



NEW YORK
STATE OF
OPPORTUNITY.

**Department of
Environmental
Conservation**

Brownfield Cleanup Program

Citizen Participation Plan

**for
42-11 9th Street**

November 2019

BCP Site No. C241237
42-11 9th Street
Long Island City, NY 11101

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	12

Appendices

Appendix A - Project Contacts and Locations of Reports and Information

Appendix B - Site Contact List

Appendix C - Site Location Map

Appendix D - Brownfield Cleanup Program Process

* * * * *

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: **RXR 42-11 9th Holdings LLC (“Applicant”)**
Site Name: **42-11 9th Street (“Site”)**
Site Address: **42-11 9th Street**
Site County: **Queens County**
Site Number: **C241237**

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

New York’s Brownfield Cleanup Program (BCP) works with private developers to encourage the voluntary cleanup of contaminated properties known as “brownfields” so that they can be reused and developed. These uses include recreation, housing, and business.

A *brownfield* is any real property that is difficult to reuse or redevelop because of the presence or potential presence of contamination. A brownfield typically is a former industrial or commercial property where operations may have resulted in environmental contamination. A brownfield can pose environmental, legal, and financial burdens on a community. If a brownfield is not addressed, it can reduce property values in the area and affect economic development of nearby properties.

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

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

2. Citizen Participation Activities

Why NYSDEC Involves the Public and Why It Is Important

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

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

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

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

Project Contacts

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

Locations of Reports and Information

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

Site Contact List

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

The site contact list includes, at a minimum:

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

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

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

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

CP Activities

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

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

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

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

Technical Assistance Grant

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

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

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

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

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

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

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

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

Citizen Participation Activities	Timing of CP Activity(ies)
Application Process (Previously Completed):	
<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.

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) and site-specific Health and Safety Program (HASP) for the project to be approved by the NYSDEC prior to the respective phases of work.

The 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.

Because the site is located in an Environmental Justice Area, future fact sheets need to be translated into Chinese and Korean.

For additional information, visit: <https://statisticalatlas.com/tract/New-York/Queens-County/001900/Race-and-Ethnicity>

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

4. Site Information

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

Site Description

The site is located at 42-11 9th Street in Long Island City, NY and is identified as Block 461, Lot 16 on the Queens Borough tax map. The 49,400-square-foot site is situated on the northern part of the block bound by Queens Plaza South to the north, 10th Street to the east, 43rd Avenue to the south, and 9th Street to the west. The site contains a one-story manufacturing/warehouse building with a partial second floor, partial basement on the southwestern portion of the site, and an asphalt-paved uncovered

loading bay/parking area on the southwestern portion of the site. The building is currently occupied by a machine shop with a forge and warehouse space.

According to the on-line New York City Zoning and Land Use Map, the site is in an M1-4 zoned area, which permits industrial and manufacturing land use. M1 districts typically exist as buffers between heavy manufacturing districts (M-2 and M-3) and residential/commercial areas. The applicant is requesting New York City Department of City Planning (DCP) approval of discretionary actions and going through the New York City Uniform Land Use Review Procedure (ULURP) and City Environmental Quality Review (CEQR). Upon DCP approval of the actions, which is expected in May 2020, zoning will be consistent with the proposed development. The surrounding area primarily consists of industrial, commercial and office buildings and open space.

History of Site Use, Investigation, and Cleanup

The site building is occupied by Titan Machine Corporation and is used as a machine shop with a forge and warehouse space. The southwestern part of the site contains an asphalt-paved, uncovered loading bay. Historical documentation does not indicate the presence of structures before the current building, which was constructed by 1939. Historical use of this building included a steel forge and machine works company (1939-1983), a plastic hanger manufacturer (1970-1977), a restaurant supply company (1983), an electrical warehouse (1991) and a machine shop (circa 1998 – present). The building historically contained three fuel oil underground storage tanks (USTs) that were administratively closed.

The primary contaminants of concerns are semivolatile organic compounds (SVOCs) and metals in soil and groundwater. SVOCs constitute a class of hydrocarbons that typically originate from petroleum- or combustion-related chemicals and/or activities. Metals are naturally occurring in soil at background concentrations; however, the use of synthetic products, metal working, and industrial site usage can result in elevated metals concentrations in soil.

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 (ESA), dated June 19, 1997, prepared for Bank of New York and New York City Industrial Development Agency by Environmental Planning & Management Inc.
- Phase II Environmental Site Investigation, dated March 1998, prepared for Titan Machine Corporation, The Bank of New York, and New York City Industrial Development Agency by EEA, Inc.
- Remedial Corrective Action Report, dated May 1998, prepared for Titan Machine Corporation by EEA, Inc.

