



Department of  
Environmental  
Conservation

**Brownfield Cleanup Program**  
**Citizen Participation Plan**  
for  
**401 West 207<sup>th</sup> Street Redevelopment**

March 2022

C231151  
401 West 207<sup>th</sup> Street  
Inwood, New York, NY 10034

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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: **401 W 207<sup>th</sup> Realty LLC (“Applicant”)**  
Site Name: **401 West 207<sup>th</sup> Street Redevelopment (“Site”)**  
Site Address: **401 West 207<sup>th</sup> Street**  
Site County: **Manhattan**  
Site Number: **C231151**

## **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)
<b>Application Process:</b>	
<ul style="list-style-type: none"> <li>• Prepare site contact list</li> <li>• Establish document repository(ies)</li> </ul>	At time of preparation of application to participate in the BCP.
<ul style="list-style-type: none"> <li>• Publish notice in Environmental Notice Bulletin (ENB) announcing receipt of application and 30-day public comment period</li> <li>• Publish above ENB content in local newspaper</li> <li>• Mail above ENB content to site contact list</li> <li>• Conduct 30-day public comment period</li> </ul>	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.
<b>After Execution of Brownfield Site Cleanup Agreement (BCA):</b>	
<ul style="list-style-type: none"> <li>• Prepare Citizen Participation (CP) Plan</li> </ul>	Before start of Remedial Investigation <b>Note:</b> Applicant must submit CP Plan to NYSDEC for review and approval within 20 days of the effective date of the BCA.
<b>Before NYSDEC Approves Remedial Investigation (RI) Work Plan:</b>	
<ul style="list-style-type: none"> <li>• Distribute fact sheet to site contact list about proposed RI activities and announcing 30-day public comment period about draft RI Work Plan</li> <li>• Conduct 30-day public comment period</li> </ul>	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.
<b>After Applicant Completes Remedial Investigation:</b>	
<ul style="list-style-type: none"> <li>• Distribute fact sheet to site contact list that describes RI results</li> </ul>	Before NYSDEC approves RI Report
<b>Before NYSDEC Approves Remedial Work Plan (RWP):</b>	
<ul style="list-style-type: none"> <li>• Distribute fact sheet to site contact list about draft RWP and announcing 45-day public comment period</li> <li>• Public meeting by NYSDEC about proposed RWP (if requested by affected community or at discretion of NYSDEC project manager)</li> <li>• Conduct 45-day public comment period</li> </ul>	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.
<b>Before Applicant Starts Cleanup Action:</b>	
<ul style="list-style-type: none"> <li>• Distribute fact sheet to site contact list that describes upcoming cleanup action</li> </ul>	Before the start of cleanup action.
<b>After Applicant Completes Cleanup Action:</b>	
<ul style="list-style-type: none"> <li>• Distribute fact sheet to site contact list that announces that cleanup action has been completed and that NYSDEC is reviewing the Final Engineering Report</li> <li>• Distribute fact sheet to site contact list announcing NYSDEC approval of Final Engineering Report and issuance of Certificate of Completion (COC)</li> </ul>	At the time the cleanup action has been completed. <b>Note:</b> 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 contaminants of concern at the Site are petroleum related volatile organic compounds (VOCs). High levels of benzene, toluene, ethylbenzene, and xylenes (BTEX) were detected in both shallow and deep soil samples side-wide. Elevated petroleum related VOCs were detected in groundwater throughout the site above the Class A Water Ambient Water Quality Standard. Vapor instruction to grade level were also identified.

Based on historical Site investigations, the groundwater beneath the Site is expected to flow from west to east. Harlem River is located 0.1 miles to the east of the Site. Thus, the contaminants in groundwater will likely migrate from the Site to Harlem River. Harlem River watershed provides wildlife habitat, recreational opportunities, and economic incentives. Additional subsurface investigation is required to identify Site groundwater contamination level and plume migration to Harlem River.

The proposed remedial investigation, interim Site remedy, and remedial actions can potentially cause public health concerns. During intrusive activities, air quality and dust levels will be monitored in accordance with NYSDEC and NYSDOH-approved Community Air Monitoring Program (CAMP). Odor will be monitored in accordance with the Interim Remedial Work Plan (IRMWP) and Remedial Action Work Plan (RAWP). Trucks will avoid residential roads to the extent possible before entering/ exiting highways to minimize air and noise impacts to the community.

