



Department of
Environmental
Conservation

Brownfield Cleanup Program

Citizen Participation Plan for 85 Jay Street

June 2017

BCP Site #C224248
85 Jay Street
Brooklyn, NY 11201

Prepared by:



AKRF, Inc.

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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: **85 Jay Street (Brooklyn), LLC**
Site Name: **85 Jay Street (“Site”)**
Site Address: **85 Jay Street, Brooklyn, NY 11201**
Site County: **Kings**
Site Number: **C224248**

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 or entity who has requested to participate in the BCP and has been accepted by NYSDEC. A *Volunteer* is an Applicant who is not liable for disposal of hazardous waste or discharge of petroleum at the site. A *Participant* is an Applicant who was an owner or operator of a site at the time of disposal of hazardous waste or discharge of petroleum at the site, or who otherwise failed to take reasonable care to stop continuing releases or prevent further releases. 85 Jay Street (Brooklyn), LLC has been accepted by NYSDEC into the BCP as a Volunteer. 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; and
- 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 Volunteer.

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; and
- 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 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 repositories 	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.
Before NYSDEC Approves Remedial Investigation (RI) Work Plan	
<ul style="list-style-type: none"> • Conduct 30-day public comment period (completed concurrently with the Application) 	If RI Work Plan is submitted with application, public comment periods will be combined.
After Execution of Brownfield Site Cleanup Agreement (BCA):	
<ul style="list-style-type: none"> • Prepare Citizen Participation (CP) Plan 	Before the preparation of the Remedial Investigation Report (RIR)
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 community or at discretion of NYSDEC project manager) • Conduct 45-day public comment period 	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.
Before Applicant Starts Cleanup Action:	
<ul style="list-style-type: none"> • Distribute fact sheet to Site contact list that describes upcoming cleanup action 	Before the start of cleanup action.
After Applicant Completes Cleanup Action:	
<ul style="list-style-type: none"> • 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 NYSDEC approves Final Engineering Report. These two fact sheets are combined if 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.

There are no known major issues of public concern at this time. A Remedial Action Work Plan (RAWP), Community Air Monitoring Program (CAMP) and site-specific Health and Safety Program (HASP) will be developed for the project to be approved by the NYSDEC prior to the respective phases of work to address any concerns related to air quality, health of workers and community, nuisance odors, noise and construction-related traffic.

Environmental justice is defined as the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies.

Environmental justice efforts focus on improving the environment in communities, specifically minority and low-income communities, and addressing disproportionate adverse environmental impacts that may exist in those communities.

The Site is located in an Environmental Justice Area, but will not require future fact sheets to be translated into another language.

4. Site Information

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

Site Description

The Site is approximately 135,000 square feet and consists of a gravel-covered vacant lot (former private parking lot) enclosed in fencing. The Site is bound by Front Street to the north, Bridge Street to the east, York Street to the south, and Jay Street to the west. The Site is located in an urban area predominantly consisting of residential, commercial, transportation, and manufacturing uses.

History of Site Use, Investigation, and Cleanup

Historical Sanborn maps identified numerous industrial and manufacturing uses at the Site, including Bradley Lead Works (with a coal shed, four boilers, and two corroding beds) from at least 1887 to 1950. In 1969, National Lead Company was shown occupying the western portion of the Site. By 1993, the lead company was no longer shown. Additionally, a smelting facility was shown on the western portion of the Site on the 1887 map and a paper goods factory was shown on the eastern side of the Site from 1904 to 1993. The Site was apparently vacant by the time of the 1996 map.

AKRF conducted a Supplemental Phase II Environmental Site Investigation at the Site in October 2016 that included the installation of 10 soil borings, with the collection and laboratory analysis of 20 soil samples. A Remedial Investigation was initiated in April 2017 under the BCP.

The Supplemental Phase II investigation documented that soil beneath the Site consists of fill material (sand, gravel, silt, concrete, brick, ash, and asphalt) up to depths of approximately 15 feet below grade. Groundwater was not encountered, but is anticipated to be first encountered at approximately 23 to 35 feet below grade.

Analytical sample data indicated that soil is contaminated with Polycyclic Aromatic Hydrocarbons (PAHs) and lead. Elevated levels of PAHs and metals detected across the Site are likely related to historical on-site industrial operations and fill material observed during the sampling.

