



**Department of
Environmental
Conservation**

Brownfield Cleanup Program
Citizen Participation Plan
for
Essex Crossing Site 9

January 2023

BCP Site #C231149
120 Essex Street
New York, NY 10002

Prepared by:



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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 brownfield site’s remedial investigation and cleanup process.

Applicant: **Site 9 DSA Owner LLC (Applicant)**
Site Name: **Essex Crossing Site 9 (Site)**
Site Address: **120 Essex Street, New York, NY 10002**
Site County: **New York County**
Site Number: **C231149**

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 that 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/brownfields.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 by 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 location of the reports and information related to the Site's investigation and cleanup program 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; and
- 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 site notifications. 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. The NYSDEC Site project manager identified in Appendix A will be notified 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 whether 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 Requirements (Activities)	Timing of CP Activity(ies)
Application Process:	
<ul style="list-style-type: none"> • Prepare site contact list • Establish document repositories 	At time of preparation of application to participate in the BCP.
<ul style="list-style-type: none"> • Publish notice in Environmental Notice Bulletin (ENB) announcing receipt of application and 30-day public comment period • Publish above ENB content in local newspaper • Mail above ENB content to site contact list • Conduct 30-day public comment period 	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.
After Execution of Brownfield Site Cleanup Agreement:	
<ul style="list-style-type: none"> • Prepare Citizen Participation (CP) Plan 	Before start of Remedial Investigation
Before NYSDEC Approves Remedial Investigation (RI) Work Plan:	
<ul style="list-style-type: none"> • Distribute fact sheet to site contact list about proposed RI activities and announcing 30-day public comment period about draft RI Work Plan • Conduct 30-day public comment period 	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.
After Applicant Completes Remedial Investigation:	
<ul style="list-style-type: none"> • Distribute fact sheet to site contact list that describes RI results 	Before NYSDEC approves RI Report
Before NYSDEC Approves Remedial Work Plan (RWP):	
<ul style="list-style-type: none"> • Distribute fact sheet to site contact list about proposed RWP and announcing 45-day public comment period • Public meeting by NYSDEC about proposed RWP (if requested by affected community or at discretion of NYSDEC project manager) • Conduct 45-day public comment period 	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.
Before Applicant Starts Cleanup Action:	
<ul style="list-style-type: none"> • Distribute fact sheet to site contact list that describes upcoming cleanup action 	Before the start of cleanup action.
After Applicant Completes Cleanup Action:	
<ul style="list-style-type: none"> • Distribute fact sheet to site contact list that announces that cleanup action has been completed and that summarizes the Final Engineering Report • Distribute fact sheet to site contact list announcing issuance of Certificate of Completion (COC) 	At the time NYSDEC approves Final Engineering Report. These two fact sheets are combined if 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 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 businesses and residents. These issues will be addressed in the Community Air Monitoring Program (CAMP), Site-specific Health and Safety Program (HASP), and the RWP 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).

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 sizable Chinese-American population nearby. Therefore, all future fact sheets will be translated into Chinese.

For additional information, visit: <https://statisticalatlas.com/tract/New-York/New-York-County/001800/Race-and-Ethnicity>

4. Site Information

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

Site Description

The approximately 20,473-square feet (0.47 acre) Site is located in the Lower East Side neighborhood of Manhattan, New York and is identified on the New York City Tax Map as Manhattan Tax Block 353, Lot 44. The Site is irregular in shape and is bounded to the north by Rivington Street; to the south by Delancey Street; to the east by mixed-use commercial and residential buildings; and to the west by Essex Street. Abutting underground Metropolitan Transit Authority (MTA) subway tunnels are present along Delancey and Essex Streets. A portion of the subway tunnel on Essex Street extends and runs beneath the western portion of the Site. The surrounding area is predominantly residential and commercial, with some open space/parkland, educational and institutional uses.

The Site is developed with a vacant single-story building. The proposed redevelopment includes the construction of a new 9-story mixed-use residential and commercial use building, with 76 residential units (31 affordable units) and 14,538-sf of commercial space. In addition, the plan

includes easement areas for a New York City Transit elevator and escalator to provide compliance to the Delancey Street F train platform with the Americans with Disabilities (ADA) Standards.

The Site is zoned as C4-4A and C6-2A (residential and commercial). The proposed development complies with the current zoning of the Site and would provide affordable housing units. In 2011, the Office of the Deputy Mayor for Economic Development (ODMED), in coordination with the New York City Economic Development Corporation (NYCEDC) and the City of New York Department of Housing Preservation & Development (HPD), sponsored an initiative called the Seward Park Mixed-Use Development Project to allow for the implementation of an approximately 1.7 million gross-square-foot (gsf) mixed-use development on 10 City-owned sites (one site was later removed) located in Manhattan Community District 3 generally along Delancey and Essex Streets on the Lower East Side. The Site was identified as Site 9 of the Seward Park Mixed-Use Development Project. The goal of the project is to transform several underutilized City-owned properties into a thriving, financially viable, mixed-use development, that provides affordable and market-rate housing units, commercial and retail uses, and other neighborhood amenities on the Site as part of the goals of the Mayor's Housing New York: A Five-Borough, Ten-Year Plan. It will also better integrate into the surrounding neighborhood by creating a street wall with ground floor uses that activate the streetscape.

