



**Associated
Environmental
Services, Ltd.**

July 10, 2013

Mr. Michael MacCabe
New York State Department of
Environmental Conservation
625 Broadway
Albany, New York 12233-7016

Re: Citizen Participation Plan
1199 Sutter Avenue
Brooklyn, New York
Site ID #224141

Dear Mr. MacCabe:

Associated Environmental Services, Ltd. (AES) submits the enclosed draft Citizen Participation Plan (CPP) for the property located at 1199 Sutter Avenue in Brooklyn, New York, NYSDEC Site # 224141. The CPP has been provided in both hard copy and electronic copy for your review.

Please feel free to contact me with questions regarding this matter. Thank you for your prompt attention.

Very truly yours,

Gregory Ernst
Project Manager

Associated Environmental Services, Ltd.
Enc.

CC: Anthony Bileddo w/attachment
Krista Anders w/ attachment (electronic copy only)
James Rigano, Esq. w/o attachment
John Byrne, Esq. w/o attachment



CITIZEN PARTICIPATION PLAN

**1199 SUTTER AVENUE
BROOKLYN, NEW YORK**

**Site ID # 224141
NYSDEC SPILL NO. 0902686**

Prepared For:

AAA Sutter Realty LLC.
153-157 Seventh Street
Garden City, New York 11530
&

New York State Department of Environmental Conservation
Bureau of Program Management- Division of Environmental Remediation
625 Broadway
Albany, New York 12233-7012

July 10, 2013

Prepared By:

Associated Environmental Services, Ltd.
25 Central Avenue
Hauppauge, New York 11788

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1.0 INTRODUCTION

The Citizen Participation Plan (CPP) outlines the process of citizen participation in the Supplemental Site Investigation and Remedial Action activities at the site located at 1199 Sutter Avenue, Brooklyn, New York (hereinafter referred to as the subject property) under the Brownfield Site Cleanup Agreement, Index Number C224141-04013, relating to contaminant impacts from the former dry cleaning operation at the subject property. The subject property location is depicted on Figure 1. The purpose of this plan is to provide the processes to involve such interested and affected parties as community, County, State, and Federal public officials, commercial interests, and public interest groups in the remedial decision-making process. This CPP was prepared in accordance with the requirements of the New York State Department of Environmental Conservation (NYSDEC) Department of Environmental Remediation (DER) Program Policy DER-23 / Citizen Participation Handbook for Remedial Programs, January 21, 2010, for the Brownfield Cleanup Program (BCP). The Brownfield Cleanup Agreement, Index Number C224141-04013, takes the place of NYSDEC Spill No. 0902686 previously assigned to the property.

2.0 SITE BACKGROUND

The following section provides a description of the subject property and summarizes the previous investigations. A site plan of the property is provided on Figure 2.

2.1 Site Description

The subject property is designated as 1199 Sutter Avenue in Brooklyn, New York and bounded by Sutter Avenue to the south, Chestnut Street to the east, residential properties to the north and Crystal Street to the west. The subject property contains a single-story commercial building along the southern portion and an asphalt parking lot covering the northern portion of the subject property. Catch basins within the parking lot direct runoff into the municipal stormwater drainage system. The building is divided into five separate retail/office units. A former dry cleaner establishment was located within the eastern-most unit, which is currently occupied by a self-service Laundromat. Sanitary waste and waste water from the Laundromat are discharged to the municipal sewerage system located beneath Sutter Avenue. The building is underlain with a basement segmented for each retail/office unit with utilities, storage and service rooms.

The subject property is located within the Pavement & Buildings-Flatbush-Riverhead Series Soil Map Unit, which is described as anthropogenic urban fill overlying glacial outwash deposits and characterized as a sandy loam. The property is generally flat and is fully developed with impermeable surface cover comprised of building, asphalt parking lot and concrete sidewalks.

The site is underlain by the Upper Glacial Aquifer, which is composed of outwash-plain deposits of stratified sand and gravel. The Upper Glacial Aquifer is the only formation considered in this investigation. Groundwater beneath the subject property is encountered approximately 13 feet below grade and is characterized as Class GA indicating it as a potential source of potable water. Based on regional data, groundwater flow is to the south. Groundwater is not utilized as a source of potable water at the subject property.

2.2 Previous Investigations

In January 2009, an initial investigation comprised of a Phase II Environmental Site Assessment (ESA) was conducted by Atlantic Environmental Solutions, Inc. at the subject property to evaluate a recognized environmental condition (REC) associated with the former dry cleaner operation that was located within the eastern-most unit of the building. As part of this investigation, two soil borings were drilled adjacent to the former dry cleaner's unit to collect soil and groundwater samples for laboratory analysis. The results of the analysis detected a concentration of tetrachloroethene (PCE) above NYSDEC cleanup objective in one soil sample, S3, and in both groundwater samples, S2 and S3. Additionally, concentrations of trichloroethene (TCE) were detected in the groundwater samples in exceedance of the applicable NYSDEC guidance.

