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DECISION DOCUMENT

May 19, 2014

Mr. Dean Marchi
Grand Maujer Development, LLC
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Ms. Erica Johnston
Hydro Tech Environmental Corp
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Hauppauge, NY 11788

**Re: NYC VCP Remedial Action Work Plan Approval
213 Maujer Street and 774-780 Grand Street
Block 2790, Lots 5, 40 and 111
VCP Project #14CVCP190K**

The New York City Office of Environmental Remediation (OER) has completed its review of the Remedial Action Work Plan (RAWP) dated October 29, 2013 and Stipulation List dated May 31, 2014 for 213 Maujer Street and 774-780 Grand Street, VCP Project #14CVCP190K. The Plan was submitted to OER under the NYC Voluntary Cleanup Program (VCP). The RAWP was released for public comment for 30 days as required by program rule. That comment period ended on November 30, 2013. There were no public comments.

Statement of Purpose and Basis

This document presents the remedy for a Voluntary Cleanup Program site known as “213 Maujer Street and 774-780 Grand Street” site. This document is a summary of the information that can be found in the site-related reports and documents in the document repository at OER’s website www.nyc.gov/oer.

The New York City Office of Environmental Remediation (the Office or OER) has established a remedy for the above referenced site. The disposal or release of contaminants at this site, as more fully described in this document, has contaminated various environmental media.

The decision is based on the Administrative Record of the New York City Office of Environmental Remediation (the Office or OER) for the “213 Maujer Street and 774-780 Grand Street” site and the public's input to the proposed remedy presented by OER.

Description of Selected Remedy

The remedy selected for this “213 Maujer Street and 774-780 Grand Street” site includes Establish Track 1 Soil Cleanup Objectives (SCOs), Excavation and removal of soil/fill exceeding SCOs, and as part of development, construction and maintenance of an engineered composite cover consisting of a 24-inch concrete building slab across the footprint of the new building(s) to prevent human exposure to residual soil/fill remaining under the Site.

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 1 Soil Cleanup Objectives (SCOs).
4. Site mobilization involving Site security setup, equipment mobilization, utility mark outs and marking & staking excavation areas.
5. Excavation and removal of soil/fill exceeding SCOs.
6. 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.
7. Removal of underground storage tanks (if encountered) and closure of petroleum spills (if evidence of a spill/leak is encountered during Site excavation) in compliance with applicable local, State and Federal laws and regulations.
8. 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 on-Site.
9. Collection and analysis of end-point samples to determine the performance of the remedy with respect to attainment of SCOs.
10. Import of materials to be used for backfill and cover in compliance with this plan and in accordance with applicable laws and regulations.
11. As part of development, construction and maintenance of an engineered composite cover consisting of 24” concrete building slab across the footprint of the new building to prevent human exposure to residual soil/fill remaining under the Site;
12. Implementation of storm-water pollution prevention measures in compliance with applicable laws and regulations.
13. Performance of all activities required for the remedial action, including permitting requirements and pretreatment requirements, in compliance with applicable laws and regulations.
14. Submission of a Remedial Action Report (RAR) that describes the remedial activities, certifies that the remedial requirements have been achieved, defines the Site boundaries, and, if Track 1 SCO’s are not achieved, describes all Engineering and Institutional Controls to be implemented at the Site, and lists any changes from this RAWP.

15. If Track 1 SCOs are not achieved, submission of an approved Site Management Plan (SMP) in the RAR for long-term management of residual contamination, including plans for maintenance, inspection and certification of Engineering and Institutional Controls and reporting at a specified frequency.
16. If Track 1 SCOs are not achieved, 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.
17. One soil boring location (SP-7) and one soil vapor sample (SV-6) will be sampled for chemical analysis before the start of any remedial work. Results of these additional sampling will be evaluated to determine if remedy needs to be updated.

