



**Department of  
Environmental  
Conservation**

## **State Superfund Program**

### **Citizen Participation Plan for Former Star Anchors and Fasteners (a.k.a., Star Expansion) Site**

**NYSDEC Superfund Program Site No.: 336008**

**20 Industry Drive  
Orange County  
Mountainville, New York 10953**

**January 2016**

**RECEIVED**

**JAN 27 2016**

**Remedial Bureau C  
Div of Environmental Remediation**

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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.

Site Owner: **Cornwall Properties, LLC**  
Site Name: **Former Star Anchors and Fasteners (Star Expansion) Site ("Site")**  
Site Address: **20 Industry Drive, Mountainville, New York 10953**  
Site County: **Orange**  
Site Number: **336008**

## **1. What is New York's State Superfund Program?**

New York's State Superfund Program (SSF) identifies and characterizes suspected inactive hazardous waste disposal sites. Sites that may pose a significant threat to public health or the environment, such as the site identified above, undergo a process of investigation, evaluation, cleanup, and monitoring.

The New York State Department of Environmental Conservation (NYSDEC) administers the SSF Program with assistance and input from the New York State Department of Health (NYSDOH). When the parties responsible for the contamination of the site are known ("responsible parties"), they often pay for or perform the investigation and evaluation of cleanup options under an enforceable consent order. At sites where responsible parties cannot be found or are unable or unwilling to fund an investigation, the State pays for the investigation and may try to recover costs from a responsible party after the investigation and cleanup are complete.

The SSF program contains investigation and cleanup requirements, ensuring that cleanups protect public health and the environment. For more information about the SSF program, go online at: <http://www.dec.ny.gov/chemical/8439.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 wellbeing. 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:

- 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 remedial 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; and
- 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 Site owner.

#### *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 remedial 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;
- Any person who has requested to be placed on the Site contact list; and,
- NYSDEC and NYSDOH project contacts.

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.

#### *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 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 4.

- **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 remedial activities. Modifications may include additions to the Site contact list and changes in planned citizen participation activities.

### *Technical Assistance Grant*

The Site identified above may pose a significant threat to public health or the environment, so that a qualifying community group may apply for a Technical Assistance Grant (TAG). The purpose of a TAG is to provide funds to the qualifying community 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.

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 Requirements (Activities)	Timing of CP Activity(ies)
<p align="center"><b>Before Start of Remedial Investigation (RI):</b></p> <ul style="list-style-type: none"> <li>• Prepare Site contact list</li> <li>• Establish document repository</li> <li>• Prepare Citizen Participation (CP) Plan</li> <li>• Place approved RI Work Plan in document repository</li> <li>• Distribute fact sheet to Site contact list that announces availability of RI Work Plan and describes upcoming RI field work</li> </ul>	
<p align="center"><b>When NYSDEC Approves Remedial Investigation Report:</b></p> <ul style="list-style-type: none"> <li>• Distribute fact sheet to Site contact list that describes RI results</li> <li>• Place approved RI Report in document repository</li> </ul>	<p>Before start of RI. Note: Draft CP Plan must be submitted to NYSDEC within 20 days of effective date of Consent Order. CP Plan must be approved by NYSDEC before distribution.</p> <p>When NYSDEC approves RI Report</p>
<p align="center"><b>When NYSDEC Releases Proposed Remedial Action Plan (PRAP)</b></p> <ul style="list-style-type: none"> <li>• Place PRAP in document repository</li> <li>• Distribute fact sheet to Site contact list that describes PRAP and announces 30-day comment period and public meeting</li> <li>• Conduct 30-day public comment period</li> <li>• Hold public meeting about PRAP</li> </ul>	<p>When NYSDEC releases PRAP. Comment period begins/ends as per dates identified in fact sheet. Public meeting is held during the comment period.</p>
<p align="center"><b>When NYSDEC Issues Record of Decision (ROD):</b></p> <ul style="list-style-type: none"> <li>• Place ROD in document repository</li> <li>• Distribute notice to Site contact list that announces availability of ROD. ROD includes responsiveness summary of significant comments about PRAP</li> </ul>	<p>When NYSDEC issues ROD</p>
<p align="center"><b>Before Start of Remedial Action:</b></p> <ul style="list-style-type: none"> <li>• Distribute fact sheet to Site contact list that describes upcoming remedial action</li> </ul>	<p>Before start of remedial action at the Site</p>
<p align="center"><b>When NYSDEC Issues Certificate of Completion (COC) or Similar Site Closure Document:</b></p> <ul style="list-style-type: none"> <li>• Place COC in document repository</li> <li>• Distribute fact sheet to Site contact list that announces issuance of COC</li> </ul>	<p>Within 10 days after NYSDEC issues COC or other similar Site closure document</p>



### **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.

All remediation work will be performed in a manner that protects the public from adverse exposure to contaminants. Public water supply wells are located within 1000 meters of the Site, but are hydrogeologically upgradient. Private residential wells are located within 200 meters of the Site and have shown no evidence of contamination.

