City Environmental Quality Review

ENVIRONMENTAL ASSESSMENT STATEMENT
PART I, GENERAL INFORMATION

Reference Numbers

1. **08-DOS-001K**
CEQR REFERENCE NUMBER (TO BE ASSIGNED BY LEAD AGENCY)

BSA REFERENCE NO. IF APPLICABLE

ULURP REFERENCE NO. IF APPLICABLE

OTHER REFERENCE NO. (S) IF APPLICABLE
(e.g., Legislative Intro, CAPA, etc.)

Lead Agency & Applicant Information
PROVIDE APPLICABLE INFORMATION

2a. LEAD AGENCIES

NYC Department of Sanitation (DSNY), NYC Department of Small Business Services (SBS)
NAME OF LEAD AGENCY

[see page 1a]
NAME OF LEAD AGENCY CONTACT PERSON

ADDRESS

CITY STATE ZIP

TELEPHONE FAX

EMAIL ADDRESS

2b. APPLICANT INFORMATION

Sims Municipal Recycling of New York, LLC ("Sims")
NAME OF APPLICANT

Thomas Outerbridge
NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON

110 Fifth Avenue
ADDRESS

New York, NY 10011
CITY STATE ZIP

212-604-0710
TELEPHONE FAX

touterbridge@us.sims-group.com
EMAIL ADDRESS

Action Description
SEE CEQR MANUAL SECTIONS 2A & 2B

3a. **NAME OF PROPOSAL** **Sunset Park Materials Recovery Facility—30th Street Pier, Brooklyn**

3b. DESCRIBE THE ACTION(S) AND APPROVAL(S) BEING SOUGHT FROM OR UNDERTAKEN BY CITY (AND IF APPLICABLE, STATE AND FEDERAL AGENCIES) AND, BRIEFLY, DESCRIBE THE DEVELOPMENT OR PROJECT THAT WOULD RESULT FROM THE PROPOSED ACTION(S) AND APPROVAL(S):

Lease of City Pier from SBS, DSNY capital funding for construction and operation of private recyclables handling and recovery facility (referred to herein as a materials recovery facility or MRF), and long term contract with City to sort and market all source-separated metal, glass, plastic recyclables and a portion of the source-separated paper recyclables collected by DSNY. New York State DEC permit for MRF, Protection of Waters, Tidal Wetlands, New York State Office of General Services Easement for Use of Underwater Lands, U.S. Army Corps of Engineers Section 10 and Section 404 permits for dredge and waterfront construction. See page 7a "Project Description."

3c. DESCRIBE THE PURPOSE OF AND NEED FOR THE ACTION(S) AND APPROVAL(S):

Actions needed to implement recycling elements of City's new Solid Waste Management Plan, develop a state-of-the-art materials recovery facility to maximize recycling efficiency and reduce processing and marketing costs to the City, reduce truck traffic and vehicle miles traveled, and further the economic development of the South Brooklyn Marine Terminal (SBMT). See page 7a "Project Description."

Required Action or Approvals

4. **CITY PLANNING COMMISSION** ☐ Yes ☒ No

☐ Change in City Map ☐ Zoning Certification ☐ Site Selection – Public Facility
☐ Zoning Map Amendment ☐ Zoning Authorization ☐ Disposition – Real Property
☐ Zoning Text Amendment ☐ Housing Plan & Project ☐ UDAAP ☐ Revocable Consent ☐ Concession
☐ Charter 197-a Plan
☐ Zoning Special Permit, specify type:
☐ Modification of:
☐ Renewal of:
☐ Other:

5. **UNIFORM LAND USE PROCEDURE (ULURP)** ☐ Yes ☒ No

6. **BOARD OF STANDARDS AND APPEALS** ☐ Yes ☒ No

☐ Special Permit ☐ New ☐ Renewal Expiration Date
☐ Variance ☐ Use ☐ Bulk
Specify affected section(s) of Zoning Resolution

7. **DEPARTMENT OF ENVIRONMENT PROTECTION** ☐ Yes ☒ No

☐ Title V Facility ☐ Power Generating Facility ☐ Medical Waste Treatment Facility

2a. LEAD AGENCIES

Abas O. Braimah
New York City Department of Sanitation
125 Worth Street, 7th Floor
New York, NY 10013
646-885-4993 (phone)
212-442-9090 (fax)

First Deputy Commissioner Andrew I. Schwartz
New York City Department of Small Business Services
110 William Street, 3rd Floor
New York, NY 10038
212-513-6428 (phone)
212-618-8991 (fax)

PLEASE NOTE THAT MANY ACTIONS ARE NOT SUBJECT TO CEQR. SEE SECTION 110 OF TECHNICAL MANUAL.

8. **OTHER CITY APPROVALS** ☒ Yes ☐ No

☐ Legislation ☐ Rulemaking: specify agency: **Waterfront Revitalization Program Consistency**

☐ Construction of Public Facilities ☒ Funding of Construction, Specify **Capital funding provided by DSNY** ☐ Funding of Programs, Specify

☐ Policy or plan ☐ Permits, Specify:

Other; explain: **Lease of City-owned property from SBS; long-term contract with DSNY for processing and marketing of recyclables**

9. **STATE ACTIONS/APPROVALS/FUNDING** ☒ Yes ☐ No

If "Yes," identify **See "Actions and Approvals," page 7h.**

10. **FEDERAL ACTIONS/APPROVALS/FUNDING** ☒ Yes ☐ No

If "Yes," identify **See "Actions and Approvals," page 7h.**

Action Type

11a. ☐ Unlisted; or ☒ Type I; specify category (see 6 NYCRR 617.4 and NYC Executive Order 91 of 1977, as amended):

Action involves alteration of more than 10 acres

11b. ☒ Localized action, site specific ☐ Generic action

Analysis Year

12. Identify the analysis year (or build year) for the proposed action: **2009**

Would the proposal be implemented in a single phase? ☒ Yes ☐ No ☐ NA.

Anticipated period of construction: **Approximately 24 months**

Anticipated completion date: **2009**

Would the proposal be implemented in multiple phases? ☐ Yes ☒ No ☐ NA.

Number of phases:

Describe phases and construction schedule:

Directly Affected Area

INDICATE LOCATION OF PROJECT SITE FOR ACTIONS INVOLVING A SINGLE SITE ONLY (PROVIDE ATTACHMENTS AS NECESSARY FOR MULTIPLE SITES)

13a. **LOCATION OF PROJECT SITE**

30th Street Pier, Brooklyn

STREET ADDRESS

West of Second Avenue on the Gowanus Bay

DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS

Manufacturing M3-1 **16b**

EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY ZONING SECTIONAL MAP NO.

Block 662, part of Lot 1, Brooklyn **Brooklyn** **Brooklyn CD7**

TAX BLOCK AND LOT NUMBERS BOROUGH COMMUNITY DISTRICT NO.

13b. **PHYSICAL DIMENSIONS AND SCALE OF PROJECT**

TOTAL CONTIGUOUS SQUARE FEET OWNED OR CONTROLLED BY PROJECT SPONSOR: **Approx. 499,000 sf (11.45 acres) (lot area of pier)** SQ. FT.

PROJECT SQUARE FEET TO BE DEVELOPED: **Approx. 499,000 sf (11.45 acres) (lot area of pier)** SQ. FT.

IF THE ACTION IS AN EXPANSION, INDICATE PERCENT OF EXPANSION PROPOSED **N/A**

IN THE NUMBER OF UNITS, SQ. FT. OR OTHER APPROPRIATE MEASURE **N/A** % OF

DIMENSIONS (IN FEET) OF LARGEST PROPOSED STRUCTURE: **± 60'** HEIGHT **± 340'** WIDTH **± 225'** LENGTH

LINEAR FEET OF FRONTAGE ALONG A PUBLIC THOROUGHFARE: **None**

13c. IF THE ACTION WOULD APPLY TO THE ENTIRE CITY OR TO AREAS THAT ARE SO EXTENSIVE THAT A SITE-SPECIFIC DESCRIPTION IS NOT APPROPRIATE OR PRACTICABLE, DESCRIBE THE AREA LIKELY TO BE AFFECTED BY THE ACTION:

N/A

13d. DOES THE PROPOSED ACTION INVOLVE CHANGES IN REGULATORY CONTROLS THAT WOULD AFFECT ONE OR MORE SITES NOT ASSOCIATED WITH A SPECIFIC DEVELOPMENT? ☐ Yes ☒ No

IF 'YES,' IDENTIFY THE LOCATION OF THE SITES PROVIDING THE INFORMATION REQUESTED IN 13a. & 13b. ABOVE.

N/A

PART II, SITE AND ACTION DESCRIPTION

Site Description

EXCEPT WHERE OTHERWISE INDICATED, ANSWER THE FOLLOWING QUESTIONS WITH REGARD TO THE DIRECTLY AFFECTED AREA. THE DIRECTLY AFFECTED AREA CONSISTS OF THE PROJECT SITE AND THE AREA SUBJECT TO ANY CHANGE IN REGULATORY CONTROLS.

1. **GRAPHICS** Please attach: (1) a Sanborn or other land use map; (2) a zoning map; (3) a tax map. On each map, clearly show the boundaries of the directly affected area or areas and indicate a 400-foot radius drawn from the outer boundaries of the project site. The maps should not exceed 8 1/2 x 14 inches in size.

See Figures 1, 2, and 3

2. **PHYSICAL SETTING** (both developed and undeveloped areas)

Total directly affected area (sq. ft.): **± 11.45 acres** Water surface area (sq. ft.): **0***

Roads, building and other paved surfaces (sq. ft.): **± 11.45 acres** Other, describe (sq. ft.): **0**

*** The proposed project includes 0.61 acres of over-water coverage.**

3. **PRESENT LAND USE**

Residential **None**

Total no. of dwelling units _____ No. of low-to-moderate income units _____

No. of stories _____ Gross floor area (sq. ft.) _____

Describe type of residential structures:

Commercial **None**

Retail: No. of bldgs. _____ Gross floor area of each building (sq. ft.): _____

Office: No. of bldgs. _____ Gross floor area of each building (sq. ft.): _____

Other: No. of bldgs. _____ Gross floor area of each building (sq. ft.): _____

Specify type(s): _____ No. of stories and height of each building: _____

Manufacturing/Industrial

No. of bldgs. **0** Gross floor area of each building (sq. ft.): **NA**

No. of stories and height of each building:

Types of use(s):

Vehicle impoundment facility (NYPD) Open storage area (sq. ft.) _____

If any unenclosed activities, specify:

The project site is used as an unenclosed vehicle impoundment lot, with capacity for approximately 4,000 vehicles.

Community facility **None**

Type of community facility:

No. of bldgs. _____ Gross floor area of each building (sq. ft.): _____

No. of stories and height of each building: _____

Vacant Land

Is there any vacant land in the directly affected area? ☐ Yes ☒ No

If yes, describe briefly:

Publicly accessible open space

Is there any existing publicly accessible open space in the directly affected area? ☐ Yes ☒ No

If yes, describe briefly:

Does the directly affected area include any mapped City, State or Federal parkland? ☐ Yes ☒ No

If yes, describe briefly:

Does the directly affected area include any mapped or otherwise known wetland? ☒ Yes ☐ No

If yes, describe briefly:

Action includes dredging, pilings, and overwater construction. Directly affected area from dredging includes approximately 1.76 acres of tidal wetlands, of which 1.51 acres are littoral zone tidal wetland and 0.25 acres are intertidal areas. Directly affected area from shading includes approximately 0.59 acres of tidal wetland, of which 0.16 acres are littoral zone tidal wetland and 0.03 acres are intertidal areas.

