

136 Fuller Road
C401055

CERTIFICATION OF MAILING

I certify that I mailed on October 30, 2009 a copy of the attached
Fact Sheet by first class mail upon the person(s) on the attached mailing list, by
depositing a true copy thereof, securely enclosed in a postpaid wrapper, in the ^{direct mail pickup} ~~Post Office~~ box at
547 River Street in the City of
Troy, New York, which box is under the exclusive care and
custody of the United States Post Office Department:

Please see attached list


Signature

10/30/09
Date



FACT SHEET

Brownfield Cleanup Program

136 Fuller Road Site
NYSDEC Site No. C401055
Albany, NY

October 2009

Draft Investigation Work Plan and Interim Remedial Measures Work Plan for Brownfield Site Available for Public Comment

The public is invited to comment on a draft work plan being reviewed by the New York State Department of Environmental Conservation (NYSDEC) to investigate the 136 Fuller Road Site ("site") located at 136 Fuller Road in the City of Albany and Town of Guilderland, Albany County, New York. See map for site location. The draft investigation work plan, called a "Remedial Investigation/Remedial Alternatives Analysis Work Plan," was submitted to NYSDEC by Fuller Road Partners, LLC ("applicant") under New York's Brownfield Cleanup Program (BCP). The Remedial Investigation/Remedial Alternatives Analysis Work Plan includes an Interim Remedial Measures Work Plan that will be implemented during the remedial investigation.

How to Comment

NYSDEC is accepting written comments about the draft investigation work plan for thirty (30) days, from November 3, 2009 through December 2, 2009. The draft investigation work plan is available for review at the NYSDEC Region 4 Office, Albany Public Library and Albany County Clerk's Office identified below under "Where to Find Information".

Submit written comments to:

Mr. Bradley Brown
New York State Department of Environmental Conservation
Division of Environmental Remediation- Region 4
1130 North Westcott Road
Schenectady, NY 12306

Highlights of the Proposed Site Investigation

The site investigation and interim remedial measures have several goals:

- 1) define the nature and extent of contamination
- 2) further assess geologic conditions
- 3) provide information to support the development of a proposed remedy to address the contamination
- 4) design and install a sub-slab depressurization system beneath the site building

Brownfield Cleanup Program: New York's Brownfield Cleanup Program (BCP) encourages the voluntary cleanup of contaminated properties known as "brownfields" so that they can be reused and redeveloped. These uses may include recreation, housing, business or other uses.

A **brownfield** is any real property that is difficult to reuse or redevelop because of the presence or potential presence of contamination.

For more information about the BCP, visit:
www.dec.ny.gov/chemical/8450.html

The investigation will be performed by the applicant with oversight by NYSDEC and the New York State Department of Health (NYSDOH).

A 2007 remedial investigation was conducted before the site became part of the BCP. The 2007 draft report concluded that the site contaminants are volatile organic compounds, primarily tetrachloroethylene (PCE) and associated degradation products (i.e., those created as the PCE compound breaks down). The source area was identified as contaminated soil in the location of an historic industrial tank farm. A contaminant groundwater plume was identified beneath and down gradient (i.e., downslope/southern side) of the site building.

The goal of this remedial investigation is to further define the nature and extent of contaminant impacts to soil and groundwater. The investigation will gather additional geologic and groundwater information for use in evaluating contaminant migration pathways and development of appropriate remedial alternatives to address the contamination.

Proposed remedial investigation activities will include:

- Extended investigation of soil and groundwater in the identified source area;
- Extended investigation of soil and groundwater in the contaminated plume area; and
- Confirmation of geologic (soil) characteristics, including the presence of the clay layer.

Based on the findings of the investigation, the conceptual site model of the concentrations and distribution of contaminants of concern will be refined, and the data will be evaluated to assess and develop appropriate remedial action responses relative to NYSDEC BCP cleanup objectives.

While the analysis of soil vapor from beneath the building slab during the 2007 remedial investigation indicated the presence of volatile organic compounds beneath the building, indoor air quality testing showed no evidence that they have migrated into the building at concentrations that adversely affect indoor air quality. However, several of the sub-slab soil gas samples identified volatile organic compounds beneath the site building at elevated levels that trigger the NYSDOH requirement to control the migration of vapors from beneath the building to the building interior spaces. Due to the lack of measurable contaminants within the building's airspace, this is proposed as a proactive protective measure to prevent potential off-gassing into the building's workspace both from the existing plume and from any conditions that may arise during future soil and groundwater remediation beneath the building. To accomplish this objective, an Interim Remedial Measures Work Plan was proposed and includes the installation of a sub-slab depressurization system beneath the building. This system will be designed and installed while the remedial investigation activities are being conducted.

