



New York State Department of Environmental Conservation

Brownfield Cleanup Program

Citizen Participation Plan

For

**Former American Hide & Leather/Haight and
Company Tannery Site**

125 Bath Street

Ballston Spa, NY

Site No. C546055

February, 2013

Contents

<u>Section</u>	<u>Page Number</u>
1. What is New York’s Brownfield Cleanup Program?	3
2. Citizen Participation Activities	3
3. Major Issues of Public Concern.....	8
4. Site Information	8
5. Investigation and Cleanup Process.....	10
Appendix A - Project Contacts and Locations of Reports and Information	14
Appendix B - Site Contact List	15
Appendix C - Site Location Map	18
Appendix D - Brownfield Cleanup Program Process	19

* * * * *

Note: The information presented in this Citizen Participation Plan was current as of the date of its approval by the New York State Department of Environmental Conservation. Portions of this Citizen Participation Plan may be revised during the Site’s investigation and cleanup process.

Applicant: **Angelica Textile Services, Inc. (“Applicant”)**
Site Name: **Former American Hide & Leather/Haight and Company Tannery Site (“Site”)**
Site Address: **125 Bath Street, Ballston Spa, NY 12020**
Site County: **Saratoga**
Site Number: **C546055**

1. What is New York’s Brownfield Cleanup Program?

New York’s Brownfield Cleanup Program (BCP) works with private developers to encourage the voluntary cleanup of contaminated properties known as “brownfields” so that they can be reused and developed. These uses include recreation, housing, and business.

A *brownfield* is any real property that is difficult to reuse or redevelop because of the presence or potential presence of contamination. A brownfield typically is a former industrial or commercial property where operations may have resulted in environmental contamination. A brownfield can pose environmental, legal, and financial burdens on a community. If a brownfield is not addressed, it can reduce property values in the area and affect economic development of nearby properties.

The BCP is administered by the New York State Department of Environmental Conservation (NYSDEC), which oversees Applicants that conduct brownfield site investigation and cleanup activities. An Applicant is a person who has requested to participate in the BCP and has been accepted by NYSDEC. The BCP contains investigation and cleanup requirements, ensuring that cleanups protect public health and the environment. When NYSDEC certifies that these requirements have been met, the property can be reused or redeveloped for the intended use.

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

2. Citizen Participation Activities:

Why NYSDEC Involves the Public and Why It Is Important

NYSDEC involves the public to improve the process of investigating and cleaning up contaminated sites, and to enable citizens to participate more fully in decisions that affect their health, environment, and social well being. NYSDEC provides opportunities for citizen involvement and encourages early two-way communication with citizens before decision makers form or adopt final positions.

Involving citizens affected and interest in site investigation and cleanup programs is important for many reasons. These include:

- Promoting the development of timely, effective site investigation and cleanup programs that protect public health and the environment;

- Improving public access to, and understanding of, issues and information related to a particular site and that site's investigation and cleanup process;
- Providing citizens with early and continuing opportunities to participate in NYSDEC's site investigation and cleanup process;
- Ensuring that NYSDEC makes site investigation and cleanup decisions that benefit from input that reflects the interests and perspectives found within the affected community; and
- Encouraging dialogue to promote the exchange of information among the affected/interested public, State agencies, and other interested parties that strengthens trust among the parties, increases understanding of site and community issues and concerns, and improves decision making.

This Citizen Participation (CP) Plan provides information about how NYSDEC will inform and involve the public during the investigation and cleanup of the Site identified above. The public information and involvement program will be carried out with assistance, as appropriate, from the Applicant.

Project Contacts

Appendix A identifies NYSDEC project contact(s) to whom the public should address questions or request information about the site's investigation and cleanup program. The public's suggestions about this CP Plan and the CP program for the Site are always welcome. Interested people are encouraged to share their ideas and suggestions with the project contacts at any time.

Locations of Reports and Information

The locations of the reports and information related to the Site's investigation and cleanup program also are identified in Appendix A. These locations provide convenient access to important project documents for public review and comment. Some documents may be placed on the NYSDEC website. If this occurs, NYSDEC will inform the public in fact sheets distributed about the Site and by other means, as appropriate.

