



New York State Department of Environmental Conservation

## **Brownfield Cleanup Program**

### **Citizen Participation Plan for Greater Waterside Site**

700-708 First Avenue  
New York, New York 10017

April 6, 2011

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

Applicants: **East River Realty Company, LLC and TRC Companies, Inc.**  
Site Name: **Greater Waterside Site (“Site”)**  
Site Address: **700-708 First Avenue, New York, New York 10016**  
Site County: **Manhattan**  
Site Number: **C231013**

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

New York’s Brownfield Cleanup Program (BCP) is designed to encourage the private sector to investigate, remediate (clean up) and redevelop brownfields. A brownfield is any real property where redevelopment or reuse may be complicated by the presence or potential presence of a contaminant. A brownfield typically is a former industrial or commercial property where operations may have resulted in environmental contamination. A brownfield can pose environmental, legal and financial burdens on a community. If the brownfield is not addressed, it can reduce property values in the area and affect economic development of nearby properties.

The BCP is administered by the New York State Department of Environmental Conservation (NYSDEC) which oversees Applicants that conduct brownfield site remedial activities.<sup>1</sup> An Applicant is a person whose request to participate in the BCP has been accepted by NYSDEC. The BCP contains investigation and remediation (cleanup) requirements, ensuring that cleanups protect public health and the environment. When NYSDEC certifies that these requirements have been met, the property can be reused or redeveloped for the intended use.

For more information about the BCP, go online at: [www.dec.ny.gov/chemical/8450.html](http://www.dec.ny.gov/chemical/8450.html) .

## **2. Citizen Participation Plan Overview**

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

**Appendix A** contains a map identifying the location of the Site.

### *Project Contacts*

**Appendix B** identifies NYSDEC project contact(s) to whom the public should address questions or request information about the site’s remedial program. The public’s suggestions about this CP

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<sup>1</sup> “Remedial activities”, “remedial action”, and “remediation” are defined as all activities or actions undertaken to eliminate, remove, treat, abate, control, manage, or monitor contaminants at or coming from a brownfield site.

Plan and the CP program for the site are always welcome. Interested people are encouraged to share their ideas and suggestions with the project contacts at any time.

### *Document Repositories*

The locations of the site's document repositories also are identified in **Appendix B**. The document repositories provide convenient access to important project documents for public review and comment.

### *Site Contact List*

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

The brownfield site contact list includes, at a minimum:

- X Chief executive officer and official(s) principally involved with relevant zoning and planning matters of each county, city, town and village in which the Site is located;
- X Residents, owners, and occupants of the Site and properties adjacent to the site;
- X The public water supplier which services the area in which the Site is located;
- X Any person who has requested to be placed on the site contact list;
- X The administrator of any school or day care facility located on or near the Site for purposes of posting and/or dissemination of information at the facility;
- X Document repositories.

Where the Site or adjacent real property contains multiple dwelling units, the Applicant will work with NYSDEC to develop an alternative method for providing such notice in lieu of mailing to each individual. For example, the owner of such a property that contains multiple dwellings may be requested to prominently display fact sheets and notices required to be developed during the site's remedial process. This procedure would substitute for the mailing of such notices and fact sheets, especially at locations where renters, tenants and other residents may number in the hundreds or thousands, making the mailing of such notices impractical.

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

## *CP Activities*

**Appendix D** identifies the CP activities, at a minimum, that have been and will be conducted during the site's remedial program. The flowchart in **Appendix E** shows how these CP activities integrate with the site remedial process. The public is informed about these CP activities through fact sheets and notices developed at significant points in the site's remedial process.

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

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

This CP Plan may be revised due to changes in major issues of public concern identified in Section 6 or in the nature and scope of remedial activities. Modifications may include additions to the brownfield site contact list and changes in planned citizen participation activities.

### **3. Site Information**

#### 700 First Avenue

##### *Site Description*

The Site covers approximately 5.4 acres in Midtown Manhattan, and is bordered to the north by a vacant lot which was site of Con Edison's former 708 First Avenue Office Building and associated Switch House, Frequency House, and Club House buildings; the Franklin D. Roosevelt Drive (FDR) and Marginal Street to the east; East 38<sup>th</sup> Street to the south; and First Avenue to the west. The tax map identification for the subject Site is Block 970, Lot 1. The street address is 700 First Avenue. **Waterside Generating Station No. 1 (Waterside 1) was located to the south of East 39<sup>th</sup> Street, and Waterside Generating Station No. 2 (Waterside 2) was located to the north of East 39<sup>th</sup> Street. The East 39<sup>th</sup> and East 40<sup>th</sup> Street Areas to the east of First Avenue are also part of the site and are within the confines of the Site, are nonpublic and were used only by Con Edison**

The area around this portion of the Site contains a mixture of commercial, residential, and industrial establishments. High-rise residential buildings and a vacant parking lot formerly owned by Con Edison are located to the west of the Site. A Con Edison office building and associated structures formerly occupied the northern portion of the property. These buildings and structures to the north of the Site were removed by TRC Engineers, Inc. as part of the

Voluntary Cleanup Program (VCP) activities for Site Number V-00429-2. Robert Moses Park and a New York City Tunnel Authority Ventilation Building are located on the block north of the site. An apartment building, a hospital annex and retail stores, located on the south side of East 38<sup>th</sup> Street, occupy the block immediately to the south. A dock along the East River currently owned by the city is located on the east side of the FDR Drive. The East River is the closest water body and is located approximately 158 feet east of the subject Site.

