



**New York State Department of Environmental Conservation**

**Brownfield Cleanup Program**

**Citizen Participation Plan**  
for  
**Former CJ's Service Center Property**

5801 Amboy Road  
Staten Island, NY 10309

June 2015

# Contents

<u>Section</u>	<u>Page Number</u>
1. What is New York’s Brownfield Cleanup Program? .....	2
2. Citizen Participation Activities .....	2
3. Major Issues of Public Concern.....	7
4. Site Information .....	8
5. Investigation and Cleanup Process .....	9
Appendix A – Project Contacts and Locations of Reports and Information .....	12
Appendix B – Site Contact List .....	13
Appendix C – Site Location Map .....	14
Appendix D – Brownfield Cleanup Program Process .....	15

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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: **Shore to Shore Foster LLC (“Applicant”)**  
Site Name: **Former CJ’s Service Center Property (“Site”)**  
Site Address: **5801 Amboy Road, Staten Island, New York**  
Site County: **Richmond**  
Site Number: **C243041**

## **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 that 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; and
- Encouraging dialogue to promote the exchange of information among the affected/interested public, State agencies, and other interested parties that strengthens trust among the parties, increases understanding of site and community issues and concerns, and improves decision-making.

This Citizen Participation (CP) Plan provides information about how NYSDEC will inform and involve the public during the investigation and cleanup of the Site identified above. The public information and involvement program will be carried out with assistance, as appropriate, from the 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 website. 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.

### *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.

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 Requirements (Activities)	Timing of CP Activity(ies)
<b><u>Application Process:</u></b>	
<ul style="list-style-type: none"> <li>• Prepare site contact list</li> <li>• Establish document repositories</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><u>After Execution of Brownfield Site Cleanup Agreement:</u></b>	
<ul style="list-style-type: none"> <li>• Prepare Citizen Participation (CP) Plan</li> </ul>	Before start of Remedial Investigation
<b><u>Before NYSDEC Approves Remedial Investigation (RI) Work Plan:</u></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><u>After Applicant Completes Remedial Investigation:</u></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><u>Before NYSDEC Approves Remedial Work Plan (RWP):</u></b>	
<ul style="list-style-type: none"> <li>• Distribute fact sheet to site contact list about proposed 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><u>Before Applicant Starts Cleanup Action:</u></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><u>After Applicant Completes Cleanup Action:</u></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 summarizes the Final Engineering Report</li> <li>• Distribute fact sheet to site contact list announcing issuance of Certificate of Completion (COC)</li> </ul>	At the time NYSDEC approves Final Engineering Report. These two fact sheets are combined if possible if there is not a delay in issuing the COC.

### **3. Major Issues of Public Concern**

This section of the CP Plan identifies major issues of public concern that relate to the Site. Additional major issues of public concern may be identified during the course of the site's investigation and cleanup process. In addition, there may be issues with regards to odor, noise, and truck traffic.

This Site is not located in an Environmental Justice Area. Environmental justice is defined as the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies.

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

Since the Site is not in an environmental justice area, future fact sheets will not be required to be translated into another language.

No major issues of public concern have been identified relative to the Site as of yet. The Site is located on the corner at an intersection that may be fairly busy at certain times of day. The Site is bordered by residential areas to the north and south and commercial areas to the east and south. The area to the west of the Site is a regulated freshwater wetland and is a vacant property.

The Site will include procedures for protection of public health and safety during investigation and remediation activities. During investigation and remediation (if necessary), worker and community health and safety activities will be conducted, including:

- Securing the work perimeter with an eight-foot chain link fence during demolition/remediation/construction;
- On-site air monitoring for worker protection, if warranted;
- Perimeter air monitoring for community protection, if warranted; and
- Using odor, vapor, and dust controls such as water or foam sprays, as required during air monitoring, if needed.



Details on the Site Health and Safety Plan (HASP) and the Community Air Monitoring Plan (CAMP) will be included in the documents generated in support of the remediation.

