



Department of
Environmental
Conservation

Brownfield Cleanup Program

Citizen Participation Plan

for

2864 Atlantic Avenue Redevelopment

March 2022

C224349
2864 Atlantic Avenue
Brooklyn, NY 11233

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Note: The information presented in this Citizen Participation Plan was current as of the date of its approval by the New York State Department of Environmental Conservation. Portions of this Citizen Participation Plan may be revised during the site's investigation and cleanup process.

Applicant: **2864 Atlantic Realty LLC (“Applicant”)**
Site Name: **2864 Atlantic Avenue Redevelopment (“Site”)**
Site Address: **2864 Atlantic Avenue**
Site County: **Brooklyn, New York**
Site Number: **C224349**

1. What is New York’s Brownfield Cleanup Program?

New York’s Brownfield Cleanup Program (BCP) works with private developers to encourage the voluntary cleanup of contaminated properties known as “brownfields” so that they can be reused and developed. These uses include recreation, housing, and business.

A *brownfield* is any real property that is difficult to reuse or redevelop because of the presence or potential presence of contamination. A brownfield typically is a former industrial or commercial property where operations may have resulted in environmental contamination. A brownfield can pose environmental, legal, and financial burdens on a community. If a brownfield is not addressed, it can reduce property values in the area and affect economic development of nearby properties.

The BCP is administered by the New York State Department of Environmental Conservation (NYSDEC) which oversees Applicants who conduct brownfield site investigation and cleanup activities. An Applicant is a person who has requested to participate in the BCP and has been accepted by NYSDEC. The BCP contains investigation and cleanup requirements, ensuring that cleanups protect public health and the environment. When NYSDEC certifies that these requirements have been met, the property can be reused or redeveloped for the intended use.

For more information about the BCP, go online at:
<http://www.dec.ny.gov/chemical/8450.html> .

2. Citizen Participation Activities

Why NYSDEC Involves the Public and Why It Is Important

NYSDEC involves the public to improve the process of investigating and cleaning up contaminated sites, and to enable citizens to participate more fully in decisions that affect their health, environment, and social well-being. NYSDEC provides opportunities for citizen involvement and encourages early two-way communication with citizens before decision-makers form or adopt final positions.

Involving citizens affected and interested in site investigation and cleanup programs is important for many reasons. These include:

- Promoting the development of timely, effective site investigation and cleanup programs that protect public health and the environment
- Improving public access to, and understanding of, issues and information related to a particular site and that site's investigation and cleanup process
- Providing citizens with early and continuing opportunities to participate in NYSDEC's site investigation and cleanup process
- Ensuring that NYSDEC makes site investigation and cleanup decisions that benefit from input that reflects the interests and perspectives found within the affected community
- Encouraging dialogue to promote the exchange of information among the affected/interested public, State agencies, and other interested parties that strengthens trust among the parties, increases understanding of site and community issues and concerns, and improves decision-making.

This Citizen Participation (CP) Plan provides information about how NYSDEC will inform and involve the public during the investigation and cleanup of the Site identified above. The public information and involvement program will be carried out with assistance, as appropriate, from the Applicant.

Project Contacts

Appendix A identifies NYSDEC project contact(s) to whom the public should address questions or request information about the Site's investigation and cleanup program. The public's suggestions about this CP Plan and the CP program for the Site are always welcome. Interested people are encouraged to share their ideas and suggestions with the project contacts at any time.

Locations of Reports and Information

The locations of the reports and information related to the Site's investigation and cleanup program also are identified in Appendix A. These locations provide convenient access to important project documents for public review and comment. Some documents may be placed on the NYSDEC web-site. If this occurs, NYSDEC will inform the public in fact sheets distributed about the Site and by other means, as appropriate.

Site Contact List

Appendix B contains the site contact list. This list has been developed to keep the community informed about, and involved in, the Site's investigation and cleanup process. The Site contact list will be used periodically to distribute fact sheets that provide updates about the status of the project. These will include notifications of upcoming activities at the Site (such as fieldwork), as well as availability of project documents and announcements about public comment periods.

The site contact list includes, at a minimum:

- Chief executive officer and planning board chairperson of each county, city, town and village in which the site is located;
- Residents, owners, and occupants of the site and properties adjacent to the site;
- The public water supplier which services the area in which the site is located;
- Any person who has requested to be placed on the site contact list;
- The administrator of any school or day-care facility located on or near the site for purposes of posting and/or dissemination of information at the facility;
- Location(s) of reports and information.

The site contact list will be reviewed periodically and updated as appropriate. Individuals and organizations will be added to the site contact list upon request. Such requests should be submitted to the NYSDEC project contact(s) identified in Appendix A. Other additions to the site contact list may be made at the discretion of the NYSDEC project manager, in consultation with other NYSDEC staff as appropriate.

Note: The first Site fact sheet (usually related to the draft Remedial Investigation Work Plan) is distributed both by paper mailing through the postal service and through DEC Delivers, its email listserv service. The fact sheet includes instructions for signing up with the appropriate county listserv to receive future notifications about the Site. See <http://www.dec.ny.gov/chemical/61092.html> .

Subsequent fact sheets about the Site will be distributed exclusively through the listserv, except for households without internet access that have indicated the need to continue to receive Site information in paper form. Please advise the NYSDEC site project manager identified in Appendix A if that is the case. Paper mailings may continue during the investigation and cleanup process for some sites, based on public interest and need.

