



**New York State Department of Environmental
Conservation Brownfield Cleanup Program**

**CITIZEN PARTICIPATION PLAN
for
Bethpage Community Park Ice Rink Area**

**Stewart Avenue
Bethpage
Nassau, New York**

NYSDEC Site No. C130212

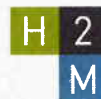
October 15, 2012

Prepared for:

Town of Oyster Bay
Department of Public Works
150 Miller Place
Syosset, New York 11791

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architects + engineers



CITIZEN PARTICIPATION PLAN

BETHPAGE COMMUNITY PARK ICE RINK AREA

NYSDEC SITE NO. C130212

STEWART AVENUE

BETHPAGE, NEW YORK

OCTOBER 2012

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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: **Town of Oyster Bay**
 Site Name: **Bethpage Community Park Ice Rink Area (Site)**
 Site Address: **Stewart Avenue, Bethpage, New York**
 Site County: **Nassau**
 Site Number: **C130212**

1. What is New York’s Brownfield Cleanup Program?

New York’s Brownfield Cleanup Program (BCP) works with property owners and developers to encourage the voluntary cleanup of properties known as “brownfields.”

A brownfield typically is a former industrial or commercial property where operations may have resulted in environmental impacts. The presence or potential presence of contamination can affect the use of the property.

The BCP is administered by the New York State Department of Environmental Conservation (NYSDEC) which oversees Applicants that 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 may include cleanup activity, ensuring protection of public health and the environment.

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 properties, 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 investigation and cleanup programs is important for many reasons. These include:

- Promoting the development of timely, effective 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 and defined herein (Site). 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;
- residents¹, 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 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.

¹ Residential contacts are maintained by NYSDEC in a separate document.

- **Town of Oyster Bay Department of Environmental Resources** (516- 677-5824) can also be contacted for information regarding the Site and the BCP.

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.

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

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

Citizen Participation Activities

Citizen Participation Requirements (Activities)	Timing of CP Activity(ies)
<p>Application Process:</p> <ul style="list-style-type: none"> • Prepare Site contact list • Establish document repositories 	<p>At time of preparation of application to participate in the BCP.</p>
<ul style="list-style-type: none"> • Publish notice in Environmental Notice Bulletin (ENB) announcing receipt of application and 30-day public comment period • Publish above ENB content in local newspaper • Mail above ENB content to Site contact list • Conduct 30-day public comment period 	<p>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.</p>
<p>After Execution of Brownfield Site Cleanup Agreement:</p>	
<ul style="list-style-type: none"> • Prepare Citizen Participation (CP) Plan 	<p>Before start of Remedial Investigation</p>
<p>Before NYSDEC Approves Remedial Investigation (RI) Work Plan:</p>	
<ul style="list-style-type: none"> • Distribute fact sheet to Site contact list about proposed RI activities and announcing 30-day public comment period about draft RI Work Plan • Conduct 30-day public comment period 	<p>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.</p>
<p>After Applicant Completes Remedial Investigation:</p>	
<ul style="list-style-type: none"> • Distribute fact sheet to Site contact list that describes RI results 	<p>Before NYSDEC approves RI Report</p>
<p>Before NYSDEC Approves Remedial Work Plan (RWP):</p>	
<ul style="list-style-type: none"> • Distribute fact sheet to Site contact list about proposed RWP and announcing 45-day public comment period • Public meeting by NYSDEC about proposed RWP (if requested by affected community or at discretion of NYSDEC project manager) • Conduct 45-day public comment period 	<p>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.</p>
<p>Before Applicant Starts Cleanup Action:</p>	
<ul style="list-style-type: none"> • Distribute fact sheet to Site contact list that describes upcoming cleanup action 	<p>Before the start of cleanup action.</p>
<p>After Applicant Completes Cleanup Action:</p>	
<ul style="list-style-type: none"> • Distribute fact sheet to Site contact list that announces that cleanup action has been completed and that summarizes the Final Engineering Report • Distribute fact sheet to Site contact list announcing issuance of Certificate of Completion (COC) 	<p>At the time NYSDEC approves Final Engineering Report. These two fact sheets are combined if possible if there is not a delay in issuing the COC.</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 process.