The Site is located in a Potential 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.

Because there is a large Hispanic-American population near the Site, all future fact sheets will be translated into Spanish.

For additional information, visit:

<https://statisticalatlas.com/tract/New-York/New-York-County/029900/Race-and-Ethnicity>

#### 4. Site Information

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

##### *Site Description*

The Site is a 27,450-square feet lot located at 401 West 207<sup>th</sup> Street, New York, NY 10034 in an urban commercial/industrial area of the Inwood neighborhood. The Site is improved with two buildings: one is utilized for storage and one as a commercial convenience store. The adjoining and surrounding properties are:

<b>Direction</b>	<b>Adjoining Properties</b>	<b>Surrounding Properties</b>
North	Warehouse building followed by New York City Transit Authority train yard	Industrial and commercial buildings and railroad yard
East	Ninth Avenue followed by a vacant lot	Industrial and commercial buildings and Harlem River (0.1 miles)
South	West 207 <sup>th</sup> Street followed by a commercial store building	Mixed use commercial buildings and residential apartment buildings
West	New York City Transit Authority train yard	Mixed use industrial, commercial and residential apartment buildings

##### *History of Site Use, Investigation, and Cleanup*

The Site was improved with several low-rise auto garages from the mid-1930s. At that time, more than fifty (50) 550-gallon capacity underground storage tanks (USTs) are identified on the Site. The Site was redeveloped to a gasoline filling station and an auto laundry from the 1960s. The auto laundry ceased operation approximately 2004 and became a convenience store. The Site has operated as an active retail petroleum station with a commercial convenience store since 2004.

Previous work completed at the Site includes quarterly groundwater monitoring events, UST investigation and closure, petroleum contaminated soils removal and disposal, multiple short term remedial events including soil vapor extraction/air sparging, in-situ (“in-place”) chemical oxidation, and enhance fluid recovery; and a limited environmental investigation.

Since 1997, several NY spills have been reported at the Site due to leaking gasoline tanks causing a release of petroleum into the subsurface. In 1998, a total of 1,643.72 tons of petroleum-impacted soils were removed from the Site.

Between 1995 and 2007, seven spills have been reported to the Site due to various

reasons. All the spills had achieved administrative closure afterwards. One spill (NY Spill #02-01957) was assigned to the Site on 23 May 2002 to address the unknown quantity of gasoline affecting soil. A Remedial Action Plan was submitted to the NYSDEC in July 2001. In 2002, contamination was observed, in the form of free product, in a trench excavation located downgradient of the Site/filling station. A soil vapor extraction (SVE)/ air sparging (AS) was installed in 2003 as an interim remedial measure; and, in 2007, remedial investigation commenced to further investigate the contamination and light non-aqueous phase liquid (LNAPL) present at the Site. Additional monitoring wells were installed, and groundwater samples were collected on a quarterly basis to monitor the presence of benzene, toluene, ethylbenzene, and xylenes (BTEX), methyl tert-butyl ether (MTBE) and other petroleum constituents in groundwater. High levels of these contaminants were reported in groundwater samples collected throughout this investigation. In 2019, injection wells were installed at the Site and additional remedial measures were implemented, which include: routine chemical groundwater injections of RegenOx (since 2019); and Enhanced Fluid Recovery (EFR) events.

Update reports provided on a quarterly basis indicate that quarterly groundwater sampling events are to continue. In addition, EFR events are to continue as per the Injection Work Plan schedule.

In November 2021, Haley & Aldrich performed a limited environmental investigation at the Site. The investigation included installing six (6) soil borings to approximately 15 feet below ground surface (ft bgs) and two (2) temporary soil vapor points to 1 ft bgs. Six (6) soil samples were collected at deeper depth interval (13 to 15 ft bgs) which yielded petroleum odor and instrumental signs of contamination. Two (2) soil vapor samples were collected and analyzed for VOCs. High petroleum related VOCs and total VOCs in soil vapor indicate a source associated with gasoline and solvents. Elevated VOCs and signs of petroleum contamination in deep soil samples are indicative of potential widespread contamination as a result of the gasoline operations.

