



Department of  
Environmental  
Conservation

# **Brownfield Cleanup Program**

## **Citizen Participation Plan for 147-25 94<sup>th</sup> Avenue**

June 2018

BCP Site No. C241206  
147-25 94<sup>th</sup> Avenue  
Jamaica, NY 11435

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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: **J2 147-07 94<sup>th</sup> Avenue LLC (“Applicant”)**  
Site Name: **147-25 94<sup>th</sup> Avenue (“Site”)**  
Site Address: **147-25 94<sup>th</sup> Avenue**  
Site County: **Queens**  
Site Number: **C241206**

## **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; and

- 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; and
- 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 project manager identified in Appendix A if that is the case. Paper mailings may continue during the investigation and cleanup process for some sites, based on public interest and need.

#### *CP Activities*

The table at the end of this section identifies the CP activities, at a minimum, that have been and will be conducted during the Site's investigation and cleanup program. The flowchart in Appendix D shows how these CP activities integrate with the Site investigation and cleanup process. The public is informed about these CP activities through fact sheets and notices distributed at significant points during the program. Elements of the investigation and cleanup process that match up with the CP activities are explained briefly in Section 5.

- **Notices and fact sheets** help the interested and affected public to understand contamination issues related to a site, and the nature and progress of efforts to investigate and clean up a site.
- **Public forums, comment periods and contact with project managers** provide opportunities for the public to contribute information, opinions and perspectives that have potential to influence decisions about a site's investigation and cleanup.

The public is encouraged to contact project staff at any time during the Site's investigation and cleanup process with questions, comments, or requests for information.

This CP Plan may be revised due to changes in major issues of public concern identified in Section 3 or in the nature and scope of investigation and cleanup activities. Modifications may include additions to the Site contact list and changes in planned citizen participation activities.

#### *Technical Assistance Grant*

NYSDEC must determine if the Site poses a significant threat to public health or the environment. This determination generally is made using information developed during the investigation of the Site, as described in Section 5.

If the Site is determined to be a significant threat, a qualifying community group may apply for a Technical Assistance Grant (TAG). The purpose of a TAG is to provide funds to the qualifying group to obtain independent technical assistance. This assistance helps the TAG recipient to interpret and understand existing environmental information about the nature and extent of contamination related to the Site and the development/implementation of a remedy.

An eligible community group must certify that its membership represents the interests of the community affected by the Site, and that its members' health, economic well-being or enjoyment of the environment may be affected by a release or threatened release of contamination at the Site.

As of the date the declaration (page 2) was signed by the NYSDEC project manager, the significant threat determination for the Site had not yet been made.

To verify the significant threat status of the Site, the interested public may contact the NYSDEC project manager identified in Appendix A.

For more information about TAGs, go online at <http://www.dec.ny.gov/regulations/2590.html>

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

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

### 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.

#### *Current Issues*

The Site is part of Census Tract 208. According to the 2012-2016 American Community Survey (ACS) Profile Survey Data, approximately 14.3% of the population in Census Tract 208 is living below the poverty line, compared to the national poverty rate of 12.7% and the New York State poverty rate of 14.2%. The unemployment rate for Census Tract 208 is 4.5%, compared to the New York City unemployment rate of 3.9% (as of December 2017) and the National unemployment rate of 4.1% (as of March 2018).

The Site is located within the Jamaica Brownfield Opportunity Area (BOA). The Jamaica neighborhood in Queens was neglected economically beginning in the 1960s and 1970s when major chain retailers relocated to more profitable areas. In the 1980s, an increase in drug use led to increased crime incidents. Underutilization of prime real estate space and existing zoning patterns did not facilitate redevelopment of the area. One of the objectives of the BOA includes expanding mixed-use and sustainable development near the JFK AirTrain in downtown Jamaica. The Site is also located within an Environmental Justice Area, which was created by NYSDEC to address environmental concerns and ensure equitable distribution of green benefits to minority and low-income communities.

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.

