



New York State Department of Environmental Conservation

## **Brownfield Cleanup Program**

# **Citizen Participation Plan** for **2 Ingraham Street Site**

2 Ingraham Street  
East Williamsburg  
Kings County, New York

March 2011

# Contents

<b><u>Section</u></b>	<b><u>Page Number</u></b>
<b>1. What is New York's Brownfield Cleanup Program? .....</b>	<b>5</b>
<b>2. Citizen Participation Activities.....</b>	<b>6</b>
<b>3. Major Issues of Public Concern .....</b>	<b>14</b>
<b>4. Site Information .....</b>	<b>15</b>
<b>5. Investigation and Cleanup Process .....</b>	<b>16</b>
<b>Appendix A Project Contacts and Locations of Reports and Information .....</b>	<b>22</b>
<b>Appendix B Site Contact List .....</b>	<b>24</b>
<b>Appendix C Site Location Map .....</b>	<b>26</b>
<b>Appendix D Brownfield Cleanup Program Process .....</b>	<b>27</b>

\* \* \* \* \*

**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: **Smith Equities, LLC**  
Site Name: **2 Ingraham Street Site**  
Site Address: **2 Ingraham Street, Brooklyn, NY 11211-8039**  
Site County: **Kings**  
Site Number: **Site #224036**

## **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 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 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 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 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.

### *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.

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)
<p style="text-align: center;"><b>Application Process:</b></p> <div> <ul style="list-style-type: none"> <li>• Prepare site contact list</li> <li>• Establish document repositories</li> </ul> </div> <hr/> <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>	
<p style="text-align: center;"><b>After Execution of Brownfield Site Cleanup Agreement:</b></p> <div> <ul style="list-style-type: none"> <li>• Prepare Citizen Participation (CP) Plan</li> </ul> </div>	
<p style="text-align: center;"><b>Before NYSDEC Approves Remedial Investigation (RI) Work Plan:</b></p> <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>	
<p style="text-align: center;"><b>After Applicant Completes Remedial Investigation:</b></p> <div> <ul style="list-style-type: none"> <li>• Distribute fact sheet to site contact list that describes RI results</li> </ul> </div>	
<p style="text-align: center;"><b>Before NYSDEC Approves Remedial Work Plan (RWP):</b></p> <div> <ul style="list-style-type: none"> <li>• Distribute fact sheet to site contact list about proposed 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>	
<p style="text-align: center;"><b>Before Applicant Starts Cleanup Action:</b></p> <div> <ul style="list-style-type: none"> <li>• Distribute fact sheet to site contact list that describes upcoming cleanup action</li> </ul> </div>	
<p style="text-align: center;"><b>After Applicant Completes Cleanup Action:</b></p> <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 summarizes the Final Engineering Report</li> <li>• Distribute fact sheet to site contact list announcing issuance of Certificate of Completion (COC)</li> </ul> </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 investigation and cleanup process.

The site is not believed to present an imminent threat to human health because the former plating operation was removed long ago and the contaminated soil and groundwater are isolated by a concreted building slab. Nevertheless, the contaminants of concern exceed New York State cleanup guidelines and remediating these contaminants during future cleanup activities presents a potential risk to site workers conducting the cleanup. Special provisions, including air monitoring, will be necessary to prevent public exposure during remediation.

There is a New York City Water Tunnel easement running beneath the north-western corner of the site and any proposed remediation activities will have to be coordinated with the New York City DEP. There is also a subway tunnel running along the south border of the property beneath Harrison Place.

An additional concern would be the disruption of current 2 Ingraham Street tenants who occupy warehouse space above the areas which would likely be remediated. Such disruption could pose an economic hardship to the tenants and the owner of the site.

### **4. Site Information**

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

#### *Site Description*

The property known as 2 Ingraham Street takes up an entire city block which is bounded by Ingraham Street, Morgan Avenue, Harrison Place, and Bogart Street. The property covers 80,000 square feet. The site is located in the East Williamsburg section of Brooklyn, Kings County. The locale is characterized as urban.

The site is surrounded by commercial and light industrial properties, except for a public park (McKibbin Park) located south-west of the site across Bogart Street. A New York City subway tunnel runs beneath Harrison Place, along the south border of the property.

The nearest residential land use appears to be approximately 800 to 1000 feet east and west of the site respectively.

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

The present building was constructed in 1946 and was used by Macon Umbrella Corporation, an umbrella manufacturer. Before 1946, the site reportedly was an orphanage. Jayar Plating was



also a tenant of the building between 1946 and 1990 and Mayer conducted metal plating operations which were located in the north-west corner of the building.

