



OFFICE OF ENVIRONMENTAL REMEDIATION

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NOTICE TO PROCEED
DOB Job Number B00872449-I1

January 24, 2025

Re: 1889-1899, 1905, 1915 McDonald Avenue, 362-376 Quentin Road
Brooklyn Block 6658, Lots 1, 84, 86
Hazardous Materials, Air Quality, and Noise "E" Designation
E-474: 1881 McDonald Avenue Rezoning - CEQR 18DCP105K - 9/26/2018
OER Project Number 24EHAN032K / 24CVCP015K

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 Subchapter 7 of Chapter 14 of Title 43 of the Rules 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 §43-1474 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 Yolanda Chow at 212-788-7423.

Sincerely,

Maurizio Bertini
Assistant Director

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DECISION DOCUMENT

NYC VCP, E-Designation Remedial Action Work Plan Approval

January 24, 2025

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Brooklyn Block 6658, Lots 1, 84, 86
Hazardous Materials, Air Quality, Noise E Designation,
E-474: 1881 McDonald Avenue Rezoning - CEQR 18DCP105K - 9/26/2018
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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 [date] with Stipulation Letter dated [date] and the Remedial Action Plan for Air Quality and Noise dated [date] for the above-referenced project.

These Plans were submitted to OER under the NYC Voluntary Cleanup Program.

The RAWP was released for public comment for 30 days as required by program rule. That comment period ended on 09/18/2023. There were no public comments.

Project Description

The proposed development project consists of a new six-story educational facility with a basement and sub-basement level. The proposed building will include a sub-cellar that encompasses approximately 75 percent of the building footprint and will be completed to 30 feet bg. The sub-cellar of the building will be used as a gymnasium including a sport court with spectator area, exercise and locker rooms, and storage and utility rooms. The proposed excavation depth is approximately 30 feet below street grade for the new building foundation. Landscaped side yards will be completed along the south and east property boundaries.

Statement of Purpose and Basis

This document presents the remedial action for the NYC Voluntary Cleanup Program and E-Designation Program project known as “1915 McDonald Avenue” pursuant to Title 43 of the Rules of the City of New York Chapter 14, Subchapter 1 and the Zoning Resolution and §43-1474 of the Rules of the City of New York.

Description of Selected Remedy for Hazardous Materials

The remedial action selected for the 1915 McDonald Avenue site is protective of public health and the environment. The elements of the selected remedy are as follows:

The proposed remedial action will consist of:

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).
4. Site mobilization involving Site security setup, equipment mobilization, utility mark outs and marking & staking excavation areas.
5. Perform additional site characterization sampling of soil for waste characterization purposes.
6. 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).
7. Excavation and removal of soil/fill exceeding Track 4 Site Specific SCOs. The entire footprint of the Site will be excavated to a depth of approximately 30 feet below grade for development purposes. A small portion of property will be excavated to the depths of 35 feet below grade for construction of an elevator pit. Approximately 75% of the Site will be excavated for construction of a building, and the southeast and northeast foundation walls will not extend to the property line. A 25' wide courtyard will be constructed as landscaped area, however, this area will be excavated at a slope of 1.0': 1.5'; for support of excavation purposes from grade to 31 feet below grade.
8. 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.
9. 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.
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 3-foot-thick pile cap foundation / 2-foot thick slab beneath the entire building with unexcavated soil beneath, and at least 2.0 feet of clean fill in courtyard area/landscaped area, and a vapor barrier below all foundation components.
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 vapor barrier from Stego Wrap below the slab throughout the full building area and a 20mil vapor barrier by Stego Wrap or equivalent waterproofing material outside all sub-grade foundation sidewalls. 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. 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. Since site excavations extend below groundwater table, sub-slab depressurization system is not feasible.
18. Dewatering is needed and will be performed in compliance with city, state, and federal laws and regulations will be performed for construction of the elevator pit (approximately 35 feet below grade). 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.
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 Air Quality

The elements of the remedial action selected for Air Quality for the 1915 McDonald Avenue site are as follows:

Fuel Type

In order to satisfy the requirements of the E-designation, electric equipment (LG MultiV 5 Single Frame Heat Pump and Heat Recovery units and Annexair Rooftop Units) will be utilized at the site for space heating, hot water, and HVAC systems. An emergency generator will be powered with #2 fuel oil.

Stack Location

As the combustion equipment (natural-gas powered) Annexair rooftop units (RTU-1 and RTU-2) are located on the roof approximately 85' above sidewalk grade. Each rooftop unit ventilates approximately 90" above the roof line, therefore the stack requirements are satisfied. No stack or riser separate from the rooftop unit is proposed.

Description of Selected Remedy for Noise

The elements of the remedial action selected for Noise for the 1915 McDonald Avenue site are as follows:

In order to meet the requirements of the E-Designation, the following window/wall attenuation

requirement will be achieved at the locations described below:

1. 38 dBA for all facades.

