



# FACT SHEET

## Brownfield Cleanup Program

Utility Platers/Kingston Diagnostics  
C356035  
Kingston, NY

December 2010

### NYSDEC Certifies Cleanup Requirements Achieved at Brownfield Site

The New York State Department of Environmental Conservation (NYSDEC) has determined that Northeast Retail Leasing & Management Company, LLC (“applicant”) has achieved cleanup requirements under New York’s Brownfield Cleanup Program to address contamination related to Utility Platers/Kingston Diagnostics (“site”) located at the intersection of Washington Avenue and Schwenk Drive in Kingston, Ulster County. See map for site location.

NYSDEC has issued a Certificate of Completion to the applicant regarding the site. A copy of the Notice of the Certificate of Completion is available at the locations identified below under “Where to Find Information”.

#### Completion of Project

Remedial actions previously implemented at the site included removal of three underground storage tanks (USTs) and excavation and off-site disposal 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 CVS store, which was completed in the summer of 2010. A sub-slab depressurization system (SSDS) was installed beneath the newly constructed building to address potential volatile organic vapor concerns that remain on-site.

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, SSDS and the Site Management Plan.

**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](http://www.dec.ny.gov/chemical/8450.html)

The Site Management Plan restricts the use of groundwater and requires maintenance of the cover system and the SSDS and periodic sampling of groundwater and SSDS discharge and indoor air. It also includes an excavation work plan, which defines how future excavations at the site must be conducted and requires that a periodic certification be provided

to the NYSDEC stating that the remedy is in place and effective.

### **Institutional Controls/Engineering Controls**

Institutional controls and engineering controls generally are designed to reduce or eliminate exposure to contaminants of concern. 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.

The following institutional and/or engineering controls have been put in place on the site:

- A site-wide cover system, consisting of concrete, asphalt or at least two feet of clean soil;
- A sub-slab depressurization system;
- An environmental easement, which restricts future use of the site to restricted-residential usage (which also allows for commercial use).

### **Next Steps**

NYSDEC issued the Certificate of Completion based on review and approval of a Final Engineering Report submitted by the applicant. The Final Engineering Report includes: 1) a description of the cleanup activities completed; 2) certification that cleanup requirements have been achieved for the site; 3) a description of any institutional/engineering controls to be used; and 4) a certification that a site management plan for any engineering controls used at the site has been approved by NYSDEC.

With its receipt of a Certificate of Completion, the applicant:

- has no liability to the State for contamination at or coming from the site, subject to certain conditions; and
- is eligible for tax credits to offset the costs of performing cleanup 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.

### **Background**

The subject property, known as Utility Platers, Inc. located at 416 Washington Avenue in the City of Kingston, Ulster County, New York was accepted into the BCP Program in March 2009. The contiguous property, formerly Kingston Diagnostics, was accepted into the BCP as an amendment to the site in November 2009. The Utility Platers, Inc. parcel is an irregularly shaped 1.02-acre commercial lot which contained a one-story (slab-on-grade) masonry block structure that operated as a zinc and chromium plating services until its closure in the latter half of 2005. Use of the property for commercial plating services reportedly dates back to the 1950s. The building has been demolished and removed. The Utility Platers parcel was bordered to the north by the former Kingston Diagnostics (0.71 acres). This acreage was added to the BCP Site because of contamination found at the property. The Kingston Diagnostics Building has also been demolished and removed from the site. The area surrounding the site is predominantly

commercial.

As a result of historical site use, heavy metals, chlorinated solvents and petroleum related products have been detected in the subsurface of the property. Four environmental investigations have been conducted since 2005. A Remedial Investigation Work Plan was approved in July 2009 and the remedial investigation performed by the Applicant was initiated in August 2009. Much of the heaviest contamination was removed from the site by interim remedial measures (IRMS) conducted during the Remedial Investigation. The site was recently developed as a CVS store. During the development, a site-wide cover system was constructed to prevent exposure to remaining contamination and a sub-slab depressurization system was installed beneath the newly constructed building to address potential volatile organic vapor concerns. The remedy for the site is described in the Remedial Action Work Plan dated August 2010. The remedy relied on the actions described above and required that an environmental easement be placed on the property and that a Site Management Plan be developed.

## **FOR MORE INFORMATION**

### **Where to Find Information**

Project documents are available at the following locations to help the public stay informed. These documents include the Notice of the Certificate of Completion.

