



Department of
Environmental
Conservation

Brownfield Cleanup Program

Citizen Participation Plan for Clay Properties LLC

July 2024

C224408
29 Clay Street
Brooklyn, NY 11222

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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: **Clay Properties LLC (“Applicant”)**
Site Name: **29 Clay Property (“Site”)**
Site Address: **29 Clay Street**
Site County: **Kings County**
Site Number: **C224408**

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 <https://dec.ny.gov/regulatory/regulations/technical-assistance-grant-tag-guidance-handbook-der-14>.

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

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

3. Major Issues of Public Concern

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

The Site is located in an Environmental Justice Area. 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. Since the site is not located in an Environmental Justice Area, there is no need to translate future fact sheets into another language.

The Site is located in an area with sizable Hispanic-American and Polish-American populations near the site. Therefore, all future fact sheets will be translated into both Polish and Spanish.

For additional information, visit:

<https://statisticalatlas.com/tract/New-York/Kings-County/056300/Race-and-Ethnicity>

The information on this site will be made available at two document repositories, the local library and at the community board.

Based on the results of previous environmental investigations contamination exists at the property. Contamination identified from the previous investigations include both Volatile Organic Compounds (VOCs). VOCs are compounds that are emitted as gases from solids or liquids. VOCs include a variety of chemicals that may have short- and long-term adverse health effects. Some examples of VOCs include paints, lacquers, and some cleaning supplies.

The contaminants represent a possible public concern at the site. However, the site is not near and public water supply or private water wells. The future on-site use and remediation will not create any restriction on community activities but will render the Site protective of public health and the environmental.

It should be noted that during the future completion of remedial activities at the site potential contaminants known to be present in the soil, may become airborne and pose a potential health risk to the site visitors and workers during remedial construction, workers and occupants on adjacent properties. However, a NYSDEC Community Air Monitoring Plan (CAMP) will be in place for the proposal remedial activities and will be followed to

safeguard the workers, the public and other adjacent occupants against any potential exposures.

4. Site Information

Site Description

The site is in an urban neighborhood, located at 29 Clay Street, Brooklyn, NY 11222. The site is comprised of one New York City Tax Lots (County: Brooklyn; Block 2482; Lot 53. The total area of the site is 9,415 square feet (sq ft). The Site has frontage along Clay Street; the site is vacant and undeveloped. There is an old foundation that remains in place. The site is gated to avoid any trespassers entering the premises.

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

History of Site Use, Investigation, and Cleanup

The site was utilized for various industrial and manufacturing operations including iron works, tin can storage facility, cotton batting company, paper storage warehouse, and “non-specific manufacturing use.”

The following investigations were previously performed at the Site:

1. Remedial Investigation by Preferred Environmental Services, March 2023

Remedial Investigation (RI) by Preferred Environmental Services (Preferred), March 2023

Preferred conducted an RIR under the oversight of the New York City Office of Environmental Remediation (NYCOER). The RI was completed for three NYC Tax Lots (9, 10 and 53) identified at 19-27 Clay Street, 53 Clay Street and 60-62 Commercial Street. The investigation included the installation of ten (10) soil borings, five (5) permanent groundwater monitoring wells, nine (9) soil vapor probes. Of the samples collected for the RI, this section summarizes the samples collected specifically associated with the BCP Site. A total of seven (7) soil samples, three (3) groundwater samples, and six (6) soil vapor samples were collected and sent for a laboratory analysis.

