



New York State Department of Environmental Conservation

## **State Superfund Program**

# **Citizen Participation Plan**

for

**Former Klink Cosmo Cleaners**  
**Site ID No. 224130**

364 Richardson Street  
Brooklyn  
Kings County, New York

April 2011



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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: **Former Klink Cosmo Cleaners (“site”)**  
Site Address: **364 Richardson Street, Brooklyn**  
Site County: **Kings County**  
Site Number: **224130**

## **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
- 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;
- 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)
<b>Before Start of Remedial Investigation (RI):</b>	
<ul style="list-style-type: none"> <li>•Prepare site contact list</li> <li>•Establish document repository</li> <li>•Prepare Citizen Participation (CP) Plan</li> <li>•Place approved RI Work Plan in document repository</li> <li>•Distribute fact sheet to site contact list that announces availability of RI Work Plan and describes upcoming RI field work</li> </ul>	<p>Before start of RI. Note: Draft CP Plan must be submitted to NYSDEC within 20 days of effective date of Consent Order. CP Plan must be approved by NYSDEC before distribution.</p>
<b>When NYSDEC Approves Remedial Investigation Report:</b>	
<ul style="list-style-type: none"> <li>•Distribute fact sheet to site contact list that describes RI results</li> <li>•Place approved RI Report in document repository</li> </ul>	<p>When NYSDEC approves RI Report</p>
<b>When NYSDEC Releases Proposed Remedial Action Plan (PRAP):</b>	
<ul style="list-style-type: none"> <li>•Place PRAP in document repository</li> <li>•Distribute fact sheet to site contact list that describes PRAP and announces 30-day comment period and public meeting</li> <li>•Conduct 30-day public comment period</li> <li>•Hold public meeting about PRAP</li> </ul>	<p>When NYSDEC releases PRAP. Comment period begins/ends as per dates identified in fact sheet. Public meeting is held during the comment period.</p>
<b>When NYSDEC Issues Record of Decision (ROD):</b>	
<ul style="list-style-type: none"> <li>•Place ROD in document repository</li> <li>•Distribute notice to site contact list that announces availability of ROD. ROD includes responsiveness summary of significant comments about PRAP</li> </ul>	<p>When NYSDEC issues ROD</p>
<b>Before Start of Remedial Action:</b>	
<ul style="list-style-type: none"> <li>•Distribute fact sheet to site contact list that describes upcoming remedial action</li> </ul>	<p>Before the start of remedial action at the site.</p>
<b>When NYSDEC Issues Certificate of Completion (COC) or Similar Site Closure Document:</b>	
<ul style="list-style-type: none"> <li>•Place COC in document repository</li> <li>•Distribute fact sheet to site contact list that announces issuance of COC</li> </ul>	<p>Within 10 days after NYSDEC issues COC or other similar site closure document</p>



### **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 primary issue of public concern at the site is the potential for soil vapor intrusion to occur within residential and (to a lesser extent) commercial structures surrounding the site. Soil vapor intrusion refers to the process by which chemicals that readily evaporate move from a subsurface source into the indoor air of overlying buildings. Soil vapor, or soil gas, is the air found in the pore spaces between soil particles. Soil vapor enters buildings through cracks in slabs or basement floors and walls, and through openings around sump pumps or where electrical wires go through the foundation. If soil vapor is contaminated, and enters a building as described above, indoor air quality may be affected. This issue is of significant concern to local residents, homeowners, businesses, and several community groups.

In response to this issue, NYSDEC in conjunction with the New York State Department of Health (NYSDOH) has offered vapor intrusion sampling to property owners in the vicinity of the site at no charge. To date, this sampling has been conducted during the 2008-2009, 2009-2010, and 2010-2011 heating seasons (which, for SVI sampling purposes, run from November 1<sup>st</sup> to March 31<sup>st</sup>), and will continue on an as needed basis. At locations where mitigation is warranted, NYSDEC has also offered free installation of sub-slab depressurization systems (similar to radon abatement systems) to building owners in order to minimize exposures associated with soil vapor intrusion. This process is also ongoing.

### **4. Site Information**

#### *Site Description*

The site is located in a mixed residential/commercial/industrial area of the East Williamsburg section of Kings County (Borough of Brooklyn, New York City). The site is located on the southwest corner of the intersection of Vandervoort Avenue and Richardson Street. The site is completely covered by a one-story brick building. The site is currently occupied, and is utilized for light manufacturing. A small residential area is located one block downgradient (north) of the site. Appendix C contains maps showing the location of the site.

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

The site was historically operated by Klink Cosmo Cleaners from the mid-1950's until sometime around 1995. The Department began a Site Characterization in this area during the Spring of 2007 as part of a larger area-wide plume trackdown investigation (Meeker Avenue Plume Trackdown, DEC Site ID No. 224121). This investigation was conducted in several phases, and

was completed in the Summer of 2009. This location was specifically targeted for investigation based on interviews with multiple residents indicating the site's former usage as noted above.

