

# **BROWNFIELD CLEANUP PROGRAM APPLICATION**

**Site Name:**

836-841 5th Avenue

**Site Location:**

836-841 5th Avenue and 471 36th Street  
Brooklyn, New York, 11232  
Block 693, Lots 39 and 48

**February 16, 2018**

**Prepared by:**



TRC Engineers, Inc.

1430 Broadway, 10th Floor  
New York, NY 10018  
Phone: (212) 221-7822  
Fax: (212) 221-7840  
Attn: Ms. Jennifer Miranda

**Prepared for:**



New York City School Construction  
Authority  
30-30 Thomson Avenue  
Long Island City, NY 11101-3045  
Phone: (718) 472-8502  
Fax: (718) 472-8500  
Attn: Ms. Lee Guterman



# BROWNFIELD CLEANUP PROGRAM (BCP) APPLICATION FORM

DEC requires an application to request major changes to the description of the property set forth in a Brownfield Cleanup Agreement, or "BCA" (e.g., adding a significant amount of new property, or adding property that could affect an eligibility determination due to contamination levels or intended land use). Such application must be submitted and processed in the same manner as the original application, including the required public comment period. **Is this an application to amend an existing BCA?**

Yes  No If yes, provide existing site number: \_\_\_\_\_

## PART A (note: application is separated into Parts A and B for DEC review purposes) *BCP App Rev 9*

### Section I. Requestor Information - See Instructions for Further Guidance

DEC USE ONLY  
BCP SITE #:

NAME New York City School Construction Authority (NYCSCA)  
ADDRESS 30-30 Thomson Ave  
CITY/TOWN Long Island City ZIP CODE 11101  
PHONE 718-472-8501 FAX 718-472-8500 E-MAIL dguterman@nycsca.org

Is the requestor authorized to conduct business in New York State (NYS)?  Yes  No

- If the requestor is a Corporation, LLC, LLP or other entity requiring authorization from the NYS Department of State to conduct business in NYS, the requestor's name must appear, exactly as given above, in the [NYS Department of State's Corporation & Business Entity Database](#). A print-out of entity information from the database must be submitted to the New York State Department of Environmental Conservation (DEC) with the application, to document that the requestor is authorized to do business in NYS.

Do all individuals that will be certifying documents meet the requirements detailed below?  Yes  No

- Individuals that will be certifying BCP documents, as well as their employers, meet the requirements of Section 1.5 of [DER-10: Technical Guidance for Site Investigation and Remediation](#) and Article 145 of New York State Education Law. **Documents that are not properly certified will be not approved under the BCP.**

### Section II. Project Description

1. What stage is the project starting at?  Investigation  Remediation

2. If the project is starting at the remediation stage, a Remedial Investigation Report (RIR), Alternatives Analysis, and Remedial Work Plan must be attached (see [DER-10 / Technical Guidance for Site Investigation and Remediation](#) for further guidance).

3. If a final RIR is included, please verify it meets the requirements of Environmental Conservation Law (ECL) Article 27-1415(2):  Yes  No

4. Please attach a short description of the overall development project, including:

- the date that the remedial program is to start; and
- the date the Certificate of Completion is anticipated.

### Section III. Property's Environmental History

All applications **must include** an Investigation Report (per ECL 27-1407(1)). The report must be sufficient to establish contamination of environmental media on the site above applicable Standards, Criteria and Guidance (SCGs) based on the reasonably anticipated use of the property.

To the extent that existing information/studies/reports are available to the requestor, please attach the following (**please submit the information requested in this section in electronic format only**):

**1. Reports:** an example of an Investigation Report is a Phase II Environmental Site Assessment report prepared in accordance with the latest American Society for Testing and Materials standard (ASTM E1903).

**2. SAMPLING DATA: INDICATE KNOWN CONTAMINANTS AND THE MEDIA WHICH ARE KNOWN TO HAVE BEEN AFFECTED. LABORATORY REPORTS SHOULD BE REFERENCED AND COPIES INCLUDED.**

Contaminant Category	Soil (Restricted Res)	Groundwater (Class GA)	Soil Gas ("Mitigate")
Petroleum		X	
Chlorinated Solvents		X	X
Other VOCs		X	
SVOCs	X	X	
Metals	X	X	
Pesticides			
PCBs			
Other*			

\*Please describe: \_\_\_\_\_

**3. FOR EACH IMPACTED MEDIUM INDICATED ABOVE, INCLUDE A SITE DRAWING INDICATING:**

- SAMPLE LOCATION
- DATE OF SAMPLING EVENT
- KEY CONTAMINANTS AND CONCENTRATION DETECTED
- FOR SOIL, HIGHLIGHT IF ABOVE REASONABLY ANTICIPATED USE
- FOR GROUNDWATER, HIGHLIGHT EXCEEDANCES OF 6NYCRR PART 703.5
- FOR SOIL GAS/ SOIL VAPOR/ INDOOR AIR, HIGHLIGHT IF ABOVE MITIGATE LEVELS ON THE NEW YORK STATE DEPARTMENT OF HEALTH MATRIX

THESE DRAWINGS ARE TO BE REPRESENTATIVE OF ALL DATA BEING RELIED UPON TO MAKE THE CASE THAT THE SITE IS IN NEED OF REMEDIATION UNDER THE BCP. DRAWINGS SHOULD NOT BE BIGGER THAN 11" X 17". THESE DRAWINGS SHOULD BE PREPARED IN ACCORDANCE WITH ANY GUIDANCE PROVIDED.

ARE THE REQUIRED MAPS INCLUDED WITH THE APPLICATION?\*

(\*answering No will result in an incomplete application)

Yes  No

**4. INDICATE PAST LAND USES (CHECK ALL THAT APPLY):**

- |   |   |   |  |
|---|---|---|--|
| <input type="checkbox"/> Coal Gas Manufacturing | <input checked="" type="checkbox"/> Manufacturing | <input type="checkbox"/> Agricultural Co-op | <input type="checkbox"/> Dry Cleaner     |
| <input type="checkbox"/> Salvage Yard           | <input type="checkbox"/> Bulk Plant               | <input type="checkbox"/> Pipeline           | <input type="checkbox"/> Service Station |
| <input type="checkbox"/> Landfill               | <input type="checkbox"/> Tannery                  | <input type="checkbox"/> Electroplating     | <input type="checkbox"/> Unknown         |

Other: Lot 39: Elevated train tracks and train car repair; automobile sales and scrapping. Lot 48: Residential

**Section IV. Property Information - See Instructions for Further Guidance**

PROPOSED SITE NAME 836-841 5th Avenue

ADDRESS/LOCATION 836-841 5th Avenue and 471 36th Street

CITY/TOWN Brooklyn

ZIP CODE 11232

MUNICIPALITY(IF MORE THAN ONE, LIST ALL): New York City

COUNTY Kings

SITE SIZE (ACRES) 0.45

LATITUDE (degrees/minutes/seconds)

40 ° 39 ' 11.937 " W

LONGITUDE (degrees/minutes/seconds)

74 ° 00 ' 7.703 " W

COMPLETE TAX MAP INFORMATION FOR ALL TAX PARCELS INCLUDED WITHIN THE PROPERTY BOUNDARIES. ATTACH REQUIRED MAPS PER THE APPLICATION INSTRUCTIONS.

Parcel Address	Section No.	Block No.	Lot No.	Acreage
836-841 5th Avenue	3	693	39	0.39
471 36th Street	3	693	48	0.064

1. Do the proposed site boundaries correspond to tax map metes and bounds?  Yes  No  
If no, please attach a metes and bounds description of the property.

2. Is the required property map attached to the application?  Yes  No  
(application will not be processed without map)

3. Is the property within a designated Environmental Zone (En-zone) pursuant to Tax Law 21(b)(6)?  
(See [DEC's website](#) for more information) Yes  No

If yes, identify census tract : 84

Percentage of property in En-zone (check one):  0-49%  50-99%  100%

4. Is this application one of multiple applications for a large development project, where the development project spans more than 25 acres (see additional criteria in BCP application instructions)?  Yes  No

If yes, identify name of properties (and site numbers if available) in related BCP applications: \_\_\_\_\_

5. Is the contamination from groundwater or soil vapor solely emanating from property other than the site subject to the present application?  Yes  No

6. Has the property previously been remediated pursuant to Titles 9, 13, or 14 of ECL Article 27, Title 5 of ECL Article 56, or Article 12 of Navigation Law?  Yes  No

If yes, attach relevant supporting documentation.

7. Are there any lands under water?  Yes  No  
If yes, these lands should be clearly delineated on the site map.

**Section IV. Property Information (continued)**

8. Are there any easements or existing rights of way that would preclude remediation in these areas?  
If yes, identify here and attach appropriate information.  Yes  No

Easement/Right-of-way Holder

Description

9. List of Permits issued by the DEC or USEPA Relating to the Proposed Site (type here or attach information)

Type

Issuing Agency

Description

None

10. Property Description and Environmental Assessment – **please refer to application instructions for the proper format of each narrative requested.**

Are the Property Description and Environmental Assessment narratives included in the **prescribed format**?  Yes  No

11. For sites located within the five counties comprising New York City, is the requestor seeking a determination that the site is eligible for tangible property tax credits?  
If yes, requestor must answer questions on the supplement at the end of this form.  Yes  No

12. Is the Requestor now, or will the Requestor in the future, seek a determination that the property is Upside Down?  Yes  No

13. If you have answered Yes to Question 12, above, is an independent appraisal of the value of the property, as of the date of application, prepared under the hypothetical condition that the property is not contaminated, included with the application?  Yes  No

**NOTE:** If a tangible property tax credit determination is not being requested in the application to participate in the BCP, the applicant may seek this determination at any time before issuance of a certificate of completion by using the BCP Amendment Application, except for sites seeking eligibility under the underutilized category.

If any changes to Section IV are required prior to application approval, a new page, initialed by each requestor, must be submitted.

Initials of each Requestor: \_\_\_\_\_

**BCP application - PART B (note: application is separated into Parts A and B for DEC review purposes)**

<b>Section V. Additional Requestor Information</b> <b>See Instructions for Further Guidance</b>	DEC USE ONLY BCP SITE NAME: _____ BCP SITE #: _____
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NAME OF REQUESTOR'S AUTHORIZED REPRESENTATIVE Lee Guterman		
ADDRESS 30-30 Thomson Avenue		
CITY/TOWN Long Island City		ZIP CODE 11101
PHONE 718-472-8502	FAX 718-472-8500	E-MAIL dguterman@nycsca.org
NAME OF REQUESTOR'S CONSULTANT TRC Engineers, Inc.; attn: Jennifer Miranda		
ADDRESS 1430 Broadway, 10th Floor		
CITY/TOWN New York		ZIP CODE 10018
PHONE 212-221-7822	FAX 212-221-7840	E-MAIL jmiranda@trcsolutions.com
NAME OF REQUESTOR'S ATTORNEY Ross Holden, Esq.		
ADDRESS 30-30 Thomson Avenue		
CITY/TOWN Long Island City		ZIP CODE 11101
PHONE 718-472-8220	FAX 718-472-8088	E-MAIL rholden@nycsca.org

**Section VI. Current Property Owner/Operator Information – if not a Requestor**

CURRENT OWNER'S NAME		OWNERSHIP START DATE:
ADDRESS		
CITY/TOWN		ZIP CODE
PHONE	FAX	E-MAIL
CURRENT OPERATOR'S NAME		
ADDRESS		
CITY/TOWN		ZIP CODE
PHONE	FAX	E-MAIL

**IF REQUESTOR IS NOT THE CURRENT OWNER, DESCRIBE REQUESTOR'S RELATIONSHIP TO THE CURRENT OWNER, INCLUDING ANY RELATIONSHIP BETWEEN REQUESTOR'S CORPORATE MEMBERS AND THE CURRENT OWNER.**  
**PROVIDE A LIST OF PREVIOUS PROPERTY OWNERS AND OPERATORS WITH NAMES, LAST KNOWN ADDRESSES AND TELEPHONE NUMBERS AS AN ATTACHMENT. DESCRIBE REQUESTOR'S RELATIONSHIP, TO EACH PREVIOUS OWNER AND OPERATOR, INCLUDING ANY RELATIONSHIP BETWEEN REQUESTOR'S CORPORATE MEMBERS AND PREVIOUS OWNER AND OPERATOR. IF NO RELATIONSHIP, PUT "NONE".**

**Section VII. Requestor Eligibility Information (Please refer to ECL § 27-1407)**

If answering "yes" to any of the following questions, please provide an explanation as an attachment.

1. Are any enforcement actions pending against the requestor regarding this site?  Yes  No
2. Is the requestor subject to an existing order for the investigation, removal or remediation of contamination at the site?  Yes  No
3. Is the requestor subject to an outstanding claim by the Spill Fund for this site? Any questions regarding whether a party is subject to a spill claim should be discussed with the Spill Fund Administrator.  Yes  No

**Section VII. Requestor Eligibility Information (continued)**

4. Has the requestor been determined in an administrative, civil or criminal proceeding to be in violation of i) any provision of the ECL Article 27; ii) any order or determination; iii) any regulation implementing Title 14; or iv) any similar statute, regulation of the state or federal government? If so, provide an explanation on a separate attachment.  Yes  No
5. Has the requestor previously been denied entry to the BCP? If so, include information relative to the application, such as name, address, DEC assigned site number, the reason for denial, and other relevant information.  Yes  No
6. Has the requestor been found in a civil proceeding to have committed a negligent or intentionally tortious act involving the handling, storing, treating, disposing or transporting of contaminants?  Yes  No
7. Has the requestor been convicted of a criminal offense i) involving the handling, storing, treating, disposing or transporting of contaminants; or ii) that involves a violent felony, fraud, bribery, perjury, theft, or offense against public administration (as that term is used in Article 195 of the Penal Law) under federal law or the laws of any state?  Yes  No
8. Has the requestor knowingly falsified statements or concealed material facts in any matter within the jurisdiction of DEC, or submitted a false statement or made use of or made a false statement in connection with any document or application submitted to DEC?  Yes  No
9. Is the requestor an individual or entity of the type set forth in ECL 27-1407.9 (f) that committed an act or failed to act, and such act or failure to act could be the basis for denial of a BCP application?  Yes  No
10. Was the requestor's participation in any remedial program under DEC's oversight terminated by DEC or by a court for failure to substantially comply with an agreement or order?  Yes  No
11. Are there any unregistered bulk storage tanks on-site which require registration?  Yes  No

THE REQUESTOR MUST CERTIFY THAT HE/SHE IS EITHER A PARTICIPANT OR VOLUNTEER IN ACCORDANCE WITH ECL 27-1405 (1) BY CHECKING ONE OF THE BOXES BELOW:

PARTICIPANT

A requestor who either 1) was the owner of the site at the time of the disposal of hazardous waste or discharge of petroleum or 2) is otherwise a person responsible for the contamination, unless the liability arises solely as a result of ownership, operation of, or involvement with the site subsequent to the disposal of hazardous waste or discharge of petroleum.

