
**Citizen Participation Plan
for
Con Edison's Former
Kent Avenue Generating Station**

Site No. 126649
Brooklyn, New York 11249

October2013

Prepared by:

Consolidated Edison Company of New York

Approved by:

New York State Department of Environmental Conservation
Division of Environmental Remediation

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1.0 INTRODUCTION AND OVERVIEW OF THE CITIZEN PARTICIPATION PLAN

Volunteer: Consolidated Edison of NY (“Volunteer”)

Site Name: **Former Kent Avenue Generating Station (“Site”)**

Site Address: **500 Kent Avenue**

Site County: **Kings County**

Site Number: **126649**

Con Edison, in cooperation with the New York State Department of Environmental Conservation (NYSDEC) and the New York State Department of Health (NYSDOH), is committed to informing and involving the public during the investigation and remediation of former industrial sites being conducted under the New York State Voluntary Cleanup Program (VCP).

The VCP was developed by the NYSDEC to enhance private sector cleanup of properties. Under the VCP, the volunteer agreed to investigate and remediate a site to a level that is protective of human health and the environment for the present or potential future use of the property. Such investigation and remediation is carried out with NYSDEC and NYSDOH oversight. When the volunteer satisfactorily completes the work, the State provides a release from liability for the work done, thus providing an incentive to return the Site to productive use. Projects of this type now fall under the purview of the New York State Brownfield Cleanup Program (BCP)

For more information about the Brownfield Cleanup Program, please visit the NYSDEC Website at <http://www.dec.ny.gov/chemical/8450.html>.

This Citizen Participation Plan (CPP) identifies information that relates to the former Kent Avenue Generating Station site. The CPP also describes citizen participation activities to be conducted during the investigation and remediation. These activities are designed to achieve the following objectives:

- Help the interested and affected public to understand the contamination problems at this Site, and the nature and progress of Con Edison’s program to investigate and clean up the Site;
- Ensure open communication between the public and project staff throughout the remedial process;
- Create opportunities for the public to contribute information, opinions and perspectives that have potential to influence decisions about the Site’s investigation and cleanup.

2.0 PROJECT DESCRIPTION

The Kent Avenue site was originally a power generation facility. After the facility closed and the buildings and equipment were removed, Con Edison added the Kent Avenue site to a

Voluntary Cleanup Agreement (VCA) to investigate, test, and remediate former industrial sites located in New York City and Westchester County. This VCA was originally executed on August 15, 2002 between NYSDEC and Con Edison.

The first phase of the Kent Avenue investigation entailed the preparation of a Phase I Environmental Site Assessment (ESA) in 1999. Based on the information compiled in the Phase I ESA Report, site investigations (Phase II ESA) were performed in 2000 and 2006 to determine the presence or absence of power plant-related residuals in the soil and groundwater. A remedial investigation (RI) to characterize the residual contents of the former power plant ash pit was conducted in 2007. Based on the findings of the RI, a Feasibility Study (FS) was performed during December 2008 – January 2009 to assess the viability of treating and processing the ash pit residuals.

The Phase II ESA and RI found contaminants in surface and subsurface soil of the Site, as well as in the groundwater and in the sludge material found in the bottom of the ash pit. These contaminants included polychlorinated biphenyls (PCBs), semivolatile organic compounds (SVOCs), volatile organic compounds (VOCs), asbestos, and metals.

The information from these investigations was used by Con Edison to prepare a Remedial Action Work Plan (RAWP) for the ash pit, which is considered a single Area of Concern (AOC) at the site. The RAWP identifies various remedial options which were subsequently evaluated based on several criteria specified by the NYSDEC. The RAWP summarizes the results of the remedial investigations to date, summarizes the results of the feasibility study completed for a specific remedial technology, and outlines a proposed course of remedial action for the ash pit. From this process, the NYSDEC approved the Ash Pit RAWP. In 2011, the ash pit was remediated as an Interim Remedial Measure (IRM) and back filled with a light weight concrete (completed January 2012).

