



OFFICE OF ENVIRONMENTAL REMEDIATION

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

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Director

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NOTICE TO PROCEED

DOB Job Number A1 - 320904517

September 12, 2014

Ira Gluckman, R.A.
Brooklyn Borough Commissioner
NYC Department of Buildings
210 Joralemon Street, 8th Floor
Brooklyn, NY 11201

Re: **1413 - 1421 Fulton Street**
Brooklyn, Block 1854, Lot 52
Hazardous Materials and Noise “E” Designation
E-185: 10/29/2007 - Bedford Stuyvesant South Rezoning - CEQR 07 DCP 070K
OER Project Number: 14EH-N266K

Dear Commissioner Gluckman:

The New York City Office of Environmental Remediation (OER) hereby issues a Notice to Proceed for the above-referenced Department of Buildings Job Number(s). 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 and Noise remedial action work 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 William Wong at (212) 341-0659.

Sincerely,

Zachariah Schreiber, Ph.D.
Assistant Director

cc: Daniel Walsh, Shaminder Chawla, Maurizio Bertini, William Wong, PMA-OER
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DECISION DOCUMENT

NYC E-Designation Remedial Action Work Plan Approval

September 12, 2014

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Hazardous Materials and Noise “E” Designation
E-185: 10/29/2007 - Bedford Stuyvesant South Rezoning - CEQR 07 DCP 070K
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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 May 28, 2014 and the Remedial Action Plan for Noise dated August 27, 2014 for the above-referenced project. These Plans were submitted to OER under the E-Designation Program.

Project Description

The development project consists of conversion of the single story building to a three story, multi-tenant, commercial building. The existing and planned buildings will maintain the same footprint and cover the entire Site (full build-out). There is no planned grade-level open space or landscaping. The building will occupy a 10,220 square-foot footprint and will consist of a total of 22,245 square feet of commercial space. The exterior walls and floor of the existing building will be retained and the second and third floors of the new building will be added. The small utility basement will be retained in its existing form.

A series of support columns with independent column footings will be constructed throughout the building. An elevator will be constructed in the west portion of the building. Excavation through the existing floor into sub-grade material is anticipated only at the locations of column footings and the elevator vault. Column footings vary in dimension from 4 feet by 4 feet to 10 feet by 10 feet with thicknesses between 1.5 and 3.5 feet. Excavation depths for column footings range between 5 ft bg (feet below grade) and 7 ft bg. The excavation depth for the elevator vault is 7 ft bg. Site grade is the same as the existing first floor grade and approximately the same as the exterior sidewalk along Fulton Street. The total excavation volume for column footings and the elevator vault is approximately 250 cubic yards or 375 tons.

Statement of Purpose and Basis

This document presents the remedial action for the E-Designation Program project known as “1413 Fulton Street” pursuant to the Zoning Resolution and §24-07 of the Rules of the City of New York.

Description of Selected Remedy for Hazmat

The remedial action selected for the 1413 Fulton Street site is protective of public health and the environment. The remedial action includes: soil excavation and offsite disposal and an engineered composite cover system.

The elements of the selected remedy are as follows:

1. Conduct a Community Air Monitoring Program (CAMP) for particulates and volatile organic compounds (VOCs).

2. Establish Soil Cleanup Objectives (SCOs) for contaminants of concern. Excavation and removal of soil/fill at locations where required based on redevelopment actions. Construction-related excavation will result in removal of some soil exceeding SCOs.
3. Although not anticipated, removal of underground storage tanks and closure of petroleum spills, if any encountered, in compliance with applicable local, State and Federal laws and regulations.
4. Retain existing engineered composite cover consisting of a Site-wide concrete floor slab to prevent human exposure to residual soil/fill remaining under the Site. The existing slab varies in thickness from approximately 3 inches to 16 inches. At locations where the existing floor slab is to be cut and removed as part of redevelopment, the floor will be replaced with either: a new floor of equal or greater thickness, a support column or a concrete elevator vault.
5. As part of the general construction activities, a 50-year rated caulk will be used to seal all cracks/voids, utility penetrations, drains, etc. in the concrete floor slab. This measure will eliminate these pathways for potential future soil-vapor intrusion.
6. Although not anticipated, import of materials to be used for backfill and cover would be in compliance with this plan and in accordance with applicable laws and regulations.
7. 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 onsite.
8. Screening of excavated soil/fill during intrusive work for indications of contamination by visual means, odor, and monitoring with a photoionization detector (PID).
9. Site mobilization involving Site security setup, equipment mobilization, utility mark outs and marking and staking excavation areas.
10. Implementation of storm-water pollution prevention measures in compliance with applicable laws and regulations.
11. Completion of all activities required for the remedial action, including permitting requirements and pretreatment requirements, in compliance with applicable laws and regulations.
12. Submission of a Remedial Closure Report (RCR) that describes the remedial activities, certifies that the remedial goal (prevention of human contact with Site soils) has been achieved, and describes all Engineering and Institutional Controls to be implemented at the Site, and lists any changes from this RAP.

This remedy 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.

Description of Selected Remedy for Noise

The elements of the remedial action selected for Noise for the 1413 Fulton Street site are as follows:

1. All storefront on first floor will be, AG451T STC Series, manufactured by Arcadia Inc, with an OITC rating of 32 dB(A). All windows on second and third floor will be fixed T200 STC Projected Series, manufactured by Arcadia Inc with an OITC rating of 30 dB (A).
2. Documentation will be provided to OER once the OITC ratings of the windows are confirmed by laboratory testing according to ASTM E-90.
3. All alternate means of ventilation will be provided by mechanical vent and central AC. All units are rooftop and manufactures by Trane. 12 roof-top mounted HVAC unit (six 12 ton units, one 7.5 ton unit and five 5 ton units). The locations of HVAC units are clearly marked on drawing sheet (M-003.00) in Appendix E. The roof-top HVAC unit includes a fresh air make-up system. The roof-top HVAC unit is manufactured by TRANE, 12.5 tons model is YCH150E3L, 7.5 tons

model is YSC090E3EM, 5 tones model is YSC060E3R. All central roof top HVAC system, fired by natural gas, and located on the roof, will circulate hot air to registers in each floor.

4. Any changes made to the proposed AMV by the tenants will be submitted and approved by OER before being implemented.

September 12, 2014



Date

William Wong
Project Manager

September 12, 2014



Date

Zachariah Schreiber, Ph.D.
Assistant Director

cc: Daniel Walsh, Shaminder Chawla, Maurizio Bertini, William Wong, PMA-OER
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