

**ENVIRONMENTAL RESTORATION PROGRAM (ERP) APPLICATION****1996 CLEAN WATER/CLEAN AIR BOND ACT**

ECL ARTICLE 56 - 6NYCRR 375-4

3/14/06

<b>Applicant Information</b>			
NAME OF MUNICIPALITY Village of Haverstraw		FED. ID # 13-6007279	
NAME OF INDIVIDUAL AUTHORIZED TO SIGN APPLICATION Francis J. Wassmer, Jr.			
TITLE OF AUTHORIZED INDIVIDUAL Mayor			
ADDRESS 40 New Main Street			
CITY/TOWN Haverstraw		ZIP CODE 10927	
PHONE (845) 429-0300	FAX (845) 429-0353		E-MAIL
NAME OF COMMUNITY BASED ORGANIZATION (IF APPLICABLE)			
COMMUNITY BASED ORGANIZATION'S REPRESENTATIVE			
ADDRESS			
CITY/TOWN		ZIP CODE	
PHONE	FAX		E-MAIL
<b>Site Information</b>			
SITE NAME Warren Court			
SITE ADDRESS Anthony J. Morina Dr, John P. Sullivan Court			
CITY/TOWN Haverstraw		ZIP CODE 10927	
COUNTY Rockland		SIZE (ACRES) 3.5	
LATITUDE (degrees/minutes/seconds) 041 ° 12 ' 3N "		LONGITUDE (degrees/minutes/seconds) 73 ° 57 ' 59W "	
PLEASE ATTACH A COUNTY TAX MAP WITH IDENTIFIER NUMBERS, ALONG WITH ANY FIGURES NEEDED TO SHOW THE LOCATION AND BOUNDARIES OF THE SITE. ALSO INCLUDE A USGS 7.5 MINUTE QUAD MAP IN WHICH THE SITE IS LOCATED.			
1. DO THE SITE BOUNDARIES CORRESPOND TO TAX MAP METES AND BOUNDS? IF NO, PLEASE ATTACH A METES AND BOUNDS DESCRIPTION OF THE SITE IF ONE IS COMPLETED.		<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
2. IS THE SITE PART OF A DESIGNATED BROWNFIELD OPPORTUNITY AREA PURSUANT TO GML970-R? IF YES, IDENTIFY AREA (NAME) _____		<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
3. IS THE SITE LISTED ON THE NYS REGISTRY OF INACTIVE HAZARDOUS WASTE DISPOSAL SITES? IF YES, FILL IN CURRENT REGISTRY SITE NUMBER AND CLASSIFICATION.		<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
REGISTRY SITE NUMBER: _____ CLASSIFICATION: _____			

SEP 26 2000

### Applicant Eligibility Information

1. HAS THE APPLICANT GENERATED, TRANSPORTED OR DISPOSED OF, OR ARRANGED FOR OR CAUSED THE GENERATION, TRANSPORTATION OR DISPOSAL OF, HAZARDOUS WASTE OR PETROLEUM ON THE SITE? ☐ YES ☒ NO
2. HAS THE APPLICANT UNDERTAKEN, OR INTEND TO UNDERTAKE, ANY INDEMNIFICATION OBLIGATION RESPECTING A PARTY RESPONSIBLE UNDER LAW FOR THE REMEDIATION OF THE SITE? ☐ YES ☒ NO
3. HAS THE APPLICANT LEASED THE SITE TO ANOTHER PARTY THAT GENERATED, TRANSPORTED OR DISPOSED OF, OR THAT ARRANGED FOR OR CAUSED THE GENERATION, TRANSPORTATION OR DISPOSAL OF HAZARDOUS WASTE OR PETROLEUM ON THE SITE? IF YES, CHECK ONE OF THE FOLLOWING: ☐ YES ☒ NO
- ☐ A. THE APPLICANT DID NOT KNOW THAT SUCH OTHER PARTY GENERATED, TRANSPORTED OR DISPOSED OF, OR ARRANGED FOR OR CAUSED THE GENERATION, TRANSPORTATION OR DISPOSAL OF SUCH HAZARDOUS WASTE OR PETROLEUM.
- ☐ B. THE APPLICANT KNEW THAT SUCH OTHER PARTY GENERATED, TRANSPORTED OR DISPOSED OF, OR ARRANGED FOR OR CAUSED THE GENERATION, TRANSPORTATION OR DISPOSAL OF SUCH HAZARDOUS WASTE OR PETROLEUM AND DID NOT TAKE ACTION TO REMEDIATE OR CAUSE THE REMEDIATION OF SUCH HAZARDOUS WASTE OR PETROLEUM.
- ☐ C. THE APPLICANT KNEW THAT SUCH OTHER PARTY GENERATED, TRANSPORTED OR DISPOSED OF, OR ARRANGED FOR OR CAUSED THE GENERATION, TRANSPORTATION OR DISPOSAL OF SUCH HAZARDOUS WASTE OR PETROLEUM AND TOOK ACTION TO REMEDIATE OR CAUSE THE REMEDIATION OF SUCH HAZARDOUS WASTE OR PETROLEUM.
4. DOES THE APPLICANT CURRENTLY OWN THE SITE OR HAS IT OBTAINED TEMPORARY INCIDENTS OF OWNERSHIP FOR AN INVESTIGATION PURSUANT TO ECL 56-0508? ☒ YES ☐ NO

