



Department of
Environmental
Conservation

Brownfield Cleanup Program

Citizen Participation Plan for Allied Healthcare Products Site

December 2020

C411020
46 New Street
Town of Stuyvesant
Columbia County, New York

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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 site's investigation and cleanup process.

Applicant: **Allied Healthcare Products, Inc. (“Applicant”)**
Site Name: **Allied Healthcare Products Site (“Site”)**
Site Address: **46 New Street, Town of Stuyvesant**
Site County: **Columbia County**
Site Number: **C411020**

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

New York’s Brownfield Cleanup Program (BCP) works with private developers to encourage the voluntary cleanup of contaminated properties known as “brownfields” so that they can be reused and developed. These uses include recreation, housing, and business.

A *brownfield* is any real property that is difficult to reuse or redevelop because of the presence or potential presence of contamination. 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 a 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 who conduct brownfield site investigation and cleanup activities. An Applicant is a person who has requested to participate in the BCP and has been accepted by NYSDEC. The BCP contains investigation and 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:
<http://www.dec.ny.gov/chemical/8450.html> .

2. Citizen Participation Activities

Why NYSDEC Involves the Public and Why It Is Important

NYSDEC involves the public to improve the process of investigating and cleaning up contaminated sites, and to enable citizens to participate more fully in decisions that affect their health, environment, and social well-being. NYSDEC provides opportunities for citizen involvement and encourages early two-way communication with citizens before decision makers form or adopt final positions.

Involving citizens affected and interested in site investigation and cleanup programs is important for many reasons. These include:

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- Promoting the development of timely, effective site investigation and cleanup programs that protect public health and the environment.
- Improving public access to, and understanding of, issues and information related to a particular site and that site's investigation and cleanup process.
- Providing citizens with early and continuing opportunities to participate in NYSDEC's site investigation and cleanup process.
- Ensuring that NYSDEC makes site investigation and cleanup decisions that benefit from input that reflects the interests and perspectives found within the affected community.
- Encouraging dialogue to promote the exchange of information among the affected/interested public, State agencies, and other interested parties that strengthens trust among the parties, increases understanding of site and community issues and concerns, and improves decision making.

This Citizen Participation (CP) Plan provides information about how NYSDEC will inform and involve the public during the investigation and cleanup of the site identified above. The public information and involvement program will be carried out with assistance, as appropriate, from the Applicant.

Project Contacts

Appendix A identifies NYSDEC project contact(s) to whom the public should address questions or request information about the site's investigation and cleanup 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 project contacts at any time.

Locations of Reports and Information

The locations of the reports and information related to the site's investigation and cleanup program also are identified in Appendix A. These locations provide convenient access to important project documents for public review and comment. Some documents may be placed on the NYSDEC web site. If this occurs, NYSDEC will inform the public in fact sheets distributed about the site and by other means, as appropriate.

Site Contact List

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

The site contact list includes, at a minimum:

- chief executive officer and planning board chairperson 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 site contact list;
- 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
- location(s) of reports and information.

The site contact list will be reviewed periodically and updated as appropriate. Individuals and organizations will be added to the site contact list upon request. Such requests should be submitted to the NYSDEC project contact(s) identified in Appendix A. Other additions to the site contact list may be made at the discretion of the NYSDEC project manager, in consultation with other NYSDEC staff as appropriate.

Note: The first site fact sheet (usually related to the draft Remedial Investigation Work Plan) is distributed both by paper mailing through the postal service and through DEC Delivers, its email listserv service. The fact sheet includes instructions for signing up with the appropriate county listserv to receive future notifications about the site. See <http://www.dec.ny.gov/chemical/61092.html> .

Subsequent fact sheets about the site will be distributed exclusively through the listserv, except for households without internet access that have indicated the need to continue to receive site information in paper form. Please advise the NYSDEC site project manager identified in Appendix A if that is the case. Paper mailings may continue during the investigation and cleanup process for some sites, based on public interest and need.

CP Activities

The table at the end of this section identifies the CP activities, at a minimum, that have been and will be conducted during the site's investigation and cleanup program. The flowchart in Appendix D shows how these CP activities integrate with the site

investigation and cleanup process. The public is informed about these CP activities through fact sheets and notices distributed at significant points during the program. Elements of the investigation and cleanup process that match up with the CP activities are explained briefly in Section 5.

- **Notices and fact sheets** help the interested and affected public to understand contamination issues related to a site, and the nature and progress of efforts to investigate and clean up a 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 site's investigation and cleanup.

