



**OFFICE OF ENVIRONMENTAL REMEDIATION**

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**Director**

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**DECISION DOCUMENT**

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

October 24, 2017

Re: 875 4th Avenue: 867 – 875 4<sup>th</sup> Avenue, 168 – 182A 32<sup>nd</sup> Street  
Brooklyn Block 681, Lots 1 & 6  
Hazardous Materials and Air Quality “E” Designation  
E-236: Sunset Park Rezoning - CEQR #09DCP075K - 9/30/2009  
OER Project Number 16TMP0330K, 16EH-A242K, 18CVCP013K

The New York City Office of Environmental Remediation (OER) has completed its review of the Remedial Action Work Plan (RAWP) dated October 2017 with Stipulation Letter dated October 18, 2017 for the above-referenced project. The Remedial Action Plan for Air Quality has not yet been submitted for OER review.

The Hazardous Materials Remedial Action Work 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 ends on 11/06/2017. There have been no public comments as of 10/23/2017. Any comments received will be addressed through amended Stipulation Letter. NYSDEC and NYC DOH were briefed on this project in July 2017.

**Project Description**

At this time (October 2017), no New Building job application has been filed with the NYC Department of Buildings. The proposed building plans outlined below are conceptual and subject to change. The enclosed cleanup plan has been developed with the intention of preparing the site for development. Any changes to the proposed building plan may result in necessary modifications to remedial requirements and the enclosed cleanup plan.

The proposed future conceptual plan for the Site will consist of a mix of commercial and residential properties. The current zoning designation is zoning classification R7A with commercial overlay C2-4, zoning map 16b. The proposed building will be seven (7) or eight (8) stories. A cellar is proposed which will contain retail, parking and utilities. The proposed cellar will be comprised of an area of 18,005-square feet, of which 11,166-square feet will be utilized for retail. The first floor will be a combination of retail, residential and parking. The proposed first floor will be comprised of an area of 25,043-square feet of which 11,315-square feet will be utilized for commercial and 11,861-square feet for residential. Floors two (2) through seven (7) or eight (8) will be comprised of residential apartments.

The proposed depth of the cellar is 15-feet deep. The volume of soil that will be needed to removed is approximately 10,000 cubic yards. The depth to groundwater at the Site is approximately 24 to 28 feet below grade. The proposed cellar will not intercept the groundwater table.

**Statement of Purpose and Basis**

This document presents the remedial action for the NYC Voluntary Cleanup Program and E-Designation Program project known as “875 4th Avenue” 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 875 4th Avenue site is protective of public health and the environment. The proposed remedial action will consist of:

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.
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. Approximately 70% of the property will be excavated for a partial cellar to a depth of approximately 15 feet below grade for development purposes. The rest of the site will be utilized as a parking lot and will require excavation to 2 feet below grade. An additional three feet of excavation is required for elevator pits. Approximately 10,000 cubic yards of soil/fill will be removed from the Site and properly disposed at an appropriately licensed or permitted facility.
7. 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.
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 three (3) 12,000-gallon USTs from the southwestern portion of the Site, as well as removal and decommissioning of remaining filling station infrastructure including pump islands, fill ports, related appurtenances, etc. Post-removal, the excavation area will be backfilled with 3/4" recycled concrete aggregate until building development begins. Registration of tanks and reporting of any petroleum spills associated with UST's and appropriate closure of these petroleum spills in compliance with applicable local, State and Federal laws and regulations.
10. During UST removal and gasoline station decommissioning, as required by site conditions and NYSDEC, perform endpoint sampling and/or additional site characterization
11. Transportation and off-Site disposal of all soil/fill material and liquid waste 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.
12. Collection and analysis of end-point samples to determine the performance of the remedy with respect to attainment of Track 4 SCOs.
13. Import of materials to be used for backfill and cover in compliance with this plan and in accordance with applicable laws and regulations. Import of materials subsequent to completion of UST removal and gasoline station decommissioning will also be conducted in compliance with this plan and in accordance with applicable laws and regulations.
14. Construction of an engineered composite cover consisting of a six-inch thick or greater concrete building slab beneath all building areas and, if applicable, in the final site design, 4-inch poured concrete on a 6-inch sub-base in sidewalk areas. At this time no landscaped areas have been defined.
15. Installation of a vapor barrier system consisting of vapor barrier beneath the building slab and outside of sub-grade foundation sidewalls to grade to mitigate soil vapor migration into the building. The vapor barrier system will consist of a Grace Preprufe® 300R vapor barrier and related products, or their equivalents or superiors; and for the vertical walls Grace Preprufe® 160R and for the blind side walls Bithuene® 1000, or their equivalents or superiors. All welds, seams and penetrations will be properly sealed to prevent preferential pathways for vapor migration. A conceptual presentation of the system is included in the RAWP Stipulation Letter and final plans will be presented to OER for review prior to issuance of the Notice to Proceed.
16. Installation of an active sub-slab depressurization system (SSDS). A conceptual presentation of the system is included in the RAWP Stipulation Letter and final plans will be presented to OER for review prior to issuance of the Notice to Proceed. The active SSDS is an Engineering Control for the

- remedial action. The remedial engineer will certify in the 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.
17. Construction and operation of a cellar/grade-level parking garage with high volume air exchange in conformance with NYC Building Code.
  18. 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.
  19. Implementation of storm-water pollution prevention measures in compliance with applicable laws and regulations.
  20. 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.
  21. 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 Site Management Plan (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 875 4th Avenue site are to be determined at a later date. These will be addressed prior to issuance of a Notice to Proceed.

The remedy for Hazardous Materials 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.

October 24, 2017

Date



Isabel McRae  
Project Manager

October 24, 2017

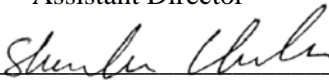
Date



Zach Schreiber, PhD  
Assistant Director

October 24, 2017

Date



Shaminder Chawla  
Deputy Director

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