

**LPC Warehouse RFP Addendum 1**  
**RFP issue date: May 29, 2012**  
**Addendum 1 issue date: July 6, 2012**

**Contents of the Addendum**

- A. **Questions and Answers** – Enclosed is a summary of questions and answers discussed at the pre-submission conference that took place on June 20, 2012. Also included are questions and answers that have been sent to the LPC Warehouse email address.
- B. **Contact Information** – Contact Information is provided for those individuals who attended the pre-submission conference and indicated that they are willing to share their contact information.
- C. **Environmental Documents** – Enclosed are environmental documents from the Landmarks Preservation Commission (LPC) that tested the quantity of lead in the air and in the dust.

## **A. Questions and Answers**

**Questions received at the 6/20/12 pre-submission conference and others received by email (through July 5) are included below.**

### **Site Visit**

**Q: Can we arrange access to the Warehouse?**

A: Yes, you may access the LPC Warehouse on Thursday, July 12<sup>th</sup> between 10:00 am to 12:00 pm. On the day of the site visit, you will need to sign a release form before entering the building. Please be advised that this will be the only occasion when building access will be permitted during the RFP application period. If you would like to attend the site visit, please RSVP to [lpcwarehousefp@hpd.nyc.gov](mailto:lpcwarehousefp@hpd.nyc.gov).

### **Pre-Submission Conference**

**Q: Is the Pre-Submission Conference mandatory? If people did not attend the conference, are they disqualified?**

A: No, the Pre-Submission Conference is optional and groups are not disqualified based on whether or not they attended the Conference.

### **Timeline/Approvals**

**Q: What is the anticipated timeline for the decision? Who will announce the decision?**

A: HPD expects to designate in the winter. However, designation is contingent upon the number of submissions and the time it will take to review the proposals. If there is HDC funding proposed, both HPD and HDC will review the proposals and will make a joint decision.

**Q: What is the time frame for project completion?**

A: The entire selection and ULURP process could take approximately a year and a half before the commencement of construction. After the designation, we will go through the environmental review process, along with other internal approvals before the start of the ULURP process, estimated to occur next summer. Project closing will be facilitated after ULURP approval.

**Q: Is the ULURP process done?**

A: No, the ULURP process has not been completed.

**Q: What are the assumptions for ULURP timing?**

A: We are estimating approximately 5-7 months for ULURP. This is the time for the formal ULURP public review as the time needed to reach the point of starting the ULURP process is not governed by time restrictions. This is unlike the public review period, which has specific timeframe requirements.

**Q: Do we need to get approval by the Design Commission?**

A: No, approval by the Design Commission is not required for this development.

### **Land Assemblage**

**Q: If there is adjacent private property available, can we have a land assemblage?**

A: You may propose the development of an assemblage, but only in an instance where the development entity (or one of the entities in the case of a joint venture) is the owner of the

adjacent private property or has an executed contract of sale for such property. Evidence of site control as described previously must be included in the response to the RFP.

### **Development Team and Experience**

**Q: Can you clarify the definition of a Local Development Partner? What if a partner is located in an adjacent Community District? What role does the Local Development Partner have?**

A: An organization does not qualify as the Local Development Partner if the group is located in an adjacent Community District. At least one Principal of the Applicant must be a Local Development Partner. A Local Development Partner is defined as a locally-based development company having an office located in Brooklyn Community District 1 for at least seven (7) years and having a history of improving the quality of life for the community via tangible social services and/or financial investments. Providing social services does qualify one as a Local Development Partner. The Local Development Partner needs to be reflected in the Ownership structure.

**Q: What if the local group doesn't provide housing – is that ok?**

A: Yes, that is ok. The Development Team may be a joint-venture partnership.

### **RFP Forms**

**Q: Will we need to include Appendix C (Enterprise Green Communities Checklist) in the RFP Submission?**

A: No, you do not need to include Appendix C in the RFP Submission. It is a Checklist that is in the RFP as a reference. To satisfy the Green Communities Criteria, you need to submit Form K, which is in the Green Communities Intended Methods Workbook.

**Q: With respect to the Rental Pro Forma's Units and Income Tab, can we use 2012 HUD Income Limits, FMR Rent, Electricity and Gas Allowance instead of 2008?**

A: Yes, please use the 2012 HUD Income Limits, FMR Rent, Electricity and Gas Allowance.

**Q: With respect to the market comparables, if we are using the LAMP program where the rents are kept at less than 60% AMI level, do we still have to provide market comparables?**

A: Yes, market comparables must be provided.

**Q: Can we provide HUD limits in lieu of market comparables if there's no low income housing within the vicinity of the location?**

A: We are asking for market comparables because we would like to see the feasibility of the rents being proposed. Please provide a rationale and evidence as to why the proposed rents are feasible.

**Q: Can you clarify the comment on 1<sup>st</sup> Loan Reduction (H28) on Form F Rental Pro Forma under Tab Mort?**

A: The senior debt must be sized based on the most restrictive of all applicable minimum income to expense and debt service coverage ratios, as prescribed by the applicable funding program term sheets as well as the terms outlined in any financing partners' letters of interest. Therefore, if the project meets the minimum debt service coverage ratio but not the minimum income to expense ratio, the debt must be reduced to the extent that it meets the more restrictive standard (in this example, the income to expense ratio), and in doing so it would therefore meet both minimum ratios.

## **Design/Zoning**

### **Q: What is the zoning for this Site?**

A: This Site is located in MX-8 (M1-2/R6) and is mapped within the Upland Inclusionary Housing District. We encourage everyone to read both sections in the Zoning Resolution, regarding Mixed-Use Districts and Inclusionary Housing Districts.

### **Q: Is the zoning strict?**

A: Yes, the zoning is strict.

### **Q: Can we get any variances?**

A: No, you may not assume any variances for this development.

### **Q: Will you consider proposals to upzone the residential designation of the site to R7 as an alternate to the as-of-right proposal?**

A: No, we will not consider proposals to upzone the residential designation as an alternate to the as-of-right proposal.

### **Q: In your internal analysis of the site, did you determine whether or not South 5<sup>th</sup> Street counted as a “wide street” per the definition in the zoning resolution?**

A: Yes, South 5<sup>th</sup> Street is counted as a “wide street” per the definition of the zoning resolution.

### **Q: Is open space required for Lot 41? Does it have to be at grade level?**

A: Yes, the open space is required for Lot 41. This is a requirement from the 2005 Greenpoint-Williamsburg Points of Agreement. As long as the open space complies with zoning, it is acceptable. We did envision open space at grade level.

### **Q: Can we alter the HPD Design guidelines and create smaller bedrooms?**

A: No, you must meet minimum HPD design guidelines.

### **Q: Can we waive the parking requirements?**

A: Proposal must comply with all applicable zoning requirements.

### **Q: If our proposal is for non-profit senior housing, how applicable is it to require 50% two-bedroom units (which typically is only studios and one-bedrooms)?**

A: All proposals must conform with the guidelines in the RFP. Proposals must provide that at least 50% of the housing units be 2-bedrooms or larger, consistent with HPD’s design guidelines.

