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

March 18, 2016

Re: **93-43 Sutphin Boulevard (Sutphin Plaza Hotel)**
147-05 94 Avenue & 93-47 - 93-49 Sutphin Boulevard
Queens, Block 9998, Lots 42, 43, 47, 48, 58 (formerly p/o 52)
Hazardous Materials, Air Quality, Noise "E" Designation
E-175: 9/10/2007 - Downtown Jamaica Redevelopment - CEQR 05DCP081Q
OER Project Number: 14EHAN169Q / VCP Number: 14CVCP258Q

The New York City Office of Environmental Remediation (OER) has completed its review of the Remedial Action Work Plan (RAWP) dated May 15, 2015 with Stipulation Letter dated March 16, 2016 and the Remedial Action Plan for Air Quality and Noise dated March 8, 2016 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 June 27, 2015. There were no public comments.

Project Description

The proposed future use of the Site will consist of a transient franchise hotel with approximately 221 rooms in general. The building will be 27-stories tall and contain about 110,196 gross square feet. It will house a cellar with building services such as kitchen, laundry, compactor, offices and accessory mechanical rooms. A lobby and bar/restaurant will be located on the ground level, the second floor will house guestrooms and a fitness center, the third floor will house guestrooms and meeting rooms, and the 15th floor will be dedicated to housing building mechanical units. Located on the 26th floor is a rooftop bar with open terrace space. The remaining floors will house hotel guestrooms. The entire property will be excavated to depths of approximately 26 feet below grade.

The current zoning designation is C6-4 within Special Downtown Jamaica District. The proposed use is consistent with existing zoning for the property.

Redevelopment plans will include demolition of the current structure on the property followed by excavation of soils. Since excavation for construction will be performed to a depth of 26 feet and groundwater has been detected at 21 feet, excavation will extend into the saturated groundwater zone and, therefore, dewatering will be a necessary part of the construction process.

Statement of Purpose and Basis

This document presents the remedial action for the NYC Voluntary Cleanup Program and E-Designation Program project known as "93-43 Sutphin 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 93-43 Sutphin 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. Performance of a community air monitoring program (CAMP) for particulates and volatile organic 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 (a) 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 26 feet below grade. Approximately, 10,000 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 as described in Appendix E.
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 four (4) end-point samples from the bottom of the excavation to evaluate the performance of the remedy with respect to attainment of Track 1 SCOs. Samples will be analyzed for contaminants of concern VOCs, SVOCs, Metals, PCBs, and Pesticides.
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 for extracted groundwater, in compliance with applicable laws and regulations.
14. Since groundwater is at a depth of 21 feet below ground surface, dewatering is required and dewatering permits will be obtained from NYCDEP, including submission of dewatering and sampling plans, and pretreatment design details, as required for this purpose.
15. Implementation of storm-water pollution prevention measures in compliance with applicable laws and regulations.
16. 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.
17. 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 implemented for new development will constitute Engineering and Institutional Controls:

18. As part of development, since construction will extend below the water table to a depth of 26 feet, installation of a waterproofing system / vapor barrier beneath the building slabs and behind the foundation sidewalls of the proposed building. A minimum of 20-mil vapor barrier will be installed beneath the structure's slab and along foundation sidewalls. The barrier chosen for this project is manufactured by Grace Preprufe®, model numbers 300R, 160R, and 4,000.

19. As part of development, construction and maintenance of an engineered composite cover over the entire footprint of the site consisting of a concrete building slab to prevent human exposure to residual soil/fill remaining at the Site.

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 Air Quality

The elements of the remedial action selected for Air Quality for the 93-43 Sutphin Boulevard site are as follows:

In order to satisfy the requirements of the E-designation, natural gas, will be utilized at the site for HVAC systems on the 15 floor and roof as well as direct hot water heaters on the 15th floor. Remaining systems, including space heating and hot water, will be powered electrically.

