NEW YORK STATE | Department of Environmental Conservation

Brownfield Cleanup Program

Citizen Participation Plan
for
Consumers Park Brewery Site

August 2023

C224381
130 Montgomery Street, 124 Montgomery Street, 122A Montgomery Street
a/k/a 960 Franklin Avenue
Brooklyn, NY 11225

Contents

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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: **Franklin Plaza II LLC ("Applicant")**
Site Name: **Consumers Park Brewery Site ("Site")**
Site Address: **130 Montgomery Street, 124 Montgomery Street, 122A Montgomery Street a/k/a 960 Franklin Avenue**
Site County: **Brooklyn**
Site Number: **C224381**

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:	
• Prepare site contact list • Establish document repository(ies)	At time of preparation of application to participate in the BCP.
• 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):	
• 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:	
• 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:	
• Distribute fact sheet to site contact list that describes RI results	Before NYSDEC approves RI Report
Before NYSDEC Approves Remedial Work Plan (RWP):	
• 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:	
• Distribute fact sheet to site contact list that describes upcoming cleanup action	Before the start of cleanup action.
After Applicant Completes Cleanup Action:	
• 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.

As the date of this plan, no major issues of public concern were identified since direct contract to soil and/or groundwater contamination is not readily present. However, in the future, major issues of public concern, including but not limited to nuisance odors, noise, and construction-related traffic, may be identified. These potential issues will be addressed during the remedial program.

Contaminants of concern that have been identified to date include semi-volatile organic compounds (SVOCs) and metals in soil, and chlorinated volatile organic compounds (CVOCs) in soil vapor. Contaminants are discussed in further detail in Section 4 below. The identified contaminants will be assessed, delineated, and remediated in accordance with NYSDEC-approved work plans.

Site information is available through Project Contacts mentioned in Section 2 and Appendix A. The BCP Application, which includes the previous site investigations and identifies future reports that will be prepared for the NYSDEC, is available in the document repository discussed above in Section 2 and in Appendix A. The RI Work Plan is also available in the document repository and includes schedules for planned work. The RAWP will include additional schedules for planned work.

The site is located in a Potential Environmental Justice Area. 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.

The site is located in an area with a large African-American population nearby. No need to translate future fact sheets into another language.

For additional information, visit:
https://statisticalatlas.com/tract/New-York/Kings-County/021300/Race-and-Ethnicity

4. Site Information

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

Site Description

The site is located on the southwest corner of the Montgomery Street and Franklin Avenue intersection. The site consists of three contiguous tax lots totaling approximately 67,895-square feet (1.558 acres). The legal description of the subject property is Tax Block 1192 and Lots 40, 41 and 46. 130 Montgomery Street (Lot 41) and 124 Montgomery Street (Lot 46) are currently developed with six connected buildings including former spice warehouse, office building, and former boiler building. A cobblestone driveway leads to the loading/unloading area in the central portion of the lot. There is a limited grassed area on the southern portion of the lot and a strip of wooded area directly west and southwest of the lot. 122A Montgomery Street (Lot 40) is a very thin sliver of undeveloped land.

The Site is located within a primarily commercial, and industrial area of Kings County. The Site is zoned as R6A, denoting it as a Residential Zoning District. R6 districts allow for a variety of residential uses, and R6A is a contextual district where the Quality Housing bulk regulations are mandatory to provide high lot coverage, 6-8 story apartment buildings near the street.

130 Montgomery Street (Lot 41) is listed as Industrial and Manufacturing.
124 Montgomery Street (Lot 46) is listed as Industrial and Manufacturing.
122A Montgomery Street 40) is zoned residential.

Groundwater was not encountered during the prior investigations at the site. the depth of groundwater beneath the site is inferred to be approximately 86 feet bgs. According to the United States Geological Survey (USGS) Topographic Quadrangle for “Brooklyn, New York” dated 2013, the subject property is located at approximately 95 feet above mean sea level (MSL).

History of Site Use, Investigation, and Cleanup

The Site was developed in 1888 with six small residences, situated around the site perimeters, and several small outbuildings (stables/sheds). By 1908, the property was developed with the Consumers Park Brewery. The brewery facility is generally consistent with most of the current development, except for a coal shed/storage building and a stable at the north-central portion of the property. A three-story stable was also present at the northwestern portion, which was likely converted to the existing factory building. In addition, northeastern portions were developed with a two-story residence along Franklin Avenue. Central and far northeastern areas are undeveloped as of 1908. By the early

1930s, the brewery was converted to the Burton Dixie Co. (mattress and cotton felt manufacturers) factory, with the northwestern stable converted to a factory building and connected with factory buildings to the south. The former coal shed was then identified as a wire cutting shop and the residence (northeast) identified as a show room. A small retail store was identified at the far northwestern portion (Lot No. 40) and a small transformer house at the north-central portion (west of the former stable). The showroom building (northeast) was demolished by the early-1950s, and the northeastern portion of the property was redeveloped with a parking lot. By the early-1960s, the factory was occupied by M.S. Golombeck, Inc. (spice importers). The wire cutting building (north-central portion) was demolished and the northeastern parking lot was expanded. By 1965, an additional small one-story building was at the north-central portion of the property. The Golombeck spice company reportedly ceased operations in 2019.

The previous investigations performed at the Site include the following:

Phase I and Phase II Environmental Site Assessment Report by The Elm Group Inc., dated March 2017

- The Elm Group, Inc. (ELM) prepared this report on behalf of Brooklyn 122A Montgomery, LLC in March 2017.
- Based on the historic Sanborn maps, prior to 1908 the Site was utilized as residential use and was redeveloped as commercial/industrial use by 1908. The configuration of the property has remained largely unchanged, originally used as a storage and bottling plant, owned the Consumers Park Brewery. In approximately, 1932, the Consumers Park Brewery was purchased by the Burton Dixie Corporation and repurposed as a mattress and cotton felt manufacturer. In approximately 1963, the previous owner, M.J. Golombeck had purchased the property and repurposed it as a spice importer and distributor, with bottling and storage on Site.
- ELM identified ten recognized environmental conditions (RECs) related to the historic use of the Site during their Phase I ESA and ten areas of concern (AOCs) as a result.
- Ten areas of concern identified included kerosene above ground storage tanks (ASTs), bunkered fuel oil AST, historic transformer house, presence of floor drains in basement, presence of a drywell in basement, historic boiler room associated with former brewery operations, historic coal shed and storage area, former engine room/machine shop, brick smokestack, and presence of historic fill material.
- Based on the findings of the Phase I ESA a Phase II site investigation was performed to address the areas of concern and identified RECs.