This Site is in an area with a large Hispanic-American population nearby. Therefore, all future fact sheets will be translated into Spanish. Furthermore, there is a sizable African-American population nearby.

In addition, there may be impacts with regards to truck, noise or odor.

For additional information Census information, visit:  
<https://popfactfinder.planning.nyc.gov/profile/1206/census>.

The Site is approximately 35,000 square feet and consists of three vacant, interconnected buildings which most recently operated as a cold food storage and frozen food supplier until September 2017. Once the buildings are demolished, subsurface material will be excavated as part of implementation of the Remedial Action Work Plan (RAWP). As the Site is currently capped by the existing slab and paved parking lot, there are currently no potential on-site exposure pathways.

The proposed redevelopment plan includes construction of a new multi-family building with affordable apartment units. Redevelopment and remediation of the Site under the BCP will eliminate the current concerns in connection with the Site's current condition and is consistent with the Jamaica BOA objectives.

#### *Potential Remediation/Construction-Related Issues*

Issues of concern during the on-site remediation phase will likely include those related to the on-site handling and off-site disposal of contaminated soil. The likely concern to the surrounding community will be the possibility of the generation of vapors or dust from the Site during remediation. On-site air quality and dust levels will be monitored during any soil excavation and removal activity in accordance with a Site-specific Health and Safety Plan (HASp) that is included in the RAWP. Dust suppression techniques will be employed to prevent the generation of dust. All air and dust monitoring will be performed in accordance with New York State Department of Health's (NYSDOH) Community Air Monitoring Program (CAMP).

A likely additional remediation/construction concern will be the potential presence of trucks traveling through the community, and parking or idling at or near the project Site during soil excavation and disposal. The RAWP includes provisions for on-site soil handling techniques that minimize the number of trucks and duration of time within or near the Site. In addition, provisions were included in the RAWP to restrict truck traffic (to the extent possible) to designated routes along main roads while minimizing traffic within the community.

The concern over construction-related noise is a common one for communities in which redevelopment is occurring. Construction plans will minimize noise to the extent possible and the operation of heavy equipment will be restricted to normal working hours as will be set forth in the required New York City-issued permits.

#### **4. Site Information**

##### *Site Description*

The Site is an approximately 35,000-square foot parcel located in Jamaica, Queens. The Site is currently developed with three, interconnected warehouse buildings, a concrete-paved loading dock, and asphalt-paved parking areas. The buildings vary in height from one- to three-stories and only the westernmost building contains a basement. The buildings most recently operated as a cold food storage and frozen food supplier, up until October 2017. The Site is bounded to the north by Long Island Rail Road (LIRR) tracks; to the east by a scaffolding sales and installation facility; to the south by 94<sup>th</sup> Avenue, followed by a vacant lot and a construction site; and to the west by commercial uses. The surrounding area is heavily developed with commercial, residential, and industrial uses, with some active construction sites. Appendix C contains a map identifying the location of the Site.

##### *History of Site Use, Investigation, and Cleanup*

Historic uses at the Site include small, low-rise dwellings, the LIRR, and a storage yard for the N.Y. Telephone Co. until approximately 1942. Between 1951 and 2006, the Site was developed with a produce warehouse and meat storage facilities. A refrigeration sales and service facility was identified in the eastern portion of the Site between approximately 1967 and 2006. The Site became vacant in September 2017. All on-site operations ceased on October 4, 2017. The Site

was assigned an NYC (E) Designation for hazardous materials, noise, and air in September 2007 as a part of the Downtown Jamaica Redevelopment Plan. The surrounding area is predominantly commercial and industrial in nature, containing apartment buildings, businesses and storage warehouses.

The Applicant entered into a Brownfield Cleanup Agreement with NYSDEC, effective May 1, 2018. A Remedial Investigation (RI) was conducted at the Site in October 2017. Based on the RI findings and conclusions, soil beneath the Site consists of historic fill material (including concrete, sand, silt, gravel, brick, plastic, glass, asphalt, and wood) from just below grade to approximately 15 feet below grade, underlain by silt, sand, and gravel to the boring termination depths. Groundwater was encountered at approximately 20 feet below grade.