#### **4. Site Information**

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

##### *Site Description*

The Site is located in New York State at 5801 Amboy Road in Staten Island, NY. The zip code is 10309 as shown on Figure 1 (Appendix B). The Site is located in an urban setting, and is situated on the north side of Amboy Road, between Foster Avenue to the east and Odell Place to the West. The Site in aggregate is referred to as the former CJ's Service Center Property, and consists of approximately 0.3756 acres containing paved parking areas, one building, that was extended to the northwest, and gasoline pumps as shown on Figure 2 (Appendix B). The Site is trapezoidal and comprised of two contiguous tax lots. The Site is identified on the New York City Digital Tax Map shown on Figure 3 (included in Appendix B) as Section 28, Block 6896, Lots 52, and 53.

The Site is bordered to the north by a single residence, to the east by Foster Road, to the south by Amboy Road, and to the west by a New York State regulated Freshwater Wetland known as AR-37 Scudder-Amboy. Across Amboy Road and Foster Road are commercial operations and residential properties.

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

The Site was operated as a retail gasoline and service station since prior to 1937. Currently, the Site is vacant. Subsurface investigations to date have shown that there is petroleum hydrocarbon related contamination in the form of Volatile Organic Compounds (VOCs) present in groundwater and soil beneath the Site. The contaminants identified thus far are the primary components of gasoline including Benzene, Toluene, Ethylbenzene, and Xylenes (BTEX), and Methyl Tert Butyl Ether (MTBE).

Previous investigations were performed under the NYSDEC Spills program, which oversees and guides environmental investigation and remediation work performed at sites where a spill has been reported. In November 2006 and February 2007, soil and groundwater samples were

collected from the Site and analyzed for petroleum-related compounds. Sample results indicated elevated levels of petroleum related compounds (BTEX and MTBE) in groundwater and soil samples that exceeded the applicable regulatory standards. Soil vapor was not evaluated during previous investigations.

## **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 on-site, and must conduct a "qualitative exposure assessment," a process that characterizes the actual or potential exposures of people, fish, and wildlife to contaminants on the Site and to contamination that has migrated from the Site.

The Applicant in its Application proposes that the Site will be used for **restricted** 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 work plan (RIWP), 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.

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.

#### *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 proposed Remedial Work Plan for approval, NYSDEC would announce the availability of the proposed 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 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*

Site management is the last phase of the site cleanup program. This phase begins when the COC is issued. Site management may be conducted by the Applicant under NYSDEC oversight, if contamination will remain in place. Site management incorporates any institutional and engineering controls required to ensure that the remedy implemented for the site remains protective of public health and the environment. All significant activities are detailed in a Site Management Plan.

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

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

Site management also may include the operation and maintenance of a component of the remedy, such as a system that is pumping and treating 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):**

Sadique Ahmed, Project Manager NYSDEC Division of Environmental Remediation – Remedial Bureau B 625 Broadway Albany, NY 12233-7016  (518) 402-9767 Email: sadique.ahmed@dec.ny.gov	Thomas Panzone Citizen Participation Specialist NYSDEC Region 2 47-40 21 <sup>st</sup> Street Long Island City, NY 11101  (718) 482-4953
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#### **New York State Department of Health (NYSDOH):**

Renata Ockerby  
Project Manager  
NYSDOH  
Bureau of Environmental Exposure Investigation  
Corning Tower, Room 1787  
Albany, NY 12237  
  
518-402-7860  
Email: BEEI@health.ny.gov

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

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

New York Public Library  
Huguenot Park Branch  
830 Huguenot Avenue  
Staten Island, NY 10312  
  
Attention: Steven Horvath  
Phone: (718) 984-4636

#### Library Hours of Operation:

Sunday:	Closed
Monday:	11:00 – 6:00
Tuesday:	10:00 – 6:00
Wednesday:	11:00 – 6:00
Thursday:	12:00 – 8:00
Friday:	10:00 – 5:00
Saturday:	10:00 – 5:00