- The scope of Phase II ESA consisted of a performance of a geophysical survey, installation of 24 soil borings, and collection of 15 soil samples in the identified areas of concern.
- Soil borings were installed in the vicinity of the identified areas of concern at various depths, with the deepest soil boring advanced to a depth of 12 feet bgs and the deepest soil sample collected at 6 to 6.5 feet bgs. Samples were collected biased towards any field indication of contamination. If no field evidence of contamination was noted, samples were collected from surface soil, immediately underlying any engineered ground cover, or were collected from a predetermined depth corresponding to the greatest potential for contamination (e.g., tank inverts, piping inverts, etc.).
- No groundwater was encountered during the investigation.

Below is a summary of the RECs/AOCs and findings:

- AOC B-2- Kerosene Tanks:

Three 100-gallon kerosene aboveground storage tanks (ASTs) were observed in the boiler room of the two-story building located adjacent to the office building within Lot 46, identified by ELM as Building 2. No staining was observed on or in the immediate vicinity of the ASTs, however the floor of the boiler room consisted of a dirt floor, which presents the potential for a discharge of hazardous materials to the subsurface. The kerosene ASTs were considered to be a REC.

One soil boring (SB-23) was advanced adjacent to the ASTs, to a depth of 8 feet below grade (bgs). No visual evidence of impacts was observed, and no elevated photoionization (PID) readings were recorded. Groundwater was not encountered at this location. One soil sample was collected at a depth of 4.5 feet bgs. The sample was analyzed for volatile organic compounds (VOCs), semi volatile organic compounds (SVOCs), metals, pesticides, and polychlorinated biphenyls (PCBs). No compounds were detected above the New York State Department of Environmental Conservation (NYSDEC) Soil Cleanup Objectives (SCOs) for Unrestricted Use. Based on the analytical results, ELM concluded that no further investigation was recommended for this REC.

- AOC B-3-Bunkered Oil AST Associated with the Boiler

As per the report, the office area and one of the fumigation booths of one of the onsite buildings is heated via an oil-fired boiler room located in the former brewery boiler room. Fuel oil is stored in a bunkered concrete-encased AST located beneath a concrete walkway within the historic boiler room. ELM was not able to determine whether the bottom of the bunker consisted of concrete or soil. This was considered to be a REC.

One soil boring (SB-22) was advanced adjacent to the AST, to a depth of 12 feet bgs. No visual evidence of impacts was observed and PID readings ranged from

0.1 parts per million (ppm) to 12.7 ppm. Groundwater was not encountered at this location. One soil sample was collected at a depth of 5 feet bgs. The sample was analyzed for the NYSDEC Fuel Oil List. No compounds were detected above the NYSDEC SCOs for Unrestricted Use, except for chrysene, which was detected at a concentration of 1.1 milligrams per kilogram (mg/kg), marginally above the NYSDEC Unrestricted Use SCO of 1 mg/kg.

The report states that chrysene was detected in soil samples collected throughout the property and therefore, based on the identified concentrations, the report concluded that the presence of chrysene was not indicative of a release, but rather a result of fill material brought into the property for grading/development activities.

- AOC C-2: Historic Transformer House

Based on a review of historic Sanborn maps, a former transformer house was located at the Subject Property in 1932 and 1951. No indication of the former transformer house was observed during ELM's December 29, 2016 inspection and no pertinent information was provided by the Owner (Mr. Golombeck). This was considered to be a REC.

Two soil borings (SB-5 and SB-13) were advanced in the footprint of the former transformer, to a depth of 8 feet bgs. No visual evidence of impacts was observed and PID readings ranged from 1.2 ppm to 12.1 ppm. Groundwater was not encountered at this location. One soil sample was collected at a depth of 0.5 feet bgs at SB-5 and from 2 feet bgs at SB-13. The two samples were analyzed for PCBs. Additionally, the sample collected at SB-13 was analyzed for VOCs and metals. No compounds were detected above the NYSDEC SCOs for Unrestricted Use, except for lead, mercury, and nickel, which were marginally above their respective NYSDEC SCOs.

The report states that these compounds were detected in soil samples collected throughout the property and therefore, based on the identified concentrations, the report concluded that the presence of mercury, lead, and nickel was a result of fill material brought into the property for grading/development activities.

- AOC D: Floor Drains in Basement

A total of seven drains were observed within the basements of the onsite 4 and 5-story buildings. As per information provided by the Owner, the drains were no longer in use and had since been sealed with concrete. ELM was not able to determine whether or not the drains discharged into the municipal system. Based on this information and the fact that the Subject Property was utilized for industrial purposes since as early as the 1900s, the presence of drains was considered a REC.

Seven soil borings (SB-14- SB-16, and SB-18- SB-21) were advanced in the footprint of the former transformer, to a depth of 4 feet bgs. No visual evidence of impacts was observed and PID readings ranged from 0 ppm to 14.3 ppm. Groundwater was not encountered at this location. One soil sample was collected at a depth of 3 feet bgs at SB-15, one sample was collected from 1.5 feet bgs at SB-16, and one sample was collected from 0.5 feet bgs at SB-18. The samples were analyzed for VOCs, PCBs, and TAL metals. Several Polycyclic Aromatic Hydrocarbons (PAHs), including benzo(a)anthraces, benzo(a)pyrene, benzo(b) fluoranthene, chrysene, dibenzo(a,h)anthracene, and indeno(1,2,3-CD)pyrene, were detected above the NYSDEC SCO for unrestricted and restricted use in sample collected from SB-18 (0.5 feet bgs). In addition, nickel was detected above the NYSDEC SCO for unrestricted use in the sample collected from SB-15 (3 feet bgs); and copper, lead, mercury, nickel, and zinc were all detected above the NYSDEC SCO for unrestricted use, except for mercury which also exceeded the SCO for restricted use.

The report concluded that the compounds identified were a result of fill material brought into the property for grading/development activities.

