



Department of
Environmental
Conservation

Brownfield Cleanup Program

Citizen Participation Plan

for

**FORMER EXCELSIOR BAG
25, 35 and 45 Riverside Drive (f/k/a Alexander Street)
Yonkers, New York
BCP Site No. C360190**

June 2020

Contents

<u>Section</u>	<u>Page Number</u>
1. What is New York’s Brownfield Cleanup Program?	1
2. Citizen Participation Activities	4
3. Major Issues of Public Concern	5
4. Site Information.....	5
5. Investigation and Cleanup Process	7
Appendix A - Project Contacts and Locations of Reports and Information	9
Appendix B - Site Contact List	10
Appendix C - Site Location Map	15
Appendix D - Brownfield Cleanup Program Process	16

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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: **Extell Hudson Waterfront LLC (“Applicant”)**
Site Name: **Former Excelsior Bag (“Site”)**
Site Address: **25, 35 and 45 Riverside Drive (f/k/a Alexander Street), Yonkers, NY**
Site County: **Westchester County**
Site Number: **C360190**

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; 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; and
- 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), the significant threat determination for the Site had not yet been made.

To verify the significant threat status of the Site, the interested public may contact the NYSDEC project manager identified in Appendix A.

For more information about TAGs, go online at <http://www.dec.ny.gov/regulations/2590.html>

Note: The table identifying the citizen participation activities related to the Site's investigation and cleanup program follows on the next page:

Citizen Participation Activities	Timing of CP Activity(ies)
Application Process:	
<ul style="list-style-type: none"> • Prepare site contact list • Establish document repository(ies) 	At time of preparation of application to participate in the BCP.
<ul style="list-style-type: none"> • Publish notice in Environmental Notice Bulletin (ENB) announcing receipt of application and 30-day public comment period • Publish above ENB content in local newspaper • Mail above ENB content to site contact list • Conduct 30-day public comment period 	When NYSDEC determines that BCP application is complete. The 30-day public comment period begins on date of publication of notice in ENB. End date of public comment period is as stated in ENB notice. Therefore, ENB notice, newspaper notice, and notice to the site contact list should be provided to the public at the same time.
After Execution of Brownfield Site Cleanup Agreement (BCA):	
<ul style="list-style-type: none"> • Prepare Citizen Participation (CP) Plan 	Before start of Remedial Investigation Note: Applicant must submit CP Plan to NYSDEC for review and approval within 20 days of the effective date of the BCA.
Before NYSDEC Approves Remedial Investigation (RI) Work Plan:	
<ul style="list-style-type: none"> • Distribute fact sheet to site contact list about proposed RI activities and announcing 30-day public comment period about draft RI Work Plan • Conduct 30-day public comment period 	Before NYSDEC approves RI Work Plan. If RI Work Plan is submitted with application, public comment periods will be combined and public notice will include fact sheet. Thirty-day public comment period begins/ends as per dates identified in fact sheet.
After Applicant Completes Remedial Investigation:	
<ul style="list-style-type: none"> • Distribute fact sheet to site contact list that describes RI results 	Before NYSDEC approves RI Report
Before NYSDEC Approves Remedial Work Plan (RWP):	
<ul style="list-style-type: none"> • Distribute fact sheet to site contact list about draft RWP and announcing 45-day public comment period • Public meeting by NYSDEC about proposed RWP (if requested by affected community or at discretion of NYSDEC project manager) • Conduct 45-day public comment period 	Before NYSDEC approves RWP. Forty-five day public comment period begins/ends as per dates identified in fact sheet. Public meeting would be held within the 45-day public comment period.
Before Applicant Starts Cleanup Action:	
<ul style="list-style-type: none"> • Distribute fact sheet to site contact list that describes upcoming cleanup action 	Before the start of cleanup action.
After Applicant Completes Cleanup Action:	
<ul style="list-style-type: none"> • Distribute fact sheet to site contact list that announces that cleanup action has been completed and that NYSDEC is reviewing the Final Engineering Report • Distribute fact sheet to site contact list announcing NYSDEC approval of Final Engineering Report and issuance of Certificate of Completion (COC) 	At the time the cleanup action has been completed. Note: The two fact sheets are combined when possible if there is not a delay in issuing the COC.

