



DECISION DOCUMENT

NYC VCP and E-Designation Remedial Action Work Plan Approval

March 27, 2015

Re: **504-524 Myrtle Avenue - Hazardous Materials and Noise “E” Designation**
E-183: Block 1905, Lot 30, Brooklyn CD 2
Fort Greene / Clinton Hill Rezoning - CEQR # 07 DCP 066K
OER Project # 11EH-N358K/ NYC VCP Site # 13CVCP110K

The New York City Office of Environmental Remediation (OER) has completed its review of the Remedial Action Work Plan (RAWP) dated February 2013 with Stipulation Letter dated January 2015 and the Remedial Action Plan for Noise dated February 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 March 07, 2013. There were no public comments.

Project Description

The proposed future use of the Site will consist of two new mixed commercial and residential use buildings with -full cellars for parking; 504 Myrtle Residential Owner, LLC, the owner of Site B, is developing this property into an 8-story mixed use commercial/residential building with cellar. Excavation at Site B will extend to approximately 11 feet below grade for the layout of cellar foundations. The cellar slab in both buildings will be installed at 10 feet 6 inches below the sidewalk elevation and the cellar slab will be approximately 6 inches in thickness. The cellar slab will be poured on top of a 6 inch layer of gravel fill installed at the bottom of excavation. An elevator shaft will be located in the central portion of each building. The bottom of the proposed elevator shaft slabs will be approximately 5 feet 6 inches below cellar slab elevation. No landscaped or open areas will exist on the Site. The building will occupy the entire footprint of the lots.

The two developments have been separated into two VCP projects for administrative purposes, and will be identified as 490 Myrtle Avenue (Building A) and 504 Myrtle Avenue (Building B), Brooklyn, New York, respectively. Site A has previously been assigned OER Project Number 11EH-N012K. Site B has been assigned OER Project Number 11EH-N358K.

Statement of Purpose and Basis

This document presents the remedial action for the NYC Voluntary Cleanup Program and E-Designation Program project known as “504 Myrtle 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 504 Myrtle 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 implementation of a Citizen Participation Plan.
2. Perform a Community Air Monitoring Program for particulates and volatile organic carbon compounds.
3. Establish Track 4 Soil Cleanup Objectives (SCOs) for entire property including Site A and Site B.
4. Excavation and removal of soil/fill exceeding Track 4 SCOs. Removal of approximately 11 feet of soil in the western and eastern portions of Site B and approximately 3 to 4 feet beneath the existing cellar slabs at Site A and Site B as part of development.
5. Any hotspot areas excavated during waste characterization sampling will be disposed of in accordance with applicable laws and regulations as well as disposal facility requirements. Waste characterization sampling results will be provided to OER.