- AOC E-2: Dry Well in Basement

A possible dry well was identified in the basement of one of the buildings located within Lot 46. A metal plate was covering the dry well and therefore hindered a thorough inspection of the dry well. ELM was not able to obtain any information pertaining to the potential dry well or its historical uses. This potential dry well was considered a REC.

One soil boring (SB-17) was advanced adjacent to the dry well, to a depth of 8 feet below grade (bgs). No visual evidence of impacts was observed and PID readings ranged between 4ppm and 9.4 ppm. Groundwater was not encountered at this location. One soil sample was collected at a depth of 6 feet bgs. The sample was analyzed for VOCs, TAL metals, and PCBs. No compounds were detected above the NYSDEC SCOs, except for mercury and nickel. Mercury was detected above the NYSDEC SCOs Unrestricted and Restricted Uses, and Nickel was detected above its Unrestricted Use SCO.

The report states that these two compounds were detected in soil samples collected throughout the property and therefore, based on the identified concentrations, the presence of mercury and nickel was a result of fill material brought into the property for grading/development activities.

- AOC H-3: Historic Boiler Room Associated with the Former Brewery Operations

As per the historical Sanborn maps reviewed and information provided by the Owner, a larger boiler room associated with the former onsite brewery operations was formerly located in one of the buildings located in Lot 46. Mr. Golombeck stated that several large tanks previously located in the boiler room were removed when the property was converted into a spice factory. Three 100-gallon kerosene ASTs were observed in the boiler room. No staining was observed on or in the immediate vicinity of the ASTs, however the floor of the boiler room consisted of a dirt floor, which presents the potential for a discharge of hazardous materials to the subsurface. At the time of the site visit, the boiler room was used for storage of construction materials and small chemical containers including paints, greases, and sealants. The boiler room was considered to be a REC.

Two soil borings (SB-23 and SB-24) were advanced in the former boiler room adjacent to the kerosene ASTs and empty drum storage area, to a depth of 8 feet bgs. No visual evidence of impacts was observed and no elevated PID readings were recorded. Groundwater was not encountered at this location. One soil sample was collected at a depth of 4.5 feet bgs at SB-23. The sample was analyzed for the NYSDEC Fuel Oil List. No compounds were detected above the NYSDEC SCOs for Unrestricted Use. Based on the analytical results, ELM concluded that no further investigation was recommended for this REC.

- AOC H-4: Historic Boiler Room Associated with the Former Ice Manufacturing Operations

As per the historical Sanborn maps reviewed, a historic boiler room associated with the former operations of Rubel Corporation on the southern portion of the Subject Property was identified in 1932. No specific information pertaining to this boiler room was located and there were no indications of this former boiler during Elm's site visit. The former boiler room was considered to be a REC.

Two soil borings (SB-1 and SB-2) were advanced in the footprint of the former boiler room, along the eastern property boundary, to a depth of 4 feet bgs. No visual evidence of impacts was observed and PID readings ranged between 0.5 ppm and 8.8 ppm. Groundwater was not encountered at this location. One soil sample was collected at a depth of 1-foot bgs at SB-2. The sample was analyzed for the NYSDEC Fuel Oil List. No compounds were detected above the NYSDEC SCOs for Unrestricted Use. Based on the analytical results, ELM concluded that no further investigation was recommended for this REC.

- AOC K: Historic Coal Shed and Storage Area

A former coal shed and storage area was identified on the 1908 Sanborn map for the Subject Property. The coal shed and storage area was formerly located immediately north of the former brewery boiler room. No indications of this former area were identified during ELM's December 2016 site visit. This was considered a REC.

Four soil borings (SB-8 and SB-11) were advanced in the footprint of the former coal shed and storage area, to a depth of 8 feet bgs. No visual evidence of impacts was observed and no elevated PID readings were recorded. Groundwater was not encountered at this location. One soil sample was collected at a depth of 1.5 feet bgs at SB-9. Several (PAHs), including benzo(a)anthraces, benzo(a)pyrene, benzo(b) fluoranthene, chrysene, dibenzo(a,h)anthracene, and indeno(1,2,3-CD)pyrene, were detected above the NYSDEC SCO for Unrestricted and Restricted Uses. In addition, several metals including barium, copper, mercury, and zinc were detected above the NYSDEC SCO for Unrestricted Use, and cadmium and lead were detected above the NYSDEC SCO for Restricted Use.

The report concluded that the compounds identified were a result of fill material brought into the property for historic grading/development activities.

- AOC L: Former Engine Room/Machine Shop

A former engine room/machine shop was identified on the 1932 and 1951 Sanborn maps for the Subject Property. The engine room/machine shop was formerly located in the current spice storage area, adjacent to the office building. No indications of this former engine room/machine shop were identified during ELM's December 2016 site visit. This was considered a REC.

Two soil borings (SB-6 and SB-7) were along the northern exterior wall of the former engine room/machine shop, to a depth of 12 feet bgs. No visual evidence of impacts was observed and PID readings ranged from 0 ppm to 10.8 ppm. Groundwater was not encountered at this location. One soil sample was collected at each boring at a depth of 1-foot bgs. The samples were analyzed for TAL metals. Lead, nickel, and zinc were detected above the NYSDEC SCO for Unrestricted Use, and mercury was detected above Unrestricted and Restricted Use in SB-6 (1-foot bgs). Lead, mercury, and zinc exceeded the NYSDEC SCO for Unrestricted Use in SB-7 (1-foot bgs).

The report concluded that the compounds identified were a result of fill material brought into the property for historic grading/development activities.

- AOC O: Brick Smokestack

A brick smokestack was observed adjacent to the former brewery boiler room during ELM's December 2016 site visit. According to Mr. Golombeck, the smokestack is no longer used and has been out-of-use for many years. No staining or evidence of a release was identified on or in the immediate vicinity of the smokestack. However, no information was available regarding the use or age of the smokestack. This was considered a REC.

One soil boring (SB-9) was advanced adjacent to the smokestack, to a depth of 8 feet bgs. No visual evidence of impacts was observed and no elevated PID readings were recorded. Groundwater was not encountered at this location. One soil sample was collected at a depth of 1.5 feet bgs at SB-9. The sample was analyzed for PAHs and TAL metals. Several (PAHs), including benzo(a)anthraces, benzo(a)pyrene, benzo(b) fluoranthene, chrysene, dibenzo(a,h)anthracene, and indeno(1,2,3-CD)pyrene, were detected above the NYSDEC SCO for Unrestricted and Restricted Uses. In addition, several metals including barium, copper, mercury, and zinc were detected above the NYSDEC SCO for Unrestricted Use, and cadmium and lead were detected above the NYSDEC SCO for Restricted Use.

