DECISION DOCUMENT

The Green
Brownfield Cleanup Program
Newburgh, Orange County
Site No. C336099
October 2026



Prepared by
Division of Environmental Remediation
New York State Department of Environmental Conservation

DECLARATION STATEMENT - DECISION DOCUMENT

The Green
Brownfield Cleanup Program
Newburgh, Orange County
Site No. C336099
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Statement of Purpose and Basis

This document presents the remedy for The Green brownfield cleanup site. The remedial program was chosen in accordance with the New York State Environmental Conservation Law and Title 6 of the Official Compilation of Codes, Rules and Regulations of the State of New York (6 NYCRR) Part 375.

This decision is based on the Administrative Record of the New York State Department of Environmental Conservation (DEC) for The Green and the public's input to the proposed remedy presented by the DEC.

Description of Selected Remedy

The elements of the selected remedy are as follows:

1. Remedial Design

A remedial design program will be implemented to provide the details necessary for the construction, operation, optimization, maintenance, and monitoring of the remedial program. Green remediation principles and techniques will be implemented to the extent feasible in the design, implementation, and site management of the remedy as per DER-31. The major green remediation components are as follows:

- Considering the environmental impacts of treatment technologies and remedy stewardship over the long term;
- Reducing direct and indirect greenhouse gases and other emissions;
- Increasing energy efficiency and minimizing use of non-renewable energy;
- Conserving and efficiently managing resources and materials;
- Reducing waste, increasing recycling and increasing reuse of materials which would otherwise be considered a waste;
- Maximizing habitat value and creating habitat when possible;
- Fostering green and healthy communities and working landscapes which balance ecological, economic and social goals;
- Integrating the remedy with the end use where possible and encouraging green and sustainable re-development; and
- Additionally, to incorporate green remediation principles and techniques, any

future on-site buildings which are part of the remedy should be constructed, to the extent feasible, to meet the 2020 Energy Conservation Construction Code of New York (or most recent edition) in order to improve energy efficiency as an element of construction.

As part of the remedial design program, to evaluate the remedy with respect to green and sustainable remediation principles, an environmental footprint analysis will be completed. The environmental footprint analysis will be completed using an accepted environmental footprint analysis calculator such as SEFA (Spreadsheets for Environmental Footprint Analysis, USEPA), SiteWise(TM) (available in the Sustainable Remediation Forum [SURF] library) or similar DEC accepted tool. Water consumption, greenhouse gas emissions, renewable and non-renewable energy use, waste reduction and material use will be estimated, and goals for the project related to these green and sustainable remediation metrics, as well as for minimizing community impacts, protecting habitats and natural and cultural resources, and promoting environmental justice, will be incorporated into the remedial design program, as appropriate. The project design specifications will include detailed requirements to achieve the green and sustainable remediation goals. Further, progress with respect to green and sustainable remediation metrics will be tracked during implementation of the remedial action and reported in the Final Engineering Report (FER), including a comparison to the goals established during the remedial design program.

Additionally, the remedial design program will include a climate change vulnerability assessment, to evaluate the impact of climate change on the project site and the proposed remedy. Potential vulnerabilities associated with extreme weather events (e.g., hurricanes, lightning, heat stress and drought), flooding, and sea level rise will be identified, and the remedial design program will incorporate measures to minimize the impact of climate change on potential identified vulnerabilities.

2. Excavation

Excavation and off-site disposal of all on-site soils which exceed restricted-residential, Soil Cleanup Objectives (SCOs) or protection of groundwater SCOs as appropriate, as defined by 6 NYCRR Part 375-6.8 for Track 2, in the upper 15 feet. If a Track 2 restricted-residential cleanup is achieved, a cover system will not be a required element of the remedy.

Approximately 5,600 tons of contaminated soil will be removed from the site. Collection and analysis of confirmation samples at the remedial excavation depth will be used to verify that SCOs for the site have been achieved. If confirmation sampling indicates that SCOs were not achieved at the stated remedial depth, the Applicant must notify DEC, submit the sample results and, in consultation with DEC, determine if further remedial excavation is necessary. Further excavation for development will proceed after confirmation samples demonstrate that SCOs for the site have been achieved.

To ensure proper handling and disposal of excavated material, waste characterization

sampling will be completed for all identified contaminated site material. Waste characterization sampling will be performed exclusively for the purposes of off-site disposal in a manner suitable to receiving facilities and in conformance with applicable federal, state and local laws, rules, and regulations and facility-specific permits.

If encountered, excavation and removal of any underground storage tanks (USTs), fuel dispensers, underground piping or other structures associated with a source of contamination will be completed.

3. Backfill

Backfill meeting the requirements of 6 NYCRR Part 375-6.7(d) will be brought in to replace the excavated soil or complete the backfilling of the excavation and establish the designed grades at the site.

4. In-Situ Treatment using Activated Carbon

Activated carbon will be added to the subsurface to capture and prevent the migration of contaminants of concern. Liquid activated carbon will be added to the subsurface in an approximately 240 linear foot area located in the northwestern portion of the site where PFAS related compounds are elevated in the groundwater. The liquid activated carbon will be introduced to the subsurface via injection wells. The depth of injection will be determined during the remedial design.

The full design of the treatment, including the method, chemical agent, injection point locations, and depth of injection will be determined during the remedial design. A Groundwater Treatment Work Plan will be submitted following the conclusion of the Pre-Design Investigation (PDI) for DEC and the New York State Department of Health (DOH) review prior to implementation of the groundwater treatment remedy. Monitoring of contaminants of concern will require up-gradient, down-gradient of the treatment zone.

5. Engineering and Institutional Controls

Imposition of institutional control in the form of an environmental easement and a Site Management Plan, as described below, will be required. The remedy will achieve a Track 2 restricted-residential cleanup at a minimum and will include imposition of a site cover (as a contingency if soil greater than 2 feet, but less than 15 feet deep does not meet the restricted-residential SCOs or protection of groundwater SCOs).

Institutional Control

Imposition of an institutional control in the form of an environmental easement for the controlled property which will:

- Require the remedial party or site owner to complete and submit to the DEC a periodic certification of institutional and engineering controls in accordance with

Part 375-1.8 (h)(3);

- allow the use and development of the controlled property for restricted-residential use as defined by Part 375-1.8(g), although land use is subject to local zoning laws;

- restrict the use of groundwater as a source of potable or process water, without necessary water quality treatment as determined by the NYSDOH or County DOH; and

- require compliance with the DEC approved Site Management Plan.

6. Site Management Plan

A Site Management Plan is required, which includes the following:

a. an Institutional and Engineering Control Plan that identifies all use restrictions and engineering controls for the site and details the steps and media-specific requirements necessary to ensure the following institutional and engineering controls remain in place and effective:

Institutional Controls: The Environmental Easement discussed in Remedy Element 5 above.

Engineering Controls: The in-situ treatment using activated carbon discussed in Remedy Element 4 above; the groundwater monitoring wells in Remedy Element 4; and the soil cover discussed in contingent Remedy Element 7 below.

