

Progress Report No. 3
September 2024
245 West 55th Street
Block 1027, Lot 7
New York, New York
Brownfield Cleanup Program Site #: C231157
Reporting Period: August 1 – August 31, 2024

1.0 Introduction

In accordance with the reporting requirements of the Brownfield Cleanup Agreement (BCA) for the above-referenced site, Environmental Logic (EL) prepared this progress report on behalf of 245 WEST 55TH ST LLC, to summarize the work performed at 245 West 55th Street, Manhattan, New York (the Site) through August 31, 2024. The BCA was executed on February 24, 2024. The New York State Department of Environmental Conservation (NYSDEC) approved the Remedial Investigation Work Plan (RIWP) in a letter dated June 14, 2024.

The Site is located in a C6-4/C6-6 Commercial District in Manhattan, approximately 1,000 feet southwest of Central Park. The Site is bordered to the north, east, and west by mixed-use commercial/residential properties, and is bordered to the south by West 55th Street and additional mixed-use commercial/residential properties. A Site Location Map is included as **Figure 1**.

The Site was formerly owned and utilized by DuArt Media Services/DuArt Film Labs (DuArt) for cinematographic film cleaning and film processing from approximately 1922 through 2011. Film production including voiceover work, audio recording, and film editing continued to take place at the Site until 2021. A site plan is provided as **Figure 2**.

245 WEST 55TH ST LLC is currently redeveloping the existing 12 story, 6,000 square foot commercial building on Site. Construction activities include the demolition of the existing 12th story and bulkhead, construction of an additional six stories to the 11 stories and altering the building for future residential use.

2.0 Activities Relative to the Site during the Reporting Period

As part of construction activities, test pits were excavated to expose and evaluate the condition of the perimeter foundation. In two of the test pits, located in a courtyard area in the northeast corner of the property, fill materials, consisting of bricks and non-native soils, were observed in the soils. This information was reported to EL in late May 2024. Soils in the courtyard area are proposed to be excavated to the depth of the current basement level, approximately 10-15 feet below ground surface (bgs) as part of Site development activities. In early June 2024, samples

of the fill material were collected from the fill, to characterize the material and determine appropriate disposal options. On June 20, 2024, an Interim Remedial Measures (IRM) Workplan was submitted to NYSDEC for the removal and off-site disposal of the fill material from the courtyard.

On August 19, 2024, NYSDEC issued a letter of disapproval for the IRM Workplan. A follow-up meeting was held with NYSDEC to discuss an appropriate path forward for soil removal. On August 20, 2024, NYSDEC issued an email noting that soil removal can proceed with certain stipulations. Those stipulations are detailed in Section 4 below. A copy of the email is attached for reference.

3.0 Activities Anticipated for the Next Reporting Period

Activities anticipated for the next reporting period include the following:

- EL is coordinating with the drilling subcontractor and the developer overseeing the Site redevelopment to schedule and implement remedial investigation activities proposed in the NYSEC approved RIWP. Scheduling is currently on hold pending NYSDEC approval of a forthcoming RIWP revision, which is being prepared to comply with the terms outlined in the August 20, 2024, email. NYSDEC will be apprised of the dates for field activities once they are scheduled.
- As noted above and in the previous monthly report, soil in the courtyard area is proposed to be excavated to the depth of the current basement level. The excavated soil will be transported off-site to a properly licensed disposal facility in accordance with NYSDEC requirements. The Community Air Monitoring Program (CAMP), detailed in Appendix 7 of the previously approved Remedial Investigation Workplan (RIWP), will be implemented during soil excavation and loading activities.
- The Remedial Investigation Work Plan (RIWP) will be revised and submitted to NYSDEC and NYSDOH for review. The revisions will address post-excavation sampling within the courtyard area and the relocation of a previously approved soil boring/monitoring well location.

4.0 Approved Activity Modifications (changes of work, scope and/or schedule)

On August 19, 2024, NYSDEC issued a disapproval notice via email for the Interim Remedial Measures (IRM) Workplan submitted in June 2024. In response, on August 19, 2024, NYSDEC and EL held a call to discuss the disapproval notice and changes to the scope and schedule of work.

