DECISION DOCUMENT

Former American Hide Leather Haight Co. Tannery Brownfield Cleanup Program Ballston Spa, Saratoga County Site No. C546055 December 2019



Prepared by Division of Environmental Remediation New York State Department of Environmental Conservation

DECLARATION STATEMENT - DECISION DOCUMENT

Former American Hide Leather Haight Co. Tannery Brownfield Cleanup Program Ballston Spa, Saratoga County Site No. C546055 December 2019

Statement of Purpose and Basis

This document presents the remedy for the Former American Hide Leather Haight Co. Tannery site, a brownfield cleanup site. The remedial program was chosen in accordance with the New York State Environmental Conservation Law and Title 6 of the Official Compilation of Codes, Rules and Regulations of the State of New York (6 NYCRR) Part 375.

This decision is based on the Administrative Record of the New York State Department of Environmental Conservation (the Department) for the Former American Hide Leather Haight Co. Tannery site and the public's input to the proposed remedy presented by the Department.

Description of Selected Remedy

The elements of the selected remedy: Site Cover Remedy are as follows:

1. Remedial Design:

A remedial design program will be implemented to provide the details necessary for the construction, operation, optimization, maintenance, and monitoring of the remedial program. Green remediation principles and techniques will be implemented to the extent feasible in the design, implementation, and site management of the remedy as per DER-31. The major green remediation components are as follows;

- considering the environmental impacts of treatment technologies and remedy stewardship over the long term;
- reducing direct and indirect greenhouse gases and other emissions;
- increasing energy efficiency and minimizing use of non-renewable energy;
- conserving and efficiently managing resources and materials;
- reducing waste, increasing recycling and increasing reuse of materials which would otherwise be considered a waste;
- maximizing habitat value and creating habitat when possible;
- fostering green and healthy communities and working landscapes which balance ecological, economic and social goals; and
- integrating the remedy with the end use where possible and encouraging green and sustainable re-development.

2. Cover System

A site cover will be required to allow for restricted residential use of the site in areas where the upper two feet of exposed surface soil will exceed the applicable soil cleanup objectives (SCOs). Where a soil cover is to be used it will be a minimum of two feet of soil placed over a demarcation layer, with the upper six inches of soil of sufficient quality to maintain a vegetative layer. Soil cover material, including any fill material brought to the site, will meet the SCOs for cover material for the use of the site as set forth in 6 NYCRR Part 375-6.7(d). Substitution of other materials and components may be allowed where such components already exist or are a component of the tangible property to be placed as part of site redevelopment. Such components may include, but are not necessarily limited to: pavement, concrete, paved surface parking areas, sidewalks, building foundations and building slabs.

3. Institutional Control

Imposition of an institutional control in the form of an environmental easement for the controlled property which will:

- require the remedial party or site owner to complete and submit to the Department a periodic certification of institutional and engineering controls in accordance with Part 375-1.8 (h)(3);
- allow the use and development of the controlled property for restricted residential, commercial or industrial uses as defined by Part 375-1.8(g), although land use is subject to local zoning laws;
- restrict the use of groundwater as a source of potable or process water, without necessary water quality treatment as determined by the NYSDOH and;
- require compliance with the Department approved Site Management Plan.
- 4. Site Management Plan

A Site Management Plan is required, which includes the following:

a. an Institutional and Engineering Control Plan that identifies all use restrictions and engineering controls for the site and details the steps and media-specific requirements necessary to ensure the following institutional and/or engineering controls remain in place and effective:

Institutional Controls: The Environmental Easement as discussed in Paragraph 3 above. Engineering Controls: The site cover discussed in Paragraph 2 above.

This plan includes, but may not be limited to:

- an excavation plan which details the provisions for management of future excavations on the site;
- descriptions of the provisions of the environmental easement including any land use, and groundwater use restrictions;

- provisions for the management and inspection of the identified engineering controls;
- maintaining site access controls and Department notification; and
- the steps necessary for the periodic reviews and certification of the institutional and/or engineering controls.

Declaration

The remedy conforms with promulgated standards and criteria that are directly applicable, or that are relevant and appropriate and takes into consideration Department guidance, as appropriate. The remedy is protective of public health and the environment.