Based on the results of the initial investigation, AES conducted a supplemental Phase II subsurface investigation in April 2009. The supplemental investigation was conducted to determine the severity of the PCE and TCE contamination and delineate the extent of the impacts in the soil and groundwater underlying the former dry cleaners. A total of eight soil borings were drilled; six borings, B-1 through B-6, were located within the parking lot and sidewalk adjacent to the building and two borings, B-7 and B-8, were located within the basement area of the former dry cleaners.

A contaminant concentration (i.e., in excess of the NYSDEC guidance values) of PCE was detected in the soil sample from boring B-7, however, no other contaminant concentrations of VOCs were detected in the soil samples from the property. The results of the groundwater sample analysis detected concentrations of PCE at borings B-4 through B-8 in excess of the NYSDEC Ambient Water Quality Standards and Guidance Values (Water Quality Values) provided in the NYSDEC Technical and Operational Guidance Series (TOGS) 1.1.1. Concentrations of TCE were also detected above the NYSDEC Water Quality Values in borings B-6 through B-8. Finally, concentrations of cis-1,2-dichloroethene (c-1,2-DCE), a common byproduct of PCE and TCE degradation, were detected above the NYSDEC Water Quality Values in the samples from B-5 and B-7.

Based on the results of the supplemental subsurface investigation, AES recommended the injection of potassium permanganate into the subsurface to mitigate the concentrations of PCE, TCE and c-1,2-DCE detected in the groundwater. Coupled with the aforementioned proposed injections, the installation of shallow and deep groundwater monitoring wells was recommended to evaluate and monitor the effectiveness of the proposed remedial approach. Prior to initiating the proposed remedial approach, the NYSDEC was notified of the site conditions and Spill No. 0902686 was assigned for the pending remedial action.

Between August 5, 2009 and August 24, 2009, a four percent solution of potassium permanganate was injected at 12 grid points at intervals of 40, 35, 20, 15, and 10 feet below grade within and adjacent to the former dry cleaner facility. Groundwater samples were collected at the time of injection and then subsequently two months following the injections.

The results of the August 2009 initial groundwater sample analysis detected PCE in one deep well, MW-4D, and in three shallow wells, MW-1S, MW-2S, and MW-4S during the August 2009 initial sampling event. Concentrations of acetone and chloroform in exceedance of their respective NYSDEC Water Quality Values were also detected in well MW-4S at this time. The results of the November 2009 performance monitoring samples indicated the concentration of PCE had decreased in MW-1S and was no longer detected in MW-2S. Concentrations of PCE MW-3S and MW-4S were higher than the August 2009 data, but showed significant improvement from the Phase II Subsurface Investigation data. Degradation products including TCE and c-1,2-DCE were also detected in MW-4S. Concentrations of acetone and chloroform were no longer detected in the November 2009 samples. Based on the performance data, AES concluded had been effective, but that additional sampling data was warranted to further evaluate the success of the injection program and determine if additional injections should be

performed.

On February 25, 2010, groundwater samples were collected from the four shallow monitoring wells (MW-1S through MW-4S). Groundwater data indicated the concentrations of VOCs were generally consistent with the November 2009 concentrations, however, the concentrations of VOCs in well MW-1S had increased since the November 2009 sampling, but remained at roughly one half of the levels detected during the Phase II Subsurface Investigation from April 2009. Thus the increase of VOC concentrations in MW-1S since the November 2009 was likely due to rebound from the initial injection of potassium permanganate at the property. Based on the second set of data, AES recommends a second round of potassium permanganate injections be conducted at greater density than the previous injections in order to fully remediate the residual VOC contamination in the groundwater.

The location and designation of the sample points associated with the previous investigations are provided on Figure 2. A summary of the previous investigation and remediation sample data is provided in Tables 1 and 2.

3.0 PROJECT DESCRIPTION

The objective of implementing the Supplemental Site Investigation and Remedial Action in previously identified areas of concern and potential additional areas of concern is to eliminate on-site sources of contamination and mitigate off-site migration of environmental impacts so that the site can be considered for a Certificate of Completion by the NYSDEC.

The objectives of the Supplemental Site Investigation and Remedial Action are to:

- Further evaluate soil vapor and indoor air quality, and mitigate VOC concentrations in soil vapor if necessary, beneath the western portions of the building located within the property.
- Further evaluate ground-water quality to the south (downgradient) of the property, by installing and sampling seven monitoring wells in conjunction with sampling existing monitoring well network.
- Evaluate soil vapor quality beneath off-site buildings, if they are determined to be located atop the impacted groundwater plume, and mitigate soil vapor conditions, if necessary.
- Remediate impacted soils in the vicinity of the stormdrain at the rear of the former dry cleaning operation within the eastern portion of the building.
- Alleviate the accumulation of volatile organic compound (VOC) concentrations in soil vapor beneath the building's basement and thereby mitigate the potential for these vapors to intrude into the building.
- Remediate the impacted groundwater plume beneath the subject property and the adjacent downgradient property.