A Freon™ compound (chlorodifluoromethane or Freon 22™) has been identified in shallow groundwater and soil vapor near the Site. The presence of Freon 22™ in groundwater and soil vapor has been determined by NYSDEC to have emanated from an ice skating rink that existed at the subject Site prior to construction of the current facility. Impacts to groundwater and soil vapor are a concern for the local community and public water purveyors as well as private water well owners and operators. The Freon 22™ groundwater plume is considered a sub-plume to a much larger volatile organic compound (VOC) plume that exists in the area. The larger plume is predominantly the result of historic manufacturing and discharge activity conducted in the Bethpage area by Grumman Aerospace Corp.

4. Site Information

The subject Site is located on Stewart Avenue in Bethpage, New York, within the Town of Oyster Bay. Appendix C contains a map (Figure 1) identifying the location of the Site. The Site is approximately 0.4 acres in size and is situated within the 18-acre Bethpage Community Park. The Site encompasses the footprint of two former ice skating rinks, now demolished and replaced by a new ice skating center. To the immediate west, southwest, and south are additional recreational facilities within the Park. Within Bethpage Community Park, there exists a swimming pool, basketball court, tennis courts, ball-fields and the recently constructed indoor ice skating facility. The surrounding area, outside the boundaries of the Park, includes a mix of land uses including residential, commercial and school properties. The Site is currently utilized for recreational purposes and the intent is to continue with the same use.

Portions of the overall park property were once utilized for waste disposal purposes including industrial wastewater treatment sludge, spent paint booth rag disposal, and possible used oil disposal by the prior owner, Grumman Aerospace Corp. (a predecessor to Northrop Grumman Corporation (Grumman)). The former park area was also used for fire training. Portions of the park are currently closed, pending remediation. The ice skating center lies within the overall boundaries of the Bethpage Community Park which is being investigated and remediated by Grumman and the NAVY as Operable Unit 3 (OU 3) of the Grumman Aerospace site. Soils in the vicinity of the ice skating rink have been remediated by the Town as part of an interim remedial measure. NYSDEC has determined that two former ice skating rinks, located in the same area as the current ice skating center, leaked Freon™ into the soils and subsequently to groundwater. The Town of Oyster Bay has applied to enter into a Brownfields Cleanup Agreement with NYSDEC to further investigate and/or remediate Freon™ impacts to soil vapor and groundwater.

The Site and immediate surrounding area has been utilized as a Town Park since the mid-1960s. Prior to that it was owned by Grumman. Grumman began operating in the Bethpage area in the early 1930's. Beginning in the 1940's, Grumman's operations included: chemical milling, plating, and degreasing operations. During this time period, disposal of chromic acid wastes was conducted in open seepage basins or directly on the ground. This practice ended in 1949 after chromium contamination was discovered in a public water supply well located south of the plant. After 1949, neutralized chromic acid wastes were dried in the settling ponds and then shipped offsite for disposal. This ended soon after 1962 when the property was transferred to the Town of Oyster Bay.

The Site is located on Long Island glacial sand deposits which have been designated as a sole source aquifer. Depth to groundwater (in the upper glacial aquifer) is 50 to 60 feet below ground surface and flow is generally south-southeasterly and slightly downward. The upper glacial aquifer is underlain by the magothy aquifer which is a primary source of drinking water. Periodic lower permeability silty-sand and clay lenses exist throughout the area. Most of these confining layers are not continuous in the local area. The Site and Park area are situated approximately 125 feet above mean sea level and topographically, are generally flat.

