



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

January 24, 2014

Ari Zervoudis
19-80 Steinway LLC
3152 Albany Crescent
Bronx, New York 10463

Richard Hooker
Ecosystems Strategies, Inc.
24 Davis Avenue
Poughkeepsie, New York 12603

Re: **NYC VCP Remedial Action Work Plan Approval**
19-73 38th Street / 19-80 Steinway Street
Block 811, Lot 1
VCP Project # 13CVCP148Q/ OER Project # 13RHAZ478Q

Dear Mr. Zervoudis:

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 19-73 38th Street / 19-80 Steinway Street, VCP Project # 13CVCP148Q, dated July 16, 2013 and January 22, 2014. 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 August 17, 2013. There were no public comments.

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

Statement of Purpose and Basis

This document presents the remedy for a Voluntary Cleanup site known as “19-73 38th Street / 19-80 Steinway Street” 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: <http://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. Contaminants include hazardous substances.

The decision is based on the Administrative Record of the New York City Office of Environmental Remediation (the Office or OER) for the 19-73 38th Street / 19-80 Steinway Street Site and the public's input to the proposed remedy presented by the Office.

Description of Selected Remedy

The remedy selected for this 19-73 38th Street / 19-80 Steinway Street Site is Track 4 remedy and includes soil excavation and cover system.

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 4 Soil Cleanup Objectives (SCOs) for soils proposed to remain on the site. Excavation and removal of soil/fill exceeding SCOs.
4. Construction and maintenance of an engineered composite cover consisting of the building slab to prevent human exposure to residual soil/fill remaining under the Site;
5. Removal of the existing stockpile of soil in the center of the site near 38th Street. Transportation and off-Site disposal of the existing stockpile 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.
6. Screening of excavated soil/fill during intrusive work for indications of contamination by visual means, odor, and monitoring with a PID.
7. Site mobilization involving Site security setup, equipment mobilization, utility mark outs and marking & staking excavation areas.
8. Implementation of storm-water pollution prevention measures in compliance with applicable laws and regulations.
9. Performance of all activities required for the remedial action, including permitting requirements and pretreatment requirements, in compliance with applicable laws and regulations.
10. 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 describes all Engineering and Institutional Controls to be implemented at the Site.
11. Submission of an approved Site Management Plan (SMP) in the RAR for long-term management of residual contamination, including plans for operation, maintenance, inspection and certification of Engineering and Institutional Controls and reporting at a specified frequency.
12. Continued registration with an E-Designation. Additional 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.

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 is relevant and appropriate and takes into consideration OER guidance, as appropriate. The remedy is protective of public health and the environment.

January 24, 2014



Date

Shaminder Chawla
Assistant Director

SITE BACKGROUND

Location:

The Site is located in Astoria section in Queens and is identified as a portion of Block 811, Lot 1 on the New York City Tax Map. Figure 1 shows the Site location.

Site Features:

The Site is 60,000-square feet and is bounded by the adjoining site to the north, 20th Ave. to the south, Steinway Street to the east, and 38th Street to the west. The Site is currently a construction site and contains partially completed buildings.

Current Zoning/uses:

The current zoning designation is M1-1 with R5 overlay. The proposed use is consistent with existing zoning for the property.

Historical Use:

Historic Site uses documented on Sanborn maps include a truck garage, engine repair shops, and a bus parking garage with gasoline USTs located in the southern portion of the site between 1948 and at least 1990.

Summary of Environmental Findings:

1. Elevation of the property is approximately 20' feet above sea level.
2. Depth to groundwater ranges from 8' to 9' feet at the Site.
3. Groundwater flow is likely to be generally from the southeast to northwest beneath the Site, however data indicate the water table to be almost flat.
4. Depth to bedrock at the Site is unknown.
5. The stratigraphy of the site, from the surface down, consists of 12 feet of fill underlain by silty clay underlain by glacial till of unknown depth.

A site location map is attached as Figure 1.

