



NEW YORK
STATE OF
OPPORTUNITY.

**Department of
Environmental
Conservation**

Brownfield Cleanup Program

Citizen Participation Plan for Former ANSCO Camera Factory

September 2019

C704059
9 and 16 Emma Street
Binghamton
Broome, New York

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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: **Freewheelin ANSCO, LLC (“Applicant”)**
Site Name: **Former ANSCO Camera Factory (“Site”)**
Site Address: **9 and 16 Emma Street**
Site County: **Broome**
Site Number: **C704059**

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 who 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 interested 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
- 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 contacts 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 web site. 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;
- 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.

Note: The first site fact sheet (usually related to the draft Remedial Investigation Work Plan) is distributed both by paper mailing through the postal service and through DEC Delivers, its email listserv service. The fact sheet includes instructions for signing up with the appropriate county listserv to receive future notifications about the site. See <http://www.dec.ny.gov/chemical/61092.html>.

Subsequent fact sheets about the site will be distributed exclusively through the listserv, except for households without internet access that have indicated the need to continue to receive site information in paper form. Please advise the NYSDEC site project manager identified in Appendix A if that is the case. Paper mailings may continue during the investigation and cleanup process for some sites, based on public interest and need.

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.

Additional site details, including environmental and health assessment summaries, are available on NYSDEC's Environmental Site Remediation Database (by entering the Site ID, C704059) at: <http://www.dec.ny.gov/cfmx/extapps/derexternal/index.cfm?pageid=3>

Site specific work plans, reports, and fact sheets are also available through the DECInfo Locator web application at: <https://gisservices.dec.ny.gov/gis/dil/index.html?rs=C704059>

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 Activities	Timing of CP Activities
<p align="center">Application Process:</p> <div> <ul style="list-style-type: none"> • Prepare site contact list • Establish document repositories </div> <div> <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 </div>	
<p align="center">After Execution of Brownfield Site Cleanup Agreement (BCA):</p> <ul style="list-style-type: none"> • Prepare Citizen Participation (CP) Plan 	<p>At time of preparation of application to participate in the BCP.</p> <p>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.</p> <p>Before start of Remedial Investigation</p> <p>Note: Applicant must submit CP Plan to NYSDEC for review and approval within 20 days of the effective date of the BCA.</p>
<p align="center">Before NYSDEC Approves Remedial Investigation (RI) Work Plan:</p> <div> <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 </div>	
<p align="center">After Applicant Completes Remedial Investigation (RI) and Before NYSDEC Approves Remedial Work Plan (RWP):</p> <ul style="list-style-type: none"> • Distribute fact sheet to site contact list that describes the RI, the draft RWP, and announces the RWP 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 	<p>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.</p> <p>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.</p>
<p align="center">Before Applicant Starts Cleanup Action:</p> <ul style="list-style-type: none"> • Distribute fact sheet to site contact list that describes upcoming cleanup action 	<p>Before the start of cleanup action.</p>
<p align="center">After Applicant Completes Cleanup Action:</p> <ul style="list-style-type: none"> • Distribute fact sheet to site contact list that announces that cleanup action has been completed and that NYSDEC is reviewing the Final Engineering Report • Distribute fact sheet to site contact list announcing NYSDEC approval of Final Engineering Report and issuance of Certificate of Completion (COC) 	<p>At the time the cleanup action has been completed.</p> <p>Note: The two fact sheets are combined when possible if there is not a delay in issuing the COC.</p>

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.

Based on the findings of the remedial investigation and the potential for human exposure to site-related contaminants via soil vapor intrusion, NYSDEC in consultation with the New York State Department of Health (NYSDOH) has determined that the site poses a significant threat to public health. To address potential exposure to soil vapor, vapor mitigation systems are included as part of the proposed remedy and have been integrated during reconstruction of the on-site building.

Although part of the proposed remedy under review, a site-wide cover system to prevent contact with any soil or historic fill material that does not meet restricted residential use soil cleanup criteria is already mostly constructed. When complete the cover will consist of two feet of clean soil in vegetated or landscaped areas, or paved parking lots and concrete sidewalks.

