

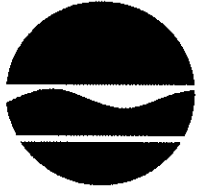
Sheilla Paige - Greenport Crossing CPP

From: "Davis, Seth" <sdavis@LaBellaPC.com>
To: Sheilla Paige <srpaige@gw.dec.state.ny.us>
Date: 12/3/2010 10:51 AM
Subject: Greenport Crossing CPP
CC: Harbalwant Singh <greenportcrossings@gmail.com>, "Porter, Dennis" <dporter@LaBellaPC.com>
Attachments: CPP.2010.12.101.FINAL.Greenport Crossings BCP.pdf

Sheilla,

Attached please find the revised CPP for Greenport Crossing per the NYSDEC's comments. Please let me know if you have any questions.

Thanks,
Seth



New York State Department of Environmental Conservation

Brownfield Cleanup Program

Citizen Participation Plan For Greenport Crossings

Site # C411017
181 Union Turnpike (Route 66)
Town of Greenport
Columbia County, New York

October 2010
Revised November 2010

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***Note:** The information presented in this Citizen Participation Plan was current as of the date of its approval by the New York State Department of Environmental Conservation. Portions of this Citizen Participation Plan may be revised during the Brownfield site’s remedial process.*

Applicant: **Greenport Crossings, LLC**
Site Name: **Greenport Crossings**
Site Address: **181 Union Turnpike, Town of Greenport**
Site County: **Columbia County**
Site Number: **C411017**

1. What is New York’s Brownfield Cleanup Program?

New York’s Brownfield Cleanup Program (BCP) is designed to encourage the private sector to investigate, remediate (clean up), and redevelop Brownfield. A Brownfield is any real property where redevelopment or reuse may be complicated by the presence or potential presence of a contaminant. A Brownfield typically is a former industrial or commercial property where operations may have resulted in environmental contamination. A Brownfield can pose environmental, legal, and financial burdens on a community. If the Brownfield is not addressed, it can reduce property values in the area and affect economic development of nearby properties.

The BCP is administered by the New York State Department of Environmental Conservation (NYSDEC) which oversees Applicants that conduct Brownfield site remedial activities.¹ An Applicant is a person whose request to participate in the BCP has been accepted by NYSDEC. The BCP contains investigation and remediation (cleanup) requirements, ensuring that cleanups protect public health and the environment. When NYSDEC certifies that these requirements have been met, the property can be reused or redeveloped for the intended use.

For more information about the BCP, go online at: www.dec.ny.gov/chemicals/8450.html .

2. Citizen Participation Plan Overview

This Citizen Participation (CP) Plan provides members of the affected and interested public with information about how NYSDEC will inform and involve them during the investigation and cleanup of the Brownfield site identified above.

This CP Plan has been developed for 181 Union Turnpike [Route 66] (hereafter referred to as the “Site”) under the BCP. Appendix A contains a map locating the Site. NYSDEC is committed to informing and involving the public concerning the investigation and cleanup of the Site. This CP Plan describes the public information and involvement program that will be carried out with assistance from Greenport Crossings, LLC (hereafter referred to as the “Applicant”), who has applied and been accepted to participate in the BCP.

¹ “Remedial activities”, “remedial action”, and “remediation” are defined as all activities or actions undertaken to eliminate, remove, treat, abate, control, manage, or monitor contaminants at or coming from a Brownfield site.

NYSDEC Project Contact

Appendix B identifies the NYSDEC project contact, to whom the public should address questions or request information about the Site's remedial program. The public's suggestions about this CP Plan and the CP program for the Site are always welcome. Interested people are encouraged to share their ideas and suggestions with the NYSDEC project contact at any time.

Document Repositories

The location of the Site's document repository is also identified in Appendix B. The document repository provides convenient access to important project documents for public review and comment.

