



OFFICE OF ENVIRONMENTAL REMEDIATION

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NOTICE TO PROCEED
DOB Job Number Q00665096-11

March 16, 2022

Re: 150-02 Hillside Avenue, 87-57 150th Street
Queens Block 9697, Lot 8
Hazardous Materials and Noise “E” Designation
E-175: Downtown Jamaica Redevelopment - CEQR 05DCP081Q - 9/10/2007
OER Project Number 22EH-N100Q / 22CVCP024Q

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 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 and 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 §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 Samantha Catalanotto at 212-788-2676.

Sincerely,

Sarah Pong
Assistant Director

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

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E-175: Downtown Jamaica Redevelopment - CEQR 05DCP081Q - 9/10/2007
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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 December 2021 with Stipulation Letter dated January 26, 2021, and the Remedial Action Plan for Noise dated February 2022 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 January 9, 2022. There were no public comments. NYSDEC and NYCDOHMH were briefed in December 2021.

Project Description

The development project consists of redeveloping the lot with a new 7-story mixed use building (residential and commercial) with a full cellar. The 10,016 ft² cellar will extend approximately 126’-1” from Hillside Avenue and will consist of the sprinkler and water meter room, gas meter room, electric meter room, compactor room, and a 7,238 ft² of parking accessible from a ramp that enters/exits from the rear of the building to the 20 ft driveway easement that runs along the rear of the lot. The first floor will consist of a 5,291 ft² commercial/retail space, a 332 ft² community facility / ambulatory diagnostic space, the residential lobby/entrance, and a 905 ft² recreation/gym area for the residential tenants. Parking spaces will be constructed above the cellar / behind the rear of the building which will be accessible by the 20 ft driveway easement. The 2nd through 7th floors will consist of residential apartments.

The top of the cellar slab will be constructed at approximately 10 ft below grade. Therefore, the entire Site will require excavation to at least 11 ft, with additional excavation to 16 ft for the elevator pit.

Statement of Purpose and Basis

This document presents the remedial action for the NYC Voluntary Cleanup Program and E-Designation Program project known as “150-02 Hillside 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 150-02 Hillside 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. 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. The entire footprint of the building area (about 85% of the property) will be excavated to a depth of approximately 11 ft below grade for development purposes. A small portion of the property will be excavated to the depth of 16 ft below grade for an elevator pit. No excavation is proposed for the 20 ft wide easement located behind the new building. An estimated 5,000 cubic yards (7,500 tons) of soil/fill 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 all underground storage tanks (UST's) 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 three (3) site-wide end-point samples (EP1 - EP3) across the building footprint and two (2) end-point samples (EP4 and EP5) in the easement area 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 the RAWP and in accordance with applicable laws and regulations;
13. Construction of an engineered composite cover consisting of:
 - Cellar Slab: 6-inch thick concrete slab underlain with Raven Industries VaporBlock Plus® Series (VBP20) 20-mil vapor barrier system, and ¾" bluestone;
 - Existing layer of asphalt covering the 20 ft wide easement
14. Installation of a vapor barrier system beneath the entire cellar slab, below/around the elevator pit, and behind all cellar walls to grade to mitigate soil vapor migration into the building. The vapor barrier system will consist of Raven Industries VaporBlock Plus (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;
15. Construction and operation of a cellar parking garage with high volume air exchange in conformance with NYC Building Code;
16. Performance of all activities required for the remedial action, including permitting requirements and pretreatment requirements, in compliance with applicable laws and regulations;
17. Implementation of storm-water pollution prevention measures in compliance with applicable laws and regulations;
18. 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 the RAWP, and describes all Engineering and Institutional Controls to be implemented at the Site;
19. 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;
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 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 150-02 Hillside Avenue site are as follows:

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

1. 35 dB(A) in all façades.

The following windows and doors will be installed:

Window/Door Types	OITC Rating	OITC Certification	Manufacturer and Model	Glazing
150 th Street/West Facade Hillside Ave/North Facade South Façade Floors 2-7 and Roof Residential Windows Yellow	36 35 required	See ASTM E90 Sound Transmission Loss Test Report Report No. F9417.01-113-11-R0 Report Date: 09/21/16 Data File No. F9417.01F for the exact window and glazing	Crystal Window and Door Systems, Ltd. Series/Model 8510 Beside 8500 Fixed Beside Casement Window	1-1/4" IG (1/4" laminated exterior, 1/2" air space, 1/2" laminated interior)
150 th Street/West Facade Hillside Ave/North Facade South Façade Floors 2-7 and Roof Residential and Residential Amenity Windows Red	36 35 required	See ASTM E90 Sound Transmission Loss Test Report Report No. F9417.01-113-11-R0 Report Date: 09/21/16 Data File No. F9417.01F for the exact window and glazing	Crystal Window and Door Systems, Ltd. Series/Model 8510 Fixed Window	1-1/4" IG (1/4" laminated exterior, 1/2" air space, 1/2" laminated interior)
150 th Street/West Facade Hillside Ave/North Facade Floor 1 Commercial, Community Facility, and Residential Amenity Windows Blue	38 30 required	See ASTM E90 Sound Transmission Loss Test Report Report No. L3951-113-11-R1 Report Date: 02/04/21 Data File No. L3951.01D for the exact window and glazing	Alumintechno, JLLC Series/Model W72 Fixed Window	41.60 mm (12.8 mm laminated exterior, 20 mm air space, 8.8 mm laminated interior),
150 th Street/West Facade Hillside Ave/North Facade South Façade Floors 2-7 and Roof Terrace Doors D-3	35 35 required	See ASTM E90 Sound Transmission Loss Test Report Report No. L3950.01-113-11-R0 Report Date: 02/23/21 Data File No. L3950.01C for the exact window and glazing	Alumintechno, JLLC Series/Model W72 Side-Hinged Single Door System	38.80 mm (12.8 mm laminated exterior, 20 mm air space, 6 mm tempered interior)
150 th Street/West Facade Hillside Ave/North Facade Floor 1 Commercial, Community Facility, and Residential Amenity Doors D-1, D-2, D-3	35 30 required	See ASTM E90 Sound Transmission Loss Test Report Report No. L3950.01-113-11-R0 Report Date: 02/23/21 Data File No. L3950.01C for the exact window and glazing i	Alumintechno, JLLC Series/Model W72 Side-Hinged Single Door System	38.80 mm (12.8 mm laminated exterior, 20 mm air space, 6 mm tempered 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. **Combination of Dedicated Fresh Air / HVAC System:** Installing air-cooled VRF split systems with condensing units manufactured by LG Model LMU360HHV located on the 2nd floor serving 2nd floor residential units and on the roof serving residential units from the 3rd to 7th floors and air handling units in each residential unit serving living areas within for heating and cooling. Outdoor air shall be provided to each residential unit and public corridors from 2nd to 7th floor by five ERV (Energy Recovery Ventilation) units, manufactured by GREENHECK Model numbers ERV-10-20L-VG for ERV-1/2/3/4 and ERV-10-20H-VG for ERV-5, located on roof and bulkhead provide rate of 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. In each residential unit, the tempered outdoor air is being supplied from the ERV units to the ceiling plenum where the air handlers distribute the outdoor air mix with room return air throughout the habitable areas.
2. **Compliance with 2014 NYC Mechanical Code:** Providing outside air to residential common areas such as the lobbies, corridors, amenity spaces, commercial spaces, and community facility spaces in accordance with the 2014 NYC Mechanical Code.

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.

3/16/2022



Date

Samantha Catalanotto
Project Manager

3/16/2022



Date

Sarah Pong
Assistant Director

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