



Department of  
Environmental  
Conservation

# **Brownfield Cleanup Program**

## **Citizen Participation Plan for 92 Avenue of the Americas**

November 2019

C231130  
92 Avenue of the Americas  
New York, NY 10013

## Table of Contents

<u>Section</u>	<u>Page Number</u>
1. What is New York’s Brownfield Cleanup Program? .....	3
2. Citizen Participation Activities.....	3
3. Major Issues of Public Concern.....	9
4. Site Information .....	10
5. Investigation and Cleanup Process .....	13
Appendix A - Project Contacts and Locations of Reports and Information .....	17
Appendix B - Site Contact List.....	18
Appendix C - Site Location Map.....	22
Appendix D - Brownfield Cleanup Program Process .....	23

\* \* \* \* \*

**Note:** The information presented in this Citizen Participation Plan was current as of the date of its approval by the New York State Department of Environmental Conservation. Portions of this Citizen Participation Plan may be revised during the site’s investigation and cleanup process.

Applicants: **The Rector, Church-Wardens, and Vestrymen of Trinity Church, in the city of New-York, 92 HH LLC and Remainderman 92 AOA LLC (“Participants”)**  
Site Name: **92 Avenue of the Americas (“site”)**  
Site Address: **92-98 Avenue of the Americas**  
Site County: **New York**  
Site Number: **C231130**

## **1. What is New York’s Brownfield Cleanup Program?**

New York’s Brownfield Cleanup Program (BCP) works with private developers to encourage the voluntary cleanup of contaminated properties known as “brownfields” so that they can be reused and developed. 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. A brownfield typically is a former industrial or commercial property where operations may have resulted in environmental contamination. A brownfield can pose environmental, legal, and financial burdens on a community. If a brownfield is not addressed, it can reduce property values in the area and affect economic development of nearby properties.

The BCP is administered by the New York State Department of Environmental Conservation (NYSDEC), which oversees Applicants who conduct brownfield site investigation and cleanup activities. An Applicant is a person who has requested to participate in the BCP and has been accepted by NYSDEC. The BCP contains investigation and cleanup requirements, ensuring that cleanups protect public health and the environment. When NYSDEC certifies that these requirements have been met, the property can be reused or redeveloped for the intended use.

For more information about the BCP, go online at: <http://www.dec.ny.gov/chemical/8450.html>.

## **2. Citizen Participation Activities**

*Why NYSDEC Involves the Public and Why It Is Important*

NYSDEC involves the public to improve the process of investigating and cleaning up contaminated sites, and to enable citizens to participate more fully in decisions that affect their health, environment, and social well-being. NYSDEC provides opportunities for citizen involvement and encourages early two-way communication with citizens before decision makers form or adopt final positions.

Involving citizens affected and interested in site investigation and cleanup programs is important for many reasons. These include:

- Promoting the development of timely, effective site investigation and cleanup programs that protect public health and the environment
- Improving public access to, and understanding of, issues and information related to a particular site and that site's investigation and cleanup process
- Providing citizens with early and continuing opportunities to participate in NYSDEC's site investigation and cleanup process
- Ensuring that NYSDEC makes site investigation and cleanup decisions that benefit from input that reflects the interests and perspectives found within the affected community
- Encouraging dialogue to promote the exchange of information among the affected/interested public, State agencies, and other interested parties that strengthens trust among the parties, increases understanding of site and community issues and concerns, and improves decision-making.

This Citizen Participation (CP) Plan provides information about how NYSDEC will inform and involve the public during the investigation and cleanup of the site identified above. The public information and involvement program will be carried out with assistance, as appropriate, from the Applicants.

#### *Project Contacts*

Appendix A identifies NYSDEC project contact(s) to whom the public should address questions or request information about the site's investigation and cleanup program. The public's suggestions about this CP Plan and the CP program for the site are always welcome. Interested people are encouraged to share their ideas and suggestions with the project contacts at any time.

#### *Locations of Reports and Information*

The locations of the reports and information related to the site's investigation and cleanup program also are identified in Appendix A. These locations provide convenient access to important project documents for public review and comment. Some documents may be placed on the NYSDEC web-site. If this occurs, NYSDEC will inform the public in fact sheets distributed about the site and by other means, as appropriate.

### *Site Contact List*

Appendix B contains the site contact list. This list has been developed to keep the community informed about, and involved in, the site's investigation and cleanup process. The site contact list will be used periodically to distribute fact sheets that provide updates about the status of the project. These will include notifications of upcoming activities at the site (such as fieldwork), as well as availability of project documents and announcements about public comment periods.

The site contact list includes, at a minimum:

- Chief executive officer and planning board chairperson of each county, city, town and village in which the site is located;
- Residents, owners, and occupants of the site and properties adjacent to the site;
- The public water supplier which services the area in which the site is located;
- Any person who has requested to be placed on the site contact list;
- The administrator of any school or day care facility located on or near the site for purposes of posting and/or dissemination of information at the facility;
- Location(s) of reports and information.

The site contact list will be reviewed periodically and updated as appropriate. Individuals and organizations will be added to the site contact list upon request. Such requests should be submitted to the NYSDEC project contact(s) identified in Appendix A. Other additions to the site contact list may be made at the discretion of the NYSDEC project manager, in consultation with other NYSDEC staff as appropriate.

**Note:** The first site fact sheet (usually related to the draft Remedial Investigation Work Plan) is distributed both by paper mailing through the postal service and through DEC Delivers, its email listserv service. The fact sheet includes instructions for signing up with the appropriate county listserv to receive future notifications about the site. See <http://www.dec.ny.gov/chemical/61092.html> .

