



Department of
Environmental
Conservation

Brownfield Cleanup Program
Citizen Participation Plan
for
Former BP Gasoline Service Station Site
860 Flushing Avenue, Brooklyn, NY 11206
July 2025

BCP Site #C224424
860 Flushing Avenue
Brooklyn, NY 11206

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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: **Flushing Holdings NY LLC (“Applicant”)**
Site Name: **Former BP Gasoline Service Station Site (“Site”)**
Site Address: **860 Flushing Avenue, Brooklyn, NY 11206**
Site County: **Kings County**
Site Number: **C224424**

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.

Based on analytical results from a Phase II Environmental Site Investigation (ESI) performed at the site in August 2024, the primary contaminants of concern at the Site are volatile organic compounds (VOCs), semi-VOCs (SVOCs), and metals (including hazardous lead) in soil; VOCs, SVOCs, and metals in groundwater, and petroleum volatile organic compounds (VOCs) and chlorinated VOCs (CVOCs) in soil vapor. Issues of concern would be regarding the nearby local residents and property owners.

The Site is located along Flushing Avenue at the southwest corner of the intersection with Bushwick Avenue in an urban area of the Bushwick neighborhood of Brooklyn, NY. There are five sensitive receptors within a 500-foot (ft) radius of the site, Garden Playground, Rheingold Development, P.S. 120 Carlos Tapia, Riseboro Community Partnership, Inc., and Bushwick Playground and Pool. The area surrounding the Site has been characterized by residential and commercial properties.

The site is located in an NYC Environmental Justice Area and designated as a DAC (disadvantaged community #36047038900). There is a sizable Hispanic population nearby. Future fact sheets will be translated into Spanish.

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 politics.

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.

For additional information, visit: <https://statisticalatlas.com/tract/New-York/Kings-County/038900/Race-and-Ethnicity>

In addition, there may be concerns regarding odor, noise and truck-related traffic.

4. Site Information

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

The Site is an irregularly shaped corner lot located at 860 Flushing Avenue in an urban area characterized by mixed-use commercial and residential buildings. The Site, identified as Block 3138, Lot 32 on the New York City tax map in a R6A/C2-4 zoning area, is approximately 10,600 square feet (sq ft) (0.24-acres) in size. It is currently occupied by a BP gasoline service station with three pump islands, three gasoline pumps, and a convenience store.

Section	Block	Lot	Official Address	Acreage
3	3138	32	860 Flushing Avenue	0.24

The site is located in the Bushwick neighborhood of Brooklyn, NY. Adjacent properties include:

Direction	Adjoining Property	Surrounding Properties
North	Flushing Avenue followed by New York City Housing Authority-owned multi-family elevator buildings (The Bushwick Houses).	Multi-family residential buildings/industrial & manufacturing buildings
South	Six-story residential building with ground-floor commercial use	Mixed residential and commercial buildings.
East	Bushwick Avenue followed by a one-story restaurant.	Mixed residential and commercial buildings.
West	Two-story deli.	Multi-family residential buildings.

History of Site Use, Investigation, and Cleanup

The subject property was first developed as early as 1887 with multiple dwellings and storefronts. By 1934, the subject property was occupied by commercial businesses, including a chair manufacturer with paint spraying, an upholsterer, a dentist, a scrap iron business, a plumbing supply business, and a shoe store. From as early as 1946 to the present day, the subject property has operated as a gasoline filling station with auto service until at least 1979. Historical operations have included a laundry, lubritorium, repair shop, auto inspection, auto washing and sales, and parking and storage of more than five cars. Since 1979, the property has remained relatively unchanged except for the addition of a pump island canopy around 2001.

A Phase I Environmental Site Assessment (ESA) was completed in November 2023 by Merrit Environmental Consulting Corp. (Merritt) and a Limited Phase II Environmental Site Investigation was completed in August 2024 by Haley & Aldrich of New York. Based on the results of the previous investigations the primary contaminants of concern

for the Site are VOCs, SVOCs, and metals (including hazardous lead) in soil; VOCs, SVOCs, and metals in groundwater, and petroleum VOCs and CVOCs in soil vapor. A draft Remedial Investigation Work Plan (RIWP) has been submitted to the NYSDEC.

