



**Department of
Environmental
Conservation**

State Superfund Program

Citizen Participation Plan

for

168 8th Street Off-Site Off-Site

August 2019

168 8th Street
Brooklyn, NY 11215

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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.

{Responsible Party: **Derby Textile Corp. (“Responsible Party”)**
Site Name: **168 8th Street Off-site (“Site”)**
Site Address: **168 8th Street Off-site, Brooklyn, NY**
Site Number: C224266A

1. What is New York’s State Superfund Program?

New York’s State Superfund Program (SSF) identifies and characterizes suspected inactive hazardous waste disposal sites. Sites that pose a significant threat to public health or the environment, such as the site identified above, undergo a process of investigation, evaluation, cleanup, and monitoring.

The New York State Department of Environmental Conservation (NYSDEC) administers the SSF Program with assistance and input from the New York State Department of Health (NYSDOH). When the parties responsible for the contamination of the site are known (“responsible parties”), they often pay for or perform the investigation and evaluation of cleanup options under an enforceable consent order. At sites where responsible parties cannot be found or are unable or unwilling to fund an investigation, the State pays for the investigation and may try to recover costs from a responsible party after the investigation and cleanup are complete.

The SSF program contains investigation and cleanup requirements, ensuring that cleanups protect public health and the environment. For more information about the SSF program, go online at: <http://www.dec.ny.gov/chemical/8439.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 remedial 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.

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 that relate 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 Remedial Investigation) 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 this 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

The site identified above poses a significant threat to public health or the environment, so that a qualifying community group may apply for a Technical Assistance Grant (TAG). The purpose of a TAG is to provide funds to the qualifying community 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.

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) |
|---|---|
| Before Start of Remedial Investigation (RI): | |
| <ul style="list-style-type: none"> • Prepare site contact list • Establish document repository • Prepare Citizen Participation (CP) Plan • Place approved RI Work Plan in document repository • Distribute fact sheet to site contact list that announces availability of RI Work Plan and describes upcoming RI field work | <p>Before start of RI. Note: Draft CP Plan must be submitted to NYSDEC within 20 days of effective date of Consent Order. CP Plan must be approved by NYSDEC before distribution.</p> |
| When NYSDEC Approves Remedial Investigation Report: | |
| <ul style="list-style-type: none"> • Distribute fact sheet to site contact list that describes RI results • Place approved RI Report in document repository | <p>When NYSDEC approves RI Report</p> |
| When NYSDEC Releases Proposed Remedial Action Plan (PRAP) | |
| <ul style="list-style-type: none"> • Place PRAP in document repository • Distribute fact sheet to site contact list that describes PRAP and announces 30-day comment period and public meeting • Conduct 30-day public comment period • Hold public meeting about PRAP | <p>When NYSDEC releases PRAP. Comment period begins/ends as per dates identified in fact sheet. Public meeting is held during the comment period.</p> |
| When NYSDEC Issues Record of Decision (ROD): | |
| <ul style="list-style-type: none"> • Place ROD in document repository • Distribute notice to site contact list that announces availability of ROD. ROD includes responsiveness summary of significant comments about PRAP | <p>When NYSDEC issues ROD</p> |
| Before Start of Remedial Action: | |
| <ul style="list-style-type: none"> • Distribute fact sheet to site contact list that describes upcoming remedial action | <p>Before start of remedial action at the site</p> |
| When NYSDEC Certifies Cleanup Requirements Achieved: | |
| <ul style="list-style-type: none"> • Distribute fact sheet to site contact list that announces cleanup requirements achieved • If Certificate of Completion (COC) is issued, announce in fact sheet • If COC is issued, place copy in document repository | <p>When NYSDEC certifies cleanup requirements achieved, or within 10 days after NYSDEC issues COC or other similar site closure document</p> |
| If NYSDEC Reclassifies the Site | |
| <ul style="list-style-type: none"> • If reclassifying site, may announce in fact sheet announcing achievement of cleanup requirements | <p>At time NYSDEC proposes to reclassify the site</p> |
| If NYSDEC Proposes to Delist the Site from the Registry of Contaminated Sites | |
| <ul style="list-style-type: none"> • Publish notice in Environmental Notice Bulletin about proposal and 30-day public comment period • Distribute notice to site contact list. May announce proposal in fact sheet announcing achievement of cleanup requirements • Conduct 30-day public comment period about proposed delist • Distribute notice to site contact list when site is delisted | <p>At time NYSDEC proposes to delist the site</p> |

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.

