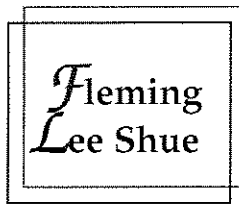


Appendix G

Fact Sheets and Certifications of Mailing



Environmental Management & Consulting

CERTIFICATION OF MAILING

I certify that I mailed on June 25, 2007 a copy of the attached West 34th Street Development (BCP Site C231049) Fact Sheet #1 by first class mail upon the person(s) on the attached mailing list, by depositing a true copy thereof, securely enclosed in a postpaid wrapper, in the Post Office box at the James A. Farley Post Office (421 8th Avenue) in the City of New York, New York, which box is under the exclusive care and custody of the United States Post Office Department.

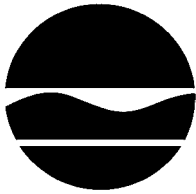

Jennifer Bridges

SIGNATURE over PRINTED NAME

07/23/07

DATE

NEW YORK STATE
DEPARTMENT OF



ENVIRONMENTAL
CONSERVATION

Document repository:

New York Public Library
Mid-Manhattan Library Branch
455 Fifth Avenue, 5th Floor
New York, N.Y. 10016
(212) 340-0991

Hours:

Mon. to Wed. 9 am to 9 pm
Thurs. to Sat 10 am to 6 pm

Project Contacts:

John Durnin, Project Manager
NYSDEC
Division of Environmental
Remediation
625 Broadway, 12th Floor
Albany, NY 12233
(518) 402-9774

Bridget Callaghan
Public Health Specialist, NYSDOH
Bureau of Environmental
Exposure Investigation
547 River Street
Troy, NY 12180
(800) 458-1158 ext. 27860

**For more information about New York
State's Brownfield Cleanup Program,
visit: www.dec.ny.gov**

Brownfield Cleanup Program: New York's
Brownfield Cleanup Program (BCP)
encourages the voluntary cleanup of
contaminated properties known as
"brownfields" so that they can be reused and
redeveloped. These uses include recreation,
housing and business.

A **brownfield** is any real property that is
difficult to reuse or redevelop because of the
presence or potential presence of
contamination.

FACT SHEET

Brownfield Cleanup Program

West 34th Street Development
New York, New York
Site No: C231049
NYSDEC Region 2

June 2007

Fact Sheet #1

Draft Remedial Investigation Report Draft Remedial Work Plan Under Review West 34th Street Development 555 West 34th Street New York, NY 10001

Announcement of Public Comment Period **June 25, 2007 to August 8, 2007**

The New York State Department of Environmental Conservation (NYSDEC), working with the New York State Department of Health (NYSDOH), is currently reviewing for approval a draft Remedial Investigation Report (RIR) and a draft Remedial Work Plan (RWP) regarding the environmental conditions at West 34th Street Development ("the site"). The reports were prepared pursuant to the Brownfield Cleanup Agreement entered between NYSDEC and Meushar 34th Street, LLC, the site developer ("the Volunteer"), on February 21, 2007. The proposed level of cleanup for this site will be for unrestricted use.

Your Opportunity to Comment on the Draft Documents: The draft documents are summarized in this Fact Sheet. The full documents are available for your review at the document repository listed on the left side of this page. Your comments on the RWP are important and strongly encouraged. Comments can be made at any time during the comment period, which begins June 25, 2007 and ends on August 8, 2007. Please direct comments to the NYSDEC Project Manager on the left side of this page.

Site Description/Background:

The site consists of the western 225 feet of the block east of 11th Avenue between West 34th and West 35th Street in the Garment District neighborhood of Manhattan, New York. The western portion of the site is located over an Amtrak easement. A site location map is located on the back of this page. In 2004 and 2005, investigations were conducted at the site to characterize environmental conditions. The removal of underground storage tanks also occurred. The results of these investigations are discussed in the RIR dated June 2007.

Summary of the Remedial Investigation Report (RIR):

Generally, an RIR has several goals: to describe the investigation activities completed; to describe the nature and extent of contamination based on analytical results; and to make conclusions based on the information obtained.

The draft RIR identifies the following site conditions:

- Soil samples were collected and tested for volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs), pesticides, polychlorinated biphenyls (PCBs) and metals. Samples were also visually characterized.

(continued on back of page)

BROWNFIELD CLEANUP PROGRAM

- The majority of the site is urban fill material, extending up to 17 feet below grade, with native soil (sands and silts) located beneath the fill. Bedrock was encountered at depths ranging from 13 feet below grade on the east side of the site to 40 feet below grade on the west side of the site.
- Contaminants found were typical of impacts by petroleum products and historic fill.
- Groundwater samples were collected and tested for the same list of parameters as the soil samples, except pesticides. Impacts to the groundwater were consistent with petroleum and historic fill impacts at the site.

The following conclusions were drawn from the sampling conducted at the site: generally, the urban fill at the site contains elevated levels of SVOCs and metals; petroleum-related VOCs are present in the soil at two locations (a hydraulic elevator pit and the location of removed underground storage tanks - both located along the southern property border); petroleum-related VOCs and SVOCs are present in the groundwater at three locations (the two areas noted above and immediately north of the site).

