



BROWNFIELD CLEANUP PROGRAM (BCP) APPLICATION FORM

Is this an application to amend an existing BCA with a major modification? Please refer to the application instructions for further guidance related to BCA amendments. If yes, provide existing site number: _____	Yes	No
Is this a revised submission of an incomplete application? If yes, provide existing site number: _____	Yes	No

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SECTION I: Property Information										
PROPOSED SITE NAME										
ADDRESS/LOCATION										
CITY/TOWN						ZIP CODE				
MUNICIPALITY (LIST ALL IF MORE THAN ONE)										
COUNTY						SITE SIZE (ACRES)				
LATITUDE				LONGITUDE						
°	'	"	°	'	"					
Provide tax map information for all tax parcels included within the proposed site boundary below. If a portion of any lot is to be included, 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 acreage column. ATTACH REQUIRED TAX MAPS PER THE APPLICATION INSTRUCTIONS.										
Parcel Address						Section	Block	Lot	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 including a metes and bounds description.									Y	N
2. Is the required property map provided in electronic format with the application? (Application will not be processed without a map)										
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) If yes, identify census tract: _____ Percentage of property in En-zone (check one): 0% 1-49% 50-99% 100%										
4. Is the project located within a disadvantaged community? See application instructions for additional information.										
5. Is the project located within a NYS Department of State (NYS DOS) Brownfield Opportunity Area (BOA)? See application instructions for additional information.										

6. Is this application one of multiple applications for a large development project, where the development spans more than 25 acres (see additional criteria in application instructions)? If yes, identify names of properties and site numbers, if available, in related BCP applications: _____	Y	N
7. Is the contamination from groundwater or soil vapor solely emanating from property other than the site subject to the present application?		
8. 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.		
9. Are there any lands under water? If yes, these lands should be clearly delineated on the site map.		
10. Has the property been the subject of or included in a previous BCP application? If yes, please provide the DEC site number: _____		
11. Is the site currently listed on the Registry of Inactive Hazardous Waste Disposal Sites (Class 2, 3, or 4) or identified as a Potential Site (Class P)? If yes, please provide the DEC site number: _____ Class: _____		
12. Are there any easements or existing rights-of-way that would preclude remediation in these areas? If yes, identify each here and attach appropriate information. <div style="display: flex; justify-content: space-between;"> <div><u>Easement/Right-of-Way Holder</u></div> <div><u>Description</u></div> </div>		
13. List of permits issued by the DEC or USEPA relating to the proposed site (describe below or attach appropriate information): <div style="display: flex; justify-content: space-between;"> <div><u>Type</u></div> <div><u>Issuing Agency</u></div> <div><u>Description</u></div> </div>		
14. Property Description and Environmental Assessment – please refer to the application instructions for the proper format of each narrative requested. Are the Property Description and Environmental Assessment narratives included in the prescribed format?		
Note: Questions 15 through 17 below pertain ONLY to proposed sites located within the five counties comprising New York City.		
15. Is the Requestor seeking a determination that the site is eligible for tangible property tax credits? If yes, Requestor must answer the Supplemental Questions for Sites Seeking Tangible Property Credits Located in New York City ONLY on pages 11-13 of this form.	Y	N
16. Is the Requestor now, or will the Requestor in the future, seek a determination that the property is Upside Down?		
17. If you have answered YES to Question 16 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?		
NOTE: If a tangible property tax credit determination is not being requested at the time of application, 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 I are required prior to application approval, a new page, initialed by each Requestor, must be submitted with the application revisions. Initials of each Requestor: <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div>_____</div> <div>_____</div> <div>_____</div> <div>_____</div> <div>_____</div> <div>_____</div> </div>		

SECTION II: Project Description			
1. The project will be starting at:	Investigation	Remediation	
NOTE: If the project is proposed to start at the remediation stage, at a minimum, a Remedial Investigation Report (RIR) must be included, resulting in a 30-day public comment period. If an Alternatives Analysis and Remedial Action Work Plan (RAWP) are also included (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, does it meet the requirements in ECL Article 27-1415(2)?	Yes	No	N/A
3. Have any draft work plans been submitted with the application (select all that apply)?	RIWP	RAWP	IRM No
4. Please provide a short description of the overall project development, including the date that the remedial program is to begin, and the date by which a Certificate of Completion is expected to be issued. Is this information attached?	Yes	No	

SECTION III: Land Use Factors			
1. What is the property's current municipal zoning designation? _____			
2. What uses are allowed by the property's current zoning (select all that apply)?			
Residential	Commercial	Industrial	
3. Current use (select all that apply):			
Residential	Commercial	Industrial	Recreational Vacant
4. Please provide 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 by which the site became vacant. Is this summary included with the application?	Y	N	
5. Reasonably anticipated post-remediation use (check all that apply):			
Residential Commercial Industrial			
If residential, does it qualify as single-family housing?		N/A	
6. Please provide a statement detailing the specific proposed post-remediation use. Is this summary attached?			
7. Is the proposed post-remediation use a renewable energy facility? See application instructions for additional information.			
8. Do current and/or recent development patterns support the proposed use?			
9. Is the proposed use consistent with applicable zoning laws/maps? Please provide a brief explanation and additional documentation if necessary.			
10. Is the proposed use consistent with applicable comprehensive community master plans, local waterfront revitalization plans, or other adopted land use plans? Please provide a brief explanation and additional documentation if necessary.			

SECTION IV: Property's Environmental History

All applications **must include** an Investigation Report (per ECL 27-1407(1)). The report must be sufficient to establish that contamination of environmental media exists on the site above applicable Standards, Criteria and Guidance (SCGs) based on the reasonably anticipated use of the site property and that the site requires remediation. To the extent that existing information/studies/reports are available to the requestor, please attach the following (***please submit 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). Please do NOT submit paper copies of ANY supporting documents.**
2. **SAMPLING DATA: INDICATE (BY SELECTING THE OPTIONS BELOW) KNOWN CONTAMINANTS AND THE MEDIA WHICH ARE KNOWN TO HAVE BEEN AFFECTED. DATA SUMMARY TABLES SHOULD BE INCLUDED AS AN ATTACHMENT, WITH LABORATORY REPORTS REFERENCED AND INCLUDED.**

CONTAMINANT CATEGORY	SOIL	GROUNDWATER	SOIL GAS
Petroleum			
Chlorinated Solvents			
Other VOCs			
SVOCs			
Metals			
Pesticides			
PCBs			
PFAS			
1,4-dioxane			
Other – indicated below			

*Please describe other known contaminants and the media affected:

3. For each impacted medium above, include a site drawing indicating:
 - Sample location
 - Date of sampling event
 - Key contaminants and concentration detected
 - For soil, highlight exceedances of reasonably anticipated use
 - For groundwater, highlight exceedances of 6 NYCRR part 703.5
 - For soil gas/soil vapor/indoor air, refer to the NYS Department of Health matrix and highlight exceedances that require mitigation

These drawings are to be representative of all data being relied upon to determine if the site requires remediation under the BCP. Drawings should be no larger than 11"x17" and should only be provided electronically. These drawings should be prepared in accordance with any guidance provided.

Are the required drawings included with this 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 V: Requestor Information			
NAME			
ADDRESS			
CITY/TOWN		ZIP CODE	
PHONE		EMAIL	
1. Is the requestor authorized to conduct business in New York State (NYS)?			Y
2. If the requestor is a Corporation, LLC, LLP or other entity requiring authorization from the NYS DOS 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 with this application to document that that requestor is authorized to conduct business in NYS. Is this attached?			N
3. If the requestor is an LLC, the names of the members/owners need to be provided on a separate attachment. Is this attached?			
4. Individuals that will be certifying BCP documents, as well as their employers, must 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. Do all individuals that will be certifying documents meet these requirements? Documents that are not properly certified will not be approved under the BCP.			

SECTION VI: Requestor Eligibility		
If answering "yes" to any of the following questions, please provide appropriate explanation and/or documentation as an attachment.		
	Y	N
1. Are any enforcement actions pending against the requestor regarding this site?		
2. Is the requestor subject to an existing order for the investigation, removal or remediation of contamination at the site?		
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.		
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 or regulation of the State or Federal government?		
5. Has the requestor previously been denied entry to the BCP? If so, please provide the site name, address, assigned DEC site number, the reason for denial, and any other relevant information regarding the denied application.		
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?		

SECTION VI: Requestor Eligibility (CONTINUED)

7. Has the requestor been convicted of a criminal offence (i) involving the handling, storing, treating, disposing or transporting or contaminants; or (ii) that involved 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?	Y	N
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 a false statement in connection with any document or application submitted to DEC?		
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?		
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?		
11. Are there any unregistered bulk storage tanks on-site which require registration?		
12. 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 selecting this option, 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; and, (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.	
13. If the requestor is a volunteer, is a statement describing why the requestor should be considered a volunteer attached?		
Yes	No	N/A

SECTION VI: Requestor Eligibility (CONTINUED)

14. Requestor relationship to the property (check one; if multiple applicants, check all that apply):

Previous Owner

Current Owner

Potential/Future Purchaser

Other: _____

If the requestor is not the current owner, **proof of site access sufficient to complete remediation must be provided.** 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 environmental easement on the site.

Is this proof attached?

Yes

No

Note: A purchase contract or lease agreement does not suffice as proof of site access.

SECTION VII: Requestor Contact Information

REQUESTOR'S REPRESENTATIVE

ADDRESS

CITY

ZIP CODE

PHONE

EMAIL

REQUESTOR'S CONSULTANT (CONTACT NAME)

COMPANY

ADDRESS

CITY

ZIP CODE

PHONE

EMAIL

REQUESTOR'S ATTORNEY (CONTACT NAME)

COMPANY

ADDRESS

CITY

ZIP CODE

PHONE

EMAIL

SECTION VIII: Program Fee

Upon submission of an executed Brownfield Cleanup Agreement to the Department, the requestor is required to pay a non-refundable program fee of \$50,000. Requestors may apply for a fee waiver based on demonstration of financial hardship.

