



OFFICE OF ENVIRONMENTAL REMEDIATION

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

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Director

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NOTICE TO PROCEED

DOB Job Number(s): 220539601 and 220539610

September 13, 2016

Re: **510 East 185th Street: 2328 – 2332 Bassford Avenue, 2341 – 2341 Bathgate Avenue
Bronx, Block 3053, Lot 28
Hazardous Materials “E” Designation
E-255: 9/15/2010 - Third Avenue/ East Tremont Avenue Rezoning - CEQR 10DCP043X
OER Project Number: 16HAZ194X / VCP Number: 16CVCP055X**

Dear Bronx 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 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 William Wong at (212) 341-0659.

Sincerely,

Shaminder Chawla
Deputy Director

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

September 13, 2016

Re: **510 East 185th Street: 2328 – 2332 Bassford Avenue, 2341 – 2341 Bathgate Avenue
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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 August 29, 2016 with Stipulation Letter dated September 8, 2016 for the above-referenced project.

The Plan was 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 will end on October 2, 2016. No public comments have been received to date. Any comments received will be addressed prior to the start of the remedial action. NYSDEC and NYC DOHMH were briefed on this project in July 2016.

Project Description

The proposed future use of the Site will consist of the demolition and removal of the current structure and cellar. Once demolished two buildings, to be occupied by three hotels [Sleep Inn/Mainstay Suite Hotel (BLDG A) and a Best Western (BLDG B)] are to be constructed. BLDG A will be occupied with Sleep Inn occupying the first three floors and the cellar with Mainstay Suite occupying floors four through six. Both buildings will have six floors with a cellar. BLDG A will occupy approximately 6,150 square feet with BLDG B occupying 6,846 square feet. The remaining square footage below BLDG B will be occupied by a parking lot. BLDG A will not have a cellar level parking lot. A parking lot will occupy both BLDG A and BLDG B's rear open areas.

BLDG A will have frontage along 73' of Bathgate Avenue and 100' of East 185th Street. The hotel is to be constructed with an elevated first floor and a multi-level cellar. The lobby will be the only part of BLDG A that will be on grade level. The first floor will contain eight guestrooms and a mechanical room. Five guestrooms will be located in the cellar along with a laundry room, fitness room, breakfast area, various mechanical rooms and onsite parking. The parking area will be in the rear of the building, adjacent to the 2325 Bathgate Avenue property with the guestrooms in the middle and the mechanical rooms below the lobby. The cellar is anticipated to have two separate elevations below grade. The guestrooms, laundry room, fitness room, and breakfast area will descend approximately four feet below grade. The remaining portion of the cellar, occupied by the mechanical rooms will descend twelve feet below grade. Excavation for this multi-level cellar is anticipated to require the removal of 1,340 cubic yards of in place material.

BLDG B will occupy 80' 2" of East 185th Street and 54' 6" of Bassford Avenue. The parking lot for BLDG B and BLDG A will be shared although BLDG B parking lot will be approximately 3.5' lower and connected by a ramp. BLDG B will also have an elevated first floor. The first floor will contain thirteen guestrooms. Six guestrooms will be located in the cellar along with a meeting room, employee breakroom, laundry room, fitness room, breakfast area, various mechanical rooms and onsite parking. The cellar is anticipated to have three separate elevations below grade. The parking lot will descend approximately four to five feet below grade. The

guestrooms, laundry room, fitness room, and breakfast area will descend approximately six to seven feet below grade. The remaining portion of the cellar, occupied by the mechanical rooms will descend ten feet below grade. Excavation for this multi-level cellar is anticipated to require the removal of 3,306 cubic yards of in place material.

The current zoning designation is M1-4/R7A. The proposed use is consistent with existing zoning for the property. As required by the zoning documents, there are 15' setbacks along East 185th Street, Bassford Avenue and Bathgate Avenue. The remedial action contemplated under this RAWP may be implemented independently of the proposed redevelopment plan.

Statement of Purpose and Basis

This document presents the remedial action for the NYC Voluntary Cleanup Program and E-Designation Program project known as "510 East 185th Street" pursuant to 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 510 East 185th Street 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 a Community Air Monitoring Program for particulates and volatile organic carbon compounds.
3. Establish 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 Site Specific SCOs. For development purposes, the entire site will be excavated to a depth between seven feet to thirteen feet below grade. The depth of excavation depends on the location of excavation, because adjacent grade topography is not level. Approximately, 1,800 cubic yards of soils will be excavated and removed from this site.
7. 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;
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 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;
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 this plan. Sampling and analysis of excavated media as required by disposal facilities;
11. Collection and analysis of seven (7) confirmation (end-point) samples from the bottom of the excavation to evaluate the performance of the remedy with respect to attainment of Track 4 SCOs. Samples will be analyzed for contaminants of concern VOCs, SVOCs, Metals, PCBs, and Pesticides;
12. Construction and maintenance of an engineered composite cover consisting of concrete foundation footings, building slab, and foundation walls of approved DOB thickness will occupy the entire site to prevent human exposure to residual soil/fill remaining under the Site;
13. A 20-mil vapor barrier will be installed beneath the structure's slab and along foundation sidewalls. The barrier chosen for this project is manufactured by Raven Industries', Vaporblock Plus VBP.
14. Installation of a passive SSDS.
15. Import of materials to be used for backfill and cover in compliance with this plan and in accordance with applicable laws and regulations;
16. Implementation of storm-water pollution prevention measures in compliance with applicable laws and regulations.

17. Performance of all activities required for the remedial action, including permitting requirements and pretreatment requirements, in compliance with applicable laws and regulations.
18. 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 if Track 1 SCOs are not achieved, 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 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 remedy for Hazardous Materials 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.

September 02, 2016
Date



 William Wong
 Senior Project Manager

September 13, 2016
Date



 Shaminder Chawla
 Deputy Director

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