Investigations in the area of the Park have found significant soil, soil vapor, and groundwater contamination. The primary soil contaminants are volatile organic compounds (VOCs), VOC breakdown products, PCBs, chromium and cadmium. The primary Park area related groundwater and soil vapor contaminants are VOCs. The Park area soil vapor and groundwater concerns are being addressed by Northrop Grumman Corporation through the implementation of two Interim Remedial Measures. As indicated above, the Freon™ compound identified in soil vapor and groundwater has been determined by NYSDEC to have emanated from the former ice skating rink facilities located at the Site. Groundwater migration from the Former Grumman Settling Ponds Area (OU3) has resulted in a significant groundwater plume which has impacted both the Upper Glacial and Magothy formations. It is not currently known whether any significant concentrations of Freon 22™ have migrated south of the Park area. Review and/or delineation of the Freon 22™ impacts to soil vapor and groundwater will be one of the goals of the remedial investigation to be conducted as part of the BCP process.

5. Investigation and Cleanup Process

The Applicant has applied for and been accepted into New York's Brownfield Cleanup Program. This means that the Applicant was the owner of the Site at the time of the disposal or discharge of contaminants. The Participant must fully characterize the nature and extent of contamination on the Site, as well as the nature and extent of contamination that has migrated from the Site.

The Applicant in its application proposes that the Site will be used for recreational purposes. To achieve this goal, the applicant will conduct investigation activities at the Site with oversight provided by NYSDEC. The Brownfield Cleanup Agreement executed by NYSDEC and the

Applicant sets forth the responsibilities of each party in conducting these activities at the Site.

Investigation

The Applicant 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 Freon 22TM contamination in soil vapor and groundwater;
- 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.

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.

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 proposed Remedial Work Plan for approval, NYSDEC would announce the availability of the proposed 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 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.

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 the Applicant 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.

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):

Steven Scharf
 Project Manager
 NYSDEC
 Division of Environmental Remediation
 625 Broadway
 Albany, NY 12233
 (518) 402-9620
sxscharf@gw.dec.state.ny.us

William (Bill) Fonda
 Citizen Participation Specialist
 NYSDEC
 Region 1 Office
 SUNY @ Stony Brook
 50 Circle Road
 Stony Brook, NY 11790
 (631) 444-0350

New York State Department of Health (NYSDOH):

Steven Karpinski
 NYSDOH
 Bureau of Environmental Exposure Investigation
 Empire State Plaza, Corning Tower, Room 1787
 Albany, NY 12237
 (518) 402-7880

Town of Oyster Bay:

Town of Oyster Bay
 Department of Environmental Resources
 150 Miller Place
 Syosset, NY 11791
 (516) 677-5824

Locations of Reports and Information

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

Bethpage Public Library
47 Powell Avenue
Bethpage, NY 11714

NYSDEC Region 1
SUNY @ Stony Brook
50 Circle Road
Stony Brook, NY 11790-3409
Phone: (631)444-0200
Hours: Monday - Friday 8:30 a.m. to 4:45
p.m. (call for appointment)

Appendix B: Site Contact List

County of Nassau
 Edward P. Mangano, County Executive
 County of Nassau
 Office of the County Executive
 1550 Franklin Avenue
 Mineola, NY 11501

Town of Oyster Bay
 John Venditto, Town Supervisor
 Town of Oyster Bay, Town Hall
 54 Audrey Avenue
 Oyster Bay, NY 11771

Massapequa Water District
 84 Grand Ave.
 Massapequa, NY 11758
info@massapequawater.com

South Farmingdale Water District
 40 Langdon Rd., P.O. Box 3319
 Farmingdale, NY 11735

American Water Works Association
 614 Seventh North St.
 Liverpool, NY 13088

The Honorable Charles Schumer
 U.S. Senate
 145 Pine Lawn Road, #300
 Melville, NY 11747

The Honorable Peter T. King
 U.S. House of Representatives
 1003 Park Boulevard
 Massapequa Park, NY 11762