Based on previous investigations, contaminated soil, groundwater, and soil vapor are present at the Site. Elevated levels of metals and compounds commonly associated with fill material were detected in soil and groundwater. Solvents used for degreasing and dry cleaning, were detected in soil vapor beneath the Site. The detections may be related to historic manufacturing and industrial operations at the Site or possibly from off-site sources.

## **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 on-site, 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 and commercial 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 has completed a full Site investigation before it entered into the BCP. The Applicant has submitted an investigation report for the full Site investigation. NYSDEC will determine if the investigation goals and requirements of the BCP have been met or if additional work is needed before a remedy can be selected.

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):**

Sadique Ahmed, P.E.  
Project Manager  
NYSDEC  
Division of Environmental Remediation  
625 Broadway, 12<sup>th</sup> Floor  
Albany, NY 12233-7016  
Phone: (518) 402-9656  
Email: [sadique.ahmed@dec.ny.gov](mailto:sadique.ahmed@dec.ny.gov)

Thomas Panzone  
Public Participation Specialist  
NYSDEC Region 2  
1 Hunters Point Plaza  
47-40 21<sup>st</sup> Street  
Long Island City, NY 11101  
Phone: (718) 482-4953  
Email: [Thomas.panzone@dec.ny.gov](mailto:Thomas.panzone@dec.ny.gov)

**New York State Department of Health (NYSDOH):**

Gregory Rys  
Project Manager  
NYSDOH  
Herkimer District Office  
5665 NYS Rt. 5  
Herkimer, NY 13350  
Phone: (315) 619-3194  
Email: [BEEI@health.ny.gov](mailto:BEEI@health.ny.gov)

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

<p>Queens Central Library 89-11 Merrick Boulevard Jamaica, NY 11432 Phone: (718) 990-0700 Hours: Monday-Thursday, 9AM-9PM Friday, 9AM-7PM Saturday, 10AM-5PM Sunday, 12PM-5PM</p>	<p>Queens Community Board 12 90-28 161<sup>st</sup> Street Jamaica, NY 11432 Phone: (718) 658-3308 Hours: Monday-Friday, 9AM-5PM (call for appointment)</p>	<p>NYSDEC 625 Broadway Albany, NY 12233-7016 Attn: Sadique Ahmed Phone: (518) 402-9656 Hours: Monday-Friday, 9AM-5PM (call for appointment)</p>
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## Appendix B - Site Contact List

### *1. Local, State, and Federal Officials*

Hon. Bill de Blasio Mayor of New York City City of New York 1 Centre Street New York, NY 10007	Hon. Scott M. Stringer New York City Comptroller Office of the Comptroller, City of NY 1 Centre Street New York, NY 10007
Hon. Letitia James Public Advocate 1 Centre Street New York, NY 10007	Hon. Melinda Katz Queens Borough President 120-55 Queens Blvd. Kew Gardens, New York 11424
Hon. Vivian E. Cook State Assembly District 32 142-15 Rockaway Blvd Jamaica, New York 11436	Hon. James Sanders Jr. NY State Senator 142-01 Rockaway Boulevard South Ozone Park, New York 11436
Hon. I. Daneek Miller New York City Council District 27 172-12 Linden Boulevard St. Albans, New York 11434	Marisa Lago, Commissioner, NYC Department of City Planning City Government Office 120 Broadway, 31 <sup>st</sup> Floor New York, NY 10271
NYC Department of City Planning Queens Borough Office 120-55 Queens Blvd., Room 201 Kew Gardens, New York 11424	Daniel Walsh, Director Mayor's Office of Environmental Remediation 100 Gold Street, 2 <sup>nd</sup> Floor New York, NY 10038
Hon. Gregory W. Meeks U.S. House of Representatives 153-01 Jamaica Avenue, 2 <sup>nd</sup> Floor Jamaica, NY 11432	Hon. Charles Schumer U.S. Senate 780 Third Avenue, Suite 2301 New York, NY 10017
Audrey I. Pheffer, County Clerk Queen's County Clerk 88-11 Sutphin Boulevard, 1 <sup>st</sup> Floor Jamaica, New York 11439	Hon. Kirsten Gillibrand U.S. Senate 780 Third Avenue, Suite 2601 New York, NY 10017
Julie Stein Office of Environmental Assessment & Planning NYC Dept. of Environmental Protection 96-05 Horace Harding Expressway Flushing, NY 11373	<b><u>Public Water Supplier</u></b> Vincent Sapienza Commissioner NYC Dept. of Environmental Protection 59-17 Junction Boulevard Flushing, NY 11373