History of Site Use, Investigation, and Cleanup

Historic records indicate that the Site was developed prior to 1894 with at least 20 multi-story structures. Historical uses at the Site included a school, photo shop, printer shop, machine shop, office, mattress store, bath store, furniture store, drug store, along with various other stores and dwellings. By 1950, the Site was redeveloped as a portion of the Essex Street Market, which remained in operation through at least 2005. City Directory listings for the Site included various commercial and retail businesses between 1920 and 2014. Certificates of Occupancy (CO) for the Site identified: a four-story commercial building with a cellar that operated as a furniture store in 1919; a single-story commercial building in 1935; and a single-story commercial building with a mezzanine, used as a retail market with stores and offices in 1940.

A review of the laboratory analytical data collected during AKRF's May 2021 Remedial Investigation (RI) indicates that primary contaminants of concern for the Site include semi-volatile organic compounds (SVOCs) and metals in soil and volatile organic compounds (VOCs) in soil vapor.

Soil: The SVOCs benzo[a]anthracene, benzo[a]pyrene, benzo[b]fluoranthene, benzo[k]fluoranthene, chrysene, dibenz(a,h)anthracene, and indeno[1,2,3-c,d]pyrene were detected at concentrations above their respective restricted residential soil cleanup objectives (RRSCOs) and/or unrestricted use soil cleanup objectives (UUSCOs) in up to nine soil samples collected from various depths. Six metals, including: barium, copper, lead, mercury, nickel, and zinc were detected at concentrations above their respective RRSCOs and/or UUSCOs in up to 13 soil samples.

Soil Vapor: Petroleum-related and chlorinated solvent-related compounds were detected in all seven soil vapor samples collected during the RI. Petroleum-related VOCs, such benzene, toluene, ethylbenzene, xylenes (collectively referred to as "BTEX"), 2,2,4-trimethylpentane, butane, cyclohexane, n-heptane, and n-hexane were detected in all of the soil vapor samples at concentrations up to 630 microgram per cubic meter ($\mu\text{g}/\text{m}^3$). Chlorinated solvent-related VOCs

[trichloroethylene (TCE), tetrachloroethylene (PCE), 1,1,1-trichloroethane, and carbon tetrachloride] were detected in four soil vapor samples at concentrations up to 4.2 µg/m³.

Groundwater was identified at depths between approximately 22.20 to 23.84 feet below surface grade. The soil contaminants appear to be associated with Site-wide fill material and former uses at the Site. The soil vapor contaminants could be attributed to historic on-site and/or surrounding uses.

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 Site Assessment, Essex Crossing Site 9, 120 Essex Street, New York, New York, AKRF, Inc., January 2020.
- Draft Remedial Investigation Report, Essex Crossing Site 9, 120 Essex Street, New York, New York, AKRF, Inc., May 2021.

Summaries of the reports are provided below.

Phase I Environmental Site Assessment, Essex Crossing Site 9, 120 Essex Street, New York, New York, AKRF, Inc., January 2020.

AKRF prepared a Phase I ESA in January 2020, in accordance with ASTM Standard E1527-13. The Phase I identified the following:

Recognized Environmental Conditions (RECs)

- Historical Sanborn maps indicated the Site was developed with various commercial uses between approximately 1905 and 1944, including a photo shop, printer shop, and a machine shop.
- Historical Sanborn maps, city directory listings, and the regulatory database information identified several commercial and industrial operations, including carpenter shops, wagon repair shops, printer shops, laundry facilities (with the potential for dry-cleaning), tinsmiths, photo shops, undertakers, wine bottling factories, furniture, umbrella and sign manufacturers, drug stores, garages, and motorcycle/auto repair shops in the surrounding area between approximately 1905 and 2005.

AKRF recommended a Subsurface Investigation, including the collection and laboratory analysis of subsurface soil, soil vapor, and groundwater samples to determine whether the identified RECs impacted the Site.

Draft Remedial Investigation Report, Essex Crossing Site 9, 120 Essex Street, New York, New York, AKRF, Inc., May 2021.

AKRF conducted a Remedial Investigation (RI) between December 2019 and March 2020, which was documented in the May 2021 Draft Remedial Investigation Report (RIR). The scope of the RI included: a geophysical investigation across the accessible areas of the Site; advancement of 15 soil borings across the Site with the collection and laboratory analysis of 22 samples to evaluate soil quality; installation of 3 temporary groundwater monitoring wells with the collection of 3 groundwater samples for laboratory analysis to evaluate groundwater quality; and installation of 7 temporary soil vapor probes with the collection of 7 soil vapor samples.

