



# FACT SHEET

## Brownfield Cleanup Program

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The Greater Waterside Site  
Site Number C231013  
New York, NY

December 2011

### NYSDEC Certifies Cleanup Requirements Achieved at Brownfield Site

The New York State Department of Environmental Conservation (NYSDEC) has determined that TRC Companies, Inc., East River Realty Company, LLC, 700 First Realty Company LLC, and 708 First Realty Company LLC ("applicants") have achieved cleanup requirements to address contamination related to The Greater Waterside Site ("site") located at 700-708 First Avenue in New York, NY under New York's Brownfield Cleanup Program. The site is comprised of the former Waterside Generating Station located at 700 First Avenue, New York, NY and the former 708 Office Building located at 708 First Avenue, New York, NY. See map for site location.

NYSDEC has issued a Certificate of Completion to the applicants regarding the site. The site is now being redeveloped, subject to the terms of an environmental easement and Site Management Plan. A copy of the Notice of the Certificate of Completion is available at the locations identified below under "Where to Find Information".

#### Completion of Project

Prior to remediation, the primary environmental areas of concern at the site as a whole included asbestos, potential MGP-related impacts upon soil and groundwater; chemical and lead contamination, and possible contamination from old spills. The 708 First Avenue parcel of the site housed nine (9) petroleum underground storage tanks (USTs) that were an area of concern.

**Brownfield Cleanup Program:** New York's Brownfield Cleanup Program (BCP) encourages the voluntary cleanup of contaminated properties known as "brownfields" so that they can be reused and redeveloped. These uses include recreation, housing, business or other uses.

A **brownfield** is any real property that is difficult to reuse or redevelop because of the presence or potential presence of contamination.

For more information about the BCP, visit:  
[www.dec.ny.gov/chemical/8450.html](http://www.dec.ny.gov/chemical/8450.html)

In addition, the 700 First Avenue parcel had mercury and potential polychlorinated biphenyls (PCBs) contamination; and several other areas of concern including contaminated soil from electric utility activities, contaminated basement floor slabs, and potentially contaminated sediment within the intake and discharge tunnels to the East River.

Environmental remediation on the 708 First Avenue portion of the site occurred between June 2002 and March 2004, and on the 700 First Avenue portion of the site remediation occurred between April 2004 and

January 2008. The cleanup activities on the site included:

- Asbestos abatement, decommissioning and demolition of all buildings and subsurface structures to above the top of the bedrock or the high water table (Development Depth);
- Removal of nine (9) petroleum USTs;
- Excavation and disposal of petroleum-impacted soil;
- Excavation and disposal of all soil above the top of competent bedrock or the mean high water table (Development Depth);
- Closure of intake and discharge tunnels in accordance with NYSDEC requirements;
- Excavation of contaminated soil at a depth of 25 to 39 feet below grade surface at the UST area, and backfilling the excavation with suitable on-site soils and imported clean backfill;
- Application of Oxygen Release Compound (ORC<sup>®</sup>) within the deep UST excavation area to treat residual contamination in groundwater;
- Evaluation of groundwater conditions within the bedrock and shallow aquifer by installation and sampling of four bedrock monitoring wells and ten shallow aquifer monitoring wells;
- Performing a post-remediation soil-gas survey; and,
- Close-out of all open NYSDEC spill numbers for previously-reported on-site impacts.

The site was backfilled with at least a minimum of two feet and as much as 35 feet of clean sand and clean crushed stone and is surrounded by a site security fence.

The site is subject to a Site Management Plan (SMP) which has been approved by NYSDEC and includes engineering and institutional controls, including Environmental Easements.

#### **Institutional Controls/Engineering Controls**

Institutional controls and engineering controls generally are designed to reduce or eliminate exposure to contaminants of concern. An *institutional control* is a non-physical restriction on use of the site, such as the prohibition on the use of groundwater from the site, when contamination left over after the cleanup action makes the site suitable for some, but not all uses. An *engineering control* is a physical barrier or method to manage contamination such as a cap or vapor barrier.

The following institutional and/or engineering controls have been put in place on the site:

- The Property may only be used for restricted residential and commercial use below the Development Depth provided that the long term Engineering and Institutional Controls included in the Site Management Plan (SMP) are employed. No environmental easements, engineering controls, institutional controls, or any other consents, approvals, or authorizations are required for any activities above the Development Depth.
- A higher level of use, such as residential use, will not be allowed for activities below the Development Depth without additional remediation and amendment of the Environmental Easement, as approved by the NYSDEC.
- All future activities on the Property that will disturb remaining contaminated material must be conducted in accordance with the SMP; and,

- The use of the groundwater underlying the Property is prohibited without treatment rendering it safe for intended use.
- The site owner or remedial party will complete and submit to the Department a periodic certification of institutional and engineering controls in accordance with Part 375-1.8 (h)(3).

