



OFFICE OF ENVIRONMENTAL REMEDIATION

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NOTICE TO PROCEED
DOB Job Number Q00790556-11

May 15, 2023

Re: 58-01 Queens Boulevard
Queens Block 1334, Lots 1, 6
Hazardous Materials, Air Quality, and Noise “E” Designation
E-163: Maspeth/Woodside Rezoning - CEQR 06DCP065Q - 6/29/2006
E-70: Tri Star Residence Rezoning - CEQR 89-229Q - 1/18/1996
OER Project Number 22EHAN320Q / 23CVCP034Q

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 Numbers. 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. The Applicant has filed a Hazardous Materials remedial action work plan, Noise remedial action plan, and Air Quality 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 Yolanda Chow at 212-788-7423.

Sincerely,

Maurizio Bertini
Assistant Director

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DECISION DOCUMENT
VCP and E-Designation
Remedial Action Work Plan Approval

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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 January 2023 with Stipulation Letter dated February 23, 2023, and the Remedial Action Plan for Air quality and Noise dated May 2023 for the above-referenced project.

The Plans were submitted to OER under the E-Designation Program.

The RAWP was released for public comment for 30 days as required by program rule. That comment period ended on 05/08/2022. There were no public comments.

Project Description

The proposed future use of the Site will consist of a new twelve-story residential building with a total of 131 residential units. The proposed building will occupy approximately 90% of the Site with small setbacks along the northwestern, western, and southwestern property boundaries. The elevation of the Site ranges from 74.6 feet on the southwestern corner of the Site to 62.17 feet on the northeastern corner of the Site. The Site will consist of a partial basement on the western and central portions of the Site where the top of slab will range from 55 to 60 feet in elevation and the bottom of slab will range from 52 to 57 feet in elevation. The cellar will consist of residential apartments, storage and mechanical rooms, and indoor parking lifts/pits. A sunken yard area will occupy the southwestern portion of the Site at an elevation of 69.5 feet. The first floor will consist of a lobby, fitness center, residential apartments, and indoor parking space. The indoor parking garage will occupy the eastern portion of the Site where the top of slab will be 63 feet in elevation and the bottom of slab will be 60 feet in elevation. Floors two through twelve will consist of residential units.

Statement of Purpose and Basis

This document presents the remedial action for the NYC Voluntary Cleanup Program and E-Designation Program project known as “58-01 Queens Boulevard” 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 58-01 Queens Boulevard 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(s).
6. Excavation and removal of soil/fill exceeding Track 4 Site Specific SCOs. The western and central portions of the Site will be excavated to an elevation ranging from 52 to 57 feet for development purposes. Small setbacks, which will range from sidewalk grade (variable) and 69.5 feet in elevation, will be located on the northwestern, western, and southwestern sides of the Site. An indoor parking garage will occupy the eastern portion of the Site, which will be excavated to an elevation of 60 feet for development purposes. Arsenic hotspot area detected at soil boring SB-4 (12-14') will be excavated to approximately 16'; below sidewalk grade.
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 all UST's that are 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 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.
11. Collection and analysis of end-point samples to determine the performance of the remedy with respect to attainment of SCOs.
12. Import of materials to be used for backfill and cover in compliance with this plan and in accordance with applicable laws and regulations.
13. Construction of an engineered composite cover consisting of a 36-inch-thick concrete building slab with an 8-inch clean granular sub-base within the building footprint.
14. 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 Vaporblock Plus vapor barrier manufactured by Raven Industries below the slab throughout the full building area and a 20-mil Florprufe® 120 barrier manufactured by GCP Applied Technologies behind all subgrade foundation walls. 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 RAR that the vapor barrier system was designed and properly installed to mitigate soil vapor migration into the building.
15. Installation of a passive sub-slab depressurization system (SSDS) consisting of a network of horizontal perforated pipes installed within a minimum of an eight-inch layer of clean granular sub-base beneath the foundation's foundation floor. The perforated piping will consist of 4-inch diameter scheduled 40 PVC perforated pipes. The horizontal depressurization piping will be connected to one or more vertical header pipes that will discharge above the twelfth-floor roof. A wind-driven turbine fan will be installed on the exhaust pipe to maintain negative pressure beneath the building foundation. The pipe will be finished at the roof line with a 6-inch goose neck pipe to prevent rain infiltration. The passive SSDS is an Engineering Control for the remedial action. The remedial engineer will certify in the RAR that the passive 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.
16. Construction and operation of a grade-level parking garage with high volume air exchange in conformance with NYC Building Code.
17. 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.
18. Implementation of storm-water pollution prevention measures in compliance with applicable laws and regulations.
19. 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 this RAWP, and describes all Engineering and

Institutional Controls to be implemented at the Site.

20. Submission of an approved Site Management Plan (SMP) in the Remedial Action Plan (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.
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.

Description of Selected Remedy for Air Quality

The elements of the remedial action selected for Air Quality for the 58-01 Queens Boulevard site are as follows:

In order to satisfy the requirements of the E-designation, natural gas will be utilized at the site for hot water. Remaining systems, including space heating and HVAC systems, will be powered electrically. A copy of the stamped Mechanical Equipment Schedule and Specifications are provided in Appendix G.