IF THE APPLICANT CURRENTLY OWNS THE SITE, ATTACH A COPY OF THE DEED, ATTORNEY CERTIFICATION OF PROOF OF OWNERSHIP, AND, IF THE APPLICANT HAS OBTAINED ONE WITHIN THE PAST YEAR, A TITLE REPORT. IF THE APPLICANT HAS OBTAINED TEMPORARY INCIDENTS OF OWNERSHIP, ATTACH A COPY OF THE ORDER OF THE COURT.

### Project Description

PLEASE ATTACH A DESCRIPTION OF THE PROJECT WHICH INCLUDES THE FOLLOWING INFORMATION (REFER TO THE ENVIRONMENTAL RESTORATION PROGRAM PROCEDURES HANDBOOK FOR DETAILED INSTRUCTIONS).

- PURPOSE AND SCOPE OF THE PROJECT;
- CURRENT AND PROPOSED FUTURE USE OF THE SITE (RESIDENTIAL, COMMERCIAL, INDUSTRIAL);
- ESTIMATED PROJECT COST (INCLUDE ANY RESPONSIBLE PARTY COST RECOVERY PAYMENTS RECEIVED OR ANTICIPATED, AS WELL AS ANY OTHER ACTUAL OR POTENTIAL FUNDING SOURCES FOR THE PROJECT);
- HOW THE PROJECT WOULD SATISFY THE CRITERIA OF ECL 56-0505; AND AN
- ESTIMATED PROJECT SCHEDULE (FIELD WORK MUST BEGIN WITHIN 12 MONTHS OF THE APPLICATION APPROVAL DATE)

### Site's Environmental History

TO THE EXTENT THAT EXISTING INFORMATION/STUDIES/REPORTS ARE AVAILABLE TO THE APPLICANT, PLEASE ATTACH THE FOLLOWING:

1. **ENVIRONMENTAL DATA**  
A PHASE I ENVIRONMENTAL SITE ASSESSMENT REPORT PREPARED IN ACCORDANCE WITH ASTM E 1527 (American Society for Testing and Materials: Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process), AND ALL ENVIRONMENTAL REPORTS RELATED TO CONTAMINANTS ON OR EMANATING FROM THE SITE.
2. **OWNERS**  
A LIST OF PREVIOUS OWNERS WITH NAMES, LAST KNOWN ADDRESSES AND TELEPHONE NUMBERS (DESCRIBE APPLICANT'S RELATIONSHIP, IF ANY, TO EACH PREVIOUS OWNER LISTED. IF NO RELATIONSHIP, PUT "NONE").
3. **OPERATORS**  
A LIST OF PREVIOUS OPERATORS WITH NAMES, LAST KNOWN ADDRESSES AND TELEPHONE NUMBER (DESCRIBE APPLICANT'S RELATIONSHIP, IF ANY, TO EACH PREVIOUS OPERATOR LISTED. IF NO RELATIONSHIP, PUT "NONE").

INDICATE KNOWN OR SUSPECTED CONTAMINANTS AND THE MEDIA WHICH ARE KNOWN OR SUSPECTED TO HAVE BEEN AFFECTED:

Contaminant Category	Soil	Groundwater	Surface Water	Sediment	Soil Gas
Petroleum					
Chlorinated Solvents					
Other VOCs					✓
SVOCs					
Metals					
Pesticides					
PCBs					
Other* _____		✓	✓		✓

\*PLEASE DESCRIBE: Conventional pollutants- sulfate, traces of nitrite, nitrate, chloride

