



Department of
Environmental
Conservation

Brownfield Cleanup Program
Citizen Participation Plan
for
515-519 West 43rd Street Redevelopment Site
August 2025

BCP Site # C231161
515-519 West 43rd Street and 514-518 West 44th Street
New York, NY 10036

Contents

<u>Section</u>	<u>Page Number</u>
1. What is New York's Brownfield Cleanup Program?	3
2. Citizen Participation Activities	3
3. Major Issues of Public Concern	9
4. Site Information.....	9
5. Investigation and Cleanup Process	10
Appendix A - Project Contacts and Locations of Reports and Information	14
Appendix B - Site Contact List.....	15
Appendix C - Site Location Map	20
Appendix D - Brownfield Cleanup Program Process.....	21

* * * * *

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: BH Group 43 LLC (“**Applicant**”)
Site Name: **515-519 West 43rd Street Redevelopment Site (“Site”)**
Site Address: **515-519 West 43rd Street and 514 West 44th Street and 518 West 44th Street**
Site County: **New York**
Site Number: **C231161**

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 <https://dec.ny.gov/regulatory/regulations/technical-assistance-grant-tag-guidance-handbook-der-14>

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)
Application Process:	
<ul style="list-style-type: none"> • Prepare site contact list. • Establish document repository(ies). 	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 (BCA):	
<ul style="list-style-type: none"> • Prepare Citizen Participation (CP) Plan. 	Before start of Remedial Investigation Note: Applicant must submit CP Plan to NYSDEC for review and approval within 20 days of the effective date of the BCA.
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 draft 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 NYSDEC is reviewing the Final Engineering Report. • Distribute fact sheet to site contact list announcing NYSDEC approval of Final Engineering Report and issuance of Certificate of Completion (COC). 	At the time the cleanup action has been completed. Note: 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.

When subsurface remediation commences, major issues of public concern may include noise, odor, dust, and/or truck traffic associated with the removal of contaminated soil. However, these impacts will be mitigated through implementation of a Health and Safety Plan (HASP) and Soil Management Plan (SMP) approved by the Department, which will be designed to minimize these impacts. A Community Air Monitoring Plan (CAMP) will also be implemented to monitor dust and vapors to ensure the community is not impacted.

The Site is located in the Hells Kitchen neighborhood of New York City within a disadvantaged community (DAC) based on the criteria defined by the Climate Justice Working Group. The Site has been assigned an E-designation for hazardous materials, noise, and air quality as part of the West Clinton Rezoning.

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 not located in an Environmental Justice Area, and therefore, no need to translate future fact sheets into another language.

For additional information, visit: <https://statisticalatlas.com/tract/New-York/New-York-County/012900/Overview#nav-map/neighborhood>

Based on the findings of the July and October Limited Environmental Site Investigation (ESI), the primary contaminants of concern at the Site include metals (lead) and semi-volatile organic compounds (SVOCs), specifically PAHs in soils in the northern portion of the Site at depths up to 10 ft below ground surface (bgs), and petroleum-related volatile organic compounds (VOCs) in the southern portion of the Site at depths up to 4 ft bgs within the partial cellar of the existing building. Additionally, petroleum-related VOCs and chlorinated VOCs (CVOCs) were detected in multiple soil vapor samples. Further investigation is needed to determine if an on-Site source of VOCs exists and to evaluate groundwater quality at the Site.

Although the future development plans for the Site are in preliminary design phases, the proposed future development will consist of a new 20-story residential building with a cellar level. The new development is anticipated to encompass the entire Site footprint and will require Site-wide excavation to approximately 14 ft bgs to accommodate construction.

4. Site Information

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

Site Description

- **Location – 515-519 West 43rd Street (, 514 West 44th Street, and 518 West 44th Street**
- **Setting - Urban**
- **Site size – 0.346 acres (15,070 square feet)**
- **Adjacent properties – Schools, mixed-use residential/commercial buildings, hotel, auto-body shop**

History of Site Use, Investigation, and Cleanup

According to historical reports, the Site was developed by 1890 with various structures. Historical Site use includes a printing company, a farrier, a former warehouse, auto repair operations, a service station and garage, a parking garage, a motor freight station, and commercial operations.