Site Contact List

Appendix B contains the Site contact list. This list has been developed to keep the community informed about, and involved in, the Site's investigation and cleanup process. The Site contact list will be used periodically to distribute fact sheets that provide updates about the status of the Project. These will include notifications of upcoming activities at the Site (such as fieldwork), as well as availability of project documents and announcements about public comment periods. The Site contact list includes, at a minimum:

- Chief executive officer and planning board chairperson of each county, city, town and village in which the Site is located;
- Residents, owners, and occupants of the Site and properties adjacent to the Site;
- The public water supplier which services the area in which the Site is located;
- Any person who has requested to be placed on the Site contact list;
- The administrator of any school or day care facility located on or near the Site for purposes of posting and/or dissemination of information at the facility; and
- Location(s) of reports and information.

The Site contact list will be reviewed periodically and updated as appropriate. Individuals and organizations will be added to the Site contact list upon request. Such requests should be submitted to the NYSDEC project contact(s) identified in Appendix A. Other additions to the Site contact list may be made at the discretion of the NYSDEC project manager, in consultation with other NYSDEC staff as appropriate.

CP Activities

The table at the end of this section identifies the CP activities, at a minimum, that have been and will be conducted during the Site's investigation and cleanup program. The flowchart in Appendix D shows how these CP activities integrate with the Site investigation and cleanup process. The public is informed about these CP activities through fact sheets and notices distributed at significant points during the program. Elements of the investigation and cleanup process that match up with the CP activities are explained briefly in Section 5.

- **Notices and fact sheets** help the interested and affected public to understand contamination issues related to a site, and the nature and progress of efforts to investigate and clean up a site.
- **Public forums, comment periods and contact with project managers** provide opportunities for the public to contribute information, opinions and perspectives that have potential to influence decisions about a site's investigation and cleanup.

The public is encouraged to contact project staff at any time during the Site's investigation and cleanup process with questions, comments, or requests for information.

This CP Plan may be revised due to changes in major issues of public concern identified in Section 3 or in the nature and scope of investigation and cleanup activities. Modifications may include additions to the Site contact list and changes in planned citizen participation activities.

Technical Assistance Grant

NYSDEC must determine if the Site poses a significant threat to public health or the environment. This determination generally is made using information developed during the investigation of the Site, as described in Section 5.

If the Site is determined to be a significant threat, a qualifying community group may apply for a Technical Assistance Grant (TAG). The purpose of a TAG is to provide funds to the qualifying group to obtain independent technical assistance. This assistance helps the TAG recipient to interpret and understand existing environmental information about the nature and extent of contamination related to the Site and the development/implementation of a remedy.

An eligible community group must certify that its membership represents the interests of the community affected by the Site, and that its members' health, economic well-being or enjoyment of the environment may be affected by a release or threatened release of contamination at the Site.

For more information about TAGs, go online at <http://www.dec.ny.gov/regulations/2590.html>.

Note: The table identifying the citizen participation activities related to the Site's investigation and cleanup program follows on the next page:

Citizen Participation Requirements (Activities)	Timing of CP Activity(ies)
Application Process:	
<ul style="list-style-type: none"> • Prepare site contact list • Establish document repositories 	At time of preparation of application to participate in the BCP.
<ul style="list-style-type: none"> • Publish notice in Environmental Notice Bulletin (ENB) announcing receipt of application and 30-day public comment period • Publish above ENB content in local newspaper • Mail above ENB content to site contact list • Conduct 30-day public comment period 	When NYSDEC determines that BCP application is complete. The 30-day public comment period begins on date of publication of notice in ENB. End date of public comment period is as stated in ENB notice. Therefore, ENB notice, newspaper notice, and notice to the site contact list should be provided to the public at the same time.
After Execution of Brownfield Site Cleanup Agreement:	
<ul style="list-style-type: none"> • Prepare Citizen Participation (CP) Plan 	Before start of Remedial Investigation
Before NYSDEC Approves Remedial Investigation (RI) Work Plan:	
<ul style="list-style-type: none"> • Distribute fact sheet to site contact list about proposed RI activities and announcing 30-day public comment period about draft RI Work Plan • Conduct 30-day public comment period 	Before NYSDEC approves RI Work Plan. If RI Work Plan is submitted with application, public comment periods will be combined and public notice will include fact sheet. Thirty-day public comment period begins/ends as per dates identified in fact sheet.
After Applicant Completes Remedial Investigation:	
<ul style="list-style-type: none"> • Distribute fact sheet to site contact list that describes RI results 	Before NYSDEC approves RI Report
Before NYSDEC Approves Remedial Work Plan (RWP):	
<ul style="list-style-type: none"> • Distribute fact sheet to site contact list about proposed RWP and announcing 45-day public comment period • Public meeting by NYSDEC about proposed RWP (if requested by affected community or at discretion of NYSDEC project manager) • Conduct 45-day public comment period 	Before NYSDEC approves RWP. Forty-five day public comment period begins/ends as per dates identified in fact sheet. Public meeting would be held within the 45-day public comment period.
Before Applicant Starts Cleanup Action:	
<ul style="list-style-type: none"> • Distribute fact sheet to site contact list that describes upcoming cleanup action 	Before the start of cleanup action.
After Applicant Completes Cleanup Action:	
<ul style="list-style-type: none"> • Distribute fact sheet to site contact list that announces that cleanup action has been completed and that summarizes the Final Engineering Report • Distribute fact sheet to site contact list announcing issuance of Certificate of Completion (COC) 	At the time NYSDEC approves Final Engineering Report. These two fact sheets are combined if possible if there is not a delay in issuing the COC.

3. Major Issues of Public Concern

This section of the CP Plan identifies major issues of public concern that relate to the Site. Additional major issues of public concern may be identified during the course of the Site's investigation and cleanup process.

The former tanneries conducted bulk storage of chlorine, fuel oil, and stored tanning liquors and wastes in containers ranging in size from 55 gallon drums to 100,000 gallon above ground storage tanks (ASTs) during what appears to be its entire more than 70 year history.

Tannery operations are known to release chlorine, formaldehyde, sulfuric acid, glycol ether EB, glycol ether PMA, methyl isobutyl ketone, toluene, xylol, phosphoric acid, methanol, manganese sulfate, chromium III, ethylene glycol, lead, copper, lime, and zinc. To date, most of these contaminants have not been found. However, only limited investigation has been performed in one area of the Site. Additional areas of tannery related contamination may be found during additional BCP remedial investigation activities.

A Site investigation and sampling program will be performed to identify the nature and extent of contamination on this Site under NYSDEC and State Health Department oversight.

4. Site Information

Appendix C contains a map identifying the location of the Site.

Site Description

The "Site" is located at 125 Bath Street and identified on Saratoga County assessor's maps as Tax Block 216.32.1.96.2. It constitutes one lot totaling approximately 6.35 acres in the Village of Ballston Spa, New York, Saratoga County.

An 80,000 square foot building occupies the eastern portion of the Site. This building was constructed between 1945 and 1950 and replaced many of the former tannery buildings. A machine shop and administrative areas occupy the eastern portion of this building; former laundering and garment storage areas are located in the western and central areas of the building. The northern portion of the building has most recently been used for shipping and receiving laundry. A wastewater treatment sump/wastewater pit and a boiler room occupy a subgrade area of the building's center. The Site's southeastern border and central portion contain several buildings associated with former site tannery operations (former "sewage disposal" and chlorine plant"). Asphalt driveways join the southern and northern portions of the building. Only remnants of these buildings remain present. A metal trailer, which stored linens unsuitable for on-site laundering, is located in an asphalt parking lot west of the building. The eastern portion of the building's exterior is landscaped to Bath Street. A wooded lot occupies the western portion of the Site.