Metals associated with plating operations, especially nickel and chromium, have been found in soil beneath the former plating operation. Groundwater samples collected in the areas of contaminated soil also had elevated nickel and chromium. The metals found in the groundwater and soil are a potential hazard for direct human contact in the event that soil is excavated for cleanup activities and/or site redevelopment. The area of contaminated soil and groundwater is presently covered by a concrete building slab and there are believed to be no current human exposure pathways.

There have been no federal or state-driven environmental investigations or cleanup activities conducted at the site, although there have been a number of real estate transaction related investigation as listed below.

November 1996 ERD Environmental, Inc. Phase 1 Environmental Site Assessment Report, 2 Ingraham Street, Brooklyn, New York, Prepared for Citicorp Real Estate, Inc.

May 1997 Excel Environmental Resources, Inc. Focused Phase II Soil Investigation Report: Trench Area, 1&2 Ingraham Street, Brooklyn, New York, Prepared for Rainbow Polybag Corporation, Inc.

December 1997 AKRF, Inc. Site Investigation Report, Prepared for Milhan Realty Corp.

## **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 restricted 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.

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

### *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):**

Mr. Javier Perez-Maldonado  
Project Manager  
NYSDEC Albany Office  
Division of Environmental Remediation  
Section B, Remedial Bureau B – 12<sup>th</sup> fl.  
625 Broadway  
Albany, NY 12233-7016  
(518) 402-9768  
1-888-212-9586

Thomas V. Panzone  
Citizen Participation Specialist  
NYSDEC Region 2  
47-20 21<sup>st</sup> Street  
Long Island City, NY 11101  
Phone: (718) 482-4900  
Public and Media Affairs  
(718) 482-4958  
Fax: (718) 482-4026

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

Mr. Christopher M. Doroski  
Public Health Specialist 2  
New York State Department of Health  
Bureau of Environmental Exposure Investigation  
547 River Street  
Troy, NY 12180-2216  
(518) 402-7860  
Email: [BEEI@health.state.ny.us](mailto:BEEI@health.state.ny.us)  
Toll Free 1-800-458-1158 Ext. 7860

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

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

Brooklyn Public Library, Central Branch  
100 Grand Army Plaza Brooklyn, NY 11238  
Attn: Loren Williams  
Phone: 718-230-2100

## **Appendix B**

### **Site Contact List**

#### **1. Local Government Contacts**

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

Hon. John Liu  
NYC Comptroller  
1 Centre Street  
New York, NY 10007

Hon. Bill de Blasio  
Public Advocate  
1 Centre Street, 15<sup>th</sup> Floor  
New York, NY 10007

Hon. Charles Schumer  
U.S. Senator  
757 Third Avenue, Suite 1702  
New York, NY 10017

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

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

Hon. Diana Reyna  
NYC Councilmember  
444 South 5<sup>th</sup> Street  
Brooklyn, NY 11211

Hon. Martin Malave Dilan  
NYS Senator

786 Knickerbocker Avenue  
Brooklyn, NY 11207

Hon. Vito Lopez  
NYS Assemblymember  
434 South 5th Street  
Brooklyn, NY 11211

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

Dr. Robert Kulikowski  
Director  
NYC Office of Environmental Coordination  
253 Broadway – 14th Floor  
New York, NY 10007

John Wuthenow  
Office of Env. Planning & Assessment  
NYC Dept. of Environmental Protection  
96-05 Horace Harding Expressway  
Flushing, NY 11373

Brooklyn Community Board 1  
435 Graham Avenue  
Brooklyn, NY 11211-2429  
Phone: 718-389-0009  
Fax 718-389-0098  
Attn: Gerald A. Esposito, District Manager

Brooklyn Community Board 1  
435 Graham Avenue  
Brooklyn, NY 11211-2429  
Phone: 718-389-0009  
Fax 718-389-0098  
e-mail: [bk01@cb.nyc.gov](mailto:bk01@cb.nyc.gov)

Chair: Christopher Olechowski

Brooklyn Borough President: Marty Markowitz  
Main Office: 209 Joralemon Street  
Brooklyn, New York 11201  
Tel: 718-802-3700  
e-mail [AskMarty@brooklynbp.nyc.gov](mailto:AskMarty@brooklynbp.nyc.gov)

## **2. Local News Media**

Brooklyn Daily Eagle  
30 Henry Street  
Brooklyn, NY  
Phone: 718-422-7400

Brooklyn Downtown Star ( Weekly )  
69-60 Grand Ave,  
Maspeth, NY 11378  
Phone: 718-639-7000

