



BROWNFIELD CLEANUP PROGRAM (BCP) APPLICATION FORM

DEC requires an application to request major changes to the description of the property set forth in a Brownfield Cleanup Agreement, or "BCA" (e.g., adding a significant amount of new property, or adding property that could affect an eligibility determination due to contamination levels or intended land use). Such application must be submitted and processed in the same manner as the original application, including the required public comment period. **Is this an application to amend an existing BCA?**

Yes

No

If yes, provide existing site number: _____

PART A (note: application is separated into Parts A and B for DEC review purposes) *BCP App Rev 10*

Section I. Requestor Information - See Instructions for Further Guidance

DEC USE ONLY
BCP SITE #:

NAME

ADDRESS

CITY/TOWN

ZIP CODE

PHONE

FAX

E-MAIL

Is the requestor authorized to conduct business in New York State (NYS)?

Yes

No

- If the requestor is a Corporation, LLC, LLP or other entity requiring authorization from the NYS Department of State to conduct business in NYS, the requestor's name must appear, exactly as given above, in the [NYS Department of State's Corporation & Business Entity Database](#). A print-out of entity information from the database must be submitted to the New York State Department of Environmental Conservation (DEC) with the application to document that the requestor is authorized to do business in NYS. **Please note:** If the requestor is an LLC, the members/owners names need to be provided on a separate attachment.

Do all individuals that will be certifying documents meet the requirements detailed below? Yes No

- Individuals that will be certifying BCP documents, as well as their employers, meet the requirements of Section 1.5 of [DER-10: Technical Guidance for Site Investigation and Remediation](#) and Article 145 of New York State Education Law. **Documents that are not properly certified will be not approved under the BCP.**

Section II. Project Description

1. What stage is the project starting at?

Investigation

Remediation

NOTE: If the project is proposed to start at the remediation stage, a Remedial Investigation Report (RIR) at a minimum is required to be attached, resulting in a 30-day public comment period. If an Alternatives Analysis and Remedial Work Plan are also attached (see DER-10 / Technical Guidance for Site Investigation and Remediation for further guidance) then a 45-day public comment period is required.

2. If a final RIR is included, please verify it meets the requirements of Environmental Conservation Law (ECL) Article 27-1415(2): Yes No

3. Please attach a short description of the overall development project, including:

- the date that the remedial program is to start; and
- the date the Certificate of Completion is anticipated.

Section III. Property's Environmental History

All applications **must include** an Investigation Report (per ECL 27-1407(1)). The report must be sufficient to establish contamination of environmental media on the site above applicable Standards, Criteria and Guidance (SCGs) based on the reasonably anticipated use of the property.

To the extent that existing information/studies/reports are available to the requestor, please attach the following (***please submit the information requested in this section in electronic format only***):

1. **Reports:** an example of an Investigation Report is a Phase II Environmental Site Assessment report prepared in accordance with the latest American Society for Testing and Materials standard (ASTM E1903). **Please submit a separate electronic copy of each report in Portable Document Format (PDF).**

2. SAMPLING DATA: INDICATE KNOWN CONTAMINANTS AND THE MEDIA WHICH ARE KNOWN TO HAVE BEEN AFFECTED. LABORATORY REPORTS SHOULD BE REFERENCED AND COPIES INCLUDED.

Contaminant Category	Soil	Groundwater	Soil Gas
Petroleum			
Chlorinated Solvents			
Other VOCs			
SVOCs			
Metals			
Pesticides			
PCBs			
Other*			

*Please describe: _____

3. FOR EACH IMPACTED MEDIUM INDICATED ABOVE, INCLUDE A SITE DRAWING INDICATING:

- SAMPLE LOCATION
- DATE OF SAMPLING EVENT
- KEY CONTAMINANTS AND CONCENTRATION DETECTED
- FOR SOIL, HIGHLIGHT IF ABOVE REASONABLY ANTICIPATED USE
- FOR GROUNDWATER, HIGHLIGHT EXCEEDANCES OF 6NYCRR PART 703.5
- FOR SOIL GAS/ SOIL VAPOR/ INDOOR AIR, HIGHLIGHT IF ABOVE MITIGATE LEVELS ON THE NEW YORK STATE DEPARTMENT OF HEALTH MATRIX

THESE DRAWINGS ARE TO BE REPRESENTATIVE OF ALL DATA BEING RELIED UPON TO MAKE THE CASE THAT THE SITE IS IN NEED OF REMEDIATION UNDER THE BCP. DRAWINGS SHOULD NOT BE BIGGER THAN 11" X 17". THESE DRAWINGS SHOULD BE PREPARED IN ACCORDANCE WITH ANY GUIDANCE PROVIDED.

ARE THE REQUIRED MAPS INCLUDED WITH THE APPLICATION?*

(*answering No will result in an incomplete application)

Yes No

4. INDICATE PAST LAND USES (CHECK ALL THAT APPLY):

Coal Gas Manufacturing	Manufacturing	Agricultural Co-op	Dry Cleaner
Salvage Yard	Bulk Plant	Pipeline	Service Station
Landfill	Tannery	Electroplating	Unknown

Other: _____

Section IV. Property Information - See Instructions for Further Guidance				
PROPOSED SITE NAME				
ADDRESS/LOCATION				
CITY/TOWN		ZIP CODE		
MUNICIPALITY(IF MORE THAN ONE, LIST ALL):				
COUNTY		SITE SIZE (ACRES)		
LATITUDE (degrees/minutes/seconds) ° ' "		LONGITUDE (degrees/minutes/seconds) ° ' "		
Complete tax map information for all tax parcels included within the proposed site boundary. If a portion of any lot is proposed , please indicate as such by inserting "P/O" in front of the lot number in the appropriate box below, and only include the acreage for that portion of the tax parcel in the corresponding far right column.ATTACH REQUIRED MAPS PER THE APPLICATION INSTRUCTIONS.				
Parcel Address	Section No.	Block No.	Lot No.	Acreage
1. Do the proposed site boundaries correspond to tax map metes and bounds? If no, please attach an accurate map of the proposed site.			Yes	No
2. Is the required property map attached to the application? (application will not be processed without map)			Yes	No
3. Is the property within a designated Environmental Zone (En-zone) pursuant to Tax Law 21(b)(6)? (See DEC's website for more information)			Yes	No
If yes, identify census tract : _____				
Percentage of property in En-zone (check one): 0-49% 50-99% 100%				
4. Is this application one of multiple applications for a large development project, where the development project spans more than 25 acres (see additional criteria in BCP application instructions)? Yes No				
If yes, identify name of properties (and site numbers if available) in related BCP applications:_____				
5. Is the contamination from groundwater or soil vapor solely emanating from property other than the site subject to the present application?			Yes	No
6. Has the property previously been remediated pursuant to Titles 9, 13, or 14 of ECL Article 27, Title 5 of ECL Article 56, or Article 12 of Navigation Law? If yes, attach relevant supporting documentation.			Yes	No
7. Are there any lands under water? If yes, these lands should be clearly delineated on the site map.			Yes	No

Section IV. Property Information (continued)

8. Are there any easements or existing rights of way that would preclude remediation in these areas?
If yes, identify here and attach appropriate information. ☐ Yes ☒ No

Easement/Right-of-way Holder

Description

9. List of Permits issued by the DEC or USEPA Relating to the Proposed Site (type here or attach information)

<u>Type</u>	<u>Issuing Agency</u>	<u>Description</u>
Air registration	NYS DEC	
Dry Cleaner Owner/ Manager	NYS DEC	
Certofocatom		

10. Property Description and Environmental Assessment – please refer to application instructions for the proper format of each narrative requested.

Are the Property Description and Environmental Assessment narratives included in the prescribed format? ☒ Yes ☐ No

Note: Questions 11 through 13 only pertain to sites located within the five counties comprising New York City

11. Is the requestor seeking a determination that the site is eligible for tangible property tax credits? ☐ Yes ☐ No

If yes, requestor must answer questions on the supplement at the end of this form.

12. Is the Requestor now, or will the Requestor in the future, seek a determination that the property is Upside Down? ☐ Yes ☐ No

13. If you have answered Yes to Question 12, above, is an independent appraisal of the value of the property, as of the date of application, prepared under the hypothetical condition that the property is not contaminated, included with the application? ☐ Yes ☐ No

NOTE: If a tangible property tax credit determination is not being requested in the application to participate in the BCP, the applicant may seek this determination at any time before issuance of a certificate of completion by using the BCP Amendment Application, except for sites seeking eligibility under the underutilized category.

If any changes to Section IV are required prior to application approval, a new page, initialed by each requestor, must be submitted.

Initials of each Requestor: CS _____

Casey Scanlon

BCP application - PART B (note: application is separated into Parts A and B for DEC review purposes)

Section V. Additional Requestor Information See Instructions for Further Guidance		DEC USE ONLY BCP SITE NAME: _____ BCP SITE #: _____	
NAME OF REQUESTOR'S AUTHORIZED REPRESENTATIVE			
ADDRESS			
CITY/TOWN		ZIP CODE	
PHONE	FAX	E-MAIL	
NAME OF REQUESTOR'S CONSULTANT			
ADDRESS			
CITY/TOWN		ZIP CODE	
PHONE	FAX	E-MAIL	
NAME OF REQUESTOR'S ATTORNEY			
ADDRESS			
CITY/TOWN		ZIP CODE	
PHONE	FAX	E-MAIL	
Section VI. Current Property Owner/Operator Information – if not a Requestor			
CURRENT OWNER'S NAME		OWNERSHIP START DATE:	
ADDRESS			
CITY/TOWN		ZIP CODE	
PHONE	FAX	E-MAIL	
CURRENT OPERATOR'S NAME			
ADDRESS			
CITY/TOWN		ZIP CODE	
PHONE	FAX	E-MAIL	
PROVIDE A LIST OF PREVIOUS PROPERTY OWNERS AND OPERATORS WITH NAMES, LAST KNOWN ADDRESSES AND TELEPHONE NUMBERS AS AN ATTACHMENT. DESCRIBE REQUESTOR'S RELATIONSHIP, TO EACH PREVIOUS OWNER AND OPERATOR, INCLUDING ANY RELATIONSHIP BETWEEN REQUESTOR'S CORPORATE MEMBERS AND PREVIOUS OWNER AND OPERATOR. IF NO RELATIONSHIP, PUT "NONE".			
IF REQUESTOR IS NOT THE CURRENT OWNER, DESCRIBE REQUESTOR'S RELATIONSHIP TO THE CURRENT OWNER, INCLUDING ANY RELATIONSHIP BETWEEN REQUESTOR'S CORPORATE MEMBERS AND THE CURRENT OWNER.			
Section VII. Requestor Eligibility Information (Please refer to ECL § 27-1407)			
If answering "yes" to any of the following questions, please provide an explanation as an attachment.			
1. Are any enforcement actions pending against the requestor regarding this site? Yes No			
2. Is the requestor subject to an existing order for the investigation, removal or remediation of contamination at the site? Yes No			
3. Is the requestor subject to an outstanding claim by the Spill Fund for this site? Any questions regarding whether a party is subject to a spill claim should be discussed with the Spill Fund Administrator. Yes No			

Section VII. Requestor Eligibility Information (continued)

4. Has the requestor been determined in an administrative, civil or criminal proceeding to be in violation of i) any provision of the ECL Article 27; ii) any order or determination; iii) any regulation implementing Title 14; or iv) any similar statute, regulation of the state or federal government? If so, provide an explanation on a separate attachment. Yes No
5. Has the requestor previously been denied entry to the BCP? If so, include information relative to the application, such as name, address, DEC assigned site number, the reason for denial, and other relevant information. Yes No
6. Has the requestor been found in a civil proceeding to have committed a negligent or intentionally tortious act involving the handling, storing, treating, disposing or transporting of contaminants? Yes No
7. Has the requestor been convicted of a criminal offense i) involving the handling, storing, treating, disposing or transporting of contaminants; or ii) that involves a violent felony, fraud, bribery, perjury, theft, or offense against public administration (as that term is used in Article 195 of the Penal Law) under federal law or the laws of any state? Yes No
8. Has the requestor knowingly falsified statements or concealed material facts in any matter within the jurisdiction of DEC, or submitted a false statement or made use of or made a false statement in connection with any document or application submitted to DEC? Yes No
9. Is the requestor an individual or entity of the type set forth in ECL 27-1407.9 (f) that committed an act or failed to act, and such act or failure to act could be the basis for denial of a BCP application? Yes No
10. Was the requestor's participation in any remedial program under DEC's oversight terminated by DEC or by a court for failure to substantially comply with an agreement or order? Yes No
11. Are there any unregistered bulk storage tanks on-site which require registration? Yes No

THE REQUESTOR MUST CERTIFY THAT HE/SHE IS EITHER A PARTICIPANT OR VOLUNTEER IN ACCORDANCE WITH ECL 27-1405 (1) BY CHECKING ONE OF THE BOXES BELOW:

PARTICIPANT

A requestor who either 1) was the owner of the site at the time of the disposal of hazardous waste or discharge of petroleum or 2) is otherwise a person responsible for the contamination, unless the liability arises solely as a result of ownership, operation of, or involvement with the site subsequent to the disposal of hazardous waste or discharge of petroleum.

VOLUNTEER

A requestor other than a participant, including a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site subsequent to the disposal of hazardous waste or discharge of petroleum.

NOTE: By checking this box, a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site certifies that he/she has exercised appropriate care with respect to the hazardous waste found at the facility by taking reasonable steps to: i) stop any continuing discharge; ii) prevent any threatened future release; iii) prevent or limit human, environmental, or natural resource exposure to any previously released hazardous waste.

If a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site, submit a statement describing why you should be considered a volunteer – be specific as to the appropriate care taken.

Section VII. Requestor Eligibility Information (continued)

Requestor Relationship to Property (check one):

Previous Owner Current Owner Potential /Future Purchaser Other_____

If requestor is not the current site owner, **proof of site access sufficient to complete the remediation must be submitted.** Proof must show that the requestor will have access to the property before signing the BCA and throughout the BCP project, including the ability to place an easement on the site Is this proof attached?

Yes No

Note: a purchase contract does not suffice as proof of access.

Section VIII. Property Eligibility Information - See Instructions for Further Guidance

1. Is / was the property, or any portion of the property, listed on the National Priorities List?
If yes, please provide relevant information as an attachment.

Yes No
2. Is / was the property, or any portion of the property, listed on the NYS Registry of Inactive Hazardous Waste Disposal Sites pursuant to ECL 27-1305?
If yes, please provide: Site # _____ Class # _____

Yes No
3. Is / was the property subject to a permit under ECL Article 27, Title 9, other than an Interim Status facility?
If yes, please provide: Permit type: _____ EPA ID Number: _____
Date permit issued: _____ Permit expiration date: _____

Yes No
4. If the answer to question 2 or 3 above is yes, is the site owned by a volunteer as defined under ECL 27-1405(1)(b), or under contract to be transferred to a volunteer? Attach any information available to the requestor related to previous owners or operators of the facility or property and their financial viability, including any bankruptcy filing and corporate dissolution documentation.

Yes No
5. Is the property subject to a cleanup order under Navigation Law Article 12 or ECL Article 17 Title 10?
If yes, please provide: Order # _____

Yes No
6. Is the property subject to a state or federal enforcement action related to hazardous waste or petroleum?
If yes, please provide explanation as an attachment.

Yes No

Section IX. Contact List Information

To be considered complete, the application must include the Brownfield Site Contact List in accordance with [DER-23 / Citizen Participation Handbook for Remedial Programs](#). Please attach, at a minimum, the names and addresses of the following:

1. The chief executive officer and planning board chairperson of each county, city, town and village in which the property is located.
2. Residents, owners, and occupants of the property and properties adjacent to the property.
3. Local news media from which the community typically obtains information.
4. The public water supplier which services the area in which the property is located.
5. Any person who has requested to be placed on the contact list.
6. The administrator of any school or day care facility located on or near the property.
7. The location of a document repository for the project (e.g., local library). **If the site is located in a city with a population of one million or more, add the appropriate community board as an additional document repository.** In addition, attach a copy of an acknowledgement from each repository indicating that it agrees to act as the document repository for the site.