The field investigation is expected to be completed in approximately 3 months. At the completion of the field investigation, a document will be presented to the NYSDEC that presents the detailed investigation activities and the process to select a remedial action plan. Pertinent documents including the Supplemental Site Investigation Work Plan, Supplemental Investigation Report, Remedial Action Plan, and subsequent Remedial Action Monitoring and Completion Reports will be available for public review at the Cypress Hills Branch of the Brooklyn Public Library and the Community District 5 office.

3.1 Identification of Interested/Affected Parties

The following is a list of potentially interested or affected parties that will be provided with information about this site:

A. FEDERAL ELECTED OFFICIALS

US Senators

Kristen Gillibrand
780 Third Avenue, Suite 2601
New York, NY 10017

Charles Schumer
780 Third Avenue, Suite 2301
New York, NY 10017

US Congressman

Edolphus Towns
10408 Flatlands Avenue
Brooklyn, NY 11236

B. STATE ELECTED OFFICIALS

NY State Senate

Martin Malave` Dilan
786 Knickerbocker Avenue
Brooklyn, NY 11207

NY State Assembly

Inez D. Barron
669 Vermont Street
Brooklyn, NY 11207

C. NEW YORK CITY OFFICIALS

The Mayor of New York City

Mayor Michael Bloomberg
City Hall
New York, NY 10007

Chair of NYC Planning Commission

Amanda Burden
22 Reade Street
New York, NY 10007

NYC Council

Erik Martin Dilan
387 Arlington Avenue
Brooklyn, NY 11208

D. BROOKLYN BOUROUGH OFFICIALS

Brooklyn Borough President

Marty Markowitz
Brooklyn Borough Hall
209 Joralemon Street
Brooklyn, NY 11201

Community District 5

Nathan Bradley, Chairperson
127 Pennsylvania Avenue
Brooklyn, NY 11207

E. MEDIA

Brooklyn Daily Eagle
30 Henry Street
Brooklyn, NY 11201

Brooklyn Downtown Star
69-60 Grand Avenue
Maspeth, NY 11378

The Brooklyn Paper
One Metrotech Center
Brooklyn, NY 11201

News 12 Brooklyn
164 20th Street, 4th Floor
Brooklyn, NY 11232

F. RESIDENCE AND OTHER INTERESTED PARTIES

NY Housing Authority – Cypress Hills

Cypress Hills Houses
600 Euclid Avenue
Brooklyn, NY 11208

John B Rhea
NYCHA Chairman
250 Broadway
New York, NY 10007

Adjacent Properties

Cypress Hills Branch
Brooklyn Public Library
236 Crystal Street
Brooklyn, NY 11208

Post Master
US Postal Service
579 Chestnut Street
Brooklyn, NY 11208

Scroggins Pancymay or Current Resident
552 Chestnut Street
Brooklyn, NY 11208

Kevin Wayne Marable or Current Resident
221 Crystal Street
Brooklyn, NY 11208

Joseph Ferro or Current Resident
234 Crystal Street
Brooklyn, NY 11208

May Thomas or Current Resident
561 Chestnut Street
Brooklyn, NY 11208

Margaret Dixon or Current Resident
559 Chestnut Street
Brooklyn, NY 11208

Chetranie Ramjet or Current Resident
557 Chestnut Street
Brooklyn, NY 11208

Yvette Sealey or Current Resident
553 Chestnut Street
Brooklyn, NY 11208

Elbertha Gillus or Current Resident
551 Chestnut Street
Brooklyn, NY 11208

228-232 Crystal Street Housing Development Fund Co or Current Resident
228 Crystal Street
Brooklyn, NY 11208

Ghanraj Harrilal or Current Resident
224 Crystal Street
Brooklyn, NY 11208

Java Bhuya or Current Resident
222 Crystal Street
Brooklyn, NY 11208

New York City Department of Environmental Protection
59-17 Junction Boulevard
Flushing, NY 11373

Tenants

Mana Ali Salehm – D/B/A Game Star and Electronics
1199 Sutter Avenue
Brooklyn, NY 11208

Dean Torres – D/B/A Nubian Hair Salon
1201 Sutter Avenue
Brooklyn, NY 11208

Qasim Alzawqari and Satwan S Allahabi - D/B/A Deli and Stationary Store
1203 Sutter Avenue
Brooklyn, NY 11208

B&F Market – D/B/A MET Supermarket
1215 Sutter Avenue
Brooklyn, NY 11208

Xin XIn Laundry Inc.
1221 Sutter Avenue
Brooklyn, NY 11208

3.2 Identification of Department Contacts

1. Michael MacCabe
Project Manager
NYSDEC Division of Environmental Remediation
625 Broadway
Albany, New York 12233-7016
(518) 402-9687
mdmacacb@gw.dec.state.ny.us
2. Krista Anders
New York State Department of Health
Bureau of Environmental Exposure Investigation
Empire State Plaza, Corning Tower Room 1787
Albany, New York 12237
1-800-458-1158
kma06@health.state.ny.us

