



# GOWANUS CANAL COMMUNITY ADVISORY GROUP (CAG)

*your local voice for Superfund*

For more information: [www.GowanusCAG.org](http://www.GowanusCAG.org)

The CAG's Land Use Committee is submitting the following questions and requests formal consideration by the indicated parties regarding the concerns and interests of the Gowanus community.

Date: March 27, 2023

Page 1 of 3

To: Scarlett McLaughlin - Region Chief, New York State Department of Health  
Janet Brown - Director Remedial Bureau C, Division of Environmental Remediation, NYSDEC

RE: Unanswered questions:

Members of the Gowanus Canal CAG Land Use Committee previously submitted questions and did not receive adequate responses. We have revisited the questions and present them in a more specific format herein. We look forward to your full and timely response.

1) On November 8th, 2021, the use of Coal Tar was banned in the State of New York due to it being a "proven human carcinogen" and "sulfur dioxide and nitric oxide are known respiratory irritants."

*Here is the link to the Governor Hochul's announcement:*

<https://www.governor.ny.gov/news/governor-hochul-signs-package-bills-prohibiting-use-grade-6-fuel-oil-and-use-pavement-products>

a) Based on the recent passage of this law, will the NYS Dept of Health and NYS Department of Environmental Conservation be adjusting what is considered to be safe exposure levels to coal tar and coal tar vapors for those working, living and attending school near the 3 former Gowanus Canal MGP sites?

2) Please provide current specific health standards for human exposure for the following contaminants in light of the fact that construction will be occurring at and around all 3 of the former MGP sites in the near future. From the below list of toxins, please delineate safe exposure levels for each of the following categories: a) Children, b) Adults, c) Elderly and d) those who have cancer, are disabled, immunocompromised or suffer from respiratory issues.

1,2,4-trimethylbenzene  
benzo(a)anthracene  
ethylbenzene  
tetrachloroethene (PCE)  
benzo(a)pyrene  
benzo(b)fluoranthene  
copper  
xylene (mixed)  
benzene  
chrysene  
1,3,5-trimethylbenzene  
lead  
polycyclic aromatic hydrocarbons (PAHS),  
total benzene,  
toluene,  
ethylbenzene and xylenes (BTEX)  
coal tar

**Please include any other contaminants that are not listed above that have been discovered at or near the 3 former MGP sites.**



# **GOWANUS CANAL COMMUNITY ADVISORY GROUP (CAG)**

*your local voice for Superfund*

For more information: [www.GowanusCAG.org](http://www.GowanusCAG.org)

Page 2 of 3

**3) Given the migration of coal tar from the three former MGP sites, and that there are residential buildings in very close proximity to the former Citizens MGP and Fulton MGP sites, are there currently plans to install air monitoring devices in the basements of these homes to alert residents of any vapor intrusion from the coal tar and other toxic contaminants that may be present under their foundations?**

**4) DEC has recently acknowledged, in its letter of December 22, 2022, to National Grid\*, that “the coal tar plume at the Citizens Site is deeper and more widespread than previously anticipated.”**

**a) Can DEC provide more information about its size and migration, and whether it can or will endanger residents, children, workers, properties and/or the general public’s welfare?**

**b) In the places where the PRPs have installed deep bulkheads (cutoff walls), we understand that coal tar is being collected in recovery wells. Please specify where these wells have been installed or planned to be installed, how do they function and who specifically is monitoring them to protect nearby residents, children, workers, properties, and the general public?**

**5) In light of DEC's recommendation in its December 22, 2022, letter that “...National Grid should prepare a supplemental area-wide off-site investigation work plan that, at a minimum, includes accessible street rights-of-way (ROW) to fill data gaps...” and National Grid's concession that “the contamination is more widespread than originally anticipated”:**

**Is National Grid preparing a supplemental area-wide off-site investigation work plan that, at a minimum, includes accessible street ROWs to fill data gaps?**

**Assuming this is taking place:**

**a) Which entity is in charge of determining the area’s scope?**

**b) Will DEC specifically define the perimeter of an area wide off-site investigation?”**

**c) Will the community have the ability/opportunity to comment on the area wide off-site investigation perimeter before finalization and implementation?**

**d) Will a National Grid investigative plan need EPA’s approval as well as DEC’s?**

**e) Has DEC given National Grid a deadline to submit its plan?**

**f) What is the deadline for implementation?**

**g) Will the complete results of the investigation be shared with the community?**



# GOWANUS CANAL COMMUNITY ADVISORY GROUP (CAG)

*your local voice for Superfund*

For more information: [www.GowanusCAG.org](http://www.GowanusCAG.org)

Page 3 of 3

6) The State and EPA have stated that they are unable to fully extract the coal tar and other toxic materials from the various sites along the Gowanus Canal. Of the numerous sites on which construction either has begun or will soon begin:

a) Will there be air and noise monitoring of these sites before and during construction and will the public be able to readily access and interpret the monitoring data live?

b) Will such monitoring continue after construction is completed? For how long?

7) For many years the CAG has requested EPA, DEC, and/or DEP perform a hydrology study at the Gowanus Rezoning sites.

a) Have all underground streams in the Gowanus area been tested for contamination and pollution? Has this been done prior to any developers' work on the various sites?

b) Is there any data as to whether the planned work will redirect the underground streams that flow among the CSOs and coal tar plumes?

c) If contamination is found and EPA's Chief Engineer has determined that the conditions are unsafe, what entity would issue a "Stop Work Order"?

d) Going forward, how can the community be sure that dangerous conditions will be responded to expeditiously and by what entity?

Please direct responses to [doug@forumfg.com](mailto:doug@forumfg.com)

*\* From the December 22, 2022 letter: "Additionally, as new data are collected on these BCP sites, it is apparent that the extent of GCM/NAPL is deeper and more widespread than originally thought. National Grid should prepare a supplemental area-wide off-site investigation work plan that, at a minimum, includes accessible street rights-of-way (ROW) to fill data gaps."*

CC:

Basil Seggos, Commissioner, New York State Department of Environmental Conservation (DEC)  
James V. McDonald M.D., M.P.H., Acting Commissioner, New York State Department of Health (DOH)  
Lisa Garcia, Administrator Region 2, USEPA  
Walter Mugdan, Deputy Regional Administrator Region 2, USEPA  
Pat Evangelista, Director, Superfund & Emergency Management Division, USEPA  
John Prince, Deputy Director, Superfund & Emergency Management Division, USEPA  
Christos Tsiamis, Project Manager, Gowanus Canal RPM, USEPA  
Brian Carr, Counsel, EPA Region 2 Legal Council, USEPA  
Natalie Loney, Community Liaison, Gowanus Canal CIC, USEPA  
Honorable Daniel Goldman, Congressmen, NY 10th District  
Honorable Andrew Gounardes, State Senator, NY 26th Senate District  
Honorable Jo Anne Simon, Assemblymember, NY Assembly District 52  
Honorable Antonio Reynoso, Brooklyn Borough President  
Honorable Shahana Hanif, Council Member, NYC District 39  
Honorable Lincoln Restler, Council Member, NYC District 33