



Department of  
Environmental  
Conservation

# **Brownfield Cleanup Program**

## **Citizen Participation Plan**

for

## **280 West 155<sup>th</sup> Street Development**

January 2020

Revised April 2020

C231138  
280 West 155<sup>th</sup> Street  
New York, New York 10039

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**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.

Applicant: **280 W 155 ST OWNER LLC c/o Criterion Group (“Applicant”)**  
Site Name: **280 West 155<sup>th</sup> Street Development (“Site”)**  
Site Address: **280 West 155<sup>th</sup> Street**  
Site County: **New York County**  
Site Number: **C231138**

## **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 Applicant.

#### *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)
<b>Application Process:</b>	
<ul style="list-style-type: none"> <li>• Prepare site contact list</li> <li>• Establish document repository(ies)</li> </ul>	At time of preparation of application to participate in the BCP.
<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>	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.
<b>After Execution of Brownfield Site Cleanup Agreement (BCA):</b>	
<ul style="list-style-type: none"> <li>• Prepare Citizen Participation (CP) Plan</li> </ul>	Before start of Remedial Investigation <b>Note:</b> Applicant must submit CP Plan to NYSDEC for review and approval within 20 days of the effective date of the BCA.
<b>Before NYSDEC Approves Remedial Investigation (RI) Work Plan:</b>	
<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>	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.
<b>After Applicant Completes Remedial Investigation:</b>	
<ul style="list-style-type: none"> <li>• Distribute fact sheet to site contact list that describes RI results</li> </ul>	Before NYSDEC approves RI Report
<b>Before NYSDEC Approves Remedial Work Plan (RWP):</b>	
<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>	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.
<b>Before Applicant Starts Cleanup Action:</b>	
<ul style="list-style-type: none"> <li>• Distribute fact sheet to site contact list that describes upcoming cleanup action</li> </ul>	Before the start of cleanup action.
<b>After Applicant Completes Cleanup Action:</b>	
<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>	At the time the cleanup action has been completed. <b>Note:</b> The two fact sheets are combined when possible if there is not a delay in issuing the COC.

### **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.

The Site is 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.

The Site is located in an area with a large African-American population. Therefore, no need to translate future fact sheets into another language.

For additional information, visit:

<https://popfactfinder.planning.nyc.gov/profile/4675/demographic>

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

The NYSDEC "Scoping Sheet for Major Issues of Public Concern" was used to complete this section (see Appendix E).

### **4. Site Information**

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

#### *Site Description*

The site is located at 280 West 155<sup>th</sup> Street in Harlem, NY,, and is identified as Block 2040, Lot 48 (Former Lots 48, 61, and 62) on the New York City Tax Map. The site is ±37,500 square feet and is currently occupied by an at-grade asphalt paved parking lot operated by Manhattan Parking Group. The site has been used as a parking lot since 1996. The site is located within a commercial zoning district (C8-3) and is currently designated for garage/gas station use (G6) by the New York City Department of Finance.

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

The primary contaminants of concern are free-phase petroleum (light non-aqueous phase liquid [LNAPL]) in soil and groundwater and the presence of semi-volatile organic compounds (SVOCs) and metals commonly associated with petroleum impacts and historic fill detected in soil at concentrations exceeding NYSDEC Restricted Use Soil Cleanup Objectives (SCOs) for the proposed commercial site use, and in groundwater at concentrations exceeding NYSDEC Groundwater Quality Standards (GWQS). Additionally, petroleum-related volatile organic compounds (VOCs) and chlorinated VOCs were detected in soil vapor beneath the existing parking lot.