5. Investigation and Cleanup Process

Application

The Applicant has applied for and been accepted into the BCP 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 on-site, 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 residential and 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 submitted a Remedial Investigation Work Plan (RIWP) with the BCP Application. The RIWP was subject to public review along with the BCP Application. NYSDEC approved the RIWP in April 2017. After the RIWP has been performed, NYSDEC will determine if the investigation goals and requirements of the BCP have been met or if additional work is needed before a remedy can be selected.

The goals of the remedial investigation will be as follows:

1. Define the nature and extent of contamination in soil, groundwater, soil vapor, and any other affected media;
2. Identify the source(s) of the contamination;
3. Assess the impact of the contamination on public health and/or the environment; and

4. Provide information to support the development of a Remedial Work Plan to address the contamination, or to support a conclusion that the contamination does not need to be addressed.

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 (FER) 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 FER. 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):

Robert Corcoran Project Manager NYSDEC 625 Broadway Albany, NY 12233 Tel: (518) 402-9658 Email: bob.corcoran@dec.ny.gov	Thomas V. Panzone, MPA Citizen Participation Specialist Office of Communication Services NYSDEC - Region 2 Office Hunters Point Plaza 47-40 21 st Street Long Island City, NY 11101 Tel: (718) 482-4953 Email: Thomas.panzone@dec.ny.gov
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New York State Department of Health (NYSDOH):

Anthony Perretta
Public Health Specialist II
Bureau of Environmental Exposure
Investigation
NYSDOH
Empire State Plaza
Corning Tower Room 1787
Albany, NY 12237
Tel: (518) 402-7860
Email: [**BEEI@health.ny.gov**](mailto:BEEI@health.ny.gov)

Appendix B Site Contact List

1. Local, State, and Federal Officials

Hon. Bill de Blasio Mayor of New York City City of New York 1 Centre Street New York, NY 10007-1200	Hon. Scott M. Stringer New York City Comptroller Office of the Comptroller, City of NY 1 Centre Street New York, NY 10007
Hon. Eric L. Adams Brooklyn Borough President 209 Joralemon Street Brooklyn, New York 11201	Hon. Daniel L. Squadron NY State Senator 209 Joralemon Street, Suite #300 Brooklyn, New York 11201
Hon. Stephen Levin New York City Council District 33 410 Atlantic Avenue Brooklyn, New York 11217	Hon. Jo Anne Simon NY State Assembly Member 341 Smith Street Brooklyn, New York 11231
NYC Department of City Planning Brooklyn Borough Office 16 Court Street, 7 th Floor Brooklyn, New York 11241	NYC Department of City Planning Marisa Lago, Commissioner 120 Broadway, 31 st Floor New York, NY 10271
Nancy T. Sunshine Kings County Clerk 360 Adams Street, Room 189 Brooklyn, NY 11201	Daniel Walsh, Director Mayor's Office of Environmental Remediation 100 Gold Street, 2 nd Floor New York, NY 10038
Hon. Nydia Velázquez U.S. House of Representatives 266 Broadway, Suite 201 Brooklyn, NY 11211	Hon. Charles Schumer U.S. Senate 780 Third Avenue, Suite 2301 New York, NY 10017
Hon. Kirsten Gillibrand U.S. Senate 780 Third Avenue Suite 2601 New York, New York 10017	Larry Alden, P.E. NYSDEC, Division of Environmental Remediation 625 Broadway Albany, New York 12233
Vincent Sapienza, Acting Commissioner NYC DEP 59-17 Junction Boulevard Flushing, NY 11373	Brooklyn Community Board District 2 350 Jay Street, 8 th Floor Brooklyn, New York 11201 Attn: Robert Perris, District Manager Shirley McRae, Chairwoman Ruth Saunders, Environmental Committee Chairwoman

	NYC DPR – Commissioner Attn: Mitchell Silver 803 Fifth Avenue New York, NY 10065
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2. Residents, Owners, and Occupants of the Site and Adjacent Properties

