



Department of
Environmental
Conservation

Brownfield Cleanup Program

Citizen Participation Plan for 340 Myrtle Avenue

October 2021

BCP Site No. TBD
340 Myrtle Avenue
Brooklyn
Kings County, New York

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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: **F&D Myrtle Realty Co LLC and One Brooklyn Family Warehousing LLC**
(“Applicants”)

Site Name: **340 Myrtle Avenue (“Site”)**

Site Address: **340 Myrtle Avenue, Brooklyn, NY 11205**

Site County: **Kings County**

Site Number: **TBD**

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) |
|--|----------------------------|
| <p align="center">Application Process:</p> <div> <div> <ul style="list-style-type: none"> • Prepare site contact list • Establish document repository(ies) </div> <div> <p>At time of preparation of application to participate in the BCP.</p> </div> </div> <hr/> <div> <div> <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 </div> <div> <p>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.</p> </div> </div> | |
| <p align="center">After Execution of Brownfield Site Cleanup Agreement (BCA):</p> <div> <div> <ul style="list-style-type: none"> • Prepare Citizen Participation (CP) Plan </div> <div> <p>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.</p> </div> </div> | |
| <p align="center">Before NYSDEC Approves Remedial Investigation (RI) Work Plan:</p> <div> <div> <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 </div> <div> <p>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.</p> </div> </div> | |
| <p align="center">After Applicant Completes Remedial Investigation:</p> <div> <div> <ul style="list-style-type: none"> • Distribute fact sheet to site contact list that describes RI results </div> <div> <p>Before NYSDEC approves RI Report</p> </div> </div> | |
| <p align="center">Before NYSDEC Approves Remedial Work Plan (RWP):</p> <div> <div> <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 </div> <div> <p>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.</p> </div> </div> | |
| <p align="center">Before Applicant Starts Cleanup Action:</p> <div> <div> <ul style="list-style-type: none"> • Distribute fact sheet to site contact list that describes upcoming cleanup action </div> <div> <p>Before the start of cleanup action.</p> </div> </div> | |
| <p align="center">After Applicant Completes Cleanup Action:</p> <div> <div> <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) </div> <div> <p>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.</p> </div> </div> | |

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.

No shallow groundwater use exists in the area or vicinity of the Site. This eliminates potential wellhead issues, but does not take into account the vapor intrusion issues to which on-Site and adjacent buildings may become susceptible since groundwater contamination includes Volatile Organic Compounds (VOCs). Potable water is provided to residents by the New York City Department of Environmental Protection (NYCDEP) from upstate watersheds. There may also be impacts with regards to noise, odor, and truck traffic.

The Site is not located within a Potential Environmental Justice Area. Based on neighborhood 2020 census data, there is a sizable Hispanic-American community near the Site. Therefore, all future fact sheets will be translated into Spanish.

Upon conclusion of the BCP application 30 day public comment period, if issues of public concern are identified, this CP Plan will be amended to address any additional CP activities that may need to be implemented.

4. Site Information

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

Site Description

The Site is an irregularly-shaped parcel located on the southeast corner of the intersection of Myrtle Avenue and Carlton Avenue, in the Fort Greene neighborhood of Brooklyn. The Site is identified on New York City tax maps as Block 2073 and Lot 21. The Site is bounded by Myrtle Avenue to the north, a residential building to the south, Carlton Avenue and vacant land to the west, and commercial and residential buildings to the east. Currently, the Site is occupied by a one-story commercial building with a cellar and is occupied by a commercial laundry, a bedding and bath store, and vacant commercial spaces.

History of Site Use, Investigation, and Cleanup

The Site was initially developed sometime prior to 1887 with several three-story commercial buildings. By 1938, three commercial buildings were demolished, and, by 1950, this portion of the Site was used for parking. By 1961, the Site was occupied by a

one-story commercial building. Prior uses of the Site include residential and commercial, with commercial uses including dry cleaning, restaurants, grocery stores, clothing stores, a gift shop, a meat market, a barber shop, and parking. The Site operated as a dry cleaning facility from at least 1969 to 2007.

Environmental investigations completed at the Site have included analysis of soil, groundwater, and soil vapor. The investigation was completed in 2021 to satisfy the requirements of the hazardous materials “E-designation” (E-183) that was placed on the Site as part of the Fort Greene/Clinton Hill Rezoning and Text Amendment.