Prior to entry into the NYSDEC BCP, the site was the subject of environmental investigations, which are documented in the following reports:

- *Phase I Environmental Study*, prepared by Singer Environmental Group, Ltd., dated August 1998
- *Phase I Environmental Site Assessment*, prepared by P.W. Grosser Consulting, Inc., dated December 2018
- *Environmental Soil Pre-Characterization Investigation*, prepared by Langan, dated 2 July 2019
- *Phase II Environmental Investigation*, prepared by Langan, dated 19 July 2019

A summary of relevant information from each report is presented below:

Phase I Environmental Study – Singer Environmental Group Ltd. (1998)

Singer Environmental Group, Ltd. (Singer) conducted a Phase I Environmental Study investigation dated 18 August 1998 for former Lots 61 and 62 identified as 2924 & 2926 Frederick Douglass Boulevard in New York, NY. The Phase I did not include former Lot 48. At the time of the investigation, the site was operated as a parking lot. Based on Singer's assessment there was no evidence of heavy manufacturing, use and/or storage of chemicals or fuel supplies on the subject property or at adjacent properties. No recognized environmental concerns (RECs), historic recognized environmental concerns (HRECs), or business environmental risks (BERs) were identified on the property. Singer did not recommend a subsurface investigation on the property.

Phase I Environmental Site Assessment - P.W. Grosser Consulting, Inc. (2018)

P.W. Grosser Consulting, Inc. (P.W. Grosser) conducted a Phase I Environmental Site Assessment (ESA) dated December 2018 for former Lots 48, 61, and 62 identified as 2926 Frederick Douglas Boulevard, 225 West 155th Street, and 204 West 155th Street in New York, NY.

P.W. Grosser's Phase I ESA identified RECs on the subject property as listed below:

- Historical site use as a steam laundry facility from approximately 1930 to 1980;
- Subject property identified as a Brownfield property;
- Historical use as automotive repair at adjacent properties;
- An active spill at 250 Bradhurst Avenue, located 0.7 miles upgradient of the subject property; and,
- Two reports of leaking storage tanks at the Jackie Robinson Rec Center, located upgradient of the subject property.

## Environmental Soil Pre-Characterization Investigation – Langan (2019)

Langan conducted a waste characterization investigation in March 2019 for Lot 48 (former Lots 48, 61, and 62). Soil samples were collected from environmental soil borings from appropriate depths and locations to allow prospective excavation contractors to assess disposal costs for the soil that will be excavated and removed between 0- to 12-feet below ground surface (bgs) and for soil that will be excavated and removed for the elevator pit between 12- to 16- feet bgs during the proposed site construction.

Evidence of petroleum impacts including the presence of product and/or sheen and odor were encountered in soil at 5 of 22 soil boring locations at depths ranging from 6- to 12-feet bgs. These impacts were observed in the eastern portion of the site, which was historically approved for automotive repair and fuel storage, and in the vicinity of the boiler room associated with the former steam laundry facility.

Laboratory analytical results revealed elevated concentrations of semi volatile organic compounds (SVOCs) exceeding of the NYSDEC Restricted Use Soil Cleanup Objectives (SCOs) for Industrial Use including benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, dibenzo(a,h)anthracene, and indeno(1,2,3-cd)pyrene. Exceedances of the Restricted Use SCOs for Commercial Use were also detected for the SVOCs benzo(a)anthracene, benzo(b)fluoranthene, dibenzo(a,h)anthracene, and indeno(1,2,3-cd)pyrene. Exceedances of the Restricted Use SCOs for metals include mercury which was detected at a concentration exceeding the Restricted Use SCO for Industrial Use and barium which was detected at concentrations exceeding the Restricted Use SCOs for Commercial Use.

## Phase II Environmental Investigation – Langan (2019)

Langan conducted a Phase II environmental investigation in May and June 2019 for Lot 48 (former Lots 48, 61, and 62). Soil samples were collected from environmental soil borings from appropriate depths and locations to assess potential subsurface impacts associated with historical use of the site as a laundry facility, potential automotive repair and gasoline station operations, and the presence of historic fill due to proximity to historical waterways. The investigation included installation of 13 soil borings, five flush-mount groundwater monitoring wells, four soil vapor sampling points, and collection of soil, groundwater, and soil vapor samples.

Based on the results of the Limited Phase II EI, three Areas of Concern (AOCs) related to historical site operations were identified: petroleum impacts from historical site operations, historical site use as laundry facility, and the historical filling of the site to create land from the Harlem River using material of an unknown origin.