	Y	N
1. Is the requestor applying for a fee waiver based on demonstration of financial hardship?		
2. If yes, appropriate documentation to demonstrate financial hardship must be provided with the application. See application instructions for additional information. Is the appropriate documentation included with this application?		

SECTION IX: Current Property Owner and Operator Information

CURRENT OWNER		
CONTACT NAME		
ADDRESS		
CITY		ZIP CODE
PHONE	EMAIL	
OWNERSHIP START DATE		
CURRENT OPERATOR		
CONTACT NAME		
ADDRESS		
CITY		ZIP CODE
PHONE	EMAIL	
OPERATION START DATE		

SECTION X: Property Eligibility Information

	Y	N
1. Is/was the property, or any portion of the property, listed on the National Priorities List? If yes, please provide additional information.		
2. Is/was the property, or any portion of the property, listed on the NYS Registry of Inactive Hazardous Waste Disposal Site pursuant to ECL 27-1305? If yes, please provide the DEC site number: _____ Class: _____		

SECTION X: Property Eligibility Information (continued)

	Y	N
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: _____		
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? If yes, attach any available information related to previous owners or operators of the facility or property and their financial viability, including any bankruptcy filings and corporate dissolution documents. <div style="text-align: right;">N/A</div>		
5. Is the property subject to a cleanup order under Navigation Law Article 12 or ECL Article 17 Title 10? If yes, please provide the order number: _____		
6. Is the property subject to a state or federal enforcement action related to hazardous waste or petroleum? If yes, please provide additional information.		

SECTION XI: Site Contact List

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 mailing addresses of the following:

- The chief executive officer and planning board chairperson of each county, city, town and village in which the property is located.
- Residents, owners, and occupants of the property and adjacent properties.
- Local news media from which the community typically obtains information.
- The public water supplier which services the area in which the property is located.
- Any person who has requested to be placed on the contact list.
- The administrator of any school or day care facility located on or near the property.
- 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.

City of Rensselaer population is less than 10,000

SECTION XII: 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 [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 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 A MEMBER (title) of BEL BARNETT LLC (entity); that I am authorized by that entity to make this application and execute a Brownfield Cleanup Agreement (BCA) and all subsequent documents; that this application was prepared by me or under my supervision and direction. 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 [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 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: 11/17/22 Signature: 

Print Name: Jonathan deForest

SUBMITTAL INFORMATION

- Two (2) copies, one unbound paper copy of the application form with original signatures and table of contents, and one complete electronic copy in final, non-fillable 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, 11th Floor
Albany, NY 12233-7020

PLEASE DO NOT SUBMIT PAPER COPIES OF SUPPORTING DOCUMENTS. Please provide a hard copy of ONLY the application form and a table of contents.

FOR DEC USE ONLY

BCP SITE T&A CODE: _____ LEAD OFFICE: _____

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.

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Please respond to the questions below and provide additional information and/or documentation as required.	Y	N
1. Is the property located in Bronx, Kings, New York, Queens or Richmond County?		
2. Is the requestor seeking a determination that the site is eligible for the tangible property credit component of the brownfield redevelopment tax credit?		
3. Is at least 50% of the site area located within an environmental zone pursuant to NYS Tax Law 21(b)(6)?		
4. Is the property upside down or underutilized as defined below?		
Upside down		
Underutilized		
<p>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.</p> <p>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.</p> <p>"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.</p>		

FOR SITES SEEKING TANGIBLE PROPERTY CREDITS IN NEW YORK CITY ONLY (continued)

5. 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*

*Selecting this option 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’ household’s 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 homeowners 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.

FOR SITES SEEKING TANGIBLE PROPERTY CREDITS IN NEW YORK CITY ONLY (continued)

6. Is the site a planned renewable energy facility site as defined below?

Yes – planned renewable energy facility site

No – not a planned renewable energy facility site

If yes, please provide any documentation available to demonstrate that the property is planned to be developed as a renewable energy facility site.

From ECL 27-1405(33) as of April 9, 2022:

"Renewable energy facility site" shall mean real property (a) this is used for a renewable energy system, as defined in section sixty-six-p of the public service law; or (b) any co-located system storing energy generated from such a renewable energy system prior to delivering it to the bulk transmission, sub-transmission, or distribution system.

From Public Service Law Article 4 Section 66-p as of April 23, 2021:

(b) "renewable energy systems" means systems that generate electricity or thermal energy through use of the following technologies: solar thermal, photovoltaics, on land and offshore wind, hydroelectric, geothermal electric, geothermal ground source heat, tidal energy, wave energy, ocean thermal, and fuel cells which do not utilize a fossil fuel resource in the process of generating electricity.

7. Is the site located within a disadvantaged community, within a designated Brownfield Opportunity Area, and meets the conformance determinations pursuant to subdivision ten of section nine-hundred-seventy-r of the general municipal law?

Yes

No

From ECL 75-0111 as of April 9, 2022:

(5) "Disadvantaged communities" means communities that bear the burdens of negative public health effects, environmental pollution, impacts of climate change, and possess certain socioeconomic criteria, or comprise high-concentrations of low- and moderate-income households, as identified pursuant to section 75-0111 of this article.

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BCP APPLICATION SUMMARY (FOR DEC USE ONLY)		
SITE NAME	SITE ADDRESS	
CITY	COUNTY	ZIP
REQUESTOR NAME	REQUESTOR ADDRESS	
CITY	ZIP	EMAIL

PROPERTY ADDRESS	SECTION	BLOCK	LOT

REQUESTOR'S REPRESENTATIVE		
NAME	ADDRESS	
CITY	ZIP	EMAIL
REQUESTOR'S ATTORNEY		
NAME	ADDRESS	
CITY	ZIP	EMAIL
REQUESTOR'S CONSULTANT		
NAME	ADDRESS	
CITY	ZIP	EMAIL

REQUESTOR'S REQUESTED STATUS	PARTICIPANT	VOLUNTEER
DEC DETERMINATION	AGREE	DISAGREE

APPLIED FOR FEE WAIVER	YES	NO
ELIGIBLE FOR FEE WAIVER	YES	NO

PERCENTAGE WITHIN AN EN-ZONE	0%	<50%	50-99%	100%
DEC DETERMINATION	AGREE		DISAGREE	

BCP APPLICATION SUMMARY (FOR DEC USE ONLY) (CONTINUED)**FOR SITES IN NEW YORK CITY ONLY****IS THE REQUESTOR SEEKING TANGIBLE PROPERTY CREDITS?**

YES

NO

UPSIDE DOWN

YES

NO

DEC DETERMINATION

AGREE

DISAGREE

UNDERUTILIZED

YES

NO

DEC DETERMINATION

AGREE

DISAGREE

AFFORDABLE HOUSING STATUS

PLANNED

YES

NO

DEC DETERMINATION

AGREE

DISAGREE

DISADVANTAGED COMMUNITY AND CONFORMING BOA

YES

NO

DEC DETERMINATION

AGREE

DISAGREE

RENEWABLE ENERGY FACILITY SITE

YES

NO

DEC DETERMINATION

AGREE

DISAGREE

NOTES:

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Property Description Narrative (Section I, Item 14)

Location: The Former Barnet Mills Site is located in an urban area with commercial and residential uses, and is just east of Hilton Park and Boat Ramp that provides community access to the Hudson River. The Site is 100 to 200 feet southeast of the Hudson River and approximately 1,630 feet southwest of Interstate I-90. The Site is comprised of one parcel identified as Section 133., Block 3, Lot 7. While the County tax records show the Site as a 6.1-acre lot, the survey shows the lot as 6.33 acres and this surveyed area is used in this BCP application. The nearby Hilton Management, LLC parcel at Section 133.69, Block 1, Lot 2 is not included in the Site as it is separated from the Site by a railroad track and no redevelopment is planned on this lot primarily comprised of a dock on the shore of the Hudson River.

Site Features: Oriented parallel to the Hudson River (northeast to southwest), the southeastern boundary includes wooded land that slopes down towards the developed Site area. The Site includes nine abandoned buildings surrounded by former parking areas and roadway.

Current Zoning and Land Use: The Site is currently inactive and zoned for Downtown Mixed-Use (MU-1). The surrounding parcels are a combination of residential, commercial, and utility lands (e.g., National Grid). Residences are southeast of the Site.

Past Use of the Site: From 1873 until the 1960s, the Site uses included brewery operations, and a wool shoddy mill (which reclaimed wool scraps from textile mills and restored them into batched wool fabric for resale). In the 1960s, the Site buildings began being leased to numerous tenants for a wide spectrum of commercial, industrial, and fine arts uses that included an architectural firm, a photography studio, automobile repair, industrial manufacturing of wire products, studio space for musicians, storage space, and numerous other commercial uses. Landfilling occurred in the northeastern Site area. The Site operations ceased and is currently vacant with abandoned buildings that are not in use.

Initial limited Site remedial efforts included the removal of the two Site USTs in August 2021. An area of petroleum-impacted soil was discovered and excavated following removal of a 20,000-gallon fuel oil UST southwest of Building 1 (open Spill #2104385) but impacted soil and free product remains. Contaminants at differing concentrations are detected across the Site areas.

Site Geology and Hydrogeology: Site soils were observed to include sand and silt with some gravel. Fill material was observed in northeastern Site area test pits and soil borings. Depth to groundwater varied from 3 feet to 16 feet below the ground surface. Groundwater flow across the Site is generally west-northwestward toward the Hudson River with some local variations as indicated on Figure 4 of the October 2021 Draft Phase II ESA. Bedrock was not encountered in borings.