The Honorable Carl L. Marcellino
New York State Senate
250 Townsend Square
Oyster Bay, NY 11771

The Honorable James D. Conte
New York State Assembly
1783 New York Avenue
Huntington Station, NY 11746

The Honorable Joseph S. Saladino
New York State Assembly
200 Boundary Ave.
Massapequa, NY 11758

The Honorable David W. Denenberg
Nassau County Legislature
1 West Street
Mineola, NY 11501

The Honorable Rose Marie Walker
Nassau County Legislature
1 West Street
Mineola, NY 11501

The Honorable Kate Murray
Hempstead Town Hall
One Washington Street
Hempstead, NY 11550

The Honorable Ralph Ekstrand
Farmingdale Mayor's Office
361 Main Street
Farmingdale, NY 11735

Nassau County Coalition of Civic Associations
P.O. Box 202,
Rockville Centre, NY 11570



Phillip Franco, President
Seaford Harbor Civic Association
P.O. Box 2452
Seaford, NY 11783

Ms. Adrienne Esposito
Citizen's Campaign for the Environment
225A Main Street
Farmingdale, NY 11735

Newsday
235 Pinelawn Rd
Melville, NY 11747

The Bethpage Tribune
PO Box 399
Bethpage, NY 11714

Bethpage Water District
25 Adams Avenue
Bethpage, NY 11714

Terrence Claric, Superintendent
Bethpage Union Free School District
Administration Building
10 Cherry Avenue
Bethpage, NY 11714
Bethpage Public Library
47 Powell Avenue
Bethpage, NY 11714

Bethpage Senior High School/ Union Free School District #21
10 Cherry Avenue
Bethpage, NY 11714

Northrop Grumman Corp.
92 Cherry Avenue
Bethpage, NY 11714

Mailing Address: 600 Grumman Road West
Bethpage, NY 11714



Sterling Equities, Inc.
ATTN: Patrick Koster
999 Stewart Avenue
Bethpage, NY 11714

