



Department of
Environmental
Conservation

Brownfield Cleanup Program

Citizen Participation Plan for West 29th Street

April 2018

BCP Site No.: C231107
601 West 29th Street

New York, NY 10001

Contents

<u>Section</u>	<u>Page Number</u>
1. What is New York’s Brownfield Cleanup Program?	1
2. Citizen Participation Activities	1
3. Major Issues of Public Concern.....	6
4. Site Information	7
5. Investigation and Cleanup Process.....	8
Appendix A - Project Contacts and Locations of Reports and Information.....	11
Appendix B - Site Contact List	12
Appendix C - Site Location Map	18
Appendix D - Brownfield Cleanup Program Process.....	19

* * * * *

Note: The information presented in this Citizen Participation Plan was current as of the date of its approval by the New York State Department of Environmental Conservation. Portions of this Citizen Participation Plan may be revised during the site’s investigation and cleanup process.

Applicant: **DD West 29th LLC (“Applicant”)**
Site Name: **West 29th Street (“Site”)**
Site Address: **601 West 29th Street**
Site County: **New York**
Site Number: **C231107**

1. What is New York’s Brownfield Cleanup Program?

New York’s Brownfield Cleanup Program (BCP) works with private developers to encourage the voluntary cleanup of contaminated properties known as “brownfields” so that they can be reused and developed. These uses include recreation, housing, and business.

A *brownfield* is any real property that is difficult to reuse or redevelop because of the presence or potential presence of contamination. A brownfield typically is a former industrial or commercial property where operations may have resulted in environmental contamination. A brownfield can pose environmental, legal, and financial burdens on a community. If a brownfield is not addressed, it can reduce property values in the area and affect economic development of nearby properties.

The BCP is administered by the New York State Department of Environmental Conservation (NYSDEC) which oversees Applicants who conduct brownfield site investigation and cleanup activities. An Applicant is a person who has requested to participate in the BCP and has been accepted by NYSDEC. The BCP contains investigation and cleanup requirements, ensuring that cleanups protect public health and the environment. When NYSDEC certifies that these requirements have been met, the property can be reused or redeveloped for the intended use.

For more information about the BCP, go online at: <http://www.dec.ny.gov/chemical/8450.html> .

2. Citizen Participation Activities

Why NYSDEC Involves the Public and Why It Is Important

NYSDEC involves the public to improve the process of investigating and cleaning up contaminated sites, and to enable citizens to participate more fully in decisions that affect their health, environment, and social well-being. NYSDEC provides opportunities for citizen involvement and encourages early two-way communication with citizens before decision-makers form or adopt final positions.

Involving citizens affected and interested in site investigation and cleanup programs is important for many reasons. These include:

- Promoting the development of timely, effective site investigation and cleanup programs that protect public health and the environment;
- Improving public access to, and understanding of, issues and information related to a particular site and that site’s investigation and cleanup process;
- Providing citizens with early and continuing opportunities to participate in NYSDEC’s site investigation and cleanup process;
- Ensuring that NYSDEC makes site investigation and cleanup decisions that benefit from input that reflects the interests and perspectives found within the affected community; and

- Encouraging dialogue to promote the exchange of information among the affected/interested public, State agencies, and other interested parties that strengthens trust among the parties, increases understanding of site and community issues and concerns, and improves decision making.

This Citizen Participation (CP) Plan provides information about how NYSDEC will inform and involve the public during the investigation and cleanup of the site identified above. The public information and involvement program will be carried out with assistance, as appropriate, from the Applicant.

Project Contacts

Appendix A identifies NYSDEC project contacts to whom the public should address questions or request information about the site's investigation and cleanup program. The public's suggestions about this CP Plan and the CP program for the site are always welcome. Interested people are encouraged to share their ideas and suggestions with the project contacts at any time.

Locations of Reports and Information

The locations of the reports and information related to the Site's investigation and cleanup program also are identified in Appendix A. These locations provide convenient access to important project documents for public review and comment. Some documents may be placed on the NYSDEC web site. If this occurs, NYSDEC will inform the public in fact sheets distributed about the site and by other means, as appropriate.

Site Contact List

Appendix B contains the Site contact list. This list has been developed to keep the community informed about, and involved in, the Site's investigation and cleanup process. The Site contact list will be used periodically to distribute fact sheets that provide updates about the status of the project. These will include notifications of upcoming activities at the Site (such as fieldwork), as well as availability of project documents and announcements about public comment periods.

The Site contact list includes, at a minimum:

- Chief executive officer and planning board chairperson of each county, city, town and village in which the Site is located;
- Residents, owners, and occupants of the Site and properties adjacent to the Site;
- The public water supplier which services the area in which the Site is located;
- Any person who has requested to be placed on the Site Contact List;
- The administrator of any school or day care facility located on or near the Site for purposes of posting and/or dissemination of information at the facility; and
- Locations of reports and information.

The Site contact list will be reviewed periodically and updated as appropriate. Individuals and organizations will be added to the site contact list upon request. Such requests should be submitted to the NYSDEC project contact(s) identified in Appendix A. Other additions to the site contact list may be made at the discretion of the NYSDEC project manager, in consultation with other NYSDEC staff as appropriate.

Note: The first Site fact sheet (usually related to the draft Remedial Investigation Work Plan) is distributed both by paper mailing through the postal service and through DEC Delivers, its email listserv service. The fact sheet includes instructions for signing up with the appropriate county listserv to receive future notifications about the Site. See <http://www.dec.ny.gov/chemical/61092.html>.

Subsequent fact sheets about the Site will be distributed exclusively through the listserv, except for households without internet access that have indicated the need to continue to receive site information in paper form. Please advise the NYSDEC Site project manager identified in Appendix A if that is the case. Paper mailings may continue during the investigation and cleanup process for some sites, based on public interest and need.

CP Activities

The table at the end of this section identifies the CP activities, at a minimum, that have been and will be conducted during the site's investigation and cleanup program. The flowchart in Appendix D shows how these CP activities integrate with the site investigation and cleanup process. The public is informed about these CP activities through fact sheets and notices distributed at significant points during the program. Elements of the investigation and cleanup process that match up with the CP activities are explained briefly in Section 5.