The Site remains relatively unchanged through the present and is currently operating as an automotive rental service and two active auto repair and taxi garages.

Additional environmental reports also indicate storage tanks for gasoline and/or fuel oil on the Site for historical auto repair/fueling operations. If released to the environment, these petroleum products would potentially impact soil, groundwater, and soil vapor beneath the Site.

The Site investigation to date has revealed that the Site soil is contaminated with petroleum-related volatile organic compounds (VOCs), semi-volatile organic compounds, and metals above the Track 2 restricted residential used soil cleanup objectives (RRSCOs). Soil vapor results detected petroleum-related compounds and chlorinated volatile organic compounds (CVOCs) throughout the Site. Groundwater was not encountered in the previous investigations at the Site.

Historical investigations on this Site include:

- Phase I and Limited Phase II Environmental Site Assessment, dated January 13, 2005, prepared by Langan Engineering & Environmental Services, Inc. (Langan).
- ASTM Phase I Environmental Site Assessment, dated November 6, 2024, prepared by Haley & Aldrich of New York.
- 515-519 West 43rd Street and 514-518 West 44th Street Limited Environmental Site Investigation Summary, dated November 6, 2024, prepared by Haley & Aldrich of New York.

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 restricted 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 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 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 (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):

Kyle Forster

NYSDEC Project Manager
Division of Environmental Remediation
Remedial Bureau B, Section B
625 Broadway
Albany, NY 12233
518-402-8644
Kyle.Forster@dec.ny.gov

Thomas V. Panzone

Public Participation Specialist
Division of Communicant,
Education, and Engagement
NYSDEC – Region 2
47-40 21st Street
Long Island City, NY 11101
Thomas.panzone@dec.ny.gov
718-482-4953

New York State Department of Health (NYSDOH):

Michael Izdebski
NYSDOH, Public Health Specialist
Bureau of Environmental Exposure
Investigation
Empire State Plaza,
Corning Tower Rm. 1787,
Albany, NY, 12237
518-408-1018
beei@health.ny.gov

Locations of Reports and Information:

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

DEC Info Locator Site:

Link: [Index of /data/DecDocs/C231161](https://extapps.dec.ny.gov/data/DecDocs/C231161)

Website: <https://extapps.dec.ny.gov/data/DecDocs/C231161/>

New York Public Library – Columbus Library Branch

742 10th Avenue
New York, NY 10019
Phone: 212-586-5098
Email: columbuslibrary.nypl.org

Hours:
Monday through Thursday: 10 AM – 7 PM
Friday – Saturday: 10 AM – 5 PM
Sunday: Closed

Manhattan Community Board 4

424 West 33rd Street, Suite 580

New York, NY 10001

Phone: 212-736-4536

Email: jbodine@cb.nyc.gov

District Manager: Jesse Bodine

Waterfront, Parks & Environment

Maarten de Kadt, Co-Chair

Leslie Boghosian Murphy, Co-Chair

Jessica Chait, Chairperson

Appendix B - Site Contact List

Hon. Eric Adams
NYC Mayor
City Hall,
New York, NY 10007

Hon. Brad Lander
NYC Comptroller
1 Centre Street,
New York, NY 10007

Hon. Jumaane D. Williams
Public Advocate
1 Centre Street 15th Floor North,
New York, NY 10007

David Gold, Esq.
Commissioner, NYC Dept. of City Planning
120 Broadway, 31st Floor,
New York, NY 10271

Rohit Aggarwala - Public Water Supplier
Commissioner, NYC Dept. of Environmental Protection
59-17 Junction Boulevard,
Flushing, NY 11373

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

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

Hon. Brad Hoylman-Sigal
NYS Senator
322 Eighth Avenue, Suite 1700
New York, NY 10001

Hon. Erik Bottcher
NYC Councilmember
224 West 30th St, Suite 1206
New York, NY 10001

Hon. Linda B. Rosenthal
NYS Assemblymember
230 West 72nd Street Suite 2F
New York, NY 10023

Hon. Mark Levine
Manhattan Borough President
<https://www.manhattanbp.nyc.gov/>
The David N. Dinkins Municipal Building
1 Centre Street, 19th floor
New York, NY 10007

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

New York City Municipal Water Finance Authority
Philip Wasserman - Executive Director
255 Greenwich Street, 6th Floor,
New York, NY 10007

