



OFFICE OF ENVIRONMENTAL REMEDIATION

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

December 17, 2019

Re: 3192 Atlantic Avenue (Former 3294 Atlantic Avenue)
Brooklyn Block 4153, Lot 40
Hazardous Materials, Air Quality, Noise E Designation ,
E-366: East New York - CEQR 15DCP102K - 4/20/2016
OER Project Number 19EHAN411K / 20CVCP016K

The New York City Office of Environmental Remediation (OER) has completed its review of the Remedial Action Work Plan (RAWP) dated November 4, 2019, with the Stipulation Letter dated November 4, 2019 and the Remedial Action Plan for Air Quality and Noise dated December 11, 2019 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 06/23/2019. There were no public comments.

Project Description

The development project consists of a new hotel building with a cellar encompassing the majority of the proposed building footprint. A six-story hotel, 120 feet in height, with approximately 75 rooms, will be erected with a rear parking area. The footprint of the existing building, cellar and crawl space, will be extended to the rear (south) within the existing at grade parking area for the new cellar and the footprint of the new building. The remainder of the existing parking area will not be excavated. The cellar will consist of an exercise room, employee room, compactor room, pantry, breakfast room as well as mechanical equipment. The first floor will contain the hotel lobby and guest rooms. The second to sixth floors will contain guest rooms. The rear of the lot will be finished for at-grade, open air parking. The planned development will include a cellar that will extend to approximately 5-feet below ground surface (ft bgs) and will require a cellar expansion to the south into part of the area of the existing parking lot.

Within the existing partial cellar, the existing concrete slab will remain. Approximately 1,000-sf of the existing cellar area towards the southern portion of the Site will be raised three feet with backfill and capped with concrete slab. Approximately 400-sf of the existing cellar in the northern portion of the Site will be backfilled to sidewalk grade. Within the existing crawl space (approximately 1,250 sf), located to the west of the Site, one foot will be excavated and backfilled to the proposed cellar depth of 5-ft bgs. The unexcavated area of the rear yard will be asphalt paved parking (approximately 1,850 sf).

Statement of Purpose and Basis

This document presents the remedial action for the NYC Voluntary Cleanup Program and E-Designation Program project known as “3192 ATLANTIC 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 3192 ATLANTIC 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. Perform additional site characterization sampling of soil. One soil boring will be installed on the western boundary of the Site in the current building footprint. This location was inaccessible due to a 5-ft crawl space identified during the RI.
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(s).
7. Excavation and removal of soil/fill exceeding Track 4 Site Specific SCOs. The existing crawl space will be excavated 1 foot from current grade due to poor quality soil and debris. Approximately 400 sf of the asphalt parking lot to the south of the existing cellar will be excavated to a depth of approximately 5-ft bgs for development purposes, to extend the existing basement. A small portion of property within the existing basement will be excavated to the depths of 10-ft bgs for installation of the elevator pit and footings.
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 comingling of contaminated material and non-contaminated materials.
10. Removal of all USTs that are encountered during soil/fill removal actions.
11. 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.
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 endpoint samples to determine the performance of the remedy with respect to attainment of 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. Approximately 400 sf of the front of the existing cellar at the northeast corner of the property will be backfilled to sidewalk grade. Approximately 1,000-sf of the existing cellar to the southwest portion of the Site will be backfilled to a design grade of 5 ft bgs. The area of the existing crawl space, after the 1 foot removal, will be backfilled with 1 foot of material to 5 ft bgs.
15. Construction of an engineered composite cover comprised of two inches of perimeter insulation and a six-inch concrete slab. The rear yard will remain covered by asphalt and will be used for outdoor parking. No changes are currently proposed in this area. To verify that a sufficient composite cover is present to serve as an Engineering Control, an inspection will be performed by qualified personnel under the direction of the remedial P.E. for in-field verification and documentation of the make-up of the cover.
16. Installation of a vapor barrier system consisting of vapor barrier beneath the building slab and outside of sub-grade foundation sidewalls to grade to mitigate soil vapor migration into the building. The vapor barrier system will consist of a 20-mil minimum vapor barrier, such as Grace Products's Preprufe 160R (32-mil) or OER-approved equivalent, below the slab throughout the full building area and outside sub-grade foundation sidewalls to grade. 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.
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 Remedial Action Report (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 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 3294 ATLANTIC AVENUE 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. The building will be served by three condensing gas-fired hot water heaters manufactured by A. O. Smith (Model BTR-400 Water Heater) located on the roof for domestic water usage.