Section X. Land Use Factors

1. What is the current municipal zoning designation for the site? _____

What uses are allowed by the current zoning? (Check boxes, below)

Residential Commercial Industrial

If zoning change is imminent, please provide documentation from the appropriate zoning authority.

2. Current Use: Residential Commercial Industrial Vacant Recreational (check all that apply)

Attach a summary of current business operations or uses, with an emphasis on identifying possible contaminant source areas. If operations or uses have ceased, provide the date.

3. Reasonably anticipated use Post Remediation: Residential Commercial Industrial (check all that apply) **Attach a statement detailing the specific proposed use.**

If residential, does it qualify as single family housing?

Yes No

4. Do current historical and/or recent development patterns support the proposed use?

Yes No

5. Is the proposed use consistent with applicable zoning laws/maps? Briefly explain below, or attach additional information and documentation if necessary.

Yes No

6. Is the proposed use consistent with applicable comprehensive community master plans, local waterfront revitalization plans, or other adopted land use plans? Briefly explain below, or attach additional information and documentation if necessary.

Yes No

XI. Statement of Certification and Signatures

(By requestor who is an individual)

If this application is approved, I hereby acknowledge and agree: (1) to execute a Brownfield Cleanup Agreement (BCA) within 60 days of the date of DEC's approval letter; (2) to the general terms and conditions set forth in the *Proposed DER-32, Brownfield Cleanup Program Applications and Agreements*; and (3) that in the event of a conflict between the general terms and conditions of participation and the terms contained in a site-specific BCA, the terms in the site-specific BCA shall control. Further, I hereby affirm that information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to section 210.45 of the Penal Law.

Date: _____

Signature: _____

Print Name: _____

(By a requestor other than an individual)

I hereby affirm that I am President (title) of Scanlon's Cleaners, Inc. (entity); that I am authorized by that entity to make this application and execute the Brownfield Cleanup Agreement (BCA) and all subsequent amendments; that this application was prepared by me or under my supervision and direction. If this application is approved, I acknowledge and agree: (1) to execute a BCA within 60 days of the date of DEC's approval letter; (2) to the general terms and conditions set forth in the *Proposed DER-32, Brownfield Cleanup Program Applications and Agreements*; and (3) that in the event of a conflict between the general terms and conditions of participation and the terms contained in a site-specific BCA, the terms in the site-specific BCA shall control. Further, I hereby affirm that information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.

Date: 8/26/19

Signature: CS

Print Name: CASEY SCANLON

SUBMITTAL INFORMATION:

- Two (2) copies, one paper copy with original signatures and one electronic copy in Portable Document Format (PDF), 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

FOR DEC USE ONLY
BCP SITE T&A CODE: _____

LEAD OFFICE: _____

Supplemental Questions for Sites Seeking Tangible Property Credits in New York City ONLY. Sufficient information to demonstrate that the site meets one or more of the criteria identified in ECL 27 1407(1-a) must be submitted if requestor is seeking this determination.

BCP App Rev 10

Property is in Bronx, Kings, New York, Queens, or Richmond counties.	Yes	No
Requestor seeks a determination that the site is eligible for the tangible property credit component of the brownfield redevelopment tax credit.	Yes	No
Please answer questions below and provide documentation necessary to support answers.		
1. Is at least 50% of the site area located within an environmental zone pursuant to NYS Tax Law 21(b)(6)? Please see DEC's website for more information.	Yes	No
2. Is the property upside down or underutilized as defined below?	Upside Down?	Yes No
	Underutilized?	Yes No
From ECL 27-1405(31): "Upside down" shall mean a property where the projected and incurred cost of the investigation and remediation which is protective for the anticipated use of the property equals or exceeds seventy-five percent of its independent appraised value, as of the date of submission of the application for participation in the brownfield cleanup program, developed under the hypothetical condition that the property is not contaminated. From 6 NYCRR 375-3.2(I) as of August 12, 2016: (Please note: Eligibility determination for the underutilized category can only be made at the time of application) 375-3.2: (I) "Underutilized" means, as of the date of application, real property on which no more than fifty percent of the permissible floor area of the building or buildings is certified by the applicant to have been used under the applicable base zoning for at least three years prior to the application, which zoning has been in effect for at least three years; and (1) the proposed use is at least 75 percent for industrial uses; or (2) at which: (i) the proposed use is at least 75 percent for commercial or commercial and industrial uses; (ii) the proposed development could not take place without substantial government assistance, as certified by the municipality in which the site is located; and (iii) one or more of the following conditions exists, as certified by the applicant: (a) property tax payments have been in arrears for at least five years immediately prior to the application; (b) a building is presently condemned, or presently exhibits documented structural deficiencies, as certified by a professional engineer, which present a public health or safety hazard; or (c) there are no structures. "Substantial government assistance" shall mean a substantial loan, grant, land purchase subsidy, land purchase cost exemption or waiver, or tax credit, or some combination thereof, from a governmental entity.		

Supplemental Questions for Sites Seeking Tangible Property Credits in New York City (continued)

3. If you are seeking a formal determination as to whether your project is eligible for Tangible Property Tax Credits based in whole or in part on its status as an affordable housing project (defined below), you must attach the regulatory agreement with the appropriate housing agency (typically, these would be with the *New York City Department of Housing, Preservation and Development*; the *New York State Housing Trust Fund Corporation*; the *New York State Department of Housing and Community Renewal*; or the *New York State Housing Finance Agency*, though other entities may be acceptable pending Department review). **Check appropriate box, below:**

Project is an Affordable Housing Project - Regulatory Agreement Attached;

Project is Planned as Affordable Housing, But Agreement is Not Yet Available*
(*Checking this box will result in a “pending” status. The Regulatory Agreement will need to be provided to the Department and the Brownfield Cleanup Agreement will need to be amended prior to issuance of the CoC in order for a positive determination to be made.);

This is Not an Affordable Housing Project.

From 6 NYCRR 375- 3.2(a) as of August 12, 2016:

(a) “Affordable housing project” means, for purposes of this part, title fourteen of article twenty seven of the environmental conservation law and section twenty-one of the tax law only, a project that is developed for residential use or mixed residential use that must include affordable residential rental units and/or affordable home ownership units.

(1) Affordable residential rental projects under this subdivision must be subject to a federal, state, or local government housing agency’s affordable housing program, or a local government’s regulatory agreement or legally binding restriction, which defines (i) a percentage of the residential rental units in the affordable housing project to be dedicated to (ii) tenants at a defined maximum percentage of the area median income based on the occupants’ households annual gross income.

(2) Affordable home ownership projects under this subdivision must be subject to a federal, state, or local government housing agency’s affordable housing program, or a local government’s regulatory agreement or legally binding restriction, which sets affordable units aside for home owners at a defined maximum percentage of the area median income.

(3) “Area median income” means, for purposes of this subdivision, the area median income for the primary metropolitan statistical area, or for the county if located outside a metropolitan statistical area, as determined by the United States department of housing and urban development, or its successor, for a family of four, as adjusted for family size.

BCP Application Summary (for DEC use only)**Site Name:****City:****Site Address:****County:****Zip:****Tax Block & Lot****Section (if applicable):****Block:****Lot:****Requestor Name:****City:****Requestor Address:****Zip:****Email:****Requestor's Representative (for billing purposes)****Name:****Address:****City:****Zip:****Email:****Requestor's Attorney****Name:****Address:****City:****Zip:****Email:****Requestor's Consultant****Name:****Address:****City:****Zip:****Email:****Percentage claimed within an En-Zone:****0%****<50%****50-99%****100%****DER Determination:**

Agree

Disagree

Requestor's Requested Status:**Volunteer****Participant****DER/OGC Determination:**

Agree

Disagree

Notes:**For NYC Sites, is the Requestor Seeking Tangible Property Credits:**

Yes

No

Does Requestor Claim Property is Upside Down:

Yes

No

DER/OGC Determination:

Agree

Disagree

Undetermined

Notes:**Does Requestor Claim Property is Underutilized:**

Yes

No

DER/OGC Determination:

Agree

Disagree

Undetermined

Notes:**Does Requestor Claim Affordable Housing Status:**

Yes

No

Planned, No Contract

DER/OGC Determination:

Agree

Disagree

Undetermined

Notes:

**NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION
BROWNFIELD CLEANUP PROGRAM (BCP)
INSTRUCTIONS FOR COMPLETING A BCP APPLICATION**

The New York State Department of Environmental Conservation (DEC) strongly encourages all applicants to schedule a pre-application meeting with DEC staff to review the benefits, requirements, and procedures for completing a project in the BCP. Contact your [Regional office](#) to schedule a meeting. To add a party to an existing BCP Agreement and/or Application, use the [BCP Agreement Amendment Application](#). **See guidance at the end of these instructions regarding the determination of a complete application.**

SECTION I REQUESTOR INFORMATION

Requestor Name

Provide the name of the person(s)/entity requesting participation in the BCP. (If more than one, attach additional sheets with requested information. If an LLC, the members/owners names need to be provided on a separate attachment). The requestor is the person or entity seeking DEC review and approval of the remedial program.

If the requestor is a Corporation, LLC, LLP or other entity requiring authorization from the NYS Department of State to conduct business in NYS, the requestor's name must appear exactly as given in the [NYS Department of State's Corporation & Business Entity Database](#). A print-out of entity information from the database must be submitted to DEC with the application, to document that the requestor is authorized to do business in NYS.

Address, etc.

Provide the requestor's mailing address, telephone number; fax number and e-mail address.

Document Certification

All documents, which are prepared in final form for submission to DEC for approval, are to be prepared and certified in accordance with Section 1.5 of [DER-10](#). Persons preparing and certifying the various work plans and reports identified in Section 1.5 include:

- New York State licensed professional engineers (PEs), as defined at 6 NYCRR 375-1.2(aj) and paragraph 1.3(b)47. Engineering documents must be certified by a PE with current license and registration for work that was done by them or those under their direct supervision. The firm by which the PE is employed must also be authorized to practice engineering in New York State;
- qualified environmental professionals as defined at 6 NYCRR 375-1.2(ak) and DER-10 paragraph 1.3(b)49;
- remedial parties, as defined at 6 NYCRR 375-1.2(ao) and DER-10 paragraph 1.3(b)60; or
- site owners, which are the owners of the property comprising the site at the time of the certification.

SECTION II PROJECT DESCRIPTION

As a separate attachment, provide complete and detailed information about the project, including the purpose of the project, the date the remedial program is to start, and the date the Certificate of Completion is anticipated..

**NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

SECTION III

PROPERTY'S ENVIRONMENTAL HISTORY

Please follow instructions on application form.

SECTION IV

PROPERTY INFORMATION

Proposed Site Name

Provide a name for the proposed site. The name could be an owner's name, current or historical operations (i.e. ABC Furniture) or the general location of the property. Consider whether the property is known by DEC by a particular name, and if so, use that name.

Site Address

Provide a street address, city/town, zip code, and each municipality and county in which the site is located. .

Site Size

Provide the approximate acreage of the site.

GIS Information

Provide the latitude and longitude for the approximate center of the property. Show the latitude and longitude in degrees, minutes and seconds.

Tax Parcel Information

Provide the tax parcel address/section/block/lot information and map. Tax map information may be obtained from the tax assessor's office for all tax parcels that are included in the property boundaries. Attach a county tax map with identifier numbers, along with any figures needed to show the location and boundaries of the property. Include a USGS 7.5 minute quad map on which the property appears and clearly indicate the proposed site's location.

1. Tax Map Boundaries

State whether the boundaries of the site correspond to the tax map boundaries. If no, a metes and bounds description of the property must be attached. The site boundary can occupy less than a tax lot or encompass portions of one or more tax lots and may be larger or smaller than the overall redevelopment/reuse project area. A site survey with metes and bounds will be required to establish the site boundaries before the Certificate of Completion can be issued.

2. Map

Provide a property base map(s) of sufficient detail, clarity and accuracy to show the following: i) map scale, north arrow orientation, date, and location of the property with respect to adjacent streets and roadways; and ii) proposed brownfield property boundary lines, with adjacent property owners clearly identified.

**NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

SECTION IV (continued)

3. En-zone

Is any part of the property in an En-zone? If so, what percentage? For information on En-zones, please see [DEC's website](#).

4. Multiple applications

Generally, only one application can be submitted, and one BCA executed, for a development project. In limited circumstances, the DEC may consider multiple applications/BCAs for a development project where 1) the development project spans more than 25 acres; 2) the approach does not negatively impact the remedial program, including timing, ability to appropriately address areas of concern, and management of off-site concerns; and 3) the approach is not advanced to increase the value of future tax credits (i.e., circumvent the tax credit caps provided under New York State Tax Law Section 21).

10. Property Description Narrative

Provide a property description in the format provided below. Each section should be no more than one paragraph long.

Location

Example: "The XYZ Site is located in an {urban, suburban, rural} area." {Add reference points if address is unspecific; e.g., "The site is approximately 3.5 miles east of the intersection of County Route 55 and Industrial Road."}

Site Features:

Example: "The main site features include several large abandoned buildings surrounded by former parking areas and roadways. About one quarter of the site area is wooded. Little Creek passes through the northwest corner."

Current Zoning and Land Use: (Ensure the current zoning is identified.)

Example: "The site is currently inactive, and is zoned for commercial use. The surrounding parcels are currently used for a combination of commercial, light industrial, and utility right-of-ways. The nearest residential area is 0.3 miles east on Route 55."

Past Use of the Site: include source(s) of contamination and remedial measures (site characterizations, investigations, Interim Remedial Measures, etc.) completed outside of the current remedial program (e.g., work under a petroleum spill incident).

Example: "Until 1992 the site was used for manufacturing wire and wire products (e.g., conduit, insulators) and warehousing. Prior uses that appear to have led to site contamination include metal plating, machining, disposal in a one-acre landfill north of Building 7, and releases of wastewater into a series of dry wells."

When describing the investigations/actions performed outside of the remedial program, include the major chronological remedial events that lead to the site entering a remedial program. The history should include the first involvement by government to address hazardous waste/petroleum disposal. Do not cite reports. Only include remedial activities which were implemented PRIOR to the BCA. Do not describe sampling information.

**NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

SECTION IV (continued)

Property Description Narrative (continued)

Site Geology and Hydrogeology:

As appropriate, provide a very brief summary of the main hydrogeological features of the site including depth to water, groundwater flow direction, etc.

Environmental Assessment

The goal of this section is to describe the nature and extent of contamination at the site. When describing the nature of contamination, identify just the primary contaminants of concern (i.e., those that will likely drive remedial decisions/actions). If there are many contaminants present within a group of contaminants (i.e., volatile organic compounds, semivolatile organic compounds, metals), identify the group(s) and one or two representative contaminants within the group. When addressing the extent of contamination, identify the areas of concern at the site, contaminated media (i.e., soil, groundwater, etc.), relative concentration levels, and a broad-brush description of contaminated areas/depths.

The reader should be able to know if contamination is widespread or limited and if concentrations are marginally or greatly above Standards, Criteria and Guidance (SGCs) for the primary contaminants. If the extent is described qualitatively (e.g., low, medium, high), representative concentrations should be given and compared with appropriate SCGs. For soil contamination, the concentrations should be compared with the soil cleanup objectives (SCOs) for the intended use of the site.

A typical Environmental Assessment would look like the following:

Based upon investigations conducted to date, the primary contaminants of concern for the site include cadmium and trichloroethene (TCE).

Soil - Cadmium is found in shallow soil, mostly near a dry well at the northeast end of the property. TCE is found in deeper soil, predominantly at the north end of the site. Concentrations of cadmium found on site (approximately 5 ppm) slightly exceed the soil cleanup objective (SCO) for unrestricted use (2.5 ppm). Concentrations of TCE found on site (5 ppm to 300 ppm) significantly exceed the soil cleanup objectives for the protection of groundwater (0.47 ppm).