Major issues of public concern are limited to noise, dust, odor and truck-related traffic during investigation activities and vapor intrusion into residences adjacent to the Site.

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 an area with sizable Hispanic-American population nearby, therefore, all future fact sheets will be translated into Spanish.

For additional information, visit: <https://statisticalatlas.com/tract/New-York/Kings-County/012100/Race-and-Ethnicity>

4. Site Information

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

Site Description

The Site is located in Gowanus, a mixed-use urban area of Brooklyn, NY, which includes residential, commercial, and manufacturing areas. The BCP Site consists of one lot (Block 1003, Lot 11) totaling approximately 13,500 square feet (sf) or 0.31 acre. The Site is a vacant concrete and gravel covered lot and is fenced. The northern portion of the Site is approximately one to two feet lower in elevation in comparison to the southern portion of the lot and a concrete ramp located on the east-central portion of the lot connects these two areas for vehicle access. The Site is bordered to the north by 8th Street followed by a two-story commercial building and three-story residential buildings; to the east by three- and four-story residential buildings; to the west by a one-story institutional building (American Legion Hall) with a parking lot followed by a one-story commercial building with a parking lot (Enterprise Rent-A-Car) and four-story residential buildings with one first-floor commercial tenant; and, to the south by 9th Street followed

by a one story commercial building (Top Notch Auto Repair) and three-story residential buildings. Beyond the properties immediately adjacent to the Site, property uses are commercial, residential, institutional, and manufacturing. Current Zoning and Land Use According to the New York City Department of City Planning (NYCDCP) Zoning Map 16C, the Site is zoned for residential use (R6A for the southern portion of the Site and R6B for the northern portion of the Site). Residential districts permit community facilities such as schools. The Site has been vacant for approximately 25 years and there are no structures on the Site. Past Use of the Site Historic records indicate that the Site was first developed as farmland. A residential building, which was demolished in the late 1800s, was present on the southern portion of the Site. From the late 1800s to the early 1900s, the Site was occupied by an ink manufacturer (1888 to 1906), a storage facility (1906 to 1926) with a gauge manufacturer (circa 1917), a chemical laboratory (1926), and a machine works facility (1928 to 1934). In the mid- to late-1900s the Site was occupied by a garage and a gasoline station (from approximately 1926 to at least 1951), a plumbing supply/metal products manufacturer (1945 to 1965), and a textile factory (1976 to 1992). A fire occurred on the Site in the early 1990s and the lot has been vacant since approximately 1992.

This CPP concerns the off-site investigation associated with the Brownfield Site.

History of Site Use, Investigation, and Cleanup

Between 2011 and 2013, TRC conducted a Phase 1 Environmental Site Assessment and Phase II Environmental Site Investigation (ESI). Additionally, since the Site has been identified by local community groups as a potential burial ground for Revolutionary War soldiers, an archaeological investigation was completed by AKRF Engineering, P.C. in June 2017. The results from the investigations include the following: SOIL - Three metals (chromium, mercury, and nickel) were detected in shallow soil (1 to 4 feet below ground surface (bgs)) at concentrations above the Restricted-Residential Use Soil Cleanup Objectives (RRSCOs). Trichloroethene (TCE) was detected in one shallow soil sample with the concentration of 8.44 ppm from 3.5 to 4 feet bgs above the Protection of Groundwater SCO of 0.47 ppm. TCE was lower than RRSCO value of 21 ppm. GROUNDWATER - Cis-1,2-dichloroethene (cis-1,2-DCE) was detected above the NYSDEC Class GA Value in two locations at a maximum concentration of 18 ug/L and TCE was detected above the Class GA Value in three locations at a maximum concentration of 99 ug/L. Three metals (magnesium, manganese and sodium) were detected in filtered groundwater concentration exceeding Class GA values. SOIL VAPOR - Chlorinated solvent-related Volatile Organic Compounds (VOCs) were detected at elevated concentrations in soil vapor samples. A comparison of maximum concentrations of exceedances for TCE (16,000 ug/m³), cis,1-2-DCE (110 ug/m³), and PCE (940 ug/m³) respectively with the NYSDOH Vapor Intrusion Matrices indicates the recommended action would be mitigation for further development purposes for indoor air and sub-slab conditions. Several petroleum-related VOCs were detected at elevated concentrations in soil vapor samples. Additional Environmental Conditions - The Site is