Previous Environmental Studies

Preliminary Geotechnical Engineering Report (June 2021)

A Geotechnical Investigation was conducted at the Site in 2021 and detected the presence of uncontrolled fill material from grade to approximately 10 to 13 feet below grade (ft-bg). The fill material consists of silt, gravel, and construction debris. The fill layer is underlain by a native soil layer consisting of loose and medium-grained silt, followed by a layer of glacial till.

Phase I Environmental Site Assessment (July 2021)

A Phase I Environmental Site Assessment (ESA) was conducted in 2021 and identified the following Recognized Environmental Conditions (RECs) in connection with the Site as having the potential for negative environmental impacts:

- The documented presence of historic fill at the Site;
- Historic use of the Site for dry cleaning; and,
- Historic use of the south adjoining property for auto repair and manufacturing.

Phase II Environmental Site Investigation (2021)

Soil, groundwater, and soil vapor sampling was completed to further investigate the Phase I ESA findings and to satisfy the requirements of the hazardous materials “E-designation” (E-183) that was placed on the Site as part of the Fort Greene/Clinton Hill Rezoning and Text Amendment. A ground penetrating radar (GPR) was performed across the Site, 16 soil samples were collected from eight soil borings, two groundwater samples were collected from two newly installed permanent groundwater monitoring wells, and five sub-slab soil vapor samples were collected from five temporary sub-slab soil vapor points. All soil and groundwater samples were analyzed for VOCs, semivolatile organic compounds (SVOCs), target analyte list (TAL) metals (total and dissolved for groundwater), pesticides, and polychlorinated biphenyls. In addition, one

soil sample and both groundwater samples were also analyzed for emerging contaminants, including per- and polyfluoroalkyl substances (PFAS) and 1,4-dioxane. All sub-slab soil vapor samples were analyzed for VOCs.

The GPR survey did not detect any anomalies indicative of underground storage tanks at the Site. The results of the soil sample analysis showed elevated concentrations of the chlorinated VOC (cVOC) tetrachloroethene (PCE) in one soil sample collected from the former dry cleaner footprint. Historic fill related SVOCs, specifically polyaromatic hydrocarbons (PAHs), were also detected at elevated concentrations in three soil samples. Historic fill related metals, specifically lead and mercury, were also detected at elevated concentrations in two soil samples collected from the exterior portion of the Site.

The results of the groundwater sample analysis showed elevated concentrations of the cVOC PCE in groundwater at the Site and offsite. In addition, a variety of SVOCs, specifically PAHs, were detected at elevated concentrations in groundwater at the Site and offsite. One metal, chromium, was detected at a slightly elevated concentration in the offsite total groundwater sample. However, chromium was not detected in any dissolved groundwater samples.

The results of the sub-slab soil vapor sample analysis showed elevated concentrations of cVOCs, specifically PCE, trichloroethene (TCE), cis-1,2-dichloroethene (cis-1,2-DCE), trans-1,2-dichloroethene (trans-1,2-DCE), and chloroform in one or more sub-slab soil vapor samples. Comparison of PCE, TCE, and cis-1,2-DCE concentrations to the New York State Department of Health (NYSDOH) Soil Vapor Intrusion Guidance indicates that mitigation would be required for PCE at all five sampling locations, for TCE at three sampling locations, and for cis-1,2-DCE at one sampling location.

5. Investigation and Cleanup Process

Application

The Applicant has applied for and been accepted into New York's Brownfield Cleanup Program as a **Participant**. This means **that the Applicant was the owner of the site at the time of the disposal or discharge of contaminants or was otherwise liable for the disposal or discharge of the contaminants. The Participant must fully characterize the nature and extent of contamination onsite, as well as the nature and extent of contamination that has migrated from the site. The Participant also 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 purposes.

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

Investigation

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

The site investigation has several goals:

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

The Applicant submits a draft “Remedial Investigation Work Plan” to NYSDEC for review and approval. NYSDEC makes the draft plan available to the public review during a 30-day public comment period.

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

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

Interim Remedial Measures

An Interim Remedial Measure (IRM) is an action that can be undertaken at a site when a source of contamination or exposure pathway can be effectively addressed before the

site investigation and analysis of alternatives are completed. If an IRM is likely to represent all or a significant part of the final remedy, NYSDEC will require a 30-day public comment period.

