



**OFFICE OF ENVIRONMENTAL REMEDIATION**  
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September 21, 2012

Samuel J. Rieder  
Rieder Holdings, LLC  
North 7th Management, LLC  
45 Broadway, Suite 2640  
New York, New York 10006

Ezgi Karayel  
Hydro Tech Environmental, Corp.  
15 Ocean Avenue  
Brooklyn, New York 11225

Re: **NYC VCP Remedial Action Work Plan Approval**  
**249 North 7th Street / 248 North 8th Street**  
**Block 2322, Lots 28 & 30 (N. 7th St.) and Lots 10& 11 (N. 8th St.)**  
**VCP Project # 12CVCP068K & 12CVCP069K / OER Project # 12EHAZ395K**

Dear Mr. Rieder:

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 249 North 7th Street / 248 North 8th Street, VCP Project # 12CVCP068K & 12CVCP069K, dated September 13, 2012. 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 August 16, 2012. 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 “249 North 7th Street / 248 North 8th Street” 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/html/oer/html/repository/RBrooklyn.shtml> .

The New York City Office of Environmental Remediation (the Office or OER), in consultation with the New York City Department of Health and Mental Hygiene (DOHMH), 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 249 North 7th Street / 248 North 8th Street Site and the public's input to the proposed remedy presented by the Office.

### **Description of Selected Remedy**

The remedy selected for this 249 North 7th Street / 248 North 8th Street Site is Track 4 remedy and includes soil excavation, cover system, and sub-slab ventilated parking garage.

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 (CPP).
2. Perform a Community Air Monitoring Program for particulates and volatile organic carbon compounds.
3. Establish Track 4 Soil Cleanup Objectives (SCOs).
4. Re-sampling of the three Soil Vapor points will be performed before the start of the remedial/construction work.
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 4 SCOs.
7. Removal of underground storage tanks and closure of petroleum spills 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. Screening of excavated soil/fill during intrusive work for indications of contamination by visual means, odor, and monitoring with a PID.
10. Collection and analysis of end-point samples will be conducted to evaluate the performance of the remedy with respect to attainment of Track 4 SCOs. To evaluate attainment of Track 4 SCOs throughout the site, 7 base samples will be collected. Endpoint samples will be analyzed for VOCs, SVOCs, PCBs, Pesticides, and Metals.
11. Construction and maintenance of an engineered composite cover consisting of briefly concrete, asphalt pavement, and 4" building slab to prevent human exposure to residual soil/fill remaining under the Site;
12. Demarcation of residual soil/fill.

13. Installation of a Grace waterproofing/vapor barrier system with Preprufe 300R (46-mil) and Preprufe 160R (32-mil) products beneath all slabs and upwards along all foundation sidewalls to grade
14. Import of materials to be used for backfill and cover in compliance with this plan and in accordance with applicable laws and regulations.
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 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. Recording of a Declaration of Covenants and Restrictions 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.

9/21/12

Shaminder Chawla

Date

Shaminder Chawla  
Assistant Director

## **SITE BACKGROUND**

### **Location:**

The Site is located at 249 North 7th Street / 248 North 8th Street in Brooklyn, New York and is identified as Block 2322, Lots 28 & 30 (N. 7th St.) and Lots 10 & 11 (N. 8th St.) on the New York City Tax Map. Figure 1 shows the Site location.

### **Site Features:**

The 249 North 7th Street - Site A is 12,567-square feet and 248 North 8th Street - Site B is 20,000-square feet and is bounded by multi-story residential buildings to the north, North 7th Street to the south, multi-story residential and commercial buildings to the east, and to the west. Currently, both sites are unoccupied and not in use. Site A consists of a vacant lot and Site B consists of a 1-story vacant building. The topography of the combine Site and its vicinity is generally level. The surrounding property uses are predominantly residential and commercial.

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

The current zoning designation is M1-2/R6A, Special Mixed Use District. The proposed use is consistent with existing zoning for the property.

### **Historical Use:**

A review of historic records revealed that The Site was historically developed as a mixture of one- and two- story residential buildings from 1887 to 1942. Creston Glass Products Co., Puritan Lighting Fixtures Co occupied both lots on North 7th Street from 1965 to 1973. Fire Insurance Maps indicates that the building on 246-248 North 8th Street was occupied by a print spraying facility for approximately thirty-one (31) years. Print spraying facilities typically use hazardous materials/ solvents as part of daily operations.

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

1. Elevation of the property ranges from 12.62 to 14.00 feet at Site A and from 7.47 to 10.07 feet at Site B above sea level.
2. Depth to groundwater ranges from 8.4 to 10.1 feet at Site A and from 3.1 to 5.1 feet at Site B.
3. Groundwater flow direction beneath the Site is generally towards the west.
4. Bedrock was not encountered during the investigation.
5. The stratigraphy of the site, from the surface down, consists of fill ranging in thickness up to 8 feet (fine to coarse sand and some silt with traces of brick, cinders, wood, glass and gravel; brown silty fine to medium sand with traces of cinders, bricks, glass and gravel.) The fill layer is underlain by sandy clay in some borings to variable depths ranging from 10 to 17 feet (light brown, fine to medium sand, clay and silt; gray to brown clayey fine to medium sand). The clay layer is underlain by peat in some borings (black peat, trace silty clay). Sand is located immediately beneath the peat and clay down to variable depths from 17 to 40 feet (brown fine to medium sand, some silt, gravel, trace coarse sand). Silt is observed in one of the borings to

variable depth ranging from 16 to 17 feet (grey silt). Between 17 feet to 102 feet, the stratigraphy of the site includes fine to medium sand, clayey fine sand with traces of coarse sand and gravel.