listed in the NYSDEC Petroleum Bulk Storage (PBS) tank database (PBS Registration No. 2-612781) for three gasoline underground storage tanks (USTs) encountered during the archaeological investigation. As part of the remedial action for the Site, the USTs will be closed and removed in accordance with NYSDEC regulations and guidance. An at-risk Interim Remedial Measure (IRM) was completed in November 2017 (prior to application to the BCP) in the northern portion of the site to remove potential source material. An IRM is an action taken at a contaminated site in order to reduce the chances of human or environmental exposure to site contaminants. Activities of the IRM included removal of drainage features and piping.

5. Investigation and Cleanup Process

Investigation

A detailed study of the site will be performed by Derby Textile Corp., NYSDEC and NYSDOH. This detailed study is called a “Remedial Investigation”. The investigation work plan is called a “Remedial Investigation Work Plan” and is available for public review at the “Locations of Reports and Information” identified in Appendix A.

The site investigation has several goals:

- 1) Define the nature and extent of contamination in soil vapor 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.

NYSDOH reviews and recommends activities that will be performed during the investigation to ensure that a complete picture of potential health impacts is understood. Such activities include identifying the ways contamination can reach people, such as through direct contact, eating, drinking, or breathing.

The information collected during the site investigation will be summarized in a report.

Feasibility Study

After the site investigation has begun, {the responsible party, with oversight by} NYSDEC will conduct a “Feasibility Study.” This study uses information developed during the site investigation to develop and evaluate potential ways to clean up contamination related to the site. Another possibility is that the information collected during the site investigation may support the conclusion that no action, or no further action, is needed to address site-related contamination.

Proposed Remedy

The evaluation of possible remedies ends with a recommended proposal to eliminate the threat posed by contaminants at the site. NYSDEC approves or prepares this proposal, called a “Proposed Remedial Action Plan” (PRAP). The PRAP describes the remedy preferred by NYSDEC, or a no action or no further action alternative. The PRAP summarizes the decision that led to the recommendation of the preferred remedy by discussing each alternative and the reasons for choosing or rejecting it. The goal of any cleanup plan is to protect public health and the environment. NYSDEC will present the PRAP to the public for its review and comment during a 30-day comment period and at a public meeting.

Selected Remedy

NYSDEC considers public comments as it selects the remedy to address contamination related to the site. The selected remedy will be described in a document called a “Record of Decision” (ROD). The ROD will explain why the remedy was selected and respond to public comments. This document will be placed in the location of reports and information. If the selected remedy is no action or no further action, NYSDEC may then take steps to reclassify the site or remove the site from its list of contaminated sites.

Cleanup Action

If the Record of Decision for the site calls for cleanup action, the project then moves to designing and performing the actions to address the site contamination. When cleanup actions have been completed, NYSDEC will approve or prepare a Final Engineering Report (FER) that describes the cleanup actions undertaken and certifies that cleanup requirements have been achieved or will be achieved.

Certificate of Completion

Upon approval of the FER, NYSDEC may issue a Certificate of Completion (COC). The COC would recognize the findings of the FER and note that the cleanup program achieved a cleanup level consistent with specific categories of use for the site. The recipient of the COC would be entitled to limited liability as long as it complied with the terms of the COC, and other conditions.

A COC may be modified or revoked if, for example, the recipient does not comply with the terms of the COC, or if the recipient commits fraud regarding its certification that it has met cleanup levels.

Site Management

Site management is the last phase of the site cleanup program. This phase begins when the COC is issued. Site management may be conducted by NYSDEC, or by the

responsible party under NYSDEC oversight, if contamination will remain in place. 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. During the site management phase, NYSDEC may also take steps to reclassify the site or delist the site from the Registry.