3.3 Identification of Document Repository Location

1. Cypress Hills Branch
Brooklyn Public Library
236 Crystal Street
Brooklyn, NY 11208

(718) 227-6004

Hours of Operation:

Monday, Wednesday - Friday	10 a.m. - 6 p.m.
Tuesday	1 p.m. – 8 p.m.
Saturday	Closed
Sunday	Closed

Contact:

Rowshon Perveen, Director

2. Community District 5
127 Pennsylvania Avenue, 2nd Floor
Brooklyn, NY 11207

(718) 498-5711

Hours of Operation:

Monday - Friday	8:30 a.m. - 4:45 p.m.
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Contact:

Nathan Bradley, Chairperson

4.0 DESCRIPTION OF SPECIFIC CITIZEN PARTICIPATION ACTIVITIES

The following activities will be conducted for the site located at 1199 Sutter Avenue citizen participation program. The objective of these activities is to encourage two-way communication about the site and any remedial activities that may be undertaken.

Once the scope of the supplemental site investigation is prepared, public information materials will be made available at the Cypress Hill Branch of the Brooklyn Public Library and the Community Board 5 offices. These will include copies of this CPP, the previous investigations reports, the Supplemental Site Investigation Work Plan, and fact-sheets.

Specific citizen participation activities for the subject property will include distribution of a fact-sheet prior to the start of field work and another fact-sheet at the completion of the supplemental site investigation. Subsequent to the supplemental site investigation, additional facts sheets will be distributed for the preparation of remedial action plans and reports, as needed. If the results of the supplemental site investigation indicate a "Significant Threat" is present, a public meeting to discuss the results of the pending remedial action(s) would be conducted. In this case, the second fact-sheet will also be used to help provide notice of the public meeting, and the public will also be notified through a NYSDEC press release. In the event that additional remedial actions or changes to proposed remedial actions be needed, further citizen participation will be conducted as per relevant NYSDEC regulation, policy, and guidance.

4.1 Glossary of Key Terms

The following section provides definitions of the terms commonly used in a CPP.

Citizen Participation - A process to inform and involve the interested/affected public in the decision-making process during identification, assessment, and remediation of brownfield properties. This process helps to ensure that proper input is made from all interested parties.

Citizen Participation Plan - A document that describes the site-specific citizen participation activities that will take place to complement the "technical" (remedial) activities. It also provides site background and rationale for the selected citizen participation program for the site. A plan may be updated or altered as public interest or the technical aspects of the program change.

Interested/Affected Parties - names, addresses, and/or telephone numbers of individuals, groups, organizations, and media interested and/or affected by a particular brownfield property. Interest in the site, stage of remediation, and other factors guide how comprehensive the list becomes.

Document Repository - Typically a public building, such as a library, near a particular property, at which documents related to remedial and citizen participation activities at the site are available for public review. Provides access to documents at times and a location convenient to the public. The Community Board, as well as active local groups often can serve as supplemental document repositories.

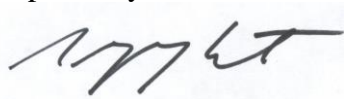
Information Materials - A written discussion of a property's remedial process, prepared for the public in easily understandable language. May be prepared for the "general" public or a particular segment. Uses may include discussion of an element of the remedial program, notification of opportunities for public involvement, availability of a report or other information, or announcement of a public meeting. May be mailed to all or part of the interested public, distributed at meetings or sent on an "as-requested" basis.

Public - The universe of individuals, groups, and organizations: (a) affected (or potentially affected) by a brownfield property and/or its remedial program; (b) interested in the property and/or its remediation; (c) having information about the property and its history.

Public Notice - A written or verbal information technique for telling people about an important part of a property's upcoming remedial program (e.g., announcement that the report for the remedial action is publicly available; a public meeting has been scheduled).

Another kind of public notice may be more informal and may not be legally required (e.g., paid newspaper advertisement; telephone calls to key citizen leaders; targeted mailings).

Prepared By:



Gregory Ernst
Project Manager
Associated Environmental Services, Ltd.