<p style="text-align: center;"><u>Adjacent to the north:</u></p> <p><u>Block 41, Lot 1 and 2</u> Jayat Realty Corp. (Owner) 54 Pearl Street Brooklyn, NY 11201</p> <p>Current Occupant(s) 73 Jay Street Brooklyn, NY 11201</p> <p>Current Occupant(s) 69 Jay Street Brooklyn, NY 11201</p> <p><u>Block 41, Lots 42 and 44</u> 177 Front Property Owner, L.L.C. (Owner) The Carlyle Group, 250 Madison Avenue New York, NY 10022</p> <p>Current Occupant(s) 177 Front Street Brooklyn, NY 11201</p> <p>Current Occupant(s) 173 Front Street Brooklyn, NY 11201</p> <p><u>Block 41, Lot 17</u> Hawthorne Village LLC (Owner) 245 Saw Mill River Road Hawthorne, NY 10532</p> <p>Current Occupant(s) 206-220 Water Street Brooklyn, NY 11201</p>	<p style="text-align: center;"><u>Adjacent to the east:</u></p> <p><u>Block 55, Lot 11</u> Spyros Poulos (Owner) 73 Bridge Street Brooklyn, NY 11201</p> <p>Current Occupant(s) 73 Bridge Street Brooklyn, NY 11201</p> <p><u>Block 55, Lots 9 and 10</u> II Bridges Realty LLC 17 Blueberry Hills Mahopac, NJ 10541</p> <p>Current Occupant(s) 75 Bridge Street Brooklyn, NY 11201</p> <p>Current Occupant(s) 77 Bridge Street Brooklyn, NY 11201</p> <p><u>Block 55, Lot 5</u> Jeffrey M. Thrasher (Owner) 21-54 Crescent Street Astoria, NY 11105</p> <p>Current Occupant(s) 79 Bridge Street Brooklyn, NY 11201</p> <p><u>Block 55, Lot 3</u> Bruce Brand (Owner) 223 Water Street Brooklyn, NY 11201</p> <p>Current Occupant(s) 89 Bride Street Brooklyn, NY 11201</p> <p><u>Block 55, Lot 1</u> Dumbo Realty Enterprises, Inc. (Owner) % Nayef Hamdan 1534 74th Street Brooklyn, NY 11228</p>
<p style="text-align: center;"><u>Adjacent to the northeast:</u></p> <p><u>Block 42, Lot 1</u> 53 Bridge LLC (Owner) 54 Pearl Street Brooklyn, NY 11201</p> <p>Current Occupant(s) 53 Bridge Street Brooklyn, NY 11201</p>	

	Current Occupant(s) 95-97 Bridge Street Brooklyn, NY
<u>Adjacent to the southeast:</u> Block 68, Lot 1 New York City Housing Authority (Owner) 250 Broadway, 9 th Floor New York, NY 10007 Current Occupant(s) Farragut Houses, Building 9 111 Bridge Street Brooklyn, NY 11201	<u>Adjacent to the south:</u> Block 66, Lot 18 110 Bridge Street Realty Corp. (Owner) 110 Bridge Street Brooklyn, NY 11201 Current Occupant(s) 110 Bridge Street Brooklyn, NY 11201
<u>Adjacent to the southwest:</u> Block 64, Lot 8 CK-1 Realty, Inc. (Owner) Pier 63 North River New York, NY 10011 Current Occupant(s) 110 York Street Brooklyn, NY 11201	Block 66, Lot 1 New York City Parks (Owner/Operator) The Arsenal, Central Park 830 Fifth Avenue New York, NY 10065 Block 66, Lot 4 New York City Transit Authority (Owner/Operator) 130 Livingston Street Brooklyn, NY 11201
<u>Adjacent to the northwest:</u> Block 40, Lot 1 Chatov, LLC (Owner) 202 Plymouth Street Brooklyn, NY 11201 Current Occupant(s) 68 Jay Street Brooklyn, NY 11201	<u>Adjacent to the west:</u> Block 53, Lot 3 100 J LLC (Owner) 231 Greene Avenue Brooklyn, NY 11238 Current Occupant(s) 100 Jay Street Brooklyn, NY 11201

3. Local News Media

Brooklyn Daily Eagle 16 Court Street, Suite 1208 Brooklyn, New York 11241	Courier-Life Publications 1 Metro-Tech Center North - 10th Floor Brooklyn, NY 11201
New York 1 News 75 Ninth Avenue New York, NY 10011	The Brooklyn Papers 1 Metrotech Center, Suite 1001 Brooklyn, NY 11201
New York Post 1211 Avenue of the Americas New York, NY 10036	Brooklyn Progress 335 Adams Street, Suite 2700 Brooklyn, NY 11201
New York Daily News	

4 New York Plaza New York, NY 10004	
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4. Public Water Supply

Public water is provided by The City of New York, Department of Environmental Protection (Customer Service Center, 59-17 Junction Boulevard, 13th Floor, Flushing, New York 11373).