VOLUNTEER

A requestor other than a participant, including a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site subsequent to the disposal of hazardous waste or discharge of petroleum.

NOTE: By checking this box, a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site certifies that he/she has exercised appropriate care with respect to the hazardous waste found at the facility by taking reasonable steps to: i) stop any continuing discharge; ii) prevent any threatened future release; iii) prevent or limit human, environmental, or natural resource exposure to any previously released hazardous waste.

**If a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site, submit a statement describing why you should be considered a volunteer – be specific as to the appropriate care taken.**

## Section VII. Requestor Eligibility Information (continued)

Requestor Relationship to Property (check one):

Previous Owner  Current Owner  Potential /Future Purchaser  Other \_\_\_\_\_

If requestor is not the current site owner, **proof of site access sufficient to complete the remediation must be submitted**. Proof must show that the requestor will have access to the property before signing the BCA and throughout the BCP project, including the ability to place an easement on the site. Is this proof attached?

Yes  No

**Note: a purchase contract does not suffice as proof of access.**

## Section VIII. Property Eligibility Information - See Instructions for Further Guidance

1. Is / was the property, or any portion of the property, listed on the National Priorities List?  
If yes, please provide relevant information as an attachment.  Yes  No
2. Is / was the property, or any portion of the property, listed on the NYS Registry of Inactive Hazardous Waste Disposal Sites pursuant to ECL 27-1305?  Yes  No  
If yes, please provide: Site # \_\_\_\_\_ Class # \_\_\_\_\_
3. Is / was the property subject to a permit under ECL Article 27, Title 9, other than an Interim Status facility?  Yes  No  
If yes, please provide: Permit type: \_\_\_\_\_ EPA ID Number: \_\_\_\_\_  
Date permit issued: \_\_\_\_\_ Permit expiration date: \_\_\_\_\_
4. If the answer to question 2 or 3 above is yes, is the site owned by a volunteer as defined under ECL 27-1405(1)(b), or under contract to be transferred to a volunteer? Attach any information available to the requestor related to previous owners or operators of the facility or property and their financial viability, including any bankruptcy filing and corporate dissolution documentation.  Yes  No
5. Is the property subject to a cleanup order under Navigation Law Article 12 or ECL Article 17 Title 10?  
If yes, please provide: Order # \_\_\_\_\_  Yes  No
6. Is the property subject to a state or federal enforcement action related to hazardous waste or petroleum?  
If yes, please provide explanation as an attachment.  Yes  No

## Section IX. Contact List Information

To be considered complete, the application must include the Brownfield Site Contact List in accordance with [DER-23 / Citizen Participation Handbook for Remedial Programs](#). Please attach, at a minimum, the names and addresses of the following:

1. The chief executive officer and planning board chairperson of each county, city, town and village in which the property is located.
2. Residents, owners, and occupants of the property and properties adjacent to the property.
3. Local news media from which the community typically obtains information.
4. The public water supplier which services the area in which the property is located.
5. Any person who has requested to be placed on the contact list.
6. The administrator of any school or day care facility located on or near the property.
7. The location of a document repository for the project (e.g., local library). In addition, attach a copy of an acknowledgement from the repository indicating that it agrees to act as the document repository for the property.
8. Any community board located in a city with a population of one million or more, if the proposed site is located within such community board's boundaries.

Section X. Land Use Factors	
<p>1. What is the current zoning for the site? What uses are allowed by the current zoning?  <input type="checkbox"/> Residential   <input type="checkbox"/> Commercial   <input checked="" type="checkbox"/> Industrial            If zoning change is imminent, please provide documentation from the appropriate zoning authority.</p>	
<p>2. Current Use:   <input type="checkbox"/> Residential   <input type="checkbox"/> Commercial   <input type="checkbox"/> Industrial   <input checked="" type="checkbox"/> Vacant   <input type="checkbox"/> Recreational   (check all that apply)  <b>Attach a summary of current business operations or uses, with an emphasis on identifying possible contaminant source areas. If operations or uses have ceased, provide the date.</b></p>	
<p>3. Reasonably anticipated use Post Remediation:   <input checked="" type="checkbox"/> Residential<sup>(see note)</sup>   <input type="checkbox"/> Commercial   <input type="checkbox"/> Industrial   (check all that apply)   <b>Attach a statement detailing the specific proposed use.</b>            Note: Restricted-residential            If residential, does it qualify as single family housing?   <input type="checkbox"/> Yes   <input checked="" type="checkbox"/> No</p>	
<p>4. Do current historical and/or recent development patterns support the proposed use?</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<p>5. Is the proposed use consistent with applicable zoning laws/maps? Briefly explain below, or attach additional information and documentation if necessary.            The Site is currently zoned as Manufacturing M1-2. The NYCSCA will coordinate zoning changes as needed.</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<p>6. Is the proposed use consistent with applicable comprehensive community master plans, local waterfront revitalization plans, or other adopted land use plans? Briefly explain below, or attach additional information and documentation if necessary.            The NYCSCA is not aware of any community master plans, local waterfront revitalization plans, or other adopted land use plans for the Site or area. Construction of a new primary school building and play area (including a playground) will improve the community by providing employment opportunities, a local public school, and park-like facilities.</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

**XI. Statement of Certification and Signatures**

(By requestor who is an individual)

If this application is approved, I hererby acknowledge and agree: (1) to execute a Brownfield Cleanup Agreement (BCA) within 60 days of the date of DEC's approval letter; (2) to the general terms and conditions set forth in the *Proposed DER-32, Brownfield Cleanup Program Applications and Agreements*; and (3) that in the event of a conflict between the general terms and conditions of participation and the terms contained in a site-specific BCA, the terms in the site-specific BCA shall control. Further, I hereby affirm that information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to section 210.45 of the Penal Law.

Date: \_\_\_\_\_ Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

(By a requestor other than an individual)

I hereby affirm that I am Director of The New York City School Construction Authority IEH HazMat Unit; that I am authorized by that entity to make this application and execute the Brownfield Cleanup Agreement (BCA) and all subsequent amendments; that this application was prepared by me or under my supervision and direction. If this application is approved, I acknowledge and agree: (1) to execute a BCA within 60 days of the date of DEC's approval letter; (2) to the general terms and conditions set forth in the *Proposed DER-32, Brownfield Cleanup Program Applications and Agreements*; and (3) that in the event of a conflict between the general terms and conditions of participation and the terms contained in a site-specific BCA, the terms in the site-specific BCA shall control. Further, I hereby affirm that information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.

Date: 2/12/2018 Signature: 

Print Name: Lee Guterman LEE GUTERMAN

**SUBMITTAL INFORMATION:**

- **Two (2)** copies, one paper copy with original signatures and one electronic copy in Portable Document Format (PDF), must be sent to:
  - Chief, Site Control Section
  - New York State Department of Environmental Conservation
  - Division of Environmental Remediation
  - 625 Broadway
  - Albany, NY 12233-7020

**FOR DEC USE ONLY**  
**BCP SITE T&A CODE:** \_\_\_\_\_ **LEAD OFFICE:** \_\_\_\_\_

**Supplemental Questions for Sites Seeking Tangible Property Credits in New York City ONLY.** Sufficient information to demonstrate that the site meets one or more of the criteria identified in ECL 27 1407(1-a) must be submitted if requestor is seeking this determination.

**BCP App Rev 9**

Property is in Bronx, Kings, New York, Queens, or Richmond counties.	<input type="checkbox"/> Yes <input type="checkbox"/> No
Requestor seeks a determination that the site is eligible for the tangible property credit component of the brownfield redevelopment tax credit.	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>Please answer questions below and provide documentation necessary to support answers.</b>	
1. Is at least 50% of the site area located within an environmental zone pursuant to NYS Tax Law 21(b)(6)? Please see <a href="#">DEC's website</a> for more information.	<input type="checkbox"/> Yes <input type="checkbox"/> No
2. Is the property upside down or underutilized as defined below?	Upside Down? <input type="checkbox"/> Yes <input type="checkbox"/> No Underutilized? <input type="checkbox"/> Yes <input type="checkbox"/> No
<b>From ECL 27-1405(31):</b>	
<p>"Upside down" shall mean a property where the projected and incurred cost of the investigation and remediation which is protective for the anticipated use of the property equals or exceeds seventy-five percent of its independent appraised value, as of the date of submission of the application for participation in the brownfield cleanup program, developed under the hypothetical condition that the property is not contaminated.</p>	
<b>From 6 NYCRR 375-3.2(I) as of August 12, 2016:</b> (Please note: Eligibility determination for the underutilized category can only be made at the time of application)	
375-3.2:	
<p>(I) "Underutilized" means, as of the date of application, real property on which no more than fifty percent of the permissible floor area of the building or buildings is certified by the applicant to have been used under the applicable base zoning for at least three years prior to the application, which zoning has been in effect for at least three years; and</p> <p>(1) the proposed use is at least 75 percent for industrial uses; or</p> <p>(2) at which:</p> <p>(i) the proposed use is at least 75 percent for commercial or commercial and industrial uses;</p> <p>(ii) the proposed development could not take place without substantial government assistance, as certified by the municipality in which the site is located; and</p> <p>(iii) one or more of the following conditions exists, as certified by the applicant:</p> <p>(a) property tax payments have been in arrears for at least five years immediately prior to the application;</p> <p>(b) a building is presently condemned, or presently exhibits documented structural deficiencies, as certified by a professional engineer, which present a public health or safety hazard; or</p> <p>(c) there are no structures.</p>	
<p>"Substantial government assistance" shall mean a substantial loan, grant, land purchase subsidy, land purchase cost exemption or waiver, or tax credit, or some combination thereof, from a governmental entity.</p>	

**Supplemental Questions for Sites Seeking Tangible Property Credits in New York City (continued)**

3. If you are seeking a formal determination as to whether your project is eligible for Tangible Property Tax Credits based in whole or in part on its status as an affordable housing project (defined below), you must attach the regulatory agreement with the appropriate housing agency (typically, these would be with the *New York City Department of Housing, Preservation and Development*; the *New York State Housing Trust Fund Corporation*; the *New York State Department of Housing and Community Renewal*; or the *New York State Housing Finance Agency*, though other entities may be acceptable pending Department review). **Check appropriate box, below:**

- Project is an Affordable Housing Project - Regulatory Agreement Attached;
- Project is Planned as Affordable Housing, But Agreement is Not Yet Available\* (\*Checking this box will result in a “pending” status. The Regulatory Agreement will need to be provided to the Department and the Brownfield Cleanup Agreement will need to be amended prior to issuance of the CoC in order for a positive determination to be made.);
- This is Not an Affordable Housing Project.

**From 6 NYCRR 375- 3.2(a) as of August 12, 2016:**

(a) “Affordable housing project” means, for purposes of this part, title fourteen of article twenty seven of the environmental conservation law and section twenty-one of the tax law only, a project that is developed for residential use or mixed residential use that must include affordable residential rental units and/or affordable home ownership units.

(1) Affordable residential rental projects under this subdivision must be subject to a federal, state, or local government housing agency’s affordable housing program, or a local government’s regulatory agreement or legally binding restriction, which defines (i) a percentage of the residential rental units in the affordable housing project to be dedicated to (ii) tenants at a defined maximum percentage of the area median income based on the occupants’ households annual gross income.

(2) Affordable home ownership projects under this subdivision must be subject to a federal, state, or local government housing agency’s affordable housing program, or a local government’s regulatory agreement or legally binding restriction, which sets affordable units aside for home owners at a defined maximum percentage of the area median income.

(3) “Area median income” means, for purposes of this subdivision, the area median income for the primary metropolitan statistical area, or for the county if located outside a metropolitan statistical area, as determined by the United States department of housing and urban development, or its successor, for a family of four, as adjusted for family size.

