

## COMMUNITY PROTECTION STATEMENT

The Office of Environmental Remediation created the New York City Brownfield Cleanup Program (NYC BCP) to provide governmental oversight for the cleanup of contaminated property in NYC. This Remedial Action Work Plan (“cleanup plan”) describes the findings of prior environmental studies that show the location of contamination at the site, and describes the plans to clean up the site to protect public health and the environment.

This Remedial Action Work Plan for 2329 Fredrick Douglass Boulevard in Manhattan, New York provides a very high level of protection for neighboring communities. This cleanup plan also includes many other elements that address common community concerns, such as community air monitoring, odor, dust and noise controls, hours of operation, good housekeeping and egress cleanliness, truck management and routing, and opportunities for community participation. The purpose of this Community Protection Statement is to explain these community protection measures in non-technical language to simplify community review.

**Remedial Investigation and Cleanup Plan.** Under the NYC BCP, a thorough cleanup study of this property (called a remedial investigation) has been performed to identify past property usage, to sample and test soils, groundwater and soil vapor, and identify contaminant sources present on the property. The cleanup plan has been designed to address all contaminant sources that have been identified during the study of this property.

**Identification of Sensitive Land Uses.** Prior to selecting a cleanup, the neighborhood was evaluated to identify sensitive land uses nearby, such as schools, day care facilities, hospitals and residential areas. The cleanup program was then tailored to address the special conditions of this community. Land uses in the area include a community garden (Clayton Williams Garden) to the north and a 4-story commercial and office building to the east.

**Qualitative Human Health Exposure Assessment.** An important part of the cleanup study of the Site is the performance of a study to find all of the ways that people might come in contact with contaminants of the Site now or in the future. This study is called a Qualitative Human Health Exposure Assessment (QHHEA). A QHHEA was performed for this project and is included in this plan. This assessment has considered all known contamination at the Site and evaluated the potential for people to come in contact with this contamination. All potential public exposures will be

addressed under this cleanup plan.

**Health and Safety Plan.** This cleanup plan includes a Health and Safety Plan that is designed to protect community residents and on-Site workers. The elements of this plan are in compliance with safety requirements of the United States Occupational Health and Safety Administration. This plan includes many protective elements including those discussed below.

**Site Safety Coordinator.** This project has a designated Site safety coordinator to implement the Health and Safety Plan. The safety coordinator maintains an emergency contact sheet and protocol for management of emergencies. The Site safety coordinator is Joseph Loesch and can be reached at 631-252-0230 from 8:30 AM to 5:00 PM.

**Worker Training.** Workers participating in cleanup of contaminated material on this project are required to be trained in a 40-hour hazardous waste operators training course and to take annual refresher training. This pertains to workers performing specific tasks including removing contaminated material and installing cleanup systems in contaminated areas.

**Community Air Monitoring Plan (CAMP).** Community air monitoring will be performed during this cleanup project to ensure that the community is properly protected from contaminants, dust and odors. Air samples will be tested in accordance with a detailed plan called the Community Air Monitoring Plan or CAMP. Results will be regularly reported to the NYC Office of Environmental Remediation. This cleanup plan also has a plan to address any unforeseen problems that might occur during the cleanup (called a 'Contingency Plan').

**Odor, Dust and Noise Control.** This cleanup plan includes actions for odor and dust control. These actions are designed to prevent off-site odor and dust nuisances and include steps to be taken if nuisances are detected. Generally, dust is managed by application of physical covers and by water sprays. Odors are controlled by limiting the area of open excavations, physical covers, foams and by a series of other actions (called operational measures). The project is also required to comply with NYC noise control standards. If you observe problems in these areas, please contact Project Manager Joseph Loesch at 631-252-0230 or OER Project Manager Jimit S. Shah at 212-788-8348.

**Quality Assurance Plan.** This cleanup plan requires that evidence be provided to illustrate that all cleanup work required under the plan has been completed properly. This evidence will be summarized in the final report, called the Remedial Action Report. This report will be submitted to the NYC Office of Environmental Remediation and will be thoroughly reviewed.

**Storm-Water Management.** To limit the potential for soil erosion and discharge, this cleanup plan has a storm-water management plan. The main elements of the storm water management plan include physical barriers such as tarp covers and fencing, and a program for frequent inspection.

**Hours of Operation.** The hours for operation of cleanup will comply with the NYC Department of Buildings construction code requirements or according to specific variances issued by that agency. For this cleanup project, the hours of operation are 7:00 AM to 5:00 PM. OER will be notified by the Volunteer of any variances issued by the NYC Department of Buildings.