Remedial activities will be performed at the Site in accordance with this OER-approved RAWP. All deviations from the RAWP will be promptly reported to OER. Changes will be documented in the RAR.

This remedy 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. The remedy is protective of public health and the environment.

May 19, 2014



Date

Shaminder Chawla
Deputy Director

Site Location and Current Usage

The Site is located at 213 Maujer and 774-780 Grand Street in the Williamsburg section in Brooklyn, New York and is identified as Block 2790 and Lots 5, 111 and 40 on the New York City Tax Map. Figure 1 shows the Site location.

The Site is 15,000-square feet and is bounded by Grand Street to the north, Maujer Street to the south, 3-story residential building to the east, and 3-story residential and commercial mixed-use building to the west. Currently, the Site is used for commercial use and contains 1-story building with a full basement on Grand Street and a loading area with a partial basement on Maujer Street.

The current zoning designation is R6B and C4-4A. The proposed use is consistent with existing zoning for the property.

Past Uses and Areas of Concern

The Site was historically developed between 1888 and 1934. The historical records indicate that 213 Maujer Street of the property was developed between 1979 and 1986 as an auto body shop. Operations involving auto service repairs typically utilize petroleum and/or hazardous materials, the discharge of may have adversely impacted upon the environmental quality of the property. Therefore the historical use of the Subject Property as an auto body shop represents a REC. 774-780 Grand Street of the property was redeveloped between 1987 and 1988 with a 1-story commercial building that has remained through 2007.

Summary of Environmental Findings

1. Elevation of the property ranges from 44 to 45 feet.
2. Depth to groundwater ranges from 27.55 to 30.60 feet at the Site.
3. Groundwater flow is generally toward the northeast.
4. Bedrock was not encountered during the investigation.
5. The stratigraphy of the site, from the surface down, consists of 4 feet of fine to medium coarse sand with traces of urban fill.

Proposed Development Plan

The proposed future use of the Site will consist of two separate 8-story and 4-story buildings. The buildings will consist of 68 (62+6) rental units in total and shall include parking, commercial and recreational facilities. Both buildings shall be filed separately with the DOB. The combined gross total square footage of the new buildings will be approximately 88,819 square feet. One building (Grand Street building) will be located in the corner and the other (Maujer Street building) will be located 39 feet from Humboldt Street. The Grand Street building will be 8-story mix-use (retail and residential) building with 20% affordable housing and the Maujer Street building will be 4-story market rate residential building. There will be a rear yard consisting of pavers on pedestals on concrete slab for Grand Street building. The building will be built over a ramp to the parking lot under the Grand Street building. The foundation for the proposed project will be 12" concrete walls over spread footings. The slab thickness will be 24". The primary excavation will be the ramp down to the lower level parking lot via Maujer Street. The Grand Street building already has an existing basement and does not require any additional excavation. There will be minor disturbance to install new footings. As part of the development, the referenced lot(s) are expected to be sub-divided into tentative two lots.

Summary of Remedial Investigation

The Remedial Investigation was conducted in August 2013. A full Remedial Investigation Report is available online in the document repository and the results are summarized below.

Soil:

Soil/fill samples collected during the RI showed no PCBs or VOCs above 6 NYCRR Part 375-6.8 Track 1 Unrestricted Soil Cleanup Objectives (SCOs). The following shallow soil samples were collected from the existing slab level which is actually 10 to 12 feet. Trace levels of one VOC, acetone were detected at maximum concentrations of 14 ppb in several soil samples. Two pesticides, specifically; 4,4'-DDE (at 12.2 ppb) and 4,4'-DDT (maximum 41.1 ppb) were identified at concentrations exceeding Track 1 Unrestricted Use SCOs in three of the shallow soil samples, but below Track 2 Restricted Residential SCOs. Five (5) Polycyclic Aromatic Hydrocarbon (PAH) SVOCs including benzo(a)anthracene (12 ppm), benzo(a)pyrene (2.9 ppm), benzo(b)fluoranthene (1.1 ppm), benzo-(k)fluoranthene (2.4 ppm) and chrysene (1.3 ppm) were detected above their respective Restricted Residential Use SCOs in one of the seven shallow soil samples. No SVOCs or pesticides were identified in any of the deep soil samples above Track 1 Unrestricted Use SCOs. Three (3) metals, lead (maximum of 339 ppm), zinc (at 122 ppm), and selenium (at 4.3 ppm) were identified above Track 1 Unrestricted SCO, but well below Track 2 Restricted Residential SCOs. Only selenium was detected above Unrestricted Use SCOs in one deep sample.