Previous investigations did not include groundwater sampling and did not comprehensively delineate the extent of soil and groundwater contamination on the Site. A Remedial Investigation will be performed upon acceptance of the Site into the BCP and approval of a work plan further detailed in Section 5.

## **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 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 completed a partial limited site investigation in November 2021 before it entered into the BCP, as summarized in Section 4. above.

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 submitted 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 through 18 February 2022.

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 required a 30-day public comment period through 18 February 2022.

### *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):**

**Madeleine Babick**

Project Manager  
NYSDEC Division of Environmental  
Remediation  
47-40 21<sup>st</sup> Street  
Long Island City, NY 11101  
(718)-482-4992  
Madeleine.babick@dec.ny.gov

**Thomas V. Panzone**

Public Participation Specialist  
NYSDEC Region 2  
47-40 21<sup>st</sup> Street,  
Long Island City, NY 11101  
(718) 482-4953  
Thomas.panzone@dec.ny.gov

#### **New York State Department of Health (NYSDOH):**

**Sarita Wagh**

Project Manager  
NYSDOH, Bureau of Environmental  
Exposure Investigation  
Empire State Plaza  
Corning Tower, Room 1787  
Albany, NY 12237  
(518) 402-7817  
BEEI@health.ny.gov

#### **NYSDEC InfoTracker**

<https://www.dec.ny.gov/data/DecDocs/C231151/>

### **Locations of Reports and Information**

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

Manhattan Community Board 12  
530 West 166th Street, 6A  
New York, NY 10032  
Attn: Ebenezer Smith District Manager  
Eleazar Bueno – Chairperson  
Steve Simon – Environmental  
Committee Chairperson  
Phone: 212-568-8500  
Email: [ebsmith@cb.nyc.gov](mailto:ebsmith@cb.nyc.gov)

New York Public Library, Inwood Branch  
4857 Broadway  
New York, NY 10034  
[inwood@nypl.org](mailto:inwood@nypl.org)  
Phone: 212-942-2445



## Appendix B - Site Contact List

### ***Government Officials:***

New York City Mayor  
Hon. Eric Adams  
City Hall  
New York, NY 10007

NYC Department of City Planning Commission Chair  
Daniel Garodnick  
120 Broadway 31st Floor  
New York, NY 10271

Manhattan Borough President  
Hon. Mark Levine  
1 Centre Street, 19th Floor  
New York, NY 10007

NY Senate District 31 Senator  
Hon. Robert Jackson  
5030 Broadway, Suite 701  
New York, NY 10034

Hon. Brad Lander  
NYC Comptroller  
1 Centre Street  
New York, NY 10007

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

Hon. Carmen De La Rosa  
NYC Councilmember  
618 W. 177th St., Ground Floor  
New York, NY 10033

Hon. Adriano Espaillat  
U.S. House of Representatives  
720 West 181<sup>st</sup> Street Suite 2  
New York, NY 10033

Hon. Manny De Los Santos  
NYS Assemblymember  
210 Sherman Avenue Ste. A & C  
New York, NY 10034

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

Public Water Supplier  
Rohit Aggarwala, Commissioner  
NYC Dept. of Environmental Protection  
59-17 Junction Boulevard  
Flushing, NY 11373

Hon. Charles Schumer  
U.S. Senator  
780 Third Avenue, Suite 2301  
New York, NY 1137

Hon. Kirsten Gillibrand  
U.S. Senator  
780 Third Avenue, Suite 2601  
New York, NY 11373

Hon. Milton Tingling  
County Clerk of New York County  
New York County Courthouse  
60 Centre Street, Room 161  
New York, NY 10007

New York City Municipal Water Finance Authority  
255 Greenwich Street, 6<sup>th</sup> Floor  
New York, New York 10007

New York City Water Board  
NYC Department of Environmental Protection  
59-17 Junction Boulevard, 8<sup>th</sup> Floor  
Flushing, New York 11373

***Residents, Owners, Occupants of the Property and Adjacent Properties:***

Owner/Occupant:

Speedway LLC  
500 Speedway Drive  
Enon, OH 45323

Adjacent Properties:

