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## DECISION DOCUMENT

### NYC VCP and E-Designation Remedial Action Work Plan Approval

December 22, 2015

Re: **335 Grand Concourse: 335 - 341 Grand Concourse  
Bronx, Block 2345, Lot 1  
Hazardous Materials, Air Quality, Noise “E” Designation  
E-227: 6/30/2009 - Lower Concourse Rezoning and Related Actions Rezoning - CEQR 08DCP071X  
OER Project Number: 14EHAN453X / VCP Number: 15CVCP020X**

The New York City Office of Environmental Remediation (OER) has completed its review of the Remedial Action Work Plan (RAWP) dated September 17, 2014 with Stipulation Letter dated February 25, 2015 and the Remedial Action Plan for Air Quality and Noise dated December 14, 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 October 18, 2014. There were no public comments.

#### Project Description

The proposed future use of the Site will consist of nine story hotel with 80 guest rooms and three parking spaces. The hotel will be built to the property lines with the exception of a 30' by 20' section which has been reserved for the parking of three cars. There is no basement or sub area proposed. The building will be used for hotel from first floor to ninth floor. The proposed height of the building will be 84'-6".

#### Statement of Purpose and Basis

This document presents the remedial action for the NYC Voluntary Cleanup Program and E-Designation Program project known as “335 Grand Concourse” 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 Hazardous Materials

The remedial action selected for the 335 Grand Concourse 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 a Citizen Participation Plan.
2. Performance of a Community Air Monitoring Program for particulates and volatile organic carbon compounds.
3. Selection of NYSDEC 6NYCRR Part 375 Table 6.8; 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. Excavation and removal of soil/fill exceeding Unrestricted Use Track 1 SCOs. Soil/fill at this property extends to depth of 3 feet below grade, and is underlain by bedrock. Entire property will be excavated to

a depth of approximately 4 feet below grade for development purposes. A small area (elevator shaft) will be excavated deeper into bedrock. Approximately 820 tons of soil/bedrock will be excavated and removed from this property.

6. Screening of excavated soil/fill during intrusive work for indications of contamination by visual means, odor, and monitoring with a PID.
7. Management of excavated materials including temporarily stockpiling and segregating to prevent co-mingling of contaminated material and non-contaminated materials.
8. 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.
9. Implementation of storm-water pollution prevention measures in compliance with applicable 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. Appropriate segregation of excavated media onsite.
11. End point samples are not necessary if bedrock is reached underneath the entire footprint of new development. Excavation for development is expected to go into bedrock. If any soils/fill remains behind, endpoint samples will be collected to determine the performance of the remedy with respect to attainment of Track 1 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. Performance of all activities required for the remedial action, including permitting requirements and pretreatment requirements, in compliance with applicable laws and regulations.
14. Maintain records as described in this RAWP, including waste disposal manifests, clean fill/top soil sampling results, and appropriate health and safety forms and documentation.
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, and describes any or all Engineering and Institutional Controls to be implemented at the Site.

If Track 1 SCOs are not achieved, the following construction elements will constitute Engineering and Institutional controls:

16. As part of development, construction and maintenance of an engineered composite cover consisting of concrete and building slab, to prevent human exposure to residual soil/fill remaining under the Site.
17. As part of development, installation and operation of a Passive Sub-Slab Depressurization System as part of the proposed development.
18. Installation of a vapor barrier system beneath the building slab and outside foundation sidewalls below grade.
19. 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 operation, maintenance, monitoring, inspection and certification of Engineering and Institutional Controls and reporting at a specified frequency.
20. 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.

**Description of Selected Remedy for Air Quality**

The elements of the remedial action selected for Air Quality for the 335 Grand Concourse site are as follows:

In order to satisfy the requirements of the E-designation, natural gas will be utilized at the site for hot water, or HVAC systems. Remaining systems, including space heating will be powered electrically.

Since natural gas will be used for HVAC systems and hot water therefore there is no stack required.

**Description of Selected Remedy for Noise**

The elements of the remedial action selected for Noise for the 335 Grand Concourse 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. 33 dBA for all facades.
2. 28 dBA in the commercial space based on an allowed reduction of 5 dBA from the attenuation requirement outlined in the E-Designation.
3. 50 dBA with the exterior wall elements outlined in Appendix E and as documented by the composite calculations included in

The following window(s) will be installed:

<b>Façade Floor Range</b>	<b>OITC Rating</b>	<b>OITC Certification</b>	<b>Manufacturer and Model</b>	<b>Glazing</b>
All Façades Floors (1st floor to 9th floor)	31 dBA	See ASTM E-90 acoustical report for the exact window and glazing in Appendix E	Crystal Window series 8800 in-swing Casement/fixed	Double glazed 1-1/4" IG (5/16" laminated- 3/4" air space- 3/16" annealed
Storefront @ 1st Floor	33 dBA	Riverbank Acoustical Laboratory test # TL85-200-see Appendix E	Oldcastle	3/8" laminated glass (3/16" -0.03" lamination- 3/16" )

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

1. Central System: Installing eight split systems with condensing systems manufactured by Daikin model#RXYQ96TTJU located on the roof over first floor and air handling units in each guest room located on bathroom ceiling to provide fresh air through 6x4 side wall register with 30cfm for each guest room unit on floors 1 to 9. P.E./R.A. certified mechanical drawings depicting the AMV system and the pathway of fresh air delivery into each of the guest rooms are provided in Appendix I.
2. Compliance with Mechanical Code: Providing outside air to commercial spaces and common areas such as lobbies and corridors in accordance with the NYC Mechanical Code.

The remedies for Hazardous Materials, Air Quality, 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.

December 22, 2015



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Date

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William Wong  
Project Manager

December 22, 2015



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Date

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Shaminder Chawla  
Deputy Director

December 22, 2015



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Date

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Maurizio Bertini, Ph.D.  
Assistant Director

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