



**Department of
Environmental
Conservation**

Brownfield Cleanup Program
Citizen Participation Plan
for
BH Aircraft Site, Site No. C152247

February 2018

441 Eastern Parkway
East Farmingdale, NY
Suffolk County New York

Contents

<u>Section</u>	<u>Page Number</u>
1. What is New York’s Brownfield Cleanup Program?	3
2. Citizen Participation Activities	3
3. Major Issues of Public Concern	10
4. Site Information	10
5. Investigation and Cleanup Process	11
Appendix A - Project Contacts and Locations of Reports and Information	15
Appendix B - Site Contact List	17
Appendix C - Site Location Map	20
Appendix D - Brownfield Cleanup Program Process	21

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Note: The information presented in this Citizen Participation Plan was current as of the date of its approval by the New York State Department of Environmental Conservation. Portions of this Citizen Participation Plan may be revised during the site’s investigation and cleanup process.

Applicant: **441 Eastern Parkway LLC (“Applicant”)**
Site Name: **BH Aircraft Site (“Site”)**
Site Address: **441 Eastern Parkway, East Farmingdale, NY 11735**
Site County: **Suffolk County**
Site Number: **C152247**

1. What is New York’s Brownfield Cleanup Program?

New York’s Brownfield Cleanup Program (BCP) works with private developers to encourage the voluntary cleanup of contaminated properties known as “brownfields” so that they can be reused and developed. These uses include recreation, housing, and business.

A *brownfield* is any real property that is difficult to reuse or redevelop because of the presence or potential presence of contamination. A brownfield typically is a former industrial or commercial property where operations may have resulted in environmental contamination. A brownfield can pose environmental, legal, and financial burdens on a community. If a brownfield is not addressed, it can reduce property values in the area and affect economic development of nearby properties.

The BCP is administered by the New York State Department of Environmental Conservation (NYSDEC) which oversees Applicants who conduct brownfield site investigation and cleanup activities. An Applicant is a person who has requested to participate in the BCP and has been accepted by NYSDEC. The BCP contains investigation and cleanup requirements, ensuring that cleanups protect public health and the environment. When NYSDEC certifies that these requirements have been met, the property can be reused or redeveloped for the intended use.

For more information about the BCP, go online at:
<http://www.dec.ny.gov/chemical/8450.html>.

2. Citizen Participation Activities

Why NYSDEC Involves the Public and Why It Is Important

NYSDEC involves the public to improve the process of investigating and cleaning up contaminated sites, and to enable citizens to participate more fully in decisions that affect their health, environment, and social well-being. NYSDEC provides opportunities for citizen involvement and encourages early two-way communication with citizens before decision makers form or adopt final positions.

Involving citizens affected and interested in site investigation and cleanup programs is important for many reasons. These include:

- Promoting the development of timely, effective site investigation and cleanup programs that protect public health and the environment
- Improving public access to, and understanding of, issues and information related to a particular site and that site's investigation and cleanup process
- Providing citizens with early and continuing opportunities to participate in NYSDEC's site investigation and cleanup process
- Ensuring that NYSDEC makes site investigation and cleanup decisions that benefit from input that reflects the interests and perspectives found within the affected community
- Encouraging dialogue to promote the exchange of information among the affected/interested public, State agencies, and other interested parties that strengthens trust among the parties, increases understanding of site and community issues and concerns, and improves decision making.

This Citizen Participation (CP) Plan provides information about how NYSDEC will inform and involve the public during the investigation and cleanup of the site identified above. The public information and involvement program will be carried out with assistance, as appropriate, from the Applicant.

Project Contacts

Appendix A identifies NYSDEC project contact(s) to whom the public should address questions or request information about the site's investigation and cleanup program. The public's suggestions about this CP Plan and the CP program for the site are always welcome. Interested people are encouraged to share their ideas and suggestions with the project contacts at any time.