This plan includes, but may not be limited to:

- an Excavation Plan which details the provisions for management of future excavations in areas of remaining contamination;
- descriptions of the provisions of the environmental easement including land use and groundwater restrictions;
- a provision should redevelopment occur to ensure no soil exceeding protection of groundwater concentrations will remain below storm water retention basin or infiltration structures;
- a provision for evaluation of the potential for soil vapor intrusion for any occupied buildings on the site, including provision for implementing actions recommended to address exposures related to soil vapor intrusion;
- provisions for the management and inspection of the identified engineering controls;
- maintaining site access controls and DEC notification; and
- the steps necessary for the periodic reviews and certification of the institutional and/or engineering controls.

b. a Monitoring Plan to assess the performance and effectiveness of the remedy. The plan includes, but may not be limited to:

- monitoring of groundwater to assess the performance and effectiveness of the remedy;
- a schedule of monitoring and frequency of submittals to the DEC;
- an Operation and Maintenance (O&M) Plan to ensure continued operation, maintenance, optimization, monitoring, inspection, and reporting of any mechanical or physical components of the remedy. The plan includes, but is not limited to:
    - procedures for operating and maintaining the remedy;
    - compliance monitoring of treatment systems to ensure proper O&M as well as providing the data for any necessary permit or permit equivalent reporting;
    - maintaining site access controls and DEC notification; and
    - providing the DEC access to the site and O&M records.

Contingent Remedial Elements:

In the event that Track 2 restricted-residential cleanup is not achieved, the following contingent remedial elements will be required, and the remedy will achieve a Track 4 restricted-residential cleanup.

7. Cover System

A site cover will be required to allow for restricted-residential use of the site in areas where the upper two feet of exposed surface soil will exceed the applicable soil cleanup objectives (SCOs). Where a soil cover is to be used, it will be a minimum of two feet of soil placed over a demarcation layer, with the upper six inches of soil of sufficient quality to maintain a vegetative layer. Soil cover material, including any fill material brought to the site, will meet the SCOs for cover material for the use of the site as set forth in 6 NYCRR Part 375-6.7(d). Substitution of other materials and components may be allowed where such components already exist or are a component of the tangible property to be placed as part of site redevelopment. Such components may include, but are not necessarily limited to: pavement, concrete, paved surface parking areas, sidewalks, building foundations and building slabs.

Declaration

The remedy conforms with promulgated standards and criteria that are directly applicable, or that are relevant and appropriate and takes into consideration Department guidance, as appropriate. The remedy is protective of public health and the environment.

October 13, 2026

Date

Sarah Saucier

Sarah Saucier, Director
Remedial Bureau C

DECISION DOCUMENT

The Green
Newburgh, Orange County
Site No. C336099
October 2026

SECTION 1: SUMMARY AND PURPOSE

The New York State Department of Environmental Conservation (DEC), in consultation with the New York State Department of Health (DOH), has selected a remedy for the above referenced site. The disposal of contaminants at the site has resulted in threats to public health and the environment that would be addressed by the remedy. The disposal or release of contaminants at this site, as more fully described in this document, has contaminated various environmental media. Contaminants include hazardous waste and/or petroleum.

The New York State Brownfield Cleanup Program (BCP) is a voluntary program. The goal of the BCP is to enhance private-sector cleanups of brownfields and to reduce development pressure on "greenfields." A brownfield site is real property, where a contaminant is present at levels exceeding the soil cleanup objectives or other health-based or environmental standards, criteria or guidance, based on the reasonably anticipated use of the property.

DEC has issued this document in accordance with the requirements of New York State Environmental Conservation Law and 6 NYCRR Part 375. This document is a summary of the information that can be found in the site-related reports and documents.

SECTION 2: CITIZEN PARTICIPATION

DEC seeks input from the community on all remedies. A public comment period was held, during which the public was encouraged to submit comment on the proposed remedy. All comments on the remedy received during the comment period were considered by DEC in selecting a remedy for the site. Site-related reports and documents were made available for review by the public at the following document repository:

DECInfo Locator - Web Application
https://gisservices.dec.ny.gov/gis/dil/index.html?rs=C336099

Newburgh Free Library
Attn: Karen Cissel
124 Grand Street
Newburgh, NY 12550

Phone: (845) 563-3600

Receive Site Citizen Participation Information By Email

Please note that DEC's Division of Environmental Remediation (DER) is "going paperless" relative to citizen participation information. The ultimate goal is to distribute citizen participation information about contaminated sites electronically by way of county email listservs. Information will be distributed for all sites that are being investigated and cleaned up in a particular county under the State Superfund Program, Environmental Restoration Program, Brownfield Cleanup Program and Resource Conservation and Recovery Act Program. We encourage the public to sign up for one or more county listservs at http://www.dec.ny.gov/chemical/61092.html

SECTION 3: SITE DESCRIPTION AND HISTORY

Location: The site is a somewhat rectangular 1.16-acre parcel bounded to the north by a multi-family residential building, by Smith Street followed by an apartment building to the east, by South Street and then multi-family residential buildings to the south, and by Montgomery Street followed by a public school to the west. The site is comprised of three contiguous tax lots (Section 12, Block 4, Lots 2.1, 4.1, and 10) located within U.S. Census Tract 4, which is a Type AB En-zone and a disadvantaged community.

Site Features: The site is a vacant, wooded lot with approximately 357 feet of frontage on the eastern side of Montgomery Street, 147 feet on the northern side of South Street, and 378 feet on the western side of Smith Street. A chain-link fence and a section of parking lot defines the eastern border. Portions of masonry foundations from previous structures are located throughout the site, including a masonry retaining wall and the remains of a cellar at the northeastern portion of the property. Surface elevation ranges from 140 to 80 ft above mean sea level (amsl), with steep slopes towards the south and east.

Current Zoning and Land Use: The site is in a Waterfront Gateway (WG) zoning district, which allows for the planned mixed-use (residential and commercial) development. Local land use is primarily residential, with some commercial and institutional parcels.

Past Uses of the Site: The property was previously comprised of multiple smaller tax lots that formerly contained multiple buildings (likely residential) constructed at least as early as the late 1800s and has been vacant since on-site structures were demolished sometime between 1971 and 1992 (likely in the 1970s during urban renewal).

Site Geology and Hydrogeology: Surface elevation ranges from 140 to 80 ft amsl, with steep slopes towards the south and east. Soil consists of fill and debris to approximately 3 to 15 feet below ground surface (bgs), either overlying native glacial till or weathered bedrock. Depth to groundwater ranged from approximately 8 to 22 feet bgs across the site. Groundwater flow at the site is easterly, consistent with surface topography, toward the Hudson River. With the exception of the Hudson River (located approximately 500 feet to the east), there are no surface waters, federal or state designated wetland areas,

or other similar natural resource features, including fish and wildlife, on or within a half-mile radius of the Site.

A Site Location Map is attached as Figure 1 and a Site Map is attached as Figure 2.

SECTION 4: LAND USE AND PHYSICAL SETTING

DEC may consider the current, intended, and reasonably anticipated future land use of the site and its surroundings when evaluating a remedy for soil remediation. For this site, an alternative that restricts the use of the site to restricted-residential use (which allows for commercial use and industrial use) as described in Part 375-1.8(g) was evaluated in addition to an alternative which would allow for unrestricted use of the site.

