Chapter 3G: Construction Hazardous Materials

A. INTRODUCTION

The 2006 Final Environmental Impact Statement (FEIS) assessed the potential for the presence of hazardous materials at the project site and the measures that would be employed to protect health, safety, and the environment. As described in Chapter 2, "Analysis Framework," the completion of Phase II of the Project at a later date would not affect the conclusions in the 2006 FEIS for hazardous materials. Construction and development of the Phase II components would have the same potential for exposure and require the same commitments as described in the 2006 FEIS and the Amended Memorandum of Environmental Commitments (MEC).

This section provides an update of conditions with respect to hazardous materials on the project site since the 2006 FEIS, and the actions taken by the project sponsors to remediate such conditions in conformance with the MEC.

Given the long history of rail, industrial, storage, manufacturing, and commercial uses at and near the project site, contaminants were expected and found to include asbestos and lead-based paint (LBP) in buildings, as well as subsurface contamination in fill, soil, soil gas, and/or groundwater. Since development involves demolition of structures and excavation/disturbance of existing fill and soil, a range of measures were incorporated into the project commitments in the 2006 FEIS and MEC to avoid significant adverse impacts related to hazardous materials.

PRINCIPAL CONCLUSIONS

The 2006 FEIS concluded that the Project would not result in significant adverse impacts with respect to hazardous materials. Construction activities on the project site since the 2006 FEIS have been substantially consistent with the procedures set forth in the 2006 FEIS and MEC. The same procedures for assessing and managing contamination, and measures to avoid impacts, would be implemented during the Phase II work (with certain improvements to minimize noncompliance as discussed in Chapter 3A, "Construction Overview"), and the longer construction period assumed for the Extended Built-Out Scenario would not result in additional impacts with respect to hazardous materials. Therefore, no significant adverse impacts would occur for Phase II of the Project under the Extended Build-Out scenario.

B. MEC OBLIGATIONS

Under the MEC, the project sponsors must:

- Design and construct the Project so as to prevent volatile organic compounds (VOCs) from infiltrating the interior of the Project buildings;
- Implement the investigation and remediation measures specified in the 2006 FEIS to protect workers and the general public from adverse impacts associated with environmental conditions at the project site during the period of construction, including the following:

- removal of asbestos in accordance with applicable federal, State, and City regulations;
- removal of polychorinated biphenyl (PCB)-containing equipment in accordance with applicable federal, State and City laws and regulations prior to building demolition;
- implementation of dust suppression techniques reflecting best construction practices during the demolition of existing buildings and any excavation, grading or earth-moving activities at the project site in connection with the construction of the Project or any related excavation or remediation;
- completion of additional subsurface investigations as necessary to further characterize site conditions, and preparation of remediation plans required to address identified contamination;
- preparation and implementation of a Health and Safety Plan (HASP), including a Community Air Monitoring Plan (CAMP) for PM_{10} and VOCs; and
- completion of the cleanup of historic petroleum spills as required by the New York State Department of Environmental Conservation (NYSDEC).

C. CONSTRUCTION ACTIVITIES ON THE PROJECT SITE TO DATE

As discussed in the 2006 FEIS, contamination at the project site was anticipated both in the subsurface (related primarily to localized current/former gas stations and historic fill) and inside buildings (primarily related to asbestos and LBP). Demolition and construction conducted at the project site to date has encountered (and addressed) these anticipated types of contamination and, with the exception of the intact ampoules discussed below, has not encountered unanticipated types of contamination. However, as expected, undocumented/abandoned underground petroleum tanks and associated contamination were encountered.

As a part of construction of the Barclays Center and other elements of Phase I, the project sponsors have implemented the measures outlined above on the Arena Block (Blocks 1118, 1119, and 1127 and the intervening street segments), Block 1129, and portions of Blocks 1120, 1121, and 1128. Other activities that have occurred during Phase I construction include:

- Pre-demolition asbestos abatement of buildings acquired for the Project that have subsequently been demolished;
- Demolition of the Carlton Avenue Bridge by use of hydraulic shears to minimize lead paint contamination of the soil below the bridge;
- Characterization and gridding of soil that was excavated and removed from the site;
- Remediation of known and unexpectedly encountered contaminated areas (note that all petroleum/tank removal was subject to NYSDEC spill cleanup and other requirements), including: the Carlton Avenue Bridge (Block 1120) where nearby soil contained lead paint chips; Block 1121, Lots 42 and 47; Block 1118, Lot 1 (179 Flatbush Ave.) where nine petroleum tanks and soil were removed followed by in-situ soil remediation; Block 1119, Lots 1 and 64 (622 Atlantic Ave) where four petroleum tanks and soil were removed followed by in-situ soil remediation; Block 1127, Lot 1 (195 Flatbush Ave.) where five petroleum tanks and soil were removed; removal of unexpected petroleum tanks on Block 1127; removal of above ground tanks and petroleum contaminated soil from Block 1129 Lot 13 (752 Pacific Street);
- Removal of nine truck-loads of soil containing 12 intact ampoules of an unknown orange powder (later determined to be arsenic) from Block 1127;

- Soil vapor sampling and installation of underslab vapor barriers beneath the Barclays Center and B2;
- Covering of excavated contaminated soil prior to removal from the Project site; and
- Implementation of the CAMP monitoring program.

Such activities will continue during Phase II construction, as applicable.

Construction activities on the project site since the 2006 FEIS have been substantially consistent with the procedures set forth in the 2006 FEIS and MEC. The same procedures for assessing and managing contamination, and measures to avoid impacts, would be implemented during the Phase II work (with certain improvements to minimize noncompliance as discussed under in Chapter 3A, "Construction Overview"), and the longer construction period assumed for the Extended Built-Out Scenario would not result in additional impacts with respect to hazardous materials. ✷