

## Brownfield Cleanup Program - Citizen Participation Plan Template Instructions

**Note:** This template is to be used to prepare the site Citizen Participation (CP) Plan. The CP Plan template was designed for the typical scenario of a site that would be investigated and remediated under the BCP.

The draft site CP Plan must be reviewed and approved by NYSDEC. The NYSDEC project manager determines when a draft site CP Plan is final, regardless of who prepares draft versions of the document. The site CP Plan may be revised during the implementation of the brownfield site's remedial program. This determination will be made by the NYSDEC project manager, in consultation with the assigned NYSDEC Citizen Participation Specialist and other NYSDEC staff as appropriate.

### Preparation:

- Unless directed otherwise, the Applicant will submit to NYSDEC for review and approval the site CP Plan within 20 days after the effective date of the site's Brownfield Cleanup Agreement.
- Insert or delete information within brackets as appropriate, then delete the brackets and any accompanying instructions, including each "Instruction to preparer:". Unless instructed otherwise, remove **bolding** from text that is inserted or contained within brackets.
- Assume the reader does not have specialized technical and environmental knowledge. **Insert plain, understandable language into the template.** Avoid jargon and acronyms. Don't "cut and paste" from technical reports -- they are not written for a general audience. Explain/define any technical terms that must be used. For example, don't assume the reader knows what a "non-aqueous phase liquid (NAPL)" is, or what "air sparging" means. An NYSDEC Citizen Participation Specialist, in consultation with the NYSDEC project manager, may revise or identify portions of the draft that require revision before it can be approved.
- Do not delete or alter "boilerplate" language unless the activity referenced (e.g. investigation, cleanup) does not apply to the BCP site and project.
- When the site CP Plan has been drafted, address page breaks, heading locations and other formatting issues as needed.
- When final edits have been made to the draft site CP Plan, insert or edit page numbers in the Contents page. Recheck page breaks, heading locations and other formatting issues. Be sure to format and print the site CP Plan double-sided.

## **Distribution:**

- The NYSDEC project manager will notify the Applicant when to distribute the approved site CP Plan to the site's document repository(ies). Alternately, NYSDEC may distribute the site CP Plan to the repository(ies).
- **External distribution:** The site CP Plan can be distributed to the site's document repository(ies) in paper form and/or electronic form (such as on disc). Be sure the repository(ies) have the means to provide the public with electronic access to the site CP Plan if this format is selected.

Additional distribution may be considered if the BCP site or its remedial program is comprehensive and/or there is significant public interest. One option is to post the site CP Plan electronically on the DER public web site. Another option is to distribute the site CP Plan to a subset of the site contact list that includes community leaders and others as appropriate. Such distribution should be done electronically through email, if possible.

The method(s) and extent of external distribution is determined by the NYSDEC project manager, following consultation with others as appropriate.

- **Internal distribution:** NYSDEC and NYSDOH staff always should receive electronic copies of the site CP Plan, whether NYSDEC staff are managing the distribution or the distribution is being managed by the Applicant or a contractor. Hard copies should not be distributed internally. NYSDEC staff should provide the Applicant or contractor with appropriate NYSDEC and NYSDOH email addresses when the Applicant or contractor is managing the distribution.
- Place electronic copy of the site CP Plan in the appropriate folder of DecDocs.

**An Applicant preparing a draft BCP CP Plan should direct related questions and requests for additional information to the NYSDEC project manager.**



Department of  
Environmental  
Conservation

# **Brownfield Cleanup Program**

## **Citizen Participation Plan**

for  
**{Insert Brownfield Cleanup Program Site Name - keep bold}**

{Insert Month and Year}

{Insert Site #}  
{Insert Site's Street Address}  
{Insert Municipality}  
{Insert Site County}, New York

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\* \* \* \* \*

**Note:** The information presented in this Citizen Participation Plan was current as of the date of its approval by the New York State Department of Environmental Conservation. Portions of this Citizen Participation Plan may be revised during the site's investigation and cleanup process.

