

SIVE, PAGET & RIESEL, P.C.

460 PARK AVENUE
NEW YORK, NEW YORK 10022-1906

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ERIC BREGMAN
WILLIAM R. GINSBERG
ARTHUR J. JACOBSON

COUNSEL

March 31, 2004

VIA FEDERAL EXPRESS

Robert Marino
Chief of Site Control Section
New York State Department of
Environmental Conservation
625 Broadway
Albany, NY 12233

RECEIVED

APR 01 2004

BUREAU OF
TECHNICAL SURVEY

81 MAIN STREET - SUITE 415
WHITE PLAINS, N.Y. 10601
TELEPHONE: (914) 682-3944

WEB SITE: www.sprlaw.com
E-MAIL: sprlaw@sprlaw.com

Re: Brownfield Cleanup Program (BCP) Application
19th Street Development Site

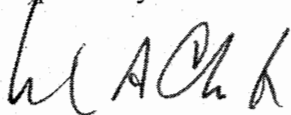
Dear Mr. Marino:

We have enclosed three original copies of the Brownfield Cleanup Program ("BCP") application for the 19th Street Development Site by the following Volunteers:

- HTRF Ventures (site ground sub-lessee), LLC;
- IAC / Georgetown 19th Street, LLC (site ground lessee);
- Georgetown 19th Street Phase I, LLC (member of site ground lessee);
- IAC 19th Street Holdings, LLC (member of site ground lessee); and,
- Georgetown 19th Street Development, LLC (Volunteer under Voluntary Cleanup Agreement for Site V-00624-02, Index Number W2-0948-03-02 and project developer).

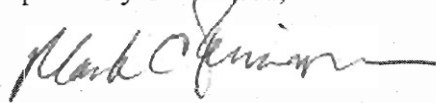
The Applicants respectfully request transition of the 19th Street Development Site from the Voluntary Cleanup Program and acceptance into the Brownfield Cleanup Program, based upon our understanding that the Remedial Action Work Plan that was approved by the NYSDEC by its letter dated January 13, 2004 will remain in full force and effect. As discussed with the Department's Project Manager, Joseph Moloughney, the Volunteers intend to commence the remedial work described in that Work Plan in late May or early June of this year.

Respectfully Submitted,



Mark A. Chertok
Attorney for IAC / Georgetown 19th Street, LLC;
Georgetown 19th Street Phase I, LLC and
Georgetown 19th Street Development, LLC

Respectfully Submitted,



Mark C. Pennington
Attorney for HTRF Ventures, LLC and
IAC 19th Street Holdings, LLC

Robert Marino
March 30, 2004

Enclosures

cc: Daniel Walsh
BCP Regional Contact
NYSDEC, Region 2

Denise J. D'Ambrosio, Esq.
Office of Counsel
NYSDEC, Eastern Field Unit



NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
BROWNFIELD CLEANUP PROGRAM (BCP) APPLICATION
 ECL ARTICLE 27 / TITLE 1

Applicant Information			
NAME HTRF VENTURES, LLC; IAC / GEORGETOWN 19TH STREET, LLC; GEORGETOWN 19TH STREET PHASE I, LLC; IAC 19TH STREET HOLDINGS, LLC; GEORGETOWN 19TH STREET DEVELOPMENT, LLC.			
ADDRESS (PLEASE SEE ATTACHMENT A FOR DETAILS ON EACH APPLICANT)			
CITY/TOWN		ZIP CODE	
PHONE	FAX	E-MAIL	
NAME OF APPLICANT'S REPRESENTATIVE			
ADDRESS			
CITY/TOWN		ZIP CODE	
PHONE	FAX	E-MAIL	
THE APPLICANT MUST CERTIFY THAT IT IS EITHER A PARTICIPANT OR VOLUNTEER IN ACCORDANCE WITH ECL § 27-1405 (1) BY CHECKING ONE OF THE BOXES BELOW:			
<input type="checkbox"/> Participant An applicant who either 1) was the owner of the site at the time of the disposal of hazardous waste or discharge or 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.		<input checked="" type="checkbox"/> Volunteer An applicant other than a participant, including an applicant 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, the applicant 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 and continuing discharge; ii) prevent any threatened future release; and iii) prevent of limit human, environmental, or natural resource exposure to any previously released hazardous waste.	
Applicant Relationship to Property (check one):			
<input type="checkbox"/> Previous Owner <input type="checkbox"/> Current Owner <input type="checkbox"/> Potential/Future Purchaser <input type="checkbox"/> Other			
Current Owner/Operator Information			
OWNER'S NAME RESPONSIVE REALTY, LLC			
ADDRESS c/o Mendon Leasing Corp.; 362 Kingsland Avenue			
CITY/TOWN Brooklyn, NY		ZIP CODE 11222	
PHONE (718) 391-5300	FAX (718) 349-2514	E-MAIL N/A	
OPERATOR'S NAME (if different from applicant) IAC / Georgetown 19th Street, LLC			
ADDRESS 667 Madison Avenue			
CITY/TOWN New York, NY		ZIP CODE 10021	
PHONE (212) 755-2323	FAX (212) 317-2969	E-MAIL jrose@georgetownco.com	
Site Information			
SITE NAME 19TH STREET DEVELOPMENT SITE (PART OF WEST 18TH STREET GAS WORKS)			
SITE ADDRESS 80 11TH AVENUE		CITY/TOWN NEW YORK, NY ZIP CODE 10011	
COUNTY NEW YORK	SITE SIZE (ACRES) APPROXIMATELY 0.68		
LATITUDE 40.745600°	LONGITUDE -74.007900°		
PLEASE ATTACH A COUNTY TAX MAP WITH IDENTIFIER NUMBERS, ALONG WITH ANY FIGURES NEEDED TO SHOW THE LOCATION AND BOUNDARIES OF THE SITE. ALSO INCLUDE A USGS 7.5 MINUTE QUAD MAP IN WHICH THE SITE IS LOCATED. (MAPS INCLUDED IN ATTACHMENT B - FIGURES 1 AND 2)			