CP Activities

The table at the end of this section identifies the CP activities, at a minimum, that have been and will be conducted during the Site's investigation and cleanup program. The

flowchart in Appendix D shows how these CP activities integrate with the Site investigation and cleanup process. The public is informed about these CP activities through fact sheets and notices distributed at significant points during the program. Elements of the investigation and cleanup process that match up with the CP activities are explained briefly in Section 5.

- **Notices and fact sheets** help the interested and affected public to understand contamination issues related to a site, and the nature and progress of efforts to investigate and clean up a site.
- **Public forums, comment periods and contact with project managers** provide opportunities for the public to contribute information, opinions and perspectives that have potential to influence decisions about a site's investigation and cleanup.

The public is encouraged to contact project staff at any time during the Site's investigation and cleanup process with questions, comments, or requests for information.

This CP Plan may be revised due to changes in major issues of public concern identified in Section 3 or in the nature and scope of investigation and cleanup activities. Modifications may include additions to the site contact list and changes in planned citizen participation activities.

Technical Assistance Grant

NYSDEC must determine if the Site poses a significant threat to public health or the environment. This determination generally is made using information developed during the investigation of the Site, as described in Section 5.

If the Site is determined to be a significant threat, a qualifying community group may apply for a Technical Assistance Grant (TAG). The purpose of a TAG is to provide funds to the qualifying group to obtain independent technical assistance. This assistance helps the TAG recipient to interpret and understand existing environmental information about the nature and extent of contamination related to the Site and the development/implementation of a remedy.

An eligible community group must certify that its membership represents the interests of the community affected by the Site, and that its members' health, economic well-being or enjoyment of the environment may be affected by a release or threatened release of contamination at the Site.

As of the date the declaration (page 2) was signed by the NYSDEC project manager, the significant threat determination for the Site had not yet been made.

To verify the significant threat status of the Site, the interested public may contact the NYSDEC project manager identified in Appendix A.

For more information about TAGs, go online at <http://www.dec.ny.gov/regulations/2590.html>

Note: The table identifying the citizen participation activities related to the Site's investigation and cleanup program follows on the next page:

Citizen Participation Activities	Timing of CP Activity(ies)
Application Process:	
<ul style="list-style-type: none"> • Prepare site contact list • Establish document repository(ies) 	At time of preparation of application to participate in the BCP.
<ul style="list-style-type: none"> • Publish notice in Environmental Notice Bulletin (ENB) announcing receipt of application and 30-day public comment period • Publish above ENB content in local newspaper • Mail above ENB content to site contact list • Conduct 30-day public comment period 	When NYSDEC determines that BCP application is complete. The 30-day public comment period begins on date of publication of notice in ENB. End date of public comment period is as stated in ENB notice. Therefore, ENB notice, newspaper notice, and notice to the site contact list should be provided to the public at the same time.
After Execution of Brownfield Site Cleanup Agreement (BCA):	
<ul style="list-style-type: none"> • Prepare Citizen Participation (CP) Plan 	Before start of Remedial Investigation Note: Applicant must submit CP Plan to NYSDEC for review and approval within 20 days of the effective date of the BCA.
Before NYSDEC Approves Remedial Investigation (RI) Work Plan:	
<ul style="list-style-type: none"> • Distribute fact sheet to site contact list about proposed RI activities and announcing 30-day public comment period about draft RI Work Plan • Conduct 30-day public comment period 	Before NYSDEC approves RI Work Plan. If RI Work Plan is submitted with application, public comment periods will be combined and public notice will include fact sheet. Thirty-day public comment period begins/ends as per dates identified in fact sheet.
After Applicant Completes Remedial Investigation:	
<ul style="list-style-type: none"> • Distribute fact sheet to site contact list that describes RI results 	Before NYSDEC approves RI Report
Before NYSDEC Approves Remedial Work Plan (RWP):	
<ul style="list-style-type: none"> • Distribute fact sheet to site contact list about draft RWP and announcing 45-day public comment period • Public meeting by NYSDEC about proposed RWP (if requested by affected community or at discretion of NYSDEC project manager) • Conduct 45-day public comment period 	Before NYSDEC approves RWP. Forty-five day public comment period begins/ends as per dates identified in fact sheet. Public meeting would be held within the 45-day public comment period.
Before Applicant Starts Cleanup Action:	
<ul style="list-style-type: none"> • Distribute fact sheet to site contact list that describes upcoming cleanup action 	Before the start of cleanup action.
After Applicant Completes Cleanup Action:	
<ul style="list-style-type: none"> • Distribute fact sheet to site contact list that announces that cleanup action has been completed and that NYSDEC is reviewing the Final Engineering Report • Distribute fact sheet to site contact list announcing NYSDEC approval of Final Engineering Report and issuance of Certificate of Completion (COC) 	At the time the cleanup action has been completed. Note: The two fact sheets are combined when possible if there is not a delay in issuing the COC.

3. Major Issues of Public Concern

This section of the CP Plan identifies major issues of public concern that relate to the Site. Additional major issues of public concern may be identified during the course of the Site's investigation and cleanup process.

The Site is located in an Environmental Justice Area (Census Block Group 360471170002). Environmental justice is defined as the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies.

Environmental justice efforts focus on improving the environment in communities, specifically minority and low-income communities, and addressing disproportionate adverse environmental impacts that may exist in those communities.

The Site is located in a large African-American neighborhood. Therefore, there is no need to translate into another language.