Applicant: **{Identify name of applicant - keep bold}** (“Applicant”)

Site Name: **{Insert name of site - keep bold}** (“Site”)

Site Address: **{Insert site address - keep bold}**

Site County: **{Insert site county - keep bold}**

Site Number: **{Insert site number - keep bold}**

## **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.

**{Instruction to preparer: Additional information can be provided here as appropriate, for example, if a web page dedicated to the site has been set up, additional repositories have been established, newsletters or other supplemental communication are planned, etc.}**

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,  
**{Instruction to preparer: insert one of the following three phrases to complete the sentence:**

**the significant threat determination for the site had not yet been made.**

**-or-**

**it has been determined that the site poses a significant threat.**

**-or-**

**it has been determined that the site does not pose a significant threat.}**

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:

**{Instruction to preparer: Edit the table as appropriate if additional citizen participation activities have been conducted and/or are planned beyond the minimum, required citizen participation activities identified.}**

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.

**{Instruction to preparer: Use this section of the CP Plan to identify important issues of concern to the affected community regarding the site. Where possible, note the stakeholder(s) related to the issue (for example: local residents or property owners (keep identification of these stakeholders generic), town board, water district officials, community group). Identification of these issues of public concern will help to determine if the program of required CP activities is sufficient, whether additional CP activities should be considered, and how to tailor the CP activities to address public concerns related to the site.}**

**Examples of possible major issues of public concern include: potential impacts on nearby public water supply or private water wells, restrictions on community activities, health concerns, etc.**

**The site contact list (Appendix B) should be edited to include the stakeholders related to the major issues of public concern identified above if they are not already part of the list.**

**Tip: You are encouraged to use the fillable worksheet “Remedial Programs Scoping Sheet for Major Issues of Public Concern” to assist you to complete Section 3. The worksheet and instructions follow Appendix D. of this template. The worksheet should be separated from the CP Plan before the CP Plan is finalized and distributed.}**

### 4. Site Information

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

**{Instruction to preparer: Do not complete Section 4 by simply cutting and pasting material from work plans, technical reports or the Environmental Site Remediation Database. These sources of information may be useful, but should be edited and simplified as needed to be clear and understandable to the general public.}**

*Site Description*

**{Instruction to preparer: Insert the following information that should be consistent with information contained in the Environmental Site Remediation Database:**

- **location - street address, municipality(ies), county**
- **setting - urban, suburban or rural**
- **site size - number of acres or square feet**
- **adjacent properties - describe type and use, e.g. residential, commercial, industrial}**

**{Instruction to preparer: Include in Appendix C a map locating the site}**

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

**{Instruction to preparer: Insert the following information in a brief narrative:**

- **prior and current use(s) - identify and describe, e.g. residential, commercial, industrial and include a brief description of the type of commercial or industrial use(s) (e.g., former dry cleaner)**
- **contaminants related to the site that are known or suspected; for example: solvents used for metal cleaning or dry cleaning; petroleum; coal tar; fuel oil; gasoline, etc. Don't use terms like VOCs, BTEX, NAPL, or any other technical terms or acronyms. Explain/define the terms you do use; for example, some readers don't know what "solvents" are. What parts of the environment have been contaminated, if known? Are there known health issues?**
- **Previous environmental assessments, investigations, and/or cleanup activities performed at the site. Describe what was done, when, and with what results. If performed under federal or state remedial program(s), indicate which program(s)}**

## **5. Investigation and Cleanup Process**

### *Application*

The Applicant has applied for and been accepted into New York's Brownfield Cleanup Program as a **{Instruction to preparer: insert Participant or Volunteer}**. This means **{Instruction to preparer: for Participant insert: that the Applicant was the owner of the site at the time of the disposal or discharge of contaminants or was otherwise liable for the disposal or discharge of the contaminants. The Participant must fully characterize the nature and extent of contamination onsite, as well as the nature and extent of contamination that has migrated from the site. The Participant also must conduct a "qualitative exposure assessment," a process that characterizes the actual or potential exposures of people, fish and wildlife to**

contaminants on the site and to contamination that has migrated from the site.

**-or-**

**for Volunteer insert: 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 **{Instruction to preparer: insert one of the standards: unrestricted; restricted}** purposes.

To achieve this goal, the Applicant will conduct **{Instruction to preparer: choose investigation and/or 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.