Window/ Wall Noise Attenuation

The following windows will be installed (please refer to the window schedule for dimensions):

Façade Floor Range	OITC Rating	OITC Certification	Manufacturer and Model	Glazing	Window Schedule Color Code
All Facades All Floors	38 (required 38)	See ASTM E-90 acoustical report for the exact window and glazing in Appendix F All windows are fixed, and acoustic reports are provided as casement windows with no impact on OITC.	Wausau Window and Wall System 4250iV-Series Fixed Window with a secondary panel as per acoustic test report: ESP016666P-4Rev.2	3/8" laminated exterior lite – 3/8" air space – 3/16" interior lite – 2 3/4" air space – 1/4" laminated secondary panel GL-1/1A includes bird-friendly glazing	Light Green
All Facades All Floors	38 (required 38)	See ASTM E-90 acoustical report for the exact window and glazing in Appendix F All windows are fixed, and acoustic reports are provided as casement windows with no impact on OITC.	Wausau Window and Wall System 4250iV-Series Fixed Window with a secondary panel as per acoustic test report: ESP016666P-4Rev.2	3/8" laminated exterior lite – 3/8" air space – 3/16" interior lite – 2 3/4" air space – 1/4" laminated secondary panel GL-2/1A includes Childgard-2118 Security Glazing at outside panel	Green

Façade Floor Range	OITC Rating	OITC Certification	Manufacturer and Model	Glazing	Window Schedule Color Code
All Facades All Floors	38 (required 38)	See ASTM E-90 acoustical report for the exact window and glazing in Appendix F	EFCO 5600 Curtain Wall with Wausau SEAL 1297 interior panel as per acoustic test report: RAL- TL 16-504	Fixed Units: Left Unit: 0.224” glazing – 0.409” air space – 0.311” glazing Right Unit: 0.224” glazing – 0.382 air space” – 0.307” glazing GL-1/1A includes bird-friendly glazing	Light Blue
All Facades All Floors	38 (required 38)	See ASTM E-90 acoustical report for the exact window and glazing in Appendix F	EFCO 5600 Curtain Wall with Wausau SEAL 1297 interior panel as per acoustic test report: RAL- TL 16-504	Fixed Units: Left Unit: 0.224” glazing – 0.409” air space – 0.311” glazing Right Unit: 0.224” glazing – 0.382 air space” – 0.307” glazing GL-2/1A includes Childgard- 2118 Security Glazing at outside panel	Blue

The acoustical reports described above are representative of the acoustical performance of all proposed windows/doors/curtain walls. Color coded elevations and the labeled window schedule attached in Appendix E show the locations of the window/ door types.

The applicant commits to demonstrating that the selected manufacturer's window products achieve the minimum OITC requirement outlined in the table above. If the selected manufacturer does not have ASTM E90 test on file for the specific window assemblies to be installed, a mockup will be laboratory tested as per ASTM E90 to demonstrate compliance with the minimum OITC requirement.

Alternate Means of Ventilation

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. **Central System:** Installing two (2) rooftop units (RTU-1 and RTU-2), (Manufacturer: Annexair, Model: ERP-E-09-EW-HE-D-HR-SS-ASP), a rooftop condensing system manufactured by LG (Models: LA150HYV3, ARUM144BTE5, ARUM216BTE5, ARUM241BTE5, ARUM168BTE5, ARUM192BTE5, and ARUM121BTE5). Fresh air intakes are located on the roof, air handling units and associated ducting will provide fresh air to all floors as follows:
 - RTU-1 supplying condition supply air with required fresh air rates as described in M-700 to all floors. Fresh air will be distributed with 70x36 supply and 50x36 return to all occupiable spaces and floors.
 - RTU-2 supplying condition supply air with required fresh air rates as described in M-700 to all floors. Fresh air will be distributed with 70x36 supply and 50x36 return to all occupiable spaces and floors.

In all cases, the rate of outside air (cfm) delivered to each habitable space (bedrooms and living spaces) will meet or exceed that specified in the 2022 New York City Mechanical Code table 403.3. Each air flow rate is provided in the attached AMV plans (Appendix H), and is highlighted for each component in **magenta**. P.E. certified mechanical drawings depicting the AMV system and the pathway of fresh air delivery into each occupiable space are provided in Appendix H. A letter from the engineer who designed the HVAC system that describes the system, the equipment involved (stating the manufacturer and model information), and how fresh air is delivered into each of the living spaces is attached as Appendix I.

2. **Compliance with Mechanical Code:** Providing outside air to commercial spaces and common areas such as lobbies and corridors in accordance with the 2022 NYC Mechanical Code.

The remedies for Hazardous Materials, Air Quality, Noise 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.

1/24/2025



Date

Yolanda Chow
Project Manager

1/24/2025



Date

Maurizio Bertini
Assistant Director

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