Other Land Use **None**

No. of stories _____ Gross floor area (sq. ft.): _____

Type of use(s): _____

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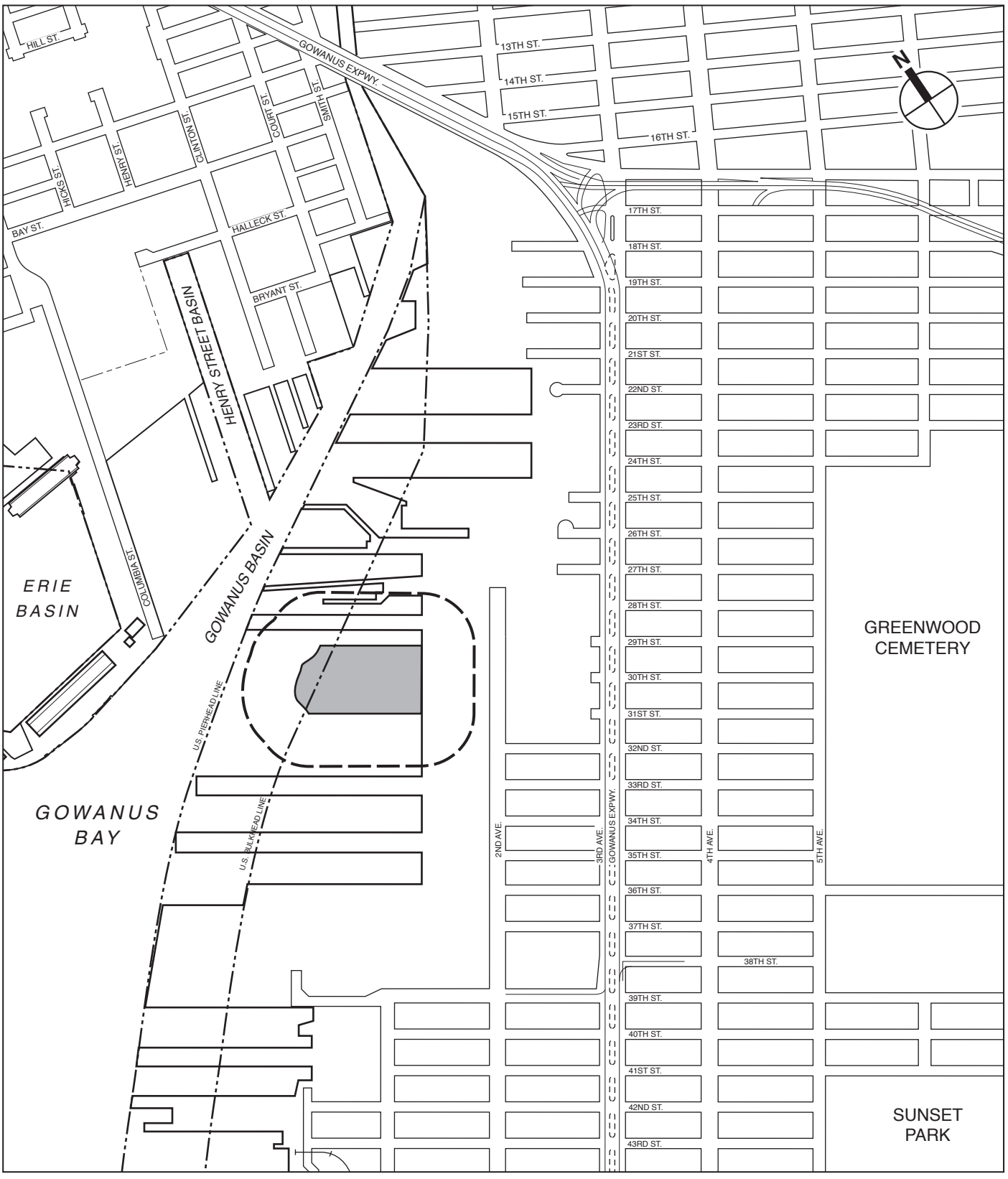
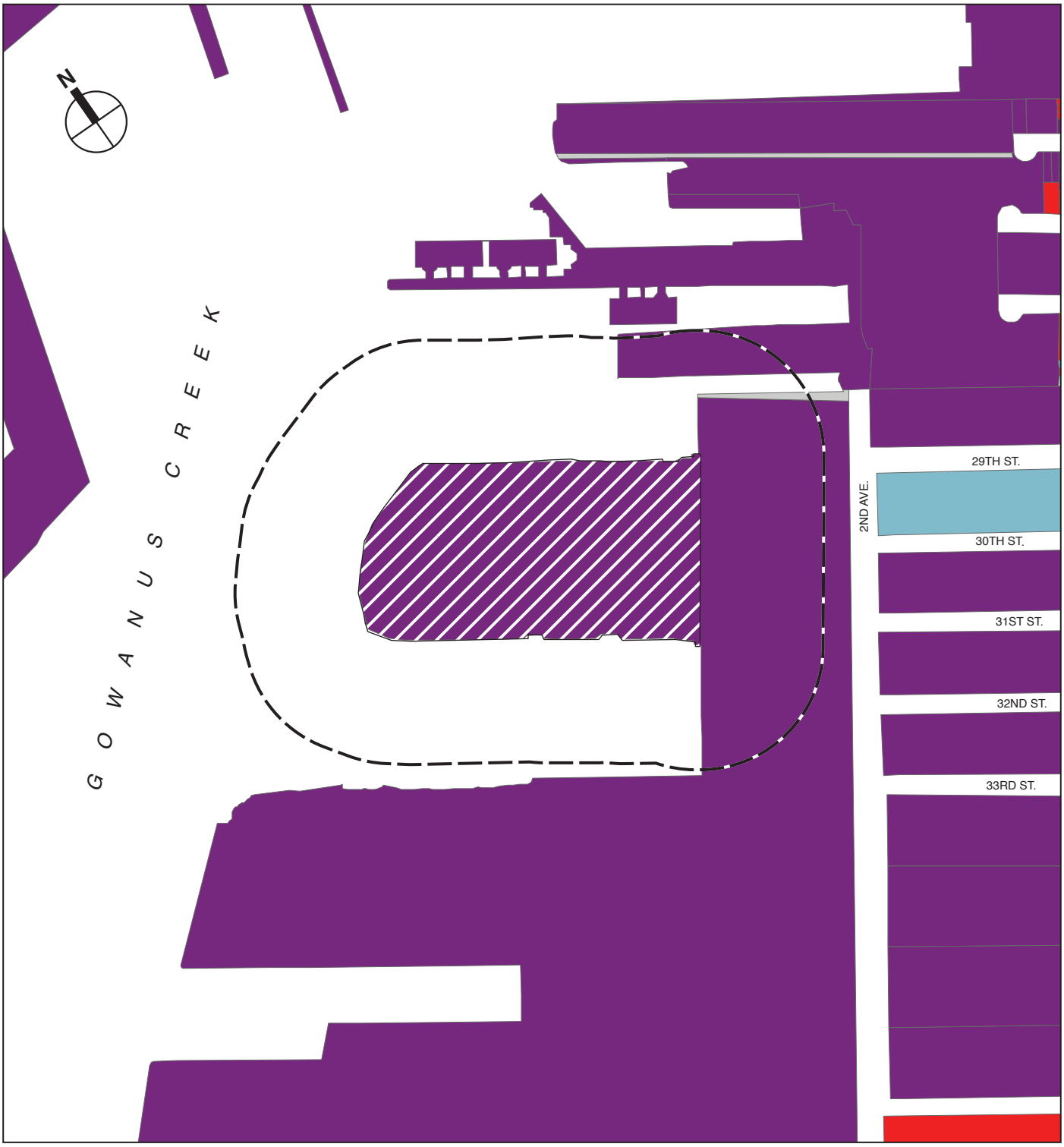


Sunset Park Materials Recovery Facility

Project Location
Figure 1



Sunset Park Materials Recovery Facility

Land Use
Figure 2

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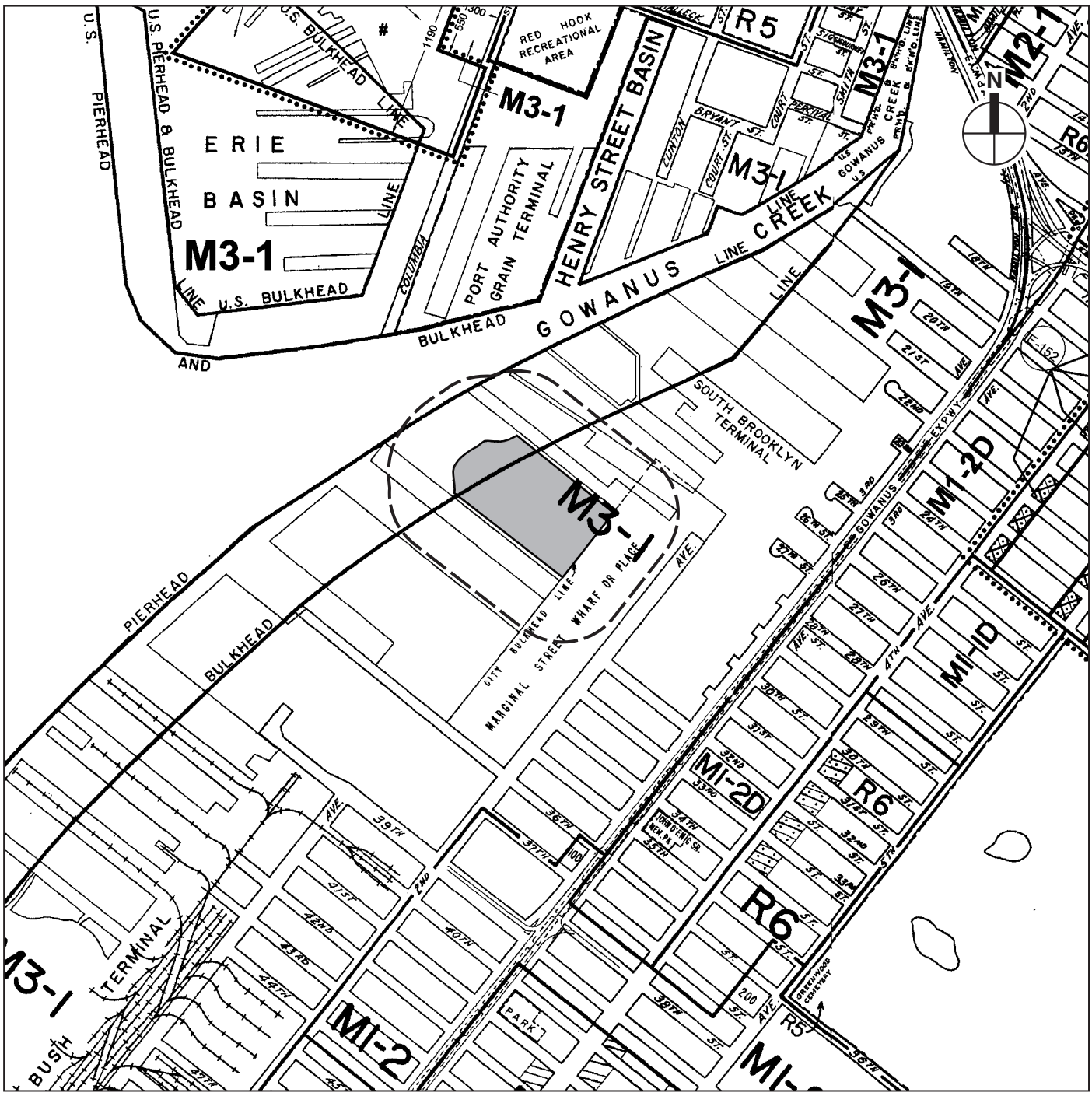

Project Site

Study Area Boundary (400-Foot Perimeter)

Zoning District Boundary

4. **EXISTING PARKING**

Garages **None**

No. of public spaces: _____ No. of accessory spaces: _____

Operating hours: _____ Attended or non-attended? _____

Lots: **NYPD tow pound – 4,000 spaces; to be relocated for separate Axis Group, Inc. project.**

No. of public spaces: _____ No. of accessory spaces: _____

Operating hours: _____ Attended or non-attended? _____

Other (including street parking) – please specify and provide same data as for lots and garages, as appropriate.

5. **EXISTING STORAGE TANKS**

Gas or service station? ☐ Yes ☒ No Oil storage facility? Yes ☒ No Other? ☐ Yes ☒ No

If yes, specify: _____

Number and size of tanks: _____ Last NYFD inspection date: _____

Location and depth of tanks: _____

SEE CEQR TECHNICAL MANUAL CHAPTER III F., HISTORIC RESOURCES

6. **CURRENT USERS**

No. of residents: **0** No. and type of businesses: **1**

No. and type of workers by business: **< 10** No. and type of non-residents who are not workers: **0**

7. **HISTORIC RESOURCES (ARCHITECTURAL AND ARCHAEOLOGICAL RESOURCES)**

Answer the following two questions with regard to the directly affected areas, lots abutting that area, lots along the same blockfront or directly across the street from the same blockfront, and, where the directly affected area includes a corner lot, lots which front on the same street intersection.

Do any of the areas listed above contain any improvement, interior landscape feature, aggregate of landscape of landscape features, or archaeological resource that:

(a) has been designated (or is calendared for consideration as) a New York City Landmark, Interior Landmark or Scenic Landmark;

(b) is within a designated New York City Historic District;

(c) has been listed on, or determined eligible for, the New York State or National Register of Historic Places;

(d) is within a New York State or National Register Historic District; or

(e) has been recommended by the New York State Board for listing on the New York State or National Register of Historic Places?

Identify any resource:

No. See page 7k, "Historic Resources."

Do any of the areas listed in the introductory paragraph above contain any historic or archaeological resource, other than those listed in response to the previous question? Identify any resource.