**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):

Wendi Zheng Project Manager
New York State Department of
Environmental Conservation
Division of Environmental Remediation
47-40 21st Street
Long Island City, NY 11101
wendi.zheng@dec.ny.gov

Thomas Panzone
Public Participation Specialist
NYSDEC Region 2
Office of Communications Services
47-40 21st Street
Long Island City, NY 11101-5407
Tel: (718) 482-4953
Email: thomas.panzone@dec.ny.gov

Project Manager NYSDOH
Sarita Wagh
New York State Department of Health
Bureau of Environmental Exposure
Investigation
Empire State Plaza
Corning Tower Room 1787
Albany, N.Y. 12237

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 - Park Slope
Branch** -Public library
431 6th Ave
Brooklyn, NY 11215
(718) 832-1853

NYSDEC
Wendi Zheng Project Manager
47-40 21st Street
Long Island City, NY 11101
wendi.zheng@dec.ny.gov
(call for appointment)

Appendix B -- Site Contact List

Hon. Bill de Blasio
Mayor of New York City
City Hall
New York, NY 10007

Hon. Eric Adams
Brooklyn Borough President
209 Joralemon Street
New York, NY 11201

Hon. Brad Lander
NYC Council Member
456 5th Avenue
Brooklyn, NY 11215

Marisa Lago
Commissioner, NYC Dept. of City Planning
120 Broadway, 31st Floor
New York, NY 10271

Keith Bray
New York City Department of Transportation
Brooklyn Borough Commissioner
55 Water Street, 9th Floor
New York, NY 10041

Kings County Clerk's Office
Nancy Sunshine, County Clerk
360 Adams Street, Room 189
Brooklyn, NY 11201

Hon. Jumaane Williams
Public Advocate
1 Centre Street, 15th Floor
New York, NY 10007

Hon. Scott M. Stringer
Office of the Comptroller
1 Centre Street
New York, NY 10007

Hon. Zellnor Myrie
NYS Senator
1077 Nostrand Avenue
Brooklyn, NY 11225

Hon. Jo Anne Simon
NYS Assemblymember
341 Smith Street
Brooklyn, NY 11231

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. Nydia Velazquez
U.S. House of Representatives
266 Broadway, Suite 201
Brooklyn, NY 11211

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

Mark McIntyre
NYC Department of Environmental Remediation
100 Gold Street – 2nd Floor
New York, NY 10038

Brooklyn Community Board 6
Attn: Gary Reilly – Chairman
District Manager – Vacant

Hildegard Link – Chairwoman – Environmental Committee
250 Baltic Street,
Brooklyn, NY 11201

Local News Media

The Brooklyn Paper
One Metrotech Center, Suite 1001
Brooklyn, NY 11201

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

New York Post
1211 Avenue of the Americas
New York, NY 10036-8790

Courier-Life Publications
1 Metro-Tech Center North - 10th Floor
Brooklyn, NY 11201

Brooklyn Daily Eagle
30 Henry Street
Brooklyn, NY 11201

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

Red Hook Star Revue
101 Union Street
Brooklyn, NY 11231

The Brooklyn Reporter
9733 4th Avenue
Brooklyn, NY 11209

Hoy Nueva York
1 MetroTech Center, 18th Floor
Brooklyn, NY 11201

El Diario La Prensa
1 MetroTech Center, 18th Floor
Brooklyn, NY 11201

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

Public Water Supplier

Vincent Sapienza, Commissioner
New York City Department of Environmental Protection
59-17 Junction Boulevard
Flushing, NY 11373

Community, Civic, Religious and Other Environmental Organizations:

FROGG
Friends of Greater Gowanus
268 Smith Street
Brooklyn, NY 11231

Gowanus Canal Conservancy
P.O. Box 150-652
Brooklyn, NY 11215

Gowanus Canal Community Development Corporation
Mike Raccioppo, Executive Director
515 Court Street
Brooklyn, NY 11231