Samples were analyzed for the following:

- Target Compound List (TCL) volatile organic compounds (VOCs) by United States Environmental Protection Agency (EPA) Method 8260
- TCL semi-volatile organic compounds (SVOC) by EPA Method 8270
- Target Analyte List (TAL) metals by EPA Method 6000/7000 series
- Pesticides/polychlorinated biphenyls (PCB) by EPA Method 8081/8082
- 1,4-Dioxane and Poly-Fluoro-Aalkyl Substances (PFAS)

Summary of Historical Environmental Findings:

1. Depth to groundwater is shallow and between 6-8 feet below ground surface grade.
2. On-site groundwater flow is generally northwest.
3. Bedrock was not encountered during the investigation.
4. Soils encountered throughout the site consisted generally of brown fine grained sandy fill mixed with wood, gravel and/or brick fragments (consistent with historic fill material) from grade surface to a depth of approximately 4 feet (ft) below ground surface (bgs), Soil below 4 feet did have silty clay to the terminal drilling depth (10-15 ft bgs).
5. The known contaminants of concern include the following in the soil:

VOCs

Trichloroethylene (TCE) was reported above both the Protection of Groundwater Soil Cleanup Objective (PGSCO) and Unrestricted Use Soil Cleanup Objective (UUSCO) in SB-6 (0-2 ft) at 21 mg/kg over the standard of 0.47 mg/kg. TCE was detected above UUSCO in SB-4 (0-2ft) at 10 mg/kg.

SVOCs

SVOCs seven (7) semi-volatile organic compounds, Benz(a)anthracene (maximum 15 mg/kg), Benzo(a)pyrene (maximum 13.1 mg/kg), Benzo(b)fluoranthene (maximum 12 mg/kg), Dibenzo (a,h)anthracene (maximum 3.270 mg/kg) Benzo(k)fluoranthene (maximum 10.9 mg/kg) Chrysene (maximum 13.9 mg/kg), Ideno(1, 2, 3-cd)pyrene(maximum 8.73 mg/kg) were detected above RRSCOs. SB-5 (0-2 ft) and SB-7 (0-2 ft) had all seven compounds over their applicable RRSCO.

Total Metals

Seven (7) metals, Arsenic (maximum 23.2 mg/kg in SB-9 (0-2')), Barium (maximum 513 mg/kg in SB-7 (0-2')), Cadmium (maximum 6.14 mg/kg in SB-7 (0-2')), Copper (maximum 303 mg/kg in SB-7 (0-2')), Lead (maximum 6,870 mg/kg in SB-7 (0-2')), Manganese (maximum 3,260 mg/kg in SB-7 (0-2')), and mercury were detected at or above their applicable RRSCO and/or the Protection of Groundwater SCO. The elevated detection of inorganic constituents are not detected at the deeper sample locations within the same boring.

6. Groundwater samples were collected, and results showed exceedances above groundwater standards for eight (8) compounds; 1,1,2-Trichloroethane 1.38 ug/L (AWQSGVs 1 ug/L), 1,1-Dichloroethylene 11.2 ug/L (AWQSGVs 5 ug/L), chloroform 12 ug/L (AWQSGVs 7 ug/L), cis-1,2-Dichloroethylene 1,340 ug/L, (AWQSGVs 5 ug/L), Tetrachloroethylene 6.28 ug/L, (AWQSGVs 5 ug/L), trans-1,2-Dichloroethylene 42.6 ug/L (AWQSGVs 5 ug/L), Trichloroethylene 6,370 ug/L (AWQSGVs 5 ug/L), and Vinyl Chloride 60.4 ug/L (AWQSGVs 2 ug/L).
7. Six (6) soil vapor samples were collected and analyzed across the site. All of the soil vapor samples had elevated detections of chlorinated solvents as are summarized below by contaminant:
 - 1,1,1-Trichloroethane – Samples had detections ranging from 3 ug/m³ to 120 ug/m³.
 - cis-1,2-dichloroethene. The soil vapor sample, SV-3 installed on the Clay Street side of the site reported the maximum detection of 120 ug/m³.
 - Tetrachloroethylene (PCE) - PCE was detected in soil vapor samples collected across the property at concentrations ranging from 3.7 ug/m³ to 4,500 ug/m³.
 - Trichloroethene (TCE) - TCE was detected in soil vapor samples collected from across the site at concentrations ranging from 11 ug/m³ to 740,00 ug/m³.

