



OFFICE OF ENVIRONMENTAL REMEDIATION

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October 04, 2013

Moshe Brown
Satmar Meat
82 Lee Avenue
Brooklyn, NY 11211

Chawinie Miller
Environmental Business Consultants
1808 Middle Country Road
Ridge, NY 11961

Re: **NYC VCP Remedial Action Work Plan Approval**
823 Bedford Avenue
Block 1734, Lot 59
VCP Project # 13CVCP097K / OER Project # 13EHAZ214K

Dear Mr. Brown:

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 Remedial Action Work Plan (RAWP) and Stipulation List for the 823 Bedford Avenue, VCP Project # 13CVCP097K, dated August 26, 2013. 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 August 31, 2013. There were no public comments.

The following remedial action elements will be implemented at the project site:

Statement of Purpose and Basis

This document presents the remedy for a Voluntary Cleanup site known as “823 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: <http://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. 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 823 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 823 Bedford Avenue Site is Track 4 remedy and includes soil excavation, cover system, vapor barrier installation and active sub-slab depressurization system.

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 Track 4 Site Specific 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 from the entire Site exceeding Track 4 Site-Specific SCOs, including excavation of soil/fill to a depth of approximately 11 feet below grade for main building for development purposes and sloped excavation to an average depth of 6 feet in rear yard area;
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 to prevent co-mingling of contaminated material and non-contaminated materials (as per the Soil Management Plan);
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;
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. Installation of an active Sub-Slab Depressurization System below the proposed buildings' concrete slab;
12. Installation of a vapor barrier system beneath the basement concrete slab and continuing behind foundation walls of the proposed building. 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;
13. Capping of the main building with a 4 inch thick engineered concrete slab including a basement concrete slab beneath the proposed building;

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 RAR that describes the remedial activities, certifies that the remedial requirements have been achieved, defines the Site boundaries, and describes all Engineering and Institutional Controls to be implemented at the Site, and lists any changes from this RAWP;
17. If Track 1 Unrestricted 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, inspection and certification of Engineering and Institutional Controls and reporting at a specified frequency; and
18. Continued registration of this property 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.

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 is relevant and appropriate and takes into consideration OER guidance, as appropriate. The remedy is protective of public health and the environment.



Date October 4, 2013

Shaminder Chawla
Deputy Director

SITE BACKGROUND

Location:

The Site is located at 823 Bedford Avenue in Brooklyn, New York and is identified as Block 1734, Lot 59 on the New York City Tax Map. Figure 1 shows the Site location.

Site Features:

The Site is 2,500 ft² and is bounded by a 2,500 ft² lot currently under construction with a new 6-story mixed use building to the north (Block 1734, Lot 60), a 3-story house to the south (Block 1734, Lot 58), a new 6-story apartment building (Block 1734, Lot 7506) to the east, and Bedford Avenue to the west. Currently, the Site is developed with a one-story brick commercial/warehouse building with partial cellar level, and is occupied by a HVAC and metal duct fabrication company. The topography of the Site and its vicinity is generally level. The surrounding property uses are predominantly residential and commercial.

Current Zoning/uses:

The current zoning designation is M1-2/R6A - Special Mixed Use District. The proposed use is consistent with existing zoning for the property.

Historical Use:

Site was developed with a 3-story dwelling prior to 1900. Sometime between 1918 and 1935, the dwelling was replaced with the 1-story commercial/warehouse building that currently stands at the Site. The 1-story building was labeled on historic Sanborn maps from 1935 to 2007 as automotive oils and noted on City Directory Listings as being occupied by the following companies; Adfreed Oil Co. lubricating/oils/greases, Zenith Oil Co., Freedman Martin lubricating/oils/greases.

Summary of Environmental Findings:

1. Elevation of the property is approximately 32 feet.
2. Depth to groundwater range at the Site is approximately 28 feet below grade.
3. Regional groundwater flow is generally from east to west beneath the Site
4. Depth to bedrock at the Site is greater than 100 feet.
5. The stratigraphy of the Site, from the surface down, consists of a native brown silty sand with gravel and stone.

A site location map is attached as Figure 1.

PROPOSED DEVELOPMENT PLAN

The proposed future use of the Site will consist of a new 4-story mixed use building with sub-grade level. The current zoning designation is M1-2/R6A. The proposed use is consistent with existing zoning for the property.

The proposed 4-story building mixed use building and cellar will cover the entire footprint of the lot. The commercial space will consist of the cellar, basement and first floor. The cellar will consist of open storage space, walk-in freezers, an employee restroom, and meter room. The basement level will be the main meat market, and the first floor will consist of the kitchen, additional walk-in fridge/freezer, and another employee restroom. The 2nd and 3rd floors will be utilized as an apartment.

The cellar level will have a 10 ft ceiling height which will require excavation to a depth of the entire lot to a depth of approximately 11 ft. Assuming excavation of a 2,500 ft area to a depth of 11 ft, a total of approximately 1,000 yd³ will require excavation.

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

SUMMARY OF REMEDIAL INVESTIGATION

The Remedial Investigation was conducted on June 15, 2012. A full Remedial Investigation Report is available online in the document repository and the results are summarized below.

Nature and Extent of Contamination:

Soil: Soil/fill samples collected during this remedial investigation did not indicate the presence of VOCs, pesticides, or PCBs at detectable concentrations. One SVOC, bis(2-ethylhexyl)phthalate was detected at a concentration of 610 ppb in a single, shallow (0-2' b.g.) interval sample. Metals including chromium (maximum of 34.8 ppm), copper (60.1 ppm), lead (225 ppm), nickel (42.8 ppm) and zinc (388 ppm) were found to be in excess of Track 1 Unrestricted Use SCOs in both shallow (0-2' b.g.) and deep (11'-13' b.g.) soil samples retrieved from a single boring situated within the eastern end of the Site. None of the metal detections exceeded Track 2 Restricted Residential SCOs. Several other metals were also detected at trace levels below Track 1 SCOs. The presence of these metals in soil is consistent with those normally encountered within historic fill.

Groundwater: No detectable concentrations of pesticides or PCBs were found within the single groundwater sample retrieved and analyzed. VOCs detected above 6NYCRR Part 703.5 Class GA groundwater quality standard (GQS) included tetrachloroethylene (PCE) and trichloroethylene (TCE), at concentrations of 32 ppb and 23 ppb, respectively. Additionally, two other VOCs, were detected in groundwater at concentrations below GQS. Metals present in groundwater at levels above GQS included iron, manganese, and sodium. The presence of some of these metals in groundwater, specifically those that are common salinity indicators, can be attributed to intrusion or road salting.

Soil vapor: Soil vapor samples collected during the RI showed a wide range of petroleum volatile organic compounds at relatively low to moderate concentrations. Several chlorinated VOCs were reported at elevated concentrations. Both PCE and TCE were detected within all three soil vapor samples. PCE was detected at concentrations ranging from 0.813 µg/m³ to 122 µg/m³. TCE concentrations ranged from 8.5 µg/m³ to 375 µg/m³. These concentrations exceed New York State DOH monitoring thresholds.

Figure 1: Site Map

