



OFFICE OF ENVIRONMENTAL REMEDIATION

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November 19, 2012

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Re: **Decision Document**
NYC VCP Remedial Action Work Plan Approval
125 Flatbush Avenue Extension
Block 133, Lot 13
VCP Project #13CVCP090K

The New York City Office of Environmental Remediation (OER) has completed its review of the Remedial Action Work Plan (RAWP) dated October 17, 2012 and Stipulation List dated November 19, 2012 for 125 Flatbush Avenue Extension, VCP Project #13CVCP090K. The Plan was submitted to OER under the NYC Voluntary Cleanup Program (VCP). The RAWP was released for public comment for 30 days as required by program rule. That comment period ended on November 16, 2012. There were no public comments.

Statement of Purpose and Basis

This document presents the remedy for a Voluntary Cleanup Program site known as “125 Flatbush Avenue Extension” site. This document is a summary of the information that can be found in the site-related reports and documents in the document repository at OER’s website www.nyc.gov/oer.

The New York City Office of Environmental Remediation (the Office or OER) has established a remedy for the above referenced site. The disposal or release of contaminants at this site, as more fully described in this document, has contaminated various environmental media.

The decision is based on the Administrative Record of the New York City Office of Environmental Remediation (the Office or OER) for the “125 Flatbush Avenue Extension” site and the public's input to the proposed remedy presented by OER.

Description of Selected Remedy

The remedy selected for this “125 Flatbush Avenue Extension” site includes soil excavation, an engineered composite cover system, and as part of development, installation of a vapor barrier system and an active Sub-Slab Depressurization System.

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. Perform a Community Air Monitoring Program for particulates and volatile organic carbon compounds;
3. Establish Track 1 Soil Cleanup Objectives (SCOs);
4. Site mobilization involving Site security setup, equipment mobilization, utility mark outs and marking & staking excavation areas.
5. Excavation and removal of soil/fill exceeding SCOs. Excavations will be performed to a minimum depth of 14 feet below ground surface. Appropriate segregation of excavated media onsite;
6. Screening of excavated soil/fill during intrusive work for indications of contamination by visual means, odor, and monitoring with a PID;
7. Removal of underground storage tanks and closure of petroleum spills in compliance with applicable local, State and Federal laws and regulations;
8. Import of materials to be used for backfill and cover in compliance with this plan and in accordance with applicable laws and regulations;
9. 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;
10. Collection and analysis of end-point samples to determine the performance of the remedy with respect to attainment of SCOs;
11. As part of development, installation of a vapor barrier system beneath the building slab;
12. As part of development, placement of ORC at the base of the open excavation to provide management of any site-derived residual VOCs in groundwater;
13. As part of development, installation of an active Sub Slab Depressurization system (SSDS) underneath the vapor barrier;
14. Construction and maintenance of an engineered composite cover consisting of asphalt pavement, concrete building slab and concrete sidewalks to prevent human exposure to residual soil/fill remaining under the Site;
15. Implementation of storm-water pollution prevention measures in compliance with applicable laws and regulations;

16. Performance of all activities required for the remedial action, including permitting requirements and pretreatment requirements, in compliance with applicable laws and regulations;
17. 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;
18. If Track 1 Unrestricted Use SCOs are not achieved, submission of an approved Site Management Plan (SMP) in the RAR for long-term management of residual historic fill, including plans for inspection and certification of Engineering and Institutional Controls and reporting at a specified frequency; and
19. If Track 1 Unrestricted Use SCOs are not achieved, recording of a Declaration of Covenants and Restrictions that includes a listing of Engineering Controls and a requirement that management of these controls must be in compliance with an approved SMP; and Institutional Controls including 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.

Remedial activities will be performed at the Site in accordance with this OER-approved RAWP. All deviations from the RAWP will be promptly reported to OER. Changes will be documented in the RAR.

This remedy 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. The remedy is protective of public health and the environment.

November 19, 2012



Date

Shaminder Chawla
Assistant Director

SITE BACKGROUND

Site Location and Current Usage:

The Site is located at 125 Flatbush Avenue Extension in the Fort Greene section of Brooklyn, New York and is identified as Block 133 and Lot 13 on the New York City Tax Map. The Site is 4700-square feet and is bounded by Tillary Street to the north, a six-story building to the south, a vacant four-story building to the east, and Duffield Street to the west. Currently, the Site contains a vacant four-story brick building.

Past Uses and Areas of Concern:

According to the New York City Office of the Deputy Mayor for Economic Development and Rebuilding (DME) Downtown Brooklyn Final Environmental Impact Study, April 2004 (FEIS) the property's historical land use included auto sales and service from about 1938 to 2007 and was listed as a Petroleum Bulk Storage (PBS) facility that included nine closed-in-place Underground Storage Tanks (USTs).

In addition, a Phase I ESA prepared by EBI (December 2007) identified that the subject site has been developed since about the 1880s. According to Sanborn Fire Insurance Maps of the subject site, a one-story building has been utilized for auto sales and service since and petroleum bulk storage from at least 1917 to 2003. The building was reportedly constructed in 1917, renovated in 1946, 1969, and 1984. Prior to the construction of the 1-story improvements, the site was vacant land. Additional Phase II investigations determined there is shallow soil contamination with SVOCs and evidence of chlorinated solvents in the groundwater and subsequent VOCs in the soil vapor. Consequently, the AOCs identified for this site included:

- Site-wide shallow soils, and
- Site-wide soil gas

Summary of Environmental Findings:

1. Elevation of the property ranges from 27 to 29 feet above mean sea level.
2. Depth to bedrock is approximately 97 feet at the Site.
3. The stratigraphy of the Site, from the surface down, consists of about 10 to 15 feet of mainly sandy fill overlying a dense to very dense gravelly sand layer with some boulders and cobbles.
4. Depth to groundwater ranges from 24 to 26 feet below mean sea level at the Site.
5. Groundwater flow is generally from southwest to northeast beneath the Site.