- **Notices and fact sheets** help the interested and affected public to understand contamination issues related to a site, and the nature and progress of efforts to investigate and clean up a site.
- **Public forums, comment periods and contact with project managers** provide opportunities for the public to contribute information, opinions and perspectives that have potential to influence decisions about a site's investigation and cleanup.

The public is encouraged to contact project staff at any time during the Site's investigation and cleanup process with questions, comments, or requests for information.

This CP Plan may be revised due to changes in major issues of public concern identified in Section 3 or in the nature and scope of investigation and cleanup activities. Modifications may include additions to the site contact list and changes in planned citizen participation activities.

Technical Assistance Grant

NYSDEC must determine if the Site poses a significant threat to public health or the environment. This determination generally is made using information developed during the investigation of the Site, as described in Section 5.

If the Site is determined to be a significant threat, a qualifying community group may apply for a Technical Assistance Grant (TAG). The purpose of a TAG is to provide funds to the qualifying group to obtain independent technical assistance. This assistance helps the TAG recipient to interpret and understand existing environmental information about the nature and extent of contamination related to the Site and the development/implementation of a remedy.

An eligible community group must certify that its membership represents the interests of the community affected by the Site, and that its members' health, economic well-being or enjoyment of the environment may be affected by a release or threatened release of contamination at the Site.

As of the date the declaration (page 2) was signed by the NYSDEC project manager, the significant threat determination for the Site had not yet been made.

To verify the significant threat status of the Site, the interested public may contact the NYSDEC project manager identified in Appendix A.

For more information about TAGs, go online at <http://www.dec.ny.gov/regulations/2590.html>

Note: The table identifying the citizen participation activities related to the site's investigation and cleanup program follows on the next page:

Citizen Participation Activities	Timing of CP Activity(ies)
Application Process:	
<ul style="list-style-type: none"> • Prepare Site contact list • Establish document repository(ies) 	At time of preparation of application to participate in the BCP.
<ul style="list-style-type: none"> • Publish notice in Environmental Notice Bulletin (ENB) announcing receipt of application and 30-day public comment period • Publish above ENB content in local newspaper • Mail above ENB content to site contact list • Conduct 30-day public comment period 	When NYSDEC determines that BCP application is complete. The 30-day public comment period begins on date of publication of notice in ENB. End date of public comment period is as stated in ENB notice. Therefore, ENB notice, newspaper notice, and notice to the site contact list should be provided to the public at the same time.
After Execution of Brownfield Site Cleanup Agreement (BCA):	
<ul style="list-style-type: none"> • Prepare Citizen Participation (CP) Plan 	Before start of Remedial Investigation Note: Applicant must submit CP Plan to NYSDEC for review and approval within 20 days of the effective date of the BCA.
Before NYSDEC Approves Remedial Investigation (RI) Work Plan:	
<ul style="list-style-type: none"> • Distribute fact sheet to site contact list about proposed RI activities and announcing 30-day public comment period about draft RI Work Plan • Conduct 30-day public comment period 	Before NYSDEC approves RI Work Plan. If RI Work Plan is submitted with application, public comment periods will be combined and public notice will include fact sheet. Thirty-day public comment period begins/ends as per dates identified in fact sheet.
After Applicant Completes Remedial Investigation:	
<ul style="list-style-type: none"> • Distribute fact sheet to Site contact list that describes RI results 	Before NYSDEC approves RI Report
Before NYSDEC Approves Remedial Action Work Plan (RAWP):	
<ul style="list-style-type: none"> • Distribute fact sheet to Site contact list about draft RAWP and announcing 45-day public comment period • Public meeting by NYSDEC about proposed RAWP (if requested by affected community or at discretion of NYSDEC project manager) • Conduct 45-day public comment period 	Before NYSDEC approves RAWP. Forty-five day public comment period begins/ends as per dates identified in fact sheet. Public meeting would be held within the 45-day public comment period.
Before Applicant Starts Cleanup Action:	
<ul style="list-style-type: none"> • Distribute fact sheet to Site contact list that describes upcoming cleanup action 	Before the start of cleanup action.
After Applicant Completes Cleanup Action:	
<ul style="list-style-type: none"> • Distribute fact sheet to Site contact list that announces that cleanup action has been completed and that NYSDEC is reviewing the Final Engineering Report (FER) • Distribute fact sheet to Site contact list announcing NYSDEC approval of FER and issuance of Certificate of Completion (COC) 	At the time the cleanup action has been completed. Note: The two fact sheets are combined when possible if there is not a delay in issuing the COC.

3. Major Issues of Public Concern

This section of the CP Plan identifies major issues of public concern that relate to the Site. Additional major issues of public concern may be identified during the course of the Site's investigation and cleanup process.

Proposed Development

The Site is part of the Manhattan Census Tract 99. According to the 2010-2014 American Community Survey (ACS) Profile data, 6.7% of the population in Census Tract 99 is living below the poverty line. The unemployment rate for Census Tract 99 is 6.3%, compared to the New York City unemployment rate of 3.9% (as of December 2017) and the national unemployment rate of 4.1% (as of February 2018).

Entry into the BCP facilitates the remediation and redevelopment of the Site into the proposed mixed-use, affordable housing project named 601 West 29th Street. The development project consists of the demolition of the existing structures and construction of a 62-story mixed-use building with up to 990 residential units. One (partial) cellar level beneath the eastern and central portion of the Site will house building utilities and amenities, including a gym. The proposed retail uses would be located on the ground floor of the building fronting 11th Avenue and West 30th Street. Parking will also be located on the ground floor on the western side of the Site. A potential New York City Fire Department-Emergency Medical Services (FDNY-EMS) Station would be located on the ground floor on the westernmost portion of the Site.