History of Site Use, Investigation, and Cleanup

Historically, three tanneries – Haight and Company, American Hide & Leather, and Howes Leather – operated on the Site from 1887 to 1960. After all tannery operations ceased in or about 1960, there was an approximately ten year period in time the Site was not occupied. An individual, and then his estate, owned the site from 1960 to 1969. There may have been an antique dealer (Gordon Creek Inc.), which owned and occupied the site for a year between 1969 and 1970. Gordon Creek sold the Site to Paul J. Rickett Sr., which was later purchased by Rickett's, Inc.. Ricketts operated a company named Northern Hospital Linen Service Inc. on the Site from 1970 to 1976. The Volunteer purchased the Site and performed garment laundering operations on the Site using just soaps from 1977 until 2011. The Site is now vacant. The Volunteer would like to sell the Site to a local developer for redevelopment purposes.

5. Investigation and Cleanup Process

Application

The Applicant has applied for and been accepted into New York's BCP as a Volunteer. This means that the Applicant was not responsible for the disposal or discharge of the contaminants or whose ownership or operation of the Site took place after the discharge or disposal of the contaminants. The Volunteer has agreed to fully characterize the nature and extent of contamination on-site, remediate the Site and conduct a "qualitative exposure assessment" related to whether there is any off-site contamination that could be impacting adjacent properties, or receptors, including people, fish and/or wildlife.

To achieve this goal, the Applicant will conduct investigation and cleanup activities at the Site with oversight provided by NYSDEC. The Brownfield Cleanup Agreement executed by NYSDEC and the Applicant sets forth the responsibilities of each party in conducting these activities at the Site.

Investigation

The Applicant will conduct an investigation of the Site officially called a "remedial investigation" (RI). This investigation will be performed with NYSDEC and State Health Department oversight. The Applicant will develop a remedial investigation work plan, which will be reviewed by the NYSDEC and Health Department and then implemented. The remedial investigation work plan, and all subsequent documents generated during the investigation and remediation process are open for public comment.

The Site investigation has several goals:

- 1) Define the nature and extent of contamination in soil, surface water, groundwater and any other parts of the environment that may be affected;
- 2) Identify the source(s) of the contamination;

- 3) Assess the impact of the contamination on public health and the environment; and
- 4) Provide information to support the development of a proposed remedy to address the contamination or the determination that cleanup is not necessary.

When the investigation is complete, the Applicant will prepare and submit a report that summarizes the results, which is called a Final Remedial Investigation Report. This report also will recommend whether cleanup action is needed to address site-related contamination. The investigation report is subject to review and approval by NYSDEC.

NYSDEC will use the information in the investigation report to determine if the Site poses a significant threat to public health or the environment. If the Site is a “significant threat,” it must be cleaned up using a remedy selected by NYSDEC from an analysis of alternatives prepared by the Applicant and approved by NYSDEC. If the Site does not pose a significant threat, the Applicant may select the remedy from the approved analysis of alternatives.

Remedy Selection

When the investigation of the Site has been determined to be complete, the project likely would proceed in one of two directions:

1. The Applicant may recommend in its investigation report that no action is necessary at the Site. In this case, NYSDEC would make the investigation report available for public comment for 45 days. NYSDEC then would complete its review, make any necessary revisions, and, if appropriate, approve the investigation report. NYSDEC would then issue a “Certificate of Completion” or “COC” (described below) to the Applicant.

or

2. The Applicant may recommend in its investigation report that action needs to be taken to address Site contamination. After NYSDEC approves the investigation report, the Applicant may then develop a cleanup plan, officially called a “Remedial Work Plan”. The Remedial Work Plan describes the Applicant’s proposed remedy for addressing contamination related to the Site.

When the Applicant submits a proposed Remedial Work Plan for approval, NYSDEC would announce the availability of the proposed plan for public review during a 45-day public comment period.

Cleanup Action

NYSDEC will consider public comments, and revise the draft cleanup plan if necessary, before approving the proposed remedy. The State Health Department must concur with the proposed remedy. After approval, the proposed remedy becomes the selected remedy.

