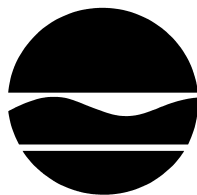


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47-40 21st Street
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(Call in advance) (718) 482-4900
Hours: Mon. to Fri. 9 am to 5 pm.

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

www.dec.ny.gov/chemical/8450.html

FACT SHEET #1

6469 Broadway
Bronx, New York 10471

January 2011

Site No. C203048
NYSDEC Region 2

**Remedy Proposed for Brownfield Site
Contamination**

Comment period runs from Jan. 10 through Feb. 23, 2011

This Fact Sheet is being provided to you pursuant to the New York State Environmental Conservation Law and the New York State Department of Environmental Conservation ("NYSDEC") Brownfield Cleanup program ("BCP"). You have been sent this Fact Sheet because you own or live on property near 6469 Broadway, Bronx NY ("Site"). The developer of the Site, John Waters (the "Volunteer"), has submitted draft cleanup plan called a Remedial Action Work Plan ("RAWP"). The draft RAWP and other project documents 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 January 10, 2011 through February 23, 2011.

Site Description: The Site is an approximately 0.40-acre parcel bounded by a senior housing building to the north, a parking garage to the south, Broadway to the east, and single-family residential structures (separated vertically at the top of a rock outcropping) to the west. The Site is currently operated as a filling/automotive service station and carwash. The automotive service station building is located on the southern portion of the Site and the carwash equipment is located on the northern portion of the Site. The central portion of the Site consists of the fueling island and paved parking/drive areas. The Volunteer proposes to develop a mixed-use residential building with retail and community space, measuring between 72,000 and 79,000 square feet.

Summary of Previous Work: Remedial Investigations were performed between 2006 and 2009 to determine the nature and extent of the contamination on-site. These investigations consisted of the installation of numerous soil borings and the survey and sampling of off-site and on-site monitoring wells. These investigations have confirmed the release of gasoline-related volatile organic compounds ("VOCs") in soil, groundwater and soil vapor at the Site.

Summary of Proposed Remedy: The draft RAWP that identifies the proposed remedy has several goals:

- 1) identify cleanup levels to be attained or the process to be used to determine these levels
- 2) explain why the proposed remedy will protect public health and the environment
- 3) provide a detailed description of the proposed remedy.

The Volunteer is proposing a remedy consistent with a Track 1 cleanup, which includes the following elements:

- Removal of all on-site underground storage tanks ("USTs") and associated piping and fueling equipment;
- Excavation and off-site disposal of contaminated soils and bedrock to accommodate the installation of the proposed new building foundation; and
- In-place ("in-situ") treatment of groundwater.

The Track 1 Alternative presumes that all on-site contamination will be removed; however, should the Track 1 remedy fail to achieve NYSDEC and/or NYSDOH cleanup guidance levels, a Track 2 Alternative would be implemented, including

(Continued on next page)

BROWNFIELD CLEANUP PROGRAM

Engineering and Institutional Controls ("ECs/ICs"). The ECs/ICs would include a Site Management Plan and an Environmental Easement to manage any residual contamination at the Site in perpetuity.

Next Steps: NYSDEC will consider public comments, revise the RAWP as necessary, and approve 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 draft RAWP that describes the proposed remedy is revised as needed to describe the selected remedy, and will be made available to the public. The Volunteer must then design and perform the cleanup action to address the site contamination, with oversight by NYSDEC and NYSDOH.

NYSDEC will keep the public informed during the 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 John Waters 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>

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.

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.

BROWNFIELD CLEANUP PROGRAM

Figure 1 - Site Location Map