The proposed redevelopment would also allow participation in the Mandatory Inclusionary Housing (MIH) program to promote the development of permanently affordable housing that will serve the neighborhood's diverse housing needs. The MIH program includes two primary options that set-aside percentages with different affordability levels to reach a range of low and moderate incomes while accounting for the financial feasibility trade-off inherent between income levels and size of the affordable set-aside. Option 1 requires a total 25 percent of residential floor area to be for affordable housing units for residents with incomes averaging 60 percent of the Area Median Income (AMI). Option 1 also includes a requirement that 10 percent of the total 25 percent residential floor area be affordable at 40 percent AMI. Option 2 requires 30 percent of residential floor area to be for affordable housing units for residents with incomes averaging 80 percent AMI. At this time, the Applicant plans to pursue Option 1. Based on up to 990 total residential units, the proposed development would provide up to 248 affordable units.

Potential Remediation/Construction-Related Issues

Issues of concern to the community during the on-site investigation and remediation phase will likely include those related to the on-site handling and off-site disposal of contaminated soil. The likely concern to the surrounding community will be the possibility of the generation of vapors or dust from the Site. On-site air quality and dust levels will be monitored during any ground intrusive activities, such as boring installation, and soil excavation and removal in accordance with a Site-specific Health and Safety Plan (HASP). Dust suppression techniques will be employed to prevent the generation of dust. All air and dust monitoring will be performed in accordance with a Community Air Monitoring Program (CAMP) included in the HASP.

A likely additional remediation/construction concern will be the potential presence of trucks traveling through the community, and parking or idling at or near the Site during soil excavation

and disposal. The RAWP will include provisions for on-site soil handling techniques that minimize the number of trucks and duration of time within or near the Site. In addition, provisions will be included to restrict truck traffic (to the extent possible) to designated routes along main roads while minimizing traffic within the community.

The concern over construction-related noise is a common one for communities in which redevelopment is occurring. Construction plans will minimize noise to the extent possible and the operation of heavy equipment will be restricted to normal working hours as will be set forth in the required New York City-issued permits.

The Site is not located in an Environmental Justice Area. Environmental justice is defined as the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies.

Environmental justice efforts focus on improving the environment in communities, specifically minority and low-income communities, and addressing disproportionate adverse environmental impacts that may exist in those communities. Therefore, no need to translate into another language.

4. Site Information

Site Description

The Site consists of an approximately 61,700-square foot parcel located at 601 West 29th Street in the Chelsea section of Manhattan, NY. The Site currently consists of a privately-owned parking lot for the Port Authority of New York and New Jersey, a New York City Department of Sanitation (DSNY) office and locker facility, artist studios and gallery space, and a gasoline station (vacated in early 2018). The Site is bound to the north by an auto repair shop, a DSNY garage, a private parking facility, and West 30th Street, followed by a construction site for a residential/commercial building as part of the Hudson Yards redevelopment district; to the east by 11th Avenue, followed by residential and commercial uses; to the south by West 29th Street, followed by a Con Edison parking and office facility; and to the west by a private parking facility followed by 12th Avenue and the Hudson River Park. Appendix C contains a map identifying the location of the Site.

History of Site Use, Investigation, and Cleanup

Historic records indicated that the Site was developed with a lumber yard and an auto house as early as 1890. Between approximately 1911 and 1930, the Site was additionally developed with a smelting and refining works. An asbestos distribution warehouse, freight/transportation businesses, and several gasoline tanks were shown up until the late 1970s. The current DSNY structure was constructed by 1994. The southeastern portion of the Site was developed with an iron works between 1890 and 1899, and later replaced by a woodworking and scenery manufacturer in 1911. By 1950, this portion of the Site was occupied by Express Depot and

contained gasoline tanks. An art gallery was identified as early as 2002. The northeastern portion of the Site was historically occupied by a lumber yard and wagon yard up until approximately 1927, when a gasoline station was located on the lot. The addition of an auto repair shop was noted in the 1950s.

The Applicant entered into a Brownfield Cleanup Agreement with NYSDEC, effective March 30, 2018. The Site is identified as BCP Site No. C231107. Previous investigations were conducted at the Site between 2012 and 2017. A Remedial Investigation Work Plan (RIWP) was prepared by AKRF and submitted to NYSDEC for review and approval in August 2017, revised April 2018. Previous investigations indicated that soil beneath the Site consists of historic fill material (comprised of sand and silt, with varying amounts of brick, plastic, wood, concrete, gravel, and asphalt) between just below surface grade down to approximately 10 to 15 feet below grade. The fill material was underlain by sand and silt down to approximately 20 feet below grade. Groundwater beneath the Site ranges from approximately 10 to 15 feet below grade and is assumed to flow in a westerly to northwesterly direction.

Based on previous investigations, contaminated soil, groundwater, and soil vapor are present at the Site. Elevated levels of petroleum-related compounds and compounds commonly associated with fill material were detected in soil and groundwater. The highest level of petroleum contamination was detected in the northeastern portion of the Site, at the location of the former gasoline station. Solvents used for degreasing and dry cleaning, were detected in soil vapor beneath the Site. The detections may be related to historic manufacturing and industrial operations at the Site or possibly from off-site sources.

5. Investigation and Cleanup Process

Application

The Applicant has applied for and been accepted into New York's Brownfield Cleanup Program as a Volunteer. This means that the Applicant was not responsible for the disposal or discharge of the contaminants or whose ownership or operation of the Site took place after the discharge or disposal of contaminants. The Volunteer must fully characterize the nature and extent of contamination on-site, and must conduct a "qualitative exposure assessment," a process that characterizes the actual or potential exposures of people, fish and wildlife to contaminants on the site and to contamination that has migrated from the Site.

The Applicant in its Application proposes that the Site will be used for multi-family residential and commercial purposes.

To achieve this goal, the Applicant will conduct investigation and cleanup activities at the Site with oversight provided by NYSDEC. The Brownfield Cleanup Agreement executed by NYSDEC and the Applicant sets forth the responsibilities of each party in conducting these activities at the Site.

Investigation

The Applicant has completed a partial Site investigation before it entered into the BCP. For the partial investigation, NYSDEC will determine if the data are useable. The Applicant will conduct an investigation of the Site officially called a "remedial investigation" (RI). This investigation will be performed with NYSDEC oversight. The Applicant developed a remedial investigation

workplan, which was subject to public comment. The draft RIWP was submitted to NYSDEC for review in August 2017, and revised in April 2018 to address NYSDEC and NYSDOH comments.

