



Department of
Environmental
Conservation

Brownfield Cleanup Program

Citizen Participation Plan for 458 East 99th Street

May 2020

Site No. C224254
458 East 99th Street
Brooklyn, NY 11236

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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: **458 East 99th Street LLC (“Applicant”)**
Site Name: **458 East 99th Street (“Site”)**
Site Address: **458 East 99th Street, Brooklyn, New York 11236**
Site County: **Kings**
Site Number: **C224254**

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 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 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.

The site is located in an Environmental Justice Area. 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 a large African-American area. Therefore, there is no need to translate future fact sheets into another language.

Based on the information collected to date and environmental analysis of this site, chlorinated solvents were detected onsite. Soil samples indicate that the site is marginally compromised by selected Volatile Organic Compounds (VOCs) but not in excess of NYSDEC unrestricted use standards. Soil vapor samples taken from the site detected the presence of Tetrachloroethylene (PCE), Trichloroethene (TCE), and Methylene chloride. The detected concentrations of all three contaminants were within New York State Department of Health Indoor Air Guidance values.

Groundwater samples collected onsite indicate that the chlorinated solvents namely PCE and one of its breakdown products dichloroethylene were detected in groundwater beneath the site at concentrations exceeding groundwater standards. Groundwater in the area is not used for potable purposes, therefore any contaminated groundwater that may be present is not a major issue of public concern unless it is contributing to the migration of contaminated vapors offsite. Further investigation is planned to fully determine the extent of contamination.

4. Site Information

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

Site Description

The site is located at 458 East 99th Street, Brooklyn, New York. The site is approximately .138 acres and located in a highly developed industrial and commercial area of Brooklyn, New York. Properties adjacent to the site include the following:

- 452 East 99th Street, Brooklyn, New York: Early Bird Food Distributor (commercial)
- 1227 Rockaway Avenue, Brooklyn, New York: Saba Live Poultry (commercial)
- 857 East 98 Street, Brooklyn, New York: Gotham Steel Supply (commercial)
- 464 East 99th Street, Brooklyn, New York: NY Façade and Glass (commercial)

History of Site Use, Investigation, and Cleanup

This site is currently occupied by a one-story commercial building with no basement in a highly developed commercial and industrial area. All neighboring sites maintain commercial or industrial uses. The sole occupant of this site is a woodworking shop/office known as “Euro Woodworking” which has occupied the site since 2016. From 2012 through 2016, the Applicant owned the subject site, which was occupied by Pinnacle Lift of New York, a fork lift sales, service, parts, and rental establishment. From approximately 1975 through 2012, the site was occupied by an electronics and appliance business named “Abe’s Radio, Inc.”

The subject site was occupied by a dry-cleaning chemical warehouse between at least 1966 and 1973. The Certificate of Occupancy, dated November 17, 1966, for the subject site states the first floor was used for “Storage Warehouse for dry cleaning supplies and equipment (No fire hazardous materials stored). No flammable materials in building, or used.”

The building onsite was constructed in or about 1952. The historical uses of this site appear to be the source of contamination of the soil and groundwater.

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 use** purposes.

To achieve this goal, the Applicant will conduct **investigation** 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 (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):

Shaun Bollers

Project Manager
NYSDEC Region 2
Division of Environmental Remediation
One Hunters Point Plaza
47-40 21st Street
Long Island City, NY 11101
shaun.bollers@dec.ny.gov
(718) 482-4995

Thomas V. Panzone, MPA

Public Participation Specialist
NYSDEC Region 2
One Hunters Point Plaza
47-40 21st Street
Long Island City, NY 11101
(718) 482-4953

New York State Department of Health (NYSDOH):

Christine Vooris (electronic copy only)

Director
NYSDOH
Bureau of Environmental Exposure Investigation
Empire State Plaza
Corning Tower Room 1787
Albany, NY 12237
beei@health.ny.gov

Locations of Reports and Information

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

Brooklyn Public Library

Canarsie Branch
1580 Rockaway Parkway
Brooklyn, NY 11236
Phone: (718) 257-6547
Hours: 8 am-6pm

Brooklyn Community Board 18

1097 Bergen Avenue
Brooklyn, NY 11234
Phone: (718) 241-0422
Hours: Call for appointment

NYSDEC Region 2
One Hunters Point Plaza
47-40 21st Street
Long Island City, NY 11101
Attn: Shaun Bollers
Phone: (718) 482-4995
Hours: Call for appointment