**{Instruction to preparer: if a site investigation is planned, begin with the following section entitled “Investigation”. If the Applicant has submitted a proposed remedy with its application, skip the Investigation discussion and begin with “Remedy Selection”.**

### *Investigation*

**{Instruction to preparer: if Applicant has completed a partial or full site investigation before entering the BCP, begin with the first paragraph, and delete the second paragraph. Otherwise, delete the first paragraph and begin with the second paragraph.}**

The Applicant has completed a **{Instruction to preparer: choose “partial” or “full”}** site investigation before it entered into the BCP. **{Instruction to preparer: choose one of the following sentences, then delete the other: “For the partial investigation, NYSDEC will determine if the data are useable.” -or- “The Applicant has submitted an investigation report for the full site investigation. NYSDEC will determine if the investigation goals and requirements of the BCP have been met or if additional work is needed before a remedy can be selected.”}**

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

The site investigation has several goals:

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

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

**{Instruction to preparer: If the Applicant submitted an investigation report with its application, delete the following paragraph. Otherwise, retain:}**

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

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

#### *Interim Remedial Measures*

An Interim Remedial Measure (IRM) is an action that can be undertaken at a site when a source of contamination or exposure pathway can be effectively addressed before the site investigation and analysis of alternatives are completed. If an IRM is likely to represent all or a significant part of the final remedy, NYSDEC will require a 30-day public comment period.

#### *Remedy Selection*

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

1. The Applicant may recommend in its investigation report that no action is necessary at the site. In this case, NYSDEC would make the investigation report available for

public comment for 45 days. NYSDEC then would complete its review, make any necessary revisions, and, if appropriate, approve the investigation report. NYSDEC would then issue a “Certificate of Completion” (described below) to the Applicant.

**or**

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

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

#### *Cleanup Action*

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

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

#### *Certificate of Completion*

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

#### *Site Management*

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

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

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

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

**Appendix A -  
Project Contacts and Locations of Reports and Information**

**Project Contacts**

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

**New York State Department of Environmental Conservation (NYSDEC):**

**{insert name of project manager}**  
Project Manager  
NYSDEC **{insert region # if applicable}**  
Division of Environmental Remediation  
**{insert regional or central office address}**  
**{insert a contact telephone number}**

**{insert name of regional citizen participation specialist or, if not available, a central office CPS contact}**  
Citizen Participation Specialist  
NYSDEC **{insert region # if applicable}**  
**{insert regional or central office address}**  
**{insert a contact telephone number}**

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

**{insert name of project manager}**  
Project Manager  
NYSDOH  
**{insert central or regional office address}**  
**{insert a contact telephone number}**

**Locations of Reports and Information**

The facilities identified below are being used to provide the public with convenient access to important project documents: **{Instruction to preparer: add additional location(s) if appropriate.}**

**{insert name of facility}**  
**{insert address}**  
Attn: **{insert contact name if applicable}**  
Phone: **{insert telephone number}**  
Hours: **{insert days and hours of operation}**

**{insert regional or central office address}**  
Attn: **{insert name of project manager}** Phone: **{insert telephone number}**  
Hours: **{insert days and hours of operation}** (call for appointment)