Remedy Selection

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

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

or

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

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

Cleanup Action

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

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

Certificate of Completion

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

Site Management

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

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

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

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

Appendix A - Project Contacts and Locations of Reports and Information

Project Contacts

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

New York State Department of Environmental Conservation (NYSDEC):

{TBD}

Project Manager

NYSDEC

Division of Environmental Remediation

625 Broadway, 12th Floor

Albany, NY 12233

Phone: {TBD}

Email: {TBD}

{TBD}

Citizen Participation Specialist

NYSDEC

Address: {TBD}

Phone: {TBD}

Email: {TBD}

New York State Department of Health (NYSDOH):

{TBD}

Project Manager

NYSDOH

Bureau of Environmental Exposure
Investigation

Empire State Plaza Corning Tower,
Room 1787, Albany, NY 12237

Phone: {TBD}

Email: {TBD}

Locations of Reports and Information

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

Brooklyn Community Board #2
350 Jay Street, 8th Floor
Brooklyn, NY 11201
Attn: Carol-Ann Church
Phone: (718) 596-5410
Hours:
Monday – Friday: 9 AM – 5 PM
Saturday & Sunday: Closed

Brooklyn Public Library – Walt Whitman
Branch
93 St. Edwards Street
Brooklyn, NY 11205
Attn: Bayleigh Vidovich
Phone: (718) 935-0244
Hours:
Mon, Wed, & Fri: 10 AM – 6 PM
Tuesday: 1 PM – 8 PM
Thursday: 10 AM – 8 PM
Saturday: 10 AM – 5 PM
Sunday: Closed

NYSDEC
Division of Environmental Remediation
625 Broadway, 12th Floor
Albany, NY 12233
Attn: {TBD}
Phone: {TBD}
Hours: Call for appointment

Appendix B - Site Contact List

Contact List Information

B1. The Chief Executive Officer And Planning Board Chairperson Of Each County, City, Town And Village In Which The Property Is Located.

Mayor Bill de Blasio
City Hall
260 Broadway Avenue
New York, New York 10007

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

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

Mark McIntyre, Esq., Acting Director
Mayor's Office of Environmental Remediation
100 Gold Street, 2nd Floor
New York, NY 10038

Julie Stein
Office of Environmental Assessment & Planning
New York City Department of Environmental Protection
96-05 Horace Harding Expressway
Flushing, NY 11373

Eric L. Adams
Brooklyn Borough President
209 Joralemon Street
Brooklyn, NY 11201

Department of City Planning
Brooklyn Borough Office
16 Court Street, 7th Floor
Brooklyn, NY 11241-0103

Rafael L. Espinal Jr.
Council Member, District 37
786 Knickerbocker Avenue
Brooklyn, NY 11207

Erik M. Dilan
Assembly Member, District 54
366 Cornelia Street
Brooklyn, NY 11237

Martin M. Dilan
State Senator, District 18
573 Metropolitan Avenue
Brooklyn, NY 11211

B2. Residents, Owners And Occupants Of The Property And Properties Adjacent To The Property.

Site Owner

F&D Myrtle Realty Co LLC
Attn: Marisol Diaz
340-348 Myrtle Avenue
Brooklyn, NY 11205

Perspective Site Owner

One Brooklyn Family Warehousing, LLC
Attn: Jamie Wiseman
97 North 10th Street, 2D
Brooklyn, NY 11249

Site Occupants

Mega Home Furniture
340 Myrtle Avenue
Brooklyn, NY 11205

Myrtle Avenue & Carlton Avenue

Open space park owned/occupied by: NYC Parks
Owner Address: The Arsenal, Central Park, 830 Fifth Avenue, New York, NY 10065

338 Myrtle Avenue

Mixed residential and Commercial building owned by: Zheng, Sheng Zhi
Owner Address: 154 Carlton Avenue, Brooklyn, NY 11208
Occupied by: Chung Chun Kitchen
Occupant Address: 338 Myrtle Avenue, Brooklyn, NY 11208

339 Myrtle Avenue

Mixed residential and Commercial building owned by: 339 Myrtle LLC
Owner Address: 339 Myrtle Avenue, Brooklyn, NY 11208
Occupied by: Crown Chicken & Pizza
Occupant Address: 339 Myrtle Avenue, Brooklyn, NY 11208

341 Myrtle Avenue

Mixed residential and Commercial building owned by: Hipotech, LLC
Owner Address: 543 Bedford Avenue, suite #139, Brooklyn, NY 11211
Occupied by: Vacant
Occupant Address: N/A

343 Myrtle Avenue

Mixed residential and Commercial building owned by: Taveras, Rose
Owner Address: 343 Myrtle Avenue, Brooklyn, NY 11208
Occupied by: Klevor Liquor

