

**NEW YORK STATE  
DEPARTMENT OF**



**ENVIRONMENTAL  
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Hours: M-F 9:30 AM to 5:30 PM

**Project-related questions:**

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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 # 5**

**BROWNFIELD CLEANUP PROGRAM**

353 McKibbin St.  
Brooklyn, NY  
(future Mehadrin Dairy  
Corp.)

**May 2010**

**Site No. C224102**

**Remedial Action to Address Brownfield  
Site Contamination to Begin**

Mehadrin Dairy Corporation BBM, LLC and LFW Dairy Corporation, LLC (the Volunteers) will soon begin remedial activities to address contamination at the site located at 353 McKibbin Street, Brooklyn, New York (the Site). See attached map for the location of the Site. The remedial action will be conducted under New York State's Brownfield Cleanup Program (BCP) with oversight provided by the New York State Department of Environmental Conservation (NYSDEC) working cooperatively with the New York State Department of Health (NYSDOH).

**Site Description:** The approximate one-acre Site is located in an industrial area and is zoned MI-2 for manufacturing. Prior to the early 1900's, the Site was undeveloped land. From circa 1907 through circa 1995, the Site was the location of numerous industrial operations including a chemical works facility, a lacquer spaying operation, and paper box storage company. The Site is currently undeveloped and covered with grass/shrubs. The uppermost layers of soils on the Site consist of urban fill. The Site is currently unoccupied and secured with fencing.

NYSDEC previously accepted an application submitted by the Volunteers to participate in the BCP. The proposed end use of the Site will be a kosher dairy food warehouse and distribution facility.

**Highlights of the Upcoming Site Remedial Activities:** "Remedial activities" and "remediation" refer to all necessary actions to address any known or suspected contamination associated with the Site. The goals of the remedial activities are to clean up contamination at the Site to a level that is fully protective of public health and the environment, and account for the intended or reasonably anticipated future use of the Site.

The Volunteers have proposed a site-specific use-based cleanup in accordance with the approach identified under the BCP as Track 4 Restricted Use with Site Specific Soil Cleanup Objectives. The proposed Site-specific restricted use-based remedy will include excavation and off-site disposal of soils impacted by contaminants of concern, installation of an Air Sparging/Soil Vapor Extraction System beneath the entire site, installation of a soil vapor barrier and sub-slab depressurization system beneath the proposed building foundation slab, installation of a demarcation barrier within any areas outside of the proposed building footprint boundary, and installation of a composite cover system consisting of a building structural foundation slab and/or a minimum of one foot of clean fill/clean subbase gravel cover. Institutional control in the form of an Environmental Easement will be implemented to control any potential exposure to soils and groundwater below the cover system. The proposed institutional controls include:

- Limiting the use and development of the property to restricted-commercial use;
- Requiring compliance with a NYSDEC-approved Site Management Plan;
- Restricting the use of ground water as a source of potable or process water without necessary water quality treatment as determined by the NYSDEC; and

- Requiring the property owner to complete and submit to the NYSDEC as annual certification of institutional and engineering controls.

The proposed remedial 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 Volunteers are expected to begin remedial activities at the Site in May 2010. These remedial activities are anticipated to take about 4 months. Subsequent to the completion of the remediation of the Site, non-remedial construction activities are anticipated to take an additional 6 months. NYSDEC and NYSDOH will oversee the remedial activities. Within 90 days of completing remedial activities, the Volunteers must submit to NYSDEC a Final Engineering Report (FER). The FER will describe the remedial activities completed and certify that remediation requirements have been achieved or will be achieved.

When NYSDEC is satisfied that remediation requirements have been achieved or will be achieved for the Site, it will approve the FER and issue a Certificate of Completion (COC) to the Volunteers. Upon issuance of a COC, the Volunteers:

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

A fact sheet will be sent to the site contact list that describes the content of the FER. The fact sheet will identify institutional controls (for example, an Environmental Easement) and engineering controls (for example, the composite cover system) which must be maintained at the Site in relation to the issuance of the COC. If you would like to learn more or if you have any questions comments on the project, you can contact the project managers shown on the left-hand side of page 1.

**Background:** The Volunteers purchased the Site and entered the NYSDEC's BCP to ensure an environmentally responsible cleanup of the Site. A Brownfield Cleanup Agreement between the Volunteers and the NYSDEC was executed on April 19, 2005.

Environmental investigations conducted at the Site include a Phase I Environmental Site Assessment (ESA) completed in 2003, a Phase II Site Investigation (SI) completed in 2003, a Phase II SI completed in 2006, and a Remedial Investigation (RI) completed in 2007. The RI included the collection and analyses of more than 100 samples. A Remedial Investigation Report (RIR) dated March 8, 2007 documenting RI activities and findings has been approved by the NYSDEC and NYSDOH. The RIR concluded that subsurface soil, soil gas and groundwater contained contaminants related to filling and former industrial operations, and that the remediation of the Site was necessary.

The Volunteers submitted a Remedial Action Work Plan (RAWP) that summarizes the proposed remedial activities for the cleanup of the Site. The RAWP (dated July 2008) was available for Public Comment from April 10, 2008 to May 24, 2008 and was approved by the NYSDEC on August 14, 2008. The RAWP and supporting documents, including the RIR, are available for public review at the document repositories identified in this fact sheet.

**Brownfield Cleanup Program (BCP):** New York's BCP encourages the voluntary cleanup of contaminated properties known as "brownfields" so that they can be reused and redeveloped. These uses include recreation, housing and business. A brownfield is any property that is difficult to reuse because of the presence or potential presence of contamination. For further information on New York's BCP, please visit the Department's web site at:

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

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Contact the NYSDEC project manager if you have any concerns or questions on implementation of the work plan, or if you or someone you know would like to be added to the project contact list to receive future fact sheets for this Site. 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.

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## Site Location Map