The Applicant may then design and perform the cleanup action to address the Site

contamination. NYSDEC and State Health oversee the activities. When the Applicant completes cleanup activities, it will prepare a Final Engineering Report (FER) that certifies that cleanup requirements have been achieved or will be achieved within a specific time frame. NYSDEC will review the report to be certain that the cleanup is protective of public health and the environment for the intended use of the Site.

Certificate of Completion

When NYSDEC is satisfied that cleanup requirements have been achieved or will be achieved for the Site, it will approve the FER. NYSDEC then will issue a Certificate of Completion (“COC”) to the Applicant. The COC states that cleanup goals have been achieved, and relieves the Applicant from future liability for site-related contamination, subject to certain conditions. The Applicant would be eligible to redevelop the Site after it receives a COC.

Site Management

Site management is the last phase of the site cleanup program. This phase begins when the COC is issued. Site management may be conducted by the Applicant under NYSDEC oversight, if contamination will remain in place. Site management incorporates any institutional and engineering controls required to ensure that the remedy implemented for the Site remains protective of public health and the environment. All significant activities are detailed in a Site Management Plan.

An institutional control is a non-physical restriction on use of the Site, such as a deed restriction that would prevent or restrict certain uses of the property. An institutional control may be used when the cleanup action leaves some contamination that makes the Site suitable for some, but not all uses.

An engineering control is a physical barrier or method to manage contamination. Examples include: caps, covers, barriers, fences, and treatment of water supplies.

Site management also may include the operation and maintenance of a component of the remedy, such as a system that is pumping and treating groundwater. Site management continues until NYSDEC determines that it is no longer needed.

Appendix A

Project Contacts and Locations of Reports and Information

Project Contacts

For information about the Site's investigation and cleanup program, the public may contact any of the following project staff:

New York State Department of Environmental Conservation (NYSDEC):

Mike McLean
NYS Dept. of Environmental Conservation
Division of Environmental Remediation
1115 State Route 86
P.O. Box 296
Ray Brook, New York 12977-0296
mpmclean@gw.dec.state.ny.us

Dana Schaefer, Esq.
NYS Dept. of Environmental Conservation
Office of General Counsel
625 Broadway
Albany, NY 12233-1500
djschaefer@gw.dec.state.ny.us

New York State Department of Health (NYSDOH):

Scarlett McLaughlin
Public Health Specialist
New York State Department of Health
Bureau of Environmental Exposure Investigation
Empire State Plaza - Corning Tower Room 1787
Albany, NY 12237
Phone: (518) 402-7860
Email: sem01@health.state.ny.us

Locations of Reports and Information:

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

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

Appendix B - Site Contact List

Applicant Chief Executive Officer:

Hon. John P. Romano
66 Front St.,
Ballston Spa, NY 12020.

City Zoning Bureau:

Saratoga County Planning Department
50 West High Street
Ballston Spa, NY 12020
518-884-4705

Local news media:

The Saratogian
20 Lake Avenue
Saratoga Springs, NY 12866
518-584-4242

Public water supplier that services the area where the site is located:

Ballston Spa Water Department
323 Charlton Rd
Ballston Spa, NY 12020
(518) 885-7660

The administrator of any school or day care facility located on or near the site:

St Mary's School 269 ft. from site
40 Thompson Street
Ballston Spa, NY 12020-1398
(518) 885-7300

Ballston Spa Presbyterian Church Preschool- 434 ft. from site
22 West High Street,
Ballston Spa, NY 12020
(518) 885-5583