The stratigraphy of the Site, from the surface down, generally consisted of fill material comprising sand, silt, and gravel with varying amounts of concrete and brick extending from grade to depths between 11 and 17 feet below ground surface (bgs). The fill material was underlain by sand, gravel, and silt to boring termination depths (up to 35 feet bgs). Based on Site-specific well point measurements, the groundwater depth beneath the Site ranges from 22.20 to 23.84 feet bgs. Groundwater is expected to flow beneath the Site in an easterly direction toward the East River (the nearest body of water).

The laboratory results identified concentrations of SVOCs and metals in soil above RRSCOs and/or UUSCOs. Petroleum-related and Chlorinated-related VOCs (CVOCs) were detected in the soil vapor. One VOC (chloroform) and multiple metals were detected in the groundwater above the applicable Ambient Water Quality Standards and Guidance Values (AWQSGVs).

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 a portion of the Site will be used for unrestricted purposes with the remainder used for restricted-residential purposes. It is noted that the draft RIR and the draft RWP were submitted concurrently with the BCP Application.

To achieve this goal, the Applicant will conduct 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.

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 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 Applicant.

or

2. The Applicant may recommend in its investigation report that action needs to be taken to address Site contamination. After NYSDEC approves the 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 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 Final Engineering Report (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 remedial program, the public may contact any of the following project staff:

New York State Department of Environmental Conservation (NYSDEC):

Steven Walsh
Project Manager
NYSDEC
Division of Environmental Remediation
625 Broadway, 12th Floor
Albany, NY 12233-7016
steven.walsh@dec.ny.gov
518-402-9824

Thomas V. Panzone
Public Participation Specialist
NYSDEC Region 2
1 Hunters Point Plaza
47-40 21st Street
Long Island City, NY 11101
(718) 482-4953
Thomas.panzone@dec.ny.gov

New York State Department of Health (NYSDOH):

Christine Vooris
Public Health Specialist
Bureau of Environmental Exposure Investigation
New York State Department of Health
Empire State Plaza, Corning Tower, Room 1787
Albany, NY 12237
(518) 402-7860
beei@health.ny.gov

AKRF, Inc.

Deborah Shapiro, QEP
Senior Vice President
440 Park Avenue South, 7th Floor
New York, NY 10016
Phone: (646) 388-9544
Email: dshapiro@akrf.com

Document Repositories* :

<p>Seward Park Library 192 East Broadway New York, New York 10002 Managing Librarian: Lakisha Brown (212) 477-6770 lakishabrown@nypl.org sewardpark@nypl.org</p>	<p>Manhattan Community Board No. 3 59 East 4th Street New York, New York 10003 District manager, Susan Stetzer ssetzer@cb.nyc.gov mn03@cb.nyc.gov Paul Rangel - Chairperson David Crane, Interim Chair – Transportation, Public Safety, Sanitation & Environment Committee (212) 533-5300</p>
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The public library is currently providing limited services due to the ongoing pandemic. Repositories might be temporarily unavailable due to COVID-19 precautions. If you cannot access the online repository, please contact the NYSDEC project manager listed above for assistance.

Seward Park Library Hours: Monday: 10:00am-8pm; Tuesday: 10:00am-8pm; Wednesday: 10:00am-8:00pm; Thursday: 10:00am-8:00pm; Friday 10:00am-5:00pm; Saturday: 10:00am-5:00pm; Sunday: closed

Appendix B Site Contact List

1. Local, State, and Federal Officials

<p>Mayor Eric Adams Mayor of New York City City of New York 1 Centre Street New York, NY 10007-1200</p>	<p>Hon. Brad Lander New York City Comptroller Office of the Comptroller, City of New York 1 Centre Street New York, NY 10007</p>
<p>Hon. Mark Levine Manhattan Borough President 431 West 125th Street New York, New York 10027</p>	<p>Hon. Brian Kavanagh NY State Senator, 26th District 250 Broadway, Room 2011 New York, NY 10007</p>
<p>Hon. Christopher Marte New York City Council, District 1 65 East Broadway New York, NY 10002</p>	<p>Hon. Yuh-Line Niou NY State Assembly Member, District 65 64 Fulton Street, Room 302 New York, NY 10038</p>
<p>NYC Department of City Planning Daniel Garodnick Manhattan Borough Office 120 Broadway, 31st Floor New York, NY 10271</p>	<p>Hon. Jumaane Williams Public Advocate 1 Centre Street New York, NY 10007</p>
<p>Hon. Carolyn Maloney U.S. House of Representatives, District 12 1651 3rd Avenue, Suite 311 New York, NY 10128</p>	<p>Hon. Charles Schumer U.S. Senate 780 Third Avenue, Suite 2301 New York, NY 10017</p>
<p>Hon. Kirsten Gillibrand U.S. Senate 780 Third Avenue, Suite 2601 New York, NY 10017</p>	<p>Mark McIntyre, Acting Director/General Counsel Mayor's Office of Environmental Remediation 100 Gold Street, 2nd Floor New York, NY 10038</p>
<p>Hon. Milton Tingling Manhattan County Clerk 60 Centre Street, Room 161 New York, NY 10007</p>	<p>Rohit Aggarwala Public Water Supplier Commissioner NYC Dept. of Environmental Protection 59-17 Junction Boulevard Flushing, NY 11373</p>