Environmental Assessment:

Based upon investigations conducted to date, the primary contaminants of concern for the site include petroleum (free product), chlorinated volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs), polychlorinated biphenyls (PCBs), and metals.

- **Free Product:** Free product remains in soil and groundwater south and west of Building 1 and was recently observed in June 2022 in monitoring well MW-2.
- **Soil:** At the former 1,000 gallon oil-water separator west of Building 5, SVOCs (polycyclic aromatic hydrocarbons [PAHs]) exceeded Unrestricted Use Soil Cleanup Objectives (UUSCOs) and Restricted-Residential Use SCOs (RRUSCOs). The highest exceedances were for

benzo(b)fluoranthene at 3.7 ppm (compared to UUSCO and RRUSCO of 1 ppm), and indeno(1,2,3-cd)pyrene at 2.0 (compared to UUSCO and RRUSCO of 0.5). Similar concentrations were identified at the former 20,000-gallon oil tank excavation samples south of Building 1. In the northeastern Site area, where landfilling occurred and buried debris was observed, impacted soil identified the following at concentrations greater than UUSCOs and RRUSCOs in samples collected between 8 and 10 feet bgs: PCBs (1.3 ppm in TP-1 and 1.83 ppm in TP-11 in 2021 and 1.8 ppm in SB-3 in 2022; slightly exceeding RRUSCO of 1 ppm), lead (552 ppm slightly exceeding the RRUSCO of 400), chromium (277 ppm exceeding RRUSCO of 110 ppm), barium (476 ppm slightly exceeding the RRUSCO of 410 ppm).

- **Groundwater:** Monitoring well MW-4, west of Building 4, reported 1,1,1-trichloroethane at 32 ppb, greater than the 5 ppb groundwater quality standard. The source of this contaminant was not identified and this constituent was not noted at elevated concentrations in other groundwater samples.

One of three groundwater samples analyzed for per- and polyfluoroalkyl substances (PFAS) identified low-level perfluorooctanoic acid (PFOA) and perfluorooctanesulfonic acid (PFOS) concentrations that were less than the NYSDEC Interim Guidance Values of 10 ppt. Remaining PFAS results included three detected compounds at concentrations less than 5 ppt and the rest were less than detection limits.

The four 2022 groundwater samples did not identify 1,4-dioxane.

- **Soil Vapor:** The 2021 subslab vapor sampling reported 1,1,1-trichloroethane at 110 ug/m³ at Building 5; PCE was reported at 12.3 ug/m³ at Building 11, and carbon tetrachloride was reported at 10.3 ug/m³ at Building 4 and 17 ug/m³ at Building 9. While building conditions currently have significant air flow in the interior which prevents indoor air sampling. The source of this contaminant was not identified.

Project Description Narrative (Section II)

The proposed project would rehabilitate existing abandoned textile mill buildings into 72 apartments for non-transient residential occupation and commercial space. The apartments will consist of studio, one-, and two-bedroom apartments, and are planned to include affordable housing. The commercial areas will vary, but are expected to potentially include a restaurant, office and self-storage uses. As part of the redevelopment, one of the current structures (Building 8) is proposed to be demolished. The buildings vary in size and number of stories. The project site is eligible to be listed in the National Register of Historic Places.

The remedial program is anticipated to include removal of soil and fill material to address the free product and soil impacts, a remedy to address groundwater impacts, and installation of a subslab depressurization system. Remedial activities would be performed in conjunction with Site redevelopment, which is anticipated to begin in the Spring of 2023, depending on BCP status. The goal is to have the Certificate of Completion issued in the Spring of 2024.

Land User Factors (Section III)

1. **Zoning and Current Use:** The Site has been vacant and inactive since 2018 and is zoned for Downtown Mixed-Use (MU-1). The purpose of the Downtown Mixed-Use District (MU-1) is to accommodate a mix of higher-density residential and commercial uses that will encourage a vibrant, walkable central core consistent with the historic character for the City of

Rensselaer. The planned redevelopment includes commercial and residential units consistent with zoning.

2. **Anticipated Use:** The proposed project would rehabilitate existing abandoned textile mill buildings into 72 apartments for non-transient residential occupation and commercial space. The apartments will consist of studio, one-, and two-bedroom apartments, and are planned to include affordable housing. The commercial areas will potentially be restaurant, office and self-storage uses. As part of the redevelopment, one of the current structures (Building 8) is proposed to be demolished. The buildings vary in size and number of stories. As the project site is eligible to be listed in the National Register of Historic Places, the redevelopment project will largely rehabilitate existing structures.
4. **Compliance with Zoning Laws, Recent Development, and Community Master Plans:** The proposed project is consistent with zoning laws and the City Master Plan as it will be conducive to small and locally-owned businesses, will provide amenities and high-quality waterfront development near a public park, redevelop an abandoned industrial brownfield property while remediating existing impacts, add options to provide residents with a choice of available housing costs and unit types, provide associated adequate parking for the development and will include bicycle racks, preserve and protect the City's rich historic resources.

Requestor Information (Section V)

2. Requester is an LLC. NYS Department of State Entity Information for BBL Barnett LLC is attached.

3. Requester is an LLC. The names of the members/owners are provided below:

BBL Barnett, LLC	40% LD Exec X, LLC	20% Fuller Station, LP
		• 49.5% Brian Gleason
		• 49.5% Shelby Gleason
		• 1% 6630 FSR, LLC (100% Kevin Gleason)
		30% SWF XV, LLC
	60% HHT Barnett, LLC	• 1% DRL, LLC
		• 33 1/3% Slade Led Duke
		• 33 1/3% Spencer Led Duke
		• 33 1/3% Scott Led Duke
		10% DRL, LLC
		• 100% DRL Irrevocable Trust (Stephen Obermayer Trustee)
		• Mary Louise Led Duke beneficiary
		20% Stephen Obermayer
		20% Jon Deforest
		50% Brian Hart
		25% Mark Teliska
		25% Russell Hilton

Department of State

Division of Corporations

Entity Information

Return to Results

Return to Search

Entity Details

ENTITY NAME: BBL BARNETT LLC
FOREIGN LEGAL NAME:
ENTITY TYPE: DOMESTIC LIMITED LIABILITY COMPANY
SECTIONOF LAW: 203 LLC - LIMITED LIABILITY COMPANY LAW
DATE OF INITIAL DOS FILING: 05/10/2021
EFFECTIVE DATE INITIAL FILING: 05/10/2021
FOREIGN FORMATION DATE:
COUNTY: ALBANY
JURISDICTION: NEW YORK, UNITED STATES

DOS ID: 6009824
FICTITIOUS NAME:
DURATION DATE/LATEST DATE OF DISSOLUTION:
ENTITY STATUS: ACTIVE
REASON FOR STATUS:
INACTIVE DATE:
STATEMENT STATUS: CURRENT
NEXT STATEMENT DUE DATE: 05/31/2023
NFP CATEGORY:

ENTITY DISPLAY

NAME HISTORY

FILING HISTORY

MERGER HISTORY

ASSUMED NAME HISTORY

Service of Process Name and Address

Name: THE LLC
Address: 302 WASHINGTON AVENUE EXT., ALBANY, NY, UNITED STATES, 12203

Chief Executive Officer's Name and Address

Name:
Address:

Principal Executive Office Address

Address:

Registered Agent Name and Address

Name:
Address:

Entity Primary Location Name and Address

Name:
Address:

Farmcorpflag

Is The Entity A Farm Corporation: NO

Stock Information

Requestor Eligibility (Section VI)

13. If the requestor is a volunteer, is a statement describing why the requestor should be considered a volunteer attached?

BBL Barnett LLC will be purchasing the property and is applying as a volunteer. Bath Springs Development Co., LLC has owned the site since March 29, 2018. The current owner and the applicant are not associated with prior owners Hilton Management LLC (2001 to 2018), C.O. Jelliff Company, Inc. (1977 to 2001), The William Barnet Company (1905 to 1977), or Stroebel Malt House Brewery (late 1800s).

Proof of site access sufficient to complete remediation is provided in the following pages. While the Permission for Property Access lists both Section 133., Block 3, Lot 7 and Section 133.69, Block 1, Lot 2, the Site for this BCP application is only Section 133., Block 3, Lot 7.

The Permission for Property Access document lists the address for Bath Springs Development as 2 Cooper Avenue Rensselaer, NY 12144. The address for this entity has since changed to 164 Columbia Turnpike, Suite B, Rensselaer, NY 12144, as shown on the BCP application form.

The survey shows easements associated with a gas line, City access to the boat launch and park, and for a roadway extending from Forbes Avenue and continuing between the buildings. The City easements are required to be kept open and clear, until dedicated to the City as a public street conveyed free and clear of all liens, charges, and incumbrances whatsoever. The City has confirmed their support of this redevelopment project. While the area of free product is not confirmed to extend into a City easement, if intrusive remediation were needed on an easement, the Volunteer would work with the property owner and City to obtain necessary access for the work.

PERMISSION FOR PROPERTY ACCESS

Name and address of property:

Current Owner: **BATH SPRINGS DEVELOPMENT CO., LLC a New York limited liability company with an address of 2 Cooper Avenue, Rensselaer, New York 12144**

Address of Property: **20 FORBES AVENUE, CITY OF RENSSELAER, COUNTY OF RENSSELAER, STATE OF NEW YORK**

Tax Map No: **133.-3-7 and 133.69-1-2**

I am an authorized representative of **BATH SPRINGS DEVELOPMENT CO., LLC** ("Current Owner") and have the authority to grant access to the property listed above. I give my permission to the BCP Volunteer **BBL BARNETT LLC**, ("BCP Volunteer") a New York limited liability company with an address of 302 Washington Avenue Extension, Albany, New York 12203, its employees, representatives, consultants or contractors, and regulatory oversight personnel, to cross over Current Owner's property listed above with persons, field vehicles, equipment, waste, samples, etc. to conduct remedial activities associated with the property to be investigated, remediated, and redeveloped by the Volunteer. This access Agreement is intended to provide on-going access to BCP Volunteer to implement all work necessary to comply with BCP obligations and to obtain a Certificate of Completion.

