



Department of  
Environmental  
Conservation

# **Brownfield Cleanup Program**

## **Citizen Participation Plan**

for

### **Former Fiedler Masonry & Waterproofing Site**

### **91 Bruckner Boulevard**

January 2023

BCP Site No. C203160  
91 Bruckner Boulevard  
The Bronx, New York 10454

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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: **91 Bruckner Blvd LLC (“Applicant”)**  
Site Name: **Former Fiedler Waterproofing & Masonry Site**  
Site Address: **91 Brucker Boulevard, Bronx, NY 10454**  
Site County: **Bronx County**  
Site Number: **C203160**

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

New York’s Brownfield Cleanup Program (BCP) works with private developers to encourage the voluntary cleanup of contaminated properties known as “brownfields” so that they can be reused and developed. These uses include recreation, housing, and business.

A *brownfield* is any real property that is difficult to reuse or redevelop because of the presence or potential presence of contamination. A brownfield typically is a former industrial or commercial property where operations may have resulted in environmental contamination. A brownfield can pose environmental, legal, and financial burdens on a community. If a brownfield is not addressed, it can reduce property values in the area and affect economic development of nearby properties.

The BCP is administered by the New York State Department of Environmental Conservation (NYSDEC) which oversees Applicants who 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 cleanup requirements, ensuring that cleanups protect public health and the environment. When NYSDEC certifies that these requirements have been met, the property can be reused or redeveloped for the intended use.

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 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 interested 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 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 above. 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;
- 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.

**Note:** The first site fact sheet (usually related to the draft Remedial Investigation Work Plan) is distributed both by paper mailing through the postal service and through DEC Delivers, its email listserv service. The fact sheet includes instructions for signing up with the appropriate county listserv to receive future notifications about the site. See <http://www.dec.ny.gov/chemical/61092.html> .

Subsequent fact sheets about the site will be distributed exclusively through the listserv, except for households without internet access that have indicated the need to continue to receive site information in paper form. Please advise the NYSDEC site project manager identified in Appendix A if that is the case. Paper mailings may continue during the investigation and cleanup process for some sites, based on public interest and need.

### *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.

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.

As of the date the declaration (page 2) was signed by the NYSDEC project manager, the significant threat determination for the site had not yet been made.

To verify the significant threat status of the site, the interested public may contact the NYSDEC project manager identified in Appendix A.

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	Timing of CP Activity(ies)
<p align="center"><b>Application Process:</b></p> <div> <div> <ul style="list-style-type: none"> <li>• Prepare site contact list</li> <li>• Establish document repository(ies)</li> </ul> </div> <div>At time of preparation of application to participate in the BCP.</div> </div> <hr/> <div> <div> <ul style="list-style-type: none"> <li>• Publish notice in Environmental Notice Bulletin (ENB) announcing receipt of application and 30-day public comment period</li> <li>• Publish above ENB content in local newspaper</li> <li>• Mail above ENB content to site contact list</li> <li>• Conduct 30-day public comment period</li> </ul> </div> <div>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.</div> </div>	
<p align="center"><b>After Execution of Brownfield Site Cleanup Agreement (BCA):</b></p> <div> <div> <ul style="list-style-type: none"> <li>• Prepare Citizen Participation (CP) Plan</li> </ul> </div> <div> <p>Before start of Remedial Investigation</p> <p><b>Note:</b> Applicant must submit CP Plan to NYSDEC for review and approval within 20 days of the effective date of the BCA.</p> </div> </div>	
<p align="center"><b>Before NYSDEC Approves Remedial Investigation (RI) Work Plan:</b></p> <div> <div> <ul style="list-style-type: none"> <li>• Distribute fact sheet to site contact list about proposed RI activities and announcing 30-day public comment period about draft RI Work Plan</li> <li>• Conduct 30-day public comment period</li> </ul> </div> <div> <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> </div> </div>	
<p align="center"><b>After Applicant Completes Remedial Investigation:</b></p> <div> <div> <ul style="list-style-type: none"> <li>• Distribute fact sheet to site contact list that describes RI results</li> </ul> </div> <div>Before NYSDEC approves RI Report</div> </div>	
<p align="center"><b>Before NYSDEC Approves Remedial Work Plan (RWP):</b></p> <div> <div> <ul style="list-style-type: none"> <li>• Distribute fact sheet to site contact list about draft RWP and announcing 45-day public comment period</li> <li>• Public meeting by NYSDEC about proposed RWP (if requested by affected community or at discretion of NYSDEC project manager)</li> <li>• Conduct 45-day public comment period</li> </ul> </div> <div> <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> </div> </div>	
<p align="center"><b>Before Applicant Starts Cleanup Action:</b></p> <div> <div> <ul style="list-style-type: none"> <li>• Distribute fact sheet to site contact list that describes upcoming cleanup action</li> </ul> </div> <div>Before the start of cleanup action.</div> </div>	
<p align="center"><b>After Applicant Completes Cleanup Action:</b></p> <div> <div> <ul style="list-style-type: none"> <li>• Distribute fact sheet to site contact list that announces that cleanup action has been completed and that NYSDEC is reviewing the Final Engineering Report</li> <li>• Distribute fact sheet to site contact list announcing NYSDEC approval of Final Engineering Report and issuance of Certificate of Completion (COC)</li> </ul> </div> <div> <p>At the time the cleanup action has been completed.</p> <p><b>Note:</b> The two fact sheets are combined when possible if there is not a delay in issuing the COC.</p> </div> </div>	