Site Contact List

Appendix C contains the Site's Brownfield Site Contact List (BSCL). This list has been developed to keep the community informed about, and involved in, the Site's investigation and cleanup process. The BSCL will be used periodically to distribute fact sheets that provide updates about the status of the project. These will include notifications of upcoming remedial activities at the Site (such as fieldwork), as well as availability of project documents and announcements about public comment periods.

The BSCL includes, at a minimum:

- chief executive officer and official(s) principally involved with relevant zoning and planning matters of each county, city, town and village in which the Site is located;
- residents, owners, and occupants of the Site and properties adjacent to the Site;
- the public water supplier which services the area in which the Site is located;
- any person who has requested to be placed on the BSCL;
- the administrator of any school or day care facility located on or near the Site for purposes of posting and/or dissemination of information at the facility; and
- document repositories.

In cases where the Site or adjacent real property contains multiple dwelling units, the Applicant will work with NYSDEC to develop an alternative method for providing such notice, in lieu of mailing to each individual. For example, the owner of such a property that contains multiple dwellings may be requested to prominently display fact sheets and notices required to be developed during the Site's remedial process. This procedure would substitute for the mailing of such notices and fact sheets, especially at locations where renters, tenants and other residents may number in the hundreds or thousands, making the mailing of such notices impractical.

The BSCL will be reviewed periodically and updated as appropriate. Individuals and organizations will be added to the BSCL upon request. Such requests should be submitted to the NYSDEC project contact identified in Appendix B. Other additions to the BSCL may be made on a site-specific basis at the discretion of the NYSDEC project manager, in consultation with other NYSDEC staff as appropriate.

CP Activities

Appendix D identifies the CP activities, at a minimum, that have been and will be conducted during the Site's remedial program. The flowchart in Appendix E shows how these CP activities integrate with the remedial process. The public is informed about these CP activities through fact sheets and notices developed at significant points in the Site's remedial process.

- **Notices and fact sheets** help the interested and affected public to understand contamination issues related to a Brownfield site, and the nature and progress of efforts to investigate and remediate a Brownfield site.
- **Public forums, comment periods and contact with project managers** provide opportunities for the public to contribute information, opinions and perspectives that have potential to influence decisions about a Brownfield site's investigation and cleanup.

The public is encouraged to contact project staff at any time during the Site's remedial process with questions, comments, or requests for information about the remedial program.

This CP Plan may be revised due to changes in major issues of public concern identified in Section 6 or in the nature and scope of remedial activities. Modifications may include additions to the BSCL and changes in planned CP activities.

3. Site Information

Site Description

The Site consists of two (2) parcels of land totaling approximately 10.4 acres that is currently occupied by a vacant 105,000 +/- square foot single-story building that is constructed of wood, steel, and masonry framing. The original portion of this structure (i.e., the "Site building") was constructed in the early 1920s. Based on the information contained in prior reports completed for the Site, additions to the Site building were constructed in the 1950s and early 1960s. In general, the Site building contains the following areas:

- the main industrial section (80,000 +/- square feet);
- a boiler room;
- a case hardening room;
- storage rooms;
- part storage rooms;

- office space;
- bathroom and locker rooms; and
- spaces of undetermined use.

The floor throughout the Site building is constructed with a variety of concrete floor slabs, some overlain by wood block flooring.

The exterior perimeter of the Site building is overgrown with weeds. Near the Site building are an asphalt-paved parking lot and an access road that leads to the center of the Site. The rear (southern) portion of the Site is overgrown with dense grass and brush.

The V&O Press Company occupied the Site from approximately 1921 to the 1990s. V&O Press manufactured drill presses and other metal products. The Site has remained vacant for approximately the past 20 years.

The suburban setting around the Site contains properties of mixed industrial, municipal, and retail uses.

The properties directly adjacent to the Site and their reported occupants are provided below:

North: Union Turnpike (Route 66), and beyond are S&F Telecom, the Pit Stop beverage center, and Verizon

East: Yonder Farms and Schwans Sales Enterprises

South: Industrial Tract, vacant land

West: Merle oil and Greenport Roofing

A Site Location Map is included in Appendix A.