5. Investigation and Cleanup Process

Application

The Applicant has applied for and been accepted into New York's Brownfield Cleanup Program (BCP) 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 any remaining investigation and cleanup activities at the site with oversight provided by NYSDEC. Brownfield Cleanup Agreement executed by NYSDEC and the Applicant sets forth the responsibilities of each party in conducting these activities at the site.

Investigation

The Applicant has completed a partial site investigation before it entered into the BCP. For the partial investigation, NYSDEC will determine if the data is useable.

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 (FER) that certifies that cleanup requirements have been achieved or will be achieved within a specific time frame. NYSDEC will review the report to be certain that the cleanup is protective of public health and the environment for the intended use of the site.

Certificate of Completion

When NYSDEC is satisfied that cleanup requirements have been achieved or will be achieved for the site, it will approve the FER. NYSDEC then will issue a Certificate of Completion (COC) to the Applicant. The COC states that cleanup goals have been achieved, and relieves the Applicant from future liability for site-related contamination, subject to certain conditions. The Applicant would be eligible to redevelop the site after it receives a COC.

Site Management

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

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):

Nour Haredy

Project Manager

NYSDEC

Division of Environmental Remediation

47-40 21st Street,

Long Island City, NY 11101

Phone 718-482-6333

Email: Nour.Haredy@dec.ny.gov

Thomas V. Panzone

Public Participation Specialist

Division of Communication, Education and Engagement

NYSDEC – Region 2

47-40 21st Street

Long Island City, NY 11101

Thomas.panzone@dec.ny.gov

718-482-4953

New York State Department of Health (NYSDOH):

Kari Pollard

NYSDOH, Public Health Specialist

Bureau of Environmental Exposure Investigation

Empire State Plaza - Corning Tower, 17th Floor,

Albany, NY 12237

(518) 486-1443

bee@health.ny.gov

NYSDEC Info Tracker

<https://extapps.dec.ny.gov/data/DecDocs/C224424/>

Locations of Reports and Information

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

Brooklyn Community Board 4

1420 Bushwick Avenue, Rm 370,

Brooklyn, NY 11207 Attn:

Celestina León -District

Manager

Robert Camacho,

Chairperson

Environmental

Protection/Transportation/

Sanitation + Parks &

Hours:

Monday–Friday: 9:00 am–
5:00pm

Recreation
Ben Tocker - Chairperson
Phone: (718)-628-8400
Email: BK04@cb.nyc.gov

Brooklyn Community Board 1

435 Graham Avenue
Brooklyn, New York 11211
Phone: 718-389-0009
E-Mail: bk01@cb.nyc.gov
Ms. Johana Pulgarin, District Manager
Dealice Fuller, Chairperson
Stephen Chesler, Chairperson –
Environmental Protection Committee

Brooklyn Public Library – Bushwick Branch

340 Bushwick Avenue, Brooklyn NY 11206
Attn: Marc Waldron – Managing Librarian
Phone: 718.602.1348

Hours:

Monday, Wednesday, Friday- 10 AM–6 PM
Tuesday, Thursday- 1–8 PM
Saturday- 10AM – 5PM
Sunday- Closed

Appendix B - Site Contact List

Local Government and Elected Officials

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

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

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

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

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

Hon. Jennifer Gutierrez
NYC Councilmember
244 Union Avenue
Brooklyn, NY 11211

Hon. Maritza Davila
NYS Assemblymember
673 Hart Street Unit C2
Brooklyn, NY 11221

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

Hon. Antonio Reynoso
Brooklyn Borough President
209 Joralemon Street

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

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

Shaminder Chawla, Director NYC
Office of Environmental
Remediation
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. Nydia Velazquez
U.S. House of Representatives
Brooklyn District Office
266 Broadway, Suite 201
Brooklyn, NY 11211

Hon. Julia Salazar
NYS Senator
212 Evergreen Avenue
Brooklyn, NY 11221

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

New York City Water Board
NYC Department of Environmental
Protection
Alfonso L. Carney, Jr., Chairperson
59-17 Junction Boulevard, 8th Floor
Flushing, NY 11373

Brooklyn, NY 11201

Iris Rodriguez-Rosa, Commissioner
NYC Department of Parks & Recreation
830 Fifth Ave
New York, NY, 10065