In addition, and in consideration of the commitments set forth below, Current Owner gives authorization and permission to BCP Volunteer, its employees, representatives, consultants, or contractors, to conduct, install and maintain investigation infrastructure and remediation infrastructure and other remediation associated activities.

BCP Volunteer agrees to reimburse Current Owner up to \$1,500.00 for any costs or expenses, including legal fees, associated with the entering into and implementation of this Agreement.

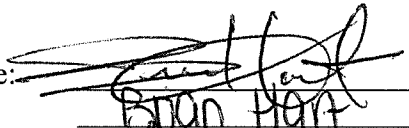
All work performed by BCP Volunteer shall be done in a good and workmanlike manner so as not to cause any damage to Volunteer and/or to the Current Owner, Property or to unreasonably interfere with the use of the Current Owner's Property. BCP Volunteer will notify Current Owner prior to any excavation and installation work performed on the Property and Current Owner will be advised when BCP associated activities are scheduled.

BCP Volunteer's general contractor/construction manager for the work is BBL Construction Services LLC ("BBL"). BBL has not yet engaged subcontractors to perform the work. BBL and all subcontractors will carry the following types of insurance (with limits no less than as shown below):

- a. Workers' compensation insurance fully covering all employees engaged by the BCP Volunteer in the performance of the work described and contemplated in the Agreement, in accordance with New York State Law.
- b. Comprehensive general liability insurance, including bodily injury and property damage with limits of liability not less than two million dollars (\$2,000,000) for any one occurrence, accident or disaster with an aggregate of not less than one million dollars (\$1,000,000) naming the BCP Volunteer and Current Owner as additional insureds. BCP Volunteer's contractors shall furnish to Current Owner certificates or receipts showing that the insurance is in force.

This Agreement shall be binding upon and shall inure to the benefit of BCP Volunteer, Current Owner, and their respective successors and permitted assigns. This Agreement constitutes the entire agreement between the parties, may not be modified or amended except in writing and the rights or obligations hereunder may not be transferred without the prior written consent of the parties hereto.

BATH SPRINGS DEVELOPMENT CO., LLC

Signature: 
Name: Brian Hart
Title: VP
Date: 10-7-2022
Phone: 518-857-0200

Please sign and return to:

BBL BARNETT LLC
302 Washington Avenue Extension
Albany, New York 12203
Attn: _____

Current Property Owner and Operator Information (Section IX)

NYSDEC's letter dated October 27, 2022, requests a list of previous owners/operators including last known contact information, relationship to requestor, and dates of ownership/operation. These tables are provided below.

Previous Owner	Last Known Contact Information	Relationship to Requestor	Dates of Ownership
Hilton Management LLC	Arthur Hilton 2510 Phillips Road Castleton, NY 12033 518-461-4469	None	2001-2018
C.O. Jelliff Co., Inc.	Geoffrey Wheeler, General Manager 354 Pequot Avenue Southport, CT 06890 203-259-1615	None	1977-2001
The William Barnet Co.	1411 Highway 258 North Kinston Division, Kinston NC 28502 252-522-24718	None	1905-1977
Stroebe Malt House Brewery	None known	None	Late 1800s

Previous Operator	Last Known Contact Information	Relationship to Requestor	Dates of Operation
Hilton Management LLC, PRO Manufacturing Co. Inc.	Arthur Hilton 2510 Phillips Road Castleton, NY 12033 518-461-4469	None	2001-2018
Wallant Architects	883 Broadway Albany, NY 12207 518-436-9454	None	~2014-2017
Frank Smith Signs	142 Catherine Street Albany, NY 12202 518-449-8945	None	~2014
Castle Photography	48 Rose Lane Rensselaer, NY 12144 518-522-1152	None	~2010
N E Auto Works	None known	None	Early 2000s
C.O. Jelliff Co., Inc.	Geoffrey Wheeler, General Manager 354 Pequot Avenue Southport, CT 06890 203-259-1615	None	1977-2001
The William Barnet Co.	1411 Highway 258 North Kinston Division, Kinston NC 28502 252-522-24718	None	1905-1977
Stroebe Malt House Brewery	None known	None	Late 1800s

Project Contacts and Locations of Reports and Information

Site: 20 Forbes Ave, City of Rensselaer, Rensselaer County

Locations of Reports and Information

The facilities identified below are being used to provide the public with convenient access to important project documents:

Rensselaer Public Library Attn: Jane Chirgwin, Library Director 676 East St, Rensselaer, NY 12144 Phone: (518) 462-1193 Email: library@rensselaerlibrary.org	Hours: 9am-9pm on Monday, Tuesday, Thursday; 11am-9pm Wednesday; 9am -5pm Friday; 10am-5pm Saturday (summer 10am-2pm); 1pm-4pm Sunday (closed in summer)
New York State Department of NYSDEC Central Office 625 Broadway Albany, NY 12233-0001	

A copy of the repository acceptance letter is attached.



November 9, 2022

Jane Chirgwin, Library Director
Rensselaer Public Library
676 East St,
Rensselaer, NY 12144

Re: Brownfield Document Repository Request
20 Forbes Avenue, Rensselaer, NY
Project 2220630

Dear Director Chirgwin,

We are in the process of submitting a Brownfield application to the New York State Department of Environmental Conservation (NYSDEC) for the property listed above. As part of this application it is necessary to identify repository locations where project documents will be made available for public review. We request your permission to include the Rensselaer Public Library as a document repository for this project. If you accept, please sign below and return a copy of the signed form to LaBella Associates.

Please send any correspondence concerning this matter to our office at 5 McCrea Hill Road, Ballston Spa, NY 12020. I can be reached at (518) 266-7328. Thank you for your assistance.

Sincerely,

Arlette St. Romain
Brownfields Program Manager

We agree to act as a repository location for Brownfield project documents for the property located on 20 Forbes Avenue, Rensselaer, NY.

Signed Name: _____

Printed Name: _____

Date: _____

Jane Chirgwin, Rensselaer Public Library

11/16/22

Site Contact List

NYSDEC	NYSDOH
New York State Department of NYSDEC Central Office 625 Broadway Albany, NY 12233-0001	New York State Department of Health Empire State Plaza Corning Tower Room 1787 Albany, NY 12237

Table B-1: Chief Executive Officers and Planning Board Chairpersons

Department	Street Address
Robert Pasinella, Director Rensselaer County Economic Development and Planning	1600 7 th Avenue Troy, NY 12180
Rensselaer County Executive Attn: Mr. Steve McLaughlin	1600 7 th Avenue Troy, NY 12180
Ketura Vics, Director of Planning and Development	62 Washington Street Rensselaer, NY 12144
Mayor Michael Stammel	62 Washington Street Rensselaer, NY 12144
City Clerk Nancy Hardt	62 Washington Street Rensselaer, NY 12144

Table B-2: Media

	Department	Street Address	City/Town	State	Zip Code
Television	Channel 10 WTEN (ABC)	341 Northern Boulevard	Albany	NY	12204
	Channel 13 WNYT (NBC)	15 North Pearl Street	Albany	NY	12207
	Capital News 9	104 Watervliet Avenue Extension	Albany	NY	12206
	WRGB (CBS)	1400 Balltown Road	Schenectady	NY	12309
	Channel 23 WXXA (Fox)	28 Corporate Circle	Albany	NY	12203
Radio	WXJB 95.5 FM	6 Johnson Road	Latham	NY	12110
	WPYX 106.5 FM	1203 Troy-Schenectady Rd	Latham	NY	12110
	WKLI 100.9 FM	6 Johnson Road	Latham	NY	12110
	WAMC Northeast Public Radio	P.O. Box 66600	Albany	NY	12206
Publications/ Websites	Albany Times Union	45 Albany-Shaker Road	Albany	NY	12211

Table B-3: Public Water Supplier

Public Water Supplier	Street Address	Phone and Fax
Rensselaer Water Department	505 Broadway, Rensselaer, NY 12144	Phone (518) 462-6466

Table B-4: Schools or day care facilities were identified within 2,000 feet of the Site.

