

The Green

Brownfield Cleanup Program

Site No. C336099

Newburgh, Orange County



Department of
Environmental
Conservation

June 2026

Cleanup Proposed for Brownfield Site Contamination Public Comment Period Announced

The public is invited to comment on a proposed cleanup plan being reviewed by the New York State Department of Environmental Conservation (DEC), in consultation with the New York State Department of Health (NYSDOH), to address contamination related to The Green site ("site") located at 137 Smith Street, and 140 and 146 Montgomery Street, Newburgh, Orange County. Please see the map for the site location. Based on the findings of the investigation, DEC, in consultation with the NYSDOH, has determined that the site is not a significant threat to public health or the environment.

How to Comment

DEC is accepting written comments about the proposed plan, called a "Remedial Action Work Plan (RAWP)," which includes a cleanup alternatives analysis (AA), for 45 days, from **June 11 through July 27, 2026**.

- Access the draft Remedial Investigation Report (RIR), RAWP with AA, and other project documents online through the DECinfo Locator:
<https://extapps.dec.ny.gov/data/DecDocs/C336099/>
- Documents also are available at the locations identified under "Where to Find Information."
- Please submit comments to the DEC project manager listed under Project-Related Questions in the "Contact Information" area.

Summary of the Draft Remedial Action Work Plan with Alternatives Analysis

The proposed Track 2 Unrestricted Use cleanup plan consists of:

- Excavation and off-site disposal of contaminated soil that exceeds restricted residential soil cleanup objectives (SCOs) in surface soil across a majority of the site
- Excavation and off-site disposal of contaminated soil to depths up to 8 feet below ground surface at contaminant source locations;
- Collecting and analyzing confirmatory soil samples and post-cleanup groundwater samples to evaluate the effectiveness of the cleanup;
- Installation of a permeable reactive barrier at the southern site boundary to treat any groundwater leaving the site and prevent off-site migration of PFAS-impacted groundwater;
- Importing clean material that meets the established Soil Cleanup Objectives for use as backfill;
- Implementing a Health and Safety Plan and Community Air Monitoring Plan during all ground intrusive activities;
- Installation of a Sub-Slab Depressurization System (SSDS) in all on-site buildings;
- Implementation of a Site Management Plan (SMP) for long term maintenance of the remedial systems; and
- Recording of an Environmental Easement to ensure proper use of the site.

The proposed cleanup plan was developed by Kearney Realty & Development Group Inc. ("applicant") after performing a detailed investigation of the site under New York's Brownfield Cleanup Program (BCP).

Next Steps

DEC will consider public comments, revise the remedy plan as necessary, and issue a final Decision Document. NYSDOH must concur with the proposed cleanup. After approval, the proposed cleanup becomes the selected cleanup. The applicant may then design and perform the cleanup action to address the site contamination, with oversight by DEC and NYSDOH.

DEC will keep the public informed throughout the investigation and cleanup of the site.

Site Description

The site is a rectangular 1.16-acre parcel located west of Smith Street, north of South Street, and east of Montgomery Street. The site is comprised of three contiguous tax lots (Section 12, Block 4, Lots 2.1, 4.1, and 10). The Site is vacant, unmaintained land with approximately 357 feet of frontage on the eastern side of Montgomery Street, 147 feet on the northern side of South Street, and 378 feet on the western side of Smith Street. A chain-link fence defines the eastern border; remaining property lines are undefined. Portions of masonry foundations from previous structures are located throughout the Site, including a masonry retaining wall and the remains of a cellar at the northeastern portion of the property.

Site redevelopment is planned as 100% affordable housing. Development plans include construction of two new mixed-use/mixed-income buildings with associated infrastructure and landscaping. Building 1 is a 3½-story rowhouse (45 residential units) and Building 2 is a 5-story midrise building (73 residential units) with two partial parking garage levels. Both structures will have retail uses along South Street. The site is located in a disadvantaged community.

Additional site details, including environmental and health assessment summaries, are available on DEC's Environmental Site Remediation Database (by entering the site ID, C336099) at:

<https://appfactory.dec.ny.gov/DERExternalSearch/ERDSearch>

Summary of the Investigation

Based upon the data collected during the investigation, the primary contaminants of concern are metals (arsenic, barium, copper, lead and mercury), polycyclic aromatic hydrocarbons (PAHS), pesticides, and polyfluoroalkyl substances (PFAS). Metals, PAHs, and pesticides were detected in soil above restricted residential soil cleanup objectives and PFOA and PFOS were detected above the Protection of Groundwater Guidance Values. Soil contamination is consistent with urban fill material sourced from contaminated off-site locations. Site groundwater is impacted by PFAS. Soil vapor shows an elevated uniform distribution of tetrachloroethene (PCE) across the site.

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 DEC 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://dec.ny.gov/environmental-protection/site-cleanup/brownfield-and-state-superfund-programs/brownfield>

Stay Informed with DEC Delivers

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.

Sign up to receive site updates by email:

<https://dec.ny.gov/environmental-protection/site-cleanup/regional-remediation-project-information/environmental-cleanup-email-newsletters>

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://dec.ny.gov/maps/interactive-maps/decinfo-locator>

CONTACT INFORMATION

Project-Related Questions

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Project-Related Health Questions

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NYSDOH, Bureau of Environmental Exposure and Investigation
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WHERE TO FIND INFORMATION

Access project documents through the DECinfo Locator and at the following location:
<https://extapps.dec.ny.gov/data/DecDocs/C336099/>

Newburgh Free Library

124 Grand Street, Newburgh, NY 12550
(845) 563-3600

Site Location



All feature locations are approximate. This map is intended as a schematic to be used in conjunction with the associated report, and it should not be relied upon as a survey for planning or other activities.



Figure 1: Site Location Map

137 Smith Street
140 and 146 Montgomery Street
City of Newburgh
Orange County, New York

Legend:

- BCP Site Boundary
- - - tax lot lines

File: 22003-0092

May 2024

Scale as shown

Figures



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