



**OFFICE OF ENVIRONMENTAL REMEDIATION**

100 Gold Street – 2<sup>nd</sup> Floor  
New York, New York 10038

**Daniel Walsh, Ph.D.**

**Director**

Tel: (212) 788-8841

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

November 23, 2015

Re: 69-28 Queens Boulevard  
69-28 to 69-34 Queens Boulevard, 46-02 70<sup>th</sup> Street  
Queens Block 2432, Lot 34 (Lots 23, 26, 34, and 37 will be merged into future Lot 23)  
Hazardous Materials, Air Quality and Noise “E” Designation  
E-163: 6/29/2006 Maspeth/Woodside Rezoning – CEQR 06 DCP 065Q  
OER Project Number 15EHAN415Q / VCP Number 15CVCP146Q

The New York City Office of Environmental Remediation (OER) has completed its review of the Remedial Action Work Plan (RAWP) dated May 2015 with Stipulation Letter dated May 26, 2015 and the Remedial Action Plan for Air Quality and Noise dated November 2015 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 15, 2015. There were no public comments.

**Project Description**

The Site is located at 69-28 Queens Blvd and 46-02 70<sup>th</sup> Street in the Woodside section of Queens, New York, and is currently identified as Block 2432, Lot 34 (Lots 23, 26, 34, and 37 will be merged into future Lot 23) on the New York City Tax Map. Currently, the Site is vacant, but was most recently used for sign fabrication, a liquor store, an automotive detailing and modification service, and residential apartments and contains four buildings, three of which contain basements, and a small parking area.

The development project consists of redeveloping the lot with a new nine-story mixed-use commercial residential building. The cellar level will consist of commercial rental units with high ceilings that extend into the first floor, the first floor will contain two lobbies, and the second floor will contain a parking garage. The third through ninth floors will contain 76 residential apartments. The cellar and first two floors will be a full build-out to the property boundaries and the residential units will be constructed across approximately 2/3 of the site closest to Queens Blvd with a setback in the rear. There will be no landscaped areas. The depth of the construction excavation will be approximately 10 feet from the Queens Blvd sidewalk grade with excavation to 14 feet below sidewalk grade for the western elevator pit. Approximately 3,000 tons of soil will be excavated during the redevelopment. Groundwater is not anticipated to be encountered during the redevelopment. The current zoning designation is R7X with a C2-3 commercial overlay. The proposed use is consistent with existing zoning for the property.

**Statement of Purpose and Basis**

This document presents the remedial action for the NYC Voluntary Cleanup Program and E-Designation Program project known as “69-28 Queens 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 Hazardous Materials**

The remedial action selected for the 69-28 Queens 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 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. Completion of a Waste Characterization Study prior to excavation activities. Waste characterization soil samples will be collected 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, the entire site will be excavated to a depth of 10 feet below the sidewalk grade along Queens Boulevard. Additional excavation will be required in the rear of Lot 23 to remove a mercury hot-spot in order to achieve Track 4 Site-Specific SCOs. Approximately 3,000 tons of soil will be removed.
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 commingling 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 seven end-point samples to determine the performance of the remedy with respect to attainment of SCOs. Additional end points will be obtained around mercury hotspot area.
12. Import of materials to be used for backfill and cover in compliance with this plan and in accordance with applicable laws and regulations, if necessary.
13. Installation of a vapor barrier system below the concrete slab of the building as well as behind foundation walls of the proposed building. The vapor barrier will consist of Grace Construction Products Preprufe 300R for horizontal applications and 160R for vertical applications.
14. Construction and maintenance of an engineered composite cover consisting of the 6 inch thick concrete building slab 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. Placement of demarcation layer in the mercury hot-spot area. The building slab will act as a demarcation layer for the rest of the property.
18. 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.
19. 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.
20. 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.

**Description of Selected Remedy for Air Quality**

The elements of the remedial action selected for Air Quality for the 69-28 Queens Boulevard site are as follows:

In order to satisfy the requirements of the E-designation, natural gas will be utilized at the site for space heating, hot water, gas ranges, gas dryers, and HVAC systems.

Each residential apartment on the 3<sup>rd</sup> through 9<sup>th</sup> floors of the new building will be heated via gas heating/cooling package through units manufactured by Carrier Model 40GJKB09B—3 HVAC units.

**Description of Selected Remedy for Noise**

The elements of the remedial action selected for Noise for the 69-28 Queens Boulevard site are as follows:

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

1. 30 dBA in the commercial space along the eastern façade based on an allowed reduction of 5 dBA from the attenuation requirement outlined in the E-Designation;
2. 30 dBA in the commercial space along the northern façade based on an allowed reduction of 5 dBA from the attenuation requirement outlined in the E-Designation;
3. 35 dBA on the northern façade for residential spaces;
4. 35 dBA on the eastern façade for residential spaces;
5. 28 dBA on the southern façade for residential spaces;
6. 35 dBA on the western facades for residential spaces; and,
7. 50 dBA with the masonry/ wall elements outlined in Appendix E and as documented by the composite calculations included in Appendix E.