NYSDEC Region #2 Office  
47-40 21st Street  
Long Island City, NY 11101  
  
Attention: Jane O'Connell

#### NYSDEC Hours:

Hours:	(call for appointment)
Phone:	(718) 482-6405

(call for appointment)



**Appendix B**  
**Site Contact List**

Mayor Bill de Blasio  
City Hall  
New York, NY 10007-1200

Andrew J. Lanza  
NYS Senator – District 24  
3845 Richmond Avenue, Suite 2A  
Staten Island, NY 10312

Joseph Borelli  
NYS Assembly – District 62  
101 Tyrellan Avenue, Suite 200  
Staten Island, NY 10309

James S. Oddo  
Staten Island Borough President  
10 Richmond Terrace  
Borough Hall, Room 120  
Staten Island, NY 110301

Vincent Ignizio  
Council Member - District 51  
3944 Richmond Avenue  
Staten Island, NY 10312

Carl Weisbrod, Director  
Department of City Planning  
22 Reade Street  
New York, NY 10007-1216

Department of City Planning  
Staten Island Borough Office  
130 Stuyvesant Place, 6th Floor  
Staten Island, NY 10301

NYS Department of  
Environmental Conservation  
Region #2 Office  
47-40 21st Street  
Long Island City, NY 11101

Frank Morano  
Community Board #3  
Staten Island  
655 Rossville Avenue, Suite 218  
Staten Island, NY 10309

Pleasant Plains, Prince's Bay  
Richmond Valley Civic Association  
Post Office Box 204  
Staten Island, NY 10309

The New York Times  
620 Eighth Avenue  
New York, NY 10018

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

Staten Island Advance  
950 W. Fingerboard Road  
Staten Island, NY 10309

1010 WINS-CBS Radio  
888 7th Avenue, 10th Floor  
New York NY 10106

New York 1 News  
Chelsea Market  
75 9th Avenue  
New York, NY 10011

New York Public Library  
Huguenot Park Branch  
830 Huguenot Avenue  
Staten Island, NY 10309



**Appendix B**  
**Site Contact List**

(Continued)

Edward Lauria  
14 Foster Road  
Staten Island, NY 10309

Northfield Bank  
5775 Foster Road  
Staten Island, NY 10309

NYCDEP  
59-17 Junction Boulevard,  
10th Floor  
Flushing, NY 11373

Park Land Holdings  
5810 Amboy Road  
Staten Island, NY 10309

Alice Irene Ganong  
5800 Amboy Road  
Staten Island, NY 10309

Brothers Shopping Center Corp.  
5840 Amboy Road  
Staten Island, NY 10309

Matthew F. Dugan and  
Ruth E. Dugan, Co-Trustees  
Matthew F. and Ruth E. Dugan  
Revocable Living Trust  
5788 Amboy Road  
Staten Island, NY 10309

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# Appendix C

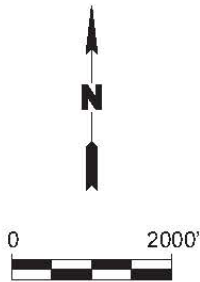
## Site Location Map



QUADRANGLE LOCATION



SOURCE:  
USGS; 2013, Arthur Kill, NY-NJ  
7.5 Minute Topographic Quadrangle



Title:

**SITE LOCATION MAP**  
**5801 AMBOY ROAD**  
**STATEN ISLAND, NEW YORK**

CITIZEN PARTICIPATION PLAN

Prepared for:

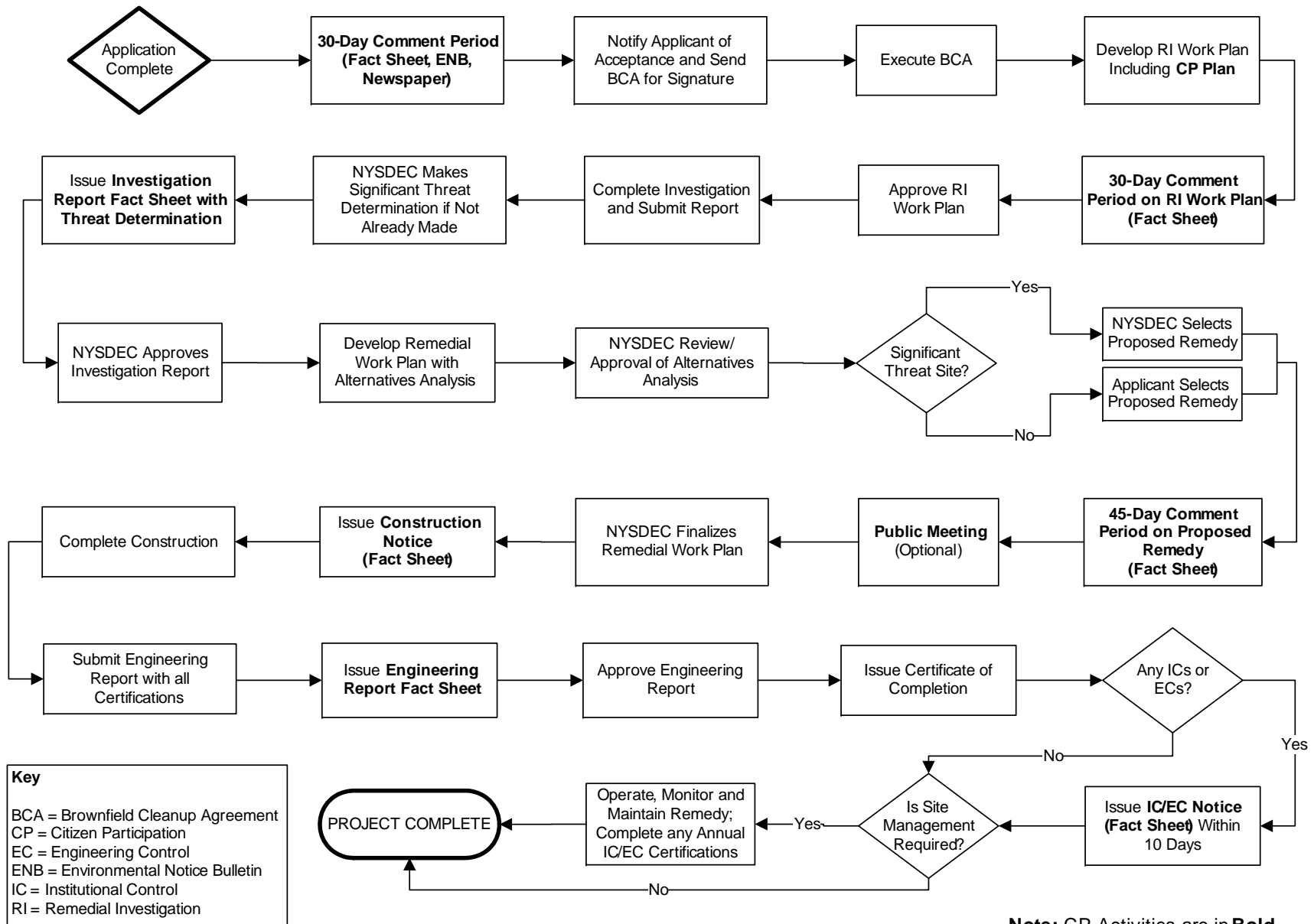
SHORE TO SHORE FOSTER LLC

**ROUX**  
ROUX ASSOCIATES, INC.  
*Environmental Consulting  
& Management*

Compiled by: W.M.	Date: 29MAY15	<b>FIGURE</b>  <b>1</b>
Prepared by: B.H.C.	Scale: AS SHOWN	
Project Mgr.: W.M.	Project No.: 2508.0001Y000	
File: 2508.0001Y101.01.CDR		

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## Appendix D– Brownfield Cleanup Program Process



**Note: CP Activities are in Bold**