavated. This area will be excavated to 9 feet and will be combined with the existing basement to construct one full basement that encompasses the entire footprint of the lot. The basement will be capped with a 4-inch concrete slab over the existing slab.

Statement of Purpose and Basis

This document presents the remedial action for the NYC Voluntary Cleanup Program and E-Designation project known as “402 Union 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 402 Union Avenue 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 2 Restricted Residential 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(s).
6. Excavation and removal of soil/fill exceeding Track 2 Restricted Residential SCOs.
The eastern portion of the Site will be excavated to a depth of approximately 10 feet below grade for development purposes to allow the proposed basement to encompass the entire lot. Additional excavation will occur for the SVE pit.
7. 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.
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 all UST's that are encountered during soil/fill removal actions. Registration of tanks and reporting of any petroleum spills associated with UST's 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 this plan. Sampling and analysis of excavated media as required by disposal facilities. Appropriate segregation of excavated media on-Site.
11. Collection and analysis of end-point samples to determine the performance of the remedy with respect to attainment of SCOs.
12. Demarcation of residual soil/fill in landscaped areas.
13. Import of materials to be used for backfill and cover in compliance with this plan and in accordance with applicable laws and regulations.
14. Construction of an engineered composite cover consisting of a 4-inch thick concrete building slab beneath all building areas.
15. 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 20-mil Raven Industries VaporBlock Plus on top of the existing slab and below the new slab and outside all newly constructed subgrade foundation walls. 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.
16. Installation of an active sub-slab depressurization system (SSDS) consisting of a below-grade suction pit and aboveground piping network. A suction pipe will be connected to the pit in order for the soil vapors to be drawn in from just beneath the building and discharged it into the atmosphere. The suction pit will be installed in the eastern portion of the property between the former locations of SV-1 and SV-2. The pit will be approximately 1 foot by 1 foot in area by 1 foot in depth below the existing cellar slab and will remain empty. A suction pipe consisting of a 4-inch diameter open-ended PVC pipe will be installed in the pit and the finished slab around the test pipe will be sealed with a non-VOC quick set cement to provide an airtight seal. The PVC pipe will then be attached to extension pipes and connected to rooftop stacking vents extending approximately 4 feet above the roof. The active SSDS will be hardwired and will include a RadonAway GP-51 fan installed on the roof line and a pressure gauge and alarm located in an accessible area in the basement. Three (3) test holes 1/4-inch in diameter will be installed approximately 5 feet to the east of the suction pit, 5 feet to the west of the suction pit and 10 feet to the west of the suction pit for efficiency testing. The active 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. Import of materials to be used for backfill and cover in compliance with this plan and in accordance with applicable laws and regulations.

18. 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.
19. Implementation of storm-water pollution prevention measures in compliance with applicable laws and regulations.
20. 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.
21. 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.
22. 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 402 Union Avenue site are as follows:

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

1. 35 dBA for residential facades on floors 3 through 5;
2. 30 dBA in commercial spaces on floors 1 and 2, based on the 5 dBA requirement reduction for commercial uses.

The following window/door will be installed:

Façade Floor Range	OITC Rating	OITC Certification	Manufacturer and Model	Glazing
East, South, West Facades All Floors All Uses	35	See ASTM E-90 acoustical report for the exact window and glazing in RAP	Casement windows, Crystal Windows & Doors, Series 8800	¼" laminated exterior – 7/16" air space – 9/16" laminated interior
East, South, West Facades Floors 1 through 2 Commercial Use	35	See ASTM E-90 acoustical report in RAP and a commitment to provide the OER with an ASTM E-90 Lab Test Report for the proposed doors prior to purchase and installation in Appendix C	Exterior swing doors, Crystal Windows & Doors, Series 1400	¼" laminated exterior – 7/16" air space – 9/16" laminated interior

Façade Floor Range	OITC Rating	OITC Certification	Manufacturer and Model	Glazing
East, South, West Facades Floors 3 through 5 Residential Use	35	See ASTM E-90 acoustical report in RAP and a commitment to provide the OER with an ASTM E-90 Lab Test Report for the proposed doors prior to purchase and installation in Appendix C	Exterior swing doors, Crystal Windows & Doors, Series 1400	1/4" laminated exterior – 7/16" air space – 9/16" laminated interior

The acoustical reports described above are representative of the acoustical performance of all proposed windows/doors/curtain walls. An acoustical report for the proposed exterior swing doors is unavailable; however, the glazing proposed, i.e. Crystal Series 1400 Exterior inswing doors, is similar to that of the Series 8800 glazing and an ASTM E-90 Lab Test Report will be provided to the OER prior to purchase and installation of the doors.

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 Tilton TV90/425 trickle vents manufactured by Tilton in each living room and bedroom on the third, fourth and penthouse floors. Fresh air will be provided to all bedrooms and living rooms by the trickle vents.
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.
3. **Heating and Cooling Systems:** Residential units and the commercial unit will be heated via four (4) natural gas-fired high-efficiency Weil-McLain CGa-Gold Series boilers. Each of the four (4) units will also contain their own split-system ventilation/central air conditioning unit with the four (4) separate XL14I condensers located on the roof and manufactured by Trane.

The remedies for Hazardous Material and Noise 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.

July 29, 2016

Date



Katherine Glass
Project Manager

July 29, 2016

Date



Shaminder Chawla
Deputy Director

July 29, 2016

Date



Zach Schreiber, Ph D.
Assistant Director

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