Site History

A prior environmental report was completed for the Site by Evergreen Testing & Environmental Services, Inc. (Evergreen), entitled *Modified Phase I Environmental Site Assessment, V & O Press Building, Route 66 (Union Turnpike), Town of Greenport, Columbia County, New York* and dated October 2005.

The results of the Evergreen's *Modified Phase I Environmental Site Assessment (ESA)* indicate that Recognized Environmental Conditions (RECs) exist in connection with the Site. The term "REC" is defined as the presence or likely presence of any hazardous substances or petroleum products on a property under conditions that indicate an existing release, a past release, or the threat of a release of such materials into structures on the property or into the ground, ground water, or surface water.

Based on information obtained from Evergreen's *Modified Phase I ESA* and during subsequent visits to the Site, there appear to be four (4) Areas of Concern (AOCs) that should be evaluated as part of the Remedial Investigation (RI) for the Site.

The goals of an RI under the BCP include, but are not limited to, the following:

1. Defining the nature and extent of contamination;
2. Identifying contaminant source areas; and
3. Producing data of sufficient quantity and quality to support the development of an acceptable Remedial Work Plan for the Site.

Based upon Evergreen's *Modified Phase I ESA* and recent observations at the Site, it is anticipated that contaminants related to the on-site AOCs would consist of:

- volatile organic compounds (VOCs) associated with historic storage and handling of petroleum products and/or degreasing compounds;
- semi-volatile organic compounds (SVOCs) associated with historic storage and handling of petroleum products; and
- heavy metals associated with the historic use of the Site.

A brief summary of each AOC is presented below:

AOC #1: Interior of the Site Building

Liquid and Sludges in Pits: Unknown liquid and sludges were observed in pits within the Site building and are considered potential sources of contamination.

Floor Drains: Floor drains with unknown discharge locations were observed within Site building. If the discharge locations associated with these floor drains are to an on-site structure (e.g., drywell, septic system, etc) they would be considered potential sources of contamination.

Industrial Wastewater: Based upon a site plan map prepared by Fred C. Hart Associates, industrial wastewater was formerly released from the Site building to an underground pipe, which was shown as connected to a storm water catch basin located in the center of the western open access road. It has been reported that this wastewater then was piped to the northwestern property corner, below Route 66, and ultimately to a historic stream (no longer present) located near S & F Telecommunications.

AOC #2: Underground Storage Tanks (USTs)

Evidence (i.e., vent and fill pipes) of two (2) USTs has been observed at the Site. It is assumed that these USTs have been abandoned, along with the Site and Site building, for approximately the last 20 years. The nature and capacity of these USTs are unknown.

Information available from NYSDEC's Petroleum Bulk Storage (PBS) program indicates that the Site is a registered NYSDEC PBS facility (No. 4-388238) and that a 10,000-gallon steel fuel oil tank was installed at the Site in 1958.

AOC #3: Drums, Containers, and Fill Materials

Several drums and 5-gallon buckets/containers were observed abandoned and half-buried in fill materials behind the southern limits of the Site building. Accessible drums and containers were observed and appeared to be dry, without evidence of residue or a release.

AOC #4: Stains, Corrosion, Strained Vegetation, and General Site Use

Rust-colored stains, corrosion, and strained vegetation (considered evidence of a release of chemicals or petroleum products to the ground surface) were observed at the Site. In addition, the historic use of the Site for industrial purposes is considered an REC for the Site.

4. Remedial Process

Note: See Appendix E for a flowchart of the Brownfield site remedial process.

Application

The Applicant has applied for and been accepted into New York's BCP as a Volunteer. This means that the Applicant was not responsible for the disposal or discharge of contaminants at the Site, or that the Applicant assumed ownership or operation of the Site after the discharge or disposal of contaminants had occurred.