For additional information, visit:

<https://statisticalatlas.com/tract/New-York/Kings-County/029900/Race-and-Ethnicity>

Contaminants of concern for the Site include volatile organic compounds (VOCs), polycyclic aromatic hydrocarbons (PAHs) and metals. During a Limited Phase II Environmental Site Investigation completed by Haley & Aldrich in November 2021, polycyclic aromatic hydrocarbons (PAHs) and metals, were identified at concentrations above the Unrestricted Use Soil Cleanup Objectives (UUSCOs) and Restricted Residential Soil Cleanup Objectives (RRSCOs) in soil samples from the surface down to 6 ft below grade (the maximum depth reached during this investigation). Additionally, three VOCs were detected above UUSCOs but not RRSCOs in multiple soil samples from the surface down to 2 ft below grade. Two metals, lead, and mercury were detected above UUSCOs and RRSCOs in multiple shallow soil samples collected throughout the Site. Zinc was detected above the UUSCO in multiple shallow soil samples collected and copper was detected above the UUSCO in one shallow soil sample.

Petroleum-related VOCs have been detected in groundwater at the Site above Ambient Water Quality Standards (AWQS) in quarterly groundwater monitoring events conducted by EnviroTrac, with the most recent sampling event conducted in August 2021.

Total VOC concentrations, specifically petroleum related compounds, were identified in soil vapor samples at two locations at the Site that were sampled during the November 2021 Limited Phase II. The total VOC soil vapor concentration was significantly greater in one of the soil vapor samples than the other and is indicative of source material contamination that was not identified at the limited sample locations that have been analyzed to date. Additionally, one chlorinated VOC, Tetrachloroethene was detected in one of the soil vapor samples.

Additional subsurface investigation is necessary to determine the extent of contamination, and if an onsite source of contamination exists.

4. Site Information

Appendix C contains a map identifying the location of the Site.

Site Description

The 18,111 square-foot (0.42 acres) Site consists of one tax parcel (Brooklyn Block 3965, Lot 11) with an address of 2864 Atlantic Avenue, Brooklyn, New York. The Site rectangular-shaped lot is currently occupied by an active retail petroleum station operated by Speedway LLC.

The Site is located in an urban area of the Cypress Hills neighborhood in Brooklyn and is located on the south side of Atlantic Avenue, between Barbey Street and Jerome Street. Adjacent properties include:

Direction	Adjoining Properties	Surrounding Properties
North	Atlantic Avenue followed by mixed-use commercial and residential buildings	Residential apartment buildings and mixed-use commercial and residential buildings
East	Jerome Street followed by mixed-use commercial and residential buildings	Mixed-use commercial and residential buildings and a church
South	Residential buildings	Residential apartment buildings
West	Barbey Street followed by an industrial and manufacturing building	Industrial and manufacturing building and residential apartment buildings

History of Site Use, Investigation, and Cleanup

The Site was partially developed in the late 1800s with two stores and one residential building. By the early 1950s, the Site was partially redeveloped with a garage and two gasoline tanks. By 1965, the entire Site was occupied by a filling station that was developed with an overhead canopy and a one-story office building. The Site remains unchanged since approximately 1965 and actively operates as a filling station.

Previous work completed at the Site includes quarterly groundwater monitoring events, Underground Storage Tank (UST) investigation and closure, and multiple short term remedial events including soil vapor extraction/air sparging, in-situ chemical oxidation, and enhanced fluid recovery.

Geologic Service Corporation completed the UST closure/upgrade activities in August, September, and November of 1998 which included removal of three dispenser islands, remote fill ports, remote fill piping, and 38 single-walled steel USTs. Petroleum impacts were observed during UST removal, and NYSDEC Spill No. Spill No. 9830002 was reported on 06 August 1998. A total of 1,006 tons of soil was excavated and transported off-Site for thermal processing and recycling into hot mix asphalt. Following completion of closure activities, five new double-walled fiberglass vapor recovery lines were installed on Site.

Two closed spill cases are associated with the Site. Spill Case 9200248 was reported in April 1992 due to a tank test failure and was closed by NYSDEC in August 1994. Spill Case 1006577 was reported in September 2010 due to oil identified during a groundwater sampling event and was closed in October 2010. One spill case remains open at the Site (Spill Case 9830002) which was reported in August 1998 due to impacted soils encountered during the UST upgrade project. The spill record was last updated on 8 April 2021 and remains open.

5. Investigation and Cleanup Process

Application

The Applicant has applied for and been accepted into New York's Brownfield Cleanup Program as a Volunteer. This means that the Applicant was not responsible for the disposal or discharge of the contaminants or whose ownership or operation of the Site took place after the discharge or disposal of contaminants. The Volunteer must fully characterize the nature and extent of contamination onsite, and must conduct a "qualitative exposure assessment," a process that characterizes the actual or potential exposures of people, fish and wildlife to contaminants on the Site and to contamination that has migrated from the Site.

The Applicant in its Application proposes that the Site will be used for mixed residential and commercial purposes.

To achieve this goal, the Applicant will conduct any remaining investigation and cleanup activities at the Site with oversight provided by NYSDEC. The Brownfield Cleanup Agreement executed by NYSDEC and the Applicant sets forth the responsibilities of each party in conducting these activities at the Site.

Investigation

The Applicant has completed a partial limited site investigation before it entered into the BCP.

