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# EXPLANATION OF SIGNIFICANT DIFFERENCE

## FORMER GETTY SERVICE STATION No. 00564 SITE

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Department of  
Environmental  
Conservation

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New York City / Kings County / Site No. C224176 / May 2019

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Prepared by the New York State Department of Environmental Conservation  
Division of Environmental Remediation

### 1.0 INTRODUCTION

The purpose of this notice is to describe the progress of the cleanup at the Former Getty Service Station No. 00564 Site and to inform you about a change in the site remedy. The site is located at 1103-1107 DeKalb Avenue, Brooklyn, NY. On February 11, 2015, the New York State Department of Environmental Conservation (NYSDEC) issued a Decision Document which selected a remedy to clean up the site. The Decision Document stated that the selected remedy is a Track 2: Restricted use with generic soil cleanup objectives remedy. A Track 2 cleanup is one that achieves the soil cleanup objectives (SCOs) for the use of the site in the upper 15 feet of soil, provided that soils below 15 feet do not represent a source of contamination. Post remediation soil and groundwater data submitted in the draft Final Engineering Report indicate that a Track 2 cleanup has not been achieved. The data shows that there is contaminant source material located deeper than 15 feet below ground surface, where petroleum related contaminants concentrations exceed the protection of groundwater soil cleanup objectives (PGWSCOs) in soil. These same compounds are found in groundwater at concentrations that exceed New York State's ambient groundwater quality standards. The remedial action at the site has, however, achieved a Track 4 cleanup: Restricted use with site-specific cleanup objectives.

This Explanation of Significant Difference (ESD) will become part of the Administrative Record for this Site. The information here is a summary of what can be found in greater detail in documents that have been placed in the following repositories:

**Brooklyn Public Library - DeKalb Branch**

790 Bushwick Avenue  
Brooklyn, NY 11221  
Call for hours: (718) 455-3898

**Brooklyn Community Board 3**

1360 Fulton Street  
Brooklyn, NY 11216  
Call in advance: (718) 622-6601

**NYSDEC Region 2 Office**

Shaun Bollers, Project Manager  
47-40 21st Street  
Long Island City, NY 11101  
Call in advance: (718) 482-4096  
[shaun.bollers@dec.ny.gov](mailto:shaun.bollers@dec.ny.gov)

Interested persons are invited to contact the Department's Project Manager for this site to obtain more information or have questions answered.

## **2.0 SITE DESCRIPTION AND ORIGINAL REMEDY**

### **2.1 Site History, Contamination, and Selected Remedy**

**Site Description:** The site is 0.218-acres and is bordered on the west by Malcolm X Boulevard, on the south by DeKalb Avenue, on the north by vacant and mixed-use properties, and on the east by industrial and mixed use properties. It is currently vacant but was formerly developed with a one-story automotive service station building. Previously, the site had been used as a gas station and auto repair facility since approximately 1965.

**Summary of the Investigation:** The primary contaminants of concern at the site are petroleum-related volatile organic compounds (VOCs), metals and semi-volatile organic compounds (SVOCs), which are present site-wide in soil and groundwater, primarily in the area of the USTs and former fuel dispenser islands, and VOCs in soil vapor.

#### **Elements of the Selected Remedy:**

- Removal of underground storage tanks (USTs);
- Excavation and off-site disposal of contaminated soil exceeding Track 2 restricted residential use (RRU) and/or the applicable protection of groundwater (PGW) soil cleanup objectives (SCOs) to a depth of up to 15 feet below ground surface (ft-bgs);
- Treatment of residual soil contamination through installation and operation of a soil vapor extraction (SVE) system;
- Treatment of contaminated groundwater through injection of chemical oxidants into the groundwater;
- Collection and analysis of end-point soil samples and post-remedial groundwater samples to evaluate the effectiveness of the remedy;
- Import of clean material that meets the established SCOs for use as backfill;
- Implementation of a Site Management Plan (SMP) for long term maintenance of the remedial systems; and
- An Environmental Easement will be filed on the site to ensure proper use of the site.