Each guest room will have a dedicated Packaged Terminal Air Conditioner (PTAC) unit manufactured by Islandaire (Model EZ 42091241S46AA) for cooling and heating. The cooling will be done via compressor and the heating will have an electrical coil system manufactured by Mitsubishi (Model PLFY-P18NFMU-E and PLFY-P18NFMU-E2).

The corridors will have a ducted dedicated outdoor air system (DOAS) manufactured by Daikin (Model DPS003A55E2) which will provide cooling and heating to the common space. Heating to these spaces will be provided by an electric heater unit manufactured by Trane (Model UHXA 033A1B).

The common space, cellar public rooms and first floor lobby will be served by Mitsubishi split heat pump system (Model PUHY-EP72TNU-A) which uses electricity for both cooling and heating.

Description of Selected Remedy for Noise

The elements of the remedial action selected for Noise for the 3294 ATLANTIC AVENUE site are as follows:

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

1. 33 dBA for all facades;

Façade Floor Range	Actual Window OITC Rating	Achieved Composite OITC Rating	OITC Certification	Manufacturer and Model	Glazing
Northern Façade Second-Sixth Floors Residential Window	31	33	ASTM E-90 Lab Test Report provided in Appendix G – Test D1170.01-113-11 Data File D1170.01B; Compliance with Noise “E” Outdoor-Indoor Transmission Class Requirement of 33 dBA	Reynaers Aluminum Systems, LTD. Model/Series CS68 Casement Window (3)	1-1/16” IG (5/16” annealed exterior, 1/2” air space, 1/4” annealed interior)

Eastern Façade and Southern Façade (facing parking lot) First-Sixth Floors Residential Window	31	33	ASTM E-90 Lab Test Report provided in Appendix G – Test D1170.01-113-11 Data File D1170.01B; Compliance with Noise “E” Outdoor-Indoor Transmission Class Requirement of 33 dBA	Reynaers Aluminum Systems, LTD. Model/Series CS68 Casement (4A)	1-1/16” IG (5/16” annealed exterior, 1/2” air space, 1/4” annealed interior)
Northern Façade First-Sixth Floors Residential Windows	32	33	ASTM E-90 Lab Test Report provided in Appendix G – Test D1170.01-113-11 Data File D1170.01A; Compliance with Noise “E” Outdoor-Indoor Transmission Class Requirement of 33 dBA	Reynaers Aluminum Systems LTD. Model/Series CS68 Casement Window (4B)	1-1/4" IG (3/8" tempered, 1/2" air space, 3/8" tempered)
Northern Façade First-Sixth Floors Residential Windows	32	33	ASTM E-90 Lab Test Report provided in Appendix G – Test D1170.01-113-11 Data File D1170.01A; Compliance with Noise “E” Outdoor-Indoor Transmission Class Requirement of 33 dBA	Reynaers Aluminum Systems LTD. CS68 Casement Window (4C)	1-1/4" IG (3/8" tempered, 1/2" air space, 3/8" tempered)

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 Model EZ 42091241S46AA PTAC units manufactured by Islandaire in each guest room and the office located on the first floor (heating/cooling capacity 9,500 BTU). The PTAC units provide outdoor air via manual damper up to 50 cfm. The manual damper will be controllable by the occupant of each guest room.
2. **DOAS Unit:** The common space and corridors on floors 1-6 will have a ducted dedicated outdoor air system (DOAS) manufactured by Daikin (Model DPS003A55E2) which will provide 100 cfm of outdoor air to each floor corridor.
3. **ERV Unit:** The cellar public rooms, cellar common space and first floor lobby ventilation are served by Mitsubishi energy recovery ventilator (ERV; Model LGH-F800RX5-E1)) which supplies fresh air through dedicated ducts to each space.
4. **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.

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.

December 17, 2019



Date

Adesa Boja
Project Manager

December 17, 2019



Date

Zach Schreiber, Ph.D.
Assistant Director

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