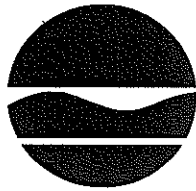


NEW YORK STATE  
DEPARTMENT OF



ENVIRONMENTAL  
CONSERVATION

**Public Notice**

**Remedial Action at the  
West 17<sup>th</sup> Street & 10<sup>th</sup> Ave Site**  
440-454 West 17<sup>th</sup> Street  
441-459 West 16<sup>th</sup> Street and  
96-110 10<sup>th</sup> Avenue

**Project Contacts:**

**Project Related Questions**

**Attn:** Shaun Bollers  
New York State Department of  
Environmental Conservation  
Division of Environmental  
Remediation, Region 2  
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Long Island City, NY 11101  
(718) 482-4608  
snboller@gw.dec.state.ny.us

**Health Related Questions**

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New York State Department of Health  
547 River Street, Troy, NY 12180  
(518) 402-7880  
deh02@health.state.ny.us  
For more information about New York  
State's BCP, visit:  
[www.dec.state.ny.us/website/der/bcp](http://www.dec.state.ny.us/website/der/bcp)

**Document Repositories**

New York Public Library  
Muhlenberg Branch  
209 West 23rd Street  
New York, N.Y. 10011  
(212) 924-1585

**Hours**

Mon. 10 am to 6 pm  
Tues. 12 pm to 8 pm  
Weds. 10 am to 6 pm  
Thurs. 12 pm to 8 pm  
Fri. 10am to 6pm  
Sat. 10 am to 5 pm

# FACT SHEET

## Brownfield Cleanup Program

March 2008

West 17<sup>th</sup> Street and  
10<sup>th</sup> Avenue Site  
New York, New York  
Site No: C231040

Fact Sheet # 5

### Remedial Action Completed to Address Brownfield Site Contamination; Final Engineering Report Under Review West 17<sup>th</sup> Street and 10<sup>th</sup> Avenue New York, New York

Remedial action has been completed to address contamination related to the West 17th Street and 10th Avenue Site located at 450 W17th Street in New York City under New York's Brownfield Cleanup Program (BCP). See attached map for the location of the site. 17<sup>th</sup> and 10<sup>th</sup> Associates LLC has completed the remedial action and has submitted to the New York State Department of Environmental Conservation (NYSDEC) a Final Engineering Report (FER), which is under review. The Final Engineering Report states that remediation requirements have been achieved regarding site contamination to fully protect public health and the environment for the proposed site use. The Final Engineering Report is available at the document repository identified in this fact sheet.

NYSDEC previously accepted an application submitted by 17<sup>th</sup> and 10<sup>th</sup> Associates LLC to participate in the BCP. The application proposes that the site will be used for mixed-use purposes namely restricted residential and commercial/retail.

#### Highlights of the Final Engineering Report

A Final Engineering Report (FER) has several goals:

- 1) describe the remedial activities completed;
- 2) certify that remediation requirements have been achieved or will be achieved;
- 3) define the boundaries of the site;
- 4) describe any institutional/engineering controls to be used. An *institutional control* is a non-physical restriction on use of the site, such as a deed restriction, when the remedial action leaves residual contamination that 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;
- 5) certify that an operation, monitoring and maintenance plan for any engineering controls used at the site has been approved by NYSDEC.

"*Remedial activities*" and "*remediation*" refer to all necessary actions to address any known or suspected contamination associated with a site.

For purposes of remediation, the site was divided into two operable units (OUs). OU1 is the eastern portion of the site, which is now fully occupied by the residential building. OU2 is the High Line area that extends along 10<sup>th</sup> Avenue and the western portion of 16<sup>th</sup> Street. OU2 will be completely occupied by commercial/retail space. Because of the Highline, OU2 had construction restrictions, including limitations on excavating within 25 feet of the Highline supports.

Remediation was completed in January 2007 and included:

- Excavation of soil/fill from OU1 exceeding the Track 4 Site Specific Soil Action Levels (SSSALs) and excavation of the top 1-foot of soil from OU2.

