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June 13, 2012

Mr. John Hermanowski
166-25 Powells Cove Blvd.
Whitestone, NY 11357

Mr. Charles Sosik
Environmental Business Consultants
1808 Middle Country Road
Ridge, NY 11961

Re: **Decision Document**
NYC VCP Remedial Action Work Plan Approval
253 Bedford Avenue
Block 2366, Lot 1
VCP Project #12CVCP051K / OER Project # 12EHAZ145K

Dear Mr. Hermanowski:

The New York City Office of Environmental Remediation (OER), in consultation with the New York City Department of Health and Mental Hygiene (DOHMH), has completed its review of the April 2012 Remedial Action Work Plan (RAWP) and May 7, 2012 Stipulation List for 263 Bedford Avenue, VCP Project #12CVCP051K. 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 May 30, 2012. There were no public comments.

Statement of Purpose and Basis

This document presents the remedy for a Voluntary Cleanup site known as “263 Bedford Avenue” 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), in consultation with the New York City Department of Health and Mental Hygiene (DOHMH), 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. Contaminants include hazardous substances.

The decision is based on the Administrative Record of the New York City Office of Environmental Remediation (the Office or OER) for the 263 Bedford Avenue Site and the public's input to the proposed remedy presented by the Office.

Description of Selected Remedy

The remedy selected for this 263 Bedford Avenue Site includes soil excavation and cover system, as well as, institutional controls and site management.

The elements of the selected remedy are as follows:

1. Preparation of a Community Protection Statement and implementation of a Citizen Participation Plan.
2. Performance of a Community Air Monitoring Program for particulates and volatile organic carbon compounds.
3. Establishment of Track 4 SCOs.
4. Excavation and removal of soil/fill exceeding Track 4 Site-Specific SCOs.
5. Collection and analysis of end-point samples to attainment of Track 4 Site-Specific SCOs.
6. Construction and maintenance of an engineered composite cover across the entire Site to prevent human exposure to residual soil/fill remaining under the Site.
7. Site mobilization involving Site security setup, equipment mobilization, utility mark outs and marking & staking excavation areas.
8. Implementation of storm-water pollution prevention measures in compliance with applicable laws and regulations.
9. Screening of excavated soil/fill during intrusive work for indications of contamination by visual means, odor, and monitoring with a PID. Appropriate segregation of any contaminated media on-Site.
10. Removal of underground storage tanks and closure of petroleum spills (if encountered) in compliance with applicable local, State and Federal laws and regulations.
11. Sampling and analysis of excavated media as required by disposal facilities. Appropriate segregation of excavated media onsite.
12. 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.
13. Demarcation of residual soil/fill.
14. Import of materials to be used for backfill and cover in compliance with this plan and in accordance with applicable laws and regulations.

15. Performance of all activities required for the remedial action, including permitting requirements and pretreatment requirements, in compliance with applicable laws and regulations.
16. Submission of a RAR that describes the remedial activities, certifies that the remedial requirements have been achieved, and lists any changes from this RAWP.
17. If Track 1 SCOs are not achieved, submission of an approved Site Management Plan (SMP) in the RAR for long-term management of residual historic fill, including plans for inspection and certification of Engineering and Institutional Controls and reporting at a specified frequency.
18. If Track 1 SCOs are not achieved, recording of a Declaration of Covenants and Restrictions that includes a listing of Engineering Controls and a requirement that management of these controls must be in compliance with an approved SMP; and Institutional Controls including prohibition of the following: (1) vegetable gardening and farming; (2) disturbance of residual contaminated material unless it is conducted in accordance with the SMP; and (3) higher level of land usage without OER-approval.

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.

6/13/12



Date

Shaminder Chawla
Assistant Director

SITE BACKGROUND

Location:

The Site is located at 263 Bedford Avenue in the Williamsburg section of Brooklyn, New York, and is identified as Block 2366, Lot 1 on the New York City Tax Map. Figure 1 shows site location map.

Site Features:

The 7,950 square-foot Site is currently used as a parking lot. The property is bounded by 257 Bedford Avenue (the Metropolitan Recreation Center - Pool) to the north, North 1st Street to the south, 169 North 1st Street (one-story brick industrial/manufacturing building) to the east, and Bedford Avenue to the west. Figure 2 shows site map.

Current Zoning/uses:

The current zoning designation is M1-2/R6-A. The proposed use is consistent with existing zoning for the property.

Historical Use:

The Site was used as a police station from the 1930s to the 1970s and has been undeveloped and used as parking since then.

Summary of Environmental Findings:

1. Elevation of the property is approximately 39-40 feet above sea level.
2. Depth to groundwater is approximately 47 feet below grade at the Site.
3. Groundwater flow is generally from east to west beneath the Site.
4. The stratigraphy of the site, from the surface down, consists of 10 to 12 feet of historic fill underlain by a native coarse sand with gravel.