The Applicant will conduct an investigation of the Site officially called a “remedial investigation” (RI). This investigation will be performed with NYSDEC oversight. The Applicant must develop a remedial investigation workplan, which is subject to public comment.

The site investigation has several goals:

- 1) Define the nature and extent of contamination in soil, surface water, groundwater and any other parts of the environment that may be affected;
- 2) Identify the source(s) of the contamination;
- 3) Assess the impact of the contamination on public health and the environment;
and
- 4) Provide information to support the development of a proposed remedy to address the contamination or the determination that cleanup is not necessary.

The Applicant submitted a draft “Remedial Investigation Work Plan” to NYSDEC for review and approval. NYSDEC made the draft plan available to the public review during a 30-day public comment period through 18 February 2022.

When the investigation is complete, the Applicant will prepare and submit a report that summarizes the results. This report also will recommend whether cleanup action is needed to address site-related contamination. The investigation report is subject to review and approval by NYSDEC.

NYSDEC will use the information in the investigation report to determine if the Site poses a significant threat to public health or the environment. If the Site is a “significant threat,” it must be cleaned up using a remedy selected by NYSDEC from an analysis of alternatives prepared by the Applicant and approved by NYSDEC. If the Site does not pose a significant threat, the Applicant may select the remedy from the approved analysis of alternatives.

Interim Remedial Measures

An Interim Remedial Measure (IRM) is an action that can be undertaken at a site when a source of contamination or exposure pathway can be effectively addressed before the site investigation and analysis of alternatives are completed. The Applicant submitted an “IRM Work Plan” to NYSDEC for review and approval. NYSDEC made the draft plan available to the public review during a 30-day public comment period through 18 February 2022.

Remedy Selection

When the investigation of the Site has been determined to be complete, the project likely would proceed in one of two directions:

1. The Applicant may recommend in its investigation report that no action is necessary at the Site. In this case, NYSDEC would make the investigation report available for public comment for 45 days. NYSDEC then would complete its review, make any necessary revisions, and, if appropriate, approve the investigation report. NYSDEC would then issue a “Certificate of Completion” (described below) to the Applicant.

or

2. The Applicant may recommend in its investigation report that action needs to be taken to address Site contamination. After NYSDEC approves the investigation report, the Applicant may then develop a cleanup plan, officially called a “Remedial Work Plan”. The Remedial Work Plan describes the Applicant’s proposed remedy for addressing contamination related to the Site.

When the Applicant submits a draft Remedial Work Plan for approval, NYSDEC would announce the availability of the draft plan for public review during a 45-day public comment period.

Cleanup Action

NYSDEC will consider public comments, and revise the draft cleanup plan if necessary, before approving the proposed remedy. The New York State Department of Health (NYSDOH) must concur with the proposed remedy. After approval, the proposed remedy becomes the selected remedy. The selected remedy is formalized in the Site Decision Document.

The Applicant may then design and perform the cleanup action to address the Site contamination. NYSDEC and NYSDOH oversee the activities. When the Applicant completes cleanup activities, it will prepare a Final Engineering Report (FER) that certifies that cleanup requirements have been achieved or will be achieved within a specific time frame. NYSDEC will review the report to be certain that the cleanup is protective of public health and the environment for the intended use of the Site.

Certificate of Completion

When NYSDEC is satisfied that cleanup requirements have been achieved or will be achieved for the Site, it will approve the FER. NYSDEC then will issue a Certificate of

Completion (COC) to the Applicant. The COC states that cleanup goals have been achieved and relieves the Applicant from future liability for site-related contamination, subject to certain conditions. The Applicant would be eligible to redevelop the Site after it receives a COC.

Site Management

The purpose of site management is to ensure the safe reuse of the property if contamination will remain in place. Site management is the last phase of the site cleanup program. This phase begins when the COC is issued. Site management incorporates any institutional and engineering controls required to ensure that the remedy implemented for the Site remains protective of public health and the environment. All significant activities are detailed in a Site Management Plan.

An institutional control is a non-physical restriction on use of the Site, such as a deed restriction that would prevent or restrict certain uses of the property. An institutional control may be used when the cleanup action leaves some contamination that makes the site suitable for some, but not all uses.

An engineering control is a physical barrier or method to manage contamination. Examples include caps, covers, barriers, fences, and treatment of water supplies.

Site management also may include the operation and maintenance of a component of the remedy, such as a system that pumps and treats groundwater. Site management continues until NYSDEC determines that it is no longer needed.

Appendix A - Project Contacts and Locations of Reports and Information

Project Contacts

For information about the Site's investigation and cleanup program, the public may contact any of the following project staff:

New York State Department of Environmental Conservation (NYSDEC):

Madeleine Babick

Project Manager
NYSDEC Division of Environmental
Remediation
47-40 21st Street
Long Island City, NY 11101
(718)-482-4992
Madeleine.babick@dec.ny.gov

Thomas V. Panzone

Public Participation Specialist
NYSDEC Region 2
47-40 21st Street,
Long Island City, NY 11101
(718) 482-4953
Thomas.panzone@dec.ny.gov

New York State Department of Health (NYSDOH):

Kristin Kulow

Project Manager
NYSDOH
28 Hill St # 201
Oneonta, NY 13820
(607) 353-4335 beei@health.ny.gov

NYSDEC InfoTracker

<http://gisservices.dec.ny.gov/gis/dil>

Locations of Reports and Information

The facilities identified below are being used to provide the public with convenient access to important project documents:

Brooklyn Community Board 5
127 Pennsylvania Avenue, 2nd Floor
Brooklyn, NY 11207
Attn: Melinda Perkins, *District Manager*
Chairperson: AT Mitchell
Kenneth Watson – Environmental
Committee Chairperson
Phone: 718-819-5487
Email: mperkins@cb.nyc.gov

Hours: Call for an appointment
Brooklyn Public Library,
Cypress Hills Branch
1197 Sutter Avenue at Crystal Street,
Brooklyn, NY 11208
Attn: Rowshon A. Perveen, *Managing
Librarian*
Phone: 718-277-6004

Appendix B - Site Contact List

Government Officials:

New York City Mayor
Hon. Eric Adams
City Hall
New York, NY 10007

NYC Department of City Planning Commission Chair
Daniel Garodnick
120 Broadway 31st Floor
New York, NY 10271

Brooklyn Borough President
Hon. Antonio Reynoso
Brooklyn Borough Hall
209 Joralemon Street
Brooklyn, NY 11201

NY Senate District 18 Senator
Hon. Julia Salazar
212 Evergreen Avenue
Brooklyn, NY 11221

NY State Assembly District 55 Representative
Hon. Latrice Monique Walker
400 Rockaway Avenue, 2nd Floor
Brooklyn, NY 11212

Hon. Brad Lander
NYC Comptroller
1 Centre Street
New York, NY 10007

Hon. Jumaane Williams
Public Advocate
1 Centre Street
New York, NY 10007

Hon. Sandy Nurse
NYC Councilmember
1945 Broadway
Brooklyn, NY 11207

Hon. Nydia Velazquez
U.S. House of Representatives
266 Broadway Suite 201
Brooklyn, NY 11211

Mark McIntyre, Acting Director/General Counsel
NYC Office of Environmental Remediation
100 Gold Street - 2nd Floor
New York, NY 10038

Public Water Supplier

Rohit Aggarwala
NYC Dept. of Environmental Protection
59-17 Junction Boulevard
Flushing, NY 11373

Hon. Charles Schumer
U.S. Senator
780 Third Avenue, Suite 2301
New York, NY 1137

Hon. Kirsten Gillibrand
U.S. Senator
780 Third Avenue, Suite 2601
New York, NY 11373

Nancy T. Sunshine
Kings County Clerk
360 Adams Street - Room 189
Brooklyn, NY 11201

New York City Municipal Water Finance Authority
255 Greenwich Street, 6th Floor
New York, New York 10007

New York City Water Board
NYC Department of Environmental Protection
59-17 Junction Boulevard, 8th Floor
Flushing, New York 11373

Residents, Owners, Occupants of the Property and Adjacent Properties:

Owner/Occupant:

Speedway LLC
500 Speedway Drive
Enon, OH 45323

Adjacent Properties:

Antonia Cardona
732 Jerome Street
Brooklyn, NY 11207

Jenny Adamez-Cruz
2629 Atlantic Avenue
Brooklyn, NY 11207

Badawy Sons International Corp.
2890 Atlantic Avenue
Brooklyn, NY 11207

Over the Pond LLC., C/O Up Realty
619 Eastern Parkway
Brooklyn, NY 11213

Saleta-Stevenson Enterprise Inc.
2875 Atlantic Avenue
Brooklyn, NY 11207

2873 Realty LLC.
549 Empire Boulevard, Suite 100
Brooklyn, NY 11225

2869 Atlantic LLC.
P.O Box 20700
New York, NY 10009

2863 Realty LLC.
24-30 47th Street
Astoria, NY 11103

HP Brooklyn Dairy Housing Development Fund Company, Inc.
242 W 36th Street, Front 3
New York, NY 10018

Request for Contact:

We are unaware of any requests for inclusion on the contact list.

Local News and Media:

Spectrum 1 News
75 Ninth Avenue
New York, NY 10011

New York Daily News
270C Duffy Avenue
Hicksville
New York, NY 11801

New York Post
1211 Avenue of the Americas
New York, NY 10036

Courier-Life Publications
1 Metrotech Center #10T
Brooklyn, NY 11201

Brooklyn Daily Eagle
16 Court Street, Suite 2901
Brooklyn, NY 11241

The Brooklyn Papers
1 Metrotech Center, 3rd Floor
Brooklyn, NY 11201

Schools and Daycare Centers:

K662 Liberty Avenue Middle School
President/Executive Director/Principal
350 Linwood St
Brooklyn, NY 11208
718-647-1301

P.S. 158 Warwick
President/Executive Director/Principal
400 Ashford St
Brooklyn, NY 11207
718-277-6116

P.S. 089 Cypress Hills
President/Executive Director/Principal
265 Warwick Street
Brooklyn, NY 11207
718-964-1180

Achievement First Apollo Elementary School
President/Executive Director/Principal
350 Linwood Street
Brooklyn, NY 11208
347-471-2620

Salve Regina Catholic Academy
President/Executive Director/Principal
237 Jerome Street
Brooklyn, NY 11207
718-277-9000
718-277-6766

DLC Kids Group Family WeeCare
President/Executive Director/Principal
128 Miller Ave, 2nd Floor
Brooklyn, NY 11207
[\(718\) 550-1726](tel:7185501726)

Lillian Davis WeeCare
President/Executive Director/Principal
422 Jerome Street #3-a
Brooklyn, NY 11207
[\(347\) 919-9913](tel:3479199913)