Table 1
Summary of Previous Soil Sample Data
1199 Sutter Avenue, Brooklyn, New York
NYSDEC Site ID #224141

	Sample Location:		S1	S2	S3	S3D	S4	S5	B-7	B-8	B-10	B-11	B-12
	Sample Depth:		4-5 ft. bg	14-15 ft. bg	10 ft. bg	14-15 ft. bg	6-7 ft. bg	14-15 ft. bg	0-5 ft. bbf	0-5 ft. bbf	5-6 ft. bg	5-6 ft. bg	9-10 ft. bg
	Sampling Date:		1/6/09	1/6/09	1/6/09	1/6/09	1/6/09	1/6/09	4/1/09	4/1/09	7/19/11	7/19/11	7/19/11
Parameters:	Part 375	Part 375											
	UUSCOs	RCUSCOs											
Tetrachloroethene	1.30	150	--	--	37.50	0.443	--	--	5.1	1.2	0.68	1.6	0.56
Cis-1,2-dichloroethene	0.250	500	--	--	--	--	--	--	0.043	--	0.048	0.0038	0.052
Methylene chloride	0.050	500	--	--	--	--	--	--	0.014	0.016	0.011 J	0.01 J	0.011 J
Trichloroethene	0.470	200	--	--	0.414	--	--	--	0.073	0.01	0.033	0.024	0.034
Toluene	0.700	500	--	--	--	--	--	--	--	--	0.001 J	--	--
Ethyl benzene	1.000	390	--	--	--	--	--	--	--	--	0.011	0.0028	0.011
trans-1,2-Dichloroethene	0.190	500	--	--	--	--	--	--	--	--	0.020	--	0.022
m/p-Xylene	0.26*	500*	--	--	--	--	--	--	--	--	0.035	0.0079	0.036
o-Xylene	0.26*	500*	--	--	--	--	--	--	--	--	0.0092	0.002 J	0.0094
Acetone	0.050	500	--	--	--	--	--	--	--	--	0.17	0.023 J	0.21
2-Butanone	0.120	500	--	--	--	--	--	--	--	--	0.086	--	0.11
Acenaphthylene	100	500	0.074	--	--	--	--	--	NA	NA	NA	NA	NA
Acenaphthene	20	500	0.150	--	--	--	0.043	--	NA	NA	NA	NA	NA
Dibenzofuran	100	500	0.098	--	--	--	--	--	NA	NA	NA	NA	NA
Fluorene	30	500	0.180	--	--	--	--	--	NA	NA	NA	NA	NA
Phenanthrene	100	500	1.510	--	--	--	0.471	--	NA	NA	NA	NA	NA
Anthracene	100	500	0.407	--	--	--	0.098	--	NA	NA	NA	NA	NA
Fluoranthene	100	500	2.730	--	--	--	0.773	--	NA	NA	NA	NA	NA
Pyrene	100	500	2.470	--	--	--	0.618	--	NA	NA	NA	NA	NA
Benzo(a)anthracene	1	5.6	1.630	--	--	--	0.357	--	NA	NA	NA	NA	NA
Chrysene	1	56	1.650	--	--	--	0.360	--	NA	NA	NA	NA	NA
Bis(2-ethylhexyl)phthalate	50	500	0.424	0.814	1.46	0.29	0.605	0.429	NA	NA	NA	NA	NA
Benzo(b)fluoranthene	1	5.6	1.090	--	--	--	0.213	--	NA	NA	NA	NA	NA
Benzo(k)fluoranthene	0.8	56	1.810	--	--	--	0.366	--	NA	NA	NA	NA	NA
Benzo(a)pyrene	1	1	1.190	0.046	--	--	0.245	--	NA	NA	NA	NA	NA
Indeno(1,2,3-cd)pyrene	0.5	5.6	0.342	--	--	--	--	--	NA	NA	NA	NA	NA
Dibenzo(a,h)anthracene	0.33	0.56	0.125	--	--	--	--	--	NA	NA	NA	NA	NA
Benzo(g,h,i)perylene	100	500	0.247	--	--	--	--	--	NA	NA	NA	NA	NA

Notes:

Concentrations in milligrams per kilogram (mg/kg)

NA - Not analyzed/not applicable

-- - Not Detected

UUSCO - Unrestricted Use Soil Cleanup Objective

RCUSCO - Restricted Commercial Use Soil Cleanup Objective

Bold values indicate exceedance of the UUSCO

Outlined values indicate exceedance of RCUSCO

bg - below grade

bbf - below basement floor



Table 2.

Summary of Previous Groundwater Data
1199 Sutter Avenue
Brooklyn, New York
NYSDEC Site No. #224141