## **Finance/Program**

### **Q: What is the required minimum equity and private financing? What is the required minimum from HPD and HDC?**

A: There is no minimum equity that needs to be provided by the developer. To learn more about HPD and HDC programs, please review the term sheets found on HPD ([www.nyc.gov/hpd](http://www.nyc.gov/hpd)) and HDC’s ([www.nychdc.com](http://www.nychdc.com)) websites.

### **Q: What tax abatements can I use?**

A: Refer to *Section III, Part I Real Property Taxes* in the RFP and/or the Tax Incentives Programs page on HPD’s website to learn more about tax incentives and tax abatements that may be available.

**Q: What happens if our financial proposal falls through?**

A: At a minimum, you must provide an as-of-right, non-competitive financing scenario. You may provide alternate scenarios using competitive sources in your proposal, in addition to your as-of-right scenario. We understand that budgets may change, but want to ensure that there is a back-up scenario so that proposals do not fall through.

**Q: Can I finance the commercial portion separately?**

A: Yes, we are open to that. If separate financing is proposed, please explain in detail how it will relate to the overall financing.

**Q: When we apply for tax credits, can we get any waivers and extensions?**

A: The Developer must comply with all deadlines and requirements in the Qualified Allocation Plan (QAP) found on HPD's website.

**Q: Can we use municipal bonds and tax credits?**

A: Yes, the assumptions must be realistic and comply with QAP requirements.

**Q: What's required for Letters of Interest?**

A: If private financing is proposed, a letter or letters of interest from a private lender or lenders must be included. Letters must be dated no earlier than two (2) months from the date of submission of the Developer's proposal. Please refer to *Section V, H, Tab G* for more information. Letters of Interest are not required for HPD, HDC, or HDC bond financing. A Letter of Interest is needed for State funding sources.

**Q: Is construction bonding required?**

A: HPD requires that the general contractor secures projects by a letter of credit for 10% of hard costs excluding contingency. Payment and Performance bond for 100% of hard costs may be accepted in lieu of letter of credit.

**Q: Is Section 3 required?**

A: The funding program, not the development requires Section 3 compliance. If the development uses a funding source that requires Section 3 compliance, then it may be subject to this requirement.

**Q: Is prevailing wage required?**

A: If you use a funding source that requires prevailing wage, such as HOME funds, then yes, prevailing wage is required. Prevailing wage is not determined by the project, but by the funding source.

**Q: What are the terms of the enforcement mortgage?**

A: The terms of the enforcement mortgage have not been determined yet. The RFP requires that the minimum affordability term be 60 years. Preference will be given to Proposals with affordability terms beyond 60 years.

**Q: How do we determine the value and costs of the project?**

A: The Development Team must determine the assumptions in the costs of the project when developing their pro forma.

**Q: What type of housing will this be: co-op, condo, or rental?**

A: This will be a rental development.

**Q: Why is the affordability level up to 80% AMI? Can we go higher?**

A: No, all units must be affordable to households earning up to 80% AMI, as adjusted by household size. Preference will be given to Proposals with a wider range in affordability with multiple tiers. The affordability level is based on a feasibility analysis and discussions with the Community Board and the local Councilmember.

**Q: What percentage of the units needs to be affordable?**

A: 100% of the units need to be affordable.

**Q: Who will conduct an appraisal?**

A: We will require an independent appraisal from the selected Developer.

### **Community Input**

**Q: What are the community's desires? Have you been meeting with them? Can we have access to the minutes your meetings with the Community Board?**

A: Throughout the Fall/Winter 2011-2012, HPD staff met, briefed and received feedback from the Land Use Committee of Community Board 1 regarding the land use for the Site. This feedback played an integral part in shaping the development program of this RFP. For example, bars or restaurants are not permitted in the ground floor space. This is a result of discussions with the Community Board. We do not have minutes from our meetings.

**Q: Did the Community Board ask for special needs housing?**

A: No, the Community Board did not ask for special needs housing and this was not discussed with the Community Board.

### **Site History**

**Q: How old is the building?**

A: According to historic Sanborn maps, the building was built in 1938. The Landmarks Preservation Commission (LPC) took over the building to use as a warehouse to store architectural salvages in 1983.

**Q: What was stored in the warehouse?**

A: From 1983 to 2000, the Landmarks Preservation Commission stored architectural salvages, such as benches and fixtures.

**Q: Who is the owner of the property?**

A: The City of New York is the owner of the property. The property will be disposed to the selected Developer through the ULURP process.

### **Environmental Testing**

**Q: Has there been any environmental testing?**

A: Further testing will be needed as a Phase 1 study has not been conducted. It will be the selected Developer's responsibility to provide a Phase 1 study, among other potential environmental documentation referenced in the RFP.

An Environmental Impact Statement (EIS) was conducted for the Greenpoint-Williamsburg rezoning in 2005. To find out more information about the area of the development site, please refer to the EIS on City Planning's website:

<http://www.nyc.gov/html/dcp/html/greenpointwill/eis.shtml>

Some examples of environmental concerns may include:

- 1) Noise attenuation since the Site is located next to the Williamsburg Bridge.
- 2) An 'E' designation on Lot 41 due to a suspect tank.

The Landmarks Preservation Commission (LPC) conducted an air quality and dust sampling test. All documents from this testing are in Attachment C in this Addendum.

**Q: Is there asbestos in the building?**

A: Please see Attachment C in this addendum for air quality and dust sampling tests. Other than what is in those reports, there is no record of asbestos testing being done, or a record of whether or not the building may contain asbestos.

**Q: Has there been any soil testing?**

A: Since LPC took over jurisdiction of the building, there is no record of any subsurface soil testing that occurred.

**Commercial/Community Facility Use**

**Q: Can I propose a garage as a commercial use?**

A: Yes, a garage may be proposed. That would be a private commercial use.

**Q: Is there a preference given to either a commercial use or a community facility use?**

A: There is no preference. The use must be viable, feasible, and add value to the neighborhood.

**Marketing**

**Q: What is the Community Board preference for marketing?**

A: The project will follow the HPD-HDC Marketing Guidelines that include a Community Board preference for 50% of the units.

**Security**

**Q: Are there security and Information technology (IT) requirements?**

A: We want a safe building, but there are no specific security and IT requirements for this development.

