E-337

Department of City Planning
City of New York

MEMORANDUM

To: Susan Wong

Cc: Robert Dobruskin
Celeste Evans
Julia Melzer
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Justin Moore
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From: Diane McCarthy

Date: February 26, 2014

Re: **Domino Sugar Project – Hazardous Materials, Air Quality, Noise (E) Designations**
CEQR No. 07DCP094K
ULURP Nos. C 140132 ZSK, N 140131 ZRK, C 140133 ZSK, C 140134 ZSK, C 140135 ZSK, N 140136 ZAK, N 140137 ZAK, and N 140138 ZAK

To avoid the potential for significant adverse hazardous materials, air quality and noise impacts, the proposed **Domino Sugar Project Technical Memorandum (TM 003) to the FEIS** includes an (E) designation for the following properties:

Projected Development Site (applicant owned)
2414/1: hazardous materials, air quality, noise
2428/1: hazardous materials, air quality, noise

The (E) designation text related to **hazardous materials** would be as follows:

Task 1-Sampling Protocol

The applicant submits to OER, for review and approval, a Phase IA of the site along with a soil, groundwater and soil vapor testing protocol, including a description of methods and a site map with all sampling locations clearly and precisely represented. If site sampling is necessary, no sampling should begin until written approval of a protocol is received from OER. The number and location of samples should be selected to adequately characterize the site, specific sources of suspected contamination (i.e., petroleum based contamination and non-petroleum based contamination), and the remainder of the site's condition. The characterization should be complete enough to determine what remediation strategy (if any) is necessary after review of sampling data.

Guidelines and criteria for selecting sampling locations and collecting samples are provided by OER upon request.

Task 2-Remediation Determination and Protocol

A written report with findings and a summary of the data must be submitted to OER after completion of the testing phase and laboratory analysis for review and approval. After receiving such results, a determination is made by OER if the results indicate that remediation is necessary. If OER determines that no remediation is necessary, written notice shall be given by OER.

If remediation is indicated from test results, a proposed remediation plan must be submitted to OER for review and approval. The applicant must complete such remediation as determined necessary by OER. The applicant should then provide proper documentation that the work has been satisfactorily completed.

A construction-related health and safety plan should be submitted to OER and would be implemented during excavation and construction activities to protect workers and the community from potentially significant adverse impacts associated with contaminated soil, groundwater and/or soil vapor. This plan would be submitted to OER prior to implementation.

The requirements of the (E) designations resulting from the **air quality** analyses would be as follows:

Block 2414, Lot 1 – Building A

Any new development on the above-referenced property must ensure that the fossil fuel-fired heating and hot water equipment will utilize only natural gas, and must be fitted with low NOx burners with a maximum emission concentration of 30 ppm, and that heating and hot water equipment exhaust stack(s) are located at least 438 feet above grade, at least 35 feet from South 1st Street, and at least 95 feet from the lot line facing Building B, to avoid any potential significant air quality impacts.

In addition, air intake ducts and operable windows would not be allowed on the northern façade of the commercial base of Building A at elevations from 160 to 260 feet (approximately from the 16th to the 26th floor).

Block 2414, Lot 1 – Building B

Any new development on the above-referenced property must ensure that the fossil fuel-fired heating and hot water equipment will utilize only natural gas, and must be fitted with low NOx burners with a maximum emission concentration of 30 ppm, and that exhaust stack(s) are located at least 533 feet above grade, to avoid any potential significant air quality impacts.

Block 2414, Lot 1 – Building D

Any new development on the above-referenced property must ensure that the fossil fuel-fired heating and hot water equipment will utilize only natural gas, and must be fitted with low NOx burners with a maximum emission concentration of 30 ppm, and that

exhaust stack(s) are located at least 538 feet above grade, to avoid any potential significant air quality impacts.

Block 2414, Lot 1 – Refinery Building

Any new development on the above-referenced property must ensure that the fossil fuel-fired heating and hot water equipment will utilize only natural gas, and must be fitted with low NOx burners with a maximum emission concentration of 30 ppm, and that heating and hot water equipment exhaust stack(s) are located at least 193 feet above grade, at least 70 feet from South 2nd Street, and at least 145 feet line facing Building B, to avoid any potential significant air quality impacts.

Block 2428, Lot 1 – Building E

Any new development on the above-referenced property must ensure that the fossil fuel-fired heating and hot water equipment will utilize only natural gas, and must be fitted with low NOx burners with a maximum emission concentration of 30 ppm, and that heating and hot water equipment exhaust stack(s) are located at least 173 feet above grade, at least 100 feet from Kent Avenue, and at least 50 feet from South 4st Street, to avoid any potential significant air quality impacts.

The requirements of the (E) designations resulting from the **noise** analyses would be as follows:

Block 2414, Lot 1 – Building A

To ensure an acceptable interior noise environment, future residential/commercial uses must provide a closed-window condition with the minimum dBA window/wall attenuation as noted below to maintain an interior noise level of 45 dBA.

Window Locations	Required Attenuation (dBA)
Facing north – floors 6 and above	28
Facing east – floors 1 through 5	35
All other facades and floors	31

To maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, air conditioning.

Block 2414, Lot 1 – Building B

To ensure an acceptable interior noise environment, future residential/commercial uses must provide a closed-window condition with the minimum dBA window/wall attenuation as noted below to maintain an interior noise level of 45 dBA.

Window Locations	Required Attenuation (dBA)
Facing north – floors 6 and above	28
Facing east – floors 1 through 5	35
All other facades and floors	31

To maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, air conditioning.

Block 2414, Lot 1 – Building D

To ensure an acceptable interior noise environment, future residential/commercial uses must provide a closed-window condition with the minimum dBA window/wall attenuation as noted below to maintain an interior noise level of 45 dBA.

Window Locations	Required Attenuation (dBA)
Facing east – floors 1 through 5	35
Facing south – floors 1 through 5	35
Facing north – floors 1 through 5	33
Facing north – floors 6 and above	28
All other facades and floors	31

To maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, air conditioning.

Block 2414, Lot 1 – Refinery Building

To ensure an acceptable interior noise environment, future residential/commercial uses must provide a closed-window condition with the minimum dBA window/wall attenuation as noted below to maintain an interior noise level of 45 dBA.

Window Locations	Required Attenuation (dBA)
Facing east – floors 1 through 5	35
All other facades – floors 1 through 5	33
All facades – floor 6 and above	31

To maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, air conditioning.

Block 2428, Lot 1 – Building E

To ensure an acceptable interior noise environment, future residential/commercial uses must provide a closed-window condition with the minimum dBA window/wall attenuation as noted below to maintain an interior noise level of 45 dBA.

Window Locations	Required Attenuation (dBA)
Facing west – floors 1 through 5	35
Facing north – floors 1 through 5	33
Facing east – floors 1 through 5	31
Facing south – floors 1 through 5	25
All facades – floor 6 and above	31

To maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, air conditioning.