- Phase I ESA, dated April 17, 2018, prepared for RXR Realty Investments, LLC by Langan
- Subsurface Investigation, performed in March 2019 for RXR Realty Investments, LLC by Langan

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

Phase I ESA, dated June 19, 1997

A 1997 Phase I ESA identified the following Recognized Environmental Conditions (RECs):

- Potential subsurface impacts associated with closed-in-place underground storage tanks (USTs) that were scheduled to be removed in June 1997.
- Presence of surficial staining and damaged drums.
- Historical use of adjacent properties for chemical manufacturing

Phase II Environmental Site Investigation (ESI), dated March 1998

A Phase II ESI was performed to investigate the former UST area, forge area, floor trenches that were open to the soil below the slab, and surficial areas where staining was identified. Metals shavings were observed in some of the trenches. Soil samples collected from the trenches and forge area contained metals and SVOCs, which may be associated with historic fill conditions and/or historical operations.

Based on the detection of petroleum hydrocarbons in soil samples collected from areas surrounding and below the former UST area, Spill No. 9800302 was reported to NYSDEC on April 7, 1998.

Remedial Corrective Action Report, dated May 1998

About 300 tons of metals- and petroleum-impacted soil were removed from the trenches and former UST areas to address Spill No. 9800302. The remediation consisted of the following actions:

- Excavation of each trench area 3 to 4 feet below the bottom of the trench until metals (i.e., chromium, lead, and mercury) impacts were not detected.
- Excavation of the former UST area to a depth of about 18 feet below ground surface (bgs) until petroleum-related impacts were not detected.

Spill No. 9800302 was closed on July 23, 1998.

Phase I ESA, dated April 17, 2018

A 2018 Phase I ESA identified RECs associated with the historical manufacturing

operations at the site and surrounding properties.

Subsurface Investigation, dated March 2019

A limited subsurface investigation was conducted to evaluate subsurface conditions. The investigation included a geophysical survey, collection of 20 soil samples, three groundwater samples, and four soil vapor samples, including one ambient air sample. The depth to groundwater was between about 9 and 11 feet bgs. The investigation provided the following findings:

- The solvent tetrachloroethene (PCE) was detected in one soil sample at a concentration above the most conservative NYSDEC soil cleanup objective (i.e., for unrestricted use). PCE is associated with various commercial uses, such as dry cleaning and automotive/industrial parts cleaning.
- SVOCs and copper were detected in soil at concentrations above the NYSDEC soil cleanup objectives applicable to commercial use. Other metals and polychlorinated biphenyls (PCBs), which are associated with historical transformers, caulking materials, and fluorescent lighting ballasts, were detected at concentrations above the unrestricted use soil cleanup objectives.
- Groundwater samples contained SVOCs and metals at concentrations above the applicable New York State groundwater standards.
- The analytical results from sub-surface soil vapor samples indicated that soil vapor mitigation was not recommended, based on decision matrices provided in the New York State Department of Health guidance for soil vapor intrusion.

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 commercial purposes.

To achieve this goal, the Applicant will conduct investigation and cleanup activities at

the site with oversight provided by NYSDEC. The Brownfield Cleanup Agreement executed by NYSDEC and the Applicant sets forth the responsibilities of each party in conducting these activities at the site.

Investigation

The Applicant completed a partial site investigation before it entered into the BCP. For the partial investigation, NYSDEC will determine if the data are useable.

In addition to the partial 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 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 (SMP).

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):

Hasan Ahmed
Project Manager
NYSDEC Region 2
Division of Environmental Remediation
One Hunters Point Plaza
47-40 21st Street
Long Island City, NY 11101
Tel: (718) 482-6405
Email: hasan.ahmed@dec.ny.gov

Meredith Kaufer, Esq.
NYSDEC
Office of General Counsel
One Hunters Point Plaza
47-40 21st Street
Long Island City, New York 11101
meredith.kaufer@dec.ny.gov

New York State Department of Health (NYSDOH):

Steven Berninger
Bureau of Environmental Exposure
Investigation
Empire State Plaza
Corning Tower, Room 1787
Albany, NY 12237
Tel: (518) 402-7860
Email: beei@health.ny.gov

**Langan Engineering, Environmental,
Surveying, Landscape Architecture
and Geology, DPC**

Michael Burke, PG, CHMM
Principal/Vice President
Langan
21 Penn Plaza
360 West 31st Street, 8th Floor
New York, NY 10001
Tel: (212) 479-5413
Email: mburke@langan.com