### *AOC-1: Petroleum Impacts form Historical Site Operations*

Historic records indicate the adjacent property to the south was operated as an automotive repair garage and that these operations potentially included gasoline storage and automobile repair on the Site. Additionally, historical records also identified that a

steam laundry building with a large boiler room operated on the easternmost portion of the site and that fuel oil use was historically approved for the entire site.

Environmental investigation results of this AOC identified physical evidence of contamination including elevated PID readings, odors, and observations of Light Non-Aqueous Phase Liquid (LNAPL). Laboratory analysis of the LNAPL determined the sample to be a combination of material similar to Diesel Fuel/Fuel Oil #2 and material which is similar to a hydraulic, lubricating, motor, or waste oil type product. Laboratory analytical results from soils samples also identified SVOC (s including polycyclic aromatic hydrocarbons (PAHs) above the NYSDEC SCOs indicative of petroleum impacts and the presence of historic fill. PAHs detected in soil were also detected in groundwater above the NYSDEC GWQS.

Soil vapor results from within this area identified elevated concentrations of petroleum-related VOCs Benzene, Toluene, Ethylbenzene and Xylenes (BTEX). Additional petroleum-related VOCs including 1,2,4-trimethylbenzene and 1,3,5-trimethylbenzene were also detected.

Based on observations of LNAPL in soil and on groundwater, the analysis of product fingerprint samples revealing a combination of material similar to Diesel Fuel/Fuel Oil #2 and material which is similar to a hydraulic, lubricating, motor, or waste oil type product, and the detection of petroleum-related VOCs at LSV-1 and LSV-2 within the area of concern, NYSDEC was notified of a release and Spill No. 1902392 was assigned on 6 June 2019.

#### *AOC-2: Chlorinated VOC Impacts from Historical Site Operations*

As discussed above, historic operations, including a laundry facility and automotive repair shop, had the potential to adversely impact the environmental conditions at the site. In order to assess this potential, soil vapor sampling was completed and the laboratory analytical results identified that tetrachloroethylene (PCE) was detected in all soil vapor samples collected at concentrations above the monitoring and/or mitigation threshold according to NYSDOH Soil Vapor Intrusion Matrix B.

#### *AOC-3: Historical Filling Associated with the Harlem River*

According to the 1874 Sanitary & Topographical Map of the City and Island of New York by Egbert L. Viele, the site is located within the historical extents of the Harlem River and consists of created land; as such, it is likely that the area was subject to historical filling using material of an unknown origin to raise grades. Soil borings and monitoring wells were advanced throughout the entirety of the site to assess for the potential subsurface impacts from historical filling.

PAHs commonly associated with historic fill were detected at concentrations exceeding the Restricted Use Soil Cleanup Objectives (SCOs) for Commercial Use and/or Restricted Use SCOs for Industrial Use.

Based on the results of soil, groundwater, and soil vapor sampling completed during this Limited Phase II EI, petroleum impacts in soil, groundwater, and soil vapor and chlorinated VOC impacts in soil vapor are present in the subsurface which may be the result of historical site uses as an automotive repair facility, gasoline station and a laundry facility. PAH and metal impacts in soil and groundwater are also likely the result of historical filling of the site using material of an unknown origin to raise grades. Langan recommended the completion of a remedial investigation to further evaluate the extent of impacts and assess remediation options associated with the proposed site redevelopment.

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

### *Application*

The Applicant has applied for and been accepted into New York's Brownfield Cleanup Program as a Volunteer. This means that the Applicant was not responsible for the disposal or discharge of the contaminants or whose ownership or operation of the site took place after the discharge or disposal of contaminants. The Volunteer must fully characterize the nature and extent of contamination onsite, and must conduct a "qualitative exposure assessment," a process that characterizes the actual or potential exposures of people, fish and wildlife to contaminants on the site and to contamination that has migrated from the site.

The Applicant in its Application proposes that the site will be used for commercial purposes.

To achieve this goal, the Applicant will conduct investigation and cleanup activities at the site with oversight provided by NYSDEC. The Brownfield Cleanup Agreement executed by NYSDEC and the Applicant sets forth the responsibilities of each party in conducting these activities at the site.