1.	DO THE SITE BOUNDARIES CORRESPOND TO TAX MAP METES AND BOUNDS? IF NO, PLEASE ATTACH A METES AND BOUNDS DESCRIPTION OF THE SITE.	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
2.	IS THE SITE PART OF A DESIGNATED BROWNFIELD OPPORTUNITY AREA PURSUANT TO GML970-R? IF YES, IDENTIFY AREA (NAME) _____	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
3.	IS THE SITE PART OF A DESIGNATED EN-Zone PURSUANT TO TL § 21(b)(6)? IF YES, IDENTIFY AREA (NAME) _____	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO

Applicant Eligibility Information (Please refer to ECL § 27-1407)

1.	ARE ANY ENFORCEMENT ACTIONS PENDING AGAINST THE APPLICANT REGARDING THIS SITE?	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
2.	IS THE APPLICANT SUBJECT TO AN OUTSTANDING CLAIM BY THE SPILL FUND FOR THIS SITE?	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
3.	HAS THE APPLICANT VIOLATED ANY PROVISION OF ECL ARTICLE 27?	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
4.	HAS THE APPLICANT BEEN PREVIOUSLY DENIED ENTRY TO THE BCP?	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
5.	HAS THE APPLICANT COMMITTED A NEGLIGENT OR INTENTIONALLY TORTIOUS ACT REGARDING HAZARDOUS WASTE OR PETROLEUM?	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
6.	HAS THE APPLICANT BEEN CONVICTED OF A CRIMINAL OFFENSE THAT INVOLVES A VIOLENT FELONY, FRAUD, BRIBERY, PERJURY, THEFT, OR OFFENSE AGAINST PUBLIC ADMINISTRATION?	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
7.	HAS THE APPLICANT KNOWINGLY FALSIFIED STATEMENTS OR CONCEALED MATERIAL FACTS IN A MATTER RELATED TO THE DEPARTMENT?	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
8.	HAS THE APPLICANT, BASED ON THE PROVISIONS OF ECL ARTICLE 27-1407 (OR SIMILAR PROVISION OF FEDERAL OR STATE LAW), COMMITTED AN ACT OR FAILED TO ACT, AND SUCH ACT OR FAILURE TO ACT COULD BE THE BASIS FOR DENIAL OF A BCP APPLICATION?	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO

Site eligibility Information (Please refer to ECL § 27-1405)

1.	DOES THE SITE MEET THE DEFINITION OF A BROWNFIELD SITE (REAL PROPERTY, THE REDEVELOPMENT OR REUSE OF WHICH MAY BE COMPLICATED BY THE PRESENCE OR POTENTIAL PRESENCE OF HAZARDOUS WASTE, PETROLEUM, POLLUTANT, OR CONTAMINANT)?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
2.	IS THE SITE LISTED ON THE NATIONAL PRIORITIES LIST?	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
3.	IS THE SITE LISTED ON THE NYS REGISTRY OF INACTIVE HAZARDOUS WASTE DISPOSAL SITES? IF YES, PLEASE PROVIDE: SITE # _____ CLASS# _____	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
4.	IS THE SITE SUBJECT TO A PERMIT UNDER ARTICLE 27, TITLE 9, OTHER THAN AN INTERIM STATUS FACILITY?	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
5.	IS THE SITE SUBJECT TO A CLEANUP ORDER UNDER NAVIGATION LAW ARTICLE 12 OR ECL ARTICLE 17 TITLE 10?	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
6.	IS THE SITE SUBJECT TO A STATE OR FEDERAL ENFORCEMENT ACTION RELATED TO HAZARDOUS WASTE OR PETROLEUM?	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO

Project Description

PLEASE ATTACH A DESCRIPTION OF THE PROJECT WHICH INCLUDES THE FOLLOWING COMPONENTS:
(PLEASE SEE ATTACHMENT C)

- PURPOSE AND SCOPE OF THE PROJECT
- ESTMATED PROJECT SCHEDULE

Site's Environmental History

TO THE EXTENT THAT EXISTING INFORMATION /STUDIES/REPORTS ARE AVAILABLE TO THE APPLICANT, PLEASE
ATTACH THE FOLLOWING:

1. ENVIRONMENTAL DATA
A PHASE I ENVIRONMENTAL SITE ASSESSMENT REPORT PREPARED IN ACCORDANCE WITH ASTM E 1527
(American Society for Testing and Materials: Standard Practice for Environmental Site Assessments: Phase I Environmental Site
Assessment Process), AND ALL ENVIRONMENTAL REPORTS RELATED TO CONTAMINANTS ON OR EMANATING
FROM THE SITE. (PLEASE SEE ATTACHMENT D)

IF A FINAL INVESTIGATION REPORT IS INCLUDED, INDICATE WHETHER IT MEETS THE REQUIREMENTS OF ECL ARTICLE 27-1415(2):

YES NO

2. OWNERS (PLEASE SEE ATTACHMENT E)

A LIST OF PREVIOUS OWNERS WITH NAMES, LAST KNOWN ADDRESSES AND TELEPHONE NUMBERS (DESCRIBE APPLICANT'S RELATIONSHIP, IF ANY, TO EACH PREVIOUS OWNER LISTED. IF NO RELATIONSHIP, PUT "NONE").

