

FACT SHEET: Clean Up of the Bronx Point LLC

Prepared by the Bronx Council for Environmental Quality

TIME TO PUT HEALTH FIRST BECAUSE BRONX COUNTY IS LAST IN HEALTH

On June 4, 2020, the Bronx Council for Environmental Quality (www.bceq.org) sent a letter to the New York State Department of Environmental Conservation (DEC) and the New York State Department of Health (DOH) regarding its continued concerns about the health and safety of Bronx residents in their homes and open spaces. The letter was in response to the DEC letter of May 20, 2020 replying to BCEQ's April 25, 2020 comments on the March announcement of the Public Comment Period for the Brownfield Clean Up Program proposed by the Bronx Point LLC ("Volunteer") - NYS BCP Site No. C203117.

The Designation of the Harlem River as a Brownfield Opportunity Area (BOA) was promoted by the Bronx Council for Environmental Quality (BCEQ) after the organization qualified by completing the necessary steps in the New York State Department of State BOA Program. They were able to have extensive public participation complimented by expert professionals in partnership with the New York City Department of Parks and Recreation. They are considered to be community experts as they were involved in the BOA since 2004. Below is a summary of concerns:

1. The DEC believes that a cover system is appropriate for multi-family and park use because they have a deed-like hold placed on the site that prevents a single-family home from being built at the polluted site. This will be ongoing, meaning as people will live in the building, play in the parkland, and walk along the greenway. A cover system is not the best practice to protect the public health, or clean the groundwater, soil, or river. The plans for a site should lead to the chosen cleanup technique -- not cost or how long it will take. We should equally protect the people of single-family, multi-family, parkland, or a greenway.
2. The DEC believes that using a chemical oxidation to treat oil found in the groundwater was the best way to treat polluted groundwater before it gets the river. Chemical Oxidation does not naturally occur. Phytoremediation and Bioremediation methods explored in the BCEQ BOA Step 1 and 2 are based on mimicking the way nature cleans pollutants. This removes the prospect of unintended consequences damaging the South Bronx residents already fragile health. This will also be ongoing, meaning as people will live in the building, play in the parkland, and walk along the greenway.
3. The DEC believes the minimum standards for site cleanup is appropriate. Guidance states that they can be more stringent, or urge a higher level of use. The way a site will be used should be the approach to the cleanup. It is not just about less cubic yards of soil and saving \$81 million. This project is already eligible for tangible tax credits and should make millions in the end. Finally, none of these pollutants were a surprise to anyone, including the City who offered the site up for development. NYCEDC left the site empty, and did not clean it in 2009 when that Brownfield Clean Up Program cleaned and built Mill Pond Park and the Gateway Mall.

Finally, the DEC should update its guidance and change it in the Bronx and New York City to meet the highest health use standard. Let's start a new phase and put health first because the Bronx is last in health.

If you want the documents referenced in this Fact Sheet email karen@bceq.org

Karen Argenti, 6.9.2020