Subsequent fact sheets about the site will be distributed exclusively through the listserv, except for households without internet access that have indicated the need to continue to receive site information in paper form. Please advise the NYSDEC site project manager identified in Appendix A if that is the case. Paper mailings may continue during the investigation and cleanup process for some sites, based on public interest and need.

### *CP Activities*

The table at the end of this section identifies the CP activities, at a minimum, that have been and will be conducted during the site's investigation and cleanup program. The flowchart in Appendix D shows how these CP activities integrate with the site investigation and cleanup process. The public is informed about these CP activities through fact sheets and notices distributed at significant points during the program. Elements of the investigation and cleanup process that match up with the CP activities are explained briefly in Section 5.

- **Notices and fact sheets** help the interested and affected public to understand contamination issues related to a site, and the nature and progress of efforts to investigate and clean up a site.
- **Public forums, comment periods and contact with project managers** provide opportunities for the public to contribute information, opinions and perspectives that have potential to influence decisions about a site's investigation and cleanup.

The public is encouraged to contact project staff at any time during the site's investigation and cleanup process with questions, comments, or requests for information.

This CP Plan may be revised due to changes in major issues of public concern identified in Section 3 or in the nature and scope of investigation and cleanup activities. Modifications may include additions to the site contact list and changes in planned citizen participation activities.

### *Technical Assistance Grant*

NYSDEC must determine if the site poses a significant threat to public health or the environment. This determination generally is made using information developed during the investigation of the site, as described in Section 5.

If the site is determined to be a significant threat, a qualifying community group may apply for a Technical Assistance Grant (TAG). The purpose of a TAG is to provide funds to the qualifying group to obtain independent technical assistance. This assistance helps the TAG recipient to interpret and understand existing environmental information about the nature and extent of contamination related to the site and the development/implementation of a remedy.

An eligible community group must certify that its membership represents the interests of the community affected by the site, and that its members' health, economic well-being or enjoyment

of the environment may be affected by a release or threatened release of contamination at the site.

As of the date the declaration (page 2) was signed by the NYSDEC project manager, the significant threat determination for the site had not yet been made.

To verify the significant threat status of the site, the interested public may contact the NYSDEC project manager identified in Appendix A.

For more information about TAGs, go online at <http://www.dec.ny.gov/regulations/2590.html> .

Note: The table identifying the citizen participation activities related to the site's investigation and cleanup program follows on the next page:

Citizen Participation Activities	Timing of CP Activity(ies)
<p><b>Application Process:</b></p> <ul style="list-style-type: none"> <li>• Prepare site contact list</li> <li>• Establish document repositories</li> </ul>	<p>At time of preparation of application to participate in the BCP.</p>
<ul style="list-style-type: none"> <li>• Publish notice in Environmental Notice Bulletin (ENB) announcing receipt of application and 30-day public comment period</li> <li>• Publish above ENB content in local newspaper</li> <li>• Mail above ENB content to site contact list</li> <li>• Conduct 30-day public comment period</li> </ul>	<p>When NYSDEC determines that BCP application is complete. The 30-day public comment period begins on date of publication of notice in ENB. End date of public comment period is as stated in ENB notice. Therefore, ENB notice, newspaper notice, and notice to the site contact list should be provided to the public at the same time.</p>
<p><b>After Execution of Brownfield Site Cleanup Agreement (BCA):</b></p> <ul style="list-style-type: none"> <li>• Prepare Citizen Participation (CP) Plan</li> </ul>	<p>Before start of Remedial Investigation</p> <p><b>Note:</b> Applicant must submit CP Plan to NYSDEC for review and approval within 20 days of the effective date of the BCA.</p>
<p><b>Before NYSDEC Approves Remedial Investigation (RI) Work Plan:</b></p> <ul style="list-style-type: none"> <li>• Distribute fact sheet to site contact list about proposed RI activities and announcing 30-day public comment period about draft RI Work Plan</li> <li>• Conduct 30-day public comment period</li> </ul>	<p>Before NYSDEC approves RI Work Plan. If RI Work Plan is submitted with application, public comment periods will be combined and public notice will include fact sheet. Thirty-day public comment period begins/ends as per dates identified in fact sheet.</p>
<p><b>After Applicant Completes Remedial Investigation:</b></p> <ul style="list-style-type: none"> <li>• Distribute fact sheet to site contact list that describes RI results</li> </ul>	<p>Before NYSDEC approves RI Report</p>
<p><b>Before NYSDEC Approves Remedial Work Plan (RWP):</b></p> <ul style="list-style-type: none"> <li>• Distribute fact sheet to site contact list about draft RWP and announcing 45-day public comment period</li> <li>• Public meeting by NYSDEC about proposed RWP (if requested by affected community or at discretion of NYSDEC project manager)</li> <li>• Conduct 45-day public comment period</li> </ul>	<p>Before NYSDEC approves RWP. Forty-five day public comment period begins/ends as per dates identified in fact sheet. Public meeting would be held within the 45-day public comment period.</p>
<p><b>Before Applicant Starts Cleanup Action:</b></p> <ul style="list-style-type: none"> <li>• Distribute fact sheet to site contact list that describes upcoming cleanup action</li> </ul>	<p>Before the start of cleanup action.</p>
<p><b>After Applicant Completes Cleanup Action:</b></p> <ul style="list-style-type: none"> <li>• Distribute fact sheet to site contact list that announces that cleanup action has been completed and that NYSDEC is reviewing the Final Engineering Report</li> <li>• Distribute fact sheet to site contact list announcing NYSDEC approval of Final Engineering Report and issuance of Certificate of Completion (COC)</li> </ul>	<p>At the time the cleanup action has been completed.</p> <p><b>Note:</b> The two fact sheets are combined when possible if there is not a delay in issuing the COC.</p>

### **3. Major Issues of Public Concern**

This section of the CP Plan identifies major issues of public concern that relate to the site. Additional major issues of public concern may be identified during the course of the site's investigation and cleanup process.