New York City Transit Authority  
130 Livingston St  
Brooklyn, NY 11201

HP 3875 Avenue Housing Dev. Fund C O. Inc.  
Adam Clayton Powell, Jr. Office Building  
163 West 125th St, 5th Floor  
New York, New York 10027  
Phone: 212-961-8930

Tenth Avenue Realty Corp  
3875 9<sup>th</sup> Avenue  
New York, New York 10034

West 207 Grocery Owners, LLC  
430 West 207<sup>th</sup> Street  
Manhattan, New York 10034

Flair Beverage Corp  
3859 9<sup>th</sup> Avenue  
Manhattan, New York 10034

***Request for Contact:***

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

***Local News and Media:***

New York Daily News  
270C Duffy Avenue  
Hicksville, NY 11801

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

Spectrum 1 News  
75 Ninth Avenue  
New York, NY 10011

The Manhattan Times  
5030 Broadway Suite 807  
New York, NY 10034

Hoy Nueva York  
15 Metrotech Center Floor 7  
Brooklyn, NY 11201

El Diario La Prensa  
15 Metrotech Center Floor 7  
Brooklyn, NY 11201

***Schools and Daycare Centers:***

Inwood Academy for Leadership (High School)  
Attn: President/Executive Director/Principal  
3896 10<sup>th</sup> Avenue  
New York, NY 10034  
212-304-0103  
<https://inwoodacademy.org/>

Inwood Academy for Leadership Charter School (Middle School)  
Attn: President/Executive Director/Principal  
433 West 204<sup>th</sup> Street  
New York, NY 10034  
646-665-5570  
<https://inwoodacademy.org/>

Washington Heights Academy  
Attn: President/Executive Director/Principal  
202 Sherman Avenue  
New York, NY 10034  
212-304-3320  
<https://www.whacademy.org/>

P.S. 098 Shorac Kappock  
Attn: President/Executive Director/Principal  
512 West 212<sup>th</sup> Street  
New York, NY 10034  
212-927-7870

Good Shepherd School  
Attn: President/Executive Director/Principal  
620 Isham Street  
New York, NY 10034  
212-567-5800  
[gss@gsschoolnyc.org](mailto:gss@gsschoolnyc.org)  
<https://gsschoolnyc.org/>

M314 Muscota New School  
Attn: President/Executive Director/Principal  
4862 Broadway  
New York, NY 10034  
212-544-0614

Public School 5 Ellen Lurie  
Attn: President/Executive Director/Principal  
3703 10<sup>th</sup> Avenue  
New York, NY 10034  
212-567-8109

Galex Family Daycare  
President/Executive Director/Principal  
449 West 206<sup>th</sup> Street  
New York, NY 10034  
212-569-9535

Little Tots Daycare  
Attn: President/Executive Director/Principal

514 W 211<sup>th</sup> Street  
New York, NY 10034  
347-851-0078

Step By Step Group Family Day Care  
President/Executive Director/Principal  
4966 Broadway  
New York, NY 10034  
212-569-1880

Little Jewel Childcare, INC.  
President/Executive Director/Principal  
4915 Broadway, #2m  
New York, NY 10034  
917-378-1608

Cradle to Crayons Daycare Corp.  
President/Executive Director/Principal  
57 Cooper Street, #1a  
New York, NY 10034  
347-307-0409

Smart Start Learning Center  
Attn: President/Executive Director/Principal  
125 Seaman Avenue, #2h  
New York, NY 10034  
[\(917\) 664-9320](tel:9176649320)

Happy Shiny Faces Daycare  
President/Executive Director/Principal  
136 Seaman Avenue  
New York, NY 10034  
347-327-2485

Little Daydreamers Early Learning Center  
Attn: President/Executive Director/Principal  
103 Seaman Avenue, Suite C  
New York, NY 10034  
917-771-9028

Ortiz, Rosa Daycare  
Attn: President/Executive Director/Principal  
584 Academy Suite #5  
New York, NY 10034 (located in 135 Sherman Avenue Food Corporation)  
929-205-7262

Little Red Daycare  
Attn: President/Executive Director/Principal  
176 Nagle Avenue, #2j  
New York, NY 10034  
646-544-2463

