

FINAL REPORT
CITY OF TROY BROWNFIELDS PILOT
DRAFT

Introduction

The Brownfields Pilot Project of the City of Troy has been both a culmination and beginning of information collection and environmental remediation in the South Troy Waterfront. Building on the South Troy Working Waterfront Revitalization Plan, the Pilot has both continued our pursuit of full knowledge of conditions in the area and is driving forward plans and preparations for redevelopment in the South Troy Area.

During this process there have been many developments along the South Troy waterfront, including a rezoning, announcement of the Rivers & Estuaries satellite scientific center to be located on the waterfront, grants to assess conditions and opportunities for the Estuaries site, DEC grant to remediate the site, a grant to continue the ‘pilot’ process with a State Brownfields Opportunity Area grant, and city purchase of several key sites.

The Pilot process took the City through initial assessment and documentation of the known environmental conditions on the 49 parcels, identified key sites important to the community, provided Phase II environmental assessments, helped forward the green space elements of our plan, and developed a remediation plan for the site that is said to be the catalyst for the South Troy redevelopment. Below the process, milestones, and outcomes of the Pilot are outlined.

Pilot Process

The city applied for the EPA Brownfield Pilot Program in 2000. The grant request was approved for \$250,000 and a consultant was hired in the fall of 2002. The consultants included the lead engineering firm, Sterling Environmental, a community involvement sub-consultant, River Street Planning, a legal issues liaison, Gary Bowitch Esq., and Chazen Companies for GIS and Sitebook work.

Shortly after hiring the consultants, a Community Involvement Plan was developed that focused on creating a Task Force from neighborhood residents, community leaders and activists, and people from the business sector. The Task Force was created to improve knowledge of brownfield issues and opportunities, guide the process of selecting important sites for redevelopment, and help with neighborhood dissemination of information and environmental justice issues. The group included 24 members, who met approximately 10 times during 2002-2006. The Task Force was very involved and informative during the main portions of the project.

The Community Involvement Plan also called for several public meetings to discuss the issues and information on a website, newsletter, and a site book for potential developers. There were public meetings starting in 2002 with the last meeting in 2006 and each meeting was attended by between 20 to 60 people. Keeping the community motivated in such a long process, when there is no final ‘product’, was one of the main challenges associated with the Plan.

With the help of the Task Force, the City created an extensive matrix of criteria important to the community regarding remediation and reuse of Brownfields sites. The Task Force ranked the sites within the pilot area in terms of importance based on the varied criteria, such as ‘owner willingness’ and ‘potential future use as public space’.

Based on this matrix, several sites were chosen for testing. The top four sites were the Scolite site, the Alamo, and the King Fuels site and the County IDA site. After further analysis of these sites, two parcels were removed from the list. The King Fuels site had a consent order with Niagara Mohawk through DEC, and at that time there was no further involvement required. In addition, the County IDA site received a DEC grant for Phase II testing during our grant process. This left the top two priority sites as the recently- acquired-through-foreclosure Alamo, located at

the corner of Main & East Industrial Parkway, and the already city owned Scolite site, also known as Rensselaer Iron Works, located at the confluence of the Poestenkill and Hudson River.

A Sampling, Analysis, and Monitoring Plan (SAMP) for each property was created along with a Quality Assurance Project Plan (QAPP) and was submitted to EPA for approval in September 2003. Another challenge came when the approval process for the SAMP took a year to complete. After approval of the sampling plan, which included surface, water, and well sampling, the two sites were tested.

The resulting Site Investigation Report (SIR) outlined the environmental issues on each site. *Background samples for Metals:* Metal concentrations are within New York State ranges. *Soils:* In the rail siding area of the site, SVOCs exceed the recommended soil cleanup objectives. In several locations PCBs exceed the recommended soil cleanup objective within the top 2 feet of soil. Additional testing was completed to attempt to locate source of PCBs (River dredge, scrap metal, etc.) River sediment tests showed it was not from the river. The source could not be determined. *Groundwater:* Ten metals exceed the water quality standards. *Sediments:* Individual SVOCs exceed recommended cleanup, but none have total SVOC concentrations exceeding recommended objectives. *Perlite:* Insulating material found in foundry building. *Material Accumulation:* Materials at the site include 55-gallon drums of asphalt and miscellaneous cars and parts.

Risk Assessment: Contaminated soil poses a risk from direct contact, ingestion of soil, and inhalation of fugitive emissions. Contaminated groundwater poses a risk if ingested and to the Hudson River. Perlite poses a risk of lung irritation from fugitive emissions.

Recommendations: Raising the floor of the foundry building (required to elevate out of flood plain), will provide a capped seal for the contaminants. Raising the ground elevation of the exterior property and capping with asphalt, concrete, buildings, etc. during the redevelopment will prevent human exposure. The Perlite should be vacuumed.

The Site Investigation report outlined the following items for the Alamo:

Surface Soils: SVOC's and metals exceed recommended cleanup objectives at shallow depths. Two samples further analyzed for petroleum odors revealed to have #6 Fuel oil.