A comparison of the results of the Remedial Investigation (RI) to the appropriate standards, criteria and guidance values (SCGs) for the identified land use and the unrestricted use SCGs for the site contaminants is available in the RI Report.

SECTION 5: ENFORCEMENT STATUS

The Applicant under the Brownfield Cleanup Agreement is a Volunteer. The Applicant does not have an obligation to address off-site contamination. However, DEC has determined that this site does not pose a significant threat to public health or the environment; accordingly, no enforcement actions are necessary.

SECTION 6: SITE CONTAMINATION

6.1: Summary of the Remedial Investigation

A remedial investigation (RI) serves as the mechanism for collecting data to:

- Characterize site conditions;
- determine the nature of the contamination; and
- assess risk to human health and the environment.

The RI is intended to identify the nature (or type) of contamination which may be present at a site and the extent of that contamination in the environment on the site or leaving the site. The RI reports on data gathered to determine if the soil, groundwater, soil vapor, indoor air, surface water or sediments may have been contaminated. Monitoring wells are installed to assess groundwater and soil borings or test pits are installed to sample soil and/or wastes identified. If other natural resources are present, such as surface water bodies or wetlands, the water and sediment may be sampled as well. Based on the presence of contaminants in soil and groundwater, soil vapor will also be sampled for the presence of contamination. Data collected in the RI influence the development of remedial alternatives. The RI report is available for review in the site document repository and the results are summarized in section 6.3.

The analytical data collected on this site includes data for:

- groundwater
- soil
- soil vapor

6.1.1: Standards, Criteria, and Guidance (SCGs)

The remedy must conform to promulgated standards and criteria that are directly applicable or that are relevant and appropriate. The selection of a remedy must also take into consideration guidance, as appropriate. Standards, Criteria and Guidance are hereafter called SCGs.

To determine whether the contaminants identified in various media are present at levels of concern, the data from the RI were compared to media-specific SCGs. DEC has developed SCGs for groundwater, surface water, sediments, and soil. The DOH has developed SCGs for drinking water and soil vapor intrusion. For a full listing of all SCGs see: http://www.dec.ny.gov/regulations/61794.html

6.1.2: RI Results

The data have identified contaminants of concern. A "contaminant of concern" is a contaminant that is sufficiently present in frequency and concentration in the environment to require evaluation for remedial action. Not all contaminants identified on the property are contaminants of concern. The nature and extent of contamination and environmental media requiring action are summarized below. Additionally, the RI Report contains a full discussion of the data. The contaminants of concern identified at this site are:

mercury	tetrachloroethene (PCE)
copper	lead
arsenic	barium
perfluorooctanoic acid	benzo(b)fluoranthene
perfluorooctane sulfonic acid	benzo(a)pyrene
	benzo(a)anthracene

The contaminants of concern exceed the applicable SCGs for:

- groundwater
- soil

6.2: Interim Remedial Measures

An interim remedial measure (IRM) is conducted at a site when a source of contamination or exposure pathway can be effectively addressed before issuance of the Decision Document.
There were no IRMs performed at this site during the RI.

6.3: Summary of Environmental Assessment

This section summarizes the assessment of existing and potential future environmental impacts presented by the site. Environmental impacts may include existing and potential future exposure pathways to fish and wildlife receptors, wetlands, groundwater resources, and surface water. The RI report presents a detailed discussion of any existing and potential impacts from the site to fish and wildlife receptors.

Soil and groundwater were analyzed for volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs), metals, polychlorinated biphenyls (PCBs), per- and polyfluoroalkyl substances (PFAS), and pesticides. Soil vapor samples were analyzed for VOCs. Based upon investigations conducted to date, the primary contaminants of concern include metals, SVOCs and PFAS in soil, PFAS in groundwater, and tetrachloroethene (PCE) in soil vapor.

Soil: Sample results were compared against the restricted-residential (RRSCOs), and protection of groundwater guidance values (POGGVs) for those contaminants found in groundwater above the applicable standards. Metals were detected primarily in the surface soil and included arsenic (maximum concentration 16.7 ppm; RRSCO 16 ppm), barium (maximum concentration 717 ppm; RRSCO 400 ppm), copper (maximum concentration 405 ppm, RRSCO 50 ppm), lead (maximum concentration 9,130 ppm; RRSCO 400 ppm), and mercury (maximum concentration 3.47ppm; RRSCO 0.81 ppm) SVOCs were detected above the RRSCOs included benzo(b)fluoranthene (maximum concentration 27 ppm ; RRSCO 1.4) and benzo(k)fluoranthene (maximum concentration 30 ppm ; RRSCO 1.4). Perfluorooctanoic acid (PFOA) was detected at a maximum concentration of 1.22 parts per billion (ppb) compared to the POGGV of 0.8 ppb and RR GV of 33 ppb. Perfluorooctane sulfonic acid (PFOS) was detected at a maximum of 4.56 ppb compared to the POGGV of 1.0 ppb and RR GV of 55 ppb.

No VOCs, pesticides or herbicides were detected above RRSCOs.

Data does not indicate any off-site impacts in soil related to this site.

Groundwater: Samples were compared to the NYS Ambient water Quality Standards and Guidance Values (AWQSGVs). PFOS was detected at a maximum concentration of 4.88 parts per trillion, or ppt (AWQSGV is 2.7 ppt) and PFOA was detected at a maximum concentration of 106 ppt (AWQSGV is 6.7 ppt). Other than naturally occurring minerals such as sodium, manganese, and magnesium, no dissolved metals were detected above their respective AWQSGVs. No VOCs, SVOCs, pesticides, herbicides, or PCBs were detected in groundwater.

Data indicates potential for off-site impacts in groundwater-related to this site.

Soil Vapor: PCE was detected in 8 of 8 soil vapor samples in concentrations ranging from 210 to 474 micrograms per meter cubed (ug/m3). Detections of petroleum VOCs and other non-chlorinated VOCs were identified at all sampling locations. Since there were no VOCs found in on-site soil and groundwater, and due to the uniform distribution of VOCs in soil vapor across the site, it appears that the source of the PCE in soil vapor originates from an off-site source. No sub-slab vapor or indoor air samples were collected as there are no buildings onsite.

Data does not indicate off-site impacts in soil vapor related to this site.

6.4: Summary of Human Exposure Pathways

This human exposure assessment identifies ways in which people may be exposed to site-related contaminants. Chemicals can enter the body through three major pathways (breathing, touching or swallowing). This is referred to as *exposure.*

The site is not fenced and people who enter the site could contact contaminants in the soil by walking on the soil, digging or otherwise disturbing the soil. People are not drinking the contaminated groundwater because the area is served by a public water supply that is not contaminated by the site. People are not expected to come into direct contact with contaminated groundwater unless they dig below the ground surface. Because the site is vacant, the inhalation of site-related contaminants due to soil vapor intrusion does not represent a current concern.

