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

November 10, 2014

Re: **140-35 Queens Boulevard; 140-27 – 140-53 Queens Boulevard**
Queens, Block 9620, Lot 45
Hazardous Materials and Noise “E” Designation
E-175: 9/10/2007 - Downtown Jamaica Redevelopment Rezoning - CEQR # 05 DCP 081Q
OER Project Number 14EH-N158Q / VCP Number 15CVCP022Q

The New York City Office of Environmental Remediation (OER) has completed its review of the Remedial Action Work Plan (RAWP) dated September 2014 with Stipulation Letter dated October 2014 and the Remedial Action Plan for Noise dated June 2014 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 October 9, 2014. There were no public comments.

Project Description

The proposed future use of the Site will consist of a one- to six-story hotel building with residential apartments on floors five and six and parking in the sub-cellar and cellar. The sub-cellar will be constructed approximately 21.5 feet below grade and the cellar will be constructed approximately 10.5 feet below grade.

The new building footprint will be approximately 21,750 square feet, occupying the entire lot. The sub-cellar will include a parking garage, laundry room, fitness room, and maintenance rooms. The cellar will contain a parking garage, hotel rooms, café, meeting rooms, and maintenance rooms. The first-floor (ground level) will contain a lobby, offices, hotel rooms, and maintenance rooms. Floors two through four will contain hotel rooms and maintenance rooms. Floors five and six will contain residential apartment units and maintenance rooms. The roof will be used as a terrace. The building will contain 128 hotel rooms, 32 residential apartment units, and three elevators in the center of the building; the total gross floor area of the building will be 116,466 square feet. Redevelopment will include excavation across the entire Site to a depth of 21.5 feet below grade. Approximately 17,350 cubic yards (estimated at 23,425 tons) of soil will be excavated. Groundwater was measured to be approximately 35 to 37 feet below grade and therefore is not anticipated to be encountered during the excavation.

Statement of Purpose and Basis

This document presents the remedial action for the NYC Voluntary Cleanup Program and E-Designation project known as “140-35 Queens Boulevard” 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 140-35 Queens Boulevard 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. Perform a Community Air Monitoring Program (CAMP) for particulates and volatile organic carbon compounds (VOCs).
3. Completion of a Waste Characterization Study prior to excavation activities. Waste characterization soil samples will be collected at a frequency of one composite sample per 800 to 1,000 (approximate) cubic yards of material to be excavated as per 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. Selection of NYSDEC 6NYCRR Part 375 Table 6.8; Unrestricted Use (Track 1) 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 1 SCOs. The entire property will be excavated to depths of approximately 21.5 feet below grade. Approximately, 23,425 tons of soils 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 photoionization detector (PID).
8. Management of excavated materials including temporarily stockpiling and segregating to prevent co-mingling of contaminated material and non-contaminated materials.
9. Removal of underground storage tanks (if encountered during excavation) and closure of petroleum spills, if encountered, in compliance with applicable local, State and Federal laws and regulations.
10. Transportation and off-site disposal of soil/fill material at facilities in accordance with all 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 in compliance with this plan and in accordance 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. Implementation of storm-water pollution prevention measures in compliance with applicable laws and regulations.
15. Maintenance of records as described in this RAWP, including waste disposal manifests, clean fill/top soil sampling results, and appropriate health and safety forms and documentation.
16. Submission of a Remedial Action Report (RAR) that describes remedial activities, certifies remedial requirements have been achieved, and if Track 1 SCOs are not achieved, describes all ECs and ICs to be implemented at the Site, and lists any deviations from this RAWP.

If Unrestricted Use (Track 1) SCOs are not achieved, the following construction elements will constitute Engineering and Institutional Controls:

17. As part of development, installation of a vapor barrier beneath the building slabs and behind the foundation sidewalls of the proposed building. The vapor barrier will consist of WR Grace 300R Preprufe, manufactured by Grace Construction Products;
18. As part of development, construction and maintenance of an engineered composite cover consisting of a concrete building slab to prevent human exposure to residual soil/fill remaining at the Site.
19. As part of development, installation of a sub-grade air exchange and ventilation system in the parking cellar in accordance with the NYC Department of Building's Code.
20. 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.
21. 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.

Description of Selected Remedy for Noise

The elements of the remedial action selected for Noise for the 140-35 Queens Boulevard site are as follows:

Window/ Wall Attenuation:

In order to satisfy the requirements of E-175 a window/wall attenuation of 33dBA will be achieved. In order to achieve such attenuation, windows manufactured by Crystal Window, model(s) 8800-B7700.01F and 8810F, with a glazing made of 5/16" laminate, 5/8" air space, 5/16" laminate will be installed in each façade of the building. The proposed window has been rated with an OITC of 32 as certified by the Lab Test Report included in the Remedial Action Plan.

The proposed windows will be set of window consisting one vertical fixed window, combined with one operable, vertically hinged casement window, with a horizontal fix window below them. Casements will open out. The glazing of the fixed window consists of 5/16" clear glass, 5/8" air space, 5/16" clear glass. The OTIC rating is 32. The glazing of the casement window consists of 5/16" clear glass, 5/8" air space, 5/16" clear glass The OTIC rating is 32. The fixed window model is 8810f Fixed Window, manufactured by Crystal Window and Door. The casement window model is 8800 Casement Window, manufactured by Crystal Window and Door. Attachment E presents manufacturer's catalog specifications for the selected window.

External walls will be constructed as follows (from outside in): 3" metal panel with Dupoint Tyvek vapor barrier, 6" concrete masonry unit with horizontal reinforcement at alternate course, 1 5/8" metal stud with batt insulation, 10 mil vapor barrier, and 5/8" thick gypsum wall board. The external wall will provide 43dBA. Based on the composite calculation, the combination façade element will provide a building attenuation rating of 33 dBA at building front façade, and building rear façade.

Alternate Means of Ventilation (AMV):

In order to satisfy the requirements of E-175 Alternate Means of Ventilation (AMV) will be installed in order to maintain a closed window condition. AMV for this project will be achieved by installing PTAC units, central air:

- All guest rooms will be heated and cooled by PTAC units (Package Terminal Air Conditioner), GE PTAC units will be specified for this project.
- Models of PTAC units will be AZ61H07DA and AZ61H09DA, depend on the sizes of the rooms. For any guest rooms less than or equal 375 sq. ft., cooling capacities of 7,000 BTUH, Model AZ61H07DA will be used. For any guest rooms greater than 375 sq. ft., 9,200 BTUH, Model AZ61H09DA will be used.
- Each unit shall have a built-in electric heater for space heating during heating season. Size of the electric heater in the PTAC will be 455W for Unit Model AZ61H07DA and 630W for Unit Model AZ61H09DA.
- Sound pressure STC/OITC for each PTAC will be 29/22.
- Each PTAC has outdoor air damper for 35 CFM or more.
- Two (2) rooftop air conditioning units will be provided on the roof, to supply temped outdoor air for the hotel public corridors, lobby, offices, eating & drinking area, food preparation area and accessories space from sub-cellar to 6th floors. Each unit has nominal cooling capacity of 28 tons and gas-fired heating; the gas input of each unit is 328 .1 MBH. Rooftop air conditioning units are made by Aeon Model RN-030-8-0-EB09-389.

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.



November 10, 2014

Date

Eric Ilijevich
Project Manager



November 10, 2014

Date

Shaminder Chawla
Deputy Director



November 10, 2014

Date

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