



**OFFICE OF ENVIRONMENTAL REMEDIATION**

100 Gold Street – 2<sup>nd</sup> Floor  
New York, New York 10038

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**Director**

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**DECISION DOCUMENT**

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

November 19, 2015

Re: 355 Grand Street: 349-357 Grand Street, 50-58 Marcy Avenue  
Brooklyn Block 2384, Lot 22 (formerly lots 22, 23, 24, and 25)  
Hazardous Materials and Noise “E” Designation  
E-138: May 11, 2005 Greenpoint – Williamsburg Rezoning - CEQR 04DCP003K  
OER Project Number 14EH-N149K / VCP Number 15CVCP075K

The New York City Office of Environmental Remediation (OER) has completed its review of the Remedial Action Work Plan (RAWP) dated March 2015 with Stipulation Letter dated November 2015 and the Remedial Action Plan for Noise dated November 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 24, 2015. There were no public comments.

**Project Description**

The proposed development consists of one 3-story mixed-use building fronting Grand Street and three 3-story mixed-use buildings fronting Marcy Avenue. The 3-story building fronting Grand Street will require excavation to 11 feet below grade across the building footprint for a cellar which will be used for commercial retail purposes. The three 3-story buildings facing Marcy Avenue will require excavation to 11 feet below grade for the first 25 feet for partial cellars which will be used for mechanical rooms and storage. The remainder of the site will be excavated to 1 foot below grade. The first floor of each building will consist of commercial retail or office use and the remaining floors will consist of residential apartment units.

**Statement of Purpose and Basis**

This document presents the remedial action for the NYC Voluntary Cleanup Program and E-Designation project known as “355 Grand Street” 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 Description of Selected Remedy**

The remedial action selected for the 355 Grand Street 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. Completion of a Waste Characterization Study prior to excavation activities. Waste characterization soil samples will be collected at a frequency dictated by disposal facility. A Waste Characterization Report documenting sample procedures, location, analytical results shall be submitted to NYCOER prior to start of 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 Track 4 Site-Specific SCOs. For development purposes,

3,750 sf of the Site will be excavated to depth of approximately 11 feet for the new building's footings and foundation. The remaining portions will be excavated to a depth of approximately 1 foot and capped with concrete. Approximately 2,500 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. 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. 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.
10. Collection and analysis of end-point samples to determine the performance of the remedy with respect to attainment of SCOs.
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. Installation of a vapor barrier system below the concrete slab underneath the building as well as behind foundation walls of the proposed building. The vapor barrier will consist of the VaporBlock Plus 20 system as manufactured by Raven Industries or equivalent system. VaporBlock Plus 20 is a 20 mil thick HDPE film with a pressure sensitive adhesive that bonds to the poured concrete;
13. Construction and maintenance of an engineered composite cover consisting of 5 inch thick concrete building slab and 5-inch concrete cap in areas outside the building footprint to prevent human exposure to residual soil/fill remaining at 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 the 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 at the NYC Buildings Department. Establishment of Engineering Controls and Institutional Controls in the 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 Noise**

The elements of the remedial action selected for Noise for the 355 Grand Street site are as follows:

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

1. 30 dBA for all facades;
2. 25 dBA in the commercial spaces 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
<p>Marcy Avenue/ Southeast Elevation; 1<sup>st</sup> Floor Commercial</p> <p>Grand Street/ Southwest Elevation; 1<sup>st</sup> Floor Commercial</p> <p>Northwest Rear Yard; 1<sup>st</sup> Floor Commercial</p>	31	<p>Rating based on glass only. Window ASTM E-90 Lab Test Report to be provided to OER prior to purchase and installation</p>	Saflex or other manufacturer that has been acoustically tested	1/4" Laminated Glass (1/8", 0.030" lamination, 1/8")
<p>Marcy Avenue/ Southeast Elevation; 2<sup>nd</sup> through 3<sup>rd</sup> Floors Residential</p> <p>Grand Street/ Southwest Elevation; 2<sup>nd</sup> through 3<sup>rd</sup> Floors Residential</p> <p>Northwest Rear Yard; 3<sup>rd</sup> Floor Residential</p>	27	<p>ASTM E-90 Lab Test Report</p>	Crystal Window Series 8800 in- swing casement window	Double glazed 1-3/16" IG (3/16" annealed exterior, 13/16" air space, 3/16" annealed interior)
<p>Northwest Rear Yard; 2<sup>nd</sup> Floor Residential</p>	30	<p>ASTM E-90 Lab Test Report</p>	Crystal Window Series 1240 Sliding Door	Double Glazed 1" IGU (1/4" laminated exterior, 1/2" air space, 1/4" laminated interior)
<p>Grand Street/ Southwest Elevation; 3<sup>rd</sup> Floor Residential</p>	27	<p>ASTM E-90 Lab Test Report</p>	Crystal Window Series 8800 in- swing casement window	Double glazed 1-3/16" IG (3/16" annealed exterior, 13/16" air space, 3/16" annealed interior)
<p>Grand Street/ Southwest Elevation; 2<sup>nd</sup> Floor Residential</p>	27	<p>ASTM E-90 Lab Test Report</p>	Crystal Window Series 8800 fixed window	Double glazed 1-3/16" IG (3/16" annealed exterior, 13/16" air space, 3/16" annealed interior)
<p>Northwest Rear Yard; 2<sup>nd</sup> Floor Residential</p>	27	<p>ASTM E-90 Lab Test Report</p>	Crystal Window Series 8800 in- swing casement window	Double glazed 1-3/16" IG (3/16" annealed exterior, 13/16" air space, 3/16" annealed interior)
<p>Marcy Avenue; Rooftop Skylight Terrace above 3<sup>rd</sup> Floor Residential</p>	31	<p>Rating based on glass only. Window ASTM E-90 Lab Test Report to be provided to OER prior to purchase and installation</p>	Saflex or other window that has been acoustically tested	5/8" IGU (1/4" laminated glass, 1/4" air space, 1/8" monolithic glass)

As shown in the Robert A. Hansen Associates, Inc., Outdoor-Indoor Transmission Class Evaluation Report, the 25 and 30 dBA window/wall attenuation requirements will be met with the windows and doors proposed within the attached architectural plans, provided that the proposed attenuation are accomplished when the windows are tested. Composite calculations included in the report indicate that the windows included in the table above would satisfy the referenced OITC requirements if the performance of the windows matches that projected. The acoustical reports described above are certified to be representative of the acoustical performance of all proposed windows. As described in the Outdoor-Indoor Transmission Class Evaluation Report, the Crystal Window Series 8800 in-swing casement window has the same glazing as the Crystal 8800 fixed window; a comparative analysis provided by the manufacturer was also included in the report. The Crystal Window & Door System 8800 Casement Window and Crystal Window Series 1240 sliding door both use 1" insulated glass glazing, both use a drop in glazed system using a tape and wedge method, and both frames and sashes are thermally broken by either filled polyurethane or Isobar strut method. The construction and the tested values of products are likely to produce similar results acoustically with little differences. The façade masonry will have a minimum OITC rating of 50 dBA and a minimum massing of 29.91 pounds per square foot.

While the final window manufacturer had not been selected at the time of issuance of this Notice, the applicant has committed to demonstrating that the selected products to be installed achieve the minimum ratings outlined above. If the selected manufacturer does not have ASTM E90 test data on file for the specific window assembly to be installed, a mock-up will be laboratory tested as per ASTM E90 to demonstrate compliance with the attenuation requirements. The glazing-only OITC ratings presented in the table may reduce substantially once noise transmission through the window frames is evaluated. The glazing presented above may need to be reevaluated if the attenuation losses due to framing elements cannot be compensated for with other façade elements.

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:

**Trickle Vents:** Installing model TTF Slimline 5000-10 trickle vents manufactured by Simon in each residential window facing the southeast, southwest and northwest facades. Fresh air will be provided to all bedrooms and living rooms by the trickle vents at a frequency of one trickle vent each per bedroom and living room. Heating and cooling for residential spaces will be provided by a split system (high wall air handlers with condensate pump) manufactured by Fujitsu (HFI heat pump, 8 condensers - model AOU48RLXFZ, and 32 evaporators - models ASU9RLF/ASU12RLF/ASU24RLF).

**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. Heating and cooling for the commercial spaces will not be provided as part of this development; future tenants will be required to submit separate filings.

The remedies for Hazardous Materials 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 19, 2015



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Date

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Shana Holberton  
Project Manager

November 19, 2015



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Date

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Shaminder Chawla  
Deputy Director

November 19, 2015



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Date

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