**BCP Application Summary (for DEC use only)**

**Site Name:** 836-841 5th Avenue  
**City:** Brooklyn

**Site Address:** 836-841 5th Avenue and 471 36th Street  
**County:** Kings **Zip:** 11232

**Tax Block & Lot**  
**Section (if applicable):** 3 **Block:** 693 **Lot:** 39

**Requestor Name:** New York City School Construction Authority (NYCSCA) **Requestor Address:** 30-30 Thomson Ave  
**City:** Long Island City **Zip:** 11101 **Email:** dguterman@nycsca.org

**Requestor's Representative (for billing purposes)**  
**Name:** Lee Guterman **Address:** 30-30 Thomson Avenue  
**City:** Long Island City **Zip:** 11101 **Email:** dguterman@nycsca.org

**Requestor's Attorney**  
**Name:** Ross Holden, Esq. **Address:** 30-30 Thomson Avenue  
**City:** Long Island City **Zip:** 11101 **Email:** rholden@nycsca.org

**Requestor's Consultant**  
**Name:** TRC Engineers, Inc.; attn: Jennifer Miranda **Address:** 1430 Broadway, 10th Floor  
**City:** New York **Zip:** 10018 **Email:** jmiranda@trcsolutions.com

**Percentage claimed within an En-Zone:**  0%  <50%  50-99%  100%

**DER Determination:**  Agree  Disagree

**Requestor's Requested Status:**  **Volunteer**  **Participant**

**DER/OGC Determination:**  Agree  Disagree  
Notes:

**For NYC Sites, is the Requestor Seeking Tangible Property Credits:**  Yes  No

**Does Requestor Claim Property is Upside Down:**  Yes  No

**DER/OGC Determination:**  Agree  Disagree  Undetermined

Notes:

**Does Requestor Claim Property is Underutilized:**  Yes  No

**DER/OGC Determination:**  Agree  Disagree  Undetermined

Notes:

**Does Requestor Claim Affordable Housing Status:**  Yes  No  Planned, No Contract

**DER/OGC Determination:**  Agree  Disagree  Undetermined

Notes:

**ATTACHMENTS**  
**to the**  
**Brownfield Cleanup Program Application Form**

**Site Name:**  
836-841 5th Avenue

**Site Location:**  
836-841 5th Avenue and 471 36th Street  
Brooklyn, New York, 11232  
Block 693, Lots 39 and 48

February 16, 2018

**Prepared by:**



TRC Engineers, Inc.  
1430 Broadway, 10th Floor  
New York, NY 10018  
Phone: (212) 221-7822  
Fax: (212) 221-7840  
Attn: Ms. Jennifer Miranda

**Prepared for:**



New York City School Construction Authority  
30-30 Thomson Avenue  
Long Island City, NY 11101-3045  
Phone: (718) 472-8502  
Fax: (718) 472-8500  
Attn: Ms. Lee Guterman

## List of Brownfield Cleanup Program (BCP) Application Attachments

<b>Corresponding Section No.</b>	<b>Description</b>
II	Project Description
III	Property's Environmental History <ul style="list-style-type: none"><li>• Laboratory Reports (provided on a Compact Disc [CD])</li><li>• Figure III-1 Exceedances of Restricted-Residential Use Soil Cleanup Objectives</li><li>• Figure III-2 Results of TCLP Analysis for Lead in Soil</li><li>• Figure III-3 Exceedances of Class GA Values in Groundwater</li><li>• Figure III-4 Exceedances of NYSDOH Vapor Intrusion Action Levels</li></ul>
IV	Property Information <ul style="list-style-type: none"><li>• Figure IV-1 County Tax Map</li><li>• Figure IV-2 Site Location Map</li><li>• Figure IV-3 Property Base Map</li></ul>
VI	Current Property Owner/Operator Information
VII	Requestor Eligibility Information <ul style="list-style-type: none"><li>• Access Agreement between Current Property Owner and the NYCSCA</li></ul>
IX	Contact List Information <ul style="list-style-type: none"><li>• Brownfield Site Contact List</li><li>• Letters from Document Repositories</li></ul>
X	Land Use Factors <ul style="list-style-type: none"><li>• Figure X-1 Proposed Site Development</li></ul>

**Attachment to  
Section II  
Project Description**

## **Section II, Item 4 – Project Description**

The New York City School Construction Authority (NYCSCA), a New York State Public Benefit Corporation, purchased the properties located at 836-841 5th Avenue and 471 36th Street, Brooklyn, New York (Block 693, Lots 39 and 48) (the “Site”) for construction of a public school facility. The NYCSCA is seeking acceptance of the Site into the Brownfield Cleanup Program (BCP) as a Volunteer. The NYCSCA will issue design packages for demolition of current site features and construction of the proposed school, which will include proposed remedial actions. The demolition phase will likely start in the late spring or early summer of 2018. NYCSCA’s objective is to complete the remedy and obtain the Certificate of Completion by August 2021 in order to allow for school opening in September 2021.

**Attachment to  
Section III  
Property's Environmental History**

### **Section III Property's Environmental History**

Previous environmental reports associated with the Site include a Phase I Environmental Site Assessment (ESA) for Block 693, Lot 39 by Middleton Environmental Inc. (Middleton) in 2000, a Phase I ESA by Dvirka and Bartilucci (D&B) in 2016 for Block 693, Lot 39, a Phase I ESA for Block 693, Lot 48 by TRC in 2017, a Remedial Investigation (RI) Report by TRC in February 2018 and a Remedial Action Work Plan by TRC in February 2018. Electronic copies of laboratory reports for data generated during the RI may be found on the attached CD. Brief summaries of these reports are provided below.

#### **Phase I ESA, 836 to 841 5th Avenue (Block 693, Lot 39), Middleton Environmental Inc.**

In December 2000, Middleton conducted a Phase I ESA of Lot 39 for North Fork Bank. At the time of the Phase I ESA, Lot 39 was improved with the two-story building, the ground floor was utilized as a nightclub and the second floor was utilized as a garment assembly facility. The northern portion of the lot was utilized for automobile detailing at the time of the Phase I ESA. There were no recognized environmental conditions (RECs) identified according to the Middleton Phase I ESA report.

#### **Phase I ESA, 836 to 841 5th Avenue (Block 693, Lot 39), D&B**

A Phase I ESA for the Block 693, Lot 39 portion of the Site was completed by D&B in December 2016 on behalf of NYCSCA. The Phase I ESA identified on-Site RECs associated with the potential presence of buried structures, debris, and fill of unknown origin; the historical use of Lot 39 for manufacturing and as a train car repair shop; and the presence of a No. 2 Fuel Oil underground storage tank (UST<sup>1</sup>) in a vault with no access for inspection. Off-Site RECs identified included an adjacent MTA Jackie Gleason bus depot with documented releases, an adjacent gasoline station (with documented releases of methyl tert-butyl ether (MTBE) and other gasoline constituents, monitoring wells, and soil and groundwater impacts<sup>2</sup>), and a nearby bowling alley; the historical presence of an adjoining elevated railroad, a nearby cleaning/dyeing facility, and an upgradient dry cleaner; as well as regulatory listings for nearby properties for hazardous waste generators, spills, and a historical auto station. Environmental concerns identified included the potential presence of asbestos-containing materials (ACM), lead-based paint (LBP), and polychlorinated biphenyl (PCB)-containing material in on-Site building materials and suspect buried structures.

Based on the results of the Phase I ESA, D&B recommended performing a site investigation to determine whether the identified RECs affected the suitability of the Site for the construction of a public school facility. Environmental sampling was subsequently completed by D&B and is described in this RI Report.

#### **Phase I ESA, 471 36th Street (Block 693, Lot 48), TRC**

A Phase I ESA for the Block 693, Lot 48 portion of the Site was completed by TRC in June 2017 on behalf of NYCSCA. The Phase I ESA identified on-Site RECs associated with the potential presence of fill and

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<sup>1</sup> NYSDEC PBS Registration No. 2-258520 with a status of "Closed prior to 03/1991"

<sup>2</sup> NYSDEC Spill Case No. 94-06838 with a status of "Not closed"

buried structures and the presence of a drum with unknown contents, derelict vehicles, and miscellaneous stored scrap materials. Additionally, since the Phase I ESA was completed following receipt of analytical data obtained during the RI, the detection of elevated concentrations of chlorinated volatile organic compounds (VOCs) in soil vapor was identified as a REC. Off-Site RECs identified included the historic use and documented soil, groundwater, and soil vapor contamination on the east-adjacent property (Lot 39) identified during the RI; the current and historic presence of facilities on nearby properties that use petroleum products and generate hazardous waste; documented releases of petroleum on nearby properties; and a cemetery. Environmental concerns identified included potential mercury-containing high-intensity discharge lamps and potential ACM, LBP, and PCB-containing suspect buried structures.

Since a subsurface investigation (including the collection of soil vapor samples from the Site) was previously conducted by NYCSCA at Lot 48 in connection with the proposed public school development, additional sampling was not recommended.

### **Remedial Investigation Report (RI Report), February 2018**

Remedial Investigation (RI) field activities for Block 693, Lots 39 and 48 were completed between late December 2016 and early March 2017 on behalf of the NYCSCA to assess the RECs identified in the Phase I ESA. Field activities consisted of geophysical surveys and investigation of USTs; advancement of soil borings, installation of temporary and permanent monitoring wells, installation of temporary sub-slab and soil vapor monitoring points, and collection and analysis of soil, groundwater, soil vapor, sub-slab vapor, and ambient air samples.

The geophysical surveys and investigation of the suspect UST indicated the likely presence of a UST beneath the northeastern portion of the Site building between the boiler room and the northern building façade.

Based on the RI results, the primary contaminants of concern in soil include semivolatile organic compounds (SVOCs) and metals (including hazardous concentrations of leachable lead). Twelve SVOCs were detected in soil at concentrations above the Restricted-Residential Use Soil Cleanup Objectives (SCOs). Two soil samples collected in the northeast portion of the Site (from 10 to 12 feet bgs and from 12 to 14 feet bgs) contained concentrations of leachable lead above the RCRA Regulatory Limit. The extent of soil that exhibits hazardous levels of leachable lead have been delineated to a 16-foot by 35-foot wide area that extends to a depth of approximately 18 feet bgs. This area is currently covered with asphalt and shallow soil samples collected from borings in this area (from approximately 1 to 3 feet bgs) did not reveal concentrations of leachable lead above the RCRA Regulatory Limit.

Six VOCs including 1,1,1-Trichloroethane (TCA), chloroform, cis-1,2-dichloroethene (cis-1,2-DCE), formaldehyde, toluene, and methyl tert-butyl ether (MTBE), were detected in groundwater above the Class GA Values. TCA was detected in groundwater in one on-Site monitoring well (TRC-MW-3) slightly above the Class GA Value, which may be attributed to an on-Site source. The source of chloroform, which was detected in groundwater above the Class GA Value in samples collected from six on-Site borings and one

upgradient monitoring well, is unknown but may be attributable to an on-Site source or an off-Site source since one upgradient off-Site monitoring well contained chloroform above the Class GA Value. A common source of chloroform in groundwater is the discharge of chlorinated water (chloroform is a byproduct of chlorinating water) from leaking potable water distribution pipes or sanitary sewers. Cis-1,2-DCE was detected above the Class GA Value in groundwater in the cross-gradient monitoring well located on the sidewalk along 5th Avenue which is likely attributed to an off-Site source since this compound was only detected in cross-gradient well TRC-MW-4. Formaldehyde was detected in groundwater collected from three on-Site sample locations and two upgradient sample locations above the Class GA Value, which may be attributable to the breakdown of MTBE associated with the open Spill Case on the adjacent and upgradient gasoline station or to on-Site fill material (i.e., filling activities may have been associated with the adjoining Greenwood Cemetery Maintenance Facility). Finally, the two petroleum related VOCs, toluene and MTBE, at concentrations above Class GA Values are attributed to an off-Site and upgradient gasoline station with documented releases of MTBE and other gasoline constituents to the soil and groundwater.

In addition, three SVOCs and two metals (in filtered samples) were detected in groundwater at concentrations exceeding the Class GA Values. The SVOCs and metals in groundwater are attributable to the characteristics of Site soil/fill material.

Soil vapor samples collected during the RI identified the presence of several petroleum- and chlorinated solvent-related VOCs at elevated concentrations. A comparison of concentrations of TCA detected in two soil vapor samples and vinyl chloride in one soil vapor sample to the New York State Department of Health (NYSDOH) Vapor Intrusion Matrices indicates the recommended action would be mitigation regardless of indoor air concentrations if the results are representative of sub-slab vapor concentrations. A comparison of concentrations of TCA in one sub-slab vapor and two soil vapor samples and 1,1-dichloroethene in one soil vapor sample to the NYSDOH Vapor Intrusion Matrices indicates no further action, monitoring, or mitigation would be the recommended action, depending on the corresponding indoor air concentrations, if the results are representative of sub-slab vapor concentrations.

A summary of the Remedial Investigation results is presented in the enclosed figures, specifically: soil results above Restricted-Residential Use SCOs are presented on Figure III-1; results of analyses of soil samples for TCLP lead are shown on Figure III-2, groundwater results above Class GA Values are presented on Figure III-3; and a summary of exceedances of action levels, based on comparison to the NYSDOH Vapor Intrusion Matrices are presented on Figure III-4.

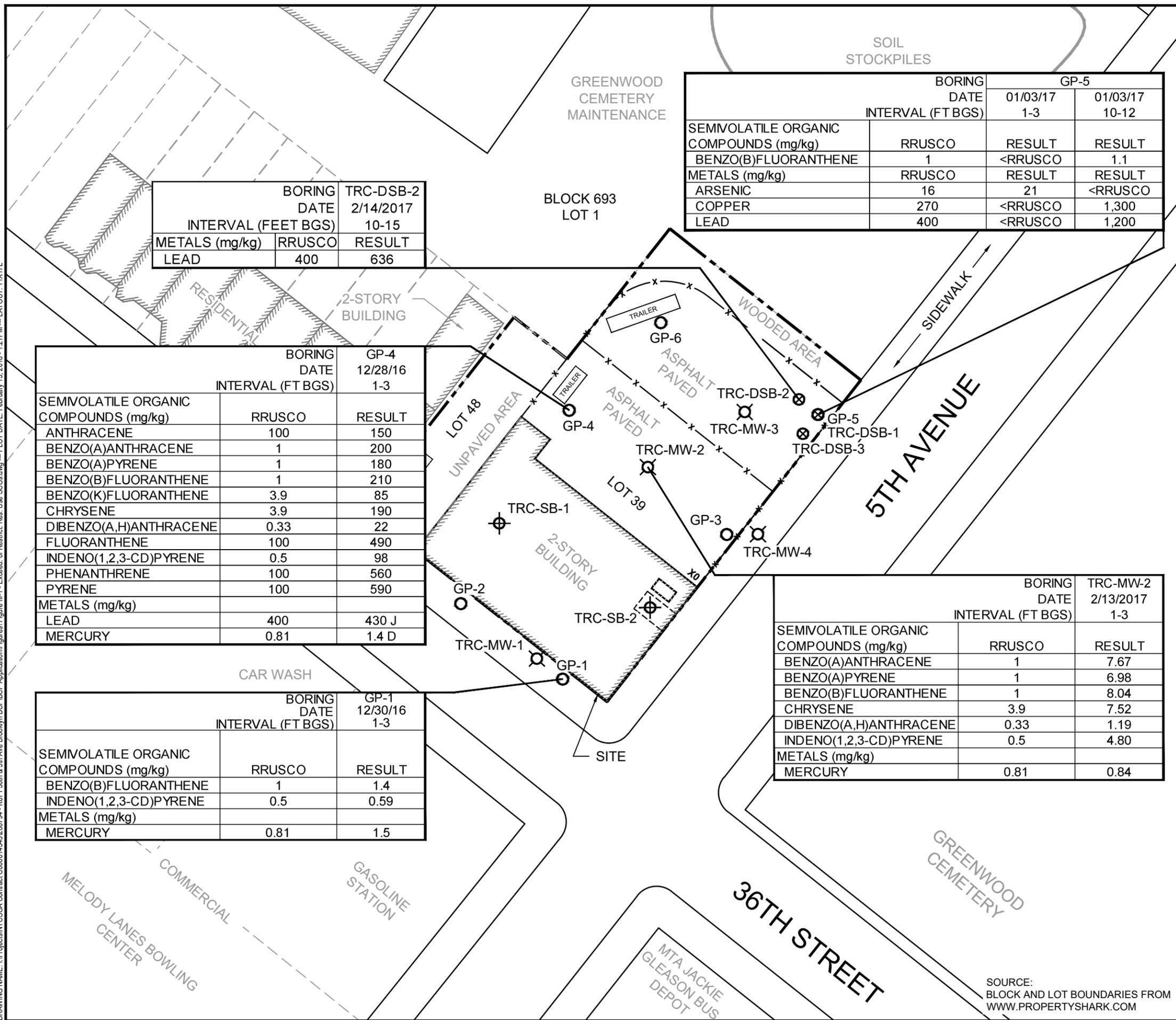
#### **Remedial Action Work Plan (RAWP), February 2018**

A Remedial Action Work Plan (RAWP) including an alternatives analysis, was prepared by TRC and is submitted to NYSDEC for review and approval with this BCP Application. Based on the results of this RI Report (described above), remedial actions are warranted in support of the proposed future redevelopment of the Site as a Public School Facility. The proposed primary remedial actions to be described in the RAWP

include: 1) Prepare and implement a site-specific HASP and Community Air Monitoring Program (CAMP) for the remedial activities; 2) Remove underground storage tank system; 3) Remove and dispose off-Site soil excavated as part of the proposed redevelopment; 4) Cover landscaped areas with a minimum 2-foot thick imported clean cover layer and install a demarcation layer below clean cover layer; 5) As part of building construction install a gas vapor barrier and install and operate a sub-slab depressurization system; and, 6) Implement a SMP and establish an environmental easement.

