



Department of
Environmental
Conservation

Brownfield Cleanup Program
Draft Citizen Participation Plan
for
Former Gutta Percha and Rubber Manufacturing Site
43 Franklin Avenue
C224351

November 2022

43 Franklin Avenue
Brooklyn, New York 11205

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Note: The information presented in this Citizen Participation Plan is contingent upon the Site’s response and acceptance into the New York State Department of Environmental Conservation Brownfield Cleanup Program. Portions of this Citizen Participation Plan may be revised during the site’s cleanup process.

Applicant: **Rose Castle Redevelopment II LLC (“Applicant”)**
Site Name: **Former Gutta Percha and Rubber Manufacturing Site**
Site Address: **43 Franklin Avenue, Brooklyn, NY 11205**
Site County: **Kings County**
Site Number: **Pending**

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.

The NYSDEC and NYSDOH have determined that this Site does not pose a significant threat to human health and the environment

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.

Based on the analytical results of the RI and Limited Phase II, the primary contaminants of concern for the Site are heavy metals, pesticides and semi-volatile organic compounds (SVOCs) (specifically polycyclic aromatic hydrocarbons [PAHs]) in soil, SVOCs and metals in groundwater, and chlorinated volatile organic compounds (CVOCs) in soil vapor. Potential sources of contamination have been identified and include historical site usage and historical fill material. The Site has been fully characterized through both a Limited Phase II Environmental Site Investigation (Phase II) performed in November 2021 and a Remedial Investigation (RI) performed in December 2021. Redevelopment of the Site will include a site-wide excavation to 12 feet below ground surface (ft bgs). During future ground intrusive activities, the community will be protected from contamination migration using air monitoring protocols as detailed in the Remedial Action Work plan to be approved by NYSDEC. Additional details are provided in Section 4.

The Site is located in a Potential Environmental Justice Area (Census Block Group 15000US360471237002). 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.

While the site is located in an Environmental Justice Area, there is no need to translate future fact sheets into another language.

For additional information, visit: <https://statisticalatlas.com/tract/New-York/Kings-County/123700/Race-and-Ethnicity>

4. Site Information

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

Site Description

The 0.809-acre “Site” consists of one tax parcel (3-1885-15) with an address of 43 Franklin Avenue, Brooklyn, New York.

Section	Block	Lot	Official Address	Acreage
3	1885	15	43 Franklin Avenue	0.809

The Site is located in an urban area of the Bedford-Stuyvesant neighborhood of Brooklyn, NY on the east side of Franklin Avenue between Flushing Avenue and Park Avenue. Adjacent properties include:

Direction	Adjoining Property	Surrounding Properties
North	Commercial property occupied by an auto parts store	Mixed-use commercial/office buildings
South	Multi-family residential buildings	Multi-family residential buildings, mixed-use commercial/industrial and residential buildings
East	Skillman Street followed by commercial/industrial buildings	Commercial/industrial buildings
West	Franklin Avenue followed by a seafood distribution center and a hotel	Mixed-use commercial/industrial and residential buildings

History of Site Use, Investigation, and Cleanup

Based on the findings of the Phase I ESA dated August 2015 completed by Equity Environmental Engineering, the Site was developed in the late 1800s and was part of the “Gutta Percha & Rubber Manufacturing Company,” a rubber manufacturing and thermoplastic dental filling company. Early Sanborn Maps depict several small buildings on the Site with rooms designated for packing, pressing, and storage. Historic maps identify at least six storage tanks of unknown contents at the Site. Additionally, it is unknown if the storage tanks are above grade or below grade. Tank sizes are not identified with the exception of one, 60,000-gallon tank. In addition, historic Sanborn Maps dated 1904, 1918, and 1921 depict an 8-inch diameter well in the center of the Site while the property operated as a rubber manufacturing company. By the late 1940s, operations of the “Gutta Percha & Rubber Manufacturing Company” ceased and the buildings

were razed leaving the Site as a vacant lot. The lot has been vacant since the 1960s, and most recently operated as a parking lot (operations ceased October 2021).