2. Residents, Owners, and Occupants of the Site and Adjacent Properties

The Requestor is the ground lessee of the Site, Block 9998, Lot 25. The current owner of the Site, Block 9998, Lot 25, is Land & Sea Development Corp. located at 153 Skunks Misery Rd. in Locust Valley, NY 11560. The Site is currently unoccupied. A list of adjacent properties and owners is provided below.

<p style="text-align: center;"><u>Adjacent to the north:</u></p> <p><u>Block 9998, Lots 52, 65, 70</u>  Owner/Occupant -  The Long Island Rail Road Company  93-02 Sutphin Boulevard  Jamaica, New York 11435</p> <p><u>Block 9998, Lot 83</u>  Current Owner -  HP Jamsta Housing Development Fund  Company, Inc.  262 West 36<sup>th</sup> Street, Third floor  New York, New York 10018</p> <p>Active construction site – no current occupant.</p>	<p style="text-align: center;"><u>Adjacent to the south:</u></p> <p><u>Block 9999, Lot 9</u>  Owner/Occupant -  94<sup>th</sup> Avenue Jamaica, LLC  316 West 118<sup>th</sup> Street  New York, New York 10026</p> <p><u>Block 9999, Lot 1</u>  Current Occupant -  JFK Center Associates, LLC  94-01 Sutphin Boulevard  Brooklyn, New York 11249</p> <p>Current Owner -  JFK Center Associates, LLC  c/o Washington Square Partners  675 Third Avenue  New York, New York 10017</p>
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<p style="text-align: center;"><u>Adjacent to the east:</u></p> <p><u>Block 9998, Lot 22</u>  Owner/Occupant -  L&amp;B Management, Inc.  148-25 94<sup>th</sup> Avenue  Jamaica, New York 11435</p>	<p style="text-align: center;"><u>Adjacent to the west:</u></p> <p><u>Block 9998, Lots 42, 43, 47, 48, 58, 60</u>  Current Occupant -  Station Plaza Hotel  147-05 94<sup>th</sup> Avenue, 93-43 Sutphin Boulevard  Jamaica, New York 11435</p> <p>Current Owner -  Station Plaza Hotel LLC  c/o First American Exchange Company, LLC  215 South State Street, ST 380  Salt Lake City, Utah 84111</p>
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3. Local News Media

<p>New York Post  1211 Avenue of the Americas  New York, New York 10036</p>	<p>Queens Tribune / Press of Southeast Queens  150-50 14<sup>th</sup> Road  Whitestone, NY 11357</p>
<p>Spectrum New York 1 News  75 Ninth Avenue  New York, NY 10011</p>	<p>Queens Ledger  45-33 47<sup>th</sup> Street  Woodside, NY 11377</p>

Hoy Nueva York 1 MetroTech Center, 18th Floor Brooklyn, NY 11201	El Diario La Prensa 1 MetroTech Center, 18th Floor Brooklyn, NY 11201
New York Daily News 4 New York Plaza New York, NY 10004	Queens Chronicle 71-19 80 <sup>th</sup> Street, Suite 8-201 Glendale, NY 11385
Times-Ledger Newspapers 41-02 Bell Boulevard, 2nd Floor Bayside, NY 11361	

*4. Public Water Supply*

Public water is provided by The City of New York, Department of Environmental Protection (Customer Service Center, 59-17 Junction Boulevard, 13<sup>th</sup> Floor, Flushing, New York 11373).