The public is encouraged to contact project staff at any time during the site's investigation and cleanup process with questions, comments, or requests for information.

This CP Plan may be revised due to changes in major issues of public concern identified in Section 3 or in the nature and scope of investigation and cleanup activities. Modifications may include additions to the site contact list and changes in planned citizen participation activities.

Technical Assistance Grant

NYSDEC must determine if the site poses a significant threat to public health or the environment. This determination generally is made using information developed during the investigation of the site, as described in Section 5.

If the site is determined to be a significant threat, a qualifying community group may apply for a Technical Assistance Grant (TAG). The purpose of a TAG is to provide funds to the qualifying group to obtain independent technical assistance. This assistance helps the TAG recipient to interpret and understand existing environmental information about the nature and extent of contamination related to the site and the development/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.

As of the date of this document, the significant threat determination for the site has not yet been made by NYSDEC.

To verify the significant threat status of the site, the interested public may contact the NYSDEC project manager identified in Appendix A.

For more information about TAGs, go online at <http://www.dec.ny.gov/regulations/2590.html>

Note: The table identifying the citizen participation activities related to the site's investigation and cleanup program follows on the next page:

Citizen Participation Activities	Timing of CP Activity(ies)
Application Process:	
<ul style="list-style-type: none"> • Prepare site contact list • Establish document repository(ies) 	At time of preparation of application to participate in the BCP.
<ul style="list-style-type: none"> • Publish notice in Environmental Notice Bulletin (ENB) announcing receipt of application and 30-day public comment period • Publish above ENB content in local newspaper • Mail above ENB content to site contact list • Conduct 30-day public comment period 	When NYSDEC determines that BCP application is complete. The 30-day public comment period begins on date of publication of notice in ENB. End date of public comment period is as stated in ENB notice. Therefore, ENB notice, newspaper notice, and notice to the site contact list should be provided to the public at the same time.
After Execution of Brownfield Site Cleanup Agreement (BCA):	
<ul style="list-style-type: none"> • Prepare Citizen Participation (CP) Plan 	Before start of Remedial Investigation Note: Applicant must submit CP Plan to NYSDEC for review and approval within 20 days of the effective date of the BCA.
Before NYSDEC Approves Remedial Investigation (RI) Work Plan:	
<ul style="list-style-type: none"> • Distribute fact sheet to site contact list about proposed RI activities and announcing 30-day public comment period about draft RI Work Plan • Conduct 30-day public comment period 	Before NYSDEC approves RI Work Plan. If RI Work Plan is submitted with application, public comment periods will be combined and public notice will include fact sheet. Thirty-day public comment period begins/ends as per dates identified in fact sheet.
After Applicant Completes Remedial Investigation:	
<ul style="list-style-type: none"> • Distribute fact sheet to site contact list that describes RI results 	Before NYSDEC approves RI Report
Before NYSDEC Approves Remedial Work Plan (RWP):	
<ul style="list-style-type: none"> • Distribute fact sheet to site contact list about draft RWP and announcing 45-day public comment period • Public meeting by NYSDEC about proposed RWP (if requested by affected community or at discretion of NYSDEC project manager) • Conduct 45-day public comment period 	Before NYSDEC approves RWP. Forty-five day public comment period begins/ends as per dates identified in fact sheet. Public meeting would be held within the 45-day public comment period.
Before Applicant Starts Cleanup Action:	
<ul style="list-style-type: none"> • Distribute fact sheet to site contact list that describes upcoming cleanup action 	Before the start of cleanup action.
After Applicant Completes Cleanup Action:	
<ul style="list-style-type: none"> • Distribute fact sheet to site contact list that announces that cleanup action has been completed and that NYSDEC is reviewing the Final Engineering Report • Distribute fact sheet to site contact list announcing NYSDEC approval of Final Engineering Report and issuance of Certificate of Completion (COC) 	At the time the cleanup action has been completed. Note: The two fact sheets are combined when possible if there is not a delay in issuing the COC.

3. Major Issues of Public Concern

This section of the CP Plan identifies major issues of public concern that relate to the site. Additional major issues of public concern may be identified during the course of the site's investigation and cleanup process.

Based on the information collected to date, a possible major issue of public concern has been identified at this Site. The issue is the detection of 1,2-dichloropropane, acetone, and methylene chloride in the Site's private water supply system. The anticipated groundwater flow in the vicinity of the site is north to south towards the Kinderhook Creek. Adjoining residential properties appear to be located hydraulically upgradient relative to the Site; therefore, impacts to the soils and groundwater at these residential properties are not anticipated, but may be identified over the course of the site's investigation and cleanup process, which is described in Section 5. NYSDEC will keep the community informed throughout this process according to Section 2.

