

# RESPONSIVENESS SUMMARY

250 Water Street: Site NO. C231127

New York, New York

## Remedial Action Work Plan

Comments Received at the Manhattan Community Board 1 Environmental Protection Committee  
September 21, 2021 Meeting 6:00 PM held virtually

***Comments have been aggregated for response.***

1. The CB1, CB1 and South Seaport coalition consultants, NYS Assembly Member Niou's Office, and the general public attending the public meeting requested a 15-day extension to October 15, 2021 to allow further review of the Draft Remedial Action Work Plan and preparation of formal written comments.

*Response:* The Comment Period began on June 25, 2021 and was extended to September 11, 2021, and then extended again to September 30, 2021. DEC will not further extend the Comment Period.

2. A public meeting should have been scheduled at the start of the comment period.

*Response:* Comment noted.

3. Request that the consultants for CB1, Blue School and South Seaport Coalition are provided the opportunity to review and provide comments on the Remedial Design Work Plan.

*Response:* The consultants for CB1, Blue School and South Seaport Coalition will be provided an opportunity to review and provide comments on the Remedial Design Investigation Work Plan.

4. How will the test pitting be implemented during the Remedial Design Investigation and what will be the safety protocol?

*Response:* Specific details regarding test pitting will be provided in the remedial design investigation plan and will include implementation of the previously approved Community Air Monitoring Plan (CAMP) and Health and Safety Plan (HASP). No work will be completed prior to DEC and DOH review and approval of the remedial design investigation work plan.

5. Request that the consultants for CB1, Blue School and South Seaport Coalition are provided the opportunity to review and provide comments on the RAWP should it be revised to address comments provided during the public comment period.

*Response:* The consultants for CB1, Blue School and South Seaport Coalition will be provided an opportunity to review revisions to the RAWP prior to implementation.

6. Request that the consultants for CB1, Blue School and South Seaport Coalition are provided the data from the remedial design investigation and allowed to comment on how the data may or may not require modifications to the Community Air Monitoring Plan.

*Response:* The consultants for CB1, Blue School and South Seaport Coalition will be provided an opportunity to review the data gathered during the Remedial Design Investigation.

7. Request that all Daily Field Reports for the Remedial Design Investigation and the Remedial Action are posted the 250 Water Street website for the community to review.

*Response:* Yes, the daily field reports will be made available on the 250 Water Street Redevelopment website at: <https://250bcp.com>

8. Request for Monthly meetings between NYSDEC, NYSDOH, Key Stakeholders and 250 Water Street representatives until completion of the remedial action.

*Response:* The Department will coordinate community stakeholder meetings during the remedial action to provide updates on the remediation.

9. Request that the NYSDEC and NYSDOH review the available air monitoring and soil sample mercury vapor data from the Remedial Investigation along with the data that will be gathered during the proposed remedial design investigation to ensure that CAMP is sufficient to protect human health in the nearby vicinity particularly with regard the to the current requirement that schools must keep school windows open. Included in the request was a request to determine if remedial work should be completed in an enclosure such as a tent.

*Response:* DEC and DOH have reviewed the existing remedial investigation data and have determined that the Community Air Monitoring Plan is protective of human health. DEC and DOH will review the information gathered during the remedial design investigation to determine if modifications to the CAMP and/or means and methods to implement the remedy are warranted to address potential exposure pathways.

10. How will DEC ensure that all the required CAMP and other construction controls are followed during the remediation? Will DEC be onsite? CB1 is requesting weekly DEC visits to the site.

*Response:* DEC, as the oversight agency, will conduct periodic inspections to ensure that all work is completed in accordance with the approved work plans and safeguards are in place during any activity at this site.

11. The statement that no mercury vapors detected onsite during the Remedial Investigation is incorrect, mercury vapors were detected below the action limit at the CAMP monitoring station and mercury vapors were detected during the scanning of the mercury cores.

