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

May 21, 2015

Re: **31-12 24th Avenue**
Queens Block 837, Lots Lot 50 (previously Lots 50 and 52)
Hazardous Materials "E" Designation
E-245: 5/25/2010, Astoria Rezoning - CEQR # 10 DCP 019Q
OER Project Number 11EHAZ215Q / VCP Number 15CVCP150Q

The New York City Office of Environmental Remediation (OER) has completed its review of the Remedial Action Work Plan (RAWP) dated May 2015 with Stipulation Letter dated May 21, 2015 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 June 16, 2015. Any public comments that require changes to the RAWP will be addressed prior to commencement of the remedial action.

Project Description
The Site is 7,500 square feet and is currently used for storage and office space for a commercial construction business and contains one 2-story structure with a partial basement and one 1-story structure. The two buildings are interconnected at grade level. The proposed future use of the Site will consist of a 6-story mixed-use commercial and residential building with cellar and sub-cellar which will occupy the entire footprint of the Site. The total gross square footage of the proposed building will be approximately 37,049 square feet, including approximately 22,648 square feet of residential units and 7,781 of commercial space with the 7,483 square foot sub-cellar utilized for parking and mechanical rooms. The cellar will also be utilized for parking along with commercial as well as commercial space and residential lobby. The first floor will consist of commercial occupancy and a small open area used for bicycle parking. The floor above (2nd through 6th) will be utilized as residential units. As part of development, the entire Site is expected to be excavated to approximately 12-13 feet below current grade. The total amount of soil expected to be approximately 3,600 cubic yards.

Statement of Purpose and Basis

This document presents the remedial action for the NYC Voluntary Cleanup Program and E-Designation project known as "31-12 24th 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 31-12 24th 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 performance 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. Selection of 6NYCRR Part 375 Section 6.8(a) Unrestricted Use (Track 1) Soil Cleanup Objectives (SCOs).
4. Site mobilization involving Site security setup, equipment mobilization, utility mark outs and marking & staking excavation areas.
5. Performance of additional site characterization sampling of soil, groundwater and soil vapor after demolition of current onsite building is complete and prior to start of construction. Results of investigation may change remedial action.
    a. Installation of two soil vapor implants to 15 feet bgs and collection of two soil vapor samples;
    b. Installation of two soil borings and collection of at least four soil samples; and
    c. Conversion of two soil borings to monitoring wells, installation of a third groundwater monitoring well, and collection of three groundwater samples.
6. 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).
7. Excavation and removal of soil/fill exceeding Unrestricted Use (Track 1) SCOs. The entire footprint of the Site will be excavated to a depth of approximately 12 to 13 feet below grade for development purposes. A small portion of property will be excavated to the depth of 18 feet below grade for elevator pits. Approximately 5,400 tons of soil/fill will be removed from the Site and properly disposed at an appropriately licensed or permitted facility.
8. 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.
9. 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.
10. Removal of all UST's that are encountered during soil/fill removal actions. Registration of tanks and reporting of any petroleum spills associated with UST's and appropriate closure of these petroleum spills in compliance with applicable local, State and Federal laws and regulations.
11. Transportation and off-Site disposal of all soil/fill material at licensed or 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 on-Site.
12. Collection and analysis of end-point samples to determine the performance of the remedy with respect to attainment of Track 1 SCOs.
13. Import of materials to be used for backfill and cover in compliance with this plan and in accordance with applicable laws and regulations.
14. Performance of all activities required for the remedial action, including acquisition of required permits and attainment of pretreatment requirements, in compliance with applicable laws and regulations.
15. Implementation of storm-water pollution prevention measures in compliance with applicable laws and regulations.
16. Submission of a Remedial Action Report (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.

If Track 1 Unrestricted Use SCOs are not achieved, the following construction elements implemented as part of new development will constitute Engineering and Institutional Controls:

17. As part of development, construction of an engineered composite cover consisting of a six-inch thick concrete building slab with a 6-inch clean compacted gravel sub-base beneath all building areas.
18. As part of development, installation of a vapor barrier system consisting of vapor barrier beneath the building slab and outside of sub-grade foundation sidewalls to mitigate soil vapor migration into the building. The vapor barrier system will consist of a minimum 20-mil vapor barrier below the slab throughout the full building area and a minimum 20-mil vapor barrier outside all sub-grade foundation sidewalls. OER will be notified of the chosen vapor barrier manufacturer and specifications prior to installation.

19. As part of new development, construction and operation of a sub-cellar parking garage with high volume air exchange in conformance with NYC Building Code.
20. Submission of an approved Site Management Plan (SMP) in the Remedial Action Plan (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.
21. If Track 1 SCOs are not achieved, 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.

May 21, 2015

Date

Sarah Pong
Project Manager

May 21, 2015

Date

Shaminder Chawla
Deputy Director

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