### *Site History*

Historic Sanborn Maps show that the property originally extended to the historical banks of the East River. Construction of the FDR Drive and Marginal Street added fill beyond the former eastern side of the property changing the area to its current dimensions. Waterside 1 was originally a coal yard and a wood mill in 1890. By 1899 it was a storage yard for the Edison Electric Light Company (a predecessor company of Con Edison). The Waterside 2 portion of the property was occupied by a manufactured gas plant (MGP) until circa 1910. MGP-related structures were present on the area of the Site currently occupied by Waterside 2 and included two aboveground gas holders, a retort house, a purifying house with a lime shed holder, a condenser house, a carbureting house, two carbureting tanks and two underground naphtha tanks.

By 1910, the former MGP structures on the property had been demolished, and Waterside 1 and 2 had been built. Construction drawings for Waterside 1 indicate that bedrock and any overlying soil were excavated for construction of that building. Since the basement elevation of Waterside 2 was similar to Waterside 1, it is likely that construction of Waterside Station 2 also required excavation of bedrock and any overlying soil. The operator of the Waterside Stations was the New York Edison Company (a Con Edison predecessor company). Coal hoists at the east end of the property indicated that the stations were powered by coal. The 1950 Historic Sanborn Map shows the operator of the property to be Consolidated Edison Company of New York and depicted a dock area along the East River, located on the east side of the FDR Drive that served the Waterside Generating Stations. Interviews with Con Edison representatives as part of a previous Phase I Environmental Site Assessment (Phase I ESA) indicated that this dock was primarily used for coal deliveries, and later fuel oil deliveries. Structures associated with the dock included conveyors between the dock and the Waterside Generating Stations, ash bins and an ash bunker, steam and coal towers, and a substation building. The 1980 Historic Sanborn Map shows no structures on the dock and no coal conveyors between the dock and the Waterside Stations.

The on-site structures were used for the generation of steam and electricity for off-site distribution to Con Edison customers. The Waterside Generation Station used municipal water as feed water for its four high-pressure boilers, which required the demineralization of the water in two water treatment plants located in Waterside 1. Wastewater from the boilers was treated at an on-site waste neutralization system located in Waterside 2, then discharged to the East River via the discharge tunnel under the SPDES Permit 0005207.

### *Environmental History*

The following provides a list of reports that summarize the prior environmental investigation activities conducted at the property, which have been previously provided to NYSDEC in accordance with the Voluntary Cleanup Program (VCP), and referenced in the BCP application submitted by Applicant:

*Phase I Environmental Site Assessment, Waterside Generating Station, 700 First Avenue Property, Foster Wheeler, January 2000.*

*Phase II Environmental Site Assessment, Waterside No. 1 & No. 2 Generating Stations and 708 First Avenue Properties, Foster Wheeler, March 2000.*

*Supplemental Soil Investigation Work Plan, First Avenue Properties, New York, New York, TRC, February 2001.*

*Supplemental Soil Investigation Final Report and Remediation Work Plan, Waterside Generating Station, 700 First Avenue, New York, New York, TRC, February 2003. (Approved March 3, 2004).*

*First Avenue Vaults Supplemental Investigation Addendum Final Report and IRM Work Plan, Waterside Generating Station, 700 First Avenue, New York, New York, TRC, November 2003. (Approved February 2, 2004).*

Additional environmental reports include:

*Final Report for First Avenue Vaults IRM Work Plan, October 18, 2004.*

*Closure Plan – Con Edison Fuel Pipelines 5 and 6 – 616 and 700 First Avenue, ELM, November 12, 2004.*

*Closure of Intake and Discharge Tunnels, June 2005.*

*Closure of Con Edison Fuel Pipelines 5 and 6 – 616 and 700 First Avenue, ELM, January 31, 2008.*

*Final Report for Waterside Generating Station Remediation Work Plan, April 4, 2008.*

*Site Management Plan, April 4, 2008.*

*Closure of Tunnel System, May 27, 2008.*

*2009 Periodic Review Report, June 4, 2009.*

Copies of these reports can be found at the following document repositories for this Site: NYSDEC's Albany Office, 625 Broadway, Albany, New York 12233, and New York City Public Library, Kips Bay Branch, 446 Third Avenue, New York, NY 10016.

The soil remediation completed at the property has addressed all site areas of concern (AOCs) related to soil. Post-excavation end point sampling results were all obtained just below development depth and indicate no significant risk for future site workers, residents or to the public.