*Response:* Noted. These detections of low mercury vapor concentrations are an indication that equipment being used at the site has the ability to identify mercury vapor well below levels that would require action. The instantaneous readings taken over the soil borings are not comparable to the 15 minute time averaged mercury vapor levels captured by the CAMP monitors, but serve as a proactive measure which allows for evaluation of any mercury vapors that may occur while work is being performed so that steps can be taken, if needed, well in advance of any action levels being reached. In addition, these instantaneous readings can serve as an early alert to guide source mitigation, so that action levels are not reached at the site borders.

12. Requested that the remedial construction schedule is set that the mercury remediation is completed during the area schools' summer break.

*Response:* Comment noted and will be evaluated.

13. Requested that all remedial work is completed during school breaks due to sensitive population (school age children) in the vicinity.

*Response:* Noted. However, once remedial construction begins, it is appropriate to complete the work in the shortest amount of time. This may conflict with the time that school is not in session.

14. CB1 consultant sought clarification that the construction means, and methods would minimize soil stockpiling onsite.

*Response:* Yes, the intent is to minimize onsite stockpiling of excavated soils.

15. South Seaport Consultant requested that the Remedial Design Investigation Work Plan contain several test pits including areas outside of the thermometer factory along the Water Street side of the parcel where mercury and petroleum impacts were noted in the Remedial Investigation.

*Response:* Comment noted. Please see response to Comment 3.

16. It was requested that noise abatement is reviewed to ensure that noise from the remediation and the development does not disturb the neighboring areas.

*Response:* Noise control will be conducted in accordance with NYC Department of Building requirements.

17. Requested additional information regarding truck routing during remedial action.

*Response:* Truck route maps are provided within the Remedial Action Work Plan as Figure 13. Figure 13 has been revised to indicate construction entrances and egresses, including locations of truck washes.

18. During remediation, how will tracking of soil from the site be prevented.

*Response:* Truck washing stations will be placed at the exit of the site. All trucks leaving the site will be cleaned to remove any soil on the exterior of the truck. Figure 13 Truck Route map has been revised to indicate construction entrances and egresses, including locations of truck washes.

19. A request was made to ensure that vaporization from dewatering activities is addressed, particularly concerned that open container storage of pumped groundwater may be proposed.

*Response:* Comment noted. A DEC dewatering permit will be required to implement the remedy. As part of the permitting review, the storage and disposal of contaminated groundwater will be evaluated to assure proper handling and management.

20. Please provide the chemical components of the proposed mercury vapor suppression foam and if it has been used on other sites.

*Response:* Mercon-X, is a mercury vapor suppression foam that has been used on other DEC mercury remediation sites. The Mecon-X Material Safety Data Sheet is attached.

21. Please provide a list of other remedial sites similar to the 250 Water Street Site where remediation has been completed within a high-density population area and/or near schools.

*Response:* While each site and its surroundings are unique and poses site-specific challenges, DEC has addressed mercury contamination on brownfield sites with concentrations equal or greater than was found at the 250 Water Street site. DEC and DOH review each site's Remedial Action Work Plan (RAWP), Community Air Monitoring Plan (CAMP), and Health and Safety Plan (HASP) considering the surroundings to safeguard the public.

Implementation of the site-specific CAMP, HASP and other safeguards will ensure that the surrounding population will be protected from site activities. These plans are designed to be protective of exposure pathways (for example the air-inhalation pathway, water and soil ingestion and dermal pathways). Each site's specific RAWP, CAMP and HASP share common elements, but also are tailored to the site to ensure

that the appropriate protective actions are incorporated, and that any unique, site-specific concerns are addressed.

The 509 West 34<sup>th</sup> Street Brownfield Site (C231094), located in Midtown Manhattan had a historical use that included a haberdashery where a mercury solution was used in its manufacturing process. The maximum mercury contamination found onsite was 4,590 parts per million which is approximately 5 times the maximum concentration found at the 250 Water Street site. On-site personnel located within the exclusion zone were required to wear respirators. The mercury vapor suppressant Mercon-X was used during the excavation of mercury to control mercury vapors from the open excavation. Open excavations were tarped with poly sheeting when active excavation was not occurring.

