

**APPENDIX C
CITIZEN PARTICIPATION PLAN**

**Hartsdale Village Square, Aristocrat Cleaners
212 East Hartsdale Avenue
Hartsdale, New York 10530
BCA Site #C360111**

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1.0 INTRODUCTION

New York's Brownfield Cleanup Program (BCP) is designed to encourage the private sector to investigate, remediate (clean up) and redevelop brownfields. A Brownfield is any real property where redevelopment or reuse may be complicated by the presence or potential presence of a contaminant. 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 the 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 that conduct Brownfield site remedial activities.¹ An Applicant is a person whose request to participate in the BCP has been accepted by NYSDEC. The BCP contains investigation and remediation (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: www.dec.state.ny.us/website/der/bcp .

¹ "Remedial activities", "remedial action", and "remediation" are defined as all activities or actions undertaken to eliminate, remove, treat, abate, control, manage, or monitor contaminants at or coming from a Brownfield site.

2.0 CITIZEN PARTICIPATION PLAN OVERVIEW

This Citizen Participation (CP) Plan provides members of the affected and interested public with information about how NYSDEC will inform and involve them during the investigation and remediation of the site identified above. The public information and involvement program will be carried out with assistance, as appropriate, from the Applicant.

Attachment 1 contains a map identifying the location of the Aristocrat Cleaner Site located at 212 E. Hartsdale Avenue, Hartsdale, New York along with neighboring properties.

Project Contacts

Attachment 2 identifies NYSDEC project contact(s) to which the public should address questions or request information about the site's remedial 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.

Document Repositories

The Document Repositories are:

- Greenburgh Library 300 Tarrytown Road, Elmsford, NY 10523; and
- NYSDEC Region 3 Division of Environmental Remediation, 21 South Putt Corners Road, New Paltz, NY 12561

The locations of the site's document repositories are also identified in Attachment 2. The document repositories provide convenient access to important project documents for public review and comment.

Site Contact List

Attachment 3 contains the Brownfield site contact list. This list has been developed to keep the community informed about, and involved in, the site's investigation and remediation process. The Brownfield 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 remedial activities at the site (such as fieldwork), as well as availability of project documents and announcements about public comment periods.

The Brownfield site contact list includes, at a minimum:

- chief executive officer and official(s) principally involved with relevant zoning and planning matters 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
- document repositories.

Where the site or adjacent real property contains multiple dwelling units, the Applicant will work with NYSDEC to develop an alternative method for providing such notice in lieu of mailing to each individual. For example, the owner of such a property that contains multiple dwellings may be requested to prominently display fact sheets and notices required to be developed during the site's remedial process. This procedure would substitute for the mailing of such notices and fact sheets, especially at locations where renters, tenants and other residents may number in the hundreds or thousands, making the mailing of such notices impractical.

The Brownfield 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 Attachment 2. Other additions to the Brownfield site contact list may be made on a site-specific basis at the discretion of the NYSDEC project manager, in consultation with other NYSDEC staff as appropriate.

CP Activities

Attachment 4 identifies the CP activities, at a minimum, that have been and will be conducted during the site's remedial program. The public is informed about these CP activities through fact

sheets and notices developed at significant points in the site's remedial process.

- Notices and fact sheets help the interested and affected public to understand contamination issues related to a Brownfield site, and the nature and progress of efforts to investigate and remediate a Brownfield 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 Brownfield site's investigation and remediation.

The public is encouraged to contact project staff at any time during the site's remedial process with questions, comments, or requests for information about the remedial program.

This CP Plan may be revised due to changes in major issues of public concern identified below in Section 6.0 or in the nature and scope of remedial activities. Modifications may include additions to the Brownfield site contact list and changes in planned citizen participation activities.