5. Additional Contacts

None

6. Daycare and Public School

Daycare:

Imagine Early Learning Centers @ Dumbo
85 Adams Street
Brooklyn, NY 11201
Director: Caroline Moran
(718) 522-2263
Distance /Direction from Site: 425 feet west

School:

P.S. 307 Daniel Hale Williams
209 York Street
Brooklyn, NY 11201
Principal: Stephanie Carroll
(718) 834-4748
Distance/Direction from Site: 790 feet east

7. Document Repositories

Walt Whitman Branch, Brooklyn Public Library
93 Saint Edwards Street
Brooklyn, New York 11205
Attn: Janet Conton
(718) 935-0244

Brooklyn Community Board District 2
350 Jay Street, 8th Floor
Brooklyn, New York 11201
Attn: Shirley McRae
(718) 596-5410

8. Local Community Board

Brooklyn Community Board District 2
350 Jay Street, 8th Floor
Attn: Shirley McRae
Brooklyn, New York 11201
(718) 596-5410

9. Community, Civic, Religious and Environmental Organizations

DUMBO Neighborhood Alliance
Doreen Gallo - Executive Director
45 Washington Street, Box 123
Brooklyn, NY 11201

David Glasgow Farragut Houses
NYCHA
Attn: Management Development Office
237 Nassau Street
Brooklyn, NY 11201

David Glasgow Farragut Houses
NYCHA
Attn: President, Resident Association
237 Nassau Street
Brooklyn, NY 11201

DUMBO Improvement District
20 Jay Street. Suite 510
Brooklyn, NY 11201

Farragut Senior Center
Attn: Executive Director
228 York Street
Brooklyn, NY 11201

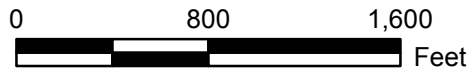
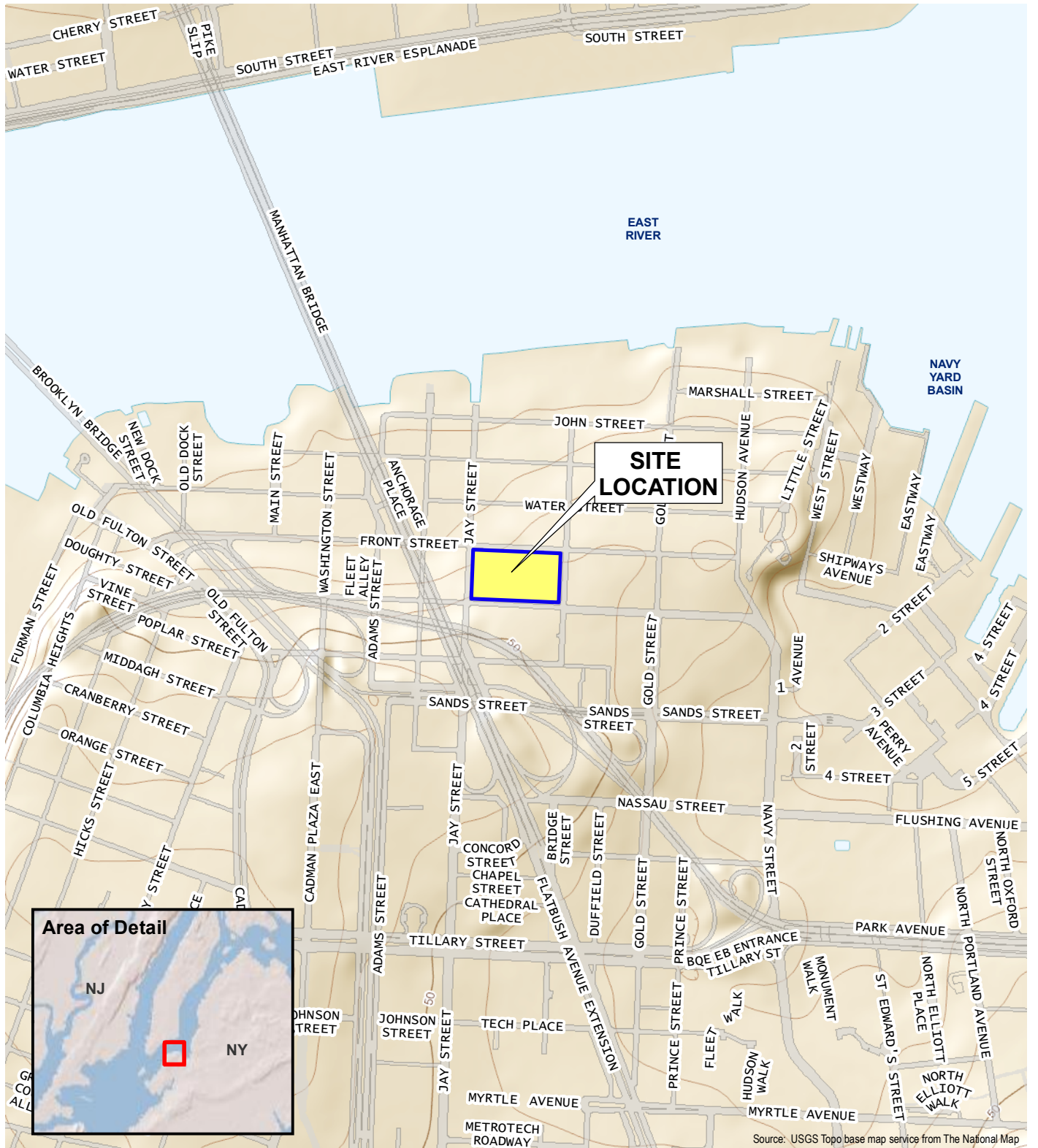
Catholic Charities Neighborhood Services
32 Navy Street
Brooklyn, NY 11201