22. What is the significance of the percentage of elemental mercury to total mercury detected in the soil samples?

*Response:* The ratio of elemental mercury to total mercury provides the amount of mercury that may be available to volatilize from the soil. This ratio is not directly translatable to a specific air concentration, nor can it be used to predict what a 15-minute average air concentration might be near soil with that proportion of elemental mercury. Because the mercury is in soil in this case, the percentage of elemental mercury does not refer to the percentage mercury in the soil but the percentage of elemental mercury in the concentration of mercury detected in the soil. (i.e., a 10-gram soil sample with 42 parts per million of mercury contains 0.00042 grams of mercury. If that sample contains 5 % elemental mercury, the sample contains 0.000021 grams or 21 nanograms of elemental mercury)

23. How will the contamination outside of the BCP site boundary, in the location of the former thermometer factory be addressed?

*Response:* The Department is committed to investigating and addressing contamination related to the thermometer factory outside of the BCP site boundary. Initial remedial investigation work is scheduled to begin in the Spring of 2022.

24. Will DEC and DOH be in touch with CB1 and South Seaport Coalition during the P-site investigation?

*Response:* Yes, DEC and DOH will be keeping the community informed and updated about the P-site investigation.

25. What happens in case of an emergency?

*Response:* The site Health and Safety Plan (HASP) provided in the Draft Remedial Action Work Plan as Appendix D provides the overall safety protocols for the remedial activities.

## Comments Received via Email

### Comments were received from the following sources:

- Blue School (Ramboll)
- Reed Super on behalf of South Street Seaport Coalition Inc.,
- Excel Environmental Resources on behalf of the Community Board (CB) -1
- Manhattan Community Board -1
- Children First
- NYC Assemblymember Yuh-Line Niou
- 442 Individual emails and letters with comments that followed a similar format

### Health Related Comments:

26. Most commenters along with multiple community consultant and elected officials requested that the remedial work including the test pits are conducted within a tent enclosure with a negative air pressure as an exposure safeguard.

Response: Please see Response to Comment 9.

27. Many commenters requested to have a presentation on how the dust and noise mitigation process will be managed while windows are open at school all day.

*Response:* The Community Air Monitoring Program and the RAWP provide dust monitoring and suppression requirements and methods that will be implemented during the remediation. Dust suppression techniques are included in the RAWP Appendix D (Construction Health and Safety Plan), Section 8.1. Noise mitigation will be addressed in accordance with New York City regulations [<https://www1.nyc.gov/assets/dep/downloads/pdf/air/noise/noise-code-guide-summary.pdf>]

28. The community consultants and many commenters have raised concern about the impact of the potential indoor air quality due to the requirement of open windows in school during intrusive remediation activities. In addition, many in the community had suffered by 911 and post 911 health impacts and now suffering from the COVID-19 pandemic.

*Response:* The Community Air Monitoring Plan is designed to be protective of the off-site community, directly at the site boundary. Any levels of dust, VOC, or mercury vapors farther from the site boundary, including at open school windows, would be lower than any measured concentrations at the downwind CAMP stations, where our action levels are set.

Additionally, for improving air quality in classrooms with respect SARS CoV-2 transmission, there are multiple options that schools can explore. Opening windows is one option to improve ventilation in rooms not served by a central ventilation system, or that are served by a ventilation system that cannot be upgraded with a filter providing higher filtration efficiency. However, CDC and NYS guidance recognize that outdoor air quality (from sources unrelated to this remediation, such as pollen or regional air pollution), and thermal comfort for room occupants, may steer schools toward alternative means for improving indoor air quality (IAQ) in school rooms. One option is the use of portable HEPA air filters in classrooms when windows cannot be effectively, or safely left open. We have confirmed with the NYC Department of Education that the Peck Slip School has received air cleaners for all of the classrooms and the cafeteria.