As shown on the NYSDEC Potential Environmental Justice Areas – in South Central New York County (Manhattan), New York map, the site is not located in a potential environmental justice area. Environmental justice is defined as the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies.

The following major issues of public concern were identified: air quality, health of workers and community, nuisance odors, noise, and construction-related traffic. These issues are of the most concern to adjacent property businesses and residents. These issues will be addressed in the Remedial Action Work Plan (RAWP), a Community Air Monitoring Program (CAMP) and/or a site-specific Health and Safety Plan (HASP) for the project to be approved by the NYSDEC and NYSDOH prior to work.

Based on previous investigations, historical uses of the property have included a chemical manufacturing facility (1922), a confectionary and malt products company (1927), a textile company (1973), an automobile service station (1938-2005), and a filling station with at least four underground storage tanks (UST) (1950-2005).

Contaminants of concern include petroleum-related volatile organic compounds (VOC), semivolatile organic compounds (SVOC), and metals. Contaminants are discussed in further detail in Section 4. The identified contaminants will be assessed, delineated, and remediated to the extent required to support the redevelopment of the site for commercial use in accordance with an NYSDEC-approved work plan.

Site information is available through Project Contacts mentioned in Section 2 and Appendix A. The BCP application, which includes a summary of the previous site investigations and identifies future reports that will be prepared for the NYSDEC, is available in the document repositories discussed in Section 2 and in Appendix A. Future reports prepared for the NYSDEC will be made available in the document repositories. The Remedial Investigation Work Plan (RIWP), and subsequent work plans, will include schedules for the planned work.

The site is not located in an Environmental Justice Area. Environmental justice is defined as the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies.

Environmental justice efforts focus on improving the environment in communities, specifically minority and low-income communities, and addressing disproportionate adverse environmental impacts that may exist in those communities. Therefore, there is no need to translate future fact sheets into another language.

For additional information, visit: <https://statisticalatlas.com/neighborhood/New-York/New-York/SoHo/Race-and-Ethnicity>

#### **4. Site Information**

Appendix C contains a map identifying the location of the site.

##### *Site Description*

The site is located at 92 Avenue of the Americas in the SoHo neighborhood of New York, NY and is identified as Tax Block 476, Lot 1 on the NYC Manhattan Borough Tax Map. The site is 4,328 square feet in area, consists of a gravel-covered lot used for private parking and equipment storage and occupies the southwestern corner of the city block bound by Watts Street to the north, Thompson Street to the east, Grand Street to the south, and Avenue of the Americas (Sixth Avenue) to the west. A 16-story commercial office building (100 Avenue of the Americas) adjoins the site to the north, and two six-story mixed-used commercial and residential buildings adjoin the site to the east.

According to the October 30, 2018 American Land Title Association (ALTA) and National Society of Professional Surveyors (NSPS) Land Title Survey prepared by Langan, the site grade ranges from about elevation (el) 5.63 feet in the southeastern corner to 9.46<sup>1</sup> feet in the northeastern corner of the site. The New York City Transit (NYCT) A-C-E subway lines run west of the site below Avenue of the Americas. A site location map is presented in Appendix C.

During synoptic gauging on October 12, 2018, groundwater depth ranged from about 11.37 to 12.53 feet bgs, corresponding to about el -4. A monitoring well survey is pending. Regional groundwater flow is estimated to flow west toward the Hudson River; however, local

---

<sup>1</sup> Elevations herein are in feet and referenced to the North American Vertical Datum of 1988 (NAVD88)

groundwater flow may be influenced by the presence of NYCT subway structures to the west of the site.

#### *History of Site Use, Investigation, and Cleanup*

The site was historically used as a chemical manufacturing facility (1922), a confectionary and malt products company (1927), a textile company (1973), an automobile service station (1938-2005), and a filling station with at least four underground storage tanks (UST) (1950-2005). Langan's November 2018 Draft Phase I ESA identified historical Petroleum Bulk Storage (PBS) records (PBS No. 2-349771) corresponding to the following four USTs:

- One 2,000-gallon gasoline UST, installed on May 1, 1970, was closed-in-place and converted to non-regulated use on June 01, 1994;
- Two 550-gallon gasoline USTs were closed-in-place on February 1, 1996 (installation dates are unknown); and
- One 550-gallon waste oil UST was decommissioned and removed on December 1, 2003.

Prior to entry into the NYSDEC BCP, the site was the subject of a Phase I Environmental Site Assessment, and a Phase II Environmental Site Investigation, which are documented in the following reports:

- *November 12, 2018 Phase I Environmental Site Assessment (ESA) prepared by Langan*
- *November 21, 2018 Phase II Environmental Site Investigation (ESI) Report prepared by Langan*

These reports noted above were prepared for the property that comprise the brownfield site. The following is a summary of each report listed above:

#### November 12, 2018 Phase I ESA prepared by Langan

The Phase I ESA was identified the following Recognized Environmental Conditions (RECs):

#### *REC 1 – Historical Use of Site and Petroleum Bulk Storage*

Historical uses of the site included a chemical manufacturing facility (1922), a confectionary and malt products company (1927), a textile company (1973), automobile service station (1938-2005), and filling station with at least four USTs (1950-2005). Historical chemical manufacturing, automobile service, and gasoline filling station operations likely used a variety of hazardous substances, petroleum products, and/or solvents that had the potential to have impacted the

site's soil, groundwater and soil vapor.