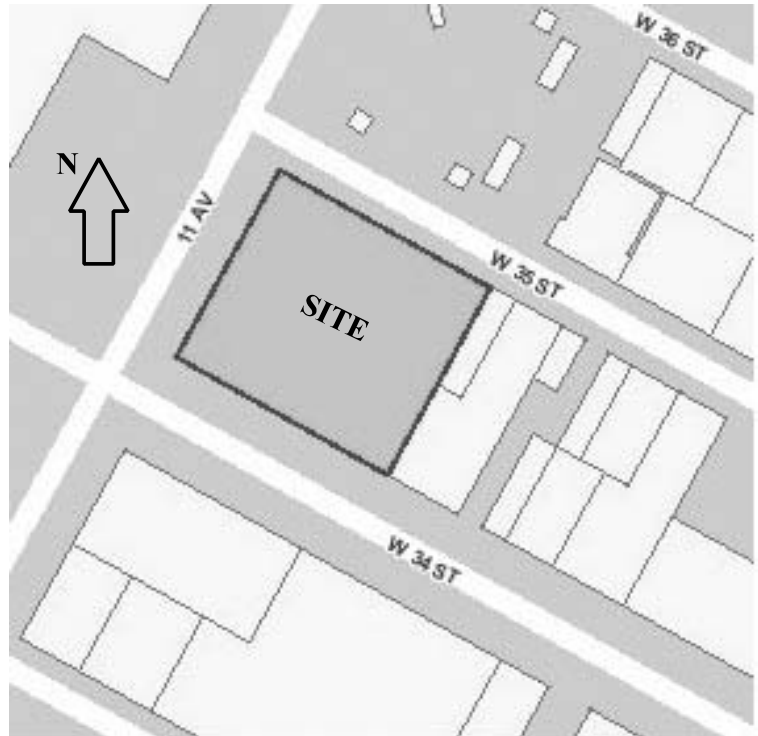
Summary of the Remedial Work Plan (RWP):

Generally, a RWP has several goals: to provide a detailed description of the remedy proposed to address site contamination; to identify cleanup levels to be attained or the process to be used to determine these levels; and to explain how the remedy will be protective of public health and the environment.

The remedy will completely remove all contaminated soil and groundwater from the site by excavating to the top of the competent bedrock below. The site will be addressed as two distinct areas. The first area consists of the majority of the site, located east of the Amtrak easement on the property. The second area is within the Amtrak easement. The remedy will be similar in both areas and will include:

- Installation of sheeting and shoring into the ground around the entire site not located within the Amtrak easement;
- excavation of all fill and petroleum-contaminated material to the competent bedrock;
- off-site disposal of all the excavated fill, soil and petroleum-contaminated soil;
- groundwater removal via pumping during excavation activities with treatment as necessary for discharge to the New York City combined sewer system, and
- installation of a vapor barrier/waterproofing system integrated with the construction of the high rise building.

SITE LOCATION

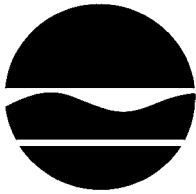


What Happens Next:

NYSDEC and NYSDOH will work with the Volunteer in addressing any comments on the draft documents. When all comments are satisfactorily addressed, NYSDEC will approve the documents. You are encouraged to review the project documents located at the repository noted on the front page of this fact sheet and to contact the listed representatives of NYSDEC or NYSDOH with questions, comments or concerns.

We encourage you to share this fact sheet with neighbors and tenants, and/or post this fact sheet in a prominent area of your building for others to see. A future fact sheet will inform you when the actual cleanup work begins.

NEW YORK STATE
DEPARTMENT OF



ENVIRONMENTAL
CONSERVATION

Document repository:

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(212) 340-0991

Hours:

Mon. to Wed. 9 am to 9 pm
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Project Contacts:

John Durnin, Project Manager
NYSDEC
Division of Environmental
Remediation
625 Broadway, 12th Floor
Albany, NY 12233
(518) 402-9774

Bridget Callaghan
Public Health Specialist, NYSDOH
Bureau of Environmental
Exposure Investigation
547 River Street
Troy, NY 12180
(800) 458-1158 ext. 27860

**For more information about New York
State's Brownfield Cleanup Program,
visit: www.dec.ny.gov**

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FACT SHEET

Brownfield Cleanup Program

West 34th Street Development
New York, New York
Site No: C231049
NYSDEC Region 2

June 2007

Fact Sheet #1

Draft Remedial Investigation Report Draft Remedial Work Plan Under Review West 34th Street Development 555 West 34th Street New York, NY 10001

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Your Opportunity to Comment on the Draft Documents: The draft documents are summarized in this Fact Sheet. The full documents are available for your review at the document repository listed on the left side of this page. Your comments on the RWP are important and strongly encouraged. Comments can be made at any time during the comment period, which begins June 25, 2007 and ends on August 8, 2007. Please direct comments to the NYSDEC Project Manager on the left side of this page.

Site Description/Background:

The site consists of the western 225 feet of the block east of 11th Avenue between West 34th and West 35th Street in the Garment District neighborhood of Manhattan, New York. The western portion of the site is located over an Amtrak easement. A site location map is located on the back of this page. In 2004 and 2005, investigations were conducted at the site to characterize environmental conditions. The removal of underground storage tanks also occurred. The results of these investigations are discussed in the RIR dated June 2007.

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(continued on back of page)

BROWNFIELD CLEANUP PROGRAM

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The following conclusions were drawn from the sampling conducted at the site: generally, the urban fill at the site contains elevated levels of SVOCs and metals; petroleum-related VOCs are present in the soil at two locations (a hydraulic elevator pit and the location of removed underground storage tanks - both located along the southern property border); petroleum-related VOCs and SVOCs are present in the groundwater at three locations (the two areas noted above and immediately north of the site).

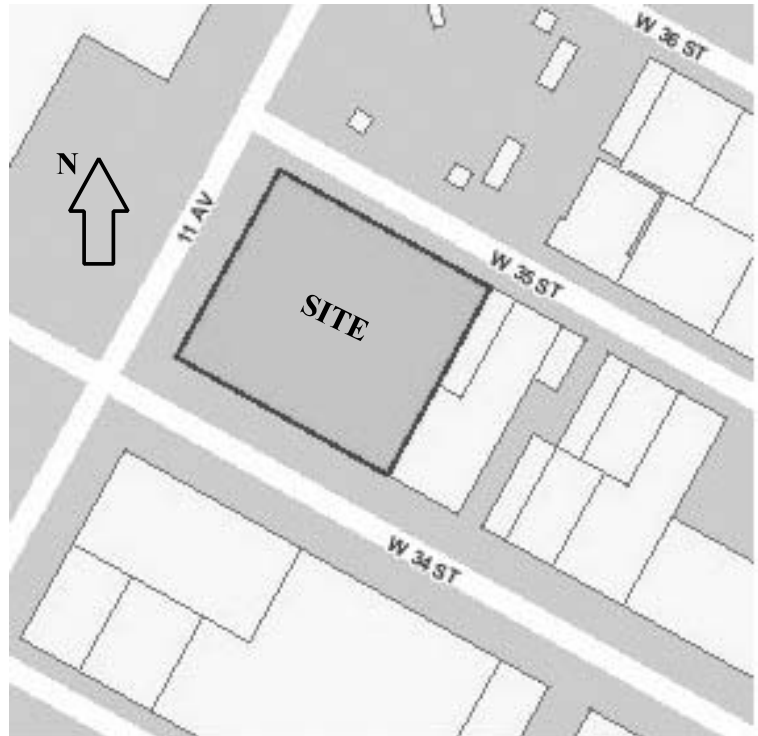
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- Installation of sheeting and shoring into the ground around the entire site not located within the Amtrak easement;
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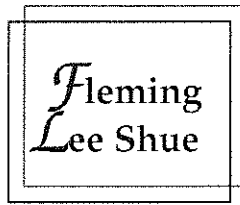
SITE LOCATION