3. Major Issues of Public Concern

This section of the CP Plan identifies major issues of public concern that relate to the Site. Additional major issues of public concern may be identified during the course of the Site's investigation and cleanup process.

Redevelopment Project-Related Issues

The Applicant submitted a BCP Application to NYSDEC in May 2019 and the application was deemed complete by NYSDEC on January 31, 2020. The Brownfield Cleanup Agreement (No. C360190-04-20) was executed between NYSDEC and the Applicant on April 30, 2020. Preparation of the draft Remedial Investigation Work Plan (RIWP) is in progress and has not yet been made available for public comment.

The Site is currently vacant and the proposed development project consists of the demolition of the existing structures and construction of a mixed-use housing development with retail space. Although development plans are still being finalized, the planned project includes construction of two 5-story mixed-use buildings and a portion of a third on the Site, all built over 2-story podiums, which will contain open space courtyards and amenities. In total, the three buildings will contain approximately 561 residential units and 17,185 square feet of retail space with no subgrade levels. Retail units will be located on the first floor of the buildings. The buildings are anticipated to occupy the majority of the Site boundary with open space courtyards and esplanades occupying the remainder.

Potential Remediation/Construction-Related Issues

Issues of concern to the community during the on-site remediation phase will likely include those related to the on-site handling and off-site disposal of contaminated soil and any tanks (if encountered). The likely concern to the surrounding community will be the possibility of the generation of vapors or dust from the Site during remediation. On-site air quality and dust levels will be monitored during any soil excavation and removal activities in accordance with a Site-specific Health and Safety Plan (HASP) that will be included as part of the Remedial Investigation Work Plan (RIWP) and Remedial Action Work Plan (RAWP). Dust and vapor suppression techniques will be employed to minimize the generation of dust and vapors. All air and dust monitoring will be performed in accordance with a New York State Department of Health's (NYSDOH) Community Air Monitoring Program (CAMP).

A likely additional remediation/construction concern will be the potential presence of trucks traveling through the community, and parking or idling at or near the Site during soil excavation and disposal. The RAWP will include provisions for on-site soil handling techniques that minimize the number of trucks and duration of time within or near the Site. In addition, provisions will be included to restrict truck traffic (to the extent possible) to designated routes along main roads while minimizing traffic within the community.

The concern over construction-related noise is a common one for communities in which redevelopment is occurring. Construction plans will minimize noise to the extent possible and the operation of heavy equipment will be restricted to normal working hours as will be set forth in the required City of Yonkers and Westchester County issued permits. Additional mitigation measures will also be evaluated.

4. Site Information

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

Site Description

Currently, the vacant Site consists of an approximately 5.414 acre parcel and comprises eight tax lots in Westchester County. The Site contains an approximately 97,000 square foot one- to two-story warehouse used intermittently since 2014 as a film studio. Prior to this use, the Excelsior Transparent Bag Manufacturing Corporation had used the site for industrial manufacturing since at least 1992. The site also includes landscaped areas and asphalt-paved parking areas and driveways. The surrounding area is a mixed

use urban neighborhood, consisting of predominantly residential and commercial structures. The Site is bound to the north by the BICC Cables NYS Brownfield Cleanup Program (BCP) site, to the east by Alexander Street, beyond which is a Metropolitan Transit Authority (MTA) bus depot, to the south by the Polychrome Research and Development (R&D) BCP site, which is now occupied by AvalonBay Communities residential apartments, and to the west by the Hudson River. To date, both of the adjacent BCP sites have received their Certificates of Completion from the NYSDEC. A Site Location map is included in *Appendix C*.

History of Site Use, Investigation, and Cleanup

Based on the historical records, as of 1898, a majority of the Site footprint was identified as land underwater within the Hudson River with the exception of a vacant upland area present in the southeast corner. Fill was intermittently placed at the Site through the early 1980s to raise the Site above the Hudson River elevation.