The results also indicate that all potential sources of groundwater contamination have been removed from the Site. The remediation phase groundwater monitoring completed at the property has addressed all groundwater AOCs. Groundwater contaminant compounds are present at such low concentrations that, since all areas have been remediated, residual levels of groundwater contamination will attenuate over time and groundwater remediation is not warranted. The sample results indicate no significant groundwater risk for future site workers, residents or the public. No further remediation or monitoring of groundwater at the Site is required. An environmental easement will be granted, requiring that any groundwater that is removed from the property must be properly treated for disposal purposes. The environmental easement will also impose groundwater use restrictions. Additionally, property-wide groundwater results for VOCs since 2000 indicate no potential for soil vapor impact.

The remediation completed by TRC at the property resulted in the elimination of all conditions related to open NYSDEC spill numbers, which have been closed by NYSDEC. There are no current open NYSDEC spill numbers for the property.

The soil remediation and groundwater monitoring activities at this portion of the Site are complete and the remedial objectives have been met. The property meets the NYSDEC requirements for unrestricted development to the development depth without deed restrictions, institutional or engineering controls or further consents, approvals or authorizations. The property is in the condition to be improved to the development depth, including installation of pilings to the top of bedrock or caissons and dewatering as necessary, without the need for special (*i.e.*, over and above those which would be required for a site having no pollution conditions) worker health and safety protection obligations above the development depth.

### 708 First Avenue

#### *Site Description*

This portion of the site covers approximately 2 acres in Midtown Manhattan, and is bordered to the north by East 41<sup>st</sup> Street, the Franklin D. Roosevelt (FDR) Drive and Marginal Street to the east, the former Waterside Generating Station property to the south, and First Avenue to the west. A portion of the Queens Midtown Tunnel passes beneath the western portion of the property.

The area around the property contains a mixture of commercial, residential, and industrial establishments. The tax map identification for this property is Block 970, Lot 2. The street address is 708 First Avenue.

## *Site History*

Sanborn maps show that the property originally extended to the East River until the FDR Drive and Marginal Street were built on the eastern side of the property, reducing the property to its current dimensions. The property was initially operated as a manufactured gas plant (MGP) until circa 1920. The former MGP facility on the property included five aboveground gas holders, two coal houses, two underground naphtha tanks, which were subsequently replaced by two underground oil tanks, and an iron building. By 1923, the former MGP structures on the property had been demolished and excavation for construction of Con Edison's 10-story Office Building had begun. Construction of this building required lowering of the grade to below the bedrock surface for much of the building footprint, with unconsolidated soil and fill material remaining on only the eastern one third of the property. Other Con Edison structures on the property were built between 1921 and 1928, and included the Switch House, the Locker Room Building, and the Frequency House. The Office Building was primarily used for vehicle parking and loading of goods and equipment on floors one through three, and as office space for the remaining floors. The Switch House and Frequency House were retired in the 1980s and were used for maintenance shops and the storage of inactive, electrical equipment. Previously, these buildings had been utilized for the distribution of electricity to the New York City subway stations. The Locker Room Building was utilized as locker rooms for employees, but was used as an instrumental/control shop for calibration of equipment and meters in the 1970s.

## *Environmental History*

The following provides a list of reports that summarize the prior environmental investigation activities conducted at the property, which have been previously provided to NYSDEC in accordance with the VCP, and referenced in the BCP application submitted by Applicant:

*Phase I Environmental Site Assessment*, 708 First Avenue Property, Foster Wheeler, December 1998.

*Phase II Environmental Site Assessment*, Waterside No. 1 & No. 2 Generating Stations and 708 First Avenue Properties, Foster Wheeler, March 2000.

*Supplemental Soil Investigation Work Plan*, First Avenue Properties, New York, New York, TRC, February 2001.

*Supplemental Soil Investigation Final Report and Remediation Work Plan*, 708 Office Building Property, 708 First Avenue, New York, New York, TRC, June 2002. (Approved June 5, 2002).

Additional environmental reports include:

*Final Report for 708 Office Building Remediation Work Plan*, April 21, 2006.

*Operations, Maintenance & Monitoring (OM&M) Work Plan*, January 26, 2006.

*Site Management Plan, October 2007.*

*2009 Periodic Review Report, May 12, 2009.*

Copies of these reports can be found at the following document repositories for this Site: NYSDEC's Albany Office, 625 Broadway, Albany, New York 12233, and New York City Public Library, Kips Bay Branch, 446 Third Avenue, New York, NY 10016.

The remediation completed at the Site, as reported in the Final Report, resulted in the removal of all soil above bedrock or the groundwater table (development depth). The Site was partially backfilled above development depth with clean sand meeting TAGM 4046 requirements and clean crushed stone. The constituents of potential concern (COPCs) for soil remaining at the Site below development depth consist primarily of metals and polycyclic aromatic hydrocarbons (PAHs). Results of groundwater sampling indicate that constituents in the soil below development depth have not significantly impacted groundwater quality. However, bedrock and overburden groundwater at the Site contains several volatile organic compounds (VOCs), each at concentrations slightly above NYSDEC Technical and Operational Guidance Series (TOGS) Ambient Water Quality Standards.