Locations of Reports and Information

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

Queens Library at Court Square

Alison McKenna, Branch Manager

Email amckenna@queenslibrary.com

25-01 Jackson Avenue

Long Island City, NY 11101

Tel: (718) 937-2790

Hours: Mon: 11 AM to 7 PM

Tue: 1 PM to 6 PM

Wed: 10 AM to 6 PM

Thu: 11 PM to 7 PM

Fri: 10 AM to 6 PM

Sat: 10 AM to 5 PM

Sun: Closed

Queens Community Board 2

Debra Markell Kleinert, District Manager

43-22 50th Street, Room 2B

Woodside, New York 11377

Tel: (718) 533-8777

Web: <https://www1.nyc.gov/site/queenscb2/index.page>

Appendix B - Site Contact List

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

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

Hon. Jumaane Williams
Public Advocate
1 Centre Street
New York, NY 10007

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

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

Hon. Jimmy Van Bramer
NYC Councilman
47-01 Queens Boulevard, Suite 205
Sunnyside, NY 11104

Hon. Michael Gianaris
NYS Senator
31-19 Newtown Ave South, Suite 402
Astoria, NY 11102

Hon. Cathy Nolan
NYS Assemblywoman
47-40 21 Street, Room 810
Long Island City, NY 11101

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. Carolyn Maloney
U.S. House of Representatives
31-19 Newtown Avenue
Astoria, NY 11102

Marisa Lago, Commissioner
NYC Department of City Planning
120 Broadway, 31st Floor
New York, NY 10271

Queens Borough President
Melinda Katz
Queens Borough Hall
120-55 Queens Boulevard
Kew Gardens, NY 11424
(718) 286-3000

Borough of Queens, Department of City Planning
Raj Rampershad
120-55 Queens Boulevard, Room 201
Kew Gardens, NY 11424
(718) 520-2100

Mitchell Silver - Commissioner
NYC Department of Parks & Recreation
830 Fifth Avenue
New York, NY 10065

Public Water Supplier

Vincent Sapienza
Commissioner, NYC Dept. of Environmental Protection
59-17 Junction Boulevard

Flushing, NY 11373

Nearby Residents and Property Owners

The following is contact information for the current owner:

9th St Management, LLC

42-11 9th Street

Long Island City, NY 11101

Owners and occupants of adjoining properties include the following:

A separate mailing address is listed where owners don't reside at the listed property.

8-18 Queens Plaza South

Nine-story commercial/office Building

Owner: Ravami, LLC

Owner Address:

8-08 Queens Plaza South

Long Island City, New York 11101

42-22 9th Street

Parking

Owner: Maruti Corporation

Owner Address:

8-08 Queens Plaza South

Long Island City, New York 11101

42-25 Vernon Boulevard

Two-story commercial/office building

Owner: Du Val Enterprises Inc

Owner Address:

42-25 Vernon Boulevard

Queens, NY 11101

42-25 9th Street

Three-story Manufacturer

Owner: 42-25 9th Street LLC

Owner Address: 130 East 67th Street

New York, NY 10021

42-35 10th Street

One-story Manufacturer

Owner: 10-10 Bridge Plaza Associates, LLC

Owner Address:

35-11 35th Avenue
Long Island City, NY 11106

42-16 10th Street
Two-story Industrial/Manufacturing Building
Owner: 10-10 Bridge Plaza Associates, LLC
Owner Address:
35-11 35th Avenue
Long Island City, NY 11106

Queens Plaza South Open Space/Park
Owner: Parks and Recreation
Owner Address:
830 Fifth Avenue
New York, NY 10065

Queens Plaza
Open Space/Park
Owner: Parks and Recreation
Owner Address:
830 Fifth Avenue
New York, NY 10065

Local News Media

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

The Queens Gazette
42-16 34th Avenue
Long Island City, NY 11101
(718) 361-6161

The Queens Tribune
31-100 47th Avenue, 3100B
Long Island City, NY 11101
(718) 357-7400

Queens Daily Eagle
8900 Sutphin Boulevard, LL11
Jamaica, NY 11435
(718) 422-7438

Korea Daily
43-27 36th Street
Long Island City, NY 11101

World Journal (Chinese)
141-07 20th Avenue
Whitestone, NY 11357

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

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

Times-Ledger Newspapers
41-02 Bell Boulevard, 2nd Floor
Bayside, NY 11361

LIC/Astoria Journal
69-60 Grand Avenue
Maspeth, NY 11378

Public Water Supply

The responsibility for supplying water in New York City is shared between the below entities:

NYCDEP
Vincent Sapienza, Commissioner
59-17 Junction Boulevard
Flushing, NY 11373

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

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

Request for Contact

We are unaware of any requests for inclusion on the contact list.