The Site was undeveloped until approximately 1919, when it was developed and used for a variety of industrial and manufacturing related businesses. From approximately 1919 to 2012, Site uses included a boat manufacturing yard, machine shop, steel fabrication plant, and flexographic manufacturing and printing. It also appears that fill was placed to raise the Site above the Hudson River elevation through the early 1980s. The Excelsior Transparent Bag Manufacturing Corporation was the most recent industrial/manufacturing use and operated from at least 1992 until 2012.

A Subsurface (Phase II) Investigation was conducted in April 2017 by EBI Consulting to evaluate potential impact to the Subject Property from recognized environmental conditions (RECs) which were identified in the Phase I ESA prepared by Langan Engineering in February 2017. Results and findings from the investigation were submitted to NYSDEC as part of the May 2019 BCP Application.

The previous investigations documented that subsurface materials beneath the Site consist of historical fill (predominantly sand with gravel, brick, concrete, and silt) down to the maximum boring depths completed in previous investigations (approximately 12 feet below grade). Groundwater was encountered at approximately 6.5 to 7 feet below grade and is expected to be tidally influenced.

Based on an evaluation of the data and information obtained during the previous investigations, semi-volatile organic compounds (SVOCs) (specifically, poly-aromatic hydrocarbon [PAH]) and metals were reported in a majority of the soil samples collected at concentrations above NYSDEC Restricted Residential Soil Cleanup Objectives (RRES SCOs). SVOCs (specifically, PAHs) were detected above NYSDEC Division of Water Technical and Operational Guidance Series (TOGS) Ambient Water Quality Standards and Guidance Values (AWQSGV) Class GA in groundwater Site-wide. Petroleum related VOCs (specifically benzene, toluene, ethylbenzene, and xylenes) and naphthalene were also detected in groundwater above AWQSGVs Class GA in the southeast corner of the Site. Chlorinated solvents (specifically tetrachloroethylene [PCE] and trichloroethylene [TCE]) were detected in soil vapor beneath the existing building footprint.

A Remedial Investigation Work Plan (RIWP), which will outline additional sampling at the Site, is currently being prepared and will be submitted to the NYSDEC in conjunction with this Citizens Participation Plan. The RIWP will specify procedures that will be used to further characterize subsurface conditions. Based on the findings of the remedial investigation activities, a remedial action work plan will be prepared documenting the remedial measures to be implemented during the development activities. Remedial measures may include the incorporation of a vapor mitigation system into the proposed buildings, removal of contaminated soil and/or in-situ treatment methods to address deeper contamination in soil and groundwater.

5. Investigation and Cleanup Process

Application

The Applicant has applied to the New York's Brownfield Cleanup Program as a Volunteer, based upon the fact that it was not responsible for the disposal or discharge of the contaminants, and its ownership and operation of the Site started 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 and the environment 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 completed a partial environmental investigation before it submitted an application to be entered into the BCP. The Applicant will conduct further investigation of the Site to characterize existing contamination officially called a "Remedial Investigation" (RI). This investigation will be performed with NYSDEC oversight.

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 Action Work Plan.” The Remedial Action 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):

Kimberly Junkins
Project Manager, Region 3
NYSDEC
Division of Environmental Remediation
21 S Putt Corners Rd
New Paltz, NY 12561
(845) 633-5457
Kimberly.Junkins@dec.ny.gov

Stephanie Mossey
Citizen Participation Specialist
NYSDEC Region 3
21 S Putt Corners Rd,
New Paltz, NY 12561
(845) 256-3154
Stephanie.Mossey@dec.ny.gov

New York State Department of Health (NYSDOH):

Eamonn O'Neil
Public Health Specialist
Bureau of Environmental Exposure
Investigation
New York State Department of Health
Empire State Plaza, Corning Tower, Room
1787
Albany, NY 12237
(518) 402-7860
Eamonn.ONeil@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: Important project documents can also be accessed via the DECinfo Locator project document folder: <https://www.dec.ny.gov/data/DecDocs/C360190/>