The report concluded that the compounds identified were a result of fill material brought into the property for grading/development activities.

- AOC P- Historic Fill

The report states that several compounds were detected in samples collected throughout the Subject Property at concentrations exceeding the NYSDEC Unrestricted Residential and Restricted Residential SCOs. The exceedances are limited to PAHs and metals, which as per ELM, do not appear to be related to an operational release at the Subject Property, but rather are likely the result of non-indigenous fill brought in as part of grading/development activities.

ELM stated that based on the location of the Subject Property and the fact that groundwater was not encountered in the deepest soil borings installed to 12 feet bgs, there is a limited risk of impact to groundwater from the detected metals and PAHs. VOCs were not detected in any of the soil samples collected and therefore vapor intrusion is not a concern at the Subject Property. Based on the facts mentioned above, the only exposure pathway is through direct contact with onsite soils. ELM stated that this pathway can be addressed through soil removal and regrading activities as part of future development of the Subject Property, or through the implementation of engineering and institutional controls.

- No exceedances Restricted Residential SCOs of volatile organic compounds (VOCs) were identified in any of the soil samples collected and therefore, ELM concluded that vapor intrusion is not a concern at the Subject Property.

- Based on the findings of the Phase I ESA and Phase II investigation, ELM determined that constituents observed are likely not associated with operational release and appear to be related to non-indigenous fill brought to the Site as part of historic grading/development activities.

A Phase I Environmental Site Assessment Report by ALC Environmental dated August 2017

- A Phase I Environmental Site Assessment, prepared by ALC Environmental dated August 11, 2017, 2022, identified the RECs related to the historic use of the Site and adjacent properties found by the aforementioned 2017 ELM Phase I and Phase II ESA.

Supplemental Phase II Environmental Site Assessment Report by Brussee Environmental Corp. dated August 2022

- Brussee Environmental Corp. (BEC) performed Supplemental Phase II ESA to determine suitability/eligibility for the Site to be enrolled in the New York State Department of Environmental Conservation (NYSDEC) Brownfield Cleanup Program (BCP) in August 2022.
- The scope of work consisted of performance of a ground penetrating radar (GPR) survey across accessible areas of the Site, installation and sampling of fifteen soil borings and three soil vapor implants. Soil borings were installed to depths ranging between 3 and 17 feet below grade, and soil vapor implants were installed to approximately 8 feet below grade.
- Groundwater was not encountered during the supplemental Phase II and therefore, no groundwater samples were collected.
- The GPR survey was performed across all accessible areas of Lot 46. No anomalies indicative of an underground storage tank was identified within the accessible areas.
- Soil at the Site consisted generally of fill material extending to depths of 2.5-7 feet below grade. No evidence of petroleum staining and no petroleum-related odors were observed in any of the soil boring samples.
- A total of fifteen (15) soil samples were collected from the 15 soil borings performed across the Site from the fill material layer and analyzed for the presence of volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs), and the

eight Resource Conversation and Recovery Act (RCRA) metals by BEC in August of 2022.

  - The analytical results revealed that several VOCs were detected in nine of the fifteen soil samples; however, they were detected below their respective Part 375 Restricted Residential Use Soil Cleanup Objectives (RRUSCOs).
  - SVOCs, consisting of Polycyclic Aromatic Hydrocarbons (PAHs) were detected at concentrations above their respective RRUSCOs within the eleven soil samples collected from the historic fill at the respective samples and intervals; BEC1 (0-2'), BEC2 (1'-3'), BEC4 (0-2'), BEC7 (0-2'), BEC9 (2'-4'), BEC10 (3'-5'), BEC11 (4'-5'), BEC12 (0-2'), BEC13 (0-1'), BEC14 (0-1'), and BEC15 (0-2').
  - Metals, including cadmium and lead, were detected at concentrations above their respective RRUSCOs within the shallow soil samples collected from five of the fifteen soil samples.

- Elevated concentrations of trichloroethene (TCE) and tetrachloroethene (PCE) were detected in the soil vapor sample from SV-1 which extended to a terminal depth of 8 feet below grade. The concentrations of PCE and TCE within SV-1 were both over the NYSDOH Matrices recommendation for mitigation.
- Based on their findings, BEC recommended that any excavation or other subsurface work with the potential to disturb these materials be conducted in accordance with a Soil/Materials Management Plan (SMP), installation of a soil vapor treatment system and at least a 20-mil vapor barrier system to treat the concentrations of chlorinated VOCs identified below the building slab and to prevent any soil vapor from below the slab to enter the building and impact the health of the building's occupants. Furthermore, BEC recommended submission of a Brownfield Cleanup Program (BCP) application to the NYSDEC if redevelopment is planned for the Site.

A Phase I Environmental Site Assessment Report by KB Environmental Assessment., dated September 2022

- KB Environmental Assessment (KBEA) prepared this report on behalf of 960 Franklin LLC and Cornell Realty Management LLC in September 2022.

- Based on the results of the site inspection, records review, and interviews, two RECs were identified as follows:
    - Information obtained from multiple historic sourced revealed that the Site, as well as the southern adjacent property, were historically utilized for industrial purposes, including a brewery, a mattress factory, a spice importer/wholesaler, coal and brick companies, glass companies and machine and tool companies from least 1928 through 2017. Although the property was previously investigated in 2017, the scope of work was limited (minimal number of soil samples and no groundwater or soil vapor samples were collected/analyzed). As such, KBEA considered the historic use of the subject property and adjacent properties to be a REC.
    - A prior (2017) investigation was conducted at the property to further evaluate multiple RECs identified during a prior Phase I ESA. Based upon a review of soil analytical data obtained from borings drilled across the Site to evaluate the other RECs, urban fill materials were identified across the site, which contained elevated concentrations of SVOCs, specifically PAHs and metals. The consultant that prepared the report concluded that the presence of PAHs and metals was associated with the fill and not indicative of impacts that could be attributed to the historic use of the subject property. The documented presence of impacted soil/fill materials is considered a REC.