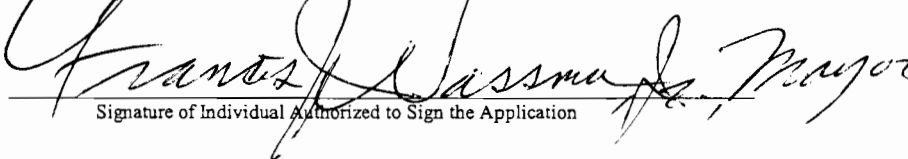
1. HAS THE DEC ISSUED A RECORD OF DECISION FOR THE SITE UNDER THE ERP? ☒ YES ☐ NO
2. HAS GROUNDWATER OR A SURFACE WATER BODY BEEN CONTAMINATED ABOVE STANDARDS?  
IF YES, CHECK ALL THAT APPLY: ☐ YES ☒ NO
  - ☐ A. THE INFLUENT TO A PUBLIC OR PRIVATE WATER SUPPLY HAS BEEN CONTAMINATED OR THREATENED.
  - ☐ B. A CLASS A OR AA SURFACE WATER BODY OR A PRIMARY OR PRINCIPAL AQUIFER HAS BEEN CONTAMINATED WITHOUT AFFECTING AN EXISTING WATER SUPPLY.
  - ☐ C. GROUNDWATER HAS BEEN CONTAMINATED ABOVE STANDARDS OR A SURFACE WATER HAS BEEN IMPACTED.
3. HAVE ENDANGERED, THREATENED OR RARE SPECIES, STATE PROTECTED STREAMS, OR STATE REGULATED WETLANDS BEEN IMPACTED BY RELEASES FROM THE SITE? ☐ YES ☒ NO
4. ARE CONTAMINANTS PRESENT IN SOILS/WASTE AT LEVELS THAT EXCEED DEC DIVISION OF ENVIRONMENTAL REMEDIATION GUIDANCE VALUES? ☐ YES ☒ NO
5. IS THE SITE LOCATED IN A DESIGNATED EMPIRE ZONE? ☐ YES ☒ NO
6. IS THE SITE LOCATED IN A DESIGNATED EN-ZONE PURSUANT TO TL § 21 (b)(6)? ☐ YES ☒ NO
7. HAS ALL OR PART OF THE SITE BEEN IDLE OR ABANDONED FOR MORE THAN ONE YEAR? ☒ YES ☐ NO
8. HAS THE APPLICANT SIGNED AN AGREEMENT WITH A PRIVATE PARTY TO REUSE THE SITE ONCE IT IS RESTORED? ☐ YES ☒ NO
9. HAS THE APPLICANT COMMITTED TO A NEW PUBLIC OR RECREATIONAL USE? ☒ YES ☐ NO
10. HAS THE APPLICANT COMPLIED WITH THE STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA) REGARDING THIS ACTION? IF YES, INCLUDE THE DETERMINATION (NEGATIVE DECLARATION OR FINDINGS STATEMENT) IN THE ATTACHED PROJECT DESCRIPTION AND IDENTIFY ALL INVOLVED AGENCIES IN THE COORDINATED REVIEW. ☐ YES ☒ NO
11. IS THE APPLICANT AWARE OF OTHER FUNDING SOURCES FOR REMEDIATING THE SITE?  
IF YES, PROVIDE SOURCES(S) AND DOLLAR AMOUNT IN THE ATTACHED PROJECT DESCRIPTION. ☐ YES ☒ NO

## Municipality Certification

The undersigned, on behalf of the applicant, does hereby certify that:

- All statements made for the purpose of obtaining State assistance for the proposed project either are set out in full in this application, or are set out in full in exhibits attached to this application and incorporated by this reference; and
- The individual whose signature appears hereon is authorized to sign this application for the municipality.

A FALSE STATEMENT MADE HEREIN IS PUNISHABLE AS A CLASS "A" MISDEMEANOR PURSUANT TO SECTION 210.45 OF THE PENAL LAW.

  
Signature of Individual Authorized to Sign the Application

9/22/06  
Date

Please note: The application must include a certified copy of the municipal authorization which designates, by title (Mayor, Town Supervisor, etc.), the representative authorized to act on behalf of that municipality in all matters related to financial assistance. The authorization must empower the representative to make application, execute the State Assistance Contract, and otherwise act for the municipality in all State assistance-related matters. A sample form is provided in the Environmental Restoration Projects Procedures Handbook.