### **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.

Based on the analytical results of the Limited Phase II, the primary contaminants of concern for the Site are semivolatile organic compounds (SVOCs) (specially PAHs), heavy metals, and chlorinated volatile organic compounds (CVOCs). A lead hotspot was identified in soil collected from one boring in the north-central region of the Site immediately below the concrete slab. CVOCs were identified in soil vapor, specifically PCE which was identified above the NYSDOH AGVs in one sub-slab soil vapor sample in the southeast region of the Site. Further delineation would be required to determine the extent of hazardous lead in soils in the north-central region of the Site. Considering PCE was identified in Site sub-slab soil vapor, an on-site source may exist.

The Site is located within a potential 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 politics.

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.

Because there is a large Hispanic-American population near the Site, 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 Site's address is 91 Bruckner Boulevard, Bronx, NY. The Site is 0.33-acres in size and consist of one vacant lot identified on the New York City Tax Map as Block 2278 Lot.

The Site is bound by mixed-use commercial and residential properties to the north, a warehouse utilized for parking to the east, Bruckner Boulevard followed by Pulaski Park to the south, and Willis Avenue followed by a McDonald's restaurant and parking lot to the west. The Site is located within a mixed-use area characterized by multi-story commercial and residential

buildings and industrial-use buildings.

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

The Site was developed in the early 1900s with two 5-story dwellings with storefronts on the western portion of the Site, while the eastern portion of the Site remained vacant. The Site was listed as an alcohol denaturing plant in the 1927 city directory. By the mid-1930s, the eastern portion of the Site began to be utilized as a “Universal Car Loading Freight Station” and an additional store was developed on the southwest corner of the Site. By the mid-1940s, the “Universal Car Loading Freight Station” was no longer in use and this portion of the Site began to be utilized for wine storage and bottling. The Site remained relatively unchanged until the early 1950s when the portion of the building utilized for wine storage and bottling began to be utilized as a garage. Three gasoline tanks of unknown capacity were identified on the Sanborn Fire Insurance Maps on the southeastern portion of the Site from 1951 to 2007. Since the 1970s, Fiedler Waterproofing and Masonry Company began operating at the Site and continued operations through the early 2000s. In the early 1980s, the three storefronts were demolished and redeveloped with a one-story building in 1985. The one-story warehouse previously encompassing the Site was razed in 2022.

A Phase I Environmental Site Assessment conducted in 2021 identified two Recognized Environmental Conditions including 1) former use of the Site as a alcohol denaturing plant and a former private garage equipped with three gasoline tanks of unknown capacity and 2) a spill incident on the east adjacent property which identified fuel oil in soil in April 2014. The Site was also listed in the LTANKS database with two closed spill cases associated with failed tank tightness tests for underground storage tanks (USTs). This is considered a Historic Recognized Environmental Condition as USTs were cleaned, closed-in-place and associated spill cases closed with NYSDEC.

Based on results of limited subsurface investigations conducted in 2021 and 2022, the primary contaminants of concern for the Site are CVOCs in sub-slab vapor, SVOCs, including PAHs, and metals in soil. Impacts were observed throughout the Site in shallow soil as well as some areas in deeper soil, and in sub-slab vapor samples.

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

#### *Application*

The Applicant has applied for and been accepted into New York’s Brownfield Cleanup Program as a Volunteer. This means that the Applicant was not responsible for the disposal or discharge of the contaminants or whose ownership or operation of the site took place after the discharge

or disposal of contaminants. The Volunteer must fully characterize the nature and extent of contamination onsite, and must conduct a “qualitative exposure assessment,” a process that characterizes the actual or potential exposures of people, fish and wildlife to contaminants on the site and to contamination that has migrated from the site.

The Applicant in its Application proposes that the site will be used for unrestricted purposes.

To achieve this goal, the Applicant will conduct investigation and/or cleanup 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 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 or the determination that cleanup is not necessary.

The Applicant has submitted a draft “Remedial Investigation Work Plan” to NYSDEC for review and approval. NYSDEC made the draft plan available to the public review during a 30-day public comment period.

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.

### *Interim Remedial Measures*

An Interim Remedial Measure (IRM) is an action that can be undertaken at a site when a source of contamination or exposure pathway can be effectively addressed before the site investigation and analysis of alternatives are completed. If an IRM is likely to represent all or a significant part of the final remedy, NYSDEC will require a 30-day public comment period.

### *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 draft Remedial Work Plan for approval, NYSDEC would announce the availability of the draft 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 selected remedy is formalized in the site Decision Document.