On August 20, 2024, NYSDEC issued an approval email to move forward with planning and executing the courtyard soils excavation, and to prepare a revised Remedial Investigation Workplan (RIWP). The removal of the soil will not be considered remedial in nature, so the IRM



pathway forward was deemed no longer valid. NYSDEC approved the following steps to address the soil removal:

1. Provide NYSDEC with waste characterization data and the disposal facility approval before any soil is removed from the Site. The final volume of soil removed must also be reported to NYSDEC.
2. The Community Air Monitoring Program (CAMP) (as outlined in Appendix 7 of the NYSDEC approved RIWP) must be implemented.
3. After excavation, the surface of the courtyard area must remain covered under poly sheeting except for when work is actively being performed in the area.
4. A revised RIWP will be sent to NYSDEC and NYSDOH for review. The revised RIWP will include a scope and procedure for post-excavation sampling within the courtyard area.
5. All analytical data from the sampling must be provided to NYSDEC and NYSDOH and included in the Final Engineering Report (FER).
6. A separate IRM Workplan must be submitted to NYSDEC and NYSDOH, detailing the placement of sub-slab depressurization system (SSDS) piping in the courtyard area.

5.0 Results of Sampling, Testing and Other Relevant Data

None.

6.0 Information Regarding Project Schedule and Completion

The Remedial Investigations have not yet been scheduled. As noted above, scheduling is currently on hold pending NYSDEC approval of a forthcoming RIWP revision, which is being prepared to comply with the terms outlined in the August 20, 2024, email. Once approved will coordinate with the Site developer and drilling subcontractor to schedule and implement remedial investigation activities proposed in the RIWP.

NYSDEC will be apprised of all scheduled field activities.

7.0 Unresolved Delays Encountered or Anticipated That May Affect the Future Schedule and Mitigation Efforts

None.

8.0 Citizen Participation Plan (CPP) Activities During this Reporting Period

None.

9.0 Activities Anticipated in Support of the CPP for the Next Reporting Period

None.

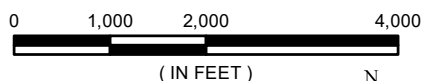




NEW YORK
QUADRANGLE LOCATION

USGS The National Map
USGS 7.5 Minute Series Topographic Map of Central Park, New York

GRAPHIC SCALE



(IN FEET)



**Environmental
LOGIC**

11 Princess Road Suite B,
Lawrenceville, NJ 08648

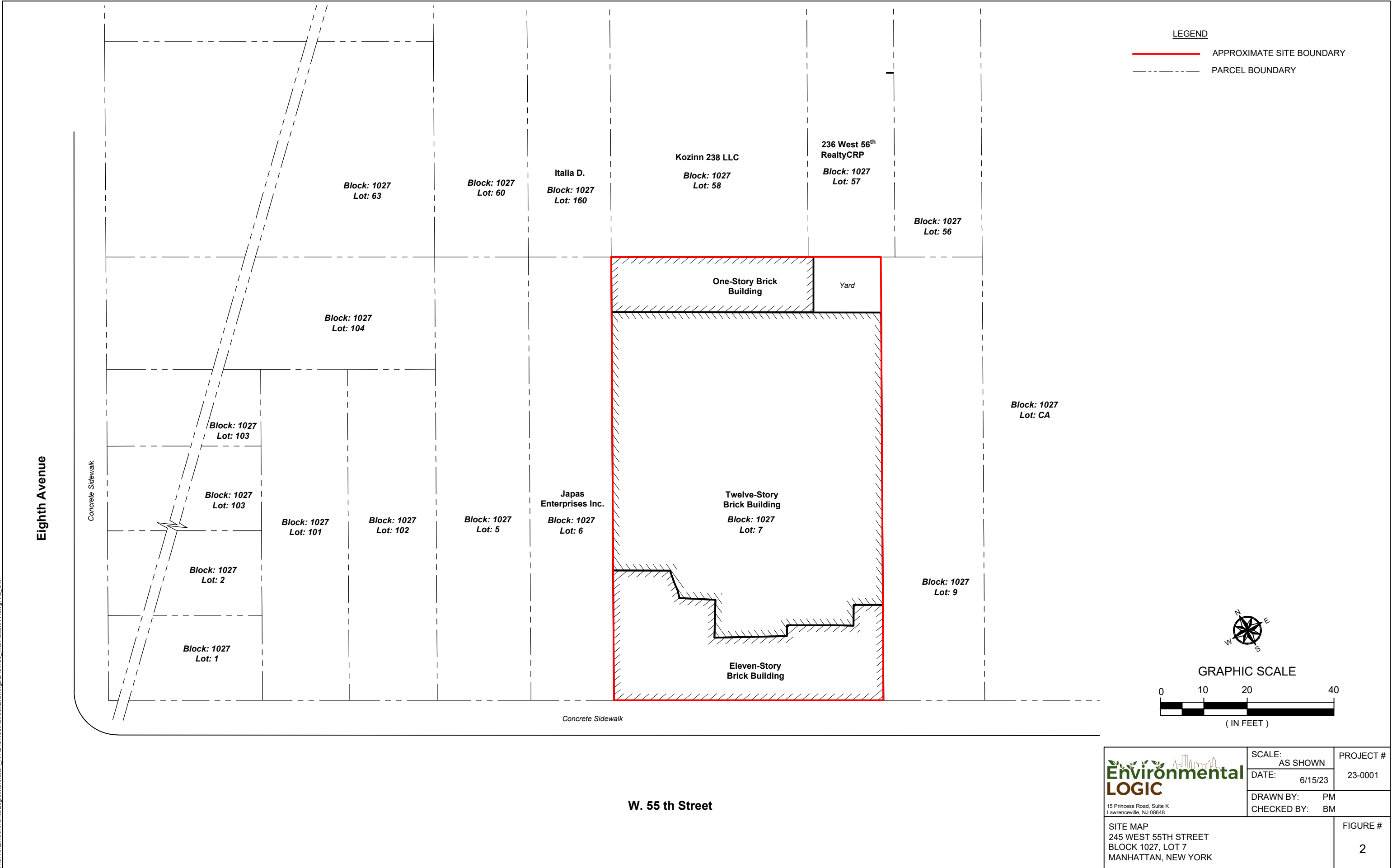
Scale:	AS SHOWN	PROJECT:	23-0001
Date:	6/14/23		
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Checked By:	BM		