Based upon the above findings and conclusions, KBEA recommended the following:

- To evaluate potential impacts related to historic usage of the subject and adjacent properties, a subsurface investigation should be performed. At a minimum, the investigation should include the installation of soil borings with the collection of representative soil, groundwater and/or soil vapor samples for laboratory analysis to document subsurface conditions and determine the nature and extent of contamination (if present).

No controlled recognized environmental conditions (CRECs) were identified for the subject property. However, in addition to the aforementioned REC, KBEA identified one HREC and several environmental concerns (ASTM Non-Scope issues/BERs), and one de minimis condition. The HREC, environmental concerns/BERs and KBEA's recommendations are summarized as follows:

- The Site (Golombecks Methyl Bromide Montgomery Street) was identified on the NYSPILLS database related to one closed spill incident. The spill is related to fumigation of a produce trailer on a public street. The incident was reportedly

investigated by NYC hazmat and emergency response units. No additional information is provided; however, the spill was closed by NYSDEC on the same day that it occurred. A Freedom of Information Law (FOIL) request was made to the NYSDEC for additional information. A response was pending at the time of their report. Given the nature of the release and its closed status, KBEA considered this spill to be a HREC that did not warrant further investigation.

- Fluorescent light ballasts were observed throughout the building spaces, which based on the ages of the buildings, may contain PCBs. KBEA recommended that a PCB survey be performed prior to demolition and/or renovation activities. Any PCB-containing equipment affected by the development of the site must be properly managed during demolition and/or renovation activities. In addition, while the disposal of non-leaking PCB ballasts is not currently regulated by the USEPA, KBEA recommended that the PCB ballasts be packaged in a lined, steel drum containing an absorbent material and disposed of as PCB-waste to reduce the potential for environmental contamination and potential liability for cleanup of any environmental release of PCBs from the ballasts.
- Suspect asbestos-containing vinyl floor tile, acoustic ceiling tiles, and sheetrock/wallboard/plaster were observed throughout the office areas. In addition, suspect pipe and boiler insulation were also observed throughout the factory buildings and in boiler/mechanical rooms. Finally, due to the ages of the site buildings, it is unlikely that roofing, roof flashing and other (inaccessible) building materials may contain asbestos.
- If activities in the buildings (i.e., renovation or demolition) will disturb any suspect asbestos material, then KBEA recommended that an asbestos survey be performed to determine if ACM are present prior to the proposed work. If ACM are present, then a NYS-licensed contractor must be retained to remove the asbestos in accordance with federal and NYS regulations.
- Areas of water-staining and damage, including peeling/chipping paint, damaged/missing sheetrock, plaster, and concrete, warped/damaged wood, stained/missing ceiling tile, were observed throughout the northwestern building. No visible mold growth was observed, although areas of standing water were also present and active roof/ceiling leaks (weather intrusion) were observed.
- If future plans include the use/renovation of the existing structures, then structural repairs should be made to the satisfaction of the NYCDOB. Further, any areas affected by continual water leaks should be repaired and subsequently inspected for the presence of mold growth. Any evidence of mold should be cleaned and removed in accordance with the New York State Department of Health (NYSDOH) Guidelines on Assessment & Remediation of Fungi in Indoor Environments prior

to occupancy. Finally, sheetrock/plaster, wood, and other water damaged building materials should be removed from the building and properly disposed.

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 restricted residential purposes.

To achieve this goal, the Applicant will conduct 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 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 submits a draft "Remedial Investigation Work Plan" to NYSDEC for review and approval. NYSDEC makes the draft plan available to the public review during a 30-day public comment period.

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. 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. 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):

Shawn Roberts
Project Manager
NYSDEC
Division of Environmental Remediation
625 Broadway, 12th Floor
Albany, NY 12233-7016
518-402-9799
Shawn.Roberts@dec.ny.gov

Thomas V. Panzone, MPA
Public Participation Specialist
NYSDEC
Division of Communications, Education and Engagement
47-40 21st Street
Long Island City, NY 11101
(718) 482-4953
Thomas.panzone@dec.ny.gov

New York State Department of Health (NYSDOH):

Christine Vooris
Bureau Director
NYSDOH
Empire State Plaza
Corning Tower Rm 1787
Albany, NY 12237
(518) 402-0445
beei@health.ny.gov

Renata E. Ockerby
Project Manager
NYSDOH
Empire State Plaza
Corning Tower Rm 1787
Albany, NY 12237
(518) 402-7867
beei@health.ny.gov

Locations of Reports and Information

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

NYSDEC Region 2 - Regional Headquarters
1 Hunters Point Plaza, 47-40 21st Street
Long Island City, NY 11101

Brooklyn Community Board 9
890 Nostrand Avenue
Brooklyn, NY 11225
Attn: Dante Arnwine –
District Manager
Fred P. Baptiste -
Chairperson
Debbie Timothy –
Chairperson
Environmental
Protection Committee
Phone: 718-778-9279
Email: **bk09-1@cb.nyc.gov**
Hours: By Appointment due to Covid

Brooklyn Public Library – Central Branch
10 Grand Army Plaza
Brooklyn, NY 11238
Attn: Christine Schonhart
Phone: 718-230-2100
Email: cshonhart@bklynlibrary.org

Appendix B - Site Contact List

Chief Executive Officer
NYC Mayor
Hon. Eric Adams
City Hall
New York, NY 10007

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

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

New York City Planning
Winston Von Engel -
Commissioner, NYC Dept. of City Planning

NYC Dept. of City Planning
120 Broadway, 31st Floor
New York, NY 10271

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

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

NYC Department of Planning and Development
Brooklyn Borough Office - Department of City Planning
Winston Von Engel- Director
120 Broadway
31st FloorNew York, NY 10271

Mayor's Office of Environmental Remediation
Mark McIntyre, Esq, Acting Director/General Counsel
100 Gold Street, 2nd Floor
New York, NY 10038

Hon Charles Schumer
U.S. Senator
780 Third Avenue, Suite 2301
New York, NY 10017

Hon. Kirsten Gillibrand
U.S. Senator
780 Third Avenue, Suite 2601
New York, NY 10017

Hon. Crystal Hudson
NYC Councilmember
55 Hanson Place – Suite
778Brooklyn, NY 11217

Hon. Zellnor Myrie
NYS Senator
1077 Nostrand
Avenue Ground Floor
Brooklyn, NY 11225

Hon. Phara Souffrant Forrest
NYS Assemblymember
55 Hanson Place
Brooklyn, NY 11217

Hon. Yvette D. Clark
U.S. House of Representatives
222 Lenox Road, Suites 1 & 2
Brooklyn, NY 11226

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

Residents, owners, and occupants of the site and properties adjacent to the site

There are no residents or occupants at the site.

