



OFFICE OF ENVIRONMENTAL REMEDIATION

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DECISION DOCUMENT

NYC VCP and E-Designation Remedial Action Work Plan Approval

November 8, 2021

Re: 118 10th Avenue: 118-124 10th Avenue
Manhattan Block 715, Lots 2, 3, 64 (partial), and Tentative Lot 3
Hazardous Materials, Air Quality, and Noise “E” Designation
E-142: Highline / West Chelsea Rezoning - CEQR 03DCP069M - 6/23/2005
OER Project Number 18EHAN428M / 21CVCP027M

The New York City Office of Environmental Remediation (OER) has completed its review of the Remedial Action Work Plan (RAWP) dated March 2021 with Stipulation Letter dated March 2021 and the Remedial Action Plan for Air Quality and Noise dated November 2021 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 04/12/2021. There were no public comments. NYSDEC and NYCDOHMH were briefed on 12/12/2018 and 5/15/2020.

Project Description

The proposed future use of the Site will consist of a mixed-use building with commercial space at the street and cellar levels, with office space in the upper levels. The building will contain approximately 86,960 square feet of zoning floor area and will be built over the entire footprint of the site. The proposed building will have a cellar approximately 12 feet deep. The building is to be ten-stories above grade, with overall building height that will reach 135 ft² above street level, with bulkheads and mechanical equipment protecting above the 135 ft² height. As part of development, the referenced Lots 3 & the southern portion of Lot 64 are proposed to be merged into Lot 3.

Statement of Purpose and Basis

This document presents the remedial action for the NYC Voluntary Cleanup Program and E-Designation Program project known as “118 10th 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 118 10th 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.
2. Performance of a Community Air Monitoring Program for particulates and volatile organic carbon compounds.
3. Establishment of Site-Specific (Track 4) SCOs, including SVOCs - 250 ppm, Mercury - 2.5 ppm and lead - 800 ppm.
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. Completion of a limited Soil Vapor Intrusion (SVI) Study on the former Lot 2 prior to building demolition. The limited SVI study will include the collection of one (1) sub-slab soil gas sample, one (1) indoor air sample and one (1) ambient air sample.
7. Excavation and removal of soil/fill exceeding Site Specific (Track 4) SCOs. The entire footprint of the cellar (about 20% of the property) will be excavated to a depth of approximately 12 feet below grade for development purposes. Two (2) small portions of property will be excavated to depths of 15 feet and 22 feet below grade for elevator pits. Approximately 3,800 tons of soil/fill will be removed from the Site and properly disposed at an appropriately licensed or permitted facility.
8. 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.
9. 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.
10. Removal of all UST's that are encountered during soil/fill removal actions.
11. 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.
12. 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.
13. Collection and analysis of twelve (12) end-point samples to determine the performance of the remedy with respect to attainment of Track 4 SCOs.
14. Import of materials to be used for backfill and cover in compliance with this plan and in accordance with applicable laws and regulations.
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 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.
18. Construction of an engineered composite cover consisting of a 12-inch thick concrete building slab with a minimum 4-inch clean granular sub-base beneath all building areas.
19. 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 Grace Preprufe, or equivalent, below the slab throughout the full building area and a 20-mil Grace Preprufe, or equivalent, outside all sub-grade foundation sidewalls. All welds, seams and penetrations will be properly sealed to prevent preferential pathways for vapor migration.
20. The property will continue to be registered with an E-Designation (E-142) 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 118 10th Avenue site are as follows:

In order to satisfy the requirements of the E-Designation, two exhaust stacks will be located on the roof, providing individual exhaust for the two gas boilers. The stack will be located 40 feet from the north line of lot, 47 feet from the east line of the lot, 89 feet from the south line of the lot, and 40 feet from the west line of the lot. The north lot line is closest to West 18th Street, the east lot line is closest to 9th Avenue, the south lot line is closest to West 17th Street, the west lot line is closest to 10th Avenue.

Description of Selected Remedy for Noise

The elements of the remedial action selected for Noise for the 118 10th Avenue site are as follows:

In order to meet the requirements of the E-Designation, the following window/wall attenuation requirement will be achieved at the locations described below:

1. 30 dBA in the commercial space based on an allowed reduction of 5 dBA from the attenuation requirement outlined in the E-Designation. It is understood that this reduction may prevent the project from obtaining a Final Notice of Satisfaction for the Noise E as the site is not protective for all allowable uses.

The following windows will be installed:

| Façade Floor Range | OITC Rating | OITC Certification | Manufacturer and Model | Glazing |
|---|------------------------|--|---|--|
| Western Façade 1 st Floor (Commercial) | 34 (required 30) | See ASTM E-90 acoustical report for the exact window and glazing in ATI Data File #80842.01. | Jamestown175® Series manufactured by Hope's Windows, Inc. | ½" laminated glass |
| Western Façade Floors 2-10 (Commercial) | 30 (required 30) | See ASTM E-90 acoustical report for the exact window and glazing in Report # L0330.01-113-11-R0. | Curtain Wall Window manufactured by Fabbrica LLC | 3/8" heat strengthened exterior, 1/2" argon space, 5/16" tempered interior |
| East, North, and South facades Floors 2-10 (Commercial) | 39 (required 30) | See ASTM E-90 acoustical report for the exact window and glazing in report # TL03-258 | Window Type A and A1, Superlite II XL manufactured by O'Keefe's Inc. | ¼" monolithic glass, 5/8" proprietary gel, ¼" monolithic glass |
| East, North, and South facades Floors 2-10 (Commercial) | NA | <i>Not required, windows are Spandrel windows for cosmetic purposes.</i> | <i>Window Type B, B1, B2, B3, and B4</i> | NA |

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. Combination of Dedicated Fresh Air/HVAC System. There will be one DX unit with condensing system manufactured by Daikin on each floor for heating and cooling, model SWP039H.
 - Cooling will be provided to the DX units by two cooling towers on the roof. A single 12,000 cfm heating & ventilation unit, will be installed on the roof.
 - Extract to bathrooms on all floors will be provided by a Loren Cook 330RX11B unit at 6,100 cfm total flow, also located on the roof. Stair pressurization will be achieved by two 10,000 cfm fans.
 - Façade mounted louvers located on the western façade will provide fresh air to first floor AC units, while outside air will be directed to the remainder of the Daikin units from the roof.

2. Compliance with Mechanical Code: Providing outside air to commercial spaces and common areas such as lobbies and corridors will be done in accordance with the 2014 NYC Mechanical Code.

The remedies for Hazardous Materials, Air Quality, Noise 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.

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| 11/8/2021 |  |
| Date | Anna Brooks Project Manager |
| 11/8/2021 |  |
| Date | Shaminder Chawla Deputy Director |
| 11/8/2021 |  |
| Date | Maurizio Bertini Assistant Director |

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