### *REC 2 – Current and Historical Use of Adjoining and Surrounding Properties*

Current and historical industrial and manufacturing operations at adjoining and surrounding properties likely used a variety of hazardous substances, petroleum products, or solvents that may have impacted groundwater and/or soil vapor at the site.

#### November 21, 2018 Phase II ESI Report prepared by Langan

The Phase II ESI was conducted to investigate the findings of the November 12, 2018 Phase I ESA. The Phase II ESI consisted of completion of a geophysical survey, advancement of three soil borings and laboratory analysis of nine grab soil samples; installation of three groundwater monitoring wells, and collection and laboratory analysis of three groundwater samples; installation of two soil vapor probes, and collection and laboratory analysis of two soil vapor samples and one ambient air sample. Field observations and laboratory analytical results for samples collected from the site are summarized by media type as follows:

- Soil – Historic fill was observed immediately below the existing grade to depths ranging from about 7 to 12 feet below grade surface (bgs) and generally consists of brown to red-brown, fine-grained sand with varying amounts of medium sand, coarse sand, gravel, concrete, brick, glass, coal, coal ash, and metal fragments. A native sand layer consisting of reddish-brown, fine- to medium-grained sand with trace gravel was encountered beneath the fill. Bedrock was not encountered during the investigation. Petroleum-like odors, black staining, sheen, and elevated photoionization detector (PID) readings were observed in all three borings.

VOCs, SVOCs, and metals were detected in soil samples at concentrations above the 6 NYCRR Part 375 Unrestricted Use (UU) Soil Cleanup Objectives (SCO) or NYSDEC Commissioner Policy 51 (CP-51) Soil Cleanup Levels (SCL). Polychlorinated biphenyls (PCB) and pesticides were not detected at concentrations above the Part 375 UU SCOs.

- Groundwater – Depth to groundwater ranged from about 11.37 to 12.53 feet bgs, corresponding to about el -4. A monitoring well survey is pending. LNAPL was not observed during well gauging and groundwater sampling; however, petroleum-like odors and a sheen were apparent from purged groundwater at each of the three monitoring wells. VOCs, SVOCs, and metals were detected at concentrations above the NYSDEC Division of Water Technical and Operational Guidance Series (TOGS) 1.1.1 Ambient Water

Quality Standards and Guidance Values (SGVs) for Class GA groundwater. PCBs were not detected in groundwater samples.

- Soil Vapor – Petroleum-related VOCs were detected in soil vapor samples. Soil vapor results were applied to the lowest concentration for which monitoring or mitigation is recommended in Matrices A, B, and C of the NYSDOH Guidance for Evaluating Soil Vapor in the State of New York Document. No detected soil vapor sample concentrations were above the threshold at which mitigation is recommended.

Based on the results of the subsurface investigation, a spill was reported to NYSDEC, and Spill No. 1808357 was assigned.

## **5. Investigation and Cleanup Process**

### *Application*

The Applicants applied for and have been accepted into New York’s Brownfield Cleanup Program as Participants. Pursuant to ECL § 27-1405(1), the Rector, Church-Wardens, and Vestrymen of Trinity Church, in the city of New-York (“Trinity”) is properly designated as a Participant because its liability arises from being the owner of the site at the time of discharge of petroleum. 92 HH LLC and Remainderman 92 AOA LLC are properly designated as Participants because their liabilities arise from being the entities that hold a) an estate for years in the property, and b) the remainder interest in the property, respectively. Trinity holds 100% of the common equity interest in 92 HH LLC (a REIT) and a 100% interest in Remainderman 92 AOA LLC.

The Participants must fully characterize the nature and extent of contamination on-site, and must conduct a “qualitative exposure assessment,” a process that characterizes the actual or potential exposures of people, fish and wildlife to contamination on the site and to contamination, if any, that may have migrated from the site.

The Applicants propose that the site will be used for commercial purposes and the redevelopment will consist of a commercial office building spanning the site footprint, although development plans are in the early planning stages. The Applicants will conduct investigation and remedial activities at the site with oversight provided by NYSDEC. The Brownfield Cleanup Agreement (BCA) executed by NYSDEC and the Applicants sets forth the responsibilities of each party in conducting these activities at the site.

### *Investigation*

The Applicants will conduct an investigation of the site; officially called a “remedial investigation” (RI). This investigation will be performed with NYSDEC oversight. The Applicants must develop a Remedial Investigation Work Plan (RIWP), which will be subject to public comment.

The site investigation has several goals:

- 1) Define the nature and extent of contamination in soil, surface water, groundwater and any other parts of the environment that may be affected;
- 2) Identify the source(s) of the contamination;
- 3) Assess the impact of the contamination on public health and the environment; and
- 4) Provide information to support the development of a proposed remedy to address the contamination or the determination that cleanup is not necessary.

The Applicants will submit a draft “Remedial Investigation Work Plan” to NYSDEC for review and approval. NYSDEC will make the draft plan available to the public review during a 30-day public comment period.

When the investigation is complete, the Applicants will prepare and submit a report that summarizes the results. This report also will recommend whether cleanup action is needed to address site-related contamination. The investigation report will be subject to review and approval by NYSDEC.