3.0 SITE INFORMATION

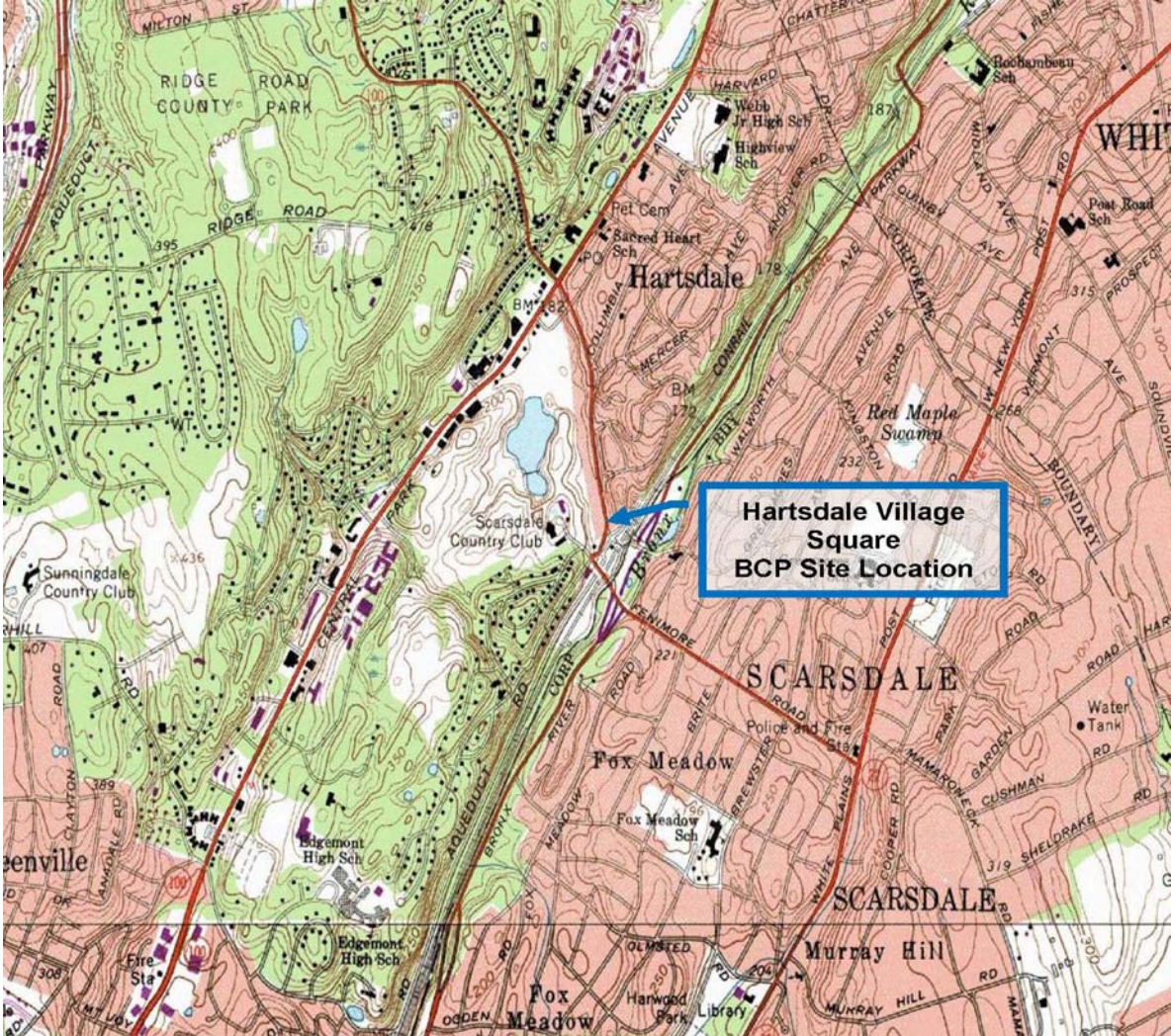


Figure 3-1: Site Location

Site Description

The Site is located at 212 East Hartsdale Avenue in the middle of a small strip mall “Hartsdale Village Square” in the Town of Greenburgh in Westchester County, New York (Figure 3-1). East Hartsdale Avenue is a major shopping street with a wide sidewalk in the front and a narrow alleyway and a 2-story parking garage in the rear. The dry cleaner has a Hartsdale Farms market adjoining the North wall and a New York Sports gym on the south wall. The dry cleaner cleans clothes on the premises and has a basement that is approximately 8 feet high where solvent was spilled into the central sump in which groundwater was observed at approximately one foot below

the concrete floor. The strip mall is located on the West side of this major shopping street in the hilly downtown urban area of Hartsdale, an unincorporated Hamlet within the Town of Greenburgh.

Site History

Tetrachloroethylene (also known as Tetrachloroethene, Perchloroethene, Perchloroethylene. Perc. PCE) is a manufactured chemical that is widely used in the dry-cleaning of fabrics, including clothes. It is also used for degreasing metal parts and in manufacturing other chemicals.