Next Steps

NYSDEC will consider public comments, revise the plan if necessary, and approve the investigation work plan. NYSDOH must concur with the plan. The approved investigation work plan will be made available to the public (see "Where to Find Information" below). After the investigation work plan is approved, the applicant may proceed with the site investigation.

It is estimated that it will take approximately three (3) months to complete field investigation activities, eleven (11) months for the Remedial Investigation/Remedial Alternatives Analysis Report

to be issued, and five (5) months to complete the Interim Remedial Measures activities (to be done concurrent with the investigation activities).

When the investigation is completed, the applicant will prepare and submit a report that summarizes the investigation results and identifies appropriate remedial alternatives to address site contamination. NYSDEC will review the report, make any necessary revisions and, when determined to be final, approve the investigation report.

The applicant will then develop a cleanup plan, called a "Remedial Work Plan". The cleanup plan will include an evaluation of the proposed site remedy, or recommend a no action or no further action alternative. The goal of the cleanup plan is to ensure the protection of public health and the environment. NYSDEC will present the draft cleanup plan to the public for review and comment during a forty-five (45) day comment period.

NYSDEC will keep the public informed during the investigation and cleanup of the site.

Background

The applicant is a participant in the Brownfield Cleanup Program. The applicant proposes that the site will be used for mixed commercial purposes.

The site is an approximately 15.7 acre industrial property located at 136 Fuller Road. The property is currently zoned light manufacturing. The site is situated predominantly in the City of Albany, Albany County, NY with less than 0.5 acre situated in the Town of Guilderland, Albany County, NY.

The site is currently developed with a 266,000-square foot commercial/industrial, single-story building which is predominately occupied by UltePet LLC, recyclers of plastic polyethylene (PET) bottles and manufacturer of PET plastic resins. The site is also occupied by Equal Vision Records, a T-shirt silk screening printer. The remaining portion of the site building is vacant and unused warehouse space. Crown Castle International currently leases an approximately 0.06 acre portion of the northeastern site area for the location and operation of a cellular telecommunications tower, antennas and associated equipment.

The surrounding area land uses include an active commuter rail line (Conrail Railroad) and commercial/industrial uses to the north; Rensselaer Lake Park and Reservoir across Fuller Road to the west; the NYSDOT-owned I-90 Exit ramp and highway corridor and a small parcel owned by National Grid to the south; and vacant land owned by the City of Albany used for underground utilities (sewer and water easements) to the east.

The primary contaminant identified at the site is the chlorinated volatile organic compound tetrachloroethylene (PCE). Since PCE has not been documented as a chemical used in the former brush manufacturing process, the source of this contaminant is currently unknown. Other identified contaminants found on the site are indicative of petroleum constituents and compounds that are products of PCE degradation (or chemical breakdown).

Previous environmental investigations conducted at the site include three (3) separate Phase I Environmental Site Assessments and a 2007 remedial investigation. These draft reports identified several aboveground and underground petroleum and chemical storage tanks. The identification of an

historic tank farm along the northern side of the site building led to a subsurface investigation to evaluate the site for evidence of chemical impacts. Based on the findings of the investigation, a spill was reported in 2005 (spill # 0503855). In 2007, a remedial investigation was conducted in response to the spill report and identified the source and plume areas.

FOR MORE INFORMATION

Where to Find Information

Project documents are available for review at the following locations to help the public stay informed. These documents include the draft investigation work plan and the application to participate in the Brownfield Cleanup Program.

| | | |
|---|---|---|
| <p>Ms. Toni Galluzzo NYSDEC Region 4 FOIL Coordinator 1130 North Westcott Road Schenectady, NY 12306 (518) 357-2046</p> <p>Hours: 9:00 a.m. -4:30 p.m. Please call ahead for an appointment</p> | <p>Albany Public Library (Main Branch) Attn: Ellen Gamache 161 Washington Avenue Albany, NY 12210 (518) 427-4300</p> <p>Hours: M-Th 9a.m. - 9 p.m. Friday 9 a.m. to 6 p.m. Saturday 9 a.m. to 5 p.m. Sunday 1 p.m. to 5 p.m. (closed Sundays July & August)</p> | <p>Albany County Clerk Attn: Thomas Clignan 32 North Russell Road Albany, NY 12206 (518) 487-5110</p> <p>Hours: M-F 9:00am-4:45pm</p> |
|---|---|---|

