



FACT SHEET

Brownfield Cleanup Program

Ciabattoni Property

June 2010

C344068

Town of Stony Point, NY

Cleanup Action Completed at Brownfield Site; Final Engineering Report Under Review

Action has been completed to address contamination related to the Ciabattoni Property (“site”) located at 153 South Liberty Drive in the Town of Stony Point, Rockland County under New York’s Brownfield Cleanup Program. See map for site location.

Sembler/Treasure New York, Joint Venture, c/o Sembler Florida, Inc. (“applicant”) has completed the activities and has submitted to the New York State Department of Environmental Conservation (NYSDEC) a Final Engineering Report, which is under review. The Final Engineering Report states that cleanup requirements have been achieved to fully protect public health and the environment for the proposed site use.

Highlights of the Final Engineering Report

The Final Engineering Report has several goals:

- 1) describe the cleanup activities completed
- 2) certify that cleanup requirements have been achieved or will be achieved for the site
- 3) describe any institutional/engineering controls to be used. An *institutional control* is a non-physical restriction on use of the site, such as a deed restriction, when contamination left over after the cleanup action makes the site suitable for some, but not all uses. An *engineering control* is a physical barrier or method to manage contamination such as a cap or vapor barrier
- 4) certify that a site management plan for any engineering controls used at the site has been approved by NYSDEC.

Brownfield Cleanup Program: New York’s Brownfield Cleanup Program (BCP) encourages the voluntary cleanup of contaminated properties known as “brownfields” so that they can be reused and redeveloped. These uses include recreation, housing, business or other uses.

A **brownfield** is any real property that is difficult to reuse or redevelop because of the presence or potential presence of contamination.

For more information about the BCP, visit:
www.dec.ny.gov/chemical/8450.html

Remedial actions previously implemented included removal of several underground petroleum storage tanks, removal of fuel pumping islands, and excavation of contaminated soils. A site-wide cover system, consisting of clean soil, concrete and asphalt paving, was constructed to prevent exposure to contamination remaining at the site. The cover system was constructed during the redevelopment of the site as a bank, which opened in 2008.

Since contamination will remain at the site, the remedy also required that an environmental easement be placed on the property which limits future use of

the site to commercial usage and prevents the use of the site's groundwater without treatment. A Site Management Plan (SMP) must be developed to implement and maintain the engineering controls (*i.e.*, the cover system) and institutional controls (*e.g.*, the environmental easement) placed on the site. The SMP must be approved by the NYSDEC before the Final Engineering Report can be approved.

The objectives of the remedial program have been met by the actions conducted. The excavations that occurred removed the most heavily impacted soils at the site, and thus should limit the potential for contamination of groundwater. Exposure to remaining contamination at the site will be prevented by the cover system and the Site Management Plan.

Next Steps

NYSDEC will complete its review, revise the Final Engineering Report as necessary, and approve the report. The approved Final Engineering Report will be made available to the public (see "Where to Find Information" below). NYSDEC then will issue a Certificate of Completion to the applicant.

The applicant would be eligible to redevelop the site when it receives the Certificate of Completion. In addition, the applicant:

- would have no liability to the State for contamination at or coming from the site, subject to certain conditions; and
- would be eligible for tax credits to offset the costs of performing clean-up activities and for redevelopment of the site.

A Certificate of Completion may be modified or revoked if, for example, the applicant does not comply with the terms of its Brownfield Cleanup Agreement with NYSDEC, or if the applicant commits fraud regarding its application or its certification that it has met cleanup levels.

A fact sheet will be sent to the site contact list when NYSDEC issues a Certificate of Completion to the applicant.

Background

The Ciabattini Property is a 0.23 acre parcel located at 153 South Liberty Drive in a suburban area. Surrounding properties are predominantly residential and commercial. The site was formerly a gas station and service station. The primary contaminants of concern at the site are petroleum-related compounds.

An investigation of the site was performed by the Applicant in 2008 and 2009, which is documented by the Remedial Investigation Report dated March 2010. The report found that site soils and groundwater are contaminated by petroleum; however, much of the heaviest contamination was removed by previous remedial actions, and the remaining contaminants continue to naturally degrade. The soil and groundwater contamination from the site extends off-site, to the east of the property, beneath South Liberty Drive. The Applicant is a Volunteer in the Brownfield Cleanup Program, and as such, is not required to address off-site contamination. The potential for exposure to contamination emanating from the site is limited, as it is located under a state highway. There are no users of groundwater in the immediate vicinity.

FOR MORE INFORMATION

Location of Reports and Information

Project documents are available at the following location(s) to help the public stay informed.

Rose Memorial Library

79 East Main Street

Stony Point, NY 10980

Phone: 845-786-2100

Hours: Mon.: – Thurs.: 10 AM – 9 PM

Fri. & Sat.: 10 AM – 5 PM

Sunday: 1 PM – 5 PM

NYSDEC Region 3 Headquarters

21 South Putt Corners Road

New Paltz, NY 12561-1696

Phone: 845-256-3154

Hours: Mon. – Fri.: 8:30 AM – 4:45 PM

Call for Appointment

Who to Contact

Comments and questions are always welcome and should be directed as follows:

Project Related Questions

Joshua Cook

NYS Dept. of Environmental Conservation

625 Broadway

Albany, NY 12233-70174

518-402-9662

jpcook@gw.dec.state.ny.us

Site-Related Health Questions

Nathan Walz

New York State Department of Health

547 River Street

Troy, NY 12180-2216

1-800-458-1158 ext 27880

If you know someone who would like to be added to the site contact list, have them contact the NYSDEC project manager above. We encourage you to share this fact sheet with neighbors and tenants, and/or post this fact sheet in a prominent area of your building for others to see.