- Construction and maintenance of an engineered composite cover (vapor membrane) beneath OU1 and OU2 and a cap consisting of the building's concrete foundation to prevent human exposure to residually contaminated soil remaining under the site.
- Implementation of a Citizen Participation Plan to keep the public informed regarding remedial activities,
- Implementation of a Health and Safety Plan and Community Air Monitoring Plan during all remedial activities,
- Recording of an environmental easement which includes Institutional Controls to prevent future exposure to any residual contamination remaining on-site.
- Oxygen-Release Compound (ORC) injection program in OU2 which includes post-remedial groundwater monitoring for VOCs, SVOCs and Monitored Natural Attenuation (MNA) parameters to evaluate the effectiveness of the ORC.
- Installation and operation of a sub-slab depressurization system (SSDS) in OU2.
- Maintenance of positive air pressure in all occupied subgrade areas in OU1
- Publication of a Site Management Plan (SMP) for long-term management of residual contamination as required by the Part 375 Regulations to be included as part of the Environmental Easement. This will ensure that the site remains protective of human health and the environment for the intended use. The SMP includes plans for 1) Institutional and Engineering Controls, 2) monitoring, 3) operation and maintenance and 4) reporting.
- Construction dewatering of OU1 with groundwater treatment prior to discharge to the New York City sewer system as per a NYCDEP Permit to Discharge.
- Collection and analysis of end-point samples to evaluate the performance of the remedy with respect to attainment of Track 4 SSSALs for the site.
- Appropriate off-site disposal of all material removed from the site in accordance with all Federal, State and local rules and regulations for handling, transport and disposal.

### Next Steps

NYSDEC will complete its review, have any necessary revisions made and, if appropriate, approve the Final Engineering Report. NYSDEC will place the approved Final Engineering Report in the site document repository. NYSDEC then will issue a Certificate of Completion to 17th and 10th Associates, LLC.. With its receipt of a Certificate of Completion, 17th and 10th Associates, LLC would:

- have no liability to the State for contamination at or coming from the site, subject to certain conditions; and
- be eligible for tax credits to offset the costs of performing remedial 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.

A fact sheet will be sent to the site contact list when NYSDEC issues a Certificate of Completion to 17<sup>th</sup> and 10<sup>th</sup> Associates LLC if institutional or engineering controls are necessary for the site.

### Background

17th and 10th Associates LLC entered into a Brownfield Cleanup Agreement (BCA) with NYSDEC in January 2005. The site is located in the County of New York, New York City, New York and is identified as Block 714 and Lot 1 on the New York City Tax Map (the "Site"). A Site Location Map (Figure 1) shows the Site location. The Site is situated on an approximately 1.213-acre area bounded by West 17th Street to the north, West 16th Street to the south, residential buildings and a small playground of the New York City Housing Authority (NYCHA) Robert Fulton Houses to the east, and 10th Avenue to the west. An elevated New York City Rail Road (NYCRR) (the former High Line Viaduct) crosses over the southwest corner of the Site. A five-story residential building with street-level retail is located on the northwest corner of this geographic area; however, this structure is not part of the Site.

Prior to 1865, the original Hudson River shoreline was close to the western boundary of the Site. The Site was filled sometime prior to 1865 and has since been developed with a variety of commercial, residential, and manufacturing uses. Various industrial businesses occupied the Site between 1920 and 2003. These historic uses included automobile and truck repair shops, automobile parking, a freight terminal housing trucking and transportation companies, glass, dye, rubber and textile companies.

Site investigations were done by several consultants since 1991. Franklin Company Contractors (FCC) oversaw UST removals and closure assessments for six 550-gallon gasoline USTs associated with a former auto body shop were conducted in 1991. Sidewall samples collected during the closure assessment indicated that petroleum impacts existed in the area around the USTs. As a result, a spill (NYSDEC Spill No. 92-06441) was assigned to the site. Subsequently,

seven monitoring wells (MW-1 through MW-7) were installed in the vicinity of the former UST farm to delineate the petroleum impacted groundwater plume and to monitor for the presence of petroleum impacts and liquid phase hydrocarbons (LPH), which was detected in MW-2.