Locations of Reports and Information

The locations of the reports and information related to the site's investigation and cleanup program also are identified in Appendix A. These locations provide convenient access to important project documents for public review and comment. Some documents may be placed on the NYSDEC web-site. If this occurs, NYSDEC will inform the public in fact sheets distributed about the site and by other means, as appropriate.

Site Contact List

Appendix B contains the site contact list. This list has been developed to keep the community informed about, and involved in, the site's investigation and cleanup process. The site contact list will be used periodically to distribute fact sheets that provide updates about the status of the project. These will include notifications of upcoming activities at the site (such as fieldwork), as well as availability of project documents and announcements about public comment periods.

The site contact list includes, at a minimum:

- chief executive officer and planning board chairperson of each county, city, town and village in which the site is located;
- residents, owners, and occupants of the site and properties adjacent to the site;
- the public water supplier which services the area in which the site is located;
- any person who has requested to be placed on the site contact list;
- the administrator of any school or day care facility located on or near the site for purposes of posting and/or dissemination of information at the facility;
- location(s) of reports and information.

The site contact list will be reviewed periodically and updated as appropriate. Individuals and organizations will be added to the site contact list upon request. Such requests should be submitted to the NYSDEC project contact(s) identified in Appendix A. Other additions to the site contact list may be made at the discretion of the NYSDEC project manager, in consultation with other NYSDEC staff as appropriate.

Note: The first site fact sheet (usually related to the draft Remedial Investigation Work Plan) is distributed both by paper mailing through the postal service and through DEC Delivers, its email listserv service. The fact sheet includes instructions for signing up with the appropriate county listserv to receive future notifications about the site. See <http://www.dec.ny.gov/chemical/61092.html>.

Subsequent fact sheets about the site will be distributed exclusively through the listserv, except for households without internet access that have indicated the need to continue to receive site information in paper form. Please advise the NYSDEC site project manager identified in Appendix A if that is the case. Paper mailings may continue during the investigation and cleanup process for some sites, based on public interest and need.

CP Activities

The table at the end of this section identifies the CP activities, at a minimum, that have been and will be conducted during the site's investigation and cleanup program. The

flowchart in Appendix D shows how these CP activities integrate with the site investigation and cleanup process. The public is informed about these CP activities through fact sheets and notices distributed at significant points during the program. Elements of the investigation and cleanup process that match up with the CP activities are explained briefly in Section 5.

- **Notices and fact sheets** help the interested and affected public to understand contamination issues related to a site, and the nature and progress of efforts to investigate and clean up a site.
- **Public forums, comment periods and contact with project managers** provide opportunities for the public to contribute information, opinions and perspectives that have potential to influence decisions about a site's investigation and cleanup.

The public is encouraged to contact project staff at any time during the site's investigation and cleanup process with questions, comments, or requests for information.

This CP Plan may be revised due to changes in major issues of public concern identified in Section 3 or in the nature and scope of investigation and cleanup activities. Modifications may include additions to the site contact list and changes in planned citizen participation activities.

Technical Assistance Grant

NYSDEC must determine if the site poses a significant threat to public health or the environment. This determination generally is made using information developed during the investigation of the site, as described in Section 5.

If the site is determined to be a significant threat, a qualifying community group may apply for a Technical Assistance Grant (TAG). The purpose of a TAG is to provide funds to the qualifying group to obtain independent technical assistance. This assistance helps the TAG recipient to interpret and understand existing environmental information about the nature and extent of contamination related to the site and the development/implementation of a remedy.

An eligible community group must certify that its membership represents the interests of the community affected by the site, and that its members' health, economic well-being or enjoyment of the environment may be affected by a release or threatened release of contamination at the site.

As of the date the declaration (page 2) was signed by the NYSDEC project manager, the significant threat determination for the site had not yet been made.

To verify the significant threat status of the site, the interested public may contact the NYSDEC project manager identified in Appendix A.