3. OPERATORS (PLEASE SEE ATTACHMENT F)

A LIST OF PREVIOUS OPERATORS WITH NAMES, LAST KNOWN ADDRESSES AND TELEPHONE NUMBERS (DESCRIBE APPLICANT'S RELATIONSHIP, IF ANY, TO EACH PREVIOUS OWNER LISTED. IF NO RELATIONSHIP, PUT "NONE").

Contact List Information

PLEASE ATTACH, AT A MINIMUM, THE NAMES AND ADDRESSES OF THE FOLLOWING: (PLEASE SEE ATTACHMENT G)

1. THE CHIEF EXECUTIVE OFFICER AND ZONING BOARD CHAIRPERSON OF EACH COUNTY, CITY, TOWN AND VILLAGE IN WHICH THE SITE IS LOCATED.
2. RESIDENTS, OWNERS, AND OCCUPANTS OF THE SITE AND PROPERTIES ADJACENT TO THE SITE.
3. LOCAL NEWS MEDIA FROM WHICH THE COMMUNITY TYPICALLY OBTAINS INFORMATION.
4. THE PUBLIC WATER SUPPLIER WHICH SERVICES THE AREA IN WHICH THE SITE IS LOCATED.
5. ANY PERSON WHO HAS REQUESTED TO BE PLACED ON THE SITE CONTACT LIST.
6. THE ADMINISTRATOR OF ANY SCHOOL OR DAY CARE FACILITY LOCATED ON OR NEAR THE SITE.
7. THE LOCATION OF A DOCUMENT REPOSITORY FOR THE PROJECT (E.G., LOCAL LIBRARY)

Contaminant Information

INDICATE KNOWN OR SUSPECTED CONTAMINANTS AND THE MEDIA WHICH ARE KNOWN OR SUSPECTED TO HAVE BEEN AFFECTED: (PLEASE SEE ATTACHMENT H)

Contaminant Category	Soil	Groundwater	Surface Water	Sediment	Soil Gas
Petroleum	known	known			known
Chlorinated Solvents					
Other VOC's	known	known			known
SVOC's	known	known			known
Metals	known				
Pesticides					
PCBs					
Other*					

* Please describe: _____

Land Use Factors (Please refer to ECL § 27-1415 (3))


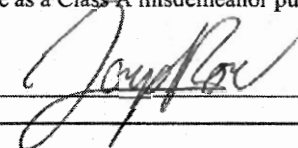
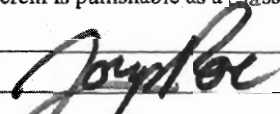
Current Use: Residential Commercial Industrial Other Vacant

Future Use: Residential Commercial Industrial Other

Please check the appropriate boxes and provide an explanation as an attachment if appropriate.

	Yes	No	Unknown
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1. Do current historical and/or recent development patterns support the proposed use?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Is the proposed use consistent with applicable zoning laws/maps?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Is the proposed use consistent with applicable brownfield opportunity area designations? (See GML 970-r)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Is the proposed use consistent with applicable comprehensive community master plans, local waterfront revitalization plans, other adopted land use plans?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Are there any Environmental Justice Concerns? (See § 27-1415(3)(p)).	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

6. Are there any federal or State land use designations relating to this site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Do the population growth patterns and projections support the proposed use?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. Is the site accessible to existing infrastructure?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Are there important cultural resources, including federal or state historic or heritage sites or Native American religious sites proximate to the site? THE NEW YORK STATE OFFICE OF PARKS, RECREATION AND HISTORIC PLACES HAS FOUND THAT THE HIGHLINE (LOCATED APPROXIMATELY 200' TO THE EAST OF THE SITE) IS ELIGIBLE FOR INCLUSION ON THE NATIONAL AND STATE REGISTER OF HISTORIC PLACES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. Are there important federal, state or local natural resources, including waterways, wildlife refuges, wetlands, or critical habitats or endangered or threatened species proximate to this site? THE HUDSON RIVER IS APPROXIMATELY 200' TO THE WEST.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Are there floodplains proximate to the site?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. Are there any institutional controls currently applicable to the site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
13. Describe on attachment the proximity to real property currently used for residential use, and to urban, commercial, industrial, agricultural, and recreational areas. (PLEASE SEE ATTACHMENT I)			
14. Describe on attachment the potential vulnerability of groundwater to contamination that might migrate from the site, including proximity to wellhead protection and groundwater recharge areas. (PLEASE SEE ATTACHMENT J)			
15. Describe on attachment the geography and geology of the site. (PLEASE SEE ATTACHMENT K)			
(Note: the 16th criteria relates to comments from the public, which would not be received at the time of application)			
Statement of Certification			
(By applicant who is an individual) 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 applicant other than an individual) I certify that I am PRESIDENT (title) of HTRF VENTURES, LLC (entity); that I am authorized by that entity to make this application; that this application was prepared by me or under my supervision and direction; and 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: <u>3.30.04</u>	Signature: 	Print Name: DARA KHOSROWSHAHI	
(By applicant other than an individual) I certify that I am AUTHORIZED SIGNATORY (title) for IAC/GEORGETOWN 19TH STREET, LLC (entity); that I am authorized by that entity to make this application; that this application was prepared by me or under my supervision and direction; and 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: <u>3/31/04</u>	Signature: 	Print Name: JOSEPH B. ROSE	
By applicant other than an individual) I certify that I am AUTHORIZED SIGNATORY (title) for GEORGETOWN 19TH STREET PHASE I, LLC (entity); that I am authorized by that entity to make this application; that this application was prepared by me or under my supervision and direction; and 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: <u>3/31/04</u>	Signature: 	Print Name: JOSEPH B. ROSE	

(By applicant other than an individual)

I certify that I am **PRESIDENT** (title) of **IAC 19TH STREET HOLDINGS, LLC** (entity); that I am authorized by that entity to make this application; that this application was prepared by me or under my supervision and direction; and 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: 3-30-04

Signature: 

Print Name: DARA KHOSROWSHAHI

(By applicant other than an individual)

I certify that I am **AUTHORIZED SIGNATORY** (title) for **GEORGETOWN 19TH STREET DEVELOPMENT, LLC** (entity); that I am authorized by that entity to make this application; that this application was prepared by me or under my supervision and direction; and 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: 3-31-04

Signature: 

Print Name: JOSEPH B. ROSE

SUBMITTAL INFORMATION:

Four (4) complete copies, one with original signature, are required.

