



OFFICE OF ENVIRONMENTAL REMEDIATION

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

July 14, 2020

Re: 869 Concourse Village West
Bronx Block 2459, Lot 49 (formerly Lots 49 & 50)
Hazardous Materials and Noise E-Designation
E-225: 161 Street River Avenue Rezoning - CEQR 09DCP024X - 9/30/2009
OER Project Number 20EH-N176X / 20CVCP071X

The New York City Office of Environmental Remediation (OER) has completed its review of the Remedial Action Work Plan (RAWP) dated April 2020 with Stipulation Letter dated May 2020 and the Remedial Action Plan for Noise dated June 2020 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 05/10/2020. There were no public comments.

Project Description

The redevelopment project consists of a new 10-story hotel building with a partial cellar. The 2,852-sf cellar will be set back approximately 15 to 17 from the street. The area in front of the building will be capped as a concrete sidewalk, and the rear courtyard behind the hotel building will be capped with concrete. The cellar will consist of the electrical meter room, fuel pump room, water service/sprinkler room, compactor room, laundry room, and a breakfast area with a pantry. The first floor will consist of the hotel lobby, bicycle storage room, and 4-hotel rooms. The 2nd through 10th floors will consist of hotel rooms.

Statement of Purpose and Basis

This document presents the remedial action for the NYC Voluntary Cleanup Program and E-Designation Program project known as “869 Concourse Village West” 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 869 Concourse Village West 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 Program for particulates and volatile organic carbon compounds;
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. A Waste Characterization Report

documenting sample procedures, location, analytical results shall be submitted to NYCOER prior to start of remedial action;

6. Excavation and removal of soil/fill exceeding Track 4 Site-Specific SCOs. For development purposes, the excavation depth for the 65ft by 50ft cellar varies from approximately 11ft near the front to as great as 20ft in the rear due the existing significant slope of the property. Additional deeper excavation to approximately 25ft will be required for the elevator pit. To install the rear courtyard, excavation to a depth of at least 5.5ft will be required, and excavation of approximately 6 inches to 1ft of soil/fill will be required to construct the 4 inch thick concrete slab across the front courtyard in front of the building. An estimated 2,800 cubic yards (4,200 tons) of soil/fill and bedrock will be removed from the Site and properly disposed of 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;
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 the underground storage tanks encountered during soil/fill removal actions. 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. 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 the RAWP. Sampling and analysis of excavated media as required by disposal facilities. Appropriate segregation of excavated media on-Site;
11. Collection and analysis of eight end-point samples (EP1 – EP8) to determine the performance of the remedy with respect to attainment of Track 4 Site-Specific SCOs. Due to the presence of shallow bedrock across the rear half of the Site, it is unlikely that endpoint soil samples EP5 through EP8 will be able to be collected. All eight site-wide endpoint soil samples will be analyzed for full TCL parameters to determine if Track 2 SCOs can be achieved;
12. Import of materials to be used for backfill and cover in compliance with the RAWP and in accordance with applicable laws and regulations;
13. Installation of a waterproofing membrane/vapor barrier system below the cellar slab, behind all cellar foundation walls to grade, and below/around the elevator pit and other sub-slab structures. The waterproofing membrane/vapor barrier system will consist of 73-mil W.R. Meadows Pre-Con waterproofing membrane below the cellar slab, below/around the elevator pit and outside all sub-grade foundation sidewalls to grade. All welds, seams and penetrations will be properly sealed to prevent preferential pathways for vapor migration. The waterproofing membrane/vapor barrier system is an Engineering Control for the remedial action. The remedial engineer will certify in the RAR that the waterproofing membrane/vapor barrier system was designed and properly installed to mitigate soil vapor migration into the building;
14. Construction and maintenance of an engineered composite cover consisting of the new building's 6 inch thick concrete cellar slab underlain with a 73-mil waterproofing membrane, and the front and rear courtyards 4 inch thick concrete slab, to prevent human exposure to residual soil/fill remaining at the Site;
15. Performance of all activities required for the remedial action, including permitting requirements and pretreatment requirements, in compliance with applicable laws and regulations;
16. Dewatering in compliance with city, state, and federal laws and regulations. Extracted groundwater will either be containerized for off-site licensed or permitted disposal or will be treated under a permit from New York City Department of Environmental Protection (NYCDEP) to meet pretreatment requirements prior to discharge to the sewer system;
17. Implementation of storm-water pollution prevention measures in compliance with applicable laws and regulations;
18. Submission of an approved Site Management Plan (SMP) in the Remedial Action Report 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;
19. 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 describes all Engineering and Institutional Controls to be implemented at the Site, and lists any changes from the RAWP; and

20. 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.

Description of Selected Remedy for Noise

The elements of the remedial action selected for Noise for the 869 Concourse Village West site are as follows:

1. 30 dBA for the front and rear (north and south) facades, Floors 1 through 10; and
2. The east and west facades will not be finished with windows or doors.

The following windows and doors will be installed:

Façade Floor Range	OITC Rating	OITC Certification	Manufacturer and Model	Glazing
Front and Rear (North and South) Facades 1st through 10th Floor and Rooftop Bulkhead (2, 2A, 3, 4, 5 and 6)	34	ASTM E-90 Lab Test Report; Data File No. F9417.01-113-11-R0; Option F9417.01D	Series/Model 8510 fixed windows manufactured by Crystal Window & Door Systems, Ltd.	1-1/4" IG (1/2" annealed exterior, 1/2" air space", 1/4" annealed interior)
Front and Rear (North and South) Facades 1st through 10th Floor (1, 4, and 5)	34	ASTM E-90 Lab Test Report; Data File No. F9417.01-113-11-R0; Option F9417.01D	Series/Model 8500 outswing casement windows manufactured by Crystal Window & Door Systems, Ltd	1-1/4" IG (1/2" annealed exterior, 1/2" air space", 1/4" annealed interior)

The acoustical reports described above are representative of the acoustical performance of all proposed windows/doors/curtain walls.

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. **PTAC Units:** Installing Ice Air PTAC/PTHP units (Model 8RSNU15) manufactured by Ice Air LLC in 45 hotel guest rooms (1st through 10th floors). For the 45 guest rooms with PTAC/PTHP units, the units will be fitted with an internal dedicated outside air fan to continuously provide outdoor air. The PTAC units or split type heat pumps systems will provide heating and air conditioning for all guest rooms.
2. **Air Handlers and ERV:** Installing air handlers (Model PKFY-P12NHMU-E12) manufactured by Mitsubishi in 49 guest rooms. Fresh air will be provided to the 49 hotel guest rooms with air handlers and common areas by a roof-mounted energy recover ventilator (ERV) (Model HE3XRT) manufactured by Renewaïre. In all cases, the rate of outside air (cfm) delivered to each habitable space (bedrooms and living spaces) will meet or exceed that specified in the 2014 New York City Mechanical Code table 403.3 for hotels, motels, resorts, and dormitories. These rates will be the greater of 5 cfm per person, representing the outdoor ventilation otherwise provided by the operable windows.
3. **Compliance with Mechanical Code:** Providing outside air to the corridors and 1st floor areas, including the lobby, compactor room and offices, and rooftop mechanical areas, in accordance with the NYC Mechanical Code 2014.

The remedies for Hazardous Materials and Noise E Designation described above conform to the promulgated standards and criteria that are directly applicable, or that are relevant and appropriate and takes into consideration OER guidance, as appropriate.



7/14/2020

Date

Caleb Bailey
Project Manager



7/14/2020

Date

Sarah Pong
Assistant Director

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