

**Appendix 3:**

**Hazardous Materials**

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October 25<sup>th</sup> 2014

**Emily Lloyd**  
Commissioner

Mr. Robert Dobruskin  
Director, Environmental Assessment and Review Division  
New York City Department of City Planning  
22 Reade Street, Room 4E  
New York, New York 10007-1216

**Angela Licata**  
Deputy Commissioner  
of Sustainability  
alicata@dep.nyc.gov

**Re: Staten Island Mall Enlargement  
Block 2400 Lots p/o 118, p/o 180, and p/o 210  
CEQR # 14DCP136R  
Staten Island New York, 10314**

59-17 Junction Boulevard  
Flushing, NY 11373  
T: (718) 595-4398  
F: (718) 595-4479

Dear Mr. Dobruskin:

The New York City Department of Environmental Protection, Bureau of Environmental Planning and Analysis (DEP) has reviewed the April 2014 Environmental Assessment Statement (EAS) prepared by AKRF, Inc., the April 2013 Staten Island Mall Phase I Environmental Site Assessment (Phase I, Block 2400 Lot p/o 180), the August 2014 Macy's Phase I Environmental Site Assessment (Phase I, Block 2400 Lots p/o 118) and the August 2014 JC Penny Phase I Environmental Site Assessment (Phase I Block 2400 p/o Lot 210) prepared by Leggette, Brashears & Graham Inc., on behalf of GGP Staten Island Mall, LLC., (applicant) for the above referenced project. It is our understanding that the applicant is seeking zoning authorization pursuant to Zoning Resolution section 36-023 (group parking facility, accessory to a commercial enlargement on a zoning lot in excess of 4 acres in a C4-1 zoning district), section 36-21 (a reduction of the parking requirement), as well as section 36-592 (a certification of cross-access easements). The proposed actions would facilitate a proposal by the applicant to enlarge Macy's Department Store, JC Penny retail store and Staten Island Mall, by developing approximately 444,835 gross square feet (gsf) of new retail space, as well as a new parking garage on areas currently used for accessory surface parking. The Staten Island Mall, located at 2655 Richmond Avenue, Macy's, located at 112 Richmond Hill Road and JC Penny, located at 140 Marsh Avenue are all bounded by Platinum Avenue, Marsh Avenue, Richmond Avenue and Richmond Hill Road in the Heartland Village neighborhood of Staten Island Community District 2. It should be noted that Macy's and JC Penny stores (Block 2400 Lots 118 & 210) are attached to the main Staten Island Mall (Block 2400 Lot 180); however they are independently owned and operated.

**Phase I**  
**Block 2400 Lot 180 (Staten Island Mall)**

The April 2013 Phase I report, revealed that historical on-site and surrounding area land uses consists of residential and commercial uses including residential buildings, the Staten Island Mall, The Crossings (Mall), Pergament Mall, Macy's Department

Store, JC Penny retail store, Sears Automotive Center, Public School 58 and the Fresh Kills Landfill. Tenants of the Staten Island Mall include Old Navy, Chase Bank, CVS Pharmacy, Damowa Laundry Center, French Cleaners and the Staten Island Dental. Regulatory databases such as the New York State Department of Environmental Conservation (NYSDEC) SPILLS, Underground Storage Tank (UST), Leaking Storage Tanks (LTANKS), Historical Leaking Storage Tanks (HIST LTANKS) and Resource Conservation and Recovery Act (RCRA) identified several sites in close proximity to the project site. The NYSDEC LTANKS database reported 24 facilities, and the HIST LTANKS database reported 25 facilities within a 1/2-mile radius of the project. The NYCDEC SPILLS database reported 42 SPILLS incidents also within a 1/2-mile radius of the project site. The Phase I assessment also revealed that Polychlorinated Biphenyls (PCBs) and Asbestos Containing Material (ACM) could be present in the structure.

**Phase I**

**Block 2400 p/o Lot 118 (Macy's)**

The August 2014 Phase I report, revealed that historical on-site and surrounding area land uses consists of commercial and residential properties, including Macy's Department Store, Macy's Furniture Gallery, the Staten Island Mall, The Crossings Mall, Pergament Mall, JC Penny retail store, Sears Automotive Center and the Fresh Kills Landfill. Regulatory databases such as the New York State Department of Environmental Conservation (NYSDEC) SPILLS, Underground Storage Tank (UST), Leaking Storage Tanks (LTANKS), Historical Leaking Storage Tanks (HIST LTANKS), US Historical Auto Stations and Resource Conservation and Recovery Act (RCRA) identified several sites in close proximity to the project site. The NYSDEC LTANKS database reported 12 incidents within a 1/2-mile radius; the NYCDEC SPILLS database reported 23 SPILLS incidents within a 1/8-mile radius and the US Historical Auto Station database reported seven facilities within 1/4-mile radius of the project site. . The Phase I assessment also revealed that Lead Based Paint (LBP) and Asbestos Containing Material (ACM) could be present in the structure.