An undated Well Closure Report by FCC reported the closure of MW-2 through MW-7 (MW-1 was assumed previously destroyed). Approximately 30 pounds of Oxygen Release Compound (ORC) was injected into each monitoring well prior to closure by grouting with bentonite. Spill No. 92-06441 was subsequently closed by the NYSDEC as detailed in a NYSDEC letter dated December 13, 2000. A signed affidavit included in the May 10, 1993 letter report by Franklin stated that three additional 550-gallon USTs were removed from 108-110 10th Avenue in November 1993. These activities were conducted prior to the entry of the site into the BCP.

In the course of a limited Phase II ESA performed in 2004, Langan Engineering installed three soil borings (L1, L2, and L3) at the Site between February and March of 2004. Soil boring depths ranged from 53 to 81 ft-bg. No PID readings, visual contamination, or olfactory evidence of petroleum impacts were observed at borings L1 and L3; therefore, no further analysis was conducted. PID screening of boring L2 identified elevated levels of VOCs and, as a result, soil samples were collected and submitted for laboratory analyses. Elevated levels of benzene, methylene chloride, toluene, ethylbenzene, xylenes, naphthalene and 2-methylnaphthalene were detected. Subsequently, L1 through L3 were converted to observation wells designated as L1(OW) through L3(OW). The results of groundwater sampling indicated elevated levels of toluene, ethylbenzene, xylenes, cadmium, chromium, copper, lead and nickel.

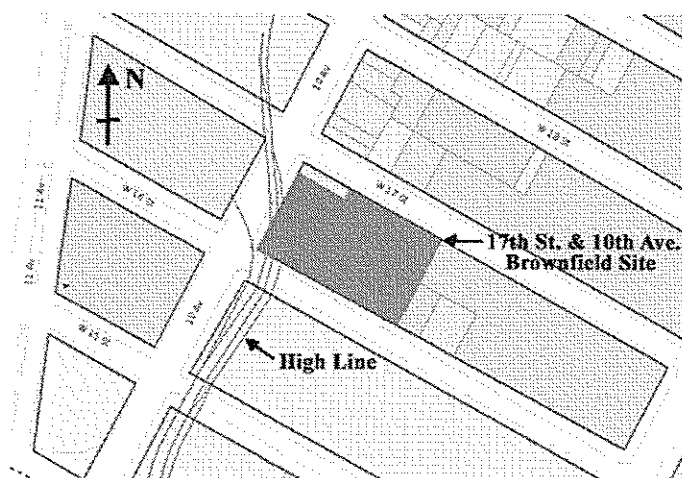
As part of the BCP, the Site was investigated by Fleming-Lee Shue, Inc. (FLS) in accordance with the scope of work presented in the NYSDEC-approved Remedial Investigation (RI) Work Plan dated February 2005 and the Supplemental RI Work Plan dated May 2005. The investigations were conducted between May 2005 and March 2007. The RI Report was submitted to NYSDEC on August 26, 2005. A Supplemental Remedial Investigation (SRI) was conducted in 2007. The Site was declared not to be a significant threat Site by NYSDEC and New York State Department of Health (NYSDOH). The Site was remediated in accordance with the scope of work presented in the NYSDEC-approved Remedial Action Work Plan (RAWP) dated November 2005, the approved Stipulations List dated April 2006, the Remedial Action Work Plan Modification (June 2006) and the Operable Unit 2 (OU2) Oxygen Release Compound (ORC) Injection Work Plan (January 2007).

VOC-related petroleum impacts to the soil were generally widespread throughout the Site at depths ranging from 1.5 to

15.5 feet below grade (ft-bg). This stratum is inclusive of a historic fill layer, which exists at depths of 4 to 14 ft-bg. However, based on the type and extent of petroleum-related contamination, these impacts were likely largely due to historic operations at the Site rather than in the presence of the historic fill. Additionally, petroleum impacts to the groundwater were generally widespread throughout the Site. Laboratory analytical soil gas results indicated the presence of VOCs in all soil gas samples.

## SITE LOCATION

### Document Repository



A local document repository has been established to help the public to review important project documents. These documents include the Final Engineering Report and the application to participate in the BCP accepted by NYSDEC.

### NOTE:

If you know someone who would like to be added to the project mailing list, have them contact the NYSDEC project manager above. 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.