For more information about TAGs, go online at <http://www.dec.ny.gov/regulations/2590.html>

Note: The table identifying the citizen participation activities related to the site's investigation and cleanup program follows on the next page:

Citizen Participation Activities	Timing of CP Activity(ies)
Application Process:	
<ul style="list-style-type: none"> • Prepare site contact list • Establish document repository(ies) 	At time of preparation of application to participate in the BCP.
<ul style="list-style-type: none"> • Publish notice in Environmental Notice Bulletin (ENB) announcing receipt of application and 30-day public comment period • Publish above ENB content in local newspaper • Mail above ENB content to site contact list • Conduct 30-day public comment period 	When NYSDEC determines that BCP application is complete. The 30-day public comment period begins on date of publication of notice in ENB. End date of public comment period is as stated in ENB notice. Therefore, ENB notice, newspaper notice, and notice to the site contact list should be provided to the public at the same time.
After Execution of Brownfield Site Cleanup Agreement (BCA):	
<ul style="list-style-type: none"> • Prepare Citizen Participation (CP) Plan 	Before start of Remedial Investigation Note: Applicant must submit CP Plan to NYSDEC for review and approval within 20 days of the effective date of the BCA.
Before NYSDEC Approves Remedial Investigation (RI) Work Plan:	
<ul style="list-style-type: none"> • Distribute fact sheet to site contact list about proposed RI activities and announcing 30-day public comment period about draft RI Work Plan • Conduct 30-day public comment period 	Before NYSDEC approves RI Work Plan. If RI Work Plan is submitted with application, public comment periods will be combined and public notice will include fact sheet. Thirty-day public comment period begins/ends as per dates identified in fact sheet.
After Applicant Completes Remedial Investigation:	
<ul style="list-style-type: none"> • Distribute fact sheet to site contact list that describes RI results 	Before NYSDEC approves RI Report
Before NYSDEC Approves Remedial Work Plan (RWP):	
<ul style="list-style-type: none"> • Distribute fact sheet to site contact list about draft RWP and announcing 45-day public comment period • Public meeting by NYSDEC about proposed RWP (if requested by affected 	Before NYSDEC approves RWP. Forty-five day public comment period begins/ends as per dates identified in fact sheet. Public meeting would be held within the 45-day public comment period.

Citizen Participation Activities	Timing of CP Activity(ies)
community or at discretion of NYSDEC project manager) • Conduct 45-day public comment period	
Before Applicant Starts Cleanup Action:	
• Distribute fact sheet to site contact list that describes upcoming cleanup action	Before the start of cleanup action.
After Applicant Completes Cleanup Action:	
• Distribute fact sheet to site contact list that announces that cleanup action has been completed and that NYSDEC is reviewing the Final Engineering Report • Distribute fact sheet to site contact list announcing NYSDEC approval of Final Engineering Report and issuance of Certificate of Completion (COC)	At the time the cleanup action has been completed. Note: The two fact sheets are combined when possible if there is not a delay in issuing the COC.

3. Major Issues of Public Concern

This section of the CP Plan identifies major issues of public concern that relate to the site. Additional major issues of public concern may be identified during the course of the site's investigation and cleanup process.

Information submitted with the BCP application regarding the environmental condition at the site is currently under review and will be revised as additional information becomes available.

4. Site Information

Appendix C contains a map identifying the location of the site.

Site Description

- **location – 441 Eastern Parkway, East Farmingdale, NY**
- **setting - Commercial**
- **site size – 3.52 acres**
- **adjacent properties – residential, commercial, highway**

History of Site Use, Investigation, and Cleanup

As stated above, the Site is located in an industrial area. Based on a review of Sanborn Fire Insurance maps, the Site was used for industrial purposes since as early as 1920.