Facility Name/Administrator	Street Address	Phone	Distance and Direction
CEOs Rensselaer Family Resource Center (Head Start, Early Head Start, Universal Pre-Kindergarten)	1641 3 rd St Rensselaer NY 12144	(518) 694-9915	700 feet to the east-southeast
Doane Stuart School	199 Washington Ave Rensselaer NY 12144	(518) 465-5222	Adjoining property to east; site is ~1100 feet to school building

Table B-5: Properties Adjoining the Site (also shown on Attached Figure 1B)

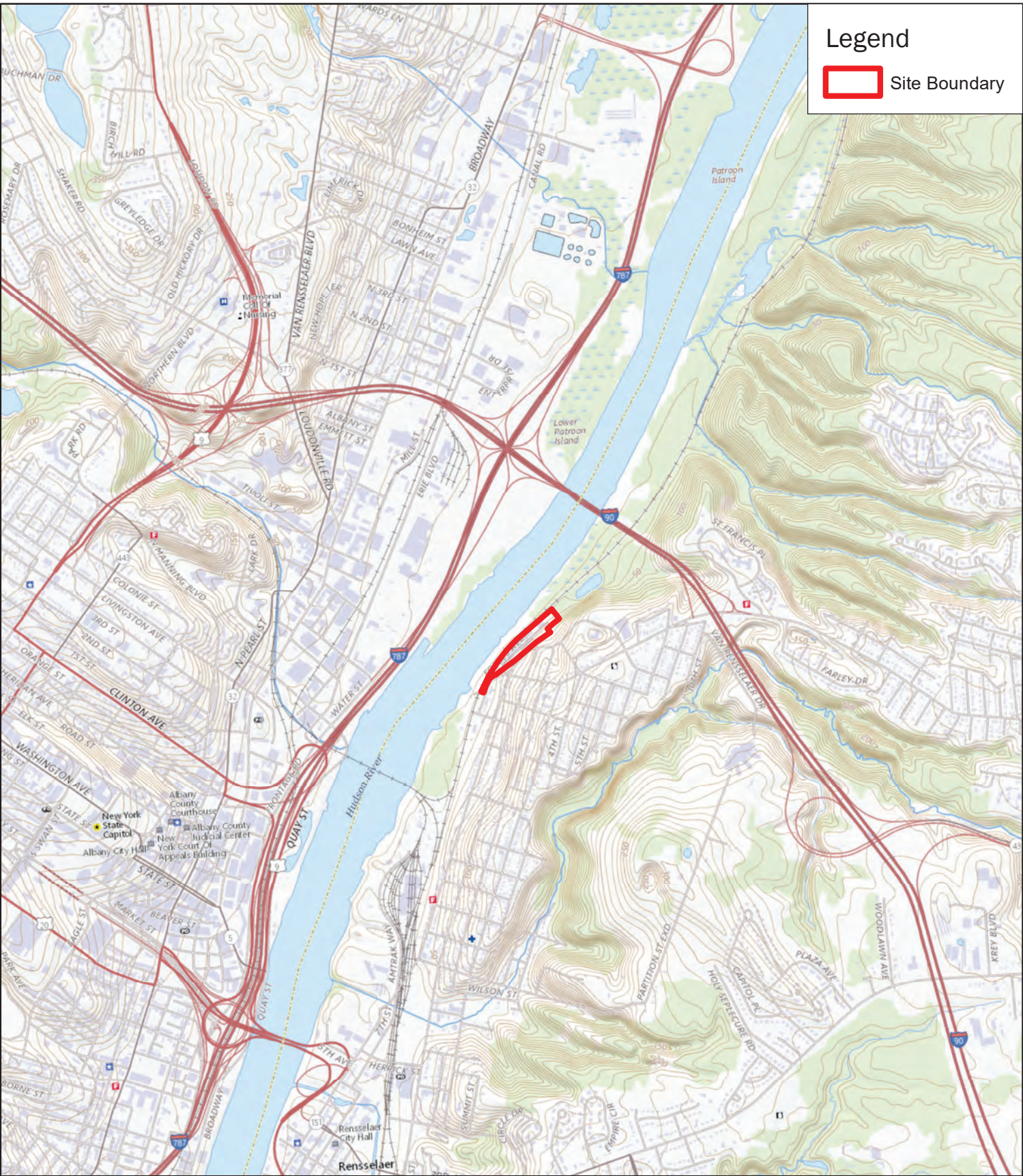
Property Owner	Address	Parcel number	Direction from site
New York Central Lines LLC	Mailing: 500 Water St (J-910) Jacksonville FL 32202	143.44-1-2	Adjoining to north and west
National Grid	Mailing: 300 Erie Boulevard West Bldg D-G Syracuse NY 13202	133.-3-2	Adjoining to northeast
Doane Stuart School	199 Washington Ave Rensselaer NY 12144	133.-3-8	Adjoining to northeast
Forbes Road LLC	52 S Main St Castleton NY 12033	133.-3-9	Adjoining to East
Nicholas Retos	66 Bellview Terrace Rensselaer NY 12144	133.70-1-1	Adjoining to East
Michelle Cipriano	64 Bellview Terrace Rensselaer NY 12144	133.70-1-14	Adjoining to East
Thomas Carney, Jr.	103 Forbes Ave Rensselaer, NY 12144	133.69-3-1	Adjoining to East
None listed	101 Forbes Ave Rensselaer, NY 12144	133.69-3-4	Adjoining to East
Bath Springs LLC	1 Washington Ave Rensselaer, NY 12144	133.69-3-3	Adjoining to East

Luigi Gigliotti	1640 Broadway Rensselaer, NY 12411	133.77-5-1	Adjoining to East
Christine Peterson	1633 Broadway Rensselaer, NY 12411	133.77-4-2	Adjoining to East
Edward Kosinski	25 Forbes Ave Rensselaer, NY 12144	133.77-4-1	Adjoining to East
Douglas Watson	23 Forbes Ave Rensselaer, NY 12144	133.77-4-11	Adjoining to East
Brandon Lightbody	1627 Broadway Rensselaer, NY 12411	133.77-4-3	Adjoining to East
City of Rensselaer	17 Forbes Ave Rensselaer, NY 12144	133.77-4-9	Adjoining to East
KS Properties of Rensselaer	15A Forbes Ave Rensselaer, NY 12144	133.77-4-8	Adjoining to East
Raymond Hull, Jr	15 Forbes Ave Rensselaer, NY 12144	133.77-4-7	Adjoining to East
Bath Springs LLC	11 Forbes Ave Rensselaer, NY 12144	133.77-3-1	Adjoining to East

Former Barnet Mills BCP Application

List of Figures

- 1a – USGS Topographic Map
- 1b – Tax Map with Adjoining Property Owner Names
- 1c - Barnet Mills Redevelopment Plan
- 1d - Site Sketch Plan (Sheet C100)
- 2 - 2021 Site Survey
- 3- Subslab Soil Vapor Sample Locations with Results Callouts Added (from Alpine's Draft Phase II Figure 3)
- 4 - Soil Sample Results with Comparisons to NYSDEC Part 375 Soil Cleanup Objectives for Restricted-Residential Use (Draft Phase II Figure 6)
- 5 - Groundwater Sample Results with Comparisons to NYSDEC Groundwater Quality Standards (Draft Phase II Figure 5)
- 6 – Groundwater Elevation Contours (from Draft Phase II Figure 4)



Legend

 Site Boundary

NOTES:
1. LAYER DESCRIPTION: DATA SOURCE
2. LAYER DESCRIPTION: DATA SOURCE

05 Feet
1 inch = 2,000 feet



**LaBella**
Powered by partnership.

BBL Constructoin
Services

Barnet Mill

LaBella Project No: 2220630
Date: 9/13/2022

Site Location Map

FIGURE #1A

Legend



Site Boundary



Name

Adjoining ownership name

New York Central
Lines LLC

National Grid

Doane Stuart School

Forbes Road LLC

Nicholas Retos

Michelle Cipriano

Thomas Carney, Jr.

No Owner Listed

Bath Springs LLC

Luigi Gigliotti

Christine Peterson

Edward Kosinski

Douglas Watson

Brandon Lightbody

City of Rensselaer

KD Properties of Rensselaer

Raymond Hull, Jr

Bath Springs LLC

- NOTES:
1. LAYER DESCRIPTION: DATA SOURCE
2. LAYER DESCRIPTION: DATA SOURCE



BBL Constructoin
Services

Barnet Mill

LaBella Project No: 2220630

Date: 9/13/2022

Tax Map with
Adjoining Property
Owner Names
FIGURE #1B


0 75 Feet

1 inch = 200 feet





1969 FERNDALE ROAD
CASTLETON, NY 12033
Phone: (518) 479-4014
Fax: (518) 479-4371



HART
ENGINEERING

ENGINEER: P. HART, P.E. #00039

NO. DATE DESCRIPTION

REV. 010

SKETCH PLAN

BARNETT MILLS
FOREBES AVE

CITY: NEW YORK

PROJECT: BARNETT MILLS
DESIGN: P. HART, P.E.
DRAWN BY: J. HART
DATE: SEPTEMBER 24, 2021
SCALE: 1" = 40'

C100
1 OF 1

LEGEND:

- SIDEWALK/ENTRY
- NEW RETAINING WALLS
- EXISTING RETAINING WALLS
- DEMOLISHED BUILDING
- GRAVITY SEWER
- FORCE MAIN
- WATER LINE
- HYDRANT

SKETCH PLAN
SCALE: 1" = 40'

Scale Bar: 0 40 80 160 FT
1" = 40' SCALE BAR

North Arrow: NORTH 1" = 40'

Key Features and Notes:

- Building 8:** Planned for demolition.
- Building 11:** Existing building.
- Building 10:** Existing building.
- Building 9:** Existing building.
- Building 6:** Existing building.
- Building 5:** Existing building.
- Building 4:** Existing building.
- Building 3:** Existing building.
- Building 2:** Existing building.
- Building 1:** Existing building.
- Building 0:** Existing building.
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- Building -82:** Existing building.
- Building -83:** Existing building.
- Building -84:** Existing building.
- Building -85:** Existing building.
- Building -86:** Existing building.
- Building -87:** Existing building.
- Building -88:** Existing building.
- Building -89:** Existing building.
- Building -90:** Existing building.
- Building -91:** Existing building.
- Building -92:** Existing building.
- Building -93:** Existing building.
- Building -94:** Existing building.
- Building -95:** Existing building.
- Building -96:** Existing building.
- Building -97:** Existing building.
- Building -98:** Existing building.
- Building -99:** Existing building.
- Building -100:** Existing building.

