



New York State Department of Environmental Conservation

State Superfund Program

Citizen Participation Plan
for
192 Ralph Avenue Off-Site Plume Trackdown

192 Ralph Avenue
Brooklyn, New York 11233

September 2012

Contents

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

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

Site Name: **192 Ralph Avenue Off-Site Plume Trackdown ("Site")**

Site Address: **192 Ralph Avenue, Brooklyn, NY 11233**

Site County: **Kings**

Site Number: **224042**

1. What is New York's State Superfund Program?

New York's State Superfund Program (SSF) identifies and characterizes suspected inactive hazardous waste disposal sites. Sites that pose a significant threat to public health or the environment, such as the Site identified above, undergo a process of investigation, evaluation, cleanup, and monitoring.

The New York State Department of Environmental Conservation (NYSDEC) administers the SSF Program with assistance and input from the New York State Department of Health (NYSDOH). When the parties responsible for the contamination of the Site are known ("responsible parties"), they often pay for or perform the investigation and evaluation of cleanup options under an enforceable consent order. At sites where responsible parties cannot be found or are unable or unwilling to fund an investigation, the State pays for the investigation and may try to recover costs from a responsible party after the investigation and cleanup are complete.

The SSF program contains investigation and cleanup requirements, ensuring that cleanups protect public health and the environment. For more information about the SSF program, go online at: <http://www.dec.ny.gov/chemical/8439.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 interest 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 remedial 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.

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 remedial 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; 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.

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 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 4.

- **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 remedial activities. Modifications may include additions to the site contact list and changes in planned citizen participation activities.

Technical Assistance Grant

The Site identified above poses a significant threat to public health or the environment, so that a qualifying community group may apply for a Technical Assistance Grant (TAG). The purpose of a TAG is to provide funds to the qualifying community group to obtain independent technical assistance. This assistance helps the TAG recipient to interpret and understand existing environmental information about the nature and extent of contamination related to the Site and the development/implementation of a remedy.

An eligible community group must certify that its membership represents the interests of the community affected by the site, and that its members' health, economic well-being, or enjoyment of the environment may be affected by a release or threatened release of contamination at the Site.

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

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

Citizen Participation Requirements (Activities)	Timing of CP Activity(ies)
<p align="center">Before Start of Remedial Investigation (RI):</p> <ul style="list-style-type: none"> •Prepare site contact list •Establish document repository •Prepare Citizen Participation (CP) Plan •Distribute fact sheet to site contact list that announces availability of RI Work Plan and describes upcoming RI field work 	
<p align="center">When NYSDEC Approves Remedial Investigation Report:</p> <ul style="list-style-type: none"> •Distribute fact sheet to site contact list that describes RI results •Place approved RI Report in document repository 	
<p align="center">When NYSDEC Releases Proposed Remedial Action Plan (PRAP):</p> <ul style="list-style-type: none"> •Place PRAP in document repository •Distribute fact sheet to site contact list that describes PRAP and announces 30-day comment period and public meeting •Conduct 30-day public comment period •Hold public meeting about PRAP 	
<p align="center">When NYSDEC Issues Record of Decision (ROD):</p> <ul style="list-style-type: none"> •Place ROD in document repository •Distribute notice to site contact list that announces availability of ROD. ROD includes responsiveness summary of significant comments about PRAP 	
<p align="center">Before Start of Remedial Action:</p> <ul style="list-style-type: none"> •Distribute fact sheet to site contact list that describes upcoming remedial action 	
<p align="center">When NYSDEC Issues Certificate of Completion (COC) or Similar Site Closure Document:</p> <ul style="list-style-type: none"> •Place COC in document repository •Distribute fact sheet to site contact list that announces issuance of COC 	

3. Major Issues of Public Concern

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

The Site is located in an area that is largely African/Black-American, and therefore is an Environmental Justice (EJ) area. EJ is defined as the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. A very high percentage of the constituents near the Site are African/Black-American.

As the remedial investigation for the Site is just getting started there are no major issues of concern as of this time.

4. Site Information

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

Site Description

- Location – 192 Ralph Avenue, Brooklyn, NY 11233;
- The Site is located in an area of the southeast part of the Crown Heights North section of Brooklyn;
- The boundary of the off-site area has yet to be defined; however the investigation will initially be focused on Ralph Avenue between Bainbridge and Macon Streets; and
- The off-site area properties and surrounding land uses are primarily residential (rowhouses/apartments) and commercial.