A site location map is attached as Figure 1.

### **PROPOSED DEVELOPMENT PLAN**

The current zoning designation is M1-2/R6A, Special Mixed Use District. The proposed use is consistent with current zoning for the property.

The proposed future use of the Site will consist of two separate 7-story building over a common parking garage. A fence in the parking garage will separate both properties. The total gross square footage of the new building on Site A will be 65,000 sq ft and will allow for 65 rental units. The total gross square footage of the new building on Site B will be 104,000 sq ft and will allow for 104 rental units. The basement slab of Site A will be approximately 8'-8" below grade and the basement slab of Site will be approximately 4'-8" below grade. The total amount of soil removed from Site A will be  $\pm 5,000$  cubic yard and there will be a backfill of  $\pm 200$  cubic yard required. The total amount of soil removed from Site B will be  $\pm 4,800$  cubic yard and there will be a backfill of  $\pm 60$  cubic yard required. Both buildings will be approximately 70' high not including the mechanical bulkheads and elevator shafts. The main construction material for the exterior will be exposed concrete and window wall.

The cellar will consist of parking garage, mechanical rooms, bicycle storage, elevator and stairs. First floors will be used as mechanical rooms, lobby, rental units and outdoor recreation area for the tenants. Second to sixth floors will consist of rental units and mechanical rooms. The units on seventh floor will have setback terraces. The roofs will consist of boiler rooms and common tenant recreation areas.

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

### **SUMMARY OF REMEDIAL INVESTIGATION**

The Remedial Investigation was conducted on April 25, 2012. A full Remedial Investigation Report 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 PCBs above 6NYCRR PART 375-6.8 Track 1 Unrestricted Soil Cleanup Objectives (SCO). Two pesticides, specifically; 4,4'-DDE (maximum 29.1 ppb) and 4,4'-DDT (maximum 40.4 ppb) were identified at concentrations exceeding Track 1 SCOs in one to four samples, but below Track 2 Restricted Residential SCOs. Low levels of thirteen (13) VOCs were detected in the shallow soil samples, and of these 1,2,4-trimethylbenzene, acetone (maximum of 76 ppb), o-xylene and trichloroethylene (maximum of 3600 ppb) exceeded Track 1 in three soil samples. No VOCs were detected in the deep soil samples above Track 1 SCOs. TCE was detected in only two shallow samples and was not detected in deep samples. No PCE, vinyl chloride, carbon tetrachloride, or TCA was detected in shallow or deep samples. PAH are common in shallow and deep soil samples. Seven (7) Polycyclic aromatic Hydrocarbon (PAH) SVOCs were identified above their Track 1 and Track 2

Restricted Residential SCOs in both shallow and deep soil samples. Relatively high levels of individual PAH (i.e. 5-20 ppm) was identified mainly in shallow soil samples on Site A. Nine metals were identified in shallow soil samples above their respective Track 1 SCOs, and of these, barium (maximum of 2090 ppm), copper, lead (maximum of 9620 ppm) and mercury (maximum of 3.33 ppm) also exceed their respective Track 2 SCOs but in relatively few samples (i.e. less than 4). For deeper soils, six metals exceeded Track 1 SCOs and of these arsenic (maximum of 32 ppm), lead (maximum 4650 ppm) and mercury (maximum of 4.38 ppm) exceeded Track 2 SCOs. Overall, three hotspots were identified for metals for lead (SP-5; SP-6) and arsenic (SP-1) on Site A and one petroleum VOCs hotspot on Site B (SP-11).

Groundwater: Groundwater samples collected during the RI showed levels of VOCs (total VOC concentration of 2,172 ppb) are present in one location, GP-6, which was installed in the south central portion of the Site B. Nine individual VOCs and one SVOC in GP-6, mainly consisting of gasoline compounds such as Benzene, Toluene, Xylenes, Naphthalene and Trimethylbenzenes were detected at concentrations exceeding NYSDEC TOGS 1.1.1 Groundwater Quality Standards (GQS). Gasoline compounds were not identified in the groundwater beneath any other portion (Site A or Site B) or in soil at either site. Chloroform was identified in the groundwater in one location slightly above GQS, GP-2, which is located in the northeast corner of Site A.

One SVOC, specifically; naphthalene was detected in GP-6 at a concentration of 576 ppb, which exceeds its GQS of 10 ppb. Naphthalene was detected in other portions of the site at concentrations less than the GQS; these areas include the northwest and northeast portions Site A and Site B. Other SVOCs including Acenaphthene, 2-Methylnaphthalene, Fluorene, and Phenanthrene were detected in the groundwater beneath Site B at concentrations less than their respective GQS. TCE and PCE were not detected in groundwater.

The groundwater results show no detectable levels of pesticides or PCBs at either Site A or Site B. No dissolved metals were detected at Site A or Site B above GQS. Overall, groundwater results exhibit high quality with the exception of GP-6 which may be associated with a petroleum spill, potentially on an adjacent property to the east.

Soil vapor: Soil vapor samples collected during the RI showed thirteen (13) VOCs were detected and consisted principally of BTEX and associated petroleum compounds at concentrations below 75 ug/m<sup>3</sup>. Acetone and methylene chloride were detected in all soil vapor samples at maximum concentrations of 1400 and 170 ug/m<sup>3</sup>, respectively. Tetrachloroethylene (PCE) was detected in one sample (SV-8) at a concentration of 30 ug/m<sup>3</sup>. Trichloroethylene was not detected in any of the samples. Overall, soil vapor does not suggest a significant onsite source but does indicate influence of gasoline compounds in the vicinity of the property.

Figure 1: Site Map