Owners, Residents, Occupants

Mr. George J. Macchia
456 Bushwick LLC
556 Central Avenue
Bethpage, NY 11714

BP America
860 Flushing Avenue
Brooklyn, NY 11206

Adjacent Properties

Adjacent Properties to the North

Block 3129, Lot 1

811 Flushing Avenue, Brooklyn, NY 11206
New York City Housing Authority
787 Atlantic Ave, 2nd Floor
Brooklyn, NY 11238

Adjacent Properties to the East

Block 3139, Lot 6

457 Bushwick Avenue, Brooklyn, NY 11206

Block 3139, Lot 5

459 Bushwick Avenue, Brooklyn, NY 11206
Bushwick Terrace LLC
459 Bushwick Avenue
Brooklyn, NY 11206

Block 3139, Lot 4

461 Bushwick Avenue, Brooklyn, NY 11206
Kwok Hung Ng
92 Allen Street
New York, NY 10002

Adjacent Properties to the South

Block 3138, Lot 36

464 Bushwick Avenue, Brooklyn, NY 11206
Serlin Building Limited Partnership

77 Main Street, Suite 101
Staten Island, NY 10307

Block 3138, Lot 13

21 Garden Street, Brooklyn, NY 11206

Garden Owner LLC

c/o Rivington Company LLC

31 Belvidere Street, 2nd Floor

Brooklyn, NY 11206

Adjacent Properties to the West

Block 3138, Lot 37

858 Flushing Avenue, Brooklyn, NY 11206

Felip Wasersztrom

3938 Bell Boulevard

Bayside, NY 11361

Local News and Media

New York Post

1211 Avenue of the Americas

New York, NY 10036

New York Daily News

PO Box 7180

New York, NY 10008

Spectrum NY 1 News

75 Ninth Avenue

New York, NY 10011

Courier-Life Publications

15 Metrotech Center

Brooklyn, NY 11201

Brooklyn Daily Eagle

195 Montague Street, Suite 1414

Brooklyn, NY 11201

The Brooklyn Papers

15 Metrotech Center

Brooklyn, NY 11201

BK Reader

info@bkreader.com

<https://www.bkreader.com/>

School or Day Care Centers Located on or near the Site

Young Women's Leadership School of Brooklyn – K614
President/Executive Director/Principal
325 Bushwick Avenue
Brooklyn, NY 11206
(718) 387 - 5641
<https://www.tywsbrooklyn.org/>

Williamsburg Charter High School – K473
President/Executive Director/Principal
198 Varet Street
Brooklyn, NY 11206
<https://thewcs.org/>
718-782-9830

P.S. 145K Magnet School of
Leadership Through Engineering
President/Executive Director/Principal
<https://www.ps145k.org/>
[\(718\) 821-4823](tel:7188214823)
100 Noll Street
Brooklyn, NY 11206

Wiser Choice Learning
President/Executive Director/Principal
<https://insideschools.org/school/32KBWD>
1001 Broadway
Brooklyn, NY 11221
[\(718\) 574-7558](tel:7185747558)

Bedford Stuyvesant New Beginnings Charter School II – K966
President/Executive Director/Principal
<https://insideschools.org/school/84K966>
[\(718\) 453-1001](tel:7184531001)
82 Lewis Avenue
Brooklyn, NY 11206

Sumner Children's Center
President/Executive Director/Principal
<https://insideschools.org/school/14KBLS>
[\(718\) 455-3471](tel:7184553471)
860 Park Avenue
Brooklyn, NY 11206

P.S. 120 Carlos Tapia – The
Magnet School of
Architecture, Engineering, and
Design

President/Executive
Director/Principal
18 Beaver Street
Brooklyn, NY 11206
<https://www.ps120k.org/>
Success Academy Charter School - Bed-Stuy
Elementary

President/Executive
Director/Principal
211 Throop Avenue
Brooklyn, NY 11206
https://www.successacademies.org/school/bed-stuy-2/?utm_medium=organic&utm_source=gbp&utm_campaign=bedstuyelementary
718-704-1439

Tompkins Children's Center –
Brooklyn Kindergarten Society
President/Executive
Director/Principal
<https://insideschools.org/school/14KBLT>
[\(718\) 782-9140](tel:7187829140)
730 Park Avenue
Brooklyn, NY 11206