A Phase I Environmental Site Assessment (Phase I) was completed by Equity Environmental Engineering in August 2015 for Riverside Developers USA Inc., a Limited Phase II was completed by Environmental Business Consultants (EBC) in January 2021, a Limited Phase II was completed by Haley & Aldrich of New York in November 2021 for Rose Castle Redevelopment II LLC, and a RI was completed by Haley & Aldrich of New York in December 2021 for Rose Castle Redevelopment II LLC.

Based on the analytical results of the RI and Limited Phase II, the primary contaminants of concern for the Site are heavy metals, pesticides and SVOCs (specifically PAHs) in soil, SVOCs and metals in groundwater, and CVOCs in soil vapor. Potential sources of contamination have been identified and include historical site usage and historical fill material. A Remedial Action Work Plan has been submitted to NYSDEC describing applicable remedial action alternatives for the Site and the preferred remedy.

5. Investigation and Cleanup Process

Application

The Applicant has applied for and is pending acceptance 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 fully characterized the nature and extent of contamination onsite, and conducted 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. A Remedial Investigation Report (RIR) dated December 2021 was submitted to NYSDEC concurrent with its Application for the Brownfield Cleanup Program.

The Applicant in its Application plans to remediate the contaminated property by implementing remedial measures designed to protect human health and the environment, and then redevelop the Site to construct 50 affordable residential rental units as part of a mixed-use (residential and commercial), mixed-income building. As such, a draft Remedial Action Work Plan (RAWP) was also submitted to NYSDEC concurrent with its Application for the Brownfield Cleanup Program for NYSDEC review and approval.

To achieve this goal, the Applicant will conduct any remaining investigation (if required) and cleanup activities at the site with oversight provided by NYSDEC. The Brownfield Cleanup Agreement to be executed by NYSDEC and the Applicant will establish the responsibilities of each party in conducting these activities at the site.

Investigation

The Applicant has completed a Limited Phase II and a RI before it entered into the BCP. In addition, the Applicant has submitted a draft RIR and a RAWP which are being reviewed by the NYSDEC. NYSDEC will determine if the investigation goals and requirements of the BCP have been met or if additional work is needed before a remedy can be selected.

In December 2021 prior to its Application for the Brownfield Cleanup Program, the Applicant conducted an investigation of the site officially called a "remedial investigation" (RI).

The site investigation had several goals:

- 1) Define the nature and extent of contamination in soil, groundwater and soil vapor;
- 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.

When the investigation was completed, the Applicant prepared and submitted a report that summarized the results. This report also recommended whether cleanup action is needed to address site-related contamination. The draft investigation report dated December 2021 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. If an IRM is likely to represent all or a significant part of the final remedy, NYSDEC will require a 30-day public comment period.

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 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 Final Engineering Report (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):

Alexandra Servis

Site Control Section
NYSDEC
Division of Environmental Remediation
625 Broadway, Albany, NY 12233
(518) 402-9767
Alexandra.Servis@dec.ny.gov

Shawn Roberts, E.I.T.

Project Manager
NYSDEC
Division of Environmental Conservation
625 Broadway, 12th Floor Albany, NY 12233
Tel: (518) 402-9799
Shawn.Roberts@dec.ny.gov

New York State Department of Health (NYSDOH):

Anthony Perretta

Public Health Specialist
NYSDOH
Empire State Plaza,
Corning Tower Rm. 1787
Albany, NY 12237
(518) 402-1365

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 3
1360 Fulton Street 2nd Floor, Brooklyn NY 11216
Attn: Henry Butler
Phone: 718-622-6601
Hours: (call for appointment)
bk03@cb.nyc.gov
Henry L. Butler, *District Manager*
Chairperson: Anthony Buissereth
Environmental Committee: Miari Roberts

Brooklyn Public Library – Williamsburg Branch
240 Division Avenue at Marcy Avenue,
Brooklyn, NY 11211
Attn: Catherine Skrzypek

Appendix B - Site Contact List

Owners, Residents, Occupants:

The Site is currently vacant with no occupants or residents.