Parameters	Sample Designation: Date: TOGS Value	Corresponding Phase II Data Monitoring Well								Corresponding Phase II Data Monitoring Well							
		B-6				MW-1S				MW-1D				B-5			
		4/1/09	8/27/09	11/2/09	2/25/10	7/20/11	8/27/09	11/2/09	7/20/11	4/1/09	8/27/09	11/2/09	2/25/10	7/20/11	8/27/09	11/2/09	7/20/11
2-Butanone	50	<3.0	<10	<10	<10	<10	<10	<10	<5	<3.0	<10	<10	<10	<5	<10	<10	<5
Acetone	50	<2.0	<50	<50	<50	<10	<50	<50	<5	<2.0	<50	<50	<50	<5	<50	<50	<5
Chloroform	7	<1.0	<5	<5	<5	30	<5	<5	0.9	<1.0	<5	<5	<5	13	<5	<5	1.1
cis-1,2-Dichloroethene	5	4.6	<5	<5	5.82	0.71 J	<5	<5	<0.5	6.8	<5	<5	<5	0.20 J	<5	<5	<0.5
Tetrachloroethene	5	380	98.3	48.2	172	84	5	<5	6.8	93	18.9	<5	<5	10	<5	<5	9.6
Bromodichloromethane	50	<1.0	<5	<5	<5	1.2	<5	<5	<0.5	<1.0	<5	<5	<5	0.63	<5	<5	<0.5
Vinyl Chloride	2	<1.0	<5	<5	<5	<2.0	<5	<5	<1.0	<1.0	<5	<5	<5	<1.0	<5	<5	<1.0
trans-1,2-Dichloroethene	5	<1.0	<5	<5	<5	<1.5	<5	<5	0.21 J	<1.0	<5	<5	<5	0.46 J	<5	<5	0.40 J
Trichloroethene	5	14	<5	<5	8.37	3.2	<5	<5	1.7	2.7	<5	<5	<5	0.36 J	<5	<5	0.95

Notes:

All data is in micrograms per liter (ug/L)

TOGS - NYSDEC Technical and Operational Guidance Series 1.1.1 Ambient Water Quality Standards and Guidance Values

NA - Not analyzed/not available

Bold indicate an exceedance of the applicable regulatory guidance value.



Table 2.

Summary of Previous Groundwater Data
1199 Sutter Avenue
Brooklyn, New York
NYSDEC Site No. #224141

Parameters	Sample Designation: Date: TOGS Value	Corresponding Phase II Data Monitoring Well									Corresponding Phase II Data Monitoring Well															
		S2					MW-3S				MW-3D				B-7					MW-4S				MW-4D		MW-5
		1/6/09	8/27/09	11/2/09	2/25/10	7/20/11	8/27/09	11/2/09	7/20/11	4/1/09	8/27/09	11/2/09	2/25/10	7/20/11	8/27/09	11/2/09	7/20/11									
2-Butanone	50	<0.21	<10	<10	<10	<5	<10	<10	<5	<3.0	24.4	<10	<10	<12	<10	<10	<12									
Acetone	50	10.3	<50	<50	<50	<5	<50	<50	<5	<2.0	577	<50	<50	<12	<50	<50	<12									
Chloroform	7	<0.14	<5	<5	<5	14	<5	<5	1.8	<1.0	97.7	<5	<5	15	<5	<5	29									
cis-1,2-Dichloroethene	5	NA	<5	<5	<5	<0.5	<5	<5	0.34 J	81	<5	16.9	<5	4.3	<5	<5	9.8									
Tetrachloroethene	5	187	<5	14.9	<5	0.73	<5	<5	20	610	51	359	348	470	23.1	<5	98									
Bromodichloromethane	50	<0.14	<5	<5	<5	1.1	<5	<5	<0.5	<1.0	<5	<5	<5	<1.2	<5	<5	<1.2									
Vinyl Chloride	2	<0.14	<5	<5	<5	<1.0	<5	<5	<1.0	<1.0	<5	<5	<5	<2.5	<5	<5	0.70 J									
trans-1,2-Dichloroethene	5	<0.14	<5	<5	<5	0.65 J	<5	<5	0.51 J	<1.0	<5	<5	<5	0.67 J	<5	<5	0.60 J									
Trichloroethene	5	1.5	<5	<5	<5	<0.5	<5	<5	1.1	42	<5	20.4	11.9	14	<5	<5	5.2									

Notes:

All data is in micrograms per liter (ug/L)

TOGS - NYSDEC Technical and Operational Guidance Series 1.1.1 Ambient Water Quality Standards and Guidance Values

NA - Not analyzed/not available

Bold indicate an exceedance of the applicable regulatory guidance value.



Table 3
Summary of Previous Soil Vapor Intrusion Data
1199 Sutter Avenue, Brooklyn, New York
NYSDEC Site #224141

