
PROGRESS REPORT #35**73-99 Empire Boulevard
73-99 Empire Boulevard, Kings County, NY
Brownfield Cleanup Program #C224343
Reporting Period: January 2026**

Introduction

In accordance with the Brownfield Cleanup Agreement (BCA; Index #C224343), dated March 16, 2022, this Progress Report was prepared by Roux Environmental Engineering and Geology, D.P.C. (Roux) to describe the Brownfield Cleanup Program (BCP) activities at the 73-99 Empire Boulevard Project located at 73-99 Empire Boulevard, Brooklyn, Kings County, New York (Site) [Site #C224343-03-22] for the month of January 2026.

The BCP Application was submitted to the NYSDEC by the prior owner, Empire Boulevard Holdings LLC (EBH) on April 17, 2021, and a BCP Site number C224343 was assigned. A Brownfield Cleanup Agreement (BCA) was executed on March 16, 2022, between NYSDEC and EBH. A Citizens Participation Plan (CPP) was submitted to the NYSDEC and approved on May 10, 2022. A Remedial Investigation Work Plan (RIWP) was developed in accordance with the DER-10 Technical Guidance for Site Investigation and Remediation, dated May 2010 (DER-10), submitted to NYSDEC on January 6, 2023, and approved by NYSDEC on January 18, 2023. In anticipation of the sale of the Site by EBH to Empire McKeever Heights LLC (the Volunteer), a Change of Use Form was submitted to NYSDEC on June 17, 2025, as was a BCA Amendment (Amendment No. 1) seeking to add the Volunteer to the BCA; NYSDEC approved Amendment No. 1 on August 8, 2025. On or about September 10, 2025, a BCA Amendment (Amendment No. 2) was submitted to NYSDEC confirming that the Volunteer now owns the Site, and removing EBH from the BCA, which was approved by NYSDEC on December 5, 2025.

I. BCP Activities Completed during the Reporting Period

On January 13, 2026, the NYSDEC provided comments on the Remedial Investigation Report (RIR) dated November 2025. Roux addressed those comments and re-submitted the RIR to NYSDEC on January 16, 2026.

On January 20, 2026, Roux submitted the draft Remedial Action Work Plan (RAWP) to NYSDEC.

On January 30, 2026, Roux submitted the import fill request and supporting documentation to NYSDEC for the 320CY of clean fill imported in August 2025 from Hunters Point Recycling, LIC, NY by Urban Industrial Group (contractor) in order to fill voids and stabilize vertical walls as requested by the NYCDOB.

II. BCP Activities Planned for the Next Reporting Period (February 2026)

Revise the draft RAWP when NYSDEC submit their comments.

III. Schedule and Changes to Scope of Work or Schedule

The project schedule is attached.

IV. Sampling and Other Data Received or Generated during the Reporting Period

None.

V. Deliverables Submitted during the Reporting Period

None.

VI. Percentage of Work Completion and Any Delays

See attached schedule.

VII. Citizen's Participation Plan Actions Taken during the Reporting Period

None.

VIII. Citizen's Participation Plan Actions Planned for the Next Reporting Period (February 2026)

None anticipated.

Figure 1. Project Schedule