What Happens Next:

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Environmental Management & Consulting

CERTIFICATION OF MAILING

I certify that I mailed on August 17, 2007 a copy of the attached West 34th Street Development (BCP Site C231049) Fact Sheet #2 by first class mail upon the person(s) on the attached mailing list, by depositing a true copy thereof, securely enclosed in a postpaid wrapper, in the Post Office box at the James A. Farley Post Office (421 8th Avenue) in the City of New York, New York, which box is under the exclusive care and custody of the United States Post Office Department.

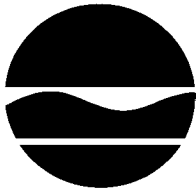

Matthew Carroll

SIGNATURE over PRINTED NAME

8/17/07

DATE

NEW YORK STATE
DEPARTMENT OF



ENVIRONMENTAL
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Document repository:

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(518) 402-9774

Bridget Callaghan
Public Health Specialist, NYSDOH
Bureau of Environmental
Exposure Investigation
547 River Street
Troy, NY 12180
(800) 458-1158 ext. 27860

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FACT SHEET

Brownfield Cleanup Program August 2007

West 34th Street Development
New York, New York
Site No: C231049
NYSDEC Region 2
Fact Sheet #2

Cleanup of Brownfield Site to Begin in August 2007

West 34th Street Development
555 West 34th Street
New York, NY 10001

Non-Significant Threat Determination Made
30 Day Public Comment Period
August 17, 2007 to September 15, 2007

Pre-Construction Notice

Meushar 34th Street, LLC, the site developer, will soon begin cleanup activities to address contamination at the West 34th Street Development ("the site"). This work is being done as part of the Brownfield Cleanup Agreement entered between the New York State Department of Environmental Conservation (NYSDEC) and Meushar 34th Street, LLC, the site developer ("the Volunteer") on February 21st, 2007. The NYSDEC will provide oversight for the cleanup of the site.

Based on the approved Remedial Investigation Report (RIR), the site was evaluated and it has been determined that it is not a significant threat to the public health or the environment.

Your comments on this Non-Significant Threat Determination are important and strongly encouraged. Written or verbal comments can be made at any time during the period, which begins August 17, 2007, and ends on September 16, 2007. Please contact the NYSDEC Project Manager listed on the left side of this page.

Site Description/Background: The site consists of the western 225 feet of the block east of 11th Avenue between West 34th and West 35th Street in the Garment District of Manhattan, New York. The western portion of the site is located over an Amtrak easement. A site location map is located on the back of this page.

Cleanup Goals: The approved cleanup goals will be achieved by excavating and removing all the soil on the entire brownfield site, down to the bedrock. This site will be cleaned up to an unrestricted use that is fully protective of public health and the environment and can be used for any purpose.

Schedule: Meushar 34th Street, LLC is expected to begin cleanup activities at the West 34th Street Development Project site on August 22, 2007. The work to remove all the soil to bedrock is expected to last about 6 to 9 months.

BROWNFIELD CLEANUP PROGRAM

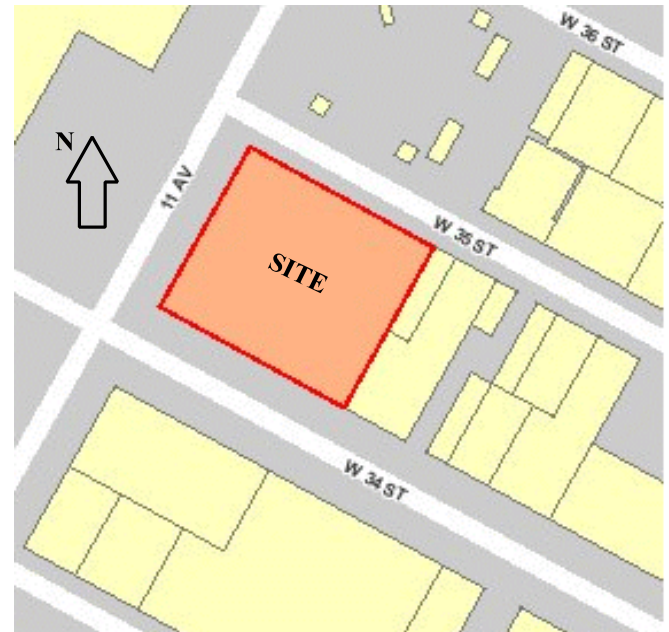
Remedial Investigation Report: The Remedial Investigation Report (RIR), highlighted in the NYSDEC June 2007 Fact Sheet, was approved by NYSDEC on August 15, 2007 and is available for review in the document repository listed on the front page of this Fact Sheet.

Remedial Work Plan: A 45 day public comment period on the Draft Remedial Work Plan (RWP) took place from June 25, 2007 to August 8, 2007. No comments were received from the public. The RWP was approved by NYSDEC on August 16, 2007 and is available for review in the document repository listed on the front page of this Fact Sheet.