P.S. 373 – Brooklyn Transition Center
President/Executive
Director/Principal
<https://www.p373kbtc.org/>
718-782-6800
185 Ellery Street
Brooklyn, NY 11206

P.S. 257 John F. Hylan
President/Executive
Director/Principal
60 Cook Street
Brooklyn, NY 11206

Tender Tots Childcare, Preschool & Programs
President/Executive
Director/Principal
[\(718\) 298-3944](tel:7182983944)
810 Flushing Avenue
Brooklyn, NY 11206

Luminous Early Childhood Learning Center
President/Executive
Director/Principal
810 Flushing Ave,
Brooklyn, NY 11206
[\(718\) 298-3944](tel:(718)298-3944)

The Learning Experience - Bed-Stuy/Bushwick
President/Executive
Director/Principal
<https://thelearningexperience.com/centers/bed-stuy-bushwick/>
600 Bushwick Ave,
Brooklyn, NY 11206
[\(718\) 550-8434](tel:(718)550-8434)

Creative Academy
President/Executive
Director/Principal
[\(347\) 689-2222](tel:(347)689-2222)
228 Bushwick Ave,
Brooklyn, NY 11206

Whipple Learning Cove
President/Executive
Director/Principal
48 Whipple St Apt 1f,
Brooklyn, NY 11206

Rosaura M Tavaréz Group Family Day Care Daycare
President/Executive
Director/Principal
212 Throop Ave apt 10h,
Brooklyn, NY 11206

Lovejoy Social Adult Daycare Center
President/Executive
Director/Principal
111 Moore St,
Brooklyn, NY 11206
[\(718\) 387-0337](tel:(718)387-0337)

New York City Housing Authority's Sumner Day Care Center
880 Park Ave,
Brooklyn, NY 11206
[\(718\) 649-6400](tel:(718)649-6400)

Community, Civic, Religious and Other Environmental Organizations:

Consolidated Edison Corporate Affairs
Johari Jenkins-Taylor , Director - Brooklyn Regional & Community Affairs
30 Flatbush Avenue
Brooklyn, NY 11217

83rd Police Precinct Council
President Barbara Smith
480 Knickerbocker Avenue
Brooklyn, NY, 11237

ENGINE 237
FDNY
43 Morgan Avenue
Brooklyn, NY 11237

Young At Heart (Adult Day Care)
<https://www.yahdaycare.com/contact-us>
810 Flushing Ave,
Brooklyn, NY 11206
[\(718\) 557-0000](tel:7185570000)

Riseboro Community Partnership
<https://riseboro.org/>
Kieran Harrington CEO
kharrington@riseboro.org
565 Bushwick Avenue
Brooklyn, NY 11206
718-821-0254

RiseBoro - Sumner Older Adult Center
862 Park Ave,
Brooklyn, NY 11206

Diana H. Jones Senior Center
9 Noll St,
Brooklyn, NY 11206

New York City Housing Authority Borinquen Plaza Senior Center
80 Seigel St,
Brooklyn, NY 11206

New York City Housing Authority Bushwick/Hylan Senior Center
50 Humboldt St,
Brooklyn, NY 11206

Ridgewood Bushwick Senior Center

533 Bushwick Ave # A,
Brooklyn, NY 11206

Ellery Court Senior
339 Ellery St,
Brooklyn, NY 11206

Evergreen Plaza
78 Troutman St,
Brooklyn, NY 11206

All Saints Catholic Church
115 Throop Ave,
Brooklyn, NY 11206

Canaan Christian Church | Iglesia Cristiana Canaán
800 Flushing Ave,
Brooklyn, NY 11206

Selah City Church
12 Park St,
Brooklyn, NY 11206

Pentecostal Church of Jesus Christ of Brooklyn (IPJ Brooklyn)
21 Marcus Garvey Blvd,
Brooklyn, NY 11206

Cathedral of Joy Christian Center, Inc.
43 George St,
Brooklyn, NY 11206

Fountain Christian Center
11 Marcus Garvey Blvd,
Brooklyn, NY 11206

Tabernacle Of Prayer For All People Of Brooklyn Inc.
27 Marcus Garvey Blvd,
Brooklyn, NY 11206

