



OFFICE OF ENVIRONMENTAL REMEDIATION

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Mr. Kalman Schwartz
683 Marcy Avenue Realty LLC
119 Lorimer Street
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Mr. Charles Sosik
EBC
1808 Middle Country Road
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Re: **Decision Document**
NYC VCP Remedial Action Work Plan Approval
683 Marcy Avenue
Block 1785, Lots 1, 3, and 5
VCP Project #13CVCP116K

The New York City Office of Environmental Remediation (OER) has completed its review of the Remedial Action Work Plan (RAWP) dated March 18, 2013 and Stipulation List dated April 30, 2013 for 683 Marcy Avenue, VCP Project #13CVCP116K. 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 April 6, 2013. There were no public comments.

Statement of Purpose and Basis

This document presents the remedy for a Voluntary Cleanup Program site known as “683 Marcy 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) 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.

The decision is based on the Administrative Record of the New York City Office of Environmental Remediation (the Office or OER) for the “683 Marcy Avenue” site and the public's input to the proposed remedy presented by OER.

Description of Selected Remedy

The remedy selected for this “683 Marcy Avenue” site includes soil excavation, an engineered composite cover system, and installation of a combination of ventilated parking and waterproofing/ vapor barrier.

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. Performance of a Community Air Monitoring Program for particulates and volatile organic carbon compounds;
3. Establishment of Track 4 Site-Specific Soil Cleanup Objectives (SCOs);
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 Track 4 SCOs. Excavation in front half of property would take place to a depth of approximately 11 ft below grade for the basement level and to only 1 to 2 ft below grade for the slab-on-grade portion of the building in the rear half of the Site;
6. 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;
7. 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;
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;
9. Collection and analysis of end-point samples to determine the performance of the remedy with respect to attainment of SCOs;
10. Import of materials to be used for backfill and cover in compliance with this plan and in accordance with applicable laws and regulations;
11. Demarcation of residual soil/fill;
12. Installation of a vapor barrier below the concrete basement slab and elevator pit, behind foundation sidewalls to grade, and beneath slab-on-grade areas outside of the ventilated parking portion of the new building;
13. Implementation of storm-water pollution prevention measures in compliance with applicable laws and regulations;
14. Performance of all activities required for the remedial action, including permitting requirements and pretreatment requirements, in compliance with applicable laws and regulations;

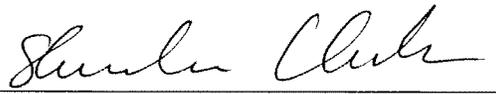
15. Submission of a RAR that describes the remedial activities, certifies that the remedial requirements have been achieved, defines the Site boundaries, lists any changes from this RAWP, and describes all Engineering and Institutional Controls to be implemented at the Site;
16. Submission of an approved 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; and
17. Continued registration an E-Designated property 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; and Institutional Controls including 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.

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.

5/1/2013

Date


Shaminder Chawla
Deputy Director

SITE BACKGROUND

Site Location and Current Usage:

The Site is located at 683 Marcy Avenue in the Bedford-Stuyvesant section of Brooklyn, New York, and is identified as Block 1785 and Lots 1, 3, and 5 on the New York City Tax Map. The Site is 10,000-square feet and is bounded by Kosciuszko Street to the north, multi-family residential buildings to the south and to the east, and Marcy Avenue to the west. Currently, the Site is undeveloped and vacant. A description of each of the three lots comprising the Site is provided below.

- Lot 5 (683 Marcy Avenue) - A 20 ft by 100 ft corner lot located on the south east corner of the intersection of Marcy Avenue and Kosciuszko Street.
- Lot 3 (685 Marcy Avenue) - A 30 ft by 100 ft lot located between Lot 5 and Lot 1.
- Lot 1 (689 Marcy Avenue) - A 50 ft by 100 ft lot located south of Lots 3 and 5.

Past Uses and Areas of Concern:

The Site was developed with a livery stable, upholstery shop and a retail store by at least 1888. By 1908, the upholstery shop had been converted to several retail stores and a portion of the livery stable converted to a carriage house. Between 1908 and 1932, the livery stable (Lot No. 1) was redeveloped with a garage. By 1962, an addition to the northern retail store had been constructed. By 1978, the retail shops had been demolished, except for the eastern addition to the northern retail store (along Kosciuszko Street). In 1988, the garage building was identified as a K of C Hall, but by 1991, the building was identified as an auto repair shop and the remaining portions of the former retail stores were demolished. The auto repair shop (Lot No. 1) was demolished in September 2012.