FIGURE 1d Site Sketch Plan (Sheet C100)

L:\Berge Group - J. 2021058\Survey Folders\Survey\2021058-Survey.dwg [24x36] May 27, 2021 - 2:04pm rcs

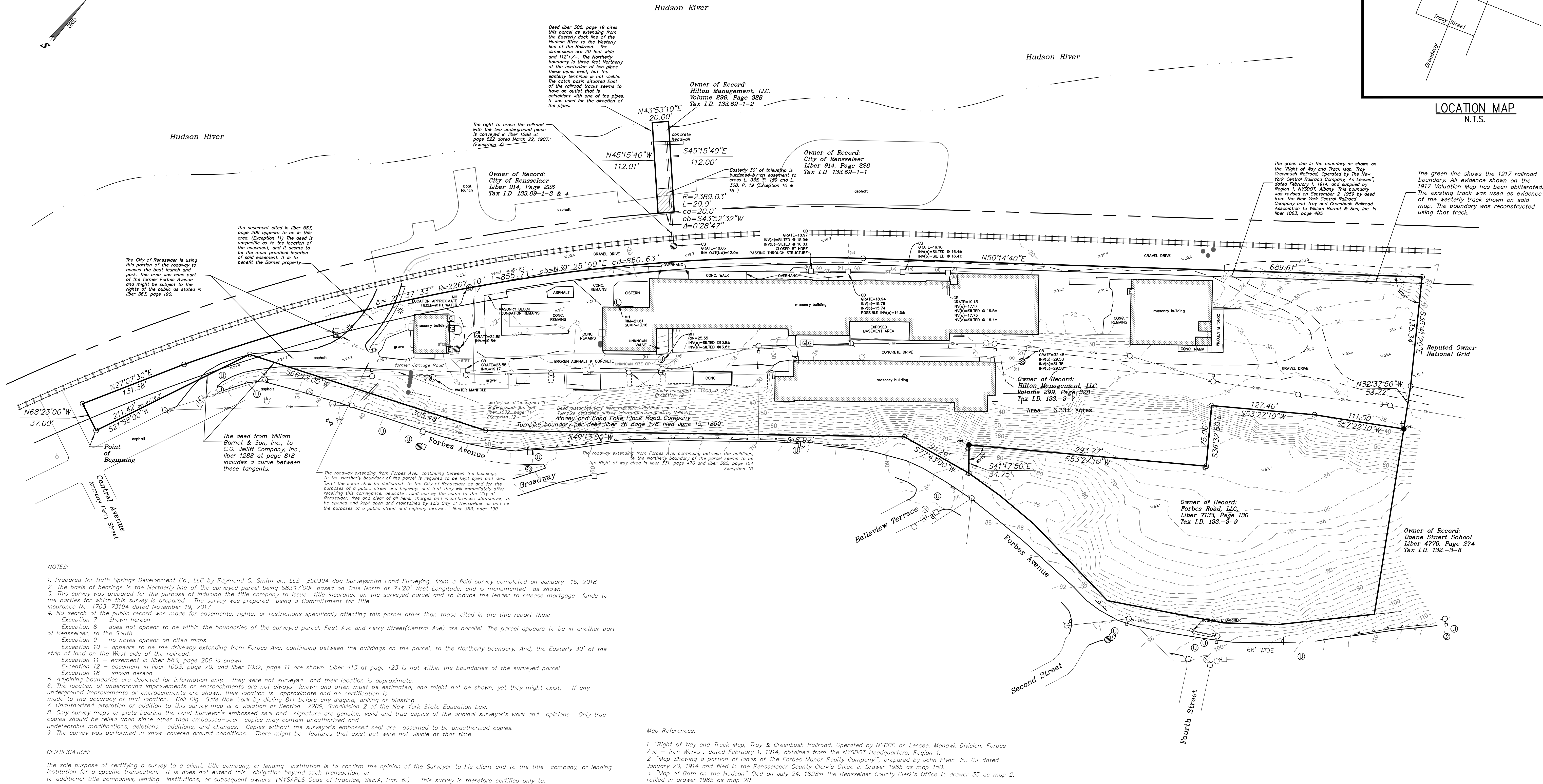


FIGURE 2 - 2021 Site Survey

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Raymond C. Smith, Jr., LLS
NYS LLS No. 050394

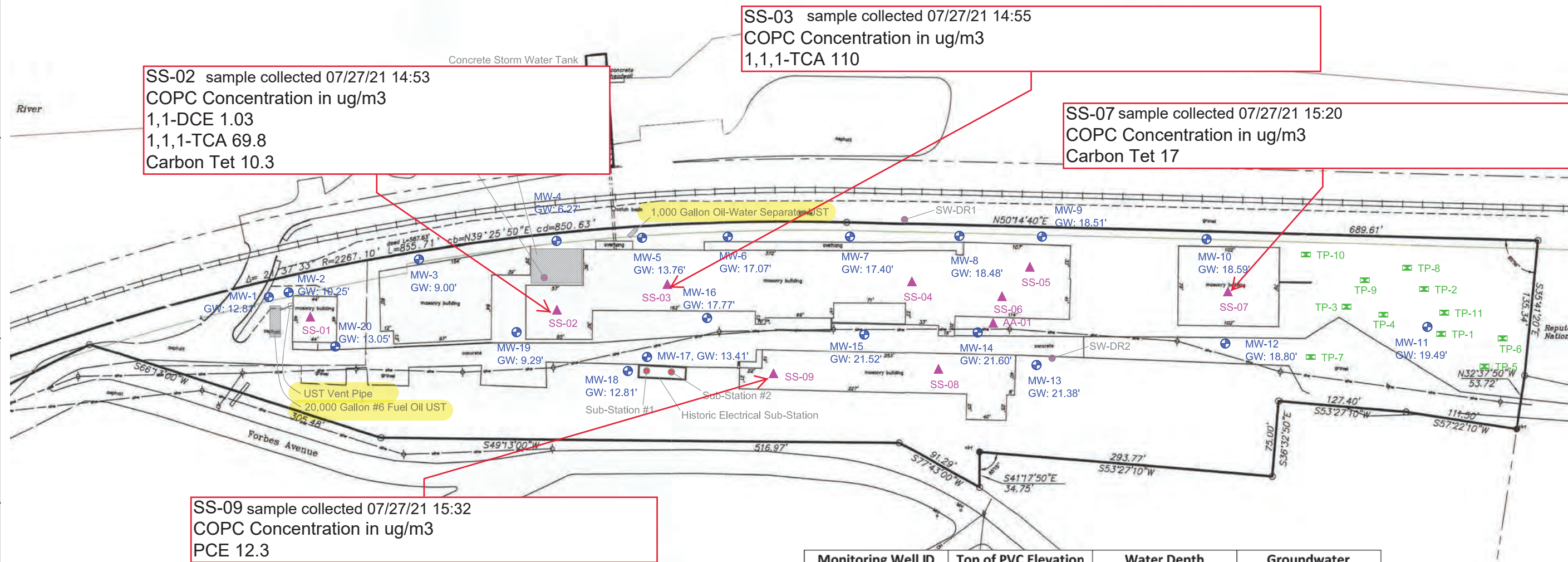
REVISIONS			
NO.	DATE	DESCRIPTION	BY

HORIZONTAL SCALE

60 30 0 60 120 180

1"=60'

CITY OF RENSSELAER RENSSELAER COUNTY * NEW YORK BOUNDARY RETRACEMENT SURVEY LANDS N/F HILTON MANAGEMENT, LLC FORBES AVENUE		DESIGNED BY _____ DRAWN BY <u>MLH</u> REVIEWED BY <u>RCS</u>	GURLEY ENGINEERING Surveying and Mapping Group, P.C. 4 Computer Drive West • Albany, New York 12205 Phone: (518) 458-7112 • www.lobergroup.com	DATE <u>05/19/21</u> SCALE <u>1"=60'</u> SHEET <u>1</u>
-------------------------------------------------------------------------------------------------------------------------------------------	--	--------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------



LEGEND:

- MONITORING WELL LOCATION AND NUMBER
- SOIL GAS SAMPLE LOCATION AND NUMBER
- TEST PIT LOCATION AND NUMBER
- SOIL SAMPLE LOCATION
- DRAIN SAMPLE LOCATION

Monitoring Well ID	Top of PVC Elevation	Water Depth (8/26/21)	Groundwater Elevation
MW-1	23.87	11.06	12.81
MW-2	23.30	13.05	10.25
MW-3	21.40	12.40	9.00
MW-4	20.18	13.91	6.27
MW-5	20.20	6.44	13.76
MW-6	19.87	2.80	17.07
MW-7	19.65	2.25	17.40
MW-8	19.74	1.26	18.48
MW-9	20.30	1.73	18.57
Mw-10	21.93	3.34	18.59
MW-11	35.39	15.90	19.49
MW-12	34.65	15.85	18.80
MW-13	33.77	12.39	21.38
MW-14	34.52	12.92	21.60
MW-15	35.75	14.23	21.52
MW-16	27.94	10.17	17.77
MW-17	27.16	13.75	13.41
MW-18	27.16	14.35	12.81
MW-19	21.90	12.61	9.29
MW-20	24.32	11.27	13.05



DATE:
September 2021

Barnet Mills
20 Forbes Avenue
Rensselaer, New York

DESCRIPTION: DRAFT
DATE: September 10, 2021

PROJECT NO: 21-26694-E

SHEET NO:

Figure 3

Subslab Vapor Sample Results

SHEET TITLE: SAMPLING LOCATIONS

DRAWN BY: BG

CHECKED BY: MS

sample collected 08/10/2021

Sample Location	B-7 (4-5 ft)
VOC's	
Acetone	34 ug/kg
n-Butylbenzene	6.1 ug/kg
sec-Butylbenzene	16 ug/kg
tert-Butylbenzene	2.2 ug/kg
1,2-Dichlorobenzene	1.0 ug/kg
1,3-Dichlorobenzene	0.22 ug/kg
1,4-Dichlorobenzene	0.35 ug/kg
Ethylbenzene	0.31 ug/kg
Isopropylbenzene	2.0 ug/kg
Naphthalene	6.4 ug/kg
p-Isopropyltoluene	0.28 ug/kg
Toluene	0.87 ug/kg
1,3,5-Trimethylbenzene	0.57 ug/kg
1,2,4-Trimethylbenzene	3.0 ug/kg
o-Xylene	0.54 ug/kg
Cyclohexane	0.6 ug/kg
Methylcyclohexane	8.5 ug/kg
Semi-VOC's	
Anthracene	61 ug/kg
Acenaphthene	70 ug/kg
Benzo(a)anthracene	120 ug/kg
Benzo(a)pyrene	54 ug/kg
Benzo(b)fluoranthene	37 ug/kg
Chrysene	250 ug/kg
Benzo(ghi)perylene	28 ug/kg
Fluoranthene	47 ug/kg
Fluorene	130 ug/kg
Ideno(1,2,3-cd)pyrene	310 ug/kg
Phenanthrene	150 ug/kg
Pyrene	160 ug/kg
Metals	
Arsenic	5.42 ppm
Barium	42.7
Cadmium	0.226
Chromium	13.3
Mercury	0.048
Lead	13.7
Selenium	0.885