- **Three (3)** of the copies, one with original signature, 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

- **One (1)** copy must be sent to the DEC regional contact in the regional office covering the county in which the site is located. Please check our website for the address of our regional offices: <http://www.dec.state.ny.us/website/der/index.html>

FOR DEPARTMENT USE ONLY

BCP SITE NO:

C231017

BCP SITE T&A CODE: _____

PROJECT MANAGER

Joseph Moloughney

BROWNFIELD CLEANUP PROGRAM APPLICATION
19th Street Development Site

List of Attachments

- | | | |
|--|---|--|
| Attachment A
(Applicant Information) | - | Applicant Information |
| Attachment B
(Site Information) | - | Figure 1 – Tax Map
Figure 2 – USGS 7.5 Minute Quad Maps |
| Attachment C | - | Project Description |
| Attachment D
(Site's Environmental History) | - | Environmental Data |
| Attachment E
(Site's Environmental History) | - | Owners |
| Attachment F
(Site's Environmental History) | - | Operators |
| Attachment G | - | Contact List Information |
| Attachment H | - | Contaminant Information |
| Attachment I
(Land Use Factors) | - | Response to Question 13 |
| Attachment J
(Land Use Factors) | - | Response to Question 14 |
| Attachment K
(Land Use Factors) | - | Response to Question 15 |

BROWNFIELD CLEANUP PROGRAM APPLICATION
19th Street Development Site

ATTACHMENT A
APPLICANT INFORMATION

Applicant Information			
NAME	HTRF VENTURES, LLC		
ADDRESS	C/O INTERACTIVE CORP; 152 WEST 57 TH STREET		
CITY/TOWN	NEW YORK, NY	ZIP CODE	10019
PHONE	(212) 314-7300	FAX	(212) 632-9662
NAME OF APPLICANT'S REPRESENTATIVE		DARA KHOSROWSHAHI	
ADDRESS	152 WEST 57 TH STREET		
CITY/TOWN	NEW YORK, NY	ZIP CODE	10019
PHONE	(212) 314-7300	FAX	(212) 632-9662
E-MAIL		DARA.KHOROWSHAHI@IAC.COM	
THE APPLICANT MUST CERTIFY THAT IT IS EITHER A PARTICIPANT OR VOLUNTEER IN ACCORDANCE WITH ECL § 27-1405 (1) BY CHECKING ONE OF THE BOXES BELOW:			
<input type="checkbox"/> Participant An applicant who either 1) was the owner of the site at the time of the disposal of hazardous waste or discharge or 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.		<input checked="" type="checkbox"/> Volunteer An applicant other than a participant, including an applicant 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, the applicant 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 and continuing discharge; ii) prevent any threatened future release; and iii) prevent of limit human, environmental, or natural resource exposure to any previously released hazardous waste.	
Applicant Relationship to Property (check one):			
<input type="checkbox"/> Previous Owner <input type="checkbox"/> Current Owner <input type="checkbox"/> Potential/Future Purchaser <input checked="" type="checkbox"/> Other GROUND SUB-LESSEE			

Applicant Information			
NAME	IAC / GEORGETOWN 19 TH STREET, LLC		
ADDRESS	C/O THE GEORGETOWN COMPANY, LLC; 667 MADISON AVENUE		
CITY/TOWN	NEW YORK, NY	ZIP CODE	10021
PHONE	(212) 755-2323	FAX	(212) 317-2969
NAME OF APPLICANT'S REPRESENTATIVE		JOSEPH B. ROSE	
ADDRESS	667 MADISON AVENUE		
CITY/TOWN	NEW YORK, NY	ZIP CODE	10021
PHONE	(212) 755-2323	FAX	(212) 317-2969
E-MAIL		JROSE@GEORGETOWNCO.COM	
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Applicant Relationship to Property (check one):			
<input type="checkbox"/> Previous Owner <input type="checkbox"/> Current Owner <input type="checkbox"/> Potential/Future Purchaser <input checked="" type="checkbox"/> Other GROUND LESSEE			

Applicant Information			
NAME	GEORGETOWN 19 TH STREET PHASE I, LLC		
ADDRESS	C/O THE GEORGETOWN COMPANY, LLC; 667 MADISON AVENUE		
CITY/TOWN	NEW YORK, NY	ZIP CODE	10021
PHONE	(212) 755-2323	FAX	(212) 317-2969
NAME OF APPLICANT'S REPRESENTATIVE		JOSEPH B. ROSE	
ADDRESS	667 MADISON AVENUE		
CITY/TOWN	NEW YORK, NY	ZIP CODE	10021
PHONE	(212) 755-2323	FAX	(212) 317-2969
E-MAIL		JROSE@GEORGETOWNCO.COM	
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taking reasonable steps to: i) stop and continuing discharge; ii) prevent any threatened future release; and iii) prevent of limit human, environmental, or natural resource exposure to any previously released hazardous waste.

