

Statement by Dr. Lynn Pombonyo  
Trustee, Inc. Village of Floral Park  
At Long Island Rail Road Scoping Hearing  
May 24, 2016

I am here today to address concerns regarding the limited detail that is provided in the *LIRR Expansion Project, Draft SEQRA Scoping Document*, dated May 5, 2016. Specifically, I will be commenting on the sections titled *Contaminated Materials*, pages 18-19, and *Hazardous Materials*, page 27.

The two aforementioned passages in the scoping document provide a brief, general overview of the process that will presumably be described in the Draft Environmental Impact Statement (DEIS). The introduction to the *Contaminated Materials* section of the scoping document makes reference to the Study Area, also known as the Project Corridor, which includes "an approximately ¼-mile buffer along the right-of-way and ½-mile area around the station areas and grade crossings," as described on page 12.

As a resident of Floral Park, Trustee of the Inc. Village of Floral Park, and the former Superintendent of the Floral Park-Bellerose School District, I want to address numerous concerns relating to the lack of specificity of the scoping document as it relates to soil and water contamination. In 2008, the MTA/LIRR released a lengthy, detailed document entitled *Site Assessment Remedial Action Work Plan/Floral Park Substation: Site No. V00389-1*. In the summer of 2008, approximately 760 cubic yards of contaminated soil were removed from eleven sites immediately surrounding the Floral Park substation and adjacent to the John Lewis Childs Elementary School field in the Floral Park-Bellerose School District. These eleven sites contained mercury at "concentrations above NYS Dept. of Environmental Conservation (DEC) recommended cleanup objectives." The eleven areas requiring remediation called for removal of the contaminated soil at depths from one to six feet below ground surface. This single, limited, localized project was described in at least one 64-page work plan, had a two-year remediation timeline, 2007 through 2009, and contained numerous, complex measures to assure community, school and worker health and safety throughout the process. It is important to note that this substation and surrounding areas of prior mercury contamination are all well within the current Study Area/Project Corridor, east of the Floral Park LIRR station, and along the planned third track corridor.

I am offering this example to convey the very serious concerns about the possibility of additional soil and/or water contamination and the presence of hazardous materials which would require a complex remediation plan that must be detailed in the DEIS. Therefore, the DEIS must address the following:

1. How will the soil along the 9.8 mile Study Area/Project Corridor be tested prior to the third track construction? Will the NYSDEC and/or other agencies review all testing results and will they be made available for independent review by the public?
2. If contaminants are found, how will the MTA/LIRR notify the public? What will be the level of NYSDEC and other agency oversight of all follow-up activities?
3. If remediation is necessary, will all work on the project that involves the movement of soil cease? What are the plans for security at the sites, dust suppression (i.e., imposing wind velocity limits on the removal of contaminants), and the transportation of hazardous materials out of the area? How will air quality be monitored during all remediation projects? What will be the plan for developing the remedial action documents? How will the MTA/LIRR make copies of all relevant documents readily available to the public?
4. During all potential remediation projects, what will be the level of NYSDEC and other agency monitoring? How will public notifications and updates be disseminated by the MTA/LIRR?
5. In the event that remediation projects take place, what assurances will be provided at the conclusion of the work that the contaminated sites are no longer hazardous? What will be the roles of the NYSDEC and other agencies in the testing and follow-up processes? How will public notifications of the testing results take place?
6. What is the plan for soil and water testing at various stages throughout the entire third track construction period, and along the entire 9.8 mile Study Area/Project Corridor?

Thank you for your consideration, study of and future responses to these concerns and questions.

Statement #2 by Dr. Lynn Pombonyo  
Trustee  
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At this morning's public hearing in New Hyde Park, I offered comment about soil and water contamination. In 2008, Floral Park faced the very real problem of 760 cubic yards of soil that were contaminated by mercury at the LIRR substation on Plainfield Avenue; in the vicinity of the John Lewis Childs Elementary School field in the Floral Park-Bellerose School District; and along the path of the proposed third track project. The contaminated soil was removed as part of a highly complex two-year remediation project that was carefully planned and executed with NYSDEC and school district oversight. Given that this mercury contamination existed at at least six other railroad facilities, the potential is there for soil contamination in numerous places along the 9.8 mile proposed third track corridor. In this regard, the Draft Environmental Impact Statement (DEIS) must address numerous concerns relating to pre-testing of the soil before third track construction and grade crossing eliminations; remediation which, if necessary, is done with DEC and local oversight; and ongoing monitoring to insure that the communities, school children and staffs, and railroad workers are not exposed to hazardous materials in the soil or air. This dangerous possibility must be addressed along the entire 9.8 mile proposed third track corridor.

Tonight, I will address the limitations of the *LIRR Expansion Project, Draft SEQRA Scoping Document*, dated May 5, 2016, in providing adequate detail regarding other significant concerns:

- Use of the Floral Park recreation center, new swimming pool complex, and the John Lewis Childs Elementary School, field and playground – The scoping document doesn't even mention any of these important facilities, all of which abut the proposed third track.
  1. First, the DEIS must address staging areas for its construction teams and equipment. Will any of these large pieces of property which serve thousands of children, families and community members be used as staging areas at any time during the proposed construction? What about private and business properties, will they be designated as staging areas?
  2. Second, as construction starts, there is the inevitable digging into the soil and placing it in large construction piles which, in Floral Park's case, will be directly alongside our school and village fields, and village swimming pools. I addressed the dangers of contamination this morning. However, in a best case scenario, even if the soil is free of hazardous materials, the DEIS must address breezy/windy conditions when the soil particles will become airborne and blow across areas while children are playing and community members are engaged in recreational activities. Furthermore, when driven by wind in the warm weather, airborne soil makes its way into open windows in homes, schools, businesses and any buildings which are not air conditioned. The DEIS must address the impact and mitigation of construction soil becoming airborne along the entire 9.8 mile length of this massive construction project.
  3. Third, for those of us who have firsthand experience with prior MTA/LIRR construction projects, we know all too well of the problems of increased rodent infestation during major construction. The DEIS must provide assurances that the MTA/LIRR will prevent this serious health-related issue in the third track communities. Mitigation is not sufficient. Prevention is essential.
- Status of the LIRR station at Floral Park – Page 6 of the scoping document states, "No major station modifications would be made at Floral Park or Hicksville stations as part of the Proposed Project." While the document goes on to state that plans are in place for platform reconstruction and new amenities, including a new elevator, at the Hicksville station, Floral Park is left to question what does "no major station modifications" include and not include? Will there be minor modifications? And since the Floral Park station is not handicapped accessible, the DEIS must also address ADA compliance. The only elevator is built for freight and is currently in disrepair.

It is our expectation that all of the public hearing comments and concerns will be given significant attention in the upcoming DEIS. Thank you.