



**OFFICE OF ENVIRONMENTAL REMEDIATION**

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**DECISION DOCUMENT**  
**NYC VCP Remedial Action Work Plan Approval**

November 9, 2015

Re: **32-08 38<sup>th</sup> Avenue –Hazardous Materials and Air Quality “E” Designations**  
**E-218: Block 381, Lot 11, Queens, CD 1**  
**Dutch Kills Rezoning and Related Actions- CEQR # 08DCP021Q**  
**OER Project # 15EH-A485Q/ NYC VCP Site #15CVCP155Q**

The New York City Office of Environmental Remediation (OER) has completed its review of the Remedial Action Work Plan (RAWP) dated June 2015 with Stipulation Letter received November 2015 and the Air Quality Remedial Action Plan dated October 2015 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 July 5, 2015. There were no public comments.

**Project Description**

The development project consists of renovating the existing building with a one-story addition to the rear of the building, horizontal and vertical expansion of the existing cellar so that the entire building has a cellar with a 9ft ceiling height, and the construction of a mezzanine on the 2<sup>nd</sup> floor. The one-story building with a full cellar level addition in the rear will cover the entire footprint of the Site.

The cellar level will require excavation to a depth of approximately 10 to 12 feet below grade. The current cellar level is at a depth of 7ft and will require an additional 3 to 5 feet of excavation. Excavation of the rear yard to a depth of approximately 12 ft for a cellar will generate approximately 200 cubic yards (300 tons) and excavation within the existing building will generate an estimated an additional 200 cubic yards (300 tons). The water table is expected at a depth of approximately 20 feet below grade surface (bgs), and will therefore not be encountered during excavation. The current zoning designation is M1-2/R6A. 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 “440 Washington 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 “32-08 38<sup>th</sup> 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). Collection and analysis of end-point samples to determine the performance of the remedy with respect to attainment of SCOs.

4. Site mobilization involving Site security setup, equipment mobilization, utility mark outs and marking & staking excavation areas.
5. Perform additional site characterization sampling of groundwater. One groundwater monitoring well will be installed within the sidewalk in front of the existing building and one groundwater sample will be collected from the monitoring well for laboratory analysis of VOCs, SVOCs, pesticides, PCBs and metals.
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 Track 4 Site Specific SCOs.  
The entire footprint of the Site will be excavated to a depth of at least 10 feet below grade for development purposes.
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. Import of materials to be used for backfill and cover in compliance with this plan and in accordance with applicable laws and regulations.
13. Construction of an engineered composite cover consisting of the building's new 6-inch thick concrete cellar slab with a 4-inch layer of clean granular sub-base beneath the slab.
14. 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 Raven Industries 20-mil vapor barrier (VBP20 Plus) and will be installed below the entire cellar slab throughout the full building area and outside all sub-grade foundation sidewalls to grade. All welds, seams and penetrations will be properly sealed to prevent preferential pathways for vapor migration. The vapor barrier system is an Engineering Control for the remedial action. The remedial engineer will certify in the RAR that the vapor barrier system was designed and properly installed to mitigate soil vapor migration into the building.
15. Installation of an active sub-slab depressurization system (SSDS) consisting of a single loop of horizontal pipe set in the middle of a gas permeable layer immediately beneath the building slab and vapor barrier system. The horizontal piping will consist of fabric wrapped, perforated schedule 40 4-inch PVC pipe connected to a 6-inch cast iron riser pipe that penetrates the slab and travels through the building to the roof. The gas permeable layer will consist of a 6-inch thick layer of 2-inch trap rock stone. The active SSDS will be hardwired and will include a RP265 blower installed on the roof line and a pressure gauge and alarm located in an accessible area in the basement. The active sub-slab depressurization system is an Engineering Control for the remedial action. The remedial engineer will certify in the RAR that the active sub-slab depressurization system was designed and properly installed to establish a vacuum in the gas permeable layer and a negative (decreasing outward) pressure gradient across the building slab to prevent vapor migration into the building.
16. Import of materials to be used for backfill and cover in compliance with this plan and in accordance with applicable laws and regulations.
17. 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.
18. Implementation of storm-water pollution prevention measures in compliance with applicable laws and regulations.
19. 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.

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. 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 32-08 38<sup>th</sup> Avenue site are as follows:

In order to satisfy the requirements of E-218, natural gas will be utilized at the site.

The remedies for Hazardous Materials and Air Quality 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.

11/9/15

Date



Samantha Morris  
Project Manager

11/9/15

Date



Shaminder Chawla

11/9/15

Date



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