

Assemblymember Simon Questions regarding 240 Huntington Street

For ease of reference, DEC has numbered the bulleted questions and responses

1. Contact information for both agencies that elected officials can share with constituents who have questions or concerns, as suggested by DEC and DOH on the 8/10 call.

Response: Please find our most current fact sheet for 240 Huntington with the DEC project manager contact information. DEC posts fact sheets to our listserv website at key milestones for every site in any of our remedial programs statewide and all these fact sheets include the contact information for the DEC and DOH project managers. A person can choose to receive all notices or by county. Interested stakeholders should sign up to receive these fact sheets (<https://www.dec.ny.gov/public/65855.html>). Fact sheets are also available on DECInfoLocator (<https://gisservices.dec.ny.gov/gis/dil/>), where they may be accessed at any time.

DEC has provided a list of remedial sites along/near the canal to EPA, who subsequently shared it with the Gowanus Canal Community Advisory Group (CAG). This list could be used by interested stakeholders to access key site documents, including fact sheets, from DECInfoLocator. As requested in the last bulleted question herein, DEC has updated and attached the list of remedial sites along the canal.

2. At what depth of excavation did the exceedance at 240 Huntington Street occur?

Response: Remedial work at the 240 Huntington Street Site on July 27, 2022 related to the CAMP VOC exceedance consisted of excavation of petroleum impacted soil from approximately 4 feet below ground surface (bgs) to 10 feet bgs. The soil was impacted by a previously removed gasoline underground storage tank from past use of the site.

Additional work at the site on July 27th included backfilling and the installation of piles to a depth 60 feet bgs.

3. Have there been any other exceedances at 240 Huntington or any Brownfield site within the re-zoned area or immediately adjacent to it? If so, at what depth did those exceedances occur, when, and how were they handled?

Response: No.

4. Is DEC reporting exceedances and sharing data with EPA as they occur?

Response: Exceedances are addressed as they occur in accordance with the DEC-approved site-specific RAWP/design and CAMP. However, if there was a significant event, DEC would notify EPA. It is important to understand that for CAMP purposes, an action level is a conservative value at which immediate action is taken to address any identified exceedance of the action level.

5. If the purpose of the CAMP is to “provide a measure of added protection for the downwind community (i.e., off-site receptors including residences and businesses and on-site workers not directly involved with the subject work activities) from potential airborne contaminant releases as a direct result of investigative, remedial and other

intrusive work activities,” what measures are in place to alert/protect the community re: any additional occurrences?

Response: The CAMP is the measure in place to protect the community. If a CAMP action level is reached or exceeded:

- work is temporarily stopped;
- the exceedance is addressed as outlined in the site-specific remedial action work plan (RAWP)/design documents and the CAMP;
- an evaluation of the source or cause of the CAMP reading is conducted; and, if necessary:
 - actions are taken to address the source or cause before resuming work and continuing CAMP monitoring.

The corrective actions consider the nature and extent of the exceedance. For example, if an action level alarm on a volatile organic compound (VOC) CAMP monitoring station is triggered, action such as spraying of Atmos foam (VOC vapor suppressing foam) or covering excavated soil with plastic to contain potential vapors, may be implemented. If an action level alarm on the particulate/dust CAMP monitoring station is triggered, action such as wetting the area to suppress the dust may be implemented.

Regarding odors, in most cases, people will notice a particular smell well below the level in air that would cause health effects. Also, people are not equally sensitive to odor and may not be affected by them in the same way. Odor is not a reliable way to determine the risk of health effects.

The CAMP is a key component in community protection that helps to confirm that work activities did not spread contamination off-site through the air. As DEC explained in the 8/18/22 email –

“The monitoring program has a predetermined “Action” level for total VOCs and particulates relative to background levels that have been established. The Action level for VOCs is a 15-minute time-weighted average (TWA) of 5 parts per million (ppm) above background concentrations. The Action level for particulates is a 15-minute TWA of 0.15 ppm above background. In the event that Action levels are triggered, appropriate corrective measures will be taken to identify the source of the problem, abate the emissions, including the stoppage of on-site work, if necessary.”

With respect to additional community protection measures, also as outlined in DEC’s 8/18/22 email to the CAG, during remediation of the Gowanus MGP sites,

“In addition to air monitoring, other measures are put in place to protect the public during the remediation activities. All remedial excavation work will be completed under a temporary enclosure [temporary fabric structure or TFS] that operates under a negative (inward) pressure. This will prevent contaminated air from leaving the excavation areas. All air in the enclosure is treated through activated carbon before it is discharged to the surrounding air. In addition, field personnel, will routinely walk the perimeter of the site to monitor for “nuisance odors” that are commonly associated with MGP cleanups. If needed, on-site

personnel will be required to apply odor and dust suppression measures to control any fugitive emissions.”