Applicant Relationship to Property (check one):

Previous Owner Current Owner Potential/Future Purchaser Other **MEMBER OF GROUND LESSEE**

Applicant Information

NAME	IAC 19 TH STREET HOLDINGS, LLC		
ADDRESS	C/O INTERACTIVE CORP; 152 WEST 57 TH STREET		
CITY/TOWN	NEW YORK, NY	ZIP CODE	10019
PHONE	(212) 314-7300	FAX	(212) 632-9662
E-MAIL		DARA.KHOROWSHAHI@IAC.COM	
NAME OF APPLICANT'S REPRESENTATIVE	DARA KHOSROWSHAHI		
ADDRESS	152 WEST 57 TH STREET		
CITY/TOWN	NEW YORK, NY	ZIP CODE	10019
PHONE	(212) 314-7300	FAX	(212) 632-9662
E-MAIL		DARA.KHOROWSHAHI@IAC.COM	

THE APPLICANT MUST CERTIFY THAT IT IS EITHER A PARTICIPANT OR VOLUNTEER IN ACCORDANCE WITH ECL § 27-1405 (1) BY CHECKING ONE OF THE BOXES BELOW:

Participant

An applicant who either 1) was the owner of the site at the time of the disposal of hazardous waste or discharge or 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

An applicant other than a participant, including an applicant 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, the applicant 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 and continuing discharge; ii) prevent any threatened future release; and iii) prevent of limit human, environmental, or natural resource exposure to any previously released hazardous waste.

Applicant Relationship to Property (check one):

Previous Owner Current Owner Potential/Future Purchaser Other **MEMBER OF GROUND LESSEE**

Applicant Information

NAME	GEORGETOWN 19 TH STREET DEVELOPMENT, LLC		
ADDRESS	C/O THE GEORGETOWN COMPANY, LLC; 667 MADISON AVENUE		
CITY/TOWN	NEW YORK, NY	ZIP CODE	10021
PHONE	(212) 755-2323	FAX	(212) 317-2969
E-MAIL		JROSE@GEORGETOWNCO.COM	
NAME OF APPLICANT'S REPRESENTATIVE	JOSEPH B. ROSE		
ADDRESS	667 MADISON AVENUE		
CITY/TOWN	NEW YORK, NY	ZIP CODE	10021
PHONE	(212) 755-2323	FAX	(212) 317-2969
E-MAIL		JROSE@GEORGETOWNCO.COM	

THE APPLICANT MUST CERTIFY THAT IT IS EITHER A PARTICIPANT OR VOLUNTEER IN ACCORDANCE WITH ECL § 27-1405 (1) BY CHECKING ONE OF THE BOXES BELOW:

Participant

An applicant who either 1) was the owner of the site at the time of the disposal of hazardous waste or discharge or 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

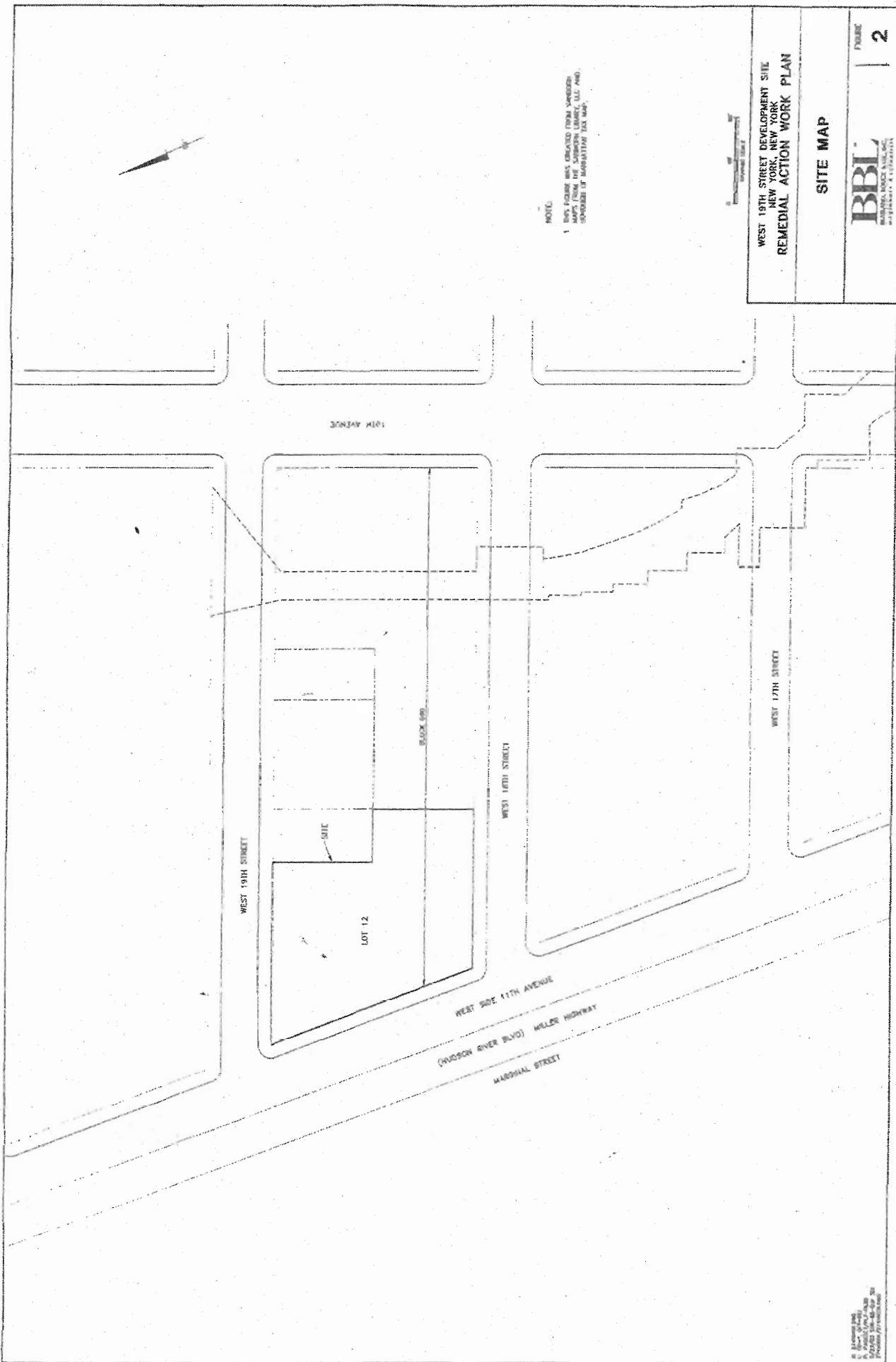
An applicant other than a participant, including an applicant whose liability arises solely as a result of ownership. Operation of or involvement with the site subsequent to the disposal of hazardous waste or discharge of petroleum. NOTE: By checking this box, the applicant certifies that he/she has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