Who to Contact

Comments and questions are always welcome and should be directed as follows:

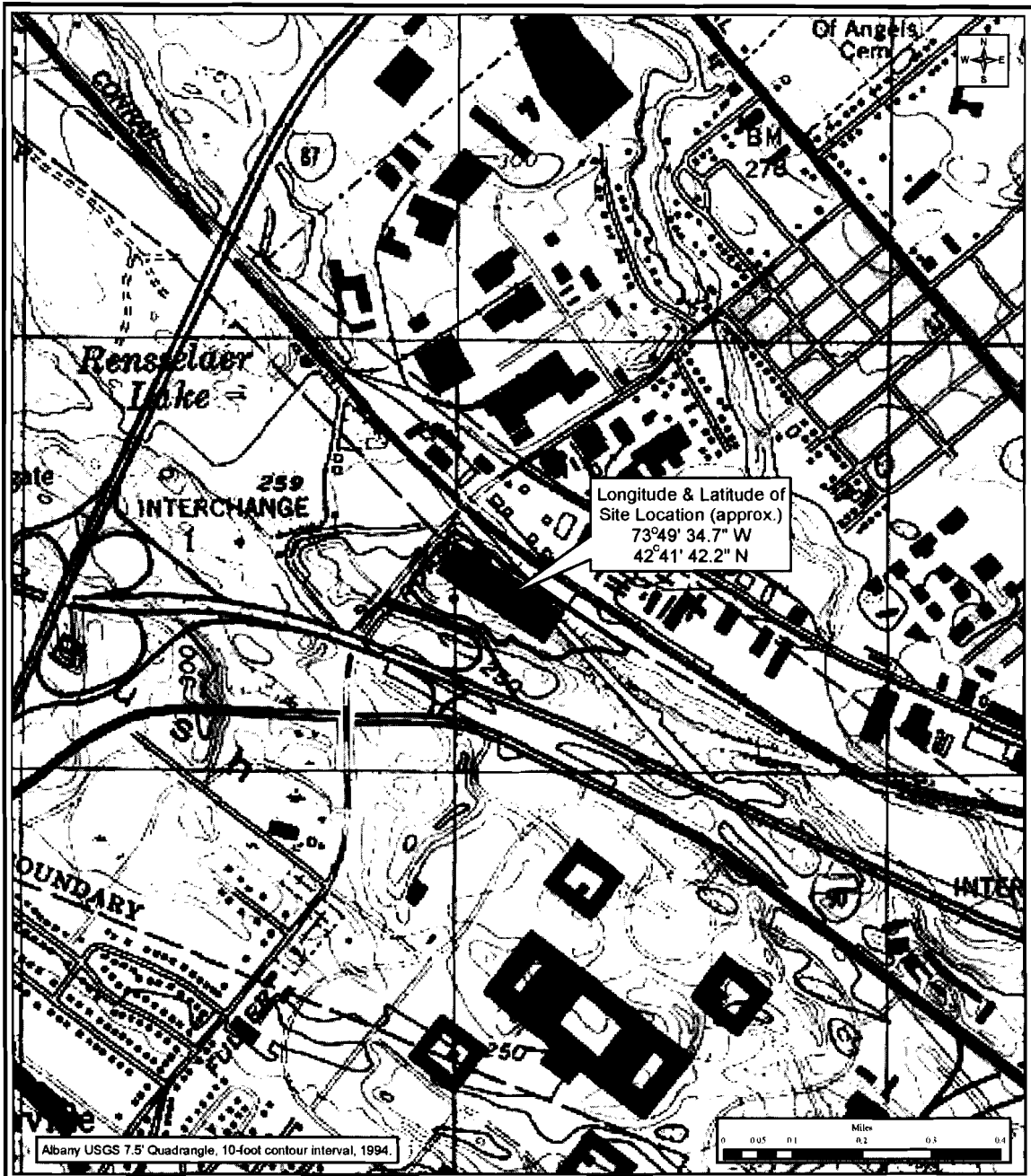
Project Related Questions

Mr. Bradley Brown
 New York State Department of Environmental
 Conservation- Region 4
 1130 North Westcott Road
 Schenectady, New York 12306
 (518) 357-2145
 Email: bxbrown@gw.dec.state.ny.us
 Call for appointment