No. See page 7k, "Historic Resources."

SEE CEQR TECHNICAL MANUAL CHAPTER III K., WATERFRONT REVITALIZATION PROGRAM

8. **WATERFRONT REVITALIZATION PROGRAM**

Is any part of the directly affected area within the City's Waterfront Revitalization Program boundaries? ☒ Yes ☐ No

(A map of the boundaries can be obtained at the Department of City Planning bookstore.)

If yes, append a map showing the directly affected area as it relates to such boundaries. A map requested in other parts of this form may be used.

See Figure 4.

Project Description

THIS SUBPART SHOULD GENERALLY BE COMPLETED ONLY IF YOUR ACTION INCLUDES A SPECIFIC OR KNOWN DEVELOPMENT AT PARTICULAR LOCATIONS

9. **CONSTRUCTION**

Will the action result in demolition of or significant physical alteration to any improvement? ☒ Yes ☐ No

If yes, describe briefly:

Remove old pilings and asphalt surface.

Will the action involve either above-ground construction resulting in any ground disturbance or in-ground construction? ☒ Yes ☐ No

If yes, describe briefly:

Construction will entail ground disturbance for building foundations, footings, dredging, etc., and in-water and overwater activities.

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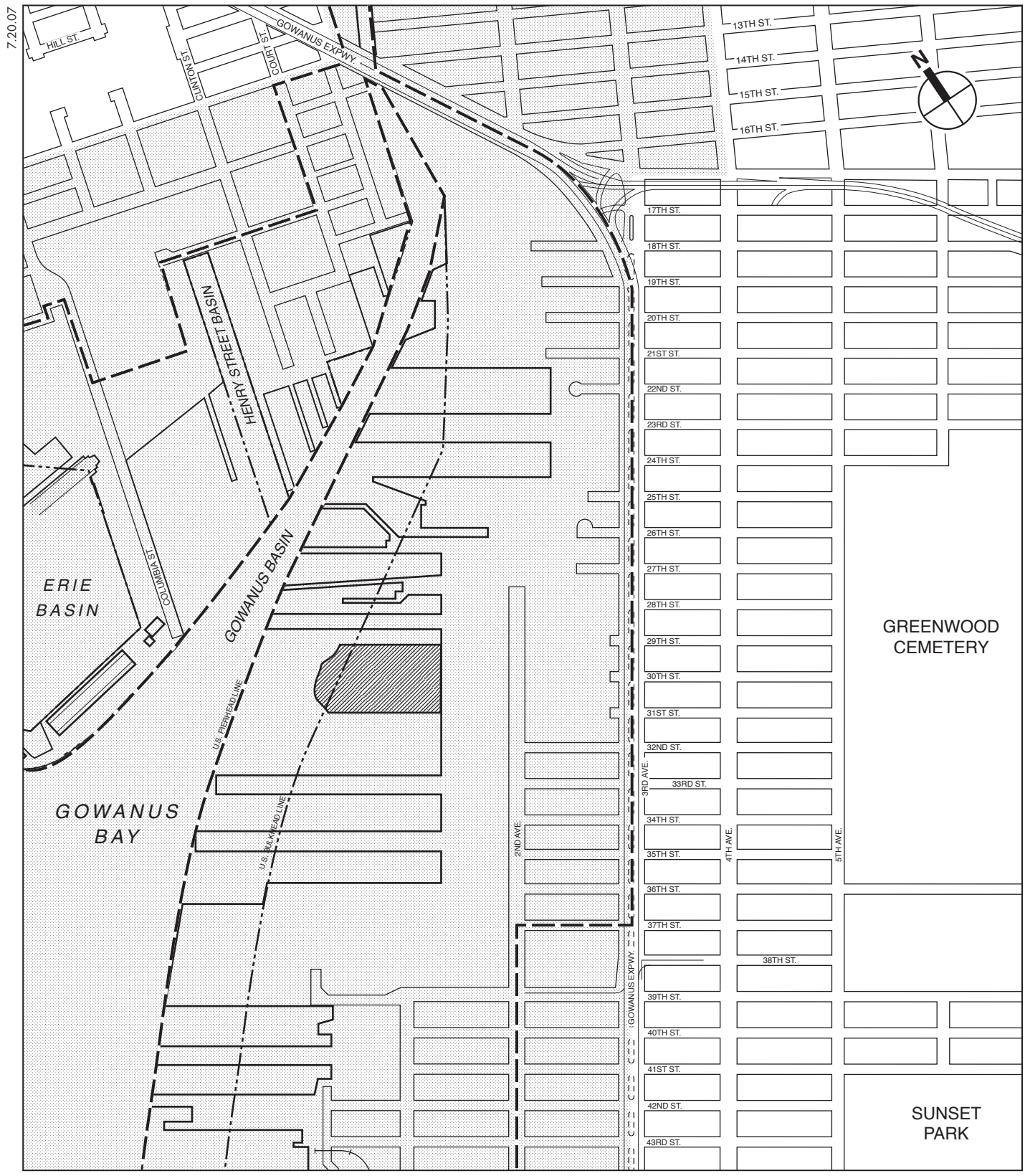


Project Site

Coastal Zone Boundary

Significant Maritime and Industrial Area Boundary

Coastal Zone and Significant Maritime Industrial Area

Sunset Park Materials Recovery Facility

Figure 4

10. **PROPOSED LAND USE**

Residential **None**

Total no. of dwelling units _____ No. of low-to-moderate income units _____ Gross floor area (sq. ft.) _____

No. of stories _____

Describe type of residential structures:

Commercial **None**

Retail: No. of bldgs. _____ Gross floor area of each building (sq. ft.): _____

Office: No. of bldgs. _____ Gross floor area of each building (sq. ft.): _____

Other: No. of bldgs. _____ Gross floor area of each building (sq. ft.): _____

No. of stories and height of each building: _____

Manufacturing/Industrial **See also Table 3 on page 7e.**

No. of bldgs. **7** Gross floor area of each building (sq. ft.) **Buildings range from 6,000 to 76,500 square feet for a total of 214,600 square feet.**

No. of stories and height of each building: **Buildings range from 24 to more than 60 feet in height.**

Type of use(s): **MGP operations and storage, ferrous metal and maintenance, facility administration, visitor/education center, and enclosed barge unloading facility.** Open storage area (sq. ft.): **None**

If any unenclosed activities, specify:

Community facility **None**

Type of community facility: _____

No. of bldgs. _____ Gross floor area of each building (sq. ft.): _____

No. of stories and height of each building: _____

Vacant land

Is there any vacant land in the directly affected area? ☐ Yes ☒ No

If yes, describe briefly:

Publicly accessible open space

Is there any publicly accessible open space to be removed or attached? ☐ Yes ☒ No

If yes, describe briefly:

Any publicly accessible open space to be added? ☐ Yes ☒ No

If yes, describe briefly:

Other Land Use **Visitor/Education Center—see "Project Description" beginning on page 7a.**

No. of stories _____ Gross floor area (sq. ft.): _____

Type of use(s):

11. **PROPOSED PARKING**

Garages **None**

No. of public spaces: _____ No. of accessory spaces: _____

Operating hours: _____ Attended or non-attended? _____

Lots

No. of public spaces: **0** No. of accessory spaces: **74***

Operating hours: **24 hours** Attended or non-attended? **Non-attended**

Other (including street parking) – please specify and provide same data as for lots and garages, as appropriate.

*** Accessory parking includes 65 employee parking spaces, 6 parking spaces for visitor automobiles and 3 spaces for visitor buses.**

12. **PROPOSED STORAGE TANKS**

Gas or storage stations? ☐ Yes ☒ No Oil storage facility? ☐ Yes ☒ No

Other? ☒ Yes ☐ No

If yes, specify: **Above-ground diesel tank for on-site equipment**

Number and size of tanks: **One; 2,500 gallons.** Location and depth of tanks:

13. **PROPOSED USERS**

No. of residents: **0** No. and type of businesses? **One materials recovery facility**

No. and type of workers by businesses: **Approx. 100** No. and type of non-residents who are not workers:

14. **HISTORIC RESOURCES (ARCHITECTURAL AND ARCHAEOLOGICAL RESOURCES)**

Will the action affect any architectural or archaeological resource identified in response to either of the two questions at number 7 n the Site Description section of the form? ☐ Yes ☒ No

If yes, describe briefly:

See page 7k, "Historic Resources."

SEE CEQR TECHNICAL MANUAL CHAPTER III B., SOCIOECONOMIC CONDITIONS

15. **DIRECT DISPLACEMENT**

Will the action directly displace specific businesses or affordable and/or low income residential units? ☐ Yes ☒ No

If yes, describe briefly:

SEE CEQR TECHNICAL MANUAL CHAPTER III C., COMMUNITY FACILITIES & SERVICES

16. **COMMUNITY FACILITIES**

Will the action directly eliminate, displace, or alter public or publicly funded community facilities such as educational facilities, libraries, hospitals, and other health care facilities, day care centers, police stations, or fire stations? ☐ Yes ☒ No

If yes, describe briefly:

Zoning Information

17. What is the zoning classification(s) of the directly affected area?

M3-1, heavy manufacturing

18. What is the maximum amount of floor area that can be developed in the directly affected area under the present zoning? Describe in terms of bulk for each use.

±11.45 acres = ±499,000 sf lot area x 2.0 FAR = 998,000 zoning square feet commercial or manufacturing use

19. What is the proposed zoning of the directly affected area?

There is no proposed change to zoning.

20. What is the maximum amount of floor area that could be developed in the directly affected area under the proposed zoning? Describe in terms of bulk for each use?

There is no proposed change to zoning.

21. What are the predominant land uses and zoning classifications within a ¼-mile radius of the proposed action?

Land uses within a ¼-mile of the project site include manufacturing and institutional uses. Predominant zoning districts within a ¼-mile of the project site include M3-1 and M1-2D.

Additional Information

22. Attach any additional information as may be needed to describe the action. If your action involves changes in regulatory controls that affect one or more sites not associated with a specific development, it is generally appropriate to include here one or more reasonable development scenarios for such sites and, to the extent possible, to provide information about such scenario(s) similar to that requested in the Project Description questions 9 through 16.

See page 7a "Project Description."

Analyses **23.** Attach analyses for each of the impact categories listed below (or indicate where an impact category is not applicable):

See pages 7h through 7o.

a.	LAND USE, ZONING, AND PUBLIC POLICY	See CEQR Technical Manual Chapter III.A.
b.	SOCIOECONOMIC CONDITIONS	See CEQR Technical Manual Chapter III.B.
c.	COMMUNITY FACILITIES AND SERVICES	See CEQR Technical Manual Chapter III.C.
d.	OPEN SPACE	See CEQR Technical Manual Chapter III.D.
e.	SHADOWS	See CEQR Technical Manual Chapter III.E.
f.	HISTORIC RESOURCES	See CEQR Technical Manual Chapter III.F.
g.	URBAN DESIGN/VISUAL RESOURCES	See CEQR Technical Manual Chapter III.G.
h.	NEIGHBORHOOD CHARACTER	See CEQR Technical Manual Chapter III.H.
i.	NATURAL RESOURCES	See CEQR Technical Manual Chapter III.I.
j.	HAZARDOUS MATERIALS	See CEQR Technical Manual Chapter III.J.
k.	WATERFRONT REVITALIZATION PROGRAM	See CEQR Technical Manual Chapter III.K.
l.	INFRASTRUCTURE	See CEQR Technical Manual Chapter III.L.
m.	SOLID WASTE AND SANITATION SERVICES	See CEQR Technical Manual Chapter III.M.
n.	ENERGY	See CEQR Technical Manual Chapter III.N.
o.	TRAFFIC AND PARKING	See CEQR Technical Manual Chapter III.O.
p.	TRANSIT AND PEDESTRIANS	See CEQR Technical Manual Chapter III.P.
q.	AIR QUALITY	See CEQR Technical Manual Chapter III.Q.
r.	NOISE	See CEQR Technical Manual Chapter III.R.
s.	CONSTRUCTION IMPACTS	See CEQR Technical Manual Chapter III.S.
t.	PUBLIC HEALTH	See CEQR Technical Manual Chapter III.T.

The CEQR Technical Manual sets forth methodologies developed by the City to be used in analyses prepared for the above-listed categories. Other methodologies developed or approved by the lead agency may also be utilized. If a different methodology is contemplated, it may be advisable to consult with the Mayor's Office of Environmental Coordination. You should also attach any other necessary analyses or information relevant to the determination whether the action may have a significant impact on the environment, including, where appropriate, information on combined or cumulative impacts, as might occur, for example, where actions are independent or occur within a discrete geographical area or time frame.

