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September 12, 2012

Mr. Simon Duchinsky
Throop Wallabout Realty LLC
505 Flushing Avenue Suite 1D
Brooklyn, NY 11205

Mr. Charles Sosik
Environmental Business Consultants
1808 Middle Country Road
Ridge, NY 11961

Re: **Decision Document**
NYC VCP Remedial Action Work Plan Approval
72 Throop Avenue
Block 2266, Lots 27-29
VCP Project #12CVCP055K / OER Project # 12EHAN441K

Dear Mr. Duchinsky:

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 May 2012 Remedial Action Work Plan (RAWP) and September 11, 2012 Stipulation List for 72 Throop Avenue Site, VCP Project #12CVCP055K. 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 June 3, 2012. There were no public comments.

Statement of Purpose and Basis

This document presents the remedy for a Voluntary Cleanup site known as “72 Throop Avenue” 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 www.nyc.gov/oer.

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 72 Throop Avenue Site and the public's input to the proposed remedy presented by the Office.

Description of Selected Remedy

The remedy selected for this 72 Throop Avenue Site includes soil excavation, cover system, vapor barrier, and passive sub-slab depressurization system, as well as, institutional controls and site management if Track 1 Unrestricted Use SCOs are not achieved.

The elements of the selected remedy are as follows:

1. Preparation of a Community Protection Statement and implementation of a Citizen Participation Plan.
2. Performance of a Community Air Monitoring Program for particulates and volatile organic carbon compounds.
3. Establishment of Track 1 Unrestricted Use SCOs.
4. Excavation and removal of soil/fill exceeding Track 1 Unrestricted Use SCOs.
5. Collection and analysis of end-point samples to determine whether Track 1 Unrestricted Use SCOs are achieved.
6. Construction and maintenance of an engineered composite cover across the entire Site, as part of construction.
7. Installation of a vapor barrier system beneath the foundation and sidewalls as part of construction.
8. Installation of a passive sub-slab depressurization system as part of construction.
9. Site mobilization involving Site security setup, equipment mobilization, utility mark outs and marking & staking excavation areas.
10. Implementation of storm-water pollution prevention measures in compliance with applicable laws and regulations.
11. Screening of excavated soil/fill during intrusive work for indications of contamination by visual means, odor, and monitoring with a PID. Appropriate segregation of any contaminated media on-Site.
12. Removal of underground storage tanks and closure of petroleum spills (if encountered) in compliance with applicable local, State and Federal laws and regulations.
13. Sampling and analysis of excavated media as required by disposal facilities. Appropriate segregation of excavated media onsite.
14. 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.
15. Demarcation of residual soil/fill.
16. Import of materials to be used for backfill and cover in compliance with this plan and in accordance with applicable laws and regulations.

17. Performance of all activities required for the remedial action, including permitting requirements and pretreatment requirements, in compliance with applicable laws and regulations.
18. Submission of a RAR that describes the remedial activities, certifies that the remedial requirements have been achieved, and lists any changes from this RAWP.
19. If Track 1 Unrestricted Use SCOs are not achieved, submission of an approved Site Management Plan (SMP) in the RAR for long-term management of residual historic fill, including plans for inspection and certification of Engineering and Institutional Controls and reporting at a specified frequency.
20. If Track 1 Unrestricted Use SCOs are not achieved, 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) disturbance of residual contaminated material unless it is conducted in accordance with the SMP; and (3) 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 are relevant and appropriate and takes into consideration OER guidance, as appropriate. The remedy is protective of public health and the environment.

9/12/12



Date

Shaminder Chawla
Assistant Director

Site Name: 72 Throop Avenue
Site Number: 12CVCP055K

SITE BACKGROUND

Location:

The Site is located at 72 Throop Avenue in the Williamsburg section of Brooklyn, New York, and is identified as Block 2266, Lots 27-29 on the New York City Tax Map. Figure 1 shows site location map.

Site Features:

The 7,500 square-foot Site is currently vacant. The property is bounded by Wallabout Street to the north, a one-story commercial building to the south, Throop Avenue to the east, and a one-story tire repair center to the west. Figure 1 shows site location map. Figure 2 shows site map.

Current Zoning/uses:

The current zoning designation is R7-A. The proposed use is consistent with existing zoning for the property.

Historical Use:

The Site was developed prior to 1887 with a bakery, two mixed-use commercial/ residential buildings, and three residential dwellings, and has subsequently been used for a mix of residential and commercial uses, including a drug store, a restaurant, and a plumber.

Summary of Environmental Findings:

1. Elevation of the property is approximately 13 feet.
2. Depth to groundwater ranges from 7 to 9 feet at the Site.
3. Groundwater flow is generally from South to North beneath the Site.
4. Depth to bedrock is greater than 100 feet at the Site.
5. The stratigraphy of the Site, from the surface down, consists of 4 to 6 feet of urban fill underlain by a brown sand.