In response to the findings from the various investigation activities, Con Edison, in cooperation with the NYSDEC and NYSDOH, has recommended a method to address the residual contamination found at the Site. The evaluation of the remedial alternatives and a proposed remedial action are summarized in Con Edison's Alternative Analysis Report (AAR) and in DEC's Proposed Decision Document (PDD). The proposed remedy entails site excavation to a Restricted Residential Soil Cleanup Objective (SCO). The soil excavation would include all impacted fill and possible Underground Storage Tank impacted soils down to the bottom of the original powerhouse basement slab or to the water table. The excavation depth would range from 7-10 feet with the removal of approximately 10,850 cubic yards of impacted fill material, which will be replaced with clean fill. The project would take approximately 12 months.

The AAR also proposes the development of a Site Management Plan (SMP) to manage soils exceeding unrestricted use SCOs that are left in place; the imposition of a deed restriction which will require compliance with the SMP and notification to the NYSDEC if any intrusive work is conducted. Lastly, the AAR contains a provision for an annual certification to the NYSDEC on the long-term controls that are implemented at the Site annually for the first 5 years and once every 5 years thereafter for a total of 30 years.

The comment period commenced on August 12, 2013, the release date of the Proposed Decision Document and ended on October 11, 2013. In addition, Con Edison, NYSDEC and NYSDOH held a public meeting on September 12, 2013 at 6:00PM at the Brooklyn Navy Yard, Building 92 (63 Flushing Avenue, intersection of Carlton and Flushing Avenues), to answer questions and take comments. Comments were also submitted to Douglas MacNeal, NYSDEC, 625 Broadway, 11th floor, Albany, NY 12233. Phone: 518-402-9684. Fax: 518-402-9022. Or via email: dkmacnea@gw.dec.state.ny.us.

After consideration of all comments received, NYSDEC issued a final Decision Document on October 21, 2013. After the Decision Document was released, a remedial design will be produced for NYSDEC's approval. After that, a Public Availability Session will be held after the remedial design has been completed, before the start of remedial activity, to inform the public about the methods used to implement the remedy and to ensure the protection of human health and the environment.

3.0 SITE BACKGROUND

The former Con Edison Kent Avenue Generating Station ("Site") is located at 500 Kent Avenue, Brooklyn, New York. As shown on **Figure 1**, the Site is bounded by Division Avenue to the north, the Brooklyn Navy Yard to the south, Kent Avenue to the east and Wallabout Channel to the west. The total area of the Site is approximately 4 acres; of which approximately 2.6 acres in the center of the Site was the location of an electrical power generating station housed in a seven to nine story structure; the structure was demolished in 2009. The remaining approximate 1.4 acres consists of a vacant lot on the southern portion of the property, a concrete walkway and bulkhead in the western portion (including the remediated former ash pit in the northwest corner of the Site), and a small concrete/unpaved side yard in the northern portion. The vacant lot is the site of a former electrical generating station that was dedicated to the generation of power for the local subway system. Although the lot is vacant, the foundation and basement of the subway generating station remain below grade.

4.0 MAJOR ISSUES OF PUBLIC CONCERN

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/or information.

During the public meeting to discuss the Ash Pit remediation, the local community voiced concerns about the demolition of the former generating station at 500 Kent Avenue. Community residents and organizations had issues around the dust that was created in nearby buildings; concerns were voiced about health issues related to asthma and other respiratory ailments. There were also issues related to how Con Edison, during the demolition, was remediating the lead paint chips, as well as asbestos handling procedures to avoid having these materials become airborne. There were also a number of questions concerning the future use of the property. During the current public comment period for the proposed remedy of the Site, concerns are

being raised on dust control measures, wetting of soils, stock piling soils, air monitoring, asbestos delineation and abatement techniques, truck traffic and decontamination practices, and a request for a technical advisor for the community.

The parcel is adjacent to the Brooklyn Navy Yard which is an industrial and commercial complex. The opposite side of Kent Avenue from where the Site is located is surrounded by large residential complexes, baseball field and playground, and a Jewish Girls School. The primary stakeholders for the Site are those in the closest residence at 475 Kent Ave., the local Hasidim community, as well as both Community Boards 1 and 2.