### *Investigation*

The Applicant has completed a partial site investigation before it entered into the BCP. For the partial investigation, NYSDEC will determine if the data are useable and can be incorporated into BCP work plans and reports.

In any event, the Applicant will conduct an investigation of the site officially called a "remedial investigation" (RI). This investigation will be performed with NYSDEC oversight. The Applicant must develop a remedial investigation workplan, which is 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 Applicant submits a draft “Remedial Investigation Work Plan” to NYSDEC for review and approval. NYSDEC makes the draft plan available to the public review during a 30-day public comment period.

When the investigation is complete, the Applicant 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 is 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 Applicant and approved by NYSDEC. If the site does not pose a significant threat, the Applicant 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 Applicant may recommend in its remedial investigation report that no action is necessary at the site. In this case, NYSDEC would make the remedial 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 Applicant.

or

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

When the Applicant submits a draft Remedial 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 revise the draft cleanup plan if necessary, before approving the proposed remedy. The New York State Department of Health (NYSDOH) must concur with the proposed remedy. After approval, the proposed remedy becomes the selected remedy. The selected remedy is formalized in the site Decision Document.

The Applicant may then design and perform the cleanup action to address the site contamination. NYSDEC and NYSDOH oversee the activities. When the Applicant completes 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 be certain 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 Applicant. The COC states that cleanup goals have been achieved, and relieves the Applicant from future liability for site-related contamination, subject to certain conditions. The Applicant 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)**

Meghan Medwid  
Project Manager  
NYSDEC  
Division of Environmental Remediation  
625 Broadway, 12<sup>th</sup> Floor  
Albany, NY 12233-7016  
[meghan.medwid@dec.ny.gov](mailto:meghan.medwid@dec.ny.gov)  
(518) 402-9768

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

Christine Vooris  
Bureau of Environmental Exposure  
Investigation  
Empire State Plaza, Corning Tower,  
Room 1787  
Albany, NY 12237  
[christine.vooris@health.ny.gov](mailto:christine.vooris@health.ny.gov)  
(518) 402-7860

#### **Langan Engineering, Environmental, Surveying, Landscape Architecture and Geology, D.P.C.**

Christopher McMahon, CHMM  
Associate  
300 Kimball Drive, 4<sup>th</sup> Floor  
Parsippany, NJ 07054  
[cmcmahon@langan.com](mailto:cmcmahon@langan.com)  
(973) 560-4861

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

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

#### **Washington Heights Library**

1000 St. Nicholas Avenue  
New York, NY 10032  
(212) 923-6054  
Hours: Mon: 10 AM to 7 PM  
Tue: 10 AM to 7 PM  
Wed: 10 AM to 7 PM  
Thu: 10 AM to 7 PM  
Fri: 10 AM to 5 PM  
Sat: 10 AM to 5 PM  
Sun: Closed

#### **Borough of Manhattan, Community Board 10**

Cicely Harris, Chairperson  
215 West 125<sup>th</sup> Street, 4<sup>th</sup> Floor  
New York, NY 10027  
Cicely Harris – Chairwoman  
Andrew Lasalle – District Manager  
Lisa Downing – Chairwoman Land Use  
(212) 749-3105  
<https://www1.nyc.gov/html/mancb10/html/home/home.shtml>



## Appendix B - Site Contact List

### **Chief Executive Officer**

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

### **New York City Planning Commission Chairman and Director of City Planning**

Marisa Lago  
Department of City Planning  
120 Broadway, 31<sup>st</sup> Floor  
New York, NY 10271

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

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

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

Gale Brewer  
Office:            Mailing Address:  
431 West 125<sup>th</sup> Street    1 Centre Street, 19<sup>th</sup> Floor  
New York, NY 10027    New York, NY 10007

### **Borough of Manhattan, Community Board 10**

Cicely Harris, Chairwoman  
Andrew Lasalle, District Manager  
Lisa Downing, Land Use Committee  
215 West 125<sup>th</sup> Street, 4<sup>th</sup> Floor  
New York, NY 10027