NYSDEC will use the information in the investigation report to determine if the site poses a significant threat to public health or the environment. If the site is a “significant threat,” it must be cleaned up using a remedy selected by NYSDEC from an analysis of alternatives prepared by the Applicants and approved by NYSDEC. If the site does not pose a significant threat, the Applicants may select the remedy from the approved analysis of alternatives.

### *Interim Remedial Measures*

An Interim Remedial Measure (IRM) is an action that can be undertaken at a site when a source of contamination or exposure pathway can be effectively addressed before the site investigation and analysis of alternatives are completed. If an IRM is likely to represent all or a significant part of the final remedy, NYSDEC will require a 30-day public comment period.

### *Remedy Selection*

When the investigation of the site has been determined to be complete, the project likely would proceed in one of two directions:

- 1) The Applicants may recommend in their investigation report that no action is necessary at the site. In this case, NYSDEC would make the investigation report available for public comment for 45 days. NYSDEC then would complete its review, make any necessary revisions, and, if appropriate, approve the investigation report. NYSDEC would then issue a "Certificate of Completion" (described below) to the Applicants.

**or**

- 2) The Applicants may recommend in their investigation report that action needs to be taken to address site contamination. After NYSDEC approves the investigation report, the Applicants may then develop a cleanup plan, officially called a "Remedial Action Work Plan". The Remedial Action Work Plan describes the Applicants' proposed remedy for addressing contamination related to the site.

When the Applicants submit a draft Remedial Action Work Plan for approval, NYSDEC would announce the availability of the draft plan for public review during a 45-day public comment period.

### *Cleanup Action*

NYSDEC will consider public comments, and will require the draft Remedial Action Work Plan to be revised, if necessary, before approving the proposed remedy set forth in the Remedial Action Work Plan. The New York State Department of Health (NYSDOH) must concur with the proposed remedy. After approval by NYSDEC with concurrences by NYSDOH, the proposed remedy becomes the selected remedy. The selected remedy is formalized in a site Decision Document.

The Applicants may then design and perform the cleanup action to address the site contamination. NYSDEC and NYSDOH oversee the activities. When the Applicants complete cleanup activities, it will prepare a Final Engineering Report (FER) that certifies that cleanup requirements have been achieved or will be achieved within a specific time frame. NYSDEC will review the report to confirm that the cleanup is protective of public health and the environment for the intended use of the site.

### *Certificate of Completion*

When NYSDEC is satisfied that cleanup requirements have been achieved or will be achieved for the site, it will approve the FER. NYSDEC then will issue a Certificate of Completion (COC) to the Applicants. The COC states that cleanup goals have been achieved, and relieves the Applicants from future liability for site-related contamination, subject to certain conditions. The Applicants would be eligible to redevelop the site after it receives a COC.

### *Site Management*

The purpose of site management is to ensure the safe reuse of the property if contamination will remain in place. Site management is the last phase of the site cleanup program. This phase begins when the COC is issued. Site management incorporates any institutional and engineering controls required to ensure that the remedy implemented for the site remains protective of public health and the environment. All significant activities are detailed in a Site Management Plan.

An *institutional control* is a non-physical restriction on use of the site, such as a deed restriction that would prevent or restrict certain uses of the property. An institutional control may be used when the cleanup action leaves some contamination that makes the site suitable for some, but not all uses.

An *engineering control* is a physical barrier or method to manage contamination. Examples include: caps, covers, barriers, fences, and treatment of water supplies.

Site management also may include the operation and maintenance of a component of the remedy, such as a system that pumps and treats groundwater. Site management continues until NYSDEC determines that it is no longer needed.

## **Appendix A - Project Contacts and Locations of Reports and Information**

### **Project Contacts**

For information about the site's investigation and cleanup program, the public may contact any of the following project staff:

#### **New York State Department of Environmental Conservation (NYSDEC):**

Steven Wu  
Project Manager  
NYSDEC  
Division of Environmental Remediation  
One Hunters Point Plaza  
47-40 21<sup>st</sup> Street  
Long Island City, NY 11101  
Email: [Steven.wu@dec.ny.gov](mailto:Steven.wu@dec.ny.gov)

Heather Leibowitz, Esq.  
NYSDEC  
Office of General Counsel  
One Hunters Point Plaza  
47-40 21<sup>st</sup> Street  
Long Island City, NY 11101  
Email: [heather.Leibowitz@dec.ny.gov](mailto:heather.Leibowitz@dec.ny.gov)

#### **New York State Department of Health (NYSDOH):**

Johnathan M. Robinson  
Public Health Specialist  
Bureau of Environmental Exposure Investigation  
Empire State Plaza, Corning Tower, Room 1787  
Albany, NY 12237  
Phone: (518) 402-7860  
Email: [BEEI@health.ny.gov](mailto:BEEI@health.ny.gov)

### **Locations of Reports and Information**

The facilities identified below are being used to provide the public with convenient access to important project documents:

New York Public Library – Hudson Park Branch  
66 Leroy Street  
New York, NY 10014  
Phone: 212-243-6876  
Hours: Sun/Mon Closed  
Tue-Fri 10 AM to 6 PM  
Sat 10 AM to 5 PM

Manhattan Community Board 2  
3 Washington Square Village, #1A  
New York, NY 10012  
Attn: Terri Cude, Chairwoman  
Phone: 212-979-2272  
Hours: call for appointment