6.5: Summary of the Remediation Objectives

The objectives for the remedial program have been established through the remedy selection process stated in 6 NYCRR Part 375. The goal for the remedial program is to restore the site to pre-disposal conditions to the extent feasible. At a minimum, the remedy shall eliminate or mitigate all significant threats to public health and the environment presented by the contamination identified at the site through the proper application of scientific and engineering principles.

The remedial action objectives for this site are:

Groundwater

RAOs for Public Health Protection

- Prevent ingestion of groundwater with contaminant levels exceeding drinking water standards.

RAOs for Environmental Protection

- Restore ground water aquifer to pre-disposal/pre-release conditions, to the extent practicable.

Soil

RAOs for Public Health Protection

- Prevent ingestion/direct contact with contaminated soil.

RAOs for Environmental Protection

- Prevent migration of contaminants that would result in groundwater or surface water contamination.

Soil Vapor

RAOs for Public Health Protection

- Mitigate impacts to public health resulting from existing, or the potential for, soil vapor intrusion into buildings at a site.

SECTION 7: ELEMENTS OF THE SELECTED REMEDY

The alternatives developed for the site and the evaluation of the remedial criteria are presented in the Alternative Analysis. The remedy is selected pursuant to the remedy selection criteria set forth in DER-10, Technical Guidance for Site Investigation and Remediation and 6 NYCRR Part 375.

The selected remedy is a Track 2: Restricted-Residential use with generic soil cleanup objectives remedy.

The selected remedy is referred to as the Excavation and Groundwater Treatment and Monitoring remedy.

The elements of the selected remedy, as shown in Figure 3 and Figure 4 are described as follows:

The elements of the selected remedy are as follows:

1. Remedial Design

A remedial design program will be implemented to provide the details necessary for the construction, operation, optimization, maintenance, and monitoring of the remedial program. Green remediation principles and techniques will be implemented to the extent feasible in the design, implementation, and site management of the remedy as per DER-31. The major green remediation components are as follows:

- Considering the environmental impacts of treatment technologies and remedy stewardship over the long term;
- Reducing direct and indirect greenhouse gases and other emissions;
- Increasing energy efficiency and minimizing use of non-renewable energy;

- Conserving and efficiently managing resources and materials;
- Reducing waste, increasing recycling and increasing reuse of materials which would otherwise be considered a waste;
- Maximizing habitat value and creating habitat when possible;
- Fostering green and healthy communities and working landscapes which balance ecological, economic and social goals;
- Integrating the remedy with the end use where possible and encouraging green and sustainable re-development; and
- Additionally, to incorporate green remediation principles and techniques, any future on-site buildings which are part of the remedy should be constructed, to the extent feasible, to meet the 2020 Energy Conservation Construction Code of New York (or most recent edition) in order to improve energy efficiency as an element of construction.

As part of the remedial design program, to evaluate the remedy with respect to green and sustainable remediation principles, an environmental footprint analysis will be completed. The environmental footprint analysis will be completed using an accepted environmental footprint analysis calculator such as SEFA (Spreadsheets for Environmental Footprint Analysis, USEPA), SiteWise(TM) (available in the Sustainable Remediation Forum [SURF] library) or similar DEC accepted tool. Water consumption, greenhouse gas emissions, renewable and non-renewable energy use, waste reduction and material use will be estimated, and goals for the project related to these green and sustainable remediation metrics, as well as for minimizing community impacts, protecting habitats and natural and cultural resources, and promoting environmental justice, will be incorporated into the remedial design program, as appropriate. The project design specifications will include detailed requirements to achieve the green and sustainable remediation goals. Further, progress with respect to green and sustainable remediation metrics will be tracked during implementation of the remedial action and reported in the Final Engineering Report (FER), including a comparison to the goals established during the remedial design program.

Additionally, the remedial design program will include a climate change vulnerability assessment, to evaluate the impact of climate change on the project site and the proposed remedy. Potential vulnerabilities associated with extreme weather events (e.g., hurricanes, lightning, heat stress and drought), flooding, and sea level rise will be identified, and the remedial design program will incorporate measures to minimize the impact of climate change on potential identified vulnerabilities.

2. Excavation

Excavation and off-site disposal of all on-site soils which exceed restricted-residential, SCOs or protection of groundwater SCOs as appropriate, as defined by 6 NYCRR Part 375-6.8 for Track 2, in the upper 15 feet. If a Track restricted-residential, cleanup is achieved, a cover system will not be a required element of the remedy.

Approximately 5,600 tons of contaminated soil will be removed from the site. Collection

and analysis of confirmation samples at the remedial excavation depth will be used to verify that SCOs for the site have been achieved. If confirmation sampling indicates that SCOs were not achieved at the stated remedial depth, the Applicant must notify DEC, submit the sample results and, in consultation with DEC, determine if further remedial excavation is necessary. Further excavation for development will proceed after confirmation samples demonstrate that SCOs for the site have been achieved.

To ensure proper handling and disposal of excavated material, waste characterization sampling will be completed for all identified contaminated site material. Waste characterization sampling will be performed exclusively for the purposes of off-site disposal in a manner suitable to receiving facilities and in conformance with applicable federal, state and local laws, rules, and regulations and facility-specific permits.

If encountered, excavation and removal of any underground storage tanks (USTs), fuel dispensers, underground piping or other structures associated with a source of contamination will be removed.

3. Backfill

Backfill meeting the requirements of 6 NYCRR Part 375-6.7(d) will be brought in to replace the excavated soil or complete the backfilling of the excavation and establish the designed grades at the site.

4. In-Situ Treatment using Activated Carbon

Activated carbon will be added to the subsurface to capture and prevent the migration of contaminants of concern. Liquid activated carbon will be added to the subsurface in an approximately 240 linear foot area located in the eastern portion of the site where PFAS related compounds are elevated in the groundwater. The liquid activated carbon will be introduced to the subsurface via injection wells. The depth of injection will be determined during the remedial design.

Monitoring will be required up-gradient and down-gradient of the treatment zone. Monitoring will be conducted for contaminants of concern

5. Engineering and Institutional Controls

Imposition of institutional control in the form of an environmental easement and a Site Management Plan, as described below, will be required. The remedy will achieve a Track 2 restricted-residential cleanup at a minimum and will include imposition of a site cover (as a contingency if soil greater than 2 feet, but less than 15 feet deep does not meet the restricted-residential SCOs or protection of groundwater SCOs as appropriate).

Institutional Control

Imposition of an institutional control in the form of an environmental easement for the controlled property which will:

- Require the remedial party or site owner to complete and submit to the DEC a periodic certification of institutional and engineering controls in accordance with Part 375-1.8 (h)(3);

- allow the use and development of the controlled property for restricted-residential use as defined by Part 375-1.8(g), although land use is subject to local zoning laws;

- restrict the use of groundwater as a source of potable or process water, without necessary water quality treatment as determined by the NYSDOH or County DOH; and

- require compliance with the DEC approved Site Management Plan.

