



**OFFICE OF ENVIRONMENTAL REMEDIATION**

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April 5, 2013

Sara Stein  
Dormitory Authority of the State of New York  
515 Broadway  
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The City University of New York  
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Axel Schwendt  
AKRF, Inc.  
440 Park Avenue South, 7<sup>th</sup> Floor  
New York, NY 10016

Re: **NYC VCP Remedial Action Work Plan Approval**  
**285 Jay Street**  
**Block 131, Lots 1**  
**VCP Project # 13CVCP088K / OER Project # 10EH-N050K**

Dear Ms. Stein:

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 285 Jay Street, VCP Project # 13CVCP088K, dated January 11, 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 February 10, 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 “285 Jay 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/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 285 Jay Street Site and the public's input to the proposed remedy presented by the Office.

### **Description of Selected Remedy**

The remedy selected for this 285 Jay Street Site is Track 1 Unrestricted Use remedy and includes soil excavation, cover system, vapor barrier installation and active sub-slab depressurization system.

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 1 Unrestricted Use 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. The soil will be excavated to a depth of 35 feet throughout the site.
6. Screening of excavated soil/fill during intrusive work for indications of contamination by visual means, odor, and monitoring with a PID.
7. Collection and analysis of end-point samples to determine the performance of the remedy with respect to attainment of SCOs.
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. As part of development, installation of a vapor/water barrier system beneath the building slab and along the foundation sidewalls.
10. As part of development, installation and maintenance of an engineered composite cover consisting of concrete sidewalk or quartzite pavers, the concrete building slab, and a minimum of two feet of clean fill in landscaped areas to prevent human exposure to potential off-Site contamination;
11. Import of materials to be used for backfill and cover in compliance with this plan and in accordance with applicable laws and regulations.
12. Implementation of storm-water pollution prevention measures in compliance with applicable laws and regulations.

13. Performance of all activities required for the remedial action, including permitting requirements and pretreatment requirements, in compliance with applicable laws and regulations.
14. 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.

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.

Date	<u>5/13/2013</u>	<u>Shaminder Chawla</u>
		Shaminder Chawla Assistant Director

## **SITE BACKGROUND**

### Location:

The Site is located in Downtown Brooklyn and is identified as a portion of Block 131 Lot 1 on the New York City Tax Map. Figure 1 shows the Site location.

### Site Features:

The Site is approximately 1.46-acres and is bounded by McLaughlin Park beyond Tillary Street to the north, mixed-use office buildings and the Polytechnic Institute of New York University to the south, George Westinghouse High School and City Polytechnic High School to the east, and the City Tech academic building Namm Hall beyond Jay Street to the west. Currently, the Site is occupied by two contiguous buildings: a two-story plus basement building used as the City Tech Klitgord Auditorium and a two-story plus basement building used as a television studio. A subway tunnel is west-adjacent to the Site beneath Jay Street.

### Current Zoning/uses:

The current zoning designation is C6-4, a commercial zoned area within the Special Downtown Brooklyn District. The proposed use is consistent with existing zoning for the property.

### Historical Use:

The Site was historically occupied by mixed uses, including residential and commercial properties, a trucking company, a garage with a 550-gallon underground gasoline storage tank, factories and manufacturing facilities, a lithographic plate graining company, and a photo processing facility. By 1969, the project Site was developed with the current buildings, which were used as an academic facility and a TV studio.

### Summary of Environmental Findings:

1. Elevation of the property ranges from 45 to 50 feet.
2. Depth to groundwater ranges from 34 to 40 feet at the Site.
3. Based on topography, groundwater would be expected to flow in a northwesterly direction toward the East River, approximately 3,000 feet to the northwest.
4. Depth to bedrock is approximately 100 feet at the Site.

A site location map is attached as Figure 1.

## **PROPOSED DEVELOPMENT PLAN**

The proposed future use of the Site will consist of a restaurant with seasonal exterior areas for dining. The current building rests on a poured concrete slab foundation. As part of the redevelopment the interior slab is going to be removed and approximately 15,440 cubic feet (ft<sup>3</sup>) of soil from below the current slab will be removed. The proposed final depth of the basement area is eight (8) feet bgs. The exterior surface will be completed with asphalt pavement or on foot of clean soil and paving stones. Approximately 3,600 ft<sup>3</sup> of soil will be removed from the exterior 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 in August 3, 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: The results of soil sampling in the RI showed no VOCs were detected in any of the soil samples analyzed. No TCE or PCE were detected in any soil samples. Several PAH SVOCs were detected in 17 soil samples with a maximum of 11 ppm in a shallow sample. Concentrations of seven SVOCs including benzo(a)anthracene, benzo(a)pyrene and benzo(b)fluoranthene, benzo(k)fluoranthene, chrysene, dibenzo(a,h)anthracene, and indeno(1,2,3-cd)pyrene exceeded both their respective Unrestricted Use and Restricted Residential Use SCOs in five of the samples. Metals including chromium, lead, mercury, nickel and zinc were detected above Unrestricted Residential, only nickel (maximum of 500 ppm) exceeded the Track 2 Restricted Residential SCOs in two samples. PCBs were not detected in any of the samples. Pesticide compounds DDE and DDT were observed slightly above Track 1 Unrestricted Use SCOs to maximum concentration of 0.0177 ppm and well below their Restricted Residential SCOs. Overall, no evidence of a contamination source area was noted during the soil sampling activities. Relatively low level exceedences of Track 2 Restricted Residential SCOs are attributed to the presence of historic fill. There is no evidence of a release or spill (e.g., odors, staining, or significant PID readings) in soil samples.

Groundwater: No SVOCs, pesticides or PCBs were detected in the groundwater samples analyzed. Only one VOC, chloroform was detected at concentrations below Class GA Groundwater Quality Standards (GQS). No PCE or TCE or other VOCs were detected in groundwater samples. Five metals were detected above GQS in dissolved samples including iron, magnesium, manganese, selenium, and sodium. The detected metals are typical of groundwater quality in Brooklyn and are not attributed to an onsite release or spill. Overall, no source of contamination was observed onsite.

Soil vapor: Results of the soil gas samples identified several VOCs in the three samples. VOCs associated with petroleum/gasoline (1,2,4-trimethylbenzene, benzene, ethylbenzene, heptane, n-hexane, xylenes, propylene, and toluene) were detected at concentrations ranging up to 232 µg/m<sup>3</sup>. VOCs associated with solvents (2-butanone, 2-hexanone, carbon disulfide, cyclohexane, tetrachloroethane, and trichloroethene) were detected at concentrations ranging from 9.1 µg/m<sup>3</sup> to 86.5 µg/m<sup>3</sup>. TCE was detected in one sample at a maximum concentration of 86.5 µg/m<sup>3</sup>. PCE was detected in all samples ranging from 25.6 µg/m<sup>3</sup> to 46.6 µg/m<sup>3</sup>, which are below the NYS DOH monitoring level. Additionally, acetone was detected in three samples at concentrations ranging up to 1,970 µg/m<sup>3</sup>. The VOCs detected in the soil gas were not detected in soil and groundwater samples.

Figure 1: Site Map