NICHOLAS CARDELL DAY CARE CENTER  
President/Executive Director/Principal  
84 VERMILYEA AVENUE  
NEW YORK, NY 10034  
[\(212\) 942-6757](tel:2129426757)

JHS 052 Inwood  
President/Executive Director/Principal  
650 ACADEMY STREET  
New York, NY 10034  
[212-567-9162](tel:212-567-9162)

**Community, Civic, Religious and Other Environmental Organizations:**

Joshua Rivera – Director  
Consolidated Edison Corporate Affairs  
4 Irving Place – Room 1428  
New York, NY 10003

34<sup>th</sup> NYPD Police Precinct Council  
Stephen Feldheim – President  
4295 Broadway  
New York, NY, 10033

FDNY  
Engine 95 Ladder 36  
29 VERMILYEA AVENUE  
New York, NY10034

RAIN INWOOD NEIGHBORHOOD SENIOR CENTER  
84 VERMILYEA AVENUE  
NEW YORK, NY10034

NYCHA – Dyckman Houses  
Daycare Center  
3732 10<sup>th</sup> Avenue  
New York, NY 10034  
<https://www1.nyc.gov/assets/nycha/downloads/pdf/Dyckman.pdf>

NYCHA – Dyckman Houses  
Management Development Office  
215 Nagle Avenue  
New York, NY 10034  
<https://www1.nyc.gov/assets/nycha/downloads/pdf/Dyckman.pdf>

DYCKMAN NEIGHBORHOOD SENIOR CENTER  
3754 10TH AVENUE  
NEW YORK, NY10034  
<https://www1.nyc.gov/assets/nycha/downloads/pdf/Dyckman.pdf>

NYCHA – Dyckman Houses  
Community Center  
3782 10<sup>th</sup> Avenue  
New York, NY 10034

<https://www1.nyc.gov/assets/nycha/downloads/pdf/Dyckman.pdf>

WEACT

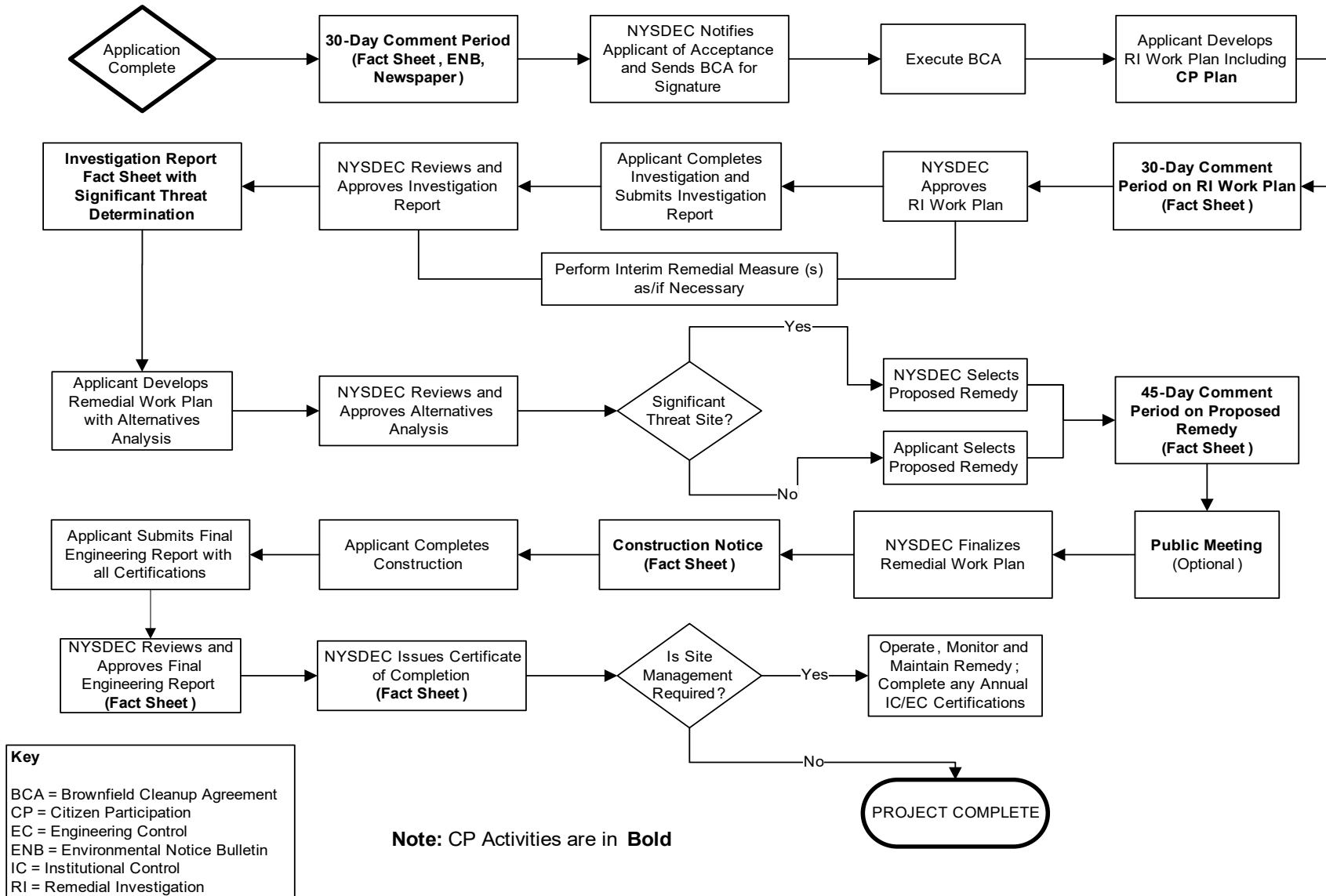
Peggy Shepard – Executive Director  
peggy@weact.org  
1854 Amsterdam Avenue – 2<sup>nd</sup> Floor  
New York, NY 10031  
212-961-1000



