

## D. THE FUTURE WITHOUT THE PROPOSED PROJECT

In the future without the proposed project, the project site would be developed with as-of-right building(s) which would require a similar amount of subsurface disturbance to the proposed project. Development of the site in accordance with the measures and programs specified in the 2001 *FEIS* as modified by the RAWPs for projected development site would avoid the potential for any significant adverse impacts.

## E. PROBABLE IMPACTS OF THE PROPOSED PROJECT

The proposed project would entail subsurface disturbance of a site known to have soil, groundwater and soil vapor contamination. Impacts would be avoided by performing the following:

- For Projected Development Site 1 (with the exception of the portion that is within Lot 36), compliance with the DEC-approved RAWPs (see Section C above) for the West Block and Mid-Block sites.
- For the remainder of Projected Development Site 1 (i.e., the parking area on Lot 36 west-adjacent to Manhattan Mini-Storage<sup>1</sup>) and Projected Development Site 2 (including the Manhattan Mini-Storage building—the remainder of Lot 36<sup>2</sup>), all interior work and any required demolition would be in compliance with applicable regulatory requirements relating to, for example, asbestos-containing materials, lead-based paint, PCBs, mercury and other waste disposal. An (E) designation would be placed on Lot 36 (see April 17, 2012 correspondence in Appendix A, “Agency Correspondence”), i.e., a designation on the City’s zoning text/maps, to ensure that appropriate procedures for any necessary subsurface disturbance are followed prior to, during and following construction. Specifically, the New York City Office of Environmental Remediation (OER) could determine that additional subsurface testing beyond that previously conducted is warranted, and such testing would need to be conducted in accordance with an OER approved Investigation Work Plan and Health and Safety Plan. Based on the results of the previous testing and any such additional testing, the applicant would then prepare a RAWP which would be submitted to OER for approval. The (E) designation would require that an approved RAWP be obtained in order to receive building permits prior to conducting soil disturbance. The (E) designation would also require that a Notice of Satisfaction be obtained (subsequent to the applicant submitting a Closure Report to OER documenting proper performance of all required procedures) before seeking Certificates of Occupancy for any newly constructed structures or a change of the existing structure to residential use.

With the implementation of these measures, no significant adverse impacts related to hazardous materials would result from construction activities on the project site, and following construction, there would be no potential for significant adverse impacts. \*

<sup>1</sup> The portion of Lot 36 bounded by the north, west, and south lot lines of Lot 36 and a line parallel to and 150 feet west of the Lot 36 lot line along Eleventh Avenue.

<sup>2</sup> The portion of Lot 36 bounded by the north, east, and south lot lines of Lot 36 and a line parallel to and 100 feet east of the Lot 36 west lot line.

guidance criteria. Overall, the proposed project's HVAC systems would not result in any significant adverse air quality impacts that were not addressed in the 2001 *FEIS*.

#### *Projected Development Sites*

To ensure that there are no significant adverse impacts of PM<sub>2.5</sub> from the proposed project's HVAC emissions, certain restrictions would be required regarding fuel type and exhaust stack location. The text of the (E) designations would be as follows:

- Block 1105, Lots 1, 5, 14, 19, p/o 36, and 43 (The new mixed-use building on projected development site 1 on the western and midblock portions of the project block)  
Any new development on the above-referenced property must ensure that fossil fuel fired heating and hot water equipment utilize only natural gas, and that heating and hot water equipment exhaust stack(s) are at least 413.5 feet above grade, and must be fitted with low NO<sub>x</sub> burners with a maximum emission concentration of 30 ppm.
- Block 1105, p/o Lot 36 bounded by the north, west, and south lot lines of Lot 36 and a line parallel to and 150 feet west of the Lot 36 lot line along Eleventh Avenue (the midblock community facility use building)  
Any new development on the above-referenced property must ensure that fossil fuel fired heating and hot water equipment utilize only natural gas, and that heating and hot water equipment exhaust stack(s) are located at least 219 feet from the lot line facing Eleventh Avenue, and no more than 47 feet from the lot line facing West 58th Street, to avoid any potential significant air quality impacts.
- Block 1105, p/o Lot 36 bounded by the north, east, and south lot lines of Lot 36 and a line parallel to and 100 feet east of the Lot 36 west lot line (projected development site 2)  
Any new development on the above-referenced property must ensure that fossil fuel fired heating and hot water equipment utilize only natural gas, and that heating and hot water equipment exhaust stack(s) are no more than 30 feet from the lot line facing Eleventh Avenue, and no more than 20 feet from the lot line facing West 58th Street, and must be fitted with low NO<sub>x</sub> burners with a maximum emission concentration of 30 ppm to avoid any potential significant air quality impacts.

With these restrictions in place, no significant adverse air quality impacts are predicted from the proposed project's HVAC emission sources.

#### *INDUSTRIAL SOURCE ANALYSIS*

As discussed above, a study was conducted to identify manufacturing and industrial uses within the 400-foot study area. DEP-BEC and EPA permit databases were used to identify existing sources of industrial emissions. Seven permitted facilities were identified within 400 feet of the project site in the Build scenario. This is a very conservative approach since the maximum concentrations from all of the sources analyzed were added together to determine their cumulative impact on the project site, regardless of where the maximum impact was predicted to occur.

The screening procedure used to estimate the pollutant concentrations from facilities with industrial emissions is based on information contained in the certificates to operate obtained from DEP-BEC. The information describes potential contaminants emitted by the permitted processes, hours per day, and days per year in which there may be emissions (which is related to