Groundwater: SVOC's and 12 metals exceed water quality standards. *No. 6 Fuel Oil Patch:* South of the entrance to the Alamo, a patch of #6 Fuel oil exists. The material is thin and is mixed with surrounding soil and extends approx. 30ft away from the wall. *AST:* A 3,000 gallon aboveground storage tank existing in the southwest corner and contains two feet of dark liquid with a petroleum odor.

Risk Assessment: Contaminated soil poses a risk from dust inhalation and ingestion of soil. Contaminated groundwater poses a risk if ingested and to the Hudson River.

Recommendations: Patch of No. 6 Fuel oil should be removed. AST should have its contents pumped out and tank should be disposed of properly. Sampling locations appear to be insufficient to reach a high degree of confidence that all the issues have been sufficiently categorized. More testing is recommended.

The Scolite site was chosen as the ideal candidate for the remediation plan. After a public meeting to discuss the options, the plan was completed and outlines the best procedure as consolidation, capping and institutional controls. These included at least one foot of cover, drainage controls to divert storm water from coming into contact with contaminated soil, groundwater use restrictions, and allowing no future disturbance of the site without NYSDEC approval.

The consultants also completed a site book, which listed the major sites and their attributes, and a Legal Studies Plan, which outlined pitfalls and funding sources for continuing the work in South Troy.

The pilot grant, originally approved in 2000, has obviously been a long process. Among the many challenges, fluctuating city staff has been a major contributor to the extended course. Now finished, the Pilot has set the foundation for future assessments to run more efficiently.

Post Pilot

The city applied for funding from NYSDEC in 2005 for a Brownfields Cleanup Grant on the Scolite site as a follow up to the EPA assessment. DEC has indicated they are willing to fund the City, but that more testing is required on the site and in the foundry building. Originally, the city applied for a follow up grant with EPA to cleanup the Scolite site after sampling and a remediation plan. The grant proposal was not approved, as the EPA considered the city a potentially responsible party for continuing to allow the scrap metal transfer station to operate on the site. The presence of the scrap dealer continues to trouble the city, as it is one reason why the DEC is requiring further assessment of the site, and is the reason a grant has not yet been awarded. The city finally has a date for the scrap dealer to be off the site, at the proposed time of September 30, 2007.

Thought was given to using the remaining funds from the Pilot to help with additional testing at the site. Though almost all of the funds were expended, \$5,000 in travel was not used, and approx. \$5,000 was left in consultant allotment. It was subsequently decided that the small amount of funds left would not be worth expending on the future project and that the Pilot is complete and should be closed.

The work done under the Pilot has advanced the redevelopment of the site chosen as the most important in our scenario. The Scolite site was announced in 2004 by then governor Pataki, as the future home of the upper satellite for the Rivers & Estuaries Center. The center, with the main site in Beacon, is to be created as a scientific endeavor to study the Hudson River. The satellite is to be managed by Rensselaer Polytechnic Institute in Troy. The city subsequently received a grant of \$200,000 from the Department of State in 2004 to evaluate the physical attributes of the site, aside from environmental condition, and to create conceptual plans for the Rivers & Estuaries Center. The final aspect of that plan, construction of street end improvements and a pier for public access, is in the design process. The city has now received a \$400,000 grant from DOS to start architectural plans for the Rivers & Estuaries building (in addition to \$5 million granted to The Beacon Institute from the state for this purpose). The \$400k is also to be used to stabilize the foundry building, and create a marketing strategy for redevelopment of the foundry.

In another effort to continue the work begun in the Pilot, the city has received a Brownfields Opportunity Area (BOA) grant from DOS & DEC. Because of the work done under the South Troy Working Waterfront Revitalization Plan and EPA Pilot, the city was able to come in at a Step 2 level. The grant will allow us to collect any additional pieces of information on the South Troy area, and the information from the Pilot public outreach efforts will help pick Phase II testing sites.

The City is still involved with the EPA Brownfields grants program with a follow up grant to assess Sperry Warehouses and do a remediation plan for Alamo and Sperry for \$137,000. The city is simultaneously applying for DEC funds to supplement assessment money and provide remediation on the site. That application should go in to DEC in July, and the EPA grant will move forward shortly thereafter.

Other projects in the future include the City's recent purchase of King Fuels and Portec sites through a BEDI grant; both sites chosen in the top 10 during the Pilot process. The South Troy Industrial Road forever looms in the distance as a truck route bisecting the waterfront area. The green space portion of the Pilot plan resides in the bike trail and promenade along the riverfront of South Troy. Plans for the Scolite site portion can move forward regardless of the timing of the larger DOT South Troy Bike/Hike Trail project.

In short, the Pilot process has been an integral part of the redevelopment of the South Troy Waterfront. And throughout the Pilot project, neighbors, the City, investors, and the regulating agencies have benefited from the increased knowledge about what is really there, what we can do about it, and where we are going in the future.