Baybee Lounge Daycare
President/Executive Director/Principal
2745 Atlantic Ave,
Brooklyn, NY 11207
718-513-0179
347-955-4783

PS 290 Juan Morel Campos
President/Executive Director/Principal
135 SCHENCK AVENUE
Brooklyn, NY 11207
[\(718\) 647-1113](tel:7186471113)

SAINT MALACHY CHILD DEVELOPMENT CENTER – PRESCHOOL
President/Executive Director/Principal
220 HENDRIX STREET
BROOKLYN, NY 11207
[\(718\) 647-0966](tel:7186470966)

Community, Civic, Religious and Other Environmental Organizations:

Antonia Yuille – Director
Consolidated Edison Corporate Affairs
30 Flatbush Avenue
Brooklyn, NY 11217

President: Alberto Ramos
75th Police Precinct Council
1000 Sutter Avenue
Brooklyn, NY 11208

Engine 332 & Ladder 175
FDNY
165 Bradford Street
Brooklyn, NY 11207

East New York Restoration LDC
1159 Elton Street
Brooklyn, NY 11239
(718) 676-5920
<https://www.enyrestoration.org/>

East Brooklyn Business Improvement District
80 Jamaica Avenue
Sherry Roberts – Executive Director
Brooklyn, NY 11207
Tel. (718) 385-6700 ext. 19
<http://www.eastbrooklynbid.org/>

Brooklyn Neighborhood Services
506 Macdonough Street
Brooklyn, NY 11233
718-919-2100

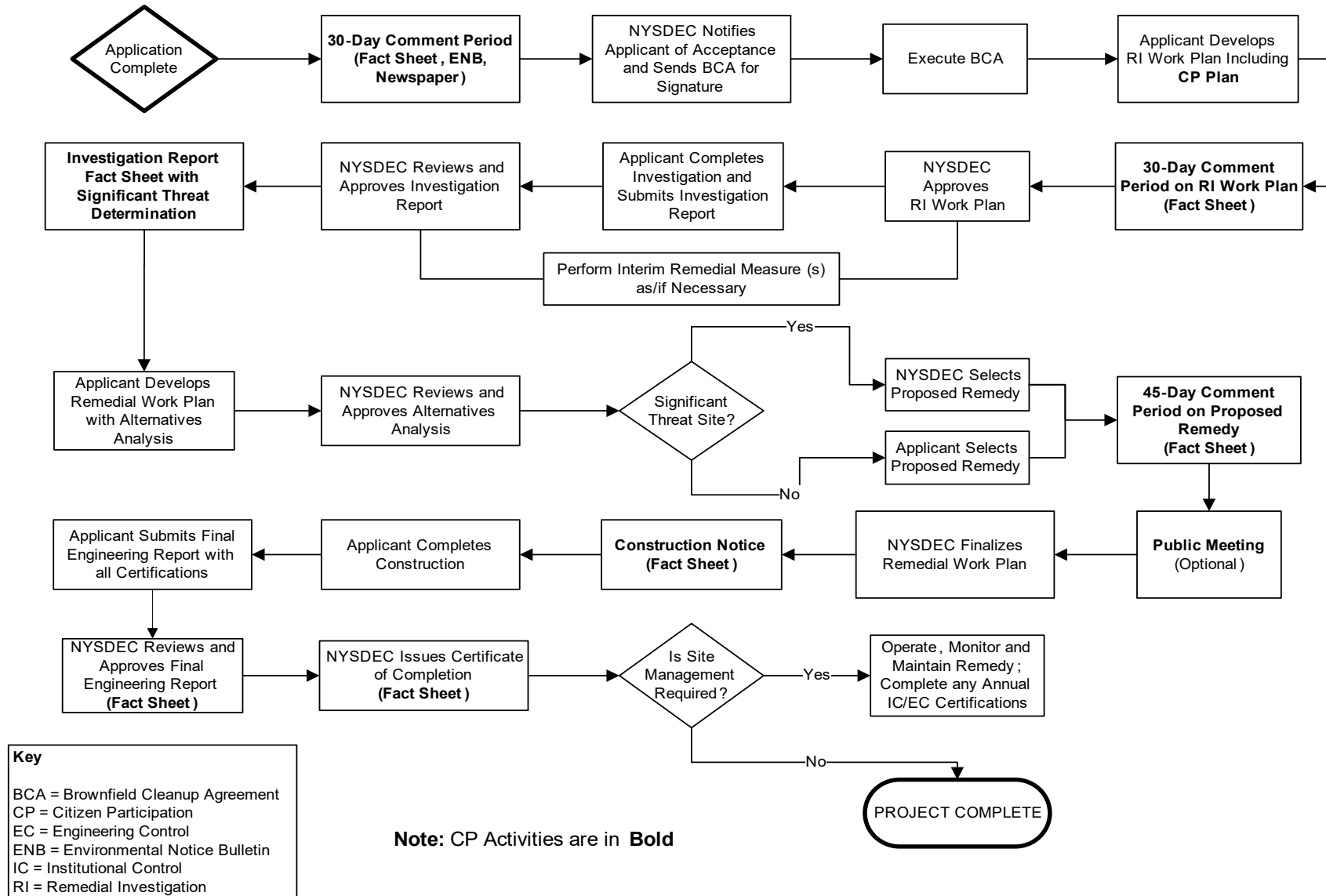
St. Michaels Church
284 Warwick Street
Brooklyn, NY 11207
718-647-1818
<http://www.parishstmichaelstmalachy.org/>

Good Hope Missionary
571 Liberty Avenue
Brooklyn, NY 11207

Appendix C - Site Location Map



Appendix D– Brownfield Cleanup Program Process





Division of Environmental Remediation

Remedial Programs Scoping Sheet for Major Issues of Public Concern

Instructions

This Scoping Sheet assesses major issues of public concern; impacts of the site and its remedial program on the community; community interest in the site; information the public needs; and information needed from the public.