PROPOSED DEVELOPMENT PLAN

The proposed future use of the Site will consist of the completion of the existing structure with 84 market-rate residential units, ancillary parking, and commercial space fronting on 20th Avenue. The structure will occupy the entire Site and the footprint of the proposed building has already been established by the existing construction. The northern two thirds of the building will be slab on grade and the southern one third will include a basement with storage and utility rooms. The basement floor will be at approximately 10' below grade. One third of the property along 20th Avenue has been excavated to about 10 feet below grade and no additional excavation is required for development purposes. The basement has largely been completed in this area. The remaining two-thirds of the property between 38th Street and Steinway Street are currently at grade and development plans are for slab-on-grade development. Thus, no new excavation is required for development purposes. The building will range in height from two to four stories when completed.

The remedial action contemplated under this RAWP may be implemented independently of the proposed redevelopment plan.

SUMMARY OF REMEDIAL INVESTIGATION

The Remedial Investigation was conducted between May 31, 2013 and June 6, 2013. A full Remedial Investigation Report is available online in the document repository and the results are summarized below.

Nature and Extent of Contamination:

Soil: Pesticides and PCBs were not detected in any soil sample. Four VOCs were detected in soil samples. Acetone (ranging from 11 ppb to 1400 ppb) and methylene chloride (ranging from 3 ppb to 1900 ppb) were detected in all samples, but exceeded Unrestricted Residential SCOs only in one soil sample each. n-isopropyltoluene (200 ppb) and naphthalene (510 ppb) were detected in one of ten soil samples each. No other VOCs were detected above laboratory minimum detection limits in any of the samples. Soil sample data document the presence of twelve SVOCs, but only five were detected above their respective Restricted Residential SCOs (all 1,000 ug/Kg) at sample B-5 at 9' depths. These SVOC included benzo(a)anthracene (1450 ug/Kg), benzo(a)pyrene (1470 ug/Kg), benzo(b)fluoranthene (1030 ug/Kg), benzo(k)fluoranthene (1650 ug/Kg) and chrysene (1540 ug/Kg). All other SVOCs were detected below Unrestricted Residential SCOs. Several metals including arsenic, chromium, copper, lead, mercury, nickel and zinc were detected above Unrestricted Residential SCOs. And of these metals, chromium (max of 24.5 mg/Kg) exceeded Restricted Residential SCOs in two samples. Iron was detected above the Restricted Residential SCO of 2,000 mg/Kg in all samples, with a peak concentration of 24,500 mg/Kg documented in sample B-1 (0-9').

A sample of the stockpile of soil at the central portion of the site documented the absence of contamination above Unrestricted Use SCOs, with the exception of Iron (guidance level 2,000 mg/Kg) detected at 17,400 mg/kg.

Groundwater: Acetone (ranging from 3 to 13 ug/L) and methylene chloride (ranging from 2.8 to 19 ug/L) were detected in the groundwater samples above NYSDEC Part 703.5 Groundwater Quality Standards (GQS). MTBE was detected at concentration of 3.2 ug/L. No other VOCs were detected above their guidance levels in any of the other samples. One SVOC, bis (2-ethylhexyl) phthalate was detected at 47 ug/L, above its GQS. No other SVOCs were detected above minimum detection limits in any of the samples. Dissolved concentrations of beryllium, selenium and sodium were detected above GQS. No other metals were detected above their respective guidance levels. The previous investigation by Ethan Eldon had documented the absence of pesticide/PCB contamination.

The standing water sample documented the absence of contaminants at concentrations above GQS with the exception of aluminum (0.383 mg/L); lead (0.031 mg/L) and sodium (105 mg/L). These concentrations are below the NYCDEP limitations for effluent discharge to the sanitary sewer, however, additional analysis and a permit application would be required prior to such a discharge from the Site.

Soil vapor: Several low level concentrations of petroleum related and chlorinated VOCs were detected in all soil vapor samples. All contaminant concentrations were less than 10 ug/m³ except for acetone (111 ug/m³), ethanol (42 ug/m³) and propylene (61 ug/m³). Tetrachloroethylene (PCE) was detected in three of five samples at a maximum concentration of 9.9 ug/m³. Trichloroethylene (TCE) was detected in one sample at 1.6 ug/m³. TCA and carbon tetrachloride were not detected in any sample.

Figure 1: Site Map