Antonia Yuille, Director
Consolidated Edison Public Affairs
30 Flatbush Avenue
Brooklyn, NY 11217

Leslie Lewis, President
84th NYPD Police Precinct Council
301 Gold Street

Engine 205 Ladder 118
FDNY
74 Middagh Street
Brooklyn, NY 11201

Appendix C
Site Location Map



85 Jay Street
Brooklyn, New York

SITE LOCATION



Environmental Consultants
440 Park Avenue South, New York, NY 10016

DATE
9/12/2016

PROJECT No.
12519

FIGURE
1



Division of Environmental Remediation

Remedial Programs Scoping Sheet for Major Issues of Public Concern

Instructions

This Scoping Sheet assesses major issues of public concern; impacts of the site and its remedial program on the community; community interest in the site; information the public needs; and information needed from the public.

The information generated helps to plan and conduct required citizen participation (CP) activities, and to choose and conduct additional CP activities, if appropriate. The scoping sheet can be revisited and updated as appropriate during the site's remedial process to more effectively implement the site's CP program.

Note: Use the information as an aid to prepare and update the Major Issues of Public Concern section of the site CP Plan.

General Instructions

- When to prepare: During preparation of the CP Plan for the site. It can be revisited and updated anytime during the site remedial process.
- Fill in site name and other information as appropriate.
- The Scoping Sheet may be prepared by DEC or a remedial party, but must be reviewed and approved by the DER site project manager or his/her designee.

Instructions for Numbered Parts

Consider the bulleted issues and questions below and any others that may be unique or appropriate to the site and the community to help complete the five Parts of this Scoping Sheet. Identify the issue stakeholders in Parts 1 through 3 and adjust the site's contact list accordingly.

Part 1. List Major Issues of Public Concern and Information the Community Wants.

- Is our health being impacted? (e.g. Are there problems with our drinking water or air? Are you going to test our water, yards, sumps, basements? Have health studies been done?)
- There are odors in the neighborhood. Do they come from the site and are they hazardous?
- Are there restrictions on what we may do (e.g. Can our children play outside? Can we garden? Must we avoid certain areas? Can we recreate (fish, hunt, hike, etc. on/around the site?)
- How and when were the site's contamination problems created?
- What contaminants are of concern and why? How will you look for contamination and find out where it is going? What is the schedule for doing that?
- The site is affecting our property values!
- How can we get more information (e.g. who are the project contacts?)
- How will we be kept informed and involved during the site remedial process?
- Who has been contacted in the community about site remedial activities?
- What has been done to this point? What happens next and when?
- The site is going to be cleaned up for restricted use. What does that mean? We don't want redevelopment on a "dirty" site.

Part 2. List Important Information Needed From the Community, if Applicable.