6. Site Management Plan

A Site Management Plan is required, which includes the following:

c. an Institutional and Engineering Control Plan that identifies all use restrictions and engineering controls for the site and details the steps and media-specific requirements necessary to ensure the following institutional and engineering controls remain in place and effective:

Institutional Controls: The Environmental Easement discussed in Remedy Element 5 above.

Engineering Controls: The in-situ treatment using activated carbon discussed in Remedy Element 4 above; the groundwater monitoring wells in Remedy Element 4; and the soil cover discussed in contingent Remedy Element 7 below.

This plan includes, but may not be limited to:

- an Excavation Plan which details the provisions for management of future excavations in areas of remaining contamination;
- descriptions of the provisions of the environmental easement including land use and groundwater restrictions;
- a provision should redevelopment occur to ensure no soil exceeding protection of groundwater concentrations will remain below storm water retention basin or infiltration structures;
- a provision for evaluation of the potential for soil vapor intrusion for any occupied buildings on the site, including provision for implementing actions recommended to address exposures related to soil vapor intrusion;

- provisions for the management and inspection of the identified engineering controls;
- maintaining site access controls and DEC notification; and
- the steps necessary for the periodic reviews and certification of the institutional and/or engineering controls.

d. a Monitoring Plan to assess the performance and effectiveness of the remedy. The plan includes, but may not be limited to:

- monitoring of groundwater to assess the performance and effectiveness of the remedy;
- a schedule of monitoring and frequency of submittals to the DEC;
- an Operation and Maintenance (O&M) Plan to ensure continued operation, maintenance, optimization, monitoring, inspection, and reporting of any mechanical or physical components of the remedy. The plan includes, but is not limited to:
    - procedures for operating and maintaining the remedy;
    - compliance monitoring of treatment systems to ensure proper O&M as well as providing the data for any necessary permit or permit equivalent reporting;
    - maintaining site access controls and DEC notification; and
    - providing the DEC access to the site and O&M records.

Contingent Remedial Elements:

7. Cover System

In the event that Track 2 restricted-residential cleanup is not achieved, the following contingent remedial elements will be required, and the remedy will achieve a Track 4 restricted-residential cleanup.

A site cover will be required to allow for restricted-residential use of the site in areas where the upper two feet of exposed surface soil will exceed the applicable soil cleanup objectives (SCOs). Where a soil cover is to be used, it will be a minimum of two feet of soil placed over a demarcation layer, with the upper six inches of soil of sufficient quality to maintain a vegetative layer. Soil cover material, including any fill material brought to the site, will meet the SCOs for cover material for the use of the site as set forth in 6 NYCRR Part 375-6.7(d). Substitution of other materials and components may be allowed where such components already exist or are a component of the tangible property to be placed as part of site redevelopment. Such components may include, but are not necessarily limited to: pavement, concrete, paved surface parking areas, sidewalks, building foundations and building slabs.

The contingent remedy is shown in Figure 5.



0 50 100
SCALE IN FEET
(APPROXIMATELY)

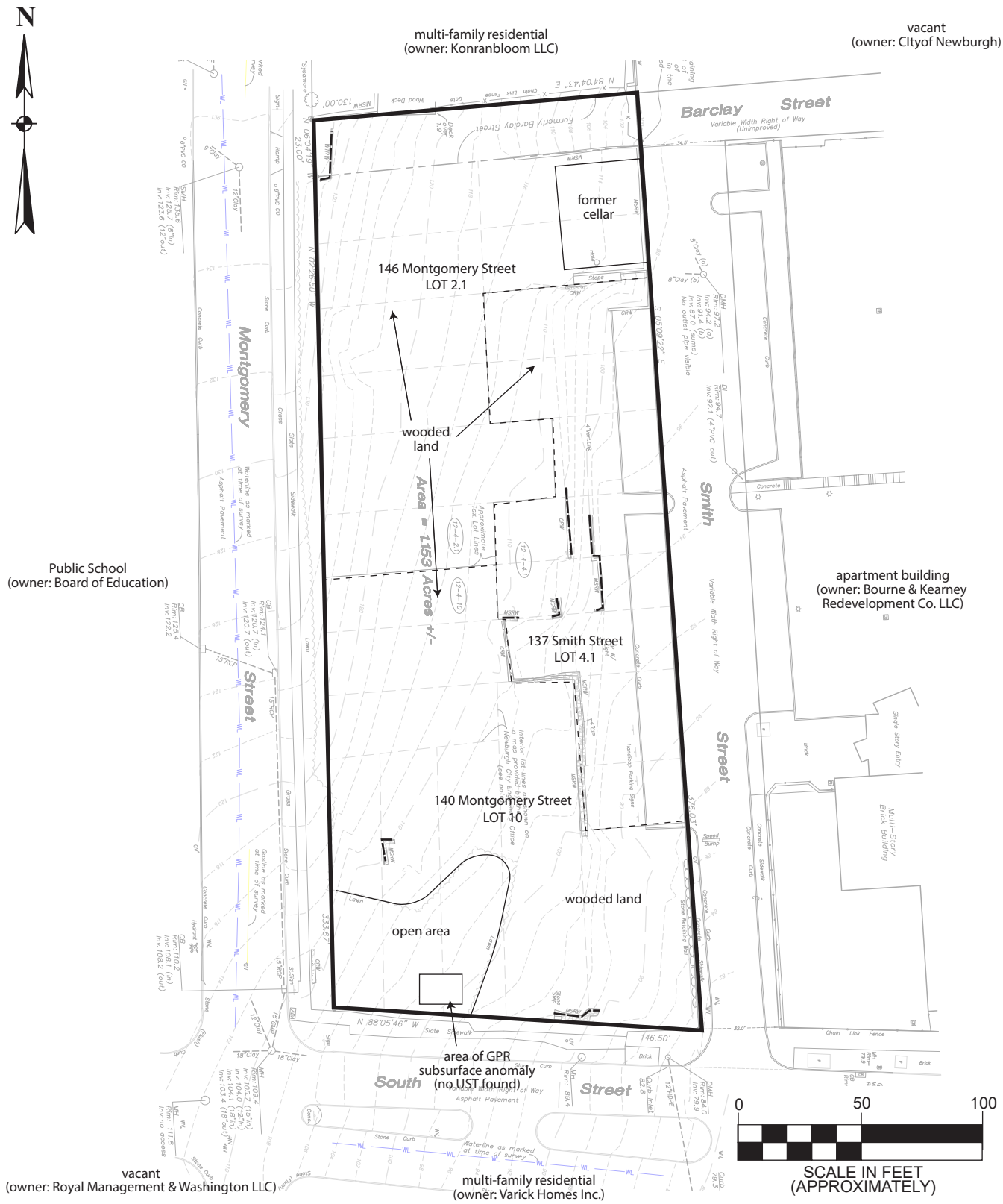
All feature locations are approximate. This map is intended as a schematic to be used in conjunction with the associated report, and it should not be relied upon as a survey for planning or other activities.

Figure 1: Site Location Map

The Green - BCP Site No. C336099
City of Newburgh
Orange County, New York

Legend:
- BCP Site Boundary
- tax lot lines

File: 22003-0092
September 2026
Scale as shown
Figures



Base Map provided by INSITE Engineering, Surveying & Landscape Architecture P.C. Boundary & Topographic Survey dated 1/19/23.