**Signage.** While the cleanup is in progress, a sign will be prominently posted at the main entrance of the property noting that the project is participating in the NYC Brownfield Cleanup Program.

**Complaint Management.** The contractor performing this cleanup is required to address all complaints. If you have any complaints, you can call the facility Project Manager Joseph Loesch at 631-252-0230, the NYC Office of Environmental Remediation Project Manager Jimit S. Shah at 212-788-8348 or JShah@dep.nyc.gov, or call 311 and mention the Site is in the NYC Brownfield Cleanup Program.

**Utility Mark-outs.** To promote safety during excavation in this cleanup, the contractor is required to first identify all utilities and must perform all excavation and construction work in compliance with NYC Department of Buildings regulations.

**Soil and Liquid Disposal.** All soil and liquid material removed from the Site as part of the cleanup will be transported and disposed of in accordance with all City, State and Federal regulations and required permits will be obtained.

**Soil Chemical Testing and Screening.** All excavations will be supervised by a trained and properly qualified environmental professional. In addition to extensive sampling and chemical testing of soils on the Site, excavated soil will be screened continuously using hand-held instruments,

by sight, and by smell to ensure proper material handling and management, and community protection.

**Stockpile Management.** Soil stockpiles will be kept covered with tarps to prevent dust, odors and erosion. Stockpiles will be frequently inspected. Damaged tarp covers will be promptly replaced. Stockpiles will be protected with silt fences. Hay bales will be used, as needed to protect storm water catch basins and other discharge points.

**Trucks and Covers.** Loaded trucks leaving the Site will be securely covered to prevent dust and odor, and properly recorded in logs and records and placarded in compliance with City, State and Federal laws, including those of the New York State Department of Transportation. If loads contain wet material that can leak, truck liners will be used. All transport of materials will be performed by licensed truckers and in compliance with all laws and regulations.

**Imported Material.** All fill materials proposed to be brought onto the Site will comply with detailed rules outlined in this cleanup plan and will be inspected and approved by a qualified worker located on-Site. Waste materials will not be brought onto the Site. Trucks entering the Site with imported clean soils will be securely covered with tight fitting covers.

**Equipment Decontamination.** All equipment used for cleanup work will be washed before it leaves the Site. Trucks will be cleaned at a washing station on the property before leaving the Site.

**Housekeeping.** Locations where trucks enter or leave the Site will be inspected every day and cleaned regularly to ensure that they are free of dirt and other materials from the Site.

**Truck Routing.** Truck routes have been selected to: (a) limit transport through residential areas and past sensitive nearby properties; (b) maximize use of city-mapped truck routes; (c) limit total distance to major highways; (d) promote safety in entry to highways; (e) promote overall safety in trucking; and (f) minimize off-Site line-ups (queuing) of trucks entering the property. Loaded trucks leaving the Site will not stop or idle in the local neighborhood.

**Final Report.** The results of all cleanup work will be fully documented in a final report (called a Remedial Action Report) that will be available for review in the public document repositories located at a New York Public Library, south of the Site, as well as in the document repository section within the OER website ([www.nyc.gov/oer](http://www.nyc.gov/oer)).

**Long-Term Site Management.** To provide long-term protection after the cleanup is complete, the property owner will be required to comply with an ongoing Site Management Plan that calls for continued inspection of protective controls, such as Site covers. The Site Management Plan is evaluated and approved by the NYC Office of Environmental Remediation. Requirements that the property owner must comply with are defined in the property's deed. A certification of continued protectiveness of the cleanup will be required from time to time to show that the approved cleanup is still effective.

## CITIZEN PARTICIPATION PLAN

The NYC Office of Environmental Remediation and Holzmacher, McLendon & Murrell, P.C. (H2M) have established this Citizen Participation Plan because the opportunity for citizen participation is an important component of the NYC Brownfield Cleanup Program. A NYC BCP brownfield site is any property in the City in which redevelopment or reuse may be complicated by the presence or potential presence of light to moderate levels of contamination. This Citizen Participation Plan describes how information about the project will be disseminated to the Community during the remedial process. As part of its obligations under the NYC BCP, H2M will maintain a repository for project documents and provide public notice at specified times throughout the remedial program. This Plan also takes into account potential environmental justice concerns in the Community that surrounds the project Site. Under this Citizen Participation Plan, project documents and work plans are made available to the public in a timely manner. Public comment on work plans is strongly encouraged during public comment periods. Work plans are not approved by the NYC Office of Environmental Remediation (OER) until public comment periods have expired and all comments are formally reviewed. An explanation of cleanup plans in the form of a public meeting or informational session is available upon request to OER's project manager assigned to this Site, Jimit S. Shah, who can be contacted about these issues or any others questions, comments or concerns that arise during the remedial process at 212-788-8348 or [JShah@dep.nyc.gov](mailto:JShah@dep.nyc.gov).