Evergreen Gospel Chapel
145 Evergreen Ave,
Brooklyn, NY 11221

Brooklyn Temple Seventh-day Adventist Church
3 Lewis Ave,
Brooklyn, NY 11206

Iglesia Pentecostal El Buen Pastor Inc.
93 Moore St,
Brooklyn, NY 11206

Central Brooklyn Spanish SDA Church
130 Boerum St,
Brooklyn, NY 11206

The New Rivers of Life Church
1086 Myrtle Ave,
Brooklyn, NY 11206

Community United Brethren in Christ
115 Throop Ave,
Brooklyn, NY 11206

Mt Calvary
175 Moore St,
Brooklyn, NY 11206

Pentecostal Church of God
165 Humboldt St,
Brooklyn, NY 11206

Second Pentecostal Church-God
220 Montrose Ave,
Brooklyn, NY 11206

Iglesia Cristiana Fuego Santo Inc.
47 Debevoise St
Brooklyn, NY 11206

Beth Shalom EH Congregation
730 Willoughby Ave,
Brooklyn, NY 11206

בית הכנסת אור החיים (יואלי לאנדא)
89 Throop Ave,
Brooklyn, NY 11206

Satmar -Throop Shul
52 Bartlett St,
Brooklyn, NY 11206

Cong. Shaar Hatfilah Ruzle
133 Gerry St,
Brooklyn, NY 11206

Bushwick Houses NYCHA
DEVELOPMENT MANAGEMENT OFFICE
372 Bushwick Avenue
Brooklyn, NY 11206

Bushwick Houses NYCHA
President – Resident Association
372 Bushwick Avenue
Brooklyn, NY 11206

Bushwick Houses NYCHA
COMMUNITY CENTER
50 Humbolt Street
Brooklyn, NY 11206

NYCHA Sumner Houses
COMMUNITY CENTER / SENIOR CENTER
862 Park Avenue
Brooklyn, NY 11206

NYCHA Sumner Houses
DEVELOPMENT MANAGEMENT OFFICE
20 Lewis Avenue
Brooklyn, NY 11206

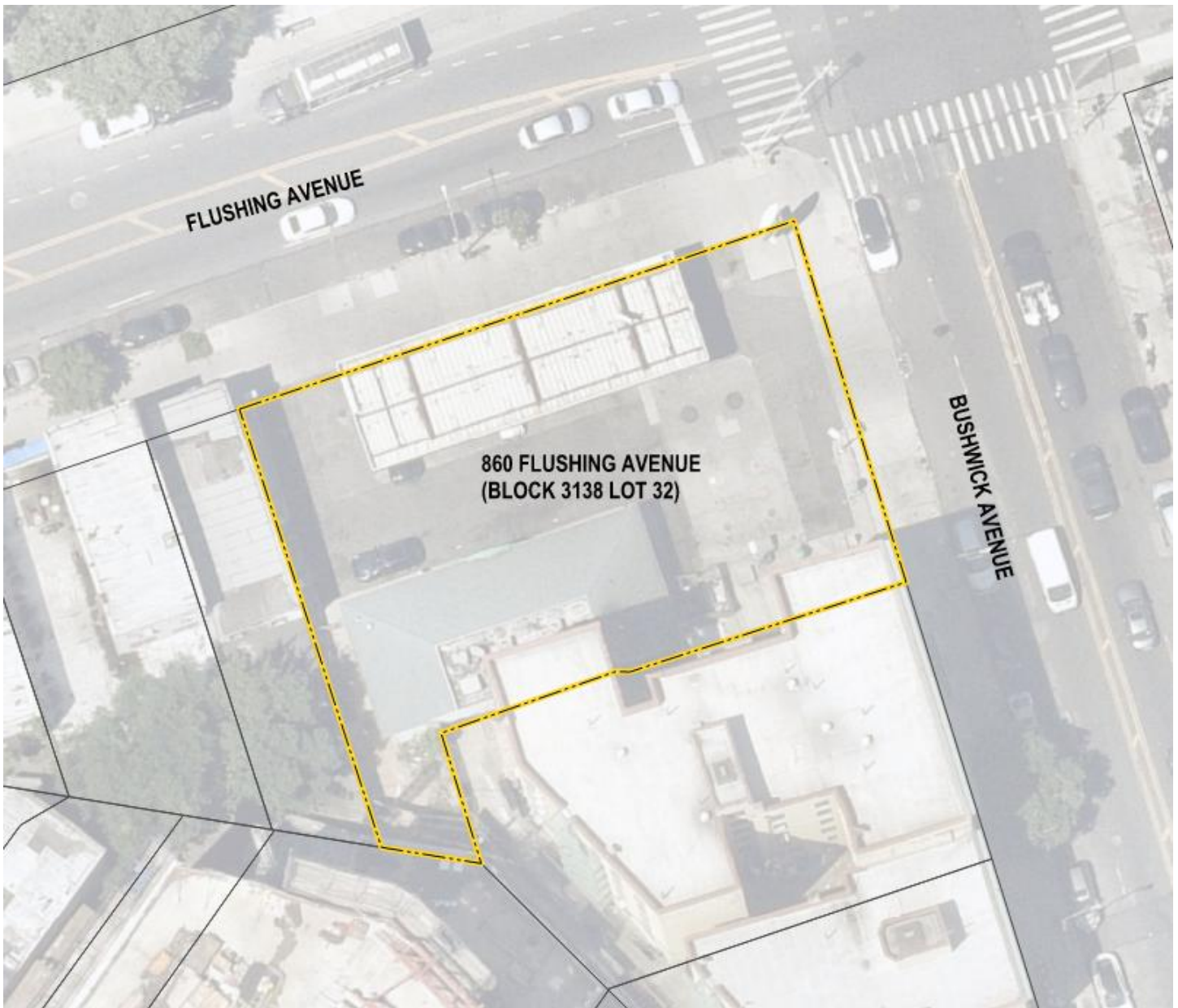
NYCHA Sumner Houses
President – Resident Association
1043 Myrtle Ave, Ste 1F,
Brooklyn, NY 11206