New York City Water Board
NYC Department of Environmental Protection
Alfonso L. Carney, Jr., Chairperson
59-17 Junction Boulevard, 8th Floor,
Flushing, NY 11373

Owners, Residents, Occupants

Owner	Contact Name	Phone	Mailing Address	Email
NKM Proscia LLC (Lot 21)	Nick Proscia	973-432-2261	515 West 43rd Street, New York, New York 10036	ncpverona@aol.com
514 West 44th Street, Inc. (Lot 42)	Andrew Rosenberg	917-601-0027	518 West 44th Street, New York, New York 10036	stylemgmt@aol.com
AR Real Estate Management Inc. (Lot 44)	Andrew Rosenberg	917-601-0027	518 West 44th Street, New York, New York 10036	stylemgmt@aol.com

Operator	Contact Name	Phone	Mailing Address	Email
Avis Budget Group, Inc. (Lot 21)	Philip Engle	973-496-2011	379 Interpace Parkway, Parsippany, New Jersey 07054	philip.engle@avisbudget.com
Auto Repair Taxi Garage (Lot 42)	Andrew Rosenberg	917-601-0027	518 West 44th Street, New York, New York 10036	stylemgmt@aol.com
Auto Repair Taxi Garage (Lot 44)	Andrew Rosenberg	917-601-0027	518 West 44th Street, New York, New York 10036	stylemgmt@aol.com

Adjacent Properties

Owner/Entity Name	Contact Name	Site Use	Property Address	Owner Mailing Address
520 West 43rd Street REIT, LLC	Not available	Mixed-Use Residential and Commercial Buildings	520 West 43rd Street, New York, New York, 10036	729 Seventh Avenue, 15th Floor, New York, New York, 10019
Robert Born Associates	Not available	Hotel	515 West 42nd Street, New York, New York, 10036	Hotel Wellington 871 Seventh Avenue New York, New York 10019
1818 Nadlan LLC	Not available	Mixed-Use Residential and Commercial Buildings/Condominiums	505 West 43rd Street, New York, New York, 10036	28 Liberty Street, New York, New York 10005
New York City Department of Education	Not available	School	525 West 44th Street, New York, New York, 10036	100 Gold Street, New York, New York 10038
SMSA Realty Corporation	Not available	Auto Body Shop	520 West 44th Street, New York, New York 10036	520 West 44th Street, New York, New York 10036
NYC School Construction Authority	Not Available	School	530 West 44th Street, New York, New York 10036	30-30 Thompson Avenue, Long Island City, New York 11101

Local News and Media

New York Daily News
PO Box 7180,
New York, NY 10008

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

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

Chelsea News
20 West Avenue.
Chester, NY 10918

Chelsea Now
Schneps Media
15 Metrotech Center
Brooklyn, NY 11201

School or Day Care Located on or Proximal to the Site

M479 Beacon High School
President/Executive Director/ Principal
522 W 44th Street,
New York, NY 10036
(212) 465-4230

PS 35 at Beacon High School
President/Executive Director/ Principal
522 W 44th Street,
New York, NY 10036
(212) 465-4390

P.S. 051- The Elias Howe School

President/Executive Director/ Principal
<https://www.ps51eliashowe.org/>
(212) 315-7160
525 W 44th St,
New York, NY 10036

P94M @ P.S. 51
THE ELIAS HOWE SCHOOL
President/Executive Director/ Principal
https://www.p94m.org/apps/pages/index.jsp?uREC_ID=4369551&type=d&pREC_ID=2571336
525 West 44th Street
New York, New York 10036
212-315-7180

M303 The Facing History School
President/Executive Director/ Principal
<https://facinghistoryschool.org/>
(212) 757-2680
525 W 50th Street,
New York, NY 10019

Food and Finance High School
President/Executive Director/ Principal
525 W 50th Street,
New York, NY 10019
(212) 586-2943

M296 High School of Hospitality Management
President/Executive Director/ Principal
<https://hshm.ss6.sharpschool.com/>
525 W 50th St,
New York, NY 10019
(212) 586-0963

M542 Manhattan Bridges High School
President/Executive Director/ Principal
525 W 50th Street,
New York, NY 10019