## **Appendix B – Site Contact List**

### **Chief Executive Officer**

Mayor Bill de Blasio  
City Hall  
260 Broadway Avenue  
New York, NY 10007

Hon. Scott Stringer  
NYC Comptroller  
1 Centre Street  
New York, NY 10007

Hon. Jumaane Williams  
Public Advocate  
1 Centre Street, 15<sup>th</sup> Floor  
New York, NY 10007

### **New York City Planning Commission**

Marisa Lago, Commissioner  
NYC Department of City Planning  
New York, NY 10271

### **Borough of Manhattan, Borough President**

Hon. Gale A. Brewer  
1 Centre Street, 19th Floor  
New York, NY 10007  
(212) 531-1609

NYC Councilwoman  
Hon. Margaret Chin  
101 Lafayette St., 9th Floor  
New York, NY 10013

Hon. Brian Kavanagh  
NYS Senator  
250 Broadway, Room 2011  
New York, NY 10007

Hon. Deborah Glick

NYS Assemblywoman  
853 Broadway, Suite 2007  
New York, NY 10003

Hon. Charles Schumer  
U.S. Senator  
780 Third Avenue, 2301  
New York, NY 10017

Hon. Kirsten Gillibrand  
U.S. Senator  
780 Third Avenue, 2601  
New York, NY 10017

Hon. Jerrold Nadler  
U.S. House of Representatives  
201 Varick Street, Suite 669  
New York, NY 10014

Milton Tingling  
Manhattan County Clerk  
60 Centre Street, Room 161  
New York, NY 10007

**Public Water Supplier**

Vincent Sapienza  
Commissioner  
59-17 Junction Boulevard  
Elmhurst, NY 11373

Mark McIntyre, Director  
NYC Office of Environmental Remediation  
100 Gold Street - 2nd Floor  
New York, NY 10038

Julie Stein  
Office of Environmental Assessment & Planning  
NYC Dept. of Environmental Protection  
96-05 Horace Harding Expressway  
Flushing, NY 11373

Manhattan Community Board 2

Terri Cude – Chairwoman  
Bob Gormley – District Manager  
Rich Caccappolo – Chairman – Parks & Waterfront  
3 Washington Square Village, #1A  
New York, NY 10012

**Residents, owners, and occupants of the site and properties adjacent to the site**

Owner:

92 HH LLC  
c/o Trinity Real Estate  
120 Broadway, 38<sup>th</sup> Floor  
New York, NY 10271

Operator:

Vacant Lot (no tenant)  
92 Avenue of Americas  
New York, NY 10013

Adjacent properties:

26/32 N LLC  
Mixed Commercial/Residential Building  
26 Grand Street  
New York, NY 10013

Trinity Hudson Holdings, LLC  
Commercial Office Building  
100 Avenue of the Americas  
New York, NY 10013

Bernice Rosenblum  
Mixed Commercial/Residential Building  
23-25 Thompson Street  
New York, NY 10013

Thor James Hotel Propco LLC  
Mixed Commercial/Residential Building  
23 Grand Street  
New York, NY 10013

**Local news media from which the community typically obtains information**

Downtown Express  
1 Metrotech Center, Suite 1001  
Brooklyn, NY 11201  
(212) 229-1890

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

New York Daily News  
4 New York Plaza  
New York, NY 10004

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

**Public Water Supply**

The responsibility for supplying water in New York City is shared between the NYC Department of Environmental Protection, the Municipal Water Finance Authority, and the New York City Water Board:  
NYCDEP

New York City Municipal Water Finance Authority  
255 Greenwich Street, 6<sup>th</sup> Floor  
New York, NY 10007

New York City Water Board  
Department of Environmental Protection  
59-17 Junction Boulevard, 8<sup>th</sup> Floor  
Flushing, NY 11373

**Schools and Day Care Facilities**

Broome Street Academy  
(about 0.065 miles N from the site)  
Melissa H. Silberman, Head of School  
121 6<sup>th</sup> Avenue  
New York, NY 10013

NYC iSchool  
(about 0.08 miles N from the site)  
Isora Bailey, Principal  
131 6<sup>th</sup> Avenue  
New York, NY 10013

Chelsea High School  
(about 0.085 miles NE from the site)  
Jivelle Reed, Principal  
131 6<sup>th</sup> Avenue  
New York, NY 10013

Montessori Schools  
(about 0.10 miles NE from the site)  
Angela Ciocca, Director  
75 Sullivan Street  
New York, NY 10012

Tribeca Early Childhood Learning Center  
(about 0.10 miles S from the site)  
Jonathan Brake, President  
21 St Johns Lane  
New York, NY 10013

Portfolio School  
(about 0.22 miles SW from the site)  
Doug Schachtel, Chief Operating Officer  
27 N Moore Street  
New York, NY 10012

TriBeCa Community School  
(about 0.22 miles W from the site)  
Kristen Pallonetti, Director  
22 Ericsson Place

LREI-High School  
(about 0.25 miles N from the site)  
Phillip Kassen, Director  
40 Charlton Street

New York, NY 10013  
Bright Horizons Childrens Center, Inc.  
(about 0.27 miles SE from the site)  
Sarah Kawaling, Center Director  
129 Hudson Street  
New York, NY 10013

New York, NY 10014  
Church St School for Music and Art  
(about 0.31 miles SE from the site)  
Lisa Ecklund-Flores, Executive Director  
41 White Street  
New York, NY 10013

Cookie Academy  
(about 0.33 miles NE from the site)  
Aliza Kushner, Director  
60 Mcdougal Street  
New York, NY 10012