Nearby Schools and Day Care Facilities

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

PAL Western Queens Nursery School (approximately 0.2 miles north of the site)
Vanesia Richardson, Director
10-26 41st Avenue
Long Island City, NY 11101
(718) 74-2092

Queens Paideia School (approximately 0.35 miles southeast of the site)
Francis Mechner, Director
4402 23rd Street
Long Island City, NY 11101
(718) 361-0070

Information Technology High School (approximately 0.35 miles southeast of the site)
Jean Woods-Powell, IA Principal
21-16 44th Road
Long Island City, NY 11101
(718) 937-4270

Bridgeview School of Fine Arts (approximately 0.37 miles northeast of the site)
John Francis Murray, Bridgeview Founder
21-21 41st Avenue, #3B
Long Island City, NY 11101
(301) 681-6987

CUNY School of Law (approximately 0.45 miles southeast of the site)
Mary Lu Bilek, Dean
2 Court Square West
Long Island City, NY 11101
(718) 340-4200

Grand Central Atelier (approximately 0.5 miles south of the site)
Jacob Collins, Founder and Artistic Director
46-06 11th Street
Long Island City, NY 11101
(718) 361-6357

Document Repository

Queens Library at Court Square
Alison McKenna, Branch Manager
25-01 Jackson Avenue
Long Island City, NY 11101
Phone: (718) 937-2790

Queens Community Board 2
Debra Markell Kleinert, District Manager
43-22 50th Street, Room 2B
Woodside, NY 11377
Phone: (718) 533-8777

Letters sent to the repositories acknowledging that both agree to act as a document repository for the project are included in this attachment.

Local Community Board

Queens Community Board 2
Debra Markell Kleinert, District Manager
43-22 50th Street, Room 2B
Woodside, NY 11377
Phone: (718) 533-8777

Community, Civic, Religious and Other Environmental Organizations:

QUEENSBRIDGE-RIIS NEIGHBORHOOD SC
10-25 41ST AVENUE
LONG ISLAND CIT, NY 11101

POLICE ATHLETIC LEAGUE, INC.
10-26 41 Ave
Long Island City, NY11101

Queensbridge South (NYCHA)
Management Development Office
10-06 41st Avenue
Long Island City, NY 11101

NYCHA Day Care Center
10-28 41st Avenue
Long Island City, NY 11101

Queensbridge South (NYCHA)
President – Resident Association
10-06 41st Avenue
Long Island City, NY 11101

QUEENSBRIDGE-RIIS NEIGHBORHOOD Senior Center
10-25 41ST AVENUE
LONG ISLAND CITY, NY 11101

Consolidated Edison Corporate Affairs
Carol Conslato – Director
59-17 Junction Boulevard, 2nd Floor
Elmhurst, NY 11373