The following remedial activities were completed at 708 First Avenue to ready that portion of the Site for the contemplated use:

- Asbestos abatement, decommissioning and demolition of all buildings and subsurface structures to development depth;
- Removal of nine (9) petroleum Underground Storage Tanks (USTs);
- Excavation and disposal of petroleum - impacted soil;
- Excavation and disposal of all soil above development depth;
- Excavation of VOC – contaminated soil at a depth of 25 to 39 feet below grade surface at the UST area, and backfilling the excavation with suitable onsite soils and imported clean backfill;
- Application of Oxygen Release Compound (ORC<sup>®</sup>) within the deep UST excavation area to treat residual VOC contamination in groundwater;
- Evaluation of groundwater conditions within the bedrock and shallow aquifer by installation and sampling of two bedrock monitoring wells and three shallow aquifer monitoring wells for VOCs and naphthalene;
- Performing a post-remediation soil-gas survey;

- Close-out of all open NYSDEC spill numbers for previously-reported onsite impacts; and
- Two feet of compacted clean soil meeting TAGM 4046.

As per the NYSDEC letter dated February 21, 2007 approving site remediation and the Final Report, the 708 First Avenue portion of the Site meets the NYSDEC requirements for unrestricted development to the development depth.

#### **4. Remedial Process**

**Note:** See **Appendix E** for a flowchart of the brownfield site remedial process.

##### *Application*

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

The Applicants in their Application propose that the Site will be used for unrestricted development above development depth for residential and commercial uses.

To achieve this goal, the Applicants have conducted remedial activities at the Site with oversight provided by NYSDEC. The Brownfield Cleanup Agreement executed by NYSDEC and the Applicant sets forth the responsibilities of each party in conducting a remedial program at the site.

##### *Investigation*

The Applicants conducted a remedial investigation (RI) of the Site, that was performed with NYSDEC oversight. The Applicants developed a remedial investigation workplan, which was subject to public comment. The goals of the investigation were as follows:

- 1) Define the nature and extent of contamination in soil, surface water, groundwater and any other impacted media;
- 2) Identify the source(s) of the contamination;
- 3) Assess the impact of the contamination on public health and/or the environment; and

4) Provide information to support the development of a Remedial Work Plan to address the contamination, or to support a conclusion that the contamination does not need to be addressed.

The Applicants prepared an RI Report after completion of the RI. This report summarizes the results of the RI and included the Applicants' recommendation of remediation to address site-related contamination. The RI Report was subject to review and approval by NYSDEC. Before the RI Report was approved, a fact sheet that described the RI Report was sent to the Site's contact list.

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

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

For more information about the TAG Program and the availability of TAGs, go online at: [www.dec.ny.gov/regulations/2590.html](http://www.dec.ny.gov/regulations/2590.html) .

#### *Remedy Selection*

After NYSDEC approved the RI Report, the Applicants developed a Remedial Work Plan that described how the Applicants would address the contamination related to the Site.

The public had the opportunity to review and comment on the draft Remedial Work Plan. The site contact list was sent a fact sheet describing the draft Remedial Work Plan and announcing a 45-day public comment period. NYSDEC factored this input into its decision to approve the draft Remedial Work Plan.

Public meetings hosted by Manhattan Community Board 6 were held at various stages of remedial planning and implementation. No further public meetings are planned in connection with this project.

#### *Construction*

Approval of the Remedial Work Plan by NYSDEC allowed the Applicants to design and construct the alternative selected to remediate the Site. The site contact list received notification before the start of site remediation. When the Applicants completed remedial activities, a Final Engineering Report (FER) was prepared that certifies that remediation requirements have been achieved. NYSDEC reviewed the report and determined that the remediation is protective of public health and the environment for the intended use of the Site. An amended FER will be

prepared that satisfies certain supplemental brownfield cleanup program requirements. The site contact list will receive a fact sheet that announces the completion of review of the amended FER.

### *Certificate of Completion and Site Management*

Once NYSDEC approves the amended FER, it will issue the Applicants a Certificate of Completion (COC). This COC states that remediation goals have been achieved, and relieves the Applicants from future remedial liability, subject to statutory conditions. The COC also includes a description of any institutional and engineering controls or monitoring required by the approved remedial work plan. If the Applicants use institutional controls or engineering controls to achieve remedial objectives, the site contact list will receive a fact sheet that discusses such controls.

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

An engineering control is a physical barrier or method to manage contamination, such as a cap or vapor barrier.

Site management will be conducted by the Applicants as required. NYSDEC will provide appropriate oversight. Site management involves the institutional and engineering controls required for the brownfield site. Examples include: maintenance of a cap or cover.

## **5. Citizen Participation Activities**

CP activities that have already occurred and are planned during the final remedial documentation of the site under the BCP are identified in Appendix D: Identification of Citizen Participation Activities. These activities also are identified in the flowchart of the BCP process in Appendix E. NYSDEC will ensure that these CP activities are conducted, with appropriate assistance from the Applicants.

All CP activities are conducted to provide the public with significant information about site findings and planned remedial activities, and some activities announce comment periods and request public input about important draft documents such as the Remedial Work Plan.

