

# Brownfield Cleanup Program Update 2018

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# Brownfield Cleanup Program – Generations

## Three Generations of BCP Sites:

- Generation 1 - Sites with approved applications through June 22, 2008;
- Generation 2 - Sites with approved applications between June 23, 2008 and June 30, 2015; and
- Generation 3 - Sites with approved application dates of July 1, 2015 through December 31, 2022.

**The former Generation 1 sites and Generation 2 sites have a COC deadline of December 31, 2019.**



# Brownfield Cleanup Program – Generation 2

**To ensure achievement of a COC by December 31, 2019, the following deadlines should be met:**

- Submittal of Environmental Easement by June 1, 2019 if it follows NYSDEC's template, and by May 1, 2019 if it does not.
- Submittal of Draft Site Management Plan by August 1, 2019.
- Remedial construction completed, submittal of all data through EQulS, and submittal of Draft FER by October 1, 2019.



[Site Name]  
[COUNTY], NEW YORK  
**Final Engineering Report**

NYSDEC Site Number: xxxxxx

Prepared for:  
[Remedial Party Name]  
[Address]

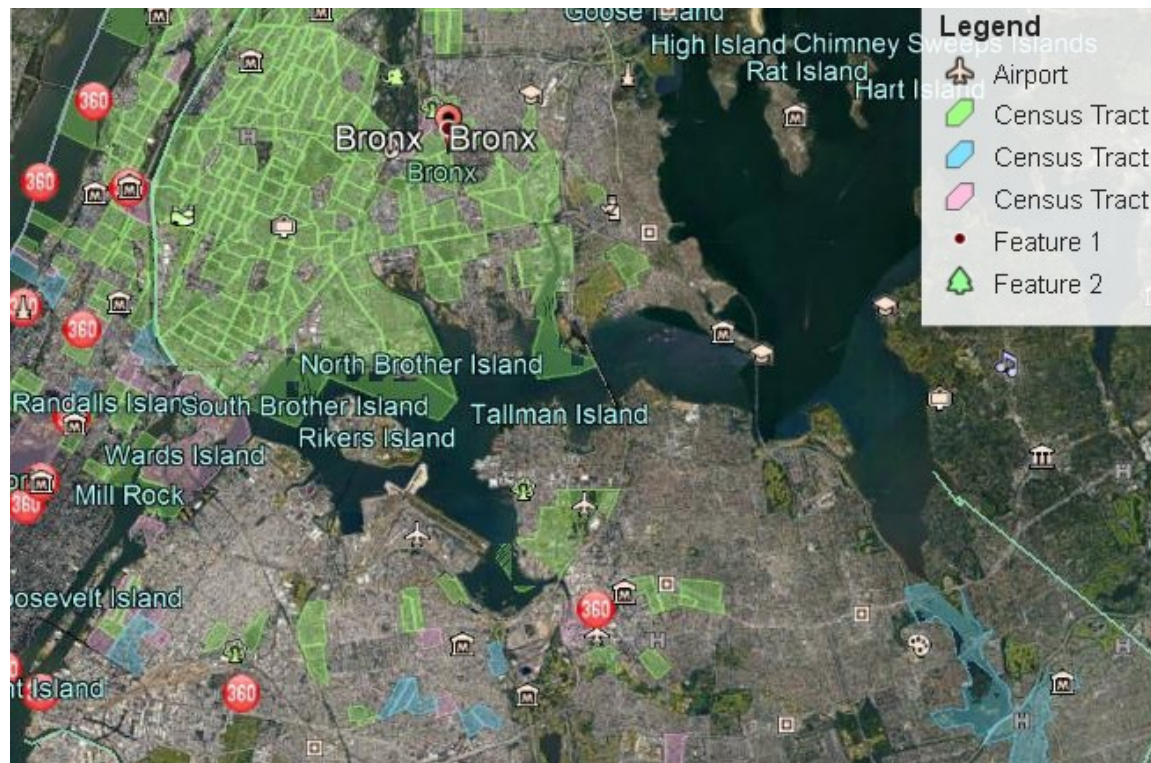
Prepared by:  
[Name]  
[Address]  
[Phone]

[MONTH YEAR]



# Generation 3 – NYC Sites

- Developers seeking contaminated sites in En-Zones.
- Increase in Affordable Housing projects entering BCP.
- One “Underutilized” site; a second “Underutilized” site undergoing completeness review.



# Generation 3 – Timing

- Completeness Review – Should expect Letter of Incompleteness.
- BCP Requestors should allow for additional time to receive BCA and Decision Documents.
- Increased timeframe for DOH review on Draft Work Plans/Reports.



# Emerging Contaminants

- Sampling for emerging contaminants and 1,4-dioxane required at all BCP sites regardless of site usage or location.
  - Includes NYC area where groundwater is not a drinking water source, historic fill sites, etc.
- DEC has determined set list of 21 analytes to be sampled.
  - Guidance Document issued in February 2018.
  - Need to ensure lab uses correct methods specified by DEC.