Highlights of the Upcoming Site Cleanup Activities

- Mobilize to the site (including set up for air monitoring, erosion control, site security),
- Asbestos and lead paint removal,
- Building demolition/removal,
- Sampling/testing of on-site soils for off-site disposal,
- Installation of sheeting and shoring down to bedrock around the entire property site except for the Amtrak tunnel area,
- All on-site soil to be excavated to bedrock and removed to an off-site disposal facility,
- Groundwater will be removed by pumping during excavation activities with treatment, as necessary, for discharge to the New York City combined sewer system,
- Truck entrance and egress will be via one security checkpoint on the northwest portion of the site near West 35th Street. The Site will be fenced and there will be no other means of entrance or egress. Truck traffic leaving the Site will proceed south on 11th Avenue from 35th Street, then north on the West Side Highway onto the George Washington Bridge to Interstate 95 South.
- All efforts will be made to locate transport vehicles on-site while waiting to be loaded.
- During the cleanup work at the site, the hours of operation will be 7:00 am to 6:00 pm, Monday through Friday. All the utilities associated with this BCP site will be disconnected. There will be no interruption of water service, electrical service or other utilities expected for any other properties near the site,
- Installation of a waterproofing system will be integrated with the construction of the high rise.

SITE LOCATION



What Happens Next:

Final Engineering Report: After the site has been cleaned up, Fleming-Lee Shue, Environmental Management & Consulting will submit a Final Engineering Report (FER) to NYSDEC. The report must certify that all the cleanup work in the approved RWP was completed. A FER will be approved once all the remediation requirements have been met. A fact sheet will be sent to everyone on the contact mailing list summarizing the FER.

Certificate of Completion: A Certificate of Completion will be issued once the FER is approved. With the Certificate of Completion, Meushar 34th Street, LLC will have no liability to the State for contamination at or coming from the site, subject to certain conditions. Also they are eligible for tax credits to offset the costs of performing remedial activities and for redevelopment of the site.

If you know someone who would like to be added to the contact mailing list, have them notify the NYSDEC project manager above. We encourage you to share this Fact Sheet with neighbors and tenants, and/or post this Fact Sheet in a prominent area of your building for others to see.

455-59 WEST 35 STREET
455 West 35th Street
New York, NY 10001

CLINTON HOUSING WEST
454 West 35th Street
New York, NY 10001

MUTUAL LLC
462 11th Avenue
New York, NY 10018

10th CLINTON HOUSING
463 West 35th Street
New York, NY 10001

WEST 34TH APTS CORP
455 West 34th Street
New York, NY 10001

I & A REALTY INC.
460 11th Avenue
New York, NY 10018

GARY I EISENBERG
460 West 35th Street
New York, NY 10001

MUTUAL LLC
464 11th Avenue
New York, NY 10018

CLEWNER ISRAEL
456 11th Avenue
New York, NY 10018

VALERAY REAL ESTATE CO
309 11th Avenue
New York, NY 10001

MUTUAL LLC
466 11th Avenue
New York, NY 10018

FASDAY REALTY CORP
450 11th Avenue
New York, NY 10018

SHERWOOD 34 ASSOCIATE
447 10th Avenue
New York, NY 10001

MUTUAL LLC C/O HANK
470 11th Avenue
New York, NY 10018

530 ADLER REALTY RL,
469 10th Avenue
New York, NY 10018

SHERWOOD 34 ASSOCIATE
449 10th Avenue
New York, NY 10001

RENO NEW YORK PROPERTY
529 West 35th Street
New York, NY 10001

BROADWAY TENTH PROPERTY
435 10th Avenue
New York, NY 10001

MARIA MOLINA
6 Cassandra Drive
Alpine, NJ 07620

NATIONAL RAILROAD ETA
418 11th Avenue
New York, NY 10018

WILLIAM ASHE
534 West 35th Street
New York, NY 10001

RENO NEW YORK PROPERTIES
277 Broadway
New York, NY 10007-2001

STRATEGIC/INTELL 34TH
380 11th Avenue
New York, NY 10001

538-40 W. 35TH ST
538 West 35th Street
New York, NY 10001

Ilhn Realty LLC
15 Greenfield Avenue
Bronxville, NY 10708-2501

LOUIS MAROLDA
553 West 33rd Street
New York, NY 10001

MICHAEL ANTONIO MAZZA
544 West 35th Street
New York, NY 10001

Art To Life
535 W 34th St
New York, NY 10001

AVON DEVELOPMENT ENT.
507 West 33rd Street
New York, NY 10001

STRATEGIC/INTELL 34TH
STREET LLC
C/O INTELL MNGMNT
225 West 86th Street
New York, NY 10024

