



OFFICE OF ENVIRONMENTAL REMEDIATION

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Director

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NOTICE TO PROCEED

DOB Job No. NB – 320576658 & NB – 320576649

December 30, 2013

Ira Gluckman, R.A.
Brooklyn Borough Commissioner
NYC Department of Buildings
210 Joralemon Street, 8th Floor
Brooklyn, NY 11201

Re: **767 Bergen Street – Hazardous Materials “E” Designation**
E-51: Block 1140, Lots 48 and 49 (currently lot 48), Brooklyn CD 08
Prospect Heights Rezoning - CEQR # 93 DCP 037K
OER Project # 13EHAZ443K / NYC VCP Site # 14CVCP185K

Dear Commissioner Gluckman:

The New York City Office of Environmental Remediation (OER) has reviewed the Hydro Tech Environmental Corp’s November 2013 CVCP Remedial Action Work Plan (RAWP) and December 2013 Stipulation List. These documents were prepared on behalf of 765 Bergen, LLC (the applicant) to support construction of two new 4-story residential buildings with full cellars. The cellar area will be utilized for mechanical rooms, meter rooms, and accessory space. The remainder of the lot will be occupied by a rear yard 5 feet below street grade. Excavation underneath the building footprint will be required to 10 feet below grade. The depth to groundwater is approximately 28 feet below grade. The NYC Department of City Planning placed an “E” Designation for Hazardous Materials (E-51) on the subject parcel as part of the Prospect Heights Rezoning (CEQR # 93 DCP 037K). This site is also enrolled in the NYC Voluntary Cleanup Program (NYC VCP - Site # 14CVCP185K).

OER has determined that Hydro Tech Environmental Corp’s CVCP RAWP is acceptable. Upon completion of the remedial mitigation remedy, a P.E. certified Remedial Action Report (RAR) documenting proof of the following will be submitted to OER: removal/disposal of all excavated soil/fill from the site in accordance with all applicable federal, state, and local regulations including transportation manifests, weight tickets, and disposal/recycling certificates; composite cover of the entire site with the concrete building foundation and 2 feet of clean fill in the rear yard; installation of a vapor barrier membrane (minimum 20-mil thickness) beneath the concrete building slab and behind foundation sidewalls to grade; CAMP implementation, etc. OER has also received the Site-specific Construction Health and Safety Plan.

OER has concluded that the applicant may proceed with remediation/construction, provided that a P.E. certified RAR be submitted by the applicant to OER for review and approval at the conclusion of remediation/construction activities. No other permits (i.e., Temporary or Certificate of Occupancy) should be issued by the NYC Department of Buildings (DOB) until OER has issued a “Notice of Satisfaction” for the proposed project.

If you have any questions or comments, please feel free to contact Mr. Horace Zhang at (212) 788-8484.

Sincerely,

A handwritten signature in black ink, appearing to read "Shaminder Chawla".

Shaminder Chawla
Deputy Director

cc: D. Walsh, S. Chawla, Z. Schreiber, H. Zhang, PMA-OER
Shai Kolberg, 765 Bergen LLC – shai@urban-view.com
Ezgi Karayel, Hydro Tech Environmental Corp. – ekarayel@hydrotechenvironmental.com
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