Description of Selected Remedy for Noise

The elements of the remedial action selected for Noise for the 93-43 Sutphin Boulevard site are as follows:

In order to meet the requirements of the E-Designation, the following window/wall attenuation will be achieved at the locations described below:

1. 30 dBA for all facades;

The following window(s) will be installed:

Façade Floor Range	**OITC Rating**	**OITC Certification**	**Manufacturer and Model**	**Glazing**
West & South Façade Floors 1-3 Commercial Floors 4-25 Hotel	34 dBA	See ASTM E-90 acoustical report for the exact window and glazing in Appendix G - Intertek-ATI Report No. ESP-012306-Wausau-2	Wausau Window 4250i Two-Lite Window Wall System	1-1/16" IG ¼" Annealed Exterior Lite, ½" Argon Filled Airspace, 5/16" Annealed Interior Lite

Façade Floor Range	OITC Rating	OITC Certification	Manufacturer and Model	Glazing
West & South Façade Floor 26 Commercial	33 dBA	Window ASTM E-90 Lab Test Report to be provided to OER prior to purchase and installation - Architectural Testing ATI #B6858.01E, Test #FN 12/2011.03	Nanawall Glass Wall Systems Model Solarlux SL60 HSW	8mm Clear Laminated, 24mm Air Space, 6mm Clear Laminated with Enhanced Interlayers

The acoustical reports described above are representative of the acoustical performance of all proposed windows/doors/curtain walls.

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

1. **Central Systems:**
    a. Guest Rooms: Two cooled air handling units located on the 15th floor MER, as manufactured by United Cool Air, model VA25G3AHA-A-X, will temper the outdoor air for each of the guest rooms. The outdoor air is filtered, heated or cooled, humidified and distributed to each in each guest room through ductwork. Louvers with motorized dampers are provided at the 15th floor façade. Each air handling unit is connected through ductwork to the louvers for 100% air intake.
    b. Amenities Spaces: A dedicated outdoor unit, as manufactured by United Cool Air, model VA25G3AHA-A-X, will temper the outdoor air for the amenities spaces, such as gym, meeting room, etc. The unit is located on the 15th floor, MER. The outdoor air is filtered, heated or cooled, humidified and distributed to each space, via ductwork to meet the minimum code requirement for outdoor air per person. Louvers with motorized dampers are provided at the 15th floor façade. Each air handling unit is connected through ductwork to the louvers for 100% air intake.
    c. Corridor Ventilation: The corridors will be supplied with 100% air delivered via ductwork from the rooftop air cooled/gas heated unit located on the upper roof. This unit is manufactured by AAON, model RN 015, will be dedicated for post fire purge exhaust for each floor. The unit is provided with supply fan and exhaust fans and control to provide the functions as described.

2. **Combination of Dedicated Fresh Air/ HVAC System**:
    a. Rooftop bar: The rooftop bar space air condition will be delivered via ductwork from the air cooled gas heated rooftop unit located on the roof, above the bar. The unit is model RN 015, produced by AAON.
    b. Cellar Kitchen Make Up Ventilation: The kitchen will be supplied with make-up air, via dedicated system, consisting of a supply fan, and heating coil to temper the air delivered in the kitchen. The fan is manufactured by Greenheck. The supply fan is interlocked with hood exhaust fan. Restaurant is provided with air conditioning, via ceiling mounted air conditioning units, Cool Air, model C5G3ASN.
    c. Cellar Laundry Room Make Up Ventilation: The laundry equipment include (3) washers and (3) large dryers exhausting 915 CFM each. The make-up air for the dryers will be provided from the dedicated system, consisting of supply fan with filter box and a duct mounted hot water heating coil. The outdoor air is tempered and supplied directly into the chase behind the dryers. The fan manufactured by Greenheck, is supplied with VFD's and interlocked with each dryer fan. The Laundry room is provided with air conditioning, via ceiling mounted air conditioning units, Daikin, model FXHQ-MVJU.

3. **Compliance with Mechanical Code:** Providing outside air to commercial spaces and common areas such as lobbies and corridors in accordance with the NYC Mechanical Code.

The remedies for Hazardous Materials, Air Quality, 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.

March 18, 2016

Date

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March 18, 2016

Date

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Deputy Director

March 18, 2016

Date

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