Environmental Protection

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October 21, 2021

Matthew Juliana
Director, Environmental Planning
New York City Department of Housing Preservation and Development
100 Gold Street
New York, NY 10038

Re: Brownsville Arts Center and Apartments
Block 3499, Lots 15-17, 20-24, 25 (p/o), 45-48, 50, 52-54, 56-58, 113 (p/o), 114 -116
CEQR # 20HPD019K

Dear Mr. Juliana:

The New York City Department of Environmental Protection, Bureau of Sustainability (DEP) has reviewed the November 2020 Phase II Environmental Site Assessment (Phase II) prepared by VHB Engineering, Surveying, Landscape Architecture and Geology, P.C. on behalf of Brownsville Arts Developer LLC (applicant) for the above referenced project. It is our understanding that the applicant is seeking several discretionary approvals from the New York City Department of Housing Preservation and Development (HPD), including: (1) a zoning map amendment to rezone an approximately 69,064-square foot (sf) midblock portion of Block 3499 from R6/C2-3 and C4-3 to R7A with a C2-4 commercial overlay mapped along Rockaway Avenue; (2) a zoning text amendment to map a Mandatory Inclusionary Housing Area over the proposed rezoning area; (3) Urban Development Action Area designation, Urban Development Action Area Project approval and disposition of City-owned Lots 15, 17, 20, 21, 22, 23, 24, 45, 46, 47, 48, 50, 52, 53, 54, 56, 57, and 58 on Block 3499; and (4) Mayoral override approval to modify rear yard requirements and rear yard permitted obstruction requirements for the proposed mixed-use development (Proposed Actions). In addition, discretionary funding may be sought to facilitate the proposed affordable housing and community arts-related space. The Proposed Actions would facilitate the construction of a nine-story, mixed-use affordable housing and community facility development, as well as private and publicly accessible open space uses that would replace vacant and underutilized City-owned land on Lots 15, 17, 20-24, 45-48, 50, 52-54, and 56-58 on Block 3499. No changes are expected to occur to the remaining lots (Lots 16, 25, and 113-116 on Block 3499) that would also be rezoned because of the Proposed Actions.

During the October 2020 fieldwork, 11 soil borings (SB-01 through SB-11) were advanced to a depth of approximately 13 feet below grade surface (bgs). A minimum of two soil samples were collected from each soil boring location. One soil sample was collected from 0 to 2 feet bgs and another soil sample was collected from 13 to 15 feet bgs. Six (6) additional mid-range samples were

collected at certain boring locations. Three (3) groundwater samples (GW-01 through GW-03) were collected. Soil and groundwater samples were analyzed for volatile organic compounds (VOCs) by United States Environmental Protection Agency (EPA) Method 8260, semi-volatile organic compounds (SVOCs) by EPA Method 8270, pesticides by EPA Method 8081, polychlorinated biphenyls (PCBs) by EPA Method 8082, and Target Analyte List metals by EPA Method 6010 and 7471 (filtered and unfiltered for groundwater samples). Four soil vapor samples (SV-01 through SV-04) were collected and analyzed for VOCs by EPA Method TO-15.

The soil analytical results revealed that one VOC (total xylenes), several SVOCs (benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, benzo(k)fluoranthene, chrysene, dibenzo(a,h)anthracene, and indeno(1,2,3-cd)pyrene), several pesticides (4,4'-DDD, 4,4'-DDE, 4,4'-DDT, and dieldrin), total PCBs, and several metals (barium, copper, lead, mercury, and zinc) were detected above their New York State Department of Environmental Conservation (NYSDEC) 6 NYCRR Part 375 Unrestricted Use Soil Cleanup Objectives (SCOs), Residential Use SCOs, Restricted Residential Use SCOs, Commercial Use SCOs, and/or Industrial Use SCOs.