Con Edison is holding a number of stakeholder meetings to address community concerns. In addition, a Community and Environmental Response Plan (CERP) is being developed that will outline the dust control plan, vapor/odor control, asbestos air monitoring, mitigation measures, noise mitigation, site security, transportation plan, etc. The CERP will provide information on the major issues of public concern in one document which will be an efficient way for the community to access this information.

Lastly, a Public Availability Session will be held after the remedial design has been completed, before the start of remedial activity, to inform the public about the methods used to implement the remedy and to ensure the protection of human health and the environment.

Part 2 - List important information needed **from** the community, if applicable. Identify groups, organizations, businesses and/or units of government related to the needed information. How were these information needs identified?

During the Public Meeting comments were submitted on the proposed remedy, NYSDEC and Con Edison are working to address these concerns as outlined in Part 1 above.

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

As part of the Alternatives Analysis and Proposed Decision Document comment period, NYSDEC hosted a public meeting to present the project and take comments. Con Edison also hosted a meeting for the elected officials, CB 1 and CB 2 to present the project and take questions/comments. Con Edison is holding a number of stakeholder meetings to address community concerns. In addition, a Community and Environmental Response Plan (CERP) is being developed that will address community concerns by outlining the dust control plan, vapor/odor control, asbestos air monitoring, mitigation measures, noise mitigation, site security, transportation plan, etc. The CERP will provide information on the major issues of public concern in one document which will be an efficient way for the community to access this information.

Lastly, a Public Availability Session will be held after the remedial design has been completed,

before the start of remedial activity, to inform the public about the methods used to implement the remedy and to ensure the protection of human health and the environment.

Con Edison also has a toll free number at 877-602-6633 for community members to leave a message about site conditions. The anticipated response time is same day, M-F when work will be conducted.

All site documents, as well as air monitoring data for both the NYSDOH Community Air Monitoring Plan and the Asbestos Air Monitoring Plan will be available on the website: www.coned.com/mgp (Kent Avenue tab) as well as on the site construction fence.

Part 4 - Identify the following characteristics of the affected/interested community.

- a. Land use/zoning around site: Residential/Commercial
- b. Residential type around site: Urban
- c. Population density around site: Medium
- d. Community economic status: Medium
- e. Water supply of nearby residences: Public
- f. Other environmental issues significantly impacting affected community? Navy Yard Commercial activities
- g. Special considerations: Language (fact sheet English, Spanish and Yiddish)

BROOKLYN COMMUNITY BOARD 2 DEMOGRAPHICS

2010 Census Data:

The total population of Brooklyn Community Board 2 based on the 2010 Census Data is 99,617.

The percent of the population on Income Support declined from 21.8% to 20.7% from 2005 to 2012.

<u>Income Support</u>	2005	2010
Public Assistance (AFDC, Home Relief)	5,026	3,271
Supplemental Security Income	4,136	4,102
Medicaid Only	12,307	13,261
Total Persons Assisted	21,469	20,580
Percent of Population	21.8%	20.7%

Based on 2010 Census Data, 46.1% of the population is White Non-Hispanic, 28% percent

is African American and 14% is Hispanic.

	Number	Percent
White Non-Hispanic	45,970	46.1%
Black African American	27,921	28%
Asian Pacific Islander	7,815	7.8%
Other Non-Hispanic	610	0.6%
Non-Hispanic 2 or more races	3,130	3.1%
Hispanic	14,171	14.2%
<u>Total</u>	<u>99,617</u>	<u>100%</u>

U.S. Census Bureau 2008-2010 American Community Survey 3-year Estimates:

Total population 5 years and Over	Number	Percent
English Only	84,225	74.8%
Language other than English	28,411	25.2%
<u>Total</u>	<u>93,571</u>	<u>100.0</u>

Fact Sheets are being produced in English, Spanish and Yiddish.

Based on this information, the Kent Avenue Former Generating Station Site may have Environmental Justice concerns.

BROOKLYN COMMUNITY BOARD 1 DEMOGRAPHICS

2010 Census Data:

The total population of Brooklyn Community Board 1 based on the 2010 Census Data is 173,083.