### **Next Steps**

NYSDEC issued the Certificate of Completion based on review and approval of a Final Engineering Report submitted by the applicant. The Final Engineering Report includes: 1) a description of the cleanup activities completed; 2) certification that cleanup requirements have been achieved for the site; 3) a description of any institutional/engineering controls to be used; and 4) a certification that a site management plan for any engineering controls used at the site has been approved by NYSDEC.

With its receipt of a Certificate of Completion, the applicant has satisfied the remedial obligations. In addition, the applicant:

- X has no liability to the State for contamination at or coming from the site, subject to certain conditions; and
- X is eligible for tax credits to offset the costs of performing cleanup activities and for redevelopment of the site.

A Certificate of Completion may be modified or revoked if, for example, the applicant does not comply with the terms of its Brownfield Cleanup Agreement with NYSDEC, or if the applicant commits fraud regarding its application or its certification that it has met cleanup levels.

### **Background**

NYSDEC previously accepted an application from the applicant to participate in the Brownfield Cleanup Program. The application proposes that the site will be used for restricted residential and commercial purposes.

The 700-708 First Avenue parcels are contiguous lots that collectively consist of approximately 6.4 acres located just west of the East River and FDR Drive and south of the United Nations Headquarters Complex in a highly developed commercial/ residential area between East 38th and East 41<sup>st</sup> Streets. The site is currently inactive, and is zoned for commercial and residential use.

Since 1910, the 700 First Avenue portion of the site was used as a coal-fired and then oil/gas-fired steam and electricity generating facility until it was shut down in May 2005. In addition, from the 1890s to 1923, portions of the site were used for manufactured gas plant (MGP) operations. In 1924, a 500,000-square foot 10-story Con Edison office/service building was constructed on the 708 First Avenue portion of the site.



## FOR MORE INFORMATION

### Where to Find Information

Project documents are available at the following location(s) to help the public stay informed. These documents include the Notice of the Certificate of Completion.

Science, Industry and Business  
Library  
188 Madison Avenue  
New York, NY 10016-4314  
Phone: (917) 275-6975

New York Public Library  
Kips Bay Branch  
446 Third Avenue  
New York, NY 10016  
Phone: (212) 683-2520

Manhattan Community Board 6  
UN Plaza, Suite 308  
New York, NY 10017  
Phone: (212) 319-3750

#### Hours:

Mon: 11 am to 6 pm  
Tue: 10 am to 8 pm  
Wed: 10 am to 8 pm  
Thu: 10 am to 8 pm  
Fri: 11 am to 6 pm  
Sat: 11 am to 6 pm  
Sun: Closed

#### Hours:

Mon: 11 am to 6 pm  
Tue: 12 pm to 7 pm  
Wed: 11 am to 6 pm  
Thu: 12 pm to 7 pm  
Fri: 10 am to 5 pm  
Sat: 10 am to 5 pm  
Sun: Closed

#### Hours:

Mon-Fri: 9:30 am to 4:30 pm  
Sat/Sun: Closed

### Who to Contact

Comments and questions are always welcome and should be directed as follows:

#### Project Related Questions

Mr. Ronnie Lee  
NYS Department of Environmental  
Conservation  
Division of Environmental Remediation  
625 Broadway  
Albany, NY 12233-7016  
Phone: (518) 402-9768  
[rslee@gw.dec.state.ny.us](mailto:rslee@gw.dec.state.ny.us)  
Call for an appointment

#### Site-Related Health Questions

Ms. Dawn Hettrick  
NYS Department of Health  
Bureau of Environmental Exposure  
Investigation  
Flanigan Square  
547 River Street, Room 300  
Troy, New York 12180-2216  
Phone: (518) 402-7880  
[deh02@health.state.ny.us](mailto:deh02@health.state.ny.us)

**We encourage you to share this fact sheet with neighbors and tenants, and/or post this fact sheet in a prominent area of your building for others to see.**

#### **Receive Site Fact Sheets by Email**

Have site information such as this fact sheet sent right to your email inbox.

NYSDEC invites you to sign up with one or more contaminated sites county email listservs available at the following web page:

[www.dec.ny.gov/chemical/61092.html](http://www.dec.ny.gov/chemical/61092.html) . It's quick, it's free, and it will help keep you *better informed*.



As a listserv member, you will periodically receive site-related information/announcements for all contaminated sites in the county(ies) you select.

You may continue also to receive paper copies of site information for a time after you sign up with a county listserv, until the transition to electronic distribution is complete.

**Note:** Please disregard if you already have signed up and received this fact sheet electronically.





Site Location



**Greater Waterside Site**  
**700-708 First Avenue**  
**New York, New York**

**Figure 1: Site Location Map**  
 Approximate Scale 1: 24,000

Source: USGS Topographical Survey Maps  
 Central Park NY - NJ Quadrangle, Photorevised 1979  
 Brooklyn, NY, Photorevised 1979