*5. Additional Contacts*

None

*6. Nearby School and Day Care Centers*

Daycares:

Sunshine Development School  
Brian Koffler, Executive Director  
91-10 146<sup>th</sup> Street  
Jamaica, New York 11435  
(718) 468-9000  
Distance: 1,100 feet northwest of the Site

Sandra's Sunflower Child Care Inc.  
Director  
90-16 Sutphin Blvd.  
Jamaica, New York 11435  
(347) 454-9079  
Distance: 1,300 feet northeast of the Site

Imagine Early Learning Centers @ Jamaica Kids  
Ruth Barral, Director  
1 Jamaica Center Plaza  
Jamaica, New York 11432  
(718) 557-5520  
Distance: 2,000 feet northeast of the Site

Schools:

P.S. 50 Talfourd Lawn Elementary School  
143-26 101<sup>st</sup> Avenue  
Jamaica, New York 11451  
Principal: Rina Manjarrez  
(718) 526-5336  
Distance: 1,700 feet south of the Site

Hammond Public School 82  
88-2 144<sup>th</sup> Street  
Jamaica, New York 11435  
Principal: Grisel Rodriguez  
(718) 526-4139  
Distance: 2,300 feet northwest of the Site

Queens High School for the Sciences at York College  
94-50 159<sup>th</sup> Street  
Jamaica, New York 11451  
Principal: Ana De Jesus  
(718) 657-3181  
Distance: 2,800 feet east of the Site

P.S. 182 Samantha Smith  
153-27 88<sup>th</sup> Avenue  
Jamaica, New York 11432  
Principal: Andrew Topol  
(718) 298-7700  
Distance: 2,900 feet north of the Site

P.S. 55 The Maure School  
131-10 97<sup>th</sup> Avenue  
Richmond Hill, New York 11419  
Principal: Ralph Honore  
(718) 849-3845  
Distance: 3,500 feet southwest of the Site

*7. Document Repository*

Queens Borough Public Library, Central Library  
89-11 Merrick Boulevard  
Jamaica, New York 11432  
(718) 990-0728

Queens Community Board District 12  
90-28 161<sup>st</sup> Street  
Jamaica, New York 11432

Adrienne E. Adams and Yvonne Reddick  
Attn: Renee Hill, Chairwoman  
(718) 389-0009

*8. Local Community Board*

Queens Community Board District 12  
90-28 161<sup>st</sup> Street  
Jamaica, New York 11432  
(718) 389-0009

*9. Community, Civic, Religious and Environmental Organizations:*

Consolidated Edison Public Affairs  
Carol Conslato, Director  
59-17 Junction Boulevard, 2<sup>nd</sup> Floor  
Elmhurst, NY 11373