The percent of the population on Income Support declined from 47.1% to 42.8% from 2005 to 2012.

<u>Income Support</u>	2005	2012
Public Assistance	7,600	5,468
Supplemental Security Income	8,781	8,408
Medicaid Only	59,156	60,135

Total Persons Assisted	75,537	74,011
Percent of Population	47.1%	42.8%

Based on 2010 Census Data, 60.8% of the population is White Non-Hispanic, 5.2% percent is African American and 27.2% is Hispanic.

	Number	Percent
White Non-Hispanic	105,311	60.8%
Black African American	8,982	5.2%
Asian Pacific Islander	8,765	5.1%
Other Non-Hispanic	599	0.3%
Non-Hispanic 2 or more races	2,212	1.3%
Hispanic	47,008	27.2%
<u>Total</u>	<u>173,083</u>	<u>100%</u>

U.S. Census Bureau 2008-2010 American Community Survey 3-year Estimates:

Total population 5 years and Over	Number	Percent
English Only	49,570	37.6%
Language other than English	82,281	62.4%
<u>Total</u>	<u>131,851</u>	<u>100.0</u>

Fact Sheets are being produced in English, Spanish and Yiddish.

Based on this information, the Kent Avenue Former Generating Station Site may have Environmental Justice concerns.

Part 5 - The Site contact list is attached as Attachment # 1

5.0 CITIZEN PARTICIPATION ACTIVITIES

This section of the CP Plan describes the CP activities to be conducted during the investigation and remediation of Con Edison's Kent Avenue Generating Station site. Project staff will perform these activities to inform and involve the affected and interested community. CP activities for this site include:

- Identification of the NYSDEC, NYSDOH and Con Edison Project Managers for the project and the ways for the public to contact them. Interested persons are encouraged to contact staff at any time with additional issues or information needs (see **Section 6.0 below**).

- Establishment of Document Repositories (see **Section 7.0 below**)
- Creation of a Site Contact List for the interested public. Individuals and groups included in the Site Contact List (see **Attachment 1**) will receive all mailings. The list will be updated as needed.
- Mailing a Fact Sheet advising that the Ash Pit IRM is about to commence.
- Mailing a Fact Sheet that the Ash Pit IRM is complete.
- Mailing a Fact Sheet advising that the NYSDEC Proposed Decision Document and Alternatives Analysis Report (AAR) have been developed for the remainder of the Site, and are available for public review and comment during a 45-day public comment period, that was extended to 60 days
- Holding a public meeting (9/12/13) in the community to present the NYSDEC Proposed Decision Document and AAR and to solicit public comments. Following the public comment period, the NYSDEC may make revisions to the AAR due to the comments received. The NYSDEC will issue a Decision Document which documents the selected remedy.
- Mailing a Fact Sheet announcing the selected remedy.
- Holding a Public Availability Session to present the Remedial Design to the public.
- Mailing a Fact Sheet announcing the start of remedial action.
- Mailing a Fact Sheet when the remedial action has been completed.

6.0 PROJECT CONTACTS

For additional information about the program to investigate/remediate this Site, the public is encouraged to contact any of the following project staff:

New York State Department of Environmental Conservation (NYSDEC):

The Environmental Investigation:

Douglas MacNeal
 Project Manager
 NYSDEC
 625 Broadway
 Albany, NY 12233
 Tel: (518) 402-9564

Regional Citizen Participation Specialist:

Thomas V. Panzone
NYSDEC – Region 2
Division of Public Affairs and Education
1 Hunters Point Plaza
47-40 21st Street
Long Island City, NY 11101
Tel: (718)-482-4953

New York State Department of Health (NYSDOH):

Albert DeMarco
NYSDOH
Empire State Plaza
Corning Tower, Room 1787
Albany, NY 12237
Email: beei@health.state.ny.us

Con Edison:

Antonia Yuille
Con Edison
30 Flatbush
Brooklyn, NY 11217
Toll Free: (877) 602-6633
Email: yuillea@coned.com

