



OFFICE OF ENVIRONMENTAL REMEDIATION

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

Daniel Walsh, Ph.D.
Director

Tel: (212) 788-8841

NOTICE TO PROCEED
DOB Job Number NB - 321504555

September 28, 2017

Re: 187 Kent Avenue, 48 North 3rd Street
Brooklyn Block 2357, Lots 1, 4
Hazardous Materials "E" Designation
E-138: Greenpoint - Williamsburg Rezoning - CEQR 04DCP003K HazMat - 5/11/2005
OER Project Number 17EHAZ146K / 18CVCP005K

Dear Brooklyn 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 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 that is 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 Tara Ostock at 212-788-7527.

Sincerely,

Shaminder Chawla
Deputy Director

cc: Kevin Brussee, Environmental Business Consultants - kbrussee@ebcincny.com
Kimberly Somers, Environmental Business Consultants - ksomers@ebcincny.com
Emily Efstration, Environmental Business Consultants - eefstration@ebcincny.com
Amy Kasten, Environmental Business Consultants - akasten@ebcincny.com
Matt Katz, CW Realty - mk@cwrealty.net
Daniel Walsh, Shaminder Chawla, Zach Schreiber, Maurizio Bertini
Tara Ostock, PMA-OER



OFFICE OF ENVIRONMENTAL REMEDIATION

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

Daniel Walsh, Ph.D.
Director

Tel: (212) 788-8841

DECISION DOCUMENT

E-Designation Remedial Action Work Plan Approval

September 28, 2017

Re: 187 Kent Avenue
Brooklyn Block 2357, Lots 1, 4
Hazardous Materials E Designation
E-138: Greenpoint - Williamsburg Rezoning - CEQR 04DCP003K HazMat - 5/11/2005
OER Project Number 17EHAZ146K / 18CVCP005K

The New York City Office of Environmental Remediation (OER) has completed its review of the Remedial Action Work Plan (RAWP) dated August 2017 with Stipulation Letter dated September 27, 2017 for the above-referenced project.

The Plan was submitted to OER under the NYC Voluntary Cleanup Program and E-Designation Program.

Project Description

Proposed development is of a 7-story mixed use building, anticipated to be a full buildout with full basement. Proposed use for the cellar is storage; for the first floor is commercial, with a spot for a loading dock; for second floor is parking, with roughly 88 parking spots; and for floors three to seven is residential, with 96 market-rate apartments.

Statement of Purpose and Basis

This document presents the remedial action for the E-Designation Program project known as “187 Kent Avenue” pursuant to the Zoning Resolution and §24 - 07 of the Rules of the City of New York.

Description of Selected Remedy

The remedial action selected for the 187 Kent 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);
4. Site mobilization involving Site security setup, equipment mobilization, utility mark outs and marking & staking excavation areas;
5. Performance of additional soil sampling in one hotspot area B1 (mercury) identified during site investigations to horizontally delineate extent of contamination areas;
6. 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;
7. Excavation and removal of soil/fill exceeding Track 4 Site-Specific SCOs. For development purposes, the entire Site will be excavated to a depth of approximately 12 feet below grade. An approximate 10x10 ft excavation will be performed at RI sample location B1 to address a mercury hotspot. An estimated 10,325 cubic yards (15,488 tons) of soil will require excavation for the new building's cellar and hotspot removal;

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 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;
11. 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;
12. Collection and analysis of endpoint samples within the building footprint and at the mercury hotspot to determine the performance of the remedy with respect to attainment of 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;
14. Construction and maintenance of an engineered composite cover consisting of a 30 inch thick concrete building slab to prevent human exposure to residual soil/fill remaining at the Site;
15. Installation of a 20-mil thick waterproofing/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 the Grace Preprufe 160R/300R system as manufactured by Grace or equivalent system. The vapor barrier system is an Engineering Control for the remedial action. The remedial engineer will certify in the RAR that the vapor barrier system was designed and properly installed to mitigate soil vapor migration into the building;
16. If groundwater is not encountered during excavation, an active sub-slab depressurization system (SSDS) consisting of a network of horizontal pipe set in the middle of a gas permeable layer will be installed immediately beneath the building slab and vapor barrier system. The horizontal piping will consist of fabric wrapped, perforated schedule 40 4-inch PVC pipe connected to a 6-inch steel riser pipe that penetrates the slab and travels through the building to the roof. The gas permeable layer will consist of a 6-inch thick layer of 2-inch trap rock stone. The pipe will be finished at the roof line with a 6-inch goose neck pipe to prevent rain infiltration. The active SSDS will be hardwired and will include a blower installed on the roof line and a pressure gauge and alarm located in an accessible area in the basement. 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. Dewatering in compliance with city, state, and federal laws and regulations. Extracted groundwater, if encountered, 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;
18. Performance of all activities required for the remedial action, including permitting requirements and pretreatment requirements, in compliance with applicable laws and regulations;
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 this RAWP; and
20. 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.
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 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.

The remedies for Hazardous Materials 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.



Date

Tara Ostock
Project Manager



Date

Shaminder Chawla
Deputy Director

cc: Kevin Brussee, Environmental Business Consultants - kbrussee@ebcincny.com
Kimberly Somers, Environmental Business Consultants - ksomers@ebcincny.com
Emily Efstration, Environmental Business Consultants - eefstration@ebcincny.com
Amy Kasten, Environmental Business Consultants - akasten@ebcincny.com
Matt Katz, CW Realty - mk@cwrealty.net
Daniel Walsh, Shaminder Chawla, Zach Schreiber, Maurizio Bertini
Tara Ostock, PMA-OER