(212) 757-5274

The Urban Assembly School of Design and Construction

President/Executive Director/ Principal

<https://www.uasdc.org/>

(212) 586-0981

525 W 50th Street,

New York, NY 10019

School of the Blessed Sacrament – The Barry Upper School

President/Executive Director/ Principal

https://www.sblsnyc.org/apps/pages/index.jsp?uREC_ID=370512&type=d&pREC_ID=850895

456 West 52nd Street,

New York, NY 10019

(212) 246-4784

M507 Urban Assembly Gateway School for Technology

President/Executive Director/ Principal

<https://www.theuagway.org/>

212-246-1041

439 W 49th Street,

New York, NY 10019

Success Academy Charter School – Hell’s Kitchen Elementary

President/Executive Director/ Principal

<https://www.successacademies.org/school/hells-kitchen/>

(646) 790-2153

439 W 49th Street, 2nd Floor

New York, New York 10019

M393 The Business of Sports School

President/Executive Director/ Principal

<https://www.nycboss.org/>

439 W 49th St,

New York, NY 10019

(212) 246-2183

M139 Stephen T. Mather Building Arts and Craftsmanship High School

President/Executive Director/ Principal
<https://www.matherhsnyc.org/>
439 W 49th Street,
New York, NY, 10019
212-299-3520

Family School West
President/Executive Director/ Principal
<https://thefamilyschoolsnyc.org/programs/west/>
212-688-5950
308 West 46 Street
New York, NY 10036

De La Salle Academy
President/Executive Director/ Principal
<https://www.dlsanyc.org/>
332 West 43rd Street
New York, NY 10036
212-316-5840

Success Academy Charter School- Hudson Yards Elementary School
President/Executive Director/ Principal
<https://www.successacademies.org/school/hudson-yards/>
212-845-9683
500 W 41st Street,
New York, New York 10018

Success Academy Charter School- Hudson Yards Middle School
President/Executive Director/ Principal
<https://www.successacademies.org/school/hudson-yards-middle-school/>
500 W 41st Street,
New York, New York 10018
212-845-9683

The Learning Experience- Hell's Kitchen
President/Executive Director/ Principal
572 11th Ave,
New York, NY 10036

(989) 656-1553

Vivvi Midtown West | Child Care and Early Learning
President/Executive Director/ Principal
620 W 42nd St,
New York, NY 10036
(646) 343-9817

Star A Kidz
President/Executive Director/ Principal
<https://www.starakidz.com/>
212-974-2222
345 W 42nd Street,
New York, New York, 10036

My Nanny Daycare. 24/7
535 W 51st St,
New York, NY 10019
(646) 334-1092

YesBabyCare (Nanny , Baby Nurse Agency)
605 W 42nd St,
New York, NY 10036
(718) 414-3811

Bank Street Head Start West
410 W 40th St,
New York, NY 10018

P.S. 212 Midtown West School
328 W 48th St,
New York, NY 10036
(212) 247-0208

Success Academy Charter School - Midtown West Middle School
439 W 49th St, 3rd Floor

New York, NY 10019
(212) 845-9690
646-558-0050

The Learning Experience- Hudson Yards
417 W 35th St,
New York, NY 10001
(888) 985-9103

Bright Minds Center
341 W 50th St,
New York, NY 10019
(212) 379-6645

Bright Horizons at West 53rd
540 W 53rd St,
New York, NY 10019
(646) 348-9013

Vivvi Hudson Yards | Child Care and Early Learning
55 Hudson Yards,
New York, NY 10001
(212) 561-8914

Star America Preschool
780 8th Ave,
New York, NY 10036
(212) 262-4896

Community, Civic, Religious and Other Environmental Organizations:

Consolidated Edison
Kimberly Denise Williams - Director of Manhattan Regional and Community Affairs
4 Irving Place
New York, NY 10003

NYPD
Midtown North Precinct
President Delores Rubin
306 West 54th Street
New York, NY, 10019

FDNY
RESCUE 1
530 WEST 43 STREET
New York, NY 10036

The Actors' Temple
339 W 47th St,
New York, NY 10036

Holy Cross Church
329 W 42nd St,
New York, NY 10036

Project FIND Coffeehouse
331 W 42nd St,
New York, NY 10036

Hudson Yards Hell's Kitchen Alliance
<https://www.hyhkalliance.org/>
info@hyhkalliance.org
412 W 42nd St 3rd floor,
New York, NY 10036