New York Daily News  
450 West 33rd Street  
New York, NY 10001

NY1 News  
75 Ninth Avenue  
New York, NY 10011

Brooklyn Courier-Life News  
1 MetroTech Center North 10th Floor  
Brooklyn, NY 11201

Brooklyn Papers  
1 MetroTech Center, Suite 1001  
Brooklyn, NY 11201

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

News 12 Brooklyn  
164 20th Street, 4th Floor

Brooklyn, NY 11232

## **3. Public Water Supplier**

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

## **4. Community Civic, Religious and other Educational Institutions**

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

Our Lady of the Rosary-Pompeii  
225 Seigel St  
Brooklyn, NY 11206

Pentacostal Church-La Pena  
34 Morgan Ave  
Brooklyn, NY 11237

Bethel Baptist Mission  
1101 Cypress Ave  
Flushing, NY 11385

## **5. Schools and Daycare Facilities**

PS145 100  
Noll Street  
Brooklyn, NY 11206  
Principal – Marilyn Torres  
718-821-4823

PS196 / MS582  
207 Bushwick Ave.  
Brooklyn, NY 11206  
Principal ( PS196 ) - Janine Colon  
718-497-0139  
Principal (MS582 ) - Brian Walsh  
718-456-8218

Brooklyn Latin School  
325 Bushwick Ave.  
Brooklyn, NY 11206  
Principal – Jason Griffiths  
718-366-0154

Public School 147  
325 Bushwick Ave

Brooklyn, NY 11206  
Attn: Julia Disalvo Drake, Principal

#### **6. Owners/Occupants of Adjacent Properties**

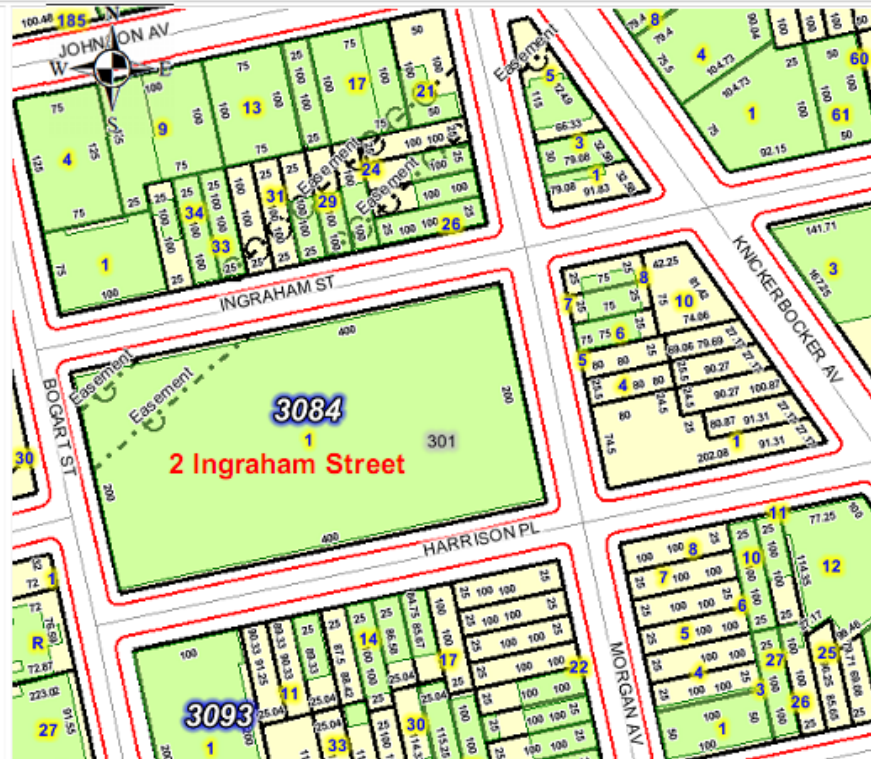
The names and addresses of adjacent property owners/occupants are not included herein or in the public document repositories to maintain confidentiality. Rather, as required by NYSDEC, this information is maintained only in NYSDEC and Applicant files.

## Appendix C Site Location Map

NYC Tax Map 2 Ingraham Street, E.  
Williamsburg  
6/25/2010



- Boroughs
- Tax Blocks
- Tax Lots
- Boundary Lines
- Streets
- Edge of Pavement
- Building Footprints
- Hydrography
- Open Spaces





## Appendix D– Brownfield Cleanup Program Process