Description of Selected Remedy for Noise

The elements of the remedial action selected for Noise for the 58-01 Queens Boulevard site are as follows:

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

1. 31 dBA on the southern façade with a 50-foot wrap around onto the east and west façade;
2. 28 dBA on the northern façade and remainder of the east and west façades

Window/ Wall Noise Attenuation

The following window will be installed:

Façade Floor Range	OITC Rating	OITC Certification	Manufacturer and Model	Glazing
South Façade, 50-ft wrap around on the east and west façades Floors 1-12 Peach	36 (Glass only)	Rating based on glass only ASTM E-90 Lab Test Report for glazing provided in Appendix I Test Report No.: RAL-TL97-183 Test Date: 7/10/1997 (Punched Window System ASTM E-90 Lab Test Report to be provided to OER prior to purchase and installation)	Viracon	1/4" inner lite; 3/4" air space; 3/8" laminated outer lite (3/16" - .06" PVB – 3/16")
North Façade, remainder of East and West Façades Floors 1-12 Purple	33 (Glass only)	Rating based on glass only ASTM E-90 Lab Test Report for glazing provided in Appendix I Test Report No.: TL07-227 Test Date: July 30, 2007 (Punched Window system ASTM E-90 Lab Test Report to be provided to OER prior to purchase and installation)	Viracon	5/16" inner lite; 1/2" air space; 1/4" outer lite

The acoustical reports described above are representative of the acoustical performance of all proposed windows/doors/curtain walls. Color-coded elevations and the labeled window schedule attached in Appendix H show the locations of the window/ door types.

Glass only test data has been provided as a placeholder. The applicant commits to demonstrating that the selected manufacturer's window products to be installed achieve the minimum OITC requirement outlined in the table above. If the selected manufacturer does not have ASTM E90 test on file for the specific window assemblies to be installed, a mockup will be laboratory tested as per ASTM E90 to demonstrate compliance with the minimum OITC requirement. A specific acoustical mock-up framed window test reports will be provided with configurations based on the typical window size for both glazings.

The glazing-only OITC ratings presented in the table may reduce substantially once noise transmission through the window frames is evaluated. The glazing presented above may need to be reevaluated if the attenuation losses due to framing elements render the window attenuation performance inadequate to satisfy the requirements. Updated documentation will be provided to OER once the OITC ratings of the framed assembly are confirmed by laboratory testing according to ASTM E-90.

Alternate Means of Ventilation

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. **Central System:** Installing common VRF condensers models ARUM168BTE5, ARUM192BTE5, ARUM216BTE5, and ARUM241BTE5 manufactured by LG on the roof and air handling units in each residential unit serving residential units on floors 3rd to 12th for heating and cooling. Fresh air intakes, including Energy Recovery Unit (ERV-1) model CE10000e manufactured by ALDES, are located on the roof and air handling units and associated ducting will provide fresh air to each bedroom and living room in each residential unit. 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. These rates will be the greater of 0.35 air changes per hour or 15 cfm per person, representing the outdoor ventilation otherwise provided by the operable windows. P.E. certified mechanical drawings depicting the AMV system and the pathway of fresh air delivery into each of the living spaces (bedrooms and living rooms) are provided in Appendix A letter from the engineer who designed the HVAC system that describes the system, the equipment involved (stating the manufacturer and model information), and how fresh air is delivered into each of the living spaces is attached as Appendix J.
2. **Combination of Dedicated Fresh Air/ HVAC System.** Installing VRF condenser model ARUM036GSS5 model split systems with condensing systems manufactured by LG on the 2nd floor set back roof and air handling units in each townhouse for heating and cooling. Energy recovery units (ERV-TA, ERV-TB, and ERV-TC) model E150-TRG manufactured by ALDES will be located at the ceiling of each unit and will provide fresh air to each bedroom and living room in each townhouse. 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. These rates will be the greater of 0.35 air changes per hour or 15 cfm per person, representing the outdoor ventilation otherwise provided by the operable windows. P.E. certified mechanical drawings depicting the AMV system and how fresh air is delivered into each of the living spaces are provided in Appendix G. A letter from the engineer who designed the dedicated fresh air/ HVAC system describing the system, the equipment involved (stating the manufacturer and model information), and how fresh air is delivered into each of the living spaces is attached as Appendix J.
3. All residential townhouse units and common spaces are provided with hot water via three gas-fired water heaters (HWH-1,2,3) Storage-Type on the roof (THERMO 2000, model TURBOMAX T-109).

Compliance with Mechanical Code: Providing outside air to commercial spaces and common areas such as lobbies and corridors in accordance with the 2014 NYC Mechanical Code. Ventilation to the common areas including 1st floor fitness room, 2nd floor game room and 12th floor lounge room are provided by ducting air handling units (ACs) directly to the louvers and are in accordance with the 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.

5/12/2023



Date

Yolanda Chow
Project Manager

5/12/2023



Date

Maurizio Bertini
Assistant Director

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