



OFFICE OF ENVIRONMENTAL REMEDIATION

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DECISION DOCUMENT

NYC VCP, E-Designation Remedial Action Work Plan Approval

June 24, 2022

Re: 1638 Park Avenue
Manhattan Block 1622, Lot 33
Hazardous Materials, Air Quality, Noise E Designation
E-422: East Harlem Rezoning - CEQR 17DCP048M - 11/30/2017
OER Project Number 22EHAN080M / 22CVCP037M

The New York City Office of Environmental Remediation (OER) has completed its review of the Remedial Action Work Plan (RAWP) dated February 4th 2022 with Stipulation Letter dated February 4th 2022 and the Remedial Action Plan for Air Quality and Noise dated June 24th 2022 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 February 10th 2022. There were no public comments.

Project Description

The proposed future use of the Site will consist of a new mixed-use ten-story building. The proposed building will encompass the entire property and will consist of a full cellar. The proposed development will require excavation across the entire Site to a depth of approximately 10 ft; below grade for the new basement foundation slab. A limited portion along the property line will be excavated to the depths of 10 ft to 13 ft below grade for foundation footings and the proposed location for elevator pit will be excavated down to 17'-10" below grade. It is estimated that 1,000 cubic yards of soil/fill will be removed during excavation for redevelopment. The basement will be used for utilities room and storage space for residential units above. The first floor will consist of commercial space (1,476-square feet) and a residential entrance lobby. Floors two through ten will consists of a total of 24 affordable housing residential units.

Statement of Purpose and Basis

This document presents the remedial action for the NYC Voluntary Cleanup Program and E-Designation Program project known as "1638 Park 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 1638 Park 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(s).
6. Excavation and removal of soil/fill exceeding Track 4 Site Specific SCOs. The proposed development will require excavation across the entire Site to a depth of approximately 10 ft below grade for the new basement foundation slab. A limited portion along the property line will be excavated to the depths of 10 ft to 13 ft below grade for foundation footings and the proposed location for elevator pit will be excavated down to 17-10" below grade. The vicinity of SB-5 hotspot (approximately 5 feet by 5 feet) will be excavated down to at least 16 feet below grade for hotspot removal. It is estimated that 1,000 cubic yards of soil/fill will be removed during excavation for redevelopment. Additional excavation will be performed at SB-5 for metals hotspot removal.
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 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.
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 five (5) end-point samples from the bottom of excavation to determine the performance of the remedy with respect to attainment of Track 4 Site- Specific SCOs. The endpoint samples from the bottom will be analyzed for SVOCs and metals.
12. Import of materials to be used for backfill and cover in compliance with this plan and in accordance with applicable laws and regulations.
13. Construction of an engineered composite cover consisting of 1) an 8-inch thick concrete building slab with an 4-inch engineering fill beneath all building areas; 2) a 3.5-foot mat slab in the northwestern corner of the building; 3) a 4-foot mat slab in the proposed elevator pit.
14. 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 Stego Wrap below the slab throughout the full building area and outside all sub-grade foundation sidewalls. All welds, seams and penetrations will be designed and detailed in accordance with Stego recommended detailing and 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.
15. 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.
16. Implementation of storm-water pollution prevention measures in compliance with applicable laws and regulations.
17. 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.
18. 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.
19. 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 1638 Park Avenue site are as follows:

In order to satisfy the requirements of the E-designation, electric equipment will be utilized at the site for space heating, hot water, and/or HVAC systems. On residential apartments from Floor 2, duct-less split type heat pump units manufactured by Daikin will be installed to provide heating and cooling while fresh air are provided via trickle vents. The interior air-handler units are to be wall mounted within each bedroom and kitchen/living space. The associated outdoor air-cooled condenser unit will be mounted on the roof. Each apartment will be provided with one outdoor condenser unit and multiple wall-mounted interior air-handler units. The condenser model is series RXXSQ and interior wall-mounted air-handler unit model is series FXAQ. The system have cooling capacities ranging between 24,000 BTUs and 36,000 BTUs and heating capacities of 25,800 BTUs and 37,000 BTUs depending on the individual apartments. On residential apartments from Floor 3 to 9, heating and cooling will be provided to residential spaces receiving fresh air via trickle vents by split-type, air-cooled heat-pump units by electric packaged thru-the-wall heat-pump units (heat-pump PTACs) by Islandaire, series EZ12. The units each have a cooling capacity of 11,800 BTUs and a heating capacity of 14,000 BTUs. The units are located within each bedroom and kitchen/living space.