All written materials developed for the public will be reviewed and approved by NYSDEC for clarity and accuracy before they are distributed. Notices and fact sheets can be combined at the discretion, and with the approval of, NYSDEC.

## **6. Major Issues of Public Concern**

This section of the CP Plan identifies major issues of public concern, if any, that relate to the Site.

Based on the results of several previous environmental investigations and remedial activities, there are no remaining contamination issues of public concern at the Site. The Site is not near any public water supply or private water wells and future development and remediation will not create any restrictions on community activities or health concerns.

It should be noted that during the proposed redevelopment activities, contaminants known to be present in the soils, especially VOCs, SVOCs and metals may become airborne and pose potential health risks to on-site workers and occupants on adjacent properties. However, a NYSDEC Community Air Monitoring Program (CAMP) is in place for the proposed development activities and will be followed to safeguard the workers and other occupants against any potential exposures.

## **Appendix A – Site Location Map**

## **Appendix B – Project Contacts and Document Repositories**

### **Project Contacts**

For information about the site’s remedial program, the public may contact any of the following project staff:

#### **New York State Department of Environmental Conservation (NYSDEC):**

##### **Ronnie Lee**

Project Manager  
Remedial Bureau B  
Division of Environmental Remediation  
625 Broadway, 12<sup>th</sup> Floor  
Albany, New York 12233  
(518) 402-9768

#### **New York State Department of Health (NYSDOH):**

##### **Dawn Hettrick**

Project Manager  
NYSDOH  
New York State Department of Health  
Center for Environmental Health  
Bureau of Environmental Exposure Investigation  
547 River Street, Rm. 300  
Troy, NY 12180-2216  
(518) 402-7880

### **Document Repositories**

The document repositories identified below have been established to provide the public with convenient access to important project documents:

#### **New York City Public Library**

Kips Bay Branch, 446 Third Avenue  
New York, NY 10016  
Attn: Phyllis Hoffmann  
Phone: (212) 683-2520  
Hours: Mon: 11 AM to 6 PM  
Tue: 12 PM to 7 PM  
Wed: 11 AM to 6 PM  
Thu: 12 PM to 7 PM  
Fri: 10 AM to 5 PM  
Sat: 10 AM to 5 PM  
Sun: Closed

#### **Manhattan Community Board 6**

866 UN Plaza, Suite 308  
New York, NY 10017  
Attn: Toni Carlina  
Phone: (212) 319-3750  
Hours: Mon – Fri: 9:30 AM to 4:30 PM  
Sat/ Sun: Closed

## Appendix C – Brownfield Site Contact List

<u>NAME</u>	<u>ADDRESS</u>	<u>PROJECT ROLE</u>
Roger Pennifill	AIG Consultants, Inc. 175 Water Street, 12 <sup>th</sup> Fl. New York, NY 10038	
Gary Lutz	Chartis Environmental 777 South Figueroa St, 18th Fl. Los Angeles, CA 90017	
Candida Canizio, Director of Real Estate	Consolidated Edison Co. of NY, Inc. 4 Irving Place New York, NY 10003	Former land owner
Gregg Slintak, Sr. Industrial Hygienist	Consolidated Edison Co. of NY, Inc. 4 Irving Place New York, NY 10003	Former land owner
Glenn Katz	Consolidated Edison Co. of NY, Inc. 31-01 20 <sup>th</sup> Ave, Bldg. #138 Long Island City, NY 11105	Former land owner
David Rubin	Consolidated Edison Co. of NY, Inc. 31-01 20 <sup>th</sup> Ave, Bldg. #138 Long Island City, NY 11105	Former land owner
Dick King	Consolidated Edison Co. of NY, Inc. 4 Irving Place New York, NY 10003	Former land owner
Randolph Price, VP Env, Health & Safety	Consolidated Edison Co. of NY, Inc. 4 Irving Place, Rm. 802 New York, NY 10003-3598	Former land owner
Ron Bronzino	Consolidated Edison Co. of NY, Inc. 4 Irving Place New York, NY 10003	Former land owner
Philip Sheehan	Consolidated Edison Co. of NY, Inc. 4 Irving Place New York, NY 10003	Former land owner
Chanoch Lubling	Consolidated Edison Co. of NY, Inc. 4 Irving Place, Room 1815-S New York, NY 10003	Former land owner
Mary Krayseske	Consolidated Edison Co. of NY, Inc. 4 Irving Place, Room 1815-S New York, NY 10003	Former land owner
Alan M.Berman	LeBoeuf, Lamb, Greene & MacRae, LLP 125 West 55 <sup>th</sup> Street New York, NY 10019	Legal counsel to Con Edison, former land owner