Yonkers Public Library 1 Larkin Center Yonkers, NY 10701 Attn: Edward M. Falcone Email: efalcone@ypl.org Phone: (914) 375-7966 Hours: Monday-Thursday: 9 am-8 pm Friday, Saturday: 9 am-5 pm Sunday: 12 pm-5 pm
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Appendix B - Site Contact List

1. Local, State, and Federal Officials

<p>Michael Spano, Mayor Yonkers City Hall 40 South Broadway Yonkers, NY 10701 Mayor@yonkersny.gov</p>	<p>George Latimer, County Executive County of Westchester Michaelian Office Building 148 Martine Avenue White Plains, NY 10601 ce@westchestergov.com</p>
<p>Wilson Kimball, Commissioner Department of Planning & Development 40 South Broadway #416 Yonkers, NY 10701 Wilson.Kimball@yonkersny.gov</p>	<p>Renee Toback, Chairman City of Yonkers Planning Board 40 South Broadway Yonkers, NY 10701</p>
<p>Matthew Gallagher, Corporation Counsel City of Yonkers 40 South Broadway #300 Yonkers, NY 10701 matt.gallagher@yonkersny.gov</p>	<p>Norma Drummond, Commissioner Westchester County Planning Department Michaelian Office Bldg. 148 Martine Avenue White Plains, NY 10601 Nvv1@westchestergov.com</p>
<p>Richard Hyman, Chairman Westchester County Planning Board Michaelian Office Bldg. 148 Martine Avenue White Plains, NY 10601</p>	<p>Hon. Charles Schumer U.S. Senate 322 Hart Senate Office Building Washington, DC 20510 Scheduling_schumer@schumer.senate.gov</p>
<p>Hon. Governor Andrew Cuomo State of New York NYS Capitol Building Albany, New York 12224 gov.cuomo@chamber.state.ny.us</p>	<p>Hon. Kirsten Gillibrand U.S. Senate 780 Third Avenue, Suite 2601 New York, NY 10017 kirsten_gillibrand@gillibrand.senate.gov</p>
<p>Hon. Eliot Engel U.S. House of Representatives 2227 Rayburn House Office Building Washington, DC 20515 engeline@hr.house.gov</p>	<p>Thomas G. Meier, Commissioner City of Yonkers Bureau of Water Department of Public Works Thomas.Meier@yonkersny.gov</p>

5. Additional Contacts

None

6. Nearby Schools and Day Care Centers

Schools:

Cindy Lopez, Principle
Charter School of Excellence
260 Warburton Avenue
Yonkers, NY 10701
Approximately 0.4 miles northeast from the Site

Michelle Yazurlo, Principal
Palisade Preparatory School
201 Palisade Avenue
Yonkers, NY 10703
Approximately 0.5 miles east from the Site

Natalie Davy, Principal
Martin Luther King Jr. Academy
135 Locust Hill Avenue
Yonkers, NY 10701
Approximately 0.5 miles east from the Site

Leonard Spano, Executive Director
The Westchester School for Special Children
45 Park Avenue
Yonkers, NY 10703
Approximately 0.6 miles east from the Site

The Riverside High School
565 Warburton Avenue
Yonkers, NY 10701
Approximately 1.2 miles north from the Site

Day Cares:

Patricia Lanza, Owner
New Little Branches
150 Woodworth Avenue
Yonkers, NY 10701
Approximately 0.2 miles east from the Site

The Spring of Learning Group WeeCare
Maria M. Taveras De Luna, Director
2 Halcyon Place #2
Yonkers, NY 10701
Approximately 0.5 miles northeast from the Site