Groundwater - TCE and its associated degradation products are also found in groundwater at the north end of the site, moderately exceeding groundwater standards (typically 5 ppb), with a maximum concentration of 1500 ppb. A moderate amount of TCE from the site has migrated 300 feet down-gradient off-site. The primary contaminant of concern for the off-site area is TCE, which is present at a maximum concentration of 500 ppb, at 10 feet below the groundwater table near Avenue A.

Soil Vapor & Indoor Air - TCE was detected in soil vapor at elevated concentrations and was also detected in indoor air at concentrations up to 1,000 micrograms per cubic meter.

If any changes to Section IV are required prior to application approval, a new page, initialed by each requestor, must be submitted.

SECTION V

ADDITIONAL REQUESTOR INFORMATION

Representative Name, Address, etc.

Provide information for the requestor's authorized representative. This is the person to whom all correspondence, notices, etc. will be sent, and who will be listed as the contact person in the BCA. Invoices will be sent to the representative of Applications determined to be Participants unless another contact name and address is provided with the application.

Consultant and Attorney Name, Address, etc.

Provide requested information.

**NEW YORK STATE
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**SECTION VI CURRENT PROPERTY OWNER/OPERATOR INFORMATION
(IF NOT A REQUESTOR)**

Owner Name, Address, etc.

Provide requested information of the current owner of the property. List all parties holding an interest in the Property and, if the Requestor is not the current owner, describe the Requestor's relationship to the current owner.

Operator Name, Address, etc.

Provide requested information of the current operator (if different from the requestor or owner).

Provide a list of previous property owners and operators with names, last known addresses, telephone numbers and the Requestor's relationship to each owner and operator as a separate attachment

SECTION VII REQUESTOR ELIGIBILITY INFORMATION

As a separate attachment, provide complete and detailed information in response to any eligibility questions answered in the affirmative. It is permissible to reference specific sections of existing property reports; however, it is requested that such information be summarized. For properties with multiple addresses or tax parcels, please include this information for each address or tax parcel.

SECTION VIII PROPERTY ELIGIBILITY INFORMATION

As a separate attachment, provide complete and detailed information in response to the following eligibility questions answered in the affirmative. It is permissible to reference specific sections of existing property reports; however, it is requested that that information be summarized.

1. CERCLA / NPL Listing

Has any portion of the property ever been listed on the National Priorities List (NPL) established under CERCLA? If so, provide relevant information.

2. Registry Listing

Has any portion of the property ever been listed on the New York State Registry of Inactive Hazardous Waste Disposal Sites established under ECL 27-1305? If so, please provide the site number and classification. See the Division of Environmental Remediation (DER) [website](#) for a database of sites with classifications.

3. RCRA Listing

Does the property have a Resource Conservation and Recovery Act (RCRA) TSDF Permit in accordance with the ECL 27-0900 *et seq*? If so, please provide the EPA Identification Number, the date the permit was issued, and its expiration date. Note: for purposes of this application, interim status facilities are not deemed to be subject to a RCRA permit.

4. Registry / RCRA sites owned by volunteers

If the answer to question 2 or 3 above is yes, is the site owned by a volunteer as defined under ECL 27-1405(1)(b), or under contract to be transferred to a volunteer? Attach any information available to the requestor related to previous owners or operators of the facility or property and their financial viability, including any bankruptcy filing and corporate dissolution documentation.

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SECTION VIII (continued)

5. Existing Order

Is the property subject to an order for cleanup under Article 12 of the Navigation Law or Article 17 Title 10 of the ECL? If so, please provide information on an attachment. Note: if the property is subject to a stipulation agreement, relevant information should be provided; however, property will not be deemed ineligible solely on the basis of the stipulation agreement.

6. Enforcement Action Pending

Is the property subject to an enforcement action under Article 27, Titles 7 or 9 of the ECL or subject to any other ongoing state or federal enforcement action related to the contamination which is at or emanating from the property? If so, please provide information on an attachment.

SECTION IX CONTACT LIST INFORMATION

Provide the names and addresses of the parties on the Site Contact List (SCL) and a letter from the repository acknowledging agreement to act as the document repository for the proposed BCP project.

SECTION X LAND USE FACTORS

In addition to eligibility information, site history, and environmental data/reports, the application requires information regarding the current, intended and reasonably anticipated future land use.

1. This information consists of responses to the "land use" factors to be considered relative to the "Land Use" section of the BCP application. The information will be used to determine the appropriate land use in conjunction with the investigation data provided, in order to establish eligibility for the site based on the definition of a "brownfield site" pursuant to ECL 27-1405(2).
2. This land use information will be used by DEC, in addition to all other relevant information provided, to determine whether the proposed use is consistent with the currently identified, intended and reasonably anticipated future land use of the site at this stage. Further, this land use finding is subject to information regarding contamination at the site or other information which could result in the need for a change in this determination being borne out during the remedial investigation.

SECTION XI SIGNATURE PAGE

The Requestor must sign the application, or designate a representative who can sign. The requestor's consultant or attorney cannot sign the application. If there are multiple parties applying, then each must sign a signature page. If the requestor is a Corporation, LLC, LLP or other entity requiring authorization from the NYS Department of State to conduct business in NYS, the entity's name must appear exactly as given in the NYS Department of State's Corporation & Business Entity Database.

**NEW YORK STATE
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DETERMINATION OF A COMPLETE APPLICATION

1. The first step in the application review and approval process is an evaluation to determine if the application is complete. To help ensure that the application is determined complete, requestors should review the list of [common application deficiencies](#) and carefully read these instructions.
2. DEC will send a notification to the requestor within 30 calendar days of receiving the application, indicating whether such application is complete or incomplete.
3. An application must include the following information relative to the site identified by the application, necessary for making an eligibility determination, or it will be deemed incomplete. **(Please note: the application as a whole requires more than the information outlined below to be determined complete).** The application must include:
 - a. for all sites, an investigation report sufficient to demonstrate the site requires remediation in order to meet the requirements of the program, and that the site is a brownfield site at which contaminants are present at levels exceeding the soil cleanup objectives or other health-based or environmental standards, criteria or guidance adopted by DEC that are applicable based on the reasonably anticipated use of the property, in accordance with applicable regulations. Required data includes site drawings requested in Section III, #3 of the BCP application form.
 - b. for those sites described below, documentation relative to the volunteer status of all requestors, as well as information on previous owners or operators that may be considered responsible parties **and** their ability to fund remediation of the site. This documentation is required for:
 - i. real property listed in the registry of inactive hazardous waste disposal sites as a class 2 site, which may be eligible provided that DEC has not identified any responsible party for that property having the ability to pay for the investigation or cleanup of the property prior to the site being accepted into the BCP; or
 - ii. real property that was a hazardous waste treatment, storage or disposal facility having interim status pursuant to the Resource Conservation and Recovery Act (RCRA) program, which may be eligible provided that DEC has not identified any responsible party for that property having the ability to pay for the investigation or cleanup of the property prior to the site being accepted into the BCP.
 - c. for sites located within the five counties comprising New York City, in addition to (a) and if applicable (b) above, if the application is seeking a determination that the site is eligible for tangible property tax credits, sufficient information to demonstrate that the site meets one or more of the criteria identified in ECL 27 1407(1-a). **If this determination is not being requested in the application to participate in the BCP, the applicant may seek this determination at any time before issuance of a certificate of completion, using the BCP Amendment Application, except for sites seeking eligibility under the underutilized category.**
 - d. for sites previously remediated pursuant to Titles 9, 13, or 14 of ECL Article 27, Title 5 of ECL Article 56, or Article 12 of Navigation Law, relevant documentation of this remediation.

**NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

DETERMINATION OF A COMPLETE APPLICATION (continued)

4. If the application is found to be incomplete:
 - a. the requestor will be notified via email or phone call regarding minor deficiencies. The requestor must submit information correcting the deficiency to DEC within the 30-day review time frame; or
 - b. the requestor will receive a formal Letter of Incomplete Application (LOI) if an application is substantially deficient, if the information needed to make an eligibility determination identified in #4 above is missing or found to be incomplete, or if a response to a minor deficiency is not received within the 30-day period. The LOI will detail all of the missing information and request submission of the information. If the information is not submitted within 30 days from the date of the LOI, the application will be deemed withdrawn. In this case, the requestor may resubmit the application without prejudice.
5. If the application is determined to be complete, DEC will send a Letter of Complete Application (LOC) that includes the dates of the public comment period. The LOC will:
 - a. include an approved public notice to be sent to all parties on the Contact List included with the application;
 - b. provide instructions for publishing the public notice in the newspaper on the date specified in the letter, and instructions for mailing the notice to the Contact List;
 - c. identify the need for a certification of mailing form to be returned to DEC along with proof of publication documentation; and
 - d. specify the deadline for publication of the newspaper notice, which must coincide with, or occur before, the date of publication in the Environmental Notice Bulletin (ENB).
 - i. DEC will send a notice of the application to the ENB. As the ENB is only published on Wednesdays, DEC must submit the notice by the Wednesday before it is to appear in the ENB.
 - ii. The mailing to parties on the Contact List must be completed no later than the Tuesday prior to ENB publication. If the mailings, newspaper notice and ENB notice are not completed within the time-frames established by the LOC, the public comment period on the application will be extended to insure that there will be the required comment period.
 - iii. Marketing literature or brochures are prohibited from being included in mailings to the Contact List.

NYS Department of State

Division of Corporations

Entity Information

The information contained in this database is current through July 27, 2018.

Selected Entity Name: SCANLON'S CLEANERS, INC

Selected Entity Status Information

Current Entity Name: SCANLON'S CLEANERS, INC

DOS ID #: 4514337

Initial DOS Filing Date: JANUARY 15, 2014

County: ULSTER

Jurisdiction: NEW YORK

Entity Type: DOMESTIC BUSINESS CORPORATION

Current Entity Status: ACTIVE

Selected Entity Address Information

DOS Process (Address to which DOS will mail process if accepted on behalf of the entity)

CASEY SCANLON
867 NICHOLAS AVE
KINGSTON, NEW YORK, 12401

Registered Agent

NONE

This office does not record information regarding the names and addresses of officers, shareholders or directors of nonprofessional corporations except the chief executive officer, if provided, which would be listed above.

Professional corporations must include the name(s) and address(es) of the initial officers, directors, and shareholders in the initial certificate of incorporation, however this information is not recorded and only available by [viewing the certificate](#).

*Stock Information

# of Shares	Type of Stock	\$ Value per Share
-------------	---------------	--------------------

200	No Par Value	
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*Stock information is applicable to domestic business corporations.

Name History

Filing Date	Name Type	Entity Name
JAN 15, 2014	Actual	SCANLON'S CLEANERS, INC

A **Fictitious** name must be used when the **Actual** name of a foreign entity is unavailable for use in New York State. The entity must use the fictitious name when conducting its activities or business in New York State.

NOTE: New York State does not issue organizational identification numbers.

ATTACHMENTS

Brownfields Application for Site: Scanlon's Cleaners, Inc
(Formerly American Cleaners Kingston) October 21, 2019, page 1

The following statements apply to the requests for additional information and will be provided in the order they appear in the application, identified by

Page number of application pdf
Section Roman Numeral,
Sub-Section Arabic Number
Topic

Page 1, Section I, last point

All certified documents will be signed by our Professional Engineer Jolanda G. Jansen, State of New York Licensed Professional Engineer 068972-1

Page 1, Section II Project Description.

2. One copy of each of the following documents is provided in pdf on CD-ROM

RI/AAR dated March 2018,
IRM/CCR dated February 2017,
And RIR dated December 2009.

4. Attach a short **description** of overall development project including

- Enhanced bioremediation of the groundwater started with
Injection of Regenesis 3D Micro Emulsion April 7-9, 2015
Injection of Regenesis Bio Dechlor Inoculum Plus October 7-8, 2015
- Followed by Installation and Startup of
the Sub-Slab Passive Vapor Extraction System April 10, 2015
- The date the certificate of completion is anticipated August 2020

The project is not an overall development project. It is a transfer from the Voluntary Cleanup Program (VCP) to Brownfields Participation as a result of the termination of the VCP on March 31, 2018. American Cleaners Kingston has operated on this site since construction in 1982. American Cleaners Kingston entered the VCP in March 2003 as a result of a spill of Tetrachloroethylene (PCE or perc).

Prior to 2009, the previous consultant (Berninger) collected and ordered laboratory analyses for VOCs for many soil samples behind the building. PCE concentrations and lesser VOCs in all soil samples were compared to the NYS DEC soil cleanup objective in listed in subpart Part 375-6 Remedial Program Cleanup Objectives, Table 375-6.8(a) Unrestricted Use Soil Cleanup Objectives. Specifically for tetrachloroethylene (PCE) is 1.3 ppm or 1300 ppb.

Additional soil sampling was conducted around the storm drain behind the building on September 23, 2013. Seven samples were collected from both the north and south sides of the drain and at depths ranging from 0.5 feet to 10 feet below the ground surface. None of the samples from the 2009 and 2013 soil sampling showed any exceedances of the SCO for PCE or total VOCs.

In 2009, indoor air, outdoor air, and sub-slab vapor samples were taken by the previous consultant (Berninger) at the Liquor store to the north, and buildings across the street: the RCAL

ATTACHMENTS

Brownfields Application for Site: Scanlon's Cleaners, Inc
(Formerly American Cleaners Kingston) October 21, 2019, page 2

back building, the RCAL front Building and the Restaurant directly across the street from the American Cleaners building. A review of the laboratory results indicates that no indoor air samples exceeded the NYSDOH air guideline value of PCE at 100 ug/m^3 , equivalent to 15 ppbv.

On March 25, 2013, sub-slab soil and soil vapor sampling occurred in four boreholes through the slab. Comparison of the two sets of data indicated that the VOCs are vapors within the soil pore space and not associated with or attached to soil particles. Soil vapors in all four borings had sufficient concentrations to require installation of a vapor extraction system. Poor permeability below the slab lead to installation of a passive sub-slab vapor extraction system with wind-driven turbines on the roof connected with PVC pipes to the vapor extraction points below the slab.

Groundwater contamination originated from spills on the ground surface near the dumpster from disposal of cartridges of spent Tetrachloethylene (PCE). Two other spills within the building probably also contributed to groundwater contamination. The water table is about 10 feet below the surface near the building and slopes west. PCE contamination has been found between 10 and 25 feet below the surface and the plume has been detected with concentrations of about 20 ug/L at Lincoln Park Place which is about 800 feet from the building.

Remedial systems were installed for sub-slab soil vapor and injected for groundwater. The site is in a state of monitoring the cleanup of those media. Sampling in 2017 after enhanced bioremediation in 2015 has shown a decrease of PCE concentrations. Likewise, sampling of soil vapors from the four sub-slab soil vapor extraction points has shown a decrease in VOCs from 2015 to 2017.

Page 2, Section III Properties Environmental History

1. **Reports.** Example of a remedial investigation report
Attachments requested on page 1, Section II Project Description:
RI/AAR dated March 2018,
IRM/CCR dated February 2017,
And RIR dated December 2009 are included in pdf on the accompanying CD-ROM.