Similarly, private schools and other buildings in the community, could use the multipronged advice for ventilation and indoor air quality that CDC and NYS provide to identify the best option for their building. Improvements to building ventilation can improve IAQ overall, protect health, and can be a benefit to the occupants longer term after remediation activities and COVID-19 concerns are resolved.

29. Multiple community consultants requested to add a dedicated air monitoring technician into the CAMP for the full duration of the RDI implementation and the Remedial Action implementation.

*Response:* Section 3.2.2 of RAWP and Section 1.3.2 in Appendix D Section 8.0 - Construction Health and Safety Plan. A dedicated air monitoring technician will be on-site during all ground-intrusive activities including all remedial activities.

30. Multiple Community consultants requested that the Draft RAWP should be revised to clearly state that the perimeter CAMP and mercury monitoring will be conducted throughout the duration of the Remedial Action and redevelopment construction until such time that all subsurface, intrusive activities are completed.

*Response:* As stated in the Remedial Action Work Plan Section 5.4.11 the CAMP will be maintained until all remedial activities have been completed.

31. Multiple Community consultants requested information on how the perimeter CAMP units will be managed and placed during the soil excavation is conducted near the property boundaries; and how will the safety of children, teachers, and staff at the school be ensured?

*Response:* RAWP, Section 3.3.2: Continuous monitoring will be conducted at the site perimeters for visible dust and odors. Section 4.2.5: The site perimeter will be gated and fenced limiting site access and protecting pedestrians, from site activities. Section 5.4.11 CAMP: states in detail about the management of the perimeter CAMP stations based on wind direction and work zone location and will take into account the location of sensitive receptors and ground level air intakes. Appendix D

Section 8.0 and 8.1: This section includes the information about the site-specific CAMP and details about continuous monitoring at the perimeter of the site during ground intrusive activities.

In general, air monitoring will take place in the work area and CAMP stations will be situated along the perimeter of the site. Additionally, the dedicated air technician will be walking around the site with a portable mercury monitor during all ground-intrusive activities. If the excavation area is near the site boundary, (the closest CAMP station at the site boundary will be relocated to the sidewalk of the street opposite the site. Work zone action levels will be lowered to the community air monitoring levels. The day-to-day location of CAMP stations will be fluid and dynamic based on wind direction and work zone location and will take into account the location of sensitive receptors and ground level air-intakes. The weather and perimeter air monitoring stations will utilize a wireless telemetry system to monitor real-time wind direction, temperature, concentrations.

32. Blue School requested how will the potential off-site migration of contaminated soil vapor be monitored, how will potential vapor intrusion in surrounding buildings be evaluated, and what actions will be taken to address vapor intrusion issues that may be identified?

*Response:* The potential for soil vapor intrusion will be evaluated as part of the DEC implemented 250 Water Street Offsite investigation.

### **General Comments:**

33. Children First has requested to restore the proper sequence of the RIWP and RAWP and resubmit a new RAWP for public review upon full adherence to the certified investigation plan set forth in June 2020.

*Response:* The proper sequence has been followed at this site. All work completed at 250 Water Street site under the BCP program has followed the program requirements as outlined in 6 NYCRR Part 375. The remedial investigation was conducted in accordance with the approved work plan. It has defined the nature and extent of contamination at the site. The subsequent Remedial Investigation Report has been reviewed and approved by the Department with input from the community consultants. The RAWP has identified the remedial elements necessary to clean up the site to be protective of human health and the environment.

34. Manhattan Community Board 1 (CB1) along with many community residents, stakeholders, elected officials and community consultants requested to extend the public comment period on the Draft Remedial Action Work Plan to October 15, 2021.

*Response:* Please see Response to Comment 1.



