



OFFICE OF ENVIRONMENTAL REMEDIATION

100 Gold Street – 2nd Floor
New York, New York 10038

Daniel Walsh, Ph.D.
Director

Tel: (212) 788-8841
Fax: (212) 788-2941

NOTICE TO PROCEED

DOB Job No. NB – 121184841

March 24, 2014

Martin Rebholz, R.A.
Manhattan Borough Commissioner
NYC Department of Buildings
280 Broadway, 3rd Floor
New York, NY 10007

Re: **550 West 34th Street (a.k.a. 55 Hudson Yards) – Hazardous Materials & Noise “E” Designation**
E-137: Block 705, Lot 1, Manhattan CD 4
Hudson Yards Rezoning - CEQR # 03 DCP 031M
OER Project # 14EH-N249M

Dear Commissioner Rebholz:

The New York City Office of Environmental Remediation (OER) has reviewed Langan’s February 2014 Remedial Action Plan (RAP) and March 2014 Noise Remedial Action Plan (RAP: Noise), and received the site-specific Construction Health and Safety Plan (CHASP). These documents were prepared on behalf of One Hudson Yards Owner, LLC (the applicant) to support construction of a new 51-story commercial building with a partial cellar. Excavation for the cellar of the new building will encompass a portion of the site and extend to a depth of approximately 29 feet below grade. The balance of the property below grade is occupied by MTA structures. The depth to groundwater is approximately 20 feet bgs. The NYC Department of City Planning placed an “E” Designation for Hazardous Materials and Noise (E-137) on the subject parcels as part of the Hudson Yards Rezoning action (CEQR # 03 DCP 031M).

Hazardous Materials

In order to satisfy the requirements of E-137, the applicant has agreed to: removing/disposing 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; installing of Grace Preprufe 300R, Preprufe 160R, Bituthene 4000, and/or HydroDuct 220 water proofing membrane system, or comparable alternatives (minimum 20-mil thickness), beneath the foundation slab(s) as well as upwards along all sidewalls to grade; composite cover of the entire site with the concrete building foundation; CAMP implementation, etc.

Noise

In order to satisfy the requirements of E-137 a window/wall attenuation of 30 dBA (for window/wall systems below 100 ft.) and 27 dBA (for window/wall systems above 100 ft.) will be achieved. The owner has committed to installing new windows according to the following description: The façade will be a curtain wall system comprised of fixed glazing elements spanning floor-to-floor with shadow boxes backed with metal fascia panels and insulation. Mullions of varying sizes and spacing will be backed with metal fascia panels and insulation.

The applicant commits to demonstrating that the selected manufacturer’s window/wall product to be installed achieves the minimum OITC requirements as outlined above by submitting an ASTM E90 laboratory test report.

An alternate means of ventilation will be achieved by a ventilation system that introduces outside air to all areas per the requirements of the New York City Mechanical Code of 2014 for commercial space.

Conclusion

OER has concluded that the applicant may proceed with remediation/construction, provided that a P.E. certified RCR (or RAR equivalent) and PE/RA-certified Air Quality Installation Report 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. Eric Iljevich at (212) 341-2034.

Sincerely,



Maurizio Bertini, Ph.D.
Assistant Director

cc: D. Walsh, S. Chawla, E. Iljevich, PMA-OER
Andrew Cantor, Related Companies – andrew.cantor@related.com
Joseph Good, Langan – jgood@langan.com