A Community Air Monitoring Plan will be implemented to provide a measure of protection for the downwind community (i.e., off-Site receptors including businesses) from potential airborne contaminant releases as a direct result of investigative and remedial work activities.

### **4. Site Information**

#### Site Description

The Site encompasses approximately 37 acres and is improved with a slab on grade, single-story 200,000-square foot warehouse building and a small residential structure. The Site is located in Mountainville, New York and is bounded by the New York State Thruway followed by undeveloped land to the west, Woodbury Creek followed by private residence to the east, Creamery Hill Road followed by private residence and ballfields to the north, and a single-story commercial warehouse followed by undeveloped land to the south. The Site is currently utilized primarily to store various dry goods manufactured elsewhere. In general, the surrounding land use may be characterized as a mixture of undeveloped land, commercial and residential uses.

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

#### History of Site Use, Investigation, and Cleanup

The former occupant and owner, the Star Expansion Company (Star), began operations in 1954 and manufactured a broad line of fasteners for residential, commercial and building industries. In 1997, Star filed for bankruptcy and abandoned the Site. Star NewCo purchased the Site out of bankruptcy in 1997, and entered into a Consent Order (D3-0001-96-12) with the NYSDEC to perform specific remedial work at the Site. In 1997, Star NewCo also filed for bankruptcy. The Site was then resold in 2004, out of bankruptcy, to the current owner, Cornwall Properties, LLC. Remedial work previously performed at the Site included the removal and off-Site disposal of underground



equalization tanks and filter beds associated with a former wastewater treatment plant; excavation and off-Site disposal of contaminated soils; and capping; however, the owner/operator who signed the previous consent order (Star NewCo) had not completed all NYSDEC-required activities.

Past manufacturing activities performed at the Site included metal cold forming, die casting, plastic injection molding, heat-treating, zinc plating, assembly, and packaging. An on-Site plant treated industrial wastewater and discharged directly to Woodbury Creek pursuant to a NYSDEC State Pollutant Discharge Elimination System (SPDES) permit.

Based on the investigations conducted to date, hazardous wastes have been disposed of at the Site. Elevated levels of organic compounds have been detected in the soil, soil vapor and groundwater at the Site, and the NYSDEC has indicated that organic compounds are the primary site contaminants of concern.

Homes and businesses in the vicinity of the Site obtain their water from private or semi-private wells. There is a potential for impact to these surrounding wells, particularly those drawing water from the bedrock aquifer; however, no evidence of contamination has been identified. Investigations in 2005 identified elevated levels of volatiles in sub-slab soil vapor under the former manufacturing building.

## **5. Investigation and Cleanup Process**

### *Investigation*

A detailed study of the Site will be performed by Cornwall Properties, LLC under a consent order dated October 21, 2015, with oversight by NYSDEC and NYSDOH. This detailed study is officially called a "Remedial Investigation". The investigation work plan is officially called a "Remedial Investigation Work Plan" and will be available for public review at the "Locations of Reports and Information" identified in Appendix A following approval from the NYSDEC and NYSDOH.

The site investigation has several goals:

- 1) define the nature and extent of contamination in soil, soil vapor, 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.

NYSDOH reviews and recommends activities that will be performed during the investigation to ensure that a complete picture of potential health impacts is understood.

Such activities include identifying the ways contamination can reach people, such as through direct contact, eating, drinking, or breathing.

The information collected during the site investigation will be summarized in a report.

### *Feasibility Study*

After the Site Investigation has begun, Cornwall Properties, LLC with oversight by NYSDEC and NYSDOH, will conduct a "Feasibility Study." This study uses information developed during the Site Investigation to develop and evaluate potential ways to clean up contamination related to the Site. Another possibility is that the information collected during the Site Investigation may support the conclusion that no action, or no further action, is needed to address site-related contamination.

### *Proposed Remedy*

The evaluation of possible remedies ends with a recommended proposal to eliminate the threat posed by contaminants at the Site. NYSDEC approves or prepares this proposal, officially called a "Proposed Remedial Action Plan" (PRAP). The PRAP describes the remedy preferred by NYSDEC, or a no action or no further action alternative. The PRAP summarizes the decision that led to the recommendation of the preferred remedy by discussing each alternative and the reasons for choosing or rejecting it. The goal of any cleanup plan is to protect public health and the environment. NYSDEC will present the PRAP to the public for its review and comment during a 30-day comment period and at a public meeting.

### *Selected Remedy*

NYSDEC considers public comments as it selects the remedy to address contamination related to the Site. The selected remedy will be described in a document officially called a "Record of Decision" (ROD). The ROD will explain why the remedy was selected and respond to public comments. This document will be placed in the location of reports and information. If the selected remedy is no action or no further action, NYSDEC may then take steps to reclassify the Site or remove the Site from its list of contaminated sites.