By implementing a NYSDEC approved-RAWP and SMP the proposed future redevelopment and use will be protective of human health and the environment and will render the Site suitable for use as a Public School Facility.

1/17 - ATTACHED REFS: Brooklyn - ATTACHED IMAGES: DRAWING NAME: I:\Projects\NYCSCA Contract C000014345\280794 - K671 36th & 5th Ave Brooklyn BCP\BCP Application\Figures\Figure III-1 - Exceed. of Restrict. Res. Use SCOs.dwg -- PLOT DATE: February 13, 2018 - 1:27PM -- LAYOUT: 11X17L



BORING DATE		TRC-DSB-2
INTERVAL (FEET BGS)		10-15
METALS (mg/kg)	RRUSCO	RESULT
LEAD	400	636

BORING DATE		GP-5	
INTERVAL (FT BGS)		01/03/17 1-3	01/03/17 10-12
SEMIVOLATILE ORGANIC COMPOUNDS (mg/kg)	RRUSCO	RESULT	RESULT
BENZO(B)FLUORANTHENE	1	<RRUSCO	1.1
METALS (mg/kg)	RRUSCO	RESULT	RESULT
ARSENIC	16	21	<RRUSCO
COPPER	270	<RRUSCO	1,300
LEAD	400	<RRUSCO	1,200

BORING DATE		GP-4
INTERVAL (FT BGS)		12/28/16 1-3
SEMIVOLATILE ORGANIC COMPOUNDS (mg/kg)	RRUSCO	RESULT
ANTHRACENE	100	150
BENZO(A)ANTHRACENE	1	200
BENZO(A)PYRENE	1	180
BENZO(B)FLUORANTHENE	1	210
BENZO(K)FLUORANTHENE	3.9	85
CHRYSENE	3.9	190
DIBENZO(A,H)ANTHRACENE	0.33	22
FLUORANTHENE	100	490
INDENO(1,2,3-CD)PYRENE	0.5	98
PHENANTHRENE	100	560
PYRENE	100	590
METALS (mg/kg)		
LEAD	400	430 J
MERCURY	0.81	1.4 D

BORING DATE		GP-1
INTERVAL (FT BGS)		12/30/16 1-3
SEMIVOLATILE ORGANIC COMPOUNDS (mg/kg)	RRUSCO	RESULT
BENZO(B)FLUORANTHENE	1	1.4
INDENO(1,2,3-CD)PYRENE	0.5	0.59
METALS (mg/kg)		
MERCURY	0.81	1.5

BORING DATE		TRC-MW-2
INTERVAL (FT BGS)		2/13/2017 1-3
SEMIVOLATILE ORGANIC COMPOUNDS (mg/kg)	RRUSCO	RESULT
BENZO(A)ANTHRACENE	1	7.67
BENZO(A)PYRENE	1	6.98
BENZO(B)FLUORANTHENE	1	8.04
CHRYSENE	3.9	7.52
DIBENZO(A,H)ANTHRACENE	0.33	1.19
INDENO(1,2,3-CD)PYRENE	0.5	4.80
METALS (mg/kg)		
MERCURY	0.81	0.84

**LEGEND (SYMBOLS NOT TO SCALE):**

- SITE BOUNDARY
- BUILDING FOOTPRINT
- FENCE
- FILL/VENT LINE
- SOIL BORING LOCATION AND IDENTIFICATION NUMBER (PERFORMED BY D&B)
- SOIL BORING LOCATION AND IDENTIFICATION NUMBER (PERFORMED BY TRC)
- DELINEATION SOIL BORING LOCATION AND IDENTIFICATION NUMBER (PERFORMED BY TRC)
- PERMANENT MONITORING WELL LOCATION AND IDENTIFICATION NUMBER (PERFORMED BY TRC)
- SUSPECT 1,500-GALLON UST
- SUB-BASEMENT/BOILER ROOM

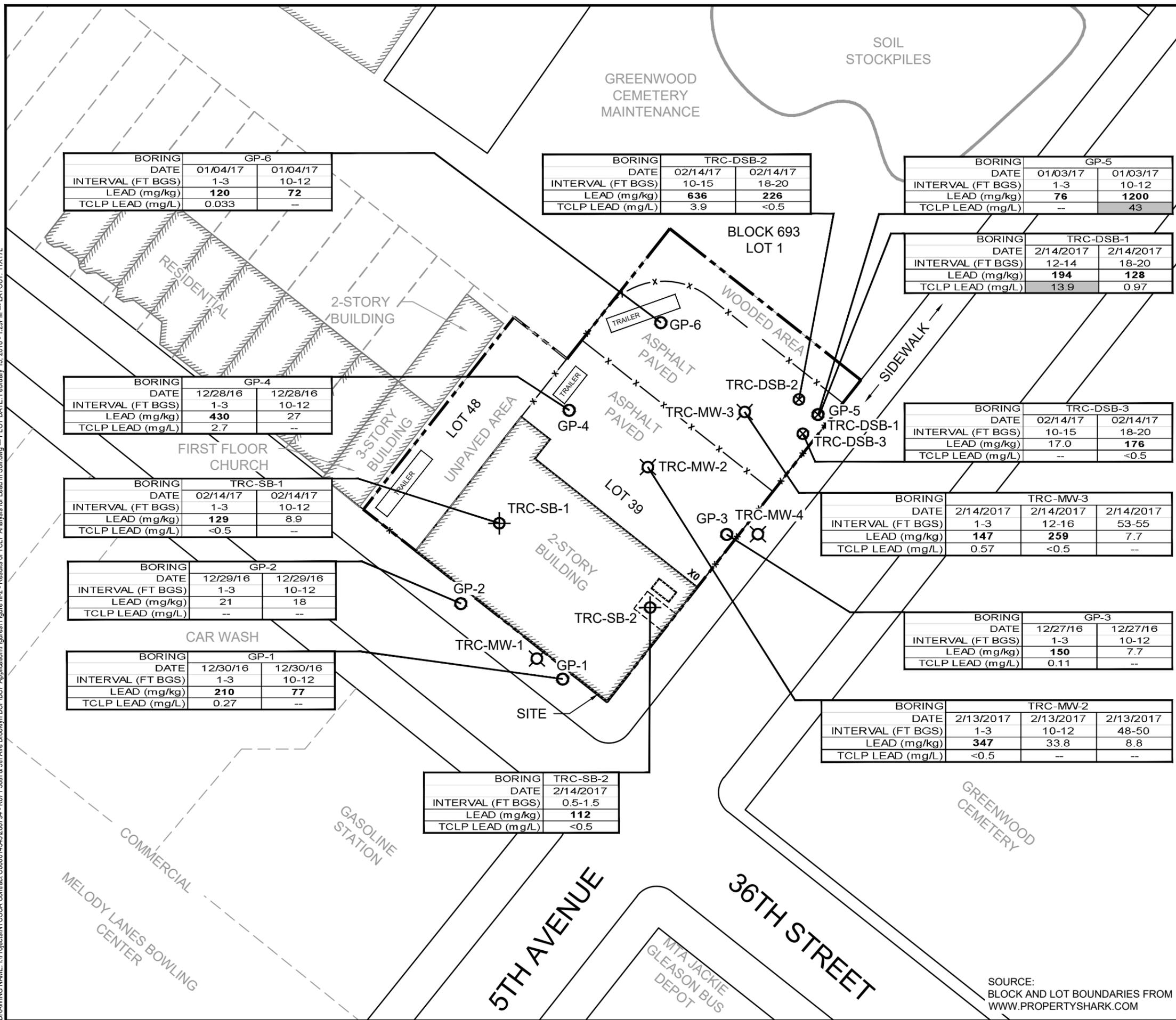
- NOTES:**
1. D - DILUTION REQUIRED
  2. FT BGS - FEET BELOW GROUND SURFACE
  3. mg/kg - MILLIGRAMS PER KILOGRAM
  4. J - ESTIMATED VALUE
  5. UST - UNDERGROUND STORAGE TANK
  6. RRUSCO - 6 NYCRR PART 375 RESTRICTED-RESIDENTIAL USE SOIL CLEANUP OBJECTIVE
  7. SOIL BORINGS TRC-DSB-1 AND GP-5 WERE CO-LOCATED. DUE TO THE SCALE OF THE FIGURE, THE SYMBOL FOR TRC-DSB-1 ONLY IS SHOWN.



PROJECT: NEW YORK CITY SCHOOL CONSTRUCTION AUTHORITY 836-841 5TH AVENUE AND 471 36TH STREET BLOCK: 693, LOTS: 39 & 48 BROOKLYN, NEW YORK 11232	
TITLE: <b>EXCEEDANCES OF RESTRICTED-RESIDENTIAL USE SOIL CLEANUP OBJECTIVES</b>	
DRAWN BY: H. DELGADO	PROJ NO.: 280794.0000.0000
CHECKED BY: L. O'HARA	<b>FIGURE III-1</b>
APPROVED BY: D. GLASS	
DATE: FEBRUARY 2018	
1430 Broadway 10th Floor New York, NY 10018 Phone: 212.221.7822	
FILE NO.: Figure 14 - Sum. of Exceed. of Restrict. Res. Use and/or Prot. of GW SCOs.dwg	

SOURCE:  
BLOCK AND LOT BOUNDARIES FROM  
WWW.PROPERTYSHARK.COM

1/17 - ATTACHED REFS: Brooklyn - ATTACHED IMAGES: DRAWING NAME: I:\Projects\NYCSCA Contract C000014345\280794 - K671 36th & 5th Ave Brooklyn BCP\BCP Application\Figures\Figure III-2 - Results of TCLP Analysis for Lead in Soil.dwg -- PLOT DATE: February 13, 2018 - 1:29PM -- LAYOUT: 11X17



BORING	GP-6	
DATE	01/04/17	01/04/17
INTERVAL (FT BGS)	1-3	10-12
LEAD (mg/kg)	120	72
TCLP LEAD (mg/L)	0.033	--

BORING	TRC-DSB-2	
DATE	02/14/17	02/14/17
INTERVAL (FT BGS)	10-15	18-20
LEAD (mg/kg)	636	226
TCLP LEAD (mg/L)	3.9	<0.5

BORING	GP-5	
DATE	01/03/17	01/03/17
INTERVAL (FT BGS)	1-3	10-12
LEAD (mg/kg)	76	1200
TCLP LEAD (mg/L)	--	43

BORING	GP-4	
DATE	12/28/16	12/28/16
INTERVAL (FT BGS)	1-3	10-12
LEAD (mg/kg)	430	27
TCLP LEAD (mg/L)	2.7	--

BORING	TRC-DSB-1	
DATE	2/14/2017	2/14/2017
INTERVAL (FT BGS)	12-14	18-20
LEAD (mg/kg)	194	128
TCLP LEAD (mg/L)	13.9	0.97

BORING	TRC-SB-1	
DATE	02/14/17	02/14/17
INTERVAL (FT BGS)	1-3	10-12
LEAD (mg/kg)	129	8.9
TCLP LEAD (mg/L)	<0.5	--

BORING	TRC-DSB-3	
DATE	02/14/17	02/14/17
INTERVAL (FT BGS)	10-15	18-20
LEAD (mg/kg)	17.0	176
TCLP LEAD (mg/L)	--	<0.5

BORING	GP-2	
DATE	12/29/16	12/29/16
INTERVAL (FT BGS)	1-3	10-12
LEAD (mg/kg)	21	18
TCLP LEAD (mg/L)	--	--

BORING	TRC-MW-3		
DATE	2/14/2017	2/14/2017	2/14/2017
INTERVAL (FT BGS)	1-3	12-16	53-55
LEAD (mg/kg)	147	259	7.7
TCLP LEAD (mg/L)	0.57	<0.5	--

BORING	GP-1	
DATE	12/30/16	12/30/16
INTERVAL (FT BGS)	1-3	10-12
LEAD (mg/kg)	210	77
TCLP LEAD (mg/L)	0.27	--

BORING	GP-3	
DATE	12/27/16	12/27/16
INTERVAL (FT BGS)	1-3	10-12
LEAD (mg/kg)	150	7.7
TCLP LEAD (mg/L)	0.11	--

BORING	TRC-SB-2
DATE	2/14/2017
INTERVAL (FT BGS)	0.5-1.5
LEAD (mg/kg)	112
TCLP LEAD (mg/L)	<0.5

BORING	TRC-MW-2		
DATE	2/13/2017	2/13/2017	2/13/2017
INTERVAL (FT BGS)	1-3	10-12	48-50
LEAD (mg/kg)	347	33.8	8.8
TCLP LEAD (mg/L)	<0.5	--	--

**LEGEND (SYMBOLS NOT TO SCALE):**

- SITE BOUNDARY
- BUILDING FOOTPRINT
- FENCE
- FILL/VENT LINE
- SOIL BORING LOCATION AND IDENTIFICATION NUMBER (PERFORMED BY D&B)
- SOIL BORING LOCATION AND IDENTIFICATION NUMBER (PERFORMED BY TRC)
- DELINEATION SOIL BORING LOCATION AND IDENTIFICATION NUMBER (PERFORMED BY TRC)
- PERMANENT MONITORING WELL LOCATION AND IDENTIFICATION NUMBER (PERFORMED BY TRC)
- SUSPECT 1,500-GALLON UST
- SUB-BASEMENT/BOILER ROOM