A spill of Tetrachloroethylene was reported to the NYSDEC on June 22, 2009 based on the results of sampling conducted at the Site. Based on this information the NYSDEC assigned case number 0903393 to the Site. Testing results of soil and groundwater suggested that the spill was concentrated in and around the central floor sump located in the basement.

Tetrachloroethylene was found in an ambient air sample collected within the basement of the dry cleaner on August 12, 2009 at a concentration of 128 parts per billion by volume (ppbv), and at 22,703 ppbv in a soil vapor sample collected from under the concrete basement floor slab as a result of testing conducted on September 30, 2009.

The dry cleaner continues to operate on the main floor above the basement.

Environmental History - previous environmental assessments, investigations, and/or remedial activities:

A Phase I Environmental Site Assessment (ESA) was conducted at the Site by Sun Tao Associates, Inc. in June 2008. The subsequent report indicated that one of the storefronts has been a dry cleaning operation for more than 38 years and recommended "...an appropriate investigation on the environmental impacts (to detect the presence of hazardous substances or petroleum products)."

Marksman Enterprises, LLC was retained by Hartsdale Village Square, L.L.C. to conduct a limited Phase 2 site investigation in June 2009. Volatile organic compounds associated with dry cleaning

solvent and petroleum hydrocarbons were detected in three of four of the samples collected. Tetrachloroethylene and associated chemicals were detected in levels that exceeded the NYSDEC Soil Cleanup Criteria.

A site investigation was conducted in the summer of 2009 by Tapash LLC. Soil Borings and groundwater monitoring wells were installed on the Aristocrat Cleaner property and these were converted to soil vapor monitor points.

Additional soil vapor monitor points were installed in February 2010. Soil, groundwater, ambient air and sub-slab vapor samples were taken and analyzed for chemicals of concern including volatile organics (solvents) and petroleum hydrocarbons and metals.

Areas of Concern

The term "Area of concern" or "AOC" means any existing or former location at a site where contaminants are known or suspected to have been discharged which is considered a source area. These include locations where contaminants were generated, manufactured, refined, transported, stored, handled, treated, disposed or where they have or may have migrated. Four AOCs have been identified at the Site based on prior testing conducted.

AOC 1: Historic Dry Cleaning Spills

The Site is considered an AOC because the subject property has been used as a dry cleaner for more than 38 years, operated at #212 E. Hartsdale Avenue before the government regulation of the waste disposal of solvent in 1986 and because of degraded soil quality found onsite. There is a sump in the middle of the basement that was found to contain Tetrachloroethylene (PCE).

AOC 2: Basement Entrance Sump Containing Petroleum Hydrocarbons

Petroleum Hydrocarbons were found in the sump at the basement entrance and the central sump in the middle of the basement. It has been noted that the floor sump near the basement entrance has a sump pump that dumps water into the sump in the center of the basement before all accumulated groundwater is pumped into a drain pipe located in the ceiling of the basement. This dewatering system has the potential to cross-contaminate the sumps and both sumps serve to collect groundwater in the basement.

AOC 3: Central Sump in Basement Containing Tetrachloroethylene

The groundwater around the central sump has been found to contain PCE at concentrations above the New York State Groundwater standard. Previous analytical results suggest that PCE has been spilled around the sump.

AOC 4: Vapor Intrusion Potential

There is a potential for vapor intrusion of volatile chemicals found in soil and groundwater into the basement of the Site and adjacent properties.

4.0 REMEDIAL PROCESS

Once the Remedial Investigation is completed, a Remedial Investigation Report will be prepared for community review and comment and the appropriate cleanup will be selected and implemented in the Remedial Actions required with NYSDEC oversight and community input.

Application

The Applicant has applied for and been accepted into New York's Brownfield Cleanup Program as a **Volunteer**. This means that the Applicant was not responsible for the disposal or discharge of the contaminants or whose ownership or operation of the site took place after the discharge or disposal of contaminants. The Volunteer must fully characterize the nature and extent of contamination onsite, and must conduct a "qualitative exposure assessment," a process that characterizes the actual or potential exposures of people, fish and wildlife to contaminants on the site and to contamination that has migrated from the site.

The Applicant in its Application proposes that the site will be used for **unrestricted** purposes.

To achieve this goal, the Applicant will conduct remedial 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 a remedial program at the site.