Owner	Contact Name	Phone	Mailing Address	Email
Lotus Residences LLC	Zelig Weiss	718- 599-1145	260 Broadway, Suite 301, Brooklyn, NY, 11211	zelig@riversideny.com

Executive:

Role	Name	Phone	Mailing Address	Email
NYC Mayor	Hon. Eric Adams	212-NEW-YORK	City Hall New York, NY 10007	
NYC Department of City Planning, Commission Chair	Daniel Garodnick	212-720-3300	120 Broadway 31st Floor New York, NY 10271	https://www1.nyc.gov/site/planning/about/contact-us.page
Brooklyn Borough President	Hon. Antonio Reynoso	718-802-3700	Brooklyn Borough Hall 209 Joralemon Street, Brooklyn, NY 11201	://www.brooklyn-usa.org/contact/
NY Senate District 26 Senator	Hon. Brian Kavanaugh	718-875-1517	209 Joralemon Street – Suite 300 Brooklyn Borough Hall Brooklyn, NY 11201	kavanaugh@nysenate.gov
NY State Assembly District 050 Member	Hon. Emily Gallagher	718-383-7474	685A Manhattan Avenue, Brooklyn, NY 11222	gallagher@nyassembly.gov
NYC Comptroller	Hon. Brad Lander	212-669-3916	1 Centre Street, #530, New York, NY 10007	action@comptroller.nyc.gov
Hon. Jumaane D. Williams	Public Advocate	212-669-7299	1 Centre Street, 15 th Floor North, New York, NY 10007	reception@advocate.nyc.gov
NYC Councilman	Hon. Lincoln Restler	718-875-5200	410 Atlantic Avenue, Brooklyn, NY 11217	District33@council.nyc.gov
US House Representatives	Hon. Nydia M. Velazquez	718-599-3658	266 Broadway, Suite 201, Brooklyn, NY 11211	https://velazquez.house.gov/

NYC Office of Environmental Remediation	Mark McIntyre, Acting Director/General Counsel	212-788-8841	100 Gold Street - 2nd Floor New York, NY 10038	Not Available
U.S. Senator	Charles Schumer	212-486-4430	780 Third Avenue, Suite 2301 New York, NY 10017	https://www.schumer.senate.gov/contact/office-locations
U.S. Senator	Hon. Kirsten Gillibrand	212-688-6262	780 Third Avenue, Suite 2601 New York, NY 10017	https://www.gillibrand.senate.gov/contact/office-locations
Kings County Clerk	Nancy T. Sunshine	347-404-9772	360 Adams Street, Room 189, Brooklyn, NY 11201	http://ww2.nycourts.gov/courts/2jd/kingsclerk/index.shtml

Adjacent Properties:

Owner/Entity Name	Contact Name	Site Use	Property Address	Owner Mailing Address
Parts Authority Partners Franklin Ave LLC	Not Available	Commercial, Parking Facilities	37 Franklin Avenue	211-10 Hillside Avenue, Queens Village, NY 11427
Bedford Roth Holding LLC	Not Available	Vacant Land	16 Skillman Street	760 Bedford Avenue, Brooklyn, NY 11205
Parts Authority Partners Franklin Ave LLC	Not Available	Industrial/Manufacturing	33 Franklin Avenue	211-10 Hillside Avenue, Queens Village, NY 11427
Wong Tung	Not Available	Industrial/Manufacturing	40 Franklin Avenue	29 Monroe Street, New York, NY 10038
781 Kent Realty LLC	Not Available	Vacant Land	54 Franklin Avenue	781-789 Kent Avenue, Brooklyn, NY 11205
56-58 Franklin Avenue LLC	Not Available	Commercial/Office	56 Franklin Avenue	56-58 Franklin Avenue, Brooklyn, NY 11205
Franklin Avenue Condo	Not Available	Multi-Family Elevator Building	53 Franklin Avenue	53 Franklin Avenue, Brooklyn, NY 11205
Unavailable Owner (Not Listed in ACRIS)	Not Available	Multi-Family Elevator Building	38 Skillman Street	38 Skillman Street, Brooklyn, NY 11205
Unavailable Owner (Not Listed in ACRIS)	Not Available	Multi-Family Elevator Building	35 Skillman Street	35 Skillman Street, Brooklyn, NY 11205
27 Skillman Corp	Not Available	Industrial/Manufacturing	37 Skillman Street	27 Skillman Street, Brooklyn, NY 11205
Bedford Flushing Holding Corp.	Not Available	Public Facilities/Institutions	7 Skillman Street	760 Bedford Avenue, Brooklyn, NY 11205
Malchus B"Chesed LLC	Not Available	Commercial/Office	2 Skillman Street	52 Clymer Street, Brooklyn, NY 11211