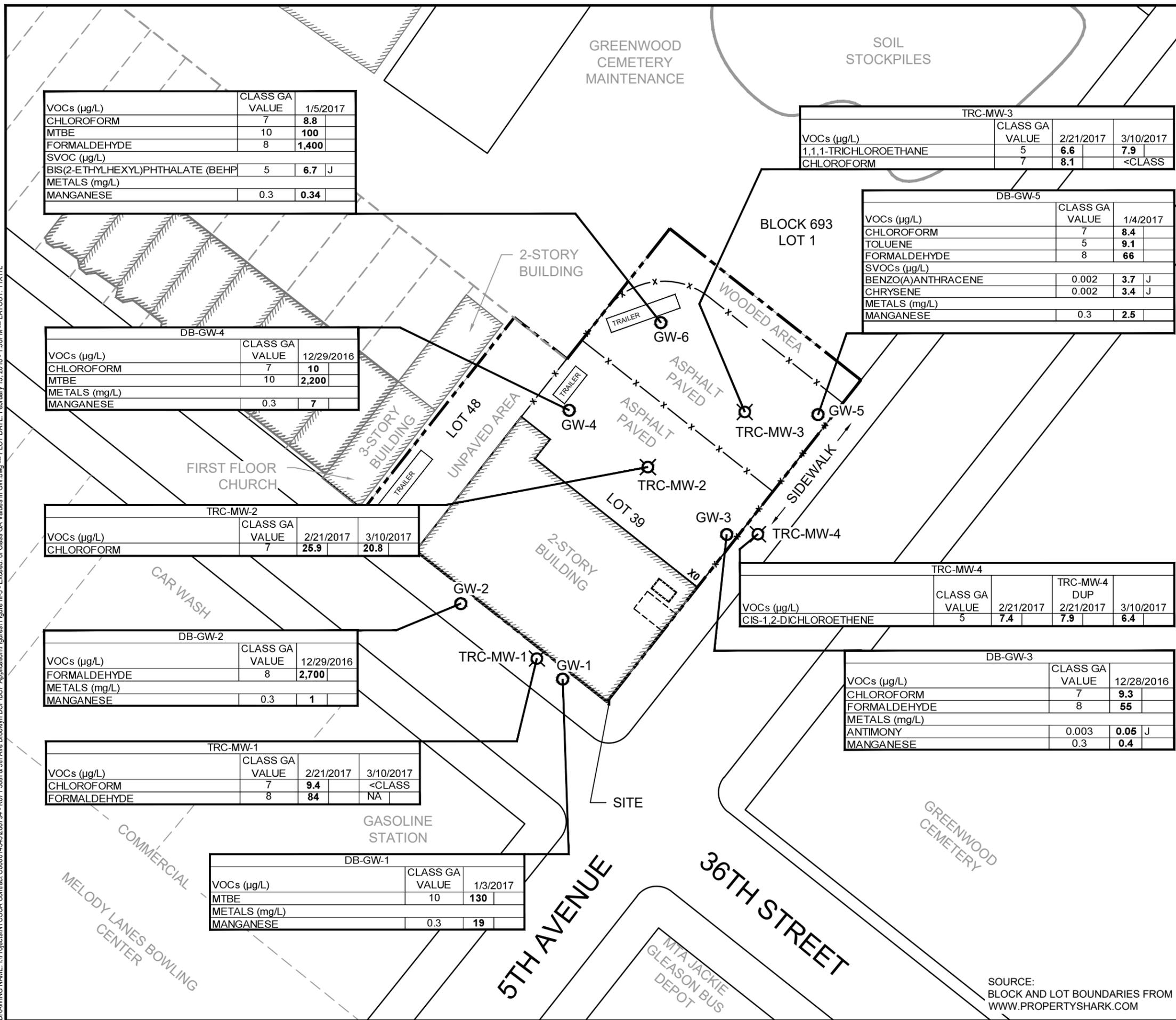
- NOTES:**
1. D - DILUTION REQUIRED
  2. FT BGS - FEET BELOW GROUND SURFACE
  3. mg/L - MILLIGRAMS PER LITER
  4. -- NOT ANALYZED
  5. UST - UNDERGROUND STORAGE TANK
  6. TCLP - TOXICITY CHARACTERISTIC LEACHING PROCEDURE
  7. SHADED VALUES EXCEED THE REGULATORY LIMIT FOR LEACHABLE LEAD (5 mg/L).
  8. SOIL BORINGS TRC-DSB-1 AND GP-5 WERE CO-LOCATED. DUE TO THE SCALE OF THE FIGURE, THE SYMBOL FOR TRC-DSB-1 ONLY IS SHOWN.



PROJECT: <b>NEW YORK CITY SCHOOL CONSTRUCTION AUTHORITY</b> 836-841 5TH AVENUE AND 471 36TH STREET BLOCK: 693, LOTS: 39 & 48 BROOKLYN, NEW YORK 11232	
TITLE: <b>RESULTS OF TCLP ANALYSIS FOR LEAD IN SOIL</b>	
DRAWN BY: H. DELGADO	PROJ NO.: 280794.0000.0000
CHECKED BY: L. O'HARA	<b>FIGURE III-2</b>
APPROVED BY: D. GLASS	
DATE: FEBRUARY 2018	
1430 Broadway 10th Floor New York, NY 10018 Phone: 212.221.7822	
FILE NO.:	Figure III-2 - Results of TCLP Analysis for Lead in Soil.dwg

SOURCE:  
BLOCK AND LOT BOUNDARIES FROM  
WWW.PROPERTYSHARK.COM

1/17 - ATTACHED REFS: Brooklyn - ATTACHED IMAGES: DRAWING NAME: I:\Projects\NYCSCA Contract C000014345\280794 - k671\_36th & 5th Ave Brooklyn BCP\BCP Application\Figures\Figure III-3 - Exceed. of Class GA Values in GW.dwg --- PLOT DATE: February 13, 2018 - 1:30PM --- LAYOUT: 11X17L



VOCs (µg/L)	CLASS GA VALUE	1/5/2017
CHLOROFORM	7	8.8
MTBE	10	100
FORMALDEHYDE	8	1,400
SVOC (µg/L)		
BIS(2-ETHYLHEXYL)PHTHALATE (BEHP)	5	6.7 J
METALS (mg/L)		
MANGANESE	0.3	0.34

VOCs (µg/L)	CLASS GA VALUE	2/21/2017	3/10/2017
1,1,1-TRICHLOROETHANE	5	6.6	7.9
CHLOROFORM	7	8.1	<CLASS

VOCs (µg/L)	CLASS GA VALUE	1/4/2017
CHLOROFORM	7	8.4
TOLUENE	5	9.1
FORMALDEHYDE	8	66
SVOCs (µg/L)		
BENZO(A)ANTHRACENE	0.002	3.7 J
CHRYSENE	0.002	3.4 J
METALS (mg/L)		
MANGANESE	0.3	2.5

VOCs (µg/L)	CLASS GA VALUE	12/29/2016
CHLOROFORM	7	10
MTBE	10	2,200
METALS (mg/L)		
MANGANESE	0.3	7

VOCs (µg/L)	CLASS GA VALUE	2/21/2017	3/10/2017
CHLOROFORM	7	25.9	20.8

VOCs (µg/L)	CLASS GA VALUE	12/29/2016
FORMALDEHYDE	8	2,700
METALS (mg/L)		
MANGANESE	0.3	1

VOCs (µg/L)	CLASS GA VALUE	2/21/2017	3/10/2017
CHLOROFORM	7	9.4	<CLASS
FORMALDEHYDE	8	84	NA

VOCs (µg/L)	CLASS GA VALUE	1/3/2017
MTBE	10	130
METALS (mg/L)		
MANGANESE	0.3	19

VOCs (µg/L)	CLASS GA VALUE	2/21/2017	TRC-MW-4 DUP 2/21/2017	3/10/2017
CIS-1,2-DICHLOROETHENE	5	7.4	7.9	6.4

VOCs (µg/L)	CLASS GA VALUE	12/28/2016
CHLOROFORM	7	9.3
FORMALDEHYDE	8	55
METALS (mg/L)		
ANTIMONY	0.003	0.05 J
MANGANESE	0.3	0.4

**LEGEND (SYMBOLS NOT TO SCALE):**

- SITE BOUNDARY
- BUILDING FOOTPRINT
- FENCE
- FILL/VENT LINE
- GROUNDWATER SAMPLE LOCATION AND IDENTIFICATION NUMBER (TEMPORARY WELL POINT □ PERFORMED BY D&B)
- PERMANENT MONITORING WELL LOCATION AND IDENTIFICATION NUMBER (PERFORMED BY TRC)
- SUSPECT 1,500-GALLON UST
- SUB-BASEMENT/BOILER ROOM

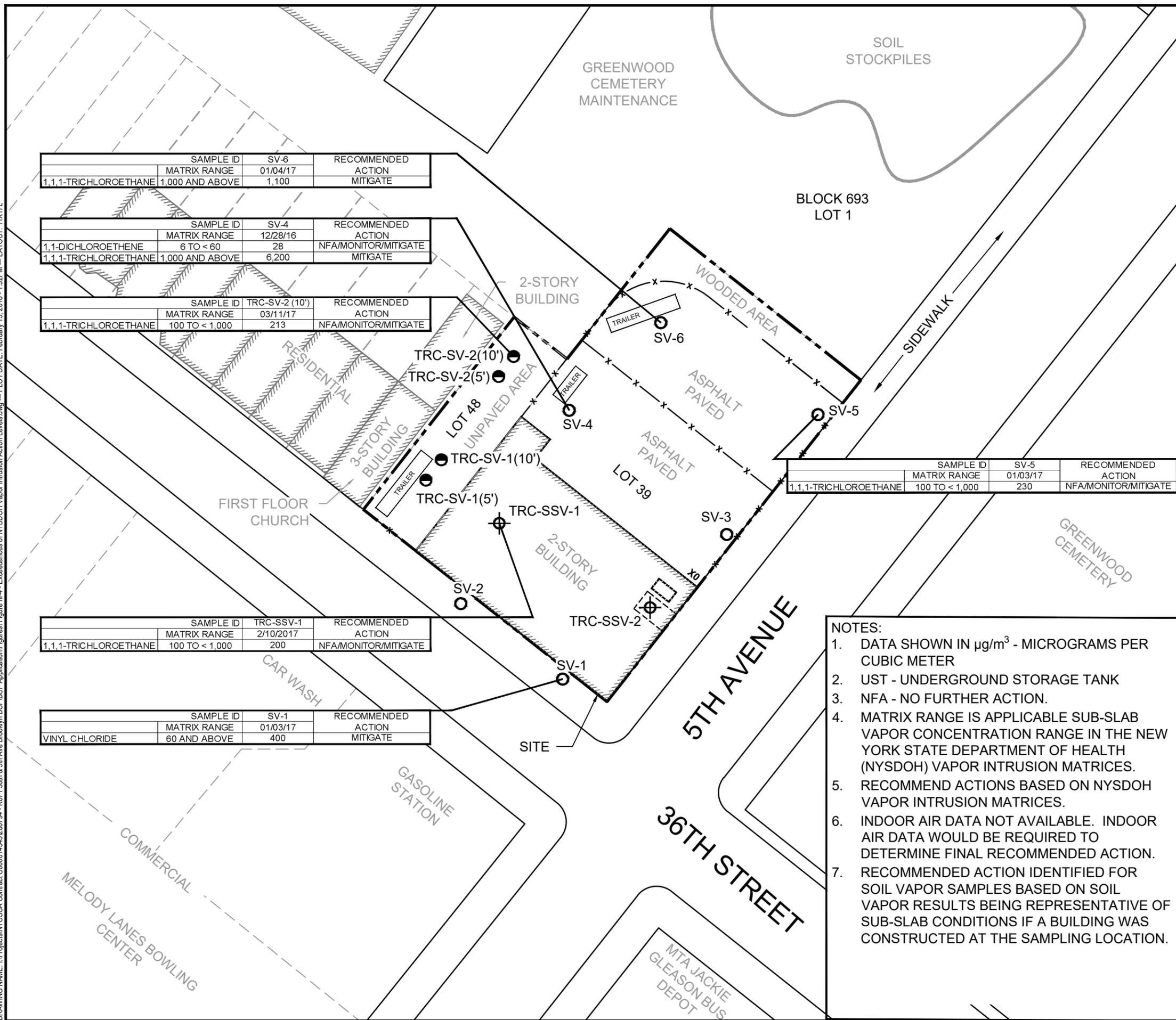
- NOTES:**
- VOC - VOLATILE ORGANIC COMPOUND
  - SVOC - SEMIVOLATILE ORGANIC COMPOUND
  - µg/L - MICROGRAMS PER LITER
  - mg/L - MILLIGRAMS PER LITER
  - J - ESTIMATED VALUE
  - NA - NOT ANALYZED
  - UST - UNDERGROUND STORAGE TANK
  - MTBE - METHYL TERT-BUTYL ETHER
  - CLASS GA VALUE - NEW YORK STATE CLASS GA GROUNDWATER STANDARDS AND GUIDANCE VALUES PUBLISHED IN THE NYSDEC TOGS 1.1.1, AMBIENT WATER QUALITY STANDARDS AND GUIDANCE VALUES.
  - EXCEEDANCES OF CLASS GA VALUES FOR UNFILTERED METALS ARE NOT SHOWN.