35. Many commenters requested an in-person meeting between Heidi Dudek and Community Leaders and Stakeholders at 250 Water Street by October 31, 2021 and before the approval of the RAWP.

*Response:* Please see Response to Comment 8.

36. Most commenters along with CB1, stakeholders, elected officials, and multiple community consultants requested to perform the intrusive remedial work while school is not in session.

*Response:* Comment noted. Please see Response to Comment 13.

37. Many commenters including Children First are requesting that the remediation at the Site does not begin until there is an approved building plan.

*Response:* DEC and DOH are statutorily obligated to protect human health and the environment. Although it is accurate to say that currently the site does not pose an immediate threat, DEC prefers that the remedial work to begin soon after the Remedial Action Work Plan (RAWP) is approved. DEC does not require a site's redevelopment plan to be approved by the municipality prior to the remediation commencing.

38. The community is requesting that the RAWP is not approved until test pit excavation is completed and the public has an opportunity to comment on the data and a new draft RAWP.

*Response:* Please see Response to Comment 5.

39. Many commenters asked how Langan and DEC will manage investigation and remediation given COVID protocols at schools include managing dust migration from site and noise mitigation when windows are open at adjacent schools all day and students use both Peck Slip and Water Street as playstreets.

*Response:* Implementation of the approved Community Air Monitoring Plan will ensure public safety. Noise control will be conducted in accordance with NYC Department of Building requirements. The site-specific CAMP is protective of public health and includes continuous monitoring at the perimeter of the site during ground intrusive activities. [Appendix D CHASP, Section 8.1](#) gives details on the dust suppression techniques that will be used to minimize dust at the site. Please also see Response to Comment 31.

40. Some commenters requested a list of other BCP sites in NYC with similar conditions to 250 Water Street.

*Response:* Please see Response to Comment 21.

41. CB1 is seeking assurance that Lawra J. Dodge, P.G., LSRP, President of Excel Environmental Resources, Inc. and Independent Community Monitor for this project, as well as expert consultants working with the Blue School and the Seaport Coalition, receive a copy of the Remedial Design Investigation (RDI) work plan and have an opportunity to submit comment before it is finalized.

*Response:* Please see Response to Comment 3.

42. Multiple community consultants and the community requested an update regarding the scope and timing for the off-site investigation.

*Response:* DEC anticipates conducting the offsite investigation in early 2022.

43. Community Consultant Lawra Dodge has requested a meeting with NYSDEC and NYSDOH and the community's environmental professionals, including Tom Fusillo on behalf of The Blue School and others as the community members deem appropriate, to further elaborate on the comments outlined herein and those made by community members, other professionals, and other stakeholders.

*Response:* Please see Response to Comment 8.

44. Community consultant Tom Fusillo asked if the results of the remedial design investigation indicate a significant change to the remedial approach in the current draft RAWP will public comment be allowed for a revised RAWP?

*Response:* The Department does not anticipate a significant change in the remedial elements presented in the RAWP due to information gathered during the Remedial Design Investigation. The investigation is intended to refine the means and methods of implementing the remedy.

45. Community consultants along with Children First requested how the surrounding community will be notified if a significant airborne or mercury vapor release event were to occur?

*Response:* Section 4.2.11: An emergency contact sheet with names and phone numbers is included in the CHASP (Appendix D, Section 16.0). This document will define the specific project contacts for use by the DEC and DOH in the case of a day or night emergency. However, a significant airborne or mercury vapor release is not expected based on the levels of contaminants detected at this site.

46. Assemblymember Yuh-Line Niou requested that the RAWP and the Remedial Design Investigation must include components vital to the safety and health of our community.

*Response:* The DEC and DOH agree. The overall protectiveness of the public health and the environment are the first factors considered during the evaluation of remedy alternatives.

47. Blue school requested to have a roving off-site monitor to monitor for odors as well as mercury, particulates, and volatile organic compounds (VOCs) since the primary area of petroleum contamination is located in the southeastern portion of the 250 Water Street site, close to Blue School and Peck Slip School as well as residences.