Applicant Relationship to Property (check one):

Previous Owner Current Owner Potential/Future Purchaser Other **PROJECT DEVELOPER**

BROWNFIELD CLEANUP PROGRAM APPLICATION
19th Street Development Site

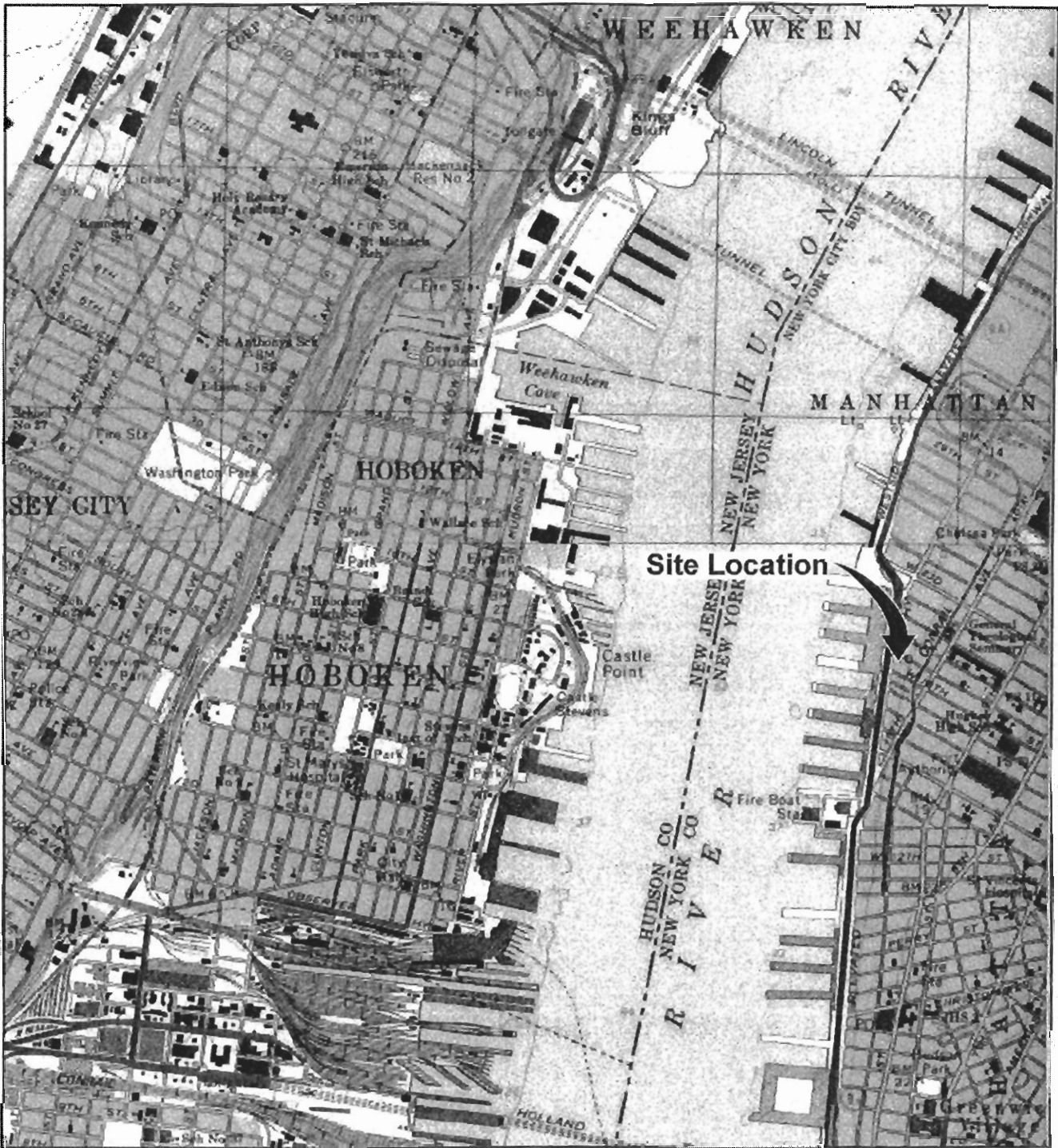
ATTACHMENT B
FIGURE 1
TAX MAP



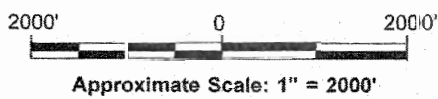
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BROWNFIELD CLEANUP PROGRAM APPLICATION
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ATTACHMENT B
FIGURE 2
USGS 7.5 MINUTE QUAD MAPS



REFERENCE: BASE MAP USGS 7.5 MIN. QUADS., JERSEY CITY, AND WEEHAWKEN, NJ - NY, 1967.