Appendix B - Site Contact List

Local Government and Elected Officials

Marissa Lago, New York City Department of City Planning
16 Court Street, 7th Floor, Brooklyn, NY 11241-0103
Phone: (718) 780-8280, Fax: (718) 596-2609

Eric L. Adams, Brooklyn Borough President
Brooklyn Borough Hall, 209 Joralemon Street, Brooklyn, NY 11201
Phone: (718) 802-3700, Fax: (718) 802-3778

William DeBlasio, New York City Mayor
City Hall, New York, NY 10007
Phone: (212) 639-9675

Hon. Scott Stringer
NYC Comptroller
1 Centre Street
New York, NY 10007

Hon. Juumane Williams
Public Advocate
1 Centre Street
New York, NY 10007

Mark McIntyre, Director
NYC Office of Environmental Remediation
100 Gold Street - 2nd Floor
New York, NY 10038

Julie Stein
Office of Environmental Assessment & Planning
NYC Dept. of Environmental Protection
96-05 Horace Harding Expressway
Flushing, NY 11373

Hon Charles Schumer
U.S. Senator
780 Third Avenue, Suite 2301
New York, NY 10017

Hon. Kirsten Gillibrand
U.S. Senator
780 Third Avenue, Suite 2601
New York, NY 10017

Hon. Hakeem Jeffries
U.S. House of Representatives
445 Neptune Avenue, 1st Floor - Community Room 2C
Brooklyn, NY 11224

Hon. Inez Barron
NYC Councilmember
718 Pennsylvania Avenue
Brooklyn, NY 11207

Hon. Roxanne Persaud
NYS Senator
1222 East 96th Street
Brooklyn, NY 11236

Hon. Nick Perry
NYS Assemblymember
903 Utica Avenue
Brooklyn, NY 11203

Dorothy Turano - District Manager
Saul Needle - Chairman
Environmental Committee Chair
Brooklyn Community Board 18
1097 Bergen Avenue
Brooklyn, NY 11234

Nancy T. Sunshine
Kings County Clerk
360 Adams Street Room 189
Brooklyn, NY 11201

Owners of Adjacent Properties

452 East 99th Street-Early Bird Food Distributor
Owner: 452 East 99th Street LLC
3711 Neptune Avenue, Brooklyn, NY, 11224

1227 Rockaway Avenue, Brooklyn, NY 11236-Saba Live Poultry
Owner: Ahmed M. Nasser & Ahmed Mused
9306 Flatlands Avenue, Brooklyn, NY 11236

857 East 98 Street, Brooklyn NY11236-Gotham Steel Supply
Owner:1231 Rockaway Ave Realty Corp Inc.
1231 Rockaway Avenue, Brooklyn, NY 11236
Owner: 734 Foch Blvd. Realty Corp.
734 Foch Blvd, Williston Park, NY 11596

464 East 99th Street, Brooklyn NY, 11236-NY Façade and Glass
Owner: Four Star Associates LLC
29-37 1st Avenue, Long Island City, NY 11101

Local News Media

Brooklyn Daily Eagle
16 Court Street, 30th Floor
Brooklyn, New York 11241
(917) 685- 4718

Spectrum NY 1 News
75 Ninth Avenue
New York, NY 10011

New York Daily News
4 New York Plaza
New York, NY 10004

New York Post
1211 Avenue of the Americas
New York, NY 10036

Courier-Life Publications
1 Metrotech Center #10T
Brooklyn, NY 11201

Brooklyn Daily Eagle
16 Court Street, Suite 1208
Brooklyn, NY 11241

The Brooklyn Papers
1 Metrotech Center, Suite 1001
Brooklyn, NY 11201

The Brooklyn Rail
99 Commercial Street # 32
Brooklyn, NY 11222

The Brooklyn Spectator
8723 3rd Avenue
Brooklyn, NY 11209

The Brooklyn Community News
P.O. Box #1775
New York, NY 10027

The Brooklyn Reporter
9733 4th Avenue
Brooklyn, NY 11209

Brooklyn Progress
335 Adams Street, Suite 2700
Brooklyn, NY 11201

Public Water Supplier

Vincent Sapienza, P.E, Commissioner
New York City Department of Environmental Protection
Phone: (212) 639-9675

Nearby Schools

NYC Public School 66
Merve Williams, Principal
845 East 96th Street, Brooklyn, NY 11236
Phone: (718) 922-3505, Fax: (718) 922-3105
Phone: (718) 922-3505, Fax: (718) 922-3105