<u>NAME</u>	<u>ADDRESS</u>	<u>PROJECT ROLE</u>
Andrew Davis	LeBoeuf, Lamb, Greene & MacRae, LLP 225 Asylum Street Hartford, CT 06103	Legal counsel to Con Edison, former land owner
Robert J. Cozzy, Environmental Engineer	NY State Dept. of Environmental Conservation 625 Broadway Albany, NY 12233-7010	Project Manager Supervisor
Ronnie Lee, Project Manager	NY State Dept. of Environmental Conservation 625 Broadway, 12 <sup>th</sup> Floor Albany, NY 12233-7016	Project Manager & Primary Contact
Jane O'Connell	NY State Dept. of Environmental Conservation 1 Hunter's Point Plaza 47-40 21 <sup>st</sup> Street Long Island City, NY 11101-5407	NYSDEC Region II – Primary Contact
Benjamin Conlon, Office of General Counsel	NY State Dept. of Environmental Conservation 625 Broadway Albany, NY 12233-7016	
Harold Evans, Chief, Bureau of Public Outreach, Div. of Environmental Remediation	NY State Dept. of Environmental Conservation 625 Broadway Albany, NY 12233-7016	
Suzanne Mattei, Regional Director	NY State Dept. of Environmental Conservation 1 Hunter's Point Plaza, 47-40 21 <sup>st</sup> Street Long Island City, NY 11101-5407	
William Gilday	State of NY Department of Health 547 River Street Troy, NY 12180-2216	
Dawn Hettrick, Project Manager	State of NY Department of Health Flanigan Square, Rm. 300 547 River Street Troy, NY 12180-2216	
Hon. Caswell Holloway, Commissioner	NYC Dept. of Environmental Protection 59-17 Junction Boulevard Flushing, NY 11373	
John Wuthenow, Office of Environmental Planning & Assessment	NYC Dept. of Environmental Protection 96-05 Horace Harding Expressway Flushing, NY 11373	
Hon. Amanda Burden, Commissioner	NYC Dept. of City Planning 22 Reade Street New York, NY 10007	

<u>NAME</u>	<u>ADDRESS</u>	<u>PROJECT ROLE</u>
Dr. Robert Kulikowski, Director	NYC Office of Environmental Coordination 253 Broadway – 14 <sup>th</sup> Floor New York, NY 10007	
Norman Goodman, County Clerk	Manhattan County Clerk's Office 60 Centre Street, Room 161 New York, NY 10007	
Marjorie B. Tiven, Commissioner	NYC Commission for the United Nations 2 United Nations Plz # 27 New York, NY 10017	
	United Nations Department of Public Information Office of the Spokesman for the Secretary General 760 United Nations Plaza New York, NY 10017	
Peter Zimmermann, Project Director	ELM Inc. 250 West 57 <sup>th</sup> St, Ste. 2421 New York, NY 10107	Construction Management for Developer/Volunteer
Sheldon Solow	East River Realty Development LLC 9 West 57 <sup>th</sup> Street, 45 <sup>th</sup> Fl. New York, NY 10019	Developer/Volunteer
Daniel Riesel	Sive, Paget & Riesel, P.C. 460 Park Avenue New York, NY 10022	Legal Counsel to ERRC, Developer/Volunteer
Christine Leas	Sive, Paget & Riesel, P.C. 460 Park Avenue New York, NY 10022	Legal Counsel to ERRC, Developer/Volunteer
John Claussen, President	TRC Companies, Inc. 5 Waterside Crossing Windsor, CT 06095	Volunteer / Remediation Contractor; Corporate Sponsor
Edward Malley, Vice President	TRC Environmental Corp. 1430 Broadway, 10 <sup>th</sup> Fl. New York, NY 10018	Volunteer / Remediation Contractor; Project Manager
Martin Dodd, Sr. Vice President. Corporate Counsel	TRC Companies, Inc. 5 Waterside Crossing Windsor, CT 06095	Volunteer / Remediation Contractor
Jackie McKeever, Administrative Support	TRC Environmental Corp. 1200 Wall St West, 2nd Fl. Lyndhurst, NJ 07071	Volunteer / Remediation Contractor
Robert Kafin	Proskauer Rose LLP 1585 Broadway New York, NY 10036-8299	Outside Counsel - TRC

<u>NAME</u>	<u>ADDRESS</u>	<u>PROJECT ROLE</u>
Gail Port	Proskauer Rose LLP 1585 Broadway New York, NY 10036-8299	Outside Counsel – TRC
Richard Dewling, President	Dewling Associates, Inc. 1605 Vauxhall Road Union, NJ 07083	Mediator
Thomas Maher	Dvirka and Bartilucci 330 Crossways Park Drive Woodbury, NY 11797-2015	Construction Contractor to ERRC
Kevin Lang	Department of Public Service Three Empire State Plaza Albany, NY 12223-1350	
Gil Quinones	New York Power Authority Chief Operating Officer 123 Main Street White Plains, NY 10601	
Edan G. Unterman	East Midtown Coalition for Sensible Development 527 Third Avenue - #139 New York, NY 10016	
Scott Stringer	Manhattan Borough President Attn: Brian Cook Director Land Use Housing and Development One Centre Street, 19 <sup>th</sup> Fl. S. New York, NY 10008	
Daniel R. Garodnick, New York City Council Member	4 <sup>th</sup> District 211 East 43 <sup>rd</sup> Street Suite 2004 New York, NY 10017	
Jonathan Bing, Assemblyman - 73 <sup>rd</sup> District	360 East 57 <sup>th</sup> Street Mezzanine Level New York, NY 10022	
Hon. Brian P. Kavanaugh, NYS Assemblymember	237 1st Avenue (14th St.) Room 407 New York, NY 10003	
Hon. Michael Bloomberg, NYC Mayor	City Hall New York, NY 10007	
Hon. John Liu, NYC City Comptroller	1 Centre Street New York, NY 10007	
Hon. Bill de Blasio, Public Advocate	1 Centre Street, 15 <sup>th</sup> Floor New York, NY 10007	
Hon. Charles E. Schumer, U. S. Senator	757 Third Avenue Suite 17-02 New York, NY 10017	

