



OFFICE OF ENVIRONMENTAL REMEDIATION

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

Daniel Walsh, Ph.D.

Director

Tel: (212) 788-8841

Fax: (212) 788-2941

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

May 29, 2015

Re: **2501 Pitkin Avenue**
Brooklyn, Block: 4005, Lot: 28
Hazardous Materials and Noise “E” Designation
E-298: 7/24/2013, Pitkin Avenue Rezoning – CEQR # 13 DCP 067K
OER Project Number 15EH-N080K / VCP Number 15CVCP019K

The New York City Office of Environmental Remediation (OER) has completed its review of the Remedial Action Work Plan (RAWP) dated September 2014 with Stipulation Letter dated May 7, 2015 and the Remedial Action Plan for Noise dated May 2015 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 October 15, 2014. There were no public comments.

Project Description

The Site is located at 2501 Pitkin Avenue in the East New York section of Brooklyn, New York. The Site is 20,625 square feet and is currently a vacant lot. The proposed future use of the Site will consist of a 7-story mixed-use affordable housing and commercial building. The proposed 74,851-square-foot building will be comprised of commercial space for a supermarket on the first floor and 58 affordable housing units on the second through seventh floors. The building will contain a 4,500-square-foot sub-grade cellar level to be used for commercial storage as well as service and maintenance space. The development will also contain 10,175 square feet of outdoor accessory space to be used for a community garden on raised beds, landscaped park, and auxiliary space. The Site will be excavated to a depth of 13 feet for the cellar area and 5 feet for the rear accessory space.

Statement of Purpose and Basis

This document presents the remedial action for the NYC Voluntary Cleanup Program and E-Designation Program project known as “2501 Pitkin 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 Hazmat

The remedial action selected for the 2501 Pitkin 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 implementation 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 Site-Specific (Track 4) 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 Track 4 Site-Specific SCOs. For development purposes, excavation within the cellar area will extend approximately 13 feet below surface grade (bsg), and 5 feet to 5.5 feet for remainder of property. A small elevator shaft area will be excavated to depths of 19 feet. Approximately, 1800 cubic yards of contaminated soil and 1100 cubic yards of unregulated soils will be excavated and removed from this Site.
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 three known underground storage tanks (USTs) and any additional 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.
8. 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.
9. Collection and analysis of end-point samples to determine the performance of the remedy with respect to attainment of SCOs.
10. Import of materials to be used for backfill and cover in compliance with this plan and in accordance with applicable laws and regulations.
11. Demarcation of residual soil/fill in areas other than the new building's footprint. A protective layer consisting of plastic sheeting will be placed between the soil remaining and the imported clean fill in the proposed community garden areas.
12. Installation of an active Sub-Slab Depressurization System (SSDS).
13. Installation of a vapor barrier beneath the building slab and along foundation sidewalls below grade.
14. Construction and maintenance of an engineered composite cover consisting of the building slab, pavements and landscaped areas. This composite cover system is comprised of a 6 inch thick concrete building slab spanning the full extent of the building cellar. Landscaped areas will be capped with two feet of clean soil and remainder of property will be capped with soil cover and asphalt pavement.
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 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.
18. 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.
19. 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 Noise

The elements of the remedial action selected for Noise for the 2501 Pitkin Avenue site are as follows:

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

1. 26 dBA in the commercial space based on an allowed reduction of 5 dBA from the attenuation requirement outlined in the E-Designation;
2. 31 dBA for residential spaces

The following windows will be installed:

Façade Floor Range	OITC Rating	OITC Certification	Manufacturer and Model	Glazing
All facades Floors 2-7 Residential (Windows A1, A2, B1, B2, C, D)	27	Rating based on similar window only (see ASTM E-90 Sound Transmission Loss Test Report (A1749.01B) for Quaker E300DH in Appendix G) and Letter of Equivalency from Manufacturer. Window ASTM E-90 Lab Test Report to be provided to OER prior to installation	E300SL Emerge Series Sliding Window manufactured by Quaker Windows & Door	1” insulated unit (1/8” annealed exterior, 5/8” air space, 1/4” annealed interior)
Front and Side 1 st Floor Commercial (Window E)	26	Rating based on similar window only (see ASTM E-90 Sound Transmission Loss Test Report (A1749.01B) for Quaker E300DH in Appendix G). Window ASTM E-90 Lab Test Report to be provided to OER prior to installation	E300CW Emerge Series Fixed Window manufactured by Quaker Windows & Door	1” insulated unit (1/8” exterior pane, 1/4” interior pane)
Front and Rear 1 st Floor Commercial (Storefront F)	31 glazing only to conservatively meet the 26 window assembly requirement.	Riverbank Acoustical Laboratories TL85-170	Kawneer storefront	1/4” laminated glass (1/8” glass, 0.030” lamination, 1/8 glass)

The acoustical reports described above are representative of the acoustical performance of all proposed windows/doors/curtain walls. Color coded elevations and the labeled window schedule attached in Appendix A show the locations of the window/ door types.

The applicant commits to demonstrating that the selected manufacturer’s window to be installed achieves a minimum OITC of 28. The façade masonry will have an OITC rating of 49 dBA or greater and the PTAC units will have an OITC rating of 25 dBA or greater to accomplish the window/wall attenuation requirements outlined above.

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. **Trickle Vents:** Installing TV90 trickle vents manufactured by Titon in unit living room and bedroom window headers as indicated in drawings. Floor plans showing the locations of trickle vents are included in Appendix G. The building design proposes PTAC units in each living space for heating and cooling purposes. Any changes to this design will be presented to OER prior to implementation.
2. **Compliance with Mechanical Code:** Providing outside air to common areas such as lobbies and corridors in accordance with the 2008 NYC Mechanical Code. Provision of outside air to commercial spaces will be completed by future tenant under separate filing.

The remedies for Hazardous Materials and Noise 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.

May 29, 2015

Date



Sarah Pong
Project Manager

May 29, 2015

Date



Shaminder Chawla
Deputy Director – VCP

May 29, 2015

Date



Zach Schreiber, Ph.D.
Assistant Director – Noise E

cc: Michelle Neugebauer, Cypress Hills Local Development Corporation – michellen@cypresshills.org
Paul Ciminello, Ecosystems Strategies, Inc. – paul@ecosystemsstrategies.com
Rosaura Andújar-McNeil, Ecosystems Strategies, Inc. – rosaura@ecosystemsstrategies.com
Joshua Heitler, R.A., Heitler Houstoun Architects – jheitler@h-h-architects.com
Daniel Walsh, Maurizio Bertini, Hannah Moore, Sarah Pong, PMA-OER