Ross Global Academy Charter  
(about 0.36 miles NE from the site)  
Steven J. Ross, Founder  
560 Broadway #301  
New York, NY 10012

Buckle My Shoe Learning Center  
(about 0.42 miles SW from the site)  
Linda Ensko, Owner  
40 Worth Street  
New York, NY 10013

Baxter St. After Day Care  
(about 0.44 miles E from the site)  
Renny Fong, Principal  
143 Baxter Street  
New York, NY 10013

Public School 130  
(about 0.44 miles E from the site)  
Renny Fong, Principal  
143 Baxter Street  
New York, NY 10013

City-As-School  
(about 0.41 miles N from the site)  
Alan Cheng, Principal  
16 Clarkson Street  
New York, NY 10014

LREI – Lower and Middle School  
(about 0.45 miles N from the site)  
Phillip Kassen, Director  
272 6<sup>th</sup> Avenue  
New York, NY 10012

Public School 150  
(about 0.46 miles SW from the site)  
Jenny Bonnet, Principal  
334 Greenwich Street  
New York, NY 10013

Chung Pak Day Care Center  
(about 0.46 miles N from the site)  
Wayne Ho, President  
125 Walker Street #3  
New York, NY 10013

Sompit Child Care Center  
(about 0.47 miles NNE from the site)  
Sompit Oerlemans, On-Site Provider  
3 Washington Square Village  
New York, NY 10013

Creative Steps Early Care & Education  
(about 0.49 miles NNE from the site)  
Darryl Alhadeff, Superintendent  
4 Washington Square Village  
New York, NY 10013

Baxter St After School Daycare  
(about 0.44 miles SE from the site)  
Darryl Alhadeff, Superintendent  
143 Baxter Street  
New York, NY 10013

University Plaza Nursery School  
(about 0.5 miles E of the site)  
Loyan Beausoleil  
110 Bleecker Street  
New York, NY 10012

**Community, Civic, Religious and  
Environmental Organizations:**

Caroline R. Kretz - Director  
Consolidated Edison Corporate Affairs  
4 Irving Place Room 142  
New York, NY 10003

Anthony Notaro - President  
1st Police Precinct Council  
16 Ericsson Place  
New York, NY 10013

Ladder 8  
FDNY  
14 NORTH MOORE STREET  
New York, NY 10013

Friends of Greenwich Street  
President  
295 Greenwich Street  
New York, NY 10007

**Document Repository (e.g. local library):**

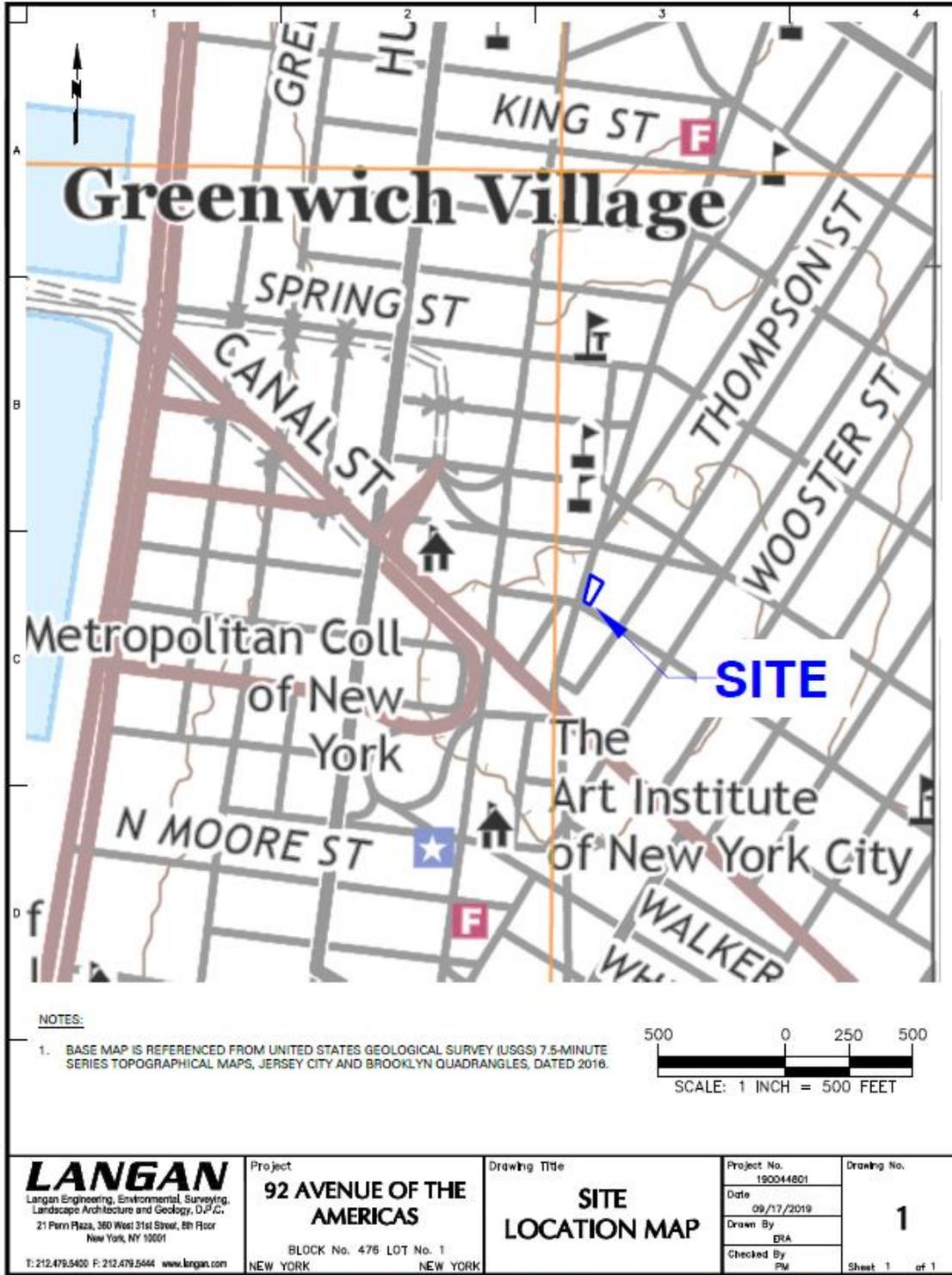
New York Public Library  
Hudson Park Branch  
66 Leroy Street  
New York, NY 10014  
(212) 243-6876

