

New York State Department of Environmental Conservation

State Superfund Program

Citizen Participation Plan

for

National Rubber Adhesives

38-31 9th street Long Island City, NY 11101

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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: National Rubber Adhesives, Inc. ("site")
Site Address: 38-31 9th Street, Long Island City

Site County: **Queens**Site Number: **241028**

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" or "RP"), 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)	
Before Start of Remedial Investigation (RI):		
 Prepare site contact list Establish document repository Prepare Citizen Participation (CP) Plan Place approved RI Work Plan in document repository Distribute fact sheet to site contact list that announces availability of RI Work Plan and describes upcoming RI field work 	Before start of RI.	
When NYSDEC Approves Remedial Investigation Report:		
 Distribute fact sheet to site contact list that describes RI results Place approved RI Report in document repository 	When NYSDEC approves RI Report	
When NYSDEC Releases Proposed Remedial Action Plan (PRAP):		
 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 	When NYSDEC releases PRAP. Comment period begins/ends as per dates identified in fact sheet. Public meeting is held during the comment period.	
When NYSDEC Issues Record of Decision (ROD):		
 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 	When NYSDEC issues ROD	
Before Start of Remedial Action:		
Distribute fact sheet to site contact list that describes upcoming remedial action	Before the start of remedial action at the site.	
When NYSDEC Issues Certificate of Completion (COC) or Similar Site Closure Document:		
 Place COC in document repository Distribute fact sheet to site contact list that announces issuance of COC 	Within 10 days after NYSDEC issues COC or other similar site closure document	

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.

Elevated levels of Volatile Organic Compounds (VOCs), primarily toluene with some chlorinated solvents to a much lesser extent, have been identified in the ground water at the site. The area is paved and served by public water so exposures to contaminated ground water are unlikely. Due to the high levels of VOCs in the on-site ground water there is a potential for exposures related to soil vapor intrusion in the on-site and surrounding buildings. A soil vapor investigation was completed as part of the remedial investigation. Some chlorinated solvents were detected in indoor air quality (IAQ) and/or sub-slab vapor samples collected from Buildings 2, 3 and 4, at concentrations indicative that mitigation measures were needed. Remedial investigation findings are summarized in Section 5.

The site is located in an Environmental Justice Area. Environmental justice is defined as the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies.

Environmental justice efforts focus on improving the environment in communities, specifically minority and low-income communities, and addressing disproportionate adverse environmental impacts that may exist in those communities. The site located in an area with a large Hispanic-American population. Therefore, all future fact sheets will be translated into Spanish.

4. Site Information

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

Site Description

The National Rubber Adhesives, Inc. site is located at 38-31 9th Street in Long Island City, NY. The site is located on the east side of 9th Street, approximately 0.4 miles north of the Queensboro Bridge, in an urban setting. The surrounding properties consist of a mix of industrial, commercial, and residential uses. The site is improved by an approximately 30,000-ft², one-story building with a brick façade. The site and surrounding area is generally flat and featureless.

History of Site Use, Investigation, and Cleanup

The northern two-thirds of the site building was formerly occupied by National Rubber Adhesives, Inc. for adhesives manufacturing, equipment and materials storage, and as office space. The site building was used for adhesives manufacturing for at least 62 years and went out of business in 1995. National Rubber Adhesives, Inc. manufactured both latex (water) and solvent-based adhesives at the site. Five (5) Underground Storage Tanks (USTs) were

abandoned in-place in a courtyard area in the interior of the site in 1995. The USTs included the following: two 550-gallon gasoline tanks, 1,500-gallon toluene tank, 1,500-gallon heptane tank, and a 1,500-gallon Methyl Ethyl Ketone (MEK) tank. All of the USTs were closed in place by filling them with concrete.

National Rubber Adhesives used and stored hazardous materials on the site, including heptane and chloroform. Two 1,500-gallon heptane USTs reportedly existed under the Latex Production Room in the northern portion of the site building. In addition, one of the closed in-place 550-gallon gasoline USTs also formerly stored ethyl acetate. Several Aboveground Storage Tanks (ASTs) were also formerly located on the subject site. The ASTs included a 2,000-gallon latex tank located in the courtyard and a 3,000-gallon fuel oil tank located in the southern portion of the building. An additional six approximately 550-gallon USTs in a concrete encasement were identified beneath the former Latex Production Room during the remedial investigation for the site. The contents of the USTs were not identified; however a historical site map for the property indicates a heptane fill port in the area of the tanks. The USTs were removed from the site in 2014.

The property is registered with the United States Environmental Protection Agency (USEPA) as a Small Quantity Generator of hazardous waste. In addition, the property is listed as a registered Petroleum Bulk Storage (PBS) facility and a Chemical Bulk Storage (CBS) facility.