### *Cleanup Action*

If the Record of Decision for the Site calls for cleanup action, the project then moves to designing and performing the cleanup actions to address the Site contamination. When cleanup actions have been completed, NYSDEC will approve or prepare a final engineering report that describes the cleanup actions undertaken and certifies that cleanup requirements have been achieved or will be achieved.

### *Certificate of Completion*

Upon approval of the final engineering report, NYSDEC may issue a Certificate of Completion (COC). The COC would recognize the findings of the final engineering report. The COC would note that the cleanup program achieved a cleanup level consistent with specific categories of use for the Site. The recipient of the COC would be entitled to limited liability as long as it complied with the terms of the COC, and other conditions.

A COC may be modified or revoked if, for example, the recipient does not comply with the terms of the COC, or if the recipient commits fraud regarding its certification that it has met cleanup levels.

### *Site Management*

Site management is the last phase of the site cleanup program. This phase begins when the COC is issued. Site management may be conducted by NYSDEC, or by the responsible party under NYSDEC oversight, if contamination will remain in place. 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 is pumping and treating groundwater. Site management continues until NYSDEC determines that it is no longer needed.

During the Site Management phase, NYSDEC may also take steps to reclassify the site or remove the Site from the Registry.



**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):**

Mr. Salvatore F. Priore, P.E.  
Project Manager  
NYSDEC - Division of Environmental  
Remediation  
625 Broadway  
Albany, New York 12233  
Phone: (518) 402-9662

Wendy Rosenbach  
Citizen Participation Specialist  
NYSDEC Region 3 Office  
21 South Putt Corners Road  
New Paltz, New York 12561-1696  
Phone: (845) 256-3018

**New York State Department of Health (NYSDOH):**

Krista Anders  
Project Manager  
NYSDOH - Bureau of Environmental  
Exposure Investigation  
Corning Tower Room 1787  
Albany, New York 12237  
Phone: (518) 402-7860

**Locations of Reports and Information**

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

**Cornwall Public Library**  
395 Hudson Street  
Cornwall, New York 12518  
Phone: (845) 534-8282  
Hours: Mon-Thurs 10am - 8pm  
Friday: 10am - 6pm; Saturday: 10am - 4pm; Sunday 1pm - 4pm

**NYSDEC**  
Region 3  
21 South Putt Corners Road  
New Paltz, New York 12561-1696  
Phone: (845) 256-3000  
Hours: 8:30 to 4:45 M-F, except for state and federal holidays (call for appt.)

## **Appendix B -- Site Contact List**

### **Federal Elected Officials**

US Senator: Charles E. Schumer

Address: 780 3rd Avenue Suite 2301

New York, NY 10017

Phone: (212) 486-4430

Fax: (202) 228-2838

Web Email Form:

<http://schumer.senate.gov/SchumerWebSite/contact/webform.cfm>

US Senator: Kristin Gillibrand

Address: 780 3<sup>rd</sup> Avenue Suite 2601

New York, NY 10017

Phone: (212) 688-6262

Fax: (212) 688-7444

Web Email Form:

<http://gillibrand.senate.gov/contact/>

US Representative: Sean Patrick Maloney

US Congress District: 18

Patrick Maloney

18th District

US House of Representatives

1529 Longworth House Office Building

Washington, DC 20515

### **State Elected Officials**

NYS Senator: William J. Larkin, Jr.

NYS Senate District: 39

1093 Little Britain Road

New Windsor, NY 12553

Phone: (845) 567-1270

Fax: (845) 567-1276

[larkin@nysenate.gov](mailto:larkin@nysenate.gov)

NYS Assemblymember: James Skoufis

NYS Assembly District: 099

11 Main Street

Chester, NY 10918

Phone: (845) 469-6929

Fax: (845) 469-0914

[SkoufisJ@assembly.state.ny.us](mailto:SkoufisJ@assembly.state.ny.us)

**Local Government Agencies**

Renata McGee  
Town Clerk  
Town of Cornwall  
183 Main Street  
Cornwall, NY 12518

Annie Rabbitt  
County of Orange County Clerk  
Parry Building  
Goshen, NY 10924

Cornwall Public Library  
395 Hudson Street  
Cornwall, NY 12518

Orange County Water Authority  
PO Box 118  
Goshen, New York 10924

Orange County Health Department  
124 Main Street  
Goshen, New York 10924

**Property Tenants**

Sound Around Inc.  
20 Industry Drive  
Mountainville, NY 10953

Accentuations by Design  
1501 60<sup>th</sup> Street  
Brooklyn, NY 11219

JP Filling  
20 Industry Drive  
Mountainville, NY 10953

Living Quarters  
5926 16<sup>th</sup> Avenue  
Brooklyn, NY 11204

MYM Trading  
20 Industry Drive  
Mountainville, NY 10953





## **Appendix C -- Site Location Map**

Site Name: **Former Star Anchors and Fasteners (Star Expansion) Site**  
Site Address: **20 Industry Drive, Mountainville, New York 10953**  
Site County: **Orange County**  
Site Number: **336008**