## 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:** 401 West 207th Street Redevelopment

**Site Number:** C231151

**Site Address and County:** 401 West 207th Street, Manhattan

**Remedial Party(ies):** 401 W 207th Realty 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.**

1. Contaminants of concern were identified in prior subsurface investigations and in the Limited Phase II Investigation conducted by Haley & Aldrich in 2021 and include petroleum related VOCs. During ground intrusive activities, the community will be protected from contamination migration using air monitoring protocols and management of investigation and remedial activities derived waste.

2. The Site is located in a Potential Environmental Justice Area (Census Block Group 36061029900). Because there is a large Hispanic-American population near the Site, all future fact sheets will be translated into Spanish.

How were these issues and/or information needs identified?

These issues were identified through the previous subsurface investigation results, correspondence with NYSDEC and from resources available through the NYSDEC Office of Environmental Justice.

**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.

The source of the contaminants of concern detailed in Part 1 likely has to do with former site operations and tank closures but was not fully identified during the previous investigations completed at the Site. If the community can provide any knowledge regarding previous site use or previous nearby property use it may assist in determining the onsite or offsite source of impact.

How were these information needs identified?

This information need was identified through review of the results of the previous site investigations.

**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.

The anticipated schedule for the proposed RI and IRM is Spring 2022. The Site is privately owned and will be vacated. All investigation and remedial actions will be in accordance with applicable regulations and contingent on NYSDEC and NYSDOH approvals of aforementioned work plans. Additional communications will be made to the public as necessary.

How were these issues and/or information needs identified?



This information need was identified through site background and history, contaminant of concerns, and project schedule.

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

**a.** Land use/zoning at and around site:

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

**b.** Residential type around site:

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

**c.** Population density around site:

**High**    **Medium**    **Low**

**d.** Water supply of nearby residences:

**Public**    **Private Wells**    **Mixed**

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

**Yes**    **No**

Provide details if appropriate:

[Click here to enter text.](#)

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

**Yes**    **No**

Provide details if appropriate:

[Click here to enter text.](#)

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

**Yes**    **No**

**h.** Special considerations:

**Language**    **Age**    **Transportation**    **Other**

Explain any marked categories in **h**:

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:**

**Media:** CBS 2

**Business/Commercial Interests:** 401 West 207th Realty LLC

**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:** Die Fu, Haley & Aldrich

**Date:** 02/21/2022

**Reviewed Approved By:** Mari Conlon, Haley & Aldrich

**Date:** 2/25/2022