Page 2, Section III Properties Environmental History

3. **For Impacted Media,** Include Site Drawings and Other Information to make a case for necessity of remediation
 - Sub-Slab Soil and Soil Vapor Remedy Installed Passive Vapor Extraction Running 4 pages
 - Groundwater Enhanced Bioremediation 9 pages

Table 1

Sub-Slab Soil Sampling Laboratory Results

Units of Measurement $\mu\text{g}/\text{kg}$ dry = parts per billion (ppb)

American Cleaners, 734 Ulster Avenue, Kingston, NY

NYSDEC DER VCP Site: V-00601-3

Sampling Date: March 25, 2013

Laboratory Analysis by US EPA Method SW846-8260B for 8260 List

York Analytical Laboratories, Inc. 129 Research Drive, Stratford, CT 06615

Laboratory Report 13C0810 04/02/2013

Omitted Compounds were Not Detected (ND)

Sampling Conducted by Jansen Engineering, PLLC and Mid-Hudson Geosciences

Analyte	Sampling Points			
	XP1 Back Left Corner	XP2 Inside Back Door on Right side as entering	XP3 Left Back behind last Pressing Station	XP4 Right of Front Door behind Counter
Tetracholoethylene	7.2 J	ND	ND	9.9 J
Acetone	11 J,B	14 J,B	13 J,B	24 J,B

Notes:

ND = Not Detected at MDL

J = Detected below reporting limit (RL), but greater than Method Detection Limit (MDL)

Considered and estimated value

B =Analyte found in blank

Trip Blank contained Naphthalene (Moth Balls) @ $1.3 \mu\text{g}/\text{kg}$ J

Field Blank (Equipment Blank) all VOCs were ND

Table 2

Sub-Slab Soil Vapor Sampling Laboratory Results

All concentrations of Volatile Organic Compounds are measured in $\mu\text{g}/\text{m}^3$.

American Cleaners, 734 Ulster Avenue, Kingston, NY

NYSDEC DER VCP Site V-00601-3

Comparison of Sampling Dates: March 25, 2013 and November 28, 2016

Sample ID were different for the two sampling events

Laboratory Analysis by US EPA Method TO15 Full List for 6-Liter Summa Canisters

Helium was the Leak Detection Gas analyzed by GC/TCD ND @ 0.95% MDL Dilution 1.902

York Analytical Laboratories, Inc. 129 Research Drive, Stratford, CT 06615

Laboratory Reports: 13C0768 04/04/2013 and 16K1174 12/07/2016

Omitted Compounds were Not Detected (ND)

NA indicates that Helium was not used, nor analyzed in the 2016 sampling event.

Tentatively Identified Compounds were ND in all cases

Sampling Conducted by Jansen Engineering, PLLC and Mid-Hudson Geosciences

Analyte	Sampling Points							
	XP1 and NE Back Left Corner		XP2 and BD Inside Back Door on Right side as entering		XP3 and NW Left Back behind last Pressing Station		XP4 and WW Right of Front Door behind Counter	
	3/25/2013	11/28/2016	3/25/2013	11/28/2016	3/25/2013	11/28/2016	3/25/2013	11/28/2016
Tetrachloroethylene	2300	1400	22,000	6,100	17000 .	990	1300	350
Helium	ND	NA	ND	NA	ND	NA	ND	NA
Trichloroethylene	ND	17	150	55	49	33	ND	ND
cis1,2-Dichloroethylene	ND	ND	29	32	ND	ND	ND	ND
Chloroform	ND	ND	27	10	ND	ND	ND	ND
Acetone	ND	18	14	11	69	ND	84	ND
Dichlorofluoromethane	ND	ND	ND	ND	ND	ND	21	14
2 Butanone	ND	16	ND	7.9	ND	ND	ND	11
Methyl Chloride	ND	14	ND	18	ND	ND	ND	ND
Tetrahydrofluran	ND	34	ND	18	ND	ND	ND	33

Total VOCs in $\mu\text{g}/\text{m}^3$	2300	1499	22,250	6240	17,000	1023	1405	458
--	------	------	--------	------	--------	------	------	-----

Percent Tetrachloroethylene Decline	35%	72%	94%	67%
-------------------------------------	-----	-----	-----	-----

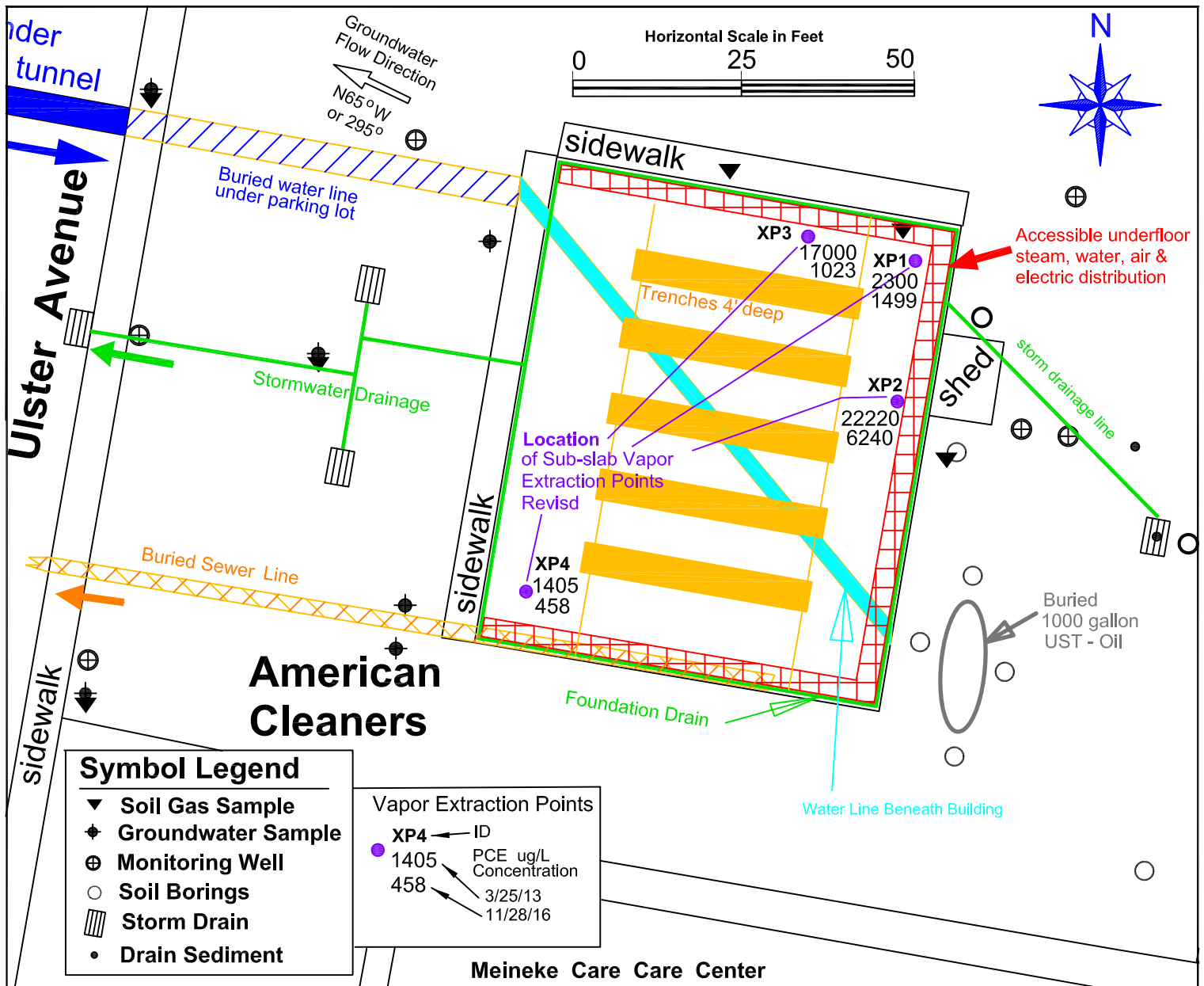


Figure 2B. Location of Sub-Slab Vapor Extraction Points with PCE concentrations in ug/L sampled in 2013 and 2016 on building site plan showing utilities and Features Constructed for Dry-Cleaning Operations

American Cleaners Inc, 734 Ulster Avenue, Kingston, NY
NYSDEC DER VCP Site V-00601-3 December 31, 2009
Revised November 2013 & August 2017

Jansen Engineering, PLLC

Jolanda G. Jansen, P.E.
72 Coburn Drive, Poughkeepsie, NY 12605
(845) 505-0324 jgjansen@jansen-engineering.com

Mid-Hudson Geosciences

Katherine J. Beinkafner, PhD, CPG #6611
1003 Route 44/55, PO Box 332, Clintondale, NY 12515
(845) 883-5866 rockdoctor @ optonline.net

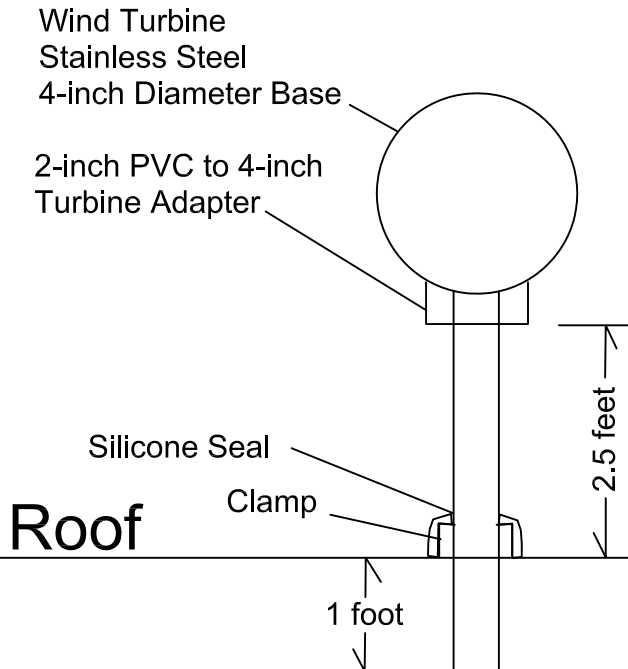


Figure 3.
Construction Diagram for
Sub-Slab Vapor Extraction
Points (XP1-XP4)

American Cleaners, Inc. 734 Ulster Avenue, Kingston, NY
NYSDEC DER VCP Site V-00601-3, January 2015

Jansen Engineering, PLLC

Jolanda G. Jansen, P.E.
72 Coburn Drive, Poughkeepsie, NY 12605
(845) 505-0324 jgjansen@jansen-engineering.com

Mid-Hudson Geosciences

Katherine J. Beinkafner, PhD, CPG #6611
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(845) 883-5866 rockdoctor @ optonline.net

Table 4

Summary of Groundwater Sampling Laboratory Results

Years: 2013, 2015, 2017

Units of Measurement are µg/L or ppb

American Cleaners, 734 Ulster Avenue, Kingston, NY

NYSDEC DER VCP Site V-00601-3

Sampling Date: November 30 to December 4, 2015

Laboratory Analysis by US EPA Method SW846-82608 for 8260 List

York Analytical Laboratories, Inc. 129 Research Drive, Stratford, CT 06615

Reports: 15L0069 12/9/15 and 15L0243 12/14/15

Omitted compounds were Not Detected (ND)

2017 York Sampling Reports: 17D0415 4/20/17, 17D0839 5/2/17, and 17G0906 8/1/17.

2017 Sampling Dates: 4/20/17, 5/2/17, and 7/25/17

Sampling Conducted by Jansen Engineering, PLLC and Mid-Hudson Geosciences

Spatial Distribution of PCE Concentrations are shown on two Maps, Figure 5B (2015), Figure 5C (2017)

Well	Total Depth	PCE or PERC		1,1,2TCE		1,2 DCE		Location
		Nov2013	Dec2015	Nov2013	Dec2015	Nov2013	Dec2015	
		2017						
On-site Monitoring Wells								
MW1	16.9	6.5	3.8 J	ND	ND	ND	ND	In front of AC, south along Street
MW2	16.4	13	ND	ND	ND	ND	11	Directly in front of AC, beside sidewalk opposite Storm Drain in street
MW5*	16.9	50	2.8	ND	ND	ND	ND	In front of AC, close to sign pole on North side
MW4	32.6	7.4	ND	ND	ND	ND	ND	Behind AC 41 inches out from SE corner of shed
MW3*	16.3	ND	ND	ND	ND	ND	ND	Behind AC, about 10 feet northeast of NE corner of building
MW3 Dup*	16.3	ND	ND	ND	ND	ND	ND	Behind AC, about 10 feet northeast of NE corner of building
MW6	16.1	14	69	ND	ND	ND	ND	Behind AC, 8 feet out from SE corner of shed
West Side of Ulster/Albany Avenue								
MW9	16	17	7.5	ND	ND	ND	ND	About 38 feet southeast of Left front corner of Spa
MW16	25	ND	ND	ND	ND	ND	ND	5 feet toward road from MW9
MW7	16	28	19	ND	ND	ND	ND	About 29 feet northeast of right front corner of Spa
MW7 Dup								
MW17	25	ND	ND	ND	ND	ND	ND	Half way between Restaurant and Spa
MW8	16	150	86	5.1	ND	ND	ND	In front of RCAL back building, to left of front door
Geoprobe Samples along Lincoln Park Place								
LP1	16	47	--	Not Available for Testing December 2015		ND	ND	Between driveways close to Road, #752-#746
LP2	25	18	--	ND	ND	ND	ND	Near Stop Sign, #732 Lincoln Park Place
LP3	16	ND	--	ND	ND	ND	ND	Near Stop Sign, #732 Lincoln Park Place
New MWs installed on east side Lincoln Park Place								
L4	14.81	--	--	Not Available for Testing December 2015				South side of driveway 740 LPP, closer to road
L14	22.82	--	--					South side of driveway 740 LPP, closer to garage
L5	14.55	--	--					end of hedge between 752 & 762 LPP
L15	21.4							north side of hedge about 6 feet back from L5
L15 Dup								

Notes: from Nov 2013

Acetone detected in MW16 at 3.3 J µg/L and in Trip Blank at 2.6 µg/L.

Dup indicates duplicate sample

Sample from MW5 was labeled MW3 on chain of custody and laboratory report

Sample from MW3 was labeled MW5 on chain of custody and laboratory report

Sample from MW3 Dup was labeled MW5 Dup on chain of custody and laboratory report

All information here is the corrected and the same as Figure 5 map.