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. The Applicant would be eligible to redevelop the site after it receives a COC.

### *Site Management*

The purpose of site management is to ensure the safe reuse of the property if contamination will remain in place. Site management is the last phase of the site cleanup program. This phase begins when the COC is issued. 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 pumps and treats 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):**

**Shawn Roberts**

Project Manager  
NYSDEC  
Division of Environmental Remediation  
625 Broadway  
Albany, NY 12233-5060  
(518) 402-9799  
Shawn.Roberts@dec.ny.gov

**Thomas V. Panzone**

Public Participation Specialist  
NYSDEC Region 2  
47-40 21<sup>st</sup> Street,  
Long Island City, NY 11101  
(718) 482-4953  
Thomas.panzone@dec.ny.gov

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

**Christopher Budd**

NYSDOH, Public Health Specialist  
Bureau of Environmental Exposure  
Investigation  
Empire State Plaza, Corning Tower,  
Room 1787  
Albany, NY 12203  
(518) 402-1769  
BEEI@health.ny.gov

**NYSDEC InfoTracker**

<https://www.dec.ny.gov/data/DecDocs/C203160/>

**Locations of Reports and Information**

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

Mott Haven Branch – NY Public Library  
312 E 140<sup>th</sup> St  
Bronx, NY 10454  
Phone: 718-665-4878  
Email: kathleencarrasco@nypl.org  
Attn: Kathleen Carrasco  
Hours: M-Th – 10am-7pm  
F-S – 10am-5pm  
Su – Closed

Woodstock Branch-NY Public Library  
761 E 160<sup>th</sup> St  
Bronx, NY 10456  
Phone: 718-665-6255  
Email: daishatopping@npyl.org  
Attn: Daisha Topping  
Hours: M-F– 10am-6pm  
S – 10am-5pm  
Su – Closed

## Appendix B - Site Contact List

### ***Owners, Residents, Occupants:***

The Site is currently vacant.

Owner	Contact Name	Phone	Mailing Address	Email
91 Bruckner Blvd LLC	Yoel Barminka	917-627-3013	162 Manhattan Avenue 1 <sup>st</sup> Floor, Brooklyn, NY 11206	barminyc@gmail.com

### ***Executive***

Role	Name	Phone	Mailing Address	Email / Contact
NYC Mayor	Eric Adams	212-NEW-YORK	City Hall New York, NY 10007	<a href="https://www1.nyc.gov/office-of-the-mayor/mayor-contact.page">https://www1.nyc.gov/office-of-the-mayor/mayor-contact.page</a>
NYC Department of City Planning	Anita Laremont - Chair	718-220-8500	1775 Grand Concourse Suite 503, Bronx, NY 10453	<a href="https://www1.nyc.gov/site/planning/about/contact-us.page">https://www1.nyc.gov/site/planning/about/contact-us.page</a>
Bronx Borough President	Vanessa L. Gibson	718-590-3500	851 Grand Concourse, 3 <sup>rd</sup> Floor Bronx, NY 10451	<a href="mailto:webmail@bronxbp.nyc.gov">webmail@bronxbp.nyc.gov</a>
Bronx Community Board 1 Board Chair	Arlene Parks - Chair	718-292-0558	3024 Third Avenue, Bronx, NY 10455	<a href="mailto:Brxcb1@optonline.net">Brxcb1@optonline.net</a>
New York City Council District 8	Diana Ayala	347-297-4922	214 St. Ann's Avenue, Bronx, NY 10454	<a href="mailto:DAyala@council.nyc.gov">DAyala@council.nyc.gov</a>
NY Senate District 29 Senator	Jose Serrano	212-828-5829	335 E 100 <sup>th</sup> Street, New York, NY 10029	<a href="mailto:serrano@nysenate.gov">serrano@nysenate.gov</a>
NY State Assembly District 084 Member	Amanda Septimo	718-292-2901	384 E 149 <sup>th</sup> Street Suite 202 Bronx, NY 10455	<a href="mailto:septimoa@nyassembly.gov">septimoa@nyassembly.gov</a>
NYC Comptroller	Brad Lander	212-669-3916	One Centre Street New York, NY 10007	<a href="https://comptroller.nyc.gov/about/contact-our-office/">https://comptroller.nyc.gov/about/contact-our-office/</a>
NYC Councilman	Diana Ayala	212-722-6378	105 East 116th Street New York, NY 10029	
NYC OER	Mark McIntyre, Director	212-788-8841	100 Gold Street - 2nd Floor New York, NY 10038	
Office of Environmental Assessment & Planning	Julie Stein	718-595-7000	NYC Dept. Of Environmental Protection 96-05 Horace Harding Expressway, Flushing, NY 11373	
U.S. Senator	Hon Charles Schumer	212-486-4460	780 Third Avenue, Suite 2301 New York, NY 11373	



U.S. Senator	Hon Kristen Gillibrand	212-688-6262	780 Third Avenue, Suite 2601 New York, NY 11373	
Bronx County Clerk	Kevin Rothermel		851 Grand Concourse, Room 118, Bronx, NY 10451	

