



OFFICE OF ENVIRONMENTAL REMEDIATION

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

Mark P. McIntyre, Esq.
Director

Tel: (212) 788-8841

DECISION DOCUMENT

NYC VCP, E-Designation Remedial Action Work Plan Approval

February 19, 2021

Re: 144 Noll Street
Brooklyn Block 3154, Lots 23, 26, 27, 38, 39
Hazardous Materials E Designation
E-101: West Bushwick Rezoning - CEQR 01HPD001K - 4/17/2001
OER Project Number 21EHAZ021K / 21CVCP020K

The New York City Office of Environmental Remediation (OER) has completed its review of the Remedial Action Work Plan (RAWP) dated December 2020 with Stipulation Letter dated February 17, 2021 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 11/06/2020. There were no public comments.

Project Description

The redevelopment project consists of demolishing the existing structure, and constructing a 5-story, mixed-use (residential and community facility) building. The building will consist of two 5-story, 39-apartment sections, both with basements, and connected at the first-floor level. The Noll Street section (Building A) of the building is comprised of basement level parking, a bicycle room utility/mechanical rooms, and storage/recreational space. The first floor will be comprised of parking, recreational space and a residential entrance lobby. Upper floors will consist of residential apartments, with an outdoor recreational area on the 5th floor level (atop the 4th floor roof). The George Street section (Building B) of the building is comprised of basement level parking, a bicycle room utility/mechanical rooms, and storage/recreational space. The first floor will be comprised of parking, community and recreational space and a residential entrance lobby. Upper floors will consist of residential apartments, with an outdoor recreational area on the 5th floor level (atop the 4th floor roof). Mechanical and stair penthouses will be located above the 5th floor level of both building sections (Building A and B). The area between the two 5-story sections and above the interconnected 1st floor level will consist of a 2-tiered outdoor recreation area. The proposed building totals 86,948 gross square feet (SF), with 54,676 SF of residential space and a 5,137 SF community space.

Statement of Purpose and Basis

This document presents the remedial action for the NYC Voluntary Cleanup Program and E-Designation Program project known as “144 Noll Street” 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 144 Noll Street 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. Site mobilization involving Site security setup, equipment mobilization, utility mark outs and marking & staking excavation areas;
7. Excavation and removal of soil/fill exceeding Track 4 Site-Specific SCOs. For development purposes, excavation for the cellar levels is proposed to a depth of approximately 12 feet below the existing grade for both the Noll Street and George Street sections, up to 7 feet below the existing grade for the first-floor level, and up to 5 feet additional at the east central portions of both building sections for elevator pits. Therefore, an estimated 9,900 cubic yards (14,850 tons) of soil will be removed from the Site and properly disposed of at an appropriately licensed or permitted facility;
8. Screening of excavated soil/fill during intrusive work for indications of contamination by visual means, odor, and monitoring with a PID;
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. Removal of all underground storage tanks (USTs) 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;
11. Transportation and off-Site disposal of all soil/fill material at 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;
12. Collection and analysis of nine (9) end-point samples (EP1 - EP9) to determine the performance of the remedy with respect to attainment of Track 4 Site-Specific SCOs. Endpoint samples would be analyzed for VOCs, SVOCs and TAL metals. If Track 1 or 2 SCOs are proposed following completion of excavation, then the end-point samples would be analyzed for VOCs, SVOCs, PCBs, pesticides and metals;
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. A passive venting system consisting of one loop of horizontal pipe set in the middle of a gas permeable layer will be installed immediately beneath a portion of the Noll Street building (Building A) cellar slab and vapor barrier system. The horizontal piping will consist of fabric wrapped, perforated 4-inch corrugated smooth interior HDPE piping connected to a 6-inch cast iron riser pipe that penetrates the slab and travels through the building to the roof. The gas permeable layer will consist of a minimum 6-inch thick layer of $\frac{3}{4}$ -inch blue stone. The pipe will be finished at the roof line with a 6-inch goose neck/rain cap to prevent rain infiltration. The passive venting system is an Engineering Control for the remedial action. The remedial engineer will certify in the RAR that the passive venting system 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.
15. The vapor barrier system will consist of Stego Industries® Stego® Wrap 20-mil Vapor Barrier system installed below the slab throughout the building area, below/around the elevator pit and outside all sub-grade foundation sidewalls to grade. All welds, seams and penetrations will be properly sealed to prevent preferential pathways for vapor migration. If Stego Industries® Stego® Wrap 20-mil Vapor Barrier is not available then one of the follow vapor barriers will be installed: Raven Industries Vaporblock® Plus™ VBP20, Americover Builds Vaporblock® Plus™, Husky Yellow Guard, Grace Industries Preprufe 300R & 160R. 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. Construction and maintenance of an engineered composite cover consisting of the new building's 4 and 7-inch thick basement floor slab to prevent human exposure to residual soil/fill remaining at the Site;

17. Implementation of storm-water pollution prevention measures in compliance with applicable laws and regulations;
18. Performance of all activities required for the remedial action, including permitting requirements and pretreatment requirements, in compliance with applicable laws and regulations;
19. Submission of an approved Site Management Plan (SMP) in the Remedial Action Report 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.
20. 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 describes all Engineering and Institutional Controls to be implemented at the Site, and lists any changes from this RAWP; and
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.

The remedy for the 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.

February 19, 2021



Date

Shirley Chen
Project Manager

February 19, 2021



Date

Shaminder Chawla
Deputy Director

cc: Yechiel Stern, Noll Street Realty USA LLC - yechiel@gibraltarstorage.com
 Keith Butler, Environmental Business Consultants - kbutler@ebcincny.com
 Amy Kasten, Environmental Business Consultants - akasten@ebcincny.com
 Ruslan Goychayev, RSLN Architecture PLLC - rgoychayev@rslnarchitecture.com
 George Cambourakis, Structural Engineering Technologies, PC - info@set-ny.com
 Mark P. McIntyre, Shaminder Chawla, Zach Schreiber, Maurizio Bertini, Sarah Pong
 Shirley Chen, PMA-OER