Astron Solutions
535 W 34th St
New York, NY 10001

503 WEST 33RD STREET
503 West 33rd Street
New York, NY 10001

STRATEGIC/INTELL 34TH
300 W 42nd Street
New York, NY 10036-6974

Barmor Rehab Inc
535 W 34th St
New York, NY 10001

CATHERINE KRICKELLAS
413 10th Avenue
New York, NY 10001

NY CONVENTION CENTER
1515 Broadway
New York, NY 10036-8901

Beckman Associates
535 W 34th St
New York, NY 10001

FRANCHISE REALTY
427 10th Avenue
New York, NY 10001

GUERRILLA ENTERTAINMENT
545 West 34th Street
New York, NY 10001

Best E Deal Dot Com
535 W 34th St
New York, NY 10001

BAUMAN 34TH STREET
516 West 34th Street
New York, NY 10001

DEAN LARKEY
545 West 34th Street
New York, NY 10001

Blue Fusion
535 W 34th St
New York, NY 10001

BULWARK CP
524 West 34th Street
New York, NY 10001

50000 FEET INC
535 West 34th Street
New York, NY 10001

Castling Group
535 W 34th St
New York, NY 1000 1

C/S 12TH AVENUE LLC
260 Joe DiMaggio Highway
New York, NY 10001

ACTORS FORUM
535 West 34th Street
New York, NY 10001

City Rax Inc
535 W 34th St
New York, NY 10001

Complinet LLC
535 W 34th St
New York. NY 10001

Advanced Global Logostics
535 W 34th St
New York, NY 10001

CLB Global Sourcing
535 W 34th St
New York, NY 10001

Consult Exp
535 W 34th St
New York. NY 10001

Allcast
535 W 34th St
New York. NY 10001

Command Pr
535 W 34th St
New York, NY 10001

Cornation Investments
535 W 34th St
New York, NY 1000 1

Alternative Design
535 W 34th St
New York. NY 10001

Men In Blue
535 W 34th St
New York. NY 10001

Decameron Partners
535 W 34th St
New York, NY 10001

Allcast
535 W 34th St
New York. NY 10001

Nordic Gate
535 W 34th St
New York, NY 10001

Digital Enterprise Solutions LLC
535 W 34th St
New York, NY 10001

Alternative Design
535 W 34th St
New York, NY 10001

Nuconcepts LLC
535 W 34th St
New York, NY 10001

Entertainment Business Management
535 W 34th St
New York, NY 10001

Gregory Matthews Assocs
535 W 34th St
New York, NY 10001

Obliq Sound Inc
535 W 34th St
New York, NY 10001

Euro Cash
535 W 34th St
New York, NY 10001

Groove Attack
535 W 34th St
New York, NY 10001

Pixelpress
535 W 34th St
New York, NY 10001

Global Software Publishing
535 W 34th St
New York, NY 10001

Ground Zero Advertising
535 W 34th St
New York, NY 10001

Rapid Fire Data
535 W 34th St
New York, NY 10001

Graphicsubstance
535 W 34th St
New York, NY 10001

Industrie Brand Partners
535 W 34th St
New York, NY 10001

Scivantage Inc
535 W 34th St
New York, NY 10001

Greentree Consulting
535 W 34th St
New York, NY 10001

Kickstart Usa ""Dot"" Com Inc
535 W 34th St
New York, NY 10001

Smith And Allen Consulting
535 W 34th St
New York, NY 10001

Synergy Management
535 W 34th St
New York, NY 10001

Knowledge Staff
535 W 34th St
New York, NY 10001

Sowa Entertainment LLC
535 W 34th St
New York, NY 10001

Tammy Ford Agency
535 W 34th St
New York, NY 10001

Leagus Delaney
535 W 34th St
New York, NY 10001

Sowa Records LLC
535 W 34th St
New York, NY 10001

Tell Eureka
535 W 34th St
New York, NY 10001

Mata
535 W 34th St
New York, NY 10001

Visible World
527 W 34th St
New York, NY 10001

Toccare Design LLC
535 W 34th St
New York, NY 10001

MEGA Management Inc
535 W 34th St
New York, NY 10001

Zuckerman Moe & Sons
527 W 34th St
New York, NY 10001

Trade Settlement Inc
535 W 34th St
New York, NY 10001

Membrado And Montell LLP
535 W 34th St
New York, NY 10001

Audio Visual Rental Svcs
534 W 35th St
New York, NY 10001

Trykor
535 W 34th St
New York. NY 10001

Capstone Communications Inc
527 W 34th St
New York, NY 10001

Bryan-Brown Marc Photographer
534 W 35th St
New York, NY 10001

Deer Park Initiative
537 W 34th St
New York, NY 10001

Capstone Voice & Data Inc
527 W 34th St
New York, NY 10001

Amer Pipe & Tank Lining Co Inc
538 W 35th St
New York. NY 10001

A V Workshop
527 W 34th St
New York, NY 10001

Contemporary Courier
527 W 34th St
New York, NY 10001

American Contracting Co Inc
538 W 35th St
New York, NY 10001

Audio Visual Workshop
527 W 34th St
New York, NY 10001

Corporate Express
527 W 34th St
New York, NY 10001

N Y Wood Tank Co Inc
538 W 35th St
New York, NY 10001

BTX Inc
527 W 34th St
New York, NY 10001

Crestwood Printing
527 W 34th St
New York. NY 10001

Reliable Mechanical Plumbing &
Heating Inc
538 W 35th St
New York, NY 10001

Jason Harrison
544 W 35th St
New York, NY 1000 1

Earth Color Inc
527 W 34th St
New York. NY 10001

Silver Mechanical Corp
538 W 35th St
New York. NY 10001

Michael Warren
544 W 35th St
New York, NY 10001

IGI Earth Color
527 W 34th St
New York, NY 10001

New York Cooling Towers Inc
540 W 35th St
New York. NY 10001

Avery Pix Accounting
517 W 35th St
New York. NY 10001

Sam James Ltd
527 W 34th St
New York, NY 1000 1

538-540 West 35TH St Corp
538 W 35TH St
New York, NY 10001-1317

Formedia Inc
517 W 35th St
New York, NY 10001

Spring Point Imaging
527 W 34th St
New York, NY 10001

Mazza, Michael A
166-1 1 27th Avenue
Flushing, NY 11358

Haystack Media
517 W 35th St
New York, NY 10001

Velocity Express Inc
527 W 34th St
New York, NY 10001

Meushar 34TH Street LLC
C/O The Moinian Group
399 Park Avenue Suite 2200
New York, NY 10022