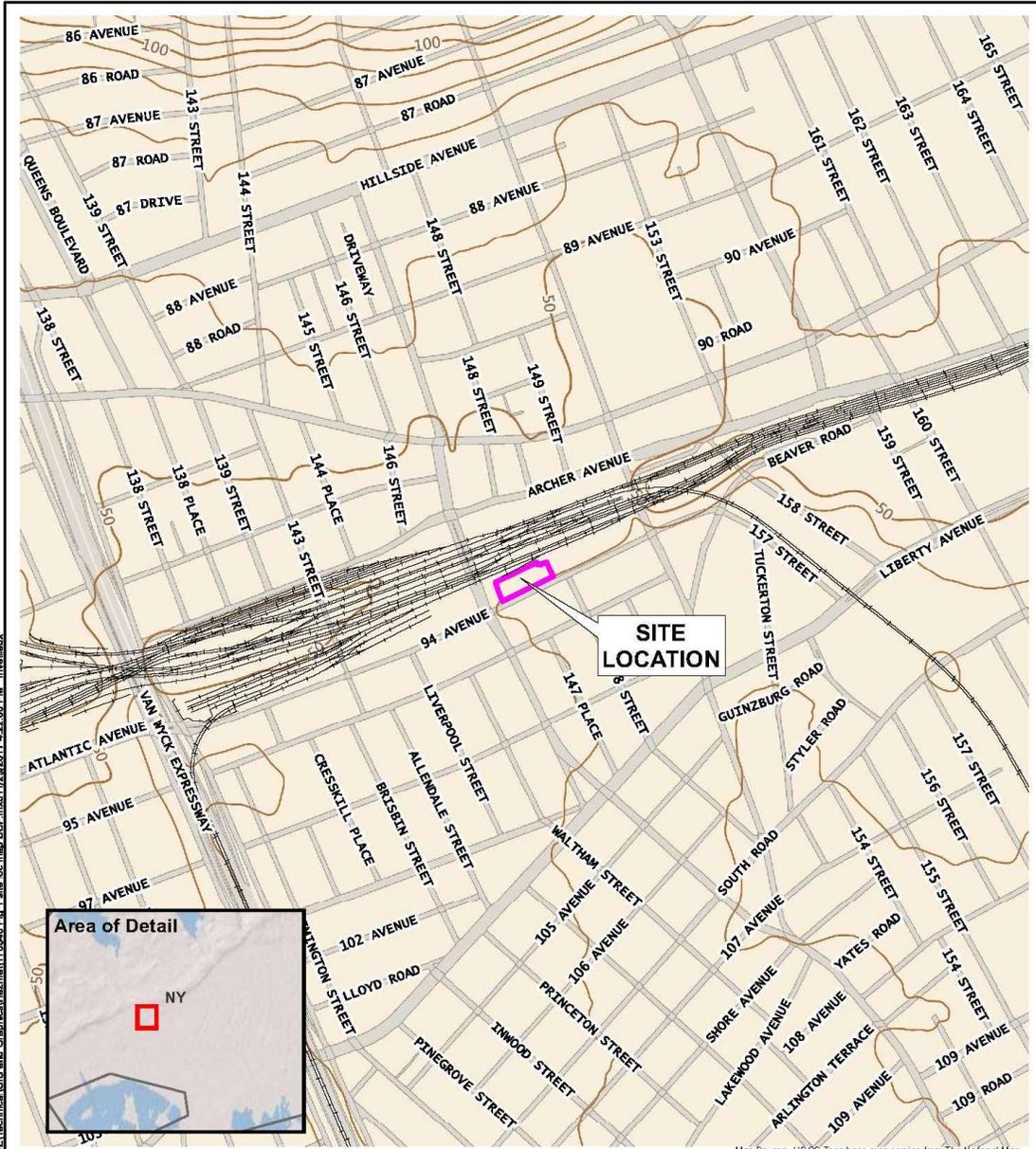
103<sup>rd</sup> NYPD Police Precinct Council  
Bishop Erskine Williams, President  
168-02 91<sup>st</sup> Avenue  
Jamaica, NY 11432

FDNY  
Battalion 50 Engine 298 Ladder 127  
153-11 HILLSIDE AVENUE  
Jamaica, NY 11432

Greater Jamaica Development Corporation  
90-04 161st Street  
Jamaica, NY 11432  
Attn: Hope Knight, President

A Federation of Civic Associations in Southeast Queens  
P.O. Box 300818  
Jamaica, New York 11430

## Appendix C - Site Location Map



Map Source: USGS Topo base map service from The National Map



© 2017 AKRF. W:\Projects\170340 - ARTIMUS 14-07 94TH AVENUE\Technical\GIS and Graphics\hazmat\170340\_Fig. 1 site loc map BCP.mxd 11/29/2017 4:22:30 PM mml/llx



440 Park Avenue South, New York, NY 10016

**147-07 94<sup>th</sup> Avenue**  
Queens, New York

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**SITE LOCATION**

DATE <b>11/29/2017</b>
PROJECT NO. <b>170340</b>
APPENDIX <b>C</b>







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:** 147-25 94th Avenue

**Site Number:** C241206

**Site Address and County:** 147-25 94th Avenue, Queens County

**Remedial Party(ies):** J2 147-07 94th Avenue 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.**

-The Site is proposed to be redeveloped for residential and commercial uses. As such, there will be restrictions on site use, which will be determined following remediation.