Gowanus Alliance
Attn: Paul Basile, President
135 13th Street
Brooklyn, NY 11215

St. Thomas Aquinas RC Church
Attn: Pastor
249 9th Street
Brooklyn, NY 11215

Schools & Daycare Facilities:

JHS 51 William Alexander
Attn: Principal
350 5th Avenue
Brooklyn, NY 11215

The Maurice Sendak School (K118)
Attn: Principal
211 8th Street
Brooklyn, NY 11215

Al Madinah School (KBYJ)
Attn: Principal
383 3rd Avenue
Brooklyn, NY 11215

St. Thomas Aquinas School
Attn: Principal
211 8th Street
Brooklyn, NY 11215

Adjacent Properties:

New York City School Construction Authority
c/o Alexander Lempert
30-30 Thomson Avenue
Long Island City, NY 11101

American Legion Hall
M A Rawley Jr. Memorial
193 9th Street
Brooklyn, NY 11207

Timothy F. Sohn
174 8th Street
Brooklyn, NY 11215

203 Ninth Street, LLC
4400 Second Avenue
Brooklyn, NY 11232

Blue Corner, Inc.
437-439 Third Avenue
Brooklyn, NY 11215

Michael J. Brennan and Francelle C. Lim
156 Bowery
New York, NY 10012

Frieda Lim and Kevin P. McClurkan
224 West 13th Street
New York, NY 10012

Elizabeth and Wayne Adams
167 8th Street
Brooklyn, NY 11215

