

**FACT SHEET****Brownfield Cleanup  
Program****Receive Site Fact Sheets by *Email*.** See "For More Information" to Learn How.

**Site Name:** Binghamton Plaza  
**DEC Site #:** C704049  
**Address:** 33 West State Street  
Binghamton, NY 13901

Have questions?  
See  
"Who to Contact"  
Below

## **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 Binghamton Plaza site ("site") located at 33 West State Street, Binghamton, 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 Binghamton Plaza, Inc. and Binghamton Plaza NY, LLC with oversight provided by NYSDEC. NYSDEC has approved a Final Engineering Report and issued a Certificate of Completion for the site. Copies of the Final Engineering Report and Notice of the Certificate of Completion are available at the location(s) identified below under "Where to Find Information."

### **Completion of Project**

The cleanup action for the site included:

- construction and maintenance of a cap/cover system across the site to prevent exposure to site contaminants (see below for more);
- maintenance of soil vapor intrusion mitigation systems (see below for more);
- limiting usage of the site through an environmental easement (see below for more); and
- developing a Site Management Plan (see below for more).

#### **Cap/Cover**

Most of the site was paved or covered by buildings prior to remediation, which is an acceptable cap for this site. Areas that did not have a cover system in place already were paved or covered with clean soil in the fall of 2014. Plans for constructing the cover were included in the site's Remedial Action Work Plan, which is available at the document repositories listed in this fact sheet under the section titled, "For More Information".

#### **Soil Vapor Intrusion Mitigation Systems**

Sub-slab depressurization systems (both passive and active) were installed to address exposures related to soil vapor intrusion in several on-site buildings and will continue to be

operated and maintained. In two of those buildings, indoor air monitoring will continue in order to verify that further actions to prevent exposure continue to be unnecessary.

#### Environmental Easement

Since contamination will remain at the site, an environmental easement was placed on the site limiting site usage to commercial use for most of the site, but restricted residential use will also be allowed in the southeast portion of the site. Restricted residential use allows for residential usage where there is common ownership or a single owner/managing entity of the site, such as apartments or condominiums. Restricted residential use also allows for active recreational usage, which is a public use where there is reasonable potential for soil contact, such as ball fields. Restricted residential use would also be applicable for day care facilities and other child care facilities, elementary schools, and college or boarding school residential buildings.

#### Site Management Plan

A Site Management Plan was developed and approved by the NYSDEC. It includes details on the following:

- how to manage contamination during future sub-surface work,
- maintenance of the site cover system and the soil vapor intrusion mitigation systems,
- groundwater monitoring to evaluate the effectiveness of the remedy,
- indoor air monitoring in two buildings to verify if further actions to prevent exposure to soil vapor are needed,
- evaluation of the potential for soil vapor intrusion at any buildings constructed on the site in the future,
- periodic inspection of the site to ensure the engineering controls (site cover system and soil vapor mitigation systems) are in place and effective,
- periodic inspection of the site to ensure usage is consistent with restrictions placed on the site by the environmental easement, and
- periodic certification to the NYSDEC and NYSDOH that the remedy is in place and effective and that site usage is consistent with the environmental easement.

#### Final Engineering Report Approved

NYSDEC has approved the Final Engineering Report, 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 or will be put in place on the site:

- Environmental Easement
- Site Management Plan
- Soil Management Plan
- Monitoring Plan
- Operation and Maintenance Plan

- Institutional Control/Engineering Control Plan
- Groundwater Use Restriction
- Land Use Restriction

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

- Cover System
- Vapor Mitigation

### **Next Steps**

With its receipt of a Certificate of Completion, the applicant is eligible to redevelop the site. In addition, the applicant:

- has no liability to the State for contamination at or coming from the site, subject to certain conditions; and
- is eligible for tax credits to offset the costs of performing cleanup activities and for redevelopment of the site.

A Certificate of Completion may be modified or revoked if, for example, there is a failure to comply with the terms of the order or agreement with NYSDEC.

### **Background**

**Location:** The Binghamton Plaza site is an approximately 21.5 acre property located at 33 West State Street in an urban area of the City of Binghamton, Broome County. It is comprised of several tax parcels.

**Site Features:** The site is a commercial property and contains a large strip mall, with an adjacent building and three satellite buildings. The vast majority of the site is covered by pavement or buildings. A levee for the Chenango River runs along the western site boundary.

**Current Zoning and Land Use:** The site is zoned for commercial use, and most of the site is currently used for commercial purposes; however, two of the satellite buildings are occupied by a day care facility. Most of the tenants of the strip mall include retail establishments and restaurants. The site is bounded by the Chenango River to the west, residential properties to the northeast and east, a park to the north, and commercial properties to the south and southeast.

**Past Use of the Site:** From 1946 until 1957 the site was reportedly used as a landfill for municipal solid waste by the City of Binghamton. In 1957 a municipal solid waste incinerator was constructed near the site. From 1957 until the early 1960's incinerator ash generated by the municipal solid waste incinerator was disposed of at the site. The existing commercial plaza was constructed in the 1960's.

**Site Geology and Hydrogeology:** The site contains extensive fill. The top five feet of material at the site is fill used to cover the landfill waste and re-grade the site for development. This fill unit consists of soil and rock, and is underlain by landfill waste (ash and garbage). The waste layer averages approximately 12 feet in thickness. Native soils underlie the waste and consist of silt and fine sand. There is a silt layer at least three feet thick underlying the waste, which in turn is underlain by gravel, sand and other silt layers.

Limited groundwater was encountered within the waste layer, and the groundwater within the waste layer appears to be discontinuous across the site and may not be present during dry seasons. This “perched” groundwater probably percolates into the regional groundwater aquifer, which was encountered in native soils and flows to the west or northwest, discharging to the Chenango River. Groundwater was encountered in site monitoring wells at depths ranging from 9.8 feet below the ground surface to 22.38 feet below the ground surface.

Additional site details, including environmental and health assessment summaries, are available on NYSDEC's website at:

<http://www.dec.ny.gov/cfm/external/derexternal/haz/details.cfm?pageid=3&progno=C704049>

**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 include recreation, housing, business or other uses.

A brownfield is any real property that is difficult to reuse or redevelop because of the presence or potential presence of contamination.

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

## FOR MORE INFORMATION

### Where to Find Information

Project documents are available at the following location(s) to help the public stay informed.

NYSDEC  
Attn: Joshua Cook  
615 Erie Blvd West, 2nd Floor  
Syracuse, NY 13204  
phone: 315-426-7411  
(joshua.cook@dec.ny.gov)

Broome County Public Library  
185 Court Street  
Binghamton, NY 13901  
phone: 607-778-6400

### Who to Contact

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

#### Project Related Questions

Joshua Cook  
Department of Environmental Conservation  
Division of Environmental Remediation  
615 Erie Blvd W  
Syracuse, NY 13204  
315-426-7411  
joshua.cook@dec.ny.gov

#### Site-Related Health Questions

Melissa A. Doroski  
New York State Department of Health  
Bureau of Environmental Exposure Investigation  
Empire State Plaza - Corning Tower Room #1787  
Albany, NY 12237  
518-402-7860  
BEEI@health.ny.gov

**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.**

### **Receive Site Fact Sheets by Email**

Have site information such as this fact sheet sent right to your email inbox.

NYSDEC invites you to sign up with one or more contaminated sites county email listservs available at the following web page:

<http://www.dec.ny.gov/chemical/61092.html>. It's quick, it's free, and it will help keep you *better informed*.



As a listserv member, you will periodically receive site-related information/announcements for all contaminated sites in the county(ies) you select.

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