Investigation

When the Applicant conducts a remedial investigation (RI) of the site, it will be performed with NYSDEC oversight. The Applicant must develop a remedial investigation workplan, which is subject to public comment as noted in Attachment 4. The goals of the investigation are as follows:

- 1) Define the nature and extent of contamination in soil, surface water, groundwater and any other impacted media;
- 2) Identify the source(s) of the contamination;

3) Assess the impact of the contamination on public health and/or the environment; and

4) Provide information to support the development of a Remedial Work Plan to address the contamination, or to support a conclusion that the contamination does not need to be addressed.

The Applicant will prepare an RI Report after it completes the RI. This report will summarize the results of the RI and will include the Applicant's recommendation of whether remediation is needed to address site-related contamination. The RI Report is subject to review and approval by NYSDEC. Before the RI Report is approved, a fact sheet that describes the RI Report will be sent to the site's contact list.

NYSDEC will determine if the site poses a significant threat to public health and/or the environment. If NYSDEC determines that the site is 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 community 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 eligible site.

For more information about the TAG Program and the availability of TAGs, go online at: www.dec.state.ny.us/website/der/guidance/tag/.

Remedy Selection

After NYSDEC approves the RI Report, the Applicant will be able to develop a Remedial Work Plan if remediation is required. The Remedial Work Plan describes how the Applicant would address the contamination related to the site.

The public will have the opportunity to review and comment on the draft Remedial Work Plan. The site contact list will be sent a fact sheet that describes the draft Remedial Work Plan and announces a 45-day public comment period. NYSDEC will factor this input into its decision to approve, reject or modify the draft Remedial Work Plan.

A public meeting may be held by NYSDEC about the proposed Remedial Work Plan if requested by the affected community and if significant substantive issues are raised about the draft Remedial Work Plan. Please note that, in order to request a public meeting, the health, economic well-being or enjoyment of the environment of those requesting the public meeting must be threatened or potentially threatened by the site. In addition, the request for the public meeting should be made within the first 30 days of the 45-day public comment period for the draft Remedial Work Plan. A public meeting also may be held at the discretion of the NYSDEC project manager in consultation with other NYSDEC staff as appropriate.

Construction

Approval of the Remedial Work Plan by NYSDEC will allow the Applicant to design and construct the alternative selected to remediate the site. The site contact list will receive notification before the start of site remediation. When the Applicant completes remedial activities, it will prepare a final engineering report that certifies that remediation requirements have been achieved or will be achieved within a specific time frame. NYSDEC will review the report to be certain that the remediation is protective of public health and the environment for the intended use of the site. The site contact list will receive a fact sheet that announces the completion of remedial activities and the review of the final engineering report.

Certificate of Completion and Site Management

Once NYSDEC approves the final engineering report, it will issue the Applicant a Certificate of Completion. This Certificate states that remediation goals have been achieved, and relieves the Applicant from future remedial liability, subject to statutory conditions. The Certificate also includes a description of any institutional and engineering controls or monitoring required by the approved remedial work plan. If the Applicant uses institutional controls or engineering controls to achieve remedial objectives, the site contact list will receive a fact sheet that discusses such

controls. An institutional control is a non-physical restriction on use of the Brownfield site, such as a deed restriction that would prevent or restrict certain uses of the remediated property. An institutional control may be used when the remedial 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, such as a cap or vapor barrier.

Site management will be conducted by the Applicant as required. NYSDEC will provide appropriate oversight. Site management involves the institutional and engineering controls required for the Brownfield site. Examples include: operation of a water treatment plant, maintenance of a cap or cover, and monitoring of groundwater quality.

5.0 CITIZEN PARTICIPATION ACTIVITIES

CP activities that have already occurred and are planned during the investigation and remediation of the site under the BCP are identified in Attachment 4: Identification of Citizen Participation Activities. NYSDEC will ensure that these CP activities are conducted with appropriate assistance from the Applicant.

All CP activities are conducted to provide the public with significant information about site findings and planned remedial activities, and some activities announce comment periods and request public input about important draft documents such as the Remedial Work Plan.

All written materials developed for the public will be reviewed and approved by NYSDEC for clarity and accuracy before they are distributed. Notices and fact sheets can be combined at the discretion, and with the approval of, the NYSDEC.

6.0 MAJOR ISSUES OF PUBLIC CONCERN

This section of the CP Plan identifies issues associated with the subject site that may be of interest to the public. Additional major issues of public concern may be identified during the site's remedial process.

