



**OFFICE OF ENVIRONMENTAL REMEDIATION**

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April 20, 2013

Radame Perez  
Mastermind, Ltd.  
688 Crescent Avenue  
Bronx, NY 10458

Doug Harm  
Brinkerhoff Environmental Services, Inc.  
1805 Atlantic Avenue  
Manasquan, NJ 08736

Re: **NYC VCP Remedial Action Work Plan Approval**  
**899 Westchester Avenue**  
**Block 2690, Lots 34**  
**VCP Project # 13CVCP100X**

Dear Mr. Perez:

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 899 Westchester Avenue, VCP Project # 13CVCP100X, dated March 22, 2013. 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 April 19, 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 “899 Westchester Avenue” site. 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: <http://www.nyc.gov/oer>

The New York City Office of Environmental Remediation (the Office or OER) 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 899 Westchester Avenue and the public's input to the proposed remedy presented by the Office.

### **Description of Selected Remedy**

The remedy selected for this 899 Westchester Avenue is Track 4 remedy and includes soil excavation, cover system, and vapor barrier installation.

The elements of the selected remedy are as follows:

1. Preparation of a Community Protection Statement and implementation of all required NYC VCP Citizen Participation activities according to an approved Citizen Participation Plan.
2. Perform a Community Air Monitoring Program for particulates and volatile organic carbon compounds.
3. Establish Track 4 Soil Cleanup Objectives.
4. Site mobilization involving Site security setup, equipment mobilization, utility mark outs and marking & staking excavation areas.
5. Excavation and removal of soil/fill exceeding SCOs, including a hotspot area identified in the exterior rear yard.
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.
10. Performance of all activities required for the remedial action, including permitting requirements and pretreatment requirements, in compliance with applicable laws and regulations.
11. Implementation of storm-water pollution prevention measures in compliance with applicable laws and regulations.
12. Installation of a 20 mil vapor barrier (HDPE, manufactured by Raven) beneath the structure's slab and along foundation sidewalls.
13. Construction and maintenance of an engineered composite cover including the 4-6" concrete building slab, and asphalt pavement, and concrete-covered sidewalks. The cover will prevent human exposure to residual soil/fill remaining under the Site;
14. Ventilation of the below grade parking area consistent with NYC Building Code. Ventilation will prevent accumulation of vapors within the building;
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, and describes all

Engineering and Institutional Controls to be implemented at the Site, and lists any changes from this RAWP.

16. 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.
17. Recording of a Declaration of Covenants and Restrictions (DCR) that includes a 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.

4/20/13

Date



Shaminder Chawla  
Assistant Director

## **SITE BACKGROUND**

### **Location:**

The Site is located at 899 Westchester Avenue, Bronx, New York, and identified as Block 2690, Lot 34, on the New York City Tax Map. Refer to Figure 1 for the site location.

### **Site Features:**

The Site is 32,929-square feet and is presently under construction. Current uses of adjoining properties are as follows:

North: Residential apartments, across East 162nd Street, are located to the north of the subject property.

East: Westchester Avenue and overhead train tracks followed by residential buildings with ground floor vacant commercial units are located to the east of the subject property.

South: Westchester Avenue and overhead train tracks followed by a church are located to the south of the subject property.

West: Residential apartments are located to the west of the subject property.

### **Current Zoning/uses:**

The current zoning designation is R7-1. The proposed use is consistent with existing zoning for the property.

### **Historical Use:**

Review of historical Sanborn Maps indicated that a portion of a previous mixed-use residential/commercial building formerly located on the southwest portion of the subject property was occupied by a printer in 1950. Printing operations are not identified in any subsequent or prior historical sources. Given the time elapsed (60+ years) and lack of regulatory listings or other identified concerns, on-Site printing operations in 1950 are not expected to represent a significant environmental concern. No other potential environmental concerns were identified in association with the current or historic use of the subject property. The printing operation was located on a small portion of the subject property.