December 30, 2019

Date

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Michael J. Ryan, Director Division of Environmental Remediation

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SECTION 1: SUMMARY AND PURPOSE

The New York State Department of Environmental Conservation (the Department), in consultation with the New York State Department of Health (NYSDOH), has selected a remedy for the above referenced site. The disposal of contaminants at the site has resulted in threats to public health and the environment that would be addressed by the remedy. The disposal or release of contaminants at this site, as more fully described in this document, has contaminated various environmental media. Contaminants include hazardous waste and/or petroleum.

The New York State Brownfield Cleanup Program (BCP) is a voluntary program. The goal of the BCP is to enhance private-sector cleanups of brownfields and to reduce development pressure on "greenfields." A brownfield site is real property, the redevelopment or reuse of which may be complicated by the presence or potential presence of a contaminant.

The Department has issued this document in accordance with the requirements of New York State Environmental Conservation Law and 6 NYCRR Part 375. This document is a summary of the information that can be found in the site-related reports and documents.

SECTION 2: <u>CITIZEN PARTICIPATION</u>

The Department seeks input from the community on all remedies. A public comment period was held, during which the public was encouraged to submit comment on the proposed remedy. All comments on the remedy received during the comment period were considered by the Department in selecting a remedy for the site. Site-related reports and documents were made available for review by the public at the following document repository:

Ballston Public Library 21 Milton Avenue, NY 12020 Phone: (518) 885-5022

NYSDEC Region 5 Ray Brook Office 2986 Route 86 Ray Brook, NY 12977 Phone: (518) 897-1200

Receive Site Citizen Participation Information By Email

Please note that the Department's Division of Environmental Remediation (DER) is "going paperless" relative to citizen participation information. The ultimate goal is to distribute citizen participation information about contaminated sites electronically by way of county email listservs. Information will be distributed for all sites that are being investigated and cleaned up in a particular county under the State Superfund Program, Environmental Restoration Program, Brownfield Cleanup Program and Resource Conservation and Recovery Act Program. We the public sign for one or more county listservs encourage to up at http://www.dec.ny.gov/chemical/61092.html

SECTION 3: SITE DESCRIPTION AND HISTORY

Location:

The site constitutes one lot totaling approximately 6.35 acres in the Town of Milton, Village of Ballston Spa, Saratoga County, New York. The site is located at 125 Bath Street, immediately north of Gordon Creek, and northwest of the intersection of Bath Street and Hamilton Avenue. The site is identified by the Village of Ballston Spa as Tax Map No. 216.32-1-96.2.

Site Features:

Improvements at the site include an approximately 80,000 square foot commercial manufacturing structure most recently operated by Angelica Textile Services, Inc. (Angelica) which is located along the Bath Street road frontage of the site. A series of foundation ruins of the Former Haight/American Hide Tannery manufacturing facility exist south and west of the 80,000 square foot commercial manufacturing structure. The commercial manufacturing structure is currently unoccupied. With the exception of steeply sloping forested portions of the western property line, areas of the site not occupied by the above noted structures are improved by asphalt, concrete and gravel surfaces, are covered by beneficial hard fill materials (i.e., brick and concrete) generated as a result of the demolition IRM completed in 2017 or exist as landscaped green space.

Current Zoning and Land Use:

The site is currently inactive and is zoned for commercial use. The surrounding parcels are currently used for a combination of residential and commercial uses.

Past Use of the Site:

Historic records document industrial development of the site beginning around 1881. Tannery operations of the Haight and Company, American Hide & Leather, and Howes Leather reportedly occurred during the period from 1887 to 1960. The most recent operator of the site was Angelica, which acquired the site and the business entity, Linen Systems for Hospitals, Inc. in 1977 and officially changed Linen Systems name to Angelica on or about 1984. Linen Systems acquired title to the site in 1977. Linen Systems and later Angelica performed laundering of garments with detergents on the site and warehoused linens from approximately 1977 through 2011 without the use of dry-cleaning chemicals. Angelica has ceased operations on site.

Environmental contamination associated with the Angelica site was first discovered in July 2010

following an extended rainfall event, in the vicinity of a former 100,000-gallon No. 6 fuel oil above ground storage tank. Upon discovery, the NYSDEC assigned Spill No. 1004405 to the release. Site investigation work conducted by Environmental Compliance Incorporated sufficiently demonstrated that the nature and extent of the identified contamination warranted the inclusion of the site into the NYSDEC Brownfield Cleanup Program (BCP). The site was accepted in the BCP on January 31, 2013. Spill Number 1004405 was closed out with further action being conducted under the BCP.