The 1920 Sanborn map depicts the presence of the Gutta-Percha Rubber MFG Company. Several structures and a water tower are shown on the map. In 1929, A.H. Hews & Company, a manufacturer of flower pots was depicted on the Sanborn Map. The 1942 Sanborn map depicts Seeley & Company, an essential oils and aromatic products manufacturer. Items noted on the map include an acid bath tank, a transformer vault and bottled gas storage. The 1964 Sanborn Map shows BH Aircraft, a manufacturer of aircraft engines. Items noted on the map include several machine shops, a press room, paint spraying and a generator.

Based on our review of the previous reports listed above, BH Aircraft operated on the Site until at least 2000 at which point operations were moved to another property and the Site was purchased by Baumann & Sons Buses Inc. (school bus company) which stored, maintained and fueled buses until 2016. During this time a 12,000-gallon diesel underground storage tank (UST) and two dispensers were installed to fuel buses.

5. Investigation and Cleanup Process

Application

The Applicant has applied for and been accepted into New York's Brownfield Cleanup Program as a Volunteer. This means that the Applicant was not responsible for the disposal or discharge of the contaminants or whose ownership or operation of the site took place after the discharge or disposal of contaminants. The Volunteer must fully characterize the nature and extent of contamination onsite, and must conduct a "qualitative exposure assessment," a process that characterizes the actual or potential exposures of people, fish and wildlife to contaminants on the site and to contamination that has migrated from the site.

The Applicant in its Application proposes that the site will be used for restricted commercial purposes.

To achieve this goal, the Applicant will conduct investigation and cleanup activities at the site with oversight provided by NYSDEC. The Brownfield Cleanup Agreement executed by NYSDEC and the Applicant sets forth the responsibilities of each party in conducting these activities at the site.

Investigation

The Applicant will conduct an investigation of the site officially called a "remedial investigation" (RI). This investigation will be performed with NYSDEC oversight. The Applicant must develop a remedial investigation workplan, which is subject to public comment.

The site investigation has several goals:

- 1) define the nature and extent of contamination in soil, surface water, groundwater and any other parts of the environment that may be affected;
- 2) identify the source(s) of the contamination;
- 3) assess the impact of the contamination on public health and the environment;
and
- 4) provide information to support the development of a proposed remedy to address the contamination or the determination that cleanup is not necessary.

The Applicant submits a draft "Remedial Investigation Work Plan" to NYSDEC for review and approval. NYSDEC makes the draft plan available to the public review

during a 30-day public comment period.

When the investigation is complete, the Applicant will prepare and submit a report that summarizes the results. This report also will recommend whether cleanup action is needed to address site-related contamination. The investigation report is subject to review and approval by NYSDEC.

NYSDEC will use the information in the investigation report to determine if the site poses a significant threat to public health or the environment. If the site is a “significant threat,” it must be cleaned up using a remedy selected by NYSDEC from an analysis of alternatives prepared by the Applicant and approved by NYSDEC. If the site does not pose a significant threat, the Applicant may select the remedy from the approved analysis of alternatives.

Interim Remedial Measures

An Interim Remedial Measure (IRM) is an action that can be undertaken at a site when a source of contamination or exposure pathway can be effectively addressed before the site investigation and analysis of alternatives are completed. If an IRM is likely to represent all or a significant part of the final remedy, NYSDEC will require a 30-day public comment period.

Remedy Selection

When the investigation of the site has been determined to be complete, the project likely would proceed in one of two directions:

1. The Applicant may recommend in its investigation report that no action is necessary at the site. In this case, NYSDEC would make the investigation report available for public comment for 45 days. NYSDEC then would complete its review, make any necessary revisions, and, if appropriate, approve the investigation report. NYSDEC would then issue a “Certificate of Completion” (described below) to the Applicant.

or

2. The Applicant may recommend in its investigation report that action needs to be taken to address site contamination. After NYSDEC approves the investigation report, the Applicant may then develop a cleanup plan, officially called a “Remedial Work Plan”. The Remedial Work Plan describes the Applicant’s proposed remedy for addressing contamination related to the site.

When the Applicant submits a draft Remedial Work Plan for approval, NYSDEC would announce the availability of the draft plan for public review during a 45-day public

comment period.