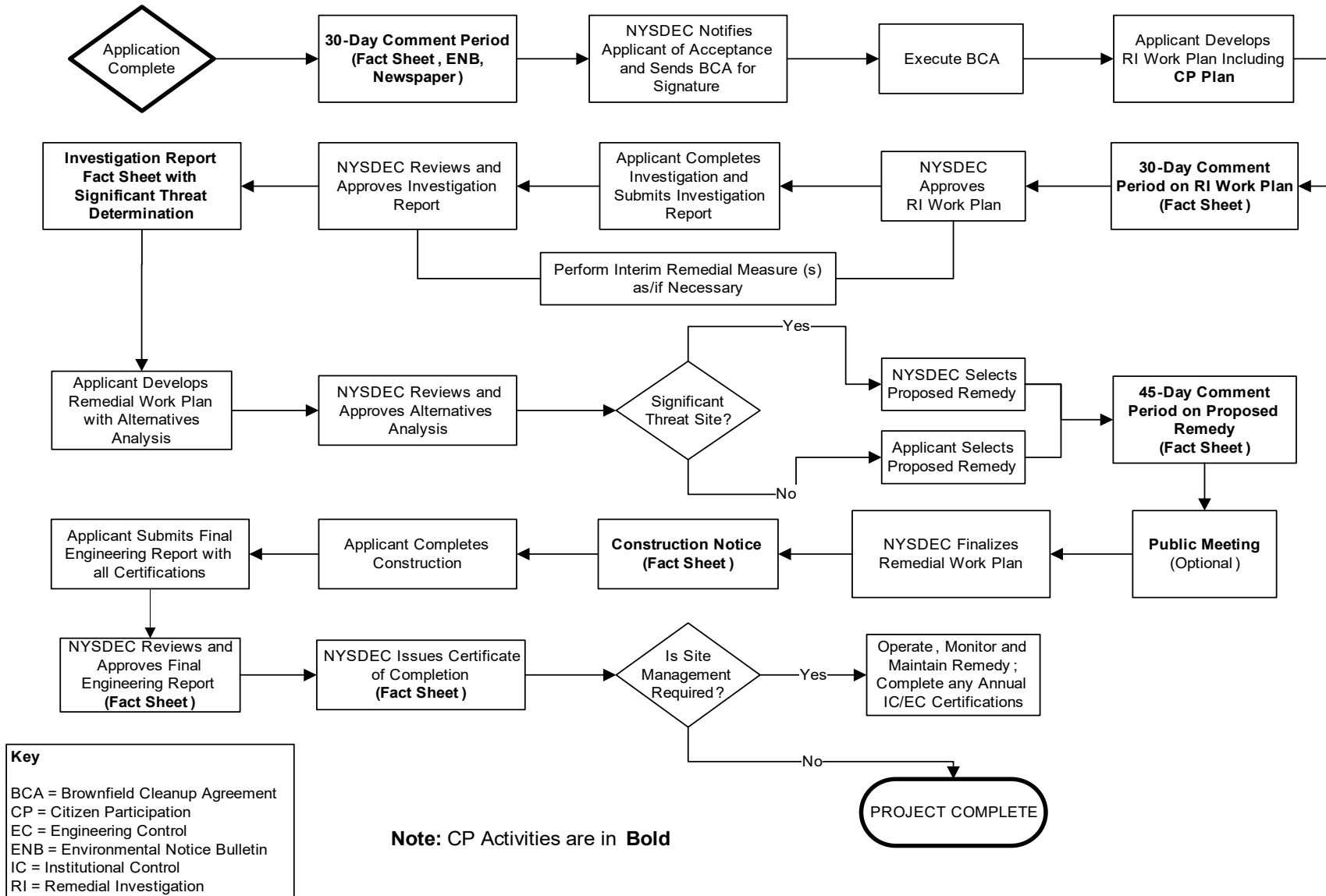
Diane R. Ballek
108th NYPD Police Precinct
5-47 50th Avenue
Long Island City, NY 11101

FDNY
Engine 258 Ladder 115
10-40 47 AVENUE
Long Island City, NY11101

Appendix C - Site Location Map



Appendix D– Brownfield Cleanup Program Process





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 DEC or 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: 42-11 9th Street

Site Number: C241237

Site Address and County: 42-11 9th Street, Long Island City, Queens County, New York

Remedial Party(ies): RXR 42-11 9th Holdings LLC ("Volunteer")

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

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

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

How were these issues and/or information needs identified?

Previous investigations identified contaminated soil and groundwater at the site.

Part 2. List important information needed **from** the community, if applicable. Identify individuals, groups, organizations, businesses and/or units of government related to the information needed.

No additional information is required from the community at this time.

How were these information needs identified?

There are no information needs at this time.

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

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

How were these issues and/or information needs identified?

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

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

a. Land use/zoning at and around site:

☒ **Residential** ☐ **Agricultural** ☐ **Recreational** ☒ **Commercial** ☒ **Industrial**

b. Residential type around site:

☒ **Urban** ☐ **Suburban** ☐ **Rural**

c. Population density around site:

☒ **High** ☐ **Medium** ☐ **Low**

d. Water supply of nearby residences:

☒ **Public** ☐ **Private Wells** ☐ **Mixed**

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

☐ **Yes** ☒ **No**

Provide details if appropriate:

[Click here to enter text.](#)

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

☐ **Yes** ☒ **No**

Provide details if appropriate:

[Click here to enter text.](#)

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

☒ **Yes** ☐ **No**

h. Special considerations:

☒ **Language** ☐ **Age** ☐ **Transportation** ☐ **Other**

Explain any marked categories in **h**:

Need for future fact sheets to be translated into Chinese and Korean.

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:** Please see contact list.

☒ **Local Officials:** Please see contact list.

☒ **Media:** Please see contact list.

☒ **Business/Commercial Interests:** Please see contact list.

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

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

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

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

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

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

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

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

Prepared/Updated By: Langan Engineering

Date: 10/8/2019

Reviewed/Approved By: Thomas V. Panzone

Date: 10/31/19