PROJECT: NEW YORK CITY SCHOOL CONSTRUCTION AUTHORITY 836-841 5TH AVENUE AND 471 36TH STREET BLOCK: 693, LOTS: 39 & 48 BROOKLYN, NEW YORK 11232	
TITLE: <b>EXCEEDANCES OF CLASS GA VALUES IN GROUNDWATER</b>	
DRAWN BY: H. DELGADO	PROJ NO.: 280794.0000.0000
CHECKED BY: L. OHARA	<b>FIGURE III-3</b>
APPROVED BY: D. GLASS	
DATE: FEBRUARY 2018	
1430 Broadway 10th Floor New York, NY 10018 Phone: 212.221.7822	
FILE NO.:	Figure III-3 - Exceed. of Class GA Values in GW.dwg

SOURCE:  
BLOCK AND LOT BOUNDARIES FROM  
WWW.PROPERTYSHARK.COM

1/17 - ATTACHED REFS: Brooklyn - ATTACHED IMAGES:   
 DRAWING NAME: I:\Projects\NYCSCA Contract C000014345\280794 - K671 36th & 5th Ave Brooklyn BCP\BCP Application\Figures\Figure III-4 - Exceedances of NYSDOH Vapor Intrusion Action Levels.dwg -- PLOT DATE: February 13, 2018 - 1:32PM -- LAYOUT: 11X17L



SAMPLE ID	MATRIX RANGE	SV-6	RECOMMENDED ACTION	
1,1,1-TRICHLOROETHANE	1,000 AND ABOVE	01/04/17	1,100	MITIGATE

SAMPLE ID	MATRIX RANGE	SV-4	RECOMMENDED ACTION	
1,1-DICHLOROETHENE	6 TO < 60	12/28/16	28	NFAMONITOR/MITIGATE
1,1,1-TRICHLOROETHANE	1,000 AND ABOVE	03/11/17	6,200	MITIGATE

SAMPLE ID	MATRIX RANGE	TRC-SV-2 (10')	RECOMMENDED ACTION	
1,1,1-TRICHLOROETHANE	100 TO < 1,000	03/11/17	213	NFAMONITOR/MITIGATE

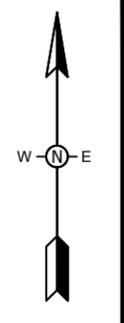
SAMPLE ID	MATRIX RANGE	SV-5	RECOMMENDED ACTION	
1,1,1-TRICHLOROETHANE	100 TO < 1,000	01/03/17	230	NFAMONITOR/MITIGATE

SAMPLE ID	MATRIX RANGE	TRC-SSV-1	RECOMMENDED ACTION	
1,1,1-TRICHLOROETHANE	100 TO < 1,000	2/10/2017	200	NFAMONITOR/MITIGATE

SAMPLE ID	MATRIX RANGE	SV-1	RECOMMENDED ACTION	
VINYL CHLORIDE	60 AND ABOVE	01/03/17	400	MITIGATE

**LEGEND (SYMBOLS NOT TO SCALE):**

- SITE BOUNDARY
- BUILDING FOOTPRINT
- FENCE
- FILL/VENT LINE
- SOIL VAPOR
- SUB-SLAB VAPOR
- SOIL VAPOR SAMPLE LOCATION AND IDENTIFICATION NUMBER (PERFORMED BY D&B)
- SOIL BORING AND SUB-SLAB VAPOR SAMPLE LOCATION AND IDENTIFICATION NUMBER (PERFORMED BY TRC)
- SOIL VAPOR SAMPLE LOCATION AND IDENTIFICATION NUMBER (DEPTH MEASUREMENT) (PERFORMED BY TRC)
- SUSPECT 1,500-GALLON UST
- SUB-BASEMENT/BOILER ROOM



- NOTES:**
- DATA SHOWN IN  $\mu\text{g}/\text{m}^3$  - MICROGRAMS PER CUBIC METER
  - UST - UNDERGROUND STORAGE TANK
  - NFA - NO FURTHER ACTION.
  - MATRIX RANGE IS APPLICABLE SUB-SLAB VAPOR CONCENTRATION RANGE IN THE NEW YORK STATE DEPARTMENT OF HEALTH (NYSDOH) VAPOR INTRUSION MATRICES.
  - RECOMMEND ACTIONS BASED ON NYSDOH VAPOR INTRUSION MATRICES.
  - INDOOR AIR DATA NOT AVAILABLE. INDOOR AIR DATA WOULD BE REQUIRED TO DETERMINE FINAL RECOMMENDED ACTION.
  - RECOMMENDED ACTION IDENTIFIED FOR SOIL VAPOR SAMPLES BASED ON SOIL VAPOR RESULTS BEING REPRESENTATIVE OF SUB-SLAB CONDITIONS IF A BUILDING WAS CONSTRUCTED AT THE SAMPLING LOCATION.

SOURCE:  
 BLOCK AND LOT BOUNDARIES FROM  
 WWW.PROPERTYSHARK.COM

SCALE: 1" = 40'  
 SHEET SIZE: 11" BY 17"

PROJECT: NEW YORK CITY SCHOOL CONSTRUCTION AUTHORITY 836-841 5TH AVENUE AND 471 36TH STREET BLOCK: 693, LOT: 39 & 48 BROOKLYN, NEW YORK 11232	
<b>TITLE:</b> EXCEEDANCES OF NYSDOH VAPOR INTRUSION ACTION LEVELS	
DRAWN BY: H. DELGADO	PROJ NO.: 280794.0000.0000
CHECKED BY: L. O'HARA	<b>FIGURE III-4</b>
APPROVED BY: D. GLASS	
DATE: FEBRUARY 2018	
1430 Broadway 10th Floor New York, NY 10018 Phone: 212.221.7822	
FILE NO.:	Figure III-4 - Exceedances of NYSDOH Vapor Intrusion Action Levels.dwg

**Attachment to  
Section IV  
Property Information**

## **Section IV Property Information**

### **Items 1 and 2 Tax Parcel Information**

The Kings County Tax Map, USGS 7.5 minute quadrangle map (2013-2014), and the property base map area are presented on Figures IV-1, IV-2, and IV-3, respectively.

### **Item 10 Property Description and Environmental Assessment**

#### Location and Site Features

The Site is located in Sunset Park, a mixed-use urban area of Brooklyn, New York, which includes residential, commercial, and industrial areas. The Site consists of two lots (Lot 39 and 48) totaling approximately 19,605 square feet (sf). Lot 39 contains a 2-story vacant building and the area north of the building is primarily asphalt-paved. North of the asphalt-paved area is a wooded area. Lot 48 is vacant, unpaved and there are no structures on the Lot. The Site is bounded to the north and northwest by Greenwood Cemetery's maintenance facility; to the east and northeast by 5th Avenue followed by Greenwood Cemetery; to the south and southeast by 5th Avenue followed by the MTA's Jackie Gleason Bus Depot; to the south and southwest by 36th Street followed by a gasoline station, car wash and commercial offices; and to the west by a three-story residential building with a first floor church occupant. Surrounding property uses are commercial, residential, and institutional.

#### Current Zoning and Land Use

According to the New York City Department of City Planning (NYCDCP) Zoning Map 16B, the Site is zoned for manufacturing use (M1-2) and is improved with a two-story building. The Site is currently vacant.

#### Past Use of the Site

The eastern portion of the Site (Lot 39) was first known to be developed in 1903 with elevated train tracks and an elevated train car repair shop. By 1926, the train car repair shop was demolished and the lot was vacant with the exception of the elevated train tracks (on a platform). The current Site building was constructed in approximately 1953, and used for manufacturing purposes including jewelry fabrication. By 1997, the second floor was utilized as a garment assembly facility and by 1998, the first floor was used as a nightclub. Since at least 2004 through 2017, the building has been used as a church. The paved area is fenced-in and was used for automobile sales and automobile parts scrapping operations until the NYCSCA purchased the Site. The western portion of the Site (Lot 48) was developed with a four-story residential building from at least 1903 until 1951, when it was razed. Since approximately 1999 to 2017, a trailer has been present on the western portion of the lot and the unpaved area has been utilized for storage of automobiles.

#### Site Geology and Hydrogeology

The geological and hydrogeological conditions within the Site were characterized as part of the RI. Geological data were obtained as part of the RI and from historic reports. The geological data indicates the

principal geological units, from top to bottom, are: 1) fill material consisting of reddish brown sand, silt, gravel, and miscellaneous debris (i.e., metal, glass, asphalt, slag, coal ash/ash, concrete, red brick, and wood) from the ground surface to depths ranging from 11.5 feet bgs to 48 feet bgs and 2) reddish brown, dark brown, and light brown fine to medium sand, silt, and fine gravel beneath the fill to the terminal depths of the borings, which ranged up to 70 feet bgs. Bedrock is expected to be at greater than 200 feet bgs. Based on the two rounds of groundwater surface elevation measurements, the apparent predominant direction of groundwater flow in the eastern portion of the Site is towards the northeast.

### Environmental Assessment

A Remedial Investigation (RI) was performed between December 2016 and March 2017 and included advancement of soil borings, installation of temporary and permanent monitoring wells, installation of temporary sub-slab and soil vapor monitoring points, and collection and analysis of soil, groundwater, soil vapor, sub-slab vapor, and ambient air samples.

#### *Soil*

Based on the RI results, the primary contaminants of concern in soil include SVOCs and metals (including hazardous concentrations of leachable lead) as described below.

- Twelve SVOCs were detected in soil at concentrations ranging from marginally to two orders of magnitude above the Restricted-Residential Use SCOs. SVOCs were detected in shallow soil (1 to 3 feet below ground surface [ft bgs]) at three locations and in deeper soil (10 to 12 ft bgs) at one location.
- Four metals (arsenic, copper, lead, and mercury) were detected in soil at concentrations ranging from marginally to less than an order of magnitude above the Restricted-Residential Use SCOs. Metals were detected in shallow soil (1 to 3 ft bgs) at four locations and in deeper soil (10 to 14 ft bgs) at one location.
- Two soil samples collected in the northeast portion of the Site (from 10 to 12 feet bgs and from 12 to 14 feet bgs) were analyzed for lead by the Toxicity Characteristic Leaching Procedure (TCLP) and contained concentrations of leachable lead above the RCRA Regulatory Limit. The extent of soil that exhibits hazardous levels of leachable lead have been delineated to a 16-foot by 35-foot wide area to approximately 18 feet bgs.

#### *Groundwater*

Six VOCs were detected in groundwater at concentrations exceeding the Class GA Values as described below.

- TCA was detected in groundwater in one on-Site monitoring well slightly above the Class GA Value at a maximum concentration of 7.9 micrograms per liter ( $\mu\text{g/L}$ ).
- Chloroform was detected in groundwater in six on-Site monitoring wells and one upgradient off-Site monitoring well above the Class GA Value at a maximum concentration of 25.9  $\mu\text{g/L}$ .
- Cis-1,2-DCE was detected in groundwater in one off-Site crossgradient monitoring well slightly above the Class GA Value at a concentration of 7.9  $\mu\text{g/L}$ .

- Formaldehyde was detected in groundwater in three on-Site monitoring wells and two off-Site upgradient monitoring wells above the Class GA Value at concentrations from 55 to 2,700 µg/L.
- Toluene was detected in groundwater in one on-Site monitoring well marginally above the Class GA Value.
- MTBE was detected in groundwater at two on-Site monitoring wells and one off-Site upgradient monitoring well at one to two orders of magnitude above the Class GA Value.
- In addition, three SVOCs and two metals (in filtered samples) were detected in groundwater at concentrations exceeding the Class GA Values.

#### *Soil Vapor and Sub-Slab Vapor*

Ten soil vapor and two sub-slab vapor samples were collected and analyzed. Soil vapor samples collected during the RI identified the presence of several petroleum- and chlorinated solvent-related VOCs at elevated concentrations. A comparison of concentrations of TCA detected in two soil vapor samples and vinyl chloride in one soil vapor sample to the NYSDOH Vapor Intrusion Matrices indicates the recommended action would be mitigation regardless of indoor air concentrations if the results are representative of sub-slab vapor concentrations. A comparison of concentrations of TCA in one sub-slab vapor and two soil vapor samples and 1,1-dichloroethene in one soil vapor sample to the NYSDOH Vapor Intrusion Matrices indicates no further action, monitoring, or mitigation would be the recommended action, depending on the corresponding indoor air concentrations, if the results are representative of sub-slab vapor concentrations.

#### *Additional Environmental Conditions*

The Site is listed in the NYSDEC PBS tank database (PBS Registration No. 2-258520) for one 1,500-gallon UST with a status of “Closed prior to 03/1991.” The geophysical surveys and investigation of the suspect UST indicated the likely presence of a UST beneath the northeastern portion of the Site building between the partial sub-basement and the northern building façade.

**Block 693 Lot 39 & 48 - Digital Tax Map - New York City Dept. of Finance (8/7/2017)**



Copyright 2017 The City of New York

- Borough Boundary
- Tax Block Boundary
- 50** Tax Block Number
- Tax Lot Boundary
- 50** Tax Lot Number
- Condo FKA Tax Lot Number
- 50.5** Tax Lot Dimension
- +/-5.5** Approximate Tax Lot Dimension
- Condo Units Range Label
- Building Footprint
- C50** Condo Flag/Condo Number
- A50** Air Right Flag/Lot Number
- S50** Subterranean Right Flag/Lot Number
- R** REUC Flag
- Under Water Tax Lot Boundary
- Other Boundary
- Possession Hook
- Misc** Miscellaneous Text
- Small Tax Lot Dimension
- Surface Water