4. Site Information

Appendix C contains a map identifying the location of the site.

Site Description

The Site is addressed as 46 New Street in the Town of Stuyvesant, Columbia County, New York. The Site is located west of the intersection of Woods Lane and Hudson Avenue on the northern side of the Kinderhook Creek within a rural area. The Site is approximately 4.04 acres in size and is currently improved with 3 buildings. The western, northern-central and southern portions of the Site are forested. A gravel driveway enters the Site from the western side of Woods Lane and traverses the northeastern portion of the Site from east to west. Nearby property usage is mixed residential and agricultural to the west and north, vacant land to the northeast, and mixed residential and commercial land to the east.

History of Site Use, Investigation, and Cleanup

The Site is historically associated with industrial/manufacturing uses including: cotton processing; the manufacturing of electric steel casings and corrosion resistant alloy from 1925 to 1926; the manufacturing of nickel alkali storage batteries from 1926 to 1940; and the manufacturing of medical gases (oxygen, nitrogen and nitrous oxide), anesthetics (cyclopropane), and trimethylene chlorobromide from 1947 to 1967 at which time all production was converted to the manufacturing of Baralyme. The Site is currently used for the manufacturing of Litholyme/Carbolime which began in 2010. Baralyme and Litholyme/Carbolime are carbon dioxide absorbents used in the medical field and are composed primarily of calcium hydroxide.

A historical waste pit was located west of the buildings on the western portion of the Site. Records indicate this area was previously remediated.

A number of environmental activities have occurred at the Site, some of which were under the purview of the United States Environmental Protection Agency and NYSDEC. These activities include: the removal of soil and waste materials from the former waste pit area in 1977 and 1985; a limited Phase II investigation which involved the collection of three surface soil samples in 1995; a limited Phase II Environmental Site Assessment (ESA) which involved the collection of seventeen soil samples, a potable water well sample, and a groundwater sample in December 2004; a Phase I ESA prepared in January 2005; a limited Phase II ESA which involved the advancement of fifty soil borings and the collection of soil samples and one groundwater sample in July 2010; the collection of a groundwater sample from the Site's water supply well on July 15, 2019; and the collection of an additional potable well water sample and water samples within the facility on September 12, 2019. The Site is classified by NYSDEC as an "N" site. N sites are sites that the investigation and evaluation as a potential hazardous waste site resulted in a determination that contamination at the site does not warrant placing the site on the State's Inactive Hazardous Waste Site Registry, meaning that the Site did not pose a significant threat to public health or the environment and no further action was required at the time.

The analytical results for the most recent groundwater sample collected from the on-site water well identified the presence of 1,2-dichloropropane, acetone and methylene chloride, and the metals iron and sodium at concentrations exceeding NYS Ambient Water Quality Standard and Guidance Values. Historically, 1,3-dichloropropane, cis-1,2-dichloroethene, acetone and trichloroethene; and the metals copper, lead and zinc were also detected at concentrations exceeding NYS Ambient Water Quality Standard and Guidance Values in groundwater samples collected from temporary monitoring wells installed in the vicinity of the northwestern corner of Building C. Various volatile and semi-volatile organic compounds and metals have also been identified within site soils, some of which occur at concentrations above Soil Cleanup Objectives (SCOs) for Unrestricted and Restricted Use Site's promulgated at 6 NYCRR Part 375.

The presence of the above chemical constituents (with the exception of iron and sodium) in the water supply and elsewhere are related to residual legacy impacts associated with historic manufacturing activities of prior owners and operators. The presence of iron in groundwater is viewed as naturally occurring. The presence of sodium in groundwater is attributed to the historic application of snow/ice melt on adjacent roadways.

5. Investigation and Cleanup Process

Application

The Applicant has been accepted into New York's Brownfield Cleanup Program as a Participant. This means that the Applicant was the owner of the site at the time of the disposal or discharge of contaminants or was otherwise liable for the disposal or discharge of the contaminants. The Participant must fully characterize the nature and extent of contamination onsite, as well as the nature and extent of contamination that has migrated from the site. The Participant also must conduct a "qualitative exposure assessment," a process that characterizes the actual or potential exposures of people, fish and wildlife to contaminants on the site and to contamination that has migrated from the site.

The Applicant in its Application proposes that the site will be used for Industrial purposes.

To achieve this goal, the Applicant will conduct and pay for the investigation and cleanup 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 these activities at the site.