Coterie Hudson Yards (Senior Living)
505 W 35th St,
New York, NY 10001

VillageCare At 46 & Ten
510 W 46th St,
New York, NY 10036

Ivan Shapiro House
459 W 46th St,
New York, NY 10036

Big Apple Church
242 W 41st St,
New York, NY 10036

One Community Church
354 W 45th St 2nd Floor,
New York, NY 10036

Hillsong Church NYC
235 W 46th St,
New York, NY 10036

Every Nation Church NYC, PM Sunday Service & Office
414 W 51st Street, Lower Level
New York, NY 10019

Fount Church
201 W 44th St,
New York, NY 10036

The Journey Church NYC
234 W 42nd St,
New York, NY 10036

Metropolitan Community Church
446 W 36th St.,
New York, NY 10018

Vineyard Manhattan
413 W 46th St,
New York, NY 10036

Sacred Heart of Jesus Roman Catholic Church
457 W 51st St,
New York, NY 10019

Church of Good Deeds
1 River Pl,
New York, NY 10036

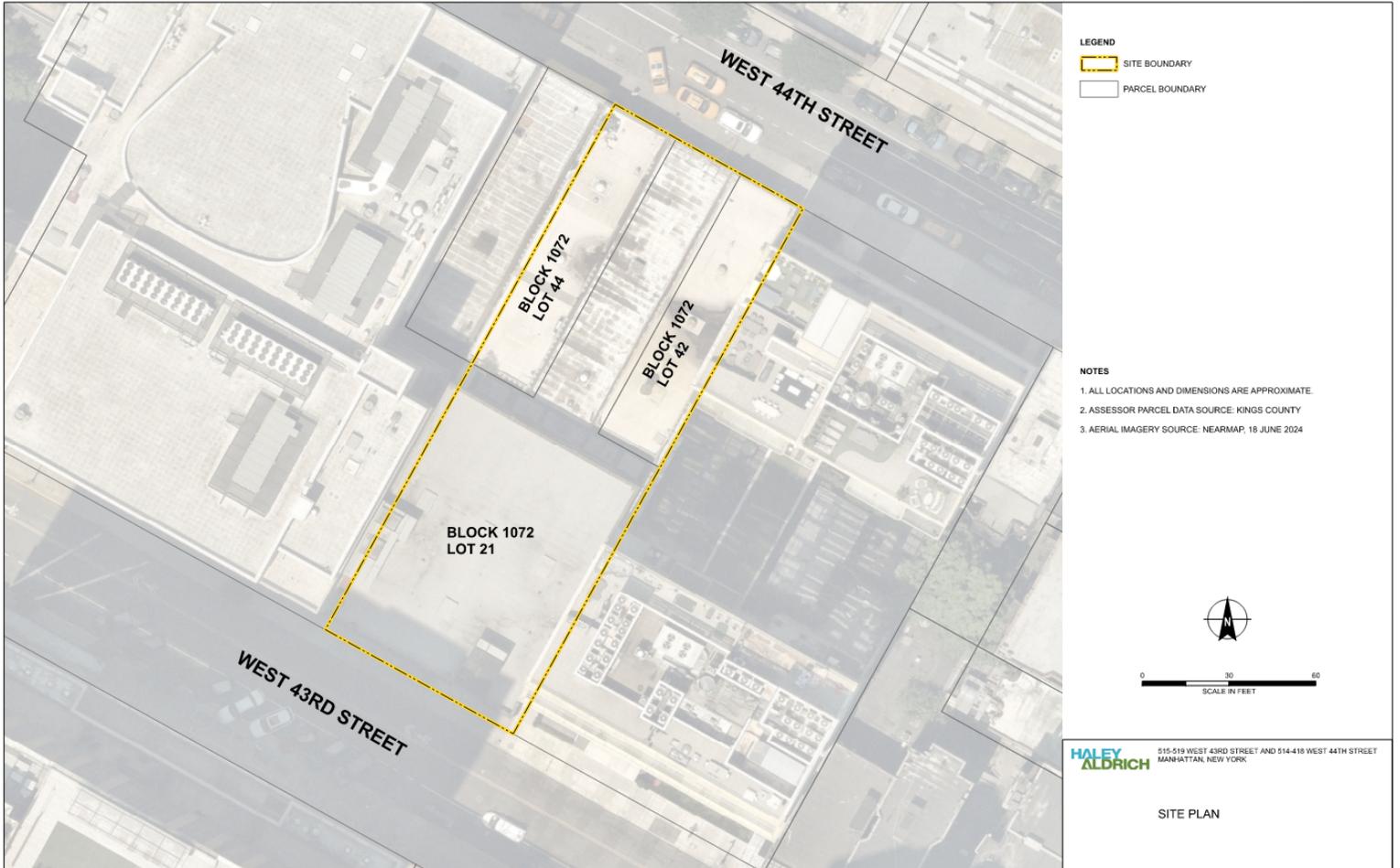
St. Luke's Lutheran Church
308 W 46th St,
New York, NY 10036