A. PROJECT DESCRIPTION

The applicant, Sims Municipal Recycling of New York, LLC ("Sims"), is seeking a City-leasing agreement with the New York City Department of Small Business Services (SBS) for the use of the 30th Street Pier located in Sunset Park, Brooklyn, to construct and operate as a materials recovery facility (MRF). Sims proposes to enter into a long-term contract with the New York City Department of Sanitation (DSNY) to process and market source-separated recyclables delivered by DSNY. The initial contract term is 23 years, with one 10-year renewal option followed by one 7-year renewal option. Under the initial contract, recyclables would be received by Sims at their current facilities for up to three years until the MRF is operational, after which recyclables would be received at the MRF for the remaining 20 years in the contract. The site (Block 662, part of Lot 1) is within the South Brooklyn Marine Terminal (SBMT) and is located west of Second Avenue roughly between 29th Street and 30th Street along the Gowanus Creek inlet (see Figure 1). The site comprises approximately 499,000 square feet (11.45 acres) and is currently used by the New York City Police Department (NYPD) as a vehicle impoundment lot that holds approximately 4,000 vehicles.

As a discretionary action, the proposed leasing agreement is subject to the State Environmental Quality Review Act (SEQRA) and the City Environmental Quality Review (CEQR) process. Since the proposed MRF is a vital part of the City's Solid Waste Management Plan, and because DSNY is entering into a long-term contract with Sims and providing capital funds for the pier, DSNY is serving as co-lead agency with SBS for the project's environmental review. The proposed action is not subject to the City's Uniform Land Use Review Procedure (ULURP).

Construction of the proposed MRF is expected to take approximately 24 months, with completion anticipated in 2009. The proposed facility is expected to create an estimated 160 construction jobs and 100 permanent jobs.

PURPOSE AND NEED FOR THE PROPOSED PROJECT

The proposed project would fulfill several important goals established by the City. As described below, the proposed project would:

- Realize a central component of the City's recycling initiative as set forth in the City's *Solid Waste Management Plan* (proposed in draft form in 2004 and approved by the City Council and the New York State Department of Environmental Conservation [DEC] in 2006).
- Expand the City's marine-based recycling infrastructure through intra-city movement of materials.
- Minimize area-wide truck trips by utilizing barge transport and allowing for potential rail transport.
- Create a new tipping location for DSNY collection trucks that is strategically located for certain Brooklyn districts and will dramatically reduce DSNY collection truck vehicle miles traveled (VMT [by more than 200,000 VMT per year]).
- Develop a state-of-the-art recycling infrastructure to support the City's recycling program within the City. This would provide an important element of control over this essential infrastructure and create jobs and related economic development associated with this facility.
- Support the goal of redeveloping SBMT as set forth in the New York City Economic Development Corporation (EDC)'s *Strategic Plan for the Redevelopment of the Port of New*

York ("Strategic Port Plan"). The project site is well suited for marine transport, has the capacity for future rail linkages, and is located in an area designated for heavy industry under zoning, and well buffered from residences.

The project site has already been identified for industrial redevelopment as part of EDC's Strategic Port Plan, which serves as a blueprint for the maximization of the City's maritime investments over the next 20 years. Part of EDC's long-term mission is to strengthen the City's established industrial districts, such as Sunset Park, by making them attractive locations for businesses. The project site is located in the Southwest Brooklyn Industrial Business Zone. The Strategic Port Plan outlines a series of short- and long-term capital investments for SBMT facilities, and several projects are currently being advanced, including renovations to pier sheds, rail track improvements, and installation of an on-dock rail yard. This area has a history of industrial use and is considered an appropriate site for programs and facilities to improve New York City's port infrastructure. The waterfront project site is ideally suited for maritime transportation because it offers the shortest sailing time to the open ocean of any port facility in New York and New Jersey. The site also has the potential for future rail freight handling that would allow for intermodal movement of material; this would result in fewer truck trips through the City's street network and their associated effects on infrastructure and roadway congestion. Should Sims decide to implement rail freight handling capabilities at the facility in the future, modification of the facility would be required and would be subject to its own discretionary approval and SEQRA/CEQR review.

Since the 1960s, no new waste disposal facilities have been constructed in New York City. Municipal incinerators—once used to handle portions of the City's waste stream—dwindled in number from 11 in 1964 to none in 1994, while apartment house incinerators—once mandatory—were required to close by 1995. Six landfills, filled to capacity, were closed between 1965 and 1991, and the one remaining landfill (Fresh Kills in Staten Island) was finally closed in 2001.

In response to and in anticipation of these circumstances, recycling began in New York City as a voluntary program in 1986. In July 1989, with the passage of Local Law 19, recycling became mandatory. Collection of certain recyclable materials was phased in and by 1997 was established throughout the City. For budgetary reasons following the September 11, 2001 attacks, the recycling program experienced temporary cutbacks in July 2002, but in April 2004 normal service was restored. All residents, schools, institutions, agencies, and commercial businesses must recycle. New York City residents and certain institutions receive DSNY trash collection and curbside recyclables collection. Residents and institutions are required to separate and set out for collection two distinct streams of recyclable materials: metal/glass/plastic (MGP) and paper. Once collected, DSNY delivers MGP and paper to private companies and pays them to process and market these materials.

In September 2004, New York City announced an agreement in principle with Sims to build a modern recycling facility in the City in return for a commitment from the City to deliver all of the MGP, and a portion of the mixed paper that DSNY currently collects for the next 20 years. This long-term contract allows Sims to make the capital investment necessary to develop better markets for the city's recyclable materials and to provide a waterborne network for movement of discarded materials designated for recycling.

The City's *Solid Waste Management Plan* outlines the City's policies and plans for handling municipal waste for the next 20 years. One key component of the plan includes developing an MRF at the project site. Under the plan, Sims would lease the parcel from the Department of Small Business Services and privately finance construction of the facility, while DSNY would contribute capital funds for dredging and pier improvements at the site.

Another goal of the *Solid Waste Management Plan* is the equitable distribution of waste handling and recycling facilities throughout the city. DSNY trucks coming to the project site would serve certain portions of Brooklyn under the curbside recycling program. This geographic area, shown in Figure 5, would include Brooklyn Community Districts 2 and 5 through 18. Barge transport would be used for the recycling materials coming from other areas, resulting in less truck traffic on regional roadways (see Figure 6). DSNY trucks collecting curbside recyclables in the Bronx would tip this material at an existing Sims facility in the Bronx as at present, from which it would be transported by barge to the project site. DSNY trucks collecting curbside recyclables in northern Brooklyn and Queens would tip this material at Sims' facility in Long Island City as at present, from which it would be transported by barge to the project site. DSNY trucks collecting recyclables (MGP with bulky metal removed) on Staten Island would deliver the material to Sims' facility in Jersey City, from which certain recyclables could be barged to the project site. DSNY trucks collecting recyclables in Manhattan would either deliver materials to a new Marine Transfer Station (MTS) on the Gansevoort Street Peninsula/Pier 52 ("Gansevoort"), as proposed in the SWMP, or—as they do now—to Sims' facilities in the Bronx and Jersey City.

B. PROPOSED OPERATIONS

MATERIALS FOR RECYCLING—MGP, PAPER, AND SCRAP METAL

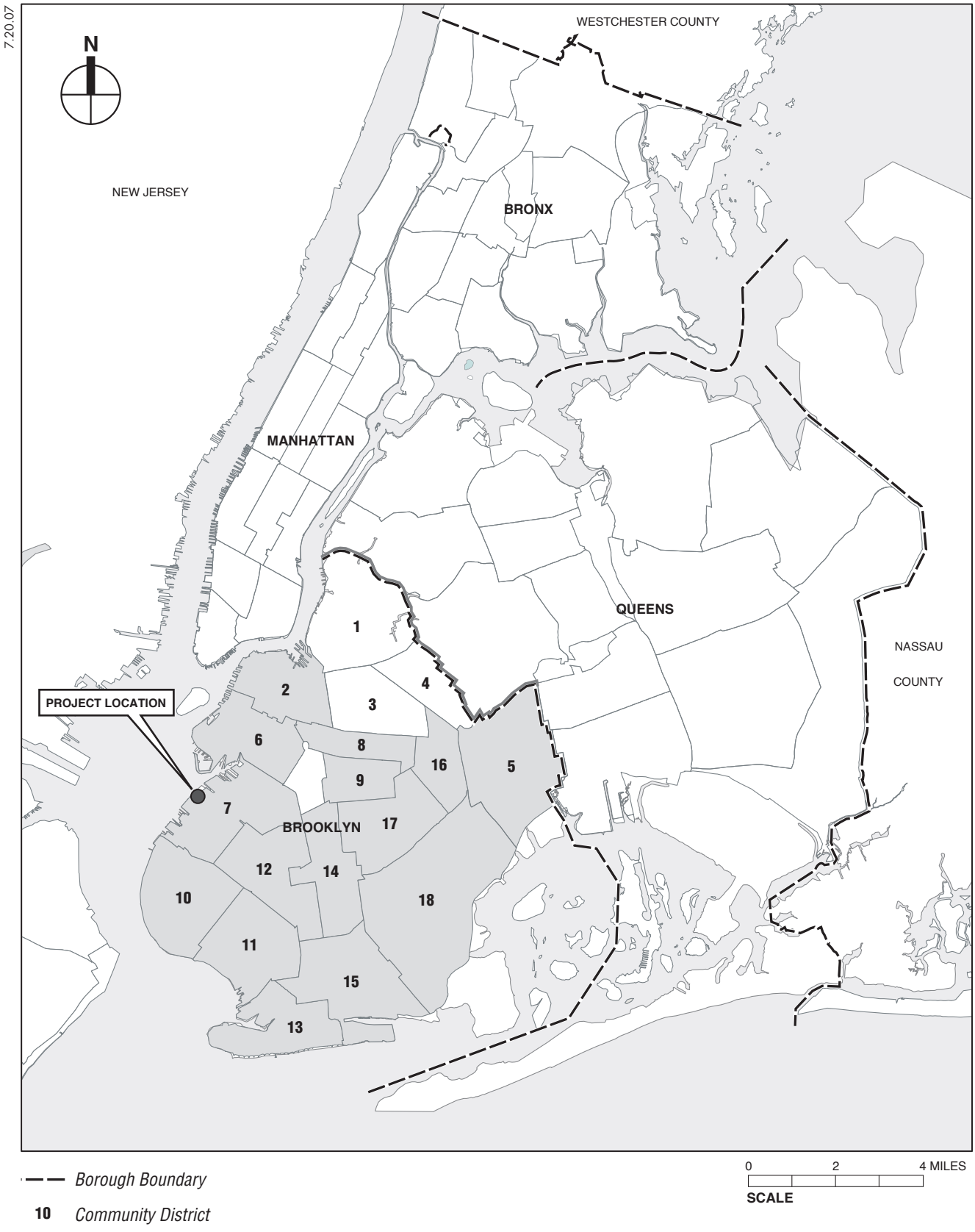
Materials to be handled at the proposed facility would include MGP, paper, and certain scrap metal. MGP materials designated by DSNY for recycling include: aluminum foil and trays, non-ferrous metal containers, tin cans, bulky metal objects (including appliances such as washing machines, air conditioning units, refrigerators and hot water heaters, and items such as bicycle and bed frames), broken and whole glass bottles, #1 polyethylene terephthalate (PET) and #2 high density polyethylene plastic (HDPE) plastic bottles and jugs, and aseptic/poly-coated paper beverage containers. Designated paper products include: newspapers, cardboard, magazines, phone books, catalogs, white paper, junk mail, paper bags, paper egg cartons, cereal boxes, shoe boxes, etc. The paper operation at the pier would be one of receipt and loading out. Paper delivered by truck would be loaded into barges and transported to Sims' facility in Jersey City for processing. At this time, receipt of private MGP and commercial carted paper is not contemplated. Paper that is received at other Sims facilities will not be taken to the project site. Approximately two to six barge trips are expected daily.

In addition to the metal collected by DSNY through its recycling programs, there is a substantial private scrap metal recycling industry in New York City. Sims purchases private sector metal at its facilities in the Bronx, Long Island City, and New Jersey. There are numerous other private companies throughout the City and the region buying, processing, and marketing scrap metal. The composition of MGP, paper and metal to be handled is detailed in Table 1.

