Questions Received Via Zoom Chat (January 13, 2022)

1. **Tammy Meltzer**: Can you please elaborate on the exact timing and noise effects of the borings for the school?

   Response:

   The Remedial Design Investigation Work Plan (RDIWP) will be implemented after it is approved by DEC. Pending DEC approval, HHC anticipates a start date as early as February 12, 2022. HHC will send a notification to their community interested parties list with the anticipated schedule when it is known.

   The RDI contractor will use barriers and noise curtains to section off work areas during test pitting and drilling. A plan for noise control will be developed in advance of remediation/construction and utilized by the excavation and foundation contractors and will conform, at a minimum, to the New York City Department of Environmental Protection (NYCDEP) noise control standards.

2. **Maggie Siena:** Will Peck Slip between Pearl & Water be available for school use during remediation?

   Response:

   Peck Slip, between Pearl and Water Street, will be available for school use during the implementation of the RDIWP.

   Current logistics plans for remediation would include fencing up to the sidewalk curb line on the sidewalks surrounding the site and installing other necessary protection along the site perimeter. There are currently no plans and no intent to close off Peck Slip between Pearl Street and Water Street.

3. **Maggie Siena:** Will the work plan include traffic patterns? That is, where will the trucks removing the contaminated material be staged? How will they drive in and out of the site?

   Response:

   Please refer to the 250 Water Street Remedial Action Work Plan (RAW) Section 5.4.4 and Figure 13. This section and figure discuss and provide the truck routes including construction entrances and egresses and the locations of truck washes. Trucks will enter and exit the site using dedicated ingress/egress points. Trucks loaded with site soil and historic fill will exit the vicinity of the site using only approved truck routes. Trucks will be prohibited from stopping and idling unnecessarily in the neighborhood outside the site. To the extent possible, queuing of trucks will be performed on-site to minimize off-site disturbance.

During the RDIWP, the excavation contractor, the drilling contractor, and Langan staff will enter and exit the site through the dedicated Pearl Street entrance to the parking lot. It is not anticipated that any trucks will need to park or queue outside of the parking lot during the performance of this work.

4. **Colleen Robertson**: Who will be informing parents if the boring work is done when our children are across the street?

   Response:

   DEC and Howard Hughes Corporation (HHC) will send out a notice to the stakeholders and interested community members, including the Peck Slip School and Blue School Principals, concerning the implementation schedule for the Remedial Investigation prior to start of the remedial work.

5. **Joanne Gorman**: Will HHC be involved in any building prep actions on 250W site - eg. foundation-related activity (past geo-technical activity being just one example) - from here forward and during and until the active Brownfield cleanup is completed?

   Response:

   Per the applicant, HHC: HHC has been and will continue to be working with a design team of architects and engineers, including SOM and Langan, to design and permit the planned new development for the 250 Water Street site.

   Remediation and foundation work are anticipated to generally be conducted concurrently. Foundation element(s) for the future building may be installed prior to site-wide remedial excavation. A schedule for this work has not been confirmed. When available and in advance, HHC will send a notification to the community and other registered interested parties with the anticipated foundation element(s) installation schedule.

6. **Warren Green**: While there is monitoring of the air quality, what will protect the schoolchildren and the residential community from any contamination while the borings are happening? And how will the cleanup program deal with the fact that I believe it is recommended that the school keep its windows open due to the COVID epidemic. How will that be reconciled with the thought that mercury vapors could travel to the school?

   Response:

   A Community Air Monitoring Plan (CAMP) will be implemented during the performance of both the Remedial Design Investigation and the Remedial Action. The CAMP includes monitoring for dust, total volatile organic compounds and mercury vapor in both the work zone and at the perimeters of the site. This monitoring, together with the mitigation prescribed in the RAWP, has been

designed to be protective of the community, including the nearby schools, during the performance of the work.

Based on previous air monitoring data during the Remedial Investigation, dust, VOCs, and mercury vapor concentrations were within the conservative action levels established in the Community Air Monitoring Program. The test pits included in the RDI will further evaluate the anticipated ambient air conditions during the performance of site excavation activities, before the full remedy is implemented. The CAMP is considered a dynamic document that can be modified if data collected at any point during the Remedial Design Investigation and the Remedial Action indicates it is warranted.

7. **Noah Reinhardt**: I echo the concerns about the plan for boring work being done during school days, when both schools actively use Peck Slip and Water Street as egress points and as active play spaces during the school day. I would want to be sure to know what if any impact that work would have on our ability to be adjacent to the site - both for arrival/dismissal as well as during the school day. What would happen if health/safety air quality issues were detected at the site while students are directly adjacent to the site?