Albert D., Carole A., and Robert C. Angel
169 8th Street
Brooklyn, NY 11215

171 8th Street, LLC
171 8th Street
Brooklyn, NY 11215

Matilde Arroyo
173 8th Street
Brooklyn, NY 11215

175 8th, LLC
6 Grove Street
New York, NY 10014

177 8th St, LLC
890 Lakeside Drive
Woodmere, NY 11598

Estate of Henry Lusik
179 8th Street
Brooklyn, NY 11215

179A JC Coin Realty
7326 Bergen Cove, Floor 2
Brooklyn, NY 11234

Ellen Foote and Stephen Hindy
181 8th Street
Brooklyn, NY 11215

Richard and Anna Gatto
183 8th Street
Brooklyn, NY 11215

Laura Routgauzer
870 West 181st Street
New York, NY 10033

Donna and Eugene Kabacinski
222 9th Street
Brooklyn, NY 11215

Joseph Salemi
220 9th Street
Brooklyn, NY 11215

Rosemarie Addusti
218 9th Street
Brooklyn, NY 11215

Wayne and Rose York
216 9th Street
Brooklyn, NY 11215

Sylvia and Anna Castro
147 17th Street
Brooklyn, NY 11215

Bogumila Pastwa
210 9th Street
Brooklyn, NY 11215

Elizabeth Rodriguez
647 Jerome Street
Brooklyn, NY 11207

204 Property Associates, LLC
100 Seventh Avenue
Brooklyn, NY 11215

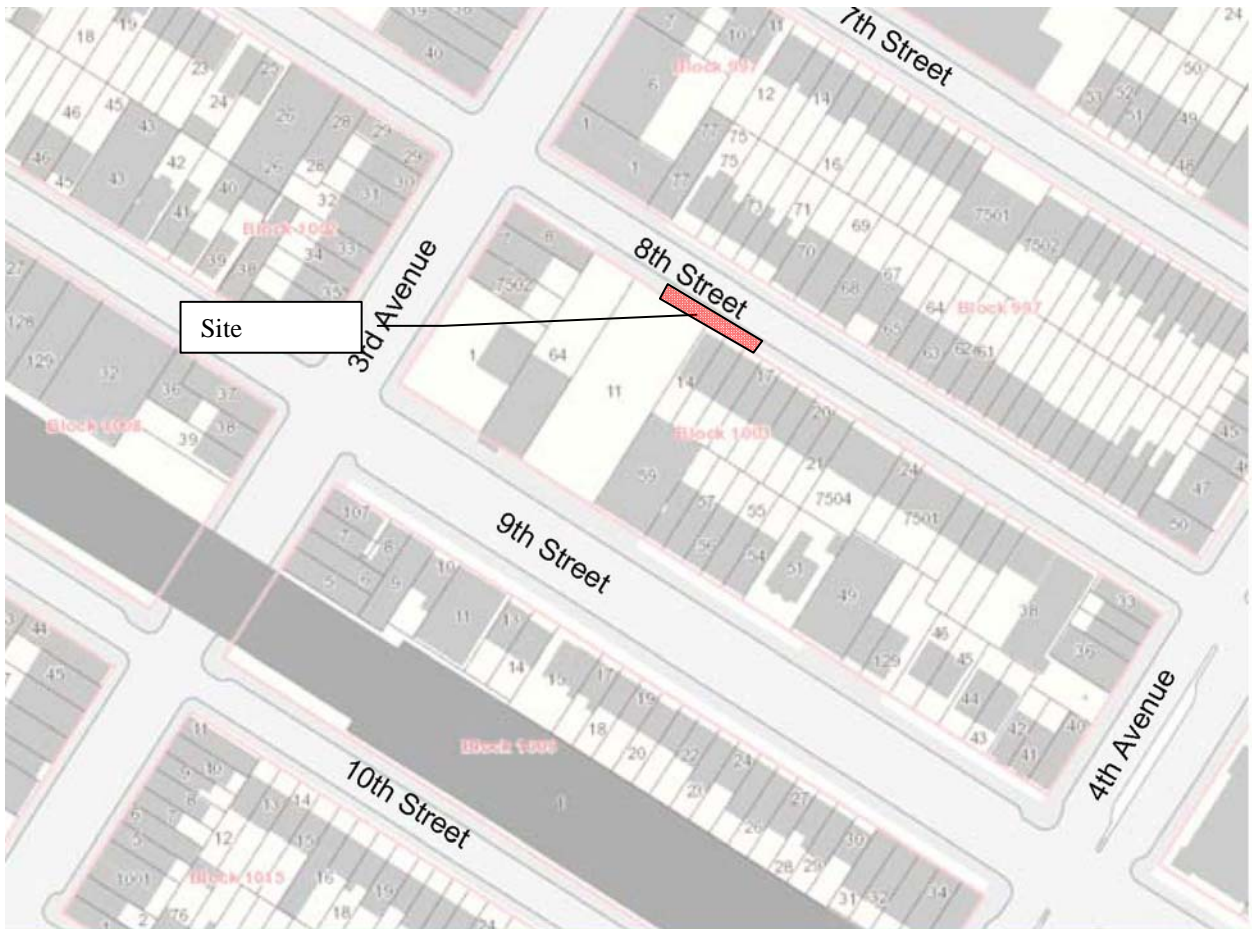
138 15, LLC
241 Barton Avenue
Melville, NY 11747