City of Kingston Library  
Jennifer Sweeney, Reference Librarian  
55 Franklin Street  
Kingston, New York 12401  
(845) 331-0507  
Hours: Mon. – Thurs.: 10 AM – 6 PM  
Friday: 10 AM – 5 PM  
Saturday: 10 AM – 4 PM

NYSDEC Region 3  
21 S. Putt Corners Road  
New Paltz, New York 12561  
(845) 256-3154  
Hours: Mon. – Fri.: 8:30 AM – 4:45 PM  
Call for Appointment

### **Who to Contact**

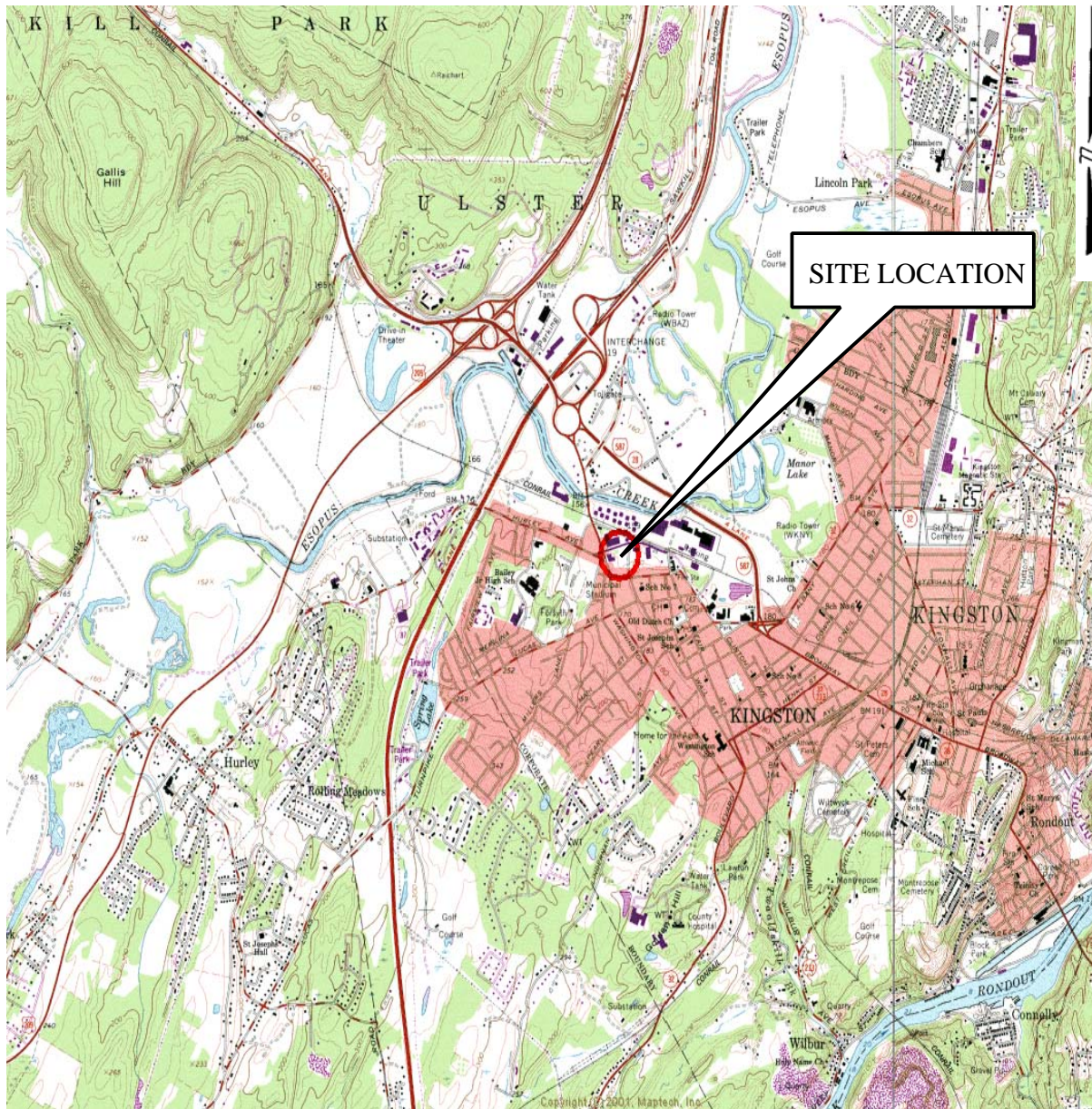
Comments and questions are always welcome and should be directed as follows:

#### Project Related Questions

Jamie Verrigni  
New York State Department of  
Environmental Conservation  
625 Broadway  
Albany, NY 12233-7014  
1-866-520-2334  
[jlverrig@gw.dec.state.ny.us](mailto:jlverrig@gw.dec.state.ny.us)

#### Site-Related Health Questions

Kristin Kulow  
New York State Department of Health  
Bureau of Environmental Exposure Invest.  
Oneonta District Office  
28 Hill Street, Suite 201  
Oneonta, NY 13820  
607-432-3911  
[Kxk07@health.state.ny.us](mailto:Kxk07@health.state.ny.us)



**FIGURE 1: Site Location**  
Utility Platers/Kingston Diagnostics  
Site ID #C356035