6. Collection and analysis of end-point samples will be conducted to evaluate the performance of the remedy with respect to attainment of Track 1 SCOs. To evaluate attainment of Track 1 SCOs throughout the site, seven (7) base samples will be collected in Site B. Each sample will be analyzed for VOCs, SVOCs, TAL Metals, and PVCs/ Pesticides as per their appropriate method numbers.
7. Removal of underground storage tanks and closure of petroleum spills in compliance with applicable local, State and Federal laws and regulations.
8. Construction and maintenance of an engineered composite cover consisting of 6-inch thick concrete slab beneath both the 2 new buildings at Site A and Site B buildings to prevent human exposure to residual soil/fill remaining under the Site;
9. Installation of a vapor barrier system beneath the building slabs and behind foundation walls at Site A and Site B. Site B vapor barrier system will consist of 46-mil thick Grace Preprufe® 300R membrane will be installed beneath the cellar structural slab and a 32-mil thick Grace Preprufe® 160R membrane and/or 62.5-mil thick Grace Bituthene 4000 membrane will be installed along the foundation sidewalls.
10. Installation and operation of an active sub-slab depressurization system beneath Site A and a ventilated sub-grade parking garage with suction pits at Building B that will also prevent the buildup of any vapors within both structures. An active Sub-Slab Depressurization System (SSDS) will be installed beneath areas of the building slab where ventilated sub-grade parking is not anticipated to be present.
11. Demarcation of residual soil/fill.
12. Import of materials to be used for backfill and cover in compliance with this plan and in accordance with applicable laws and regulations. Approval for the import of material for backfilling purposes must be received from OER prior to the commencement of such activities. Documentation illustrating that the requisitioned import material has been properly segregated, stockpiled, and tested (when needed) prior to its release from the generating site, and by extension prior to its arrival to the import site, will be required. Blended recycled concrete aggregate (bRCA) is not an acceptable material for import.
13. A pre-approval letter from all disposal facilities will be provided to OER prior to any soil/fill material removal from the site. Documentation specified in the RAWP - Appendix 3 - Section 1.6 "Materials Disposal Off Site" would be provided to OER. If a different disposal facility for the soil/fill material is selected, OER will be notified immediately.
14. Transportation and off-Site disposal of all soil/fill material at 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 onsite.
15. Screening of excavated soil/fill during intrusive work for indications of contamination by visual means, odor, and monitoring with a PID.
16. Site mobilization involving Site security setup, equipment mobilization, utility mark outs and marking & staking excavation areas.
17. Implementation of storm-water pollution prevention measures in compliance with applicable laws and regulations.
18. Dewatering will be performed in full compliance with applicable laws, rules and regulations. Dewatering permit will be obtained from NYCDEP prior to construction activities.
19. Performance of all activities required for the remedial action, including permitting requirements and pretreatment requirements, in compliance with applicable laws and regulations.
20. Submission of a RAR that describes the remedial activities, certifies that the remedial requirements have been achieved, defines the Site boundaries, and describes all Engineering and Institutional Controls to be implemented at the Site, and lists any changes from this RAWP.
21. In areas where Track 1 is not achieved, 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.
22. In areas where Track 1 is not achieved, the property will continue to be registered with an E-Designation by 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 Noise

The elements of the remedial action selected for Noise for the 504 Myrtle Avenue site are as follows:

In order to satisfy the requirements of E-183 a minimum window/wall attenuation of 28 dBA will be achieved in the residential floors elevations of the new development at the Site. In order to achieve such attenuation, windows manufactured by Architectural Window Manufacturing Corp. Model 3242i will be installed throughout the residential floors. This proposed glazing by Architectural Window Manufacturing Corp. has been rated with OITC of 32 dBA and will consist of 1-5/16" thick insulated glass comprised of 5/16" annealed glass exterior, 3/4" air space and 1/4" annealed glass interior. The commercial space in the ground floor will have a minimum window/wall attenuation of 23 dBA achieved by installing a proposed glazing

made by Viracon and comprised of 1-1/8" clear laminated insulating glass comprised of 1/4" clear, 1/2" air space, 3/8" clear laminated pvb, 3/16" clear and by also installing proposed doors made by Tubulite and comprised of 1/4" laminated, 1/2" air space, 1/4" laminated, with OITC ratings of 35 dBA and 31 dBA, respectively.

In order to satisfy the requirements of E-183, Alternate Means of Ventilation (AMV) will be installed in order to maintain a closed window condition. AMV for this project will be achieved by installing a natural gas-fired HVAC system and central boiler plant for hot water. AMV for the residential floors at the project Site will be achieved by installing natural gas-fired, packaged terminal air conditioning (PTAC) units GE Deluxe 6100 Series, specifically, model #AZ61H07D, #AZ61H09D, #AZ61H12D and #AZ61H15D, which will provide heat, cooling and ventilation air to each apartment. PTAC units have integral outdoor air intake for the introduction of fresh air into all living spaces for residential units. Two Greenheck RV-35 Series roof top HVAC units will provide fresh air for the lobby and corridors and four Greenheck RV-50 Series roof top HVAC units will provide fresh air for the commercial space and will be mounted on the top of first floor at the rear yard. The AMV for the cellar parking area will consist of a Greenheck Series C Model 480 exhaust fan mounted on the roof top of the second floor at rear yard.

The remedies for Hazardous Materials 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.

February 27, 2015



Date

William Wong
Project Manager

February 27, 2015



Date

Shaminder Chawla
Deputy Director – VCP / HazMat E

February 27, 2015



Date

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