<u>NAME</u>	<u>ADDRESS</u>	<u>PROJECT ROLE</u>
Hon. Kirsten Gillibrand, U.S. Senator	780 Third Avenue, Suite 2601 New York, NY 10017	
Hon. Carolyn Maloney, U. S. House of Representatives	1651 3 <sup>rd</sup> Avenue Suite 311 New York, NY 10128	
	Our Town 63 West 38 <sup>th</sup> Street, Suite 206 New York, NY 10018 <a href="http://www.manhattanmedia.com">www.manhattanmedia.com</a>	Local Newspaper
Robert Dobruskin, Director	Department of City Planning, Environmental Assessment & Review 22 Reade Street, 4E New York, NY 10007-1216	
John P. West, III	Manhattan Community Board #6 5 West 37 <sup>th</sup> Street New York, NY 10018	
Charles Buchwald	300 East 40th Street New York, NY 10016	
Mark Thompson, Chair	Manhattan Community Board #6 866 UN Plaza, Suite 308 New York, NY 10017	
George R. Brown, President	Tudor City Association, Inc. 5 Tudor City Place, #5-E New York, NY 10017-6881	
Susan Steinberg, President	East River Environmental Coalition P.O. Box 1619, Peter Stuyvesant Station New York, NY 10009	
Gary Litwin	State of New York Department of Health Flanigan Square, 547 River Street Troy, NY 12180-2216	
Fred Arcaro, President	Manhattan East Community Association 415 East 37 <sup>th</sup> Street, Suite 10G New York, NY 10016-3211	
Liz Krueger, Senator	26 <sup>th</sup> District 211 East 43 <sup>rd</sup> Street, Suite 1300 New York, NY 10017	
Kay S. Xanthakos	630 First Avenue, 21D New York, NY 10016	
	Preschool of America 25 Tudor City Pl # 1 New York, NY 10017	

<u>NAME</u>	<u>ADDRESS</u>	<u>PROJECT ROLE</u>
	Church of the Covenant 310 E 42nd St New York, NY 10017	
	United Synagogue of Conservative Judaism 820 2nd Ave New York, 10017	
	Museum of American Folk Art 49 East 42nd Street New York, NY 10017	
	Manhattan Chamber of Commerce 1375 Broadway, Third Floor New York, NY 10018	
	2 Tudor City Tenants Corp. 2 Tudor City Place New York, NY 10017	
William E. Curtis	Turtle Bay Association 224 East 47 <sup>th</sup> Street New York, NY 10017	
Roland Peracca	Tudor City Greens 5 Tudor City Place, #1-E New York NY 10017	
	Elos Evangelical 45 Tudor City Pl New York, NY 10017	
	Municipal Art Society of New York 111 W. 57 <sup>th</sup> Street New York, NY 10019	

**2. Adjacent property owners, residents and occupants:**

708 First Avenue: North is Robert Moses Park on which is sited the ventilation building for the Queens-Midtown Tunnel; east is FDR Drive; south is Waterside; west is Windsor Tower (1-19 Tudor City Place).

700 First Avenue: North is 708 First Avenue site; east is FDR Drive; south is Horizon apartment building (415 East 37<sup>th</sup> Street); west is 685 First Avenue site and New York Tower (330 East 39<sup>th</sup> Street).

**3. Local news media from which the community typically obtains information:**

Newspapers: New York Daily News (450 West 33<sup>rd</sup> Street, New York, NY 10001), New York Post (1211 Avenue of the Americas, New York, NY 10036), Our Town (c/o Manhattan Media)

Television: New York 1 News (75 Ninth Street, New York, NY 10011)

**4. The public water supplier, which services the area in which the property is located:**

The New York City Department of Environmental Protection via the Croton/Catskill – Delaware reservoir water supply system supplies water to the property.

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

See Chart above.

