



OFFICE OF ENVIRONMENTAL REMEDIATION

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NOTICE TO PROCEED
DOB Job Number NB 421649871

October 22, 2018

Re: 70-25 & 70-33 Queens Boulevard; 70-40 45th Avenue
Queens Block 1352, Tentative Lot 9 (Lots 9, 10, 12, 25, 32)
Hazardous Materials, Air Quality, and Noise “E” Designation
E-163: Maspeth/Woodside Rezoning - CEQR 06DCP065Q - 6/29/2006
OER Project Number 09EHAN116Q / 19CVCP003Q

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 Numbers. 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 Samantha Catalanotto at 212-788-2676.

Sincerely,

Shaminder Chawla
Deputy Director

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DECISION DOCUMENT
NYC VCP, E-Designation
Remedial Action Work Plan Approval

October 22, 2018

Re: 70-25 & 70-33 Queens Boulevard; 70-40 45th Avenue
Queens Block 1352, Tentative Lot 9 (Lots 9, 10, 12, 25, 32)
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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 2018 with Stipulation Letter dated September 2018 and the Remedial Action Plan for Air Quality and Noise dated October 2018 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 06/17/2018. There were no public comments. NYS DEC and NYCDOHMH were briefed on 4/19/2018.

Project Description

The proposed future use of the Site will consist of a 10-story mixed residential and commercial and community use building with a partial basement of approximately 19,577.54 square feet in area. The basement will be utilized as a commercial space, a parking space and utility rooms and will require excavation for footings to the depth of 4 feet below the curb elevation along Queens Boulevard and 22 feet 9 inches below the curb elevation along 45th Avenue. There is big elevation difference from Queens Blvd towards 45th Avenue. The building slab will be placed at 1 foot below the curb elevation along Queens Boulevard and 19 feet and 1 inch below the curb elevation along 45th Avenue. The first floor space will be approximately 20,622.97 square feet and will be utilized as a parking space and an after-school tutoring space for children between 2 and 6 years old. The second floor will consist of residential space and the northern, 2nd floor roof area will be utilized as parking space. The third to tenth floors of the proposed building will consist of residential use. A residential lobby is located on the third floor. The proposed building will be 102,862.06-square feet in total gross floor area and 147.58 feet in height to the bulkhead roof. The new building will be equipped with 2 elevators located in the central portion. The proposed development also contains a small rear yard located in the northwestern area of the parcel.

Statement of Purpose and Basis

This document presents the remedial action for the NYC Voluntary Cleanup Program and E-Designation Program project known as “70-25 & 70-33 Queens Boulevard” 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 70-25 & 70-33 Queens Boulevard 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. Perform additional site characterization sampling of demolition building debris that will be used to backfill the existing partial basement at the Site.
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.
8. The entire footprint of the existing and former building area (about 85 % of the property) will be excavated to 1 foot below curb elevation along Queens Boulevard for the placement of a new slab on grade. Localized portions of property will be excavated to a depth of approximately 4 feet below curb elevation along Queens Boulevard for the placement of building footings. A small portion in the southern-central portion of the Site will be excavated to the depth of 5 feet below the curb elevation along Queens Boulevard for the elevator bank. Another small portion in the northwestern portion will be excavated to the depth of 4 feet below the curb elevation along 45th Avenue for the placement of footings for a ramp to the second floor parking space. Approximately 1,300 tons (or 1000 cu yards) of soil/fill will be removed from the Site and properly disposed at an appropriately licensed or permitted facility.
9. 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.
10. 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.
11. Removal of all USTs that are 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.
12. 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.
13. Collection and analysis of end-point samples to determine the performance of the remedy with respect to attainment of SCOs.
14. Demarcation of residual soil/fill in landscaped areas.
15. Import of materials to be used for backfill and cover in compliance with this plan and in accordance with applicable laws and regulations.
16. Construction of an engineered composite cover consisting of 6-inch thick concrete mat slab beneath the building slab and open areas at the Site.
17. 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 below the slab beneath the building slab and along foundation sidewalls to mitigate soil vapor migration into the building. The vapor barrier system will consist of a 20-mil VaporBlock Plus membrane installed beneath the building slab on-grade and Grace 32-mil Preprufe 160R on the exterior sides of the sub-grade walls facing 45th Avenue. 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.
18. Installation of an active sub-slab depressurization system (SSDS) consisting of a network of horizontal pipes set in a loop design in the middle of a gas permeable layer immediately beneath the building slab and vapor barrier system. The horizontal piping of the loop will consist of fabric wrapped, slotted schedule 40 4-inch PVC pipe connected to a 2-inch cast iron riser pipes that penetrates the slab and travels through the building to the roof. The gas permeable layer will consist of a 6-inch thick layer of 2-inch trap rock stone. The riser pipe will be finished at the roof line with a goose neck pipe to prevent rain infiltration. The active SSDS will be hardwired and will include a Rotron EN 707 5-HP regenerative blower installed on the roof line and a pressure gauge and alarm located in an accessible area within the

building. The active SSDS is an Engineering Control for the remedial action. The remedial engineer will certify in the Remedial Action Plan (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.