Adjacent Properties:

RESIDENT/BUSINESS OWNER
962 Franklin Street
Brooklyn, NY 11225

RESIDENT/BUSINESS OWNER
964 Franklin Street
Brooklyn, NY 11225

NYC DEPT OF CITY PLANNING
136 Montgomery Street
Brooklyn, NY 11225

NYC DEPT OF CITY PLANNING
120 Montgomery Street
Brooklyn, NY 11225

RESIDENT/BUSINESS OWNER
40 Crown Street
Brooklyn, NY 11225

RESIDENT/BUSINESS OWNER
135 Montgomery Street
Brooklyn, NY 11225

RESIDENT/BUSINESS OWNER
141 Montgomery Street
Brooklyn, NY 11225

RESIDENT/BUSINESS OWNER
145 Montgomery Street
Brooklyn, NY 11225

Local News Media:

The Brooklyn Eagle
195 Montague Street,
Suite 1414
Brooklyn, New York 11201

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

Spectrum NY 1 News
75 9th Avenue
New York, NY 10011

New York Daily News
PO Box 7180 New
York, NY 10008

The Brooklyn Papers
1 Metrotech Center
Brooklyn, NY 11201

Courier-Life Publications
1 Metrotech Center #10T
Brooklyn, NY 1120

Schools and Daycare Facilities

Jackie Robinson School
President/Executive Director/Principal
46 McKeever Place
Brooklyn, NY 11225
(718) 693-6655
https://insideschools.org/school/17K375

K352 Ebbets Field Middle School
President/Executive Director/Principal
46 McKeever Place
Brooklyn, NY 11225
(718) 941-5097

Little Angel Day Care Center
President/Executive Director/Principal
12 Crown Street
Brooklyn, NY 11225
(718) 469-0229

Medgar Evers College
President/Executive Director/Principal
1650 Bedford Avenue
Brooklyn, NY 11225
(718) 270-4900
https://www.mec.cuny.edu

Friends Of Crown Heights Educational Center #11
President/Executive Director/Principal
995 Carroll Street
Brooklyn, NY 11225
(929) 234-5010
https://fochdaycare.org/centers/4/crown-heights-prospect-heights

P.S. 241 Emma L. Johnston
President/Executive Director/Principal
976 President Street
Brooklyn, NY 11225
(718) 636-4725
http://www.ps241.org

Clara Barton High School
President/Executive Director/Principal
901 Classon Ave
Brooklyn, NY 11225
(718) 636-4900
https://www.clarabartonhs.org

Prospect Heights Educational Campus
President/Executive Director/Principal
883 Classon Ave
Brooklyn, NY 11225
(718) 230-6200
https://insideschools.org/school/17K440

St. Francis de Sales School for the Deaf
President/Executive Director/Principal
260 Eastern Pkwy
Brooklyn, NY 11225
(718) 636-4573
https://sfdesales.org

BumbleBeesRus Child Care (Classon Avenue/Prospect Heights)
President/Executive Director/Principal
823 Classon Ave
Brooklyn, NY 11238
(718) 783-2337
https://www.bumblebeesrus.com/childcare-programs/prospect-heights-childcare-preschool/

K646 Aspirations Diploma Plus High School @ W.E.B. Dubois Campus
President/Executive Director/Principal
402 Eastern Pkwy
Brooklyn, NY 11225
(718) 773-7765
https://insideschools.org/school/17K489

Epiphany Lutheran School
President/Executive Director/Principal
721 Lincoln Pl
Brooklyn, NY 11216
(718) 773-7200
https://www.elsbrooklyn.com

Elite Early Childhood Learning Center Inc.
President/Executive Director/Principal
527 Eastern Pkwy
Brooklyn, NY 11216
(718) 773-5070
https://childcarecenter.us/provider_detail/elite_early_childhood_learning_center_brooklyn_ny

Ella Baker Charles Romain CDC of Medgar Evers
President/Executive Director/Principal
1150 Carroll Street C103
Brooklyn, NY, 11225
(718) 270-6017/18
https://www.mec.cuny.edu/academic-affairs/ellabaker-center/

Medgar Evers College Preparatory School
President/Executive Director/Principal
1186 Carroll St
Brooklyn, NY 11225
(718) 703-5400
https://www.mecps.org

Bambi Day Care Center Inc.
President/Executive Director/Principal
300 Rogers Ave
Brooklyn, NY 11225
(718) 771-1603
http://www.bambidcc.com

All My Children Daycare & Nursery School
President/Executive Director/Principal
317 Rogers Ave
Brooklyn, NY 11225
(929) 234-2320
https://allmychildrendaycare.com

Associated Beth Rivkah Schools – High School
President/Executive Director/Principal
310 Crown St
Brooklyn, NY 11225
(718) 735-0400
https://www.bethrivkah.edu

Success Academy Crown Heights
President/Executive Director/Principal
330 Crown St
Brooklyn, NY 11225
(646) 790-2129
https://www.successacademies.org/school/crown-heights/

Eva Crèche Daycare
President/Executive Director/Principal
237 Lefferts Ave
Brooklyn, NY 11225
(347) 350-5109
https://www.evacrechedaycare.com

Maple Street School
President/Executive Director/Principal
21 Lincoln Rd
Brooklyn, NY 11225
(718) 282-4345
https://www.maplestreetschool.org

Brooklyn Academy of Science and the Environment
President/Executive Director/Principal
https://www.basehighschool.org/home
718-230-6363
883 Classon Ave
Brooklyn, NY 11225

P.S. K753 - School for Career Development
President/Executive Director/Principal
901 Classon Avenue
Brooklyn, NY 11225
718-857-4646

Community, Civic, Religious and Other Environmental Organizations:

Consolidated Edison Corporate Affairs
Johari Jenkins – Director
30 Flatbush Avenue
Brooklyn, NY 11217

