



# FACT SHEET

## Brownfield Cleanup Program

Receive Site Fact Sheets by *Email*. See "For More Information" to Learn How.

**Site Name:** Capital Center  
**DEC Site #:** C401070  
**Address:** Corner of Broadway and Spencer Street  
Albany, NY 12207

Have questions?  
See  
"Who to Contact"  
Below

### NYSDEC Certifies Cleanup Requirements Achieved at Brownfield Site

The New York State Department of Environmental Conservation (NYSDEC) has determined that the cleanup requirements to address contamination related to the Capital Center site ("site") located at Corner of Broadway and Spencer Street, Albany, Albany County under New York State's Brownfield Cleanup Program have been or will be met. Please see the map for the site location.

Additional site details, including environmental and health assessment summaries, are available on NYSDEC's website at:

<http://www.dec.ny.gov/cfmx/extapps/derexternal/haz/details.cfm?pageid=3&progno=C401070>

The cleanup activities were performed by First Columbia, L.L.C., and other parties, with oversight provided by NYSDEC. NYSDEC has approved a Final Engineering Report and issued a Certificate of Completion for the site. Copies of the Final Engineering Report and Notice of the Certificate of Completion are available at the location identified below under "Where to Find Information."

#### Completion of Project

Remediation at the site is complete. Prior to remediation, the primary contaminants of concern in soil were petroleum related contaminants and the metals and polycyclic aromatic hydrocarbons associated with historic fill. Similar petroleum related contaminants and methyl tert-butyl ether (MTBE) were present in groundwater. Remedial actions have successfully achieved a conditional Track 1 cleanup, having reached unrestricted use soil cleanup objectives across the majority the site.

The Track 1 is conditional based on the requirement to meet groundwater standards within five years. A program of periodic injections of a chemical oxidant into groundwater will be implemented as necessary to achieve that objective.

Approximately 50,000 tons of contaminated soil was excavated to an average depth of approximately 12 feet below grade from the 1.6-acre, Track 1, area of the site and properly disposed of off-site.

Twelve underground storage tanks (USTs) were discovered during excavation activities on the western portion of the site. The USTs were then pumped out, exhumed, cleaned and crushed for proper off-site disposal.

Due to an adjacent structure that prohibited deep excavation, a cover system was constructed in a small 0.04-acre portion of the site in the southeast corner to meet Track 4 restricted residential use soil cleanup objectives. An environmental easement was placed on the Track 4 area, which will be managed under a site management plan.

### **Final Engineering Report Approved**

NYSDEC has approved the Final Engineering Report, which:

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

The following institutional controls have been or will be put in place on the site:

- An Environmental Easement
- A Site Management Plan

The following engineering controls have been or will be put in place on the site:

- A Site Cover System

### **Next Steps**

With its receipt of a Certificate of Completion, the applicant is eligible to redevelop the site. In addition, the applicant:

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

A Certificate of Completion may be modified or revoked if, for example, there is a failure to comply with the terms of the order or agreement with NYSDEC.

## **Background**

**Location:** The site is located at the corner of Broadway and Spencer Street in downtown Albany, approximately 900 feet west of the Hudson River. The site is bordered to the north by Spencer Street, to the east by Montgomery Street, to the south by commercial buildings and to the west by Broadway.

**Site Features:** Prior to the remedial program, the site consisted of 16 parcels totaling about 1.6 acres. The site was vacant and almost entirely covered with an abandoned auto service station, building slabs or paved surfaces. The site now consists of one lot (76.27-1-18). Site redevelopment is ongoing.

**Current Zoning and Land Use:** The site is currently zoned Central Business District (C-3) which is a commercial zoning that allows for residential use. Surrounding property uses include the Albany visitors' center, two restaurants, parking lots, a parking garage and several high-rise office buildings.

**Past Use of the Site:** In the past the site has been used for various manufacturing operations including a box factory, a roofing supplier, a tin shop, a meat packing plant, an insecticide factory, produce storage and a gas station that conducted auto repairs.

**Site Geology and Hydrogeology:** The native soil immediately below the fill is lacustrine (lake bottom) varved (layered) silt with clay. This deposit includes a stiffer brown crust of silt and clay overlying soft, wet, grey silt and clay, extends to a depth of 16-37 feet, being generally thicker to the west toward Broadway. This stratum is soft to very stiff. Beneath the layered silt and clay stratum, there is a stratum of sand with varying amounts of clay, silt, and gravel. This layer extends to depths of 32 to 47 feet below grade and is loose to dense and wet. Beneath this is a glacial till layer extending to a depth of 40-50 feet below grade. This stratum is very dense and is dry to moist.

Groundwater generally flows in a southeasterly direction across the site toward the Hudson River.

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

A brownfield site is any real property where a contaminant is 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.

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

## **FOR MORE INFORMATION**

### **Where to Find Information**

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

Albany Public Library  
161 Washington Avenue  
Albany, NY 12210-2398  
phone: 518-427-4300

## Who to Contact

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

### Project Related Questions

Michael MacCabe  
Department of Environmental Conservation  
Division of Environmental Remediation  
625 Broadway  
Albany, NY 12233-7016  
518-402-9687  
michael.maccabe@dec.ny.gov

### Site-Related Health Questions

Mark Sergott  
New York State Department of Health  
Bureau of Environmental Exposure Assessment  
Empire State Plaza - Corning Tower Room 1787  
Albany, NY 12237  
518-402-7860  
BEEI@health.ny.gov

**We encourage you to share this fact sheet with neighbors and tenants, and/or post this fact sheet in a prominent area of your building for others to see.**

### **Receive Site Fact Sheets by Email**

Have site information such as this fact sheet sent right to your email inbox. NYSDEC invites you to sign up with one or more contaminated site's county email listservs available at the following web page:  
<http://www.dec.ny.gov/chemical/61092.html>.

It's quick, it's free, and it will help keep you *better informed*.

As a listserv member, you will periodically receive site-related information/announcements for all contaminated sites in the county(ies) you select.



Figure 1  
Capital Center  
Site Location



Capital Center Site

approximate site boundary

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Google earth

Imagery Date: 7/15/2015 42°39'15.34" N 73°44'52.67" W elev 23 ft eye alt 1210 ft