- Can the community supplement knowledge about past/current uses of the site?
- Does the community have knowledge that the site may be significantly impacting nearby people, properties, natural resources, etc.?
- Are activities currently taking place at the site or at nearby properties that may need to be restricted?
- Who may be interested or affected by the site that has not yet been identified?
- Are there unique community characteristics that could affect how information is exchanged?
- Does the community and/or individuals have any concerns they want monitored?
- Does the community have information about other sources in the area for the contamination?

Part 3. List Major Issues and Information That Need to be Communicated to the Community.

- Specific site investigation or remediation activities currently underway, or that will begin in the near future.
- The process and general schedule to investigate, remediate and, if applicable, redevelop the site.
- Current understanding about the site contamination and effects, if any, on public health and the environment.
- Site impacts on the community and any restrictions on the public's use of the site and/or nearby properties.
- Planned CP activities, their schedule, and how they relate to the site's remedial process.
- Ways for the community to obtain/provide information (document repositories, contacts, etc.).

Part 4. Community Characteristics

a. - e. Obtain information from local officials, property owners and residents, site reports, site visits, "windshield surveys," other staff, etc.

f. Has the affected community experienced other **significant** present or past environmental problems unrelated to this site? Such experiences could significantly affect public concerns and perspectives about the site; how the community will relate to project staff; the image and credibility of project staff within the community; and the ways in which project staff communicate with the community.

g. In its remedial programs, DER seeks to integrate, and be consistent with, environmental justice principles set forth in *DEC Commissioner Policy 29 on Environmental Justice* and *DER 23 – Citizen Participation Handbook for Remedial Programs*. Is the site and/or affected community wholly or partly in an Environmental Justice (EJ) Area? Use the Search feature on DEC's public web site for "environmental justice". DEC's EJ pages define an EJ area, and link to county maps to help determine if the site and/or community are in an EJ area.

h. Consider factors such as:

- Is English the primary language of the affected community? If not, provisions should be considered regarding public outreach activities such as fact sheets, meetings, door-to-door visits and other activities to ensure their effectiveness.
- The age demographics of the community. For example, is there a significant number of senior citizens in the community? It may be difficult for some to attend public meetings and use document repositories. This may suggest adopting more direct interaction with the community with activities such as door-to-door visits, additional fact sheets, visits to community and church centers, nursing homes, etc.
- How do people travel about the community? Would most people drive to a public meeting or document repository? Is there adequate public transportation?

Part 5. Affected/Interested Public.

Individuals and organizations who need or want information and input can change during the site's remedial process. This need is influenced by real, potential, or perceived impacts of the site or the remedial process. Some people may want information and input throughout the remedial process. Others may participate only during specific remedial stages, or may only be interested in particular issues.

It is important to revisit this question when reviewing this scoping sheet. Knowing who is interested in the site – and the issues that are important to them – will help to select and conduct appropriate outreach activities, and to identify their timing and the information to be exchanged.

Check all affected/interested parties that apply to the site. **Note: Adjust the site's contact list appropriately.** The following are some ways to identify affected/interested parties:

- Tax maps of adjacent property owners
- Attendees at public meetings
- Telephone discussions
- Letters and e-mails to DER, the remedial party, and other agencies
- Political jurisdictions and boundaries
- Media coverage
- Current/proposed uses of site and/or nearby properties (recreational, commercial, industrial)
- Discussions with community organizations: grass roots organizations, local environmental groups, environmental justice groups, churches, and neighborhood advisory groups



Division of Environmental Remediation

Remedial Programs
Scoping Sheet for Major Issues of Public Concern (see instructions)

Site Name: 85 Jay Street

Site Number: C224248

Site Address and County: 85 Jay Street, Kings County

Remedial Party(ies): 85 Jay Street (Brooklyn), LLC

Note: For Parts 1. – 3., the individuals, groups, organizations, businesses and units of government identified should be added to the site contact list as appropriate.

Part 1. List major issues of public concern and information the community wants. Identify individuals, groups, organizations, businesses and/or units of government related to the issue(s) and information needs. **Use this information as an aid to prepare or update the Major Issues of Public Concern section of the site Citizen Participation Plan.**