Local News and Media:

Owner/Entity Name	Type	Address	Phone	Website
The Brooklyn Eagle	Print Newspaper, Online Media	195 Montague Street, Suite 1414, Brooklyn, NY 11201		www.brooklyneagle.com
Spectrum 1 News	Television	75 Ninth Avenue New York, NY 10011	212-379-3311	https://www.ny1.com/nyc/bronx
New York Daily News	Newspaper	270C Duffy Avenue Hicksville, NY 11801		
New York Post	Newspaper	1211 Avenue of the Americas New York, NY 10036		
Courier-Life Publications	Newspaper	1 Metrotech Center #10T Brooklyn, NY 11201		
The Brooklyn Papers	Newspaper	1 Metrotech Center, 3rd Floor, Brooklyn, NY 11201		

Public Water Supply:

Public water supply is a shared responsibility between the New York City Department of Environmental Protection (NYCDEP) and the Municipal Water Finance Authority.

Owner/Entity Name	Contact	Address	Phone	Email
NYCDEP	Rohit Aggarwala - Commissioner	59-17 Junction Blvd. Flushing, NY 11373		
NYC Municipal Water Finance Authority	Olga Chernat- Executive Director	255 Greenwich Street 6th Floor New York, NY 10007	212-788-5889	N/A

School or Day Care located on or proximal to the site:

There are no schools or daycares located on the Site.

The following schools or day care facilities are located within ½-mile radius to the site:

School/Day Care Name	Approximate distance from Site in feet and (directional)	Administrator	Phone	Address
P.S./I.S. 157 The Benjamin Franklin Magnet School for Civic Leadership in Health & Science	1,056 ft (southwest)	President/Executive Director/Principal	718-622-9285	850 Kent Avenue, Brooklyn, NY 11205
Cheeryos Daycare Williamsburg	1,056 ft (northwest)	President/Executive Director/Principal	718-842-8200	87 Rutledge Street, Brooklyn, NY 11249
Our Children The Leaders of Tomorrow - KBWT	2,018 ft (southeast)	President/Executive Director/Principal	718-643-8201	756 Myrtle Avenue, Brooklyn, NY 11206
Yeshiva Early Head Start - Brooklyn NY Head Start	2,112 ft (north)	President/Executive Director/Principal	718-963-3940	638 Bedford Avenue, Brooklyn, NY 11249
Beautiful Garden Family Daycare LLC	2,112 ft (southeast)	President/Executive Director/Principal	347-489-0905	71 Nostrand Avenue, #5C, Brooklyn, NY 11206
Kirindy Family Daycare & Wonderschool	2,112 ft (southeast)	President/Executive Director/Principal	917-933-8840	534 Flushing Avenue, #4B, Brooklyn, NY 11206
Brooklyn High School for Leadership and Community Service - K616	2,218 ft (south)	President/Executive Director/Principal	718-638-3062	300 Willoughby Avenue, Brooklyn, NY 11205
P.S. 054 Samuel C. Barnes - K054	2,440 ft (southeast)	President/Executive Director/Principal	718-834-6752	195 Sanford Street, Brooklyn, NY 11205
Juan Morel Campos Secondary School - K071	2,445 ft (northeast)	President/Executive Director/Principal	718-302-7900	215 Heyward Street, Brooklyn, NY 11206
P.S. 380 John Wayne Elementary	2,640 ft (northeast)	President/Executive Director/Principal	718-388-0607	370 Marcy Avenue, Brooklyn, NY 11206
Touro College	2,640 ft (northwest)	President/Executive Director/Principal	844-868-7666	2002 Wallabout Road, Brooklyn, NY 11210

Community, Civic, Religious and Other Environmental Organizations:

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

FDNY Ladder 102
850 Bedford Avenue
Brooklyn, N.Y. 11205
79th NYPD Police Precinct Council

Kim Best - President
263 Tompkins Avenue
Brooklyn, NY, 11216

Bedford Stuyvesant Restoration Corporation
Brondel Pinnock, JD
President & CEO
1368 Fulton Street
Brooklyn, NY 11216
<https://www.restorationplaza.org/contact-us/>

