



OFFICE OF ENVIRONMENTAL REMEDIATION

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DECISION DOCUMENT
NYC VCP and E-Designation
Remedial Action Work Plan Approval

November 13, 2014

Re: **818 Lexington Avenue**
Brooklyn, Block: 1628, Lot: 21
Hazardous Materials, Air Quality, Noise “E” Designation
E-285: 10/11/2012 Bedford-Stuyvesant North Rezoning - CEQR # 12 DCP 156Y
OER Project Number 14EHAN582K / VCP Number 14CVCP260K

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 List dated November 2014 and the Remedial Action Plan for Air Quality and Noise dated October 2014 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 August 24, 2014. There were no public comments.

Project Description

The Site is located at 818 Lexington Avenue in the Stuyvesant Heights section of Brooklyn, New York, and is currently identified as Block 1628, Lot 21 on the New York City Tax Map. Lot 21 is a rectangular shaped lot consisting of 78 feet of street frontage on Lexington Avenue and a depth of approximately 100 feet for a total of approximately 7,800 ft². The Site currently is vacant and undeveloped; with the exception of a 2 foot thick concrete slab approximately 50 feet by 68 feet wide, located approximately 5 feet below sidewalk grade, for a foundation that was being constructed in 2012 as part of a new commercial building. The building was not finished and construction was terminated. The remainder of the Site outside of the concrete slab consists of exposed soil. A soil stockpile is located behind the foundation in the rear of the lot.

The proposed future use of the Site will consist of a 6-story apartment building with a full cellar. A cellar level parking area will be constructed behind the building which will be accessed by a ramp along the west side of the building. The cellar will be used for water, electric, trash compactor, and bicycle storage rooms, as well as accessory space for the apartments above. The residential lobby will be at ground level, but the first floor will be approximately 5 feet above sidewalk grade.

The top of the existing foundation slab is approximately 5 feet below grade, and the rear and front of the Site will be excavated to approximately 7 feet below sidewalk grade to add additional foundation to meet the same height. Excavation ranging from 1 to 7 feet below sidewalk grade will be performed along the west side of the existing foundation to create a ramp to the rear cellar level parking area. The entire Site will be capped with the concrete ramp and the concrete building foundation. An estimated 500 cubic yards will be excavated to construct the concrete slab around the existing foundation slab.

Statement of Purpose and Basis

This document presents the remedial action for the NYC Voluntary Cleanup Program and E-Designation Program project known as “818 Lexington Avenue” pursuant to Title 43 of the Rules of the City of New York Chapter 14, Subchapter 1 and §11-15 of 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 818 Lexington Avenue 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 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. Installation and sampling of one groundwater well prior to start construction.
6. Excavation and removal of soil/fill exceeding Track 4 Site-Specific SCOs. For development purposes, the area of the Site outside of the footprint of the existing foundation will be excavated to depths of 1 to 7 feet for the new building's cellar level. Approximately 750 tons of soil will be removed.
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. 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.
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 a vapor barrier system below the concrete slab of the building to be constructed behind and alongside the existing concrete foundation slab as well as 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;
12. Installation of an active Sub-Slab Depressurization System (SSDS) below the concrete slab to be constructed behind and along the side of the existing foundation slab.
13. Construction and maintenance of foundation slab, 24 inch thick concrete foundation slab to be constructed behind and alongside the existing foundation slab, and the 6 inch thick concrete vehicle ramp to be constructed along the side of the building to prevent human exposure to residual soil/fill remaining under the Site.
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, and describes all Engineering and Institutional Controls to be implemented at the Site, and lists any changes from this RAWP.
17. 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.
18. 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 Air Quality

The elements of the remedial action selected for Air Quality for the 818 Lexington Avenue site are as follows:

In order to satisfy the requirements of the E-Designation, electric equipment will be utilized at the site for space heating, hot water, and HVAC systems. No gas or oil fired units will be installed.

Description of Selected Remedy for Noise

The elements of the remedial action selected for Noise for the 818 Lexington Avenue site are as follows:

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

1. 31 dBA for the front and rear facades with the masonry/wall elements outlined in Appendix 2 of *Compliance with Noise "E" Outdoor-Indoor Transmission Class* (Robert A. Hansen Associates, Inc. September 18, 2014) and as documented by the composite calculations included in Appendix 4 of *Compliance with Noise "E" Outdoor-Indoor Transmission Class*.

The following windows will be installed:

Façade Floor Range	OITC Rating	OITC Certification	Manufacturer and Model	Glazing
Front and Rear Facades All Floors (Residential)	26	See ASTM E90 Sound Transmission loss Test Report (A1854.01-113-11)	Model 5600 horizontal sliding windows manufactured by Crystal Window and Door	1" IG (3/16" annealed exterior, 5/8" argon filled air space, 3/16" annealed interior)
Rear Facades 6th Floor (Residential)	30	See ASTM E90 Sound Transmission loss Test Report (A1854.01-113-11)	Model 5600 horizontal sliding windows manufactured by Crystal Window and Door	1" IG (9/32" laminated exterior, 7/16" argon filled air space, 9/32" laminated interior)
Rear Facades 1st and 6th Floors (Residential)	30	See ASTM E90 Sound Transmission loss Test Report (A1854.01-113-11)	Model CTP-1280 Two Lite Sliding Door manufactured by Crystal Window and Door	1" IG (9/32" laminated exterior, 7/16" argon filled air space, 9/32" laminated interior)

The acoustical reports described above are representative of the acoustical performance of all proposed windows/doors/curtain walls.

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. **Trickle Vents:** Installing Variglaze trickle vents manufactured by Titon, Inc. within the front and rear facade windows on floors 1 through 6. Fresh air will be provided to all bedrooms and living rooms by installing the trickle vents at a rate of one trickle vent per bedroom and window.

The remedies for Hazardous Materials, Air Quality, and Noise described above conform to the promulgated standards and criteria that are directly applicable, or that are relevant and appropriate and takes into consideration OER guidance, as appropriate.

November 13, 2014

Date



Sarah Pong
Project Manager

November 13, 2014

Date



Shaminder Chawla
Deputy Director – VCP

November 13, 2014

Date



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