### ***Adjacent Properties***

Owner/Entity Name	Contact Name	Site Use	Property Address	Owner Mailing Address
Willis Avenue Property LLC	Unknown	Mixed Residential & Commercial	128 Willis Avenue, Bronx, NY 10454	15 Hilltop Road, Katonah, NY 10535
East 134 Holdings LLC	Jeffrey Zwick	Industrial & Manufacturing	402 East 134 Street, Bronx, NY 10454	162 Manhattan Ave, 1 <sup>st</sup> Floor Brooklyn, NY 11206
Janda LLC	Alexander Grunhut	Multi-Family Walk-Up	408 East 134 Street, Bronx, NY 10454	4818 14 <sup>th</sup> Ave, Suite 125 Brooklyn, NY 11219
E. 139 <sup>th</sup> St. Cluster LP	Luis Garcia	Multi-Family Walk-Up	410 East 134 Street, Bronx, NY 10454	943 Bruckner Blvd, Bronx, NY 10459
134 Lofts LLC	Alexander Grunhut	Multi-Family Walk-Up	412 East 134 Street, Bronx, NY 10454	PO Box 343 Brooklyn, NY 11219
414 East 134 <sup>th</sup> St. Housing Development Fund Corp.	Cynthia King	Multi-Family Walk-Up	414 East 134 Street, Bronx, NY 10454	414 East 134 <sup>th</sup> Street, Bronx, NY 10454
Phyllip Augustin	Phyllip Augustin	One & Two Family	416 East 134 Street, Bronx, NY 10454	216 Pulaski St, Apt 4R Brooklyn, NY 11206
95 Bruckner Realty	Gerald Goldman	Parking Facilities	95 Bruckner Blvd, Bronx, NY 10454	475 Park Avenue South 25 <sup>th</sup> Floor, New York, NY 10016
New York City Parks Department	Lawrence Scoones	Open Space & Outdoor Recreation	Willis Avenue, Bronx, NY 10454	1 Bronx River Parkway, Bronx, NY 10462
Bruckner By the Bridge Condo	Unknown	Mixed Residential & Commercial	85 Willis Avenue, Bronx, NY 10454	450 W 14 <sup>th</sup> Street 8 <sup>th</sup> Floor, New York, NY 10014
Franchise Interstate Realty Corp	Brian Sheedy	Commercial & Office	85 Bruckner Blvd, Bronx, NY 10454	110 N Carpenter Street Springfield, IL 60607

### ***Local News and Media:***

Owner/Entity Name	Type	Address	Phone	Website
Mott Haven Herald	Online Media	N/A	N/A	<a href="http://www.motthavenherald.com">www.motthavenherald.com</a>
New York Daily News		4 New York Plaza, New York, NY 10014		
New York Post		1211 Ave of The Americas, New York, NY 10036		
Spectrum 1 News	Television	75 Ninth Avenue, New York, NY 10011	212-379-3311	<a href="https://www.ny1.com/nyc/bronx">https://www.ny1.com/nyc/bronx</a>
Hoy Nueva York		15 Metrotech Center		

		Floor 7 Brooklyn, NY 11201		
Bronx Times Reporter		3604 East Tremont Avenue Bronx, NY 10465		
Inner City Press		P.O. Box 20047 Dag Hammarsjold Station New York, NY 10017		
El Diario La Presnsa		15 Metrotech Center Floor 7 Brooklyn, NY 11201		

***Public Water Supply:***

Public water supply is a shared responsibility between the New York City Department of Environmental Protection (NYCDEP) and the Municipal Water Finance Authority.

Owner/Entity Name	Contact	Address	Phone	Email
NYCDEP	Vincent Sapienza - Commissioner	59-17 Junction Blvd. Flushing, NY 11373	718-595-6565	<a href="mailto:ltcp@dep.nyc.gov">ltcp@dep.nyc.gov</a>
NYC Municipal Water Finance Authority	Olga Chernat- Executive Director	255 Greenwich Street 6th Floor, New York, NY 10007	212-788-5889	Not Available

***School or Day Care Located on or Proximal to the Site***

Following schools or day care facilities are located within ½-mile radius to the Site:

School/Day Care Name	Approximate distance from Site in feet and (directional)	Administrator	Phone	Address
The Bronx Charter School for Children	1,300 ft (northeast)	Denise Alexander	929-399-8100	423 E 138 <sup>th</sup> Street Bronx, NY 10454
Tender Tots Day Care, Preschool, After School Programs	1,450 ft (northeast)	Denise Fairman	718-215-4125	531 E 137 <sup>th</sup> Street Bronx, NY 10454
P.S. 49 Willis Avenue School	1,600 ft (north)	Monica Walker	718-292-4623	383 E 139 <sup>th</sup> Street Bronx, NY 10454
Young Leaders Elementary School	1,600 ft (northeast)	Jaleelah Cooke	718-292-7391	468 E 140 <sup>th</sup> Street Bronx, NY 10454
P.S. 030 Wilton	2,000 ft (northeast)	Debra Michaux	718-292-8817	510 E 141 <sup>st</sup> Street Bronx, NY 10454