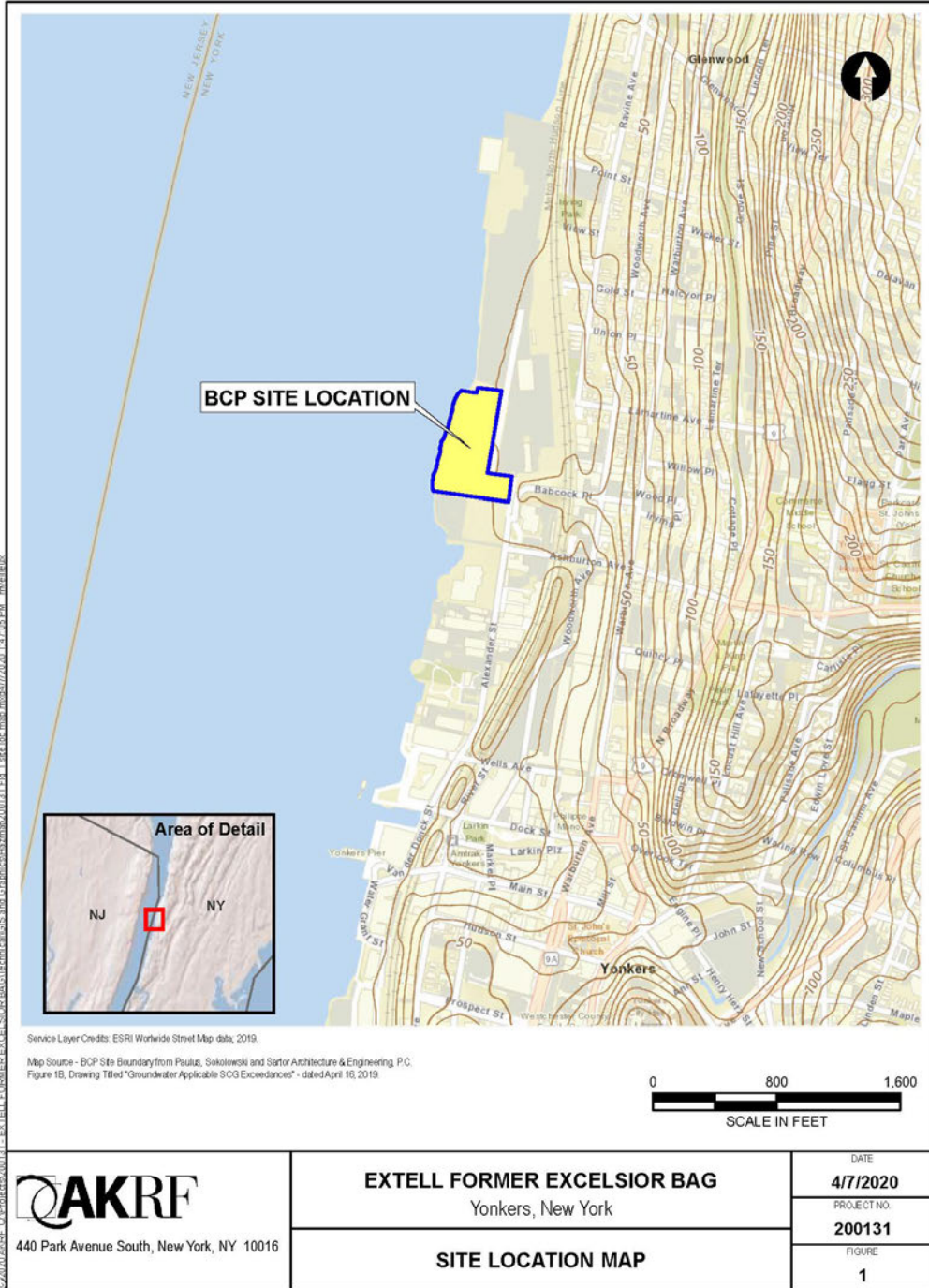
7. Local Community Board

None

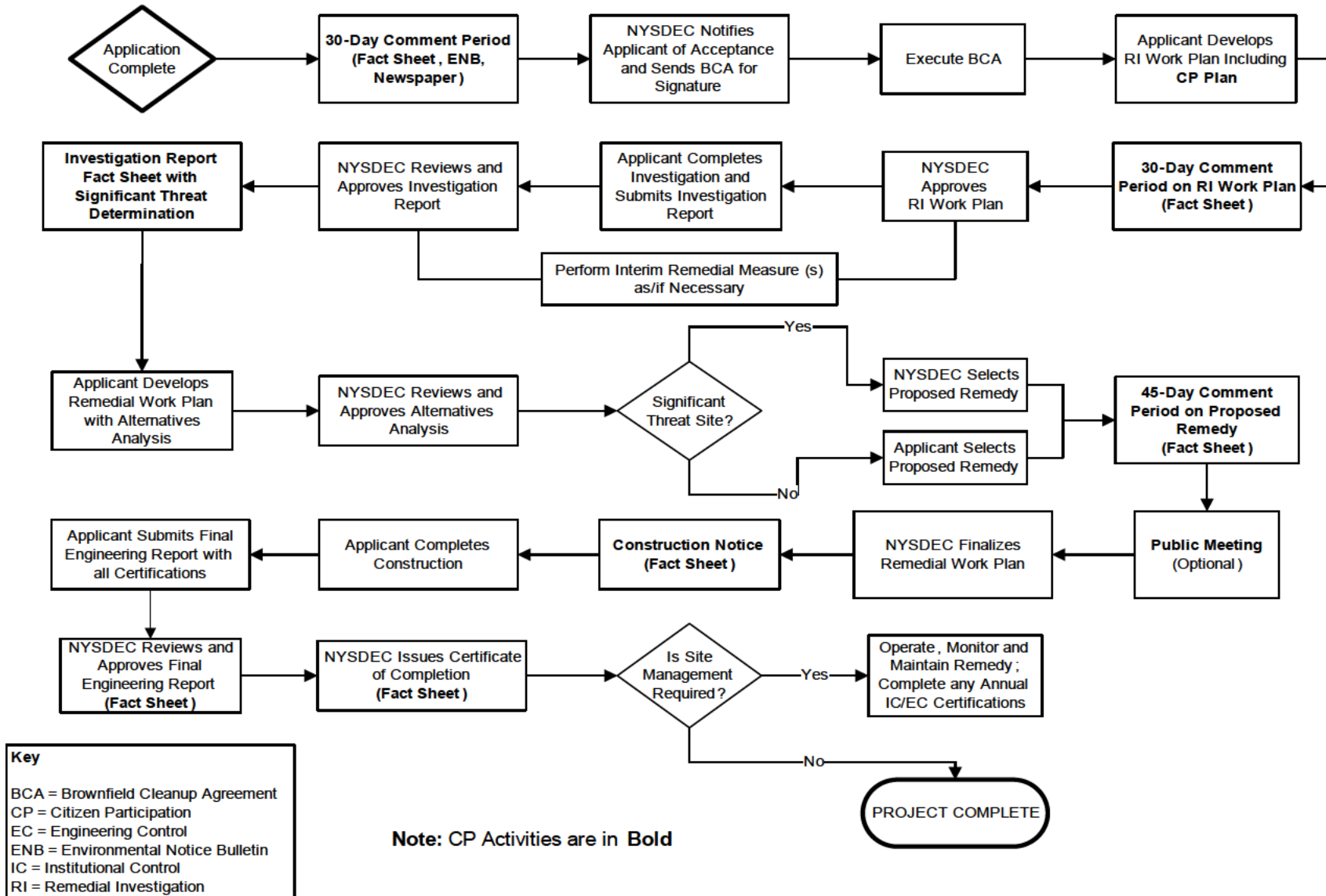
8. Local Document Repository

Yonkers Public Library
Attn: Edward M. Falcone
One Larkin Center
Yonkers, NY 10701
Phone: (914) 375-7966
efalcone@ypl.org

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: Former Excelsior Bag Site

Site Number: C360190

Site Address and County: 25, 35 and 45 Riverside Drive (f/k/a Alexander Street), Yonkers, Westchester County, New York

Remedial Party(ies): Extell Hudson Waterfront 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.**

-A Subsurface (Phase II) Investigation was conducted in April 2017. The findings of the investigation was utilized to support the BCP Application.

-The on-site contamination are from historical on-Site and off-Site use as industrial and manufacturing. The Site has previously been used as a boat manufacturing yard, machine shop, steel fabrication plant, and flexographic manufacturing and printing. On-site contamination is also due to historic fill material encountered throughout the Site subsurface.