The primary contaminant of concern identified at this site is tetrachloroethene (PCE). This chemical is primarily used in the dry cleaning industry, and by companies who manufacture metal parts. PCE has been found at high levels in groundwater immediately beneath the site. In addition, soil vapor (the gas located between soil particles below ground) has been found to contain elevated levels of PCE in certain locations surrounding the site.

Based on the history of PCE usage at the property, the existence of high levels of PCE-contaminated groundwater beneath the site, and the potential for this contamination to migrate off-site into the adjacent residential area, this site was determined to be a significant threat to public health and the environment. Accordingly, the site was listed as a class 2 site in the New York State Registry of Inactive Hazardous Waste Sites in 2009.

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

### *Investigation*

A detailed study of the site will be performed by NYSDEC and NYSDOH. This detailed study is officially called a "Remedial Investigation". The investigation work plan is officially called a "Remedial Investigation Work Plan" and is available for public review at the "Locations of Reports and Information" identified in Appendix A.

The remedial 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 remedial 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 remedial investigation will be summarized in a report.

### *Feasibility Study*

After the remedial investigation has been completed, 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 both document repositories (locations of which can be found in Appendix A). If the selected remedy is no action or no further action, NYSDEC may then take steps to reclassify the site or remove the site from its list of contaminated sites.

### *Cleanup Action*

If the Record of Decision 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 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 final engineering report. 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 the site 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):**

David Harrington  
Project Manager  
Division of Environmental Remediation  
NYSDEC  
625 Broadway, 12<sup>th</sup> Floor  
Albany, NY 12233-7016  
(888) 212 - 9586

Thomas Panzone  
Citizen Participation Specialist  
Division of Public Affairs and Education  
NYSDEC – Region 2  
47-40 21<sup>st</sup> Street  
Long Island City, NY 11101  
(718) 482 – 4958

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

Dawn Hettrick  
Project Manager  
NYSDOH  
547 River Street  
Troy, NY 12180  
(800) 458 – 1158, extension 2 - 7860

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

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

Brooklyn Public Library-Greenpoint Branch  
107 Norman Avenue  
Brooklyn, NY 11222  
Hours of Operation:  
Mon, Tues, Fri: 9:00 AM to 6:00 PM  
Wed: 1:00 PM to 8:00 PM  
Thurs: 1:00 PM to 6:00 PM  
Sa: 10:00 AM to 5:00 PM

Brooklyn Community Board #1  
435 Graham Avenue  
Brooklyn, NY 11222  
Call for an appointment:  
(718) 389 - 0009

## **Appendix B – Site Contact List**

**Elected Officials:**

Hon. Michael Bloomberg  
Mayor of the City of New York  
City Hall  
New York, NY 10007

Hon. Bill de Blasio  
Public Advocate  
1 Centre Street, 15<sup>th</sup> Floor  
New York, NY 10007  
Email: [mwing@pubadvocate.nyc.gov](mailto:mwing@pubadvocate.nyc.gov)

Hon. John Liu  
NYC Comptroller  
1 Centre Street  
New York, NY 10007  
Email: [press@comptroller.nyc.gov](mailto:press@comptroller.nyc.gov)

Hon. Charles Schumer  
U.S. Senator  
757 Third Avenue, Room 1702  
New York, NY 10017  
Email: [senator@schumer.senate.gov](mailto:senator@schumer.senate.gov)

Hon. Kirsten Gillibrand  
U.S. Senator  
780 Third Avenue, Suite 2601  
New York, NY 10017  
Email: [contact@gillibrand.senate.gov](mailto:contact@gillibrand.senate.gov)

Hon. Nydia Velasquez  
U.S. House of Representatives  
266 Broadway, Suite 201  
Brooklyn, NY 11211

Hon. Martin Malave Dilan  
NYS Senator

786 Knickerbocker Avenue  
Brooklyn, NY 11207  
Email: [dilan@senate.state.ny.us](mailto:dilan@senate.state.ny.us)

Hon. Vito J. Lopez  
NYS Assemblymember  
434 South 5<sup>th</sup> Street  
Brooklyn, NY 11211  
Email: [lopez@assembly.state.ny.us](mailto:lopez@assembly.state.ny.us)

Hon. Marty Markowitz  
Brooklyn Borough President  
209 Joralemon Street  
Brooklyn, NY 11201  
Email: [askmarty@brooklynbp.nyc.gov](mailto:askmarty@brooklynbp.nyc.gov)

Hon. Diana Reyna  
NYC Councilmember  
217 Havemeyer Street, 2<sup>nd</sup> Floor  
Brooklyn, NY 11211