Note: Remedial Injection occurred in 2015**April injection of nutrients (see map of locations)****November injection of microbes (same locations)**

"Lpp" = Lincoln Park Place

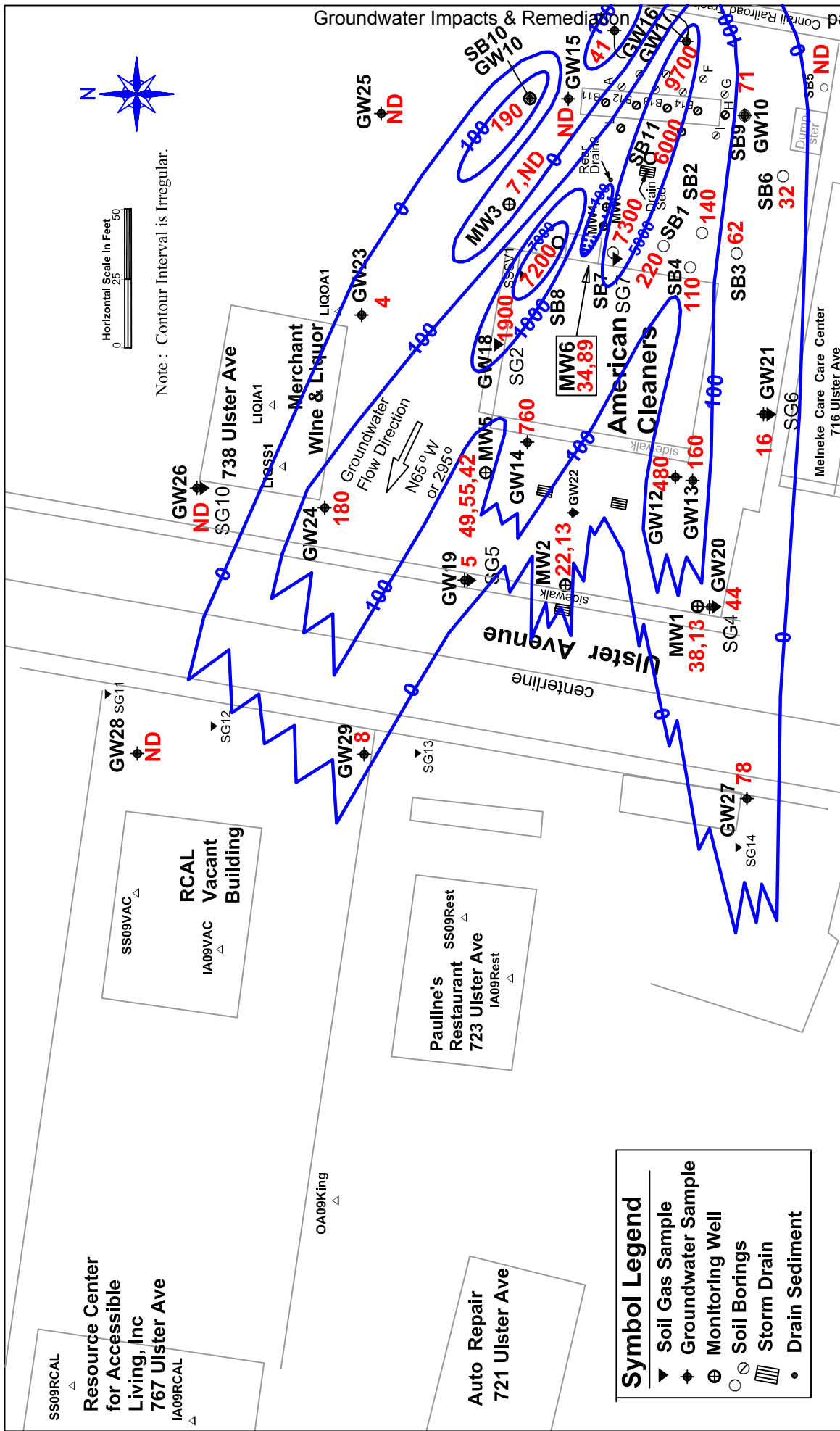
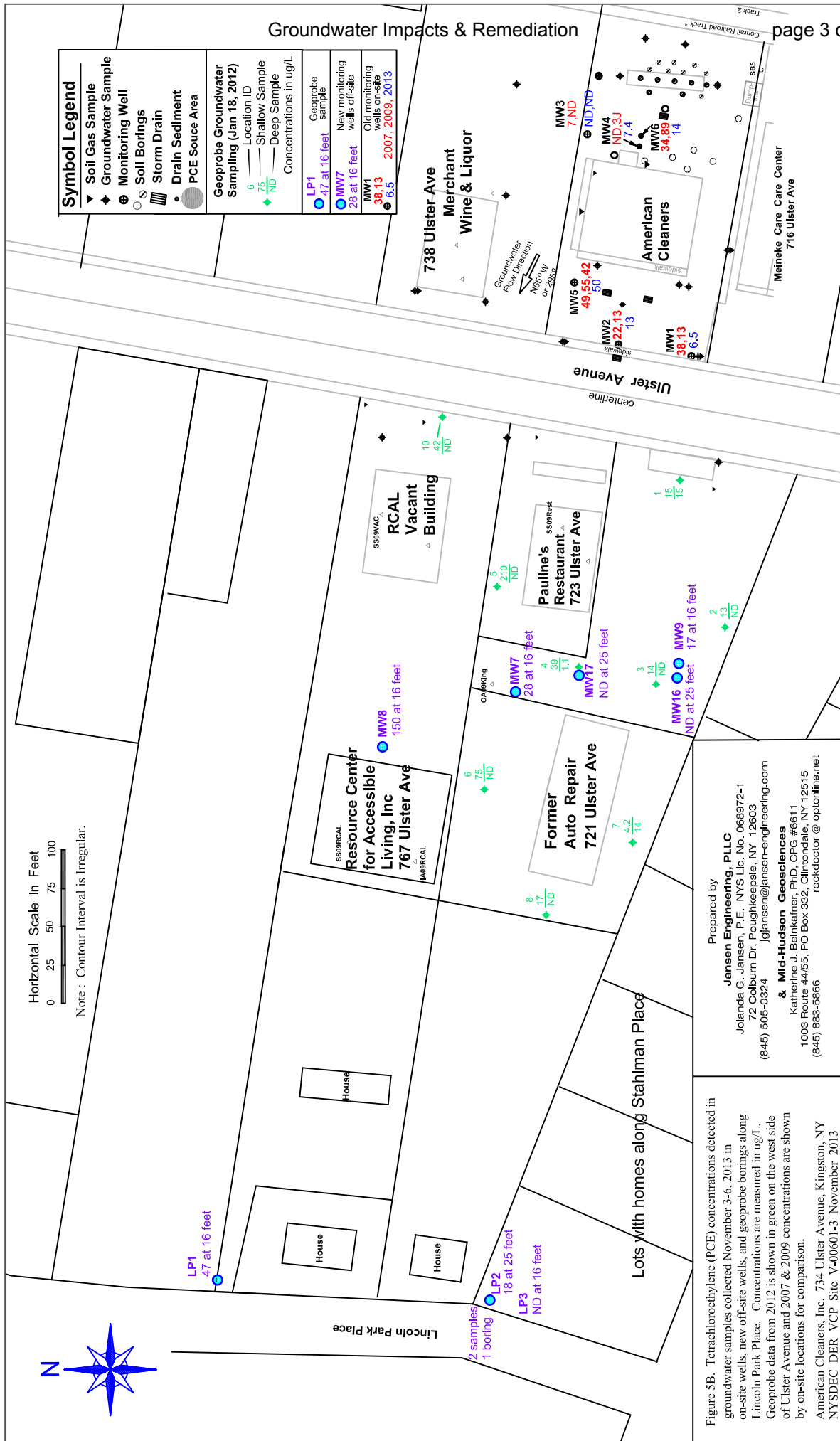
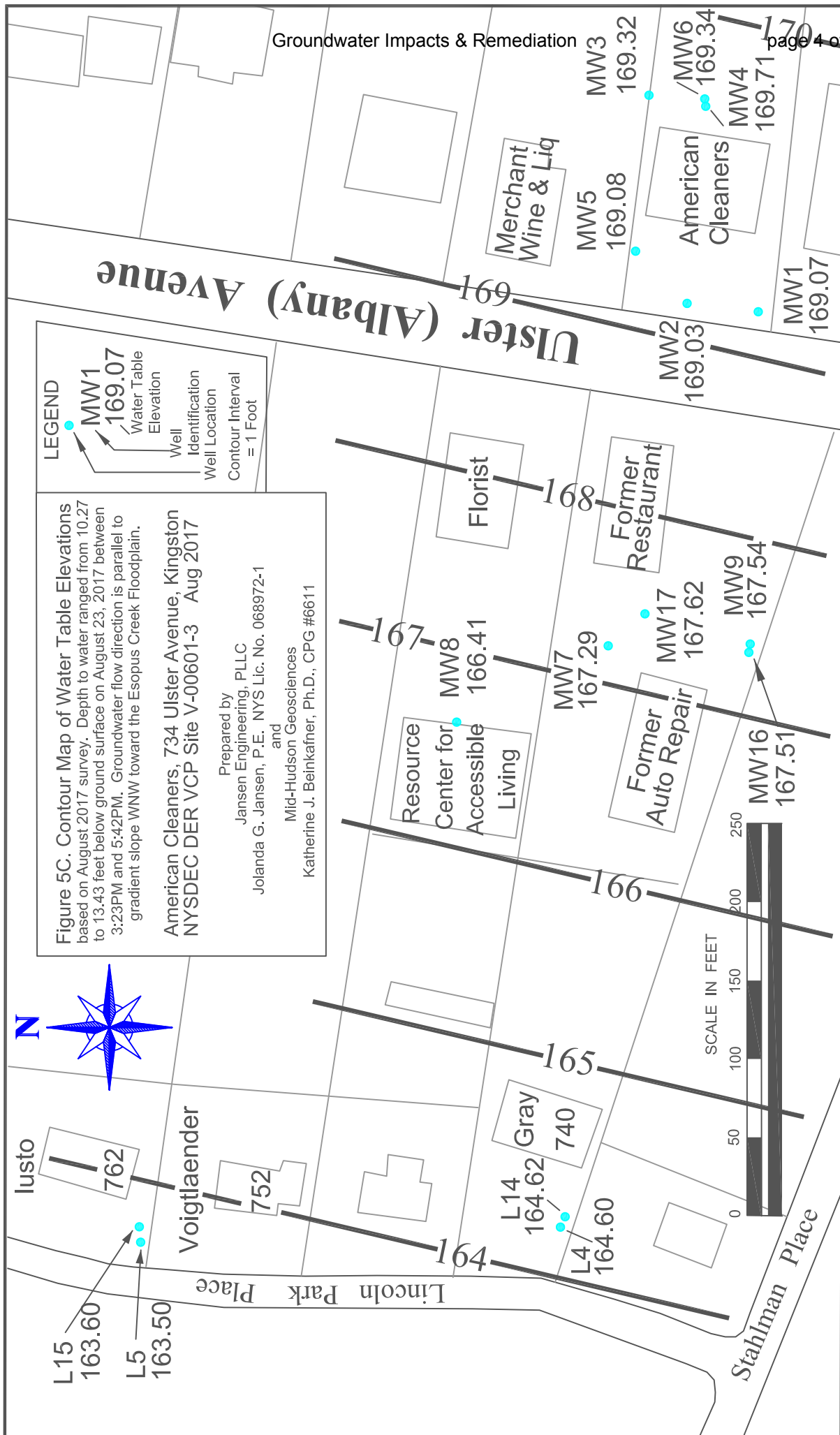


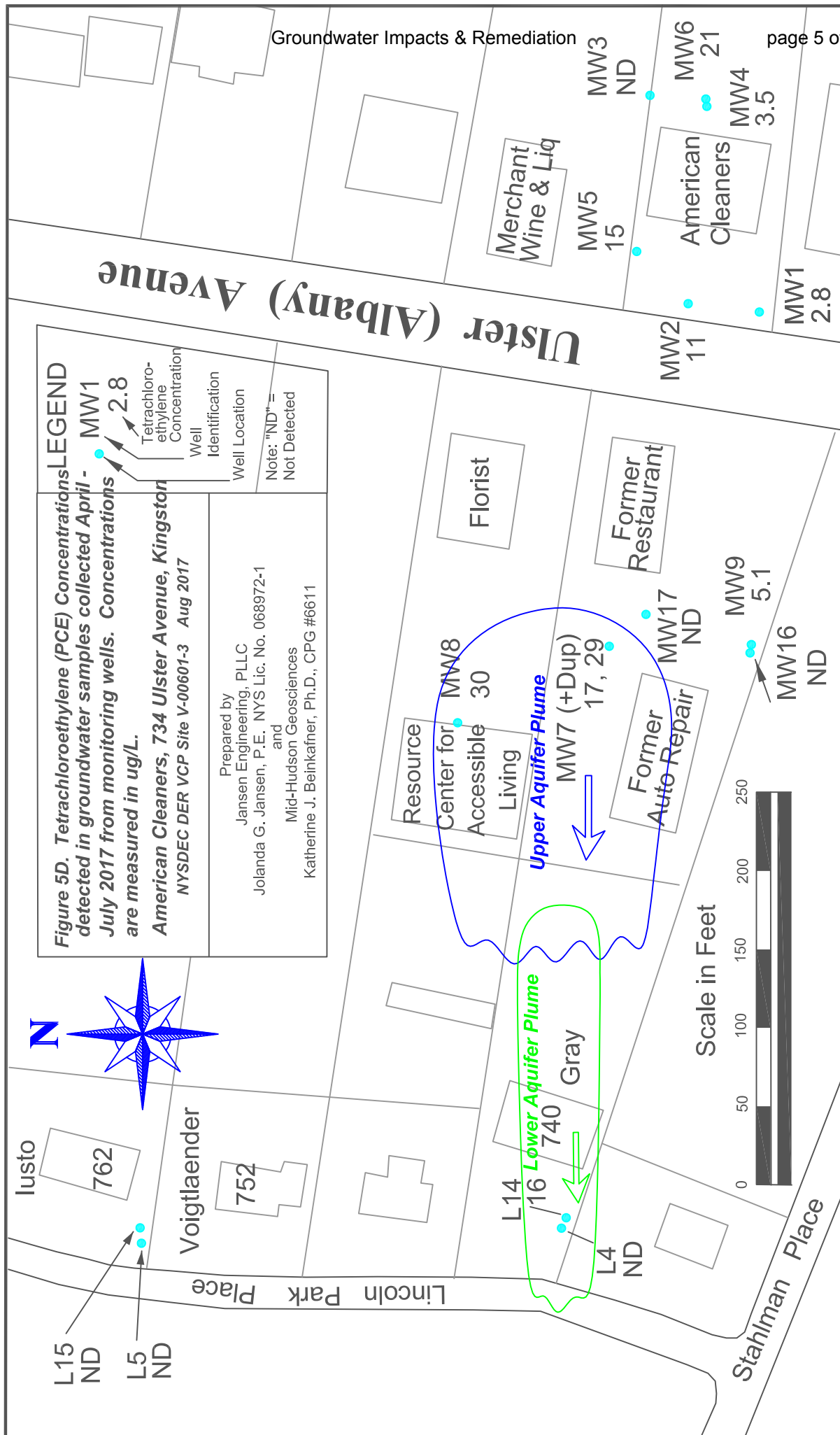
Figure 5A Isopleth Map and PCE Concentrations (ug/L) Detected in Groundwater between 9.5 and 16 feet below ground surface. American Cleaners Inc, 734 Ulster Avenue, Kingston, NY
 NYSDEC DER VCP Site V-00601-3 December 31, 2009

Mid-Hudson Geosciences

Katherine J. Beinkafner, PhD, CPG #6611
 1003 Route 44/55, PO Box 332, Clintondale, NY 12515
 (845) 883-5866
 rockdoctor @ optionline.net







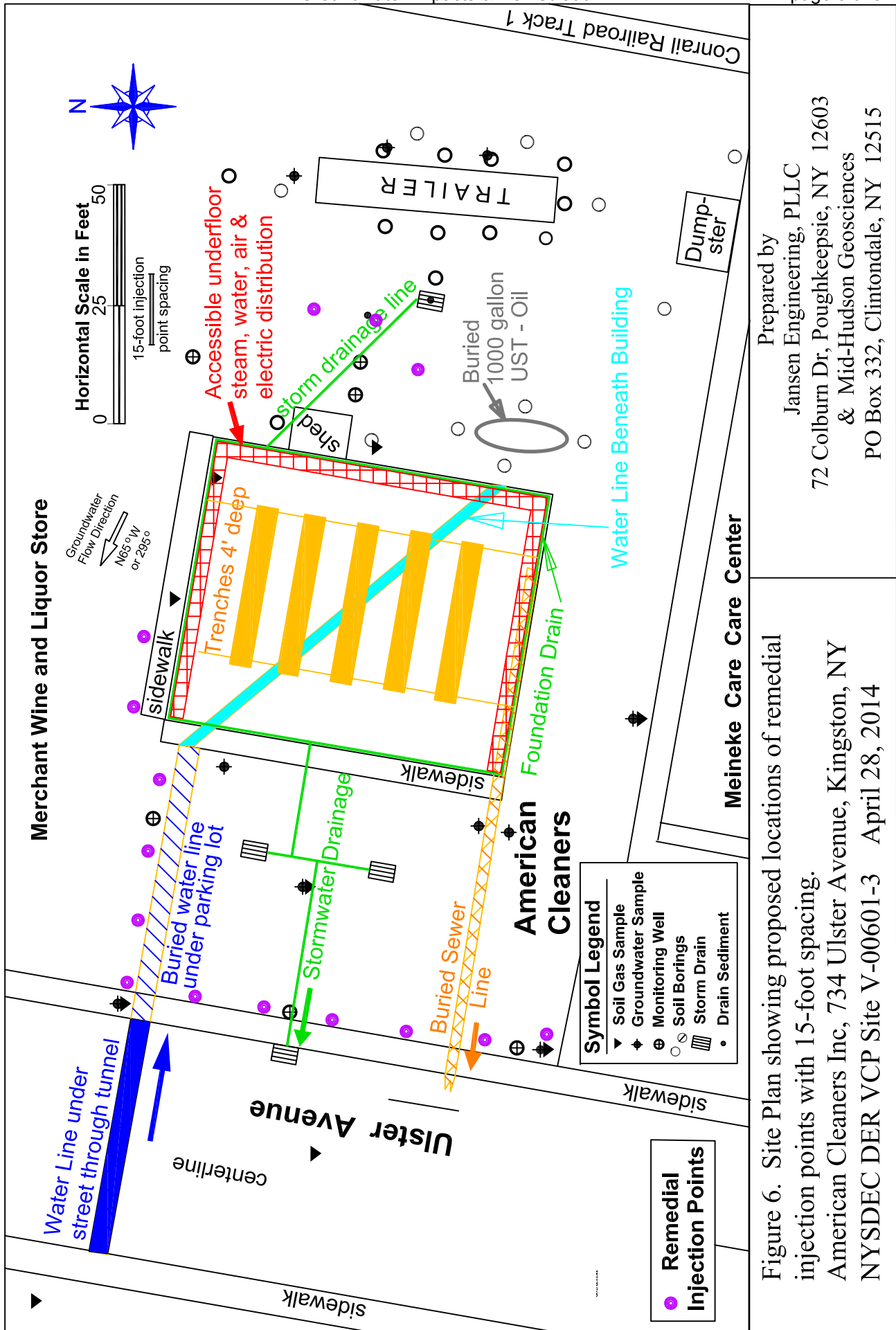


Figure 6. Site Plan showing proposed locations of remedial injection points with 15-foot spacing.
American Cleaners Inc, 734 Ulster Avenue, Kingston, NY
NYSDEC DER VCP Site V-00601-3 April 28, 2014