The odors noted July 27, 2022, were related to the remediation of petroleum contaminated soil from a gasoline underground storage tank (UST) leak related to past use of the site and were not related to MPG waste. All underground storage tanks have been removed and no additional excavation will be performed. To address petroleum related contamination in the groundwater, in-situ chemical oxidation is currently being implemented.

The totality of the protective measures outlined above comprise a very conservative and comprehensive “belt and suspenders” program for community protection.

6. User-friendly, straightforward, timely signage for all Brownfield sites was suggested during our call on 8/10. Please let us know the status of that proposal.

Response: DEC is evaluating this suggestion. Although the NYC building code prohibits the use of signage on the outside of construction fences, DEC is working to include contact information and work details for sites in DEC’s remedial programs.

7. If the Air Quality monitors at the 545 Sackett Street location are fixed in 5 locations around the perimeter, why do the monitors at the Huntington St. site have to be moved due to “upwind/downwind” conditions?

Response: Typically (and depending on site size), one upwind and two downwind CAMP stations are placed and are moved as wind directions change. For airborne releases, the downwind direction is the direction of most interest since that’s the direction a release would migrate. Upwind data is important to determine whether there is a release from elsewhere (e.g., fires, construction, traffic, etc.) coming onto the remediation site.

However, there are significant difference between 545 Sackett Street and the 240 Huntington Street Brownfield Cleanup Program (BCP) sites. 240 Huntington was impacted by petroleum releases in the shallow soil from a leaking gasoline storage tank. The Sackett Street site was the actual location of a former manufactured gas facility. Contamination at an actual facility (Sackett Street) is expected to be more widespread than at 240 Huntington. Therefore, DEC required the contractor at Sackett Street to place extra CAMP stations at all four site boundaries with two along the boundary between the site and the park to address community concerns and to provide an additional layer of protection with regards to potential exposure concerns at Thomas Green Park during the remedial work at former Fulton MGP parcels III and IV (545 Sackett Street).

8. How often do DEC inspectors inspect the sites currently being remediated and the air monitors at these sites in person?

Response: The MGP sites have full time DEC construction inspectors. Their duties include confirming the CAMP stations are operating and located properly each day considering daily wind directions. In addition, the consultant/contractor performing the remedial work also has a designated site health and safety officer (HSO) whose

responsibilities include proper placement and monitoring of the CAMP stations and directing corrective measures in accordance with the DEC-approved RAWP/design and CAMP plan, and submittal of the CAMP data to DEC and DOH.

For BCP sites, DEC personnel are in constant contact with the site's environmental professional and each site are visited periodically by DEC personnel as dictated by the site activities and conditions. As noted above, the consultant/contractor also has a designated site HSO.

Regardless of the type of site, the consultant/contractors performing/overseeing the remedial work must submit their CAMP data and field reports to DEC and DOH, which should note any corrective measures taken. Any significant events must be reported to DEC/DOH immediately or as soon as reasonably possible.

9. Once an air monitor alarm is set off, does DEC investigate the site in person?

Response: For the MGP sites, the DEC field inspector would check on the alarm with the contractor/consultant site HSO. For BCP sites, if a DEC representative is on-site, they would typically check the alarm with the site HSO; otherwise, the site HSO would check the alarm and direct appropriate corrective actions.

10. How are action levels for VOCs in Community Air Monitoring Plans determined?

Response: Action levels for VOCs in the CAMP were developed based on the following considerations: instrument capability, what levels were likely indicative of impacts from remedial activities, and what level should trigger stopping work based on the goal of reducing the potential for exposure to the public. The downwind monitor, in concert with the upwind monitor, identifies when there may be an impact related to site intrusive activities and can prompt work to stop while the cause of the exceedance is evaluated. The photoionization detector (PID) is a screening tool to help make decisions in the field with respect to intrusive work.

11. Please provide the number of current active brownfield sites within the re-zoned area or immediately adjacent to it, and please estimate how many sites will be active in the next 24-36 months, if possible.

Response: As noted in response #1, in response to a previous CAG request, in late May 2022, DEC provided a list of BCP sites along/near the canal to EPA, who subsequently provided it to the CAG. DEC has updated the list of current BCP sites in the Gowanus area (see attached list/map is below which includes all sites within a DEC remedial program) –however, DEC cannot speculate on how many future BCP applications will be received for parcels in this area. DEC is planning to have a public availability session by the end of the year or early next year to answer questions from the community about the numerous BCP sites along and near the canal.

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