New York City Police Department - 71st Precinct
Karl Cohen - President
421 Empire Blvd
Brooklyn, NY 11225

FDNY
Engine 249/Ladder 113
491 Rogers Ave
Brooklyn, NY 11225

Prospect Park Alliance
Morgan Monaco, President and Park Administrator
95 Prospect Park West
Brooklyn, NY 11215
(718) 965-8951
https://www.prospectpark.org

Crown Heights North
Deborah L. Young, LMSW
Chairperson and President
(718) 774-3834
dyoung@crownheightsnorth.org
Information
Info@crownheightsnorth.org

The Gospel Tabernacle Church
725 Franklin Ave
Brooklyn, NY 11238

Washington Temple Church of God in Christ
1372 Bedford Ave
Brooklyn, NY 11216

Brooklyn Shiloh Seventh-day Adventist Church
449 Eastern Pkwy
Brooklyn, NY 11216

Full Gospel Assembly
836 Franklin Ave
Brooklyn, NY 11225

Full Gospel Assembly
131 Sullivan Place
Brooklyn, NY 11225

Straight Way Church of God
729 Franklin Ave,
Brooklyn, NY 11238

Brooklyn CHURCH
1110 President St
Brooklyn, NY 11225

Redeemed Christian Church-Heavens
131 Sullivan Pl,
Brooklyn, NY 11225

Gospel Truth Church of God
1055 Washington Ave
Brooklyn, NY 11225

First Baptist Church of Crown Heights
450 Eastern Pkwy
Brooklyn, NY 11225

Church of God
836 Classon Ave
Brooklyn, NY 11238

Church of Righteousness & Lighting
1653 Bedford Ave
Brooklyn, NY 11225

Sacred Heart Church of Faith Inc.
938 Bergen St,
Brooklyn, NY 11238

Bibleway House of Blessings
675 Franklin Ave
Brooklyn, NY 11238

Trinity Baptist Church
179 New York Ave,
Brooklyn, NY 11216

Upon this Rock Church of God
350 Rogers Ave
Brooklyn, NY 11225

Miller Evangelical Christian Union Church
1110 President St
Brooklyn, NY 11225

Eben-Ezer Haitian Baptist Church
1058 President St,
Brooklyn, NY 11225

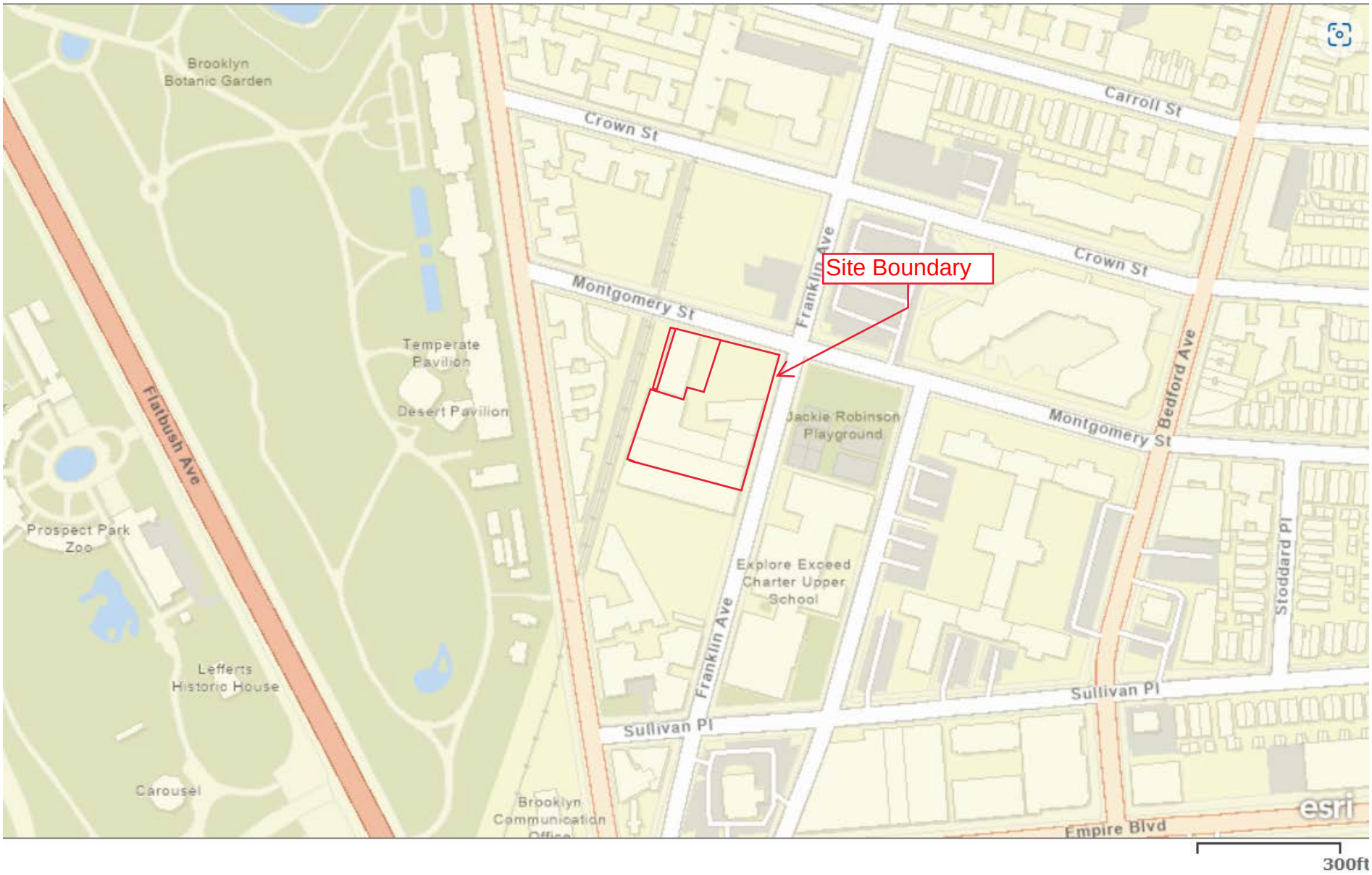
St. Teresa of Avila Church
777 Classon Ave,
Brooklyn, NY 11238