Manhattan Community Board 2  
3 Washington Square Village #1A  
New York, NY 10012  
(212) 979-2272

## **Local Community Board**

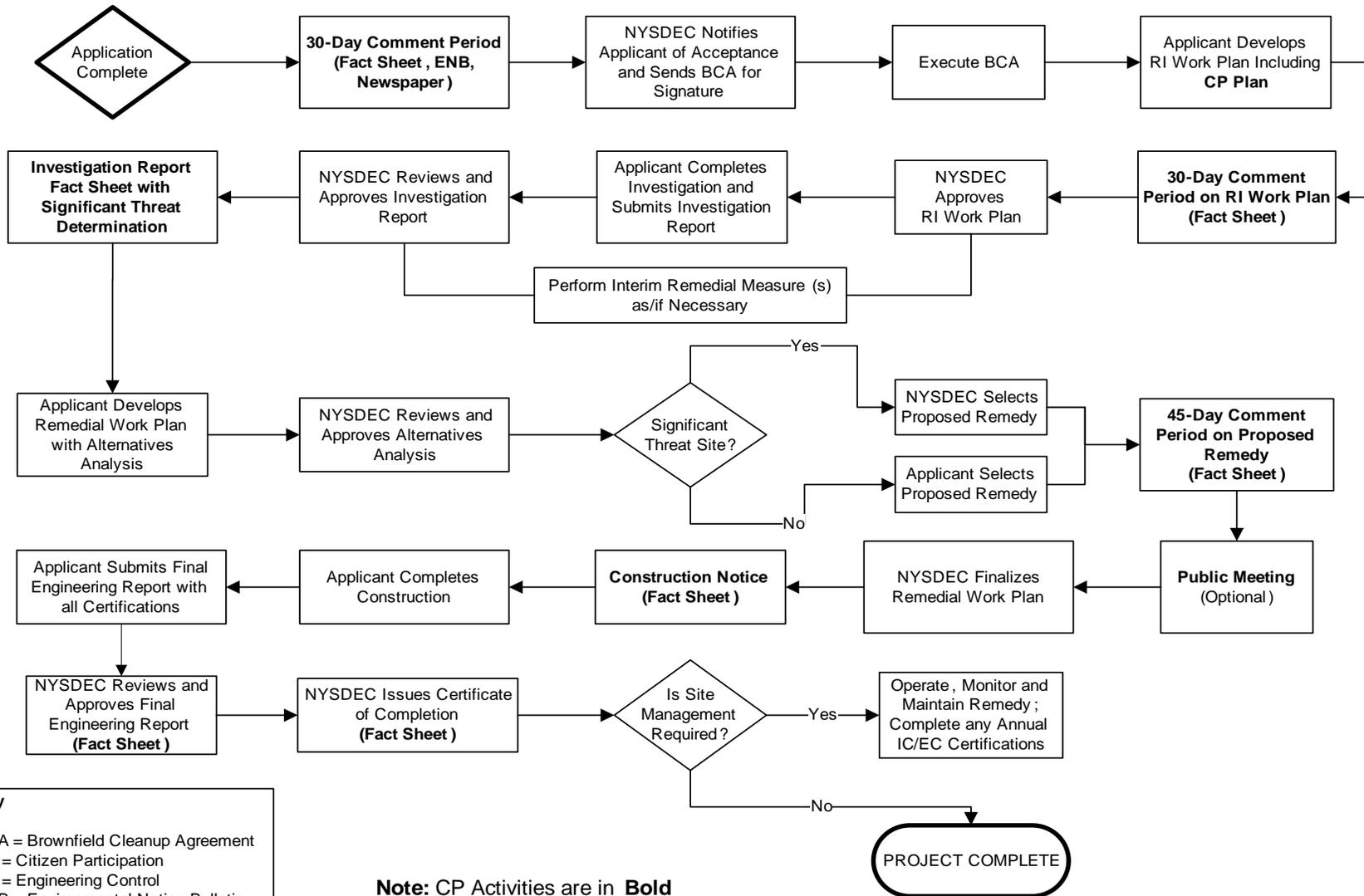
Manhattan Community Board 2  
Terri Cude, Chairwoman  
3 Washington Square Village #1A  
New York, NY 10012  
(212) 979-2272

**Appendix C - Site Location Map**





# Appendix D– Brownfield Cleanup Program Process



**Key**  
 BCA = Brownfield Cleanup Agreement  
 CP = Citizen Participation  
 EC = Engineering Control  
 ENB = Environmental Notice Bulletin  
 IC = Institutional Control  
 RI = Remedial Investigation

**Note:** CP Activities are in **Bold**