Groundwater:

Groundwater samples collected during the RI showed no VOCs, SVOCs, PCBs and Pesticides at concentrations exceeding Groundwater Quality Standards (GQSs). Trace levels of one VOC, acetone were detected in two groundwater samples, at maximum concentrations of 8 ug/L. Several metals were detected in all the groundwater samples, but only magnesium was detected at concentrations above its respective GQS in two samples.

Soil vapor:

The soil vapor results collected during the RI were compared to the compounds listed in Table 3.1 Air Guideline Values Derived by the NYSDOH located in the New York State Department of Health (NYSDOH) Final Guidance for Evaluating Soil Vapor Intrusion. Several petroleum related and chlorinated VOCs were detected in soil vapor samples collected during the RI. Most contaminant concentrations were below 50 ug/m³ except for acetone, which was detected at a maximum concentration of 410 ug/m³. Chlorinated VOCs including tetrachloroethylene (PCE) was detected in three of the soil vapor samples at a maximum concentration of 43 ug/m³. Trichloroethylene was also detected in one of the soil vapor samples at a concentration of 16 ug/m³. TCA and carbon tetrachloride were not detected. These results indicate that none of the compounds detected in sub-slab vapor require further action, according to the NYS DOH Final Guidance on Soil Vapor Intrusion (October 2006).

Figure 1 – Site Map

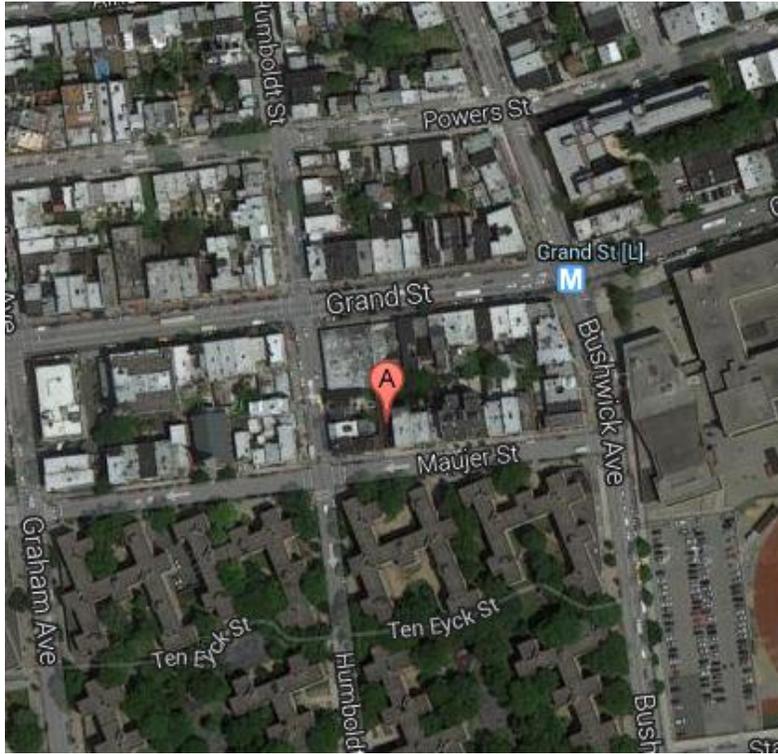


Figure 2 – Site Location Map