Based on the results of previous environmental investigations contamination exists at the property. Contamination identified from the previous investigation include Volatile Organic Compounds (VOCs). VOCs are compounds that are emitted as gases from solids or liquids. VOCs include a variety of chemicals that may have short- and long-term adverse health effects. Some examples of VOCs include paints, lacquers, and some cleaning

supplies.

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):

Jennifer Gonzalez

Project Manager
NYSDEC, Region 2
Division of Environmental Remediation
47-40 21st Street
Long Island City, NY 11101
718-482-4508
Jennifer.gonzalez@dec.ny.gov

Thomas Panzone

Public Participation Specialist
NYSDEC, Region 2
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):

Steven Lawrence
Project Manager
NYSDOH
Empire State Plaza, Corning Tower
Room 1787
Albany, NY 12237
(518) 402-0450
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:

<https://extapps.dec.ny.gov/data/DecDocs/C224408/>

Brooklyn Public Library
Greenpoint Branch
107 Norman Avenue
Brooklyn NY 11222
Phone: 718-389-4394

Hours: M W F -10am -6pm, T, 1-8PM,
TH 10-8PM, Sat 10-5pm

Brooklyn Community Board 1
435 Graham Avenue
Brooklyn NY 11211
Phone: 718-389-0009
E-Mail: bk01@cb.nyc.gov
Ms. Johana Pulgarin, District Manager

Stephen Chesler, Chairperson –
Environmental Protection Committee
Dealice Fuller - Chairperson

Hours: call for appointment

Appendix B - Site Contact List

Local Government Offices

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

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

Hon. Brad Lander
NYC Comptroller
1 Centre Street Room 517
New York, NY 10007

Hon. Jumaane D. Williams
Public Advocate
1 Centre Street 15th Floor North
New York, NY 10007

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

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

NYC Municipal Water Finance Authority
Philip Wasserman - Executive Director
255 Greenwich Street 6th Floor
New York, NY 10007

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

Shaminder Chawla
Acting Director
NYC Office of Environmental Remediation
100 Gold Street – 2nd Floor
New York NY, 10038

Jane H. O’Connell, P.G.
New York State Department of Environmental Conservation
Regional Remediation Engineer, Division of Environmental Remediation
47-40 21st Street
Long Island City, NY 11101

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

Hon Kristen Gonzalez
NYS Senator
District 59
801 2nd Ave suite 303
Brooklyn NY 10017

Hon. Lincoln Restler
New York City Council – District 33 410
Atlantic Avenue
Brooklyn NY 11217

Hon. Emily Gallagher
Assemblymember – District 50
685A Manhattan Avenue Brooklyn
NY 11222

Local Media Outlets

New York Daily News

PO Box 7180

New York, NY 10008

New York Post

1211 Avenue of the Americas

New York, NY 10036

Spectrum NY 1 News

75 Ninth Avenue

New York, NY 10011

Brooklyn Daily Eagle

195 Montague Street, Suite 1414

Brooklyn, NY 11201

Courier-Life Publications

1 Metrotech Center #10T

Brooklyn, NY 11201

The Brooklyn Papers

1 Metrotech Center

Brooklyn, NY 11201

Hoy Nueva York

Impremedia, 41 Flatbush Avenue 1st Floor

Brooklyn, NY 11217

El Diario

Impremedia, 41 Flatbush Avenue 1st Floor

Brooklyn, NY 11217

Nowy Dziennik (Polish Daily News)

Outwater Media Group LLC 10 Schindler Road

Clark, NJ 07066

Greenpoint Gazette

597 Manhattan Ave

Brooklyn, NY 11222

School and Daycare Facilities

Building Blocks of Greenpoint
President/Executive Director/Principal
718-383-0208
<https://www.buildingblocksny.com/>
44 Kent Street
Brooklyn, NY 11222

