



OFFICE OF ENVIRONMENTAL REMEDIATION

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DECISION DOCUMENT

NYC VCP and E-Designation Remedial Action Work Plan Approval

May 20, 2015

Re: **35-37 Duffield Street**
Brooklyn, Block 121, Lot 18 (former Lots 18 and 19)
Hazardous Materials and Noise “E” Designation
E-117: 8/19/2003 Bridge Plaza Zoning Map Amendment Rezoning - CEQR Number: 03DCP035K
OER Project Number: 15EH-N162K / VCP Number: 15CVCP098K

The New York City Office of Environmental Remediation (OER) has completed its review of the Remedial Action Work Plan (RAWP) dated May 2015 with Stipulation Letter dated May 2015 and the Remedial Action Plan for Noise dated April 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 April 23, 2015. One public comment was received in regards to the backyard trees that may impact the adjacent properties during removal. OER coordinated a meeting between the developer and the adjacent property owners to address their concerns.

Project Description

The development project consists of developing the lot with a new 4-story residential building with a full cellar level within the footprint of the building. The cellar level will contain accessory space for the apartments above as well as utility rooms, the sprinkler room, two restrooms, an elevator and stairwells. The first floor will consist of two apartments and the residential entrance. The second, third and fourth floors will contain residential apartments.

The cellar level will require excavation to a depth of approximately 11 feet below grade across 60% of the site (the building footprint) and an additional 4 to 5 feet for the elevator pit. The Site will be developed with a rear yard. The rear yard will be 40 x 33 feet and will be excavated to a depth of 2 feet. An estimated 900 cubic yards (1,400 tons) of soil will require excavation for the new building's cellar. The building will not include any parking areas. Depth of groundwater is approximately 26 feet below grade, and will not be encountered during excavation.

The current zoning designation is R6B. 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 “35-37 Duffield 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 35-37 Duffield Street 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 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 Site specific (Track 4) Soil Cleanup Objectives (SCOs);
 4. Site mobilization involving Site security setup, equipment mobilization, utility mark outs and marking & staking excavation areas;
 5. Completion of a Waste Characterization Study prior to excavation activities. Waste characterization soil samples will be collected at a frequency specified by disposal facility. A Waste Characterization Report documenting sample procedures, location, analytical results and disposal facility(s) approval letters will be submitted to NYCOER prior to the start of the remedial action;
 6. Excavation and removal of soil/fill exceeding Site Specific (Track 4) SCOs. For development purposes, 60% of the property will be excavated to a depth of 11 feet below grade for construction of the new building's cellar. The rear yard will be 40 x 33 feet and excavated to depth of 2 feet. Over-excavation of soil borings B2 will be completed to 5 ft. by 5 ft. by 12 feet below grade to address elevated lead concentrations. Approximately 900 cubic yards (1,400 tons) of soil will be excavated and removed from this Site;
 7. 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;
 8. 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;
 9. 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;
 10. 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;
 11. Collection and analysis of four (4) end-point samples to determine the performance of the remedy with respect to attainment of SCOs;
 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. Implementation of storm-water pollution prevention measures in compliance with applicable laws and regulations;
 14. Performance of all activities required for the remedial action, including permitting requirements and pretreatment requirements, in compliance with applicable laws and regulations;
 15. Submission of a Remedial Action Report (RAR) that describes the remedial activities, certifies that the remedial requirements have been achieved, defines the Site boundaries, lists any changes from this RAWP;
 16. Installation of a vapor barrier below the cellar and behind the foundation walls of the proposed building. In addition, installation of a vapor barrier installed under and around the elevator pit. The vapor barrier will consist of Raven Industries' VaporBlock 20 Plus, which is a seven layer co-extruded barrier made from state-of-the-art polyethylene and EVOH resins;
 17. Construction and maintenance of an engineered composite cover consisting of a 8 inch thick concrete basement slab and 2 feet of clean soil cover for the rear yard to prevent human exposure to residual soil/fill remaining under the Site;

18. Submission of an approved Site Management Plan (SMP) in the RAR for long-term management of residual contamination, including plans for maintenance, monitoring, inspection and certification of Engineering and Institutional Controls and reporting at a specified frequency; and
19. 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 35-37 Duffield Street site are as follows:

In order to meet the requirements of the E Designation, the following window/wall attenuation(s) will be achieved at the locations described below:

1. 28 dBA for all facades;
2. The North and South facades will not be finished with windows or doors.