**Project Contact List.** OER has established a Site Contact List for this project to provide public notices in the form of fact sheets to interested members of the Community. Communications will include updates on important information relating to the progress of the cleanup program at the Site as well as to request public comments on the cleanup plan. The Project Contact List includes owners and occupants of adjacent buildings and homes, principal administrators of nearby schools, hospitals and day care centers, the public water supplier that serves the area, established document repositories, the representative Community Board, City Council members, other elected representatives and any local Brownfield Opportunity Area (BOA) grantee organizations. Any member of the public or organization will be added to the Site Contact List on request. A copy of the Site Contact List is maintained by OER's project manager. If you would like to be added to the Project Contact List, contact NYC OER at (212) 788-8841 or by email at [brownfields@cityhall.nyc.gov](mailto:brownfields@cityhall.nyc.gov).

**Repositories.** A document repository is maintained in the nearest public library that maintains evening and weekend hours. This document repository is intended to house, for community review, all principal documents generated during the cleanup program including project applications, Remedial Investigation plans and reports, draft and final Remedial Action plans and reports, the Site Management Plan, the Notice of Completion and all public notices and fact sheets produced during the lifetime of the remedial project. H2M will regularly inspect the repositories to ensure that they are fully populated with project information. The repository for this project is:

New York Public Library

9 West 124th Street New  
York, NY 10027  
(212) 348-5620

Sunday: closed

Monday and Wednesday: 11:00 AM to 6:00 PM

Tuesday and Thursday: 12:00 PM to 7:00 PM

Friday and Saturday: 10:00 AM to 7:00 PM

And at:

NYC Office of Environmental Remediation

[www.nyc.gov/oer](http://www.nyc.gov/oer)

**Digital Documentation.** NYC OER strongly encourages the use of digital documents in repositories as a means of minimizing paper use while also increasing convenience in access and ease of use.

**Public Notice and Public Comment.** Public notice to all members of the Project Contact List is required at three major steps during the performance of the cleanup program (listed below) and at other points that may be required by OER. Notices will include Fact Sheets with descriptive project summaries, updates on recent and upcoming project activities, repository information, and important phone and email contact information. All notices will be prepared by H2M, reviewed and approved by OER prior to distribution and mailed by H2M, who is obligated to submit a certification of

mailing to OER within five days of the mailing date. Public comment is solicited in public notices for all work plans developed under the NYC Brownfield Cleanup Program. Final review of all work plans by OER will consider all public comments. Approval will not be granted until the public comment period has been completed.

**Citizen Participation Milestones.** Public notice and public comment activities occur at several steps during a typical NYC BCP project. These include:

- **Public Notice of the availability of the NYC BCP Application, Remedial Investigation Report and Remedial Action Work Plan and a 30-day public comment period on the Remedial Action Work Plan.**

Public notice in the form of a Fact Sheet is sent to all parties listed on the Site Contact List announcing the availability of the Application, Remedial Investigation Report and Remedial Action Work Plan and the initiation of a 30-day public comment period on the Remedial Action Work Plan. The Fact Sheet summarizes the findings of the RIR and provides details of the RAWP. The public comment period will be extended an additional 15 days upon public request. A public meeting or informational session will be conducted by OER upon request.

- **Public Notice announcing the approval of the RAWP and the start of remediation**

Public notice in the form of a Fact Sheet is sent to all parties listed on the Site Contact List announcing the approval of the RAWP and the start of remediation.

- **Public Notice announcing the completion of remediation, designation of Institutional and Engineering Controls and issuance of the Notice of Completion**

Public notice in the form of a Fact Sheet is sent to all parties listed on the Site Contact List announcing the completion of remediation, providing a list of all Institutional and Engineering Controls implemented for to the Site and announcing the issuance of the Notice of Completion.

## SUSTAINABILITY STATEMENT

The Sustainability Statement is a program employed by OER to encourage the Enrollee to consider the benefits of sustainable remediation and development during the formative project planning process. The Sustainability Statement provides a summary of sustainability efforts to be employed by the Enrollee or its contracting team. OER strongly recommends, but does not require, that the Enrollee employ sustainable means to implement the selected remedy defined in this RAWP and subsequent redevelopment including those that take into consideration the sustainability goals defined in PlaNYC. Such goals include: maximizing the recycling and reuse of clean, non-virgin materials; reducing the consumption of virgin and non-renewable resources; minimizing energy consumption and greenhouse gas emissions; improving energy efficiency; and enhancing biodiversity during landscaping associated with Site development.