Cleanup Action

NYSDEC will consider public comments, and revise the draft cleanup plan if necessary, before approving the proposed remedy. The New York State Department of Health (NYSDOH) must concur with the proposed remedy. After approval, the proposed remedy becomes the selected remedy. The selected remedy is formalized in the site Decision Document.

The Applicant may then design and perform the cleanup action to address the site contamination. NYSDEC and NYSDOH oversee the activities. When the Applicant completes cleanup activities, it will prepare a final engineering report that certifies that cleanup requirements have been achieved or will be achieved within a specific time frame. NYSDEC will review the report to be certain that the cleanup is protective of public health and the environment for the intended use of the site.

Certificate of Completion

When NYSDEC is satisfied that cleanup requirements have been achieved or will be achieved for the site, it will approve the final engineering report. NYSDEC then will issue a Certificate of Completion (COC) to the Applicant. The COC states that cleanup goals have been achieved, and relieves the Applicant from future liability for site-related contamination, subject to certain conditions. The Applicant would be eligible to redevelop the site after it receives a COC.

Site Management

The purpose of site management is to ensure the safe reuse of the property if contamination will remain in place. Site management is the last phase of the site cleanup program. This phase begins when the COC is issued. Site management incorporates any institutional and engineering controls required to ensure that the remedy implemented for the site remains protective of public health and the environment. All significant activities are detailed in a Site Management Plan.

An *institutional control* is a non-physical restriction on use of the site, such as a deed restriction that would prevent or restrict certain uses of the property. An institutional control may be used when the cleanup action leaves some contamination that makes the site suitable for some, but not all uses.

An *engineering control* is a physical barrier or method to manage contamination. Examples include: caps, covers, barriers, fences, and treatment of water supplies.

Site management also may include the operation and maintenance of a component of the remedy, such as a system that pumps and treats groundwater. Site management continues until NYSDEC determines that it is no longer needed.

**Appendix A -
Project Contacts and Locations of Reports and Information**

Project Contacts

For information about the site's investigation and cleanup program, the public may contact any of the following project staff:

New York State Department of Environmental Conservation (NYSDEC):

Richard Mustico
NYSDEC-Project Manager
Division of Environmental Remediation-
Bureau A
625 Broadway, 12th Floor
Albany, New York 12233-7015
Email: Richard.mustico1@dec.ny.gov
Tel: (518) 402-9647

Bernadette Anderson
NYSDEC-DER/BTS
Site Control Section
625 Broadway 11th Floor
Albany, New York 12233
Email: Bernadette.anderson@dec.ny.gov
Tel: (518) 402-9543

Andrew Guglielmi, NYSDEC
OGC Section Chief Remediation Bureau
Division of Legal Affairs
625 Broadway
Albany, NY 12233
Email: Andrew.guglielmi@dec.ny.gov
Tel: (518) 402-9507

Michael C. Murphy
Project Attorney, NYSDEC
Division of Legal Affairs
625 Broadway 14th Floor
Albany, NY 12233
Email: Michael.murphy1@dec.ny.gov
Tel: (518) 402-9509

Eric Obrecht
Director
Remedial Bureau A
625 Broadway 12th Floor,
Albany, NY 12233-7015
Email: Eric.obrecht@dec.ny.gov
Tel: (518) 402-9625

Craig Elgut
Regional Attorney
50 Circle Rd
Stony Brook, NY 11790-3409
Email: Craig.elgut@dec.ny.gov
Tel: (631) 444-0260

Walter Parish
Regional Hazardous Waste Engineer
50 Circle Rd
Stony Brook, NY 11790-3409
Email: Walter.parish@dec.ny.gov
Tel: (631) 444-0240

New York State Department of Health (NYSDOH):

Stephanie Selmer NYSDOH
Empire State Plaza - Corning Tower Room 1787
Albany, NY 12237
Email: beei@health.ny.gov
Tel: (518) 402-7860