Site Geology and Hydrogeology:

The site is approximately 244 feet above mean sea level and situated at the bottom of a shallow valley. Groundwater direction flows toward the intersection of Gordon and Kayaderosseras Creeks, approximately half a mile east-northeast of the site. The depth to groundwater varies throughout the site but is generally 4 to 8 feet below ground surface. Soils are classified as Chenango silt loam, which are very deep and well-to-excessively drained, with high infiltration rates. Permeability is moderate to moderately rapid. The parent material is gray sandstone, shale, siltstone, and limestone and igneous rock to a lesser extent. Bedrock is generally greater than five feet below ground surface. Residences, which are located to the north, south, and east, are cross gradient to the site and are connected to municipal utilities and water. No public supply wells are located within 1,500 feet of the site. No potable or private domestic use wells are located downgradient from the site.

A site location map is attached as Figure 1. Site features are identified in Figure 2.

SECTION 4: LAND USE AND PHYSICAL SETTING

The Department may consider the current, intended, and reasonably anticipated future land use of the site and its surroundings when evaluating a remedy for soil remediation. For this site, alternatives that restrict(s) the use of the site to restricted-residential use, which allows for commercial use and industrial use, as described in Part 375-1.8(g) were evaluated in addition to an alternative which would allow for unrestricted use of the site.

A comparison of the results of the Remedial Investigation (RI) to the appropriate standards, criteria and guidance values (SCGs) for the identified land use and the unrestricted use SCGs for the site contaminants is available in the RI Report.

SECTION 5: ENFORCEMENT STATUS

The Applicant under the Brownfield Cleanup Agreement is a Volunteer. The Applicant does not have an obligation to address off-site contamination. However, the Department has determined that this site does not pose a significant threat to public health or the environment; accordingly, no enforcement actions are necessary.

SECTION 6: SITE CONTAMINATION

6.1: <u>Summary of the Remedial Investigation</u>

A remedial investigation (RI) serves as the mechanism for collecting data to:

- characterize site conditions;
- determine the nature of the contamination; and
- assess risk to human health and the environment.

The RI is intended to identify the nature (or type) of contamination which may be present at a site and the extent of that contamination in the environment on the site or leaving the site. The RI reports on data gathered to determine if the soil, groundwater, soil vapor, indoor air, surface water or sediments may have been contaminated. Monitoring wells are installed to assess groundwater, and soil borings or test pits are installed to sample soil and/or waste(s) identified. If other natural resources are present, such as surface water bodies or wetlands, the water and sediment may be sampled as well. Based on the presence of contamination. Data collected in the RI influence the development of remedial alternatives. The RI report is available for review in the site document repository and the results are summarized in section 6.3.

The analytical data collected on this site includes data for:

groundwater
surface water
soil
soil vapor
indoor air
sub-slab vapor

6.1.1: Standards, Criteria, and Guidance (SCGs)

The remedy must conform to promulgated standards and criteria that are directly applicable or that are relevant and appropriate. The selection of a remedy must also take into consideration guidance, as appropriate. Standards, Criteria and Guidance are hereafter called SCGs.

To determine whether the contaminants identified in various media are present at levels of concern, the data from the RI were compared to media-specific SCGs. The Department has developed SCGs for groundwater, surface water, sediments, and soil. The NYSDOH has developed SCGs for drinking water and soil vapor intrusion. For a full listing of all SCGs see: <u>http://www.dec.ny.gov/regulations/61794.html</u>

6.1.2: <u>RI Results</u>

The data have identified contaminants of concern. A "contaminant of concern" is a contaminant that is sufficiently present in frequency and concentration in the environment to require evaluation for remedial action. Not all contaminants identified on the property are contaminants of concern. The nature and extent of contamination and environmental media requiring action are summarized below. Additionally, the RI Report contains a full discussion of the data. The contaminant(s) of concern identified at this site is/are:

PCB aroclor 1254	arsenic
benzo(a)anthracene	barium
benzo(a)pyrene	cadmium
benzo(b)fluoranthene	chromium
benzo[k]fluoranthene	copper
chrysene	lead
dibenz[a,h]anthracene	mercury
indeno(1,2,3-CD)pyrene	•

The contaminant(s) of concern exceed the applicable SCGs for:

- groundwater - soil

6.2: Interim Remedial Measures

An interim remedial measure (IRM) is conducted at a site when a source of contamination or exposure pathway can be effectively addressed before issuance of the Decision Document.