The Applicant in its Application proposes that the Site will be used for commercial purposes.

To achieve this goal, the Applicant will conduct remedial activities at the Site with oversight provided by NYSDEC. The Brownfield Cleanup Agreement executed by NYSDEC and the Applicant sets forth the responsibilities of each party in conducting a remedial program at the Site.

Remedial Investigation (RI)

The Applicant submitted an RI Work Plan with the BCP Application. The RI will be performed with NYSDEC oversight. As noted previously, the goals of an RI under the BCP include, but are not limited to, the following:

1. Defining the nature and extent of contamination;
2. Identifying contaminant source areas; and

3. Producing data of sufficient quantity and quality to support the development of an acceptable Remedial Work Plan for the Site.

The Applicant will prepare an RI Report after the RI is complete. The RI Report will summarize the results of the RI and will include the Applicant's recommendation as to whether cleanup is needed to address site-related contamination. The RI Report is subject to review and approval by NYSDEC. Before the RI Report is approved, a fact sheet that describes the RI Report will be sent to the BSCL.

NYSDEC will determine if the Site poses a significant threat to public health and/or the environment. If NYSDEC determines that the Site is a "significant threat," a qualifying community group may apply for a Technical Assistance Grant (TAG). A TAG is a citizen participation tool that is available to eligible community groups to increase public awareness and understanding of remedial activities taking place in their community. The purpose of a TAG is to provide funding to a qualifying community group, so the group may obtain independent technical assistance to interpret and understand existing environmental information about the nature and extent of contamination related to the Site, as well as the development and/or implementation of a remedy.

An eligible community group must certify that its membership represents the interests of the community affected by the Site, and that its members' health, economic well-being, or enjoyment of the environment may be affected by a release or threatened release of contamination at the Site.

For more information about the TAG Program and the availability of TAGs, go online at: www.dec.ny.gov/regulations/2590.html.

Remedy Selection

After NYSDEC approves the RI Report, if cleanup is required, the Applicant will develop a Draft Remedial Work Plan. The Draft Remedial Work Plan will describe how the Applicant proposes to address the contamination identified at the Site.

The public will have the opportunity to review and comment on the Draft Remedial Work Plan. The BSCL will be sent a fact sheet that describes the Draft Remedial Work Plan and announces a 45-day public comment period. NYSDEC will factor the public input received into its decision to approve, reject, or modify the Draft Remedial Work Plan.

A public meeting may be held by NYSDEC about the Draft Remedial Work Plan, if requested by the affected community and if significant substantive issues are raised about the Draft Remedial Work Plan. Please note that, in order to request a public meeting, the health, economic well-being, or enjoyment of the environment of those requesting the public meeting must be threatened or potentially threatened by the Site. In addition, the request for the public meeting should be made within the first 30 days of the 45-day public comment period associated with the Draft Remedial Work Plan. A public meeting also may be held at the discretion of the NYSDEC project manager, in consultation with other NYSDEC staff as appropriate.

Remediation

Approval of the Draft Remedial Work Plan by NYSDEC will allow the Applicant to design and implement the alternative selected to remediate the Site. The BSCL will receive notification before the commencement of remedial activities. When the Applicant completes remedial activities, it will prepare a Final Engineering Report (FER) that certifies that cleanup requirements have been achieved or will be achieved within a specific time frame. NYSDEC will review the FER to be certain that the cleanup is protective of public health and the environment for the intended use of the Site. The BSCL will receive a fact sheet that announces the completion of remedial activities and the review of the FER.

Certificate of Completion and Site Management

Once NYSDEC approves the FER, it will issue the Applicant a Certificate of Completion. The Certificate of Completion states that cleanup goals have been achieved, and relieves the Applicant from future remedial liability, subject to statutory conditions.

If the Applicant uses institutional controls and/or engineering controls to achieve remedial objectives, the BSCL will receive a fact sheet that discusses such controls.

