



Department of  
Environmental  
Conservation

## Where to Find Information

Access project documents through the DECinfo Locator

<https://www.dec.ny.gov/data/DecDocs/C704060/>  
and at these location(s):

### Your Home Public Library

107 Main Street  
Johnson City, New York 13790  
(607) 797-4816

### NYSDEC Region 7 Office

615 Erie Boulevard West  
Syracuse, New York 13204  
(315) 426-7551  
\*call for appointment

## Who to Contact

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

### Project-Related Questions

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(518) 402-2754  
[anthony.bollasina@dec.ny.gov](mailto:anthony.bollasina@dec.ny.gov)

### Project-Related Health Questions

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NYSDOH  
Corning Tower  
Albany, NY 12203  
(518) 402-1338  
[beci@health.ny.gov](mailto:beci@health.ny.gov)

For more information about New York's  
Brownfield Cleanup Program, visit:  
[www.dec.ny.gov/chemical/8450.html](http://www.dec.ny.gov/chemical/8450.html)

# FACT SHEET

## Brownfield Cleanup Program

EJ Victory Building

59 Lester Avenue  
Johnson City, Broome County

**SITE No. C704060**

**NYSDEC REGION 7**

**December 2022**

## NYSDEC Certifies Cleanup Requirements Achieved at Brownfield Site

The New York State Department of Environmental Conservation (NYSDEC) has determined that the cleanup requirements to address contamination related to the EJ Victory Building site ("site") located at 59 Lester Avenue, Johnson City, Broome County, under New York State's Brownfield Cleanup Program have been or will be met. Please see the map for the site location.

The cleanup activities were performed by EJ Victory Building LLC ("applicant") with oversight provided by the New York State Department of Environmental Conservation (NYSDEC). NYSDEC has approved a Final Engineering Report (FER) and issued a Certificate of Completion (COC) for the site.

- Access the FER, Notice of COC and other project documents online through the DECinfo Locator:  
<https://www.dec.ny.gov/data/DecDocs/C704060/>.
- The documents also are available at the location(s) identified at left under "Where to Find Information."

**Completion of the Project:** The following activities have been completed to achieve the remedial action objectives:

- Excavation - Excavation and off-site disposal of about 208 tons of gasoline-contaminated soils, 25 tons of railroad bedding, and 7 tons of railroad ties. Clean fill was and will be brought in to replace the excavated soil and to establish the design grades at the site.
- Site Cover System - The new development will maintain a site cover, which consists of the structures (buildings, pavement, sidewalks) comprising the site development and a 2-foot clean soil cover in landscaped areas. The soil cover will be placed over a demarcation layer, with the upper 6 inches of the soil of sufficient quality to maintain a vegetation layer.
- A soil vapor intrusion evaluation was conducted to inform the need of a vapor mitigation system. Results confirmed no air communication below the building slab, and no exceedances of applicable guidance values for vapor compounds. The required garage air handling system will serve as a precautionary mitigation measure. Indoor air sampling was conducted following the startup of the air handling system and yielded no exceedances of applicable guidance values.
- Development of a Site Management Plan (SMP) for long-term management of residual contamination as required by the Environmental Easement, including plans for: (1) Institutional and Engineering Controls (IC/ECs); (2) monitoring; (3) operation and maintenance; and (4) reporting.

# BROWNFIELD CLEANUP PROGRAM

- An Environmental Easement was recorded to prevent future exposure to any contamination remaining at the site and to ensure implementation of the SMP.

**Final Engineering Report Approved:** NYSDEC has approved the FER, which:

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

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

- Site Management Plan
- Groundwater Use Restriction
- Land Use Restriction
- Environmental Easement

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

- Cover System

**Next Steps:** With its receipt of a COC, the applicant is eligible to redevelop the site. In addition, the applicant is eligible for tax credits to offset the costs of performing cleanup activities and for redevelopment of the site. A COC may be modified or revoked if, for example, there is a failure to comply with the terms of the order or agreement with NYSDEC.

**Site Description:** The 4.97-acre site is located in the Central Village Neighborhood and Historic District of the Village of Johnson City. It is bordered to the north by an active Norfolk-Southern rail line, to the east and northeast by Lester Avenue, to the south by residential buildings, to the southwest by a vacant industrial building, and to the west by the Village of Johnson City Justice Building and Police Department.

The site is bisected north and south by Helen Drive. The portion of the site north of Helen Drive contain the EJ Victory building. The six-story building includes a total of 343,603 square feet. The area surrounding the building mostly consists of asphalt-paved driveway.

Specific uses that appear to have led to contamination at the site include a long history of manufacturing, including lumber, cabinet, and box manufacturing from the late 1800s through the early 1920s, followed by shoe manufacturing from the early 1920s through the 1990s.

The EJ Victory Building has been redeveloped into apartments, commercial space, and enclosed and surface parking. The site has undergone a Track 4 clean up to restricted residential use with site-specific soil cleanup objectives.

Additional site details, including environmental and health assessment summaries, are available on NYSDEC's Environmental Site Remediation Database (by entering the site ID, C704060) at:

<https://www.dec.ny.gov/cfm/xtapps/dereexternal/index.cfm?pageid=3>

**Brownfield Cleanup Program:** New York's Brownfield Cleanup Program (BCP) encourages the voluntary cleanup of contaminated properties known as "brownfields" so that they can be reused and redeveloped. These uses may include recreation, housing, business or other uses. A brownfield site is any real property where a contaminant is present at levels exceeding the soil cleanup objectives or other health-based or environmental standards, criteria or guidance adopted by NYSDEC that are applicable based on the reasonably anticipated use of the property, in accordance with applicable regulations.

For more information about the BCP, visit:

<https://www.dec.ny.gov/chemical/8450.html>

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

## Stay Informed With DEC Delivers

Sign up to receive site updates by email:

[www.dec.ny.gov/chemical/61092.html](http://www.dec.ny.gov/chemical/61092.html)

Note: Please disregard if you already have signed up and received this fact sheet electronically.

## DECinfo Locator

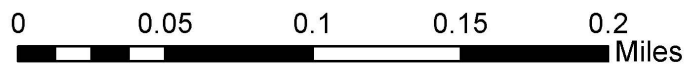
Interactive map to access DEC documents and public data about the environmental quality of specific sites: <https://www.dec.ny.gov/pubs/109457.html>



# BROWNFIELD CLEANUP PROGRAM

## Site Location

**EJ Victory Building (Site No: C704060)**  
**Johnson City, NY**  
**Site Map**



**Department of  
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## Translation Available. Don't see your language? Ask!

<b>English</b>	To have this document translated into a language you can understand, contact the person below. There is no charge for the translation.
<b>Español Spanish</b>	Si necesita la traducción de este documento a un idioma que pueda entender, comuníquese con la persona indicada abajo. La traducción es gratis.
<b>简体字 Simplified Chinese</b>	如需將此文件翻譯成您能理解的語言版本，請聯絡下方人員。本次翻譯不收取費用。
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<b>Języki Polski Polish</b>	Aby uzyskać tłumaczenie tego dokumentu na język, który jest dla Ciebie zrozumiały, skontaktuj się z poniższą osobą. Za tłumaczenie nie jest pobierana żadna opłata.

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