## Community Based Organization Certification (if applicable)

The undersigned, on behalf of the Community Based Organization acting in partnership with the municipality, does hereby certify that:

- The Community Based Organization is a not-for-profit corporation, exempt from taxation under section 501(c)(3) of the internal revenue code whose stated mission is promoting reuse of brownfield sites within a specified geographic area in which the Community Based Organization is located, which has 25% or more of its board of directors residing in the community in such area;
- The Community Based Organization represents a community with a demonstrated financial need;
- Not more than 25% of the members, officers or directors of the Community Based Organization are or were employed by or receiving compensation from any person responsible for a site under title 13 or title 14 of article 27 of the Environmental Conservation Law, article 12 of the navigation law or under applicable principles of statutory or common law liability; and
- The individual whose signature appears hereon is authorized to sign this application for the Community Based Organization.

A FALSE STATEMENT MADE HEREIN IS PUNISHABLE AS A CLASS "A" MISDEMEANOR PURSUANT TO SECTION 210.45 OF THE PENAL LAW.

\_\_\_\_\_  
Signature of Individual Authorized to Sign for the Community Based Organization

\_\_\_\_\_  
Date

## SUBMITTAL INFORMATION:

Three (3) complete copies, one with original signatures, are required.

- Two (2) of the copies, one hard copy with original signatures and one electronic copy in Portable Document Format (PDF), on a CD or diskette, must be sent to:

Chief, Site Control Section  
New York State Department of Environmental Conservation  
Division of Environmental Remediation  
625 Broadway  
Albany, NY 12233-7020

- One (1) copy must be sent to the DEC regional contact in the regional office covering the county in which the site is located. Please check our website for the addresses of our regional offices: <http://www.dec.state.ny.us/website/der/index.html>

## FOR DEPARTMENT USE ONLY:

ERP SITE NO: \_\_\_\_\_ ERP SITE T&A CODE: \_\_\_\_\_ PROJECT MANAGER: \_\_\_\_\_

Table 1: Information Required for Remediation-Phase Amendments

Project Information	
1. HAS THE DEC ISSUED A RECORD OF DECISION FOR THE SITE UNDER THE ERP?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
2. HAS GROUNDWATER OR A SURFACE WATER BODY BEEN CONTAMINATED ABOVE STANDARDS?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
IF YES, CHECK ALL THAT APPLY:	
<input type="checkbox"/> A. THE INFLUENT TO A PUBLIC OR PRIVATE WATER SUPPLY HAS BEEN CONTAMINATED OR THREATENED.	
<input type="checkbox"/> B. A CLASS A OR AA SURFACE WATER BODY OR A PRIMARY OR PRINCIPAL AQUIFER HAS BEEN CONTAMINATED WITHOUT AFFECTING AN EXISTING WATER SUPPLY.	
<input checked="" type="checkbox"/> C. GROUNDWATER HAS BEEN CONTAMINATED ABOVE STANDARDS OR A SURFACE WATER HAS BEEN IMPACTED.	
3. HAVE ENDANGERED, THREATENED OR RARE SPECIES, STATE PROTECTED STREAMS, OR STATE REGULATED WETLANDS BEEN IMPACTED BY RELEASES FROM THE SITE?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
4. ARE CONTAMINANTS PRESENT IN SOILS/WASTE AT LEVELS THAT EXCEED DEC DIVISION OF ENVIRONMENTAL REMEDIATION GUIDANCE VALUES?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
5. IS THE SITE LOCATED IN A DESIGNATED EMPIRE ZONE?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
6. IS THE SITE LOCATED IN A DESIGNATED EN-ZONE PURSUANT TO TL § 21 (b)(6)?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
7. HAS ALL OR PART OF THE SITE BEEN IDLE OR ABANDONED FOR MORE THAN ONE YEAR?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
7. HAS THE APPLICANT SIGNED AN AGREEMENT WITH A PRIVATE PARTY TO REUSE THE SITE ONCE IT IS RESTORED?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
8. HAS THE APPLICANT COMMITTED TO A NEW PUBLIC OR RECREATIONAL USE?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
9. HAS THE APPLICANT COMPLIED WITH THE STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA) REGARDING THIS ACTION? IF YES, INCLUDE THE DETERMINATION (NEGATIVE DECLARATION OR FINDINGS STATEMENT) IN THE ATTACHED PROJECT DESCRIPTION AND IDENTIFY ALL INVOLVED AGENCIES IN THE COORDINATED REVIEW.	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO N/A
10. IS THE APPLICANT AWARE OF OTHER FUNDING SOURCES FOR REMEDIATING THE SITE? IF YES, PROVIDE SOURCES(S) AND DOLLAR AMOUNT IN THE ATTACHED PROJECT DESCRIPTION.	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