PROPOSED DEVELOPMENT PLAN

The proposed use of the Site will consist of developing a 13-story building with a basement and courtyard garden. The 2nd to 13th floors of the proposed building will be used for hotel rooms. A portion of the first floor will be used for a restaurant which includes a breakfast area (842 SF), pantry (236 SF) and food preparation area (138 SF). The remaining area of the first floor will be used for lobby (586 SF), luggage (52 SF) and emergency generator room (247 SF). The basement of the proposed building is 14.2 feet below ground surface (bgs) and will be used for a meeting room (415 SF), electrical equipment room (341 SF), gas meter room (107 SF), water meter room (182 SF), telephone room (81 SF), linen in/out room (92 SF), housekeeping storage (287 SF), bicycle storage (64 SF), men's room (45 SF), women's room (45 SF), computer equipment room (62 SF), refuse room (80 SF), toilet room (31 SF), maintenance room (302 SF),

exercise room (488 SF), business center (95 SF) and sales office (218 SF).

The proposed development will cover the entire footprint of the site and includes a courtyard garden with planters serving as landscape. Since the proposed development includes a basement with a minimum excavation depth of 14 feet and it is estimated that approximately 4,500 tons of soil will be excavated from the site. The current zoning designation is C6-4, Commercial district.

SUMMARY OF REMEDIAL INVESTIGATION

The Remedial Investigation was conducted in February 2009 and June 2012. A full Remedial Investigation Report is available online in the document repository and the results are summarized below.

Soil:

The soil/fill samples collected during this RI did not detect VOCs and PCBs at detectable concentrations. One pesticide, chlordane (max. 0.32 ppm), was detected at concentrations above Track 1 Unrestricted Use SCOs but below Track 2 Restricted Residential SCOs. Several polycyclic aromatic hydrocarbon (PAH) SVOCs exceeded Track 2 Restricted Residential SCOs with one shallow sampling location exhibiting a total SVOC of 1001 ppm. Other locations exhibited SVOCs at ranges typical of urban fill materials. Metals including arsenic, copper, lead, mercury, nickel and zinc exceeded Track 1 Residential SCOS, and of these arsenic (max. 126 ppm), lead (max. 622 ppm) and mercury (max. 2.5 ppm) also exceeded Track 2 Restricted Residential SCOs in shallow soils.

Groundwater:

No PCBs were detected in any of the groundwater samples. One pesticide, 4,4'-DDT, was detected in the groundwater sample collected from B-1 at a concentration of 0.03 ug/l, below the 6NYCRR Part 703.5 Class GA groundwater quality standard (GQS) of 0.2 ug/l. Several SVOCs including benzo(a)anthracene, benzo (a) pyrene, benzo (b) fluoranthene, benzo (k) fluoranthene, chrysene, ideno (1,2,3-c,d) pyrene and phenol were detected in concentrations ranging from 0.077 ug/l to 0.28 ug/l, exceeding the GQS. Three VOCs were detected in groundwater. Tetrachloroethylene (PCE) was detected at a maximum concentration of 18 ppb and above the GQS of 5 ug/l. Trichloroethylene (TCE) was detected at 1.8 ppb and cis-1,2 dichloroethylene was detected at 2.4, both below the GQS. Dissolved metals including aluminum, arsenic, cobalt iron, manganese, magnesium, nickel and sodium were detected above GQS.

Soil vapor:

Soil vapor results indicated widespread low to moderate concentrations of petroleum related and chlorinated VOCs, the greatest being 897.21 ug/m³ at the southwest corner of the Site. Significant VOCs included PCE (max. 115 ug/m³) and TCE (max. 31.2 ug/m³). Both these levels exceed the State DOH monitoring thresholds.

Figure 1 – Site Map

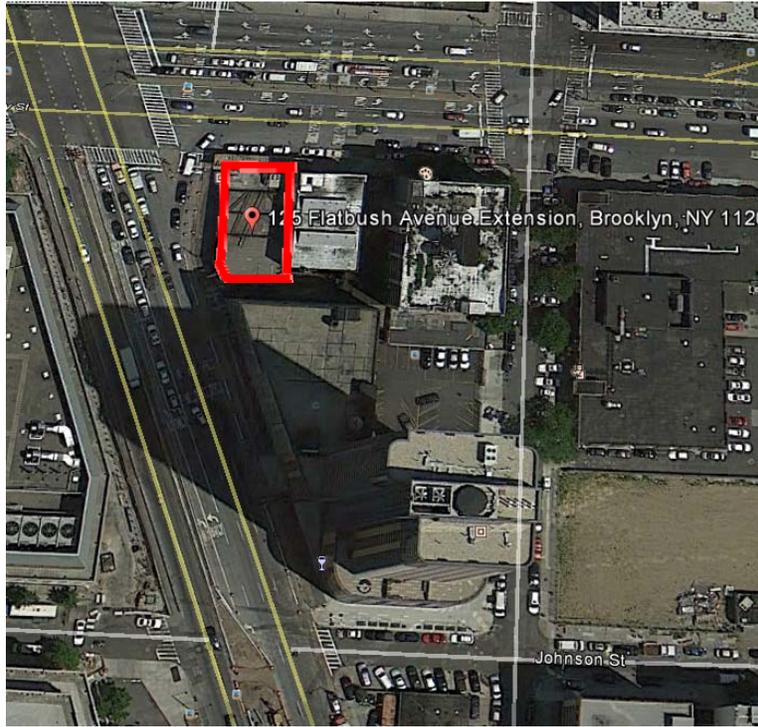


Figure 2 – Site Location Map