- The dry cleaner is surrounded on both sides by commercial shops and is located in the middle of a small strip at 212-218 E. Hartsdale Avenue, a major shopping street.
- The site is not near private residences but is adjacent to a recreational facility (the NY Sports Gym) and is under a strip mall used by the public. No school or religious facilities were identified in the immediate area.
- Spilled chemicals utilized in the dry cleaning process including Tetrachloroethylene have been found in soil, soil vapor and groundwater at the Site and have also been detected in indoor air at the dry cleaner. Results of prior testing conducted suggest the potential for vapor intrusion of these chemicals to basements of nearby shops and commercial facilities.
- Sandy urban fill was encountered at the Site to a depth of approximately 10 feet below grade.
- The native unconsolidated soil under the basement of the dry cleaner consists of medium to coarse sand and gravel extending to a depth of at least 30 feet below grade.
- The water table is normally found at a depth of about 10 feet below grade (6 inches under the basement floor). Flooding of the basement has been noted during heavy rains. The coarse sand and gravel is the stream sediments of the original Hartsdale Brook has been diverted in an 18" diameter storm drain buried under the strip mall.
- The bedrock under the site has not been encountered during prior testing but is reported to consist of a highly fractured and blocky metamorphic Shale and Biotite Schist and Gneiss, injected with granite and quartz igneous dikes cutting across the near vertical

strata. The rock strata steeply dip into the ground at 70° from the horizontal and the strike of the original bedding planes is Southeast-Northwest: parallel to the strike of the rail line and Bronx River valley.

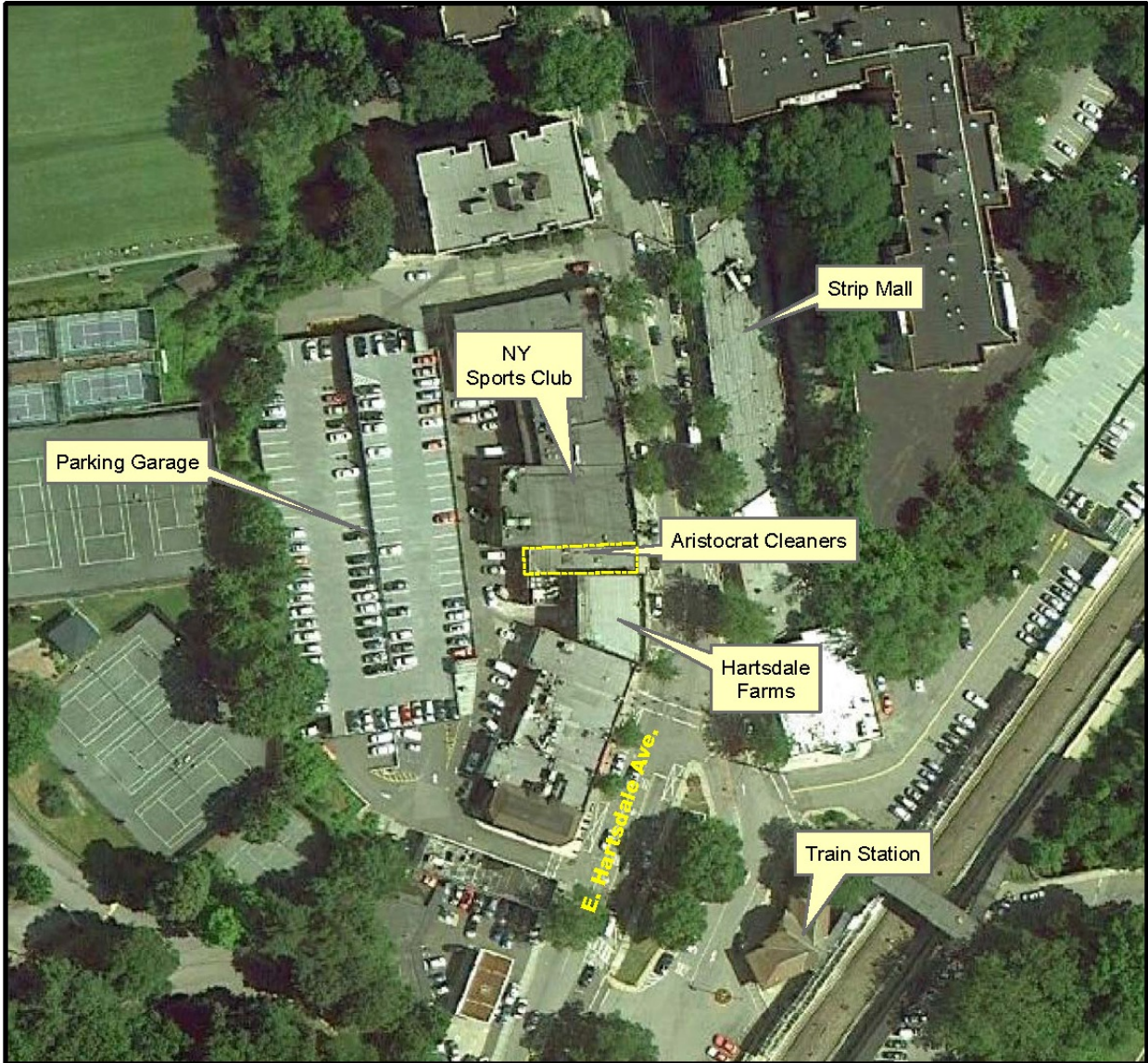
- Approximately 4% of the County's water supply comes from wells. No wells were found in the area within 1,000 feet of the site suggesting that groundwater in the area is not used for public supply.

