



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 A1 321552413

November 2, 2017

Re: 1048 MANHATTAN AVENUE
Brooklyn Block 2505, Lot 2
Hazardous Materials "E" Designation
E-232: Greenpoint - Williamsburg Contextual Rezoning - CEQR 09DCP056K - 7/29/2009
OER Project Number 17EHAZ266K / 18CVCP014K

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 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 that is 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 Isabel McRae at 212-341-2034.

Sincerely,

Shaminder Chawla
Deputy Director

cc: Kimberly Somers, Environmental Business Consultants - ksomers@ebcincny.com
Patrick Recio, Environmental Business Consultants - precio@ebcincny.com
Joel Fried, Manhattan Holdings NY LLC - JOEFRIED@GMAIL.COM
Daniel Walsh, Shaminder Chawla, Zach Schreiber, Maurizio Bertini, Hannah Moore
Isabel McRae, PMA-OER



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DECISION DOCUMENT

NYC VCP, E-Designation Remedial Action Work Plan Approval

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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 September 2017 with Stipulation Letter dated October 10, 2017 for the above-referenced project. The Plan was 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 11/02/2017. There were no public comments. NYSDEC and NYSDOH were briefed on this project on September 28, 2017.

Project Description

The proposed future use of the Site will consist of redeveloping the lots with a 5-story mixed residential and commercial building (retail and apartments). The new building will encompass the first 70 feet of the lot and will retain the cellar level footprint with which the original building was developed. The cellar level will occupy the first 48.67 feet of the building's footprint. The cellar will contain a 400 square feet (sq ft) open area, three mechanical rooms, a tenant laundry room, water heater room, trash compactor room, and a stairwell. The first floor will consist of a 416 sq ft retail space with a refuse room and a bathroom; a residential corridor; a residential refuse room; a one-bedroom residential apartment; and a stairwell. The second through fifth floors will consist of residential apartments, corridor, refuse room and a stairwell.

Excavation will be limited to a depth of 2 ft 6 inches for a portion of the cellar for structural supports and to approximately 3 ft in the rear yard to remediate a lead hotspot that was identified during the RI. Excavation of the lead hotspot will extend to a depth of approximately 3 feet below grade. The size of the hotspot is estimated to be 5ft by 5ft; however, the final dimensions will be determined upon delineation sampling. An estimated 21 cubic yards (32 tons) of soil will require excavation within the rear yard. The building will not contain any parking areas. The water table is present at a depth of approximately 10 feet below grade and therefore will not be encountered during excavation. The current zoning designation is R7A/C2-4. The proposed use is consistent with existing zoning for the property.

Statement of Purpose and Basis

This document presents the remedial action for the NYC Voluntary Cleanup Program and E-Designation Program project known as "1048 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

The remedial action selected for the 1048 MANHATTAN 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 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. Completion of a Waste Characterization Study prior to excavation activities. Waste characterization soil samples will be collected at a frequency dictated by disposal facility. A Waste Characterization Report documenting sample procedures, location, analytical results shall be submitted to NYCOER prior to start of remedial action;
6. Excavation and removal of soil/fill exceeding Track 4 Site Specific SCOs. Minimal excavation up to 2 feet 6 inches will be required beneath a 488 square-foot portion of the existing cellar for structural supports. The lead hotspot identified at sample location SB1 during the RI will be full delineated and excavated. Results of the hotspot delineation samples will determine the final extent of the hotspot excavation. The remainder of the rear yard will be unexcavated. Approximately 32 tons of soil/fill will be removed from the Site and properly disposed at an appropriately licensed or permitted facility.
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. Removal of any underground storage tanks (if encountered) and closure of petroleum spills (if evidence of a spill/leak is encountered during Site excavation) 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 and maintenance of an engineered composite cover consisting of a 2-inch-thick concrete slab over the existing cellar slab; a new 6-inch thick concrete slab for the first floor slab-on-grade portion of the building; and a 4-inch concrete slab across the rear yard to prevent human exposure to residual soil/fill remaining at the Site;
15. Installation of a vapor barrier below the 2-inch concrete cellar slab and beneath the first floor slab-on-grade foundation. The vapor barrier will consist of the 20-mil VaporBlock 20 Plus membrane as manufactured by Ravens Industries or an equivalent system. 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. Implementation of stormwater pollution prevention measures in compliance with applicable laws and regulations.
18. 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.
19. 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.
20. 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.

The remedy for Hazardous Materials 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.

November 2, 2017

Date



Isabel McRae
Project Manager

November 2, 2017

Date



Shaminder Chawla
Deputy Director

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