Prepared by
Jansen Engineering, PLLC
72 Colburn Dr, Poughkeepsie, NY 12603
& Mid-Hudson Geosciences
PO Box 332, Clintondale, NY 12515

Table 5: Design Parameters for Bioremediation with Bioaugmentation

Using Regensis Products

At American Cleaners, Kingston, NY

Note: The variable amount of water for dilution of the 3DMicroemulsion will be determined empirically in the field

Design Specifications

Injection Point Spacing 15 feet
 Number of Injection Points 16
 Top of Injection Interval (water table) 10 feet below surface
 Bottom of Injection Interval 15 feet below surface
 Vertical Treatment Interval 5 feet
 Linear Footage of Geoprobe® Drilling
 For Injection of Both Products 240 feet
 For Separate Injection of 2 Products 480 feet

Product Quantities

3DMicroemulsion 1600 pounds in four 55 gallon drums, 400 pounds per drum
 Bio-Dechlor Inoculum Plus 12 liters

Field Mixing / Injection Ratios**3DMicroemulsion**

		Water		Product + Water	
Per Injection Point	For 16 Total Points	Variable	Per Injection Point	For 16 Total Points	Per Point
13 gallons	208 gallons	For 10% solution	117 gallons	1872 gallons	130 gallons
(= 100 pounds)	(= 1600 pounds)	For 1% solution	1287 gallons	20592 gallons	1300 gallons
		Optimal			
		For 2.5% solution	507 gallons	8112 gallons	520 gallons
					8320 gallons

Bio-Dechlor Inoculum Plus

Per Injection Point	For 16 Total Points	Per Injection Point	For 16 Total Points
0.75 liters	12 liters	Re: Instructions	120 gallons
(= 0.1875 gallons)	(= 3 gallons)		
		Per Point	For 16 Points
		7.7 gallons	123.2 gallons

Table 6A

Record of Injection of Nutrients for Enhanced Bioremediation April 7-9, 2015 at

American Cleaners, 734 Ulster Ave, Kingston, NY 12401

NYS DEC DER Voluntary Cleanup Program Site V-00601-3

Mixing of Regensis 3D Micro Emulsion and Water and Injection Volume

Pumping with GS-2000 (High Pressure) Pump was used except where formation could take the volume of pumping with the submersible pump directly from mixture tank

In many cases the pump was changed during the injection into one point.

The depth is the level where the Geoprobe rods were open for injection measured below ground level.

Mixing occurred on a large tank on the back of a pickup truck so the fluid could be moved close to injection point.

Injection Work Conducted by Jansen Engineering, PLLC, Mid-Hudson Geosciences, and Todd K. Syska, Inc.

Date	Injection Point ID	Depth Open Interval Feet	Mixture		Pumping			
			3-D Micro Emulsion gallons	Water Added gallons	Injection Volume gallons	GS-2000 pump High Pressure On	GS-2000 pump High Pressure Off	Submersible Pump On Off Minutes
4/7/15	IP1	12-15	13	167	180	9:12AM	10:20AM	
	IP2	14-15.5	13	182	195	10:58AM	11:48AM	108
	IP3	14-15.5	13	162	175	12:08PM	12:47PM	50
	IP4	14-15.5	13	162	175	1:15PM	2:05PM	49
	IP5	14-15.5	13	162	175	2:35PM	3:20PM	50
4/8/15	IP6	14-15.5	13	177	190	8:05AM	8:30AM	45
	IP7	14-15.5	13	177	190	9:12AM	9:17AM	25
	IP8	14-15.5	13	177	190			5
	IP9	14-15.5	13	177	190	11:12AM	11:25AM	13
	IP10	14-15.5	13	177	190	1:10PM	2:10PM	60
4/9/15	IP11	14-15.5	13	177	190	1:35PM	1:47PM	12
	IP12	14-15.5	13	177	190	8:50AM	9:02AM	12
	IP13	14-15.5	13	177	190	10:20AM	10:30AM	10
	IP14	14-15.5	19	177	190	11:23AM	11:35AM	13
	IP 15	14-15.5	20	177	190	12:34PM	12:40PM	6
						8:30AM	8:48AM	18
						9:17AM	9:32AM	15
						10:07AM	10:30AM	27
						11:25AM	11:36AM	11
						1:47PM	2:00PM	13
						9:34Am	9:48AM	14
						10:30AM	10:45AM	15
						11:35AM	11:48AM	13
						12:40PM	12:57PM	17

Table 6B

Record of Injection of Microbes for Enhanced Bioremediation October 7-8, 2015 at

American Cleaners, 734 Ulster Ave, Kingston, NY 12401

NYS DEC DER Voluntary Cleanup Program Site V-00601-3

Mixing of Regensis Bio-Dechlor Inoculum Plus, Water and Injection Volume

Pumping with GS-2000 (High Pressure) Pump was for each injection point

because the Inoculum could be mixed in the hopper of the pump.

The water for mixing was deoxygenated by dispersing nitrogen into a 55 gallon drum of water.

Oxygen level was measured in the tank using a YSI DO meter.

Water was local water supply from the Town of Ulster Water Department.

Water from the mixing drum was pumped with submersible pump through hose to pump hopper.

The depth is the level where the Geoprobe rods were open for injection measured below ground level.

Mixing occurred in the pump hopper after the pump was moved to the injection point.

Injection Work Conducted by Jansen Engineering, PLLC, Mid-Hudson Geosciences, and Todd K. Syska, Inc.

Date	Injection Point ID	Depth Open Interval Feet	Bio-Dechlor Inoculum Plus liters	Mixture Deoxygenated Water gallons	Injection Volume gallons	GS-2000 pump High Pressure On	Injecting Pumping Time minutes
10/7/15	MIP1	14-15	0.75	7.5	<8	11:57AM	3
	MIP2	14-15	0.75	7.5	<8	12:30PM	3
	MIP3	14-15	0.75	7.5	<8	12:47PM	3
	MIP4	14-15	0.75	7.5	<8	1:17PM	3
	MIP5	14-15	0.75	7.5	<8	2:45PM	3
10/8/15	MIP6	14-15	0.75	7.5	<8	3:05PM	3
	MIP7	14-15	0.75	7.5	<8	3:30PM	3
	MIP8	14-15	0.75	7.5	<8	3:47PM	3
	MIP9	14-15	0.75	7.5	<8	3:04PM	3
	MIP10	14-15	0.75	7.5	<8	9:25AM	3
	MIP11	14-15	0.75	7.5	<8	9:40AM	3
	MIP12	14-15	0.75	7.5	<8	9:57AM	3
	MIP13	14-15	0.75	7.5	<8	11:20AM	3
	MIP14	14-15	1	7.5	<8	11:50AM	4
	MIP 15	14-15	1.5	7.5	<8	12:25PM	5

ATTACHMENTS

Brownfields Application for Site: Scanlon's Cleaners, Inc
(Formerly American Cleaners Kingston) October 21, 2019, page 3

Page 3, Section IV. Property Information

Tax Parcel Information

- Figure 1-1 USGS 7.5 Minute Quadrangle Map; Kingston, NY
- Figure 2 Ulster County Tax Map, Town of Ulster, Map 048.058 (5/17)
- Figure 3 Part of Ulster County Tax Map showing American Cleaners
- Figure 8 Portion of Town of Ulster Zoning Map
- Figure 5 Brinnier & Larios Survey of Ulster 734 LLC, March 23, 2018

Figure 1-1 is the typical location map for the former American Cleaners Kingston site on the Kingston NY 7.5 Minute USGS Quadrangle.

Figure 2 is the Ulster County Tax Map for the Town of Ulster showing the Scanlon Cleaners location in Section 48.58 Block 6 Lot 17. The PDF at 8.5 by 11 format is quite condensed. For that reason, it has been printed at E-size and folded and submitted with this BC application.

Figure 3 is an 8.5 by 11 inch tax map showing the part of the larger map with the American Cleaners lot marked.

Figure 8 is the Town of Ulster Zoning map showing the American Cleaners (now Scanlon's Cleaners) approximate location in the highway commercial zone.

Figure 5 is the Survey Map of Ulster 734 LLC (Scanlon's Cleaners) prepared by Brinnier and Larios March 23, 2018. A folded D-size copy is included with this BC application.

The Application requests a site base map in Section IV. Two maps are used, either the site map restricted to the lot on the east side of Ulster Avenue and shown on the Survey map (see Figure 2B under Soil and Soil Vapor Impacts) or the groundwater map that shows the building parcel and all lands westward to Lincoln Park Place where some monitoring wells are placed on private properties (see Figures 5B, 5C, and 5D under groundwater impacts).

Page 3, Section IV, Property Info (6) Has property previously been remediated?

Yes. The Interim Remedial Measures for sub-slab vapor extraction and enhanced bioremediation of groundwater were implemented in 2016 and reported in the IRM/CCR of February 2017 included on the accompanying CD-Rom.



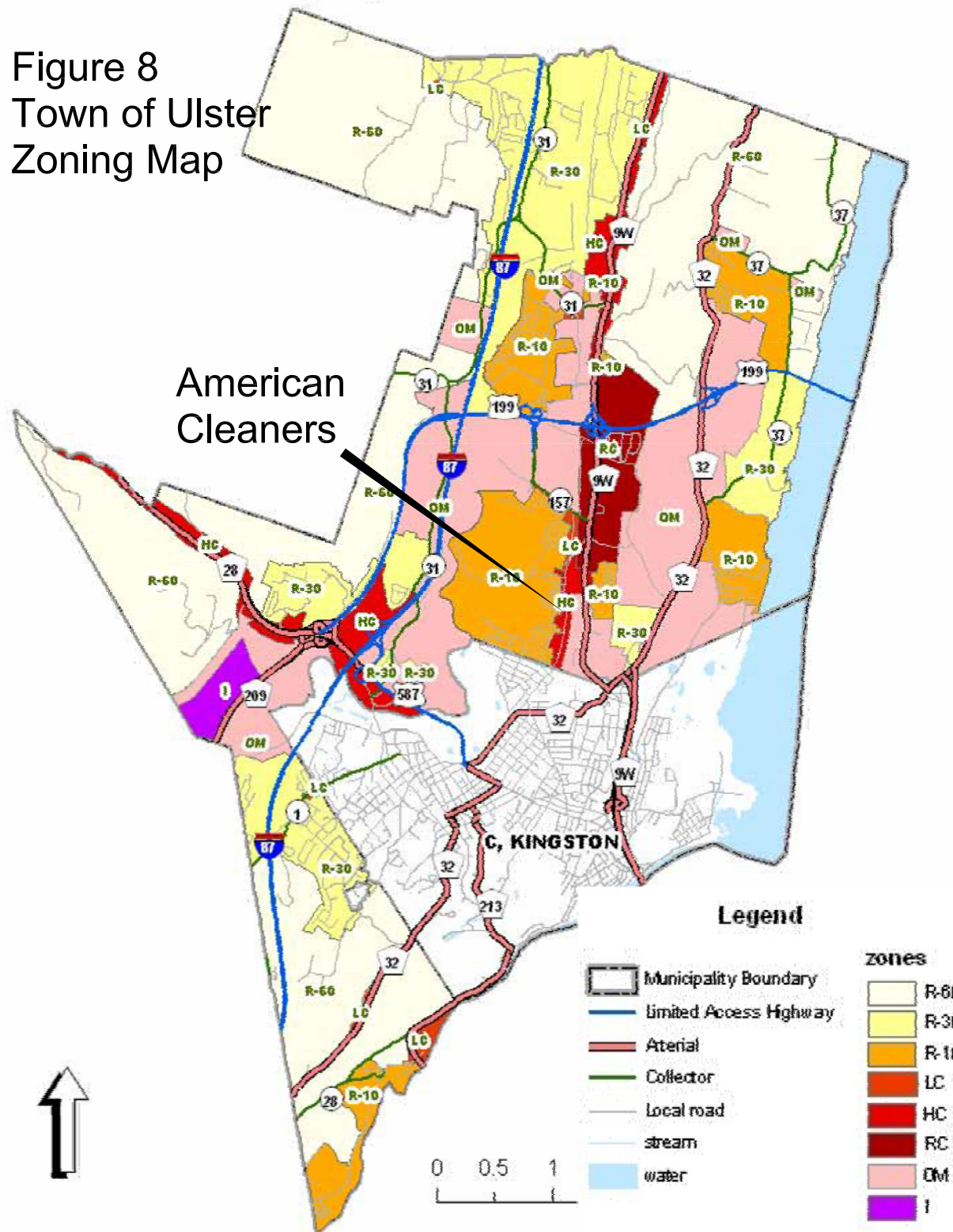
SBL=48.58-6-17 between Ulster Avenue and railroad track, Lot number 17 below



April 11, 2018

Figure 8
Town of Ulster
Zoning Map

American
Cleaners



DESCRIPTION OF LANDS OF
ULSTER 734 LLC

TOWN OF ULSTER, ULSTER COUNTY, NEW YORK

Beginning at a point on the Easterly side of Ulster Avenue, said point being at the Southwest corner of lands of Kingston Royal Properties LLC, Liber 5969 – Page 224, and running:

- 1) thence from said point of beginning, along the Southerly line of lands of Kingston Royal Properties LLC, South 80° 21' 03" East, 195.36 feet to a point on the Westerly line of lands of New York Central Lines LLC, Liber 3070 – Page 5;
- 2) thence along the Westerly line of lands of New York Central Lines LLC, South 9° 53' 57" West, 100.00 feet to a point at the Northeast corner of lands of William Helmer and Jobson George, Liber 1504 – Page 1122;
- 3) thence along the Northerly line of lands of Helmer and George, North 80° 21' 03" West, 193.64 feet to a recovered bar on the Easterly line of side of Ulster Avenue;
- 4) thence along the Easterly side of Ulster Avenue, North 8° 53' 57" East, 100.00 feet to the place of beginning.

CONTAINING: 0.446 Acre

All bearings are referred to Grid North.

The above-described premises are subject to any rights utility companies may have for overhead utility lines crossing said premises.