This Sustainability Statement summarizes sustainable and green remediation efforts to be employed under this Remedial Action Work Plan (RAWP). The 301-303 West 125th Street, LLC. has evaluated sustainable remediation opportunities and proposes the following means to address these goals in the remediation.

**Reduced Energy Consumption and Promotion of Greater Energy Efficiency.** Reduced energy consumption lowers greenhouse gas emissions, improves local air quality, lessens in-city power generation requirements, can lower traffic congestion, and provides substantial cost savings.

Best efforts will be made to quantify energy efficiencies achieved during the remediation and will be reported in the Remedial Action Report (RAR). Where energy savings cannot be easily quantified, a gross indicator of the amount of energy saved or the means by which energy savings was achieved will be reported.

**Conversion to Clean Fuels.** Use of clean fuel improves NYC's air quality by reducing harmful emissions.

An estimated volume of clean fuels used during remedial activities will be quantified and reported in the RAR.

**Reuse of Clean, Recyclable Materials.** Reuse of clean, recyclable materials reduces consumption of non-renewable virgin resources and can provide energy savings and greenhouse gas reduction since these materials can be locally-derived.

An estimate of the mass (tonnage) of clean, non-virgin materials (reported by type of material) reused under this plan will be quantified and reported in the RAR in total tonnage.

**Reduce Consumption of Virgin and Non-Renewable Resources.** Reduced consumption of virgin and non-renewable resources lowers the overall environmental impact of the project on the region by conserving these resources.

An estimate of the mass (tonnage) of virgin and non-renewable resources, the use of which will be avoided under this plan, will be quantified and reported in the RAR in total tonnage.

**Recontamination Control.** Recontamination after cleanup and redevelopment is completed undermines the value of work performed, may result in a property that is less protective of public health or the environment, and may necessitate additional cleanup work later or impede future redevelopment. Recontamination can arise from future releases that occur within the property or by influx of existing contamination from off-Site.

Under future conditions, building recontamination from potential off-site sources will be prevented through the use of a vapor barrier below the buildings slabs and the construction of sub-grade depressurization systems. Current regulations will be met for storage and handling of any materials onsite that may present a potential recontamination threat. If a Track 1 remedy cannot be achieved, long term site management will include periodic site inspection that will identify and correct any new issues of environmental concern.

An estimate of the area of the Site that utilizes recontamination controls under this plan will be reported in the RAR in total acres and percentage of total Site area.

**Storm-water Retention.** Storm-water retention improves water quality by lowering the rate of combined storm-water and sewer discharges to NYC's sewage treatment plants during periods of precipitation, and reduces the volume of untreated influent to local surface waters.

An estimate of the enhanced storm-water retention capability of the brownfield redevelopment project will be included in the RAR.

**Linkage with Green Building.** Green buildings provide a multitude of benefits to the city across a broad range of areas, such as reduction of energy consumption, conservation of resources, and reduction in toxic materials use.

The number of Green buildings that are associated with this brownfield redevelopment property will be reported in the RAR. The total square footage of green building space created as a function of this brownfield redevelopment will be quantified for residential, commercial and industrial/manufacturing uses.

**Paperless Brownfield Cleanup Program.** 301-303 West 125th Street, LLC. is participating in OER's Paperless Brownfield Cleanup Program. Under this program, submission of electronic documents will replace submission of hard copies for the review of project documents, communications and milestone reports. A gross estimate of the number of pounds of paper saved under this plan will be reported in the RAR.

**Low-Energy Project Management Program.** 301-303 West 125th Street, LLC. is participating in OER's low-energy project management program. Under this program, whenever possible, meetings are held using remote communication technologies, such as videoconferencing and teleconferencing to reduce energy consumption and traffic congestion associated with personal transportation. A gross estimate of the number of miles of personal transportation that is conserved in this process, and the number of commuter trips within NYC that are avoided will be quantified and reported in the RAR.

**Trees and Plantings.** Trees and other plantings provide habitat and add to NYC's environmental quality in a wide variety of ways. Native plant species and native habitat provide optimal support to local fauna, promote local biodiversity, and require less maintenance.

An estimate of the land area, which will be vegetated, including the number of trees planted or preserved, will be reported in square feet in the RAR.

**Grey Water Reuse.** Reuse of gray water, including harvested rainwater, in place of water from NYC's water distribution system reduces demand on the city's water supply and conserves this valuable resource.

A gross estimate of the grey water reuse capability of the brownfield redevelopment project will be reported (gallons per day).