Domestic hot water for each apartment is provide my individual electric hot water heaters within each apartment. The hot water is manufactured by A.O. Smith, series ENJ with a storage capacity of 40 gallons.

In order to satisfy the requirements of the E Designation, all the equipment for space cooling/heating and hot water are powered by electricity. There will be no stack located on the roof.

Description of Selected Remedy for Noise

The elements of the remedial action selected for Noise for the 1638 Park Avenue site are as follows:

In order to meet the requirements of the E-Designation, the following windows will be installed:

On eastern façade and southern facades within 65 feet from Park Avenue:

Façade Floor Range	OITC Rating	OITC Certification	Manufacturer and Model	Glazing
East and South Façade 1 st Floor Commercial	36 (Composite calculation rating 38.4 dBA) (required 37 dBA)	ASTM E-90 Test Report, data file number: K6833.01B Composite calculation conducted.	YKK AP America YCW 750 XT, MK-9 Two Lite Curtain Wall	1-3/4” IG (3/8” CLR LAMI, 1” aluminum spacer, 3/8” CLR LAMI)
East and South Façade 2 nd – 9 th Residential Floor South Façade	38 (required 42 dBA on Floor 1 and 2; required 39 dBA on Floor 3 – 9 and Roof) (Composite calculation	ASTM E-90 Test Report, data file number: I6990.01N Composite calculation conducted.	Intus Supera Casement Window	1-1/2” IG (5/16” laminated SR exterior, 13/16” argon, 3/8” annealed interior)

Façade Floor Range	OITC Rating	OITC Certification	Manufacturer and Model	Glazing
Recreational Roof	rating 42.2 dBA on Floor 2; Composite calculation rating 41.7 dBA on Floor 3 – 9)			
East and South Façade 2 nd – 9 th Floor Residential	37 (required 42 dBA on Floor 1 and 2; required 39 dBA on Floor 3 – 9) (Composite calculation rating 42.2 dBA on Floor 2; Composite calculation rating 41.7 dBA on Floor 3 – 9)	ASTM E-90 Test Report, data file number: J8863.01D Composite calculation conducted.	Intus Supera Fixed Window	1-5/8” IG (5/16” laminated SR exterior, 13/16” argon, 1/2” laminated SR interior)

On southern facade beyond 65 feet from Park Avenue:

Façade Floor Range	OITC Rating	OITC Certification	Manufacturer and Model	Glazing
South Facade 1 st Floor Commercial	36 (required 30 dBA)	ASTM E-90 Test Report, data file number: K6833.01B	YKK AP America YCW 750 XT, MK-9 Two Lite Curtain Wall	1-3/4” IG (3/8” CLR LAMI, 1” aluminum spacer, 3/8” CLR LAMI)

Façade Floor Range	OITC Rating	OITC Certification	Manufacturer and Model	Glazing
South Façade 2 nd – 9 th Residential Floor and Recreational Roof	38 (required 35)	ASTM E-90 Test Report, data file number: I6990.01N	Intus Supera Casement Window	1-1/2” IG (5/16” laminated SR exterior, 13/16” argon, 3/8” annealed interior)

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 model SM 1000 2000 and SM 1000 4000 trickle vents manufactured by INTUS Supera in the occupied dwelling units on all floors. Fresh air will be provided to all bedrooms and living rooms by the trickle vents. Heating and cooling will be provided to residential spaces receiving fresh air via trickle vents by ductless split-type heat pump units manufactured by Daikin, series FX/RX on Floor 2 and by split-type, air-cooled heat-pump units by electric packaged thru-the-wall heat-pump units (heat-pump PTACs) by Islandaire, series EZ12 on Floor 3-9.
2. **Compliance with Mechanical Code:** Providing outside air to commercial spaces and common areas such as lobbies and corridors in accordance with the 2014 NYC Mechanical Code.

The remedies for Hazardous Materials, Air Quality, and Noise E Designation 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.

June 24th 2022
Date



Adrian Singleton
Project Manager

June 24th 2022
Date



Maurizio Bertini
Assistant Director

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