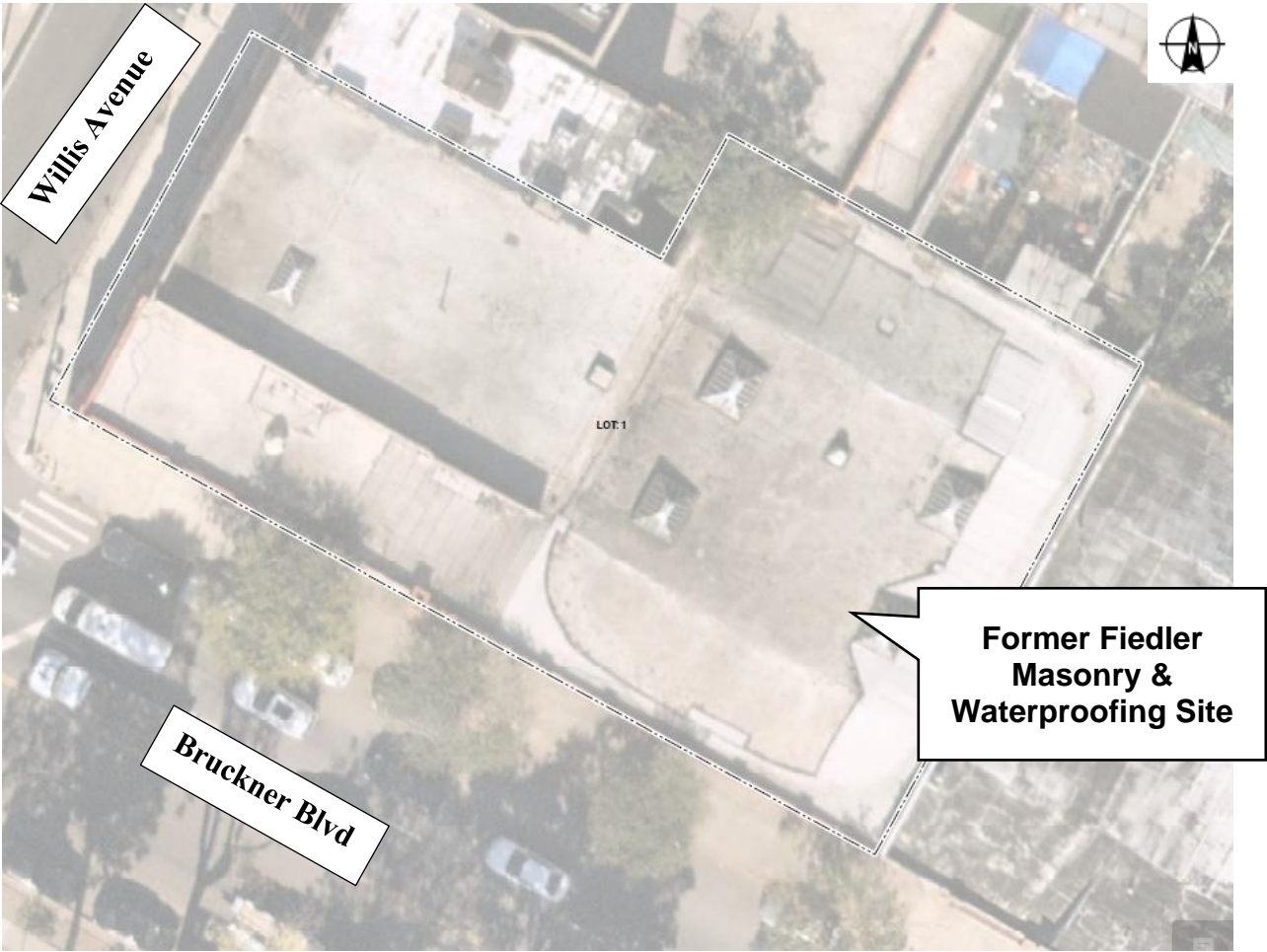
***Document Repositories***

<b>Owner/Entity Name</b>	<b>Contact</b>	<b>Repository Address</b>	<b>Contact Info</b>
New York Public Library – Mott Haven Branch	Kathleen Carrasco	321 E 140 <sup>th</sup> Street, Bronx, NY 10454	<a href="mailto:kathleencarrasco@nypl.org">kathleencarrasco@nypl.org</a> ; 718-665-4878
New York Public Library – Woodstock Branch	Daisha Topping	761 E 160th St, Bronx, NY 10456	<a href="mailto:daishatopping@nypl.org">daishatopping@nypl.org</a> ; 718-665-6255