Bedford Stuyvesant Gateway Business Improvement District
Dale Charles – Executive Director
info@thebedstuybid.org
1368 Fulton Street, 3rd Floor
Brooklyn, NY 11216
<https://thebedstuybid.org/about-us/>

Black Veterans for Social Justice, Inc.
Wendy McClinton – President & CEO
<https://bvsj.org/>
665 Willoughby Avenue
Brooklyn, NY 11206

Elmy's Special Services Inc.
163 Van Buren Street
Brooklyn, NY 11221
support@elmysspecialservices.org
<https://www.elmysspecialservices.org/>

Brooklyn Neighborhood Services
506 MacDonough Street (Lower Level – Nazarene Community Center)
Brooklyn, NY 11233
<https://bnscdc.org/>
info@bnscdc.org

Northeast Brooklyn Housing Development Corp.
132 Ralph Avenue
Brooklyn, NY 11233
<https://nebhdco.org/>
info@nebhdco.org

St. John Bread and Life
795 Lexington Avenue
Brooklyn, NY 11221
<https://breadandlife.org/>

IMPACCT Brooklyn
1000 Dean Street, Suite 420
Brooklyn, NY 11238
<https://impacctbrooklyn.org/>
info@impacctbk.org

MARCY COMMUNITY CENTER
492 MARCY AVENUE
Brooklyn, NY 11206
<https://www1.nyc.gov/assets/nycha/downloads/pdf/Marcy.pdf>

MARCY DAY CARE CENTER
494 MARCY AVENUE
Brooklyn, NY 11206
<https://www1.nyc.gov/assets/nycha/downloads/pdf/Marcy.pdf>