**ATTACHMENT B - Contact Information**

**LPC Warehouse RFP Pre-Submission Conference Attendees List**

**Wednesday, June 20th**

**10:00 AM - 12:00 PM**

**Room 1-R**

<b>Name</b>	<b>Title</b>	<b>Organization</b>	<b>Address</b>	<b>Phone</b>	<b>Email</b>	<b>Share Contact Information?</b>
Joe Hoffman	Proj. Dev.	AFG Group, Inc. (WBE)	450 Seventh Ave, NYC	609-760-0446	<a href="mailto:jhoffman@afgcm.com">jhoffman@afgcm.com</a>	Yes
Ira Mitchneck	Sr. Associate	Dattner Architects	1385 Broadway, NY, NY	212-247-2660	<a href="mailto:imitchneck@dattner.com">imitchneck@dattner.com</a>	Yes
Paul Kress	Asst. VP, Strategic Initiatives	Volunteers of America, Greater N	340 West 8th Street, New York NY 10024	-	<a href="mailto:pkress@voa.gny.org">pkress@voa.gny.org</a>	Yes
Guilio Cianci	VP	Fratello Construction	134 Milbar Blvd, Farmingdale, NY	631-414-7171	gcefratelloconstruction.com; scefratelloconstruciton.com	Yes
Sandy Rozario	Director, Development	Los Sures	213 South 4th Street, Brooklyn	718-387-3600	<a href="mailto:srozario@lossures.org">srozario@lossures.org</a>	Yes
Michele Franzina	Principal	FPA Architecture	-	-	<a href="mailto:franzina@michelefranzina.it">franzina@michelefranzina.it</a>	Yes
Bridget Bonaparte	Contractor	Azone Comfort Air	140 DeKruif Pl, Bronx, NY 10475	646-765-2113	<a href="mailto:azonecomfortair@yahoo.com">azonecomfortair@yahoo.com</a>	Yes
Jeremy Scherr	-	GoldenLioness Corp	32 Court Street, Brooklyn	718-834-9663	<a href="mailto:jeremy@mgoradev.com">jeremy@mgoradev.com</a>	Yes
Magnus Magnusson	Arch.	MAP	853, NYC	212-252-7820	<a href="mailto:mmagnusson@maparchitects.com">mmagnusson@maparchitects.com</a>	Yes
Jonathan Kirschenfeld	Principal	JKA	45 E. 20	212-219-9931	<a href="mailto:jonathan@kirscharch.com">jonathan@kirscharch.com</a>	Yes
James McCullar	Principal	James McCullar Architecture	44 W. 28th New York, NY 10001	212-206-6622	<a href="mailto:jmccullar@jamesmccullar.com">jmccullar@jamesmccullar.com</a>	Yes
Rebecca Reich	Consultatn	Los Sures	211-213 S. 4th Street, Brooklyn	917-887-0275	<a href="mailto:rebandy@earthlink.net">rebandy@earthlink.net</a>	Yes
Jian (James) Du	CEO	Vinoleo Solution & Services	28-25 Parson Blvd, Flushing NY	917-582-3670	<a href="mailto:jamesdu@vinoleoinc.com">jamesdu@vinoleoinc.com</a>	Yes
Joseph Pupello	Development	El Puente	95 Broad St, NY 10004	212-920-1624	<a href="mailto:jpupello@gmail.com">jpupello@gmail.com</a>	Yes
Ed Hakimian	President	Philco Builders	9 Hicks Lane, Great Neck, NY 11024	718-404-8809	<a href="mailto:edhakimian@yahoo.com">edhakimian@yahoo.com</a>	Yes
Rodney Alberts	Principal	Rossrock LLC	150 E. 52nd Street, New York, NY 10022	212-888-2720	<a href="mailto:rralberts@rossrock.com">rralberts@rossrock.com</a>	Yes
Jonathan Williams	Development	Mega Contracting	22-60 46th Street, Astoria, NY	718-932-6342	<a href="mailto:jwilliams@megacontracting.com">jwilliams@megacontracting.com</a>	Yes
Dan Heyden	Principal	Design and Architects	508 W 26th Street, NY NY 10001	212-255-5056	<a href="mailto:dan@designaid.com">dan@designaid.com</a>	Yes
Matt Bremer	Principal	Architecture in Formation	526 West 26th Street, NYC	212-714-1006	<a href="mailto:matt@aifny.com">matt@aifny.com</a>	Yes
Matt Gross	Director of Development	Lettire	334 110th Street, NY NY 10029	212-996-6640	<a href="mailto:mgross@lettire.com">mgross@lettire.com</a>	Yes
Robert M	General Contracting	American Dream Infinity	120 26th Street, Rockaway	718-290-7387	<a href="mailto:rfrobertsmis1@yahoo.com">rfrobertsmis1@yahoo.com</a>	Yes

**ATTACHMENT C – Environmental Documents** – Enclosed are environmental documents from the Landmarks Preservation Commission (LPC) that tested the quantity of lead in the air and in the dust.

## **Landmarks Preservation Warehouse**

**337 Berry St, Brooklyn**

**COSH Re-visit July 6, 2011**

On July 6, 2011 at the request of Law Department Senior Counsel Chris Reo, COSH research scientist Andrew Prashad and director Sylvia Pryce performed a follow-up walkthrough of the Landmark Preservation Commission (LPC) warehouse located at 337 Berry Street, Brooklyn. We were accompanied by LPC deputy counsel John Weiss and special assistant to the executive director Megan Schmitt. On September 25, 2008 we had performed a safety and health walkthrough and identified several safety and health issues that included rodents, leaks/mold, toxic substances, fire safety, security, general safety and lead-based paint (LBP). Based upon our observations at that time, we concluded that the LPC warehouse did not support City employee use or occupancy.

Since our 2008 visit, the warehouse and its contents were cleaned and debris removed. We observed that rat droppings which were abundant throughout were no longer evident. It appears that leaks still exist in the front section of the warehouse, as we observed water on the floor; however we saw no evidence of mold. The toxic substances we saw previously had been removed. Collections of artifacts were organized in sections with ample room for traversing between aisles. Tripping and sharp protrusion hazards were practically non-existent. We were told that the LBP-coated artifacts (doors, window frames, moldings, cast iron structures) had been power-washed to remove loose paint; this appeared to have been effective. The post-cleaning lead sampling results (air and wipe) were provided to us for review, with all clearance results within acceptable limits. We also saw a few old fire boxes, which may contain mercury, placed separately in a bin.

Based upon our observations, COSH concludes that the LPC warehouse is now safe to accommodate staff and potential purchasers to view the items. We would like to emphasize that the wood doors, window frames, moldings, and cast iron structures should all get the lead-based paint notice for potential buyers. In addition, we recommend a disclosure statement for the fire alarm boxes that may contain mercury.

Thank you.

# PROJECT REPORT

Big Apple Occupational Safety Corporation (BAOS) performed ambient air and dust sampling for lead at 337 Berry street, Brooklyn, NY 11211 utilized by the NYC Landmarks Preservation Commission to store building components, artifacts and other building materials removed from landmark buildings, on 02/04/2010.

## PROJECT WORK

The ambient air in the building was sampled to check for the quantity of lead in air and also wipes were taken from the floor surfaces to find the quantity of lead in dust.

Following two types of sampling were carried out:

1. Air sampling of ambient air lead in air.
2. Wipe sampling of floor surfaces for lead in dust.

## LOCATION

337 Berry Street,  
Brooklyn, NY 11211

## Objective

To find out the

- Quantity of lead in air is above the permissible exposure level (PEL) and the Action Level(AL) as per the OSHA standards for lead 29CFR 1926.62.
- Quantity of lead in dust is above the standards specified for lead in dust as per EPA and HUD Guidelines.

