EXPLANATION OF SIGNIFICANT DIFFERENCE
FORMER BP GASOLINE SERVICE STATION SITE

City of New York / Kings County / Site No. C224424 / September 2026

Prepared by the New York State Department of Environmental Conservation
Division of Environmental Remediation

1.0 INTRODUCTION

The purpose of this notice is to describe the progress of the cleanup at the Former BP Gasoline Service Station Site and to inform you about a change in the site remedy. The site is located at 860 Flushing Avenue in Brooklyn (see Figure 1 for site location map and Figure 2 for site layout). On May 18, 2026, the New York State Department of Environmental Conservation (NYSDEC) issued a decision document which selected a remedy to clean up the site. The selected Track 2 Restricted Residential remedy presented in the decision document (DD) consisted, in part, of the following:

- Soil vapor extraction (SVE) will be implemented to remove volatile organic compound (VOC) vapors from the subsurface and prevent off-site migration of contaminated vapor.

Based on the pilot scale study, it was determined that an SVE system will not be an effective remedy and cannot be implemented to remove VOCs from the subsurface. Site soils exhibit insufficient air permeability to support effective SVE. The limited airflow, poor vacuum propagation, and negligible contaminant recovery indicate that an SVE system would not effectively remediate the impacted vadose zone (area below ground but above water table). Therefore, SVE is not considered a technically feasible remedial technology for the site.

This Explanation of Significant Difference (ESD) will become part of the Administrative Record for this Site. The information here is a summary of what can be found in greater detail in documents that are available through DECInfo Locator (https://extapps.dec.ny.gov/data/DecDocs/C224424/) and have been placed in the following repositories:

Brooklyn Community Board 1
435 Graham Avenue
Brooklyn, NY 11211
(718) 389-0009

Brooklyn Community Board 4
1420 Bushwick Ave Ste 270
Brooklyn, NY 11207
Phone: (718) 628-8400

Brooklyn Public Library - Bushwick Branch
340 Bushwick Ave
Brooklyn, NY 11206
Phone: (718) 602-1348

Although this is not a request for comments, interested members of the public are invited to contact NYSDEC's Project Manager for this site identified below to obtain more information or have questions answered.

2.0 SITE DESCRIPTION AND ORIGINAL REMEDY

2.1 Site History, Contamination, and Selected Remedy

Site Description: The 0.24-acre site is bounded to the north by Flushing Avenue followed by a multi-story residential building that is part of the NYCHA Bushwick Houses complex; to the east by Bushwick Avenue followed by commercial and residential buildings with ground floor commercial use; to the south by a six-story residential building with ground floor commercial use; and to the west by a two-story deli. The site is an irregularly shaped lot formerly occupied by a BP-branded gasoline service station and is currently vacant with construction fence surrounding the site. The site was used as a gasoline filling station with auto service from at least 1979 until 2025. In addition to petroleum retail operations, prior uses include auto washing/inspection/repair and chair manufacturing with paint spraying.

Summary of the Investigation: The primary contaminants of concern at the site are semi-volatile organic compounds (SVOCs) and metals in soil, and VOCs in soil vapor.

Elements of Selected Remedy:

- A remedial design program will be implemented to provide the details necessary for the construction, operation, optimization, maintenance, and monitoring of the remedial program. Green remediation principles and techniques will be implemented to the extent feasible in the design, implementation, and site management of the remedy as per DER-31.
- Removal of Underground Storage Tanks (USTs) in accordance with local, state and federal regulations;
- Excavation and off-site disposal of contaminated soil to approximately 10 feet below ground surface (ft bgs) across the site, with deeper localized excavations up to 15 ft bgs;
- Collection and analysis of endpoint soil samples to evaluate the effectiveness of the cleanup;
- Installation of Sub-Slab Depressurization System (SSDS) in the proposed building to mitigate soil vapor intrusion;
- Installation of an SVE system to remediate deeper soil and to prevent off-site migration of contaminants in soil vapor;
- Importing clean material that meets the established Soil Cleanup Objectives for use as backfill;
- Development of a Site Management Plan (SMP) for long-term management of remaining contamination as required by the Environmental Easement (EE), including plans for: (1) Institutional and Engineering Controls (IC/ECs); (2) monitoring; (3) operation and maintenance; and (4) reporting; and
- Recording of an EE to control future land use and to prevent future exposure to any contamination remaining at the site.