Garden Playground
40 Beaver Street
Brooklyn, NY 11206

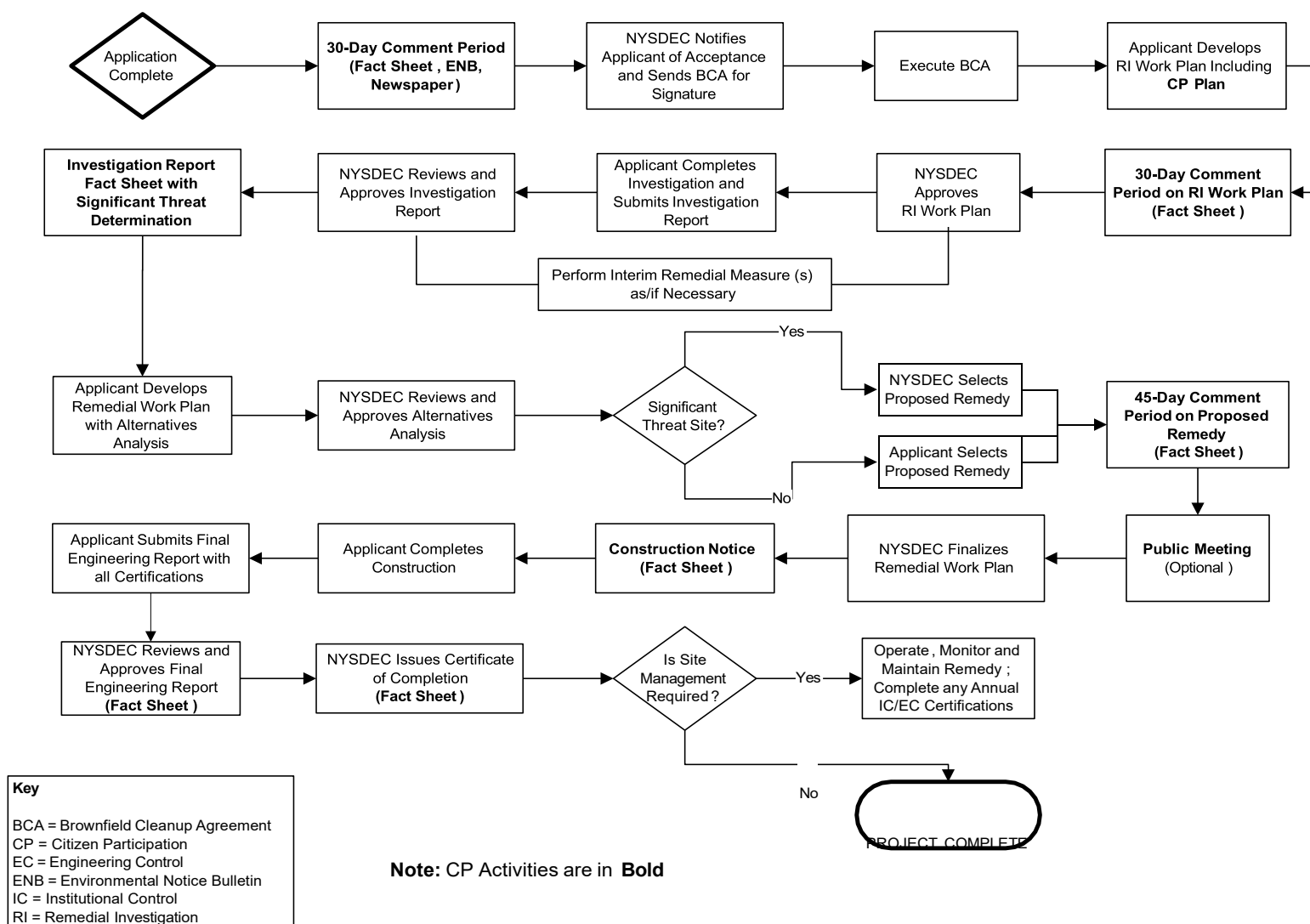
Rheingold Development
555 Bushwick Avenue
Brooklyn, New York 11206