The following IRMs have been completed at this site based on conditions observed both before and during the RI.

Petroleum Contaminated Soil Excavation

In response to the discovery of a petroleum spill, a significant petroleum contaminated soil (PCS) removal occurred at the facility from 2010 to 2013. Approximately 3,390 tons of PCS was excavated and properly disposed of. The excavated area was backfilled with material meeting restricted residential use soil cleanup criteria. As part of the IRM, 126,000 gallons of groundwater was pumped from the excavation and disposed of at the Schenectady waste water treatment plant.

Demolition of Condemned Site Structures

Demolition work at the site in 2017 was completed to facilitate the site investigation work below six distinct condemned manufacturing structures, a large smoke stack and foundation ruins located west of the commercial manufacturing structure. The demolition work included the closure of abandoned fuel storage systems, undocumented vessels found to exist in one of the former manufacturing structures as well as the demolition of a pump house and storage buildings located along Gordon Creek. The demolition work zone comprised a footprint of approximately 2.5 acres of the site.

6.3: <u>Summary of Environmental Assessment</u>

This section summarizes the assessment of existing and potential future environmental impacts presented by the site. Environmental impacts may include existing and potential future exposure

pathways to fish and wildlife receptors, wetlands, groundwater resources, and surface water. The RI report presents a detailed discussion of any existing and potential impacts from the site to fish and wildlife receptors.

Nature and Extent of Contamination: Numerous samples were collected at the site from various media including surface and subsurface soils, groundwater, soil vapor (indoor air and sub-slab) and wastewater sludge. Samples were analyzed for the following: volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs), pesticides, PCBs and metals. Previous industrial use of the site has resulted in contamination in the site's surface and subsurface soils. Based upon investigations conducted, historic fill (i.e., bricks, coal, coal ash, asphalt) is present at the site and has impacted the surface soils, subsurface soils, and groundwater at the site.

Surface Soil- Thirty-one surface and shallow subsurface soil samples ranging from ground surface to as much as two feet below ground surface were collected and analyzed. Semi-volatile organic compounds (SVOCs) and metals have been identified at the site above restricted residential use soil cleanup objectives in scattered areas of the site. The SVOCs include benzo(a) anthracene, benzo(a) pyrene, benzo(b) fluoranthene, benzo(k) fluoranthene, bhrysene, bibenzo(a,h)anthracene and indeno (1,2,3-cd) pyrene. Metals include arsenic, barium, chromium, copper, lead, and mercury.

Subsurface Soil- Fifty-five soils samples were collected and analyzed. Semi-volatile organic compounds (SVOCs), metals, and PCB-1254 have been identified at the site above restricted residential use soil clean-up objectives in areas of historic fill. The SVOCs include benzo(a) anthracene, benzo(a) pyrene, benzo(b) fluoranthene, benzo(k) fluoranthene, chrysene, dibenzo(a,h)anthracene and indeno (1,2,3-cd) pyrene. Metals include arsenic, barium, chromium, copper, lead, and mercury. PCB 1254 was found in two sampling locations. Historic fill is located predominantly on the southwest portion of the site from the surface to as great as thirteen feet below grade.

Groundwater- Groundwater quality exceedances to the 6 NYCRR Part 703 water quality standards are limited to metals, SVOCs at low concentration (< 1 ppb) and one volatile organic compound (VOC), trichlorofluoromethane, at sampling location B4-1.

Sub Slab Soil Vapor and Indoor air- A soil vapor intrusion investigation was conducted at the on-site former maintenance shop. Low level VOCs detected in the two sub-slab samples included trichloroethene, carbon tetrachloride, tetrachloroethene, methylene chloride, and 1,1,1 trichloroethane. The indoor air sample collected showed low levels of carbon tetrachloride. The concentrations detected did not warrant further investigation or remediation.

Wastewater sludge- Very little sediment was found inside the building and available for sampling. Four metals (mercury, barium, cadmium, and lead) were detected above restricted residential usage criteria. The sediment was subsequentially removed from the drain system and properly disposed of.

6.4: <u>Summary of Human Exposure Pathways</u>

This human exposure assessment identifies ways in which people may be exposed to site-related contaminants. Chemicals can enter the body through three major pathways (breathing, touching or swallowing). This is referred to as *exposure*.