Sample Location	B-8 (4-5 ft)
VOC's	
Acetone	77 ug/kg
sec-Butylbenzene	2.0 ug/kg
tert-Butylbenzene	0.79 ug/kg
1,1-Dichloroethane	0.40 ug/kg
Isopropylbenzene	0.27 ug/kg
Naphthalene	14 ug/kg
1,3,5-Trimethylbenzene	0.52 ug/kg
1,2,4-Trimethylbenzene	0.76 ug/kg
Cyclohexane	0.72 ug/kg
Methylcyclohexane	2.4 ug/kg
Semi-VOC's	
Anthracene	430 ug/kg
Acenaphthene	330 ug/kg
Acenaphthylene	120 ug/kg
Benzo(a)anthracene	780 ug/kg
Benzo(a)pyrene	430 ug/kg
Benzo(b)fluoranthene	880 ug/kg
Benzo(k)fluoranthene	220 ug/kg
Chrysene	1300 ug/kg
Benzo(ghi)perylene	270 ug/kg
Dibenz(a,h)anthracene	100 ug/kg
Fluoranthene	1200 ug/kg
Ideno(1,2,3-cd)pyrene	320 ug/kg
Phenanthrene	1000 ug/kg
Pyrene	1300 ug/kg
PCB's	
Arochlor 1268	15.8 ug/kg
Total PCB's	15.8 ug/kg
Metals (ppm)	
Arsenic	37.2
Barium	33.6
Cadmium	0.526
Chromium	21.2
Mercury	0.123
Lead	65.8
Selenium	3.93

UUSCO and RUSCO 50 and 100,000 ug/kg

UUSCO and RRUSCO 1,000 and 3,900 ug/kg

UUSCO and RRUSCO ppm 13 and 16

Result in Bold indicates exceedance of Standard.

sample collected 08/09/2021

Sample Location	B-1 (10-15 ft)
VOC's	
Acetone	20 ug/kg
Benzene	0.73 ug/kg
n-Butylbenzene	37 ug/kg
sec-Butylbenzene	56 ug/kg
tert-Butylbenzene	8.8 ug/kg
1,2-Dichlorobenzene	1.3 ug/kg
Ethylbenzene	3.5 ug/kg
Isopropylbenzene	29 ug/kg
Naphthalene	70 ug/kg
p-Isopropyltoluene	13 ug/kg
n-Propylbenzene	18 ug/kg
Toluene	1.3 ug/kg
1,3,5-Trimethylbenzene	33 ug/kg
1,2,4-Trimethylbenzene	160 ug/kg
p/m-Xylenes	5.4 ug/kg
o-Xylene	1.4 ug/kg
Cyclohexane	7.7 ug/kg
Methylcyclohexane	35 ug/kg
Semi-VOC's	
Anthracene	120 ug/kg
Acenaphthene	140 ug/kg
Acenaphthylene	35 ug/kg
Benzo(a)anthracene	160 ug/kg
Benzo(a)pyrene	61 ug/kg
Benzo(b)fluoranthene	43 ug/kg
Chrysene	240 ug/kg
Benzo(ghi)perylene	42 ug/kg
Fluoranthene	55 ug/kg
Fluorene	150 ug/kg
Phenanthrene	730 ug/kg
Pyrene	210 ug/kg
Metals	
Arsenic	5.58 ppm
Barium	26.6
Cadmium	0.212
Chromium	11.2
Lead	8.48
Selenium	0.655

sample collected 08/09/2021

Sample Location	B-2 (10-15 ft)
VOC's	
Acetone	20 ug/kg
n-Butylbenzene	3.1 ug/kg
sec-Butylbenzene	5.0 ug/kg
tert-Butylbenzene	0.73 ug/kg
1,2-Dichlorobenzene	0.16 ug/kg
Isopropylbenzene	0.80 ug/kg
Naphthalene	1.9 ug/kg
p-Isopropyltoluene	0.25 ug/kg
1,2,4-Trimethylbenzene	0.40 ug/kg
Cyclohexane	3.1 ug/kg
Methylcyclohexane	12 ug/kg
Semi-VOC's	
Benzo(a)anthracene	41 ug/kg
Chrysene	60 ug/kg
Fluorene	34 ug/kg
Phenanthrene	88 ug/kg
Pyrene	51 ug/kg

Concrete Storm Water Tank (SW-Tank) 100,000 Gallons

SB-4

Sample collected on 08/31/20: Data from Alpine's 2/28/2022 UST Report

SVOCs (ppm)	UUSCO	RRUSCO	6-Oil Tank Ex West Wall
Benzo(a)anthracene	1	1	2.9
Benzo(a)pyrene	1	1	2.2
Benzo(b)fluoranthene	1	1	3.2
Benzo(k)fluoranthene	0.8	3.9	0.86
Chrysene	1	3.9	2.4
Dibenzo(a,h)anthracene	0.33	0.33	0.44
Ideno(1,2,3-cd)pyrene	0.5	0.5	1.4
SVOCs (ppm)	UUSCO	RRUSCO	6-Oil Tank Ex Bottom @17"
Benzo(a)anthracene	1	1	1.5
Chrysene	1	3.9	2.6

sample collected 08/12/2021

Sample Location	B-20 (16-18 ft)
VOC's	
Acetone	9.7 ug/kg
sec-Butylbenzene	0.33 ug/kg
tert-Butylbenzene	0.58 ug/kg
Chlorobenzene	0.34 ug/kg
Naphthalene	1.8 ug/kg
1,2,4-Trimethylbenzene	0.44 ug/kg
Methylcyclohexane	0.71 ug/kg
Semi-VOC's	
Benzo(a)anthracene	76 ug/kg
Chrysene	96 ug/kg
Pyrene	99 ug/kg

sample collected 08/12/2021

Sample Location	B-19 (15-20 ft)
VOC's	
Acetone	13 ug/kg
sec-Butylbenzene	0.40 ug/kg
Ethylbenzene	0.37 ug/kg
Isopropylbenzene	0.14 ug/kg
n-Propylbenzene	0.22 ug/kg
1,2,4-Trimethylbenzene	0.34 ug/kg
Methylcyclohexane	0.93 ug/kg
Metals	
Arsenic	6.18 ppm
Barium	26.7
Cadmium	0.245
Chromium	13.4
Lead	8.54
Silver	0.127
Selenium	0.616

sample collected 09/10/2021

Sample Location	SubSta-1
VOC's	
Trichloroethene	1.0 ug/kg

sample collected 09/10/2021

Sample Location	SubSta-2
VOC's	
Trichloroethene	0.26 ug/kg

UUSCO and RRUSCO ug/kg 50 and 100,000 120 and 100,000

sample collected 07/27/2021

Sample Location	TP-1 (6-8 ft)
VOC's	
Acetone	440 ug/kg
2-Butanone (MEK)	190 ug/kg
Carbon Disulfide	8.8 ug/kg
Chloroform	11 ug/kg
Methyl Acetate	330 ug/kg
Toluene	100 ug/kg
Semi-VOC's	
Chrysene	19 ug/kg
PCB's	
Arochlor 1268	748 ug/kg
Total PCB's	748 ug/kg
Metals	
Arsenic	6.52
Barium	82.9
Cadmium	1.49
Chromium	86.3
Mercury	0.22
Lead	75.3
Silver	0.53
Selenium	< 1.6

UUSCO and RRUSCO ppm 30 and 110 0.18 and 0.81 63 and 400

sample collected 07/27/2021

Sample Location	TP-9 (8-9 ft)
VOC's	
Chloroform	0.21 ug/kg
Toluene	1.4 ug/kg
Semi-VOC's	
Anthracene	48 ug/kg
Benzo(a)anthracene	120 ug/kg
Benzo(a)pyrene	89 ug/kg
Benzo(b)fluoranthene	120 ug/kg
Benzo(k)fluoranthene	49 ug/kg
Chrysene	120 ug/kg
Benzo(ghi)perylene	52 ug/kg
Fluoranthene	240 ug/kg
Fluorene	19 ug/kg
Ideno(1,2,3-cd)pyrene	56 ug/kg
Phenanthrene	180 ug/kg
Pyrene	190 ug/kg
PCB's	
Arochlor 1268	78.3 ug/kg
Total PCB's	78.3 ug/kg
Metals	
Arsenic	7.80
Barium	99.0
Cadmium	1.48
Chromium	31.8
Mercury	0.18
Lead	81.6
Silver	< 0.37
Selenium	< 1.5

sample collected 07/27/2021

Sample Location	TP-11 (10 ft)
VOC's	
Benzene	0.28 ug/kg
Chloroform	0.19 ug/kg
Toluene	2.1 ug/kg
Semi-VOC's	
Benzo(a)anthracene	44 ug/kg
Benzo(b)fluoranthene	61 ug/kg
Benzo(k)fluoranthene	40 ug/kg
Chrysene	65 ug/kg
Benzo(ghi)perylene	40 ug/kg
Fluoranthene	64 ug/kg
Ideno(1,2,3-cd)pyrene	36 ug/kg
Phenanthrene	78 ug/kg
Pyrene	57 ug/kg
PCB's	
Arochlor 1268	1830 ug/kg
Total PCB's	1830 ug/kg
Metals	
Arsenic	14.5
Barium	476
Cadmium	3.83
Chromium	277
Mercury	0.26
Lead	552.0
Silver	2.76
Selenium	< 1.7