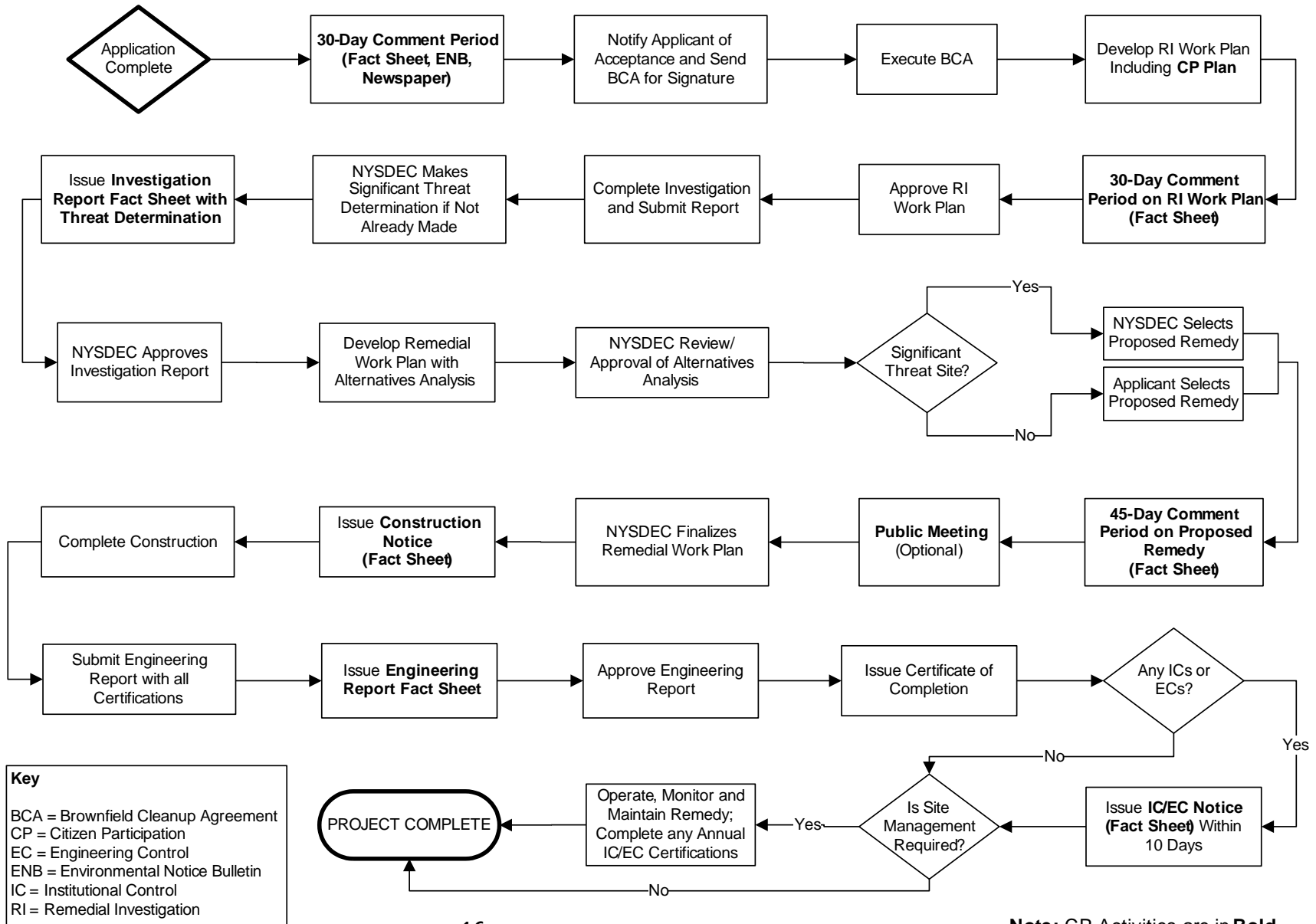
First Baptist Church Preschool- 257 ft. from site

202 Milton Avenue,
Ballston Spa, NY 12020-1411
(518) 885-8361

Little Angels Nursery School- 432 ft. from site
22 West High Street,
Ballston Spa, NY 12020-1928
(518) 885-5583

Appendix C - Site Location Map

Appendix D– Brownfield Cleanup Program Process



Key
 BCA = Brownfield Cleanup Agreement
 CP = Citizen Participation
 EC = Engineering Control
 ENB = Environmental Notice Bulletin
 IC = Institutional Control
 RI = Remedial Investigation