Area Location

WEST 19TH STREET DEVELOPMENT SITE
NEW YORK, NEW YORK

SITE LOCATION MAP



FIGURE

1

BROWNFIELD CLEANUP PROGRAM APPLICATION
19th Street Development Site

ATTACHMENT C
PROJECT DESCRIPTION

Purpose and Scope of the Project

The applicants will develop a new world headquarters building for InterActiveCorp (IAC), an industry leader in electronic retailing, information services, and travel service businesses on a parcel of land bounded by West 18th and West 19th Streets, 11th Avenue and the West Side Highway (Block 690, lots 12 and 54). The headquarters will be a 9-story state of the art, architecturally significant building designed by Frank Gehry to provide office and conference facilities for employees of IAC and its affiliates. It will replace an existing 3-story truck garage and storage facility, and a one-story warehouse building. The new building will contain a maximum of approximately 188,500 gross square feet of space, including approximately 165,000 gsf of office space, 8,500 gsf of retail, and approximately 15,000 gsf of space for parking.

In undertaking the project, IAC is making a long-term commitment to New York City by establishing the City as its world headquarters and targeting the City as a location for the company's future growth. At present, IAC has approximately 237 employees located in a variety of buildings throughout midtown in space rented under a variety of short to mid-term leases. The company would like and expects to more than double the number of New York City employees over the next fifteen years. In order to do this however, the company needs to establish a headquarters within the City. The dispersed nature of IAC's existing spaces does not promote operating efficiency or growth of the company; nor do the spaces provide any New York identity for IAC. The development project will result in an architecturally distinctive building on a prominent site in the City, with ample space to accommodate the company's projected growth.

Estimated Project Schedule

The applicant intends to commence removal of asbestos-containing material during the last week of March 2004, in preparation for demolition of the existing site structures, which the applicant anticipates will begin in April 2004. The applicant anticipates commencing remediation and site preparation activities in June 2004, and plans to complete foundation construction by early 2005. Current construction plans call for completion of the building by mid 2006.

BROWNFIELD CLEANUP PROGRAM APPLICATION
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ATTACHMENT D
ENVIRONMENTAL DATA

Please refer to the following information on file with the New York State Department of Environmental Conservation:

- August 25, 2002, Voluntary Cleanup Agreement for Certain Former Manufactured Gas Plant and Gas Holder Station Locations by Consolidated Edison Company of New York (Site 19 under this VCA is the West 18th Street Gas Works)
- November 26, 2002, Voluntary Cleanup Program Application for the 19th Street Development Site, submitted by Georgetown 19th Street Development LLC. Approved by NYSDEC. Voluntary Cleanup Agreement dated March 3, 2003.
- November 2002, Preliminary Site Investigation Report: West 19th Street Development Site, New York, New York, prepared by Blasland, Bouck & Lee, Inc.
- March 2003 (revised), Site Investigation Work Plan: West 19th Street Development Site, New York, New York, prepared by Blasland, Bouck & Lee, Inc.
- June 2003, Site Investigation Report: West 19th Street Development Site, New York, New York, prepared by Blasland, Bouck & Lee, Inc. Approved by NYSDEC by letter dated August 6, 2003.
- September 2003, Remedial Action Work Plan: West 19th Street Development Site, New York, New York, prepared by Blasland, Bouck & Lee, Inc. Approved by NYSDEC by letter dated January 13, 2004.

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ATTACHMENT E
OWNERS

(Current and) Previous owners Block 690, Lot 12 (in reverse chronological order):

Name	Last Known Address	Last Known Telephone Number	Relationship to Applicant
current fee owner: Responsive Realty LLC	362 Kingsland Ave. Brooklyn, NY 1222	(718) 349-2514	Lessor
Cotard Realty Associates	362 Kingsland Ave. Brooklyn, NY 1222	(718) 349-2514	Contractual site access
National Garage Co., Inc.	438-454 W. 19 th St. New York, NY		none
unknown			

(Current and) Previous owners Block 690, Lot 54 (in reverse chronological order):

Name	Last Known Address	Last Known Telephone Number	Relationship to Applicant
current fee owner: Responsive Realty LLC	362 Kingsland Ave. Brooklyn, NY 1222	(718) 349-2514	Lessor
Relyea French, Limited			none
Seaboard Outdoor Advertising Company	651 Bergen Street Brooklyn, NY		none
unknown			

BROWNFIELD CLEANUP PROGRAM APPLICATION
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ATTACHMENT F
OPERATORS

Previous operators of Block 690, Lot 12 (in reverse chronological order):

Name	Last Known Address	Last Known Telephone Number	Relationship to Applicant
Mendon Leasing	c/o Responsive Realty LLC 362 Kingsland Ave. Brooklyn, NY 1222	(718) 349-2514	none
National Garage Co., Inc.	438-454 W. 19 th St. New York, NY		none
Prior used included storage area for the Manhattan Gas Company Works/Consolidated Gas Company Works (predecessor companies of Consolidated Edison Company of New York) between 1895 and 1921, followed by use as a wagon yard, auto garage and truck parking garage.			

Previous operators of Block 690, Lot 54 (in reverse chronological order):

Name	Last Known Address	Last Known Telephone Number	Relationship to Applicant
Relyea French, Limited			none
G&M Fast Freight, Inc.			
Relyea French, Limited			none
Seaboard Outdoor Advertising Company	651 Bergen Street Brooklyn, NY		none
Prior used included storage area for the Manhattan Gas Company Works/Consolidated Gas Company Works (predecessor companies of Consolidated Edison Company of New York) between 1895 and 1921, followed by use as a wagon yard, auto garage and truck parking garage.			