The Site investigation has several goals:

- 1) Define the nature and extent of contamination in soil, groundwater, soil vapor, and any other parts of the environment that may be affected;
- 2) Identify the source(s) of the contamination;
- 3) Assess the impact of the contamination on public health and the environment; and
- 4) Provide information to support the development of a proposed remedy to address the contamination or the determination that cleanup is not necessary.

The Applicant submits a draft “Remedial Investigation Work Plan” to NYSDEC for review and approval. NYSDEC makes the draft plan available to the public review during a 30-day public comment period, which was performed concurrent with the public comment period for the Application.

When the investigation is complete, the Applicant will prepare and submit a report that summarizes the results. This report also will recommend whether cleanup action is needed to address site-related contamination. The investigation report is subject to review and approval by NYSDEC.

NYSDEC will use the information in the investigation report to determine if the Site poses a significant threat to public health or the environment. If the Site is a “significant threat,” it must be cleaned up using a remedy selected by NYSDEC from an analysis of alternatives prepared by the Applicant and approved by NYSDEC. If the Site does not pose a significant threat, the Applicant may select the remedy from the approved analysis of alternatives.

Interim Remedial Measures

An Interim Remedial Measure (IRM) is an action that can be undertaken at a Site when a source of contamination or exposure pathway can be effectively addressed before the Site investigation and analysis of alternatives are completed. If an IRM is likely to represent all or a significant part of the final remedy, NYSDEC will require a 30-day public comment period.

Remedy Selection

When the investigation of the Site has been determined to be complete, the project likely would proceed in one of two directions:

1. The Applicant may recommend in its investigation report that no action is necessary at the Site. In this case, NYSDEC would make the investigation report available for public comment for 45 days. NYSDEC then would complete its review, make any necessary revisions, and, if appropriate, approve the investigation report. NYSDEC would then issue a “Certificate of Completion” (described below) to the Applicant.

or

2. The Applicant may recommend in its investigation report that action needs to be taken to address Site contamination. After NYSDEC approves the investigation report, the Applicant may then develop a cleanup plan, officially called a “Remedial Action Work Plan”. The Remedial Action Work Plan describes the Applicant’s proposed remedy for addressing contamination related to the Site.

When the Applicant submits a draft Remedial Action Work Plan for approval, NYSDEC would announce the availability of the draft plan for public review during a 45-day public comment period.

Cleanup Action

NYSDEC will consider public comments, and revise the draft cleanup plan if necessary, before approving the proposed remedy. The New York State Department of Health (NYSDOH) must concur with the proposed remedy. After approval, the proposed remedy becomes the selected remedy. The selected remedy is formalized in the Site Decision Document.

The Applicant may then design and perform the cleanup action to address the Site contamination. NYSDEC and NYSDOH oversee the activities. When the Applicant completes cleanup activities, it will prepare a Final Engineering Report (FER) that certifies that cleanup requirements have been achieved or will be achieved within a specific time frame. NYSDEC will review the report to be certain that the cleanup is protective of public health and the environment for the intended use of the Site.

Certificate of Completion

When NYSDEC is satisfied that cleanup requirements have been achieved or will be achieved for the Site, it will approve the FER. NYSDEC then will issue a Certificate of Completion (COC) to the Applicant. The COC states that cleanup goals have been achieved, and relieves the Applicant from future liability for site-related contamination, subject to certain conditions. The Applicant would be eligible to redevelop the Site after it receives a COC.

Site Management

The purpose of Site management is to ensure the safe reuse of the property if contamination will remain in place. Site management is the last phase of the Site cleanup program. This phase begins when the COC is issued. Site management incorporates any institutional and engineering controls required to ensure that the remedy implemented for the Site remains protective of public health and the environment. All significant activities are detailed in a Site Management Plan.

An *institutional control* is a non-physical restriction on use of the Site, such as a deed restriction that would prevent or restrict certain uses of the property. An institutional control may be used when the cleanup action leaves some contamination that makes the Site suitable for some, but not all uses.

An *engineering control* is a physical barrier or method to manage contamination. Examples include: caps, covers, barriers, fences, and treatment of water supplies.

Site management also may include the operation and maintenance of a component of the remedy, such as a system that pumps and treats groundwater. Site management continues until NYSDEC determines that it is no longer needed.

Appendix A - Project Contacts and Locations of Reports and Information

Project Contacts

For information about the Site's investigation and cleanup program, the public may contact any of the following project staff:

New York State Department of Environmental Conservation (NYSDEC):

Steven Walsh Project Manager NYSDEC Division of Environmental Remediation 625 Broadway Albany, NY 12233-7016 Phone: (518) 402-9824 Email: steven.walsh@dec.ny.gov	Thomas Panzone Public Participation Specialist NYSDEC Region 2 1 Hunters Point Plaza 47-40 21 st Street Long Island City, NY 11101 Phone: (718) 482-4953 Email: Thomas.panzone@dec.ny.gov
---	--

New York State Department of Health (NYSDOH):

Jacquelyn Nealon
 Project Manager
 NYSDOH
 Empire State Plaza
 Corning Tower Room 1787
 Albany, NY 12237
 Phone: (518) 402-7860
 Email: BEEI@health.ny.gov

Locations of Reports and Information

The facilities identified below are being used to provide the public with convenient access to important project documents:

Muhlenberg Library 209 West 23 rd Street New York, NY 10011 Lateshe Lee, Library Manager (212) 924-1585 Hours: Monday-Thursday, 10AM-7PM Friday-Saturday, 10AM-5PM Sunday - Closed	Manhattan Community Board 4 330 West 42 nd Street, Suite 2618 New York, NY 10036 Jesse Bodine, District Manager (212) 736-4536 Hours: Monday-Friday, 9AM-5PM (call for appointment)	NYSDEC 625 Broadway Albany, NY 12233-7016 Attn: Steven Walsh Phone: (518) 402-9824 Hours: Monday-Friday, 9AM-5PM (call for appointment)
---	---	---