The information generated helps to plan and conduct required citizen participation (CP) activities, and to choose and conduct additional CP activities, if appropriate. The scoping sheet can be revisited and updated as appropriate during the site's remedial process to more effectively implement the site's CP program.

Note: Use the information as an aid to prepare and update the Major Issues of Public Concern section of the site CP Plan.

General Instructions

- When to prepare: During preparation of the CP Plan for the site. It can be revisited and updated anytime during the site remedial process.
- Fill in site name and other information as appropriate.
- The Scoping Sheet may be prepared by DEC or a remedial party, but must be reviewed and approved by the DER site project manager or his/her designee.

Instructions for Numbered Parts

Consider the bulleted issues and questions below and any others that may be unique or appropriate to the site and the community to help complete the five Parts of this Scoping Sheet. Identify the issue stakeholders in Parts 1 through 3 and adjust the site's contact list accordingly.

Part 1. List Major Issues of Public Concern and Information the Community Wants.

- Is our health being impacted? (e.g. Are there problems with our drinking water or air? Are you going to test our water, yards, sumps, basements? Have health studies been done?)
- There are odors in the neighborhood. Do they come from the site and are they hazardous?
- Are there restrictions on what we may do (e.g. Can our children play outside? Can we garden? Must we avoid certain areas? Can we recreate (fish, hunt, hike, etc. on/around the site?)
- How and when were the site's contamination problems created?
- What contaminants are of concern and why? How will you look for contamination and find out where it is going? What is the schedule for doing that?
- The site is affecting our property values!
- How can we get more information (e.g. who are the project contacts?)
- How will we be kept informed and involved during the site remedial process?
- Who has been contacted in the community about site remedial activities?
- What has been done to this point? What happens next and when?
- The site is going to be cleaned up for restricted use. What does that mean? We don't want redevelopment on a "dirty" site.

Part 2. List Important Information Needed From the Community, if Applicable.

- Can the community supplement knowledge about past/current uses of the site?
- Does the community have knowledge that the site may be significantly impacting nearby people, properties, natural resources, etc.?
- Are activities currently taking place at the site or at nearby properties that may need to be restricted?
- Who may be interested or affected by the site that has not yet been identified?
- Are there unique community characteristics that could affect how information is exchanged?
- Does the community and/or individuals have any concerns they want monitored?
- Does the community have information about other sources in the area for the contamination?

Part 3. List Major Issues and Information That Need to be Communicated to the Community.

- Specific site investigation or remediation activities currently underway, or that will begin in the near future.
- The process and general schedule to investigate, remediate and, if applicable, redevelop the site.
- Current understanding about the site contamination and effects, if any, on public health and the environment.
- Site impacts on the community and any restrictions on the public's use of the site and/or nearby properties.
- Planned CP activities, their schedule, and how they relate to the site's remedial process.
- Ways for the community to obtain/provide information (document repositories, contacts, etc.).

Part 4. Community Characteristics

a. - e. Obtain information from local officials, property owners and residents, site reports, site visits, "windshield surveys," other staff, etc.

f. Has the affected community experienced other **significant** present or past environmental problems unrelated to this site? Such experiences could significantly affect public concerns and perspectives about the site; how the community will relate to project staff; the image and credibility of project staff within the community; and the ways in which project staff communicate with the community.

g. In its remedial programs, DER seeks to integrate, and be consistent with, environmental justice principles set forth in *DEC Commissioner Policy 29 on Environmental Justice* and *DER 23 – Citizen Participation Handbook for Remedial Programs*. Is the site and/or affected community wholly or partly in an Environmental Justice (EJ) Area? Use the Search feature on DEC's public web site for "environmental justice". DEC's EJ pages define an EJ area, and link to county maps to help determine if the site and/or community are in an EJ area.

h. Consider factors such as:

- Is English the primary language of the affected community? If not, provisions should be considered regarding public outreach activities such as fact sheets, meetings, door-to-door visits and other activities to ensure their effectiveness.
- The age demographics of the community. For example, is there a significant number of senior citizens in the community? It may be difficult for some to attend public meetings and use document repositories. This may suggest adopting more direct interaction with the community with activities such as door-to-door visits, additional fact sheets, visits to community and church centers, nursing homes, etc.
- How do people travel about the community? Would most people drive to a public meeting or document repository? Is there adequate public transportation?

Part 5. Affected/Interested Public.

Individuals and organizations who need or want information and input can change during the site's remedial process. This need is influenced by real, potential, or perceived impacts of the site or the remedial process. Some people may want information and input throughout the remedial process. Others may participate only during specific remedial stages, or may only be interested in particular issues.

It is important to revisit this question when reviewing this scoping sheet. Knowing who is interested in the site – and the issues that are important to them – will help to select and conduct appropriate outreach activities, and to identify their timing and the information to be exchanged.