Polish Saturday School
President/Executive Director/Principal
Parish of St. Cyril and Methodius 150 Dupont
Street
Brooklyn NY 11222
(516) 279-7609

Carrusel Child Care Center Brooklyn
President/Executive Director/Principal
(929) 391-4260
168 Java Street
Brooklyn, NY 11222

Bunny Hill Kids
President/Executive Director/Principal
718-349-8811
213 West St
Greenpoint , NY 11222
718-349-8811

Greenpoint YMCA Early Childhood Center
President/Executive Director/Principal
(212) 912-2267
176 Java St
Brooklyn, NY 11222
(212) 912-2267

Greenpoint Garden Playhouse
President/Executive Director/Principal
(347) 356-3146
53 India St,
Brooklyn, NY 11222
(347) 356-3146

Green Bean Day Care & Learning Center
President/Executive Director/Principal
718-389-4004
<https://www.greenbeanpreschool.com/>
161 Greenpoint Avenue
Brooklyn, NY 11222

Community, Civic, Religious and Other Environmental Organizations:
Johari Jenkins-Taylor - Brooklyn Regional & Community Affairs manager
Consolidated Edison Corporate Affairs
30 Flatbush Avenue
Brooklyn, NY 11217

Elizabeth Hulsen- President
94th Police Precinct Council
100 Meserole Ave
Brooklyn, NY 11222

Engine 238 & Ladder 106 FDNY
205 Greenpoint Avenue
Brooklyn, NY 11222

North Brooklyn Neighbors
Lael Goodman - Environmental Programs
contact@northbrooklynneighbors.org
<https://northbrooklynneighbors.org/>
240 Kent Avenue
Brooklyn, NY 11249

St. Nick's Alliance
Michael Rochford - Executive Director
<https://www.stnicksalliance.org/>
2 Kingsland Avenue
Brooklyn, NY 11211

North Brooklyn Community Boathouse
contact@nbcboathouse.org
Erica Pajerowski & Patterson Beckwith, Co-presidents
<https://nbcboathouse.org/>
51 Ash Street, NY 11222

Newtown Creek Monitoring Committee
Attn: Christine Holowacz
[Email: nc.mc@verizon.net](mailto:nc.mc@verizon.net)
329 Greenpoint Avenue
Brooklyn, NY 11222

Town Square Inc.
<https://www.townsquarebk.org/>
[Email: hello@townsquarebk.org](mailto:hello@townsquarebk.org)
Susan Anderson - Executive Director

Barge Park Pals
127 DuPont Street 2E
Brooklyn, NY 11222

St Cyril & Methodius Church
150 Dupont Street
Brooklyn, NY 11222

Iglesia Pentecostal El Tabor
256 Franklin Street #2R
Brooklyn, NY 11222

Greenpoint Muslim Community Center
48 Clay Center
Brooklyn, NY 11222

Newtown Creek Alliance
<https://www.newtowncreekalliance.org/>
Willis Elkins - Executive Director
info@newtowncreekalliance.org
520 Kingsland Avenue 3rd Floor
Brooklyn, NY 11222

Church of the Ascension
127 Kent St
Brooklyn, NY 11222

Brooklyn And Danya's
985 Manhattan Ave,
Brooklyn, NY 11222

Chabad of Greenpoint
48 India St
Brooklyn, NY 11222

Greenpoint Monitor Museum
PO BOX 220378
Brooklyn, NY 11222

North Brooklyn Development
148-150 HURON ST
Brooklyn, NY 11222

Polish Slavic Center
<https://polishslaviccenter.us/>
176 Java Street
Brooklyn, NY 11222

St John's Lutheran Church
155 Milton St
Brooklyn, NY 11222

Adjacent Property Owners

1. Enrico Manetta
40 Commercial Street
Brooklyn, NY 11222
Block 2482 Lot 1
2. Nicholas Manetta
48 Commercial Street
Brooklyn NY 11222
Block 2482 Lots 4 and 6
3. Greenpoint Development
15 Clay Street
Brooklyn, NY 11222
Block 2482 Lots 7 and 8
4. Stony Ridge Art LLC
68 Commercial Street
Brooklyn, NY 11222
Block 2482 Lot 16