Figure 2: Site Map

The Green - BCP Site No. C336099
City of Newburgh
Orange County, New York

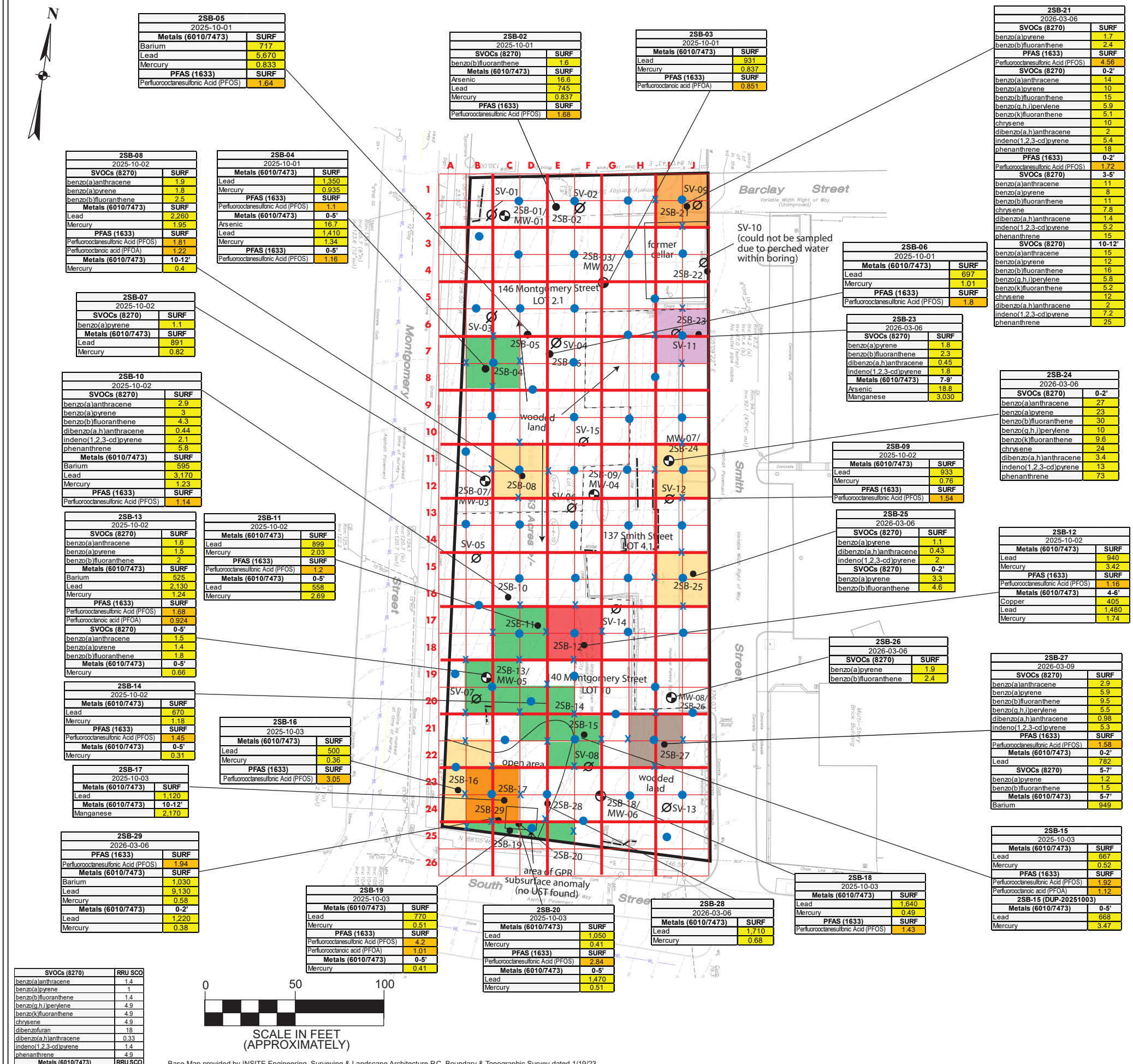
Legend:
- BCP Site Boundary
- lot lines
- foundation remains

File: 22003-0092

September 2026

Scale as shown

Figures



2SB-05	
2025-10-01	
Metals (6010/7473)	**SURF**
Barium	717
Lead	5,670
Mercury	0.833
PFAS (1633)	**SURF**
Perfluorooctanesulfonic Acid (PFOS)	1.64

2SB-02	
2025-10-01	
SVOCs (8270)	**SURF**
benzo(b)fluoranthene	1.6
Metals (6010/7473)	**SURF**
Arsenic	16.6
Lead	745
Mercury	0.837
PFAS (1633)	**SURF**
Perfluorooctanesulfonic Acid (PFOS)	1.68

2SB-03	
2025-10-01	
Metals (6010/7473)	**SURF**
Lead	931
Mercury	0.837
PFAS (1633)	**SURF**
Perfluorooctanoic acid (PFOA)	0.851

2SB-21	
2026-03-06	
SVOCs (8270)	**SURF**
benzo(a)pyrene	1.7
benzo(b)fluoranthene	2.4
PFAS (1633)	**SURF**
Perfluorooctanesulfonic Acid (PFOS)	4.56
SVOCs (8270)	**0-2'**
benzo(a)anthracene	14
benzo(a)pyrene	10
benzo(b)fluoranthene	15
benzo(g,h,i)perylene	5.9
benzo(k)fluoranthene	5.1
chrysene	10
dibenzo(a,h)anthracene	2
indeno(1,2,3-cd)pyrene	5.4
phenanthrene	18
PFAS (1633)	**0-2'**
Perfluorooctanesulfonic Acid (PFOS)	1.72
SVOCs (8270)	**3-5'**
benzo(a)anthracene	11
benzo(a)pyrene	8
benzo(b)fluoranthene	11
chrysene	7.8
dibenzo(a,h)anthracene	1.4
indeno(1,2,3-cd)pyrene	5.2
phenanthrene	15
SVOCs (8270)	**10-12'**
benzo(a)anthracene	15
benzo(a)pyrene	12
benzo(b)fluoranthene	16
benzo(g,h,i)perylene	5.8
benzo(k)fluoranthene	5.2
chrysene	12
dibenzo(a,h)anthracene	2
indeno(1,2,3-cd)pyrene	7.2
phenanthrene	25

2SB-08	
2025-10-02	
SVOCs (8270)	**SURF**
benzo(a)anthracene	1.9
benzo(a)pyrene	1.8
benzo(b)fluoranthene	2.5
Metals (6010/7473)	**SURF**
Lead	2,260
Mercury	1.95
PFAS (1633)	**SURF**
Perfluorooctanesulfonic Acid (PFOS)	1.81
Perfluorooctanoic acid (PFOA)	1.22
Metals (6010/7473)	**10-12'**
Mercury	0.4