Table 1
Material Composition

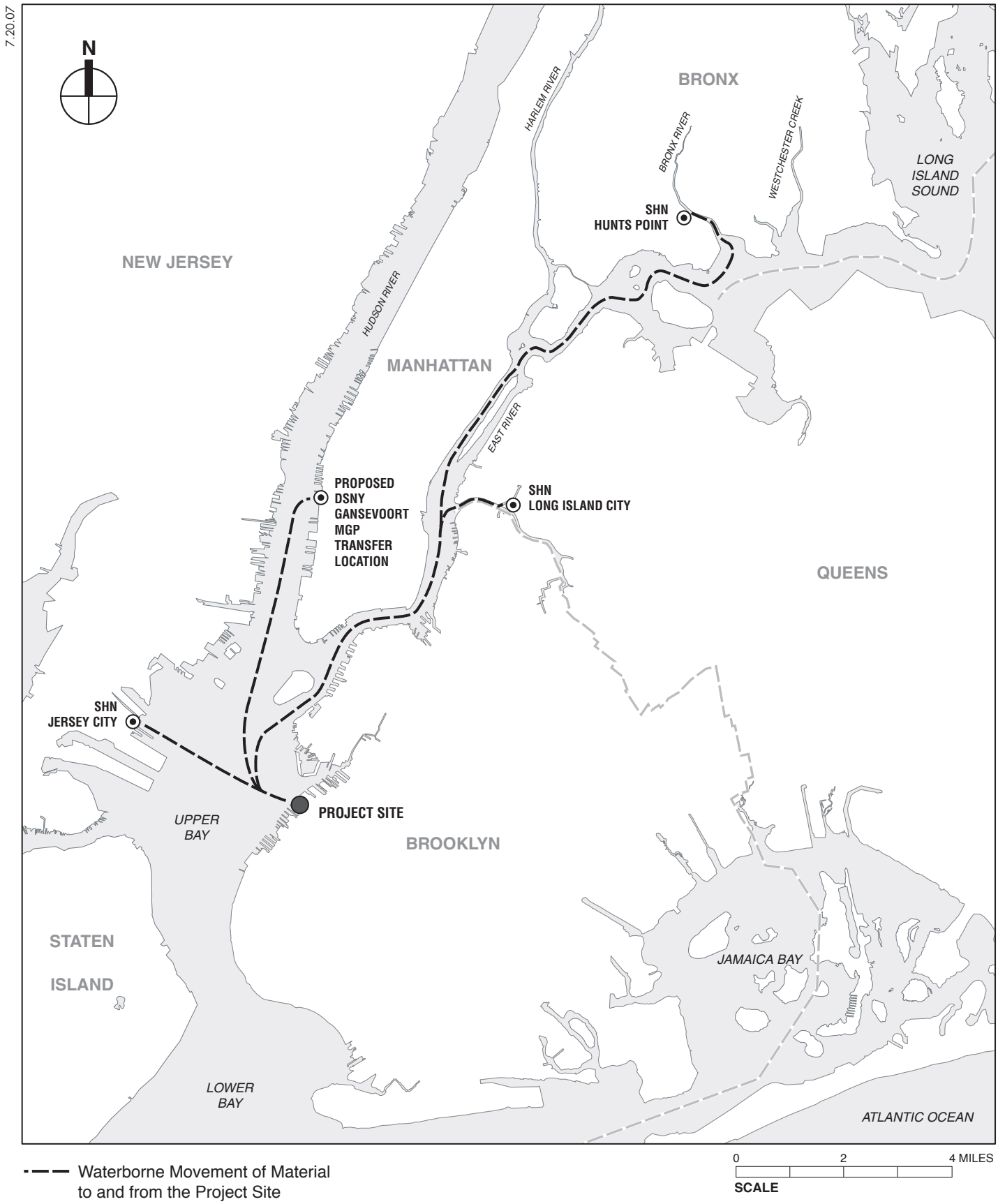
Material	Percentage
Plastic	23.54
Glass	32.84
Paper	3.26
Non-recyclable	5.76
Aseptics	1.96
Ferrous	29.79
Non-Ferrous	2.86
Total	100.01

Source: Sims, 2007; 2005 DSNY Comprehensive Citywide Composition Study



Brooklyn Service Area for DSNY MGP Trucks

Figure 5



Waterborne Movement of Material
to and from the Project Site
Figure 6

The plan for the project site would also include a facility to purchase ferrous metal (such as scrap steel). This material would not come from DSNY's curbside recycling program, but from private enterprises. Ferrous metal would be loaded into barges (along with metal from the City's program) and barged to Sims' metal processing facility in Jersey City. Since scrap metal is heavy and there are numerous private facilities that purchase it, it is not usually moved great distances from where it is generated to the scrap yard where it is bought and sold. As a result, the new ferrous metal operation is expected to draw from neighboring Brooklyn communities. The metal processing facility operation will be phased in. However, for the purposes of the EAS analysis, it is assumed that the metal processing facility will be in operation at the commencement of project operations.

The initial capacity of the facility will be based on the tonnage currently collected by DSNY. Additional processing equipment can be added over time to increase throughput capacity and accommodate growth in recycling volumes (due to growth in population and/or growth in public participation rates). However, the EAS uses the conservative (i.e. much higher) 2024 tonnage projections detailed in the SWMP to calculate impacts of the proposed facility. Table 2 below summarizes current and projected (2024) tonnages at the facility.

Table 2
Current and Projected Tonnages

Tons	MGP		Paper[2]		Private Ferrous Metal[3]
	Current[1]	2024	Current[1]	2024	Current/2024
Daily	707	1,047	157	219	150
Monthly	17,796	26,374	3,951	5,511.5	3,900
Annual	213,553	316,492	47,414	66,138	46,800

Notes:

1 Current is based on MGP tonnages currently collected by DSNY, and an estimate of how much of this material would be processed at the facility.

2 Figures are for DSNY curbside paper that would be delivered directly to the facility. Figures do not include the small amounts of additional paper that may be extracted from MGP.

3 Figures for private scrap are based on Sims best estimate of quantities that might be expected at this facility.

Source: Sims, 2007; SWMP, 2006

FACILITY LAYOUT

As shown in Figure 7, the proposed facility would have an entrance for vehicles along its eastern side.

After passing through a security booth at the site's entrance, all DSNY vehicles, ferrous metal vehicles, and trucks for sorted MGP products would be weighed on truck scales. Scales for inbound and outbound DSNY trucks and MGP product trailers would be located on the north side of the pier, while a scale for private ferrous metal trucks would be located toward the east side of the site. Dual bin DSNY trucks, which have separate compartments for MGP and paper, would have an additional scale in the northwest portion of the site. Based on average truck and vehicle processing times, there would be no queuing of trucks and passenger cars onto 2nd Avenue.

As shown in Table 3, individual buildings would be constructed for MGP and paper unloading (or "tipping"), MGP processing, bale storage, and ferrous metals. Additional space would be provided for employee and administrative services, and a visitor/education center.

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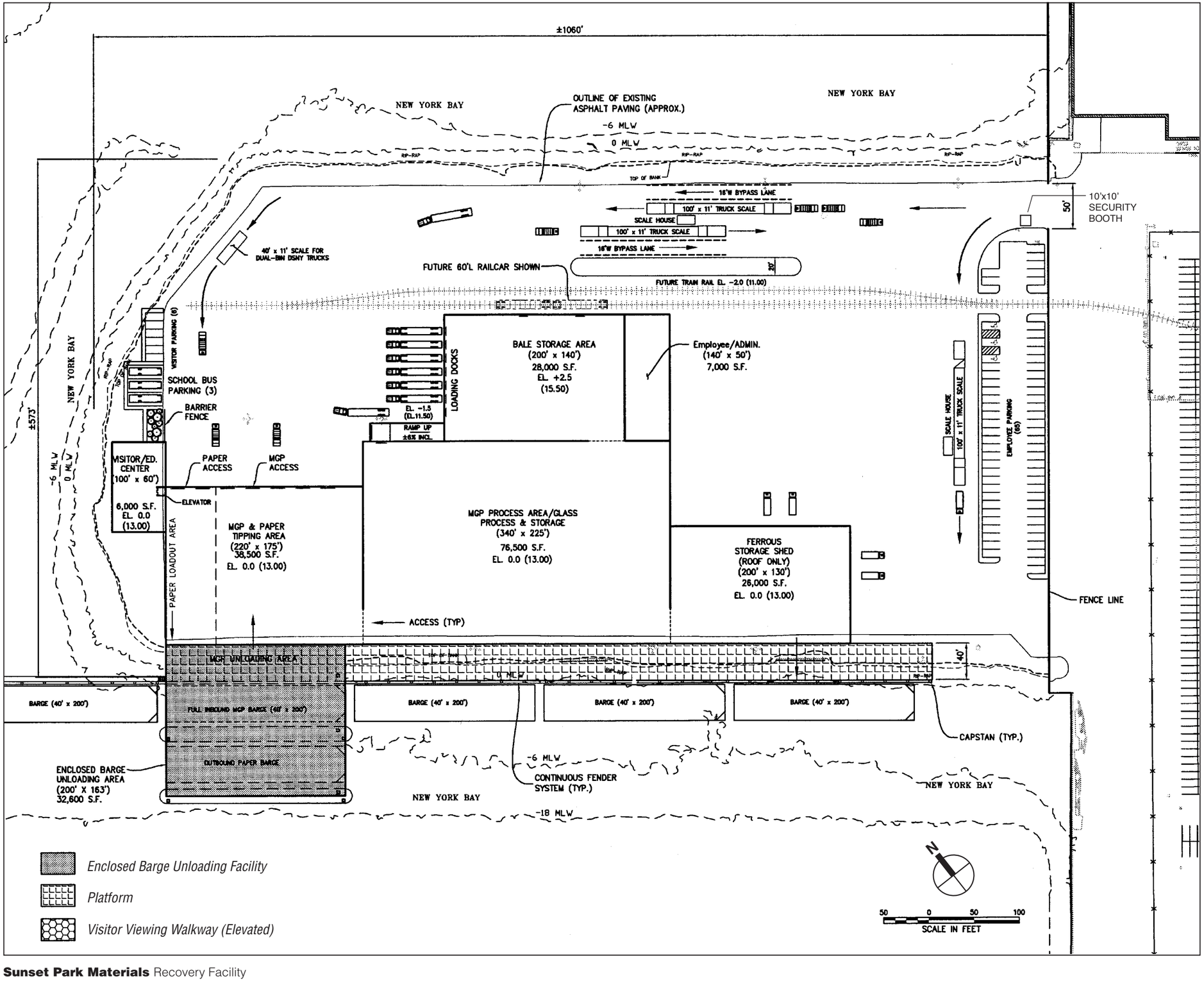

Sunset Park Materials Recovery Facility

Proposed Site Plan
Figure 7

Table 3
Proposed Structures

Building	Approximate Square Feet	Approximate Height (ft.)
MGP and Paper Tipping	38,500	59
MGP Process	76,500	60
Bale Storage	28,000	41
Employee/Administration	7,000	24
Visitor/Education Center	6,000	< 60
Ferrous Metal and Maintenance	26,000	55
Enclosed Barge Unloading Facility	32,600	58
Total	214,600	NA

Waterborne transport of material would be accommodated along the south side of the site. This would include an enclosed barge shed and tie-up areas. Parking for employees would be provided by 65 spaces along the east side of the site.

The facility would also include an education center for school groups and other visitors. It would be a separate building located at the west end of pier, allowing for views of the harbor. Most visitors are expected to be school children from New York City public schools, although a wide range of visitors are expected, including domestic and foreign government officials, private school groups, and environmental and civic organizations. School children would arrive in buses and be directed to a separate school bus parking area adjacent to the visitor center. Vehicle parking spaces would also be provided for visitors not arriving by bus. The visitor center is designed to accommodate at least two school groups at a time and would include educational, interactive exhibits suitable for children of varying ages. Educational materials will be designed to allow visitors to learn about recycling in general, the New York City recycling program in particular, and the recycling activities that occur within the Pier. A fully enclosed walkway and viewing corridor would allow students and other visitors to watch recycling operations from a safe and controlled environment.

In addition to the above-mentioned buildings, the proposed project would involve the following activities:

- Installation of underground filtration units within 30th Street Pier to treat stormwater runoff collected from the pier ground surface.
- Placement of stabilized dredged material to elevate the site above the 100-year floodplain.
- New sanitary sewer and municipal water supply connections.
- Dredging to a depth of 12 feet below Mean Low Water (MLW) within an approximately 186,000-square-foot (4.3-acre) area along the southern side of 30th Street Pier.
- Construction of an approximately 850-foot-long by 27-foot-wide relieving platform with continuous fender system along the southern edge of the pier. Construction of the relieving platform will include the installation of approximately 850 linear feet of steel sheetpile along the southern edge of the pier at the Mean Higher High Water (MHHW) elevation (+5.07 feet at MLW). The bulkhead would be at MHHW. The relieving platform will function as a marginal wharf, and will be used for berthing, loading/unloading equipment, and emergency vehicles.
- Construction of an approximately 195-foot-long by 10-foot-wide barge mooring pier on the western edge of the new wharf, extending into Gowanus Bay.