Canarsie Ascend Lower School
Anastasia Michals, School Director
9719 Flatlands Avenue
Brooklyn, NY 11236
Phone: (347) 713-0100

Uncommon Schools Leadership Prep Canarsie
Mallorie Bocachica, Principal
1001 East 100th Street, Brooklyn, NY 11236
Phone: (347) 390-0570

Kappa 5 Middle School
Ronda Phillips, Principal
985 Rockaway Avenue, Brooklyn, NY 11212
Phone: (718) 922-4690

Arts Academy Charter School
Dr. Laurie B. Midgette, Founding Principal
1400 Linden Boulevard, Brooklyn, NY 11212
Phone: (718) 683-3300, Fax: (718) 272-1330

The Fresh Creek School
Lisa Goodson, Principal
875 Williams Avenue, Brooklyn, N Y 11236
Phone: (718) 272-1843

NYC Public School 2797
Lorenzo Chambers, Principal
1070 East 104th Street, Brooklyn, NY 11236
Phone: (718) 444-4316

Rise & Shine Daycare
9802 Glenwood Road, Brooklyn, NY 11236
Phone: (347) 529-0322

J.A.C.E. Learning Tree Group Family Daycare Inc.
9305 Glenwood Road, Brooklyn, NY 11236
Phone: (917) 650-9402

Blessings from Above Daycare
919 East 102 Street Brooklyn, NY 11236

John F. Kennedy Child Care
10315 Farragut Road
Brooklyn, NY 11236

P.S. 233 Langston Hughes School
9301 Avenue B
Brooklyn, NY 11236

Making a Difference Daycare
670 Rockaway Parkway
Brooklyn, NY 11236

ABC Ministry and Counseling Center
9302 Avenue B
Brooklyn, NY 11236

Avenue B. Christian Center
9214 Avenue B
Brooklyn, NY 11236

Recreation Rooms and Settlement
717 East 105th Street
Brooklyn, NY 11236

Document Repositories

Brooklyn Public Library
Tom Muller, Managing Librarian
1580 Rockaway Parkway, Brooklyn, NY 11236
Phone: (718) 257-6547

Community Board 18
Sandra Chapman or Lori Luis
1097 Bergen Avenue, Brooklyn 11234
Phone: (718) 241-0422, Fax: (718) 531-3199, Email: bkbrd18@optonline.net

Community, Civic, Religious and Other Environmental Organizations:

Antonia Yuille - Director
Consolidated Edison Corporate Affairs

30 Flatbush Avenue
Brooklyn, NY 11217

Gardy Brazela - President
69th Police Precinct Council
9720 Foster Avenue
Brooklyn, NY 11236

