



FACT SHEET

Brownfield Cleanup Program

Whole Foods Site
Site No. C224100
Brooklyn, NY 11215

December 2009

Cleanup Action to Begin at Brownfield Site

Action is about to begin that will address contamination at the Whole Foods Market site located at the following addresses, 210 3rd Street, 212 to 214 3rd Street, 216-220 3rd Street, 230 3rd Street, 370 3rd Avenue and 376-384 3rd Avenue ("Site") in Brooklyn, NY under New York's Brownfield Cleanup Program. See map for Site location.

The New York State Department of Environmental Conservation (NYSDEC) has approved a minor modification to the planned site cleanup that will allow the cleanup action to be completed before a site redevelopment plan is finalized. The Volunteer originally planned to complete the remediation of the Site in conjunction with the construction of a Whole Foods Market store. However, the construction of the buildings will not take place at this time. Therefore, a soil cover will be installed at the site following remedial excavations.

The NYSDEC-approved cleanup action for the Site includes excavating contaminated soils on the Site and the installation of a soil cover Site-wide. The cleanup activities will be performed by 190-220 Third Street Store Brooklyn, LLC (formerly known as WFM Properties Brooklyn, LLC) ("Applicant"). The NYSDEC and the New York State Department of Health (NYSDOH) will provide oversight of the cleanup action.

Highlights of the Upcoming Cleanup Activities

The cleanup activities are intended to:

- 1) Address contamination at the Site to achieve cleanup levels that protect public health and the environment; and

Brownfield Cleanup Program: New York's Brownfield Cleanup Program (BCP) encourages the voluntary cleanup of contaminated properties known as "brownfields" so that they can be reused and redeveloped. These uses include recreation, housing, business or other uses.

A **brownfield** is any real property that is difficult to reuse or redevelop because of the presence or potential presence of contamination.

For more information about the BCP, visit:
www.dec.ny.gov/chemical/8450.html

(NY088276,1)

- 2) Account for the intended or reasonably anticipated future use of the Site.

The proposed cleanup action will excavate and dispose of soils impacted with contaminants as a result of identified on-Site releases, remove former underground storage tanks, monitor ground water, and install a soil cover consisting of several feet of clean fill. The cleanup action shall be generally performed during normal business working hours

Monday through Friday. 3rd Avenue and 3rd Street will be open to vehicular traffic during the cleanup action. Minimum restrictions to traffic flow on 3rd Avenue and 3rd Street are expected as a result of the cleanup action.

The proposed action is expected to achieve a cleanup that is appropriate for the anticipated future commercial use of the Site, and ensure that the resulting site conditions are protective of human health and the environment.

Next Steps

The Applicant is expected to begin cleanup activities at the Site on or about January 11, 2010. These activities are anticipated to take about three months. After the Applicant completes the cleanup activities, it will prepare a Final Engineering Report and submit it to the NYSDEC. The Final Engineering Report (FER) will describe the cleanup activities completed and certify that cleanup requirements have been achieved or will be achieved.

When NYSDEC is satisfied that cleanup requirements have been achieved or will be achieved for the Site, it will approve the FER. NYSDEC then will issue a Certificate of Completion (COC) to the Applicant.

The applicant would be eligible to redevelop the Site after it receives a COC. In addition, the Applicant 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 performing cleanup activities and for redevelopment of the Site.

A fact sheet that describes the content of the FER will be sent to the Site contact list. The Fact Sheet will identify any institutional controls (for example, deed restrictions) or engineering controls (for example, a soil cover) necessary at the Site in relation to the issuance of the COC.

Background

NYSDEC previously accepted an application from the Applicant to participate in the Brownfield Cleanup Program. The application proposes that the Site will be used for commercial purposes.

The Site consists of approximately 2.155 acres of land and covers the following addresses, 210 3rd Street 212 to 214 3rd Street, 216-220 3rd Street, 230 3rd Street, 370 3rd Avenue and 376-384 3rd Avenue. The Site is located in a commercial area and is zoned as “medium manufacturing district.”

Prior to 1880, the Site was part of the Edwin Clarke and Grace Hill Litchfield Estate. During the late 1800s through 2004, the Site was the location of numerous industrial operations, including coal yards, an ice company, lumberyards, a petroleum oil company, a building materials company, a trucking company, a freight depot, and an automobile junkyard and automobile repair shop. Contamination related to these former industrial operations included organic hydrocarbons. Organic hydrocarbons are found in many petroleum products such as gasoline, fuel oil and asphalt.

The Applicant completed a Remedial Investigation (RI) at the Site to determine the nature and extent of contamination in subsurface soil and ground water at the Site resulting from former on-site and potential off-site industrial operations. The RI was completed between November 2003 and April 2006. A technical Remedial Investigation Report (RIR) (dated October 31, 2006) documenting the RI activities and findings has been prepared by the Applicant and submitted for approval by the NYSDEC and NYSDOH. The RIR was approved by the NYSDEC on April 5, 2007.

Two interim remedial measures (IRMs) were completed on the Site in 2005 to prevent potential risk to human health and the environment from on-site areas of detected contamination found during investigation activities. The IRMs were approved by the NYSDEC on March 30, 2007. To address contamination remaining on the site after the implementation of the IRMs, a Remedial Work Plan (RWP) (dated December 7, 2006) has been prepared by the Applicant. The RWP was approved by the NYSDEC on May 2, 2007. The RWP, which summarizes the remedial activities for the cleanup of the Site, was available for Public Comment from December 12, 2006 to January 24, 2007. The modification to the RWP was approved by the NYSDEC on November 5, 2009. The RWP and supporting documents, including the RIR and a NYSDEC RWP Modification approval letter, are available at the document repositories listed below.

FOR MORE INFORMATION

Where to Find Information

Project documents are available at the following locations to help the public stay informed. These documents include the site cleanup plan.

Brooklyn Public Library
Carroll Gardens Branch
396 Clinton Street
Brooklyn, NY 11231
(718) 596-6972

Brooklyn Community Board #6
250 Baltic Street
Brooklyn, NY 11201
(718) 643-3027
Hours: 9:00AM to 5:00PM
Call in advance

Who to Contact

Comments and questions are always welcome and should be directed as follows:

Project-related Questions

Javier Perez
NYSDEC
Division of Environmental Remediation
Remedial Bureau B, Section B
625 Broadway, 12th floor
Albany, NY 11233-7016
(518) 402-9774

Site-related Health Questions

Christopher M. Doroski
NYSDOH
Bureau of Environmental Exposure
Investigation
Flanigan Square
547 River Street
Troy, NY 12180-2216
(518) 402-7860 or 1-800-458-1158 Ext. 27860

If you know someone who would like to be added to the site contact list, have them contact the NYSDEC project manager above. We encourage you to share this Fact Sheet with

neighbors and tenants, and/or post this Fact Sheet in a prominent area of your building for others to see.



Base map is a reproduction of the U.S.G.S. 7.5 Minute Topographic Quadrangle of Brooklyn, New York, 1967, photo revised 1979.



FIGURE 1 SITE LOCATION MAP

190-220 THIRD STREET STORE BROOKLYN LLC
3RD STREET and 3RD AVENUE / NYSDEC BCP SITE No. C224100
CITY OF NEW YORK, KINGS COUNTY, BROOKLYN, NEW YORK