Check all affected/interested parties that apply to the site. **Note: Adjust the site's contact list appropriately.** The following are some ways to identify affected/interested parties:

- Tax maps of adjacent property owners
- Attendees at public meetings
- Telephone discussions
- Letters and e-mails to DER, the remedial party, and other agencies
- Political jurisdictions and boundaries
- Media coverage
- Current/proposed uses of site and/or nearby properties (recreational, commercial, industrial)
- Discussions with community organizations: grass roots organizations, local environmental groups, environmental justice groups, churches, and neighborhood advisory groups



Division of Environmental Remediation

Remedial Programs Scoping Sheet for Major Issues of Public Concern (see instructions)

Site Name: 2864 Atlantic Avenue Redevelopment

Site Number: C224349

Site Address and County: 2864 Atlantic Avenue, Brooklyn, NY

Remedial Party(ies): 2864 Atlantic Realty LLC

Note: For Parts 1. – 3. the individuals, groups, organizations, businesses and units of government identified should be added to the site contact list as appropriate.

Part 1. List major issues of public concern and information the community wants. Identify individuals, groups, organizations, businesses and/or units of government related to the issue(s) and information needs. **Use this information as an aid to prepare or update the Major Issues of Public Concern section of the site Citizen Participation Plan.**

1. Contaminants of concern were identified in prior subsurface investigations and in the Limited Phase II Investigation conducted by Haley & Aldrich in 2021 and include petroleum related VOCs, chlorinated VOCs, SVOCs and metals. During ground intrusive activities, the community will be protected from contamination migration using air monitoring protocols and management of investigation derived waste.

How were these issues and/or information needs identified?

These issues were identified through the previous subsurface investigation results, correspondence with NYSDEC and from resources available through the NYSDEC Office of Environmental Justice.

Part 2. List important information needed **from** the community, if applicable. Identify individuals, groups, organizations, businesses and/or units of government related to the information needed.

The source of the contaminants of concern detailed in Part 1 likely has to do with former Site operations and tank closures but was not fully identified during the previous investigations completed at the Site. If the community can provide any knowledge regarding previous site use or previous nearby property use it may assist in determining the onsite or offsite source of impact.

How were these information needs identified?

This information need was identified through review of the results of the previous site investigations.

Part 3. List major issues and information that need to be communicated **to** the community. Identify individuals, groups, organizations, businesses and/or units of government related to the issue(s) and/or information.

The anticipated schedule for the proposed RI and IRM is Spring 2022. The Site is privately owned and will be vacated. All investigation and remedial actions will be in accordance with applicable regulations and contingent on NYSDEC and NYSDOH approvals of aforementioned work plans. Additional communications will be made to the public as necessary.

How were these issues and/or information needs identified?

These issues were identified through review of the project schedule, site background and contaminants of concern.

Part 4. Identify the following characteristics of the affected/interested community. This knowledge will help to identify and understand issues and information important to the community, and ways to effectively develop and implement the site citizen participation plan (mark all that apply):

a. Land use/zoning at and around site:

Residential Agricultural Recreational Commercial Industrial

b. Residential type around site:

Urban Suburban Rural

c. Population density around site:

High Medium Low

d. Water supply of nearby residences:

Public Private Wells Mixed

e. Is part or all of the water supply of the affected/interested community currently impacted by the site?

Yes No

Provide details if appropriate:

[Click here to enter text.](#)

f. Other environmental issues significantly impacted/impacting the affected community?

Yes No

Provide details if appropriate:

[Click here to enter text.](#)

g. Is the site and/or the affected/interested community wholly or partly in an Environmental Justice Area?

Yes No

h. Special considerations:

Language Age Transportation Other

Explain any marked categories in h:

Part 5. The site contact list must include, at a minimum, the individuals, groups, and organizations identified in Part 2. of the Citizen Participation Plan under 'Site Contact List'. Are *other* individuals, groups, organizations, and units of government affected by, or interested in, the site, or its remedial program? (Mark and identify all that apply, then adjust the site contact list as appropriate.)

Non-Adjacent Residents/Property Owners: [Click here to enter text.](#)

Local Officials: NYC Mayor Eric Adams, NYC Department of City Planning Chairperson Anita Laremont, Brooklyn Borough President Antonio Reynoso, Brooklyn Community Board 5 Manager Melinda Perkins, NY Senator District 18 Julia Salazar, NY State Assembly District 55 Member Latrice Walker, NYC Comptroller Brad Lander, Public Advocate Hon. Juumane Williams, NY Councilman Hon. Darlene Mealy, US House of Representatives Hon. Hakeem Jeffries, NYC Office of Environmental Remediation Director Mark McIntyre, NYCDEP Commissioner Vincent Sapienza, U.S. Senator Hon. Charles Schumer, U.S. Senator Hon. Kirsten Gillibrand, King County Clerk Nancy T. Sunshine

Media: [Click here to enter text.](#)

Business/Commercial Interests: 2864 Atlantic Realty LLC

Labor Group(s)/Employees: [Click here to enter text.](#)

- Indian Nation:** Click here to enter text.
- Citizens/Community Group(s):** Click here to enter text.
- Environmental Justice Group(s):** Click here to enter text.
- Environmental Group(s):** Click here to enter text.
- Civic Group(s):** Click here to enter text.
- Recreational Group(s):** Click here to enter text.
- Other(s):** Click here to enter text.

Prepared/Updated By: Mari Conlon, Haley & Aldrich

Date: 16 February 2022

Reviewed Approved By: James Bellew, Haley & Aldrich

Date: 17 February 2022