7.0 DOCUMENT REPOSITORIES

Document repositories have been established to provide the public with convenient access to important project documents and other information. The repository will include reports, data and other information developed during the course of the investigation and remediation.

www.coned.com/mgp (Kent Avenue Tab)

Brooklyn Community Board 2
8th Floor
350 Jay Street
Brooklyn, NY 11201
Phone: 718-596-5410
Hours: Monday through Friday, 9:00-4:00pm

Williamsburgh Public Library

240 Division Avenue
Brooklyn, NY 11211
Phone: 718-302-3485
Hours: M/W/Th/F – 10am-6pm, Tuesday – 1-8pm, Closed Sat/Sun

8.0 SITE CONTACT LIST

A Site Contact List has been developed and is included as **Attachment 1** to help keep the community informed about and involved in the investigation and remediation process for this site. The Site Contact list is developed with input from the NYSDEC Citizen Participation Specialist. The list includes adjacent property owners; local, regional and state officials; local media; civic, environmental organizations and others. The contact list will be reviewed periodically and updated as appropriate. The Site Contact List will receive all fact sheets and meeting notices updating the public on the progress of the investigation.

If you know of anyone who would like to be added to this list, please contact the Con Edison or NYSDEC Project Manager listed in **Section 6** (above).

Citizen Participation Plan (CPP) - A document that describes the project-specific citizen participation and outreach activities that will take place alongside the technical components of the remedial program. The CPP also provides project information, citizen participation goals and objectives, and lists of contact persons and document repositories.

Citizen Participation Specialist - An NYSDEC staff member whose duty it is to provide guidance and assistance in carrying out the CPP. The Citizen Participation Specialist is the key contact for public inquiries about the project and the remedial activities.

Contact List - A list in the CPP (Appendix C) containing names and addresses of individuals, groups, organizations, news media and public representatives interested and/or affected by the project. The contact list is used to distribute important information and notices about the project and the remedial program.

Document Repository - Project documents and other information are placed in the Document Repository to facilitate convenient public access to these materials. Documents are available for public reference and review at the offices of Community Board 2. Refer to Appendix B for more information about the Document Repository location.

Feasibility Study (FS) - Based on information gathered during the Remedial Investigation (RI), the FS is a process for developing, evaluating and selecting appropriate Remedial Action (RAs) for limiting or eliminating the potential human and environmental hazards of a site. The FS sets out the goals of the remedial actions to be taken, evaluates the most appropriate alternatives and selects the best alternative based on several criteria. The selected remedy is then recommended for implementation in the Proposed Remedial Design Plan, which is subject to public review and comment.

Interim Remedial Measure (IRM) - A discrete action which can be conducted at a site relatively quickly to reduce the risk to people's health and the environment from a well defined waste problem. An IRM can involve cutting and plugging waste conduits, removing contaminated soil and securing a site.

Operable Unit (OU) – An administrative term used to identify a discrete portion of a site that can be addressed by a distinct investigation and/or cleanup approach. For example, groundwater contamination at a site may be considered as one operable unit, and soil contamination at the same site may be dealt with as a second operable unit.

Polycyclic Aromatic Hydrocarbons (PAHs) - Contaminants typically found at power generation sites and associated with incomplete fossil fuel combustion.

Polychlorinated Biphenyls (PCBs) – Contaminants typically found at electric power generation/substation sites.

Public Availability Session – A scheduled, informal gathering of NYSDEC staff and the public to give and receive information, ask questions and discuss concerns about the site's remedial design. Staff from other NYSDEC divisions, legal and health staff, and staff from consultants and a responsible party often attend.

Public Meeting - A scheduled gathering of agency staff and the public to give and receive information, ask questions and discuss concerns about a site's investigation. Staff from other NYSDEC divisions, legal and health staff, and staff from consultants and a responsible party often attend. A public meeting, unlike an availability session, generally features a formal presentation and a detailed agenda.

Remedial Action - Refers to those actions taken at or near a site as may be required by the NYSDEC, including without limitation, removal, treatment, containment, transportation, securing, or other engineering or institutional controls, whether of a permanent nature or otherwise, designed to ensure that any discharged contamination is remediated in compliance with applicable New York State standards, criteria, and guidelines.