SITE LOCATION ON USGS QUADRANGLE
245 WEST 55TH STREET
BLOCK 1027, LOT 7
MANHATTAN, NEW YORK

FIGURE #

1

File: X:\Environmental\logic\Manhattan_NY\245W55thStreet\Drawings\245W55_ManhattanNY.dwg; F2_SM



Gary Weissberger

From: Bower, Erick R (DEC) <Erick.Bower@dec.ny.gov>
Sent: Tuesday, August 20, 2024 9:21 AM
To: Gary Weissberger
Cc: Bennett, William B (DEC); O'Connell, Jane H (DEC); McCarthy, Kieran L (DEC); Budd, Christopher (HEALTH); McLaughlin, Scarlett E (HEALTH); Lou Madigan; steven.russo@gtlaw.com; michaelm@mandelbaumfirm.com; Deyette, Scott (DEC)
Subject: RE: IRMWP Disapproval - 245 West 55th Street - C231157

Hi Gary,

Below is NYSDEC's response regarding a path forward to complete the excavation of fill material from the rear yard at 245 West 55th Street:

The removal of the soil will not be considered remedial; therefore, the IRM path is no longer valid.

Instead, the path forward will be as follows:

- 1) The consultant will need to provide NYSDEC with waste characterization data and the disposal facility approval before any soil is removed from the site. Upon the completion of the soil removal, the final volume must be reported to NYSDEC. Ultimately, the waste characterization data, disposal facility approval, and final excavation volume must be included in the FER.
- 2) During removal of the soil, the Community Air Monitoring Program (as outlined in Appendix 7 of the RIWP) must be implemented. Upwind and downwind air monitoring must be in place and running for the full duration of the work, which is anticipated to involve both ground-intrusive activity and soil handling. Note: if necessary, the remedial party should also plan to implement proper support of excavation.
- 3) Once excavated, the surface of the yard area must remain covered under poly sheeting except for when work is actively being performed in this area. This precaution must be implemented as there are known soil vapor issues under the existing slab of the building in other areas of the site.
- 4) A revised RIWP must be sent to NYSDEC and NYSDOH for review, including a scope and procedures for post-excavation sampling within the yard area. Sampling must include soil, soil vapor, and groundwater samples, to be analyzed for the full suite of contaminants under the BCP.
- 5) Once sampling has been completed and the analytical data has been received, the data must be provided to NYSDEC and NYSDOH. Additionally, this analytical data must be included in the FER.
- 6) A separate IRM Work Plan detailing the placement of SSDS piping in the yard area must be submitted for review by NYSDEC and NYSDOH.

Please be advised: The placement of the new slab within the yard area must not be performed until the NYSDEC provides approval. Please ensure that the Applicant is aware of this fact.

If this course of action is acceptable to the Applicant, we can proceed as outlined above. If you have any questions, please let me know.

Thanks,
Erick

Erick Bower

Assistant Geologist

Project Manager, Remedial Bureau B, Section B

New York State Department of Environmental Conservation

625 Broadway, Albany, NY 12233-1010