The following windows will be installed:

<b>Façade Floor Range</b>	<b>OITC Rating</b>	<b>OITC Certification</b>	<b>Manufacturer and Model</b>	<b>Glazing</b>
All Facades Cellar / 1 <sup>st</sup> Floor (Commercial)	26	See ASTM E-90 acoustical report for the exact window and glazing in Appendix E	RAL-TL85-170 Architectural Glass manufactured by Oldcastle Building Envelope	1/4" laminate: (1/8" – 0.030" – 1/8")
Northern Façade Floor 3 (Residential) W-1, W-2, W-4	33	See ASTM E-90 acoustical report 65965.01-113-11 for the exact window and glazing in Appendix E	Model 0400 Dual Horizontal Sliding Window manufactured by Graham Architectural Products Corporation (Graham)	1/4" annealed glass – 2-5/8" air space – 3/16" annealed glass
Northern Façade Floor 3 (Residential) WD-2, WD-3	34	See ASTM E-90 acoustical report C7736.01-113-11 for the exact window and glazing in Appendix E	Model 0900-LC Sliding Glass Doors manufactured by Graham	3/8" laminated glass – 7/16" air space – 1/4" laminated glass
Northern Façade Floors 4-9 (Residential) W-3	34	See ASTM E-90 acoustical report 65062.03-113-11 for the exact window and glazing in Appendix E	Model 0400 Dual Horizontal Sliding Window manufactured by Graham	5/16" laminated glass – 2-1/2" air space – 5/16" laminated glass

<b>Façade Floor Range</b>	<b>OITC Rating</b>	<b>OITC Certification</b>	<b>Manufacturer and Model</b>	<b>Glazing</b>
Southern, Eastern, and Western Façades Floors 3-9 (Residential) W-2A, WD-2A	27	See ASTM E-90 acoustical report 01-32198.01 for the exact window and glazing in Appendix E	Model 0300 Dual Horizontal Sliding Window and Model 0900 Horizontal Sliding Glass Door manufactured by Graham	1/4" annealed glass – 1/2" air space – 1/4" annealed glass
Eastern, and Western Façades Floors 3-9 (Residential) WD-1, WD-4	31	See ASTM E-90 acoustical report 95341.01-113-11 for the exact window and glazing in Appendix E	Model 0900 Sliding Glass Doors manufactured by Graham	1/4" annealed glass – 17/32" air space – 11/32" laminated glass
North Façade Apartments 3I, 4I, and 5J through 9J WD-2B	35	See ASTM E-90 acoustical report C6719.01-113-11 for the exact window and glazing in Appendix E	Model 6800 window manufactured by Graham	Primary 1" IG( 11/32" laminated exterior, 3/8" air space, 9/32" laminated interior), Interior access panel 3/16" annealed
East Façade Apartments 3A, 3J, and 4A to 9A WD-2B, WD-3A	35	See ASTM E-90 acoustical report C6719.01-113-11 for the exact window and glazing in Appendix E	Model 6800 window manufactured by Graham	Primary 1" IG( 11/32" laminated exterior, 3/8" air space, 9/32" laminated interior), Interior access panel 3/16" annealed
All facades All floors	50	See calculated OITC rating using Sound Transmission Loss Data in Appendix E	USG Wall RAL-TL83-316 weighted at 12 psf	Double 5/8" gypsum wall board, 6-1/2" metal stud, 5-1/2" thermafiber mineral wool insulation, RC-1 channel, and double 5/8" gypsum wall board

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. **Trickle Vents:** Installing TV90 425 trickle vents manufactured by BRP / Crystal Window and Door Systems, LTD. Fresh air will be provided to all bedrooms and living rooms by the trickle vents.
2. **Compliance with Mechanical Code:** Providing outside air to commercial spaces and common areas such as lobbies and corridors in accordance with the 2014 NYC Mechanical Code. Provision of outside air to commercial spaces will be completed by future tenant under separate filing.

The remedies for Hazardous Materials, Air Quality, and Noise described above conform to the promulgated standards and criteria that are directly applicable, or that are relevant and appropriate and takes into consideration OER guidance, as appropriate.

November 23, 2015

Date



Sarah Pong  
Project Manager

November 23, 2015

Date



Shaminder Chawla  
Deputy Director – VCP

November 23, 2015

Date



Zach Schreiber, Ph.D.  
Assistant Director – Air Quality/Noise E

cc: Jack Tang, JJ Queens Development LLC – [jennyqu2006@yahoo.com](mailto:jennyqu2006@yahoo.com)  
Kris Almskog, P.W. Grosser Consulting – [krisa@pwgrosser.com](mailto:krisa@pwgrosser.com)  
Jennifer Lewis, P.W. Grosser Consulting – [jenniferl@pwgrosser.com](mailto:jenniferl@pwgrosser.com)  
Anthony Ng, R.A. – [info@architectsstudiony.com](mailto:info@architectsstudiony.com)  
Daniel Walsh, Shaminder Chawla, Zach Schreiber, Maurizio Bertini, Hannah Moore  
Sarah Pong, PMA-OER