ATTACHMENTS

ATTACHMENT 1 SURROUNDING LAND USE

Surrounding Land Use

AERIAL PHOTOGRAPH



ATTACHMENT 2
PROJECT CONTACTS AND DOCUMENT REPOSITORIES

Project Contacts and Document Repositories

Project Contacts - For information about the site's remedial program, the public may contact any of the following project staff:

New York State Department of Environmental Conservation (NYSDEC):

Randy Whitcher rjwhitch@gw.dec.state.ny.us

Division of Environmental Remediation
625 Broadway, 11th Floor
Albany, NY 12233-7014
(518) 402-9669

Michael Knipfing

NYSDEC Region 3
21 South Putt Corners Road
New Paltz NY 12561
(845) 256-3154

New York State Department of Health (NYSDOH):

Nathan Walz nmw02@health.state.ny.us

Bureau of Environmental Exposure Investigation
547 River Street
Troy NY 12180-2216
1(800) 458-1158

Document Repositories - The document repositories identified below have been established to provide the public with convenient access to important project documents:

Greenburgh Library

300 Tarrytown Road
Elmsford, NY 10523
(914) 721-8200

Hours of Operation

Monday, Thursday, Friday, Saturday..... 10:00 AM – 5:30 PM
Tuesday, Wednesday 10:00 AM – 9:00 PM
Closed Sunday

NYSDEC Region 3 - Division of Environmental Remediation

21 South Putt Corners Road
New Paltz, NY 12561
(845) 256-3000 - call for an appointment

**ATTACHMENT 3
BROWNFIELD SITE CONTACT LIST**

Contact List

Site Owner

Hartsdale Village Square, LLC
2916 Eighth Ave Ste 3-C
New York, NY 10039
Contact: Kenneth Shin

Site Operator

Phillip Benincasa
King Aristocrat
212 E. Hartsdale Ave
Hartsdale, NY 10530

Volunteer's Consultant

EnviroTrac Ltd.
5 Old Dock Road
Yaphank, NY 11980
Contact: Peter C. Breen, CPG

Adjacent Property Owners

State Officials

Dale Desnoyers
NYSDEC
625 Broadway
Albany, NY 12233
dadesnoy@gw.dec.state.ny.us

Sal Ervolina
NYSDEC
625 Broadway
Albany, NY 12233
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Willie Janeway
NYSDEC Regional Director
21 South Putt Corners Road
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Albany, NY 12233-5500
rjwhitch@gw.dec.state.ny.us

Nathan Walz
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547 River Street
Troy, NY 12180-2216
nmw02@health.state.ny.us

Mark VanValkenburg
NYSDOH
547 River Street
Troy, NY 12180-2216
mev05@health.state.ny.us

Elected Officials

Paul Feiner, Supervisor
Town of Greeburgh
177 Hillside Ave.
Greenburgh, NY 10607

Judith Beville, Clerk
Town of Greenburgh
177 Hillside Ave.
Greenburgh, NY 10607

Sonja Brown
Town Board
177 Hillside Ave.
Greenburgh, NY 10607

Diana Juettner
Town Board
177 Hillside Ave.
Greenburgh, NY 10607

Kevin Morgan
Town Board
177 Hillside Ave.
Greenburgh, NY 10607

Francis X. Sheehan
Town Board
177 Hillside Ave.
Greenburgh, NY 10607

Thomas Madden, Commissioner
Development and Conservation
177 Hillside Ave.
Greenburgh, NY 10607