***Community Board (no response to repository request)***

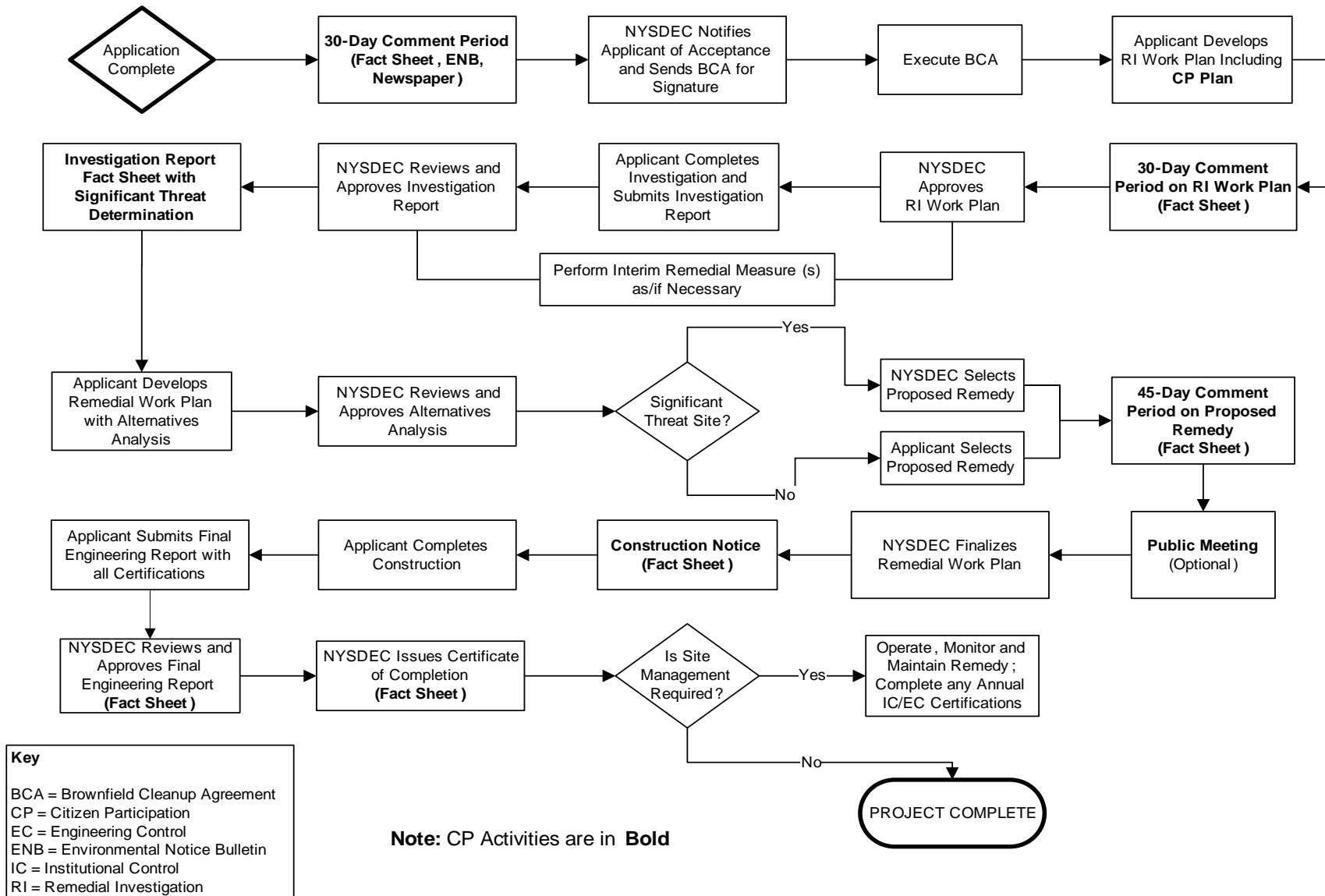
<b>Owner/Entity Name</b>	<b>Contact</b>	<b>Repository Address</b>	<b>Contact Info</b>
Bronx Community Board 1	Cedric Loftin	3030 3rd Avenue, Bronx, NY 10455	718-585-7117, <a href="mailto:Brxcb1@optonline.net">Brxcb1@optonline.net</a>

Appendix C - Site Location Map



- Site Boundary

## Appendix D– Brownfield Cleanup Program Process







Division of Environmental Remediation

## Remedial Programs Scoping Sheet for Major Issues of Public Concern

### Instructions

This Scoping Sheet assesses major issues of public concern; impacts of the site and its remedial program on the community; community interest in the site; information the public needs; and information needed from the public.

The information generated helps to plan and conduct required citizen participation (CP) activities, and to choose and conduct additional CP activities, if appropriate. The scoping sheet can be revisited and updated as appropriate during the site's remedial process to more effectively implement the site's CP program.

**Note: Use the information as an aid to prepare and update the Major Issues of Public Concern section of the site CP Plan.**

### General Instructions

- When to prepare: During preparation of the CP Plan for the site. It can be revisited and updated anytime during the site remedial process.
- Fill in site name and other information as appropriate.
- The Scoping Sheet may be prepared by DEC or a remedial party, but must be reviewed and approved by the DER site project manager or his/her designee.

