



Public Comment Period

February 26, 2016
to
March 26, 2016

Where can I view project documents?

Online at:

[http://www.nyc.gov/html/oer/html/
repository/RManhattan.shtml](http://www.nyc.gov/html/oer/html/repository/RManhattan.shtml)

Internet access to view documents
is available at the public library.
The closest location is:

New York Public Library – Flagship
Branch
461 Fifth Avenue
New York, NY 10016

Please call (917) 275-6975 for hours
of operation

Whom can I contact for project information?

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and

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For more information visit:
www.nyc.gov/oer

NYC VCP Cleanup Plan Available for Review and Comment

The New York City Office of Environmental Remediation (OER) provides this Fact Sheet pursuant to New York City's Voluntary Cleanup Program (VCP). An application has been submitted by Barone Management for enrollment of the property located at 338 West 39th Street in the Garment District section of Manhattan, New York and identified as Block 762, Lot 61 into the VCP. The Remedial Investigation Report (RIR) details the results of an environmental investigation at the site including the nature and extent of contamination. The draft Remedial Action Work Plan (RAWP) proposes remedial actions to address contamination delineated in the RIR.

Public Comments on the RAWP

OER is accepting public comments on the draft RAWP for 30 days until March 26, 2016. The RIR and draft RAWP are available for review at the document repositories identified in the box on the left including a public library branch and through a link to OER's website. Comments should be sent to Mr. Shaminder Chawla via mail or e-mail (see contact information at left).

Site Description

The Site is 4,937 square feet and currently consists of a 12-story commercial building containing offices for garment manufacturing, cabinet making, artists, architects, contractors and other various businesses with a full cellar. The proposed use of the Site will consist of 24-story Pestana Hotel with a cellar to 11 feet below grade, a sub-cellar to 22 feet below grade and a small paved rear yard. The first floor will be developed with a lobby and service area in the northern portion and four hotel rooms in the southern portion of the site. The 2nd through 24th floors will be developed with 176 hotel units.

Summary of RIR

The environmental investigation identified historical fill material up to depths of 4 feet below the cellar slab of current building across the entire Site. Semi-Volatile Organic Compounds (SVOCs), metals, and pesticides are above cleanup guidelines in soil. Groundwater was not encountered during the remedial investigation. Soil vapor samples showed elevated levels of petroleum related and chlorinated VOCs were above the Air Guideline Values established by the New York State Department of Health.

Summary of the Remedy

The specific elements of the proposed remedial action include:

- Preparation of a Community Protection Statement and performance of all required NYC VCP Citizen Participation activities according to an approved Citizen Participation Plan;
- Implementation of a Community Air Monitoring Plan for particulates and volatile organic carbon (VOCs) compounds;
- Establishment of Unrestricted Use (Track 1) Soil Cleanup Objectives (SCOs);
- Excavation and removal of soil/fill exceeding Track 1 Unrestricted Use SCOs. The Site will be excavated to a depth of 26 feet below grade for the construction of the new building's sub-cellar and to 32 feet below grade in the central and mid-western portions for the elevator pit and hydraulic lift pit, respectively. Approximately 5,400 tons of soil will be excavated and removed from Site;
- 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 and appropriate segregation of excavated media onsite;
- Collection and analysis of end-point samples to determine the performance of the remedy with respect to attainment of SCOs;
- As part of development, installation and operation of a Sub-Slab Depressurization System (SSDS);
- Installation of a vapor barrier system beneath the building slabs and behind foundation walls of the proposed building;
- Construction and maintenance of an engineered composite cover consisting of the 6-inch slab on engineering compacted fill over the 36-inch mat concrete foundation slab beneath the sub-cellar and 2-inch concrete pavers over 4-inch rigid insulation on a 6-inch concrete slab on maximally 8-inch compacted fill in the rear terrace;
- Submission of a Remedial Action Report (RAR) that describes the remedial activities and certifies that the remedial requirements have been achieved and lists any changes from this RAWP;
- Submission of an approved Site Management Plan (SMP) in the RAR for long-term management of residual contamination, including plans for maintenance, inspection and certification of Engineering and Institutional Controls and reporting at a specified frequency; and
- Continued registration with E-designation for the property.

Next Steps

OER will review the draft RAWP and consider all public comments submitted during the comment period before it approves a final RAWP. The approved RAWP will be placed on OER’s website and a second fact sheet will be issued before remedial work begins.

If you have any questions or know of any neighbor that would like to be added to the site contact list, please contact the OER Project Manager listed on the front page of this Fact Sheet. We encourage you to share this Fact Sheet with neighbors and tenants and/or post it in a prominent area of your building. For information regarding New York City’s Voluntary Cleanup Program, please visit our website at: www.nyc.gov/oer

Direct Link to Document Repository: <http://www.nyc.gov/html/oer/html/repository/RManhattan.shtml>

or scan with your smart phone to access document repository:



Figure 1 – Site Location Map

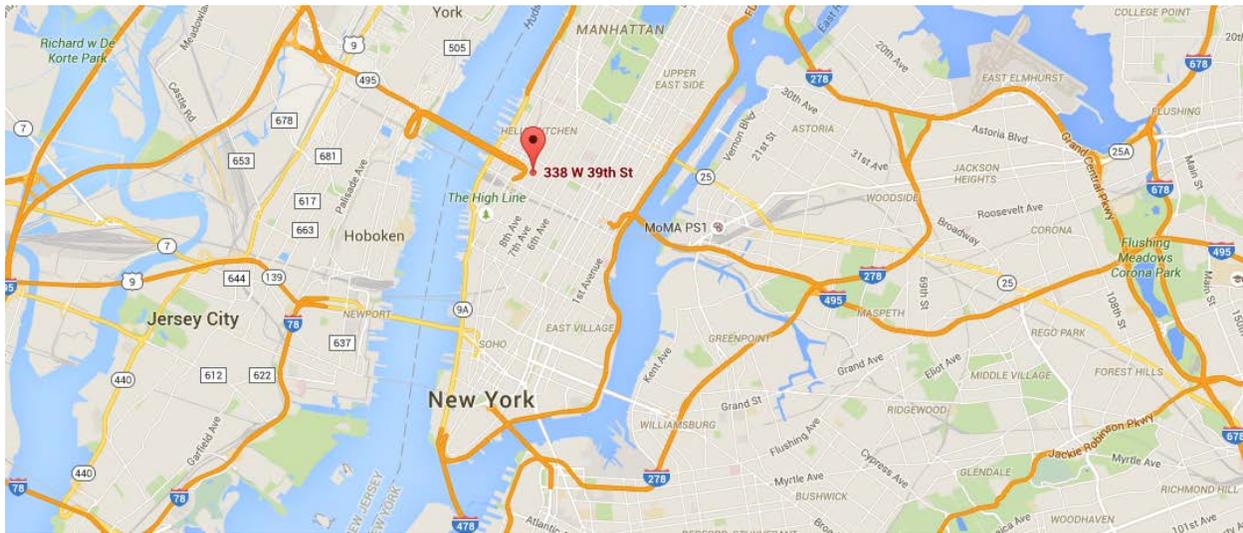


Figure 2 – Site Map

