



**OFFICE OF ENVIRONMENTAL REMEDIATION**

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

February 11, 2022

Re: 30-75 21st Street; 21-04 30 Drive  
Queens Block 551, Lot 19  
Hazardous Materials E Designation  
E-245: Astoria Rezoning - CEQR 10DCP019Q - 5/25/2010  
OER Project Number 21EHAZ159Q / 22CVCP026Q

The New York City Office of Environmental Remediation (OER) has completed its review of the Remedial Action Work Plan (RAWP) dated December 2021 with Stipulation Letter dated February 10, 2022 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 February 7, 2022. There were no public comments.

**Project Description**

The proposed use of the Site will consist of a new eight-story residential apartment building with a sub-grade cellar level. The cellar will encompass the entire Site except for a small section along the southwest corner of the property and be used for vehicle parking, storage, and meter rooms. The cellar will be excavated to an estimated depth of 13 feet below grade surface (bgs). The ground floor will contain common areas, a fitness gym, and vehicle parking. Floors two through eight will contain residential apartments.

**Statement of Purpose and Basis**

This document presents the remedial action for the NYC Voluntary Cleanup Program and E-Designation Program project known as “30-75 21st 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 30-75 21st 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 Plan (CAMP) for particulates and VOCs.
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 entire footprint of the building area will be excavated to a depth of approximately 13 feet bgs for development purposes. A

small portion along the southwest area of the site will be excavated 2 feet below grade and replaced with clean fill. This area will be either paved or landscaped. For the installation of the elevator pit, an additional five feet will be excavated within the cellar area. Approximately, 6,300 tons of soil/fill will be removed from the Site and properly disposed of at an appropriately licensed or permitted facility.

7. Screening of excavated soil/fill for indications of contamination by visual means, odor and monitoring with a photo-ionization detector (PID) during all intrusive work.
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 underground storage tanks (USTs) encountered during the excavation including three known 4,000-gallon USTs from the central west portion of the site and one 550-gal heating oil UST in compliance with applicable City, State and Federal laws and requirements. One (1) 550-gal waste motor oil UST and one (1) 550-gal heating oil UST were previously removed in 2012. One (1) 275-gal #2 fuel oil aboveground storage tank (AST) and one (1) 250-gal waste oil AST (identified in the Phase I ESA) will also be removed during site redevelopment. Registration of tanks and reporting of any petroleum spills associated with the USTs and appropriate closure of these petroleum spills in compliance with applicable local, State and Federal laws and regulations.
10. Collection and analysis of ten (10) post-excavation endpoint samples to evaluate the performance of the remedy with respect to attainment of Track 4 Site-Specific SCOs. Samples will be analyzed for SVOCs, VOCs, pesticides/PCBs, and metals. Over excavation as needed based on post-excavation endpoint sample results and presence of visible contamination.
11. Installation of at least three (3) groundwater monitoring wells along the sidewalk, adjacent to the Site. The groundwater monitoring wells will be utilized for long term groundwater quality monitoring and biochemical remediation, as necessary. The spill closure and any associated groundwater remediation will be managed under NYSDEC Spill Number 11-14388.
12. Construction of an engineering composite cover consisting of the 6-inch-thick reinforced concrete slab within the building footprint, 2 feet of clean soil in open space areas, and a 4-inch-thick concrete slab for sidewalks.
13. Installation of a vapor barrier system consisting of a vapor barrier beneath the building slab and outside of all sub-grade foundation sidewalls up to grade to mitigate soil vapor migration into the building. The vapor barrier system will consist of a minimum 20-mil thick Stego Wrap 20-mil vapor barrier, or equivalent, as approved by the engineer, below the slab throughout the full building area and outside all sub-grade foundation sidewalls up to grade. 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.
14. Transportation and off-site disposal of all soil/fill material at permitted facilities in accordance with all applicable City, State and Federal laws and requirements for handling, transport, and disposal. Sampling and analysis of excavated media as required by disposal facilities. Appropriate segregation of excavated media for off-site disposal.
15. Construction and operation of a cellar/grade-level parking garage with high volume air exchange in conformance with NYC Building Code.
16. Implementation of storm-water pollution prevention measures in compliance with applicable laws and regulations.
17. Performance of all activities associated with the remedial action, including permitting requirements and pretreatment requirements, in compliance with applicable Federal, State, and city laws and regulations.
18. Import of materials to be used for backfill and cover, as needed, in compliance with the RAWP and in accordance with all Federal, State, and city laws and regulations.
19. Dewatering in compliance with city, state, and federal laws and regulations. Extracted groundwater will be either containerized for off-site licensed and permitted disposal or will be treated under a permit from the NYCDEP to meet pretreatment requirements prior to discharge to the sewer system.
20. Submission of a Remedial Closure Report (RAR) that describes the remedial activities including any changes from the RAWP, certifies that the remedial requirements have or will be achieved, defines the Site boundaries, and describes any 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 the 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 11, 2022



Date

Shirley Chen  
Project Manager

February 11, 2022



Date

Sarah Pong  
Assistant Director

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