Site-Related Health Questions

Ms. Bridget Callaghan
 Public Health Specialist
 New York State Department of Health
 Flanigan Square, Room 300
 547 River Street
 Troy, New York 12180
 (518) 402-7860
 Email: BEEI@health.state.ny.us

If you know someone who would like to be added to the site contact list, have them contact the NYSDEC project manager above. We encourage you to share this fact sheet with neighbors and tenants, and/or post this fact sheet in a prominent area of your building for others to see.



Albany USGS 7.5' Quadrangle, 10-foot contour interval, 1994.



THE
Chazen
COMPANIES

ENGINEERS/SURVEYORS
PLANNERS
ENVIRONMENTAL SCIENTISTS
LANDSCAPE ARCHITECTS

Dutchess County Office:
21 Fox Street, Poughkeepsie, NY 12601
Phone: (845) 454-3980
Orange County Office:
356 Meadow Avenue, Newburgh, NY 12550
Phone: (845) 567-1111
Capital District Office:
547 River Street, Troy, NY 12180
Phone: (518) 273-0055
Glens Falls Office:
100 Glen Street, Glens Falls, NY 12081
Phone: (518) 812-5513

Fuller Partners, LLC

Site Location Map

136 Fuller Road
City of Albany
Albany County, New York

| | |
|----------|------------|
| DATE: | CLC |
| BY: | 01-01-2007 |
| SCALE: | As Shown |
| PROJECT: | 90018 00 |
| SHEET: | 1 |

APPENDIX B

Project Contacts and Document Repositories

For information about the site's remedial program, the public may contact any of the following project staff:

Table 1: Project Contacts and Document Repositories

| NYS Department of Environmental Conservation | | |
|---|---|--|
| Mr. Bradley Brown Project Manager | Division of Environmental Remediation - Region 4 1130 North Wescott Road Schenectady, NY 12306 | (518) 357-2145 |
| Mr. Rick Georgeson Citizen Participation Specialist NYSDEC Region 4 | 1130 North Wescott Road Schenectady, NY 12306 | (518) 357-2075 |
| New York State Department of Health | | |
| Bridgett Callaghan Public Health Specialist | 547 River Street, Room 300 Troy, NY 12180 | (800) 458-1158 ext. 27880 |
| Document Repositories | | |
| Ms. Toni Mauceri NYSDEC Region 4 FOIL Coordinator | 1130 North Westcott Road Schenectady, NY 12306 | (518) 357-2046 Hours: 9:00 a.m. -4:30 p.m. Please call ahead for an appointment |
| Albany Public Library (Main Branch) Attn: Ellen Gamache | 161 Washington Avenue Albany, NY 12210 | (518) 427-4300 Hours: M-Th 9a.m. - 9 p.m. Friday 9 a.m. to 6 p.m. Saturday 9 a.m. to 5 p.m. Sunday 1 p.m. to 5 p.m. (closed Sundays July & August) |
| Albany County Clerk Attn: Thomas Clignan | 32 North Russell Road Albany, NY 12206 | (518) 487-5110 Hours: M-F 9:00am-4:45pm |

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B. Brown
copies

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APPENDIX C Site Contact List

Table 2: Elected Officials/Representatives

*Fact Sheet
 sent to
 all*

| Albany County Contacts | |
|---|---|
| Albany County Economic Development, Conservation and Planning 112 State Street Room 720 Albany, NY 12207 Phone: (518) 447-5660 Fax: (518) 447-5662 | Albany County Executive: Mr. Mike Breslin County Executive Albany County Office Building 112 State Street Room 200 Albany, NY 12207 Phone: (518)-447-7040 Fax: 518-447-5589 |
| Chair, Albany County Legislature 112 State Street Room 1114 Albany, NY 12207 | |
| City of Albany Contacts | |
| Mayor Mr. Gerald D. Jennings City Hall-24 Eagle Street Room 102 Albany, NY 12207 Phone: (518) 434-5100 Fax: (518) 434-5013 | Department of Development & Planning, Division of Planning: Director of Planning 21 Lodge Street Albany, NY 12207 Phone: (518) 434-2532 Fax: (518) 434-9846 |
| Chair, Albany City Council Albany City Hall Albany, NY 12207 | |
| Town of Guilderland Contacts | |
| Town Supervisor: Ken Runion Guilderland Town Hall 2nd Floor, P.O. Box 339 Guilderland, NY 12084 Phone: (518)-356-1980 | Town Planner: Jan Weston, AICP Guilderland Town Hall 2nd Floor, P.O. Box 339 Guilderland, NY 12084 Phone: (518)-356-1980 |