The following window(s) will be installed:

Façade Floor Range	OITC Rating	OITC Certification	Manufacturer and Model	Glazing
West Façade 1 st Floor (Residential)	30	ASTM E-90 Lab Test	Reynaers Series CS68 Patio Door and fixed window(I)	1" IG (1/4" laminated exterior - 1/2" air space - 1/4" laminated interior)
West Façade 1 st Floor (Residential)	30	ASTM E-90 Lab Test	Raynaers Series CS68 Double Casement & Fixed Windows (B)	1" IG (1/4" laminated exterior - 1/2" air space - 1/4" laminated interior)
West Façade 1 st Floor (Residential)	30	ASTM E-90 Lab Test	Raynaers Series CS68 Casement and Fixed Windows (H)	1" IG (1/4" laminated exterior - 1/2" air space - 1/4" laminated interior)
West Façade 2 nd and 3 rd Floors (Residential)	30	ASTM E-90 Lab Test	Raynaers Series CS68 Double Casement & Fixed Windows (A)	1" IG (1/4" laminated exterior - 1/2" air space - 1/4" laminated interior)
West Façade 2 nd and 3 rd Floors (Residential)	30	ASTM E-90 Lab Test	Raynaers Series CS68 Double Casement & Fixed Windows (B)	1" IG (1/4" laminated exterior - 1/2" air space - 1/4" laminated interior)

Façade Floor Range	OITC Rating	OITC Certification	Manufacturer and Model	Glazing
West Façade 4 th Floor (Residential)	30	ASTM E-90 Lab Test	Raynaers Series CS68 Casement Windows (C)	1" IG (1/4" laminated exterior - 1/2" air space - 1/4" laminated interior)
West Façade 4 th Floor (Residential)	30	ASTM E-90 Lab Test	Raynaers Series CS68 Patio Door & Fixed Window(F and E)	1" IG (1/4" laminated exterior - 1/2" air space - 1/4" laminated interior)
East Façade Cellar and 1 st Floors (Residential)	30	ASTM E-90 Lab Test	Raynaers Series CS68 Double Casement & Fixed Window (A)	1" IG (1/4" laminated exterior - 1/2" air space - 1/4" laminated interior)
East Façade Cellar and 1 st Floors (Residential)	30	ASTM E-90 Lab Test	Raynaers Series CS68 Casement Window and Door (D)	1" IG (1/4" laminated exterior - 1/2" air space - 1/4" laminated interior)
East Façade 2 nd through 4 th Floors (Residential)	30	ASTM E-90 Lab Test	Raynaers Series CS68 Double Casement & Fixed Windows (A)	1" IG (1/4" laminated exterior - 1/2" air space - 1/4" laminated interior)
East Façade 2 nd and 3 rd Floors (Residential)	30	ASTM E-90 Lab Test	Raynaers Series CS68 Patio Door & Fixed Window (E)	1" IG (1/4" laminated exterior - 1/2" air space - 1/4" laminated interior)
East Façade Roof (Residential)	30	ASTM E-90 Lab Test	Raynaers Series CS68 Double Casement & Fixed Windows (A)	1" IG (1/4" laminated exterior - 1/2" air space - 1/4" laminated interior)

In order to satisfy the requirements of the E-Designation, Alternative Means of Ventilation (AMV) will be installed in order to maintain a closed window condition. AMV for this project will be achieved by:

- **Trickle Vents:** Installing surface mounted aluminum slot ventilator trickle vents manufactured by Trimvent in all living spaces. Fresh air will be provided to all bedrooms and living rooms by the trickle vents.

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.

May 20, 2015



Date

William Wong
Project Manager

May 20, 2015



Date

Shaminder Chawla
Deputy Director

May 20, 2015



Date

Maurizio Bertini, Ph.D.
Assistant Director

cc: Daniel Walsh, Shaminder Chawla, Zach Schreiber, Maurizio Bertini, William Wong, PMA-OER
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