In conjunction with these activities, Sims would undertake a number of habitat enhancement measures, on- and off-site. These activities will be finalized in conjunction with DEC and the U.S. Army Corps of Engineers (USACE). Measures being considered include the following.

- On-site habitat enhancement activities along the shoreline edges of the pier outside the currently paved area that will result in the development of plant communities (upland and tidal wetland) comprising plant species characteristic of maritime coastal areas within the New York metropolitan area.
- Offsite wetlands restoration and removal of shading to offset on-site habitat disturbance and shading, as per regulatory requirements and to be undertaken in coordination with DEC and USACE.

GENERAL OPERATIONS

TIPPING AREAS

After weighing in, all inbound delivery vehicles would proceed to a tipping area. Tipping areas serve as the unloading area for delivery vehicles. The tipping area is the location where delivered materials can be inspected and where items are removed that should not continue through processing (non-designated materials or residue). Tipping areas also provide for limited storage of materials prior to processing.

The Pier has three separate tipping areas for MGP, paper, and ferrous metal (see Figure 8). In addition to accommodating deliveries of DSNY MGP trucks, the MGP tipping area would also handle inbound MGP that arrives by barge from other Sims facilities.

The MGP and paper tipping areas would be adjacent to each other and accessed from the north side of the building. The ferrous metal tipping area would be located in the ferrous metal shed. Access for vehicles would be provided on the north and east sides of the building, which are open.

MGP PROCESSING

The Sunset Park MRF would receive MGP by barge and by truck. Barges would be brought into an enclosed unloading facility and unloaded by crane into the MGP tipping area. The MGP that arrives by barge would have already had bulky metal objects removed. A front-end loader or crane would move MGP from the tipping area into the processing system located in the MGP process area. DSNY trucks that deliver MGP directly to the SBMT MRF would be weighed and directed to tip their loads in the MGP tipping area. Bulky metal would be taken to the ferrous metal area and loaded into a barge for shipment to Sims' Jersey City facility. The balance of the MGP, along with MGP that has been delivered by barge, would be moved with a crane or front-end loader into the processing system.

The processing system includes a number of steps designed to separate materials from one another and prepare individual commodities for marketing and shipment. These steps include:

- *Screening.* Mixed MGP is fed into a screen which opens any plastic bags that are still intact and separates small items such as broken glass and bottle caps from larger items.
- *Magnetic Sorting*. Magnets are used to remove ferrous metal objects ranging from bottle caps to tin cans to larger pieces of steel. Ferrous metal is taken to the barge for transport to Sims' Jersey City facility.
- *Eddy current separation.* Eddy Current Separators (ECS) are used to capture any non-ferrous metal, including aluminum caps, aluminum beverage containers and foil, and other

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LEGEND

- *Glass*
- *Plastic*
- *Metal*
- *Paper*

FACILITY ENTRANCE

TRUCK SCALES

Inbound DSNY Trucks from Brooklyn CD's 2 and 5 through 18

DUAL-BIN TRUCK SCALE

POTENTIAL RAIL

Non-Ferrous

Outbound Trucks
NF Metal
Glass
Plastic

Residue

Inbound Local Private Metal Recyclers

VISITOR PARKING

BALE STORAGE

ADMINISTRATIVE

Non-Ferrous

Residue

VISITOR AND EDUCATION CENTER

MGP & PAPER TIPPING

MGP PROCESS

Screening
Magnetic Sorting
Eddy Current Separation
Air Classification
Manual Sorting
Optical Sorting
Baling

Ferrous

FERROUS METALS

FERROUS METAL TRUCK SCALE

EMPLOYEE PARKING

Ferrous

BULKY METAL

INBOUND BARGE

OUTBOUND BARGE

To Sims Jersey City

OUTBOUND BARGE

To Sims Jersey City

OUTBOUND BARGE

To Sims Jersey City

N

Schematic Material Flow
Figure 8

non-ferrous metal objects. Non-ferrous metal is conveyed to a quality control station where manual sorters can perform quality control to remove contaminants and/or produce separate grades of non-ferrous metal (such as stainless steel and brass). Non-ferrous metal is baled and removed from the site by truck.

- *Air classification*. Air classification is used to remove light materials, such as film plastic and paper. Depending on the quality and composition of this material it may be a marketed as a recyclable or disposed of as residue. In either case, this material is baled and exported from the site by truck.
- *Manual sorting*. Manual sorting stations remove any large objects such as milk crates, plastic buckets, garden hoses, etc. Air-separated film plastic may also undergo manual removal of non-film items, such as paper and rigid plastic containers. In some cases manually sorted materials will be recyclable, and in some cases they will require disposal.
- *Optical sorting*. HDPE and PET plastics are sorted using optical sorters. Optical sorters are used to separate according to resin type and by color if needed. Sorted PET and HDPE are conveyed to a quality control station where additional manual or mechanical systems can be used to further "clean" the material if needed. Aseptic/poly-coated containers are also sorted by optical sorter. Other plastics may be optically or manually sorted depending on market conditions and other factors.

Certain sorted materials (including film plastic, PET, HDPE, non-ferrous metal, and aseptic containers) are each directed to their own storage bunkers prior to baling in one of two balers. Baled recyclables and residue will be loaded directly into trucks positioned at the loading docks, or stored temporarily in the bale storage area, which has capacity for an estimated three days of storage of each baled material. At present, it is assumed that all baled materials would be shipped from the site via truck, although the site has been planned to accommodate potential future use of rail for transport of these materials. Plastic materials would be sold to market users and would be used to make a wide range of products.

Other sorted materials, including ferrous metal and glass, would be removed from the site loose, in barges (for the purposes of the attached traffic analysis, it is conservatively assumed that some portion of the glass will leave the site by truck). Glass materials would be made into $^{3}/_{8}$-inch aggregate material and used for a variety of products, and by a number of industries. Appendix A provides a projection of waste/residue produced by the MGP processing portion of the proposed MRF in Brooklyn.

PAPER

The proposed facility would serve as an acceptance facility for DSNY paper collection trucks from select Brooklyn districts (paper will not be brought for processing from other Sims locations). DSNY trucks delivering paper will tip their load on the tipping floor. The paper will be inspected and plastic bags and other obvious contaminants will be removed prior to loading the paper out for delivery to the Sims facility in New Jersey. The degree of additional processing performed will depend on market conditions and other factors. After weigh-in and tipping, paper received in DSNY trucks would be moved by front-end loader or crane to a conveyor and onto barges that would take the paper to Sims' Jersey City facility.

SCRAP METAL

Sims will purchase metal from local individuals and companies and ship it by barge to its Jersey City facility. Inbound vehicles will be weighed in and directed to tip their loads in the ferrous metal area. A front-end loader and/or material handler will be used to sort and stockpile metal

prior to loading it onto a barge. Metal will be barged from the site, along with metal extracted from MGP, to Sims' facility in Jersey City.

It is expected that metal will be purchased from those who generate scrap metal as part of their business (such as plumbers, contractors, appliance installers), from individuals who make their living in the scrap metal business, and from homeowners with small amounts of metal to sell.

C. ACTIONS AND APPROVALS

The following City, State, and federal actions and approvals will be necessary to build and operate the proposed MRF:

CITY

- Long-term lease of City-owned property (SBS and City Council)
- Long-term contract for processing and marketing of MGP and paper (DSNY)
- Provision of capital funds for pier construction (DSNY)
- Consistency with the Local Waterfront Revitalization Program (DCP)

STATE

- Protection of Waters (DEC)
- Tidal Wetlands Permit (DEC)
- Beneficial Use Determination (DEC)
- Stormwater: State Pollutant Discharge Elimination System (SPDES) permit for construction-related discharges (General Permit) and No Exposure Certification (DEC)
- Part 360 Recycling Facility Permit (DEC)
- Grant of Easement for Use of Underwater Lands (New York State Office of General Services)
- Consistency with the Local Waterfront Revitalization Program (NYSDOS)

FEDERAL

- Section 10: Construction–Rivers and Harbors Act (USACE)
- Section 404: Dredge/Fill–Clean Water Act (USACE)
- Water Quality Certification—(DEC/USACE)
- State and federal water-related approvals will be handled under a joint permit application.

Other approvals include building permits (the New York City Department of Buildings [DOB]), and sewer discharge, water service connections, and work permit to construct (DEP).

LAND USE, ZONING, AND PUBLIC POLICY

LAND USE

The project site is located on the 30th Street Pier, west of Second Avenue in Brooklyn. The site is currently used as a vehicle impoundment lot by NYPD. The area surrounding the project site includes a number of other manufacturing and industrial uses as well as commercial, auto-related, and warehouse uses with a City Planning-designated Significant Maritime and Industrial

Area. Just east of the project site between Second and Third Avenues is a federal correctional facility. Southeast of the project site on the western side of Third Avenue is a privately operated recreational center. In addition to commercial and manufacturing uses, there are also some low-rise residential uses on the eastern side of Third Avenue. The Gowanus Expressway, a major arterial highway elevated above Third Avenue, is also located near the project site and would provide excellent connections for vehicles traveling to and from the project site. Its nearest entrance and exit is in the area of 39th Street and Third Avenue.

EDC has proposed redevelopment of a portion of SBMT south of the project site as an automobile processing, storage, and distribution operation. That project is independent of the proposed action and has undergone its own environmental review, and its leasing agreement with the City was approved by the City Council on June 2006. The Axis Group, Inc., a specialized vehicle logistics services company, is leasing approximately 74 acres of the SBMT site for automobile processing, storage, and distribution. Space will also be marketed for storage and distribution of other types of maritime cargo. EDC will also be making site improvements at SBMT, including rail-related work, grading and demolition work, repaving, infrastructure improvements, and relocation of existing uses. The impoundment lot would be relocated as part of the Axis project.

The proposed project would require a lease agreement of the City-owned 30th Street Pier to Sims. Operations would include receipt, sorting, processing, and shipping of recyclable materials. The proposed use would not significantly alter the land use patterns of the area, nor would it change land use policies in the study area. The proposed project would result in a land use that is consistent with existing and future uses surrounding the project site. Overall, the proposed action would not result in any significant impacts on land use. Should Sims decide to implement rail freight handling capabilities at the facility in the future, modification of the facility would be required and would be subject to its own discretionary approval and CEQR review.

ZONING

The project site is located in a heavy manufacturing M3-1 zoning district, as shown in Figure 2. M3-1 districts generally include heavy industrial uses that generate noise, traffic, and pollutants. Typical uses include chemical and power plants. These districts are usually located near the waterfront and are buffered from residential areas. Uses within this district must comply with the performance standards presented in the New York City Zoning Resolution. The maximum floor-area ratio (FAR) in a M3-1 district is 2.0 for commercial or manufacturing uses.

West of Third Avenue, properties surrounding the project site are within the heavy manufacturing M3-1 zoning district. Properties east of Third Avenue are zoned light manufacturing M1-2D. M1 districts are often adjacent to residential or commercial districts, and serve as a buffer between manufacturing and residential districts. Performance standards also apply to M1 districts. Light industries typically found in M1 areas include knitting mills, printing plants, and wholesale service facilities. Retail and office uses are also permitted; Use Group 4 community facilities (i.e., churches, community centers, or hospitals) are allowed in M1 zones by special permit. While residential development is generally not allowed in manufacturing districts, M1 districts with a significant number of residential buildings may be mapped M1-5. The “D” suffix indicates that limited new residential uses on sites that meet specific criteria are permitted by special authorization by the New York City Planning Commission (CPC). The maximum FAR in the M1-2D district is 2.0 for commercial and manufacturing uses, 4.8 for community facility uses, and 1.65 for residential uses.

The proposed recycling facility is considered to be in Use Group 18, which is an allowable use under the existing M3-1 zoning on the project site. The project's proposed FAR is approximately 0.41. The proposed action would not change the zoning of the project site, and no significant impacts to zoning are expected to occur with the proposed action.

PUBLIC POLICY

The proposed facility would be in keeping with established public policy. As described above, it would be in support of the City's *Solid Waste Management Plan* and its goals to develop a recycling facility on the project site, reduce area-wide truck trips, and provide state-of-the-art local recycling infrastructure. It would also be an important part of the City's effort to redevelop the SBMT as part of EDC's Strategic Port Plan (also described above) and would be consistent with other waterfront policies (for additional information see Attachment A, "Waterfront Revitalization Program").

The proposed project would not interfere with or adversely affect the planning for the potential development of an 18-foot-wide greenway proposed along the current sidewalk of Second Avenue, and would be consistent with the recommendations of the City's 1993 *Greenway Plan for New York* and 1994 *Plan for the Brooklyn Waterfront.*

The project site is located within a New York State Empire Zone. The Empire Zone program was created to stimulate economic growth through a variety of State tax incentives designed to attract new businesses and enable existing businesses to expand and create more jobs. Businesses that locate in an Empire Zone and increase their employment or make certain capital investments are eligible for certain State tax benefits and incentives, such as income tax credits, wage tax credits, investment tax credits, real property tax credits, and sales tax exemptions.