   Response:

   The community can continue to use the streets and sidewalks around the site during the implementation of the Remedial Design Investigation Work Plan. The Community Air Monitoring Plan has been designed using conservative action levels, with redundancy, and to include mitigation measures. Based on remedial investigation data (including community air monitoring data during performance of prior work), it is not anticipated that there will be adverse health/safety air quality conditions while students are directly adjacent to the site. The site-specific CAMP, HASP and other safeguards have been designed to protect the surrounding community during remedial activities.

   DEC and Howard Hughes will provide notification of upcoming work to individuals on the site contact list and other interested parties. The 250 Water Street RAWP Health and Safety Plan emergency response section (Appendix D, Section 16.0) is being revised to further define a “Significant Vapor Release” and to clarify the DEC and 911(emergency responders) will be notified if a significant vapor release were to occur.

8. **Grace Lee**: We implore the DEC and DOH to come down to the site before any additional work is done on the site. It is absolutely imperative to understand the impact this work is going to have to the schools.

   Response:

   DEC and DOH personnel have visited the site (as recently as October 2021) and are familiar with the neighborhood and surrounding areas

9. **Maggie Dallal**: What does the mean "On poly sheeting"? Covered?

   Response:

   Polyethylene sheeting is a common form of plastic sheeting used during the implementation of remedial investigations and remediation to contain and cover potentially contaminated exposed soil.

10. **Elaine Kennedy:** southbridge has requested the DEC and DOH to come down and we are willing to host this site visit. We extended the invitation months ago and received no response.

    Response:

    Please see response to Question 8. DEC and DOH personnel have visited the site and are familiar with the site.

11. **Maggie Dallal:** In the interest of time: Can we get the data for the offsite CAMP stations on 7/29 and 7/9/2020? They are not included in any of the reports.

    Response:

    CAMP raw data will be available in the DECinfo Locator. Decinfo Locator Link: https://www.dec.ny.gov/data/DecDocs/C231127/

12. **Megan Malvern:** Tent the test pits.

    Response:

    As provided in the RAWP Responsiveness Summary Response 9, DEC and DOH have reviewed the existing remedial investigation data and have determined that the Community Air Monitoring Plan is protective of human health and do not believe that tenting of the test pitting operation is necessary. DEC and DOH will be reviewing CAMP data to ensure the protection of human health and the environment.

13. **Elaine Kennedy:** Southbridge supports 24-hour monitoring.

    Response:

    CAMP only requires air monitoring activities to be carried out during all ground intrusive work at the site, when site activities have the potential to affect air quality. The air monitoring stations are turned off after completion of ground-intrusive activities each day. Before the monitors are turned off for the day, the Site is closed up and secured. With the data obtained at the site, a 24- hour CAMP at the site is not warranted.

14. **Maggie Dallal**: I have also asked the DEC for a case study where elemental mercury was remediated, and where MERCON X was used? 2 Ingraham in Brooklyn said if

mercury level was high, the best solution was to cap the lot. Was this the solution for the lot?

Response:

MERCON works by oxidizing elemental mercury and converting it into the more stable (non-vapor-producing) mercuric sulfide. Additional product descriptions beyond the OSHA Safety Data Sheet (SDS) indicate that Mercon contains chlorine and sulfur. Additional information here: https://rosshc.net/home/mercon-features-benefits/

The EPA's March 2019 National Elemental Mercury Response Guidebook includes a summary of several specialized products and cleanup tools for elemental mercury spills in residential settings. These include Mercon VAP and Mercon Wipes. Mercon X is the same product in a different form specifically for building and ground/soil clean-up.

15. **Megan Malvern:** We have asked for study on Mercon (the mercury suppression foam) has it been used a foot from children?

Response:

See response to Question 14.

16. **Maggie Dallal**: The soil removed during previous work was 16 sq inches. The test pits are 14,400 sq inches. This is a significant change in the volume of soil. When the 16 inch soil was removed, the level of mercury in the air increased up to 100times and the CAMP stations that were over 100 feet away showed these increases. What do you think will happen when we have a soil sample that is significantly larger exposed?

Response:

DEC and DOH have reviewed the existing remedial investigation data and have determined that the Community Air Monitoring Plan (CAMP) is protective of human health. The CAMP is designed to be protective of the off-site community, directly at the site boundary and beyond. 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.

Detection levels on the air monitoring equipment are very low, so work activities can be reviewed in light of any detections to see if any actions are needed to control dust or vapors in accordance with the approved CAMP. Actions levels set by the CAMP are very conservative and significantly lower than levels that would be expected to cause health concerns. This ensures that actions can be taken well before there is any concern with exposure to site contaminants.

As stated in the RAWP Responsiveness Summary, 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.