PROPOSED DEVELOPMENT PLAN

The three 25 ft wide tax lots will be developed with residential four-story masonry buildings with full cellars. Each of the three buildings will extend approximately 65 feet, meeting both side lot lines. There will be a rear cellar level walk-out courtyard behind each building that will extend from the rear of the building to the rear property line. The concrete slab of the cellar will be approximately 6 feet 4 inches below sidewalk level. The street front portion of the cellar will consist of a boiler room, gas meter room, electric meter room and a large open cellar area. The remaining portions of the cellar for each building will be used for residential and accessory residential space. Each building will consist of three residential units.

Excavation for each new building will likely extend to a depth of approximately 8 feet below grade for construction of the buildings' cellar levels and foundations. The total excavated volume of soil for the entire Site will be approximately 2,200 cubic yards (3,000 tons). The rear cellar level court yard will be capped with concrete. The remedial action contemplated under this RAWP may be implemented independently of the proposed redevelopment plan.

SUMMARY OF REMEDIAL INVESTIGATION

The RI report is available for review in the site document repository.

Nature and Extent of Contamination:

Soil: Soil/fill samples collected during the RI showed no PCBs at detectable concentrations. No VOCs were detected above Unrestricted Use Soil Cleanup Objectives (UUSCOs), as only a low concentration (150 ppb) of sec-Butylbenzene was detected in one sample. Six SVOCs were detected within the shallow samples collected from the historic fill layer at concentrations above their Restricted Residential Soil Cleanup Objectives (RRSCOs). These SVOCs were all PAH compounds and their concentrations and distribution indicate that they are associated with historic fill material observed in shallow samples. Five metals exceeded UUSCOs in shallow soil samples, and of these, barium (max of 3720 ppm), mercury (max of 2.69 ppm), and lead (max of 7970 ppm), also exceeded RRSCOs. Four pesticides (4,4,4-DDT, 4,4,4-DDE, chlordane, and dieldrin) were detected within the shallow soil samples collected from the historic fill layer at concentrations above UUSCOs, but well below RRSCOs. No SVOCs, pesticides, or metals were detected above UUSCOs within any of the deep soil samples collected at the Site. Overall, with the exceptions of the high levels of metals detected in shallow soil/ fill samples, the findings were consistent with observations for other historical fill sites in Brooklyn

Groundwater: No pesticides or PCBs were detected in any of the groundwater samples collected at the Site. Groundwater samples collected during the RI showed chlorinated VOCs in two of three groundwater samples. Cis-1,2-dichloroethene at a maximum concentration of 22 µg/L and trichloroethene (TCE) at a maximum concentration of 5.3 µg/L were found above their GQSs, and tetrachloroethene (PCE) was found below its GQS at 3.3 µg/L in one sample. No chlorinated VOCs were identified in any of the soil samples collected on Site and are believed to be associated with offsite impacts. Five SVOCs, all PAHs, were detected above their corresponding GQSs in groundwater. The following dissolved metals were detected above their respective NYSDEC GQS; iron, magnesium, manganese, sodium, and selenium. The RI indicates that groundwater is not impacted by site conditions and did not reveal any sources of contaminants onsite.

Soil vapor: Soil vapor samples collected during the RI showed petroleum and chlorinated VOCs at generally low concentrations. Total petroleum VOCs were identified from 84 to 172 µg/m³. PCE was identified in all samples at a maximum concentration of 2.91 µg/m³, TCE was also identified in one sample at a maximum concentration of 5.53 µg/m³. The results for TCE are within the monitoring level ranges of the State DOH soil vapor guidance matrix. Neither PCE nor TCE were detected within any of the soil samples collected at the Site and these low levels suggest a possible off-Site origin.

Figure 1: Site Location Map

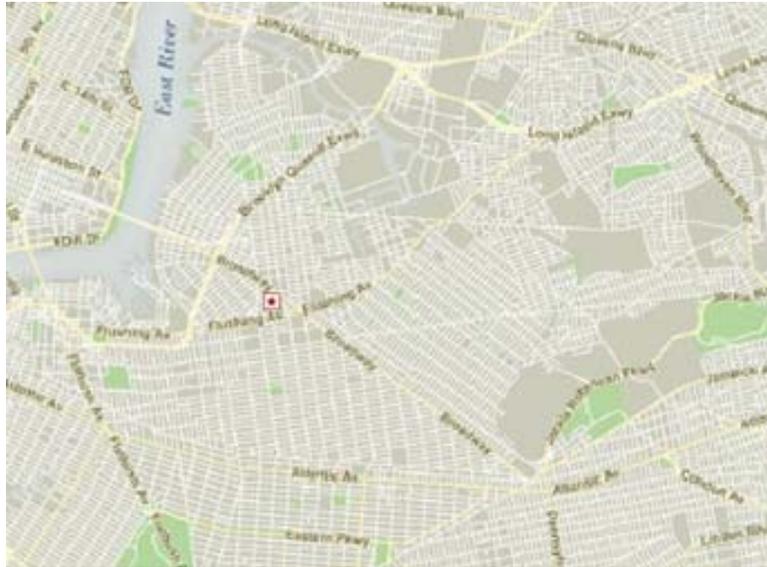


Figure 2: Site Map