The site is not fenced and persons who enter the site could contact contaminants in the soil by walking on the soil, digging or otherwise disturbing the soil. Contact with contaminated groundwater is unlikely unless people dig below the ground surface. People are not drinking the contaminated groundwater because the area is served by a public water supply that is not affected by this contamination. Volatile organic compounds in the contaminated groundwater or contaminated soil may move into the soil vapor (air spaces within the soil), which in turn may move into overlying buildings and affect the indoor air quality. This process, which is similar to the movement of radon gas from the subsurface into the indoor air of buildings, is referred to as soil vapor intrusion. Sampling indicates soil vapor intrusion is not a concern for this site.

6.5: <u>Summary of the Remediation Objectives</u>

The objectives for the remedial program have been established through the remedy selection process stated in 6 NYCRR Part 375. The goal for the remedial program is to restore the site to pre-disposal conditions to the extent feasible. At a minimum, the remedy shall eliminate or mitigate all significant threats to public health and the environment presented by the contamination identified at the site through the proper application of scientific and engineering principles.

The remedial action objectives for this site are:

Groundwater

RAOs for Public Health Protection

- Prevent ingestion of groundwater with contaminant levels exceeding drinking water standards.
- Prevent contact with, or inhalation of volatiles, from contaminated groundwater.

RAOs for Environmental Protection

- Restore groundwater aquifer to pre-disposal/pre-release conditions, to the extent practical.
- Remove the source of ground or surface water contamination.

<u>Soil</u>

RAOs for Public Health Protection

- Prevent ingestion/direct contact with contaminated soil.
- Prevent inhalation of or exposure from contaminants volatilizing from contaminants in soil.

RAOs for Environmental Protection

• Prevent migration of contaminants that would result in groundwater or surface water contamination.

• Prevent impacts to biota from ingestion/direct contact with soil causing toxicity or impacts from bioaccumulation through the terrestrial food chain.

SECTION 7: <u>ELEMENTS OF THE SELECTED REMEDY</u>

The alternatives developed for the site and the evaluation of the remedial criteria are presented in the Alternative Analysis. The remedy is selected pursuant to the remedy selection criteria set forth in DER-10, Technical Guidance for Site Investigation and Remediation and 6 NYCRR Part 375.

The selected remedy is a Track 4: Restricted use with generic soil cleanup objectives remedy.

The elements of the selected remedy, Site Cover with ICs are as follows:

1. Remedial Design:

A remedial design program will be implemented to provide the details necessary for the construction, operation, optimization, maintenance, and monitoring of the remedial program. Green remediation principles and techniques will be implemented to the extent feasible in the design, implementation, and site management of the remedy as per DER-31. The major green remediation components are as follows;

- considering the environmental impacts of treatment technologies and remedy stewardship over the long term;
- reducing direct and indirect greenhouse gases and other emissions;
- increasing energy efficiency and minimizing use of non-renewable energy;
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- reducing waste, increasing recycling and increasing reuse of materials which would otherwise be considered a waste;
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3. Institutional Control

Imposition of an institutional control in the form of an environmental easement for the controlled property which will:

- require the remedial party or site owner to complete and submit to the Department a periodic certification of institutional and engineering controls in accordance with Part 375-1.8 (h)(3);
- allow the use and development of the controlled property for restricted residential, commercial or industrial uses as defined by Part 375-1.8(g), although land use is subject to local zoning laws;
- restrict the use of groundwater as a source of potable or process water, without necessary water quality treatment as determined by the NYSDOH; and
- require compliance with the Department approved Site Management Plan.
- 4. Site Management Plan

A Site Management Plan is required, which includes the following:

a. an Institutional and Engineering Control Plan that identifies all use restrictions and engineering controls for the site and details the steps and media-specific requirements necessary to ensure the following institutional and/or engineering controls remain in place and effective:

Institutional Controls: The Environmental Easement as discussed in Paragraph 3 above. Engineering Controls: The site cover discussed in Paragraph 2 above.

This plan includes, but may not be limited to:

- an excavation plan which details the provisions for management of future excavations on the site;
- descriptions of the provisions of the environmental easement including any land use, and groundwater use restrictions;
- provisions for the management and inspection of the identified engineering controls;
- maintaining site access controls and Department notification; and
- the steps necessary for the periodic reviews and certification of the institutional and/or engineering controls.



Figure 1 Site Vicinity Map Former Haight / American Hide 125 Bath Street Ballston Spa, New York 12020 BCP Site #C546055



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