Metro Baptist Church
410 W 40th St,
New York, NY 10018

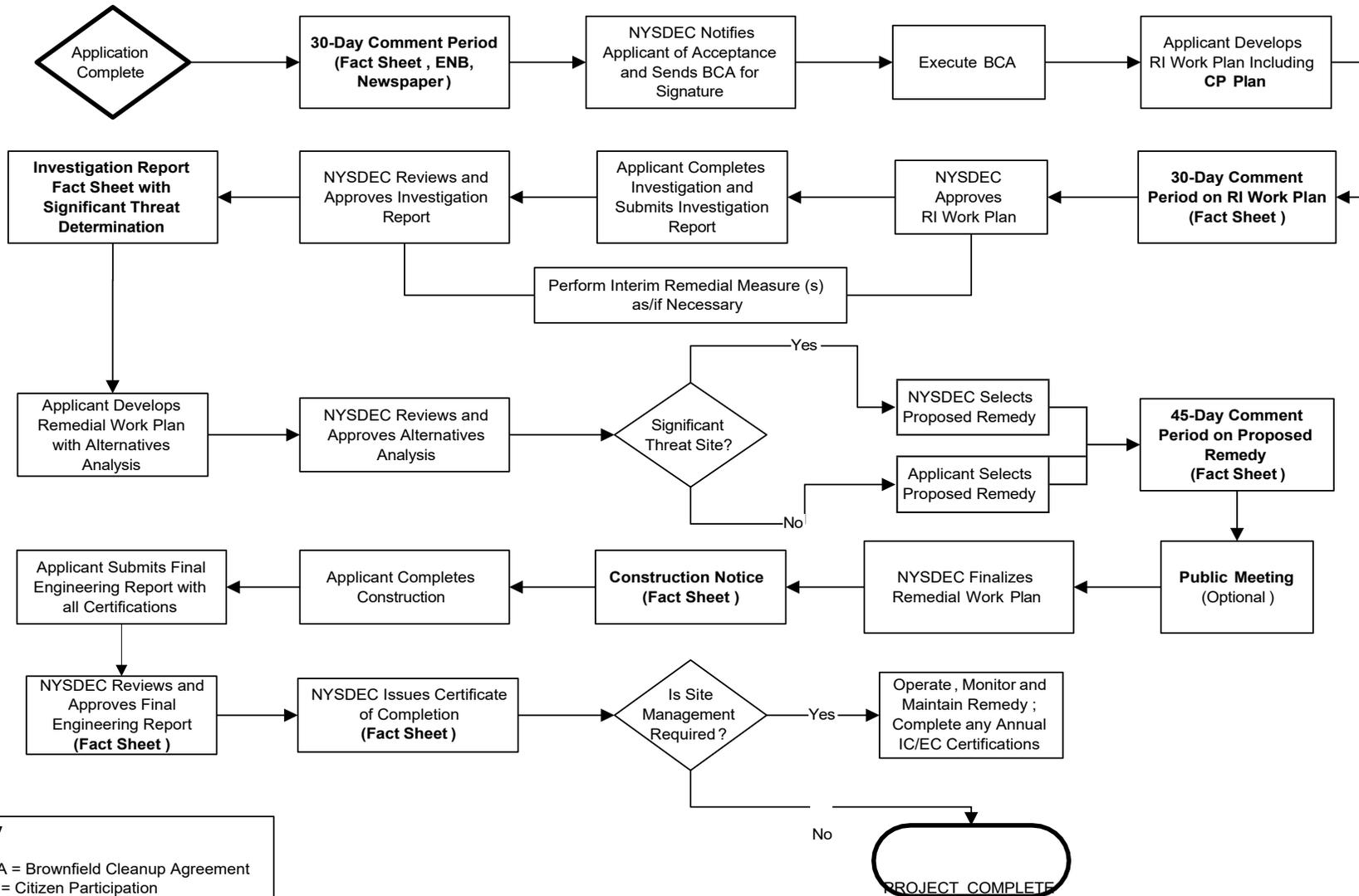
Sts. Cyril & Methodius & St. Raphael's Catholic Church Croatian Parish
502 W 41st St,
New York, NY 10036