New Life Church of God
379 Empire Blvd
Brooklyn, NY 11225

Apostolic Church of Christ Inc
883 Nostrand Ave
Brooklyn, NY 11225

Thank You Jesus! Church Inc.
732 Nostrand Ave
Brooklyn, NY 11216

Appendix C - Site Location Map



Consumers Park Brewery Site
960 Franklin Avenue
New York City, Kings County
Site No. C224381

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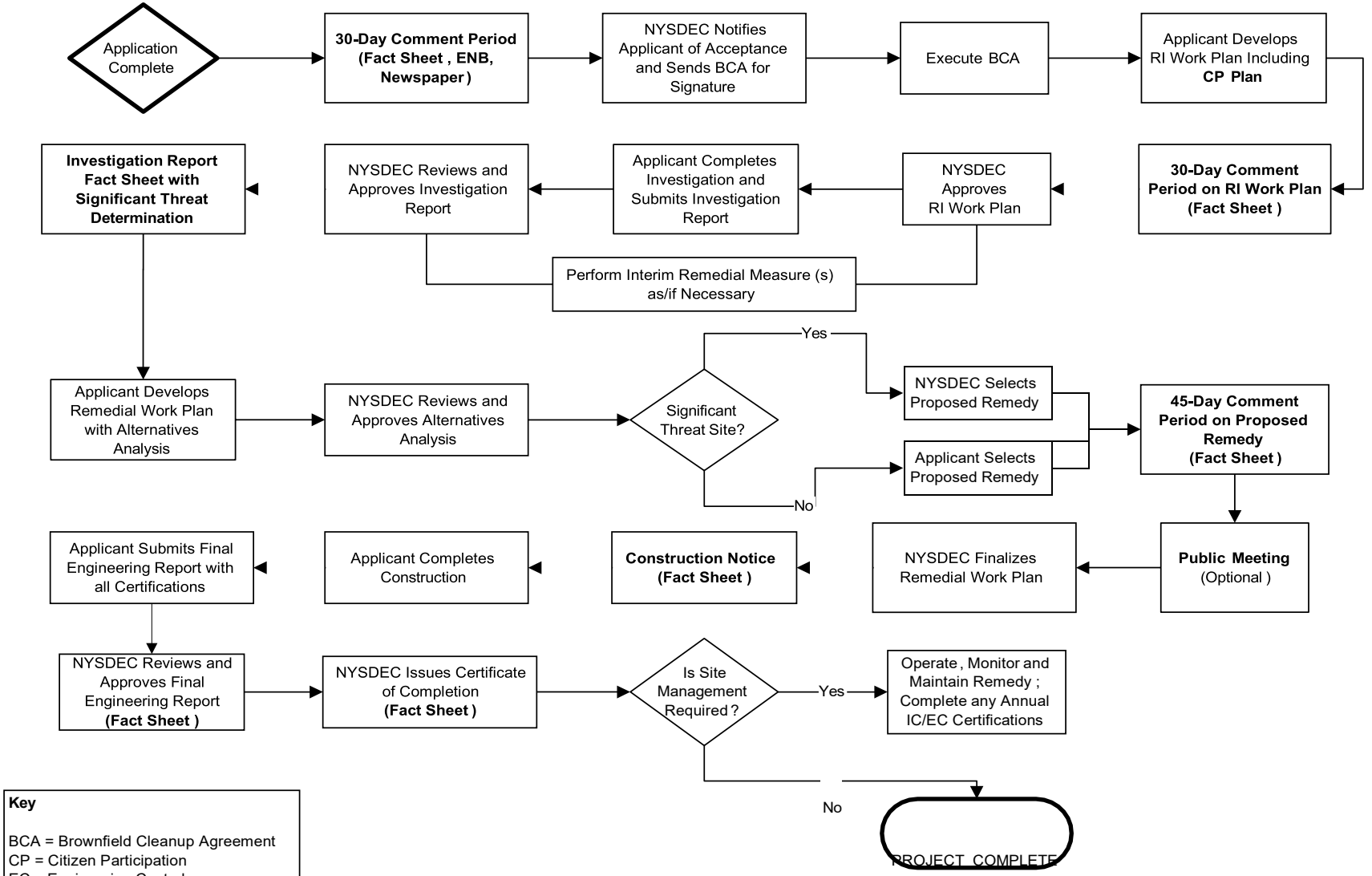
Appendix D– Brownfield Cleanup Program Process



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

Appendix E - 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: Consumers Park Brewery Site

Site Number: C224381

Site Address and County: 130 Montgomery Street, 124 Montgomery Street, 122A Montgomery Street a/k/a 960 Franklin Avenue, Brooklyn, New York

Remedial Party(ies): Franklin Plaza 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.**
As the date of this plan, no major issues of public concern were identified since direct contract to soil and/or groundwater contamination is not readily present. However, in the future, major issues of public concern, including but not limited to nuisance odors, noise, and construction-related traffic, may be identified. These potential issues will be addressed during the remedial program.

Contaminants of concern that have been identified to date include semi-volatile organic compounds (SVOCs) and metals in soil, and CVOCs in soil vapor. The identified contaminants will be assessed, delineated, and remediated in accordance with NYSDEC-approved work plans.

How were these issues and/or information needs identified?
This information was identified through a remedial investigation consisting of soil, water, air and vapor sampling.

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.
No information needs from the community identified to date.

How were these information needs identified?
Not Applicable

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.
Neighbors will be notified of remediation impacts prior to remediation.

How were these issues and/or information needs identified?
Typical issues such as noise and dust, and potential volatile organic compounds (VOCs) will be addressed in the Remedial Action Work Plan (RAWP), Community Air Monitoring Plan (CAMP), Site Specific Health and Safety Plan (HASP) and Site Management Plan (SMP).

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:**

☒ **Local Officials:** See Contact List

☒ **Media:** See Contact List

☐ **Business/Commercial Interests:**

☐ **Labor Group(s)/Employees:**

☐ **Indian Nation:**

☒ **Citizens/Community Group(s):** See Contact List

☒ **Environmental Justice Group(s):** See Contact List

☐ **Environmental Group(s):**

☒ **Civic Group(s):** See Contact List

☐ **Recreational Group(s):**

☐ **Other(s):**

Prepared/Updated By: Saranda Alka **Date:** 6/09/2023

Reviewed/Approved By: Thomas V. Panzone **Date: 7-24-23**