# Emerging Contaminants

Full PFAS Target Analyte List

Group	Chemical Name	Abbreviation	CAS Number
Perfluoroalkyl sulfonates	<b>Perfluorobutanesulfonic acid</b>	<b>PFBS</b>	<b>375-73-5</b>
	<b>Perfluorohexanesulfonic acid</b>	<b>PFHxS</b>	<b>355-46-4</b>
	Perfluoroheptanesulfonic acid	PFHpS	375-92-8
	<b>Perfluorooctanessulfonic acid</b>	<b>PFOS</b>	<b>1763-23-1</b>
	Perfluorodecanesulfonic acid	PFDS	335-77-3
Perfluoroalkyl carboxylates	Perfluorobutanoic acid	PFBA	375-22-4
	Perfluoropentanoic acid	PFPeA	2706-90-3
	Perfluorohexanoic acid	PFHxA	307-24-4
	<b>Perfluoroheptanoic acid</b>	<b>PFHpA</b>	<b>375-85-9</b>
	<b>Perfluorooctanoic acid</b>	<b>PFOA</b>	<b>335-67-1</b>
	<b>Perfluorononanoic acid</b>	<b>PFNA</b>	<b>375-95-1</b>
	Perfluorodecanoic acid	PFDA	335-76-2
	Perfluoroundecanoic acid	PFUA/PFUdA	2058-94-8
	Perfluorododecanoic acid	PFDoA	307-55-1
	Perfluorotridecanoic acid	PFTriA/PFTrDA	72629-94-8
	Perfluorotetradecanoic acid	PFTA/PFTeDA	376-06-7
Fluorinated Telomer Sulfonates	6:2 Fluorotelomer sulfonate	6:2 FTS	27619-97-2
	8:2 Fluorotelomer sulfonate	8:2 FTS	39108-34-4
Perfluorooctane-sulfonamides	Perfluorooctanesulfonamide	FOSA	754-91-6
Perfluorooctane-sulfonamidoacetic acids	N-methyl perfluorooctanesulfonamidoacetic acid	N-MeFOSAA	2355-31-9
	N-ethyl perfluorooctanesulfonamidoacetic acid	N-EtFOSAA	2991-50-6

Bold entries depict the 6 original UCMR3 chemicals



# Emerging Contaminants

- Make sure consultant is familiar with nuances of sampling for emerging contaminants to avoid cross-contamination.
- NYSDEC requiring remediation at two sites.



1.66" x 36" 1.66" x 18"



# Generation 3 - Vapor Mitigation

- DOH no longer considering vapor barrier as a vapor mitigation control.
- Vapor barrier can be element of construction under the green remediation components.



# Generation 3 - Vapor Mitigation

- Soil Vapor Intrusion Evaluation required under SMP:
  - Sites where vapor mitigation not part of remedy.
- Significant Threat Sites:
  - IRM to prevent off-site migration of soil vapor.





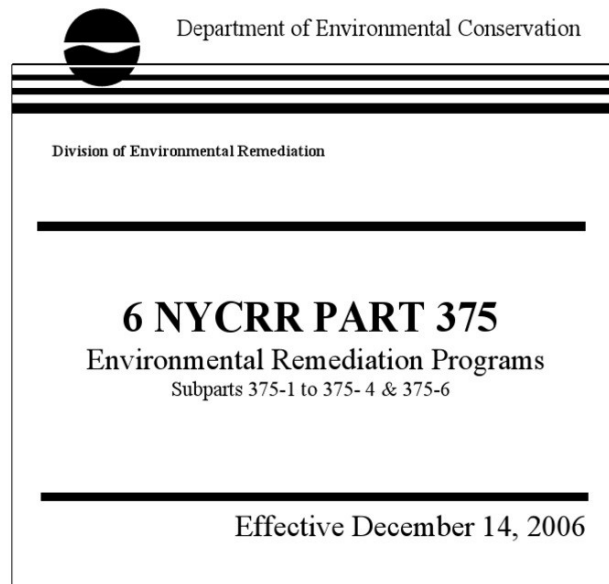
# Generation 3 - Composite Cover System

- DEC limiting site cap to areas consisting of paved parking, sidewalks, or a two-foot soil cover.
- When building foundation precludes contact with soil, DEC is deferring site cover requirements.



# Part 375: Potential Changes

- DEC already appears to be using the rationale in the proposed revisions on Generation 3 sites.
- Lower SCO's mean eligibility may be easier; tougher to achieve remedial objectives; vice versa.
- Uncertainty for projects currently in the Remedial Investigation stage that may not have an approved remedial plan before Part 375 changes take effect.





# Conclusions

- Generation 2 Sites: Be aware of reporting and construction deadlines to ensure achievement of COC by December 31, 2019.
- Be mindful of extended timeframes for DEC/DOH reviews and issuance of acceptance letters and Decision Documents.
- Ensure data integrity when sampling for emerging contaminants.
- Vapor Barrier as Green Remediation Principle.
- Remember to consider Soil Vapor Intrusion Evaluation.
- Remedial cost estimates should take into account cover system without building foundation.
- Understand how Part 375 proposed changes may affect your project.

# Thank You! Questions?

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