## Scope of Work

Establish a sampling strategy, perform ambient air monitoring at breathing zone levels , perform lead dustwipe samples at random locations within the facility and generate a written report.

# **SPECIFICATIONS**

## **SAMPLING**

- Air samples at breathing zone levels

Sampling rate for air samples: 1-4 LPM  
Volume of air drawn: 400 liters minimum

## **SAMPLE REQUIREMENT**

- Air Samples: 10
- Dust wipe Samples: 20

## **ANALYSIS**

- Air Sample Analysis  
NIOSH 7082 method
- Lead Dust Wipe Sample Analysis  
Lead in Dust by Flame AAS( SW 846 3050B/7000B) Method

## **PERSONNEL**

### **PROJECT**

Industrial Hygienist / Mr.Ganapathy Rajagopalan  
Industrial Hygienist Technician Mr.Vicente Garzon

### **CONTACT**

Building Contact: Ms. Shaheen Ulon

### **COORDINATION**

BAOS Project Coordinator: Ms.Radha Reddy

## **PROJECT COMENCEMENT**

The project was commenced on 02/04/2010 as scheduled by BAOS and as confirmed by the Ms. Shaheen Ulon fom the NYC Landmarks Preservation Commission . BAOS personnel reported at the building entrance at 9.00AM. A representative from the NYC landmarks preservation commission gave BAOS personnel access to the building.

## **PROCEDURE**

### **Air Sampling**

BAOS personnel collected required equipment and supplies to set-up sample trains starting at about 9.30AM and completing around 10.15 AM at the locations identified in the floor plan. Each pump was calibrated using rotometers before the actual start of the sampling process and flow rate was set at 2 LPM. The start time for each pump was noted on the chain of custody form.

The air sampling pumps were shut down and the flow rate and end time of sampling period were recorded. This was done between 1.40 PM and 2.25 PM and the minimum volume requirement of the contract was maintained. All cassettes were retrieved around 2.45. PM and all necessary air monitoring data and information for chain of custody were recorded.

The IH collected all air samples separately and checked for the correctness of information and data and were hand delivered to EMSL Analytical Inc.

### **Dustwipe Sampling**

BAOS Personnel collected sampling tubes, ghost wipes, powder free non-latex gloves, templates, masking tapes and other equipment needed to perform wipe sampling. Sampling locations were randomly selected and a total of 20 dustwipes were taken. This was done between 10.40 AM and completed around 12.30PM. A detailed sampling plan identifying the samples locations is given in the section Floor Plan.

All wipes taken were sealed in respective tubes and sample details were written on tube.. Dustwipe sampling data and all information required for chain of custody was recorded. The dustwipe samples were stored carefully to complete the sampling process.

All 20 bulk samples collected were forwarded to EMSL Analytical Laboratories for analysis on 72hour turn around time.

## **VISUAL OBSERVATION**

The air monitoring was carried out at breathing zone level. The building was very dirty and there was a lot of dust accumulations on the floor. There were certain locations where water leaks were also found. The dust on the floor was with a lot of paint chips which were peeling from the building components and artifacts.

# LABORATORY RESULTS

EMSL Analytical Inc. analyzed all air samples and dustwipe samples.

## Summary of Laboratory Results

A total of 10 air samples were taken and the NIOSH 7802 analysis results indicate the lead levels in air were below the Action Level of  $30\mu\text{g}/\text{m}^3$  and below the permissible exposure level (PEL) of  $50\mu\text{g}/\text{m}^3$ .

A total of 20 Dustwipe samples were taken and the analysis results indicate the level of lead in dust is very high and all the sample results were above the EPA and HUD standards for the floor at  $40\mu\text{g}/\text{ft}^2$

## CONCLUSION

The ambient air monitoring at breathing zone levels and random wipe sampling for lead in floor surface indicate that the levels of lead in air are below the OSHA specified action level and permissible exposure levels but the surface dust is at a very high level, atleast 500 times more than the EPA and HUD standards.

## RECOMMENDATIONS

The air monitoring at breathing zone levels indicate that the level of lead in air is below the action level specified by OSHA. Since the lead in surface dust is 500 to 600 times more than the standards specified by EPA and HUD and given the nature of the job, which is to move out the artifacts or to relocate them or dispose them off, the following are recommended

1. All the workers should be trained for an 8 hour lead awareness course specified by the OSHA standards for lead 29CFR 1926.62.
2. All the workers entering the work area should don personal protective equipment as specified in the OSHA regulations which should include but not be limited to, coveralls, half face respirator, gloves, head covering, eye covering. While the work is being performed air monitoring should be performed at the breathing zone levels of the workers to find out the actual lead levels in the air, and the respirator should be changed if required based on the action level and the assigned protection factors as per the OSHA respiratory standards 29CFR1910.134.
3. The entrance and exit from the work area should be through a decontamination facility erected on site and contiguous to the work area and should atleast contain a clean room, shower room and equipment room. All the workers leaving the work area should properly go through the decontamination procedure.

4. All waste generated should either be considered as hazardous waste and disposed off accordingly or TCLP test should be performed on all the waste to find out whether the waste is hazardous or non-hazardous.

# Laboratory Results



EMSL Analytical, Inc.

307 West 38th Street, New York, NY 10018

Phone: (212) 290-0081 Fax: (212) 290-0088 Email: [martha@emsl.com](mailto:martha@emsl.com)

Attn: Big Apple Occupational Safety  
505 8th Ave Suite 2305  
New York, NY 10018

Customer ID: BIGA50  
Customer PO:  
Received: 02/05/10 12:34 PM  
EMSL Order: 031002793  
EMSL Proj:

Fax: Phone: (212) 564-7658  
Project: 337 BERRY STREET/ BROOKLYN, NY 11211

### Test Report: Lead in Air by Flame AAS (NIOSH 7082)

Client Sample Description	Lab ID	Collected	Analyzed	Volume	Lead Concentration
1	0001	2/4/2010	2/8/2010	500 L	<8.0 µg/m³
INSIDE THE MAIN OFFICE					
2	0002	2/4/2010	2/8/2010	500 L	<8.0 µg/m³
ROOM WITH BOILER OPPOSITE TO MAIN OFFICE					
3	0003	2/4/2010	2/8/2010	500 L	<8.0 µg/m³
AREA AT THE REAR AFTER GATE 2 AT NORTH					
4	0004	2/4/2010	2/8/2010	500 L	<8.0 µg/m³
AREA AT THE REAR AFTER GATE 2 AT SOUTH					
5	0005	2/4/2010	2/8/2010	500 L	<8.0 µg/m³
AREA ADJ. TO STORAGE ROOMS					
6	0006	2/4/2010	2/8/2010	500 L	<8.0 µg/m³
REAR ROOM WITH BATHTUB AND EYE WASH FACILITY					
7	0007	2/4/2010	2/8/2010	500 L	<8.0 µg/m³
AREA BEFORE GATE 1 MARKED AS PRIVATE KEEP-OUT					
8	0008	2/4/2010	2/8/2010	500 L	<8.0 µg/m³
AREA UNDERNEATH STEEL LOFT IN THE MIDDLE					
9	0009	2/4/2010	2/8/2010	500 L	16 µg/m³
HALLWAY NEXT TO THE STEEL ALMIRAH					