BROWNFIELD CLEANUP PROGRAM APPLICATION
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ATTACHMENT G
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:
 - a. Chief Executive Officer
Mayor Michael R. Bloomberg
City Hall
New York, NY 10007
 - b. New York City Department of City Planning
Amanda M. Burden
Director, Department of City Planning
Chairperson City Planning Commission
22 Reade Street
New York, NY 10007-1216

2. Adjacent property owners, residents and occupants:
 - a. Block 690, Lot 46 (524 West 19th Street, New York, NY 10011)
Owner: Klemens Gasser (212) 807-9494
Occupants: (1) Klemens Gasser - art gallery, (2) Bardin/Palomo - antique shop
 - b. Block 690, Lot 20 (515 West 18th Street, New York, NY 10011)
Owner: Cotard Realty (718) 391-5300
Occupant: (1) Roxy - night club

3. Local news media from which the community typically obtains information:
Newspapers: New York Times; Daily News; New York Post
Television: NY1

4. Public water supplier servicing the area of the site:
New York City Department of Environmental Protection
59-17 Junction Boulevard
Flushing, NY 11373

5. Persons who have requested to be placed on the site contact list:
 - a. Paul Lipof
IAC/Georgetown 19th Street LLC, Project Manager
667 Madison Avenue
New York, NY 10021
Phone (212) 755-2323
Fax (212) 317-2969
plipof@georgetownco.com
 - b. Mark A. Chertok, Esq.
Sive, Paget & Riesel, P.C.
460 Park Avenue
New York, NY
(212) 421-2150
(212) 421-1891
mchertok@sprlaw.com
 - c. Mark Pennington, Esq.
Morgan, Lewis & Bockius LLP
101 Park Avenue
New York, NY 10178
Phone: (212) 309-6175
Fax: (212) 309-6001
mpennington@morganlewis.com
6. Administrator of any school or day care facility located on or near the site: none.
7. Location of document repository for the project:
New York State Department of Environmental Conservation
1 Hunter's Point Plaza
47-20 21st Street
Long Island City, NY 11101-5407
(718) 482-4900

BROWNFIELD CLEANUP PROGRAM APPLICATION
19th Street Development Site

ATTACHMENT H
CONTAMINANT INFORMATION

Please refer to the documents listed in Attachment D for a full description of the environmental conditions at the site. The following is a summary of the information presented in those documents.

The primary contaminants detected in soil during preliminary and Phase II site investigation include BTEX, PAHs, and phenolic constituents. Elevated PID meter screening (>50 parts per million) in conjunction with total VOCs and SVOCs at concentrations greater than NYSDEC's TAGM 4046 soil guidance values have been detected throughout the site. Soils containing BTEX, PAHs, and phenolic constituent concentrations above TAGM 4046 soil guidance values were detected from the near surface to the depth of the clayey silt layer, which ranges from approximately 18 to 31 feet below grade. The highest concentrations of PAHs were typically detected in the same soil samples as the highest concentrations of BTEX.

PCBs were not detected in the soil samples analyzed. Pesticides dieldrin, endrin, and 4,4' - DDT were detected at concentrations well below their respective soil guidance values. The TAL metals, arsenic, beryllium, cadmium, chromium, copper, iron, lead, mercury, nickel, selenium, and zinc exceeded their respective soil guidance values in one or more of the soil samples analyzed during the Phase II site investigation.

The primary constituents detected in the groundwater include BTEX, PAH, and phenolic constituents. Individual BTEX, PAH, and phenolic constituent concentrations above the groundwater criteria were detected in all the groundwater samples obtained during the Phase II site investigation.

BROWNFIELD CLEANUP PROGRAM APPLICATION
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ATTACHMENT I
LAND USE FACTORS: RESPONSE TO QUESTION 13

The site is located in the Borough of Manhattan in New York City. Surrounding land uses include a mixture of garage, warehouse, residential, office, local retail, recreational and light industrial. The site is bounded to the south by 18th Street, to the west by 10th Avenue and the Miller Highway (the West Side Highway), to the north by 19th Street, and to the east by commercial enterprises along 19th Street and a truck parking garage along 19th Street. The Hudson River Park and the Chelsea Piers entertainment center are located to the west of the project site across the Miller Highway, and the Hudson River is approximately 200 feet to the west. In addition, the High Line, an elevated former rail line that is proposed as a public park and is under consideration for inclusion on the National and State Register of Historic Places, is located on the same block, approximately 200 feet east of the project site.

BROWNFIELD CLEANUP PROGRAM APPLICATION
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ATTACHMENT J
LAND USE FACTORS: RESPONSE TO QUESTION 14

Groundwater at the site is encountered at depth between 6 and 8 feet. There are no municipal or private wells within one mile of the site. Public water is supplied by the New York City Department of Environmental Protection. The potable supply is not obtained locally, but comes from surface water reservoirs in Westchester, Putnam, Ulster, Delaware, and Schoharie counties. The Hudson River is not a source of potable water for the City of New York. Therefore, there are no complete exposure pathways for drinking water.

BROWNFIELD CLEANUP PROGRAM APPLICATION
19th Street Development Site

ATTACHMENT K
LAND USE FACTORS: RESPONSE TO QUESTION 15

Please refer to the June 2003 Site Investigation Report: West 19th Street Development Site, New York, New York, prepared by Blasland, Bouck & Lee, Inc. for a details on surrounding land uses.

As noted above, the site is located in the Borough of Manhattan in New York City in an area of mixed urban uses, approximately 200 feet from the Hudson River. The site geology consists of urban fill material, silty sands with some gravel, and clayey silt with varying amounts of organic content.