**New York City Council, Local District 9**

Bill Perkins, Councilman  
Adam Clayton Powell Jr. State Office Building  
163 West 125<sup>th</sup> Street, Room 729  
New York, NY 10027

Hon. Brian Benjamin  
NYS Senator  
163 West 125<sup>th</sup> Street, Suite 912  
New York, NY 10027

Hon. Alfred Taylor  
NYS Assemblyman  
2541-55 Adam Clayton Powell Jr Blvd  
New York, NY, 10039

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

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

Hon. Adriano Espaillat  
U.S. House of Representatives  
163 West 125<sup>th</sup> Street, # 508  
Harlem State Office Building  
New York, NY 10027

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

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

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

**Owner:**

280 W 155 ST OWNER LLC  
c/o Criterion Group  
28-18 Steinway Street  
Astoria, NY 11103

**Adjacent properties:**

Holcombe Rucker Park  
2930 8<sup>th</sup> Avenue  
New York, NY 10039  
Block 2105, Lot 1  
Owner: New York City Department of Parks and Recreation

Fordham Toyota  
235 West 154<sup>th</sup> Street  
New York, NY 10039  
Block 2040, Lot 21  
Owner: 1633 Hylan LLC  
665 65<sup>th</sup> Street  
Brooklyn, NY 11220

True Colors Residence  
267-269 West 154<sup>th</sup> Street  
New York, NY 10039  
Block 2040 Lots 5 and 6  
Owner: True Colors Residence Housing Development Fund Corporation  
483 West End Avenue  
New York, NY 10024

Mixed Residential and Commercial Building  
2920-2922 Frederick Douglass Blvd  
New York, NY 10039  
Block 2040 Lots 63 and 64  
Owner: Madam C.J. Walker Housing Development Fund Company  
c/o 433 West 125<sup>th</sup> Street  
New York, NY 10027

At-Grade Asphalt Paved Parking Lot  
204 West 155<sup>th</sup> Street  
New York, NY 10039  
Block 2040, Lot 43  
Owner: New York City Department of Transportation

Ferguson Plumbing Supply and a Commercial Building  
251 West 154<sup>th</sup> Street  
New York, NY 10039  
Block 2040, Lot 7  
Owner: 251 West 154<sup>th</sup> Street, LLC  
c/o Bradford N. Swett Management, LLC  
1536 Third Avenue, 3<sup>rd</sup> Floor  
New York, NY 10028

Residential Building  
2918 Frederick Douglas Blvd  
New York, NY 10039  
Block 2040, Lot 4  
Owner: 2918 FD Realty LLC  
3611 14<sup>th</sup> Avenue Suite 603  
Brooklyn, NY 11218

Mixed Residential and Commercial Building  
2923 Frederick Douglass Blvd  
New York, NY 10039  
Block 2047, Lot 36  
Owner: Ramza LLC  
2242 Second Avenue  
New York, NY 10029

Mixed Residential and Commercial Building

2916 8<sup>th</sup> Avenue  
New York, NY 10039  
Block 2040 Lot 3  
Owner: F.S.D. Shin Corp.  
147-18 38<sup>th</sup> Avenue  
Flushing, NY 11354

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

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

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

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

The Harlem Community News  
P.O. Box #1775  
New York, NY 10027

New York Amsterdam News  
2340 Ferderick Douglass Boulevard  
New York, NY 10027

Local newspaper  
Manhattan Times News  
5030 Broadway, Suite 807  
New York, NY 10034

**The public water supplier which services the area in which the property is located:**

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

NYCDEP  
Vincent Sapienza, Commissioner  
59-17 Junction Boulevard  
Flushing, NY 11373  
New York City Municipal Water Finance Authority  
255 Greenwich Street, 6<sup>th</sup> Floor

New York, NY 10007

New York City Department of Environmental Protection  
Bureau of Environmental Planning and Analysis  
59-17 Junction Boulevard, 11<sup>th</sup> Floor  
Flushing, NY 11373