Hlm Realty
517 W 35th St
New York, NY 10001

Theo Kalomirakis Theaters
517 W 35th St
New York, NY 10001

C/O Roxanne Bertino
1717 Arch St FI 22
Philadelphia, PA 191 03-2740

Howard Stein-Hudson Assocs Inc
517 W 35th St
New York. NY 10001

Big League Entertainment
535 W 35th St
New York. NY 10001

National Railroad Etal
400 North Capitol St N.W
Washington, DC 20001

The Journey
517 W 35th St
New York, NY 10001

The Office Suite
535 W 35th St
New York, NY 10001

The West 35th Group LLC
P. O. Box 1 I04
Alpine, NJ 07620

King Displays
517 W 35th St
New York, NY 10001

Splashlight Studios
535 W 35th St
New York, NY 10001

Abco Refrigeration Supply Corp
545 W 34th St
New York, NY 10001

Plus 8 Video
5 17 W 35th St
New York, NY 10001

Omni Air Conditioning Corp
537 W 35th St
New York, NY 10001

Allen, James
545 W 34th St
New York, NY 10001

Chen, Esther
545 W 34th St
New York, NY 10001

Sasson LLC
125 Park Ave
New York, NY 10017-5529

Banville & Jones Wine Merchants
545 W 34th St
New York, NY 10001

N. Dalvano
545 W 34th St
New York, NY 10001

Zahav LLC
Moinian Group
125 Park Avenue
New York, NY 10017

Brain-Twist
545 W 34th St
New York, NY 10001

Patrick S. Gordon
545 W 34th St
New York, NY 10001

Bell Atlantic International
1717 Arch St FI 22
Philadelphia, PA 19103-2740

Jerry Weinstein
545 W 34th St
New York, NY 10001

Michael Antonio Mazza
16611 27TH Ave
Flushing NY 11358-1119

Downing Management Corp
12 E 49TH St, Rm 1204
New York NY 10017-8283

Andrew Klein
545 W 34th St
New York, NY 10001

Stephen McAllister
545 W 34th St
New York, NY 10001

Ashe William C
560 W 43RD St, Apt 43A
New York, NY 10036-4320

Copacabana
560 W 34th St
New York, NY 10001

MKW & Associates LLC
545 W 34th St
New York, NY 10001

Network Solutions Group Inc
545 W 34th St
New York, NY 10001

Mayor Michael R. Bloomberg
City Hall
New York, NY 10007

Amanda M. Burden
Department of City Planning
22 Reade Street
New York, NY 10007-1216

Scott Stringer
Executive Division
Municipal Building, 19th Flr. South
New York, NY 10007

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

WCBS-FM
1515 Broadway
New York, NY 10036

New York 1 News
75 Ninth Avenue
New York, NY 10011

New York City Department of
Environmental Protection
59-17 Junction Blvd.
Flushing, NY 11373

Bridget Callaghan
NYSDOH-BEE
547 River Street
Troy, NY 12186

Tom Panzone
NYSDEC, Region 2
1 Hunters Point Plaza
47-40 21st Street
Long Island City, NY 11101-5407

Amar Nagi
Regional Headquarters
1 Hunters Point Plaza
47-40 21st Street
Long Island City, NY 11101-5407

NYSDEC Press Office
625 Broadway
Albany, NY 12233-1016
Attn: Kimberly Chupa

Shutter Bar & Cafe Inc
433 W 34th St # 1
New York, NY 10001

Senator Hillary Rodham Clinton
780 3rd Avenue, Suite 2601
New York, NY 10017

Linore Lindy, Principal
PS 033 Chelsea School
281 9th Avenue
New York, NY 10001

The Webster Apartments
419 W 34th St
New York, NY 10001

Senator Charles E. Schumer
757 3rd Avenue, Suite 17-02
New York, NY 10017

Alan Baratz, Principal
Satellite Academy High School
120 West 30th Street
New York, NY 10001

Bank of New York
450 33rd St W
New York, NY 10001

Council Member Christine C. Quinn
224 West 30th Street, Suite 1206
New York, NY 10001

Sister Kathleen Cusack, Principal
St. Michael Academy
425 West 33rd Street
New York, NY 10001

Vectra Mgmt
424 33rd St W
New York, NY 10001

Senator Thomas K. Duane
322 Eighth Avenue, Suite 1700
New York, NY 10001

Robert H Gutheil, Director
Episcopal Social Services
of New York
305 7th Avenue
New York, NY 10001-6008

Skylight Diner
402 West 34th Street
New York, NY 10001

Assembly Member Richard Gottfried
242 West 27th Street
New York, NY 10001

Octagon (Dance Club)
555 W 33rd St
New York, NY 10001

Premier Healthcare
460 W 34th St # 9
New York, NY 10001

Representative Jerrod Nadler
201 Varick Street, Suite 669
New York, NY 10014

D L N Julias Enterprise Inc
436 10th Ave
New York, NY 10001

Manhattan Community Board 4
330 West 42nd Street, Suite 2618
New York, NY 10036

McDonalds Restaurant
427 10th Ave
New York, NY 10001

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

Foro-Italico Restaurant
455 34th St W
New York, NY 10001

WINS-AM 1010
888 Seventh Avenue, 10th Floor
New York, NY 10106

Retail Consulting Svcs
460 34th St W
New York, NY 10001

Rosemary Santiago, Director
Tutor Time Child Care Learning
776 Avenue of the Americas
New York, NY 10001

Appendix H

Significant Threat Determination Notice



STATE OF NEW YORK DEPARTMENT OF HEALTH

Flanigan Square, 547 River Street, Troy, New York 12180-2216

Richard F. Daines, M.D.
Commissioner

August 13, 2007

Mr. Jim Quinn, Chief
NYS Department of Environmental Conservation
Division of Environmental Remediation
Bureau B, Section C
625 Broadway
Albany, NY 12233-7016

Re: Remedial Investigation Report and
Significant Threat Determination
West 34th Street
Site # C231049
New York, New York County

Dear Mr. Quinn:

Staff has reviewed the *Remedial Investigation Report* for the above-referenced site. Based on that review, I understand that as a result of leaking former underground storage tanks, on-site soil and groundwater are contaminated with petroleum-related compounds, mainly benzene, toluene, ethylbenzene, xylenes and methyl-tert butyl ether. Staff offers no further comments on the report.

I also understand that this contamination is located at depth. Therefore direct contact exposure is not expected. In addition, access to the site is restricted by fencing, further minimizing the potential for contact exposure. The area surrounding the site is served with public water. Therefore, ingestion exposure is not expected. Since the site is vacant, there is no current potential for vapor intrusion and subsequent inhalation exposures in overlying buildings. The potential for vapor intrusion in buildings constructed in the future will be addressed during the remedy selection process. Therefore, based on the lack of exposures to on-site contamination, I conclude that this site does not represent a significant threat to public health.

If you have any questions, please contact me at (518) 402-7850.

