



**OFFICE OF ENVIRONMENTAL REMEDIATION**

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New York, New York 10007

**Daniel Walsh, Ph.D.**  
**Director**

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July 29, 2011

Ethan Bregman  
105 Metropolitan Avenue, LLC  
97 Main Street  
Wainscott, NY 11975

Zeb Youngman  
PW Grosser Consulting, Inc.  
630 Johnson Avenue, Suite 7  
Bohemia, NY 11716

Re: **NYC BCP Remedial Action Work Plan Approval**  
**105 Metropolitan Avenue**  
**Block 2358, Lots 36**  
**BCP Project #11CBCP013K / OER Project # 11EHAZ309K**

Dear Mr. Bregman:

The New York City Office of Environmental Remediation (OER), in consultation with the New York City Department of Health and Mental Hygiene (DOHMH), has completed its review of the Remedial Action Work Plan (RAWP) and Stipulation List for the 105 Metropolitan Avenue, BCP Project #11CBCP013K, dated July 18, 2011. The Plan was submitted to OER under the NYC Brownfield Cleanup Program (BCP). The RAWP was released for public comment for 30 days as required by program rule. That comment period ended on July 28, 2011. There were no public comments.

The following remedial action elements will be implemented at the project site:

1. Preparation of a Community Protection Statement and implementation of a Citizen Participation Plan.
2. Perform a Community Air Monitoring Program for particulates and volatile organic carbon compounds.
3. Establish Track 1 Soil Cleanup Objectives (SCOs). Excavation and removal of soil/fill exceeding SCOs.
4. Collection and analysis of end-point samples to determine the performance of the remedy with respect to attainment of SCOs..
5. Installation of a vapor barrier system beneath the building slab.
6. 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 onsite.
7. Screening of excavated soil/fill during intrusive work for indications of contamination by visual means, odor, and monitoring with a PID.
8. Site mobilization involving Site security setup, equipment mobilization, utility mark outs and marking & staking excavation areas.
9. Implementation of storm-water pollution prevention measures in compliance with applicable laws and regulations.

10. Performance of all activities required for the remedial action, including permitting requirements and pretreatment requirements, in compliance with applicable laws and regulations.
11. Submission of a RAR that describes the remedial activities, certifies that the remedial requirements have been achieved, defines the Site boundaries, and lists any changes from this RAWP.
12. A Site Management Plan will be required if Track 1 is not achieved.

The RAWP and Stipulation List for the 105 Metropolitan are protective of public health and the environment and are hereby approved. The approved RAWP and Stipulation List, including appendices should be placed by the Enrollee in publicly accessible repositories for the project.

The Enrollee and its contractors are solely responsible for safe execution of all invasive and other work performed under the Plan. In particular, the Enrollee and its contractors are responsible for the structural integrity of excavations, and protection of the structural integrity of buildings, utilities, and other structures both onsite and offsite that may be adversely affected by those excavations and activities. The Enrollee and its contractors must obtain any local, state or federal permits or approvals that may be required to perform work under the Plan. Further, the Enrollee and its contractors are responsible for the identification of utilities that might be affected by work under the Plan and implementation of all required, appropriate, or necessary health and safety measures during performance of work under the approved Plan.

If you have any questions, please call Mr. William Wong at (212) 341-0659.

Sincerely,



Shaminder Chawla  
Assistant Director

CC: D. Walsh, Ph. D., Director, OER  
N. Graber, M.D., DOHMH  
D. Cole, OER  
W. Wong, OER