- Since the Site is currently capped with gravel, there are no potential exposure pathways for on-site contamination.
- The Site is proposed to be redeveloped for residential and commercial uses. As such, there will be restrictions on site use, which will be determined following remediation.
- The Site's contamination issues stem from its industrial and manufacturing uses throughout history.
- A Remedial Investigation (RI) will be conducted to determine the nature and extent of on-site contamination, identify the source(s), assess the impact on public health and/or the environment, and support the Remedial Work Plan to remediate the Site. The RI will be completed later in 2017.
- For more information about the Site or BCP program, contact the NYSDEC or NYSDOH Project Manager. Contact information is located in Appendix A.
- Adjacent property occupants and owners will be kept informed about the progress of the Site cleanup activities. Periodic fact sheets will be sent by mail.
- Local, state, and federal officials will be contact about the Site remediation activities.
- Up to now, a Phase II Investigation was conducted. Next steps include conducting a supplemental RI and implementing the remedial action. The RI began in April 2017.
- The Site will be cleaned up to levels that are safe for the proposed restricted residential use. Certain uses will be restricted and will be determined once cleanup is complete.

How were these issues and/or information needs identified?

These issues were identified based on the Site's history of industrial and manufacturing use.

Part 2. List important information needed **from** the community, if applicable. Identify individuals, groups, organizations, businesses and/or units of government related to the information needed.

N/A

How were these information needs identified?

N/A

Part 3. List major issues and information that need to be communicated **to** the community. Identify individuals, groups, organizations, businesses and/or units of government related to the issue(s) and/or information.

- An RI Work Plan was approved by NYSDEC in April 2017. The RI was initiated following NYSDEC approval.
- Following the RI, a RI Report (RIR) and Remedial Action Work Plan (RAWP) will be prepared and

submitted to NYSDEC for approval. A 45-day Public Comment Period begins once the RIR and RAWP are submitted. The final RIR and RAWP are submitted to NYSDEC and, following approval, NYSDEC issues the Decision Document, which describes the selected remedy for cleanup of the Site. Remediation can begin after issuance of the Decision Document. Redevelopment of the Site may begin once the Site remediation is complete or in conjunction with the remediation, dependent upon the remedy.

-Because the Site is currently capped with gravel, there are no potential exposure pathways for on-site contamination to impact the public health and/or environment.

-Document repositories where copies of all documents regarding the investigation and remediation of the Site are available to the public, have been established at the Walt Whitman Branch Library located at 93 Saint Edwards Street, Brooklyn, NY and Brooklyn Community Board District 2 located at 350 Jay Street, 8th Floor, Brooklyn, NY.

How were these issues and/or information needs identified?

These needs were identified by summarizing the proposed project schedule and information presented in the BCP Application.

Part 4. Identify the following characteristics of the affected/interested community. This knowledge will help to identify and understand issues and information important to the community, and ways to effectively develop and implement the site citizen participation plan (mark all that apply):

a. Land use/zoning at and around site:

Residential Agricultural Recreational Commercial Industrial

b. Residential type around site:

Urban Suburban Rural

c. Population density around site:

High Medium Low

d. Water supply of nearby residences:

Public Private Wells Mixed

e. Is part or all of the water supply of the affected/interested community currently impacted by the site?

Yes No

Provide details if appropriate:

[Click here to enter text.](#)

f. Other environmental issues significantly impacted/impacting the affected community?

Yes No

Provide details if appropriate:

[Click here to enter text.](#)

g. Is the site and/or the affected/interested community wholly or partly in an Environmental Justice Area?

Yes No

h. Special considerations:

Language Age Transportation Other

Explain any marked categories in h:

Part 5. The site contact list must include, at a minimum, the individuals, groups, and organizations identified in the instructions for **Part 5**. Are other individuals, groups, organizations, and units of government affected by, or interested in, the site, or its remedial program? (Mark and identify all that apply, then adjust the site contact list as appropriate.)

- Non-Adjacent Residents/Property Owners:** [Click here to enter text.](#)
- Local Officials:** See list in Appendix B of the Citizen Participation Plan
- Media:** See list in Appendix B of the Citizen Participation Plan
- Business/Commercial Interests:** [Click here to enter text.](#)
- Labor Group(s)/Employees:** [Click here to enter text.](#)
- Indian Nation:** [Click here to enter text.](#)
- Citizens/Community Group(s):** Brooklyn Community Board District 2
- Environmental Justice Group(s):**
- Environmental Group(s):**
- Civic Group(s):** See list in Appendix B of the Citizen Participation Plan
- Recreational Group(s):** [Click here to enter text.](#)
- Other(s):**

Prepared/Updated By: Margo Davis, AKRF, Inc.

Date: 06/05/2017

Reviewed/Approved By: Thomas V. Panzone, NYSDEC

Date: 5/19/17