Any institutional and/or engineering controls associated with the Site will be described in a Site Management Plan (SMP) that will be prepared for the Site.

An institutional control is a non-physical restriction on the future use of a Brownfield site, such as a deed restriction that would prevent or restrict certain uses of the remediated property. An institutional control may be used when the remedial action leaves some contamination that makes the Site suitable for some, but not all, uses.

An engineering control is a physical barrier or method to manage contamination, such as a cap or a vapor barrier.

Site management will be conducted by the Applicant, as required by NYSDEC, and NYSDEC will provide appropriate oversight.

5. Citizen Participation Activities

CP activities that have already occurred and are planned during the investigation and cleanup of the Site under the BCP are identified in Appendix D. These activities also are identified in the flowchart of the BCP process in Appendix E. NYSDEC will ensure that these CP activities are conducted, with appropriate assistance from the Applicant.

All CP activities are conducted to provide the public with significant information about Site findings and planned remedial activities. Some CP activities announce comment periods and request public input about important documents, such as the Draft Remedial Work Plan. The comment period for the RI Work Plan was combined with the Application comment period and the Public Notice took the place of the RI Work Plan Fact Sheet.

All written materials developed for the public will be reviewed and approved by NYSDEC for clarity and accuracy before they are distributed. Notices and fact sheets can be combined at the discretion, and with the approval, of NYSDEC.