**Government Officials:**

Brooklyn Community Board 1  
Christopher Olechowski, Chairman  
435 Graham Avenue  
Brooklyn, NY 11211  
Email: [bk01@cb.nyc.gov](mailto:bk01@cb.nyc.gov)

Brooklyn Community Board 1  
Gerald Esposito, District Manager  
435 Graham Avenue  
Brooklyn, NY 11211  
Email: [bk01@cb.nyc.gov](mailto:bk01@cb.nyc.gov)

John Wuthenow  
Office of Environmental Planning & Assessment  
NYC Dept. of Environmental Protection  
59-17 Junction Boulevard  
Flushing, NY 11373

King's County Clerk's Office  
Nancy T. Sunshine, County Clerk  
360 Adams Street, Room 189  
Brooklyn, NY 11201

Amanda M. Burden  
Commissioner  
NYC Department of City Planning  
22 Reade Street  
New York, NY 10007

Dr. Robert Kulikowski, Director  
Mayor's Office of Environmental Coordination  
253 Broadway, 14<sup>th</sup> Floor  
New York, NY 10007

Mark McIntyre  
Mayor's Office of  
Environmental Remediation  
253 Broadway, 14<sup>th</sup> Floor  
New York, NY 10007

**Public Water Supplier:**

Hon. Caswell Holloway  
Commissioner  
NYC Department of Environmental Protection  
59-17 Junction Boulevard  
Flushing, NY 11373



**Schools and Daycare Facilities:**

St. Cecilia's School  
15 Monitor Street  
Brooklyn, NY 11222  
Attn: Sister Miriam, Principal

Cooper Child Care Center  
292 Frost Street  
Brooklyn, NY 11222

**Community, Civic, Religious and other Educational Institutions:**

Newtown Creek Monitoring Committee  
329 Greenpoint Avenue  
Brooklyn, NY 11222  
Attn: Christine Holowacz

St. Cecilia Roman Catholic Church  
84 Herbert Street  
Brooklyn, NY 11222

Concerned Citizens of Greenpoint  
1044 Manhattan Avenue  
Brooklyn, NY 11222

Brooklyn Chamber of Commerce  
25 Elm Place, Suite 200 2<sup>nd</sup> Floor  
(Between Fulton & Livingston Streets)  
Brooklyn, NY 11201  
Tel: (718) 875-1000  
Fax: (718) 237-4274  
Attn: Carl Hum, President & CEO  
Email: [chum@brooklynchamber.com](mailto:chum@brooklynchamber.com)  
Website: [www.ibrooklyn.com](http://www.ibrooklyn.com)

Cooper Park Development  
Managing Development Office  
40 Debevoise Avenue  
Brooklyn, NY 11211

Cooper Park Resident Association  
Attn: Gloria Garcia, President  
C/o Cooper Park Managing Development Office  
40 Debevoise Avenue  
Brooklyn, NY 11211

NYCHA Senior Center  
288 Frost Street  
Brooklyn, NY 11222  
Attn: Rafael Gonzalez, Director

**Local Media Outlets:**

The Brooklyn Paper  
1 Metrotech Center, Suite 1001  
Brooklyn, NY 11201  
Email: [Newsroom@CNGLocal.com](mailto:Newsroom@CNGLocal.com)

Courier-Life Publications  
1 Metro-Tech Center North - 10th Floor  
Brooklyn, NY 11201  
Email: [editorial@cnglocal.com](mailto:editorial@cnglocal.com)

Greenpoint Star  
69-60 Grand Avenue  
Maspeth, NY 11378

NY1 News  
75 Ninth Avenue  
New York, NY 10011  
Email: [ny1news@ny1.com](mailto:ny1news@ny1.com)

New York Daily News  
450 West 33<sup>rd</sup> Street  
New York, NY 10001

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

Nowy Dziennik (Polish Daily News)  
333 West 38<sup>th</sup> Street  
New York, NY 10018  
Email: [listy@dziennik.com](mailto:listy@dziennik.com)

El Diario/La Prensa  
1 Metrotech Center, 18<sup>th</sup> Floor  
Brooklyn, NY 11201

Brooklyn Daily Eagle  
30 Henry Street  
Brooklyn, NY 11201  
Email: [edit@brooklyneagle.net](mailto:edit@brooklyneagle.net)

Greenpoint Gazette  
597 Manhattan Avenue  
Brooklyn, NY 11222  
Email: [jeff@greenpointnews.com](mailto:jeff@greenpointnews.com)

News 12 Brooklyn  
164 20th Street  
4th Floor  
Brooklyn, NY 11232  
Email: [news12bkln@news12.com](mailto:news12bkln@news12.com)

**Appendix C – Site Location Map**