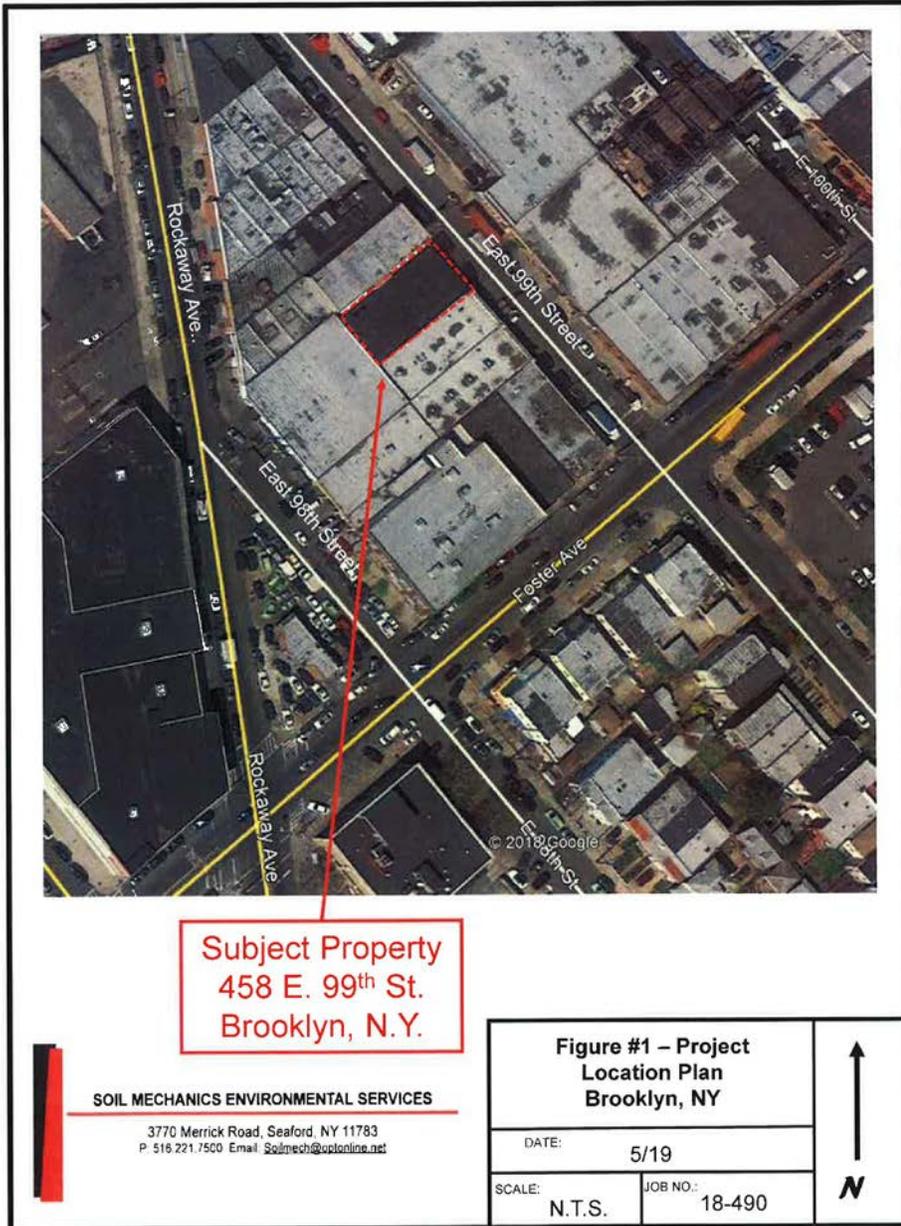
Battalion 58 Engine 257 Ladder 170
FDNY
1361 Rockaway Parkway
Brooklyn, NY 11236

Harvest Army God's Revival Arena
9821 Foster Avenue
Brooklyn, NY 11236

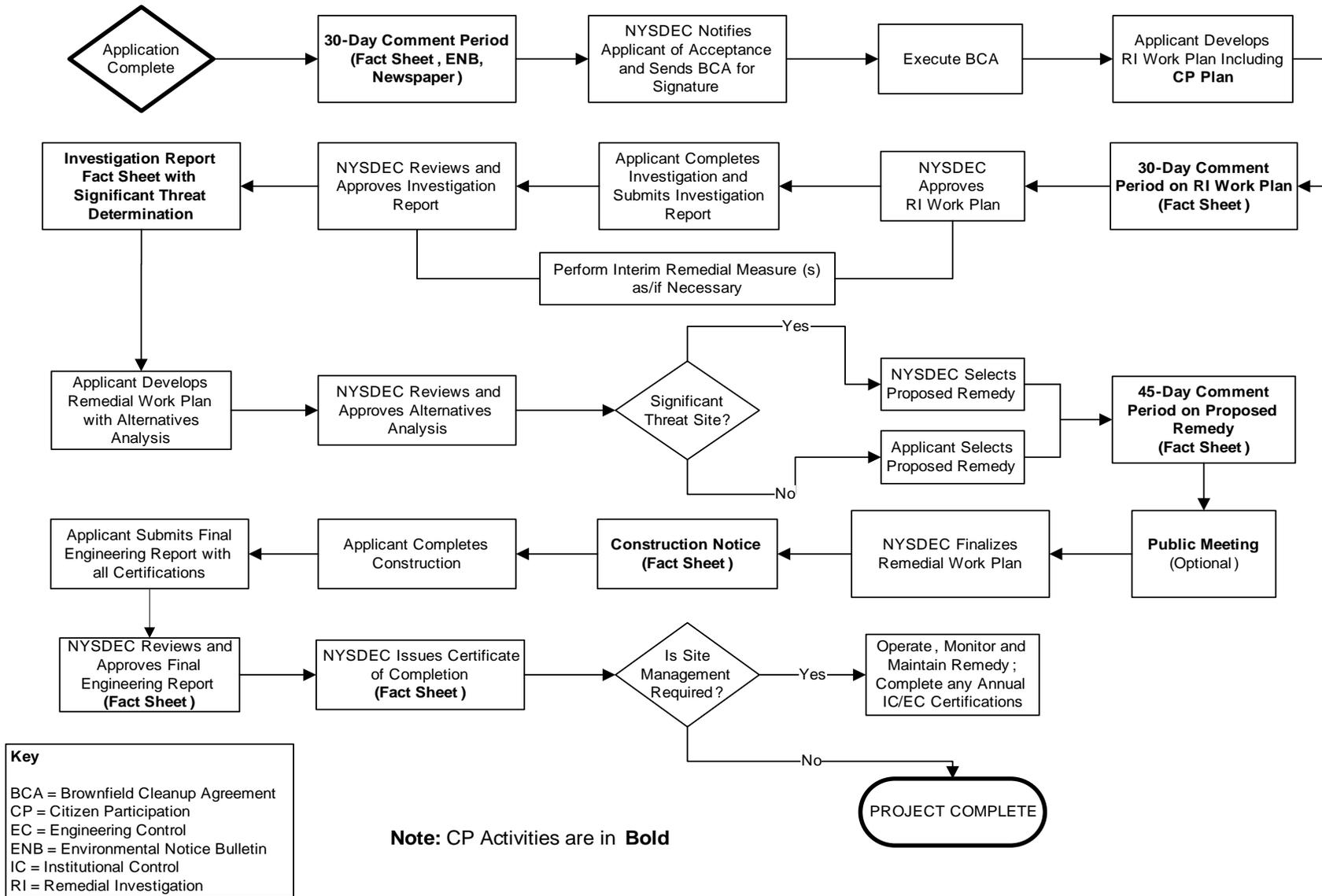
Citizen's Advisory Committee
Penn/Fountain Landfill
836 Cleveland Street
Brooklyn, NY 11208