Sincerely,

Geoffrey J. Laccetti, Chief
Metro Section
Bureau of Environmental Exposure Investigation



Significant Threat Worksheet



☐ State Superfund Program
6 NYCRR 375-2.7

☒ Brownfields Cleanup Program
ECL §27-1411.1©

Site Name: **West 34th Street Development Project**

Site ID No. **C231049**

City/Town: **Manhattan, City of New York**

County: **New York County**

1.	Has all available and relevant evidence regarding the Site been reviewed and the factors in §375-2.7(a)(3) considered?	<input checked="" type="checkbox"/> Yes (go to 2)	<input type="checkbox"/> No (stop)	<input type="checkbox"/> Unsure (stop)
2.	Does Site contamination result in significant adverse impacts (§375-2.7(a)(1)) to:			
a.	species that are endangered, threatened, or of concern?	<input type="checkbox"/> Yes (go to b)	<input checked="" type="checkbox"/> No (go to b)	<input type="checkbox"/> Unsure (go to b)
b.	protected streams, tidal/freshwater wetlands, or significant fish and wildlife habitat?	<input type="checkbox"/> Yes (go to c)	<input checked="" type="checkbox"/> No (go to c)	<input type="checkbox"/> Unsure (go to c)
c.	flora or fauna from bioaccumulation or leads to a recommendation to limit consumption?	<input type="checkbox"/> Yes (go to d)	<input checked="" type="checkbox"/> No (go to d)	<input type="checkbox"/> Unsure (go to d)
d.	fish, shellfish, crustacea, or wildlife from concentrations that cause adverse/chronic effects?	<input type="checkbox"/> Yes (go to e)	<input checked="" type="checkbox"/> No (go to e)	<input type="checkbox"/> Unsure (go to e)
e.	the environment due to a fire, spill, explosion, or reaction that generates toxic gases, vapors, fumes, mists or dusts?	<input type="checkbox"/> Yes (go to f)	<input checked="" type="checkbox"/> No (go to f)	<input type="checkbox"/> Unsure (go to f)
f.	areas where individuals or water supplies may be present and NYSDOH has determined there to be a significantly increased risk to public health (including from soil vapor)?	<input type="checkbox"/> Yes (go to 3)	<input checked="" type="checkbox"/> No (go to 3)	<input type="checkbox"/> Unsure (go to 3)
3.	Does Site contamination result in significant environmental damage (§375-2.7(a)(2))?	<input type="checkbox"/> Yes (go to 4)	<input checked="" type="checkbox"/> No (go to 4)	<input type="checkbox"/> Unsure (stop)
4.	If any box in items 2 or 3 have been checked "Yes," the site presents a significant threat to public health or the environment; check here.	Significant threat to: <input type="checkbox"/> Public Health <input type="checkbox"/> Environment		
5.	If no boxes in items 2 or 3 have been checked "Yes," the site does not present a significant threat to public health or the environment; check here.	<input checked="" type="checkbox"/> Not a Significant Threat		

Summary of Main Factors Contributing to this Determination:

After reviewing the available evidence and considering the factors in Item 2 above, it is concluded that as per Part 375, the petroleum contamination at the site does not constitute a significant threat to the environment. VOC contamination in the soil and groundwater is from residual petroleum associated with the former USTs. No chlorinated solvents were found at the site. There are no significant metals in the soil or groundwater. There are no significant pesticides in the soil. There were some elevated PAHs in the on-site soil but no significant SVOCs in the groundwater. There was one exceedance of the SCGs for lead in the groundwater in one well but a subsequent groundwater sample was non-detect for lead.

John Durnin, Environmental Engineer
Project Manager Name/Title (Print)

[Signature]
Project Manager Name (Signature)

8/15/2007
Date

Robert Cozzy, Acting Bureau Director
Bureau Director/RHWRE Name/Title (Print)

[Signature]
Bureau Director/RHWRE Name (Signature)

8/15/2007
Date

Appendix I
August 30, 2007 In-Situ Waste
Characterization Sampling and
Analysis Plan



Environmental Management & Consulting

August 30, 2007

Mr. Michael Ambery
Meushar 34th Street LLC
c/o The Moinian Group
530 Fifth Avenue, Suite 1800
New York, NY 10036

Re: 550 West 34th Street Soil Classification Sampling and Analysis Plan (SAP)

Dear Michael:

Fleming Lee Shue, Inc. (FLS) is pleased to present the following soil classification Sampling and Analysis Plan (SAP) for the West 34th Street Brownfield Cleanup Program (BCP) site, located at 550 West 34th Street in New York, New York. The SAP was developed to further characterize the historic urban fill and petroleum-impacted soil encountered at the site during remedial investigations. The purpose of this SAP is to provide analytical data appropriate for submittal to waste disposal facilities in order to facilitate acceptance of the material. The list of analytical parameters and the required number of samples per volume of soil for the selected disposal facilities were determined based on information provided by The LaQuila Group, Inc. of Brooklyn, New York and Pure Earth, Inc. of Trevese, Pennsylvania.

Information collected during two prior remedial investigations was also used to develop this SAP. The boring logs and analytical results indicate that the historic urban fill extends from grade to bedrock, with some native soil below the fill layer. Bedrock dips east to west across the site from approximately 13 feet below grade (ft-bg) to 40 ft-bg. Petroleum-impacted soil is present in the southwest section of the site, in the area of the now-removed hydraulic truck elevator. Historical sampling has indicated the presence of a variety of constituents above NY TAGM/NJ Non-Residential Screening Criteria. Based on information pertaining to facility acceptance criteria and data from previous investigations, the following approach is recommended for the execution of the SAP:

Based on the lithology observed during the remedial investigation phase, a grid system was set up to satisfy the facility requirements of one composite sample per 800 cubic yards (CY). Sampling will be conducted on an approximate 30 ft by 30 ft grid. The maximum depth of each of these grids is 20 feet. Some additional sampling will be necessary in grids that extend deeper than 20 feet, and will be collected after site grade

has been lowered. The grids are shown on Figure 1. The blue lines represent the 30 ft by 30 ft grids and the green lines represent the grids that extend deeper than 20 feet.

Test pits will be used to obtain samples to the desired depth. Soil from each of a minimum of 8 discrete samples will be combined into a single composite sample which will be run for a full analytical scan. Each discrete sample will represent 100 CY. For total petroleum hydrocarbon (TPH) analysis, each composite sample will be collected from a minimum of 5 discrete samples, each of which will represent 20 CY.