-The proposed Site uses include residential and retail uses. As such, there will be restrictions on Site use, which will be determined following remediation.

-As the Site is currently entirely capped by an impervious surface, there is no existing potential exposure pathway from uncapped, landscaped areas. A Community Air Monitoring Plan (CAMP) would be developed as part of the Remedial Investigation Work Plan (RIWP) and Remedial Action Work Plan (RAWP) that would will be implemented during all subsurface disturbance activities to mitigate potential exposures to particulates and organic vapors.

-For more information about the Site or BCP program, contact the NYSDEC or NYSDOH Project Manager. Contact information is provided in Appendix A.

-Adjacent property occupants and owners will be kept informed about the progress of the Site cleanup activities. Periodic fact sheets will be sent by mail and/or electronically.

-Local, state, and federal officials will be contacted about the Site remediation activities.

-Up to now, limited soil and groundwater investigations were conducted at the Site. A draft Remedial Investigation Work Plan (RIWP) has been prepared to further investigate the extent of on-site contamination. The RIWP includes provisions for analysis of soil, groundwater, and soil vapor beneath the entire Site. Findings from the Remedial Investigation will be used to prepare the RAWP, which would include the proposed remedy to address Site contamination and protect the health and safety of the public in the surrounding community.

How were these issues and/or information needs identified?

These issues were identified based on a review of historic records of the Site presented in a Phase I Environmental Site Assessment (ESA) and the findings of the Subsurface (Phase II) Investigation and Limited Soil Investigation. A description of the proposed project was also presented in the BCP Application.

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.

-Adjacent property owners and occupants will be informed of the Site remediation activities and can reach out to the Site's NYSDEC and/or NYSDOH Project Manager to obtain additional information.

-Nearby uses do not need to be restricted, since measures will be implemented during all investigation and remediation activities to protect the health safety of the public and local community. These measures include, monitoring for dust that may be emanating from the Site and implementing controls such as spraying water or minimizing subsurface disturbance. Odors will be mitigated by the use of protective foams and/or covering any contaminated areas of disturbance or stockpiles with tarps.

How were these information needs identified?

Research was completed to identify the names and contact information of adjacent property owners and local government officials. These individuals are included in the Site Contact List under Appendix B.

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.

-A Subsurface (Phase II) Investigation was conducted in April 2017. The findings of the investigation was utilized to support the BCP Application. Based on the findings of the investigation, a draft RIWP was submitted to NYSDEC and NYSDOH. The RIWP includes provisions for further analysis of on-site soil, groundwater, and soil vapor. The findings will be used to develop a RAWP and prepare a cleanup remedy.

-Document repositories, where copies of all documents regarding the investigation and remediation of the Site are available to the public, have been established at: Yonkers Public Library, 1 Larkin Center Yonkers, NY 10701.

How were these issues and/or information needs identified?

These needs were identified by summarizing the project timeline and a review of the information included in the BCP Application. Any contact information or details pertaining to the Site that have changed since issuance of the BCP Application, have been updated in this CP Plan.

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**:

There is a sizable Hispanic-American population nearby, therefore all future fact sheets will be translated into Spanish.

Part 5. The site contact list must include, at a minimum, the individuals, groups, and organizations identified in Part 2. of the Citizen Participation Plan under 'Site Contact List'. Are *other* individuals, groups, organizations, and units of government affected by, or interested in, the site, or its remedial program? (Mark and identify all that apply, then adjust the site contact list as appropriate.)

Non-Adjacent Residents/Property Owners: [Click here to enter text.](#)

Local Officials: See list in Appendix B of the Citizen Participation Plan

Media: See list in Appendix B of the Citizen Participation Plan

Business/Commercial Interests: [Click here to enter text.](#)

Labor Group(s)/Employees: [Click here to enter text.](#)

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

Citizens/Community Group(s): [Click here to enter text.](#)

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

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

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

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

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

Prepared/Updated By: AKRF, Inc.

Date: 6/4/2020

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

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