



OFFICE OF ENVIRONMENTAL REMEDIATION

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DECISION DOCUMENT

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

May 15, 2015

Re: **1910 Webster Avenue
(1910-1928 Webster Avenue, 401-429 East Tremont Avenue, and 4215-4219 Park Avenue)
Bronx, Block 3027, Lot 1
Hazardous Materials and Noise “E” Designation
E-255: 10/13/2010 Third Avenue/ East Tremont Avenue Rezoning – CEQR: 10DCP043X
OER Project Numbers: 15CVCP066X & 14EH-N117X**

The New York City Office of Environmental Remediation (OER) has completed its review of the Remedial Action Work Plan (RAWP) dated March 2015 with Amended Stipulation Letter dated May 2015 and the Amended Remedial Action Plan for Noise dated May 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 April 26, 2015. There were no public comments.

Project Description

The applicant is proposing to build a new 12-story building with a full cellar. The building will be used for residential and commercial use. The cellar will consist of below-grade parking with 81 residential parking stalls, a management office, a bicycle storage area, storage rooms, and several mechanical rooms. The proposed excavation depths will range between approximately 12 and 16 feet below grade surface with an average cellar depth of 14 feet below grade surface. The below grade parking structure is proposed throughout the entire cellar except for the eastern portions of the site adjacent to Park Ave. The access ramp to the parking structure will be located along Park Ave in the northeast corner of the site. An outdoor recreation area, a residential lobby, two indoor recreation rooms, and 38,793-square feet of commercial space are proposed for the first floor of the building. Residential apartments are proposed for the 2nd to 12th floors, ranging from zero (0) to three (3) bedrooms. Portions of the 9th to 12th floor roofs will be constructed as roof terraces. No open spaces are proposed for the building other than the outdoor recreation area that will be located on the ground floor adjacent to Park Avenue. This area will consist of concrete, pavers, and other impermeable materials. The current zoning designation is C4-5X. The proposed use is consistent with existing zoning for the property.

Statement of Purpose and Basis

This document presents the remedial action for the NYC Voluntary Cleanup Program and E-Designation Program project known as “1910 Webster Avenue” 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 1910 Webster 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 (CAMP) for particulates and volatile organic compounds;
3. Completion of a Waste Characterization Study prior to excavation activities. Waste characterization soil samples will be collected at a frequency specified by disposal facilities requirements. A Waste Characterization Report documenting sample procedures, location, analytical results shall be submitted to NYCOER prior to the start of the remedial action;
4. Establishment of Site-Specific (Track 4) Soil Cleanup Objectives (SCOs);
5. Site mobilization involving Site security setup, equipment mobilization, utility mark outs, and marking & staking excavation areas;
6. Excavation and removal of soil/fill exceeding SCOs. For development purposes, the average excavation depth across the Site will be approximately 14 feet below grade surface. Excavation depths for foundation components and the elevator pit may exceed 14 feet below grade surface. Approximately 40,000 tons of soil will be excavated and removed from this property;
7. Screening of excavated soil/fill during intrusive work for indications of contamination by visual means, odor, and monitoring with a photoionization detector (PID);
8. Management of excavated materials including temporarily stockpiling and segregating to prevent commingling of contaminated material and non-contaminated materials;
9. 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;
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 on Site;
11. Collection and analysis of eleven (11) end point/confirmation samples to determine the performance of the remedy with respect to attainment of 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. Installation of a vapor barrier below the concrete slab underneath the building and outside foundation sidewalls below grade. The vapor barrier will consist of Raven Industries' VaporBlock 20 Plus, which is a seven (7)-layer co-extruded barrier made from polyethylene and EVOH resins;
14. Construction and maintenance of an engineered composite cover consisting of four (4)- to six (6)-inch concrete building slab across the building footprint and the parking area to prevent human exposure to residual soil/fill remaining under the Site;
15. Installation of a ventilated below-grade parking structure using high volume air exchange in accordance with the New York City Department of Building (NYCDOB) mechanical code;
16. Dewatering will be performed in full compliance with applicable laws, rules and regulations. Dewatering permit will be obtained from NYCDEP prior to construction activities;
17. Performance of all activities required for the remedial action, including permitting requirements and pretreatment requirements, in compliance with applicable laws and regulations;
18. Implementation of storm-water pollution prevention measures in compliance with applicable laws and regulations;
19. 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 all Engineering Controls (ECs) and Institutional Controls (ICs) to be implemented at the Site;

20. Submission of an approved Site Management Plan (SMP) in the RAR for long-term management of residual contamination, including plans for maintenance and inspection of Engineering and Institutional Controls and reporting at a specified frequency; and
21. The property will continue to be registered with an E-Designation by the NYCDOB. Establishment of ECs and ICs in this RAWP and a requirement that management of these controls must be in compliance with an approved Site Management Plan (SMP). ICs 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 New York City Office of Environmental Remediation (NYC OER) approval.

Description of Selected Remedy for Noise

The elements of the remedial action selected for Noise for the 1910 Webster 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. 35 dBA in residential spaces;
2. 30 dBA in the commercial space based on an allowed reduction of 5 dBA from the attenuation requirement outlined in the E-Designation

The following windows will be installed:

Façade Floor Range	OITC Rating	OITC Certification	Manufacturer and Model	Glazing
All Facades 1 st Floor (Commercial)	30	See ASTM E-90 acoustical report for the exact window and glazing	Series 433 manufactured by EFCO	1-1/2" - (1/4" - 1" Air Space - 1/4") Unsealed
All Facades Floors 2- 12 (Residential)	35	See ASTM E-90 acoustical report for the exact window and glazing	2250i INVENT, TYPE TH Aluminum Frame Window manufactured by Wausau Window and Wall Systems	1 3/8" (34.9 mm) Insulated Laminated Glass Unit (IG) (5/16" – 5/8" Argon Filled Air Space – 7/16" laminated)

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. **PTAC Units:** Installing EZ Series GS Direct Vent Gas-Fired PTAC units manufactured by Islandaire in floors 2 through 12 within each residential space. Outdoor fresh air will be provided to all bedrooms and living rooms by the PTAC units. PTAC units are located at a minimum frequency of one (1) PTAC unit per living room or bedroom. The PTAC units have a manual adjustable fresh air vent with a manual control to be operated by the user to provide outdoor air.
2. **Compliance with Mechanical Code:** Providing outside air to commercial spaces and common areas such as lobbies and corridors in accordance with the 2014 NYC Mechanical Code.

The remedies for Hazardous Materials 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.

May 15, 2015



Date

William Wong
Project Manager

May 15, 2015



Date

Shaminder Chawla
Deputy Director

May 15, 2015



Date

Maurizio Bertini, Ph.D.
Assistant Director

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