3.0 CURRENT STATUS

The remedial action is ongoing and includes soil excavation and SSDS installation. NYSDEC has received a proposed amendment to the approved Remedial Action Work Plan (RAWP) detailing the proposed changes discussed here and is reviewing the document in consultation with the NYS Department of Health (NYSDOH). NYSDEC is awaiting submittal of the draft SMP, Final Engineering Report (FER), and EE by the Applicant.

4.0 DESCRIPTION OF SIGNIFICANT DIFFERENCE

4.1 New Information

An SVE pilot test was conducted in June 2026 to evaluate the feasibility of SVE as a remedial technology and to assess the air permeability and vacuum response of the subsurface. A vacuum was applied into the vadose zone (area below ground but above water table). The observed response is indicative of low-permeability soils, which significantly restrict air movement through the treatment zone. As a result, the applied extraction vacuum was not effectively transmitted through the subsurface, limiting the volume of soil that can be influenced by each extraction well. Consistent with the limited vacuum propagation, Photoionization Detector (PID) readings, which is used to measure VOCs, measured in the extracted vapor stream remained non-detect or near background levels throughout the pilot testing, indicating negligible VOC mass recovery. Soil excavation was completed in the vicinity of the proposed SVE treatment area to 10 ft bgs. Endpoint sample locations are shown on Figure 3. Endpoint sample analytical results indicate that no contaminants exceeded the applicable criteria, and VOC concentrations meet the remedial objectives. Therefore, no additional excavation is warranted in the proposed SVE treatment area. To remain protective of potential soil vapor intrusion (SVI), the remedy includes an active sub-slab depressurization system (SSDS).

4.2 Comparison of Changes with Original Remedy

The change from the original remedy is the elimination of the SVE system. All other aspects of the remedy remain the same. Based on pilot testing, an SVE would not be effective at achieving cleanup goals in deeper soils. Upon review, the remaining contamination does not present a significant threat to public health or the environment. Any potential exposure pathways to the site related contamination will be addressed by the remedy.

5.0 SCHEDULE AND MORE INFORMATION

Remedial work associated with this site is still ongoing and is expected to be completed by December 2026.

If you have questions or need additional information you may contact any of the following:

Nour Haredy, Project Manager
NYSDEC, Division of Environmental Remediation
47-40 21st Street, Long Island City, New York 11101
p: (718) 482-6333
nour.haredy@dec.ny.gov

Kari Pollard, Project Manager
NYSDOH, Bureau of Environmental Exposure and Investigation
Empire State Plaza, Corning Tower, Room 1787, Albany, New York 12237
p: (518) 486-1443
beei@health.ny.gov

DECLARATION

The selected remedy is protective of public health and the environment, complies with State and Federal requirements that are legally applicable or relevant and appropriate to the remedial action to the extent practicable, and is cost effective. This remedy utilizes permanent solutions and alternative treatment or resource recovery technologies, to the maximum extent practicable, and satisfies the preference for remedies that reduce toxicity, mobility, or volume as a principal element.