17. **Maggie Dallal:** The ambient air level of mercury is 5 nanogram/m3 The level of mercury in the air from removing a 16 sq inch boring caused the level to increase up to 200-800 ng/m3. That is a significant increase from 5!

    Response:

    The instantaneous readings taken over the soil borings are not comparable to the 15minute 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 done on the site 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

    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.

18. **Elaine Kennedy** - when will the next meeting be?

    Response:

    The next meeting will be scheduled by Senator's office.

Additional questions provided by Senator Kavanagh's office:

19. When the soil is removed, when is it capped? How were the soil borings handled during the day? Were the borings capped immediately after they were drilled?

Response:

Consistent with the protocols implemented during the remedial investigation, RDI soil borings will be backfilled with non-impacted soil or clean sand and will be capped with cold-patch asphalt immediately following sample collection. Similarly, test pits will be backfilled with non-impacted soil and will be repaved.

20. When do the CAMP monitors get turned off?

Response:

Consistent with the CAMP requirement, air monitoring stations are turned off at the completion of ground-intrusive activities each day. Mercury vapor and VOC readings will be screened at each air monitoring station using the handheld units to confirm concentrations are consistent with pre-investigation background readings prior to turning off each station during implementation of the RDIWP. The construction health and safety plan will be updated clarify the procedure for turning off CAMP stations.

21. Why are there higher levels of mercury being observed 75-100 feet away from the soil samples and WZ monitors?

Response:

Detections on the J405 mercury vapor monitors observed at perimeter CAMP locations may be the result of an off-site source of mercury vapor or interferences (e.g., NO2 in car exhaust) detected by the perimeter mercury monitors. Mercury vapor was detected during the baseline air monitoring event during an 8-hour timeframe when there was no active soil disturbance to the site.

22. In 12/18 data there are two “PM-5” stations listed on the map. Which one is the actual PM-5?

Response:

This was a typo and one of the stations should have been shown as PM-3. The discrepancy has been corrected in the Site Observation Report from December 18, 2021. The revised reports can be accessed through https://250bcp.com/reports or https://www.dec.ny.gov/data/DecDocs/C231127/.

23. The daily air monitoring report from Emilcott on 6/16 shows 2 CAMP stations picking up mercury. The site observation report shows no mercury. This was used as a baseline. What data is accurate?

Response:

Both are accurate. Emilcott data reflects 15-minute-average concentrations, and SOR data reflects the full day average concentration. Background concentrations were calculated based on the full day average concentrations, and the air monitoring report. The Site Observation Report for June 16, 2020 shows the baseline readings established for dust, VOCs, and mercury vapor during an 8-hour timeframe without disturbance to the site. The baseline readings were established using the daily average of each air monitoring station, which is more conservative than using 15-minute-average concentrations to establish background concentrations. The detections of mercury vapor shown in the daily air monitoring report are the running 15-minute-average concentrations at each station.

24. Please provide examples of where Mercon X has been used. Provide sites where the foam was sprayed at a site similar in nature / density to the one at 250 Water Street.

Response:

As provided in the RAWP Responsiveness Summary, 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 34th 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.

25. How much Mercon X will need to be stored at the site? How did you determine the amount needed?

    Response:

    Mercon X will be stored on site in 55-gallon drums. The remediation contractor will be responsible for maintaining enough volume on site to treat excavation areas. Work will not proceed if adequate quantities of Mercon X are not available on site. The volume maintained on site may fluctuate during the performance of the work based on pace of work and corresponding air monitoring results.

26. Will there be a dedicated and trained technician on site every day to apply Mercon X in case of need?

    Response:

    In the event that Mercon X is needed, it will be applied by the remediation contractor.

27. Can Mercon X be cold weather / hot weather stored or will it need to be trucked in each day? Is Mercon X prescribed as an outdoor treatment?

    Response:

    Mercon X will be stored on site in accordance with the OSHA Safety Data Sheet (SDS) and will be available for use during remedial activities.

28. What are the off gassing chemicals from Mercon X? What are the cleanup protocols for after Mercon X is applied?

    Response:

    The OSHA SDS for Mercon X is included in the RAWP. After application of Mercon X, the remediation contractor will excavate and load the material into trucks for off-site disposal.

29. How long does it take for Mercon X to convert mercury vapor to mercuric sulfide?

    Response:

    Mercon X immediately stops the emission of mercury vapor from mercury-contaminated surfaces (including soil) upon contact.

30. Can the CAMPs be turned on at the site 24/7? If not, please explain why not and if not 24/7, whether they can be turned on for a longer duration of time.

Response:

Refer to the response to Question 20.

31. Please share all of the raw data from any work done at the site with the community.

Response:

This data has been provided to DEC and can be found on the DECInfo Locator website: https://www.dec.ny.gov/data/DecDocs/C231127/