**The administrator of any school or day care facility located on or near the site:**

There are no schools or day care facilities located on the site. The following are schools or day care facilities located within a ½-mile radius of the site:

Episcopal Social Services – (approximately 750 feet north of the site)  
2967 Frederick Douglas Blvd  
New York, NY 10039

Prince Hall Service Fund, Inc. – (approximately 1,500 feet north of the site)  
159-30 Harlem River Drive  
New York, NY 10039

Lutheran Social Services of Metropolitan New York– (approximately 2,000 feet south of the site)  
218 West 147th Street  
New York, NY 10039

Mary Walton Children’s Center– (approximately 750 feet south of the site)  
224 West 152nd Street  
New York, NY 10039

Moreau LMSW Children & Family Services P.C. – (approximately 1,800 feet southwest of the site)  
764 St. Nicholas Ave  
New York, NY 10031

Resurrection School (approximately 1,000 feet southwest of the site)  
282 West 151<sup>st</sup> Street  
New York, NY 10039

United Federation of Black Community Organization, Inc. – (approximately 1,800 feet northwest of the site)  
474 West 159th Street  
New York, NY 10032

Public School 046 Arthur Tappan – (approximately 1,000 feet north of the site)  
Principal: Dr. Kerry Ann Hazell  
2987 Frederick Douglass Boulevard  
New York, NY 10039

Public School 200 James M. Smith/ Frederick Douglas Secondary School – (approximately 1,500 feet south of the site)  
Principal: Dr. Renee Belton  
2589 7<sup>th</sup> Avenue  
New York, NY 10039

Public School 028 Wright Brothers – (approximately 1,700 feet northwest of the site)  
Principal: Luis Fernandez, I.A.  
475 West 155<sup>th</sup> Street  
New York, NY 10032

NYCHA Day Care Center  
224 West 152nd Street  
New York, NY 10039

NYCHA Day Care Center  
2967 Frederick Douglas Blvd  
New York, NY 10039

**The location of the document repository for the project (e.g., local library):**

Washington Heights Library  
1000 St. Nicholas Avenue  
New York, NY 10032  
(212) 923-6054

Borough of Manhattan, Community Board 10  
Cicely Harris, Chairperson  
215 West 125th Street, 4th Floor  
New York, NY 10027  
(212) 749-3105

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

Caroline Kretz - Director  
Consolidated Edison Corporate Affairs  
4 Irving Place, Room 1428  
New York, NY 10003

Abena Smith - President  
32nd Police Precinct Council  
NYPD  
250 West 135th Street  
New York, NY 10030

Engine 84 Ladder 34  
513 West 161st Street  
New York, NY 10032

Bethany Baptist Church  
303 West 153rd Street  
New York, NY 10039

St. Matthews Baptist Church  
43 Macombs Place  
New York, NY 10039

Resurrection RC Church  
276 West 151st Street  
New York, NY 10039

Harlem River - NYCHA  
Management Development Office  
231 West 151st Street  
New York, NY 10039

Harlem River - NYCHA  
President - Resident Association  
231 West 151st Street  
New York, NY 10039

WEACT  
Attn: Peggy Sheppard  
1854 Amsterdam Avenue (at 152nd Street), 2nd Floor  
New York, NY 10031

Polo Grounds Towers - NYCHA  
Management Development Office  
2975 Frederick Douglass Boulevard  
New York, NY 10039

