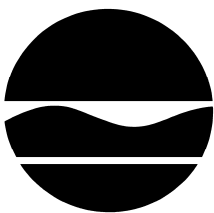


NEW YORK STATE
DEPARTMENT OF



ENVIRONMENTAL
CONSERVATION

FACT SHEET #2
BROWNFIELD CLEANUP PROGRAM

New Housing NY Legacy
Project
700-730 Brook Avenue
Bronx, New York

February 2009

Site No: C203043

This fact sheet serves to announce the availability of the Draft Remedial Investigation Work Plan for the New Housing NY Legacy site under New York's Brownfield Cleanup Program

**New Housing NY Legacy
Project**

700-730 Brook Avenue
Bronx, New York

Public Comment Period

March 12– April 11, 2009

Document Repository:

New York Public Library

Woodstock Branch
761 East 160th Street
Bronx, NY 10456-7816
(718) 665-6255
Please call for hours

Project Contacts:

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**For more information about NY
State's Brownfield Cleanup Program,
visit:**

www.dec.ny.gov/chemical/brownfields.html

**A Draft Remedial Investigation Work Plan
Available for Review and Comment**
New Housing NY Legacy Project
700-730 Brook Avenue, Bronx, New York

The New York State Department of Environmental Conservation (NYSDEC) is requesting public comments on a draft Remedial Investigation Work Plan (RIWP) for the New Housing New York Legacy Project (the "Site") located at 700-730 Brook Avenue in the Bronx, NY (see Figure 1 for Site location). The RIWP is a publicly-available document that sets forth a detailed methodology for determining the nature and scope of the contamination on the Site. The results of the remedial investigation will be critical in developing an appropriate remedy for the Site.

The RIWP was submitted by Via Verde Homes, LLC, Via Verde Rental Associates, L.P. and the New York City Department of Housing Preservation and Development (the "Volunteers") under the New York State Brownfield Cleanup Program (BCP). This document is currently being reviewed by NYSDEC and the New York State Department of Health (NYSDOH). NYSDEC previously accepted an application submitted by the Volunteers to participate in the BCP.

Public Comments on the Draft Remedial Investigation Work Plan

NYSDEC is accepting written public comments on the draft RIWP from March 12, 2009 to April 11, 2009. The draft RIWP is available for review at the document repository identified on the left side of this page. Your comments are important and strongly encouraged. Written comments should be submitted to the project manager identified on the left side of this page.

Highlights of the Proposed Remedial Investigation

The remedial investigation has several goals: to determine the nature and extent of soil, groundwater, and soil vapor contamination at the Site; to identify the sources of contamination; to assess the impact on human health and the environment; and to provide information to support the development of a Remedial Action Work Plan to address the contamination.

Following is a summary of the activities proposed in the draft RIWP:

- Utility Clearance;
- Installation of five groundwater monitoring wells;
- Installation of ten soil vapor points;
- Installation of four soil borings;
- Soil sampling and analysis;
- Groundwater sampling and analysis;
- Soil vapor sampling and analysis; and
- Additional sampling if needed during the course of the investigation.

(Continued on back of page)

BROWNFIELD CLEANUP PROGRAM

Site Description:

The Site consists of an approximately 1.59-acre, irregular-shaped parcel that is currently vacant. The Site is located on the southeast corner of the intersection of East 156th Street and Brook Avenue. The Site is surrounded by a mixed residential/ recreational area. A steep slope descends from the sidewalk eastward along the Brook Avenue (west side of the property). The eastern portion of the Site consists of an abandoned rail spur that is connected to the former New York and Harlem Railroad to Port Morris.

Highlights of Previous Environmental Investigations:

A Phase I Environmental Site Assessment (Phase I) was conducted in December 2004. The Phase I collected information about the Site history and identified potential environmental concerns.

A Site Characterization and Data Summary was conducted in 2006, which included the collection of seven soil samples from the borings, three soil samples from the test trenches, and eight groundwater samples from the temporary wells for analysis. As a result of this investigation, semi-volatile organic compounds (SVOCs) and metals were found to exceed NYSDEC standards in one or more of the soil samples. In addition, volatile organic compounds (VOCs), SVOCs, Aroclor 1260, and metals were detected above NYSDEC groundwater standards in one or more of the samples.

A Supplemental Site Investigation conducted in 2007 included the collection and analysis of surface and shallow soil samples at six locations at the Site. Based on the analytical results, VOCs, polychlorinated biphenyls (PCBs), metals, and pesticides were detected in soil with some exceeding NYSDEC standards in several borings. This investigation also noted that the occurrence of PCBs and pesticides at the Site may be attributable to former rail line operations.

Copies of the RIWP and all investigation reports are available in the document repository listed on the front page of this fact sheet.

Next Steps

NYSDEC and NYSDOH are currently reviewing the draft RIWP and are seeking public comments. NYSDEC and NYSDOH will work with the Volunteers to ensure that all comments on the draft work plans are addressed at the end of the comment period.

The Volunteers will then implement the activities in accordance with the approved work plan(s). All of the activities conducted during the investigation and all of the results obtained will be documented in a draft Remedial Investigation Report. This report will be the basis for

determining what actions will be needed to address any remaining contamination at the Site.

Contact NYSDEC project manager if you have any comments on the RIWP, or if you would like to be added to the project contact list to receive future fact sheets for the Site. 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.

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 NYSDEC, NYSDOH, and the Volunteers to investigate and/or remediate contaminated sites. Under BCP, a volunteer enters into a Brownfield Cleanup Agreement (BCA) with NYSDEC and thereafter submits one or more work plans to investigate and, if necessary, remediate a site. The goal under 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 from liability from NYSDEC is provided with standard reservations. A Certificate of Completion (COC) is issued. With its receipt of a COC, the Site would:

1. Have no liability to the State for contamination at or coming from the Site, subject to certain conditions; and
2. Be eligible for 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.

For information regarding New York State's BCP, please visit our website at:

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

BROWNFIELD CLEANUP PROGRAM

Figure 1 - Site Location