Groundwater at the site is not used for drinking or other purposes and the site is served by a public water supply that obtains water from a source not affected by contamination.

4. Site Information

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

Site Description

The site consists of two parcels, 9 Emma Street and 16 Emma Street, in the City of Binghamton. The two parcels span Emma Street and total approximately 4.2 acres. The site is just north of Main Street and is bordered on the north side by an active rail line. The western parcel (9 Emma Street) is vacant, open, and mostly covered with deteriorated asphalt pavement. The eastern parcel (16 Emma Street) includes an approximately 145,000 square foot, multi-story building.

Site History

Historic manufacturing uses of the building from 1927 to 1970 included the General Cigar Company and Ansco's Camera Factory. Mixed and combined commercial and industrial uses of the building since 1970 have included commercial electrical contracting, industrial electrical parts supply, computer peripheral manufacturing, specialty chemical dye manufacturing, and electroplating.

5. Investigation and Cleanup Process

Application

The Applicant has applied for and been accepted into New York's Brownfield Cleanup Program 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 contaminants. The Volunteer must fully characterize the nature and extent of contamination onsite, and must conduct a "qualitative exposure assessment," a process that characterizes the actual or potential exposures of people, fish and wildlife to contaminants on the site and to contamination that has migrated from the site.

The Applicant in its Application proposes that the site will be used for restricted-residential and commercial uses.

To achieve this goal, the Applicant has conducted 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.

Summary of the Remedial Investigation

The Applicant has conducted an investigation of the site officially called a "remedial investigation" (RI). This investigation was performed with NYSDEC oversight.

Volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs) and metals were found in subsurface soils at concentrations above restricted residential use soil cleanup objectives. The contaminants appear to be mostly contained with historic fill material that is present throughout the site and at depths up to 13 feet below grade.

VOCs and metals were detected above groundwater standards in some monitoring wells and appeared to be isolated in nature. VOCs were also detected in soil vapor.

Interim Remedial Measures

An Interim Remedial Measure (IRM) is an expedited cleanup action that can be undertaken at a site when a source of contamination or exposure pathway can be effectively addressed before the site investigation and analysis of alternatives are completed. During the RI, from April through June 2019, IRMs were performed to remove the areas of soil with highest concentration of contaminants. The IRMs occurred in two separate areas and are summarized as follows:

- Excavation and off-site disposal of approximately 291 tons of soil contaminated with metals (primarily lead) from 9 Emma Street.
- Excavation and off-site disposal of approximately 326 tons of soil contaminated with trichloroethene (TCE) from 16 Emma Street.
- Each IRM excavation area was backfilled with clean imported soil material.
- Implementation of the Interim Site Management Plan, Health and Safety Plan, and Community Air Monitoring Plan during all IRM activities.

Performance of the IRMs has eliminated potential continued sources of contamination and exposure pathways (a way in which a person may come in contact with contamination). The IRM completions have also facilitated the continued progress of redevelopment construction. Full details of the IRMs are included in a Construction Completion Report submitted with the Remedial Investigation Report.

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" (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.

At this site, the Applicant has recommended additional actions to address site contamination and has submitted a draft Remedial Work Plan for review and approval. NYSDEC has announced the availability of the draft 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 New York State Department of Health

(NYSDOH) must concur with the proposed remedy. After approval, the proposed remedy becomes the selected remedy. The selected remedy is formalized in the site Decision Document.

The Applicant may then design and perform the cleanup action to address the site contamination. NYSDEC and NYSDOH oversee the activities. When the Applicant completes cleanup activities, it will prepare a final engineering report 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 final engineering report. 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

The purpose of site management is to ensure the safe reuse of the property if contamination will remain in place. Site management is the last phase of the site cleanup program. This phase begins when the COC is issued. 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 pumps and treats 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):

Gary Priscott
Project Manager
NYSDEC Region 7
Division of Environmental Remediation
1679 Route 11
Kirkwood, NY 13795
(607) 775-2545 ext. 116
gary.priscott@dec.ny.gov