John Lucido, Bldg. Inspector
Town of Greenburgh
177 Hillside Ave.
Greenburgh, NY 10607

Hon. Charles Schumer
US Senate
Washington, DC 20510

Hon. Kirsten Gillibrand
US Senate
Washington, DC 20510

Representative Nita Lowey
222 Mamaroneck Ave. Ste 310
White Plains, NY 10523

Rep. Eliot Engel
6 Gramatan Ave, Ste 205
Mount Vernon, NY 10550

Senator Andrea Stewart-Cousins
86 Main St. Ste #302
Yonkers, NY 10710
Assemblymen Richard Brodsky
5 W. Main St., Ste #205
Elmsford, NY 10523

John Nonna, Legislator
Westchester County
800 Michaelian Office Bldg.
White Plains, NY 10601

Lois T. Bronz, Legislator
Westchester County
800 Michaelian Office Bldg.
White Plains, NY 10601

Thomas Abinanti, Legislator
Westchester County
800 Michaelian Office Bldg.
White Plains, NY 10601

Robert Astorino, County Executive
148 Martine Ave.
White Plains, NY 10601

Timothy Idoni, County Clerk
110 MLK Jr. Blvd
White Plains, NY 10601

Commissioner
County Health Dept.
145 Huguenot St.
New Rochelle, NY 10801

Commissioner
County Planning Dept.
148 Martine Ave.
White Plains, NY 10601

Commissioner
Public Works
148 Martine Ave.
White Plains, NY 10601

Director
Economic Development
148 Martine Ave.
White Plains, NY 10601

Karen M. Pasquale
State Gov't Relations
148 Martine Ave.
White Plains, NY 10601

Environmental Groups

Scenic Hudson
1 Civic Center Plaza
Poughkeepsie, NY 12601

Greenway Conservancy
Capitol Building
Capital Station, Rm 254
Albany, NY 12224

The Nature Conservancy
Eastern NY Chapter
265 Chestnut Ridge Road
Mt. Kisco, NY 10549

Westchester Environmental Coalition
P.O. Box 488
White Plains, NY 10603

Karl Coplan, Esq.
Pace/Riverkeeper
78N. Broadway
White Plains, 10603

Beczak Environmental Center
21 Alexander Street
Yonkers, NY 10701

Environmental Citizens Coalition
33 Central Ave.
Albany, NY 12210

Laura Haight
NYPIRG
107 Washington Ave.
Albany, NY 12210

Westchester County EMC
414 Michaelian Office Building
White Plains, NY 10601

Sierra Club
Atlantic Chapter
353 Hamilton Street
Albany, NY 12210

Robert Funicello
Director of Environmental Projects
Dept. of Environmental Facilities
270 North Avenue
New Rochelle, NY 10801

News Groups

City Editor
El Clarin
48 Broadway
Haverstraw, NY 10927

City Editor
Associated Press
148 Martine Ave, CB Press
White Plains, NY 10601

City Editor
Gannett Suburban Newspaper
1 Gannett Drive
White Plains, NY 10604

City Editor
Rising Publications
25 Warburton Ave.
Yonkers, NY 10701

City Editor
Suburban Street News
170 Hamilton Ave., Ste 211
White Plains, NY 10601

City Editor, The New York Times
(White Plains Bureau)
235 Main Street
White Plains, NY 10601

City Editor
The Business Journal
3 Gannett Drive
White Plains, NY 10604

City Editor
Patent Trader-Journal News
185 Kisco Ave
Mount Kisco, NY 10549-1409

City Editor
Westchester County Press
P.O. Box 152
White Plains, NY 12508

City Editor
White Plains Reporter Dispatch
1 Gannett Drive
White Plains, NY 10604

City Editor
Yonkers Jewish Chronicle
584 North Broadway
Yonkers, NY 10701

News Director
WHUD/WLNA
P.O. Box 310
Beacon, NY 12508

News Director
WRTN/WVOX
1 Broadcast Forum
New Rochelle, NY 10801

News Director
Cablevision of Westchester
116 N. Main St.
Port Chester, NY 10573

News Director
News 12
6 Executive Plaza
Yonkers, NY 10701

News Director
Paragon Cable
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Lisa Phillips, Bureau Chief
WAMC
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Kingston, NY 12401

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42 Marcy Lane
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Westmore News, Inc.
33 Broad Street
Port Chester, NY 10573