The project site is located in the Southwest Brooklyn Industrial Business Zone. The comprehensive *New York City Industrial Policy: Protecting and Growing New York City's Industrial Job Base* (City of New York, 2005) policy coordinates existing programs and adds new, complementary initiatives that together support industrial employees, companies, and the sector as a whole. The research indicates that New York City is at risk of losing viable industrial employers. The City's industrial policy strengthens the City's competitive position by creating a coordinated set of initiatives that will address the greatest risk factors: inadequate industrial space, prohibitive costs, and an unfriendly business environment.

Overall, the proposed action would be consistent with and in support of established public policies, and no significant impacts on public policy are expected to occur as a result of the proposed action.

SOCIOECONOMIC CONDITIONS

The proposed action would not displace residential populations, or displace any businesses. The action would not result in a substantially new development or a markedly different use than those existing within the neighborhood. In accordance with the 2001 *CEQR Technical Manual*, a detailed socioeconomic assessment is not warranted, and the project would not result in significant impacts on socioeconomic conditions.

COMMUNITY FACILITIES AND SERVICES

The project would not increase the residential housing units by more than 100, the 2001 *CEQR Technical Manual* threshold requiring a detailed analysis of impacts on community facilities. Therefore, a detailed assessment of community facilities is not warranted, and the proposed action would not result in any significant impacts on community facilities.

OPEN SPACE

The project would not displace any public or private open space, nor increase the residential population of the area by greater than the 200-resident threshold of the 2001 *CEQR Technical Manual*. In addition, the proposed action would not result in 500 or more new employees, the 2001 *CEQR Technical Manual* threshold requiring a quantified assessment of open space. Therefore, a detailed assessment of open space is not required, and no significant open space impacts are expected to occur as a result of the proposed action.

The proposed project would not interfere with or adversely affect the planning for the potential development of a greenway proposed along Second Avenue to be developed by the New York State Department of State.

SHADOWS

As stated in the 2001 *CEQR Technical Manual*, an adverse shadow impact is considered to occur when the shadow from a proposed project falls on a publicly accessible open space, historic landscape, or other historic resource if the features that make the resource significant depend on sunlight or important natural features and adversely affects its use/and or important landscaping and vegetation. The tallest proposed structure would be approximately 60 feet in height, and would have the potential to cast a maximum shadow of 258 feet. No parks, publicly accessible open spaces, historic resources, or architectural resources with sunlight-dependent features would fall within this maximum shadow length. No significant shadow impacts are anticipated as a result of the proposed action.

HISTORIC RESOURCES

The project site currently contains a vehicle impoundment lot. There are no known architectural resources (properties listed on or determined eligible for listing on the State and National Registers of Historic Places [S/NR] or New York City Landmarks [NYCLs] or structures pending such designation) or structures that would qualify for S/NR listing or NYCL designation on the project site. There are also no known architectural resources within approximately 400 feet of the project site.

There are no known archaeological resources on the project site. The pier, which was created after 1951, consists of solid fill and rip-rap. The New York City Landmarks Preservation Commission (LPC) has conducted a preliminary assessment of the site and concluded that the 30th Street Pier is of no archaeological significance.

URBAN DESIGN AND VISUAL RESOURCES

The proposed facility would be similar in scale, design, arrangement, and size as many of the structures found along Brooklyn's working waterfront. The proposed project would comply with zoning and would not have substantially different bulk or setbacks from those that exist in the neighborhood. Since the construction would not occur in an area that has important views, natural resources, or landmark structures, an urban design or visual resources assessment is not warranted, in accordance with the 2001 *CEQR Technical Manual*. The proposed action would not result in any significant impacts on urban design and visual resources.

NEIGHBORHOOD CHARACTER

The proposed action would result in the operation of a recycling facility on the project site. The area surrounding the project site contains primarily industrial and manufacturing uses, as well as a prison.

The proposed action would result in changes that would make the project site more active and in keeping with the area's historic character as a working waterfront. The proposed facility would not conflict with surrounding land uses, conflict with land use policy or other public plans for

the area, substantially change land use character, or result in a significant land use impact. As described above, the proposed project would allow for development of a greenway proposed as to be developed by the New York State Department of State that would provide waterfront access for surrounding neighborhoods.

The proposed facility would be consistent with other industrial uses in the study area. The project would not result in substantial changes to urban design, visual resources, historic resources, or socioeconomic conditions; nor would the project result in any significant negative impacts on air quality or noise. In addition, the project would not create any significant impacts on traffic and public transit in the area. Overall, the proposed action would not adversely affect neighborhood character.

HAZARDOUS MATERIALS

Although several studies have been conducted for the overall SBMT property, limited information pertains to the project site, specifically, two soil borings that were performed during the Phase II Environmental Site Assessment (TRC Environmental Corporation, September 2002). One boring, B-1, conducted in approximately the center of the project site, found beneath the asphalt soils with a variety of historic fill materials (brick, wood, cinders, etc.) and petroleum staining/odors at depths of 4 feet, and intermittently at greater depths down to 35 feet. Laboratory analysis of a soil sample from 4 to 5 feet found very low levels of certain volatile organic compounds (VOCs) typically (but not invariably) associated with gasoline, and polycyclic aromatic hydrocarbons at levels commonly found in urban fill. Levels of metals were not significantly elevated, and levels of polychlorinated biphenals (PCBs) were below regulatory guidelines. Historic fill (but no indication of petroleum contamination) was found in the other boring, which is closer to the eastern boundary of the project site, and no laboratory analysis was conducted.

Since additional fill would be placed to raise the proposed development out of the floodplain, disturbance of the existing fill would be limited, but would include some excavation for installation of new utilities and potentially some excavation for building foundations. The existing fill underlying the site is of unknown origin, and one of the two borings conducted indicated the potential for petroleum contamination. Therefore, prior to the construction of the proposed project, additional subsurface investigations would be conducted in those areas where excavation is contemplated. A work plan for the investigation (incorporating a health and safety plan [HASP]) would be submitted to the New York City Department of Enviromental Protection (DEP) for review and approval. Following performance of the investigation, the need for additional testing or remediation would be determined, also with DEP approval. All work would be conducted under an environmental construction health and safety plan (CHASP) and Remedial Action Plan (RAP). To protect workers, the public, and the environment, the CHASP would address both any known contamination issues (based on the subsurface testing) and contingency items (e.g., finding unexpected petroleum storage tanks). The CHASP would also include the designation and training of appropriate personnel, monitoring for the presence of contamination (e.g., buried tanks or soil with discoloration, staining, or odors), and appropriate response plans.

To prevent the potential off-site transport of dust, dust control measures would be implemented during all earth-disturbing operations. The RAP would address procedures for stockpiling, testing, loading, transporting (including truck routes), and properly disposing of all excavated material requiring off-site disposal. If any underground tanks were unexpectedly discovered during excavation activities, they would be registered with DEC and removed along with any associated contaminated soil in accordance with DEC requirements.

To ensure that plans for the above measures—including the subsurface testing, CHASP, and RAP—are submitted to DEP for review/approval and subsequently implemented, EDC has entered into a Memorandum of Understanding (MOU) with DEP.

The proposed diesel fuel tank would be registered with DEC, and installed and maintained in accordance with all applicable regulations. No toxic or hazardous materials would be processed at the facility. With the MOU requiring implementation of the measures described above prior to and during construction, there would be no potential for significant adverse impacts related to hazardous materials during construction of the proposed project. Following construction, there would be no potential for exposure to any remaining subsurface contamination.

A Remedial Action Plan/Soil Management Plan (RAP) and a CHASP would be prepared and submitted to DEP prior to the start of any on-site construction.

Sims would not be required to implement any of the hazardous materials requirements, as EDC would prepare the site for them. Therefore, EDC would commit to prepare an appropriate RAP and HASP for the site prior to any on-site construction activities. EDC would hire the contractor to perform all site preparation work, and would ensure that a RAP and HASP approved by DEP were utilized before and during construction. EDC is prepared to enter into an MOU with DEP as necessary to ensure that these hazardous materials requirements are met.

WATERFRONT REVITALIZATION

See Attachment A, "Waterfront Revitalization Program."

INFRASTRUCTURE

The proposed facility would result in a negligible increase in water demand, and sewage generation. According to the guidelines of the *CEQR Technical Manual*, a detailed assessment of infrastructure is not warranted.

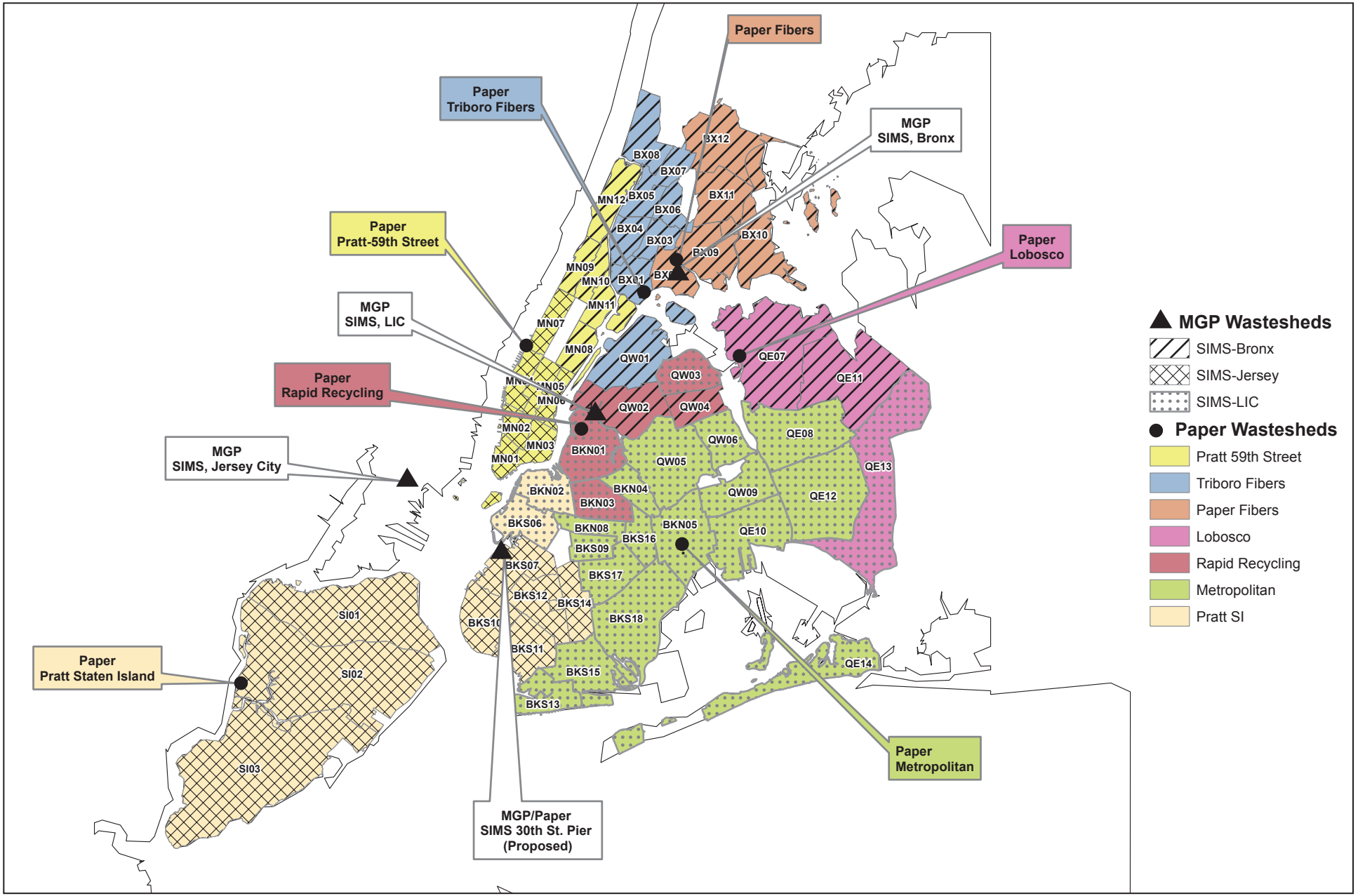
The existing drainage system at SBMT flows into Gowanus Bay. The existing stormwater lines and catch basins, which are in disrepair, will be replaced as part of EDC's upgrades to SBMT prior to construction of the proposed project. New storm drain lines and catch basins will be installed and connected to existing trunk lines, or through a new trunk line system should the existing pipes prove be inadequate. All stormwater will be treated through underground filtration units prior to discharge. A leachate collection system would also be implemented to control any leachate generated within the tipping floor of the recycling facility. The collected leachate would be discharged into the sewer system.

