



OFFICE OF ENVIRONMENTAL REMEDIATION

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Director

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

May 10, 2016

Re: 3084 Webster Avenue, 412-414 East 203rd Street
Bronx Block 3330, Lot 52 (previously Lots 52, 55 and 57)
Hazardous Materials, Air Quality and Noise “E” Designation
E-249: 3/23/2011 Webster Avenue Rezoning – CEQR 10 DCP 035X
OER Project Number 13EHAN467X / VCP Number 16CVCP024X

The New York City Office of Environmental Remediation (OER) has completed its review of the Remedial Action Work Plan (RAWP) dated October 2015 with Stipulation Letter dated March 22, 2016 and the Remedial Action Plan for Air Quality and Noise dated May 2015 for the above-referenced project.

These Plans were submitted to OER under the NYC Voluntary Cleanup Program (VCP) and E-Designation Program.

The RAWP was released for public comment for 30 days as required by program rule. That comment period ended on November 22, 2015. A press reporter inquired about the project after the comment period had ended.

Project Description

The Site is located at 3084 Webster Avenue, 410 East 203rd Street and 412-414 East 203rd Street in the Norwood section of Bronx, New York and is identified as Block 3330 and Lot 52 (previously Lots 52, 55 and 57) on the New York City Tax Map. The Site is 22,265 square feet in area and is bounded by Webster Avenue, a Shell filling station and multi-story residential buildings to the north, Penn-Central and Hudson River Railroad and Bronx Park Botanical Garden to the south, East 203rd Street and NYCDEP Reservoir Headquarters to the east, and multi-story residential buildings and Benny’s Auto-Body & Repair Shop to the west. Currently, the northern portion of the site identified as 3084 Webster Avenue (previous Lot 52) is a vacant lot. The central portion of the Subject Property identified as 410 East 203rd Street (previous Lot 55) is a vacant lot and the southern portion of the Subject Property identified as 412-414 East 203rd Street (previous Lot 57) is utilized as a contractor storage, garage and office.

The proposed future use of the Site will consist of a new 11-story mixed-use commercial and residential building. The proposed building footprint will occupy the entire Site and will have an 8,500 square-foot basement that will occupy 40% of the Site. The remainder of the Site will be slab-on-grade. The basement will be used for residential amenities including a gym, bike storage, laundry, and recreational space as well as for building accessory (boiler room, electric, gas, and water meter rooms). The first floor will consist of commercial space and community space consisting of a not for profit office space on the northern portion of the building and parking on the remaining portions. The second through eleventh floors will consist of 118 residential units. Excavation is anticipated to extend to 12 feet below grade surface (bgs) for the construction of the basement level and 15 feet bgs for elevator pits; this depth will not extend below the water table, which is greater than 15 feet bgs at the Site. Approximately 7,195 tons of soil will be excavated and removed from the Site. The current zoning designation is R7-D with commercial overlay C2-4. The proposed use is consistent with existing zoning for the property.

Statement of Purpose and Basis

This document presents the remedial action for the NYC Voluntary Cleanup Program and E-Designation Program project known as “3084 Webster 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 Hazardous Materials

The remedial action selected for the 3084 Webster 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. Establishment of Track 4 Site-specific Soil Cleanup Objectives (SCOs).
4. Site mobilization involving Site security setup, equipment mobilization, utility mark outs and marking & staking excavation areas.
5. 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). A Waste Characterization Report documenting sample procedures, location, analytical results shall be submitted to NYCOER prior to start of remedial action.
6. Excavation and removal of soil/fill to achieve Track 4 Site Specific SCOs. For development purposes, forty percent of the Site will be excavated to a depth of approximately 12 feet below grade for construction of the new building basement level. The remaining portion of the Site will be excavated approximately 2 feet below grade for construction of the at-grade building slab. One hotspot in the area of SP-05 will be excavated to 12 feet. Approximately 7,195 tons of soil/fill will be removed from the Site.
7. 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.
8. 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.
9. Removal of underground storage tanks (USTs) 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.
10. 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.
11. Collection and analysis of end-point samples to determine the performance of the remedy with respect to attainment of SCOs.
12. Import of materials to be used for backfill and cover in compliance with this plan and in accordance with applicable laws and regulations.
13. Installation of a vapor barrier system 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 20-mil Raven Industries VaporBlock Plus.
14. Construction of an engineered composite cover consisting of a 4-inch thick concrete building slab across the entire 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 acquisition of required permits and attainment of 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 Air Quality

