



**OFFICE OF ENVIRONMENTAL REMEDIATION**  
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**Director**

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August 24, 2011

Mr. Wolf Englender  
UTA/Building Fund  
82 Lee Avenue  
Brooklyn, NY 11211

Mr. Stuart Knoop  
Langan Engineering and Environmental Services  
360 West 31<sup>st</sup> Street, 8<sup>th</sup> Floor  
New York, NY 10001

Re: **NYC BCP Remedial Action Work Plan Approval**  
**177 Harrison Avenue**  
**Northern Parcel of Block 2266, Lot 1**  
**BCP Project #12CBCP019K / OER Project # 11EHAN258K**

Dear Mr. Englender:

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 July 22, 2011 Remedial Action Work Plan (RAWP) and August 18, 2011 Stipulation List for the 177 Harrison Avenue, BCP Project #12CBCP019K. The Plan was submitted to OER under the NYC Brownfield Cleanup Program (BCP). The RAWP was released for public comment for 30 days as required by program rule. That comment period ended on August 22, 2011. There were no public comments.

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

1. Implementation of a Community Air Monitoring Program for particulates and volatile organic compounds.
2. Soil excavation, as required, to a minimum depth of 2 feet bgs to bring the Site to the development grade and accommodate foundation elements and a sub-slab depressurization system (SSDS) for the school building development. Construction excavation to approximately 9 feet bgs will be required to accommodate the two elevator pits on the northwestern and southeastern portions of the Site.
3. Targeted excavation of three (3) Areas of Concern on the NYCBCP Parcel, to depths below construction sub-grade to remove all soil containing concentrations that exceed the site-specific SCOs (SSSCOs). The SSSCOs established for this site are the restricted residential use SCOs:
  - Track 2 Restricted Residential SCOs for VOCs, pesticides and PCBs;
  - Track 2 Restricted Commercial SCOs for metals; and
  - SCOs for total SVOCs of 500mg/kg. In addition, soils may not exceed Characteristic Lead-hazardous soils (TCLP) standard of 5 mg/l.
4. Construction and maintenance of an engineered composite cover consisting of a 10-inch concrete slab in the building areas, asphalt paving in the northeastern play area, and a 4-inch concrete slab in the exterior

walkway areas surrounding the play area. The asphalt cover in the play area will be placed over the following base materials extending downward: 1.5 inches of wearing course, a 3-inch base of dense graded stone, 6 inches of a stabilized sub-base (e.g., clean, imported soil), and 1.5 feet of clean, imported soil. The northern perimeter of the play area near Wallabout Street will consist of a 4-inch concrete slab that overlays a 6-inch crushed stone base. The concrete walkways will overlay a 6-inch base layer of crushed stone.

5. Installation of a vapor barrier system beneath the building slab and along exterior foundation sidewalls to prevent contaminated soil vapors from migrating into the building. The vapor barrier planned for this project is Geo-Seal<sup>®</sup>, a 60-mil barrier to be installed beneath the building slab and along the below-grade foundation sidewalls.
6. Installation of an active sub-slab depressurization system (SSDS) to prevent accumulation and potential migration of contaminated soil vapors into the building.
7. Import of materials to be used for backfill and cover in compliance with this plan and in accordance with applicable laws and regulations. Imported soil will be sampled and analyzed in accordance with NYSDEC DER-10 Technical Guidance for Site Investigation and Remediation (May 2010) Section 5.4(e) prior to import to the Site, and will meet the criteria established in Part 375-6.7(d), i.e., the lower of the protection of groundwater or protection of public health SCOs for restricted residential use.
8. Sampling and analysis of excavated soil/fill in accordance with the requirements of the selected disposal facilities. The excavated soil/fill will be classified and segregated, based on the analytical results of the soil characterization sampling.
9. Collection and analysis of soil end-point samples in accordance with DER-10 Section 5.4(b).
10. Transportation and off-site disposal of soil/fill material at permitted facilities in accordance with this plan, disposal facility requirements, and applicable laws and regulations for handling, transport, and disposal.
11. Screening of imported soil and excavated soil/fill during intrusive work for indications of contamination by visual means, odor, and monitoring with a photoionization detector (PID).
12. Site mobilization involving Site security setup, equipment mobilization, utility mark outs and marking & staking excavation areas.
13. Implementation of an Erosion and Sediment Control Plan (ESCP)
14. Implementation of storm-water pollution prevention measures in compliance with applicable laws and regulations.
15. Performance of activities required for the remedial action, including permitting requirements and dewatering pretreatment requirements, in compliance with applicable laws and regulations.
16. Submittal of a Remedial Action Report (RAR) that describes the remedial activities, certifies that the remedial requirements have been achieved, describes all Engineering and Institutional Controls to be implemented at the Site, and lists any deviations from this RAWP.
17. Recording of a Declaration of Covenants and Restrictions that includes a full listing of Engineering Controls and Institutional Controls and notice that these controls must be maintained within a Site Management Plan to prevent future exposure to any residual contamination remaining at the Site.
18. Establishment in a recorded Declaration of Covenants and Restrictions, a series of Institutional Controls on the Site, including: (1) compliance with the provisions of the recorded Declaration of Covenants and Restrictions; (2) compliance with provisions of the approved Site Management Plan; (3) operation and maintenance of Engineering Controls as specified in the Site Management Plan; (4) inspection and certification of all Engineering Controls at a frequency and in a manner defined in the Site Management Plan; (5) reporting at a frequency and in a manner defined in the Site Management Plan; and (6) prohibition of discontinuation of Engineering Controls without an OER-approved amendment or extinguishment of the Declaration of Covenants and Restrictions.

19. Establishment in a recorded Declaration of Covenants and Restrictions, a series of site restriction Institutional Controls on the Site, including: (1) prohibition of vegetable gardening and farming; (2) prohibition of the use of groundwater without treatment rendering it safe for the intended use; (3) prohibition on all disturbance of residual contaminated material unless it is conducted in accordance with the provisions in the Site Management Plan; and (4) prohibition on higher level of land usage without an OER-approved amendment or extinguishment of this Declaration of Covenants and Restrictions.
20. Submission of an approved Site Management Plan in the Remedial Action Report for long-term management of residual contamination, including plans for Institutional and Engineering Controls for: (1) inspection and certification, (2) monitoring, (3) operation and maintenance, and (4) reporting.

The RAWP and Stipulation List for the 177 Harrison Avenue project are protective of public health and the environment and are hereby approved. The approved RAWP and Stipulation List, including appendices should be placed by the Enrollee in publicly accessible repositories for the project.

The Enrollee and its contractors are solely responsible for safe execution of all invasive and other work performed under the Plan. In particular, the Enrollee and its contractors are responsible for the structural integrity of excavations, and protection of the structural integrity of buildings, utilities, and other structures both onsite and offsite that may be adversely affected by those excavations and activities. The Enrollee and its contractors must obtain any local, state or federal permits or approvals that may be required to perform work under the Plan. Further, the Enrollee and its contractors are responsible for the identification of utilities that might be affected by work under the Plan and implementation of all required, appropriate, or necessary health and safety measures during performance of work under the approved Plan.

If you have any questions, please call Mr. Maurizio Bertini at (212) 788-3922.

Sincerely,



Shaminder Chawla  
Assistant Director

CC: D. Walsh, Ph. D., Director, OER  
N. Graber, M.D., DOHMH  
D. Cole, OER  
M. Bertini, OER