The above-described premises are subject to a fourteen-foot (14') wide sanitary sewer easement running along the Westerly line of lands of Helmer and George, and Jobson George, LLC on the North to Lands of William F. Helmer and George S. Jobson to the South.

The above-described premises are intended to also be the limits of an Easement granted to New York State Department of Conservation (NYSDEC).

March 28, 2018

CHRISTOPHER J. ZELL, P.L.S.
BRINNIER and LARIOS, P.C.

Copyright 2018, Brinnier & Larios, P.C. All Rights Reserved.

Unauthorized alteration or addition to a survey map bearing a licensed land surveyor's seal is prohibited under the provisions of Section 2 of the New York State Education Law.

This map may not be used in connection with a "Survey Affidavit" or similar document, statement or mechanism to obtain title insurance for any subsequent owner or future grantees.

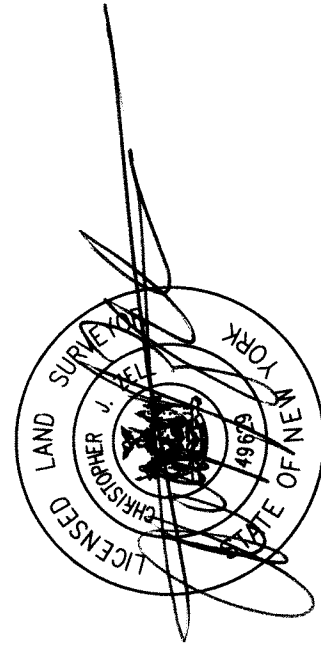
Only copies from the original of this survey marked with an original of the surveyor's seal shall be considered valid true copies.

The location of underground improvements or encroachments, if any exist or are shown hereon, are not certified.

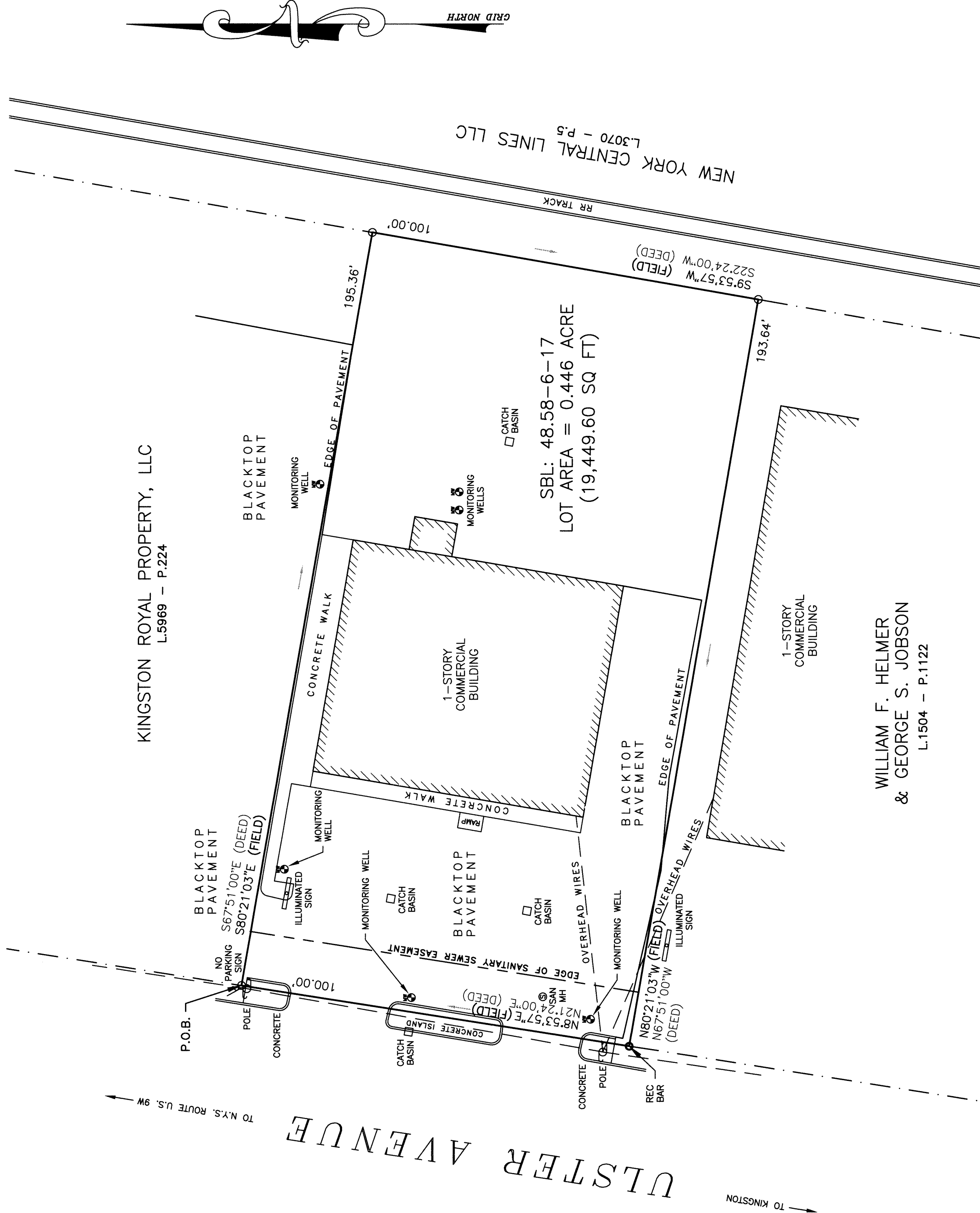
Certifications indicated hereon signify that this map was prepared and verified in accordance with the existing Code of Practice for Land Surveyors adopted by the New York State Association of Professional Land Surveyors, Inc. Said certification is not intended to constitute a warranty on the part of the surveyor, and the survey is prepared and on his behalf to the title company, governmental agency and lending institution, and the surveyor shall be responsible for the transferable to additional institutions or subsequent owners.

TAX MAP REFERENCE
Town of Ulster, Section No. 48.58
Block 6, Lot 17

DEED REFERENCE
Liber 6053 of Deeds at Page 31



BRINNIER & LARIOS, P. C.
67 MAIDEN LANE
KINGSTON, N.Y. 12401
(845) 338-7622
czell@bringers.com



LEGEND	
—	PROPERTY LINE (EASEMENT BOUNDS)
- - -	ADJOINER LINE
—	EDGE OF PAVEMENT
- - -	SANITARY SEWER EASEMENT
□	CATCH BASIN
⊗	MONITORING WELL
- - -	OVERHEAD WIRES
⊙	POLE
○	PROPERTY CORNER
○	RECOVERED BAR
⊙	SANITARY MANHOLE
-	SIGN



MAP
OF LANDS OF
ULSTER 734 LLC
734 ULSTER AVENUE

TOWN OF ULSTER ULSTER COUNTY NEW YORK
MARCH 23, 2018 SCALE: 1" = 20'

REVISED MARCH 28, 2018 TO REFLECT NYSDEC REQUIREMENTS
REVISED MARCH 29, 2018 TO REFLECT ADDITIONAL NYSDEC REQUIREMENTS
REVISED APRIL 3, 2018 TO ADD ACREEGE TO NYSDEC EASEMENT NOTE

ATTACHMENTS

Brownfields Application for Site: Scanlon's Cleaners, Inc
(Formerly American Cleaners Kingston) October 21, 2019, page 4

Page 4, Section IV, Property Information

10. Property Description and Environmental Assessment Narratives

PROPERTY / SITE DESCRIPTION

Location: Scanlon's Cleaners (the former American Cleaners) site is located at 722 Ulster Avenue in the Town of Ulster with a Kingston address. The address was 734 Ulster Avenue for many years until the Ulster County Emergency Management Agency renumbered the buildings on Ulster Avenue. The 0.44-acre parcel is between Ulster Avenue on the west and the Conrail railroad tracks on the east.

Site Features: The parcel has 100 feet of road frontage and a depth of approximately 194 feet. The site contains a single story building which houses the dry cleaning and laundry business. The front and sides of the property are paved. The front and northern sides of the property are used for parking. The rear part of the property is unpaved and is un-vegetated and used for parking company vehicles. The site is generally flat at an approximate elevation of 175 feet above sea level.

Current Zoning and Land Use: The one story building was constructed in 1982 with specific features for dry cleaning or other industrial or commercial uses involving water, sewer, gas, air, and electrical utilities. The area is zoned "HC" for "Highway Commercial."

Current Use: The building is used as a dry cleaning business. Neighboring properties include Merchant Wine and Liquor Store to the north, Meineke Muffler to the south, Pauline's Restaurant (now closed) directly across Ulster Avenue and the Resource Center for Accessible Living (RCAL) to the northwest across the street. The parcels on either side of Ulster Ave are generally commercial.

Past Uses of the Site: The property has been in continuous operation as a dry-cleaning and customer drop-off and pick-up facility since 1982. Prior to that, a house was situated on the southwest corner of the parcel. Tetrachloroethylene (PCE) has been used at the site since 1982 and is of concern. PCE saturated filters were placed in the dumpster outside the back of the building for disposal with trash and garbage. A fire occurred in 1991 in the machine used to recover spent PCE, which potentially resulted in a release. The site is being investigated and remediated under Voluntary Cleanup the cleanup agreement (VCA).

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Brownfields Application for Site: Scanlon's Cleaners, Inc
(Formerly American Cleaners Kingston) October 21, 2019, page 5

PROPERTY / SITE DESCRIPTION (continued)

Site Geology and Hydrology: The remedial investigation indicates that the subsurface soil is generally sand and occasionally mixed with silt and clay. The ground water table is approximately 9-12 feet below grade. Ground water generally flows west and northwest toward the Esopus Creek Floodplain beyond Lincoln Park Place. Groundwater flows through shallow permeable sand layers.

The Interim Remedial Measure (IRM) work plan was submitted on June 2014. The purpose of IRM was to remediate contaminated groundwater and address sub slab soil vapor issue. The remedial investigation work plan (RIWP) was approved on March 29, 2005. Since 2005 investigative field work has been performed. Currently, submission of final RI report is pending implementation of IRM and off-site delineation of nature and extent of contamination.

The IRM Work Plan: The Groundwater and Remedial Action Work Plan were submitted as one document in June 2014. The Volunteer implemented an Interim Remedial Measure (IRM) consisting of remediating contaminated ground water with *in-situ* bioremediation technology and installing a Passive Soil Vapor Extraction (PSVE) System in the American Cleaners building.

ENVIRONMENTAL SITE ASSESSMENT

Nature and Extent of Contamination: Prior practices of disposing PCE contaminated rags and spill of 1991 appear to have led to the contamination of the site.

Soil: All PCE concentrations detected in soil samples from behind the building were found to be below the soil cleanup objectives.

Groundwater: The remedial investigation indicates that there is a contravention of ground water standards for PCE. The plume originated at the back of the building and has moved west/northwest beyond the property boundary. Previously, a maximum concentration of 210 ug/l of PCE was observed in off-site groundwater west of Ulster Ave near Pauline's restaurant. In 2014 concentrations of PCE in groundwater ranged from ND to 150 µg/L or parts per billion with an average of 25 µg/L, a method of treating such low concentrations of PCE over a fairly large area was sought. Treatment of such low concentrations is considered "polishing" because

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Brownfields Application for Site: Scanlon's Cleaners, Inc
(Formerly American Cleaners Kingston) October 21, 2019, page 6

ENVIRONMENTAL SITE ASSESSMENT (continued)

it is usually employed after much higher concentrations of VOCs have been reduced by a rapid acting industrial strength chemical agent. The existing "Plume" is approximately 800 feet long and widening from a "point" source behind the AC building to a width of approximately 400 feet at Lincoln Park Place. The appropriate remedy is similar to finding a needle in a haystack and destroying it. The injected treatment fluid will have to find low concentrations of PCE molecules in a sandy water-bearing zone with a depth of approximately 10 feet over an area of 160,000 square feet, or a volume of 1,600,000 cubic feet of saturated groundwater.

The bioremediation and bioaugmentation was planned to inject the nutrients first and few months later inject the microbes. Two Regenesis products were considered appropriate to treat the groundwater beneath the American Cleaners site and downgradient properties: 3-D Microemulsion and Bio-Dechlor Inoculum. On April 7 to 9, 2015 the 3D Micro Emulsion was injected into 15 on-site boring using a geoprobe and various pumps depending on pressures encountered in the subsurface. On October 7 to 8, the Bio-Dechlor Inoculum Plus was injected into 15 geoprobe borings in similar locations.

Post remedial sampling occurred in 2017 with very low off-site PCE exceedances of the NYS DEC Class GA Groundwater standard of 5 ug/L. Given more time, continued monitoring is expected to show cleanup of the aquifer to below Class GA Groundwater Standards.

Sub-Soil and Soil Vapor: PCE was detected in sub slab vapor underneath the American Cleaners building. Maximum concentration of 22,000 ug/m³ is observed near the rear door of the American Cleaners building.

On March 25, 2015, four borings were drilled through the building slab at locations to sample sub-slab soil and soil vapor conditions. Two of the four soil borings showed very low estimates of PCE below 10J ug/kg. All other VOCs were ND except for acetone which turned up in all four samples and the blanks.

Also on March 25, 2015, Summa canisters were used to collect VOC soil vapor samples from the four sub-slab borings. Tetrachloroethylene was detected ranging from 1300 to 22,000 ug/m³.

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Brownfields Application for Site: Scanlon's Cleaners, Inc
(Formerly American Cleaners Kingston) October 21, 2019, page 7

ENVIRONMENTAL SITE ASSESSMENT (continued)

On April 10, 2015 the passive sub-slab vapor extraction system was installed using 2-inch diameter PVC from each extraction point (XP1 to XP-4). PVC was installed directly from below the slab through the building and straight up through the roof at each of the four XP locations. Three feet above the roof line a 2-inch to 4-inch adapter connected a wind-blown rotary turbine to the top of the PVC. From the time of installation the system continues to operate to remove PCE vapor from beneath the building slab. A comparison of the March 25, 2013 and November 11, 2016 soil vapor sampling indicted a decline of PCE concentrations by 39, 78, 94, and 75 percent respectively for XP1, XP2, XP3, and XP4.

Special Resources Impacted/Threatened: There is no data suggesting the presence of special resources, hence the impact and threat thereto are not evaluated.

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Brownfields Application for Site: Scanlon's Cleaners, Inc
(Formerly American Cleaners Kingston) October 21, 2019, page 8

Page 5, Part B, Section VI, Previous Property Owners

There have been changes in Operators and Owners as follows:

March 2006 American Cleaners Kingston, Inc. was transferred from Erez Halevah to Jay Scanlon and the operation was renamed Americle.
January 2018 Americle was transferred from Jay Scanlon to his son Casey Scanlon and the operation was renamed Scanlon's Cleaners, Inc
August 31, 2016 the transfer of property was shown in the previous Brownfield Application 4 pages from the end with a copy of the Ulster County Property sale information showing transfer of SBL: 48.58-6-17
From Gesher Enterprises of Kingston to Ulster 734, LLC and
December 5, 2000 from Mej Enterprises to Gesher Enterprises of Kingston.

Previous property owners/ operators can be reached through

Mr. Erez Halevah
American Cleaners Middletown, Inc.
360 Route 211 East
Middletown, NY 10940-2147
Telephone: (845) 343-0111
FAX (845) 341-1281
Email: americancleanersny@gmail.com

Mr. Casey Scanlon is the current principle owner and operator. As the requestor, his contact information is presented on the Brownfield Application Form.

Relationships between the Scanlons and Erez Halevah are described as "None."

Page 6, Section VII, bottom of page

Justification for Checking "Volunteer" Box

Scanlon's Cleaners purchased the American Cleaners property and building on August 31, 2016. Scanlon's agreed to indemnify and hold harmless the previous owner. Scanlon's agreed to take over the responsibility and payment for future remediation and monitoring. The purchase date was after the installation of the passive sub-slab vapor extraction system on April 10, 2015 and after groundwater remedial injection activities conducted April 7 to 9, 2015, and October 7 to 8, 2015.