Remedial Design (RD) - This report will include a detailed description of the remedial objectives and the means by which each essential element of the selected remedial alternative will be implemented to achieve those objectives. It incorporates the findings of the FS Report to provide a remedial design which will be implemented during the performance of the cleanup activities at the site.

Remedial Investigation (RI) - A process to determine the nature and extent of contamination at a site by analyzing data collected from sampling (e.g., water, soil, air, etc.) at a site. Information gathered throughout the RI is then used to conduct a Feasibility Study (FS), which proposes and evaluates various remedial alternatives for the site.

Responsiveness Summary - The Responsiveness Summary is prepared by the NYSDEC to address public comments, questions and concerns regarding the proposed remedial action (PRAP) to be taken at a site. The Responsiveness Summary is issued as part of the Remedial Action Program.

Site Contact List - Names, addresses and/or telephone numbers of individuals, groups, organizations, government officials and media affected by or interested in a particular hazardous waste site. The size of a mailing list and the categories included are influenced by population density, degree of interest in a site, the stage of the remedial process and other factors.

Voluntary Cleanup Agreement - New York State's Voluntary Cleanup Program is a cooperative approach between NYSDEC, property owners, and responsible parties to investigate and/or remediate contaminated sites. Under the Voluntary

Cleanup Program, a volunteer enters into an agreement and performs investigation and/or remedial activities pursuant to NYSDEC approved work plans. Investigation and/or remediation is carried out under the oversight of NYSDEC and the NYSDOH and the volunteer pays the State's oversight costs.

ACRONYMS

BCP	Brownfield Cleanup Program
BCA	Brownfield Cleanup Agreement
BTEX	Benzene, Toluene, Ethylbenzene and Xylene
C & D	Construction and Demolition Debris
CP	Citizen Participation
DEC	Department of Environmental Conservation (DOH)
DER	Division of Environmental Remediation, formerly the Division of Hazardous Waste Remediation (NYSDEC)
DOH	Department of Health (New York State)
DOW	Division of Water (NYSDEC)
EC	Environmental Control
ENB	Environmental Notice Bulletin
EPA	United States Environmental Protection Agency
F & W	Division of Fish and Wildlife (NYSDEC)
FOIL	Freedom of Information Law
FS	Feasibility Study
GPM	Gallons Per Minute
HeLP	Health Liaison Program (NYSDOH)
IC	Institutional Control
IRM	Interim Remedial Measure
mg/kg	milligrams per kilogram (PPM)
ND	Non-Detect
NYSDEC	New York State Department of Environmental Conservation
NYSDOH	New York State Department of Health
OM & M	Operation, Maintenance and Monitoring
OU	Operable Unit
PAH	Polycyclic Aromatic Hydrocarbon
PCB	Poly-Chlorinated Biphenyl
ppm/ppb/ppt	parts per million/parts per billion/parts per trillion
QA/QC	Quality Assurance/Quality Control
RA	Remedial Action
RAWP	Remedial Action Work Plan
RCRA	Resource Conservation and Recovery Act (Federal Law)
RD	Remedial Design
RHWRE	Regional Hazardous Waste Remediation Engineer
RI	Remedial Investigation
RI/FS	Remedial Investigation/Feasibility Study
ROD	Record of Decision

RP	Responsible Party
SCGs	Standards, Criteria and Guidance Values
SCOs	Soil Cleanup Objectives
SVOCs	Semi-Volatile Organic Compounds
TAGM	Technical and Administrative Guidance Memorandum
TSCA	Toxic Substances Control Act
TSDf	Treatment, Storage and Disposal Facility
ug/l	micrograms per liter (PPB)
UST	Underground Storage Tank
VCA	Voluntary Cleanup Agreement
VCP	Voluntary Cleanup Program
VOC	Volatile Organic Compound