Richard Ribellino
200 9th Street
Brooklyn, NY 11215

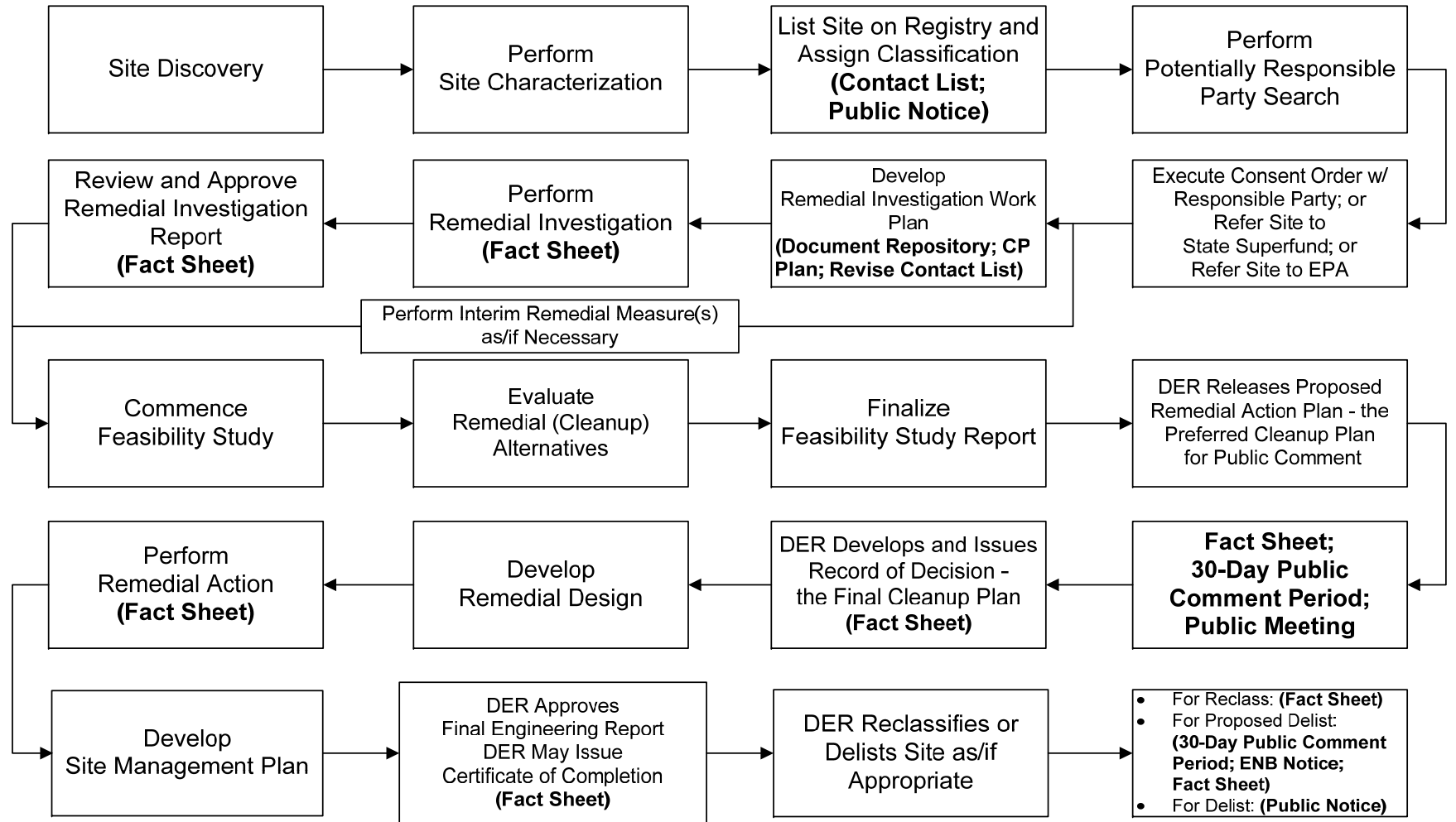
Vincent Russo/Francis Izzo
455 3rd Avenue
Brooklyn, NY 11215

John Rota
271 12th Street
Brooklyn, NY 11215

Appendix C -- Site Location Map



Appendix D - State Superfund Program Remedial Process



Note: CP Activities are in **Bold**.

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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: 168 8th Street Off-site

Site Number: [Click here to enter text.](#)

Site Address and County: 168 8th Street, Brooklyn, NY

Remedial Party(ies): Derby Textile Corp.

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.**
Nuisance odors and dust during the investigation. Possibility of vapor intrusion into adjacent residences.

How were these issues and/or information needs identified?

Experience on similar projects in the area

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.

See BCP CPP milestones and Site Contact list

How were these issues and/or information needs identified?

Applicable guidance

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:

x **Residential** **Agricultural** **Recreational** x **Commercial** **Industrial**

b. Residential type around site:

x **Urban** **Suburban** **Rural**

c. Population density around site:

x **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**:

The Site is located in an area with a sizable Hispanic-American population nearby. Therefore, all future fact sheets will be translated into Spanish.

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: [Click here to enter text.](#)

Local Officials: [Click here to enter text.](#)

Media: [Click here to enter text.](#)

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): [Click here to enter text.](#)

Environmental Justice Group(s): [Click here to enter text.](#)

Environmental Group(s): [Click here to enter text.](#)

Civic Group(s): [Click here to enter text.](#)

Recreational Group(s): [Click here to enter text.](#)

Other(s): [Click here to enter text.](#)

Prepared/Updated By: Charles Sosik

Date: 8/23/19

Reviewed Approved By: Thomas Panzone

Date: 9/16/19