PROPOSED DEVELOPMENT PLAN

The proposed development at the Site includes the construction of a new 6-story mixed-use commercial and residential building with a full basement. The cellar will be utilized for parking, storage, and mechanical space. Excavation across the entire site will take place to approximately 12 feet bgs. The current zoning designation is M1-2/R6-A. The proposed use is consistent with existing zoning for the property.

The remedial action contemplated under this RAWP may be implemented independently of the proposed redevelopment plan.

SUMMARY OF REMEDIAL INVESTIGATION

A remedial investigation (RI) serves as the mechanism for collecting data to:

- characterize site conditions;

- determine the nature of the contamination; and
- assess risk to human health and the environment.

The RI is intended to identify the nature (or type) of contamination which may be present at a site and the extent of that contamination in the environment on the site, or leaving the site. The RI reports on data gathered to determine if the soil, groundwater, soil vapor, indoor air, surface water or sediments may have been contaminated. Monitoring wells are installed to assess groundwater and soil borings or test pits are installed to sample soil and/or waste(s) identified. Based on the presence of contaminants in soil and groundwater, soil vapor will also be sampled for the presence of contamination. Data collected in the RI influence the development of remedial alternatives. The RI report is available for review in the site document repository.

Nature and Extent of Contamination:

Soil: Soil/fill samples collected during the RI showed no detectable concentrations of pesticides or PCBs. The only VOC detected was Methylene Chloride, which was found below its Track 1 Unrestricted Use SCO in all of the samples collected in 2007, including the lab blank. Ten SVOCs were detected above Track 2 Restricted Residential SCOs within four of the five shallow soil samples and within two of the five deeper soil samples. These SVOCs were all PAH compounds, and their concentrations and distribution indicate that they are associated with historic fill material. With the exception of one deep sample which showed total SVOCs at a relatively high concentration of 976 ppm. Several metals were identified above their respective Track 1 Unrestricted Use SCOs, and of these barium (max of 491 ppm), mercury (max of 482 ppm), and lead (max of 2510 ppm) also exceed their Track 2 Restricted Residential SCOs in select soil samples. Concentrations of mercury and barium exceeded Track 2 Restricted Residential SCOs in only one shallow soil sample each, and lead concentrations exceeded its Track 2 Restricted Residential SCO in shallow and two deep (10-12 feet) samples. Overall, soil testing results were consistent with observations for other historical fill sites in Brooklyn, with the exceptions of the mercury, lead, and SVOC hotspots.

Groundwater: Groundwater samples collected during the RI showed no detectable pesticides or PCBs. No SVOCs were identified above groundwater quality standards (GQS). One VOC chloroform was detected at a concentration of 24 ppb, which is above its GQS. Chloroform was not identified in any on-Site soil samples. Dissolved concentrations of iron, manganese and sodium were detected above their GQSs. These findings are consistent with regional impacts of road salting or intrusion of brackish surface water and not impacts from site conditions. The RI indicates that groundwater is not impacted by site conditions and did not reveal any sources of contaminants onsite.

Soil vapor: Soil vapor samples collected during the RI showed petroleum and chlorinated VOCs at relatively low concentrations. Total petroleum VOCs were identified in the range of 54 to 140 $\mu\text{g}/\text{m}^3$. TCE was not detected in any of the three soil gas samples, but PCE was detected at low concentrations (max of 0.474 $\mu\text{g}/\text{m}^3$). Total VOC concentrations ranged from 68 to 160 $\mu\text{g}/\text{m}^3$. These results were all well below the monitoring levels in the State DOH soil vapor guidance matrix.

Figure 1: Site Location Map

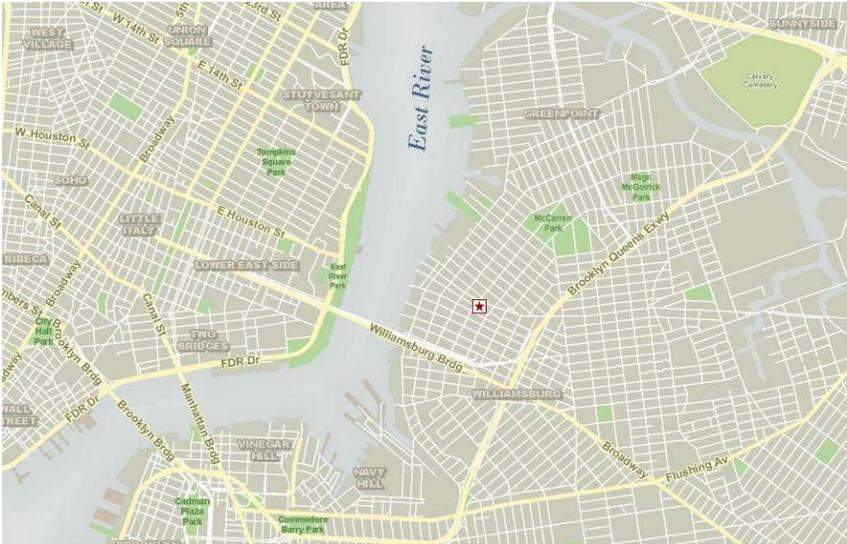


Figure 2: Site Map