Locations of Reports and Information

The facilities identified below are being used to provide the public with convenient access to important project documents:

Debbie Podolski, Director
Farmingdale Public Library
116 Merritts Road
Farmingdale, NY 11735
Tel: (516) 249-9090

Hours: Mon, Tues, Thurs 9 a.m. – 9 p.m.
 Wednesday 10 a.m. – 9 p.m.
 Friday 9 a.m. – 6 p.m.
 Saturday 9 a.m. – 5 p.m.
(Sept – June) 9 a.m. – 1 p.m.
(July – August)
 Sunday 1 p.m. – 5 p.m.
(Sept. – May)

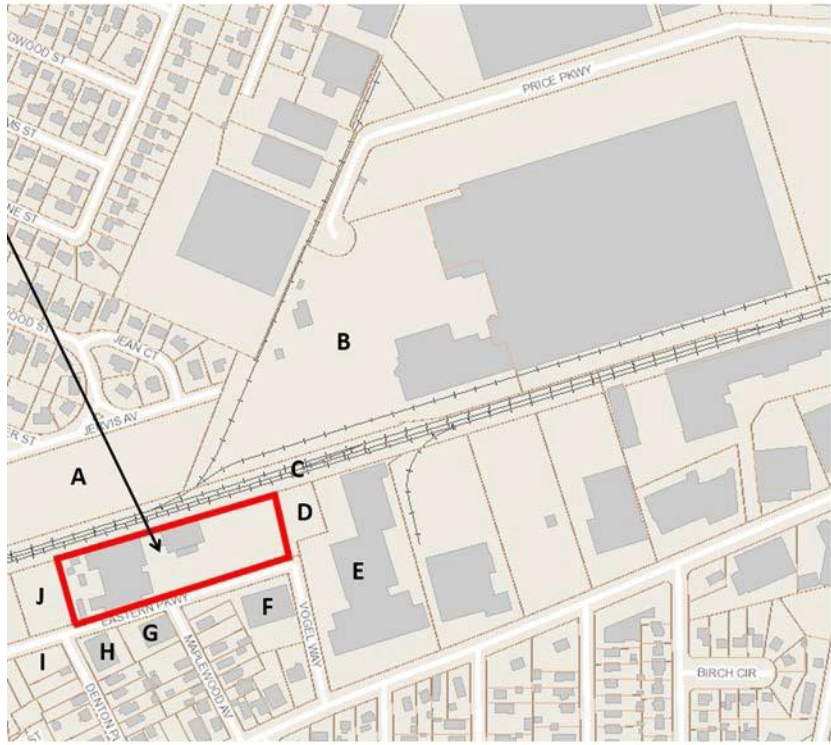
Appendix B - Site Contact List

Federal Government Officials	
Hon. Kristen Gillibrand U.S. Senate 155 Pinelawn Road, Suite 250 North Melville, NY 11747	Hon. Charles Schumer U.S. Senate 155 Pinelawn Road, Suite 300 North Melville, NY 11747
Hon. Peter King U.S. House of Representatives 1003 Park Boulevard Massapequa, NY 11762	Hon. Thomas Suozzi U.S. House of Representatives 478A Park Avenue Huntington, NY 11743
State Officials	
Hon. John Brooks NYS Senate 5550 Merrick Road, Suite 205 Massapequa, NY 11758	Hon. Kemp Hannon NYS Senate 595 Stewart Ave., Suite 540 Garden City, NY 11530
District Office NYS Assembly 630 New York Avenue, Suite D Huntington, NY 11743	Hon. Michael Montesano NYS Assembly 111 Levittown Parkway Hicksville, NY 11801
Local Town and County Officials	
Hon. DuWayne Gregory Suffolk County Legislature 15 Albany Avenue Amityville, NY 11701	Hon. Steve Bellone Suffolk County Executive P.O. Box 6100 H. Lee Dennison Building 100 Veterans Memorial Highway Hauppauge, NY 11788
Theresa Ward, Commissioner Deputy County Executive and Commissioner Suffolk County Department of Economic Development and Planning 100 Veterans Memorial Highway P.O. Box 6100 Hauppauge, NY 11788	Hon. Judith A. Pascale Suffolk County Clerk 310 Center Drive Riverhead, NY 11901
Hon. Rich Schaffer Babylon Town Supervisor 200 E. Sunrise Highway Lindenhurst, NY 11757	Hon. Antonio A. Martinez Deputy Supervisor Babylon Town Council 200 E. Sunrise Highway Lindenhurst, NY 11757