Sanborn maps from 1932-1987 identified the presence of a gasoline storage tank (likely an underground tank) within the west-central portion of the former garage building (Lot No. 1).

The AOCs identified for this Site include:

1. Historic fill layer is present at the Site from grade to depths as great as 7 feet below grade.
2. Area of underground storage tank depicted on 1932-1987 Sanborn maps.

Summary of Environmental Findings:

1. Elevation of the property is approximately 43 feet.
2. Depth to groundwater is approximately 45 feet at the Site.
3. Depth to bedrock is at the Site is greater than 100 feet.
4. The stratigraphy of the Site, from the surface down, consists of a layer of historic fill that appears to extend to depths as great as 7ft in portions of the Site. The historic fill layer is underlain by a layer of coarse sand with large stones.

PROPOSED DEVELOPMENT PLAN

The proposed future use of the Site will consist of a new 8-story residential building. The current zoning designation is R6. The proposed use is consistent with existing zoning for the property.

The entire footprint of the Site (with the exception of a 5 ft thin strip along Kosciuszko Street)

will be developed with a new 8-story residential building. A 4,219 ft² cellar will be constructed along the Marcy Avenue half of the Site. The cellar will be used for utility space, a laundry facility, storage, and as accessory residential space. The first floor space immediately above the cellar will be used for residential space. The rear of the Site will not be excavated for a cellar and will consist of slab-on-grade construction that will be used for parking (13 spaces) and bicycle parking (12 spaces). The building's boiler room/mechanical room will also be located on the first floor between the parking area and apartments. The second through eighth floors will consist of additional apartment spaces.

The top of the cellar slab will be constructed at approximately 10 feet below sidewalk grade. Therefore, assuming excavation to a depth of 11 ft over a 5,000 ft² area, a total of approximately 2,000 cubic yards (3,000 tons) will be excavated for the cellar level. An estimated 1 to 2 ft of additional soil will require excavation across the rear of the Site (5,000 ft²) for construction of the building's pile caps, footings, and slab. This is equivalent to an additional 300 yd³ (450 tons).

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 December 2013. A full Remedial Investigation Report is available online in the document repository and the results are summarized below.

Soil: Soil/fill samples collected during the RI showed no detectable concentrations of PCBs. No chlorinated VOCs were detected, as the only VOC detected was naphthalene in one shallow soil sample at a concentration (0.100 ppm) below its Unrestricted Use SCO. Nine SVOCs including benzo(a)anthracene (max 65 ppm), benzo(a)pyrene (max 44 ppm), benzo(b)fluoranthene (max of 64 ppm), benzo-(k)fluoranthene (max 17 ppm), chrysene (max of 53 ppm), fluoranthene (max of 160 ppm), indeno(1,2,3-cd)pyrene (max of 20 ppm), phenanthrene (max of 190 ppm), and pyrene (max of 120 ppm) were detected above their respective Restricted Residential Use SCOs within four of the eight shallow soil samples. The SVOCs detected above Restricted Residential SCOs are all PAH compounds and their concentrations and distributions, with the exception of one shallow sample with 905 ppm total SVOCs which will be treated as a hotspot, indicate that they are associated with historic fill material observed during the sampling. The metals copper, lead, mercury, and/or zinc exceeded Unrestricted Use SCOs in six of the eight shallow soil samples. Of these metals, lead (maximum of 445 ppm) and mercury (maximum of 1.45 ppm) also exceeded Restricted Residential SCOs. Six of the eight deep soil samples showed nickel (maximum of 128 ppm) and/or copper (maximum of 90.8 ppm) above Unrestricted Use SCOs. Pesticides including 4,4,-DDE (maximum of 0.010 ppm), 4,4,-DDT (maximum of 0.038 ppm), and dieldrin (maximum of 0.009 ppm) were detected within the shallow soil samples at concentrations above Unrestricted Use SCOs, but well below Restricted Residential SCOs. No VOCs, SVOCs, PCBs, or pesticides were detected above Unrestricted Use SCOs within any of the deep soil samples collected at the Site. Overall, the findings were consistent with observations for historical fill sites in areas throughout NYC.