History of Site Use, Investigation, and Cleanup

- A dry cleaner operated on the on-site parcel from approximately 1946 to 1998. Contamination from the dry cleaning operation identified at the on-site property appears to be the source of the contamination associated with the off-site groundwater plume and soil vapor.
- Contaminants of concern at the site are tetrachloroethylene (PCE), trichloroethylene (TCE), and its breakdown products. Contamination has been detected in soil, soil gas, indoor air, and groundwater at the on-site area and at in the soil gas and groundwater under the sidewalks and streets in the off-site areas. Concentrations exceed standards, criteria and guidance levels.
- Completed investigations/actions at the on-site property include a Subsurface Investigation (2002), a Remedial Investigation (2006), and a Supplemental Investigation (December 2007) conducted under the Voluntary Cleanup Program (VCP). Also under the VCP a mitigation

system was installed at the on-site property. The system consists of a soil vapor extraction system beneath the former dry cleaners and adjacent management office and the installation of a vapor barrier in the basement.

- The volunteer under the VCP program elected not to conduct the off-site investigation and remediation. Therefore, the portion of the building that housed the former dry-cleaning operation (20 x 20' basement) was officially listed in the Registry of Inactive Hazardous Waste Disposal sites in New York State. The listing allows the Department to perform the necessary Off-Site Plume Trackdown investigation.

5. Investigation and Cleanup Process

Investigation

A detailed study of the Site will be performed by the NYSDEC and NYSDOH. This detailed study is officially called a "Remedial Investigation".

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.

NYSDOH reviews and recommends activities that will be performed during the investigation to ensure that a complete picture of potential health impacts is understood. Such activities include identifying the ways contamination can reach people, such as through direct contact, eating, drinking, or breathing.

The information collected during the site investigation will be summarized in a report.

Feasibility Study

After the site investigation has begun, NYSDEC will conduct a "Feasibility Study." This study uses information developed during the site investigation to develop and evaluate potential ways to clean up contamination related to the Site. Another possibility is that the information collected during the site investigation may support the conclusion that no action, or no further action, is needed to address site-related contamination.

Proposed Remedy

The evaluation of possible remedies ends with a recommended proposal to eliminate the threat posed by contaminants at the Site. NYSDEC approves or prepares this proposal, officially called

a “Proposed Remedial Action Plan” (PRAP). The PRAP describes the remedy preferred by NYSDEC, or a no action or no further action alternative. The PRAP summarizes the decision that led to the recommendation of the preferred remedy by discussing each alternative and the reasons for choosing or rejecting it. The goal of any cleanup plan is to protect public health and the environment. NYSDEC will present the PRAP to the public for its review and comment during a 30-day comment period and at a public meeting.

Selected Remedy

NYSDEC considers public comments as it selects the remedy to address contamination related to the Site. The selected remedy will be described in a document officially called a “Record of Decision” (ROD). The ROD will explain why the remedy was selected and respond to public comments. This document will be placed in the location of reports and information. If the selected remedy is no action or no further action, NYSDEC may then take steps to reclassify or to remove the Site from its list of contaminated sites.

Cleanup Action

If the ROD for the Site calls for cleanup action, the project then moves to designing and performing the cleanup actions to address the site contamination. When cleanup actions have been completed, NYSDEC will approve or prepare a Final Engineering Report (FER) that describes the cleanup actions undertaken and certifies that cleanup requirements have been achieved or will be achieved.

Certificate of Completion

Upon approval of the final engineering report, NYSDEC may issue a Certificate of Completion (COC). The COC would recognize the findings of the FER. The COC would note that the cleanup program achieved a cleanup level consistent with specific categories of use for the Site. The recipient of the COC would be entitled to limited liability as long as it complied with the terms of the COC, and other conditions.

A COC may be modified or revoked if, for example, the recipient does not comply with the terms of the COC, or if the recipient commits fraud regarding its certification that it has met cleanup levels.

Site Management

Site management is the last phase of the site cleanup program. This phase begins when the COC is issued. Site management may be conducted by NYSDEC, or by the responsible party under NYSDEC oversight, if contamination will remain in place. Site management incorporates any institutional and engineering controls required to ensure that the remedy implemented for the

Site remains protective of public health and the environment. All significant activities are detailed in a Site Management Plan.

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

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

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

During the Site Management phase, NYSDEC may also take steps to reclassify or remove the Site from the Registry.

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):

Randy Hough
Department of Environmental Conservation
Division of Environmental Remediation
625 Broadway
Albany, NY 12233-7016
Tel: 518-402-9767
Email: rshough@gw.dec.state.ny.us

Thomas V. Panzone, MPA
Citizen Participation Specialist
NYSDEC Region 2
1 Hunter's Point Plaza
47-40 21st Street
Long Island City, NY 11101-5407
Tel: 718-482-4953
Email: tvpanzon@gw.dec.state.ny.us

New York State Department of Health (NYSDOH):

Bridget Callaghan
New York State Department of Health
Empire State Plaza
Corning Tower Room 1787
Albany, NY 12237
Tel: 518-402-7860
Email: beei@health.state.ny.us

Locations of Reports and Information

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

Saratoga Library
8 Thomas S. Boyle St. @ "Macon St."
Brooklyn, NY 11233
Attn: L. Taylor
Phone: 718-573-5224