2SB-04	
2025-10-01	
Metals (6010/7473)	**SURF**
Lead	1,350
Mercury	0.935
PFAS (1633)	**SURF**
Perfluorooctanesulfonic Acid (PFOS)	1.1
Metals (6010/7473)	**0-5'**
Arsenic	16.7
Lead	1,410
Mercury	1.34
PFAS (1633)	**0-5'**
Perfluorooctanesulfonic Acid (PFOS)	1.16

2SB-06	
2025-10-01	
Metals (6010/7473)	**SURF**
Lead	697
Mercury	1.01
PFAS (1633)	**SURF**
Perfluorooctanesulfonic Acid (PFOS)	1.8

2SB-07	
2025-10-02	
SVOCs (8270)	**SURF**
benzo(a)pyrene	1.1
Metals (6010/7473)	**SURF**
Lead	891
Mercury	0.82

2SB-23	
2026-03-06	
SVOCs (8270)	**SURF**
benzo(a)pyrene	1.8
benzo(b)fluoranthene	2.3
dibenzo(a,h)anthracene	0.45
indeno(1,2,3-cd)pyrene	1.8
Metals (6010/7473)	**7-9'**
Arsenic	18.8
Manganese	3,030

2SB-24	
2026-03-06	
SVOCs (8270)	**0-2'**
benzo(a)anthracene	27
benzo(a)pyrene	23
benzo(b)fluoranthene	30
benzo(g,h,i)perylene	10
benzo(k)fluoranthene	9.6
chrysene	24
dibenzo(a,h)anthracene	3.4
indeno(1,2,3-cd)pyrene	13
phenanthrene	73

2SB-10	
2025-10-02	
SVOCs (8270)	**SURF**
benzo(a)anthracene	2.9
benzo(a)pyrene	3
benzo(b)fluoranthene	4.3
dibenzo(a,h)anthracene	0.44
indeno(1,2,3-cd)pyrene	2.1
phenanthrene	5.8
Metals (6010/7473)	**SURF**
Barium	595
Lead	3,170
Mercury	1.23
PFAS (1633)	**SURF**
Perfluorooctanesulfonic Acid (PFOS)	1.14

2SB-09	
2025-10-02	
Metals (6010/7473)	**SURF**
Lead	933
Mercury	0.76
PFAS (1633)	**SURF**
Perfluorooctanesulfonic Acid (PFOS)	1.54

2SB-13	
2025-10-02	
SVOCs (8270)	**SURF**
benzo(a)anthracene	1.6
benzo(a)pyrene	1.5
benzo(b)fluoranthene	2
Metals (6010/7473)	**SURF**
Barium	525
Lead	2,130
Mercury	1.24
PFAS (1633)	**SURF**
Perfluorooctanesulfonic Acid (PFOS)	1.68
Perfluorooctanoic acid (PFOA)	0.924
SVOCs (8270)	**0-5'**
benzo(a)anthracene	1.5
benzo(a)pyrene	1.4
benzo(b)fluoranthene	1.8
Metals (6010/7473)	**0-5'**
Mercury	0.66

2SB-11	
2025-10-02	
Metals (6010/7473)	**SURF**
Lead	899
Mercury	2.03
PFAS (1633)	**SURF**
Perfluorooctanesulfonic Acid (PFOS)	1.2
Metals (6010/7473)	**0-5'**
Lead	558
Mercury	2.69

2SB-25	
2026-03-06	
SVOCs (8270)	**SURF**
benzo(a)pyrene	1.1
dibenzo(a,h)anthracene	0.43
indeno(1,2,3-cd)pyrene	2
SVOCs (8270)	**0-2'**
benzo(a)pyrene	3.3
benzo(b)fluoranthene	4.6

2SB-12	
2025-10-02	
Metals (6010/7473)	**SURF**
Lead	940
Mercury	3.42
PFAS (1633)	**SURF**
Perfluorooctanesulfonic Acid (PFOS)	1.16
Metals (6010/7473)	**4-6'**
Copper	405
Lead	1,480
Mercury	1.74

2SB-14	
2025-10-02	
Metals (6010/7473)	**SURF**
Lead	670
Mercury	1.18
PFAS (1633)	**SURF**
Perfluorooctanesulfonic Acid (PFOS)	1.45
Metals (6010/7473)	**0-5'**
Mercury	0.31

2SB-16	
2025-10-03	
Metals (6010/7473)	**SURF**
Lead	500
Mercury	0.36
PFAS (1633)	**SURF**
Perfluorooctanesulfonic Acid (PFOS)	3.05

2SB-26	
2026-03-06	
SVOCs (8270)	**SURF**
benzo(a)pyrene	1.9
benzo(b)fluoranthene	2.4

2SB-27	
2026-03-09	
SVOCs (8270)	**SURF**
benzo(a)anthracene	2.9
benzo(a)pyrene	5.9
benzo(b)fluoranthene	9.5
benzo(g,h,i)perylene	5.5
dibenzo(a,h)anthracene	0.98
indeno(1,2,3-cd)pyrene	5.3
PFAS (1633)	**SURF**
Perfluorooctanesulfonic Acid (PFOS)	1.58
Metals (6010/7473)	**0-2'**
Lead	782
SVOCs (8270)	**5-7'**
benzo(a)pyrene	1.2
benzo(b)fluoranthene	1.5
Metals (6010/7473)	**5-7'**
Barium	949

2SB-17	
2025-10-03	
Metals (6010/7473)	**SURF**
Lead	1,120
Metals (6010/7473)	**10-12'**
Manganese	2,170

2SB-15	
2025-10-03	
Metals (6010/7473)	**SURF**
Lead	667
Mercury	0.52
PFAS (1633)	**SURF**
Perfluorooctanesulfonic Acid (PFOS)	1.92
Perfluorooctanoic acid (PFOA)	1.12
2SB-15 (DUP-20251003)	
Metals (6010/7473)	**0-5'**
Lead	668
Mercury	3.47

2SB-29	
2026-03-06	
PFAS (1633)	**SURF**
Perfluorooctanesulfonic Acid (PFOS)	1.94
Metals (6010/7473)	**SURF**
Barium	1,030
Lead	9,130
Mercury	0.58
Metals (6010/7473)	**0-2'**
Lead	1,220
Mercury	0.38

2SB-19	
2025-10-03	
Metals (6010/7473)	**SURF**
Lead	770
Mercury	0.51
PFAS (1633)	**SURF**
Perfluorooctanesulfonic Acid (PFOS)	4.2
Perfluorooctanoic acid (PFOA)	1.01
Metals (6010/7473)	**0-5'**
Mercury	0.41

2SB-20	
2025-10-03	
Metals (6010/7473)	**SURF**
Lead	1,050
Mercury	0.41
PFAS (1633)	**SURF**
Perfluorooctanesulfonic Acid (PFOS)	2.84
Metals (6010/7473)	**0-5'**
Lead	1,470
Mercury	0.51

2SB-28	
2026-03-06	
Metals (6010/7473)	**SURF**
Lead	1,710
Mercury	0.68

2SB-18	
2025-10-03	
Metals (6010/7473)	**SURF**
Lead	1,640
Mercury	0.49
PFAS (1633)	**SURF**
Perfluorooctanesulfonic Acid (PFOS)	1.43

SVOCs (8270)	RRU SCO
benzo(a)anthracene	1.4
benzo(a)pyrene	1
benzo(b)fluoranthene	1.4
benzo(g,h,i)perylene	4.9
benzo(k)fluoranthene	4.9
chrysene	4.9
dibenzofuran	18
dibenzo(a,h)anthracene	0.33
indeno(1,2,3-cd)pyrene	1.4
phenanthrene	4.9
Metals (6010/7473)	**RRU SCO**
Arsenic	16
Barium	410
Copper	280
Lead	400
Manganese	2,000
Mercury	0.3
Nickel	320
Zinc	6,600
PFAS (1633)	**POG GVs**
Perfluorooctanesulfonic acid (PFOS)	1
Perfluorooctanoic acid (PFOA)	0.8

Base Map provided by INSITE Engineering, Surveying & Landscape Architecture P.C. Boundary & Topographic Survey dated 1/19/23.