South Canarsie Civic Association Inc.
P.O. Box 360247
Canarsie Postal Station
Brooklyn, NY 11236
Attn: Ms. Mary Anne Sallustro

Appendix C - Site Location Map



Appendix D– Brownfield Cleanup Program Process





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: 458 East 99th Street

Site Number: C224254

Site Address and County: 458 East 99th Street, Kings County

Remedial Party(ies): 458 East 99th Street 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.**

Based on the information collected to date and environmental analysis of this site, chlorinated solvents were detected onsite. Soil samples indicate that the site is marginally compromised by selected Volatile Organic Compounds (VOCs) but not in excess of NYSDEC standards. Soil vapor samples taken from the site detected the presence of Tetrachloroethylene (PCE), Tetrachloroethene (TCE), and Methylene chloride. The detected concentrations of all three contaminants were within New York State Department of Health Indoor Air Guidance values.

Groundwater samples collected onsite indicate that the chlorinated solvents were detected in groundwater beneath the site. Groundwater in the area is not used for potable purposes, therefore any contaminated groundwater that may be present is not a major issue of public concern unless it is contributing to the migration of contaminated vapors offsite. Further investigation is planned to fully determine the extent of contamination.

There is no proposed redevelopment of the subject site. A Remedial Investigation Work Plan will be prepared and submitted to the NYSDEC for review. Adjacent property owners and all interested parties will be informed of site activities.

How were these issues and/or information needs identified?

These issues were identified based on an analysis of the Site's historical 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. No additional information is required from the community at this time

How were these information needs identified?

Not applicable

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.

Major issues and information required to be communicated to the community are identified in Part 1. Information has been communicated to the public in the Citizen Participation Plan. Document repositories have been established to allow the public an opportunity to review all site documents.

How were these issues and/or information needs identified?

These issues were identified during the analysis of the Site's historic use and preparation of the Site's 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:

Not Applicable.

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

Yes No

Provide details if appropriate:

Not Applicable

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:

Not Applicable

Part 5. The site contact list must include, at a minimum, the individuals, groups, and organizations identified in Part 2. of the Citizen Participation Plan under 'Site Contact List'. 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: See Contact List

Local Officials: See Contact List

Media: See Contact List

Business/Commercial Interests: See Contact List

Labor Group(s)/Employees: See Contact List

- Indian Nation:** Click here to enter text.
- Citizens/Community Group(s):** See Contact List
- Environmental Justice Group(s):** Click here to enter text.
- Environmental Group(s):** Click here to enter text.
- Civic Group(s):** See Contact List
- Recreational Group(s):** Click here to enter text.
- Other(s):** Click here to enter text.

Prepared/Updated By: Forchelli Deegan Terrana, LLP

Date: April 24, 2020

Reviewed/Approved By: Thomas V. Panzone

Date: 5/7/2020 enter text.