19. Construction and operation of a grade-level parking garage with high volume air exchange in conformance with NYC Building Code.
20. 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.
21. Implementation of storm-water pollution prevention measures in compliance with applicable laws and regulations.
22. 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.
23. Submission of an approved Site Management Plan (SMP) in the 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.
24. 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 70-25 & 70-33 Queens Boulevard site are as follows:

In order to satisfy the requirements of the “E” Designation, natural gas will be used as the type of fuel for space heating and hot water (HVAC) systems.

Description of Selected Remedy for Noise

The elements of the remedial action selected for Noise for the 70-25 & 70-33 Queens Boulevard site are as follows:

In order to meet the requirements of the “E” Designation, the following window/wall attenuation will be achieved at the locations described below:

1. 35 dBA for windows on all facades;
2. 35 dBA for balcony doors on all facades;
3. 30 dBA in the commercial space based on an allowed reduction of 5 dBA from the attenuation requirement outlined in the E-Designation

The following windows will be installed:

Façade Floor Range	OITC Rating	OITC Certification	Manufacturer and Model	Glazing
All Facades 2 nd to 9 th Floors - Residential Southern Façade 1 st Floor - School Windows	36 (35 dBA required)	See ASTM E-90 Acoustical Lab Test Report F9417.01-113-11-R0 in Appendix H	Crystal Window and Door Systems, LTD, Series 8500 Fixed bedside Casement Window	1-1/4” IG (1/4” laminated exterior, 1/2” air space, and 1/2” laminated interior)

Façade Floor Range	OITC Rating	OITC Certification	Manufacturer and Model	Glazing
All Facades 2 nd to 9 th Floors - Residential	36 (35 dBA required)	See Riverbank Acoustical Laboratories Test Report dated 2018-01-26 on RAL-TL18-077 test standard in according with ASTM E90-09 (2016)	St. Cloud Window, Inc. Series 3000 TD Outswing door	1-1/2" IG (1/2" laminated exterior, 1/2" air space, and 1/2" laminated interior)
Southern Façade Basement and 1 st floor - Commercial	30 (30 dBA required)	See ASTM E-90 Acoustical Lab Test Report RAL™-TL03-230 in Appendix H	Oldcastle Building Envelope, Series 3000 Thermal MultiPlane- Center Set	1/4" laminated glass, 1/2" air space, and 1/2" laminated glass

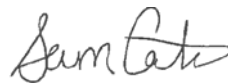
In order to satisfy the requirements of the "E" Designation, Alternate Means of Ventilation (AMV) will be installed in order to maintain a closed window condition. AMV for this project will be achieved by:

1. **Louvers:** Installing wall-mounted motorized louvers associated with packaged HVACs units by Trane 4TXCD010DS3HCA on the façade of the building facing Queens Boulevard in order to provide fresh air to community and commercial spaces on first and second floors.
2. **Trickle Vents:** Installing trickle vents by Tilton model Trimvent 90 an SW on the upper portion of windows in each bedroom in order to provide fresh air to these spaces. Bedrooms with trickle vents will be accompanied by electric split-air systems for heating and cooling through outdoor units manufactured by Fujitsu Multi-Zone System model# 18RLXFZ and 24RLXFZ and a wall-hung indoor Fujitsu air handler model# 9RLS3 and ASU7RLF1. **PTAC Units:** Installing PTAC units, in all living room living spaces, manufactured by Islandaire EZ series UN PTAC, model EZ15B2UNE1A44AN with built-in fresh air damper.
3. **Compliance with Mechanical Code:** Providing outside air to commercial spaces and common areas such as parking spaces, lobbies and corridors in accordance with the 2014 NYC Mechanical Code. This will be provided through roof- mounted Dayton 7D499 fresh air supply fan and Dayton 4YC72 exhaust return fan.

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.

10/22/2018

Date



Samantha Catalanotto
Project Manager

10/22/2018

Date



Shaminder Chawla
Deputy Director; Hazmat

10/22/2018



Date

Zach Schreiber, PhD
Assistant Director; Air & Noise

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