Occupant Address: 343 Myrtle Avenue, Brooklyn, NY 11208

345 Myrtle Avenue

Mixed residential and Commercial building owned by: 345 Myrtle LLC

Owner Address: 413 Park Avenue, Brooklyn, NY 11205

Occupied by: Myrtle 99 Cents Inc

Occupant Address: 345 Myrtle Avenue, Brooklyn, NY 11208

347 Myrtle Avenue

Mixed residential and

Owner Address: 347 Myrtle Avenue, Brooklyn, NY 11208

Occupied by: Vacant

Occupant Address: N/A

349 Myrtle Avenue

Mixed residential and Commercial building owned by: 349 Myrtle Ave LLC

Owner Address: 595 Madison Avenue, Suite 1101, NY 10022

Occupied by: Gangstas Making Astronomical Community Changes Inc.

Occupant Address: 475 Carlton Avenue 7G, Brooklyn, NY 11238

351 Myrtle Avenue

Mixed residential and commercial building owned by: Ni, Lam Yam

Owner Address: 349 Myrtle Avenue, Brooklyn, NY 11208

Occupied by: Hardee

Occupant Address: 351 Myrtle Avenue, Brooklyn, NY 11208

156 Carlton Avenue

Residential building owned by: D'avilar, Ruth

Owner Address: 156 Carlton Avenue, Brooklyn, NY 11208

158 Carlton Avenue

Residential building owned by: East Coast Realty L.P.

Owner Address: 39 Crosby Street, Suite 3N, NY, NY 10013

350 Myrtle Avenue

Commercial building owned by: Jin Fong Realty, Inc

Owner address:

Occupied by: Gnarly Vines

Occupant Address: 350 Myrtle Avenue, Brooklyn, NY 11208

26 Fountain Avenue

Residential building owned/occupied by: Iftekar Asalat or Occupant

B3. Local News Media From Which The Community Typically Obtains Information.

Brooklyn Eagle

30 Henry Street

Brooklyn, NY 11201

News 12 Brooklyn
164 20th Street
Brooklyn, NY 11232

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

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

B4. The Public Water Supplier Which Services The Area In Which The Property Is Located

Public water is provided from upstate New York reservoirs by the City of New York, Department of Environmental Protection (Consumer Service Center: 59-17 Junction Boulevard, 10th Floor, Flushing, NY 11373).

B5. Any Person Who Has Requested To Be Placed On The Contact List.

We are unaware of any requests for inclusion on the contact list.

B6. The Administrator Of Any School Or Day Care Facility Located On Or Near The Property.

There are no day care facilities within 1,000 feet of the site.

One school is within 1,000 feet of the site:

Transit Tech Career and Technical Education High School K615
1 Wells Street
Brooklyn, NY 11208
Marlon Bynum, Principal
(718) 647-5204

B7. Locations of the Document Repositories

Brooklyn Community Board #2
Attn: Carol-Ann Church
350 Jay Street, 8th Floor
Brooklyn, NY 11201

Brooklyn Public Library – Walt Whitman Branch
Attn: Bayleigh Vidovich, Library Supervisor
93 St. Edwards Street
Brooklyn, NY 11205

B8. In Cities With A Population of One Million or More, The Local Community Board If The Proposed Site Is Located Within Such Community Board's Boundaries