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

The following day care center is located near one of the sites:

Preschool of America  
25 Tudor City Place #1  
New York, New York 10017  
Tel: (212) 681-4671  
None

The following school is located near the sites:

The Family School  
323 East 47<sup>th</sup> Street  
New York, New York 10017  
Director: Lesley Nan Haberman  
Tel: (212) 688-5950

**7. The location of a document repository for the project (e.g., local library):**

New York City Public Library, Kips Bay Branch  
446 Third Avenue  
New York, NY 10016  
Attn: Kaydene Humphrey  
Phone: (212) 683-2520  
Hours: Mon: 11 AM to 6 PM  
Tue: 12 PM to 7 PM  
Wed: 11 AM to 6 PM  
Thu: 12 PM to 7 PM  
Fri: 10 AM to 5 PM  
Sat: 10 AM to 5 PM  
Sun: Closed

**8. New York State Department of Environmental Conservation Contacts:**

Robert Cozzy  
NYSDEC  
625 Broadway 12th Floor  
Albany, NY 12233

Jane O'Connell  
NYSDEC Region 2  
Division of Environmental Remediation  
47-40 21st Street  
Long Island City, New York 11101

Ronnie Lee  
Division of Environmental Remediation  
625 Broadway, 12<sup>th</sup> Floor  
Albany, New York 12233  
(518) 402-9768

**9. Current Site Owner / Operator Information Summary Sheet**

The current owners of the subject Site are:

700 First Realty Company, LLC  
c/o Christine Leas  
Sive Paget & Riesel, P.C.  
460 Park Ave. 10<sup>th</sup> Floor  
New York, NY 10022  
(212) (421-2150)  
(212) (421-1891)

708 First Realty Company, LLC  
c/o Christine Leas  
Sive Paget & Riesel, P.C.  
460 Park Ave. 10<sup>th</sup> Floor  
New York, NY 10022  
(212) (421-2150)  
(212) (421-1891)

**10. The Most Recent Site Operators/Tenants**

The following provides a list of most recent operators that are either currently present at the site, or have most recently occupied the site:

Current Operator	Address	Phone Number/ Fax / E-mail	Nature of Operations	Currently present On-Site (Yes/ No)
700 First Realty Company, LLC  708 First Realty Company, LLC	c/o Christine Leas Sive Paget & Riesel, P.C. 460 Park Ave. 10 <sup>th</sup> Floor New York, NY 10022	<a href="mailto:cleas@sprlaw.com">cleas@sprlaw.com</a> (212) (421-2150) (212) (421-1891)	Property development	Yes
Consolidated Edison Company of New York, Inc.	4 Irving Place New York, NY 10003	P (212) 460-2786 F (212) 460-5713	Generation of steam and electricity for off-site distribution to Con Edison customers.	No

## Appendix D – Identification of Citizen Participation Activities

Required Citizen Participation (CP) Activities	CP Activities) Occur at this Point
<b>Application Process:</b>	
<ul style="list-style-type: none"> <li>• Prepare brownfield site contact list (BSCL)</li> </ul>	At time of preparation of application to participate in BCP.
<ul style="list-style-type: none"> <li>• Establish document repositories</li> <li>• Publish notice in Environmental Notice Bulletin (ENB) announcing receipt of application and 30-day comment period</li> </ul>	When NYSDEC determines that BCP application is complete. The 30-day comment period begins on date of publication of notice in ENB. End date of comment period is as stated in ENB notice. Therefore, ENB notice, newspaper notice and notice to the BSCL should be provided to the public at the same time.
<b>After Execution of Brownfield Site Cleanup Agreement:</b>	
<ul style="list-style-type: none"> <li>• Prepare citizen participation (CP) plan</li> </ul>	Draft CP Plan must be submitted within 20 days of entering Brownfield Site Cleanup Agreement. CP Plan must be approved by NYSDEC before distribution.
<b>After Remedial Investigation (RI) Work Plan Received:</b>	
<ul style="list-style-type: none"> <li>• Mail fact sheet to BSCL about proposed RI activities and announcing 30-day public comment period on draft RI Work Plan</li> </ul>	Before NYSDEC approves RI Work Plan. If RI Work Plan is submitted with application, comment periods will be combined and public notice will include fact sheet. 30-day comment period begins/ends as per dates identified in fact sheet.
<b>After RI Completion:</b>	
<ul style="list-style-type: none"> <li>• Mail fact sheet to BSCL describing results of RI</li> </ul>	Before NYSDEC approves RI Report.
<b>After Remedial Work Plan (RWP) Received:</b>	

<ul style="list-style-type: none"> <li>• Mail fact sheet to BSCL about proposed RWP and announcing 45-day comment period</li> <li>• Public meeting by NYSDEC about proposed RWP (if requested by affected community or at discretion of NYSDEC project manager in consultation with other NYSDEC staff as appropriate)</li> </ul>	<p>Before NYSDEC approves RWP. 45-day comment period begins/ends as per dates identified in fact sheet. Public meeting would be held within the 45-day comment period.</p>
<p><b>After Approval of RWP:</b></p>	
<ul style="list-style-type: none"> <li>• Mail fact sheet to BSCL summarizing upcoming remedial construction</li> </ul>	<p>Before the start of remedial construction.</p>
<p><b>After Remedial Action Completed:</b></p>	
<ul style="list-style-type: none"> <li>• Mail fact sheet to BSCL announcing that remedial construction has been completed</li> <li>• Mail fact sheet to BSCL announcing issuance of Certificate of Completion (COC)</li> </ul>	<p>At the time NYSDEC approves Final Engineering Report. These two fact sheets should be combined when possible if there is not a delay in issuance of the COC.</p>

## Appendix E – Brownfield Cleanup Program Process