Several previous investigations have been performed to evaluate site conditions from 1996 to 2006. These investigations at first were conducted by National Rubber Adhesives, Inc. from August 2003 to July 2007. The site was referred for inclusion to the State Superfund in June 2009. The previous investigations involved collecting and analyzing samples of the soil, ground water, and soil gas to determine if they have been impacted. These investigations found that the ground water on and off-site have been contaminated with chemical compounds, specifically Toluene, Benzene, ethyl benzene, Xylene, and Tetracholorethylene ("Perc").

A comprehensive remedial investigation that characterized site subsurface soil, groundwater, soil vapor, and indoor air was completed between September 2013 and May 2016. The findings of the RI are summarized in Section 5.

5. Investigation and Cleanup Process

Investigation

A detailed study of the site was completed between September 2013 and May 2016, overseen by NYSDEC and NYSDOH. This detailed study is officially called a Remedial Investigation (RI). The investigation work plan is officially called a Remedial Investigation Work Plan (RIWP) and is available for public review at the "Locations of Reports and Information" identified in Appendix A.

The site investigation has several goals:

- 1) Define the nature and extent of contamination in soil, soil gas, 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 was summarized in a Remedial Investigation/Feasibility Study (RI/FS) Report. The RI concluded that site-related impacts were present in site subsurface soil, groundwater, soil vapor, and indoor air.

Site-related impacts to soil include VOCs and SVOCs, which were detected to varying degrees in every soil sample collected during the RI. Elevated concentrations of Toluene were confined to areas of the property associated with former UST storage of chemicals used in historical on-site manufacturing operations. These include the former courtyard in Building 2 and the UST storage area beneath the Latex Production Room.

Elevated concentrations of site-related impacts in site groundwater include chlorinated solvents as well as benzene, toluene, ethylbenzene, and xylene (BTEX) compounds. A light non-aqueous phase liquid (LNAPL), likely toluene, was encountered in one well during the RI. Elevated concentrations of BTEX compounds were identified in downgradient monitoring wells, located across 9th Street from the site; however, concentrations of chlorinated solvents in the downgradient wells were low or non-detect.

Perc and/or Trichloroethylene (TCE) were detected in IAQ and/or sub-slab vapor samples collected from Buildings 2, 3 and 4 at concentrations indicative that mitigation measures were needed to prevent soil vapor intrusion. Elevated concentrations of Toluene were detected in the IAQ sample collected in Building 1, which was attributed to an open excavation in the area of former UST storage. A human health assessment conducted as part of the RI concluded that the primary exposure point for site occupants to on-Site constituents of potential concern (COPCs) is indoor air. Therefore, the primary exposure route for on-site COPCs is inhalation of impacted indoor air.

Feasibility Study

After the site investigation was completed, a Feasibility Study was conducted. This study used information developed during the site investigation to develop and evaluate potential ways to clean up contamination related to the site.

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 the site or 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 FER, 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 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):

Mr. Kyle Foster Mr. Thomas Panzone

Project Manager Citizen Participation Specialist

NYSDEC NYSDEC

Division of Environmental Remediation 1 Hunter's Point Plaza 625 Broadway 47-40 21st Street

625 Broadway 47-40 21st Street

Albany, NY 12233-7016 Long Island City, NY 11101-5407 Tel: (518) 402-8644 Tel: (718) 482-4953

Tel: (518) 402-8644

Email: kyle.foster@dec.ny.gov

Tel:(718) 482-4953

Email: Thomas.panzone@dec.ny.gov

New York State Department of Health (NYSDOH):

Ms. Wendy Kuehner Project Manager NYSDOH

Bureau of Environmental Exposure Investigation

ESP – Corning Tower, Room 1787

Albany, NY 12237 Tel: (518) 402-7860

Email: BEEI@health.ny.gov

Locations of Reports and Information

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

Queensborough Public Library Queens Community Board # 2

Long Island City Branch 43-22 50th Street 37-44 21st Street Woodside, NY 11377

Long Island City, NY 11101 (718) 533-8773

Tel: (718) 752-3700 Hours: Monday – Friday 9am - 5pm

Hours: Mon 9am – 8pm, Tues 1-6pm, Wed 10am-6pm, Thurs 12pm-8pm, NYSDEC, Div.of Environmental Remediation

Fri 10am-6pm, Sat 10am-5:00pm 625 Broadway Sun closed Albany, NY 12233-7016

Attn: Mr. Kyle Foster

Hours: Monday – Friday 8:00am – 4:45 pm Phone: (518) 402-8644 (call for appointment)

Appendix B Site Contact List

Elected Officials:

Hon. Bill de Blasio NYC Mayor City Hall New York, NY 10007

Hon. Melinda Katz Queens Borough President 120-55 Queens Boulevard Kew Gardens, NY 11415

Hon. Scott Stringer NYC Comptroller 1 Centre Street New York, NY 10007

Hon. Letitia James Public Advocate 1 Centre Street New York, NY 10007

Hon. Charles Schumer U.S. Senator 780 Third Avenue, Suite 2301 New York, NY 10017