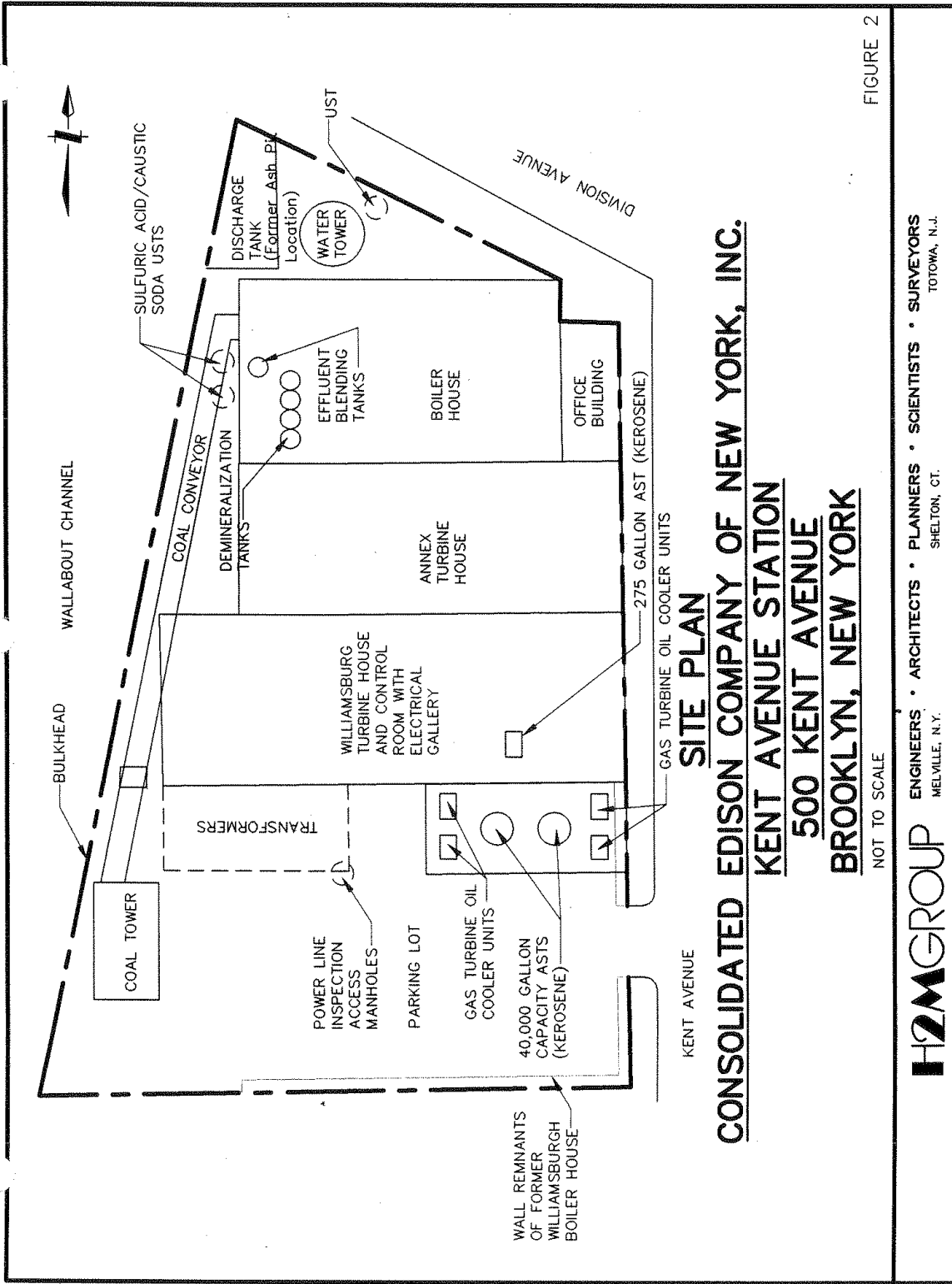


FIGURE 2

CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
KENT AVENUE STATION
500 KENT AVENUE
BROOKLYN, NEW YORK

NOT TO SCALE

H2M GROUP ENGINEERS • ARCHITECTS • PLANNERS • SCIENTISTS • SURVEYORS
 MELVILLE, N.Y. SHELTON, CT. TOTOWA, N.J.

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