The Applicant and the NYSDEC will make every reasonable effort to ensure that upcoming public meetings are announced in several media, for the purpose of encouraging public participation and comment. Announcements will be initially submitted to visual and sound media for broadcast as “Public Service Announcements” at least 14 calendar days prior to the day of the public meeting.

Table 3: Media

| | |
|--------------|--|
| Television | <p>Capital News 9 (Time Warner Cable), 104 Watervliet Avenue Extension Albany, NY 12206, Phone: 518-459-9999 Fax: 518-641-7023</p> <p>WRGB (CBS), 1400 Balltown Road, Schenectady, NY 12309 Phone: 518-346-6666, Fax: 518-381-3721</p> <p>Channel 10 WTEN (ABC) 341 Northern Boulevard Albany, NY 12204 Phone: 518-436-4822, Fax 518-426-4792</p> <p>Channel 13 WNYT (NBC) P.O. Box 4035 Albany, NY 12204 Phone: 1-800-999-WNYT, Fax: 518-434-0659</p> <p>Channel 23 WXXA (Fox) 28 Corporate Circle Albany, NY 12203 Phone: 518-862-0995, Fax: 518-862-0930</p> |
| Radio | <p>WYJB 95.5 FM WPYX 106.5 FM WKLI 100.9 FM WAMC 1400 AM Northeast Public Radio</p> |
| Publications | <p>Albany Times Union 45 Albany-Shaker Road, Albany NY 12211 Phone (518) 454-5619</p> <p>Metroland Magazine 419 Madison Avenue, Albany, NY 12210</p> |

*Fact sheet
sent to
all*

Table 4: Property Owner and Tenants

| Owner/Occupant | Address and Contact Numbers |
|---|--|
| Fuller Realty (owner) | 136 Fuller Rd Albany, NY 12205 Phone: (518) 459-1081 |
| wTe Corporation (Tenant) Leigh Peritz PE -VP Engineering and Product Development | 7 Alfred Circle Bedford, MA 01730 Phone (781) 275-6400 |
| Equal Vision Records (Tenant) Steve Raddy | PO Box 38202 Albany, NY 12203-8202 Phone: (518) 458-8250 |

Table 5: Residents, owners and occupants of the site and adjacent properties

*Fact Sheet
sent to
all*

| Owner/Occupant | Address and Contact Numbers |
|--|---|
| City of Albany Director of Albany Community Development Agency Mr. Tom Griner | 200 Henry Johnson Blvd. Albany, NY 12210 Phone: (518) 434-5240 Fax: (518) 434-5242 |
| New York State Department of Transportation Mr. Joseph Nolan | 328 State Street Schenectady, NY 12305 Phone: (518) 388-0123 Fax: (518) 388-0150 |
| National Grid Power Company Ms. Barb Scheurer | 1125 Broadway Albany, NY 12204 Phone: (518) 433-3696 Fax: (518) 433-3892 |
| Consolidated Rail Corporation CSX Real Property Inc. Mr. Ragu Chatrathi | 301 West Bay Street Suite 800 Jacksonville, FL 32202 Phone: (904) 633-4858 |

Table 6: Public Water Supply Which Serves the Site and Surrounding Area

| Name | Address and Contact Numbers |
|--|---|
| Albany Water Department of Water and Water Supply | 35 Erie Boulevard Albany, NY 12204 Phone: 518-434-5305, Fax: (518) 434-5332 Email: water@ci.albany.ny.us |

Table 7: Environmental Groups

| Environmental Group | Address and Contact Numbers |
|--|---|
| Citizens Environmental Coalition | 33 Central Avenue Albany, NY 12210 |
| Aaron Mair Arbor Hill Environmental Justice Corp. | 596 Manning Boulevard Albany, NY 12210 |
| Save The Pine Bush | 33 Central Avenue Albany, NY 12210 |