-The Site's contamination issues stem from its industrial uses throughout history and historic fill beneath the Site.

-A Remedial Investigation (RI) was completed by AKRF in December 2017. A RI Report (RIR) and Remedial Action Work Plan (RAWP), documenting results from the investigation and the proposed remedy, were submitted to NYSDEC for review in January 2018.

-There is an existing potential exposure pathway from contaminated soil vapor to enter into the Site buildings and adjoining buildings as a result of any ground floor, basement slab, or lower wall openings/cracks. The primary route of exposure would be inhalation.

-The proposed redevelopment of the Site will increase property values in the surrounding area.

-For more information about the Site or BCP program, contact the NYSDEC or NYSDOH Project Manager. Contact information is located in Appendix A.

-Adjacent property occupants and owners will be kept informed about the progress of the Site cleanup activities. Periodic fact sheets will be sent by mail and/or email.

-Local, state, and federal officials will be contacted about the Site remediation activities.

-Up to now, a RI was conducted at the Site. Next steps include determining if any additional investigations are warranted to support the RAWP. The RAWP includes provisions and measures to address Site contamination to enable redevelopment for future residential and commercial use.

-The Site will be cleaned up to levels that are safe for the proposed restricted residential use. Certain uses will be restricted and will be determined once cleanup is complete.

How were these issues and/or information needs identified?

These issues were identified based on the Site's history of industrial use. The proposed redevelopment will eliminate the current concerns in connection with the Site's blighted condition while providing affordable housing and community resources.

**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.

-Adjacent property owners and occupants will be informed of the Site remediation activities and can reach out to the Site's NYSDEC or NYSDOH project manager if they are concerned about the impact to the surrounding area.

-The Site is located in an area with a large Hispanic-American community. As such, all fact sheets will be translated into Spanish.

How were these information needs identified?

These needs were identified by researching the conditions of the area surrounding the Site.

**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.

- An RI was completed in December 2017 to delineate the vertical and horizontal extent of contamination. A RIR, documenting results from the RI, was submitted to NYSDEC for review in January 2018. A RAWP was prepared and submitted to NYSDEC for review based on the findings of the RI. A 45-day Public Comment Period begins once the RIR and RAWP have been reviewed by NYSDEC. The final RIR and RAWP were submitted to NYSDEC and NYSDEC issues the Decision Document, which describes the selected remedy for cleanup of the Site. Remediation can begin after construction closing of the Site. Remediation of the Site may be completed in conjunction with redevelopment activities.

-Document repositories where copies of all documents regarding the investigation and remediation of the Site are available to the public, have been established at the Queens Borough Public Library, Central Library, 89-11 Merrick Boulevard, Jamaica, New York 11432; and Queens Community Board District 12 90-28 161st Street, Jamaica, New York 11432.

How were these issues and/or information needs identified?

These needs were identified by summarizing the proposed project schedule and Site information presented in the BCP Application.

**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**:

As the Site is located in an area with a large Hispanic-American community, all 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:** See list in Appendix B of the Citizen Participation Plan
- Media:** See list in Appendix B of the Citizen Participation Plan
- 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):** See list in Appendix B of the Citizen Participation Plan
- Recreational Group(s):** [Click here to enter text.](#)
- Other(s):** [Click here to enter text.](#)

**Prepared/Updated By:** Adrianna Bosco, AKRF, Inc.

**Date:** 4/16/2018

**Reviewed/Approved By:** Thomas V. Panzone, NYSDEC

**Date:** 6/6/18