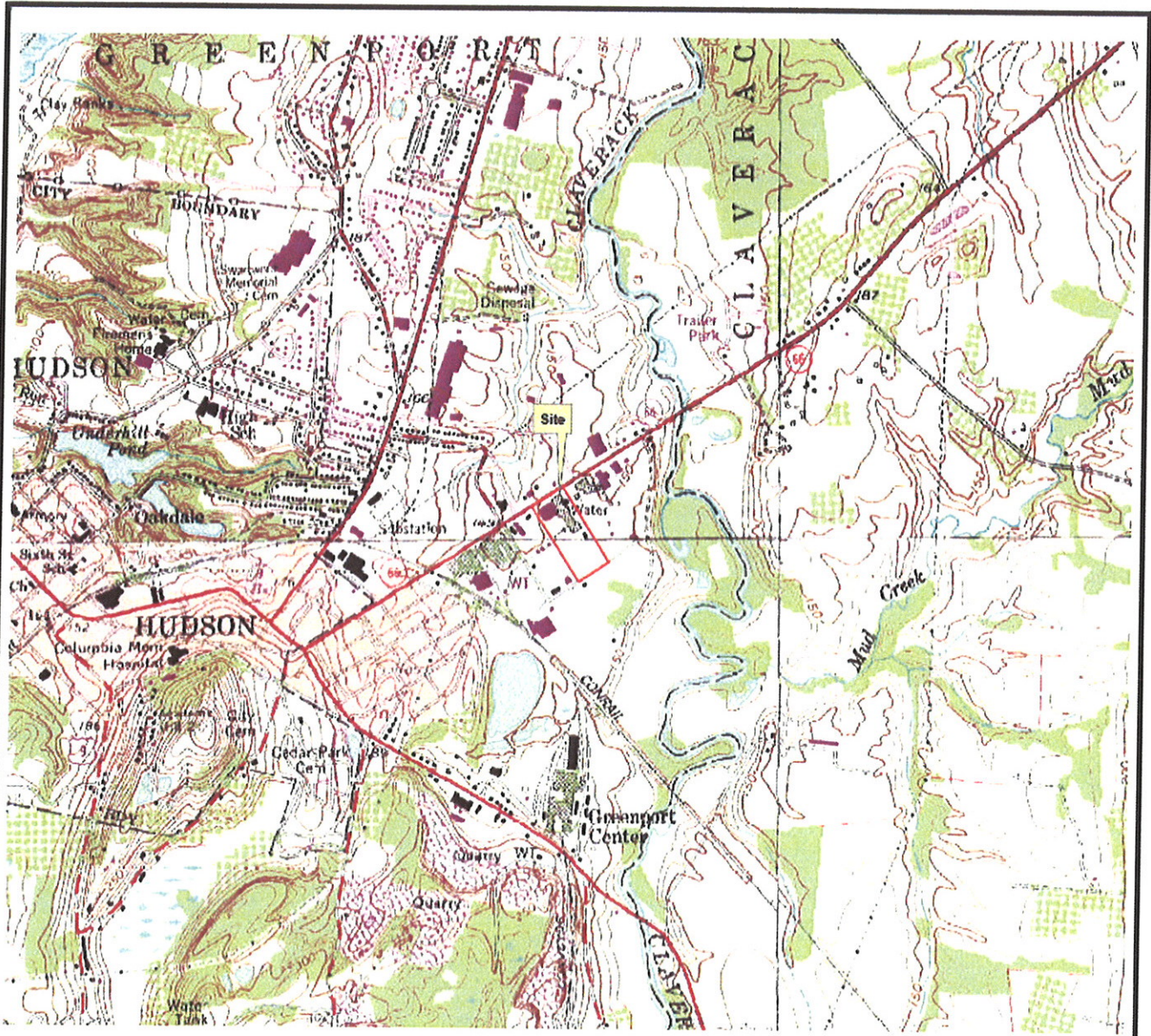
6. Major Issues of Public Concern

At this time, no major issues of public concern have been identified in connection with the Site.

Major issues of public concern may be identified during the Site's investigation or remedial activities.

Appendix A
Site Location Map

Appendix A1 – Site Location Map (USGS Topo Quad)



Note: Location Map is based on 2002 Aerial Photograph obtained from www.nysgis.state.ny.us, current Site and surrounding features may vary.



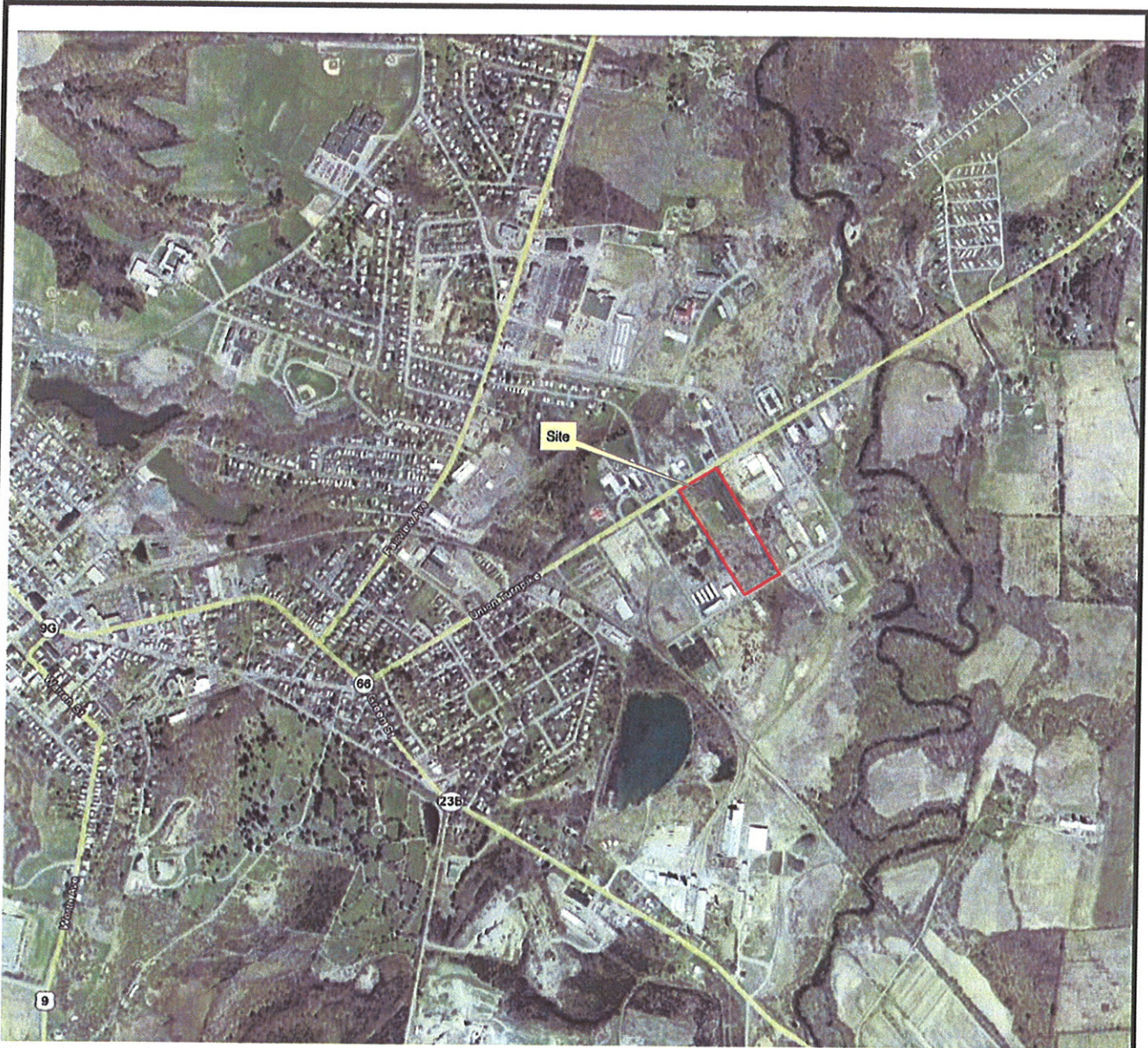
**APPENDIX A1
SITE LOCATION MAP (USGS)**

