



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

April 21, 2020

Via e-mail transmission

Honorable Vincent Sapienza, P.E.
Commissioner
New York City Department of Environmental Protection
59-17 Junction Boulevard
Flushing, NY 11373

Re: Gowanus Canal Superfund Site, Brooklyn, New York

Dear Commissioner Sapienza:

This is a follow up to my March 4, 2020 letter concerning your February 4, 2020 email regarding the proposed preservation of the 234 Butler Street façade and the December 13, 2019 technical memorandum prepared by Hazen and Sawyer/Brown and Caldwell that was attached to your email. Salvaging brick from the building is among the preservation requirements pursuant to the Memorandum of Agreement (MOA) between the Environmental Protection Agency (EPA) and the New York State Historic Preservation Office (SHPO).

EPA and its consultants have carefully reviewed the aforementioned technical memorandum. In addition, as required by the MOA process, EPA requested comments from the designated MOA consulting parties, namely, the Gowanus Canal Superfund Site Community Advisory Group (CAG) and SHPO.

SHPO's March 10, 2020 letter to EPA regarding the December 13, 2019 technical memorandum, a copy of which was sent to New York City Department of Environmental Protection (NYCDEP) Deputy Commissioner Angela Licata, states: "Based upon our review, we concur with EPA's determination that the proposed design of the new [combined sewer overflow] facility should be revised in order to fulfill the mitigation agreed to in the Memorandum of Agreement."

The reference in SHPO's letter is to EPA's October 31, 2019 comments on the RH-034 retention tank headhouse 90% design, directing NYCDEP to revise the headhouse design to incorporate the façade in accordance with the MOA and resubmit it for EPA's approval.

In addition, EPA received a detailed comment letter from the CAG (copy enclosed) that points out that the December 13, 2019 technical memorandum concludes that NYCDEP should be able to adhere to the requirements of the MOA for preserving brick for restoring (as a veneer) the two façades of the building by using interior bricks in combination with salvageable exterior wall

bricks. Further, the CAG observed that a further supply of matching bricks is also available from the wall which extends from the 234 Butler Street building along Nevins Street.

EPA's review has concluded that based on the December 13, 2019 technical memorandum regarding the present count of salvageable bricks and the use of interior brick, NYCDEP should be able to adhere to the MOA requirements for, at a minimum, the entire Nevins Street façade, supporting the pediment, and a portion of the Butler Street side façade.

After careful consideration of the information and comments received, it is EPA's determination that NYCDEP should comply with the MOA by dismantling the 234 Butler Street building and restoring the façades utilizing the salvaged brick as a veneer on the headhouse walls.

We look forward to moving ahead with this work. Please let me know if you have any further questions.

*Hope all is well.
Stay safe my
friend.*

Sincerely,



Peter D. Lopez
Regional Administrator

Enclosure