The elements of the remedial action selected for Air Quality for the 3084 Webster Avenue site are as follows:

In order to satisfy the requirements of the E-designation, natural gas will be utilized at the site for heating and domestic hot water. Each residential apartment on the 2nd through 11th floors of the new building will be heated and cooled via gas hydronic PTAC units consisting of Islandaire Model EX Series 42.

Natural gas is being used as the fuel type for the HVAC system, and six 4' 3/8" Boiler vents (6 feet high) is located on the south side of the roof. Seven 4' 3/8" Boiler vents (6 feet high) are located on the north side of the roof. A study was completed by the architect to investigate if the subject site's development would impact the surrounding buildings. The gross area of the proposed residential building is 140,600 square feet. The tallest existing building within a 200 foot radius from the proposed building is a six story building with approximately 70' in height. The proposed building will have natural gas water heater and boiler located on the roof penthouse and flue stack will be terminated 119 feet above street level. As per the 2014 CEQR technical manual chapter 17-322.1 Figure 17-7, the plotted point is below the 100' stack height curve, therefore a potential significant impact due to boiler stack emissions is unlikely.

Description of Selected Remedy for Noise

The elements of the remedial action selected for Noise for the 3084 Webster 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. 33 dBA on all facades within 50 feet from lot line facing the rail road tracks;
2. 31 dBA on all facades beyond 50 feet from the lot line facing the railroad tracks;

The following windows will be installed:

Façade Floor Range	OITC Rating	OITC Certification	Manufacturer and Model	Glazing
All facades Floors 1-11 Residential	32	See ASTM E-90 acoustical report 87004.1-113-11 for the exact window and glazing in Appendix G	Crystal Window and Door Systems, LTD. Series 8100 (There will be six window types all of the same glass composition).	1" IG (5/16" laminated, 3/8" Argon filled air space, 5/16" laminated)
Front (West) Façade 1st Floor Commercial Storefront	33 (glazing only)	Glass only rating based on Manufacturer data RAL-TL85-172 in Appendix G	Oldcastle Double-Laminated Insulating Glass Storefront Window	1" IG (1/4" laminated, 1/2" air space, 1/4" laminated)

The acoustical reports described above are representative of the acoustical performance of all proposed windows/doors/curtain walls. The exterior wall will be comprised of 4" standard brick, 1" air space, 2" XPS Rigid Insulation, Vapor-Permeable Air Weather Barrier Membrane, 5/8" exterior gypsum board, 6" metal stud spacing at 24" OC with 6" closed cell spray insulation and 5/8" gypsum board with an OITC rating of 45 as per the manufacturer's specification sheet. A worst case scenario composite attenuation calculation was performed by the architect and as the calculation shows, the minimum OITC requirement of 33 dBA will be met.

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. **PTAC Units:** Installing Model EZ Series 42 PTAC units manufactured by Islandaire built into the window frame in each exterior room. Fresh air will be provided to all bedrooms and living rooms by the PTAC units. The PTAC units continuously provide fresh air via a fresh air vent.
2. **Compliance with Mechanical Code:** Providing outside air to commercial spaces and common areas such as lobbies and corridors in accordance with the 2014 NYC Mechanical Code. The mechanical requirements for commercial and community space will be met during tenant fit-out.

The remedies for Hazardous Materials, Air Quality, 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 10, 2016

Date



Sarah Pong
Senior Project Manager

May 10, 2016

Date



Shaminder Chawla
Deputy Director – VCP

May 10, 2016

Date



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