



**OFFICE OF ENVIRONMENTAL REMEDIATION**

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

February 26, 2015

Re: **40-01 to 40-07 Crescent Street**  
**Queens Block 406, Lot 24**  
**Hazardous Materials “E” Designation**  
**E-218: October 7, 2008 – Dutch Kills Rezoning and Related Actions – CEQR# 08 DCP 021Q**  
**OER Project Number 14EHAZ208Q / VCP Number 15CVCP021Q**

The New York City Office of Environmental Remediation (OER) has completed its review of the Remedial Action Work Plan (RAWP) dated July 2014 with Stipulation Letter dated February 5, 2015 for the above-referenced project. The Plan was 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 October 26, 2014. There were no public comments.

**Project Description**

The Site is located at 40-01 to 40-07 Crescent Street in the Dutch Kills section of Queens, New York. The Site is 12,500 square feet and currently contains a 1-story commercial warehouse, used for office and storage space, which encompasses the entire footprint of the Site. The proposed future use of the Site will consist of a new 5-story mixed commercial and residential use building with a cellar and sub cellar. The total gross square footage of the building will be 65,234 square feet. The sub cellar and cellar floor area will be approximately 12,276 square feet each. The sub cellar will be utilized as a parking garage, with mechanical room and utility rooms. The proposed construction will require an excavation to approximately 21 to 24 feet below grade surface. The total amount of soil to be removed is approximately 10,000 cubic yards.

**Statement of Purpose and Basis**

This document presents the remedial action for the NYC Voluntary Cleanup Program and E-Designation Program project known as “40-05 Crescent 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 40-05 Crescent 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 performance of all required NYC VCP Citizen Participation activities according to an approved a Citizen Participation Plan.
2. Performance of a Community Air Monitoring Program for particulates and volatile organic carbon compounds.
3. Selection of NYSDEC 6 NYCRR Part 375 Unrestricted Use (Track 1) Soil Cleanup Objectives (SCOs).

4. Site mobilization involving Site security setup, equipment mobilization, utility mark outs and marking & staking excavation areas.
5. Installation of two soil borings (after building demolition and before building slab installation) at a previously inaccessible area of the Site, and collection of representative soil samples from each boring to evaluate soil quality.
6. Installation of a permanent groundwater monitoring well (after building demolition and before building slab installation) and collection of representative groundwater samples from newly installed well to evaluate impacts to groundwater quality from potential adjacent and upgradient sources of groundwater contamination.
7. Excavation and removal of soil/fill exceeding Tack 1 SCOs. For development purposes the entire site will be excavated to a depth of 21 to 24 feet below grade surface. Approximately 10,000 cubic yards of soil will be removed.
8. Screening of excavated soil/fill during intrusive work for indications of contamination by visual means, odor, and monitoring with a PID.
9. Management of excavated materials including temporarily stockpiling and segregating to prevent co-mingling of contaminated material and non-contaminated materials.
10. 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.
11. 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.
12. Collection and analysis of five end-point samples to determine the performance of the remedy with respect to attainment of SCOs.
13. Import of materials to be used for backfill and cover in compliance with this plan and in accordance with applicable laws and regulations.
14. Implementation of storm-water pollution prevention measures in compliance 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 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, and if Track 1 SCOs are not achieved, describes all Engineering and Institutional Controls to be implemented at the Site.

If Track 1 SCOs are not achieved, the following construction elements implemented as part of new development will constitute Engineering and Institutional Controls:

17. Construction and operation of a sub cellar level ventilated garage per codes and requirements of NYC Department of Buildings.
18. As part of development, installation of a vapor barrier system beneath the building slab and outside foundation sidewalls below grade. The vapor barrier will consist of a 32-mil W.R. Grace Preprufe® 200.
19. As part of development, installation and operation of a passive sub-slab depressurization system within two mechanical rooms of the sub cellar (non-parking areas).
20. As part of development, construction and maintenance of an engineered composite cover consisting of 8” concrete building slab to prevent human exposure to residual soil/fill remaining under the Site.
21. 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. If Track 1 SCOs are 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.

The remedy for Hazardous Materials 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 26, 2015



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Date

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Sarah Pong  
Project Manager

February 26, 2015



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Date

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Shaminder Chawla  
Deputy Director

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