2. *Current Owners and Occupants of the Subject Site and Adjacent Sites*

The Site, Manhattan Borough Block 353, Lot 44, is currently owned by the NYC Department of Small Business Services (DSBS) (managed by EDC), located at One Liberty Plaza, 11th Floor, New York, NY 10006. A list of adjacent properties and their owners and occupants is provided below:

<p style="text-align: center;"><u>Adjacent to the north:</u></p> <p><u>Block 354, Lot 1</u></p> <p>Site 8 Residential Owner LLC (Owner/operator) 150 Myrtle Avenue Suite 2 Brooklyn, New York 11201</p> <p>Current Occupant(s)(Operator) 140 Essex Street New York, New York 10002</p> <p><u>Block 354, Lot 38</u></p> <p>118 Rivington LLC (Owner) % Atkins & Breskin LLC 133 Norfolk Street New York, New York 10002</p> <p>Current Occupant(s) (Operator) Festival Mexicano Restaurant 118 Rivington Street New York, New York 10002</p> <p><u>Block 354, Lot 37</u></p> <p>120 Rivington Street 1 LLC 145 East Houston #5A New York, New York 10002</p> <p>Current Occupant(s) (Operator) 120 Rivington Street New York, New York 10002</p>	<p style="text-align: center;"><u>Adjacent to the northwest:</u></p> <p><u>Block 411, Lot 68</u></p> <p>B Arnold LLC (Owner) % Barbara Arnold 28 Homeside Lane White Plains, NY 10605</p> <p>Current Occupant(s)(Operator) Fancy Pharmacy 114 Rivington Street New York, New York 10002</p> <hr/> <p style="text-align: center;"><u>Adjacent to the south:</u></p> <p><u>Block 352, Lot 1</u></p> <p>Site 2 DSA Owner LLC (Owner) 1865 Palmer Avenue, Suite 203 Larchmont, NY 10538</p> <p>Current Occupant(s) (Operator) Essex Market 115 Delancey Street New York, New York 10002</p>
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<u>Adjacent to the east:</u>	<u>Adjacent to the west:</u>
<p><u>Block 353, Lot 20</u></p> <p>121 Rivington Corp (Owner) % Cecillia L. Wong 51 Catherine Street, Apt. 16 New York, NY 10038</p> <p>Current Occupant(s) (Operator) Lau's Wash & Dry Laundromat Rivington Café Corp. 121-123 Rivington Street New York, New York 10002</p>	<p><u>Block 410, Lot 52</u></p> <p>123 Essex LLC (Owner) % Andrew Hirsch, Esq. 1501 Broadway, 22nd Floor New York, NY 10036</p> <p>Current Occupant(s) (Operator) 123 Essex Street New York, New York 10002</p>
<p><u>Block 353, Lot 22</u></p> <p>CRP Rivington Street Development LLC (Owner) % Castellan Real Estate Partners 1841 Broadway, Suite 811 New York, NY 11023</p> <p>Current Occupant(s) (Operator) 125 Rivington Street New York, New York 10002</p>	<p><u>Block 410, Lot 53</u></p> <p>121 Essex Street Realty LLC (Owner) 2 Hidden Valley Drive Suffern, NY 10901</p> <p>Current Occupant(s) (Operator) 121 Essex Street New York, New York 10002</p>
<p><u>Block 353, Lot 30</u></p> <p>Current Occupant(s) (Operator) 115 Norfolk Street New York, New York 10002</p> <p>115 Norfolk Realty LLC (Owner) 151 East 3rd Street New York, NY 10009</p>	<p><u>Block 410, Lot 54</u></p> <p>Essex Union LLC (Owner) 119 Essex Street New York, New York 10002</p> <p>Current Occupant(s) (Operator) 119 Essex Street New York, New York 10002</p>
<p><u>Block 353, Lot 32</u></p> <p>Norfolk Apartment II Ltd. Partnership (Owner) % Asian Americans for Equality, Inc. 108-110 Norfolk Street New York, NY 10002</p> <p>Current Occupant(s) (Operator) Asian Americans for Equality, Inc. 108-110 Norfolk Street New York, New York 10002</p>	<p><u>Block 410, Lot 55</u></p> <p>115 Essex St. LLC Ltd (Owner) Marin Management 114 East 39th Street New York, New York 10016</p> <p>Current Occupant(s) (Operator) 115 Essex Street New York, New York 10002</p>