**NOTE:**

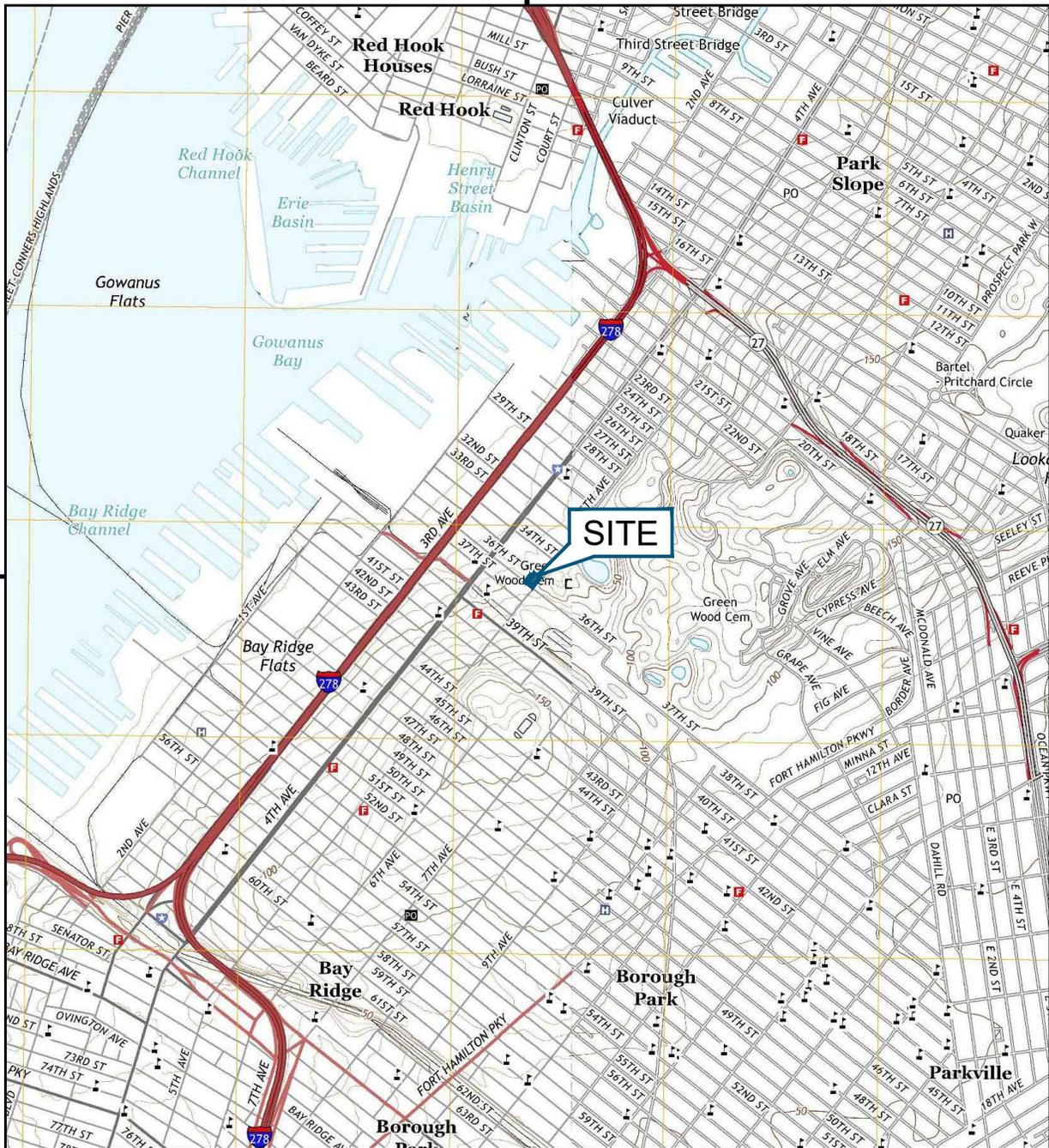
1. THE BOUNDARIES OF THE PROPOSED BROWNFIELD CLEANUP PROGRAM SITE CORRESPOND TO THE TAX MAP BOUNDARIES (BLOCK 693, LOTS 39 AND 41).

8.5x11 - ATTACHED XREFS: - ATTACHED IMAGES: County Tax Map - Block 693, Lot 39 & 48; DRAWING NAME: I:\Projects\NYCSCA Contract C0000143451280794 - K671 36th & 5th Ave Brooklyn BCP/BCP Application\Figures\Figure IV-1 - County Tax Map.dwg -- PLOT DATE: February 13, 2018 - 1:33PM -- LAYOUT: 8.5x11P

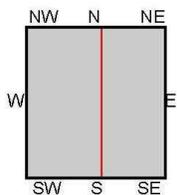
1430 Broadway  
10th Floor  
New York, NY 10018  
Phone: 212.221.7822

PROJECT:	<b>NEW YORK CITY SCHOOL CONSTRUCTION AUTHORITY 836-841 5TH AVENUE AND 471 36TH STREET BLOCK: 693, LOTS: 39 &amp; 48 BROOKLYN, NEW YORK 11232</b>
TITLE:	<b>COUNTY TAX MAP</b>

DRAWN BY:	H. DELGADO
CHECKED BY:	L. O'HARA
APPROVED BY:	D. GLASS
DATE:	FEBRUARY 2018
PROJ. NO.:	280794.0000.0000
FILE:	Figure IV-1 - County Tax Map.dwg
<b>FIGURE IV-1</b>	



This report includes information from the following map sheet(s).



TP, Jersey City, 2014, 7.5-minute  
NE, Brooklyn, 2013, 7.5-minute



SITE NAME: 836 - 841 5th Avenue  
ADDRESS: 836 - 841 5th Avenue and 471 36th Street  
Brooklyn, NY 11232



1430 Broadway  
10th Floor  
New York, NY 10018  
Phone: 212.221.7822

PROJECT: **NEW YORK CITY SCHOOL CONSTRUCTION AUTHORITY**  
**836-841 5TH AVENUE AND 471 36TH STREET**  
**BLOCK: 693, LOTS: 39 & 48**  
**BROOKLYN, NEW YORK 11232**

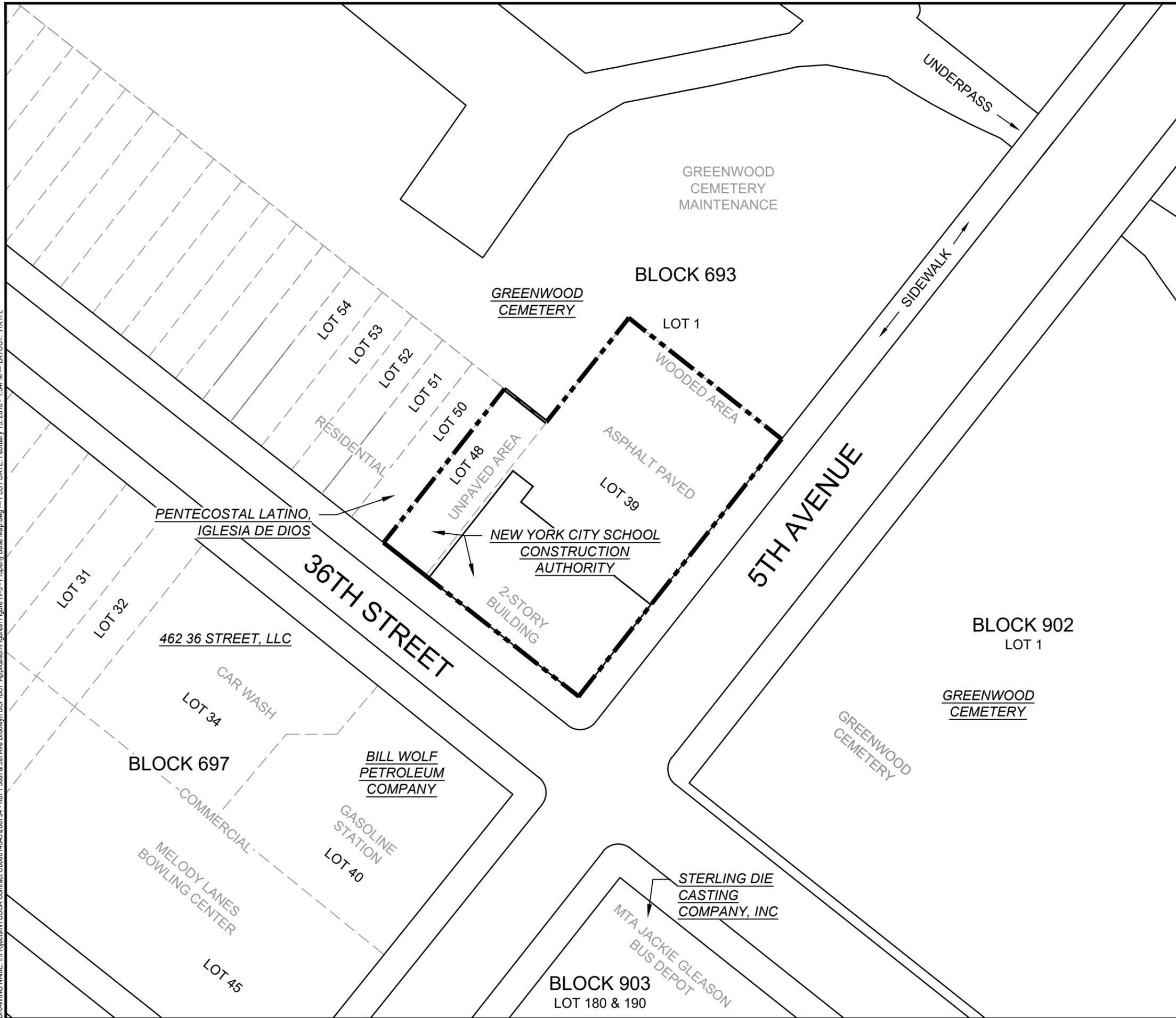
TITLE:

**SITE LOCATION MAP**

DRAWN BY:	H. DELGADO
CHECKED BY:	L. O'HARA
APPROVED BY:	D. GLASS
DATE:	FEBRUARY 2018
PROJ. NO.:	280794.0000.0000
FILE:	Figure IV-2 - Site Location Map.dwg

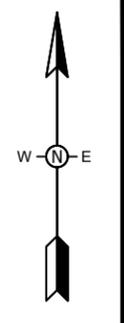
**FIGURE IV-2**

11x17 - ATTACHED REFS: Brooklyn - ATTACHED IMAGES: 836-841 5th Avenue map image  
 DRAWING NAME: I:\Projects\NYCSCA Contract C000014345\280794 - 4671 36th & 5th Ave Brooklyn BCP\BCP Application\Figures\Figure IV-3 - Property Base Map.dwg -- PLOT DATE: February 13, 2018 - 1:34PM -- LAYOUT: 11X17L



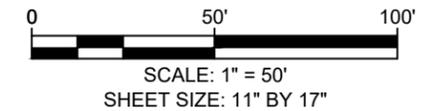
**LEGEND (SYMBOLS NOT TO SCALE):**

- PROPOSED BROWNFIELD PROPERTY BOUNDARY
- PROPERTY OWNER
- NEW YORK CITY SCHOOL CONSTRUCTION AUTHORITY



**NOTE:**

1. BLOCK AND LOT BOUNDARIES FROM WWW.PROPERTYSHARK.COM
2. PROPERTY OWNERSHIP BASED ON NEW YORK CITY DEPARTMENT OF FINANCE, OFFICE OF THE CITY REGISTER ONLINE RECORDS.  
 (<https://a836-acris.nyc.gov/DS/DocumentSearch/Index>)



PROJECT: <b>NEW YORK CITY SCHOOL CONSTRUCTION AUTHORITY</b> 836-841 5TH AVENUE AND 471 36TH STREET BLOCK: 693, LOTS: 39 & 48 BROOKLYN, NEW YORK 11232	
TITLE: <b>PROPERTY BASE MAP</b>	
DRAWN BY: H. DELGADO	PROJ NO.: 280794.0000.0000
CHECKED BY: L. O'HARA	<b>FIGURE IV-3</b>
APPROVED BY: D. GLASS	
DATE: FEBRUARY 2018	
1430 Broadway 10th Floor New York, NY 10018 Phone: 212.221.7822	
FILE NO.:	Figure IV-3 - Property Base Map.dwg

**Attachment to**  
**Section VI**  
**Current Property Owner/Operator Information**

**Section VI Current Property Owner/Operator Information**

The NYCSCA is the current property owner.

Previous property owners for Block 693 Lots 39 and 48 are summarized in the following table:

<b>Previous Property Owner/Operator</b>	<b>Address</b>	<b>Phone Number</b>	<b>Relationship</b>
Schlesinger Realty, Inc. (1999 to 2018) <b>(Owner and Operator)</b>	1612 47th Avenue Brooklyn, New York 11204	Unknown	NYCSCA’s relationship with Schlesinger Realty, Inc. was limited to environmental due diligence and the property transaction.
East Coast Design II Realty (1991 to 1999) <b>(Owner and Operator)</b>	306 West 38th Street, 9th Floor, New York, NY 10018	Unknown	None
De Lizza Realty (1972-1992) <b>(Owner)</b>	840 5th Avenue Brooklyn, NY 11232	Unknown	None

Historic operators listed in historic telephone directories and the year of the listing are provided below; however, there is no other contact information for these operators. The NYCSCA has no relationship with these entities.

<b>Year</b>	<b>Business/Operator Name (Block 693, Lot 39)</b>
1992	De Lizza & Elster Inc. Jewelers
1985	De Lizza & Elster Inc. Jewelers, William Willey
1976	De Lizza & Elster Inc. Jewelers
1973	De Lizza & Elster Inc. Jewelers
1970	De Lizza & Elster Inc. Jewelers
1965	Harold Elster
1960	Mrs. Delores C Daley
1949	Record Drug Delivery Co, Stanley Goncher

<b>Year</b>	<b>Business/Operator Name (Block 693, Lot 48)</b>
1934	Various residential listings (Jas Capra, John Corliss, Chas DiLauro, Harry Fredericks, Jas McCann, Jennie McCann, John McCann, Michael Mulkere, Vincent Quericia, Concetta Ruggiero, Cath Soracchi, Frank Soracchi, Silyio Soracchi)

**Attachment to**  
**Section VII**  
**Requestor Eligibility Information**

## **Section VII Requestor Eligibility Information**

The NYCSCA, a New York State Public Benefit Corporation, recently purchased the Site for construction of a public school facility and is seeking acceptance of the Site into the Brownfield Cleanup Program (BCP) as a Volunteer. During the environmental due diligence period completed prior to acquiring the Site, all environmental data generated by the NYCSCA was transmitted to the previous property owner. Based on the findings of the due diligence reports, the environmental contamination at the Site was determined to be a result of historic activities on the Site with contribution from off-Site sources. The Site is secured with fencing and the ground surface is primarily covered by a building or paving. Groundwater is located 50 feet below ground surface and is not used as a source of potable drinking water in this part of Brooklyn. Prior to taking ownership of the property, pre-existing leases were terminated and the property is currently unoccupied. Therefore, the NYCSCA has exercised appropriate care with respect to the environmental conditions found at the Site and requests Volunteer status.

**Attachment to**  
**Section IX**  
**Contact List Information**

## **Section IX Contact List Information**

The Brownfield Cleanup Program Site Contact List prepared in accordance with DER-23/Citizen Participation Handbook for Remedial Programs is enclosed. In addition, enclosed are copies of an acknowledgement from the local library and Community Board 7 indicating that they agree to act as the document repository for the Site.