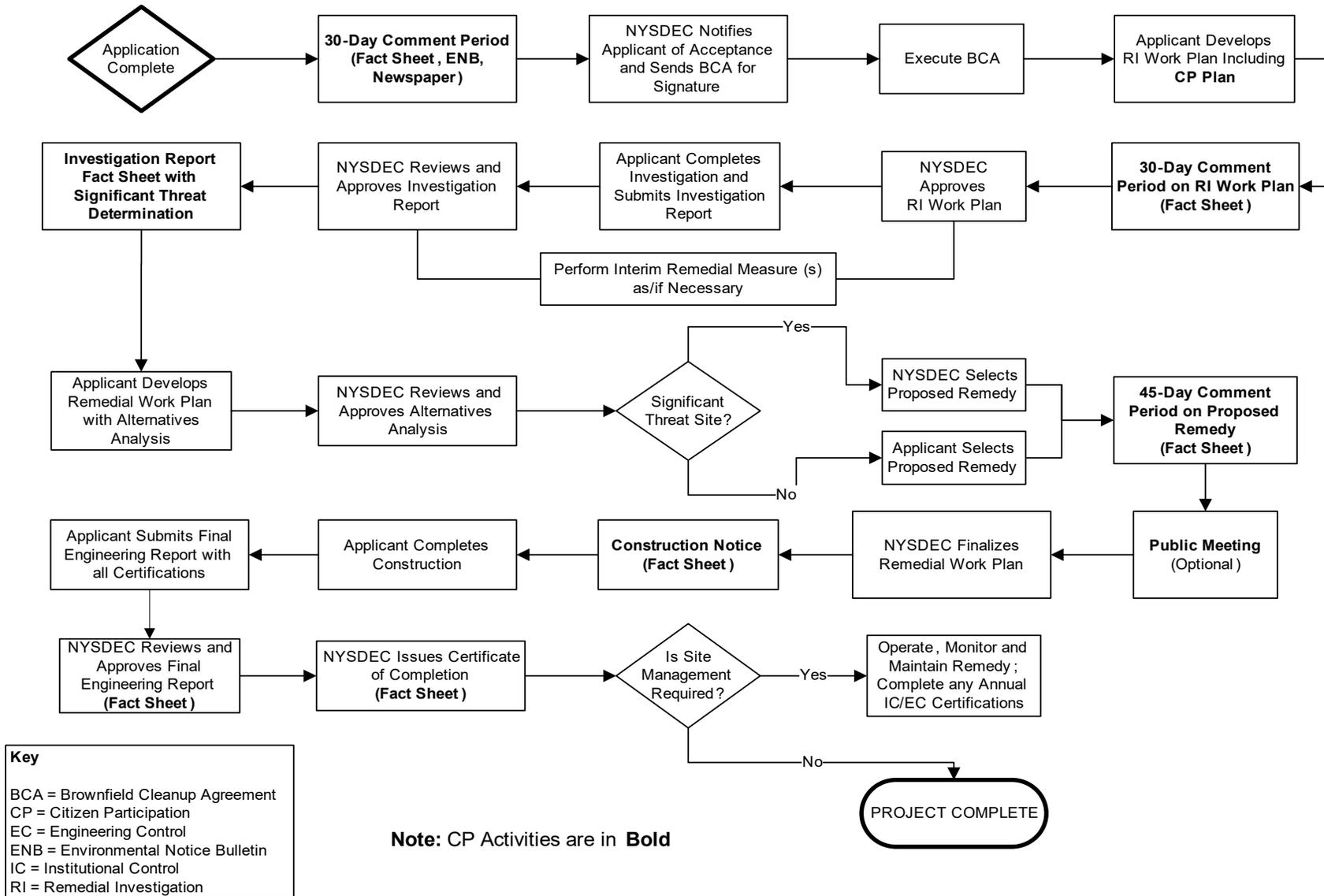
East Harlem Preservation  
Email: [info@eastharlempreservation.org](mailto:info@eastharlempreservation.org)

Harlem River Park Task Force  
Attn: Director  
C/o Harlem Community Development Corp.  
163 West 125th Street, 17th Floor  
New York, NY 10027  
Email: [harlemcdc@esd.ny.gov](mailto:harlemcdc@esd.ny.gov)  
Website: <http://www.harlemcdc.org/index.html>

Harlem Business Alliance, Inc.  
275 Malcolm X Boulevard, 2nd Floor Harlem Environmental Impact Project, Inc.  
163 W. 125th Street, Suite 909  
New York, NY 10027



