



**OFFICE OF ENVIRONMENTAL REMEDIATION**  
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## **DECISION DOCUMENT**

### **NYC VCP and E-Designation Remedial Action Work Plan Approval**

March 21, 2014

Re: **326 West 37th Street – Hazardous Materials, Air Quality & Noise “E” Designation**  
**E-137: Block 760, Lots 58, 59, & 60 Manhattan CD 4**  
**Hudson Yards Rezoning - CEQR # 03DCP031M**  
**OER Project # 14EHAN417M / NYC VCP Site # 14CVCP238M**

The New York City Office of Environmental Remediation (OER) has completed its review of the Remedial Action Work Plan (RAWP) dated March 17, 2014 with Stipulation Letter dated April 09, 2014 and the Remedial Action Plan for Air Quality and Noise dated March 21, 2014 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 April 17, 2014. There were no public comments.

#### **Project Description**

The proposed future use of the Site will consist of a new 22-story hotel with a cellar. The combine total gross square footage will be approximately 100,884 square feet. Total ground floor built area will be approximately 5,722 square feet and open space area will be 1,500 square feet. The open space yard will be over unexcavated soil or backfilling on a 6 inch concrete slab on grade construction. Cellar floor area will be approximately 5,827 square feet and 12 feet depth. Cellar will be utilized as a mechanical room and hotel amenities use such as fitness center, meeting room and bathrooms. The proposed construction will require excavation to 15 feet and 10 inches across the site in addition to elevator pit excavation of 25 feet and 4 inches. Depth of excavation includes cellar depth, 42 inches concrete mat and 4 inches of gravel. Total approximate excavated soil will be 4,590 cubic yards. Total approximate backfill required will be 510 cubic yards. The main construction material for exterior walls will be standard size brick.

#### **Statement of Purpose and Basis**

This document presents the remedial action for the NYC Voluntary Cleanup Program and E-Designation Program project known as “326 West 37th Street” 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 326 West 37th Street site is protective of public health and the environment. The elements of the selected remedy are as follows:

Removal/disposal of all excavated soil/fill from the site in accordance with all applicable federal, state, and local regulations including transportation manifests, weight tickets, and disposal/recycling certificates; composite cover of the open space yard of the site with a visible demarcation barrier underlying 2-feet of clean fill/topsoil or a six inch concrete slab and the concrete building foundation underlain by a Grace Prefrufe 46-mil 300R membrane beneath the cellar slab and a 32-mil 160R membrane or Bithutene 4000 outside the perimeter of the foundation walls; CAMP implementation, etc.

**Description of Selected Remedy for Air Quality**

The elements of the remedial action selected for Air Quality for the 326 West 37th Street site are as follows:

In order to meet the Air Quality requirements, Natural Gas will be utilized at the site by for boilers and water heaters, the rooftop air conditioner unit, dryers and the commercial stove. The applicant is proposing to install a Boiler & water heater, Model PNCV 200, manufactured by Laars, an air Conditioner Rooftop unit, Model RDDC-482-700, manufactured by Reznor, Gas dryers located at the cellar floor, Model DA WFOGM, manufactured by Wascomat Crossover, and a commercial Stove located at the ground floor, Model JMRH-36B, manufactured by Jade Titan.

In order to satisfy the stack location requirements, one stack will be located on the roof. The stack will be located 35.8 feet from the north line of lot, 69.2 feet from the east line of the lot, 61.3 feet from the south line of the lot, 4.1 feet from the west line of the lot. The applicant has provided OER with all of the required documentation regarding air quality requirements.

**Description of Selected Remedy for Noise**

The elements of the remedial action selected for Noise for the 326 West 37th Street site are as follows:

In order to maintain an interior noise level of 45 dBA, a window/wall attenuation of 33 dBA will be achieved on all facades. The owner has committed to installing the Architectural Window, Model 3000i In-Swing Casement and Fixed Window using a using 1 11/16" insulated glass consisting of 3/8" laminated with a 0.030 interlayer 1 1/16" air space and 1/4" laminated with a 0.030 interlayer with an OITC of 36 on the front and rear facades. The storefront portion of the building will utilize the Model 3050i which has the same glazing as the Model 3000i In-Swing Casement and Fixed Windows.

In order to meet the Alternative Means of Ventilation (AMV) requirement PTAC units will be installed in each hotel room in combination with bathroom exhausts. Other spaces in the building such as the lobby, common spaces, conference rooms and corridors will be provided fresh air in accordance with the NYC Mechanical code.

The remedies for Hazardous Materials, Air Quality, and Noise 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.

March 21, 2014



Date

Rebecca Bub  
Project Manager

March 21, 2014



Date

Shaminder Chawla  
Deputy Director

March 21, 2014



Date

Maurizio Bertini, Ph.D.  
Assistant Director

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