*M. Apfeldorfer*

Miron Apfeldorfer, Laboratory Manager  
or other approved signatory

Reporting limit is 4 µg/nitro. ug/nitro = µg/m³ x volume sampled (liters). OSHA PEL = 60 µg/m³. OSHA action level = 30 µg/m³. The QC data associated with the sample results included in this report meet the recovery and precision requirements established by the AIMA, unless specifically indicated otherwise in the comment section. Unless otherwise noted, results in this report are not blank corrected. The laboratory is not responsible for data reported in µg/m³ which is dependent on volume collected by non-laboratory personnel. This report may not be reproduced except in full, without written approval by EMSL. This report relates only to those items tested. Samples received in poor condition unless otherwise noted. QC data associated with this sample set is within acceptable limits, unless otherwise noted. The regulatory method listed is only for reference purposes and is a guidance document for the EMSL SOP; slight modifications to the method apply.

Samples analyzed by EMSL Analytical, Inc. 307 West 38th Street, New York, NY 10018. NY-LLAP Lab 102561. NY-CLAP 11606



**EMSL Analytical, Inc.**  
 307 West 38th Street, New York, NY 10018

Phone: (212) 290-0051 Fax: (212) 290-0058 Email: [emsl@emslanalytical.com](mailto:emsl@emslanalytical.com)

Attn: **Big Apple Occupational Safety**  
 505 8th Ave Suite 2305  
 New York, NY 10018

Fax: Phone: (212) 564-7656  
 Project: 337 BERRY STREET/ BROOKLYN, NY 11211

Customer ID: BIGA50  
 Customer PO:  
 Received: 02/05/10 12:35 PM  
 EMSL Order: 031002732  
 EMSL Proj.

**Test Report: Lead in Dust by Flame AAS (SW 846 3050B\*/7000B)**

Client Sample Description	Lab ID	Collected	Analyzed	Area Sampled	Lead Concentration
1 AT THE ENTRANCE FOYER FLOOR	0001	2/4/2010	2/8/2010	144 in <sup>2</sup>	15000 µg/ft <sup>3</sup>
2 INSIDE MAIN OFFICE FLOOR	0002	2/4/2010	2/8/2010	144 in <sup>2</sup>	23000 µg/ft <sup>3</sup>
3 ROOM WITH BOILER OPPOSITE TO MAIN OFFICE FLOOR	0003	2/4/2010	2/8/2010	144 in <sup>2</sup>	22000 µg/ft <sup>3</sup>
4 AT THE ENTRANCE PARKING GARAGE FLOOR	0004	2/4/2010	2/8/2010	144 in <sup>2</sup>	22000 µg/ft <sup>3</sup>
5 AREA UNDERNEATH THE STAIRCASE FLOOR	0005	2/4/2010	2/8/2010	144 in <sup>2</sup>	20000 µg/ft <sup>3</sup>
6 HALLWAY NEXT TO THE STEEL ALMIRAH	0006	2/4/2010	2/8/2010	144 in <sup>2</sup>	12000 µg/ft <sup>3</sup>
7 AREA BEFORE GATE 1 MARKED AS "PRIVATE KEEPOUT" FL.	0007	2/4/2010	2/8/2010	144 in <sup>2</sup>	9500 µg/ft <sup>3</sup>
8 AREA BETWEEN GATE 1 AND GATE 2 FLOOR	0008	2/4/2010	2/8/2010	144 in <sup>2</sup>	14000 µg/ft <sup>3</sup>
9 AREA AT THE REAR AFTER GATE 2 FLOOR	0009	2/4/2010	2/8/2010	144 in <sup>2</sup>	17000 µg/ft <sup>3</sup>

*Miron Aptekdorfer*

Miron Aptekdorfer, Laboratory Manager  
 or other approved signatory

Reporting limit is 10 µg/wipe. The QC data associated with these sample results included in this report meet the method quality control requirements, unless specifically indicated otherwise. Unless noted, results in this report are not blank corrected. This report relates only to the samples reported above and may not be reproduced, except in full, without written approval by HMSL. HMSL bears no responsibility for sample collection activities.

\* slight modifications to methods applied. Samples received in good condition unless otherwise noted. Quality Control Data associated with this sample set is within acceptable limits, unless otherwise noted.

Samples analyzed by EMSL Analytical, Inc. 307 West 38th Street, New York NY 10018 LAX 110-PI1AP1ah 102/01



EMSL Analytical, Inc.

307 West 38th Street, New York, NY 10018

Phone: (212) 290-0081 Fax: (212) 290-0082 Email: [manufacturer@emsl.com](mailto:manufacturer@emsl.com)

Attn: **Big Apple Occupational Safety**  
606 8th Ave Suite 2305  
New York, NY 10018

Customer ID: B1GA50  
Customer PO:  
Received: 02/05/10 12:35 PM  
EMSL Order: 031002732  
EMSL Proj:

Fax:  
Project: 337 BERRY STREET/ BROOKLYN, NY 11211

**Test Report: Lead in Dust by Flame AAS (SW 846 3050B\*/7000B)**

Client Sample Description	Lab ID	Collected	Analyzed	Area Sampled	Lead Concentration
10 AREA ADJ. TO STORAGE ROOMS FLOOR	0010	2/4/2010	2/8/2010	144 in <sup>2</sup>	17000 µg/m <sup>3</sup>
11 REAR ROOM WITH BATHRUJ AND EYE WASH FACI ITY FLOOR	0011	2/4/2010	2/8/2010	144 in <sup>2</sup>	14000 µg/m <sup>3</sup>
12 AREA UNDERNEATH STEEL LOFT NEXT TO DOOR REAR RM FL	0012	2/4/2010	2/8/2010	144 in <sup>2</sup>	18000 µg/m <sup>3</sup>
13 AREA UNDERNEATH STEEL LOFT IN MIDDLE FLOOR	0013	2/4/2010	2/8/2010	144 in <sup>2</sup>	780 µg/m <sup>3</sup>
14 INSIDE STORAGE ROOM 1 FLOOR	0014	2/4/2010	2/8/2010	144 in <sup>2</sup>	18000 µg/m <sup>3</sup>
15 INSIDE STORAGE ROOM 2 FLOOR	0015	2/4/2010	2/8/2010	144 in <sup>2</sup>	18000 µg/m <sup>3</sup>
16 INSIDE STORAGE ROOM 3 FLOOR	0016	2/4/2010	2/8/2010	144 in <sup>2</sup>	3800 µg/m <sup>3</sup>
17 AREA UNDERNEATH STEEL LOFT AT THE FRONT FLOOR	0017	2/4/2010	2/8/2010	144 in <sup>2</sup>	18000 µg/m <sup>3</sup>
18 ROOM NEXT TO THE ENTRANCE FOYER FLOOR	0018	2/4/2010	2/8/2010	144 in <sup>2</sup>	12000 µg/m <sup>3</sup>

*M. Apfeldorfer*

Miron Apfeldorfer, Laboratory Manager  
or other approved signatory

Reporting limit is 10 µg/m<sup>3</sup>. The QC data associated with these sample results included in this report meet the method quality control requirements, unless specifically indicated otherwise. Unless noted, results in this report are not blank corrected. This report relates only to the samples reported above and may not be reproduced, except in full, without written approval by EMSL. EMSL bears no responsibility for sample collection activities.

