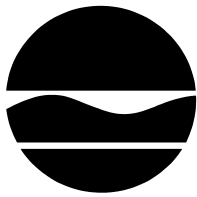


NEW YORK STATE DEPARTMENT OF



ENVIRONMENTAL CONSERVATION

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**For more information about NY
State's Brownfield Cleanup Program,
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www.dec.ny.gov/chemical/8450.html

FACT SHEET #2

Brownfield Cleanup Program

West & Watts Development
281 West St. & 456 Washington St.,
New York, NY 10013

Site No. C231076

October 2012

NYSDEC Region 2

Remedy Proposed for Brownfield Site Contamination; Public Comment Period Announced Comment period runs from October 26 through December 10, 2012

The New York State Department of Environmental Conservation (NYSDEC) working cooperatively with the New York State Department of Health (NYSDOH) is providing the public with the opportunity to review the Remedial Investigation Report (RIR) and provide comments on the Remedial Action Work Plan (RAWP) and the Preliminary Decision Document (PDD) for the West & Watts Development Site (Site) located at 460 Washington Street in New York, New York (see map on page 2 for location of Site). The RIR and RAWP were submitted by Bridge Land West, LLC (Volunteer) under New York's Brownfield Cleanup Program (BCP). NYSDEC previously accepted an application submitted by the Volunteer to participate in the BCP. The PDD was developed by NYSDEC, and summarizes the proposed remedy. The RIR, RAWP and PDD are available for your review at the document repositories identified on the left-hand side of this page. NYSDEC is accepting public comments on the draft RAWP from October 26, 2012 through December 10, 2012.

Site Description: The approximately 25,800-square foot site is occupied by an asphalt-paved parking lot, and one- and two-story buildings which are currently undergoing demolition. The buildings have been used for storage of building materials and restaurant equipment, and vacant office and living space for approximately five years. The Site has frontage on West Street, Watts Street, and Washington Street and is identified as Block 595, Lot 1. An eight-story residential building and an eight-story mixed-use residential and commercial building constitutes the northern Site boundary. Historical site uses which may have contributed to contamination on the site include a railroad freight station and a gasoline filling station. The Site is located in a mixed-use area consisting of a variety of residential and commercial, buildings.

Investigations to Date: The Remedial Investigation (RI) had several goals: 1) to define the nature and extent of contamination in soil, groundwater and any other impacted media; 2) to identify the source(s) of the contamination; 3) to assess the impact of the contamination on public health and/or the environment; and 4) to provide information to support the development of a Remedial Action Work Plan to address contamination on the Site. Prior to the RI, a Phase II Environmental Site Investigation (ESI) and Supplemental Subsurface Investigation (SSI) were completed at the Site. Based on the results of the Phase II ESI, SSI, and the RI petroleum-impacted soil and groundwater were identified in the northwest corner of the Site. In addition, fill material at the Site was identified which contained elevated concentrations of semi-volatile organic compounds (SVOCs) and metals, including potentially hazardous levels of lead and mercury, in the western and southeastern portions of the Site. Soil vapor at the site has been impacted with volatile organic compounds (VOCs), which may be related to the petroleum release and/or off-site sources.

Draft Remedial Action Work Plan and Proposed Decision Document: The RAWP has several goals: 1) to identify cleanup levels to be attained or the process to be used to determine these levels for a restricted residential use; 2) to explain why the RAWP concludes that the results of remediation will protect public health and the environment;

- continued on next page -

BROWNFIELD CLEANUP PROGRAM

and 3) to provide a detailed description of the remedy selected to address Site contamination. The Volunteer will perform the work with oversight by NYSDEC and NYSDOH. The RAWP proposes a remedy in accordance with the requirements of 6 NYCRR Part 375 for Track 4. The proposed remedial action includes:

- Excavation and off-site disposal of petroleum contaminated soil and other impacted soil above the groundwater table, with a remedial goal of Track 4 Restricted Commercial Use Soil Cleanup Objectives (SCOs);
- Collection and analysis of post-excavation documentation soil samples to document contaminant concentrations in soil to remain at the Site;
- Backfilling of excavated areas to the proposed development depth with imported clean fill;
- In-situ treatment of groundwater in the northwest corner of the Site with a chemical oxidant to lower concentrations of residual VOCs;
- Installation of a vapor barrier to protect against soil vapor intrusion;
- Implementation of a Community Air Monitoring Plan during all ground intrusive activities; and
- Establishment of a Site Management Plan and recording of an Environmental Easement to prevent future exposure to any remaining residual contamination.

Significant Threat Determination: As part of every BCP project, NYSDEC, in conjunction with NYSDOH, is required to make a determination whether the conditions at the Site pose a significant threat to human health or the environment, as defined in the NYSDEC's regulations 6 NYCRR Part 375. Based on the types and levels of contaminants on the Site, and the current and planned land uses in the area, NYSDEC and NYSDOH have determined that the Site does not present a significant threat to public health and to the environment. This decision is based on the nature of the existing contaminants identified at the Site; the potential for off-site migration of contaminants in the groundwater; and the potential for human exposure to site-related contaminants via soil vapors.

Next Steps: NYSDEC will consider public comments, revise the RAWP as necessary, issue a final Decision Document, and approve the remedial plan for implementation. NYSDEC will keep the public informed throughout the investigation and cleanup of the Site.

Brownfield Cleanup Program Overview: New York established its BCP to address the environmental, legal, and financial barriers that often hinder the redevelopment and reuse of contaminated properties and to enhance private sector cleanups. New York's BCP is a cooperative approach among the NYSDEC, the NYSDOH, and volunteers to investigate and/or remediate contaminated sites. Under the BCP, a Volunteer enters into a Brownfield Cleanup Agreement ("BCA") with the NYSDEC and thereafter submits one or more work plans to investigate and, if necessary, remediate a site. The goal under the BCP is to remediate sites to a level that is protective of public health and the environment consistent with the proposed uses of the Site. When a Volunteer completes work, a release of liability from the NYSDEC is provided with standard reservations, and a Certificate of Completion (COC) is issued. With their receipt of a COC, the Volunteer would:

- Have no liability to the State for contamination at or coming from the Site, subject to certain conditions; and
- Be eligible for certain tax credits to offset the costs of remedial activities and for redevelopment of the Site.

A COC may be modified or revoked if, for example, the Volunteer does not comply with the terms of its BCA with NYSDEC, or if the Volunteer commits fraud regarding its application or its certification that it has met cleanup levels.

If you have any questions or know of any individual or organization that would like to be added to the project mailing list, please contact the NYSDEC Project Manager listed on the front page of this Fact Sheet. We encourage you to share this Fact Sheet with neighbors and tenants, and/or post it in a prominent area of your building. For information regarding New York State's Brownfield Cleanup Program, please visit our website at:

<http://www.dec.ny.gov/chemical/8450.html>

BROWNFIELD CLEANUP PROGRAM

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

Figure 1 - Site Location Map

