



**OFFICE OF ENVIRONMENTAL REMEDIATION**

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May 17, 2013

Mr. George Tsilogiannis  
87-87, LLC  
11 Middle Neck Road, Suite 204  
Great Neck, New York 11021

Mr. Nahum Kedem  
Athenica Environmental Services, Inc.  
45-09 Greenpoint Avenue  
Long Island City, New York 11104

Re: **NYC VCP Remedial Action Work Plan Approval**  
**30-40 21<sup>st</sup> Street**  
**Block 535, Lot 46**  
**VCP Project # 13CVCP111Q**

Dear Mr. Tsilogiannis and Mr. Kedem:

The New York City Office of Environmental Remediation (OER), in consultation with the New York City Department of Health and Mental Hygiene (DOHMH), has completed its review of the Remedial Action Work Plan (RAWP) and Stipulation List for the 30-40 21st Street, VCP Project # 13CVCP111Q, dated October 8, 2012. The Plan was submitted to OER under the NYC Voluntary Cleanup Program (VCP). The RAWP was released for public comment for 30 days as required by program rule. That comment period ended on March 26, 2013. There were no public comments.

The following remedial action elements will be implemented at the project site:

**Statement of Purpose and Basis**

This document presents the remedy for a Voluntary Cleanup site known as “30-40 21<sup>st</sup> Street”. This document is a summary of the information that can be found in the site-related reports and documents in the document repository at OER’s website: [www.nyc.gov/oer](http://www.nyc.gov/oer).

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The New York City Office of Environmental Remediation (the Office or OER), in consultation with the

New York City Department of Health and Mental Hygiene (DOHMH), has established a remedy for the above referenced site. The disposal or release of contaminants at this site, as more fully described in this document, has contaminated various environmental media. Contaminants include hazardous substances.

The decision is based on the Administrative Record of the New York City Office of Environmental Remediation (the Office or OER) for the 30-40 21<sup>st</sup> Street Site and the public's input to the proposed remedy presented by the Office.

### **Description of Selected Remedy**

The remedy selected for this 30-40 21<sup>st</sup> Street Site is Track 1 remedy and includes soil excavation, as well as installation of vapor barrier, and sub-grade parking garage.

The elements of the selected remedy are as follows:

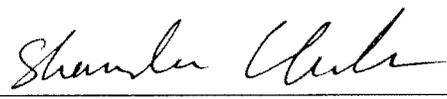
1. Preparation of a Community Protection Statement and performance of all required NYC VCP citizen participation activities according to an approved Citizen Participation Plan;
2. Performance of a Community Air Monitoring Program for particulates and volatile organic compounds;
3. Establishment of Track 1 Soil Cleanup Objectives (SCOs);
4. Site mobilization involving Site security setup, equipment mobilization, utility mark outs and marking and staking excavation areas;
5. Excavation and removal of soil/fill exceeding SCOs. Excavation for development purposes to a depth of approximately 9.5 feet bgs in the proposed building footprint.
6. Screening of excavated soil/fill during intrusive work for indications of contamination by visual means, odor, and monitoring with a PID.
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 end-point samples to determine the performance of the remedy with respect to attainment of SCOs. To evaluate attainment of Track 1 SCOs throughout the site, 5 base samples will be collected. Each sample will be analyzed for SVOCs and TAL Metals.;

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. As part of construction, installation of a vapor barrier system beneath the entire new floor slab and behind new foundation walls. The vapor barrier, Preprufe® 200 32-mil, manufactured by W. R. Grace & Co., will be installed beneath the building floor and will be installed over a 3 inch mud slab. Penetrations will be grouted or Preprufe® tape (a self-adhesive 200 mm wide strip) will be used to cover the gap;
12. If Track 1 cleanup is not achieved, construction and maintenance of an engineered composite cover consisting of a 2.5-foot concrete building slab to prevent human exposure to residual soil/fill remaining under the Site;
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 pre-treatment requirements, in compliance with applicable laws and regulations;
15. Submission of a 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;
16. If Track 1 is 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
17. If Track 1 is 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.
18. If Track 1 is not achieved, continued registration as an “E” Designated property and listing of Engineering Controls and a requirement that management of these controls must be in compliance with an approved SMP; and Institutional Controls including 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.

Remedial activities will be performed at the Site in accordance with this OER-approved RAWP. All deviations from the RAWP will be promptly reported to OER. Changes will be documented in the RAR.

This remedy conforms to the promulgated standards and criteria that are directly applicable, or that is relevant and appropriate and takes into consideration OER guidance, as appropriate. The remedy is protective of public health and the environment.

4/4/13  
Date



Shaminder Chawla  
Assistant Director

## **SITE BACKGROUND**

### Location:

The Site is located at 30-40 21<sup>st</sup> Street in Queens, New York and is identified as Block 535, Lot 46 on the New York City Tax Map. Figure 1 shows the Site location.

### Site Features:

The Site is 12,300-square feet and is bounded by 30th Road to the northeast, a residential building to the northwest, 21st Street to the southeast, and a residential building to the southwest. Currently, the Site is developed with a vacant one-story commercial warehouse building with a mezzanine level.

### Current Zoning/uses:

The current zoning designation is C2-3 commercial overlay in a R7A zone, denoting it as a commercial area within a residential district. The proposed use is consistent with existing zoning for the property.

