



OFFICE OF ENVIRONMENTAL REMEDIATION

100 Gold Street – 2nd Floor
New York, New York 10038

Daniel Walsh, Ph.D.

Director

Tel: (212) 788-8841

Fax: (212) 788-2941

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

June 19, 2014

Re: **41-02 27th Street - Hazardous Materials “E” Designation**
41-02 – 41-06 27th Street, 25-18 41st Avenue
E-104: Block 415, Lot 26, Queens CD 1
Long Island City Rezoning– CEQR # 00 DCP 055Q
OER Project # 14EHAZ168Q, NYC VCP Project # 14CVCP232Q

The New York City Office of Environmental Remediation (OER) has completed its review of the Remedial Action Work Plan (RAWP) dated March 3, 2014 and Stipulation List dated April 10, 2014 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 April 4, 2014. There were no public comments.

E-Designation: Lot 26 has been designated with Hazardous Materials "E" by the NYC Department of City Planning as part of the September 26, 2001 Long Island City Rezoning (00 DCP 055Q).

Project Description

The proposed future use of the Site will consist of a new eight-story mixed-use building. The building will encompass the entire lot and will contain a full basement set to a depth of 8 feet below ground surface (bgs). Layout of the proposed site development is presented in Figure 3. The current zoning designation is M1-5/R7-3 for manufacturing and residences. The proposed use is consistent with existing zoning for the property. The proposed redevelopment of the property will be a single completed building with four retail spaces on the first floor and corresponding storage areas in the cellar. Floors 2 through 8 will consist of residential apartments. There will be a total of approximately 4,008 square feet of commercial use and approximately 17,167 square feet of residential use. The new structure will achieve a full build-out of the property with no landscaped areas. The maximum excavation depth is anticipated to be 10' bgs to allow for the elevator pit, foundation, footings and cellar. The expected tonnage of soil removed is 600 tons. There are currently five makeshift buildings that have been combined and one partial cellar. The existing building will be demolished and the debris will be removed.

Statement of Purpose and Basis

This document presents the remedial action for the NYC Voluntary Cleanup Program and E-Designation project known as “41-04 27th Street” 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 41-04 27th Street site is protective of public health and the environment. The remedial action includes soil excavation and offsite disposal, an engineered composite cover system, and installation of vapor barrier/waterproofing barrier.

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 the citizen participation plan.
2. Performance of a Community Air Monitoring Program for particulates and volatile organic carbon compounds.
3. Establish 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 SCOs. Entire footprint of property will be excavated to the depths of 10 feet below grade for development purposes. Approximately 600 tons of soil will be excavated and removed from this site.
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.
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. Appropriate segregation of excavated media onsite.
9. Collection and analysis of three end-point samples analyzed for compounds identified during the RIR (SVOCs, metals and pesticides). This is to determine the performance of the remedy with respect to attainment of SCOs.
10. Collection and analysis of one groundwater sample analyzed for compounds not performed under the RI, which would be dissolved metals and PCBs/Pesticides.
11. Import of materials to be used for backfill and cover in compliance with this plan and in accordance with applicable laws and regulations.
12. Implementation of storm-water pollution prevention measures in compliance 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. Submission of a 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 all Engineering and Institutional Controls to be implemented at the Site.
The following additional elements will be implemented as part of new construction/ development project. And if Track 1 is not achieved, these elements will serve as Engineering and Institutional Controls:
15. Construction and maintenance of an engineered composite cover consisting of an 8-inch concrete slab to prevent human exposure to residual soil/fill remaining under the Site.
16. Installation of a vapor barrier system beneath the building slab as well as behind foundation sidewalls of the proposed building.
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 at the NYC Buildings Department. Establishment of Engineering Controls and Institutional Controls 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.

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.

6/19/14

Date



Samantha Morris
Project Manager

6/19/14

Date



Shaminder Chawla
Deputy Director

CC:

Xi Zhao, C H 4 LLC - greatstoneny@gmail.com

Paul Stewart, ACT- pauls@actenvirons.com