Investigation

The Applicant has completed a partial site investigation before it entered into the BCP. For the partial investigation, NYSDEC will determine if the data are useable.

The Applicant will conduct further investigation of the site, officially called a "remedial investigation" (RI). This investigation will be performed with NYSDEC oversight. The Applicant must develop a remedial investigation workplan, which is subject to public comment.

The site investigation has several goals:

- 1) define the nature and extent of contamination in soil, surface water, groundwater and any other parts of the environment that may be affected;
- 2) identify the source(s) of the contamination;
- 3) assess the impact of the contamination on public health and the environment;
and
- 4) provide information to support the development of a proposed remedy to address the contamination or the determination that cleanup is not necessary.

The Applicant has submitted a draft "Remedial Investigation Work Plan" to NYSDEC for review and approval. NYSDEC will make the draft plan available for public review as

part of a 30-day public comment period.

When the investigation is complete, the Applicant will prepare and submit a report that summarizes the results. This report also will recommend whether cleanup action is needed to address site-related contamination. The investigation report is subject to review and approval by NYSDEC.

NYSDEC will use the information in the investigation report to determine if the site poses a significant threat to public health or the environment. If the site is a “significant threat,” it must be cleaned up using a remedy selected by NYSDEC from an analysis of alternatives prepared by the Applicant and approved by NYSDEC. If the site does not pose a significant threat, the Applicant may select the remedy from the approved analysis of alternatives.

Interim Remedial Measures

An Interim Remedial Measure (IRM) is an action that can be undertaken at a site when a source of contamination or exposure pathway can be effectively addressed before the site investigation and analysis of alternatives are completed. If an IRM is likely to represent all or a significant part of the final remedy, NYSDEC will require a 30-day public comment period. The Applicant has submitted an IRM to NYSDEC for its review and approval.

Remedy Selection

When the investigation of the site is determined to be complete, the project likely will proceed in one of two directions:

1. The Applicant may recommend in its investigation report that no action is necessary at the site. In this case, NYSDEC would make the investigation report available for public comment for 45 days. NYSDEC then would complete its review, make any necessary revisions, and, if appropriate, approve the investigation report. NYSDEC would then issue a “Certificate of Completion” (described below) to the Applicant.

or

2. The Applicant may recommend in its investigation report that action needs to be taken to address site contamination. After NYSDEC approves the investigation report, the Applicant may then develop a cleanup plan, officially called a “Remedial Work Plan”. The Remedial Work Plan describes the Applicant’s proposed remedy for addressing contamination related to the site.

When the Applicant submits a draft Remedial Work Plan for approval, NYSDEC would announce the availability of the draft plan for public review during a 45-day public

comment period.

Cleanup Action

NYSDEC will consider public comments, and revise the draft cleanup plan if necessary, before approving the proposed remedy. The New York State Department of Health (NYSDOH) must concur with the proposed remedy. After approval, the proposed remedy becomes the selected remedy. The selected remedy is formalized in the site Decision Document.

The Applicant may then design and perform the cleanup action to address the site contamination. NYSDEC and NYSDOH oversee the activities. When the Applicant completes cleanup activities, it will prepare a final engineering report that certifies that cleanup requirements have been achieved or will be achieved within a specific time frame. NYSDEC will review the report to be certain that the cleanup is protective of public health and the environment for the intended use of the site.

Certificate of Completion

When NYSDEC is satisfied that cleanup requirements have been achieved or will be achieved for the site, it will approve the final engineering report. NYSDEC then will issue a Certificate of Completion (COC) to the Applicant. The COC states that cleanup goals have been achieved, and releases the Applicant from future liability to the State for site-related contamination, subject to certain conditions. The Applicant would be eligible to redevelop the site after it receives a COC.

Site Management

The purpose of site management is to ensure the safe reuse of the property if contamination will remain in place. Site management is the last phase of the site cleanup program. This phase begins when the COC is issued. Site management incorporates any institutional and engineering controls required to ensure that the remedy implemented for the site remains protective of public health and the environment. All significant activities are detailed in a Site Management Plan.

An *institutional control* is a non-physical restriction on use of the site, such as a deed restriction that would prevent or restrict certain uses of the property. An institutional control may be used when the cleanup 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. Examples include: caps, covers, barriers, fences, and treatment of water supplies.

Site management also may include the operation and maintenance of a component of the remedy, such as a system that pumps and treats groundwater. Site management continues until NYSDEC determines that it is no longer needed.

