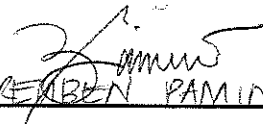


Environmental Management & Consulting

CERTIFICATION OF MAILING

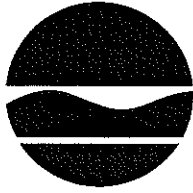
I certify that I mailed on DECEMBER 5, 2007 a copy of the attached FACT SHEET #3 by first class mail upon the person(s) on the attached mailing list,, by depositing a true copy thereof, securely enclosed in a postpaid wrapper, in the Post Office box at CORNER OF 7TH AVE & W 30TH STREET in the City of NEW YORK, New York, which box in under the exclusive care and custody of the United States Post Office Department.


REUBEN PAMINIANO

SIGNATURE over PRINTED NAME

12-11-07

DATE



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:

Project Related Questions

Shaun Bollers, Project Manager
New York State Department of
Environmental Conservation
47-40 21st Street
Long Island City, NY 11101
(718) 482-4608

Health Related Questions

Albert DeMarco, Project Manager
New York State Department of Health
547 River Street
Troy, NY 12180
(800) 458-1158, ext. 27860

For more information about New York
State's BCP, visit:

www.dec.state.ny.us/website/der/bcp

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

605/615 West 42nd Street
Development Site
New York, New York
Site No: C231051

November 2007

Fact Sheet #3

Remedial Action to Address Brownfield Site Contamination to Begin 605/615 West 42nd Street New York, NY 10036

Construction is about to begin at 605/615 West 42nd Street in Manhattan under New York's Brownfield Cleanup Program (BCP). See map for the location of the site. 605 West 42nd LLC, 605 West 42nd Owner LLC, 605 West 42nd Administrative Member LLC, CUIP 605 West 42nd LLC (collectively referred to as the Volunteers) will soon begin remedial activities to address contamination at the site with oversight provided by the New York State Department of Environmental Conservation (NYSDEC).

NYSDEC previously accepted an application submitted by the Volunteers to participate in the BCP. The application proposes that the site will be used for unrestricted purposes.

Highlights of the Upcoming Site Remedial Activities

Remedial activities have several goals:

- 1) remediate contamination at the site to a level that is fully protective of public health and the environment, and
- 2) account for the intended or reasonably anticipated future use of the site.

"*Remedial activities*" and "*remediation*" refer to all necessary actions to address any known or suspected contamination associated with the site.

The proposed cleanup objectives for the site are 6 NYCRR Part 375-6 - Track 1 Unrestricted Use Soil Cleanup Objectives and Division of Water Technical and Operational Guidance Series (TOGS) 1.1.1 Ambient Water Quality Standards and Guidance Values and Groundwater Effluent Limitations - Class GA. The remediation will protect public health and the environment by removing all soil and groundwater that exceeds the above mentioned cleanup objectives.

The following remedial activities will be undertaken:

- Contaminated on-site soils will be removed to a depth of 20 feet across the site. Samples will be taken from the excavated area to confirm that the cleanup objectives for the Site have been met.
- Groundwater will be treated through the construction dewatering system.
- Subsequent to excavation, off-site groundwater and offsite and onsite soil vapor monitoring will be conducted.

Excavation and dewatering are expected to begin on or about December 5 and last for approximately 4 months.

A lane closure permit application for the southernmost traffic lane of West 43rd Street between 11th Avenue and 12th Avenue will be submitted to DOT. The primary truck route in and out of the Site will be through two guarded entrances on West 43rd Street. Dust and noise control measures will meet all city regulations. A Community Air Monitoring Plan, which includes worker and community air monitoring, will be implemented during all remedial activities. Hours of operation will be from 7:00am to 3:30pm weekdays. There is no interruption of water or utility service to the adjacent properties contemplated at this time.

BROWNFIELD CLEANUP PROGRAM

Next Steps

The Volunteers are expected to begin remedial activities at 605/615 West 42nd Street on or about December 5. These activities are anticipated to take approximately four months. NYSDEC and the New York State Department of Health (NYSDOH) will oversee the remedial activities.