**Citizen Participation Plan
181 Union Turnpike
Greenport, New York**

LABELLA

PROJECT NO.
210408

Appendix A2 – Site Location Map (2009 Aerial Photography)



Note: Location Map is based on 2002 Aerial Photograph obtained from www.nysgis.state.ny.us, current Site and surrounding features may vary.



APPENDIX A2 SITE LOCATION MAP (Aerial)

Citizen Participation Plan
181 Union Turnpike
Greenport, New York

LABELLA

PROJECT NO.
210408

Appendix B
Project Contact and Document Repository

Appendix B – NYSDEC Project Contact and Document Repository

Project Contact

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

New York State Department of Environmental Conservation (NYSDEC):

Ms. Sheilla Paige
Environmental Engineer 1
NYSDEC Region 4
Office of Environmental Quality
1130 North Westcott Road, Schenectady, NY
(518) 357-2045

Document Repository

The document repository identified below has been established to provide the public with convenient access to important project documents:

Hudson Area Library
400 State Street
Hudson, NY 12534
(518) 828-1792

Appendix C
Brownfield Site Contact List

Appendix C – Brownfield Site Contact List (BSCL)

1. Government Agencies

Roy Brown Columbia County Chairman 401 State Street Hudson, New York 12534 (518)828-1527
Edward Nabozny Supervisor Greenport Town Hall 600 Town Hall Drive, Hudson New York 12534 (518) 828-4656
Dan Alger Chairman Greenport Town Hall 600 Town Hall Drive, Hudson New York 12534 (518) 828-4656

Donald Moore 520 Warren Street Hudson, New York 12534 (518)828-1030
Zoning Board of Appeals 520 Warren Street Hudson, New York 12534 (518)828-1030
Richard Scalera Mayor – City of Hudson 520 Warren Street Hudson, New York 12534 (518)828-1030

2. Site Owner/Occupant:

Site: 181 Union Turnpike (Route 66), Hudson, New York 12534

Current Owner: ValuePlus Commercial Brokers, Inc.
 Harbalwant Singh, Owner
 40 Corbett Road
 Montgomery, New York 12549