\* All samples were received in good condition unless otherwise noted. Quality Control Data associated with this sample set is within acceptable limits, unless otherwise noted.

Samples analyzed by EMSL Analytical, Inc. 307 West 38th Street, New York NY 10018 AHA-LAP LLC LLLAP Lab 102581



**EMSL Analytical, Inc.**

307 West 38th Street, New York, NY 10018

Phone: (212) 290-0081 Fax: (212) 290-0088 Email: [info@emsl.com](mailto:info@emsl.com)

**Attn: Big Apple Occupational Safety  
505 8th Ave Suite 2305  
New York, NY 10018**

Fax: Phone: (212) 584-7656  
Project: 337 BERRY STREET/ BROOKLYN, NY 11211

Customer ID: BIGA50  
Customer PO:  
Received: 02/05/10 12:35 PM  
EMSL Order: 031002732  
EMSL Proj:

**Test Report: Lead In Dust by Flame AAS (SW 846 3050B\*/7000B)**

Client Sample Description	Lab ID	Collected	Analyzed	Area Sampled	Lead Concentration
19 AREA AT THE STEEL LOFT IN THE MIDDLE FLOOR	0019	2/4/2010	2/5/2010	144 in <sup>2</sup>	18000 µg/m <sup>3</sup>
20 INSIDE THE BATHROOM NEXT TO THE BOILER ROOM FLOOR	0020	2/4/2010	2/5/2010	144 in <sup>2</sup>	18000 µg/m <sup>3</sup>
21 BLANK Sample not submitted.	0021	2/4/2010		n/a	µg/wipe

*M. Apfeldorfer*

Miron Apfeldorfer, Laboratory Manager  
or other approved signatory

Reporting limit is 10 µg/wipe. The QC data associated with these sample results included in this report meet the method quality control requirements, unless specifically indicated otherwise. Unless noted, results in this report are not blank corrected. This report relates only to the samples reported above and may not be reproduced, except in full, without written approval by EMSL. EMSL bears no responsibility for sample collection activities.

\* slight modifications to methods applied. Samples received in good condition unless otherwise noted. Quality Control Data associated with this sample set is within acceptable limits, unless otherwise noted.

Samples analyzed by EMSL Analytical, Inc. 307 West 38th Street, New York NY 10018-LLAP Lab 102591



# Big Apple Occupational Safety Corp.

505 Eighth Avenue Suite 2305  
 New York, NY 10018  
 Tel: 212-564-7656 Fax: 212-564-7661  
 e-mail: [raja@baos.com](mailto:raja@baos.com)

031002432

Testing Address: 337 Berry Street City: Brooklyn State: NY Zip: 11211  
 Collected by: Ganapathy Rajagopalan / VICENTE GARZON Date: 02/04/2010 Certification Number: LRA-2175  
 Relinquished by: Ganapathy Rajagopalan / VICENTE GARZON PO#:

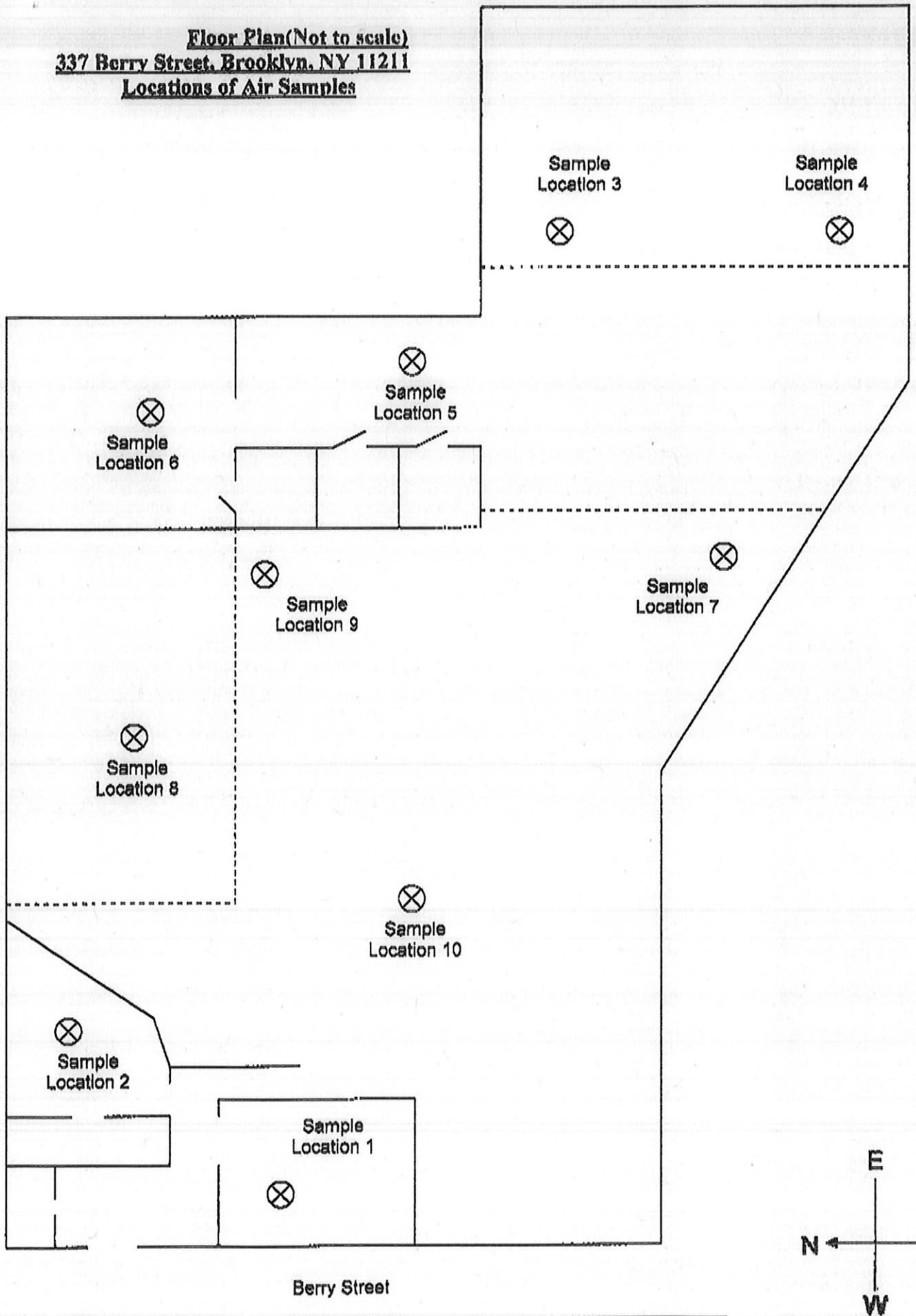
I hereby certify that the dust wipes supplied meet ASTM E 1702 and are of the brand  Lead Wipe  Face  Palladium  Fibert Wipes  Other (Please Specify)