## **PROJECT DESCRIPTION And ENVIRONMENTAL HISTORY**

### **Village of Haverstraw Environmental Restoration Program Warren Court- Site # B000203-3**

#### **Purpose and Scope of Project**

The Village of Haverstraw has completed the investigation phase for the Warren Court project, and intends to remediate the site for redevelopment as a ball field. The project, located on the site of a defunct subdivision constructed on a former landfill, was razed and capped in 1996, and acquired by the Village in 1999. The site has remained vacant since razing in 1996. New York State Department of Environmental Control issued a Record of Decision approving the proposed final design and construction costs to remediate the site on March 27, 2006. The approved remediation plan consists of capping the site to prevent the uncontrolled exit of subsurface gasses-hydrogen sulfide and methane-and to prevent contact with these gases by nearby residents and future users of the site.

The remediation will have two components – engineering and construction. The Consulting Engineer for the project, SCS Engineering, will develop a Draft and Final Design Report, a Site Management Plan with a Monitoring and Maintenance Manual, Bid Documents and a Quality Assurance Plan. Engineering services will also include Construction Supervision, a Final Inspection and Closure Certification Report, a Final Remedial Action Report and Record Drawings and a Post Construction Report. Construction will consist of capping the site along with requisite drainage and gas collection and treatment systems.

The specific tasks the Consulting Engineer will perform will include: Final Design plans showing grading and soil contours, a composite drainage net design, gas collection and venting system, gas treatment system, storm drainage system, and access road entrance improvements. Design and Engineering products will include:

- Remedial Design Report, with quality control and quality assurance procedures and protocols Project Plans and Specifications, with detailed cost estimates and construction schedules,
- Bid Documents, which will include a Health and Safety Plan for construction with a Community Air Monitoring Plan
- Operation, Maintenance and Monitoring Plan

Currently, an Interim Remedial Measure approved by NYSDEC for the site is underway. Beginning in July 2006, the IRM is addressing a stability problem found during the investigation phase in which the softness of the underlying soils and the saturated drywall dumped when the site was a landfill brought the structural stability of the site in question both for capping and for long-term use as a recreational facility. A Soil Surcharge Loading was approved to remedy the problem of differential settling by compressing

underlying soils and wet sheetrock, so the cap load and the ball field and related amenities to be installed by the Village will not experience significant settling.

Approval by DEC of the Surcharge Soil Contract as an Interim Remedial Measure has expedited the project appreciably, and the Village anticipates the construction of the remedy conceptualized in the ROD will be completed in 2007.

### **Current and Proposed Future Use of the Site**

The Warren Court site has remained vacant since razing of the subdivision of single-family homes in 1996. The Village acquired the property in 1999. Upon remediation of the site, the Village will construct a softball field with bleachers, snack bar, broadcast booth, restrooms and parking. The facility will be open to the public.

### **Estimated Project Cost**

- **Construction of Capped Site - \$1,300,000**
- **Engineering and Administration – \$245,000**

### **How the Project Satisfies Criteria of ECL 56-0505**

The proposed remediation of the Warren Court site meets the criteria of ECL 56-0505 as follows:

1.
  - a. Benefit to the environment: Remediation will restore and improve a former landfill.
  - b. Economic benefit to the state: Remediation of the site is crucial to the overall revitalization plans of the Village. A revitalized Haverstraw will attract tourists and new businesses to the area, becoming a force for economic development locally and regionally. The creation of a public recreational facility on the site will provide recreational and scenic resources for the Village, attracting both visitors and residents.
  - c. Potential for public recreational use: The proposed redevelopment of the site with a ball field, bleachers, concession will add a significant recreational resource for the Village and the North Rockland area.
2. The site is not listed by the State on its Registry of Sites under Section 27-1305.
3. The remediation is designed and supervised by an environmental engineering firm, and the project meets the standards for remedial actions pursuant to Section 27-1313 of this chapter.

4. The Village will not dispose of the site, and will designate it a public park in perpetuity
5. The Village understands that it must meet the remediation objective within the time called for in the State Assistance Contract.

#### **Estimated Project Schedule**

<b>ITEM</b>	<b>START- END</b>
Design and Bid Documents	09/15/06 – 02/15/07
Bid Period and Award	02/16/07 – 04/15/07
IRM Construction	07/21/06 – 10/15/06
Soil Surcharge Settlement Period	07/21/06 - 03/31/07
Remedial/Cap Construction	04/15/07 - 10/15/07
Certification Report	11/01/07 - 12/30/07

#### **SITE ENVIRONMENTAL HISTORY**

Environmental data and history of owners and operators have been submitted and are on file with NYSDEC as part of the Site Investigation portion of the project.