Saints Kyril & Metodi Bulgarian Eastern Orthodox Cathedral
Diocesan Office
550-A West 50th Street
New York, New York 10019

Appendix C - Site Location Map



Appendix D– Brownfield Cleanup Program Process



Key

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

Note: CP Activities are in Bold



Division of Environmental Remediation

Remedial Programs Scoping Sheet for Major Issues of Public Concern

Instructions

This Scoping Sheet assesses major issues of public concern; impacts of the site and its remedial program on the community; community interest in the site; information the public needs; and information needed from the public.

The information generated helps to plan and conduct required citizen participation (CP) activities, and to choose and conduct additional CP activities, if appropriate. The scoping sheet can be revisited and updated as appropriate during the site's remedial process to more effectively implement the site's CP program.

Note: Use the information as an aid to prepare and update the Major Issues of Public Concern section of the site CP Plan.

General Instructions

- When to prepare: During preparation of the CP Plan for the site. It can be revisited and updated anytime during the site remedial process.
- Fill in site name and other information as appropriate.
- The Scoping Sheet may be prepared by a remedial party, but must be reviewed and approved by the DER site project manager or his/her designee.

Instructions for Numbered Parts

Consider the bulleted issues and questions below and any others that may be unique or appropriate to the site and the community to help complete the five Parts of this Scoping Sheet. Identify the issue stakeholders in Parts 1 through 3 and adjust the site's contact list accordingly.

Part 1. List Major Issues of Public Concern and Information the Community Wants.

- Is our health being impacted? (e.g. Are there problems with our drinking water or air? Are you going to test our water, yards, sumps, basements? Have health studies been done?)
- There are odors in the neighborhood. Do they come from the site and are they hazardous?
- Are there restrictions on what we may do (e.g. Can our children play outside? Can we garden? Must we avoid certain areas? Can we recreate (fish, hunt, hike, etc. on/around the site?)
- How and when were the site's contamination problems created?
- What contaminants are of concern and why? How will you look for contamination and find out where it is going? What is the schedule for doing that?
- The site is affecting our property values!
- How can we get more information (e.g. who are the project contacts?)
- How will we be kept informed and involved during the site remedial process?
- Who has been contacted in the community about site remedial activities?
- What has been done to this point? What happens next and when?
- The site is going to be cleaned up for restricted use. What does that mean? We don't want redevelopment on a "dirty" site.

Part 2. List Important Information Needed From the Community, if Applicable.

- Can the community supplement knowledge about past/current uses of the site?
- Does the community have knowledge that the site may be significantly impacting nearby people, properties, natural resources, etc.?
- Are activities currently taking place at the site or at nearby properties that may need to be restricted?
- Who may be interested or affected by the site that has not yet been identified?
- Are there unique community characteristics that could affect how information is exchanged?
- Does the community and/or individuals have any concerns they want monitored?
- Does the community have information about other sources in the area for the contamination?

Part 3. List Major Issues and Information That Need to be Communicated to the Community.

- Specific site investigation or remediation activities currently underway, or that will begin in the near future.
- The process and general schedule to investigate, remediate and, if applicable, redevelop the site.
- Current understanding about the site contamination and effects, if any, on public health and the environment.
- Site impacts on the community and any restrictions on the public's use of the site and/or nearby properties.
- Planned CP activities, their schedule, and how they relate to the site's remedial process.
- Ways for the community to obtain/provide information (document repositories, contacts, etc.).

