



OFFICE OF ENVIRONMENTAL REMEDIATION

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NOTICE TO PROCEED
DOB Job Number Q00705947-I1

April 11, 2023

Re: 21-12 Cornaga Avenue
Queens Block 15705, Lot 6
Hazardous Materials, Air Quality, and Noise “E” Designation
E-415: Downtown Far Rockaway Redevelopment Project - CEQR 16DME010Q - 9/7/2017
OER Project Number 22EHAN286Q / 22CVCP086Q

Dear Queens Borough Commissioner:

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 Subchapter 7 of Chapter 14 of Title 43 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 Air Quality & 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 §43-1474 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 Shirley Chen at 212-341-2034.

Sincerely,

Zach Schreiber, Ph.D.
Assistant Director

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

April 11, 2023

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Queens Block 15705, Lot 6
Hazardous Materials, Air Quality, Noise E Designation
E-415: Downtown Far Rockaway Redevelopment Project - CEQR 16DME010Q - 9/7/2017
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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 February 2023 with Stipulation Letter dated March 1, 2023 and the Remedial Action Plan for Air Quality and Noise dated April 2023 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 February 23, 2023. There were no public comments.

Project Description

The Site will be redeveloped with a new 9-story residential building with a 10 foot (ft) setback from the property boundary, a cellar occupying the entire footprint of the building, and an 8.5 ft wide side yard on the western portion of the Site that will be sloped from sidewalk grade to the rear parking area. The new building will have 41.5 ft of street frontage along Cornaga Avenue and a maximum depth of 143.66 ft along the western portion of the Site.

The cellar of the new irregularly shaped building will have a 5,406.9 ft² footprint and will extend 120.83 ft from the 10 ft set-back along Cornaga Avenue, 41.5 ft of street frontage along Cornaga Avenue, and an 8.5 ft-wide side yard space to the west that will sloped from sidewalk grade to the rear parking area. The irregular shaped rear yard will be paved with concrete and used as a parking area and access to the indoor parking garage on the west side of the cellar area. The cellar will consist of an attended parking lot area, utility rooms (water service room, electrical room, tele-communications room, and hot water heater room), restroom, parking attendant office, laundry room, stairway, elevator, trash compactor, and bike storage room. The first floor consists of a recreation room, a lobby, five studio apartments, and a foyer. The 2nd through 5th floors will consist of seven apartments on each level. The 6th through 9th floors will consist of three apartments on each level.

Statement of Purpose and Basis

This document presents the remedial action for the NYC Voluntary Cleanup Program and E-Designation Program project known as “21-12 Cornaga Avenue” pursuant to Title 43 of the Rules of the City of New York Chapter 14, Subchapter 7 and the Zoning Resolution and §43 - 1474 of the Rules of the City of New York.

Description of Selected Remedy for Hazardous Materials

The remedial action selected for the 21-12 Cornaga 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 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). Track 4 Site-Specific SCOs selected for this project include SVOCs at 200 ppm, Lead at 800 ppm, and Arsenic at 25 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. 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. Excavation to a depth of at least 15 ft below surface grade (bsg) across the building's footprint for the cellar foundation/parking garage entrance area, a sloped 7:1 excavation of the side-yard from sidewalk grade to at least 14 ft bsg for the rear parking area with drywells installed, and the front setback fronting the building footprint to 2 feet bsg for a landscaped entrance area. The elevator pit will require excavation of an additional 5 ft below cellar grade (bcg) / 20 ft bsg. An estimated total of 4,970 cubic yards (7,500 tons) of soil/fill will be excavated and removed from the Site during redevelopment;
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 material;
9. Removal of all underground storage tanks (USTs) encountered during soil/fill removal actions. Registration of tanks and reporting of any petroleum spills associated with USTs 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 Remedial Action Work Plan (RAWP). Sampling and analysis of excavated media as required by disposal facilities. Appropriate segregation of excavated media on-Site;
11. Collection and analysis of six (6) site-wide end-point samples (EP1 - EP6) across the Site to determine the performance of the remedy with respect to attainment of SCOs. Three endpoints (EP1, EP2, and EP6) will be collected from the rear and side yard and front set back excavation areas, and three endpoints (EP3 - EP5) will be collected from the cellar excavation;
12. Import of materials to be used for backfill and cover will be in compliance with the RAWP and in accordance with applicable laws and regulations;
13. Construction of an engineered composite cover consisting of:
 - a. Cellar Slab: 6-inch-thick concrete slab underlain with Raven Industries VaporBlock Plus® Series (VBP20) 20-mil vapor barrier system underlain by a 6-inch layer of $\frac{3}{4}$ " bluestone underlain by residual soil;
 - b. Dry well areas: 12-inch thick concrete slab underlain with 3 feet of either $\frac{3}{4}$ " bluestone or gravel underlain with residual soil;
 - c. Side & rear yard/parking ramp: Varying thickness of concrete slab underlain with minimum 6 inches of $\frac{3}{4}$ " bluestone underlain with residual soil, and;
 - d. Front landscaped yard: 2 ft thick layer of clean top-soil underlain with a demarcation barrier, underlain with residual soil.
14. Installation of a vapor barrier system consisting of vapor barrier beneath the building slab and outside of sub-grade foundation sidewalls to meet grade to mitigate soil vapor migration into the building. The vapor barrier system will consist of Raven Industries VaporBlock Plus® Series (VBP20) 20-mil vapor barrier system, or OER-approved equivalent system. All welds, seams and penetrations will be properly sealed to prevent preferential pathways for vapor migration. The vapor barrier system is an Engineering Control for the remedial action. The remedial engineer will certify in the Remedial Action Report (RAR) that the vapor barrier system was designed and properly installed to mitigate soil vapor migration into the building.
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 RAR that describes the remedial activities, certifies that the remedial requirements have been achieved, defines the Site boundaries, lists any changes from the RAWP, and describes all Engineering and Institutional Controls to be implemented at the Site;
 18. 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,
 19. 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 Air Quality