Figure 3: Proposed Track 2 Restricted Residential Remedial Excavations and Confirmatory Endpoint Sample Location Grid

The Green - BCP Site No. C336099
City of Newburgh
Orange County, New York

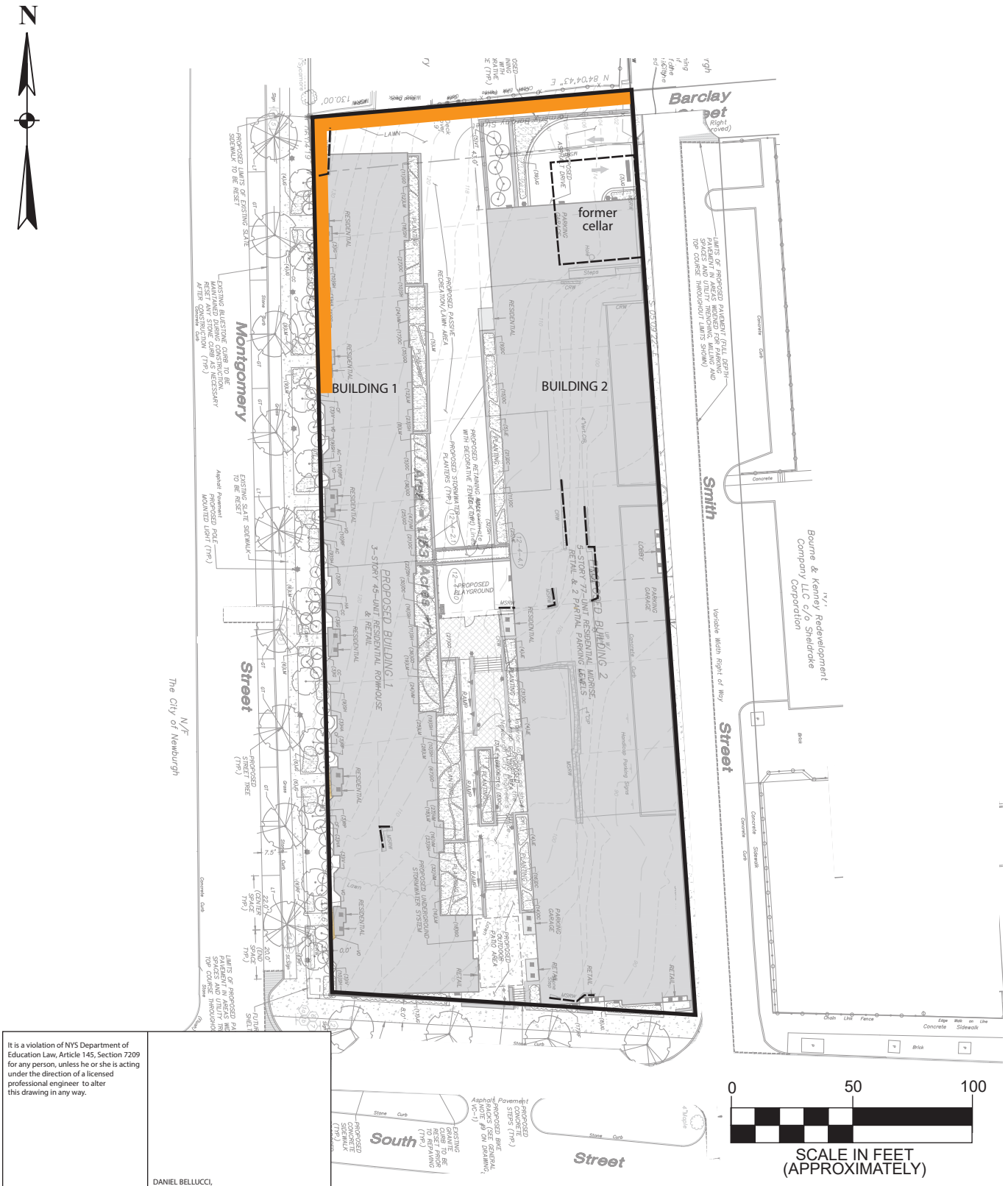
Legend:
- BCP Site Boundary
- lot lines
- foundation remains
- soil sample location
- soil vapor location
- soil sample and monitoring well location
- proposed Base EP samples
- X proposed wall EP samples

All PFAS data in ug/Kg (ppb)
value > POG Guidance Value
All other data in mg/Kg (ppm)
value > RRU SCO

SURF = soil collected from 0-2 inches
*Note: Sitewide 2' excavatin depth

- to 3' (3 Base, 8 Wall)
- to 6' (6 Base, 18 Wall)
- to 7' (1 Base, 4 Wall)
- to 8' (1 Base, 4 Wall)
- to 10' (1 Base, 4 Wall)
- to 13' (2 Base, 6 Wall)

File: 22003-0092
September 2026
Scale as shown
Figures



It is a violation of NYS Department of Education Law, Article 145, Section 7209 for any person, unless he or she is acting under the direction of a licensed professional engineer to alter this drawing in any way.

DANIEL BELLUCCI,
Licensed Professional Engineer
State of New York License #099470

Base Map provided by INSITE Engineering, Surveying & Landscape Architecture P.C. Boundary & Topographic Survey dated 1/19/23.

Figure 4: In-Situ Treatment using Activated Carbon

The Green - BCP Site No. C336099
City of Newburgh
Orange County, New York

Legend:
- BCP Site Boundary
- foundation remains
- area of permeable reactive barrier groundwater treatment zone
- building footprints: 4-6 inch concrete slabs underlain by vapor barrier/waterproofing

File: 22003-0092
September 2026
Scale as shown
Figures



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Base Map provided by INSITE Engineering, Surveying & Landscape Architecture P.C. Boundary & Topographic Survey dated 1/19/23.

Figure 5: Contingent Cover System

The Green - BCP Site No. C336099
City of Newburgh
Orange County, New York

Legend:

- BCP Site Boundary
- foundation remains
- hardscaping and landscaping areas minimum 2 feet of clean backfill over demarcation layer at areas without building footprint
- building footprints

File: 22003-0092

September 2026

Scale as shown

Figures