Part 4. Community Characteristics

a. - e. Obtain information from local officials, property owners and residents, site reports, site visits, "windshield surveys," other staff, etc.

f. Has the affected community experienced other **significant** present or past environmental problems unrelated to this site? Such experiences could significantly affect public concerns and perspectives about the site; how the community will relate to project staff; the image and credibility of project staff within the community; and the ways in which project staff communicate with the community.

g. In its remedial programs, DER seeks to integrate, and be consistent with, environmental justice principles set forth in *DEC Commissioner Policy 29 on Environmental Justice* and *DER 23 – Citizen Participation Handbook for Remedial Programs*. Is the site and/or affected community wholly or partly in an Environmental Justice (EJ) Area? Use the Search feature on DEC's public web site for "environmental justice". DEC's EJ pages define an EJ area, and link to county maps to help determine if the site and/or community are in an EJ area.

h. Consider factors such as:

- Is English the primary language of the affected community? If not, provisions should be considered regarding public outreach activities such as fact sheets, meetings, door-to-door visits and other activities to ensure their effectiveness.
- The age demographics of the community. For example, is there a significant number of senior citizens in the community? It may be difficult for some to attend public meetings and use document repositories. This may suggest adopting more direct interaction with the community with activities such as door-to-door visits, additional fact sheets, visits to community and church centers, nursing homes, etc.
- How do people travel about the community? Would most people drive to a public meeting or document repository? Is there adequate public transportation?

Part 5. Affected/Interested Public.

Individuals and organizations who need or want information and input can change during the site's remedial process. This need is influenced by real, potential, or perceived impacts of the site or the remedial process. Some people may want information and input throughout the remedial process. Others may participate only during specific remedial stages, or may only be interested in particular issues.

It is important to revisit this question when reviewing this scoping sheet. Knowing who is interested in the site – and the issues that are important to them – will help to select and conduct appropriate outreach activities, and to identify their timing and the information to be exchanged.

Check all affected/interested parties that apply to the site. **Note: Adjust the site's contact list appropriately.** The following are some ways to identify affected/interested parties:

- Tax maps of adjacent property owners
- Attendees at public meetings
- Telephone discussions
- Letters and e-mails to DER, the remedial party, and other agencies
- Political jurisdictions and boundaries
- Media coverage
- Current/proposed uses of site and/or nearby properties (recreational, commercial, industrial)
- Discussions with community organizations: grass roots organizations, local environmental groups, environmental justice groups, churches, and neighborhood advisory groups



Division of Environmental Remediation

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

Site Name: 515-519 West 43rd Street Redevelopment Site

Site Number: C231161

Site Address and County: 515-519 West 43rd Street, 514 West 44th Street, and 518 West 44th Street

Remedial Party(ies): BH Group 43 LLC

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.**

Based on analytical results of a Phase II Environmental Site Investigation performed at the site in December 2024, the primary contaminants of concern at the site are petroleum-related and chlorinated volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs) and metals. Additional investigation is necessary to determine if an onsite source of contamination exists.

How were these issues and/or information needs identified?

These issues were identified through the previous subsurface investigations results and correspondence with NYSDEC

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.

[Click here to enter text.](#)

How were these information needs identified?

[Click here to enter text.](#)

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.

Following acceptance into the BCP and approval of the RIWP, the Remedial Investigation will commence. Following implementation of the RIWP, a Remedial Investigation Report will be prepared and will describe the nature and extent of contamination at the site. A Remedial Action Work Plan (RAWP) will then be developed to describe the preferred remedy and alternatives analysis. The RAWP will be subject to a 45-day public comment period prior to NYSDEC approval. Following NYSDEC approval of the RAWP, the remedial contractor will mobilize to the site to begin implementation of the NYSDEC-approved remedy.

How were these issues and/or information needs identified?

These issues were identified through the previous subsurface investigations results and correspondence with NYSDEC

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:

No need to translate into another language.[Click here to enter text.](#)

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: Jesse Bodine

Media: New York Daily News, Chelsea Now - amNY

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

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

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

XCitizens/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): Manhattan Community Board 4

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

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

Prepared/Updated By: Nicholas Manzione

Date:

Reviewed/Approved By: Emily Butler

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