The elements of the remedial action selected for Air Quality for the 21-12 Cornaga Avenue site are as follows:

In order to satisfy the requirements of the E-designation, electricity will be utilized at the site for space heating, hot water, and HVAC systems.

Heating, cooling, and alternate means of ventilation for the residential spaces will be provided by perimeter packaged terminal air conditioning electric units (GE Zoneline PTAC model AZ65H09DAD, AZ65H12DAD and AZ6515DAD; noted as PTAC-A, PTAC-B and PTAC-C).

Heating and cooling is provided to recreation area by air cooled split variable refrigerant flow heat pump system with outdoor condenser (Mitsubishi model PUHY-HP72TNU-A-TH) and indoor wall mounted air handling unit (Mitsubishi model PKFY-P18NLMU-E-TH). This unit is powered electrically.

Energy recovery unit (noted as ERV-1 on mechanical plans; Panasonic FV 10VEC1) supplies filtered outside fresh air into the recreation area which is cooled via an air cooled split variable refrigerant flow system with an outdoor condenser and indoor wall mounted air handling unit. This unit also provides heating and is powered electrically.

Individual split air conditioning and heating units (Mitsubishi models PKA-A12HA70, PKA-A18HA7, MSZ-FS12NA, MUZ-ES12NA, PUY-A12NHA7, PUY-A18NHA7) are provided for telecom room, electrical room, laundry room, trash compactor room, elevator machine room and attendant office room. These units are powered electrically.

Supply air fan (noted as SAF-1 on mechanical plans; Greenheck USF-13-B1) supplies fresh air into the corridors of the residential part of the building. This unit is powered electrically.

Domestic hot water is provided via electric water heaters (EWH-C1, EWH-C2 and EWH-R; AO Smith model DSE-11-75 and model Proline XE PXGS-40). The AO Smith model DSE-11-75 services the common areas and is located in the cellar. The AO Smith model Proline XE PXGS-40 services the residential units and is located within each unit. Egmax Inc. S48SL tankless water heater (POU-1) will provided hot water to recreation room on 1st floor.

Description of Selected Remedy for Noise

The elements of the remedial action selected for Noise for the 21-12 Cornaga 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. 28 dBA for all facades.

The following windows will be installed:

Façade Floor Range	OITC Rating	OITC Certification	Manufacturer and Model	Glazing
Front (south), Rear (north), Left Side (west), Inner Courtyard (north and south) Façades All Floors Residential Use	28 (28 required)	ASTM E-90 Lab Test Report, Test Report Number C3500.01-113-11, Data File Number C3500.01C	Crystal Window & Door Systems 2300 Aluminum Series Horizontal Sliding Window 1a, 1b, 2a, 2b, 3b, 4 and 5	7/8" IG (1/4" laminated exterior, 3/8" air space, 1/4" laminated interior)

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 Zoneline PTAC units manufactured by GE in each living room and bedroom. GE Zoneline PTAC models AZ65H09DAD, AZ65H12DAD and AZ6515DAD; noted as PTAC-A, PTAC-B and PTAC-C on mechanical plans. Fresh air will be provided to all bedrooms and living rooms by the PTAC units. The PTAC unit provides continuous outside air; the makeup air module brings in outside air which mixes with the return air from the room, gets filtered and then heats or cools the air. This PTAC unit heats and cools the residential spaces.
2. **Compliance with Mechanical Code:** Providing outside air to commercial spaces and common areas such as lobbies, recreational space, and corridors in accordance with the 2014 NYC Mechanical Code.

The remedies for the Hazardous Materials, Air Quality, Noise E Designations 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.

April 11, 2023

Date



Shirley Chen
Project Manager

April 11, 2023

Date



Zach Schreiber, Ph.D.
Assistant Director

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