5. High Grade Wiper Supple (Owner and occupant)
74 Commercial Street
Brooklyn, NY 11222
Block 2482 Lot 18
6. M. Hiller & Son
Inc.
6 Box Street
Brooklyn, NY 11222
Block 2482 Lot 21 and 26
7. John Imperatore
1117 Manhattan Avenue
Brooklyn NY 11222
8. 1115 Manhattan LLC
1115 Manhattan Avenue
Brooklyn NY 11222
Block 2482 Lot 40
9. Dupont Street Development
22 Clay Street
Brooklyn, NY 11222

Previous Owners

1. Clay Street Corp., a New York
Corporation Last known address:
438 Bunker Drive
Oceanside NY 11572
Years of Ownership: - 1979
Phone: no record
Relationship to applicant: none
2. Joseph Silfen
Last known address:
601 Three Island Boulevard
Hallandale, Florida 33009
Years of Ownership: - 1979 - 1984
Phone: no record
Relationship to applicant: none

Joseph Silfen (deceased)
Ethel Silfen (executor of the Estate) sold in 1984
601 Three Isles Blvd
Hallandale Florida

33009

Phone: no record

Relationship to applicant: none

3. Edith Wolbrom

Last known address:

75-15 180th Street

Flushing, NY 11366

Years of Ownership: - 1984-1988

Phone: no record

Relationship to applicant: none

4. The Deed for 1988 has four individual owners for both lots 53 and

9

5. Frances Levine 1988 - 2022

101 Ash Drive

Great Neck, NY 11201

And

Irving M. Wolbrom 1988 - 2022

44 Bayview Avenue

Great Neck, NY 11201

Edith Wolbrom 1984 - 2022

75-15 180th Street

Flushing, NY 11366

And

Renay Weisberg 1988-2022

122 Caramel Road

Commack, NY 11725

Years of Ownership: - 1988 - 2022

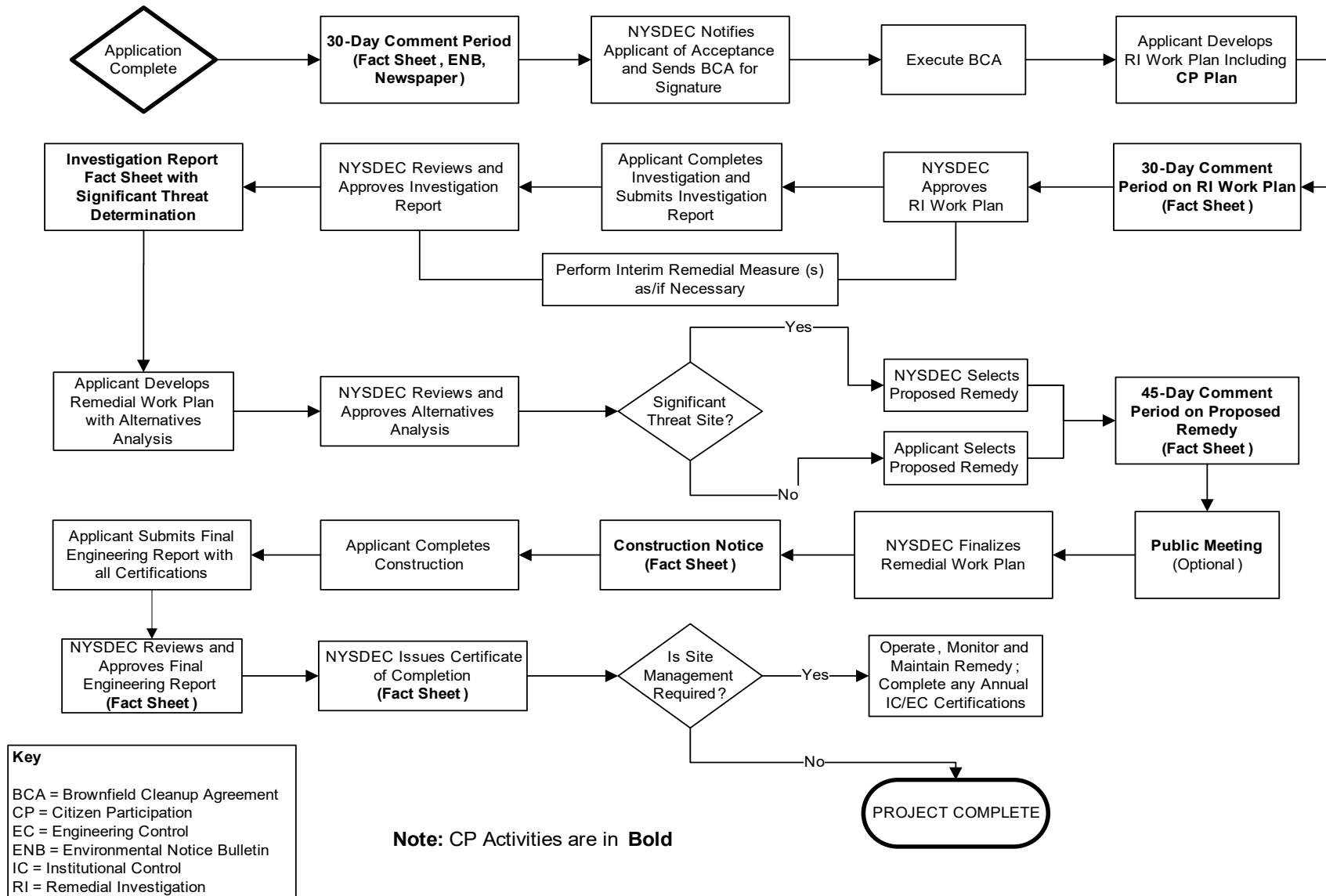
Phone: no record

Relationship to applicant: none

Appendix C - Site Location Map



Appendix D– Brownfield Cleanup Program Process





Division of Environmental Remediation

Remedial Programs Scoping Sheet for Major Issues of Public Concern

Instructions

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

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

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

General Instructions

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

Instructions for Numbered Parts

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

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

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

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

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

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

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