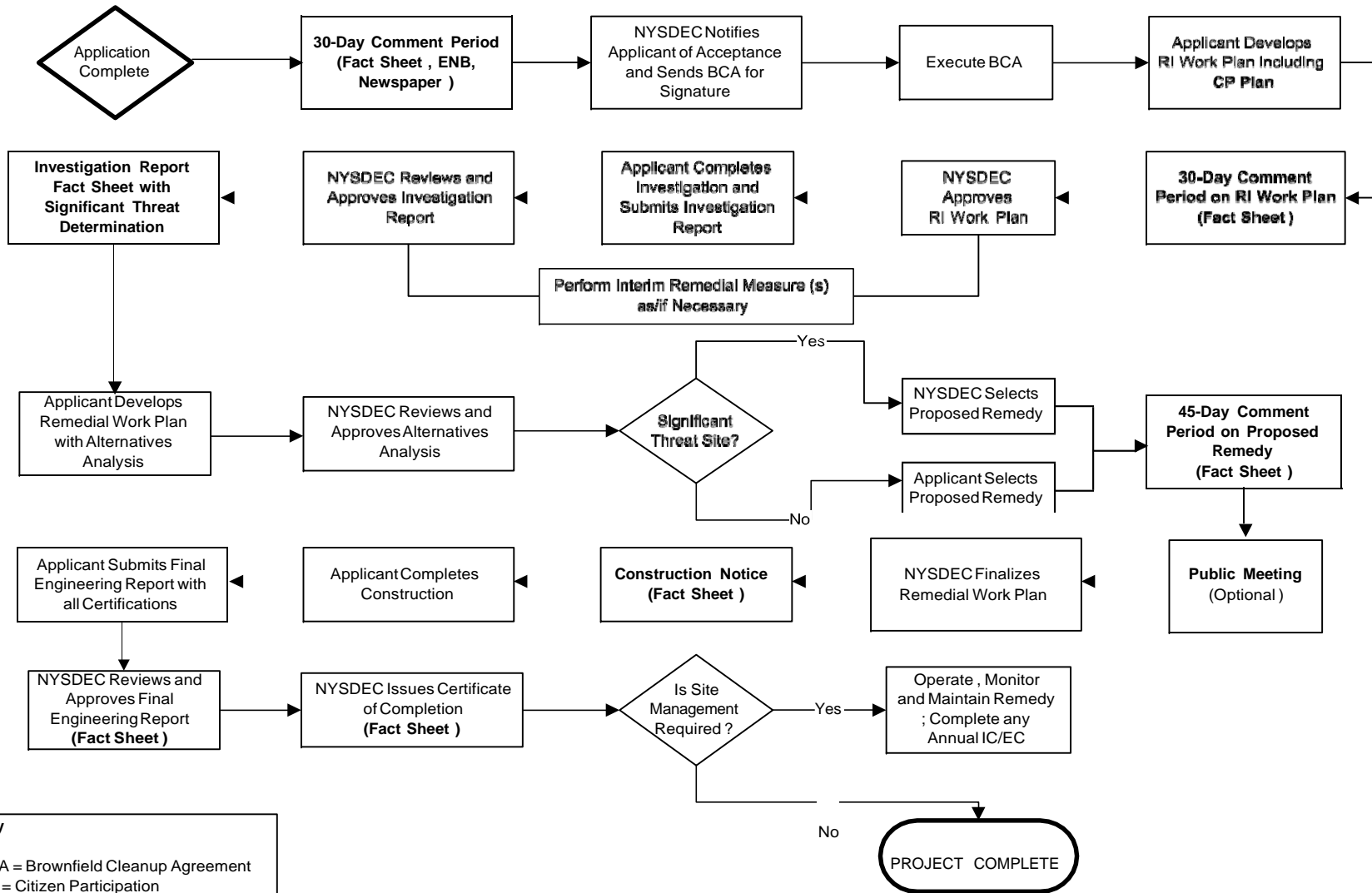
Michael Kane Chairperson Babylon Zoning Board 200 E. Sunrise Highway Lindenhurst, NY 11757	Patrick Halpin Chairperson Babylon Planning Board 200 E. Sunrise Highway Lindenhurst, NY 11757
Gerry Compitello Town of Babylon Clerk 200 E. Sunrise Highway Lindenhurst, NY 11757	
Public Water Supplier	
Suffolk County Water Authority Babylon Water Bureau, Water Supplier 2045 Route 112, Suite 5 Coram, New York 11727	
Environmental Groups	
Vicki Russell, Commissioner Town of Babylon Department of Environmental Services 200 E. Sunrise Highway Lindenhurst, NY 11757	Walter Dawydiak, Director Suffolk County Division of Environmental Quality 360 Yaphank Ave., Suite 2 Yaphank, NY 11980
Adrienne Esposito Citizen's Campaign for the Environment 225-A Main Street Farmingdale, NY 11735	
Local News Media	
The Babylon Beacon Babylon Media Outlet 65 Deer Park Ave Babylon, NY 11702 (631) 587-5612	News 12 Assignment Desk 1 Media Crossways Woodbury, NY 11797 (516) 393-1394