NYSDEC **{insert region # if applicable}**

## **Appendix B - Site Contact List**

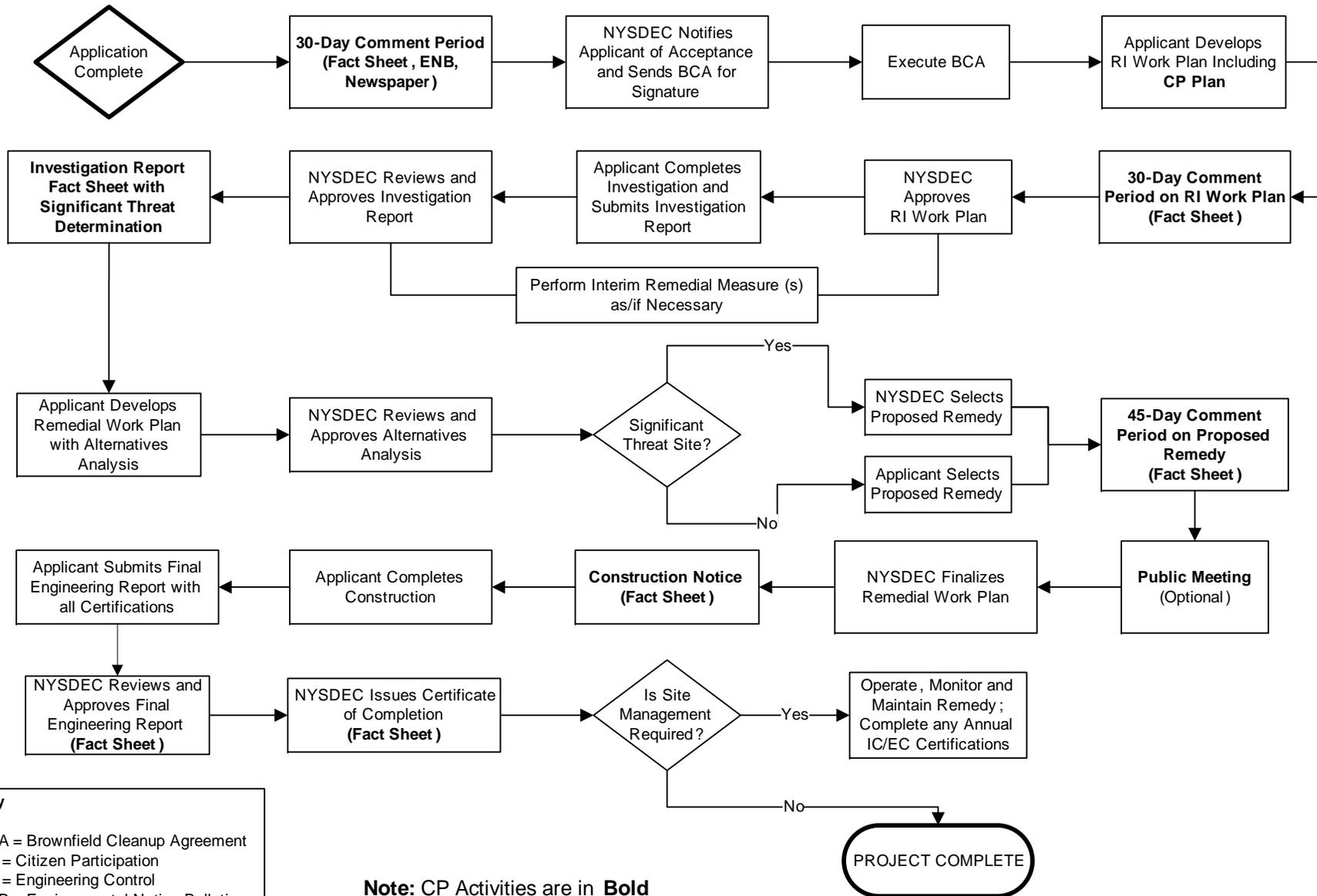
**{Instruction to preparer: Arrange names, addresses, and email addresses (if applicable) of individuals and organizations as identified in Sections 2. and 3. and through other means.**

**Please note that the names, addresses, and email addresses of adjacent property owners and residents on the contact list should not be placed in versions of this document available to the public. Instead, they should be maintained confidentially in the NYSDEC project manager's files.}**

## **Appendix C - Site Location Map**

**{Instruction to preparer: Insert a map locating the site under the above heading. Alternately, replace this page with such a map. Be sure to label the page/map as Appendix C - Site Location Map and number the page consecutively with the others.}**

# Appendix D– Brownfield Cleanup Program Process



**Key**  
 BCA = Brownfield Cleanup Agreement  
 CP = Citizen Participation  
 EC = Engineering Control  
 ENB = Environmental Notice Bulletin  
 IC = Institutional Control  
 RI = Remedial Investigation

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





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

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

**Site Address and County:** [Click here to enter text.](#)

**Remedial Party(ies):** [Click here to enter text.](#)

**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.**

[Click here to enter text.](#)

How were these issues and/or information needs identified?

[Click here to enter text.](#)

**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.

[Click here to enter text.](#)

How were these information needs identified?

[Click here to enter text.](#)

**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.

[Click here to enter text.](#)

How were these issues and/or information needs identified?

[Click here to enter text.](#)

**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:

[Click here to enter text.](#)

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

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

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

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

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

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

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

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

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

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

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

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

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

**Prepared/Updated By:** [Click here to enter text.](#)

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

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

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