<b>Turn Around Time</b> <input type="checkbox"/> Same Day - 8 hours <input type="checkbox"/> 24 hours <input checked="" type="checkbox"/> 72 hours <input type="checkbox"/> TCLP-Pb-3 days <input type="checkbox"/> Weekend	<b>Sample Type</b> Single Dust Wipe = DW Paint Chip = PC Composite Soil = CS Lead in Water = H <sub>2</sub> O Soil = S	<b>Collection Location Abbreviations</b> FR Family Room F Front O Basement LR Living Room R Rear KT Kitchen DN Den LT Left BA Bath DR Dining Room RT Right BR Bedroom 1 1 <sup>st</sup> Floor 2 2 <sup>nd</sup> Floor	<b>Surface Type for Dust Wipe</b> FL = Floor CP = Carpet SL = Window Sill WW = Window Well
--	---	--	--

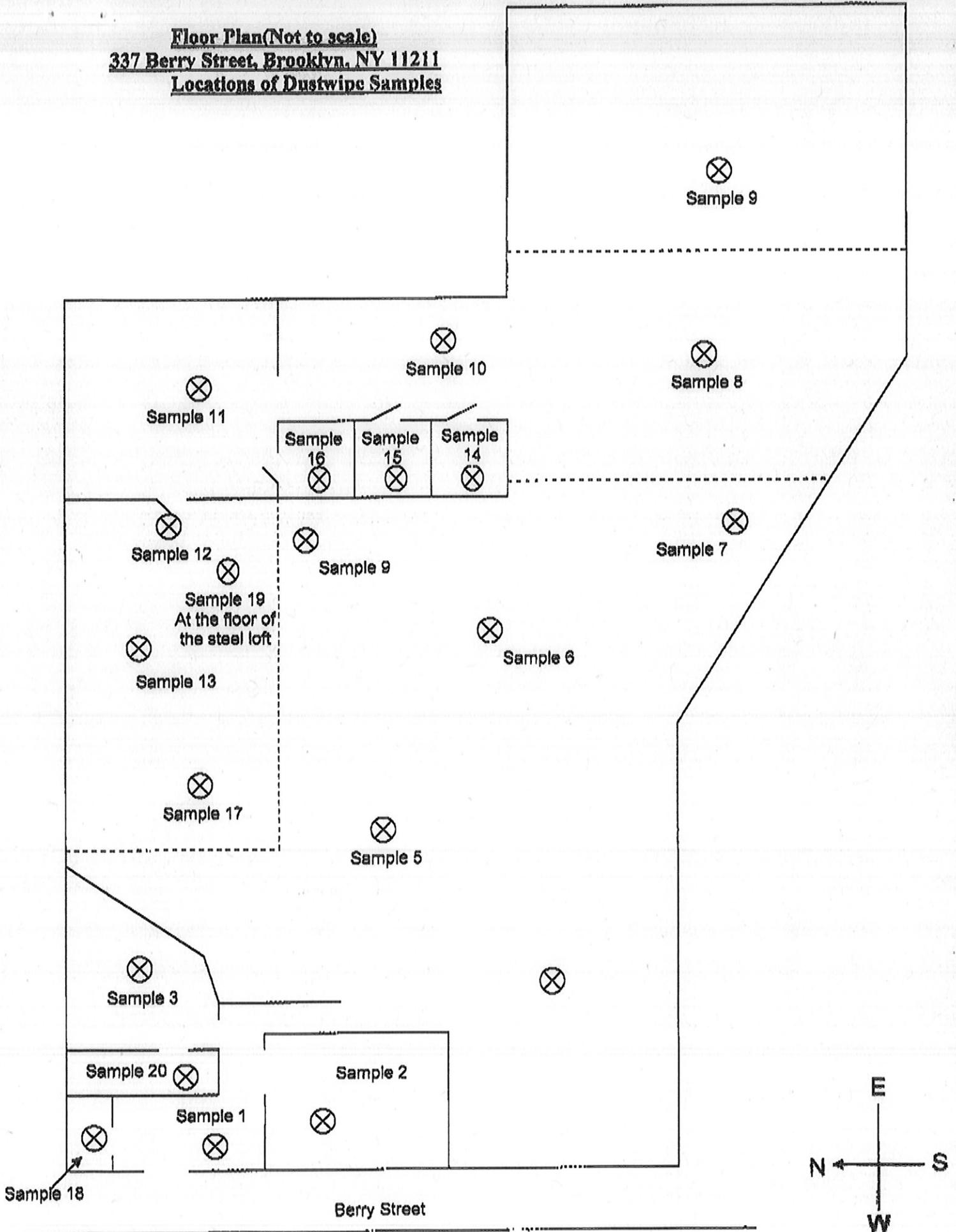
No	Sample Type	Date Collected	Client Sample ID	Collection Location (LR, KT, LTFBR, RTRBR etc)	Surface Type	Dust Wipe Length x Width (In Inches)	Paint Chip Length x Width (In Inches)	Air Volume (Total Liters)
1	DW	02/04/2010	1	At the Entrance Foyer	Floor	12" X 12"	X	L
2	DW	02/04/2010	2	Inside the Main Office	Floor	12" X 12"	X	L
3	DW	02/04/2010	3	Room with Boiler opposite to main office	Floor	12" X 12"		L
4	DW	02/04/2010	4	At the Entrance Parking Garage	Floor	12" X 12"		L
5	DW	02/04/2010	5	Area underneath the Staircase	Floor	12" X 12"		L
6	DW	02/04/2010	6	Hallway next to the Steel Almirah	Floor	12" X 12"		L
7	DW	02/04/2010	7	Area before Gate 1 marked as private Keepout	Floor	12" X 12"		L
8	DW	02/04/2010	8	Area Between Gate 1 and Gate 2	Floor	12" X 12"		L
9	DW	02/04/2010	9	Area at the Rear after Gate 2	Floor	12" X 12"		L
10	DW	02/04/2010	10	Area Adjacent to storage rooms	Floor	12" X 12"		L
11	DW	02/04/2010	11	Rear room with Bathtub and eye wash facility	Floor	12" X 12"		L
12	DW	02/04/2010	12	Area underneath steel loft next to door for Rear room	Floor	12" X 12"		L
13	DW	02/04/2010	13	Area underneath steel loft in the middle	Floor	12" X 12"		L
14	DW	02/04/2010	14	Inside Storage Room 1	Floor	12" X 12"		L
15	DW	02/04/2010	15	Inside Storage Room 2	Floor	12" X 12"		L
16	DW	02/04/2010	16	Inside Storage Room 3	Floor	12" X 12"		L
17	DW	02/04/2010	17	Area underneath steel loft at the front	Floor	12" X 12"		L
18	DW	02/04/2010	18	Room next to the Entrance foyer	Floor	12" X 12"		L
19	DW	02/04/2010	19	Area at the steel Loft in the middle	Floor	12" X 12"		L
20	DW	02/04/2010	20	Inside the bathroom next to the boiler room	Floor	12" X 12"		L
21	DW	02/04/2010	21	BLANK				