UUSCO and RRUSCO 100 and 1,000 ug/kg

UUSCO and RRUSCO (ppm) 13 and 16 350 and 410 2.5 and 4.3 30 and 110 0.18 and 0.81 63 and 400

PCBs (ppm)	UUSCO	RRUSCO	SB-3 (0-2ft)
Arochlor 1268	0.1	1	1.8
Total PCBs	0.1	1	1.8

sample collected 07/27/2021

Sample Location	TP-1 (8-10 ft)
VOC's	
Acetone	1200 ug/kg
2-Butanone (MEK)	390 ug/kg
Carbon Disulfide	10 ug/kg
Chloroform	12 ug/kg
Methyl Acetate	530 ug/kg
Toluene	1700 ug/kg
Semi-VOC's	
Benzo(a)anthracene	31 ug/kg
Benzo(b)fluoranthene	62 ug/kg
Chrysene	110 ug/kg
Benzo(ghi)perylene	26 ug/kg
Fluoranthene	44 ug/kg
Phenanthrene	43 ug/kg
Pyrene	45 ug/kg
PCB's	
Arochlor 1268	1300 ug/kg
Total PCB's	1300 ug/kg
Metals (ppm)	
Arsenic	7.36
Barium	123.0
Cadmium	1.56
Chromium	106
Mercury	0.45
Lead	158
Silver	0.81
Selenium	< 1.7

UUSCO and RRUSCO ug/kg 50 and 100,000 120 and 100,000

UUSCO and RRUSCO ug/kg 700 and 100,000

UUSCO and RRUSCO ug/kg 100 and 1,000

UUSCO and RRUSCO (ppm) 30 and 110 0.18 and 0.81 63 and 400

Red outlined notations and UST sample results added by LaBella

LaBella's Supplemental Phase II Sample Locations 2022 (borings and temporary wells in blue; shallow soil in red). Soil samples were collected on July 7, 2022.

DATE: September 2021

Barnet Mills
20 Forbes Avenue
Rensselaer, New York

PROJECT NO: 21-26694-E

SHEET NO:

FIGURE 4

DESCRIPTION: DRAFT
DATE: September 10, 2021



DESCRIPTION:	DRAFT
DATE:	September 10, 2021

SHEET NO:

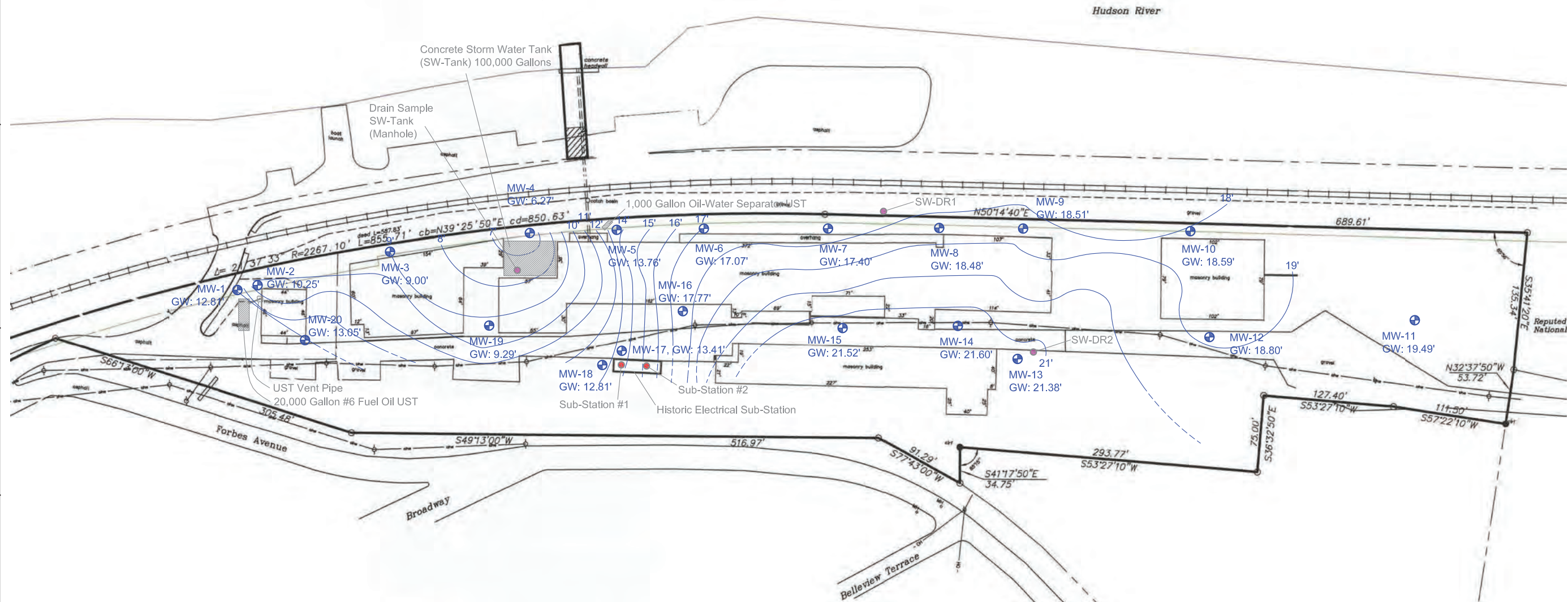
Figure 5

GWQS (ug/L)
5
0.002

Red outlined notations added by LaBella

Result in Bold indicates exceedance of Standard.

SHEET TITLE:	GROUND WATER SAMPLE RESULTS		
DRAWN BY:	BG	CHECKED BY:	MS



DATE:
September 2021

Barnet Mills
20 Forbes Avenue
Rensselaer, New York

DESCRIPTION:
DRAFT
DATE:
September 10, 2021

PROJECT NO: 21-26694-E

SHEET NO:

FIGURE 6

SHEET TITLE:	GROUND WATER ELEVATION CONTOURS		
DRAWN BY:	BG	CHECKED BY:	MS

Data Summary Tables for BCP Application

Soil Table:				
Analytes > RRUSCOs	Detections > RRUSCOs	Max. Detection	RRUSCO (ppm)	Depth (ft bgs)
Benzo(a)anthracene	4	3.5	1	4-6
Benzo(a)pyrene	3	2.9	1	4-6
Benzo(b)fluoranthene	3	3.7	1	4-6
Dibenzo(a,h)anthracene	1	0.44	0.33	10-12
Indeno(1,2,3-cd)pyrene	3	2	0.5	4-6
Arsenic	1	37.2	16	4-5
Barium	1	476	410	10
Chromium	1	277	110	10
Lead	1	552	400	10
PCBs	3	1.83	1	10

Groundwater Table:			
Analytes > AWQS	Detections > AWQS	Max. Detection (ppb)	AWQS (ppb)
1,1,1-Trichloroethane	1	32	5
Benzo(a)anthracene	1	0.33	0.002
Benzo(a)pyrene	1	0.2	ND
Benzo(b)fluoranthene	1	0.14	0.002
Benzo(k)fluoranthene	1	0.03	0.002
bis(2-Ethylhexyl)phthalate	1	5.1	5
Chrysene	1	0.75	0.002
Indeno(1,2,3-cd)pyrene	2	0.04	0.002

Soil Gas Table:			
Analytes	Total Detections	Max. Detection (ug/m3)	Type
dichlorodifluoromethane	4	2.15	Subslab vapor
benzene	4	11	Subslab vapor
carbon disulfide	4	4.2	Subslab vapor
chlorobenzene	1	2.04	Subslab vapor
chloromethane	1	1.05	Subslab vapor
1,4-dioxane	2	15.5	Subslab vapor
ethanol	4	507	Subslab vapor
acetone	4	615	Subslab vapor
trichlorofluoromethane	4	2.82	Subslab vapor
methylene chloride	3	5.18	Subslab vapor
1,1-dichloroethene	1	1.03	Subslab vapor
2-butanone	4	14.7	Subslab vapor
chloroform	2	27	Subslab vapor
tert butyl alcohol	4	24	Subslab vapor
tetrahydrofuran	2	26	Subslab vapor
toluene	4	271	Subslab vapor
trichloroethene	1	3.69	Subslab vapor
ethylbenzene	4	93.4	Subslab vapor
4-ethyltoluene	4	18.5	Subslab vapor
n-hexane	4	13.6	Subslab vapor
4-methyl-2-pentanone	2	2.65	Subslab vapor
cyclohexane	4	10.7	Subslab vapor
1,1,1-trichloroethane	3	110	Subslab vapor
heptane	4	27.6	Subslab vapor
2,2,4-trimethylpentane	4	13.2	Subslab vapor
1,2,4-trimethylbenzene	4	84.6	Subslab vapor
1,3,5-trimethylbenzene	4	25.2	Subslab vapor
p/m-xylene	4	319	Subslab vapor
o-xylene	4	138	Subslab vapor
carbon tetrachloride	1	10.3	Subslab vapor
styrene	3	1.78	Subslab vapor

Tables and Laboratory Reports from October 2021 Phase II ESA prepared by Alpine Environmental (provided as separate pdf)

Tables and Laboratory Reports from February 2022 Underground Storage Tank Removal Oversight, and Sampling for Closure prepared by Alpine Environmental (provided as separate pdf)

Tables and Laboratory Reports from July 2022 Supplemental Phase II conducted by LaBella Associates (provided as separate pdf)