City Editor
American Latina
33 Broad Street
Kingston, NY 12401

News Director
Women's E News
6 Barclay St., 5th floor
New York, NY 10007

News Director
WFAS-AM
P.O. Box 551, 365 Secor Road
Hartsdale, NY 10530

City Editor
White Plains Times
31 Mamaroneck Ave.
White Plains, NY 10601

City Editor
Tri-State Pennysaver
510 Fifth Ave.
Pelham, NY 10803

ATTACHMENT 4
IDENTIFICATION OF CITIZEN PARTICIPATION ACTIVITIES

Citizen Participation Activities

3-2

Brownfield Cleanup Program Citizen Participation Requirements

Brownfield Cleanup Program (BCP) Citizen Participation Requirements	
BCP Citizen Participation Requirements	Timing of CP Requirement(s)
Application Process:	
<ul style="list-style-type: none"> • Prepare site contact list • Establish document repository • Place complete Application in document repository • Publish notice in Environmental Notice Bulletin (ENB) announcing receipt of Application and 30-day comment period • Publish notice in local newspaper • Mail notice to site contact list (all mailings require certification of mailing sent to DER within 5 days) • Conduct 30-day public comment period on the complete Application 	<p>When Requestor prepares Application to participate in BCP.</p> <p>When DER determines that Application is complete. Comment period begins on publication date of ENB notice. End date is as stated in ENB notice. ENB, newspaper, and site contact list notices should be provided at the same time. Notice should request comments on all appropriate documents included in Application package (RI Work Plan, RI Report and/or RWP).</p>
After Execution of Brownfield Cleanup Agreement (BCA):	
<ul style="list-style-type: none"> • Prepare Citizen Participation (CP) Plan 	<p>Draft CP Plan must be submitted to DER within 20 days of execution of BCA. CP Plan must be approved by DER before distribution.</p>
Before DER Approves Proposed Remedial Investigation (RI) Work Plan:	
<ul style="list-style-type: none"> • Place proposed RI Work Plan in document repository • Mail fact sheet to site contact list about proposed RI Work Plan and 30-day public comment period • Conduct 30-day public comment period on the proposed RI Work Plan • Place approved RI Work Plan in document repository 	<p>Before DER approves RI Work Plan. If RI Work Plan is submitted with application, comment periods will be combined and public notice will include fact sheet. Comment period begins/ends as per dates identified in fact sheet.</p> <p>When DER approves RI Work Plan.</p>
Before DER Approves Remedial Investigation Report:	
<ul style="list-style-type: none"> • Mail fact sheet to site contact list that describes RI results • Place approved RI Report in document repository 	<p>Before DER approves RI Report.</p> <p>When DER approves RI Report.</p>
Significant Threat Determination:	
<ul style="list-style-type: none"> • Mail fact sheet to site contact list that discusses significant threat determination. Combine notice with another fact sheet where appropriate 	<p>Determination may be made any time during remedial process but no later than 20 days after DER approves RI Report. A significant threat site is eligible for a Technical Assistance Grant.</p>
Before DER Approves Remedial Work Plan (RWP):	
<ul style="list-style-type: none"> • Place draft RWP in document repository • Mail fact sheet to site contact list that describes draft RWP and announces 45-day comment period • Conduct 45-day public comment period about draft RWP • Hold public meeting about draft RWP if site a significant threat and requested by community. • Place approved RWP and final Decision Document in document repository 	<p>Before DER approves RWP. Comment period begins/ends as per dates identified in fact sheet. Public meeting would be held during the comment period.</p> <p>When DER approves RWP and finalizes Decision Document.</p>
Before Applicant Starts Remedial Action (RA):	
<ul style="list-style-type: none"> • Mail fact sheet to site contact list that describes upcoming RA 	<p>Before the start of RA at the site.</p>
Before DER Approves Final Engineering Report:	
<ul style="list-style-type: none"> • Mail fact sheet to site contact list that describes report, and any proposed institutional/ engineering controls • Place final Engineering Report in document repository 	<p>Before DER approves Final Engineering Report.</p> <p>When DER approves Final Engineering Report.</p>

(continued)

BCP Citizen Participation Requirements	Timing of CP Requirement(s)
When DER Issues Certificate of Completion (COC):	
<ul style="list-style-type: none"> • Place Notice of COC in document repository • Mail fact sheet to site contact list that announces issuance of COC 	<p>Within 10 days after DER issues COC.</p>