Appendix B - Site Contact List

1. Local, State, and Federal Officials

Hon. Bill de Blasio Mayor of New York City City of New York 1 Centre Street New York, NY 10007	Hon. Scott M. Stringer New York City Comptroller Office of the Comptroller, City of NY 1 Centre Street New York, NY 10007
Hon. Letitia James Public Advocate 1 Centre Street New York, NY 10007	Hon. Gale Brewer Manhattan Borough President 1 Centre Street, 19 th Floor New York, NY 10007
Hon. Richard N. Gottfried State Assembly District 75 214 West 29 th Street Suite 1002 New York, NY 10001	Hon. Corey Johnson City Council District 3 224 West 30 th Street, Suite 1206 New York, NY 10001
Marisa Lago, Commissioner NYC Department of City Planning 120 Broadway, 31 st Floor New York, New York 10271	NYC Department of City Planning Manhattan Borough Office 120 Broadway, 31 st Floor New York, New York 10271
Hon. Charles Schumer U.S. Senate 780 Third Avenue, Suite 2301 New York, NY 10017	Hon. Kirsten Gillibrand U.S. Senate 780 Third Avenue, Suite 2601 New York, New York 10017
Hon. Jerrold Nadler U.S. House of Representatives 201 Varick Street, Suite 669 New York, NY 10014	
Daniel Walsh, Director Mayor's Office of Environmental Remediation 100 Gold Street, 2 nd Floor New York, NY 10038	
Julie Stein DEP – Office of Environmental Assessment & Planning 96-05 Horace Harding Expressway Flushing, New York 11373	Milton Tingling New York County Clerk New York County Clerks' Office 60 Centre Street, Room 161 New York, New York 10007
Vincent Sapienza Commissioner, NYC Dept. of Environmental Protection 59-17 Junction Boulevard Flushing, NY 11373	Hon. Brad Hoylman New York State Senator, 27 th District 322 Eighth Avenue, Suite 1700 New York, NY 10001
Jesse Bodine District Mgr, Manhattan Community Board 4 330 West 42 nd Street, 26 th Floor New York, NY 10036	Nelly Gonzalez Asst. District Manager, Manhattan Community Board 4 330 West 42 nd Street, 26 th Floor New York, NY 10036

2. Residents, Owners, and Occupants of the Site and Adjacent Properties

The Site, Block 675, Lot 12, is currently owned by:

West Side 11th & 29th LLC
 445 Park Avenue, Suite 1503
 New York, NY 10022

A list of adjacent properties and owners is provided below:

<u>Current Site Operators:</u>	
Doris Bedell 601-603 West 29 th Street New York, NY 10001	Jana Stockwell 609 West 29 th Street New York, NY 10001
Arlana Davis NYC Dept. of Sanitation 125 Worth Street, Room 808 New York, NY 10013	Fred Rapagna Port Authority of NY and NJ 4 World Trade Center/150 Greenwich Street, 15 th Floor New York, NY 10007
<u>Adjacent to the north:</u>	
<u>Block 675, Lot 1</u> Current Occupant 260 12 th Avenue New York, NY 10001	<u>Block 675, Lot 39</u> Current Occupant 606 West 30 th Street New York, NY 10001
260 Twelfth Avenue Holdings LLC (Owner) c/o Peter Jay Sharp Foundation 845 3 rd Avenue New York, NY 10022	West 30 th Street LLC (Owner) 1999 Marcus Avenue, Suite 310 Lake Success, NY 11042
<u>Block 675, Lot 38</u> Current Occupant 604 West 30 th Street New York, NY 10001	<u>Block 676, Lot 1</u> Current construction site – no current occupant
604 West 30 th Street LLC (Owner) c/o The Georgetown Company 667 Madison Avenue, 23 rd Floor New York, NY 10065	City of New York (Owner) 460 West 34 th Street, 8 th Floor New York, NY 10001

Adjacent to the east:

Block 701, Lot 62
Current Occupant
534 West 30th Street
New York, NY 10001

Eleventh Avenue L.P. (Owner)
c/o Marjorie E. Nesbitt
445 Park Avenue, Suite 1503
New York, NY 10022

Block 701, Lot 1
West 29th Ministorage Properties LLC
(Owner/Occupant)
302 11th Avenue
New York, NY 10001

Block 702, Lot 1001
Current construction site – no current
occupant
No current owner identified

Adjacent to the south:

Block 700, Lot 9
Current Occupant
539 West 28th Street
New York, NY 10001

East Side 11th & 28th LLC (Owner)
c/o Marjorie E. Nesbitt
445 Park Avenue, Suite 1503
New York, NY 10022

Block 674, Lot 1
Current Occupant
281 11th Avenue
New York, NY 10001

Eric Lackawanna RLRDCO (Owner)
Address unknown

Adjacent to the west:

Block 675, Lot 1
Current Occupant
260 12th Avenue
New York, NY 10001

260 Twelfth Avenue Holdings LLC (Owner)
c/o C/S 12 Avenue Holdings LLC
845 Third Avenue, 16th Floor
New York, NY 10022

3. Local News Media

New York Post 1211 Avenue of the Americas New York, New York 10036	New York Daily News 4 New York Plaza New York, New York 10004
Spectrum New York 1 News 75 Ninth Avenue New York, NY 10011	Manhattan Times 5030 Broadway, Suite 807 New York, NY 10034

Chelsea Now 1 MetroTech Center North, 10 th Floor New York, NY 11201	
--	--

4. Public Water Supply

Public water is provided by The City of New York, Department of Environmental Protection:

NYC Department of Environmental Protection

Customer Service Center

59-17 Junction Boulevard, 13th Floor

Flushing, New York 11373

5. Additional Contacts - None

6. Nearby School and Day Care Centers

Daycares:

Bright Horizons at Hudson Yards

529A West 29th Street

New York, NY 10001

Aisha Okoro, Director

(212) 643-3474

Distance: 400 feet east-southeast of the Site

Innovative Youth Care

601 West 26th Street, Suite 325

New York, NY 10001

Alyssa Cesarini, Founder

(917) 740-2110

Distance: 700 feet south-southwest of the Site

HUDSON GUILD CHILDREN'S CENTER

459 WEST 26 STREET

NEW YORK, NY 10001

Schools:

School of Visual Arts

601 West 26th Street #1502

New York, NY 10001

Distance: 615 feet south-southwest of the Site

Avenues: The World School
259 Tenth Avenue
New York, NY 10001
Evan Glazer, Head of School
(212) 524-9000
Distance: 1,200 feet southeast of the Site

GRAMERCY SCHOOL
460WEST 34 STREET
NEW YORK, NY10001

7. Document Repositories

Muhlenberg Library
209 West 23rd Street
New York, NY 10011
Lateshe Lee, Library Manager
(212) 924-1585

Manhattan Community Board District 4
330 West 42nd Street, 26th Floor
New York, NY 10036
Jesse Bodine, District Manager
(212) 736-4536

NYSDEC
625 Broadway
Albany, NY 12233-7016
Attn: Steven Walsh
Phone: (518) 402-9824

8. Local Community Board

Manhattan Community Board District 4
330 West 42nd Street, 26th Floor
New York, NY 10036
Jesse Bodine, District Manager
Burt Lazarin, Chairman
Maarten De Kadt, Chairman – Environmental Committee
(212) 736-4536

Community, Civic, Religious and Environmental Organizations:

Friends of the High Line
820 Washington Street
New York, NY 10014

Friends of Hudson River Park
305 7th Avenue, 12th Floor
New York, NY 10001

Consolidated Edison Corporate Affairs
Carol Conslato, Director
59-17 Junction Boulevard, 2nd Floor
Elmhurst, NY 11373

NYPD Police Precinct Council
Larry O'Neill, President
230 West 20th Street
New York, NY 10011

FDNY
Engine 34 Ladder 21
440 West 38th Street
New York, NY 10018

Appendix C - Site Location Map



Map Source: USGS Topo base map service from The National Map

LEGEND

 BOUNDARY OF BLOCK 675, LOT 12



440 Park Avenue South, New York, NY 10016

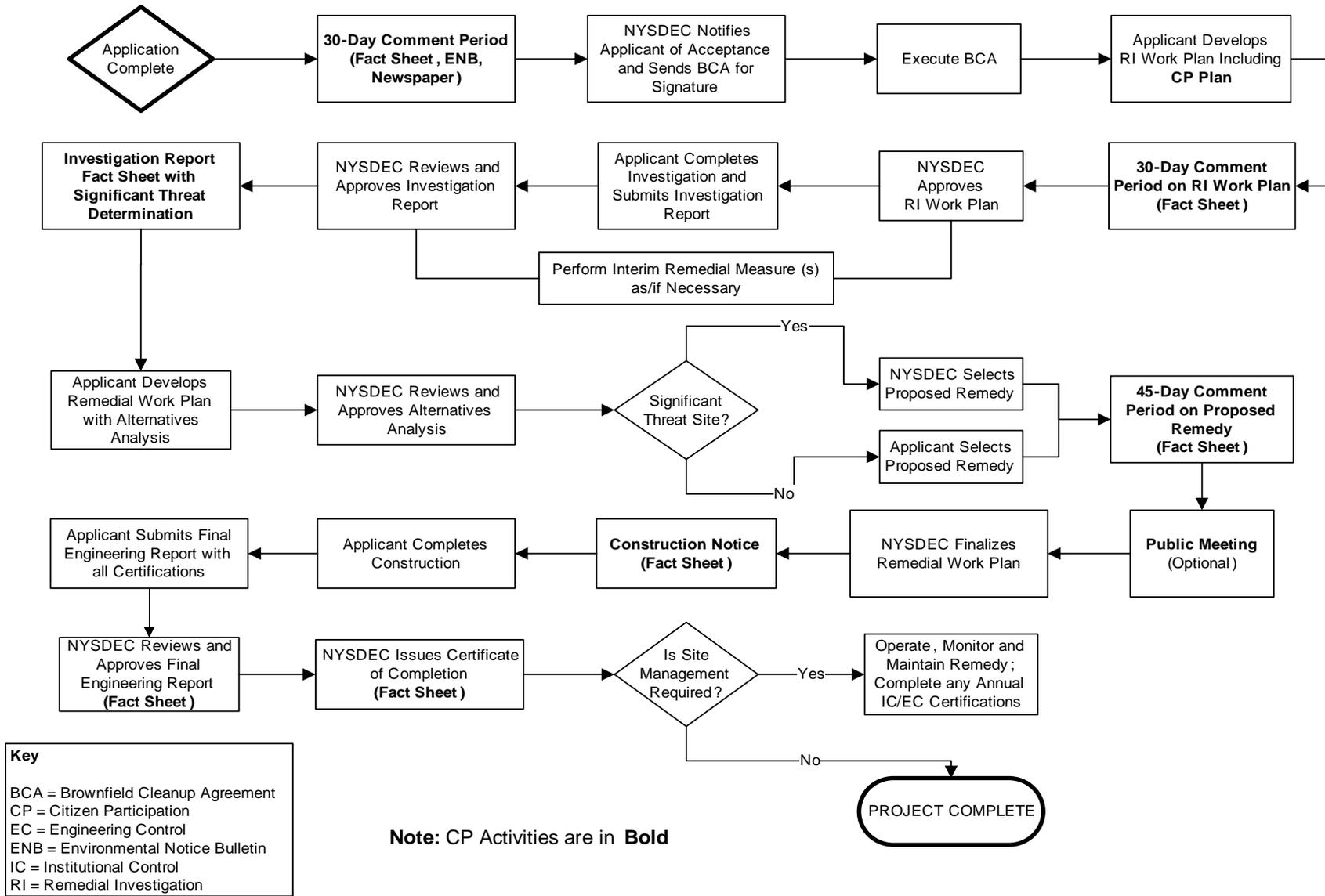
601 West 29th Street
Manhattan, New York

SITE LOCATION

DATE	3/29/2018
PROJECT NO.	170087
APPENDIX	C

©2018 AKRF, Inc. Project 170087 - 601 West 29th Street, Appendix C - Site Location. Map Date: 03/29/2018, 10:45 PM. mvel@akrf.com

Appendix D– Brownfield Cleanup Program Process





Division of Environmental Remediation

Remedial Programs Scoping Sheet for Major Issues of Public Concern

Instructions

This Scoping Sheet assesses major issues of public concern; impacts of the site and its remedial program on the community; community interest in the site; information the public needs; and information needed from the public.