All soils at the site will be sampled and analyzed for all parameters listed in Table 1. Test pits in each grid will be extended to bedrock or 20 feet, whichever is encountered first. The volatile organics sample will be collected at the location of highest suspected contamination (based on visual, olfactory and photoionization detector (PID) readings).

All New Jersey and Pennsylvania facilities require that laboratories certified in each respective state complete the analysis. FLS recommends using Accutest Laboratories of Dayton, New Jersey, which is certified in both New Jersey and Pennsylvania.

This SAP should be submitted for approval to all proposed disposal facilities prior to mobilization, in order to avoid additional sampling. In the event that hazardous materials or unexpectedly elevated concentrations are encountered, additional sampling may be needed to gain acceptance from the disposal facility.

Feel free to contact me if you need any additional information.

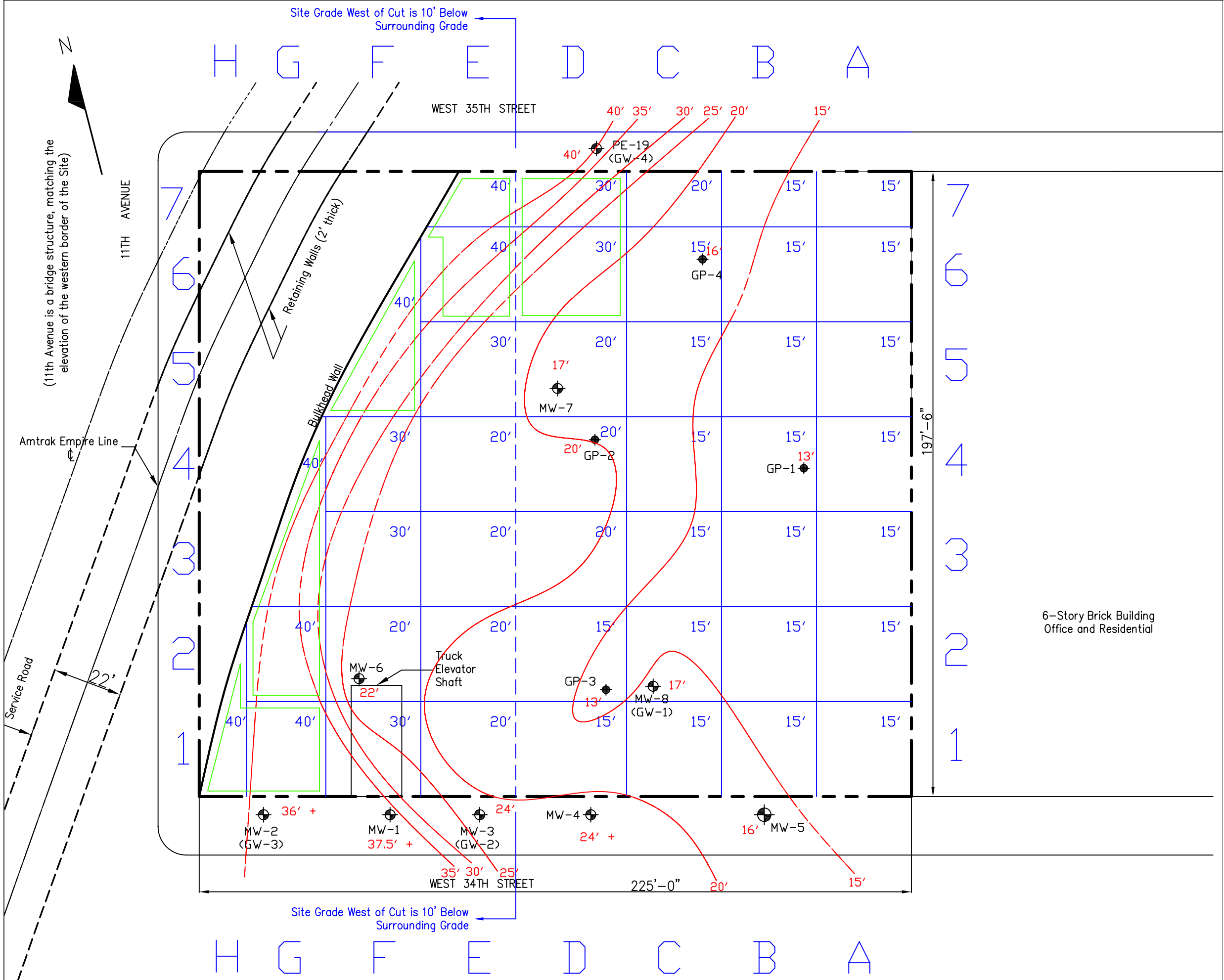
Sincerely,
Fleming Lee Shue, Inc.

Matthew Carroll
Environmental Engineer

550 West 34th Street - Soil Classification Sampling and Analysis Plan

Table 1

Sample Type	Frequency	Description	Analysis
Composite	1 per 800 CY	Composite of 8 discrete samples representing 100 CY	Full NJ Soil Cleanup Criteria
			TCLP metals, including Cu, Ni and Zn
Composite	1 per Site	1 representative sample	RCRA Characteristics (Ign./Reac./pH/Corr.)
			Paint Filter Test
Composite	1 per 100 CY	Composite of 5 discrete samples representing 20 CY each	TPH (Method 8015 - DRO/GRO)



Environmental Management & Consulting

158 West 29th Street, 9th Floor
New York, NY 10001

FIGURE 1

West 34th Street Development
New York, NY

SOIL CLASSIFICATION GRID LAYOUT - 800 CY

Date
AUGUST 2007

Project Number
10090-001

LEGEND

- PROPERTY BORDER
 - APPROXIMATE DEPTH TO BEDROCK (from surrounding grade)
 - MEASURED BEDROCK DEPTHS (from surrounding grade)
 - BEDROCK CONTOURS
 - APPROXIMATE 30' x 30' GRID (No greater than 20' bgs)
 - AREAS WHERE DEEP SAMPLES ARE NECESSARY
- Scale: 30, 15, 0, 30