*Response:* The CAMP monitoring for the petroleum excavation will include monitoring stations closest to the excavation, with requirements for actions to be taken should any of the conservative action levels be reached. Concentrations of airborne contaminants, dust, and odors would be highest near the source, so additional monitors farther away would only yield lower concentrations if detected at all. Monitoring stations should be closer to the source so any exceedances are detected before they could reach farther off-site, and any actions, if needed would be implemented sooner. The current plan includes having the roving on-site monitor screening the work zone itself, and downwind locations for contaminants of concern. If petroleum odors are noticed, or if monitor readings for vapors or dust are noted in or around the work zone, appropriate actions as described in the HASP and CAMP will be taken to prevent impacts to areas outside the work zone, including off-site locations Please refer Response to Comment nos. 31 and 38.

48. Blue School requested that the baseline community ambient air quality monitoring must be conducted as part of the remedial design investigation.

*Response:* A baseline community air monitoring effort was conducted for the Remedial Investigation and will be used as a pre-remediation air quality and serve as a measure of current background air quality. In accordance with the CAMP, downwind camp monitoring data will be compared to upwind CAMP monitoring data, to provide a real-time comparison to ambient conditions.

## **Technical Comments:**

49. Many commenters requested information regarding the composition and toxicity of the foam that will be applied to the exposed soil.

*Response:* Please see Response to Comment 20.

50. CB1 Community is asking greater clarity and more information on test pits at “hot spot” locations as well as specific details on how these test pits will be conducted.

*Response:* Please see Response to Comment nos. 3 and 4.

51. How is a Brownfields site prepared to deal with flash floods, overflowing sewers, rising river levels.

*Response:* The Remedial Action Work Plan Sediment and Erosion Control Plan in Appendix F provides controls used to prevent soil from the 250 Water Street from leaving the site during a high precipitation event. Stormwater Pollution Prevention is further discussed in section 5.4.9. For example, silt fencing or hay bales will be installed around the perimeter of the remedial construction area, as required.

52. Assemblymember Yuh-Line Niou requested that the RAWP should not be considered complete until the testing pits are completed, and the results provided to the community for comment.

*Response:* Please see Response to Comment 6.

53. Assemblymember Yuh-Line Niou requested additional investigation regarding Langan's statement that mercury vapor was not detected in on-site soil samples based on the laboratory testing of a soil sample from a specific section of the site, because Mercury was indeed found in the soil and in vapor screening, in the tubes used for on-site vapor samples.

*Response:* Please see Response to Comment nos. 9 and 11.

54. The staging, construction, loading, and unloading of trucks should also be required to be on-site only.

*Response:* Yes. Any remedial work related to site preparation, excavation and loading of excavated soil will be performed on-site. The details of the remedial action are provided in Section 5 with the RAWP.

55. The site must not have any stockpiles of contaminated soil, during testing or during excavation.

*Response:* Please see Response to Comment 14.

56. Multiple community consultants requested that during the Remedial Design Investigation, test pitting is completed in both the mercury hot-spot areas and at other locations with the potential for mercury and other volatile organic compound (VOCs) contamination.

*Response:* See Response to Comment 4.

57. Community consultant Lawra Dodge requested to add RDI work scope details and schedule in the RAWP.

*Response:* The RDI work scope information and schedule will be provided in the RDI work plan.

58. Community consultant Lawra Dodge requested the Draft RAWP be revised to propose direct excavation and live loading of excavated soil, especially all mercury and petroleum-impacted soil with advance waste stream approval and no stockpiling on-site.

*Response:* See Response to Comment 14 and revised section 5.4.3 within the RAWP for more detailed information.

59. Community consultant Lawra Dodge requested the Draft RAWP should be revised to discuss the means, methods, and best management practices for ensuring that water associated with excavation of wet soils will be kept on the Site and will not run off onto adjacent sidewalks or streets.