**Appendix A -
Project Contacts and Locations of Reports and Information**

Project Contacts

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

New York State Department of Environmental Conservation (NYSDEC):

Joshua Haugh, PG
NYSDEC Region 4
Division of Environmental Remediation
1130 North Westcott Road
Schenectady, NY 12306-2014
Tel: 518-357-2045
Email: joshua.haugh@dec.ny.gov

Regina Willis
Citizen Participation Specialist
NYSDEC Region 4
Division of Environmental Remediation
1130 North Westcott Road
Schenectady, NY 12306-2014
Tel: 518-357-2045
Email: regina.willis@dec.ny.gov

New York State Department of Health (NYSDOH):

Daniel Tucholski
NYSDOH
Bureau of Environmental Exposure
Investigation
Empire State Plaza
Corning Tower, Room 1787
Albany, NY 12237
Tel: 518-402-7016
Email: bee@health.ny.gov

Locations of Reports and Information

The facilities identified below are being used to provide the public with convenient access to important project documents:

Kinderhook Memorial Library

18 Hudson Street
Kinderhook, NY 12106
Attn: AnnaLee Dragon, Director
Phone: 518-758-6192
Tues. to Thurs.: 10AM to 8PM
Fri.: 10 AM to 5PM
Sat.: 10 AM to 4PM, Sun.: 12PM to 4PM

NYSDEC Region 4

1130 North Westcott Road
Schenectady, NY 12306-2014
Attn: Joshua Haugh
Phone: 518-357-2045
Hours: Mon. to Fri.: 8:30AM to 4:45PM
(Call for appointment)

Appendix B - Site Contact List

Contact List Information

Chief Executive Officer and Planning Board Chairperson of County and Town	
Columbia County	Town of Stuyvesant
Chairman Matt B. Murell 401 State Street Hudson, NY 12534	Town Supervisor Ron Knott 5 Sunset Drive Stuyvesant, NY 12173
Director Planning Department Patrice O. Perry 401 State Street Hudson, NY 12534	Planning Board Chairperson Gale Bury 5 Sunset Drive Stuyvesant, NY 12173
County Clerk Holly Tanner 560 Warren Street Hudson, NY 12534	Town Clerk Melissa A. Naegeli, RMC 5 Sunset Drive Stuyvesant, NY 12173
Director Columbia County Department of Health Jack Mabb 325 Columbia Street Hudson, NY 12534	
Public Water Supplier	
Not Applicable	
Local News Media	
The Columbia Paper (Newspaper) P.O. Box 482 Ghent, NY 12075-0482 (518) 392-1122	Hudson Valley 360 (Newspaper) One Hudson City Centre, Suite 202 Hudson, NY 12534 (518) 828-1616
Times Union (Newspaper) Attention: News Director Box 15000, News Plaza Albany, NY 12212	WNYT-TV Attention: News Director 715 North Pearl Street Albany, NY 12204
98.5 The Cat 5620 State Route 9G Hudson, NY 12534	WAMC Northeast Public Radio Attention: News Director PO Box 66600 Albany, NY 12206 (518) 465-5233


Adjacent Property Owners (Retained in the Department's Private Files)	
Nearby Schools and Daycare Facilities	
Preschool at Stuyvesant Falls 1820 State Route 9 Stuyvesant Falls, NY 12173 (518) 799-5411	Apple Tree Daycare 1840 State Route 9 Stuyvesant Falls, NY 12173 (518) 799-2345
Document Repositories	
Kinderhook Memorial Library 18 Hudson Street Kinderhook, NY 12106 Attn: AnnaLee Dragon, Director Phone: 518-758-6192	NYSDEC Region 4 1130 North Westcott Road Schenectady, NY 12306-2014 Attn: Joshua Haugh Phone: 518-357-2045


Appendix C - Site Location Map



Appendix C: Site Location map

Town of Stuyvesant Columbia County, New York





1 inch = 200 feet

Map Note: The locations and features depicted on this map are approximate and do not represent a field survey.

Project Number: 19.9379
 Data Source: NYS GIS Clearinghouse
 Projection: State Plane NAD83 NYE (Feet)
 Date: December 18, 2019
 File: AppendixC_AlliedHealthcareProductsSite_11x17.mxd
 GIS: C Secor

Legend

- Project Site
- Columbia County Tax Parcels

C.T. MALE ASSOCIATES
 Engineering, Surveying, Architecture, Landscape Architecture & Geology, D.P.C.
 50 CENTURY HILL DRIVE, LATHAM, NY 12110
 518.786.7400 * FAX 518.786.7299



Appendix D– Brownfield Cleanup Program Process