MARCY DEVELOPMENT MANAGEMENT OFFICE

648 PARK AVENUE

Brooklyn, NY 11206

<https://www1.nyc.gov/assets/nycha/downloads/pdf/Marcy.pdf>

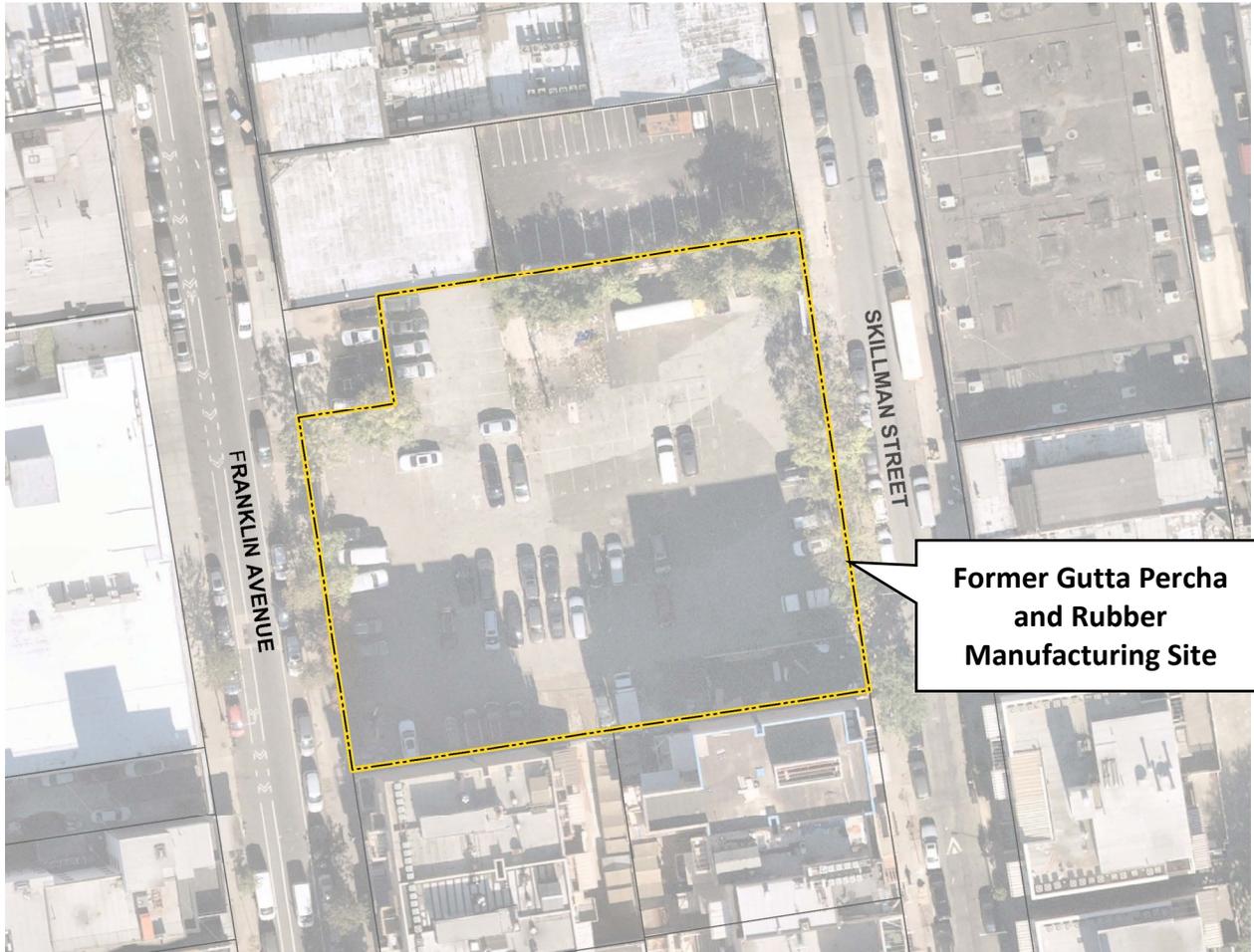
Clinton Hill CSA

218 Gates Avenue

Brooklyn, NY 11238

information@clintonhillcsa.org

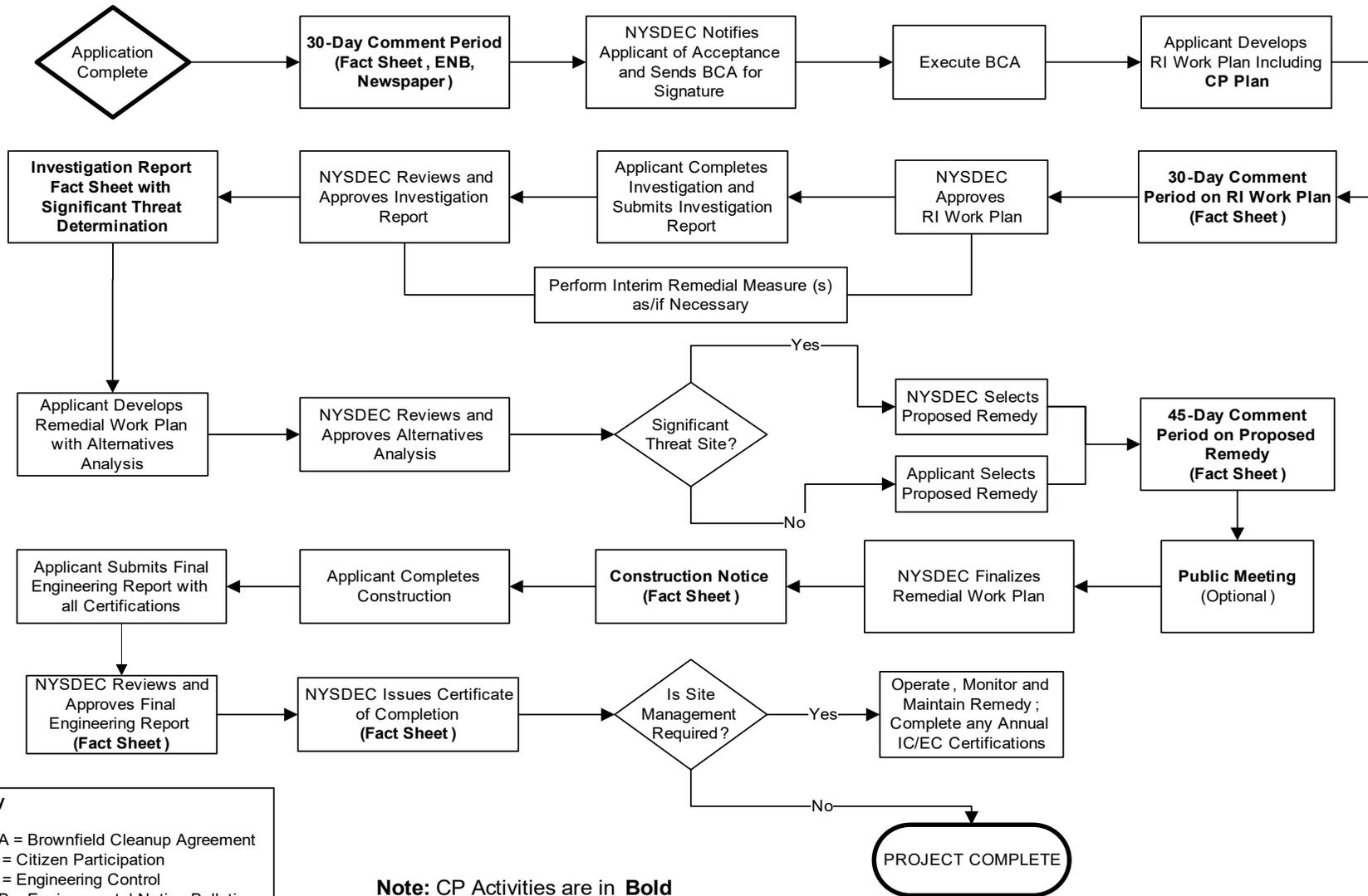
Appendix C - Site Location Map



**Former Gutta Percha
and Rubber
Manufacturing Site**

 - Site Boundary

Appendix D– Brownfield Cleanup Program Process



Key
 BCA = Brownfield Cleanup Agreement
 CP = Citizen Participation
 EC = Engineering Control
 ENB = Environmental Notice Bulletin
 IC = Institutional Control
 RI = Remedial Investigation

Note: CP Activities are in **Bold**



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: Former Gutta Percha and Rubber Manufacturing Site

Site Number: C224351

Site Address and County: 43 Franklin Avenue, Brooklyn, NY

Remedial Party(ies): Rose Castle Redevelopment II 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. The primary contaminants of concern for the Site are heavy metals, pesticides and SVOCs (specifically PAHs) in soil, SVOCs and metals in groundwater, and CVOCs in soil vapor. Issues of concern would be in regard to the nearby local residents and property owners. 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 Limited Phase II and RI results and correspondence with NYSDEC.

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 sources of the contaminants of concern detailed in Part 1 were fully characterized and identified during the previous investigations completed at the Site.

How were these information needs identified?

This information was identified through review of the results of the previous Limited Phase II and RI.