The information generated helps to plan and conduct required citizen participation (CP) activities, and to choose and conduct additional CP activities, if appropriate. The scoping sheet can be revisited and updated as appropriate during the site's remedial process to more effectively implement the site's CP program.

Note: Use the information as an aid to prepare and update the Major Issues of Public Concern section of the site CP Plan.

General Instructions

- When to prepare: During preparation of the CP Plan for the site. It can be revisited and updated anytime during the site remedial process.
- Fill in site name and other information as appropriate.
- The Scoping Sheet may be prepared by DEC or a remedial party, but must be reviewed and approved by the DER site project manager or his/her designee.

Instructions for Numbered Parts

Consider the bulleted issues and questions below and any others that may be unique or appropriate to the site and the community to help complete the five Parts of this Scoping Sheet. Identify the issue stakeholders in Parts 1 through 3 and adjust the site's contact list accordingly.

Part 1. List Major Issues of Public Concern and Information the Community Wants.

- Is our health being impacted? (e.g. Are there problems with our drinking water or air? Are you going to test our water, yards, sumps, basements? Have health studies been done?)
- There are odors in the neighborhood. Do they come from the site and are they hazardous?
- Are there restrictions on what we may do (e.g. Can our children play outside? Can we garden? Must we avoid certain areas? Can we recreate (fish, hunt, hike, etc. on/around the site?)
- How and when were the site's contamination problems created?
- What contaminants are of concern and why? How will you look for contamination and find out where it is going? What is the schedule for doing that?
- The site is affecting our property values!
- How can we get more information (e.g. who are the project contacts?)
- How will we be kept informed and involved during the site remedial process?
- Who has been contacted in the community about site remedial activities?
- What has been done to this point? What happens next and when?
- The site is going to be cleaned up for restricted use. What does that mean? We don't want redevelopment on a "dirty" site.

Part 2. List Important Information Needed From the Community, if Applicable.

- Can the community supplement knowledge about past/current uses of the site?
- Does the community have knowledge that the site may be significantly impacting nearby people, properties, natural resources, etc.?
- Are activities currently taking place at the site or at nearby properties that may need to be restricted?
- Who may be interested or affected by the site that has not yet been identified?
- Are there unique community characteristics that could affect how information is exchanged?
- Does the community and/or individuals have any concerns they want monitored?
- Does the community have information about other sources in the area for the contamination?

Part 3. List Major Issues and Information That Need to be Communicated to the Community.

- Specific site investigation or remediation activities currently underway, or that will begin in the near future.
- The process and general schedule to investigate, remediate and, if applicable, redevelop the site.
- Current understanding about the site contamination and effects, if any, on public health and the environment.
- Site impacts on the community and any restrictions on the public's use of the site and/or nearby properties.
- Planned CP activities, their schedule, and how they relate to the site's remedial process.
- Ways for the community to obtain/provide information (document repositories, contacts, etc.).

Part 4. Community Characteristics

a. - e. Obtain information from local officials, property owners and residents, site reports, site visits, "windshield surveys," other staff, etc.

f. Has the affected community experienced other **significant** present or past environmental problems unrelated to this site? Such experiences could significantly affect public concerns and perspectives about the site; how the community will relate to project staff; the image and credibility of project staff within the community; and the ways in which project staff communicate with the community.

g. In its remedial programs, DER seeks to integrate, and be consistent with, environmental justice principles set forth in *DEC Commissioner Policy 29 on Environmental Justice* and *DER 23 – Citizen Participation Handbook for Remedial Programs*. Is the site and/or affected community wholly or partly in an Environmental Justice (EJ) Area? Use the Search feature on DEC's public web site for "environmental justice". DEC's EJ pages define an EJ area, and link to county maps to help determine if the site and/or community are in an EJ area.

h. Consider factors such as:

- Is English the primary language of the affected community? If not, provisions should be considered regarding public outreach activities such as fact sheets, meetings, door-to-door visits and other activities to ensure their effectiveness.
- The age demographics of the community. For example, is there a significant number of senior citizens in the community? It may be difficult for some to attend public meetings and use document repositories. This may suggest adopting more direct interaction with the community with activities such as door-to-door visits, additional fact sheets, visits to community and church centers, nursing homes, etc.
- How do people travel about the community? Would most people drive to a public meeting or document repository? Is there adequate public transportation?

Part 5. Affected/Interested Public.

Individuals and organizations who need or want information and input can change during the site's remedial process. This need is influenced by real, potential, or perceived impacts of the site or the remedial process. Some people may want information and input throughout the remedial process. Others may participate only during specific remedial stages, or may only be interested in particular issues.

It is important to revisit this question when reviewing this scoping sheet. Knowing who is interested in the site – and the issues that are important to them – will help to select and conduct appropriate outreach activities, and to identify their timing and the information to be exchanged.

Check all affected/interested parties that apply to the site. **Note: Adjust the site's contact list appropriately.** The following are some ways to identify affected/interested parties:

- Tax maps of adjacent property owners
- Attendees at public meetings
- Telephone discussions
- Letters and e-mails to DER, the remedial party, and other agencies
- Political jurisdictions and boundaries
- Media coverage
- Current/proposed uses of site and/or nearby properties (recreational, commercial, industrial)
- Discussions with community organizations: grass roots organizations, local environmental groups, environmental justice groups, churches, and neighborhood advisory groups



Division of Environmental Remediation

Remedial Programs
Scoping Sheet for Major Issues of Public Concern (see instructions)

Site Name: West 29th Street

Site Number: C231107

Site Address and County: 601 West 29th Street, New York, NY

Remedial Party(ies): DD West 29th LLC

Note: For Parts 1. – 3. the individuals, groups, organizations, businesses and units of government identified should be added to the site contact list as appropriate.