*Rec. by Rajagopalan 2/5 12:35P*

**Floor Plan(Not to scale)**  
**337 Berry Street, Brooklyn, NY 11211**  
**Locations of Air Samples**



**Floor Plan(Not to scale)**  
**337 Berry Street, Brooklyn, NY 11211**  
**Locations of Dustwipe Samples**



## PRELIMINARY RESULTS

ALSO AVAILABLE ON THE WEB

Deliver Promptly To: Chacko Thomas

Company: \_\_\_\_\_

Fax/Email: chackoT@hpd.nyc.gov

From: \_\_\_\_\_

Date: 6-3-11

Number of Pages Including This Page: 4

Message: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Clients can now access their reports via the web!

Simply request a Client Portal account to track your samples and access your reports, invoices, and signed COCs.

- For bulk asbestos analysis, if you require that certain samples move forward to gravimetric reduction TEM analysis (ex. TEM-NOB by ELAP 198.4 or equivalent), please look over your PLM bulk asbestos results, circle or highlight any samples/layers that require additional analysis, and submit to us as soon as possible. FAX 856-231-9818, [info@iatl.com](mailto:info@iatl.com).
- For airborne fiber counts by PCM 7400, if you require that certain samples move forward to airborne TEM analysis (ex. TEM-NIOSH 7402 or equivalent), please look over your PCM results, circle or highlight any samples that require additional analysis, and submit to us as soon as possible. FAX 856-231-9818, [info@iatl.com](mailto:info@iatl.com).

Preliminary results are issued by iATL to expedite client decision making. There are several factors that limit these results: sampling methods, sampling data, packaging and handling.

These results may not have been reviewed by the Laboratory Director. Final Certificates of Analysis will follow these preliminary results. The signed COA is considered the official results.

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## CERTIFICATE OF ANALYSIS

**Client:** HPD-AEP  
100 Gold Street, 4th Fl  
New York NY 10038

**Report Date:** 6/3/2011  
**Report Number:** 241801  
**Project:** 337-339 Berry St.  
**Project No.:**

### LEAD WIPE SAMPLE ANALYSIS SUMMARY

<u>Lab No.</u>	<u>Client No.</u>	<u>Location / Description</u>	<u>Area Sampled (ft<sup>2</sup>)</u>	<u>Concentration (ug/ft<sup>2</sup>)</u>
4317386	337B-06/1-31	Blank	Blank	<10.0 ug
4317387	337B-06/1-32	At Entrance To Parking Garage	1.00	<10.0

Accreditation:

**NATIONAL LEAD LABORATORY ACCREDITATION PROGRAM (NLLAP)**

AIHA-LAP, LLC No. 100188

NYSDOH-ELAP No. 11021

**Analytical Method:** EPA SW846-3050B:7000B "Standard Method To Test For Low Concentrations Of Lead In Soils, Sludges And Sediments By AAS"

**Comments:** Regulatory limit varies by surface location (EPA/HUD guidelines). Unless otherwise stated, results assume one square foot sampled. Method requires submittal of blanks. IATL assumes that all of the sampling methods and data upon which these results are based, have been accurately supplied by the client. Method Detection Limit (MDL) per EPA Method 40CFR Part 136 Appendix B. Reporting Limit (RL) based upon Lowest Standard Determined (LSD) in accordance with AIHA-ELLAP policies. LSD= 0.2 ppm MDL=2.0 ug/ft<sup>2</sup> RL=10.0 ug/ft<sup>2</sup> (based upon 1.0 square foot sampled). The EPA 403 Final Rule (40 CFR 745.63) requires that all wipe samples of settled dust shall be collected using a wipe that meets ASTM E1792. Sample results are not corrected for contamination by field or analytical blanks. This confidential report relates only to those item(s) tested and does not represent an endorsement by NIST-NVLAP, AIHA or any government agency. This report shall not be reproduced except in full, without written approval of the laboratory.

**Date Received:** 6/2/2011

**Date Analyzed:** 6/3/2011

**Analyst:** C. Shaffer

**Approved By:**

Frank E. Ehrenfeld, III  
Laboratory Director





**Environmental Impact Statement**  
 Site Observation Sheet  
 Greenpoint-Williamsburg Rezoning  
 CEQR # 04DCP003K

Site Type	Potential Development
Date Observed	11/13/2003
E-Designation	On-Site Concern
Site #	327
Block #	2443
Tax Lots	6, 37, 41
Address	99-101 South 5th St/330 Berry St
Name	Salvage Warehouse and Vacant Lot
Land use	Industrial/Vacant Lots
Site Area	15,421



<u>Building Information</u>	
East	Residence, 109 South 5th Street
West	French Products/Tung Fa Noodle
North	building under renovation/residence
South	Williamsburg Bridge/Residence
Slope	West-southwest
# of Buildings	One at Lot 6
# of Floors	1
Façade	Brick
Notes	Lots 37 and 41 are vegetated and gravel, enclosed by a chain link fence with a gated entrance on South 5th Street. Building Department records show 6 violations and an oil burner application (1952) at Lot 6, 5 violations and 1 ECB at Lot 37, and 3 complaints at Lot 41. Sanborn addresses are 339-341 Berry, 99-107 S5th.

<u>Historic Sanborn Map Notes</u>
<b>Lot 6:</b> NYC Dept. of Corrections Garage (~1996~1947), Water Purveyors Bureau (~1935~1904), wagon shed/stables (~1887)
<b>Lot 37:</b> vacant & open/dwelling (~1965), two dwellings (~1950~1887), no information on 1996 to 1977 maps
<b>Lot 41:</b> auto body (~1992~1950), warehouse (~1947~1935), dwelling (~1887), no information provided on 1996 to 1993 and 1918 to 1904 maps
<b>Nearby Historic Sites of Potential Concern</b>
Century paint and wallpaper Co. west of site ~1904.
Flashlight and battery Mfg. east of site ~1918.
Filling station to the west of site ~1965~1935.

<u>Comments</u>
Scrap metal storage on Lots 37, 41 solid waste, lumber, scrap metal stored outside of lots along fence, land/sea trailer at west side of lots, 55-gallon drum observed on site.
Vent pipe and fill hole on Berry Street, drainage pipe in wall of building at Lot 6, steel grate in sidewalk leading to a ladder that accesses the basement.
<b>Nearby Listed Sites</b>
333 Berry St., Local Transfer Station - Regulated Transfer Station, 338 Berry St. Karl & Gail Inc. - SQG
98-116 South 4th St. - Fuel Oil AST, Spill, SVOCs detected in soils, owner entered a VCP.