Sample Location:		SS-1	IA-1	OA-1
Sampling Date:		7/20/11	7/20/11	7/20/11
Parameter:	USEPA TSSGC			
Propylene	NA	--	1.91	--
Dichlorodifluoromethane	2,000	--	3.81	2.38
Chloromethane	NA	--	3.45	1.2
Vinyl Chloride	280	795	--	--
Ethanol	NA	--	920	14.9
Acetone	3,500	--	--	6.44
Trichlorofluoromethane	7,000	--	27.8	1.4
Isopropanol	NA	--	61.4	1.81
Freon 113	NA	3,720	--	--
trans-1,2-Dichloroethene	NA	390	--	--
1,1-Dichloroethane	5,000	380	--	--
2-Butanone	10,000	--	16.5	2.13
cis-1,2-Dichloroethene	350	3,830	--	--
Ethyl Acetate	32,000	--	8.11	--
Chloroform	110	444	38.4	--
Tetrahydrofuran	NA	--	17.5	--
1,2-Dichloroethane	94	538	--	--
n-Hexane	2,000	--	7.79	--
1,1,1-Trichloroethane	22,000	4,020	--	--
Benzene	310	--	3.77	0.831
Cyclohexane	NA	--	2.11	--
Bromodichloromethane	140	--	1.67	--
Trichloroethene	22	9,730	1.27	--
2,2,4-Trimethylpentane	NA	--	1.63	--
Heptane	NA	--	5.04	--
Toluene	4,000	757	11.4	1.96
Tetrachloroethene	810	428,000	68.5	--
Ethylbenzene	2,200	330	1.7	--
p+m Xylenes	70,000	--	6.34	--
Styrene	10,000	262	3.62	--
o Xylene	70,000	--	2.96	--
4-Ethyltoluene	NA	--	1.9	--
1,3,5-Trimethylbenzene	60	--	2.9	--
1,2,4-trimethylbenzene	60	--	8.65	--
1,4-Dichlorobenzene	8,000	--	2.84	--

Notes:

All concentrations provided in micrograms per cubic meter (ug/m³)

-- Not Detected

NA - Not Applicable/Not Available

TSSGC - Target Shallow Soil Gas Concentration

Bold and outlined values indicate exceedance of the TSSGC.



Legend

⊕

MW-1

Monitoring Well Location and Designation

●

B-3

Soil Boring Location and Designation

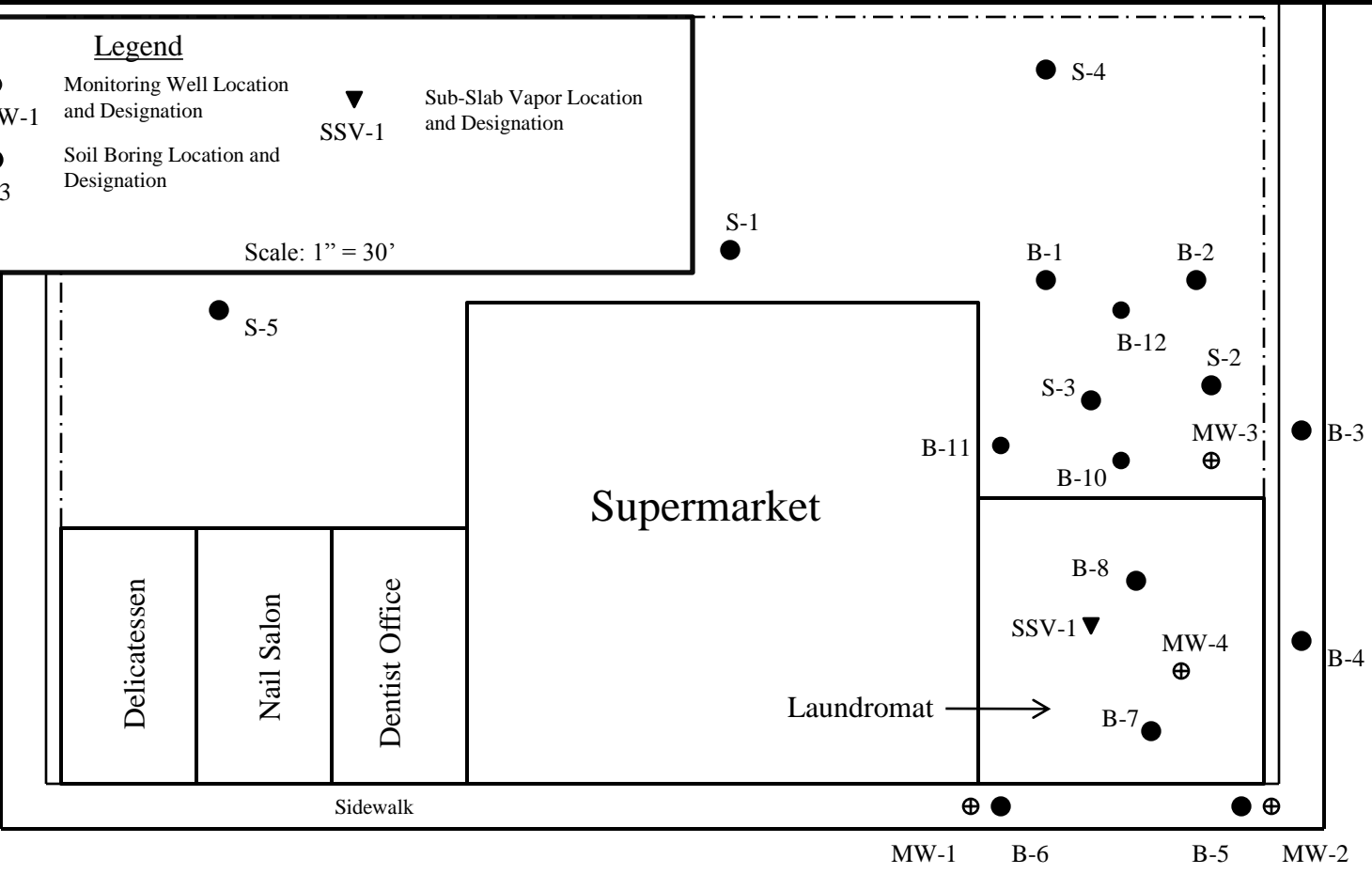
▼

SSV-1

Sub-Slab Vapor Location and Designation

Scale: 1" = 30'

