



OFFICE OF ENVIRONMENTAL REMEDIATION

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

Daniel Walsh, Ph.D.
Director

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NOTICE TO PROCEED

DOB Job Number NB-420952320

March 12, 2015

Derek Lee, R.A.
Queens Borough Commissioner
NYC Department of Buildings
120-55 Queens Boulevard
Kew Gardens, NY 11424

Re: 87-67 171st Street
87-65 – 87-69 171st St.
Queens, Block 9827, Lot 25
Hazardous Materials & Noise “E” Designation
E-175: 9/10/2007 Downtown Jamaica Redevelopment – CEQR 05 DCP 081Q
OER Project Number 14EH-N389Q/15CVCP025Q

Dear Commissioner Lee:

The New York City Office of Environmental Remediation (OER) hereby issues a Notice to Proceed for the above-referenced Department of Buildings Job Number. 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 a Noise 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 Amanda Duchesne at 212-341-2077.

Sincerely,

Shaminder Chawla
Deputy Director

cc: Harjit Singh, 171st Street, LLC; info@vikramconstructioninc.com
Chawinie Reilly, Environmental Business Consultants; creilly@ebcincny.com
Manish S. Savani, R.A.; manish@mssarch.com
Ariel Czemerinski, P.E.; ariel@amc-engineering.com
Robert Lee, Noise Consultant; rsl@hansenacoustics.com
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DECISION DOCUMENT

**NYC VCP and E-Designation
Remedial Action Work Plan and Remedial Action Plan Approval**

March 12, 2015

Re: **87-67 171st Street
Queens Block 9827, Lot 25
Hazardous Materials &, Noise “E” Designation
E-175: 9/10/2007 Downtown Jamaica Redevelopment – CEQR 05 DCP 081Q
OER Project Number 14EH-N389Q/15CVCP025Q**

The New York City Office of Environmental Remediation (OER) has completed its review of the Remedial Action Work Plan (RAWP) dated October 2014, the Stipulation List dated December 2014, and the Noise Remedial Action Plan (RAP) dated October 2014 for the above-referenced project. The 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 November 6, 2014. There were no public comments.

Lot 25 has been designated with Hazardous Materials and Noise Attenuation “E” by the NYC Department of City Planning as part of the 9/10/2007, Downtown Jamaica Redevelopment, E-175, CEQR 05 DCP 081Q.

Project Description

The development project consists of redeveloping the entire 5,926 square foot Site with an 8-story residential buildings and a full cellar. The proposed building encompasses approximately 100 % of the site. The building includes a full cellar, spanning the entire foot print of the building, which will be utilized for parking, a compactor room, refuse rooms, storage rooms, sprinkler and gas room, electrical meter room and an elevator. The upper floors will contain residential units. The 8th floor will have a residential unit, boiler room, laundry room, and trash room. The basement level and foundation will require excavation of the entire Site to a total depth of approximately 10 feet below grade.

Statement of Purpose and Basis

This document presents the remedial action for the NYC Voluntary Cleanup Program and E-Designation Program project known as “87-67 171st 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.

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 Track1 Cleanup Objectives (SCOs);
4. Site mobilization involving Site security setup, equipment mobilization, utility mark outs and marking & staking excavation areas;
5. Excavation and removal of soil/fill exceeding Unrestricted Use SCOs. For development purposes, 100% of the property will be excavated to a depth of 12 feet for the new building's cellar, footings and foundation. Approximately 4,000 tons of soil will be removed;
6. 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;
7. Removal of underground storage tanks (if encountered) and closure of petroleum spills (if evidence of a spill/leak is encountered during Site excavation) in compliance with applicable local, State and Federal laws and regulations;
8. 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;
9. Collection and analysis of five end-point samples to determine the performance of the remedy with respect to attainment of SCOs;
10. As part of development, installation of a vapor barrier system below the concrete slab underneath the building, as well as behind foundation walls of the proposed building. The vapor barrier will consist of a VaporBlock Plus VBP20 (20 mil) system as manufactured by Raven Industries;
11. As part of development, construction and maintenance of an engineered composite cover consisting of 6 inch thick concrete building slab to prevent human exposure to residual soil/fill remaining under the Site,
12. Implementation of storm-water pollution prevention measures in compliance with applicable laws and regulations;
13. Performance of all activities required for the remedial action, including permitting requirements and pretreatment requirements, in compliance with applicable laws and regulations. Based on the proposed development, excavations will be conducted above the water table and groundwater is not anticipated to be encountered. If groundwater is encountered then dewatering would be required during excavation. Site-wide dewatering will be completed in accordance with a New York City Department of Environmental Protection (NYCDEP) permit;
14. 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 lists any changes from this RAWP, and, if Track 1 SCOs are not achieved, describes all Engineering and Institutional Controls to be implemented at the Site;
15. If Track 1 is not achieved; 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; and

16. If Track 1 Unrestricted Use SCOs are not achieved, the property will continue to be registered with an E-Designation by 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.

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 87-67 171st Street site are as follows:

The following remedial elements have been incorporated into the construction design of the new building to achieve compliance with the E-Designation requirements:

1. A window/wall attenuation of 33 dB(A) will be achieved for the Site. The window and door assemblies are Wausau 4250 casement windows, Wausau 4250 Awning Windows, and the Wausau 4250i TD Terrace Door. The window glazings for type 1,2,3 and 6 (Wausau 4250 Casement windows and Wausau 4250i TD Terrace Door) windows are 1-1/16" inch insulated units with 1/4" annealed exterior glass, 1/2" space filled with argon, 5/16" annealed interior glass. The OITC rating for this glazing is 33. Type 1, 2, and 3 windows will be installed in apartments 2A to 8A and type 6 windows will be installed within the recreation room.

The window glazing for type 5 windows (Wausau Awning Window) are double glazed 1" insulated glass units consisting of 1/4" annealed exterior glass, 1/2" air space, 1/4" annealed interior glass. The OITC rating for this glazing is 28. Type 5 windows are to be installed within the bathrooms.

2. Alternate Means of Ventilation (AMV) for the rooms shall be provided by Ice Air RSNU PTAC units.

March 12, 2015

Date



Amanda Duchesne, Project Manager

March 12, 2015

Date



Shaminder Chawla, Deputy Director

March 12, 2015

Date



Zach Schreiber, Ph D., Assistant Director

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