9/28/26
Date

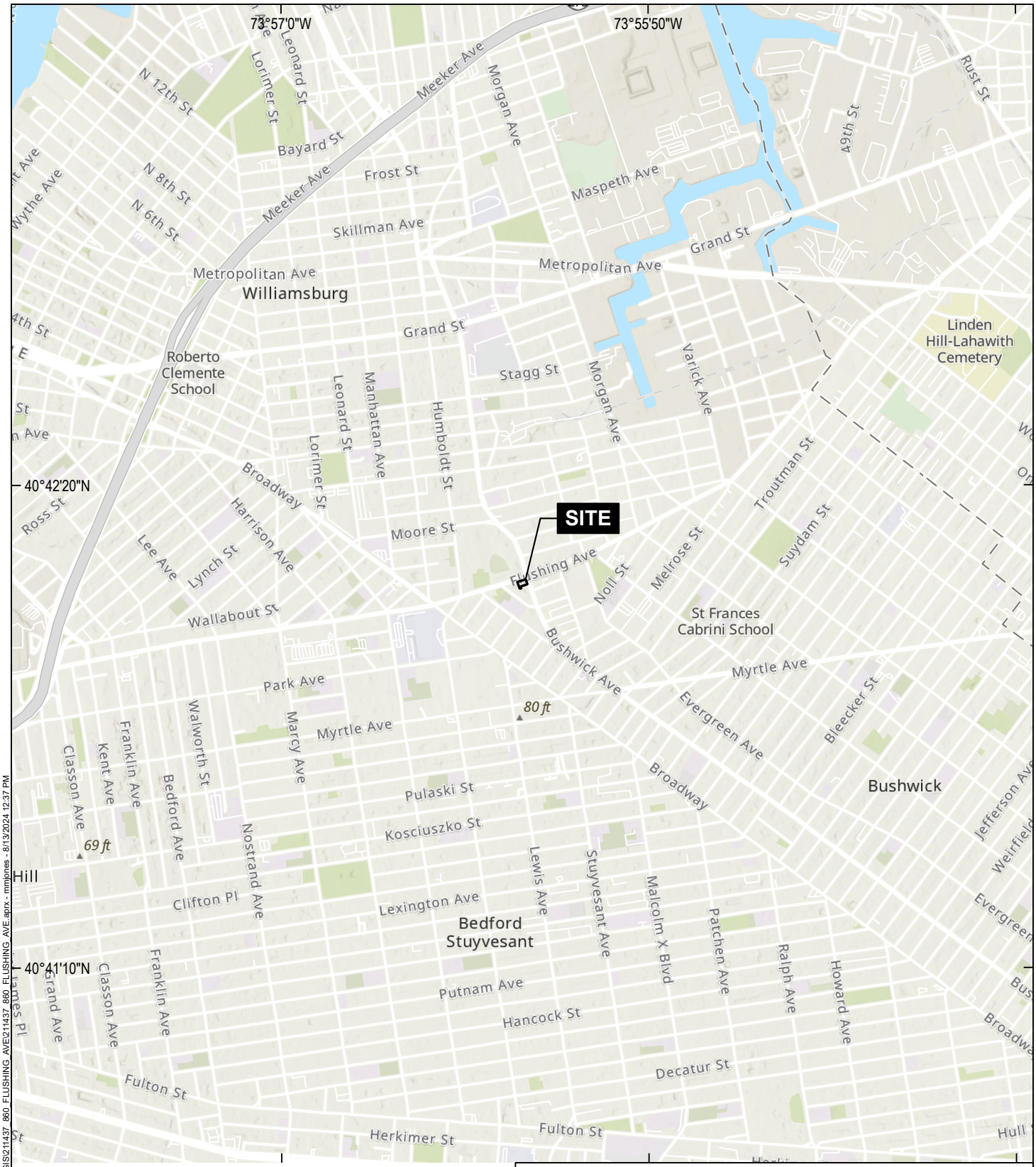
Nour Haredy
Nour Haredy, Project Manager
Region 2, Section C