### **Summary of Environmental Findings:**

1. The general elevation of the subject property is approximately 49 feet above sea level.
2. Depth to groundwater varies from eight (8) to 10 feet at the Site.
3. Groundwater flow is generally toward the southeast beneath the Site, based on topography.
4. The stratigraphy of the Site, from the surface down, consists of brown to dark brown fine-medium sand mixed with concrete, rubber, brick, wood and cobbles to approximately 11 feet below grade. Bedrock was encountered at some locations at the Site at an average depth of 10 to 11 feet below grade. A site location map is attached as Figure 1.

## **PROPOSED DEVELOPMENT PLAN**

The proposed action would result in the construction of an eight-story, 130,797 square foot building containing 141 units of affordable housing, 18,483 square feet of ground floor retail space, and 647

square feet of community facility (medial office) space. The basement of the building will be an open parking garage space encompassing the entire footprint of the building and will contain 44 accessory parking spaces accessed from a driveway connection to East 162<sup>nd</sup> Street. A 3,745 square foot outdoor recreational space, consisting of sitting areas and playground, would be provided at the rear of the building along the East 162<sup>nd</sup> Street frontage of the Site.

The remedial action contemplated under this RAWP may be implemented independently of the proposed redevelopment plan.

## **SUMMARY OF REMEDIAL INVESTIGATION**

The Phase II Subsurface Investigation was conducted in October/November 2012. A full Phase II Subsurface Investigation 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 Volatile Organic Compounds (VOCs) and PCBs at detectable concentrations. Several SVOCs were detected in mostly shallow soil samples and one deep soil sample at concentrations above Restricted Residential Use SCOs. These SVOCs are all Polycyclic Aromatic Hydrocarbons (PAHs) and included benzo(a)anthracene (max 33.1 ppm), benzo(a)pyrene (max 35.0 ppm), benzo(b)-fluoranthene (max 29.7 ppm), benzo(k)fluoranthene (max 41.3 ppm), chrysene (max 36.2 ppm), Dibenz(a,h)anthracene (max 0.96 ppm), and indeno(1,2,3-cd)pyrene (max 22.3 ppm). Metals including barium (max 1310 ppm), copper (max 96 ppm), lead (max 557 ppm), nickel (max 89 ppm), selenium (max 5.3 ppm) and zinc (max 925 ppm) exceeded Restricted Residential Use SCOs. The pesticide DDD, DDE and DDT were detected in shallow as well as deep soil samples, and were detected above Restricted Residential SCOs. Overall, the findings were consistent with observations for other urban fill sites.

Groundwater: Groundwater samples collected during the RI showed no pesticides or PCBs at detectable concentrations. One VOC, 1,1,2-Trichloroethane (1.3 ppb), was detected in all three groundwater samples submitted for VOC analysis, but the concentration was below its GQS. No other VOCs were detected above GQS within the three groundwater samples. Trace levels of SVOCs were detected in all three groundwater samples, but concentrations were all below GQSs. Total metal exceedances for barium, chromium, copper, magnesium, manganese, lead, nickel and selenium were identified in all wells, but the dissolved concentrations of the only magnesium and selenium were detected above their respective GQSs.

Soil vapor: Soil vapor samples collected during the RI showed several petroleum and chlorinated VOCs at generally low concentrations. The tetrachloroethene (PCE) concentrations (ranging from 0.51 to 100 µg/m<sup>3</sup>) were detected within the soil gas samples. The concentration of PCE would warrant further monitoring when compared to ambient air concentration (0.51 µg/m<sup>3</sup>). However, based on the planned excavation and development use for the Site, continued monitoring should not be necessary because all of the soils will be removed and bedrock will be exposed. TCE concentrations ranged from 0.04 to 24 µg/m<sup>3</sup>. Carbon Tetrachloride was also identified in all three soil samples at a maximum concentration of 1.4 µg/m<sup>3</sup>, which is below the monitoring level ranges established within the State DOH soil vapor guidance matrix. Noteworthy concentrations of other compounds detected in the samples include acetone, n-heptane, n-hexane and m&p-xylenes.

**Figure 1: Site Map**