Part 4. Community Characteristics

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

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

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

h. Consider factors such as:

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

Part 5. Affected/Interested Public.

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

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

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

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



Division of Environmental Remediation

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

Site Name: Clay Properties, LLC

Site Number: C224408

Site Address and County: 29 Clay Street, Brooklyn NY, Kings County

Remedial Party(ies): Clay Properties, 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.**

Contamination identified from the previous investigations include both Volatile Organic Compounds (VOCs). Concern is VOC leaving the site

How were these issues and/or information needs identified?

NYSDEC Community Air Monitoring Plan (CAMP) will be in place for the proposal remedial activities

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.

Help to identify interested parties

How were these information needs identified?

Reaching out to neighbors to find interested parties

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.

List of organizations included in outreach list will be notified of all work, schedule, etc.

How were these issues and/or information needs identified?

Will send out fact sheets and keep the community board and library up to date.

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**:

Spanish and polish translations will be available

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:** See Site Contact List

☒ **Local Officials:** See Site Contact List

☒ **Media:** See Site Contact List

☒ **Business/Commercial Interests:** See Site Contact List

☒ **Labor Group(s)/Employees:** See Site Contact List

☐ **Indian Nation:** [Click here to enter text.](#)

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

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

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

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

☒ **Recreational Group(s):** See Site Contact List

☐ **Other(s):** [Click here to enter text.](#)

Prepared/Updated By: Victoria Whelan

Date: 7.25.24