9/28/26
Date

Andre Obligado
Andre Obligado, Section Chief
Region 2, Section C

9/28/26
Date

Jane H. O'Connell
Jane O' Connell, Regional Remediation Engineer
Region 2







MAP SOURCE: ESRI
SITE COORDINATES: 40°42'06"N, 73°56'14"W

HALEY ALDRICH

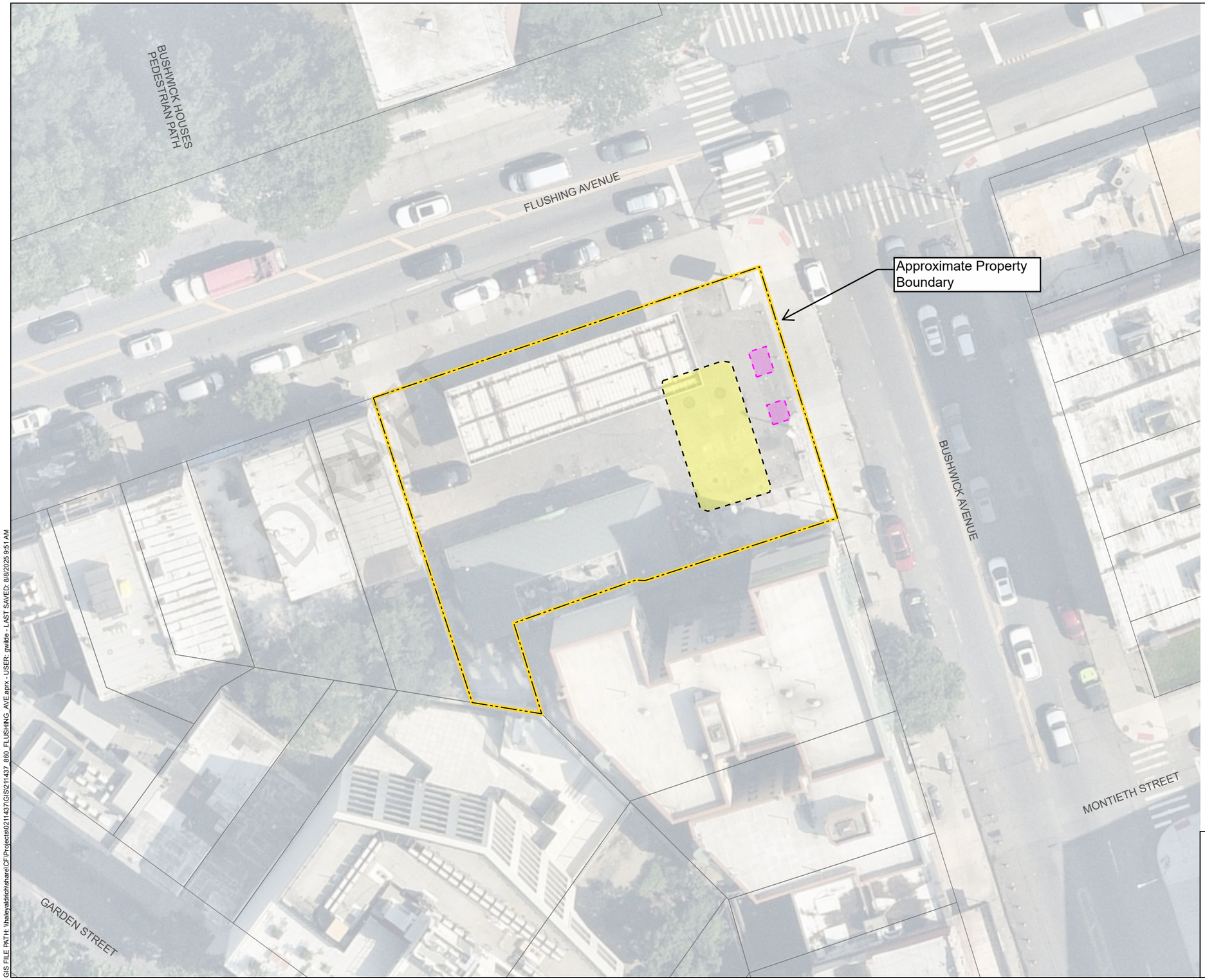
860 FLUSHING AVENUE
BROOKLYN, NEW YORK

PROJECT LOCATION

APPROXIMATE SCALE: 1 IN = 2000 FT
DECEMBER 2025

FIGURE 1

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LEGEND

- SITE BOUNDARY
- PARCEL BOUNDARY
- LOCATION OF TWO EXISTING 12,000-GALLON DOUBLE-WALLED FIBERGLASS UNDERGROUND STORAGE TANKS - ASSUMED LOCATION OF THREE FORMER 4,000-GALLON STEEL UNDERGROUND STORAGE TANKS
- SUBSURFACE ANOMALIES DETECTED DURING GROUND-PENETRATING RADAR SURVEY ON JULY 21, 2025

NOTES

1. ALL LOCATIONS AND DIMENSIONS ARE APPROXIMATE.
2. PARCEL DATA SOURCE: NEW YORK CITY DEPARTMENT OF CITY PLANNING, INFORMATION TECHNOLOGY DIVISION
3. AERIAL IMAGERY SOURCE: NEARMAP, JULY 3, 2025