Hon. Kirsten Gillibrand U.S. Senator 780 Third Avenue, Suite 2601 New York, NY 10017

Hon. Jimmy Van Bramer NYC Councilmember 47-01 Queens Boulevard, Suite 205 Sunnyside, NY 11104

Hon. Michael Giannaris NYS Senator 31-19 Newtown Avenue South, Suite 402 Astoria, NY 11102 Hon. Catherine T. Nolan NYS Assemblymember 47-40 21st Street, Room 810 Long Island City, NY 11101

Hon. Carolyn Maloney U.S. House of Representatives 31-19 Newtown Avenue Astoria, NY 11102

Government Officials:

Queens County Clerk's Office Audrey Pheffer, County Clerk 88-11 Sutphin Boulevard, 1st Floor Jamaica, NY 11439

Carl Weisbrod Commissioner NYC Dept. City Planning 120 Broadway 31st Floor New York, NY 10271

Dan Walsh Director NYC Office of Environmental Remediation 100 Gold Street – 2nd Floor New York, NY 10038

Queens Community Board # 2 43-22 50th Street Woodside, NY 11377 Attn: Mr. Patrick A. O'Brien, Chair

Queens Community Board # 2 43-22 50th Street Woodside, NY 11377 Attn: Ms. Debra Markell-Kleinert, District Manager Queens Community Board # 2 43-22 50th Street Woodside, NY 11377 Attn: Dorothy Morehead Environment Committee Chair

Public Water Supplier:

Vincent Sapienza Acting Commissioner NYC Dept. Environmental Protection 59-17 Junction Boulevard Flushing, NY 11373

Schools and Daycare Facilities

Public School 111 Jacob Blackwell 37-15 13th Street Long Island City, NY 11101 Attn: Dionne Jaggon, Principal

Public School 76 The William Hallet School 36-36 10th Street Long Island City, NY 11106 Attn: Timothy Miller, Principal

Joseph Di Marco Childcare Facility 1109 37th Ave Long Island City, NY 11101

Voice Charter School 37-15 13th st Long Island City, NY 11101 Attn: Principal

Western Queens Nursery School 1026 41st Ave Long Island City, NY 11101

Police Athletic League Day Care Center 10-20 41st Avenue Long Island City, NY 11101 Attn: Mila Deduzman, Director

<u>Community, Civic, Religious and other</u> Educational Institutions:

Center of Hope International 1211 40th Ave Long Island City, NY 11101

Friendship Baptist Church 3835 12th St Long Island City, NY 11101

Greater Trinity Baptist Church 3732 12th St Long Island City, NY 11101

Pentacostal Christian 902 37th Ave Long Island City, NY 11101

Queensbridge North Houses (NYCHA) Management Development Office 10-05 41st Avenue Long Island City, NY 11101

Queensbridge North Houses (NYCHA) Resident Association Attn: Nina Adams 10-05 41st Avenue Long Island City, NY 11101

Jacob Riis Neighborhood Settlement 10-25 41st Avenue Long Island City, NY 11101 Attn: Christopher Hanway, Executive Director

NYCHA Community Center Jacob Riis Neighborhood Settlement 10-25 41st Avenue Long Island City, NY 11101 Attn: William Newlin, Director Queensbridge South (NYCHA) Management Development Office 10-06 41st Avenue Long Island City, NY 11101

Queensbridge South (NYCHA) Resident Association 10-06 41st Avenue Long Island City, NY 11101 Attn: Nina Adams

Queens Chamber of Commerce 75-20 Astoria Blvd, Suite 140 Jackson Heights, NY 11370 Attn: Thomas J. Grech, Executive Director

East River Development Alliance 12-11 40th Avenue Long Island City, NY 11101 Email: <u>ERDA@ERDAlliance.org</u>

Attn: Mitchell G. Taylor, President & CEO

Coalition Helping Organize a Kleaner Environment (CHOKE) 33-60 21st Street Long Island City, NY 11106 Attn: Ms. Donna Diglio-Arruffat

LIC/Astoria Chamber of Commerce 24-01 44th Road Long Island City, NY 11101 Attn: Executive Director

Local Media Outlets:

NY 1 News 75 Ninth Avenue New York, NY 10011 New York Daily News 4 New York Plaza New York, NY 10004 New York Post 1211 Avenue of the Americas New York, NY 10036

Western Queens Gazette 42-16 34th Avenue Long Island City, NY 11101

LIC/Astoria Journal 69-60 Grand Avenue Maspeth, NY 11378

Queens Chronicle 62-33 Woodhaven Boulevard Rego Park, NY 11374

Times-Ledger Newspapers 41-02 Bell Boulevard, 2nd Floor Bayside, NY 11361

Queens Tribune 150-50 14th Road Whitestone, NY 11357

Appendix C Site Location Map