## **3.0 CURRENT STATUS**

The implemented remedy included the following:

- Excavation of petroleum VOC source areas to depths ranging from 12 to 15 ft-bgs;
- Collection and analysis of endpoint soil samples from the base and sidewalls of the petroleum VOC source area excavation and three petroleum VOC hotspots;
- Excavation of soil/fill exceeding Track 2 restricted residential use SCOs across the remainder of the site to depths as great as 12 feet below grade;
- Collection and analysis of end-point samples across the entire site to evaluate the performance of the remedy with respect to attainment of Track 2 SCOs;
- Screening for indications of contamination (by visual means, odor, and field monitoring

instruments) of all excavated soil during any intrusive site work;

- Appropriate off-site disposal of all material removed from the site in accordance with all Federal, State and local rules and regulations for handling, transport, and disposal;
- Installation of a soil vapor extraction system to remediate petroleum impacted soil within the source area from 15 ft-bgs to the water table (located approximately 45 ft-bgs);
- Installation of seventeen injection wells and treatment of residual groundwater contamination by injections of chemical oxidants and oxygen release compounds;
- Installation of three monitoring wells and the collection and analysis of post-injection groundwater samples to assess bulk reduction in groundwater contamination and overall efficacy of the remediation;
- Import of materials for use as backfill and cover in compliance with regulatory requirements for restricted residential use of the site; and
- Recording of the environmental easement to limit site use to restricted residential (which allows for commercial and industrial use) and to ensure implementation of engineering and institutional controls.

## **4.0 DESCRIPTION OF SIGNIFICANT DIFFERENCE**

### **4.1 New Information**

Following the completion of excavation, the sampling and analytical data for soil in the unsaturated zone located between 15 ft-bgs and the water table at 45 ft-bgs indicated that there was remaining contaminant source material (i.e., petroleum VOCs at concentrations exceeding the soil cleanup objectives for the protection of groundwater).

### **4.2 Comparison of Changes with Original Remedy**

Due to the source material remaining below 15 feet deep, the site will achieve a Track 4 clean-up in lieu of the Track 2 cleanup established in the 2015 Decision Document. Groundwater is not a source of drinking water in New York City, and contaminant levels are expected to continue to attenuate, so residual contamination in this media does not pose a risk to human health. The footprint of the redevelopment covers the entire site, with a concrete foundation floor/cellar slab and a vapor barrier located below it. An SVE system was installed and is still in operation to address the remaining contamination in soil below 15 feet. In addition, piping was installed below the foundation floor as part of a sub-slab depressurization system which can be made active. These engineering controls meet the requirements of a Track 4 cleanup.

## **5.0 SCHEDULE AND MORE INFORMATION**

The remedial party, 1107D LLC, will develop a Site Management Plan that describes how the remaining contamination will be monitored and managed, using the institutional and engineering controls required for a Track 4 cleanup. A revised Final Engineering Report will subsequently be developed that documents and evaluates the effectiveness of the remedial action at the site. Once these documents have been reviewed and approved by NYSDEC and NYSDOH a Certificate of Completion will be issued to the remedial party for a Track 4 cleanup for restricted residential use.

This Explanation of Significant Difference provides a thirty (30) day comment period to the public, from **April 11 through May 11, 2019**. If you have questions or need additional information you may contact

any of the following:

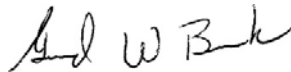
**Project-Related Questions:**

Shaun Bollers  
NYS Department of Environmental Conservation  
Division of Environmental Remediation  
47-40 21<sup>st</sup> Street  
Long Island City, NY 11101  
(718) 482-4096  
[shaun.bollers@dec.ny.gov](mailto:shaun.bollers@dec.ny.gov)

**Project-Related Health Questions:**

Stephanie Selmer  
NYS Department of Health  
Bureau of Environmental Exposure Investigation  
Corning Tower, Room 1787  
Albany, NY 12237  
(518) 402-7860  
[beei@health.ny.gov](mailto:beei@health.ny.gov)

5/15/2019



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Date

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Gerard Burke, Director  
DER, Bureau B

**DECLARATION**

The selected remedy is protective of public health and the environment, complies with State and Federal requirements that are legally applicable or relevant and appropriate to the remedial action to the extent practicable, and is cost effective. This remedy utilizes permanent solutions and alternative treatment or resource recovery technologies, to the maximum extent practicable, and satisfies the preference for remedies that reduce toxicity, mobility, or volume as a principal element.