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SCALE IN FEET

HALEY ALDRICH

860 FLUSHING AVENUE
BROOKLYN, NEW YORK

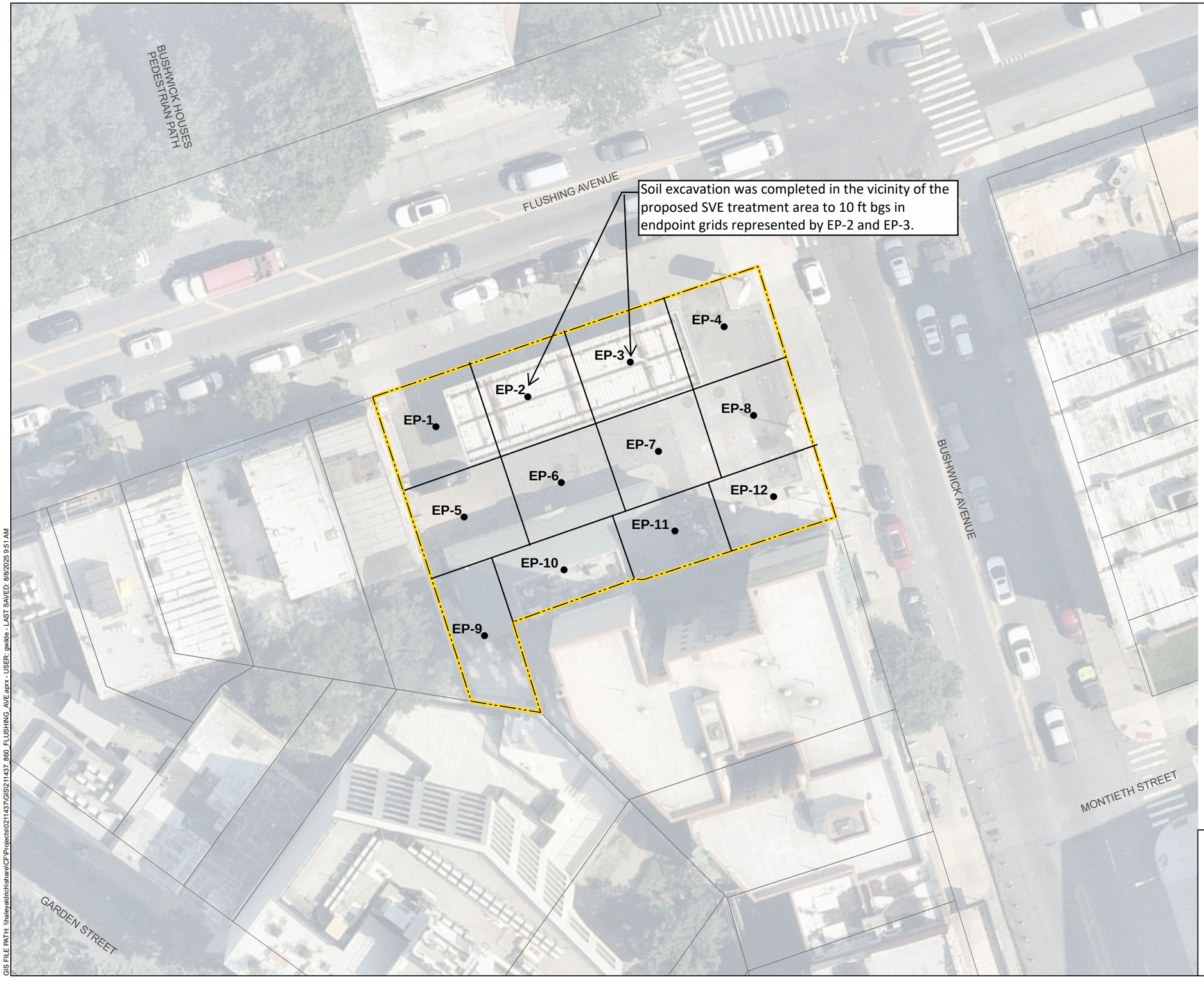
SITE MAP

DECEMBER 2025

FIGURE 2

DRAFT

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LEGEND

- SITE BOUNDARY
- PARCEL BOUNDARY
- ENDPOINT GRID
- PROPOSED ENDPOINT LOCATIONS

NOTES

1. ALL LOCATIONS AND DIMENSIONS ARE APPROXIMATE.
2. PARCEL DATA SOURCE: NEW YORK CITY DEPARTMENT OF CITY PLANNING, INFORMATION TECHNOLOGY DIVISION
3. AERIAL IMAGERY SOURCE: NEARMAP, JULY 3, 2025
4. SVE - SOIL VAPOR EXTRACTION

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0 30 60
SCALE IN FEET

HALEY ALDRICH

860 FLUSHING AVENUE
BROOKLYN, NEW YORK

ENDPOINT SAMPLE LOCATION MAP

AUGUST 2026

FIGURE 3

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