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.

It is anticipated that once Requestor is accepted into the BCP and the RIR and RAWP are approved by the Department, the 45-day RAWP and BCP Application public comment period will commence. Following acceptance into the BCP and approval of the RAWP, the remedial contractor will mobilize to the Site to begin implementation of the NYSDEC-approved remedy to facilitate the timing requirements of the 421-a affordable housing program.

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:

Because there is a large Hispanic-American population near the Site, all future fact sheets will be translated into Spanish.

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 Elect Eric Adams, NYC Department of City Planning Chairperson Daniel Garodnick, Brooklyn Borough President Hon. Antonio Reynoso, Brooklyn Community Board 3 Manager Henry Butler, NY Senator Brian Kavanagh, NY State Assembly District 050 Emily Gallagher, NYC Comptroller Hon. Brad Lander, Public Advocate Hon. Jumaane Williams, NY Councilman Hon. Diana Ayala, US House of Representatives Nydia M. Velazquez, NYC Office of Environmental Remediation Director Mark McIntyre, Senator Hon. Charles Schumer, U.S. Senator Hon. Kirsten Gillibrand, Brooklyn

County Clerk Nancy T. Sunshine.

Media: Click here to enter text.

Business/Commercial Interests: Rose Castle Redevelopment II 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): Brooklyn Public Library – Williamsburg Branch, Brooklyn Community Board 3

Recreational Group(s): Click here to enter text.

Other(s): Click here to enter text.

Prepared/Updated By: Sarah Commisso

Date: 28 December 2021

Reviewed Approved By: Suzanne Bell, P.E.

Date: 2 November 2022