**Phase I**

**Block 2400 p/o Lot 210 (JC Penny)**

The August 2014 Phase I report, revealed that historical on-site and surrounding area land uses consists of commercial and residential properties, including , JC Penny retail store, Macy's Department Store, Macy's Furniture Gallery, the Staten Island Mall, The Crossings Mall, Pergament Mall, Sears Automotive Center and the Fresh Kills Landfill. Regulatory databases such as the New York State Department of Environmental Conservation (NYSDEC) SPILLS, Underground Storage Tank (UST), Leaking Storage Tanks (LTANKS), Historical Leaking Storage Tanks (HIST LTANKS), US Historical Auto Stations and Resource Conservation and Recovery Act (RCRA) identified several sites in close proximity to the project site. The NYSDEC LTANKS database reported 12 incidents within a 1/2-mile radius; the NYCDEC SPILLS database reported 23 SPILLS incidents within a 1/8-mile radius; and the US Historical Auto Station database reported seven facilities within 1/4-mile radius of the project site of the project site.

Based upon our review of the submitted documentation, we have the following comments and recommendations to DCP:

- DCP should inform the applicant that based on the historical on-site and surrounding land uses, a Phase II Environmental Site Assessment (Phase II) is necessary to adequately identify/characterize the surface and subsurface soils of the subject parcels. A Phase II Investigative Protocol/Work Plan summarizing the proposed drilling, soil, groundwater, and soil vapor sampling activities should be submitted to DEP for review and approval. The Work Plan should include blueprints and/or site plans displaying the current surface grade and sub-grade elevations and a site map depicting the proposed soil boring locations and soil vapor sampling locations. Soil and groundwater samples should be collected and analyzed by a New York State Department of Health (NYSDOH) Environmental Laboratory Approval Program (ELAP) certified laboratory for the presence of volatile organic compounds (VOCs) by United States Environmental Protection Agency (EPA) Method 8260, semi-volatile organic compounds by EPA Method 8270, pesticides by EPA Method 8081, PCBs by EPA Method 8082, Target Analyte List metals (filtered and unfiltered for groundwater samples) and soil vapor samples by EPA Method TO-15. The soil vapor sampling should be conducted in accordance with NYSDOH's October 2006 Guidance for Evaluating Soil Vapor Intrusion in the State of New York. The soil vapor samples should be collected and analyzed by a NYSDOH ELAP certified laboratory for the presence of VOCs by EPA Method TO-15. An Investigative Health and Safety Plan (HASP) should also be submitted to DEP for review and approval.
- DCP should also instruct the applicant that the Phase II Work Plan and HASP should be submitted to DEP for review and approval prior to the start of any fieldwork.

Future correspondence related to this project should include the following **CEQR # 14DCP136R**. If you have any questions, you may contact Ms. Cassandra Scantlebury at (718) 595-6756.

Sincerely,



Maurice S. Winter  
Deputy Director, Site Assessment

Cc: E. Mahoney  
T. Estes  
J. Keller (DCP)  
M. Wimbish  
M. Winter  
W. Yu  
File



**Emily Lloyd**  
Commissioner

**Angela Licata**  
Deputy Commissioner  
of Sustainability  
alicata@dep.nyc.gov

59-17 Junction Boulevard  
Flushing, NY 11373  
T: (718) 595-4398  
F: (718) 595-4479

December 19<sup>th</sup>, 2014

Mr. Robert Dobruskin  
Director, Environmental Assessment and Review Division  
New York City Department of City Planning  
22 Reade Street, Room 4E  
New York, New York 10007-1216

**Re: Staten Island Mall Enlargement  
Block 2400 Lots p/o 118, p/o 180, and p/o 210  
CEQR # 14DCP136R  
Staten Island New York, 10314**

Dear Mr. Dobruskin:

The New York City Department of Environmental Protection, Bureau of Environmental Planning and Analysis (DEP) has reviewed the November 2014 Supplemental Phase II Environmental Site Assessment (ESA) Work Plan (Work Plan) and the October 2014 Site-Specific Health and Safety Plan (HASP) prepared by Roux Associates Inc., on behalf of General Growth Properties Inc., (applicant) for the above referenced project. It is our understanding that the applicant is seeking zoning authorization pursuant to Zoning Resolution section 36-023 (group parking facility, accessory to a commercial enlargement on a zoning lot in excess of 4 acres in a C4-1 zoning district), section 36-21 (a reduction of the parking requirement), as well as section 36-592 (a certification of cross-access easements). The proposed actions would facilitate a proposal by the applicant to enlarge Macy's Department Store, JC Penny retail store and Staten Island Mall, by developing approximately 444,835 gross square feet (gsf) of new retail space, as well as a new parking garage on areas currently used for accessory surface parking. The Staten Island Mall, located at 2655 Richmond Avenue, Macy's, located at 112 Richmond Hill Road and JC Penny, located at 140 Marsh Avenue are all bounded by Platinum Avenue, Marsh Avenue, Richmond Avenue and Richmond Hill Road in the Heartland Village neighborhood of Staten Island Community District 2. It should be noted that Macy's and JC Penny stores (Block 2400 Lots 118 & 210) are attached to the main Staten Island Mall (Block 2400 Lot 180); however they are independently owned and operated.

The November 2014 Work Plan is to further investigate the potential subsurface contamination associated with current and historic site use in the areas subject to redevelopment and to supplement data previously collected during a Phase II ESA completed at the site in November 2013 by Roux Associates Inc. During the field activities for the November 2013 ESA, 18 soil samples, three groundwater samples and three soil vapor samples were collected from the site

and analyzed. Results revealed that volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs), or polychlorinated biphenyls (PCBs) were non-detect or below New York State Department of Environmental Conservation (NYSDEC) 6 New York Codes, Rules and Regulations (NYCRR) Sub-Part 375-6.8(a) (Unrestricted Use Soil Cleanup Objectives [SCOs]) or Sub-Part 375-6.8(b) (Commercial Use SCOs). Metals and pesticides were detected at concentrations exceeding Unrestricted Use SCOs; however, no metals or pesticides were detected in the soil samples above the Commercial Use SCOs. No VOCs, SVOCs, metals (except manganese and sodium), pesticides, or PCBs were detected in the groundwater samples above NYSDEC Technical and Operational Guidance Series (TOGS) 1.1.1 Ambient Water Quality Standards and Guidance Values (AWQSGVs). VOCs in soil vapor were either non-detected or below their respective guidance values (The New York State Department of Health Guidance for Evaluating Soil Vapor Intrusion in the State of New York, dated October 2006).

The November 2014 Work Plan proposes to advance six soil borings to an estimated maximum depth of 10 to 12 feet (ft.) below land surface (bls). Two soil samples will be collected from each boring, one sample from the 0-2 foot interval bls. and the other sample will be collected from the two foot interval located directly below the proposed excavation depth (6 to 8 ft. bls). One groundwater sample will be collected from each proposed monitoring well (two) as well as those previously installed as part of the November 2013 Phase II ESA (three). Soil and groundwater samples will be analyzed for Target Compound List (TCL) Volatile Organic Compounds (VOCs) including methyl butyl ether (MTBE) by United States Environmental Protection Agency (EPA) Method 8260, Semi-Volatile Organic Compounds (SVOCs) by EPA Method 8270 and Target Analyte List (TAL) Metals (filtered and unfiltered) by EPA Method 6020. Polychlorinated Biphenyls (PCBs) by EPA Method 8082, Pesticides by EPA Method 8081A and Cyanide by EPA Method 9012B. Four soil vapor sampling points will also be installed at the site; soil vapor samples will be collected and analyzed for VOCs by EPA Method TO-15 and methane by EPA Method 3C.

Based upon our review of the submitted documentation, we have the following comments and recommendations to DCP:

### HASP

- DCP should instruct the applicant to include the name and phone number for an alternate Site Health and Safety Officer in the HASP.

DEP finds the November 2014 Supplemental Phase II Work Plan and HASP for the proposed investigation acceptable as long as the aforementioned information is incorporated into the HASP. DCP should inform the consultant that upon completion of the investigation activities, a detailed Phase II report should be submitted to DEP for review and approval. The report should include, at a minimum, an executive summary, narrative of the field activities, laboratory data and conclusions, comparison of soil and groundwater analytical results (i.e., NYSDEC 6NYCRR Part 375 and NYSDEC Water Quality Regulations), updated site plans depicting sample locations, boring logs, and remedial recommendations, if warranted.

Future correspondence and submittal related to this project should include the following **CEQR # 14DCP136R**. If you have any questions, you may contact Ms. Cassandra Scantlebury at (718) 595-6756.

Sincerely,

*Wli Yu For*

Maurice S. Winter  
Deputy Director, Site Assessment

cc: E. Mahoney  
T. Estes  
E. Ulker (DCP)  
J. Keller (DCP)  
M. Wimbish  
M. Winter  
W. Yu  
File