<u>Adjacent to the east:</u>	<u>Adjacent to the west:</u>
<p><u>Block 353, Lot 33</u></p> <p>109 Norfolk LLC (Owner) 509 Grand Street New York, NY 10002</p> <p>Current Occupant(s) (Operator) 109 Norfolk Street New York, New York 10002</p>	<p><u>Block 410, Lot 38</u></p> <p>NYS Department of Transportation (Owner) 47-40 21st Street Long Island City, New York 11101</p> <p>Current Occupant(s) (Operator) Delancey and Essex Parking Garage 112 Ludlow Street New York, New York 10002</p>
<p><u>Block 353, Lot 34</u></p> <p>Lo-Ho LLC (Owner) 544 Hudson Street New York, NY 10014</p> <p>Current Occupant(s) (Operator) 107 Norfolk Street New York, New York 10002</p>	<p><u>Block 410, Lot 62</u></p> <p>103 Essex Street Realty Corp. % Henry Fong, Esq. 2 Mott Street New York, New York 10013</p> <p>Current Occupant(s) (Operator) 103 Essex Street New York, New York 10002</p>
<p><u>Block 353, Lot 35</u></p> <p>Norfolk Hudson LLC (Owner) 58 Thomas Street New York, NY 10013</p> <p>Current Occupant(s) (Operator) 103-105 Norfolk Street New York, New York 10002</p>	<p><u>Block 410, Lot 64</u></p> <p>114 Delancey % Baruch Singer 95 Delancey Street New York, New York 10002</p> <p>Current Occupant(s) (Operator) McDonalds Restaurant 114 Delancey Street New York, New York 10002</p>
<p><u>Block 353, Lot 42</u></p> <p>FB Delancey LLC (Owner) 52-55 74th Street Elmhurst, NY 11373</p> <p>Current Occupant(s) (Operator) Fabco Shoes 124 Delancey Street New York, New York 10002</p>	<p><u>Block 409, Lot 53</u> <u>109 Delancey Street</u></p> <p>Manufacturers and Traders Trust CO (Owner) c/o M&T Bank 350 Park Avenue New York, NY 10022</p> <p>Chase Bank (operator/tenant)</p>

<u>Adjacent to the east:</u>	
<u>Block 353, Lot 43</u> Cohen, Mal (Owner) 1514 East 8 th Street New York, NY 11223 Current Occupant(s) (Operator) Richies 122 Delancey Street New York, New York 10002	

3. Local News Media

The Lo-Down http://www.thelodownny.com/ (646) 861-1805 tips@thelodownny.com	New York 1 News 75 Ninth Avenue New York, NY 10011
NY Daily News 270C Duffy Avenue Hicksville, New York 11801	Sing Tao Daily 188 Lafayette Street New York, NY 10013
Bowery Boogie tipline@boweryboogie.com	World Journal (Chinese) 141-07 20th Avenue Whitestone, NY 11357
New York Post 1211 Avenue of the Americas New York, NY 10036	

5. Additional Contacts:

None

6. Schools and Day Care Centers

Daycares:

First Steps at Clinton President/Executive Director/Principal 21 Clinton Street New York, New York 10002 (646) 726-4289 Distance: 1,200 feet northeast of the Site	All My Children Day Care & Nursery Schools President/Executive Director/Principal 112 Ridge Street New York, New York 10002 (212) 466-6262 Distance: 1,350 feet east of the Site
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<p>Kings Day Care Academy President/Executive Director/Principal 38 Delancey Street New York, New York 10002 (212) 375-9500 Distance: 1,200 feet west of the Site.</p>	<p>Little Star of Broome Street 178 Broome Street President/Executive Director/Principal New York, New York 10002 (646) 678-3847 Distance: 1,100 feet southeast of the Site.</p>
<p>New York City Housing Authority's Seward Park Extension Day Care Center President/Executive Director/Principal 56 Essex Street New York, New York 10002 Distance: 950 feet southeast of the Site.</p>	<p>UNIVERSITY SETTLEMENT EARLY CHILDHOOD CENTER President/Executive Director/Principal 184 ELDRIDGE STREET NEW YORK, NY 10002 212-453-4555</p>
<p>Dewitt Reform Church Head Start Site 1 280 Rivington Street NEW YORK, NY 10002 212-254-3070</p>	<p>Action For Progress Child Care Center President/Executive Director/Principal 180 SUFFOLK STREET NEW YORK, NY 10002 212-475-4340</p>
<p>Educational Alliance Head Start at PS 142 President/Executive Director/Principal 100 Attorney STREET New York, NY 10002 212-598-3826</p>	<p>Puerto Rican Council Day Care President/Executive Director/Principal 180 SUFFOLK STREET NEW YORK, NY 10002 212-674-6730</p>
<p>Grand St Settlement Dual Center #1 President/Executive Director/Principal 60 Essex Street Manhattan, NY 10002 212-674-1740</p>	<p>Escuela Hispana Montessori Site 1 President/Executive Director/Principal 180 Suffolk Street New York, NY 10002 212-982-6650</p>
<p>Comprehensive Kids Development Center President/Executive Director/Principal 101 Norfolk St New York, NY 10002 (212) 539-0259 ext. 1400</p>	<p>First Steps at Clinton President/Executive Director/Principal 21 Clinton Street New York, NY 10002 646-726-4289</p>

Schools:

<p>Marta Valley High School President/Executive Director/Principal 145 Stanton Street New York, New York 10002 (212) 473-8152 https://martavalle.org/ Distance: 275 feet north of the Site</p>	<p>PACE High School President/Executive Director/Principal 100 Hester Street New York, NY 10002 212-334-4663</p>
<p>New Explorations High School President/Executive Director/Principal 111 Columbia Street New York, New York 10002 (212) 677-5190 Distance: 2,000 feet northeast of the Site</p>	<p>School for Global Leaders/Lower East Side Preparatory High School President/Executive Director/Principal 145 Stanton Street, 4th Floor New York, New York 10002 (212) 505-6366 Distance: 200 feet northeast of the Site</p>

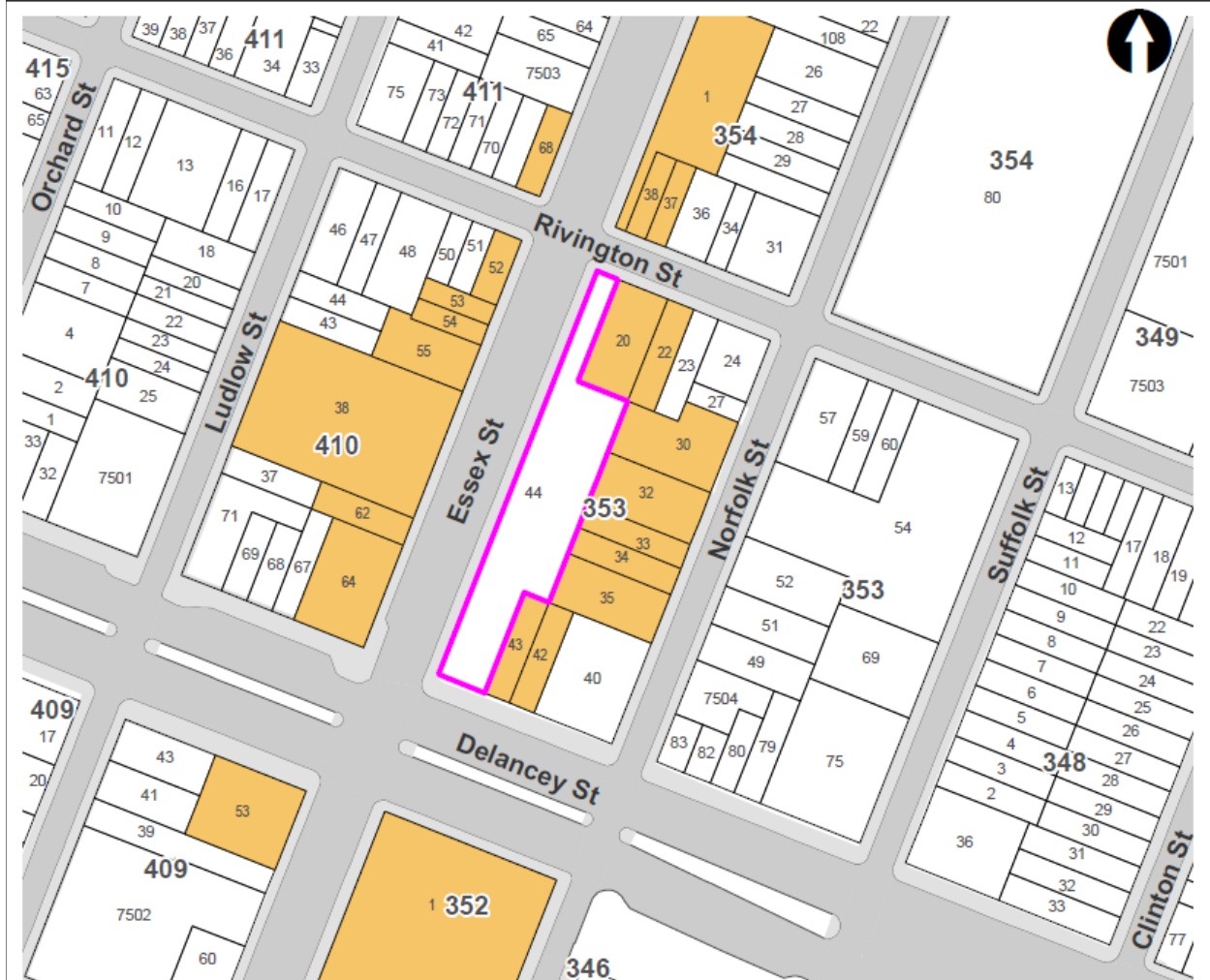
<p>Middle School 131 President/Executive Director/Principal 100 Hester Street New York, New York 10002 (212) 219-1204 Distance: 1,600 feet southwest of the Site</p>	<p>Manhattan Charter School President/Executive Director/Principal 100 Attorney Street New York, New York 10002 (212) 533-2743 Distance: 880 feet east of the Site</p>
<p>P.S. 20 Ana Silver President/Executive Director/Principal 166 Essex Street New York, NY 10002 (212) 254-9577</p>	<p>Beth Jacob Schools President/Executive Director/Principal 142 Broome Street New York, New York 10002 (212) 473-4500 Distance: 1,200 feet east of the Site</p>
<p>PS 140 Nathan Straus President/Executive Director/Principal 123 Ridge Street New York, NY 10002 (212) 677-4680</p>	<p>New Design High School/ Seward Park Educational Campus President/Executive Director/Principal 350 Grand Street New York, New York 10002 (212) 475-4148 Distance: 48 feet southwest of the Site</p>
<p>Great Oaks Charter School – NYC President/Executive Director/Principal 38 Delancey Street New York, New York 10002 (212) 233-5152 Distance: 1,200 feet west of the Site</p>	<p>Elements Pre K Nature Preschool at 99 Suffolk Street President/Executive Director/Principal New York, New York 10002 (212) 982-4444 Distance: 300 feet east of the Site</p>
<p>PS 142 Amalia Castro President/Executive Director/Principal 100 Attorney Street New York, NY 10002 (212) 598-3800 PACE High School</p>	