The project site falls within the service area of the Owl's Head Water Pollution Control Plant (WPCP). Connections to the existing combined sewer system that runs below Second Avenue would be made to handle sanitary waste from the proposed project.

Overall, no impacts on infrastructure are expected to result from the proposed actions.

SOLID WASTE AND SANITATION SERVICES

Sims proposes to enter into a long-term contract with the DSNY to process and market source separated recyclables delivered by DSNY. The initial contract term is 23 years, with one 10-year renewal option followed by one 7-year renewal option. At present, recyclable materials are delivered to existing Material Recycling Facilities by truck. DSNY's current recycling network of districts and their respective processing vendor tipping locations is depicted in Figure 9. The proposed facility would reduce existing truck traffic on New York City roads by providing an additional tipping location for DSNY collection trucks. This would result in a reduction of more than 200,000 VMTs. The proposed facility itself will not result in an increase in solid waste generation. Therefore, no significant adverse impacts on solid waste services are expected to



DSNY Recycling Network

Figure 9

Sunset Park Materials Recovery Facility

result from the proposed action. Attachment G considers the effect of the proposed project upon the City's system of solid waste management.

ENERGY

The proposed facility would conform to the New York State Energy Conservation Code, which reflects State and City energy policies. According to the 2001 *CEQR Technical Manual*, detailed assessments of energy impacts are limited to those actions that would significantly affect the transmission or generation of energy or that generate substantial indirect consumption of energy. The proposed facility would be served by available energy suppliers, and the preparation of a detailed assessment of energy impacts is not required. The proposed action would not result in any significant impacts on energy.

TRAFFIC AND PARKING

See Attachment B, "Traffic and Parking."

TRANSIT AND PEDESTRIANS

Public transit service is available via New York City Transit (NYCT)'s D, M, N, and R subway lines with stations located along Fourth Avenue at Prospect Avenue, 25th Street, and 36th Street (see Figure 10). Several NYCT bus routes also serve the area (see Figure 9). The proposed project would generate primarily vehicle trips and would not result in a number of transit trips that would exceed the CEQR threshold for requiring a detailed analysis. Therefore, the proposed project is not expected to result in significant adverse transit impacts.

As with transit, the proposed project would not generate a sufficient number of pedestrian trips to require a detailed pedestrian analysis per *CEQR Technical Manual* guidelines. Therefore, the proposed project is not expected to result in any significant adverse pedestrian impacts.

AIR QUALITY

See Attachment C, "Air Quality."

NOISE

See Attachment D, "Noise."

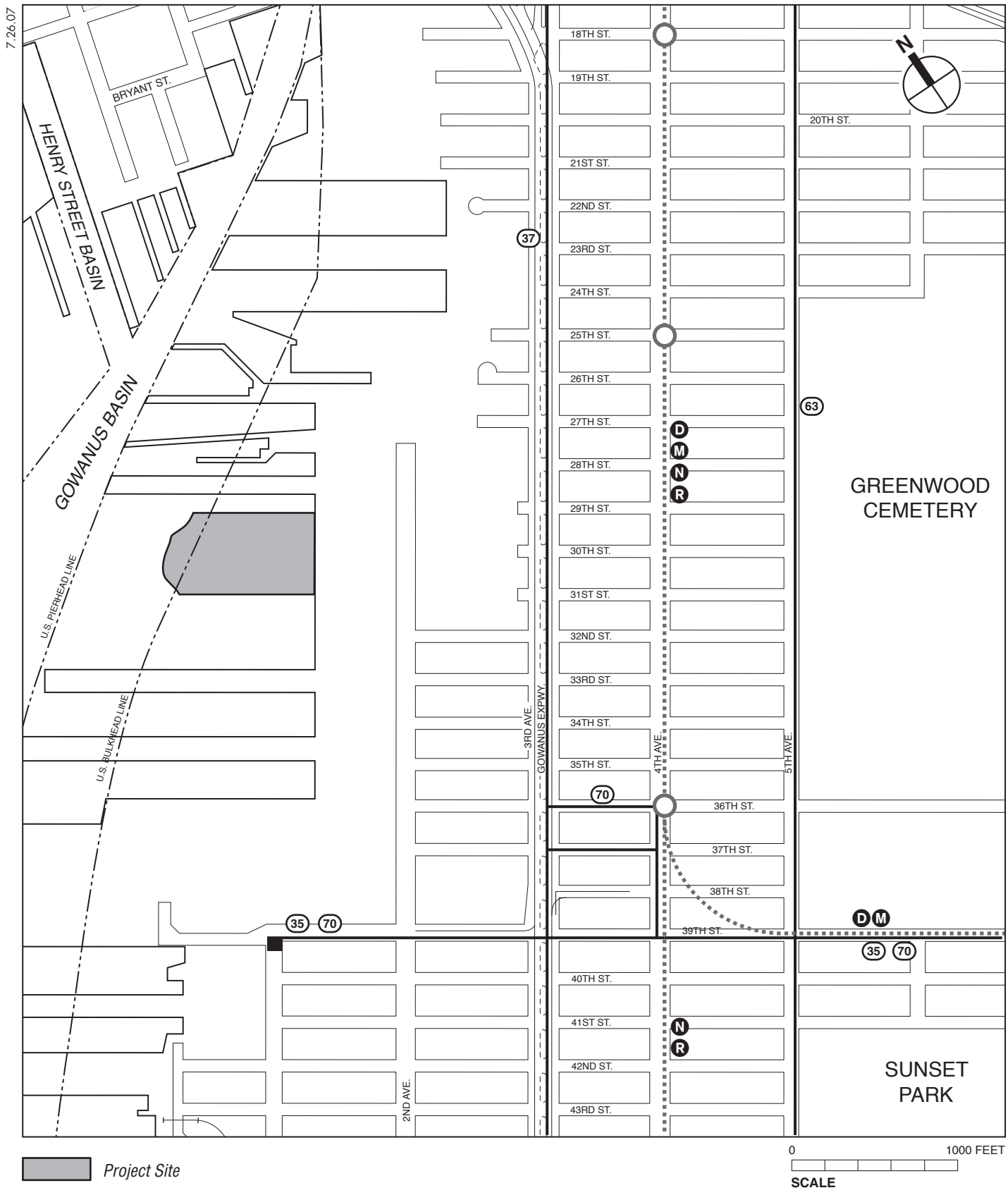
NATURAL RESOURCES

See Attachment F, "Natural Resources."

CONSTRUCTION IMPACTS

Construction activities associated with the proposed action would result in temporary disruption to the surrounding area, including occasional noise and dust. However, this would be true of any construction project, and these effects would be short-term and would not be considered significant. All appropriate fugitive dust control measures would be employed to reduce the generation and spread of dust.

Increased noise levels created by the construction activities would also occur. Construction noise is regulated by the New York City Noise Control Code and by the U.S. Environmental Protection Agency (EPA) noise emission standards for construction equipment. These federal and local requirements mandate that certain classifications of construction equipment and motor vehicles meet specified noise emissions standards. In accordance with the New York City Noise Code, a Construction Noise Mitigation Plan will be implemented. Except under exceptional circumstances, construction activities must be limited to weekdays between the hours of 7 AM



Transit Routes

Figure 10

and 6 PM. Construction materials must be handled and transported in such a manner as to not create any unnecessary noise. Compliance with those noise control measures would be ensured by including them in the contract documents as materials specification and by directives to the construction contractors. No significant impacts are expected to occur as a result of the construction.

Construction of the project would also require a general SPDES permit from DEC, which includes a description of construction activities, phasing, an erosion and sediment control plan, and a construction Health and Safety Plan (HASP) to be approved by DEP to ensure the protection of workers and the public from exposure to potential contaminants during construction activities.

PUBLIC HEALTH

The proposed action would not generate any public health concerns raised from increased vehicular traffic or air emissions, noise, increased exposure to heavy metals, the presence of contamination from historic spills, or other activities identified in the 2001 *CEQR Technical Manual*. In accordance with the 2001 *CEQR Technical Manual*, a public health assessment is not required and no significant impacts on public health are expected to result from the proposed action.

Applicant Certification

24.

Linh Do	**Sims Municipal Recycling of New York, LLC**
PREPARER NAME	PRINCIPAL
Senior Vice President, AKRF	**Thomas Outerbridge**
PREPARER TITLE	NAME OF PRICIPAL REPRESENTATIVE
PREPARER SIGNATURE	**Manager, Municipal Recycling**
	TITLE OF PRINCIPAL REPRESENTATIVE
	SIGNATURE OF PRINCIPAL REPRESENTATIVE
3/20/2008	3/20/2008
DATE	DATE

NOTE: Any person who knowingly makes a false statement or who knowingly falsifies any statement on this form or allows any such statement to be falsified shall be guilty of an offense punishable by fine or imprisonment or both, pursuant to Section 10-154 of the New York City Administrative Code, and may be liable under applicable laws.

Impact Significance

PART III, ENVIRONMENTAL ASSESSMENT AND DETERMINATION

TO BE COMPLETED BY THE LEAD AGENCY

The lead agency should complete this Part after Parts I and II have been completed. In completing this Part, the lead agency should consult 6 NYCRR 617.7, which contains the State Department of Environmental Conservation's criteria for determining significance.

The lead agency should ensure the creation of a record sufficient to support the determination in this Part. The record may be based upon analyses submitted by the applicant (if any) with Part II of the EAS. The CEQR Technical Manual sets forth methodologies developed by the City to be used in analyses prepared for the listed categories. Alternative or additional methodologies may be utilized by the lead agency.

1. For each of the impact categories listed below, consider whether the action may have a significant effect on the environment with respect to the impact category. If it may, answer yes.

LAND USE, ZONING, AND PUBLIC POLICY	No
SOCIOECONOMIC CONDITIONS	No
COMMUNITY FACILITIES AND SERVICES	No
OPEN SPACE	No
SHADOWS	No
HISTORIC RESOURCES	No
URBAN DESIGN/VISUAL RESOURCES	No
NEIGHBORHOOD CHARACTER	No
NATURAL RESOURCES	No
HAZARDOUS MATERIALS	No
WATERFRONT REVITALIZATION PROGRAM	No
INFRASTRUCTURE	No
SOLID WASTE AND SANITATION SERVICES	No
ENERGY	No
TRAFFIC AND PARKING	No
TRANSIT AND PEDESTRIANS	No
AIR QUALITY	No
NOISE	No
CONSTRUCTION IMPACTS	No
PUBLIC HEALTH	No

2. Are there any aspects of the action relevant to the determination whether the action may have a significant impact on the environment, such as combined or cumulative impacts, that were not fully covered by other responses and supporting materials? If there are such impacts, explain them and state where, as a result of them, the action may have a significant impact on the environment. **No**

3. If the lead agency has determined in its answers to questions 1 and 2 of this Part that the action will have no significant impact on the environment, a negative declaration is appropriate. The lead agency may, in its discretion, further elaborate here upon the reasons for issuance of a negative declaration. **Please see attached Negative Declaration.**

4. If the lead agency has determined in its answers to questions 1 and 2 of this part that the action may have a significant impact on the environment, a conditional negative declaration (CND) may be appropriate if there is a private applicant for the action and the action is not Type I. A CND is only appropriate when conditions imposed by the lead agency will modify the proposed action so that no significant adverse environmental impacts will result. If a CND is appropriate, the lead agency should describe here the conditions to the action that will be undertaken and how they will mitigate potential significant impacts. **N/A**

5. If the lead agency has determined that the action may have a significant impact on the environment, and if a conditional negative declaration is not appropriate, then the lead agency should issue a positive declaration. Where appropriate, the lead agency may, in its discretion, further elaborate here upon the reasons for issuance of a positive declaration. In particular, if supporting materials do not make clear the basis for a positive declaration, the lead agency should describe briefly the impact(s) it has identified that may constitute a significant impact on the environment. **N/A**

Lead Agency Certification

Abas O. Braimah;	**Art Aguilar**	**Robert Orlin;**	**Andrew Schwartz**
PREPARER NAME		NAME OF LEAD AGENCY REPRESENTATIVE	
City Planner, DSNY;	**Senior Planner, EDC SBS**	**Deputy Commissioner for Legal Affairs, DSNY; Deputy Commissioner &General Counsel, SBS**	
PREPARER TITLE		TITLE OF CO-LEAD AGENCY REPRESENTATIVES	
PREPARER SIGNATURE		SIGNATURES OF CO-LEAD AGENCY REPRESENTATIVES	
March 26, 2008	**March 27, 2008**	**March 26, 2008**	**March 27, 2008**
DATE		DATE	