Part 1. List major issues of public concern and information the community wants. Identify individuals, groups, organizations, businesses and/or units of government related to the issue(s) and information needs. **Use this information as an aid to prepare or update the Major Issues of Public Concern section of the site Citizen Participation Plan.**

- The Site is proposed to be redeveloped for residential and commercial uses. As such, there will be restrictions on Site use, which will be determined following remediation.
- The Site's contamination issues stem from its industrial and manufacturing uses throughout history and historic fill beneath the Site.
- A Remedial Investigation Work Plan (RIWP) has been prepared by AKRF and submitted to NYSDEC for review and approval. Once the RIWP is approved, AKRF will conduct the RI to further delineate the vertical and horizontal extent of contamination beneath the Site. Findings of the RI will be summarized in a RI Report (RIR).
- There is an existing potential exposure pathway from contaminated soil vapor to enter into the Site buildings and adjoining buildings as a result of any ground floor or lower wall openings/cracks. The primary route of exposure would be inhalation.
- The proposed redevelopment of the Site will increase property values in the surrounding area.
- Adjacent property occupants and owners will be kept informed about the progress of the Site cleanup activities. Periodic fact sheets will be sent by mail and/or electronically by e-mail.
- Local, state, and federal officials will be contacted about the Site remediation activities.
- Up to now, a Phase II investigation was conducted at the Site. Next steps include finalizing the RIWP and conducting the RI. The RI will be used to support the Remedial Action Work Plan (RAWP). The RAWP includes provisions and measures to address Site contamination to enable redevelopment for future residential and commercial use.
- The Site will be cleaned up to levels that are safe for the proposed restricted residential use. Certain uses will be restricted and will be determined once cleanup is complete.
- For more information about the Site or BCP program, contact the NYSDEC or NYSDOH Project Manager. Contact information is located in Appendix A.

How were these issues and/or information needs identified?

These issues were identified based on the Site's history of industrial and manufacturing use. The proposed redevelopment will eliminate the concerns in connection with the Site's current condition while providing affordable housing and community resources.

Part 2. List important information needed **from** the community, if applicable. Identify individuals, groups, organizations, businesses and/or units of government related to the information needed.

- Adjacent property owners and occupants will be informed of the Site remediation activities and can reach out to the Site's NYSDEC or NYSDOH project manager if they are concerned about the impact to the surrounding area.

How were these information needs identified?

These needs were identified by researching the conditions of the area surrounding the Site.

Part 3. List major issues and information that need to be communicated to the community. Identify individuals, groups, organizations, businesses and/or units of government related to the issue(s) and/or information.

-A Phase II was completed at the Site and a RIWP was prepared by AKRF in August 2017 (revised April 2018). The RI will be conducted by AKRF to fill in data gaps and delineate the vertical and horizontal extent of contamination beneath the Site.

-A RAWP will be prepared and submitted to NYSDEC for review based on the findings of the RIR. A 45-day Public Comment Period begins once the RIR and RAWP have been reviewed by NYSDEC. The final RIR and RAWP are submitted to NYSDEC and NYSDEC issues the Decision Document, which describes the selected remedy for cleanup of the Site. Remediation can begin after the Decisions Document is issued for the Site. Remediation of the Site may be completed in conjunction with redevelopment activities.

-Document repositories where copies of all documents regarding the investigation and remediation of the Site are available to the public, have been established at the Muhlenberg Library, 209 West 23rd Street, New York, NY 10011 and Manhattan Community Board District 4, 330 West 42nd Street, 26th Floor, New York, NY 10036

How were these issues and/or information needs identified?

These needs were identified by summarizing the proposed project schedule and Site information presented in the BCP Application.

Part 4. Identify the following characteristics of the affected/interested community. This knowledge will help to identify and understand issues and information important to the community, and ways to effectively develop and implement the site citizen participation plan (mark all that apply):

a. Land use/zoning at and around site:

Residential Agricultural Recreational Commercial Industrial

b. Residential type around site:

Urban Suburban Rural

c. Population density around site:

High Medium Low

d. Water supply of nearby residences:

Public Private Wells Mixed

e. Is part or all of the water supply of the affected/interested community currently impacted by the site?

Yes No

Provide details if appropriate:

[Click here to enter text.](#)

f. Other environmental issues significantly impacted/impacting the affected community?

Yes No

Provide details if appropriate:

[Click here to enter text.](#)

g. Is the site and/or the affected/interested community wholly or partly in an Environmental Justice Area?

Yes No

h. Special considerations:

Language Age Transportation Other

Explain any marked categories in **h**:

[Click here to enter text.](#)

Part 5. The site contact list must include, at a minimum, the individuals, groups, and organizations identified in Part 2. of the Citizen Participation Plan under 'Site Contact List'. Are *other* individuals, groups, organizations, and units of government affected by, or interested in, the site, or its remedial program? (Mark and identify all that apply, then adjust the site contact list as appropriate.)

- Non-Adjacent Residents/Property Owners:** [Click here to enter text.](#)
- Local Officials:** See list in Appendix B of the Citizen Participation Plan
- Media:** See list in Appendix B of the Citizen Participation Plan
- Business/Commercial Interests:** [Click here to enter text.](#)
- Labor Group(s)/Employees:** [Click here to enter text.](#)
- Indian Nation:** [Click here to enter text.](#)
- Citizens/Community Group(s):** See list in Appendix B of the Citizen Participation Plan
- Environmental Justice Group(s):** [Click here to enter text.](#)
- Environmental Group(s):**
- Civic Group(s):** [Click here to enter text.](#)
- Recreational Group(s):** [Click here to enter text.](#)
- Other(s):** Local schools and day cares - See list in Appendix B of the Citizen Participation Plan

Prepared/Updated By: Adrianna Bosco, AKRF

Date: 4/12/2018

Reviewed/Approved By: Thomas V. Panzone

Date: 5/15/18 [Click here to enter text.](#)