Groundwater: Groundwater samples collected during the RI showed no detectable concentrations of pesticides, PCBs or SVOCs. No chlorinated VOCs were detected within either groundwater sample, but low levels of petroleum VOCs were detected within both groundwater samples. The

VOCs 1,2,4-trimethylbenzene (max 140 ppb), 1,3,5-trimethylbenzene (max 51 ppb), isopropylbenzene (max 15 ppb), n-propylbenzene (max 30 ppb), and sec-butylbenzene (max 6 ppb) were detected above Groundwater Quality Standards (GQSs) in the southwest corner of the Site in proximity to a gasoline storage tank shown on 1932-1987 Sandborn maps. Concentrations of VOCs in the northwest corner of the Site were lower, with only n-propylbenzene (10 ppb) exceeding its GQS. Neither groundwater sample contained a detectable concentration of benzene, toluene, ethylbenzene, or xylene (BTEX) which indicates an older gasoline spill/release. The metals iron, magnesium, manganese, and sodium were detected above their respective NYSDEC GQS in all three dissolved groundwater samples.

Soil vapor: Soil vapor samples collected during the RI showed petroleum and chlorinated VOCs at low concentrations. Tetrachloroethylene (PCE) was identified in all four soil vapor samples at a maximum concentration of 7.86 µg/m³. Trichloroethylene (TCE) was reported within one of the four soil vapor samples at a concentration of 0.376 µg/m³. Carbon Tetrachloride was reported in two of the four soil vapor samples at a maximum concentration of 0.503 µg/m³. 1,1,1- TCA was not detected in soil vapor. The PCE and TCE concentrations are below the monitoring level ranges established within the State DOH soil vapor guidance matrix. Concentrations of petroleum-related VOCs were generally less than 10 µg/m³. Overall the highest reported concentrations were for acetone (74.5 µg/m³) and ethanol (55.2 µg/m³).

Figure 1 – Site Map

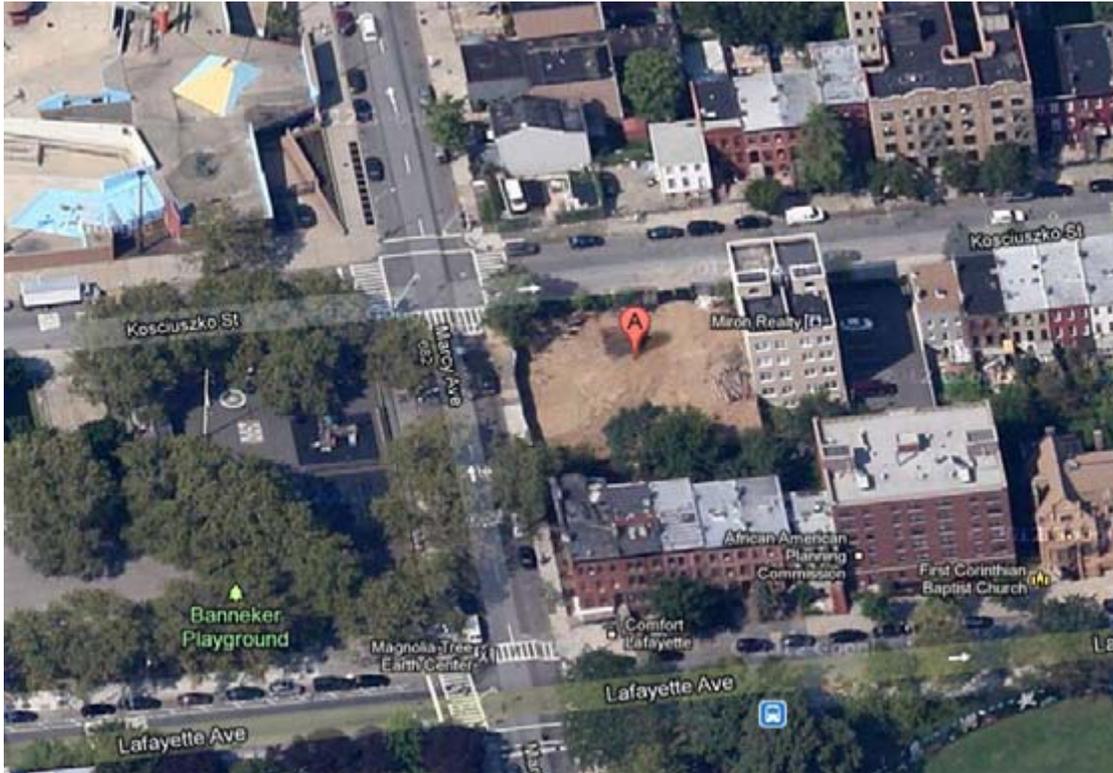


Figure 2 – Site Location Map

