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DECISION DOCUMENT
NYC VCP Remedial Action Work Plan Approval

June 25, 2015

Re: **Henry Apartments – Site A – 1676 Broadway**
Brooklyn Block 1503, Lot 29 (previously Lots 29, 31, 34 and 38)
VCP Number 15CVCP148K

The New York City Office of Environmental Remediation (OER) has completed its review of the Remedial Action Work Plan (RAWP) dated June 2015 with Stipulation Letter dated June 23, 2015 for the above-referenced project. The Plan was submitted to OER under the NYC Voluntary Cleanup Program.

The RAWP was released for public comment for 30 days as required by program rule. That comment period ended on June 10, 2015. There were no public comments.

Project Description

The subject property is located at 1674-1684 Broadway in the Bedford Stuyvesant section of Brooklyn, New York and is identified as Block 1503, Lot 29 (previously Lots 29, 31, 34, and 38) on the New York City Tax Map. The 15,546-square-foot subject property is currently vacant, but was most recently developed with two commercial buildings and two paved parking/storage areas. The buildings were demolished in May of 2015.

The Site area consists of the proposed new building footprint (7,620 square feet of the subject property) which will consist of fifty-five (55) dwelling units including: forty (40) studio units, ten (10) one-bedroom units, and five (5) two-bedroom units, in addition to 2,600 SF of office and community space (used exclusively in support of the residential units), 2,800 SF of commercial space, and approximately 4,230 SF of outdoor recreation space (not part of the Site). The cellar level will be used for storage, and mechanical rooms. The ground floor will contain the commercial and office space. Floors 2-6 will be used for the residential units. Outside of the building footprint (not part of the Site), there will be 14 parking spaces and outdoor areas that include paved patios, gardens, tables and benches.

Statement of Purpose and Basis

This document presents the remedial action for the NYC Voluntary Cleanup Program project known as “Henry Apartments – Site A” pursuant to Title 43 of the Rules of the City of New York Chapter 14, Subchapter 1.

Description of Selected Remedy

The remedial action selected for the Henry Apartments – Site A 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. Selection of NYSDEC 6NYCRR Part 375 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. Completion of additional Waste Characterization Study prior to excavation activities if required by disposal facility. Waste characterization soil samples will be collected at a frequency specified by disposal facility;
6. Excavation and removal of soil/fill exceeding Unrestricted Use (Track 1) SCOs. For development purposes, the entire Site (building footprint) will be excavated to a depth of 12 feet below grade for construction of the new building's cellar level. Approximately 5,000 tons of will be excavated and removed from this Site;
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. Management of excavated materials including temporarily stockpiling and segregating in accordance with defined material types and to prevent co-mingling 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;
11. Collection and analysis of five end-point 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. Implementation of storm-water pollution prevention measures in compliance with applicable laws and regulations;
14. Performance of all activities required for the remedial action, including permitting requirements and pretreatment requirements, in compliance with applicable laws and regulations; and
15. 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.

If Track 1 Unrestricted Use SCOs are not achieved, the following construction elements implemented as part of new development will constitute Engineering Controls:

16. As part of new development, installation of a vapor barrier consisting of The vapor barrier will consist of Stego Wrap Class A Vapor Retarder which is a 20 mil high density polyethylene (HDPE) installed beneath entire building basement concrete slab and 83AF Fibered Dampproofing which is a sprayed or rolled asphalt compounds installed along foundation sidewalls;
17. As part of new development, installation of a passive sub-slab depressurization system (SSDS), with the ability to turn active if necessary, beneath the basement foundation to prevent any potential future exposures from off-Site soil vapor;
18. As part of new development, construction and maintenance of an engineered composite cover consisting of a 6" thick concrete building slab and concrete sidewalks to prevent human exposure to residual soil/fill remaining under the Site;
19. If Track 1 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, monitoring, inspection and certification of Engineering and Institutional Controls and reporting at a specified frequency; and
20. If Track 1 SCOs are not achieved, the property will record a Declaration of Covenants and Restrictions that includes a listing 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.

The remedy for Hazardous Materials 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.



June 25, 2015
Date

Sarah Pong
Project Manager



June 25, 2015
Date

Shaminder Chawla
Deputy Director

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