The groundwater analytical results revealed that pesticides and PCBs were non-detect. One VOC (tetrachloroethene), one SVOC (benzo(b)fluoranthene), several metals (arsenic, barium, beryllium, chromium, copper, iron, lead, magnesium, manganese, nickel, selenium, sodium, and thallium) were detected above their NYSDEC Technical and Operational Guidance Series 1.1.1 Class GA Ambient Water Quality Standards and Guidance Values.

The soil vapor analytical results revealed that several VOCs (1,1,1-trichloroethane, 1,2,4-trimethylbenzene, 1,3,5-trimethylbenzene, 1,3-butadiene, 2,2,4-trimethylpentane, 2-butanone, 2-hexanone, 4-methyl-2-pentanone, acetone, benzene, carbon disulfide, chloromethane, cyclohexane, dichlorodifluoromethane, ethyl alcohol, ethylbenzene, heptane, isopropyl alcohol, methylene chloride, n-hexane, o-xylene, p/m-xylene, tert-butyl alcohol, tetrachloroethene, tetrahydrofuran, toluene, and trichlorofluoromethane) were detected.

Based upon our review of the submitted documentation, we have the following comments and recommendations to HPD:

- HPD should instruct the applicant to develop and submit a Remedial Action Plan (RAP) for the proposed project for review and approval. The RAP should delineate the requirements for items including: transportation and disposal of soils; soil stockpiling; dust control; air monitoring; dewatering; removal/closure of underground storage tanks and/or aboveground storage tanks if encountered; engineering controls; capping with concrete/asphalt and/or imported clean fill, etc.

- HPD should instruct that applicant that a vapor barrier (minimum thickness of 20-mil) should be incorporated into the design plan of the proposed project. The manufacturer's specifications with thickness information of the proposed vapor barrier should be included in the RAP.

- HPD should instruct the applicant that for all areas, which will be landscaped or covered with grass (not capped), a minimum of two feet of DEP approved clean fill/top soil must be imported from an approved facility/source and graded across all landscaped/grass covered areas of the sites not capped with concrete/asphalt. The clean fill/top soil must be segregated at the source/facility, have qualified environmental personnel collect representative samples at a frequency of one (1) sample for every 250 cubic yards, analyze the samples for Target Compound List VOCs by EPA Method 8260, SVOCs by EPA Method 8270, pesticides by EPA Method 8081, PCBs by EPA Method 8082, and TAL metals by a New York State Department of Health Environmental Laboratory Approval Program certified laboratory, compared to NYSDEC 6 NYCRR Part 375 Environmental Remediation Programs. Upon completion of the investigation activities, the applicant should submit a detailed clean fill report for DEP review and approval prior to importation and placement on-site. The report should include, at a minimum, an executive summary, narrative of the field activities, laboratory data, and comparison of soil analytical results (i.e., NYSDEC 6 NYCRR Part 375 Environmental Remediation Programs).

- HPD should instruct the applicant to develop and submit a site-specific Construction Health and Safety Plan (CHASP) on the basis of possible exposure of both on-site personnel and the surrounding community to contaminants from the proposed project. The CHASP should identify the possible locations and risks associated with the potential contaminants that may be encountered, and the administrative and engineering controls that will be utilized to mitigate concerns.

- HPD should instruct the applicant that a Community Air Monitoring Plan should be developed and implemented in accordance with the NYSDEC Division of Environmental Remediation DER-10, Appendix 1A (New York State Department of Health Generic Community Air Monitoring Plan) and described in the RAP and CHASP.

- HPD should instruct the applicant that soil disturbance should not occur without DEP's written approval of the RAP and CHASP.

Future correspondence and submittals related to this project should include the following CEQR # **20HPD019K**. If you have any questions, you may contact Mohammad Khaja-Moinuddin at (718) 595-4445.

Sincerely,

Wei Yu

Wei Yu
Deputy Director, Hazardous Materials

c: R. Weissbard; M. Khaja-Moinuddin; T. Estesen; R. Lucas; M. Wimbish;
A. Schaefer - HPD