



NEW YORK STATE SENATOR

Brian Kavanagh

## Joint Letter to Office of Environmental Remediation re 265 South Street

BRIAN KAVANAGH January 10, 2022

January 6, 2022

Mark McIntyre, Esq.

Director and General Counsel

New York City Office of Environmental Remediation

100 Gold Street, 2nd Floor

New York, NY 10038

### **Subject: Requests Concerning Voluntary Cleanup Program at 265 South Street**

Dear Director McIntyre:

We write on behalf of the residents of Lands End II, who live directly adjacent to the NYC Office of Environmental Remediation (OER) Voluntary Cleanup Program site located at 265 South Street (NYC VCP Project Number 22CVCP033M, OER Project Number 21TMP1088M). The owners of 265 South Street have entered the NYC OER Voluntary Cleanup Program prior to the proposed construction of two megatowers on the existing parking lot.

As was reported in the site's Remedial Investigation Report, several harmful contaminants have been found in the soil on site, attributed to historic fill and the site's previous use as a gas station. These contaminants, including several toxic metals and significant traces of petroleum, undoubtedly pose a public health threat to the local community, and we support the Voluntary Cleanup Program being applied here.

However, we are deeply concerned that the owners of this site are lacking any substantial community notice and participation as part of this remediation process. Since there are hundreds of residential apartments on and adjacent to this site, it is imperative that comprehensive communication and collaboration with these residents is achieved. Many of the residents who will be directly impacted by this work do not speak English, and are already concerned by the work that has begun and what will happen as this process moves forward.

In order to ensure the health, safety, and adequate participation of residents through this remediation process, we request the following:

1. To extend the public comment period through the end of February in order to give residents (and the overall community) ample time to understand and comment on the Draft Remedial Action Work Plan;
2. To provide full Spanish and Chinese translations of the application fact sheet so all residents can understand the important details of the plan in their own language; and
3. To work with the owners of the site to hire an independent environmental specialist to monitor progress of the Voluntary Cleanup Program and ensure that residents are represented and duly notified throughout the process.

We greatly appreciate your assistance in this effort, and look forward to an equitable and safe remediation of 265 South Street. If you would like to discuss this matter further, please contact any of us directly or via Conor Allerton in Council Member Christopher Marte's office at callertond1@gmail.com.

Sincerely,

Senator Brian Kavanagh, Assemblymember Yuh-Line Niou, Congress Member Nydia Velazquez, Councilmember