7. Community, Civic, Religious and Other Environmental Organizations

<p>Consolidated Edison Corporate Affairs Kimberly Williams -Director 4 Irving Place 17th Floor New York, NY 10003</p>	<p>Donald West – President 7th Police Precinct Council 19 1/2 Pitt Street New York, NY, 10002</p>
<p>FDNY Battalion 4 Engine 15 Ladder 18 25 PITT STREET New York, NY 10002</p>	<p>NYCHA Community Center Seward Community Center 56 Essex Street New York, NY 10002 https://www1.nyc.gov/assets/nycha/downloads/pdf/Seward%20Park%20Extension.pdf</p>

<p>Lower East Side Preservation Initiative Richard Moses, President richard@lespi-nyc.org 93 Fourth Avenue # 1223 New York, NY 10003 347-827-1846 https://lespi-nyc.org/</p>	<p>Chinese American Planning Council Central Administration 150 Elizabeth Street New York, NY 10012 info@cpc-nyc.org 212-941-0920</p>
<p>Chinese Consolidated Benevolent Association Chinese Community Center 62 Mott Street New York, NY 10013 ccbany@yahoo.com Raymond Tsang – President</p>	<p>Lower East Side Ecology Center Christine Datz-Romero – Co-Founder & Executive Director P.O. Box 20488 New York, NY 10009 info@lesecolgycenter.org</p>
<p>Lower East Side Partnership 88 Essex Street Office New York, NY 10002 info@lowereastside.org</p>	

Appendix C Site Location Map



Adjacent Property Owners			
Block	Lot	OwnerName	Address
352	1	SITE 2 DSA OWNER, LLC	125 DELANCEY STREET
353	20	121 RIVINGTON CORP.	121 RIVINGTON STREET
353	42	FB DELANCEY, LLC	124 DELANCEY STREET
353	22	CRP RIVINGTON STREET REDEVELOPMENT, LLC	125 RIVINGTON STREET
353	35	NORFOLK HUDSON LLC	103-105 NORFOLK STREET
353	30	115 NORFOLK REALTY, LLC	115 NORFOLK STREET
353	33	109 NORFOLK, LLC	109 NORFOLK STREET
353	32	NORFOLK APARTMENTS II LTD PARTNERSHIP	111 NORFOLK STREET
353	34	LO-HO, LLC	107 NORFOLK STREET
353	43	COHEN, MAL	122 DELANCEY STREET
354	1	SITE 8 DSA HOUSING DEVELOPMENT FUND CORPORATION	140 ESSEX STREET
354	37	120 RIVINGTON STREET 1, LLC	120 RIVINGTON STREET
354	38	118 RIVINGTON, LLC	118 RIVINGTON STREET
409	53	109 DELANCEY STREET, LLC	109 DELANCEY STREET
410	38	NYS DEPARTMENT OF TRANSPORTATION	112 LUDLOW STREET
410	53	121 ESSEX STREET REALTY, LLC	121 ESSEX STREET
410	64	114 DELANCEY	114 DELANCEY STREET
410	62	103 ESSEX STREET REALTY CORP	103 ESSEX STREET
410	54	ESSEX UNION, LLC	119 ESSEX STREET
410	52	123 ESSEX LLC	115 RIVINGTON STREET
410	55	115 ESSEX STREET, LLC	115 ESSEX STREET
411	88	B ARNOLD, LLC	114 RIVINGTON STREET