3. Local News Media:

THE COLUMBIA PAPER P.O. BOX 636 NEW LEBANON, NY 12125	CITY NEWS THE REGISTER STAR 364 WARREN ST HUDSON NY 12534	CITY NEWS THE DAILY MAIL 414 MAIN ST CATSKILL NY 12414
ccSCOOP, Inc. PO BOX 335 CHATHAM NY 12037		

4. Public Water Supplier:
Town of Greenport Water and Sewer
600 Town Hall Drive
Hudson, New York 12534
(518) 828-3400

5. Additional Persons Requesting to be on Contact List:

COLUMBIA CO. EMC: CHAIRMAN 401 STATE STREET HUDSON, NY 12534	FRIENDS OF HUDSON: PRESIDENT P.O. BOX 326 HUDSON , NY 12534
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6. Schools or Day Care Facilities:

James N. Baldwin, District Superintendent
Columbia-Greene Educational Center
131 Union Turnpike
Hudson, New York 12534

John Howe, Superintendent
Hudson City School District – Greenport School (Currently closed and for sale)
158 Union Turnpike
Hudson, NY 12534
(518) 828-4656

Appendix D

Identification of Citizen Participation Activities

Appendix D – Identification of Citizen Participation Activities

Required Citizen Participation (CP) Activities	CP Activities Occur at this Point
Application Process:	
<ul style="list-style-type: none"> • Prepare Brownfield Site Contact List (BSCL) 	At time of preparation of application to participate in BCP.
<ul style="list-style-type: none"> • Establish document repositories • Publish notice in Environmental Notice Bulletin (ENB) announcing receipt of application and 30-day comment period 	When NYSDEC determines that BCP Application is complete. The 30-day comment period begins on date of publication of notice in ENB. End date of comment period is as stated in ENB notice. Therefore, ENB notice, newspaper notice and notice to the BSCL should be provided to the public at the same time.
After Execution of Brownfield Site Cleanup Agreement:	
<ul style="list-style-type: none"> • Prepare citizen participation (CP) plan 	Draft CP Plan must be submitted within 20 days of entering Brownfield Site Cleanup Agreement. CP Plan must be approved by NYSDEC before distribution.
After Remedial Investigation (RI) Work Plan Received:	
<ul style="list-style-type: none"> • Mail fact sheet to BSCL about proposed RI activities and announcing 30-day public comment period on draft RI Work Plan 	Before NYSDEC approves RI Work Plan. If RI Work Plan is submitted with application, comment periods will be combined and public notice will include fact sheet. 30-day comment period begins/ends as per dates identified in fact sheet.
After RI Completion:	
<ul style="list-style-type: none"> • Mail fact sheet to BSCL describing results of RI 	Before NYSDEC approves RI Report.
After Draft Remedial Work Plan (RWP) Received:	
<ul style="list-style-type: none"> • Mail fact sheet to BSCL about Draft RWP and announcing 45-day comment period • Public meeting by NYSDEC about Draft RWP (if requested by affected community or at discretion of NYSDEC project manager in consultation with other NYSDEC staff as appropriate) 	Before NYSDEC approves Draft RWP. 45-day comment period begins/ends as per dates identified in fact sheet. Public meeting, if deemed necessary, would be held within the 45-day comment period.
After Approval of RWP:	
<ul style="list-style-type: none"> • Mail fact sheet to BSCL summarizing upcoming remedial activities. 	Before the start of remedial activities.
After Remedial Action Completed:	
<ul style="list-style-type: none"> • Mail fact sheet to BSCL announcing that remedial activities have been completed • Mail fact sheet to BSCL announcing issuance of Certificate of Completion (COC) 	At the time NYSDEC approves Final Engineering Report. These two (2) fact sheets may be combined, when possible, if there is not a delay in issuance of the COC.

Appendix E

Brownfield Cleanup Program Process

Appendix E – Brownfield Cleanup Program Process

