



OFFICE OF ENVIRONMENTAL REMEDIATION
100 Gold Street – 2nd Floor
New York, New York 10038

Daniel Walsh, Ph.D.
Director
Tel: (212) 788-8841
Fax: (212) 788-2941

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

May 6, 2015

Re: 5111 4th Avenue
Brooklyn Block 799, Lot 6
Hazardous Materials “E” Designation
E-236: **9/30/2009** Sunset Park Rezoning - CEQR 09DCP075K
OER Project Number 15EHAZ376K / VCP Number 15CVCP115K

The New York City Office of Environmental Remediation (OER) has completed its review of the Remedial Action Work Plan (RAWP) dated April 2015 with Stipulation Letter dated April 2015 for the above-referenced project. The Plan was 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 May 2nd, 2015. There were no public comments.

Project Description

The development project consists of the addition of three floors to the existing 2-story commercial building. The first and second floor will remain commercial space, and floors 3 through 5 will be utilized for residential apartments. The existing building covers the first 95 feet of the lot, leaving a 5 foot rear yard. Excavation will be required to install new building support columns with footings, new grade beams, and to construct a new elevator pit. Excavation will be limited to a depth of approximately 6 ft 4 inches.

The existing building has a small cellar level that will be slightly expanded to install the elevator pit and compactor. The cellar level will consist of approximately 406 ft² of space, including a sprinkler/mechanical room, two small storage spaces, and elevator.

Statement of Purpose and Basis

This document presents the remedial action for the NYC Voluntary Cleanup Program and E-Designation project known as “5111 4th Avenue” 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 5111 4th Avenue site is protective of public health and the environment. The elements of the selected remedy are as follows:

The proposed remedial action will consist of:

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. Establishment of Site-Specific (Track 4) Soil Cleanup Objectives (SCOs).
4. Site mobilization involving Site security setup, equipment mobilization, utility mark outs and marking & staking excavation areas.
5. Waste characterization soil samples will be collected from soil stockpiles within the building at a frequency dictated by disposal facility. A Waste Characterization Report documenting sample procedures, location, analytical results shall be submitted to NYCOER prior to start of remedial action.
6. Excavation and removal of soil/fill exceeding Track 4 Site-Specific SCOs. For development purposes, excavation will be required to install new building support columns with footings, new grade beams, and to construct a new elevator pit, and will be limited to a depth of approximately 6 feet 4 inches. Excavation is expected to generate no more than 150 tons of soil for removal.
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 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. Appropriate segregation of excavated media on-Site.
11. Collection and analysis of four 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. Installation of a vapor barrier system within concrete slab repair areas as well as below and around new cellar walls and elevator pit. The vapor barrier will consist of Raven Industries' VaporBlock 20 Plus, which is a seven layer co-extruded barrier made from state-of-the-art polyethylene and EVOH resins.
14. Construction and maintenance of an engineered composite cover consisting of the building's existing 4 inch thick concrete slab and all concrete slab repair/replacement areas to prevent human exposure to residual soil/fill remaining under the Site.
15. Implementation of storm-water pollution prevention measures in compliance with applicable laws and regulations.
16. Performance of all activities required for the remedial action, including permitting requirements and pretreatment requirements, in compliance with applicable laws and regulations.
17. 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.

18. 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.
19. The property will continue to be registered with an E-Designation by the NYC Buildings Department. Establishment of Engineering Controls and Institutional Controls in this RAWP 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.

5/6/15	
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Date	Alysha Alfieri Project Manager
5/6/15	
_____	_____
Date	Shaminder Chawla Deputy Director

cc: Hershy Beigel, 5111 4th Avenue Equity Realty Holdings - Hershy@trumanmanager.com
Kevin Brussee, EBC - kbrussee@ebcincny.com
Daniel Walsh, Zach Schreiber, Maurizio Bertini, Hannah Moore
A. Alfieri, PMA-OER