

**NEW YORK STATE  
DEPARTMENT OF**



**ENVIRONMENTAL  
CONSERVATION**

**Document Repositories**

**Bronx Library Center**  
310 East Kingsbridge Rd.  
Bronx, NY 10458  
(718) 579-4244

Hours: Mon. – Sat. 9:00 am to 9:00 pm.  
Sun: 12:00 pm to 6:00 pm

...

**NYSDEC Region 2 Office**

47-40 21<sup>st</sup> Street  
Long Island City, NY 11101  
(Call in advance) (718) 482-4900  
Hours: Mon. to Fri. 9 am to 4 pm.

**Project Contacts**

**Dana Kaplan**  
NYSDEC  
47-40 21<sup>st</sup>. Street  
Long Island City, NY 11101  
[dpkaplan@gw.dec.state.ny.us](mailto:dpkaplan@gw.dec.state.ny.us)  
(718) 482-7541

**For public health-related questions:**

**Dawn Hettrick**  
NYSDOH  
547 River Street  
Troy, NY 12180-2216  
[bee@health.state.ny.us](mailto:bee@health.state.ny.us)  
(518) 402-7860

**For more information about NY  
State's Brownfield Cleanup Program,  
visit:**

[www.dec.ny.gov/chemical/8450.html](http://www.dec.ny.gov/chemical/8450.html)

**FACT SHEET #2**

**Former Nessen Lamps (aka PS51X)**  
3200 Jerome Avenue  
Bronx, NY 10468

**Site No. C203061**  
**NYSDEC Region 2**

**April 2012**

**Remedial Investigation Update  
and  
Significant Threat Determination**

This Fact Sheet is being provided to you pursuant to the New York State Environmental Conservation Law and the New York State Department of Environmental Conservation ("NYSDEC") Brownfield Cleanup Program ("BCP"). You have been sent this Fact Sheet because you own or live on property near 3200 Jerome Avenue (the "Site") or because the NYSDEC believes you may otherwise be interested in activities at the Site, which is located in the Bronx, NY (see next page for Site Location Map). The property owner, the Rinzler Family Limited Partnership, Inc. (the "Volunteer"), has commenced a Remedial Investigation under the BCP to investigate soil, groundwater, and soil vapor contamination at the Site. The Remedial Investigation Work Plan was submitted concurrently with an application by the Volunteer to participate in the BCP. NYSDEC approved both the BCP application and the Remedial Investigation Work Plan in March 2012, following a 30-day public comment period.

**BACKGROUND AND SUMMARY OF ENVIRONMENTAL FINDINGS TO**

**DATE:** The site is fully occupied by an approximately 18,200 square foot, 2-story building that was initially constructed in 1928. It was occupied by an auto garage until around 1950, a pharmaceutical warehouse between 1956 and 1965, and a Nessen Lamps, Inc. factory between 1971 and 1988. From 1993 to 2011, the building was leased by the New York City School Construction Authority for the PS 51X elementary school (The Bronx New School). Hazardous waste manifests identified Nessen Lamps, Inc. as a generator of trichloroethene ("TCE") wastes during their occupancy. During indoor air sampling and sub-slab soil vapor sampling conducted in 2011, TCE was detected above New York State Department of Health ("NYSDOH") guidance values. A Site Characterization was performed in the Fall of 2011, which identified TCE in soil. A Remedial Investigation is currently ongoing to determine the full nature and extent of contamination.

**SIGNIFICANT THREAT DETERMINATION:** As part of every BCP project, NYSDEC, in conjunction with NYSDOH, is required to make a determination whether the conditions at a site pose a significant threat to human health or the environment, as defined in NYSDEC's regulations 6 NYCRR Part 375. The Former Nessen Lamps (aka PS 51X) Site has been determined by NYSDEC and NYSDOH to pose a significant threat to public health. This determination is based on the nature of the existing contaminants identified at the Site and the potential for human exposure to site-related contaminants via soil vapor.

This determination means that funding for a Technical Assistance Grant, or TAG, will be available to qualifying community groups. Please visit:

<http://www.dec.ny.gov/regulations/2590.html>

or contact the NYSDEC project manager for more information on how to apply for a TAG.

(Continued on next page)

## BROWNFIELD CLEANUP PROGRAM

**NEXT STEPS:** Additional investigation is required to determine the full extent of contamination. All of the activities conducted during the investigation and all of the results obtained will be documented in a Remedial Investigation Report (“RIR”). The RIR will be the basis for determining what actions will be needed to address any contamination at the Site. If remedial actions are required, the Volunteer will prepare a Remedial Action Work Plan (“RAWP”) that describes the proposed remedy. The RAWP will be made available for public comment. The Volunteer would then design and perform the cleanup action to address the site contamination, with oversight by NYSDEC and NYSDOH. NYSDEC will keep the public informed during the cleanup of the Site.

### BROWNFIELD CLEANUP PROGRAM (BCP)

**OVERVIEW:** New York established its BCP to address the environmental, legal, and financial barriers that often hinder the redevelopment and reuse of contaminated properties and to enhance private sector cleanups. New York’s BCP features a cooperative approach among the NYSDEC, the NYSDOH, and Volunteers to investigate and/or remediate contaminated sites. Under the BCP, a Volunteer enters into a Brownfield Cleanup Agreement (“BCA”) with the NYSDEC and thereafter submits one or more work plans to investigate and, if necessary, remediate a site. The primary goal of the BCP is to remediate sites to a level that is protective of public health and the environment consistent with their proposed uses. When a Volunteer completes work, a release from liability from the NYSDEC is provided with standard reservations and a Certificate of Completion (“COC”) is issued. With its receipt of a COC, the Volunteer would:

- Have no liability to the State for contamination at or coming from the Site, subject to certain conditions; and
- Be eligible for tax credits to offset the costs of remedial activities and for redevelopment of the Site

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

If you have any questions or know of any individual or organization that would like to be added to the project mailing list, please contact the NYSDEC Project Manager listed on the front page of this Fact Sheet. We encourage you to share this Fact Sheet with neighbors and tenants, and/or post it in a prominent area of your building.

### Receive Site Fact Sheets by Email

Have site information such as this fact sheet sent right to your email inbox. NYSDEC invites you to sign up with one or more contaminated sites county email listservs available at the following web page:

[www.dec.ny.gov/chemical/61092.html](http://www.dec.ny.gov/chemical/61092.html)

It’s quick, it’s free, and it will help keep you better informed. As a listserv member, you will periodically receive site-related information/announcements for all contaminated sites in the county(ies) you select. You may continue also to receive paper copies of site information for a time after you sign up with a county listserv, until the transition to electronic distribution is complete.

**Note:** Please disregard if you already have signed up and received this Fact Sheet electronically.

### Site Location Map