Stephanie Webb
Citizen Participation Specialist
NYSDEC Region 7
615 Erie Boulevard West
Syracuse, NY 13204
(315) 426-7400

New York State Department of Health (NYSDOH):

Steven Berninger
Project Manager
NYSDOH
Empire State Plaza
Corning Tower, Room 1787
Albany, NY 12237
(518) 402-7860
beei@health.ny.gov

Locations of Reports and Information

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

DECInfo Locator Web Application:

<https://gisservices.dec.ny.gov/gis/dil/index.html?rs=C704059>

Broome County Public Library
185 Court Street
Binghamton, NY 13901
(607) 778-6400
<http://www.bclibrary.info/>

NYSDEC Kirkwood Sub-office
Attn: Gary Priscott
1679 Route 11
Kirkwood, NY 13795
(607) 775-2545 ext. 116
(call for appointment)

Appendix B - Site Contact List

1. Local Government - City of Binghamton and Broome County

City of Binghamton Mayor:

Richard David
Binghamton City Hall
38 Hawley Street
Binghamton, NY 13901
(607) 772-7001

Binghamton Planning Commission Director:

Juliet Berling
Binghamton City Hall
38 Hawley Street
Binghamton, NY 13901

Binghamton Director of Economic Development:

Robert Murphy
Binghamton City Hall
38 Hawley Street
Binghamton, NY 13901
(607) 772-7161

Broome County Executive:

Jason Garnar
Broome County Office Building
Sixth Floor
60 Hawley Street
Binghamton, NY 13902
(607) 778-2109

2. Residents, Owners and Occupants of Property and Property Adjacent to Site:

Please note that the names, addresses, and email addresses of adjacent property owners and residents for the contact list have not be placed in versions of this document available to the public. Instead, they are maintained confidentially in the NYSDEC project manager's files.

3. Local Media:

Local Newspaper:

Press and Sun Bulletin
33 Lewis Road, Suite 9
Binghamton, NY 13905
(607) 798-1234
<http://www.pressconnects.com>

Local Television:

WBNG – TV Channel 12
560 Columbia Drive
Johnson City, NY 13790
(607) 729-8812
news@wbng.com

WICZ-TV FOX 40
4600 Vestal Parkway
Vestal, NY 13850
(607) 770-4040
fox40news@wicz.com

Radio:

WSKG 89.3 FM Radio
601 Gates Road
Vestal, NY 13850
<http://www.wskg.org>

WNBF News Radio 1290 AM
59 Court Street
Binghamton, NY 13901
(607) 772-8400
<http://www.wnbf.com>

Websites:

City of Binghamton website:
<http://www.binghamton-ny.gov>

4. Local Water Supplier:

City of Binghamton Water & Sewer Department
25 Broome Street
Binghamton, NY 13901
(607) 772-7210

5. School and Day Care Facilities:

Thomas Jefferson School
151 Helen Street
Binghamton, NY 13905
Superintendent: Tonia Thompson

All My Child Daycare
50 Glenwood Avenue
Binghamton, NY 13905
Administrator: Unknown

Woodrow Wilson School
287 Prospect Street
Binghamton, NY 13905
Superintendent: Tonia Thompson

Two-De Tots
370 Clinton Street
Binghamton, NY 13905
Administrator: Unknown

The Crescent Academy
1 Endicott Avenue
Johnson City, NY 13790
Principal: Sister Amber Smith

Child Care Resource & Referral
24 Cherry Street
Johnson City, NY 13790
Administrator: Unknown

St. James School
143 Main Street
Johnson City, NY 13790
Principal: Suzy Kitchen

J&J Day Care
33 Charlotte Street
Binghamton, NY 13905
Administrator: Unknown

West Middle School
0 West Middle Avenue
Binghamton, NY 13905
Superintendent: Tonia Thompson

Big Apple Social Daycare
201 Main Street
Binghamton, NY 13905
Administrator: Unknown

Horace Mann School
30 College Street
Binghamton, NY 13905
Superintendent: Tonia Thompson

Appendix C - Site Location Map



Appendix D– Brownfield Cleanup Program Process