### Instructions for Numbered Parts

Consider the bulleted issues and questions below and any others that may be unique or appropriate to the site and the community to help complete the five Parts of this Scoping Sheet. Identify the issue stakeholders in Parts 1 through 3 and adjust the site's contact list accordingly.

#### **Part 1. List Major Issues of Public Concern and Information the Community Wants.**

- Is our health being impacted? (e.g. Are there problems with our drinking water or air? Are you going to test our water, yards, sumps, basements? Have health studies been done?)
- There are odors in the neighborhood. Do they come from the site and are they hazardous?
- Are there restrictions on what we may do (e.g. Can our children play outside? Can we garden? Must we avoid certain areas? Can we recreate (fish, hunt, hike, etc. on/around the site?)
- How and when were the site's contamination problems created?
- What contaminants are of concern and why? How will you look for contamination and find out where it is going? What is the schedule for doing that?
- The site is affecting our property values!
- How can we get more information (e.g. who are the project contacts?)
- How will we be kept informed and involved during the site remedial process?
- Who has been contacted in the community about site remedial activities?
- What has been done to this point? What happens next and when?
- The site is going to be cleaned up for restricted use. What does that mean? We don't want redevelopment on a "dirty" site.

## Part 2. List Important Information Needed From the Community, if Applicable.

- Can the community supplement knowledge about past/current uses of the site?
- Does the community have knowledge that the site may be significantly impacting nearby people, properties, natural resources, etc.?
- Are activities currently taking place at the site or at nearby properties that may need to be restricted?
- Who may be interested or affected by the site that has not yet been identified?
- Are there unique community characteristics that could affect how information is exchanged?
- Does the community and/or individuals have any concerns they want monitored?
- Does the community have information about other sources in the area for the contamination?

## Part 3. List Major Issues and Information That Need to be Communicated to the Community.

- Specific site investigation or remediation activities currently underway, or that will begin in the near future.
- The process and general schedule to investigate, remediate and, if applicable, redevelop the site.
- Current understanding about the site contamination and effects, if any, on public health and the environment.
- Site impacts on the community and any restrictions on the public's use of the site and/or nearby properties.
- Planned CP activities, their schedule, and how they relate to the site's remedial process.
- Ways for the community to obtain/provide information (document repositories, contacts, etc.).

## Part 4. Community Characteristics

**a. - e.** Obtain information from local officials, property owners and residents, site reports, site visits, "windshield surveys," other staff, etc.

**f.** Has the affected community experienced other **significant** present or past environmental problems unrelated to this site? Such experiences could significantly affect public concerns and perspectives about the site; how the community will relate to project staff; the image and credibility of project staff within the community; and the ways in which project staff communicate with the community.

**g.** In its remedial programs, DER seeks to integrate, and be consistent with, environmental justice principles set forth in *DEC Commissioner Policy 29 on Environmental Justice* and *DER 23 – Citizen Participation Handbook for Remedial Programs*. Is the site and/or affected community wholly or partly in an Environmental Justice (EJ) Area? Use the Search feature on DEC's public web site for "environmental justice". DEC's EJ pages define an EJ area, and link to county maps to help determine if the site and/or community are in an EJ area.

**h.** Consider factors such as:

- Is English the primary language of the affected community? If not, provisions should be considered regarding public outreach activities such as fact sheets, meetings, door-to-door visits and other activities to ensure their effectiveness.
- The age demographics of the community. For example, is there a significant number of senior citizens in the community? It may be difficult for some to attend public meetings and use document repositories. This may suggest adopting more direct interaction with the community with activities such as door-to-door visits, additional fact sheets, visits to community and church centers, nursing homes, etc.
- How do people travel about the community? Would most people drive to a public meeting or document repository? Is there adequate public transportation?

## Part 5. Affected/Interested Public.



Individuals and organizations who need or want information and input can change during the site's remedial process. This need is influenced by real, potential, or perceived impacts of the site or the remedial process. Some people may want information and input throughout the remedial process. Others may participate only during specific remedial stages, or may only be interested in particular issues.

It is important to revisit this question when reviewing this scoping sheet. Knowing who is interested in the site – and the issues that are important to them – will help to select and conduct appropriate outreach activities, and to identify their timing and the information to be exchanged.

Check all affected/interested parties that apply to the site. **Note: Adjust the site's contact list appropriately.** The following are some ways to identify affected/interested parties:

- Tax maps of adjacent property owners
- Attendees at public meetings
- Telephone discussions
- Letters and e-mails to DER, the remedial party, and other agencies
- Political jurisdictions and boundaries
- Media coverage
- Current/proposed uses of site and/or nearby properties (recreational, commercial, industrial)
- Discussions with community organizations: grass roots organizations, local environmental groups, environmental justice groups, churches, and neighborhood advisory groups



Division of Environmental Remediation

**Remedial Programs**  
**Scoping Sheet for Major Issues of Public Concern** (see instructions)

**Site Name:** Former Fiedler Masonry & Waterproofing Site

**Site Number:** C203160

**Site Address and County:** 91 Bruckner Blvd, Bronx, NY

**Remedial Party(ies):** 91 Bruckner Blvd LLC

**Note: For Parts 1. – 3. the individuals, groups, organizations, businesses and units of government identified should be added to the site contact list as appropriate.**

**Part 1.** List major issues of public concern and information the community wants. Identify individuals, groups, organizations, businesses and/or units of government related to the issue(s) and information needs. **Use this information as an aid to prepare or update the Major Issues of Public Concern section of the site Citizen Participation Plan.**

1. Contaminants of concern for the Site are CVOCs in sub-slab vapor, SVOCs, including PAHs, and Metals in soil
2. 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.