# Appendix D– Brownfield Cleanup Program Process



## Appendix E - Scoping Sheet for Major Issues of Public Concern



Department of  
Environmental  
Conservation

Division of Environmental Remediation

### Remedial Programs Scoping Sheet for Major Issues of Public Concern (see instructions)

**Site Name:** 280 West 155th Street Development

**Site Number:** C231138

**Site Address and County:** 280 West 155th Street, New York, New York County, New York

**Remedial Party(ies):** 280 W 155 ST OWNER LLC ("Applicant")

**Note: For Parts 1. – 3. the individuals, groups, organizations, businesses and units of government identified should be added to the site contact list as appropriate.**

**Part 1.** List major issues of public concern and information the community wants. Identify individuals, groups, organizations, businesses and/or units of government related to the issue(s) and information needs. **Use this information as an aid to prepare or update the Major Issues of Public Concern section of the site Citizen Participation Plan.**

Investigation and remediation of soil, groundwater, and soil vapor may impact air quality during construction. NYSDEC and NYSDOH are overseeing the project to ensure the air and odor issues are monitored and mitigated during implementation of the work plan.

How were these issues and/or information needs identified?

Previous investigations identified contaminated soil, groundwater and soil vapor at the site.

**Part 2.** List important information needed **from** the community, if applicable. Identify individuals, groups, organizations, businesses and/or units of government related to the information needed. No additional information is required from the community at this time.

How were these information needs identified?

There are no information needs at this time.

**Part 3.** List major issues and information that need to be communicated **to** the community. Identify individuals, groups, organizations, businesses and/or units of government related to the issue(s) and/or information.

Information will be communicated to the public as outlined in the Citizen Participation Plan. NYSDEC and NYSDOH contacts will be provided. A repository will exist for the public to review documentation.

How were these issues and/or information needs identified?

Issue identification is the same as Part 1 response. Information communication was established by NYSDEC and NYSDOH as part of the NYS Brownfield Cleanup Program

**Part 4.** Identify the following characteristics of the affected/interested community. This knowledge will help to identify and understand issues and information important to the community, and ways to effectively develop and implement the site citizen participation plan (mark all that apply):

a. Land use/zoning at and around site:

Residential    Agricultural    Recreational    Commercial    Industrial

b. Residential type around site:

**Urban**    **Suburban**    **Rural**

c. Population density around site:

**High**    **Medium**    **Low**

d. Water supply of nearby residences:

**Public**    **Private Wells**    **Mixed**

e. Is part or all of the water supply of the affected/interested community currently impacted by the site?

**Yes**    **No**

Provide details if appropriate:

[Click here to enter text.](#)

f. Other environmental issues significantly impacted/impacting the affected community?

**Yes**    **No**

Provide details if appropriate:

[Click here to enter text.](#)

g. Is the site and/or the affected/interested community wholly or partly in an Environmental Justice Area?

**Yes**    **No**

h. Special considerations:

**Language**    **Age**    **Transportation**    **Other**

Explain any marked categories in h:

.

**Part 5.** The site contact list must include, at a minimum, the individuals, groups, and organizations identified in Part 2. of the Citizen Participation Plan under 'Site Contact List'. Are *other* individuals, groups, organizations, and units of government affected by, or interested in, the site, or its remedial program? (Mark and identify all that apply, then adjust the site contact list as appropriate.)

**Non-Adjacent Residents/Property Owners:** [Click here to enter text.](#)

**Local Officials:** [Click here to enter text.](#)

**Media:** [Click here to enter text.](#)

**Business/Commercial Interests:** [Click here to enter text.](#)

**Labor Group(s)/Employees:** [Click here to enter text.](#)

**Indian Nation:** [Click here to enter text.](#)

**Citizens/Community Group(s):** [Click here to enter text.](#)

**Environmental Justice Group(s):** [Click here to enter text.](#)

**Environmental Group(s):** [Click here to enter text.](#)

**Civic Group(s):** [Click here to enter text.](#)

**Recreational Group(s):** [Click here to enter text.](#)

**Other(s):** [Click here to enter text.](#)

**Prepared/Updated By:** Langan

**Date:** 1/21/2020

**Reviewed/Approved By:** Thomas V. Panzone

**Date:** 4/15/20