*Response:* Section 5.4.7 of the RAWP has been revised to detail onsite fluid management practices related to loading of soils excavated from beneath the water table. As provided in Section 5.4.3, disposal trucks will be lined.

60. Community consultant Lawra Dodge requested the Draft RAWP should be revised to clearly discuss the management of trucks in an out of the Site, the construction entrances(s) should be identified, and the Truck Route Map revised to clearly show proposed routes in the area immediately surrounding the Site.

*Response:* The management of trucks are provided in Section 5.4.4 Soil/Fill Transport offsite within the Remedial Action Work Plan. Figure 13 Truck Route map has been revised to indicate construction entrances and egresses, including locations of truck washes.

61. Please provide information regarding the chemical odorants or spray proposed for use for review by the community and the environmental professionals.

*Response:* Please see Response to Comment 11.

62. Blue school asked what groundwater monitoring will be performed to assess potential slugs of contamination that may migrate from the 250 Water Street site once the pavement is removed, and the underlying contaminated soils begin being leached by infiltrating rainfall.

*Response:* Groundwater monitoring as outlined Section 5.2.2 will be completed post excavation to assess the performance of the groundwater remedy.

63. Blue school asked how the potential impact on adjacent properties will be addressed with regard to Track 2 or Track 4 cleanup that will leave residual contamination on site 250 Water Street.

*Response:* The selected Remedial Alternative (Alternative 2) will meet and conform with the requirements of a Track 2 Restricted Residential Remedy as set forth in 6 NYCRR

Part 375. The remedy will achieve site-specific Restricted Residential Soil Cleanup Objectives for all soils to depths exceeding 15 feet grade.

64. The RAWP does not specify any details regarding the insitu remedy, including whether this remediation would be performed while the 250 Water Street site is excavated or after the site has been backfilled or developed.

*Response:* Section 3.2.6 has been updated to include additional details for the contingent in-situ groundwater remedy, should groundwater Remedial Action Objectives not be met with source removal and dewatering.

65. Will the soils excavated from the mercury hotspot be immediately loaded onto trucks for transport off-site?

*Response:* Please see Response to Comment 58.

66. Given that at least some of the mercury-impacted soils are located below the water table, even with dewatering, the excavated soils will be saturated with water. How will those soil be handled to ensure that potentially contaminated water does not drain out of the soils during excavation, loading and transport, potentially volatilizing mercury vapor?

*Response:* Please see Responses to Comments 57 and 59.

67. Given that the planned excavation will encompass the entire 250 Water Street site to the fence line and to significant depths, and given the close proximity of surrounding buildings, what sheeting, and shoring is anticipated to be implemented?

*Response:* Based on excavation depths between 16 and 18 feet below ground surface, it is anticipated that sheeting and shoring along the entire property boundary will be required.

68. What will happen if a spill were to occur close the 250 Water Street site boundaries such that the exclusion zone would need to extend off of the Site into one of the surrounding streets?

*Response:* Emergency and spill conditions will be reported to DEC. The Remedial Action Work Plan Spill Control and Response plan in section 16.14 provides detailed information on spill control.

69. Children First requested information from other DEC sites with where similar conditions with elemental mercury vapor existed; including: What data was collected at test pits with mercury vapor and were those locations next to schools / in high density areas / near sensitive receptors?

*Response:* Please see Response to Comment 20 and 21.

70. Many community consultants, Children First, and community members requested what methods will be employed to minimize noise impacts on surrounding schools and residences during excavation activities

*Response:* See Response to Comment 16.

71. Reed Super requested that the inconsistency between the mercury soil vapor laboratory results and the empirical field measurements for mercury vapor should be evaluated.

*Response:* Please see Response to Comment 11.

72. The RDI Work Plan and Remedial Design Memorandum (“RDM”) should be reviewed by the public, or at minimum, by the professionals representing the public.

*Response:* See Response to Comment 40.