Crystal Street



Chestnut Street

Sutter Avenue



1199-1221 Sutter Avenue
Brooklyn, New York

**Figure 2
Site Plan**



June 25, 2012

Mr. Anthony Bileddo
AAA Sutter Realty LLC
153 – 157 Seventh Street
Garden City, NY 11530

RE: Brownfield Cleanup Application
1199 Sutter Avenue
BCP #C224141

Dear Mr. Bileddo:

The New York State Department of Environmental Conservation (DEC) is in receipt of your application dated June 18, 2012 for participation in the Brownfield Cleanup Program pursuant to ECL § 27-1400 et seq. This letter is to advise you that your application has been determined to be incomplete. Upon review of your application, the following items were found to be missing/incomplete:

Section I – Requestor Information

- The Requestor's relationship to the property is given as "Potential/Future Purchaser" However, in Section III of the application, the Requestor is given as the current owner. If the requestor is not the site owner, please provide proof of site access. The information regarding current ownership in Section I must agree with that given in Section III.
- Please provide a print-out of the entity information from NYSDOS' Corporation & Business Entity Database as proof that the Requestor is authorized to do business in NYS.

Section II – Property Information

- There is no property base map included in the application. Please provide a base map in accordance with the requirements provided in the BCP application instructions.
- Lot #33 is not identified on the tax map. Please identify lot 33 on the map.
- Question #7 requests a listing of permits issued by NYSDEC or USEPA relating to the proposed site. There are RCRA hazardous waste manifests for this site; therefore, please provide the RCRA Generator ID for the site.

Section III – Current Site Owner/Operator Information

- In Section I, the Requestor is given as a potential/future purchaser. However, in Section III, the Requestor is given as the current property owner. Please correct either Section I or Section III.
- Current operator information must be more detailed than "Various Retail Establishments." Please provide the name and contact information for all current operators located on the site. If more space is needed, the information may be provided on a separate sheet which should be referenced in Section III.

Section IV – Requestor Eligibility Information

- Question 2: The requestor has indicated that they are subject to an existing order relating to the contamination at the site but has provided no explanation. Please provide an explanation.

Section VII – Property's Environmental History

- The list of previous owners and operators is incomplete. Only 1 previous operator is identified. Please provide a list of all previous owners and operators for the site with names, last known address and telephone numbers. The list should include the owners and operators for all lots included within the site boundaries and a description of the Requestor's relationship to each owner and operator, if any. If there is no relationship, please put "None."

Section VIII – Contact List Information

- Please add the following to the Contact List for this site: the Mayor of New York City, the Chair of the NYC Planning Board and the Brooklyn Borough President; adjacent properties, 236 Crystal Street and 600 Euclid Ave.; and all the businesses that are currently operating on-site.
- For each of the adjacent addresses that are individual residences, please add "or Current Resident" to the address after the name.
- The application does not include a letter from the Brooklyn Public Library acknowledging that it agrees to act as the document repository for the site. Please provide the Library's letter of acknowledgment.

Additional Comments

- Please provide all supporting information, other than the environmental reports, directly after p. 6 of the application along with the tax map and Section VI Attachment. The environmental reports should be included as an attachment at the end of the application, after the other supporting documentation.

Please provide the missing/incomplete information within ten (10) days to the following address:

Chief, Site Control Section
New York State Department of Environmental Conservation
Bureau of Technical Support
625 Broadway, 11th Floor
Albany, NY 12233-7020

Should this information not be received within thirty (30) days from the date of this letter, your application will be deemed withdrawn. In that case, you may resubmit the application without prejudice subject to the rules and requirements in place at the time of resubmittal. You will be notified when your application is considered complete. If you have any questions, please call this office at 518-402-9553.

Sincerely,



Kelly A. Lewandowski, P.E.
Chief
Site Control Section

KAL/BA

ec: R. Cozzy, Remedial Bureau Director, Bureau B
M. MacCabe, Project Manager
J. O'Connell, RHWRE, Region 2
L. Oliva, Regional Attorney, Region 2
Anthony Bileddo, Requestor's Representative (tony@pastacheese.com)
Associated Environmental Services, Ltd. Requestor's Consultant (associatedenv@aol.com)
James Rigano, Esq., Requestor's Attorney (jrigano@riganollc.com)
K. Lewandowski
B. Anderson