How were these issues and/or information needs identified?

These issues were identified through the previous Phase II Investigation results, correspondence with NYSDEC and from resources available through the NYSDEC Office of Environmental Justice.

**Part 2.** List important information needed **from** the community, if applicable. Identify individuals, groups, organizations, businesses and/or units of government related to the information needed.

he sources of the contaminants of concern detailed in Part 1 was not fully identified during the previous investigations completed at the Site. If the community can provide any knowledge regarding previous site use or previous nearby property use it may assist in determining the onsite or offsite source of impact.

How were these information needs identified?

Previous investigations

**Part 3.** List major issues and information that need to be communicated **to** the community. Identify individuals, groups, organizations, businesses and/or units of government related to the issue(s) and/or information.

The anticipated schedule for the proposed Remedial Investigation is February 2023. Based on results of

this investigation a Remedial Action Work Plan (RAWP) will be drafted and implemented in late 2023 and early 2024. The site is a privately owned vacant property therefore the public does not use the site so there will be no additional restrictions. The remedial action will be in accordance with all applicable regulations and upon RAWP approval and implementation additional communications will be made to the public as necessary.

How were these issues and/or information needs identified?

These issues were identified through review of the project schedule, site background and contaminants of concern.

**Part 4.** Identify the following characteristics of the affected/interested community. This knowledge will help to identify and understand issues and information important to the community, and ways to effectively develop and implement the site citizen participation plan (mark all that apply):

**a.** Land use/zoning at and around site:

☒ **Residential**   ☐ **Agricultural**   ☐ **Recreational**   ☒ **Commercial**   ☒ **Industrial**

**b.** Residential type around site:

☒ **Urban**   ☐ **Suburban**   ☐ **Rural**

**c.** Population density around site:

☒ **High**   ☐ **Medium**   ☐ **Low**

**d.** Water supply of nearby residences:

☒ **Public**   ☐ **Private Wells**   ☐ **Mixed**

**e.** Is part or all of the water supply of the affected/interested community currently impacted by the site?

☐ **Yes**   ☒ **No**

Provide details if appropriate:

[Click here to enter text.](#)

**f.** Other environmental issues significantly impacted/impacting the affected community?

☐ **Yes**   ☒ **No**

Provide details if appropriate:

[Click here to enter text.](#)

**g.** Is the site and/or the affected/interested community wholly or partly in an Environmental Justice Area?

☒ **Yes**   ☐ **No**

**h.** Special considerations:

☒ **Language**   ☐ **Age**   ☐ **Transportation**   ☐ **Other**

Explain any marked categories in **h**:

Spanish

**Part 5.** The site contact list must include, at a minimum, the individuals, groups, and organizations identified in Part 2. of the Citizen Participation Plan under 'Site Contact List'. Are *other* individuals, groups, organizations, and units of government affected by, or interested in, the site, or its remedial program? (Mark and identify all that apply, then adjust the site contact list as appropriate.)

☐ **Non-Adjacent Residents/Property Owners:** [Click here to enter text.](#)

☒ **Local Officials:** Local Officials: NYC Mayor , NYC Department of City Planning Chairperson, Bronx Borough President., Bronx Community Board 1 Manager, NY Senator, NY State Assembly District 84, NYC Comptroller, Public Advocate, NY Councilman Hon., US House of Representatives, NYC Office of Environmental Remediation Director, Office of Environmental Assessment & Planning, U.S. Senator Hon. Charles Shumer, U.S. Senator Hon. Kirsten Gillibrand, Bronx County Clerk

☒ **Media:** Mott Haven Herald, The Brooklyn Eagle, Spectrum 1 News, New York Daily News

☒ **Business/Commercial Interests:** 91 Bruckner Blvd LLC

☐ **Labor Group(s)/Employees:** Click here to enter text.

☐ **Indian Nation:** Click here to enter text.

☒ **Citizens/Community Group(s):** Click here to enter text.

☒ **Environmental Justice Group(s):** Click here to enter text.

☒ **Environmental Group(s):** Click here to enter text.

☒ **Civic Group(s):** Mott Haven Library, Woodstock Library, Community Board 1

☐ **Recreational Group(s):** Click here to enter text.

☐ **Other(s):** Click here to enter text.

**Prepared/Updated By:** Mari Conlon

**Date:** 1/16/23

**Reviewed/Approved By:** James Bellew

**Date:** 1/16/23