Mailing Address: 111 Great Neck Road
Suite 408
Great Neck, NY 11021

Metro Resources, Inc.
900 Stewart Avenue
Bethpage, NY 11714

Mailing Address: PO Box 1006
West Hampton Beach, NY 11978

Hellenic Orthodox Church of America
910 Stewart Avenue
Bethpage, NY 11714

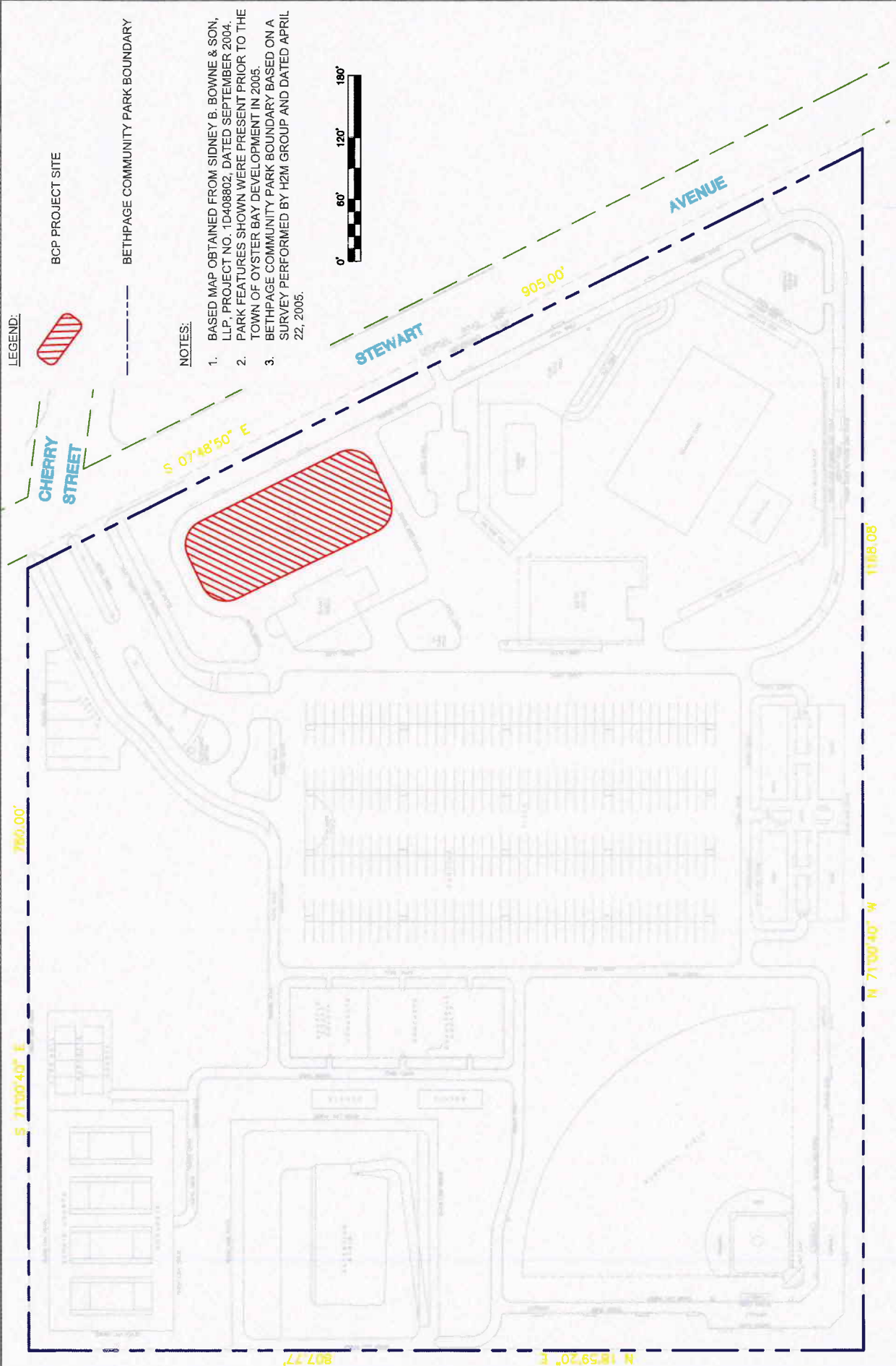
Mailing Address: 22-68 26th Street
Astoria, NY 11105

Mrs. Grace Parsekian/ St. Isidoros Hellenic Church
926 Stewart Avenue
Bethpage, NY 11714

Mailing Address: 910 Stewart Avenue
Bethpage, NY 11714

Note: A residential site contact list is maintained by NYSDEC under separate cover.