Scanlon's has taken the following steps to be certain not to add to soil, soil vapor, air, or ground water contamination of the site: Cartridges are no longer used in the dry cleaning machines so they are not placed in the dumpster where they originally leaked into the ground and down to the

ATTACHMENTS

Brownfields Application for Site: Scanlon's Cleaners, Inc
(Formerly American Cleaners Kingston) October 21, 2019, page 9

groundwater. Any potentially hazardous waste material is disposed of with Nation Waste Clean service of South Plainfield, NJ.

Both remedial systems have demonstrated a decrease in PCE contamination in soil vapor and groundwater sampling in 2017.

Page 7, Section VII. Proof of Site Access from Site Owner

Letter from Ulster 734, LLC to Scanlon's Cleaners and Mid-Hudson Geosciences
Dated October 9, 2019.

Page 7, Section IX. Contact List Information

Contact list for Scanlon's Cleaners (formerly American Cleaners Kingston) updated
08/25/19 In excel format = 1 page printout pdf

Page 7, Section IX, (7) Document Repositories

Acknowledgement from Libraries to act as Repository for the Brownfield Cleanup Program for Scanlon's Cleaners:

Town of Ulster Library
Kingston Library

Page 8, Section X, Land Use Factors (2) Current Use

Current business operations and uses include: Dry cleaning and laundry service for customers coming into the store. Scanlon's Cleaners, Inc own other properties where clothing and textiles are brought in from other locations and cleaned and laundered at the Ulster Avenue location. For some specialties, some items are taken to other locations for processing and returned to Ulster. Generally, the exposure and use of PCE and other chlorinated solvents have been greatly limited by newer generations of dry cleaning machines how the fluids are contained and handled. The risk of contaminating the outdoor environment is greatly reduced by current practices.

Page 8, Section X, Land Use Factors (3) Anticipated Use Post Remediation

There is no plan to change anything at the Ulster Avenue location. The business plans to continue Dry Cleaning and Laundry Operations. On my visit last week, the facility had many garments in processing and workers were observed to be very busy.

Casey Scanlon, Sole Member
Ulster 734, LLC
722 Ulster Ave
Kingston, NY 12401
Telephone: (845) 338-6146
email: casey@scanlons.com
October 9, 2019

Casey Scanlon, President
Scanlon's Cleaners, Inc.
722 Ulster Ave
Kingston, NY 12401

And

Katherine J. Beinkafner, Ph.D.
Mid-Hudson Geosciences
1003 Route 44/55, PO Box 32
Clintondale, NY 12515-0032

RE: Site access sufficient to complete the remediation and plan an environmental easement at 722 Ulster Ave to complete the Brownfield Application, in Section VII Requestor Eligibility Information, page 7

For the Brownfields program application to NYS DEC, the requestor (Scanlon's Cleaners, Inc.) has asked the current site owner Ulster 734, LLC for access. As agent for Ulster 734, LLC, I Casey Scanlon provide the following.

This letter shall grant Scanlon's Cleaners, Inc and contractors and consultants access to the site Section-Block-Lot 48.58-6-17 for conducting remedial and environmental operations from now until remedial actions are completed. It is understood that as a requirement for the Certificate of Completion, an environmental easement will be required and reviewed for approval at that time. I agree that the easement will be on the Scanlon's Cleaners site identified by Section Block and Lot as 48.58-6-17.

Yours truly,



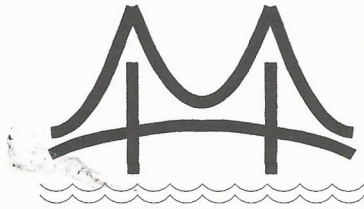
Casey Scanlon, Sole Member
Ulster 734, LLC

Revised Attachment 4 - Excel Mailing List Template (Site Contact List)

Site #: V00601-3

Site Name: Scansdlon' List Last Updated: 08/26/19

Current Oc Name, Titl	Address 1	Address 2	Address 3	Street Address	City	State	Zip	Site Name (County)
Current Occupant				722 Ulster Ave	Kingston	NY	12401....	Scanlon's Cleaners, Kingston (Ulster)
Scanlon's Cleaners				734 Ulster Ave	Kingston	NY	12401	Scanlon's Cleaners, Kingston (Ulster)
Casey Scanlon				867 Nichols Ave	Kingston	NY	12401	Scanlon's Cleaners, Kingston (Ulster)
Current Occupant				730 Ulster Ave	Kingston	NY	12401...	Scanlon's Cleaners, Kingston (Ulster)
P.P & E.S. Arlantino				242 Harwich St	Kingston	NY	12401...	Scanlon's Cleaners, Kingston (Ulster)
Meineke Mufflers				716 Ulster Ave	Kingston	NY	12401....	Scanlon's Cleaners, Kingston (Ulster)
WF Helmer dba Helson Prop				27 Route 210	Stony Point	NY	10980....	Scanlon's Cleaners, Kingston (Ulster)
Blooming Boutique Florist				731 Ulster Ave	Kingston	NY	12401	Scanlon's Cleaners, Kingston (Ulster)
Current Occupant				712 Ulster Ave	Kingston	NY	12401....	Scanlon's Cleaners, Kingston (Ulster)
Current Occupant				725-731 Ulster Ave	Kingston	NY	12401....	Scanlon's Cleaners, Kingston (Ulster)
Resource C Living, Inc %RCAL				727 Ulster Ave	Kingston	NY	12401....	Scanlon's Cleaners, Kingston (Ulster)
Current Occupant				723 Ulster Ave	Kingston	NY	12401....	Scanlon's Cleaners, Kingston (Ulster)
Miaaris Inc % AJB Commercial Realty Inc				64 Old highway 22	Clinton	NJ	08809....	Scanlon's Cleaners, Kingston (Ulster)
Current Occupant				721 Ulster Ave	Kingston	NY	12401....	Scanlon's Cleaners, Kingston (Ulster)
Miaaris Inc % AJB Commercial Realty Inc				64 Old highway 22	Clinton	NJ	08809....	Scanlon's Cleaners, Kingston (Ulster)
Current Occupant				709 Ulster Ave	Kingston	NY	12401....	Scanlon's Cleaners, Kingston (Ulster)
Michael J Altomarie				33221 Beach View D	Leesburg	FL	34788....	Scanlon's Cleaners, Kingston (Ulster)
Current Occupant				703 Ulster Ave	Kingston	NY	12401....	Scanlon's Cleaners, Kingston (Ulster)
Heda Moghadden				829 Cold Spring Rd	Clinton Corner	NY	12514....	Scanlon's Cleaners, Kingston (Ulster)
RG & IM Davis				8 Stahlman Pl	Kingston	NY	12401....	Scanlon's Cleaners, Kingston (Ulster)
Current Occupant				16 Stahlman Pl	Kingston	NY	12401....	Scanlon's Cleaners, Kingston (Ulster)
Michael J Altomarie				33221 Beach View D	Leesburg	FL	34788....	Scanlon's Cleaners, Kingston (Ulster)
Marwan Rzek				30 Stahlman Pl	Kingston	NY	12401....	Scanlon's Cleaners, Kingston (Ulster)
PH & LP Hall				34 Stahlman Pl	Kingston	NY	12401....	Scanlon's Cleaners, Kingston (Ulster)
LM & LA Spiro				40 Stahlman Pl	Kingston	NY	12401....	Scanlon's Cleaners, Kingston (Ulster)
Current Occupant				732 Lincoln Park Pl	Kingston	NY	12401....	Scanlon's Cleaners, Kingston (Ulster)
Michael L Eisman				6 North Rd	Tillson	NY	12486....	Scanlon's Cleaners, Kingston (Ulster)
AJ & C Ramsay				746 Lincoln Park Pl	Kingston	NY	12401....	Scanlon's Cleaners, Kingston (Ulster)
Wm Gray & Stephanie Siracus				740 Lincoln Park Pl	Kingston	NY	12401....	Scanlon's Cleaners, Kingston (Ulster)
Frank H & Karen L Fatum				748 Lincoln Park Pl	Kingston	NY	12401....	Scanlon's Cleaners, Kingston (Ulster)
Russell & Theresa Voigtlaender				752 Lincoln Park Pl	Kingston	NY	12401....	Scanlon's Cleaners, Kingston (Ulster)
Giovanni & Maiheh Iusto				762 Lincoln Park Pl	Kingston	NY	12401...	Scanlon's Cleaners, Kingston (Ulster)
Leslie Lansing				770 Lincoln Park Pl	Kingston	NY	12401...	Scanlon's Cleaners, Kingston (Ulster)
Current Occupant				56 Stahlman Pl	Kingston	NY	12401...	Scanlon's Cleaners, Kingston (Ulster)
Gregory & Dennis Decker				298 Morey Hill Rd	Kingston	NY	12401...	Scanlon's Cleaners, Kingston (Ulster)
Freda & Oliver Barley				747 Lincoln Park Pl	Kingston	NY	12401...	Scanlon's Cleaners, Kingston (Ulster)
Dominick & Carol Fusco				751 Lincoln Park Pl	Kingston	NY	12401...	Scanlon's Cleaners, Kingston (Ulster)
Tracey Brennan				757 Lincoln Park Pl	Kingston	NY	12401...	Scanlon's Cleaners, Kingston (Ulster)
Kevin Godbey				761 Lincoln Park Pl	Kingston	NY	12401...	Scanlon's Cleaners, Kingston (Ulster)
Anthony & Beth Black				765 Lincoln Park Pl	Kingston	NY	12401...	Scanlon's Cleaners, Kingston (Ulster)
Andrew & Eleizabeth White				771 Lincoln Park Pl	Kingston	NY	12401...	Scanlon's Cleaners, Kingston (Ulster)
Mark & Lisa Casey				777 Lincoln Park Pl	Kingston	NY	12401...	Scanlon's Cleaners, Kingston (Ulster)
Current Occupant				737 Ulster Ave	Kingston	NY	12401...	Scanlon's Cleaners, Kingston (Ulster)
Ulster Comm Property LLC				25 Paddock Knl	LaGrangeville	NY	12540...	Scanlon's Cleaners, Kingston (Ulster)
Current Occupant				741 Ulster Ave	Kingston	NY	12401...	Scanlon's Cleaners, Kingston (Ulster)
Current Occupant				743 Ulster Avenue	Kingston	NY	12401...	Scanlon's Cleaners, Kingston (Ulster)
Gary Zaborski				175 Old Stage Rd	Saugerties	NY	12477...	Scanlon's Cleaners, Kingston (Ulster)
Current Occupant				755-757 Ulster Ave	Kingston	NY	12401...	Scanlon's Cleaners, Kingston (Ulster)
Karl Arthenhofen				15 Lennox Rd	Farmingdale	NY	11734...	Scanlon's Cleaners, Kingston (Ulster)
Kingston Library				55 Franklin St	Kingston	NY	12401...	Scanlon's Cleaners, Kingston (Ulster)
Town of Ulster Library				860 Ulster Ave	Kingston	NY	12401....	Scanlon's Cleaners, Kingston (Ulster)
Ulster Fire District #5				830 Ulster Ave	Kingston	NY	12401....	Scanlon's Cleaners, Kingston (Ulster)
Kingston Water Dept				PO Box 1537	Kingston	NY	12402....	Scanlon's Cleaners, Kingston (Ulster)
New York (%CSX Tran: Tax Depart 500 Water Street C910					Jacksonville	FL	32202....	Scanlon's Cleaners, Kingston (Ulster)
Arthur R Sr Dept Emer: 238 Golden Hill Lane					Kingston	NY	12401....	Scanlon's Cleaners, Kingston (Ulster)
County Exe 244 Fair St PO Box 1800					Kingston	NY	12402....	Scanlon's Cleaners, Kingston (Ulster)
Coordinatc Dept of En: 17 Pearl Street					Kingston	NY	12401....	Scanlon's Cleaners, Kingston (Ulster)
Town Supe Town of UI 1 Town Hall Drive					Lake Katrine	NY	12449....	Scanlon's Cleaners, Kingston (Ulster)
Planning B: Town of UI 1 Town Hall Drive					Lake Katrine	NY	12449....	Scanlon's Cleaners, Kingston (Ulster)
Highway St Town of UI 1 Town Hall Drive					Lake Katrine	NY	12449....	Scanlon's Cleaners, Kingston (Ulster)
Kingston Daily Freeman			79 Hurley Ave		Kingston	NY	12401....	Scanlon's Cleaners, Kingston (Ulster)
Dan Burtor Kingston Ti PO Box 33: 322 Wall Street					Kingston	NY	12401-332	Scanlon's Cleaners, Kingston (Ulster)
Water Dep Town of UI 1 Town Hall Drive					Lake Katrine	NY	12449....	Scanlon's Cleaners, Kingston (Ulster)
Wastewat Town of UI 1 Town Hall Drive					Lake Katrine	NY	12449....	Scanlon's Cleaners, Kingston (Ulster)
Jolanda G Jansen Eng 72 Colburn Drive					Poughkeepsie	NY	00001-260	Scanlon's Cleaners, Kingston (Ulster)
Katherine J Mid-Hudso 1003 Route PO Box 32					Clintondale	NY	12515-033	Scanlon's Cleaners, Kingston (Ulster)
Erez Halev: American C 360 Route 211					Middletown	NY	10940....	Scanlon's Cleaners, Kingston (Ulster)



MID-HUDSON GEOSCIENCES
1003 Route 44/55
P.O. Box 32
Clintondale, NY 12515-0032
Phone (845) 883-5726

rockdoctor@optonline.net

August 23, 2019

Town of Ulster Public Library
860 Ulster Avenue
Kingston, NY 12401

**RE: Request for Acknowledgement as a Repository for Documents
for DEC Regulation of Brownfield Cleanup at Scanlon's Cleaners, Inc.**

As you may know the American Cleaners at 734 Ulster Avenue has changed hands and is now owned by Scanlon's Cleaners. Also the groundwater cleanup is in the process of transferring from the defunct Voluntary Cleanup Program to the Brownfield Cleanup Program.

The application for transfer requires an extensive application. One of the items in the application is to provide:

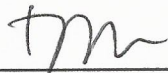
"The location of a document repository for the project (e.g., local library). In addition, attach a copy of an acknowledgement from the repository indicating that it agrees to act as the document repository for the property."

We have been very happy with your library acting as a repository over the past few years and we hope you can continue in that role by signing below.

Yours truly,

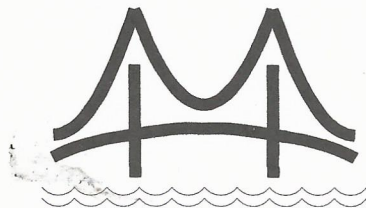
Katherine J. Beinkafner, Ph.D.
NYS Professional Geologist #1176
Certified Professional Geologist #6611

Town of Ulster Library will act as Repository for the Brownfields Cleanup Program for Scanlon's Cleaners.

Signed  Date: August 23, 2019

Print Name and Title TRACY PRIEST

Town of Ulster Public Library
860 Ulster Avenue
Kingston, NY 12401
Phone: 845 338 7881
E-mail: director@townofulsterlibrary.org



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August 23, 2019

Kingston Library c/o Director Margie Menard
55 Franklin Street
Kingston, NY 12401

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for DEC Regulation of Brownfield Cleanup at Scanlon's Cleaners, Inc.**

Dear Director Menard,

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Katherine J. Beinkafner, Ph.D.
NYS Professional Geologist #1176
Certified Professional Geologist #6611

Kingston Library will act as Repository for the Brownfields Cleanup Program for Scanlon's Cleaners.

Signed Margaret Menard Date: August 23, 2019

Print Name and Title MARGARET MENARD, DIRECTOR

Kingston Library
55 Franklin Street
Kingston, NY 12401
Phone: 845 339 4260
E-mail: director@kingstonlibrary.org