Bushwick Playground and Pool
Flushing Avenue & Beaver Street
Brooklyn, NY 11206

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: Former BP Gasoline Service Station Site

Site Number: C224424

Site Address and County: 860 Flushing Avenue, Brooklyn, NY

Remedial Party(ies): Flushing Holdings NY 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.**

Based on analytical results of the Limited Phase II Environmental Site Investigation (ESI) performed at the Site in August 2024, the primary contaminants of concern at the Site are VOCs, SVOCs, and metals (including hazardous lead) in soil; VOCs, SVOCs, and metals in groundwater, and petroleum VOCs and CVOCs in soil vapor.

How were these issues and/or information needs identified?

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

Part 2. List important information needed **from** the community, if applicable. Identify individuals, groups, organizations, businesses and/or units of government related to the information needed.
The source of the contaminants of concern detailed in Part 1 likely has to do with former Site operations.

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

The anticipated schedule for the proposed RIWP is July of 2025. The Site is privately owned and currently occupied by a BP gasoline retail station. All remedial actions will be in accordance with applicable regulations and contingent on NYSDEC and NYSDOH approvals of the aforementioned work plan. Additional communications will be made to the public as necessary.

How were these issues and/or information needs identified?

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

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

a. Land use/zoning at and around site:

☒ **Residential** ☐ **Agricultural** ☐ **Recreational** ☒ **Commercial** ☐ **Industrial**

b. Residential type around site:

☒ **Urban** ☐ **Suburban** ☐ **Rural**

c. Population density around site:

☒ **High** ☐ **Medium** ☐ **Low**

d. Water supply of nearby residences:

☒ **Public** ☐ **Private Wells** ☐ **Mixed**

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

☐ **Yes** ☒ **No**

Provide details if appropriate:

[Click here to enter text.](#)

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

☐ **Yes** ☒ **No**

Provide details if appropriate:

[Click here to enter text.](#)

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

☒ **Yes** ☐ **No**

h. Special considerations:

☒ **Language** ☐ **Age** ☐ **Transportation** ☐ **Other**

Explain any marked categories in h:

The site is located in an NYC Environmental Justice Area and designated as a DAC (disadvantaged community #36047038900). There is a sizable Hispanic population nearby. Future fact sheets will be translated into Spanish.

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

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

☒ **Local Officials:** [Click here to enter text.](#)

☒ **Media:** The Brooklyn Eagle, Brooklyn Paper, Spectrum 1 News

☐ **Business/Commercial Interests:** [Click here to enter text.](#)

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

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

☒ **Citizens/Community Group(s):** [Click here to enter text.](#)

☐ **Environmental Justice Group(s):** [Click here to enter text.](#)

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

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

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

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

Prepared/Updated By: Delia Freliech

Date: June 13, 2025

Reviewed/Approved By: Luke J. McCartney, P.G.

Date: June 13, 2025