### Historical Use:

Currently, the Site is developed with a vacant one-story commercial warehouse building with a mezzanine level.

Historic uses include:

- From 1939 to at least 2006: the Site was occupied by a lumber storage facility.
- Between 1948 & 1950s: two lumber sheds, scattered lumber piles, and a small office.
- 1966 until the present: current building.

### Summary of Environmental Findings:

1. Elevation of the property is approximately 10 feet.
2. Depth to groundwater ranges from 7.54 to 7.8 feet at the Site.
3. Groundwater flow is generally southeast beneath the Site.
4. Depth to bedrock at the Site is greater than 35 feet.
5. The stratigraphy of the Site, from the surface down, consists of 6.5 feet of historic fill material underlain by a layer of tight clay with an approximate average thickness of 2.5 feet which is underlain by silt.

A site location map is attached as Figure 1.

## **PROPOSED DEVELOPMENT PLAN**

The proposed redevelopment plan and end use of the property is a market rate residential building. Under current redevelopment plans, the existing one-story commercial warehouse building at the Site will be demolished, and an approximately 74,000-square foot 7-story residential apartment building with a basement will be constructed at the Site. The basement and the ground floor will occupy the entire footprint of the Site (approximately 12,300 square feet). The proposed use of the basement of the new building will consist mainly of indoor parking, with a storage room and electric, water, and gas utility rooms located at the northeast side of the basement. The basement parking will be 11 accessible from 30th Road via a ramp at the northeast side of the Site. The proposed use of the first floor of the new building will consist mainly of indoor parking, with a trash compactor room, a recreational room, a lobby, and a caretaker apartment located at the northeast side of the first floor. The first floor parking will be accessible from 30th Road via a ramp at the northeast side of the Site. The 2nd through 7th floors will be utilized for residential apartments. There will be a total of 66 apartment units. Construction of the basement will require soil excavation across the entire Site to an approximate depth of approximately 9.5 feet below ground surface, which is approximately 1.5 feet below the groundwater. Approximately 4,000 cubic yards of soil (i.e., approximately 6,000 tons of soil) will be excavated for the construction of the

new building. The ground floor will be elevated approximately 3 feet above ground surface. There will be no landscaped areas at the Site.

### **SUMMARY OF REMEDIAL INVESTIGATION**

The Remedial Investigation was conducted in June 2012. A full Remedial Investigation Report is available online in the document repository and the results are summarized below.

#### **Nature and Extent of Contamination:**

Soil: Soil/fill samples collected during the RI showed no chlorinated solvents detected above the . Acetone, a common laboratory contaminant, was present in four of the soil samples. No other VOCs were detected above their respective Unrestricted Residential SCO value or above the laboratory reporting limits. Four SVOCs including benzo(a)anthracene, benzo(a)pyrene, benzo(k)fluoranthene and chrysene were detected above Unrestricted Residential SCOs, and, of these, benzo(a)anthracene (1.23 mg/kg) and benzo(a)pyrene (1.11 mg/kg) were also detected slightly above Restricted Residential SCOs. Three pesticides, 4,4'-DDD, 4,4'-DDE and 4,4'-DDT were detected slightly above their respective Unrestricted Residential SCO values in two soil samples. Total PCBs were detected in one soil sample slightly above the Unrestricted Residential SCO. Several metals including copper, lead, mercury, nickel and zinc were detected above their respective Unrestricted Residential SCO values in several soil samples and of these lead (maximum of 545 ppm) was detected above its Restricted Residential SCO. SVOCs, pesticides, PCBs, and metals that were detected in the soil were present only in samples collected from the fill material with none from the underlying natural soil.

Groundwater: No PCBs were detected in any of the groundwater samples collected at the Site, and no pesticides or VOCs were detected above their respective Groundwater Quality Standards (GQSs). No chlorinated solvents were detected above their respective GQS. One SVOC, bis(2-ethylhexyl)phthalate (12.5 ug/L) was detected in one sample above GQS. Several of the groundwater samples collected contained dissolved metals including iron, magnesium, manganese, and sodium at concentrations above their respective GQS. The RI indicates that groundwater is not impacted by site conditions and did not reveal any sources of contaminants on-site.

Soil vapor: Soil vapor samples collected during the RI showed mostly compounds detected at concentrations less than 10 ug/m<sup>3</sup>. Tetrachloroethene was detected in all samples ranging from 2.5 to 42 ug/m<sup>3</sup>. Trichloroethene was detected at less than 1 ug/m<sup>3</sup> and vinyl chloride was detected at a maximum value of 1.2 ug/m<sup>3</sup>. None of the soil vapor samples collected contained compounds at concentrations above NYS DOH Air Guideline values or above the laboratory reporting limits. detected trace to low concentrations of chlorinated and petroleum-related VOCs. Tetrachloroethene (PCE) was identified in all four samples at a maximum concentration of 111 µg/m<sup>3</sup>, which falls within the monitoring level range of the State DOH soil vapor guidance matrix. Trichloroethene (TCE) was not detected in soil vapor. Neither PCE nor TCE were detected within any of the soil samples collected at the Site, and these low levels and the Site's history suggest a possible off-site origin.

**Figure 1: Site Map**



**Figure 2: Site Location Map**