Appendix C
Site Location Map



LEGEND:
 BCP PROJECT SITE
 BETHPAGE COMMUNITY PARK BOUNDARY

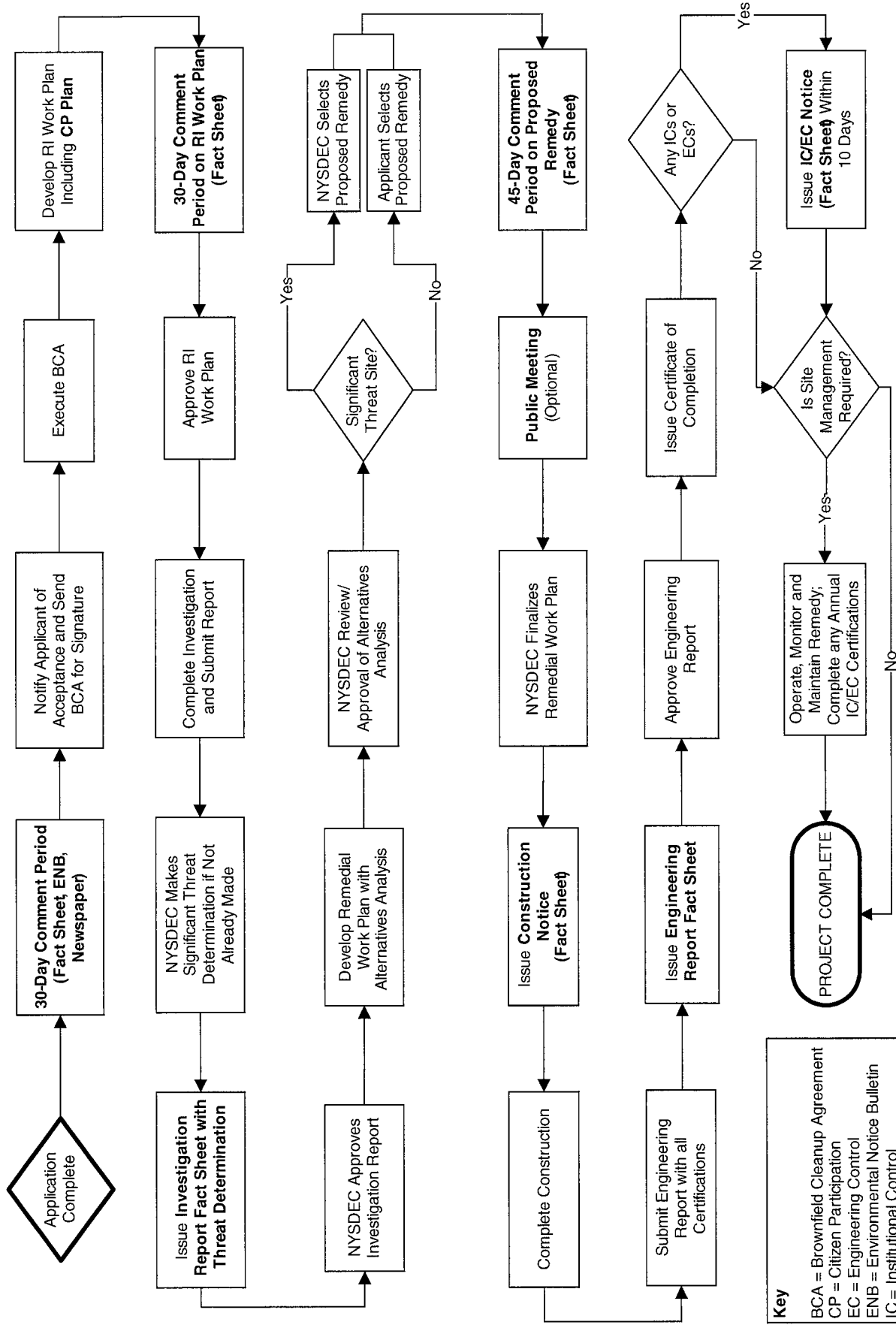
NOTES:

1. BASED MAP OBTAINED FROM SIDNEY B. BOWNE & SON, LLP, PROJECT NO. 1D408802, DATED SEPTEMBER 2004. PARK FEATURES SHOWN WERE PRESENT PRIOR TO THE TOWN OF OYSTER BAY DEVELOPMENT IN 2005.
2. BETHPAGE COMMUNITY PARK BOUNDARY BASED ON A SURVEY PERFORMED BY H2M GROUP AND DATED APRIL 22, 2005.



PROJECT: BROWNFIELD CLEANUP PROGRAM PROJECT BETHPAGE COMMUNITY PARK ICE RINK AREA TOWN OF OYSTER BAY BETHPAGE, NEW YORK NYSDEC SITE NO.: C130212	DRAWING: FIGURE 1: SITE LOCATION MAP CITIZEN PARTICIPATION PLAN SCALE: AS SHOWN		H2M	architects + engineers
			HZM PROJECT NO.: TOBY1203 DATE: MAY 31, 2012	M

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**