Brooklyn Community Board #2
350 Jay Street, 8th Floor
Brooklyn, NY 11201

Appendix C - Site Location Map

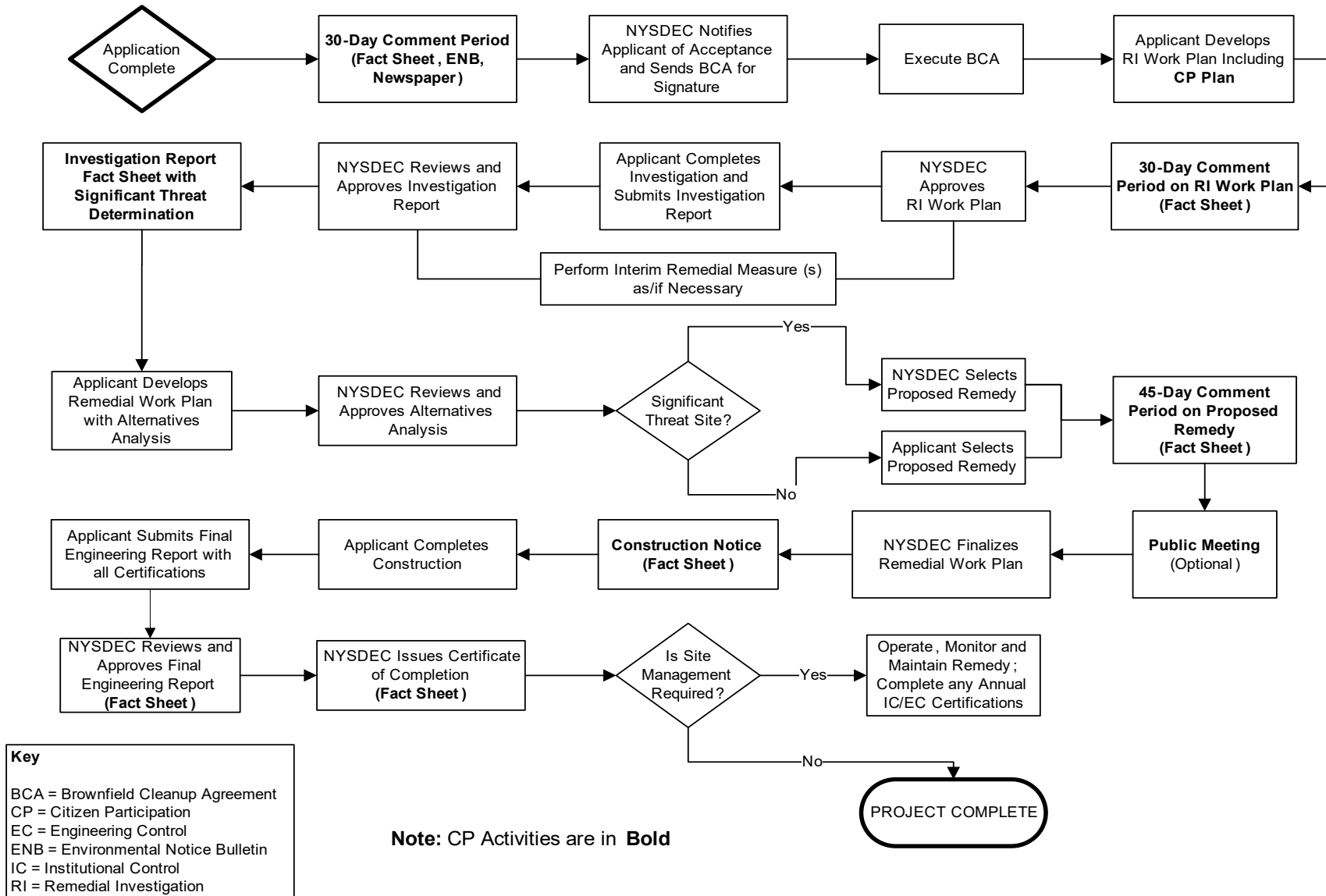


Site (340 Myrtle Avenue)



200 ft

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: 340 Myrtle Avenue

Site Number: TBD

Site Address and County: 340 Myrtle Avenue, Brooklyn, Kings County, NY 11205

Remedial Party(ies): F&D Myrtle Realty Co LLC and One Brooklyn Family Warehousing 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.**

Groundwater contamination included Volatile Organic Compounds (VOCs) which could pose soil vapor intrusion issues on-Site and in adjacent buildings. The Site is not located within a Potential Environmental Justice Area. Based on neighborhood 2020 census data, there is a sizable Hispanic-American community near the Site. Therefore, all future fact sheets will be translated into Spanish. There may also be impacts with regards to noise, odor, and truck traffic.

How were these issues and/or information needs identified?

A Phase II Environmental Site Investigation (ESI) was performed at the Site in 2021.

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.

Commercial tenants of the Site building and possible commercial and residential tenants of the surrounding properties.

How were these issues and/or information needs identified?

A Phase II ESI was performed at the Site in 2021.

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:

N/A

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

☐ **Yes** ☒ **No**

Provide details if appropriate:

N/A

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:

All future fact sheets will be translated in 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:** See Site Contact List

☒ **Local Officials:** See Site Contact List

☒ **Media:** See Site Contact List

☒ **Business/Commercial Interests:** See Site Contact List

☐ **Labor Group(s)/Employees:** N/A

☐ **Indian Nation:** N/A

☐ **Citizens/Community Group(s):** N/A

☐ **Environmental Justice Group(s):** N/A

☐ **Environmental Group(s):** N/A

☐ **Civic Group(s):** N/A

☐ **Recreational Group(s):** N/A

☐ **Other(s):** N/A

Prepared/Updated By: Ashley Platt

Date: 9/27/2021

Reviewed/Approved By: [Click here to enter text.](#)

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