<p>Newsday Editorial Desk 235 Pinelawn Road Melville, NY 11747</p>	
Adjacent Property Owners	
<p>Bethpage Park Owners Corp Adjacent Property Owner of 46-184 Jervis Ave. 74 Jervis Ave. Babylon, NY 11702</p>	<p>Town of Babylon Industrial Dev. Agency Adjacent Property Owner of 150 Price Parkway 47 W Main St #3 Babylon, NY 11702</p>
<p>LIRR MTA Adjacent Property Owner of E Farm Pub SVC Jamaica Station Jamaica, NY 11435</p>	<p>Burch Private Cemetery Adjacent Property Owner of 805 Conklin St. 805 Conklin St. Babylon, NY 11702</p>
<p>C I Realty Co. Adjacent Property Owner of 855 Conklin St. 855 Conklin St. Babylon, NY 11702</p>	<p>Stern Family Limited Partnership Adjacent Property Owner of 500 Eastern Parkway 500 Eastern Parkway Babylon, NY 11702</p>
<p>Enrey Candlewood Associates Inc Adjacent Property Owner of 410 Eastern Parkway 410 Eastern Parkway Babylon, NY 11702</p>	<p>410 Eastern Parkway Company LLC Adjacent Property Owner of 410 Eastern Parkway 410 Eastern Parkway Babylon, NY 11702</p>
<p>Parkway Properties Inc</p>	<p>395 Western Parkway LLC</p>
<p>Adjacent Property Owner of 340 Eastern Parkway 340 Eastern Parkway Babylon, NY 11702</p>	<p>Adjacent Property Owner of 395 Eastern Parkway 395 Eastern Parkway Babylon, NY 11702</p>

Appendix C - Site Location Map



Appendix D– Brownfield Cleanup Program Process



Key
 BCA = Brownfield Cleanup Agreement
 CP = Citizen Participation
 EC = Engineering Control
 ENB = Environmental Notice Bulletin
 IC = Institutional Control
 RI = Remedial Investigation

Note: CP Activities are in **Bold**