Within 90 days of completing remedial activities, the Volunteers must submit to NYSDEC a Final Engineering Report (FER). The FER will describe the remedial activities completed and certify that remediation requirements have been achieved or will be achieved. A fact sheet will be sent to the site contact list that describes the content of the FER.

When NYSDEC is satisfied that remediation requirements have been achieved or will be achieved for the site, it will approve the FER. NYSDEC will then issue a Certificate of Completion to the Volunteers. Upon issuance of a Certificate of Completion, the Volunteers:

- have no liability to the State for contamination at or coming from the site, subject to certain conditions; and
- are eligible for tax credits to offset the costs of performing remedial activities and for redevelopment of the site.

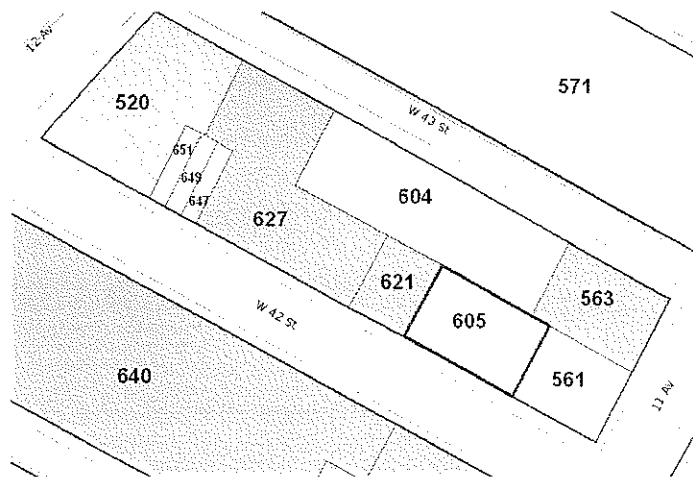
The Volunteers would be eligible to redevelop the site after it receives the Certificate of Completion from NYSDEC.

Background

The Site is approximately 0.346 acres and is located in a commercial, residential, and manufacturing section of Manhattan. The site was used as a coal and coke yard from at least 1890 to before 1911. A can manufacturer occupied the property from the late 1890's to early 1900's, until 1930 when the Site was occupied by a metal manufacturer. A portion of the Site was occupied by a candy manufacturer from the 1950's to 1968. The current building was erected in 1968 and has been occupied by the New York Telephone Company (AT&T, NYNEX, Bell Atlantic, and Verizon Communications). Previous site investigations identified subsurface contamination in the vicinity of three 550-gallon unleaded gasoline underground storage tanks (USTs) that were present at the site. Sampling indicated exceedances of petroleum-related volatile organic compounds (VOCs) and semivolatle organic compounds (SVOCs) above NYSDEC soil cleanup objectives. Groundwater sampled at two locations on the Site contained dissolved petroleum constituents, primarily VOCs, above NYSDEC Class GA groundwater standards. The three USTs were closed in place in 1992. Elevated SVOCs and metals were also identified in

the shallow soils beneath the existing building at levels typical of urban fill material. Contamination appears to extend to approximately 15 feet below grade. A sample collected at 20-22 feet below ground surface did not contain any detectable contaminant concentrations. Contaminants are contained within the Site boundaries. Offsite impacts to adjacent properties have also been assessed during previous investigations some of which were conducted under NYSDEC oversight. Based on the historical onsite and offsite reports reviewed during preparation of the Remedial Investigation Work Plan (RIWP), and data obtained during the geotechnical investigation, on- and offsite contamination has been adequately characterized and no additional soil, groundwater, and/or soil vapor investigation is expected to be necessary at this time. The Brownfield Cleanup Agreement for this site was executed on 11/16/2006; the Remedial Investigation Workplan/Remedial Investigation Report was approved on 6/22/2007. The Remedial Action Work Plan with Stipulations (RAWP) was approved on 11/5/2007.

SITE LOCATION



Document Repository

A local document repository has been established to help the public to review important project documents. These documents include the RAWP, RIWP and the application to participate in the BCP accepted by NYSDEC.

NOTE:

If you know someone who would like to be added to the project mailing list, have them contact 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.