**836-841 5th Avenue, Brooklyn, NY 11232**  
**Section IX Contact List Information**

**1. The Chief Executive Officer and Zoning Board Chairperson of Each County, City, Town, and Village in which the Site is Located:**

The Honorable Bill de Blasio  
 Mayor, City of New York  
 City Hall  
 New York, NY 10007

Marisa Lago  
 Chairperson  
 City Planning Commission  
 New York City Department of City Planning  
 22 Reade Street  
 New York, NY 10007

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

<b>Site Property Address</b>	<b>Block-Lot</b>	<b>Owner</b>
836-841 5th Avenue	Block 693, Lot 39	New York City School Construction Authority c/o Lee Guterman 30-30 Thomson Avenue Long Island City, NY 11101
471 36th Street	Block 693, Lot 48	New York City School Construction Authority c/o Lee Guterman 30-30 Thomson Avenue Long Island City, NY 11101
<b>Adjoining Property Address</b>	<b>Block-Lot</b>	<b>Owner/Occupant</b>
901 4th Avenue	Block 693, Lot 1	Greenwood Cemetery – Maintenance Yard 901 4th Avenue Brooklyn, NY 11232
467 36th Street	Block 693, Lot 50	Pentecostal Latino, Iglesia De Dios 467 36th Street Brooklyn, NY 11232

**836-841 5th Avenue, Brooklyn, NY 11232**  
**Section IX Contact List Information**

**2. Cont'd**

<b>Adjacent Property Address</b>	<b>Block-Lot</b>	<b>Owner</b>
500 25th Street	Block 902, Lot 1	Greenwood Cemetery 500 25th Street Brooklyn, NY 11232
871 5th Avenue	Block 903, Lot 180 & 190	NY Transit System (Occupant) Jackie Gleason Bus Depot 871 5th Avenue Brooklyn, NY 11232  Sterling Die Casting Company, Inc. (Owner) 743 39th Street Brooklyn, NY 11232
465 36th Street	Block 693, Lots 51	Colon, Lauro 465 36th Street, Brooklyn, NY 11232
463 36th Street	Block 693, Lot 52	Doyaga, Mark P 463 36th Street Brooklyn, NY 11232
461 36th Street	Block 693, Lot 53	Castro, Nelson 461 36th Street Brooklyn, NY 11232
459 36th Street	Block 693, Lot 54	Saarenas, Iuminada 459 36th Street Brooklyn, NY 11232
842 5th Avenue	Block 697, Lot 40	Bill Wolf Petroleum Company 842 5th Avenue Brooklyn, NY 11232
462 36th Street	Block 697, Lot 34	462 36 Street, LLC 462 36th Street Brooklyn, NY 11232
456 36th Street	Block 697, Lot 32	Sanchez, Valerio 456 36th Street Brooklyn, NY 11232
454 36th Street	Block 697, Lot 31	Hagan, Christina M 454 36th Street Brooklyn, NY 11232
461 37th Street	Block 697, Lot 45	Beshara, Michael 461 37th Street, New York, NY 11232

**836-841 5th Avenue, Brooklyn, NY 11232**  
**Section IX Contact List Information**

**3. Local News Media From Which the Community Typically Obtains Information**

The New York Times  
229 West 43rd Street  
New York, NY 10036

New York Post  
1211 Avenue of the Americas  
New York, NY 10036-8790

New York Daily News  
450 West 33rd Street  
New York, NY 10001

Newsday  
80-02 Kew Gardens Road, 4th Floor  
Kew Gardens, NY 11415-1154

**4. The Public Water Supplier which services the area in which the Site is located**

New York City Department of Environmental Protection  
59-17 Junction Boulevard  
Corona, NY 11368

**5. Any person who has requested to be placed on the site contact list**

None

**6. The administrator of any school or day care facility located on or near the site**

Victoria Antonini  
Principal  
Sunset Park High School  
153 35th Street  
Brooklyn, NY 11232

Joan Antonelli  
Principal  
P.S. 371 Lillian L Rashkis  
355 37th Street  
Brooklyn, NY 11232

Jacqueline Nikovic  
Principal  
P.S. 24  
427 38th Street  
Brooklyn, NY 11232

**836-841 5th Avenue, Brooklyn, NY 11232**  
**Section IX Contact List Information**

**7. The location of document repositories for the project (e.g., local library, community board)**

Brooklyn Public Library  
Sunset Park Library  
5108 4th Ave  
Brooklyn, NY 11220

Brooklyn Community Board 7  
4201 4th Avenue  
Brooklyn, NY 11232

**8. Community Board**

Daniel Murphy  
Chair  
Brooklyn Community Board 7  
4201 4th Avenue  
Brooklyn, NY 11232



August 10, 2017

Jennifer DiPilato  
Project Manager  
TRC Engineers, Inc.  
1430 Broadway, 10<sup>th</sup> Floor  
New York, NY 10018

Subject: Acknowledgment of Agreement to Serve as Document Repository

Dear Jennifer,

This letter is to confirm that Sunset Park Library located at 5108 4<sup>th</sup> Avenue, Brooklyn, NY 11220 agrees to act as the document repository related to the New York State Department of Environmental Protection Brownfield Cleanup Program application for the 836-841 5th Avenue site in Brooklyn, New York.

Regards,

A handwritten signature in blue ink that reads "Roxana Benavides". The signature is written in a cursive style.

Roxana Benavides  
Sunset Park Library

## Raup, Jenna

---

**From:** BK07 (CB) <bk07@cb.nyc.gov>  
**Sent:** Thursday, November 02, 2017 11:53 AM  
**To:** Raup, Jenna  
**Subject:** RE: Request for Use of Brooklyn Community Board 7 as a Document Repository

Dear Ms. Raup-

If an email is sufficient, please accept this as my acknowledgement that Community Board 7/Brooklyn would be happy to house documents related to the brownfield clean up at 836-841 5th and 471 36th Street in order to be available to the public during business hours.

Please let me know if there is anything else you require.

Sincerely,

Jeremy Laufer  
District Manager  
(718) 854-0003

---

**From:** Raup, Jenna [JRaup@trcsolutions.com]  
**Sent:** Thursday, November 02, 2017 11:33 AM  
**To:** BK07 (CB)  
**Subject:** Request for Use of Brooklyn Community Board 7 as a Document Repository

Good morning Mr. Laufer,

TRC Engineers, Inc. (TRC) is preparing a Brownfield Cleanup Program application for the property located at 836-841 5th Avenue and 471 36<sup>th</sup> Street, Brooklyn, New York 11232. In accordance with the Brownfield Cleanup Program application requirements, we must utilize the local Community Board as a document repository for reports generated during the work to be available to the public.

We request a written acknowledgement from you indicating that we can use your Community Board located at 4201 4<sup>th</sup> Avenue, Brooklyn, NY 11232 for this purpose. We estimate that we will generate up to three 3"-thick bound reports/documents.

Please do not hesitate to contact me with any questions or if you require additional information.

Thank you,

Jenna

Jenna Raup  
Project Manager



1430 Broadway, 10<sup>th</sup> Floor, New York, NY 10018  
T: 212.221.7822 x133 | C: 518.275.5005

[LinkedIn](#) | [Twitter](#) | [Blog](#) | [Flickr](#) | [www.trcsolutions.com](http://www.trcsolutions.com)

**Attachment to  
Section X  
Land Use Factors**

## **Section X Land Use Factors**

### **Item 2 – Current Business Operations and Uses**

The Site has been vacant since February 2018 and consists of a two-story building constructed in 1953 with a basement. The Site building was historically used for manufacturing purposes including jewelry fabrication (since approximately 1953 to 1997) and a garment assembly facility on the second floor (circa 1998). Additionally, the Site building was occupied by a nightclub on the first floor (circa 1998) and a church (from at least 2004 through 2017). The fenced-in paved area north of the Site building was used for automobile sales and automobile parts scrapping operations since at least 2000 until the NYCSCA purchased the Site in February 2018.

Prior to construction of the Site building in 1953, the eastern portion of the Site (Lot 39) was improved with elevated train tracks and an elevated train car repair shop (circa 1903); and by 1926, the train car repair shop was demolished and the lot was vacant with the exception of the elevated train tracks (on a platform).

Additionally, the western portion of the Site (Lot 48) was developed with a four-story residential building from at least 1903 until 1951, when it was razed; and since approximately 1999 through February 16, 2018, a trailer had been present on the western portion of the lot and the unpaved area was utilized for storage of automobiles (also removed in February 2018).

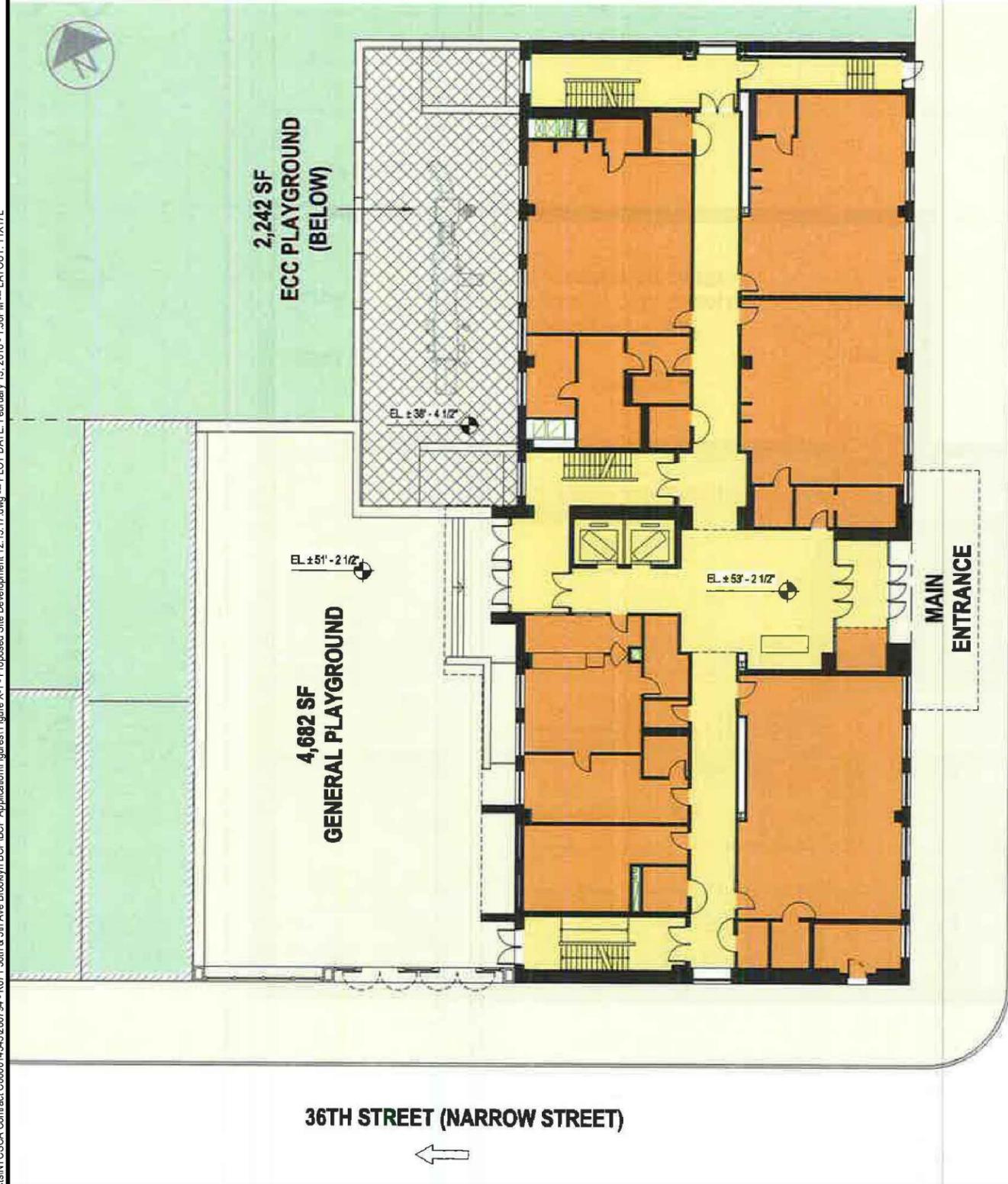
Refer to Section VI for the names of historic owners and operators.

### **Item 3 – Anticipated Use Post Remediation**

The proposed use of the Site includes a primary school and playground. The conceptual design includes a four-story school building with a partial cellar that encompasses approximately 13,600 sf of the Site and extends the length of Lot 39 from north to south. A playground of approximately 6,000 sf is proposed west of the building (on Lot 48 and a portion of Lot 39).

The conceptual layout is presented on Figure X-1.

1x17 - ATTACHED IMAGES: Page 12 - 4671 A&E Meeting Handout 12-12-17;  
 DRAWING NAME: I:\Projects\NYSCSA Contract C000014345\280794 - 4671 38th & 5th Ave Brooklyn BCP\BCP Application\Figures\Figure X-1 - Proposed Site Development 12.15.17.dwg -- PLOT DATE: February 13, 2018 - 1:38PM -- LAYOUT: 11X17L



5TH AVENUE (WIDE STREET)

CAPACITY : 404		
OPTION A12 - GYMATORIUM		
	PROGRAMMED AREA	GFA
ROOF	0	2659
4TH FLOOR	7223	11272
3RD FLOOR	7190	11506
2ND FLOOR	7200	11506
1ST FLOOR	7417	11600
CELLAR	8968	11834
<b>TOTAL</b>	<b>37998</b>	<b>60377</b>
<b>EFFICIENCY</b>		<b>62.9%</b>

- NOTE:**
- ON GRADE PLAYGROUND AREA = 6,924 SF.
  - TOTAL PROGRAMMED AREA PER POR (404) = 35,405 NSF (62% GROSS)
  - TOTAL GROSS AREA PER POR (404) = 57,105 GFA
  - TOTAL REQ'D PLAY AREA PER POR (404) =  
 GP + ECC = 3,450 SF + 3,000 SF = 6,450 SF

SOURCE:  
 NYCSCA CONCEPTUAL PLAN (OPTION A)  
 FOR PUBLIC SCHOOL PS671K, PREPARED BY  
 GRAVES-MMA JV ARCHITECTS, PLLC,  
 DECEMBER 12, 2017.

PROJECT: NEW YORK CITY SCHOOL CONSTRUCTION AUTHORITY 836-841 5TH AVENUE AND 471 36TH STREET BLOCK: 693, LOTS: 39 & 48 BROOKLYN, NEW YORK 11232	
TITLE: <b>PROPOSED SITE DEVELOPMENT</b>	
DRAWN BY: H. DELGADO CHECKED BY: L. O'HARA APPROVED BY: D. GLASS DATE: FEBRUARY 2018	PROJ NO.: 280794 <b>FIGURE X-1</b>
FILE NO.: Figure X-1 - Proposed Site Development 12.15.17.dwg	



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