LEGEND

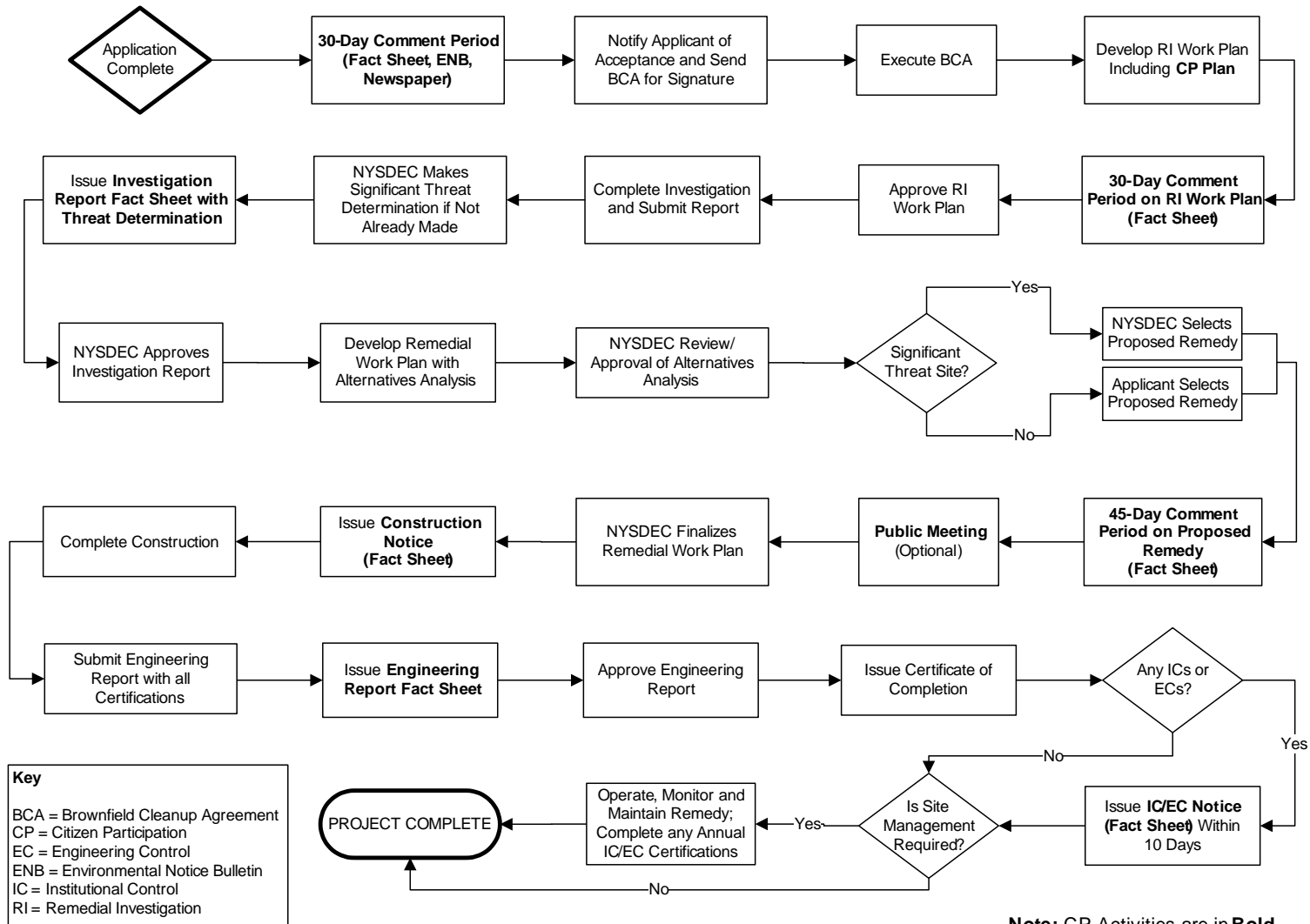
- PROJECT SITE BOUNDARY
- ADJACENT PROPERTY
- LOT BOUNDARY AND TAX LOT NUMBER
- 353** BLOCK NUMBER
- BUILDING

0 150 300

SCALE IN FEET

Map Source:
NYC DCP (NYC Dept. of City Planning) GIS database

Appendix D– Brownfield Cleanup Program Process



Appendix E

Scoping Sheet



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

Remedial Party: Site 9 DSA Owner LLC

Site Name: Essex Crossing Site 9

Site Number: C231149

Site County: New York County

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/or information. **Use this information as an aid to prepare or update the Major Issues of Public Concern section of the site Citizen Participation Plan.**

Construction and remediation may impact air quality while work is performed. NYSDEC and NYSDOH will oversee the project to ensure the air and odor issues are monitored and mitigated during implementation of the remedial work plan.

How were these issues and/or information identified?
Previous investigations identified contamination 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 needed information. No additional information is required 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 related to the environmental cleanup and redevelopment at the site will be communicated to the public as outlined in the CPP.

How were these issues and/or information identified?
Identified in communication with NYSDEC and NYSDOH as documented in the CPP.

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 around site:

Residential Agricultural Recreational Commercial Industrial

b. Residential type around site:

Urban Suburban Rural

c. Population density around site:

High **Medium** **Low**

d. Community economic status:

High **Medium** **Low**

e. Water supply of nearby residences:

Yes **No** **Public** **Private Wells** **Mixed**

f. Other environmental issues significantly impacting affected community?

Provide details if appropriate:

[Click here to enter text.](#)

g. Special considerations:

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

Explain marked categories in g.:

The Site is located in an area with a sizable Chinese-American population nearby. Therefore, all future fact sheets will be translated into Chinese.

Part 5. The site contact list must include, at a minimum, the individuals, groups, and organizations identified in the instructions for **Part 5**. 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): nearby schools and daycare facilities

Date Completed: September 14, 2022

Prepared By: AKRF, Inc

Reviewed By: Thomas V. Panzone