Appendix B – Site Contact List

U.S. Senator Charles Schumer		Suite 17-02	757 3rd Avenue	New York	NY	10017
U.S. Senator Kirsten Gillibrand		Suite 26-01	780 3rd Avenue	New York	NY	10017
U.S. Congressman Edolphus Towns	10th Congressional District	Suite 1101	186 Joralemon Street	Brooklyn	NY	11201
NYS Senator Velmanette Montgomery	NYS Senate District 18		30 Third Avenue	Brooklyn	NY	11217
Dr. Robert Kulikowski	Director of the Office of Environmental Coordination	New York City Office of Environmental Coordination	100 Gold Street	New York	NY	10038
Mayor Michael R. Bloomberg			City Hall	New York	NY	10007
Hon. John Liu, NYC Comptroller			1 Centre Street	New York	NY	10007
Hon. Bill de Blasio, Public Advocate			1 Centre Street, 15th Floor	New York	NY	10007
Amanda Burden - Commissioner	NYC Department of City Planning		22 Reade Street	New York	NY	10007
Regina Myer	Director Brooklyn Planning Office	Brooklyn Borough Office	16 Court Street	Brooklyn	NY	11241
Brooklyn Borough President	Marty Markowitz		209 Joralemon Street	Brooklyn	NY	11201
Charlene Phillips, District Manager	Brooklyn Community Board #3		1360 Fulton Street	Brooklyn	NY	11216
Nancy T. Sunshine	Kings County Clerk's Office		360 Adams Street, Room 189	Brooklyn	NY	11201
Henry L. Butler, Chairperson	Brooklyn Community Board #3		1360 Fulton Street	Brooklyn	NY	11216
NYC Darlene Mealy – City Council Member	New York City Council-District 41		1757 Union St.	Brooklyn	NY	11213
NYS Assemblyman William F. Boyland	NYS Assembly District 55		467 Thomas S. Boyland St.	Brooklyn	NY	11212
Hon. Carter Strickland, Commissioner	NYC Department of Environmental Protection		59-17 Junction Boulevard	Flushing	NY	11373
John Wuthenow	NYC Department of Environmental Protection	Office of Environmental Planning & Assessment	96-05 Horace Harding Expressway	Flushing	NY	11373
NYC Dept. of Citywide Administrative Services	Commissioner		17th Floor, Municipal Building, 1 Centre Street	New York	NY	10007
Saratoga Branch Brooklyn Public Library			8 Thomas S. Boyle Street @ Macon Street	Brooklyn	NY	11233
NYCHA - Brevoort Houses	Attn: Sheila Stainback, Communications Officer	Department of Communications, NYC Housing Authority	250 Broadway	New York	NY	10007
Brevoort Childrens Center	Director		250 Ralph Avenue	Brooklyn	NY	11233
Brevoort Senior Center	Director		280 Ralph Avenue	Brooklyn	NY	11233
P.S. 40 George W. Carver School	Principal		265 Ralph Avenue	Brooklyn	NY	11233
Bed Stuyvesant Early Childhood Development Center	Director		506 McDonough Street	Brooklyn	NY	11233
P.S. 5 Dr. Ronald McNair School	Principal		820 Hancock Street	Brooklyn	NY	11233
P.S. 21 Crispus Attucks School	Principal		180 Chauncey Street	Brooklyn	NY	11233
Our Time Press	DBG Media Publishers of Our Time Press		679 Lafayette Avenue	Brooklyn	NY	11216
Courier-Life Publications			1 Metro-Tech Center North - 10th Floor	Brooklyn	NY	11201
Brooklyn Daily Eagle			30 Henry Street	Brooklyn	NY	11201
The Brooklyn Papers			1 Metrotech Center, Suite 1001	Brooklyn	NY	11201

NY 1 News			75 Ninth Avenue	New York	NY	10011
News 12 Brooklyn			164 20th Street, 4th Floor	Brooklyn	NY	11232
Brooklyn Chamber of Commerce	Peter Meyer, Chairman		25 Elm Place, Suite 200 2 nd Floor	Brooklyn	NY	11201
Bed-Stuy Gateway	Doug Jones, Executive Director	Business Improvement District	1368 Fulton Street, 3 rd Floor	Brooklyn	NY	11216
Union Baptist Church	Attn: Pastor		461 Decatur Street	Brooklyn	NY	11233
Stuyvesant Heights Montessori	Attn: Director		644 MacDonough Street	Brooklyn	NY	11233
Westminister Bethany Church	Attn: Pastor		644 MacDonough Street	Brooklyn	NY	11233
Excellence Boys Charter School	Attn: Jabali Sawicki, Principal		225 Patchen Avenue	Brooklyn	NY	11233
Holy Nazarene Baptist Church	Attn: Pastor		237 Ralph Avenue	Brooklyn	NY	11233

Appendix C – Site Location Map

