
PROGRESS REPORT #40**73-99 Empire Boulevard
73-99 Empire Boulevard, Kings County, NY
Brownfield Cleanup Program #C224343
Reporting Period: June 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 June 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

The Revised Remedial Action Work Plan (RAWP) was submitted to the NYSDEC on June 12, 2026. The NYSDEC issued the RAWP and RIR approval, as well as the Decision Document on June 22, 2026.

The Fact Sheet announcing the start of the remedial action was mailed to the contact list on June 23, 2026 and the reports we sent to the document repositories on June 24, 2026.

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

Mobilization to the Site is scheduled to occur during the second/third week of July. The initial activity will be relocation of the construction fence and installation of the silt fence surrounding the Site.

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

See above (I).

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

See above (II).

Figure 1. Project Schedule

