

Executive Summary

The Liberty Industrial Finishing Superfund site in Farmingdale, New York, is no longer a source of community concern. Today, it hosts two local businesses and provides space for expansion of a neighboring park. Starting in the late 1930s, a variety of industrial activities operated on site. Proactive local officials, New York State Department of Environmental Conservation (NYSDEC), EPA staff, and site stakeholders worked together to make sure the area would be cleaned up in a way that not only protected human health and the environment, but also allowed for future reuse.

Today, cleanup is complete and parts of the site are already in reuse. A full-service supermarket and bank operate on the eastern part of the site. A park expansion, planned for the western part of the site, has also long been a community priority. This early planning spurred discussions about appropriate cleanup standards. In turn, these discussions informed the development of a protective remedy that was also compatible with reuse. This case study explores the history, cleanup and reuse of the site, illustrating the opportunities and beneficial effects of Superfund redevelopment in action.

Beneficial Effects

- On-site commercial businesses employ 95 people, providing over \$2,405,780 in annual employment income to the local community.
- Two commercial businesses, a bank branch and a full-service supermarket, are currently active at the site.
- In 2014, the site property generated \$633,338 in tax revenues and had an estimated value of \$18,001,100.

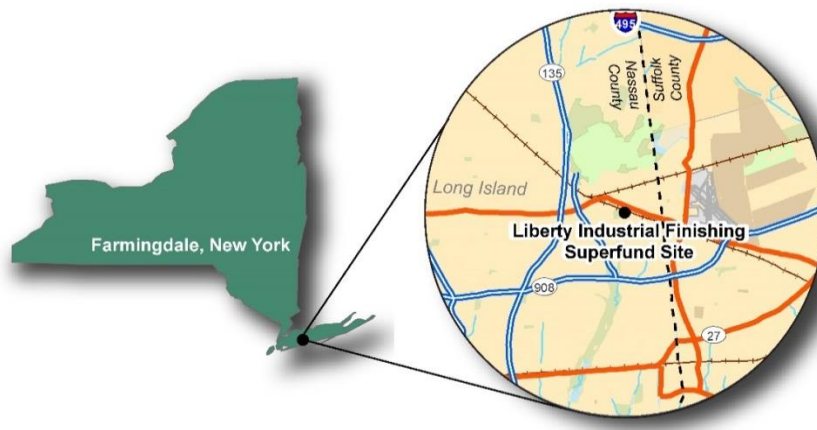


Figure 1. The site's location in Farmingdale, Town of Oyster Bay, New York.

Introduction

When a Superfund site is restored for reuse, it can revitalize a local economy with jobs, new businesses, tax revenues and spending. This case study captures the beneficial effects on site and in the community of the reuse of the Liberty Industrial Finishing Superfund site.

The 30-acre area is located about one mile south of Bethpage State Park in the Village of Farmingdale in eastern New York State. The village is located in the Town of Oyster Bay, Nassau County, on Long Island. Three tax lots comprise the site, called the western, central and eastern tax lots. The Long Island Railroad borders the property to the north. Motor Avenue borders the site to the south. Main Street borders the area to the east. A small town park, Ellsworth Allen Park, borders the property to the west. The surrounding area is primarily residential, with several commercial businesses on major roads nearby. According to 2013 Census data estimates, 8,239 people live in Farmingdale¹ and 1,352,146 people live in Nassau County.²

Site History

Starting in the 1930s, aircraft parts manufacturing and metal-finishing facilities operated on site. From 1940 to 1944, the federal government and companies used the facilities for production of materials needed for World War II. Aircraft-related manufacturing activities resumed in 1944 and took place until 1957. From 1957 through the 1980s, an industrial park operated on site. It hosted various activities, including metal plating and finishing, and fiberglass product manufacturing.

Materials used in these operations included volatile organic compounds (VOCs), inorganic compounds, caustics and acids. Untreated industrial wastes were discharged into below-grade sumps, underground leaching chambers and unlined wastewater disposal basins. These practices led to the contamination of site ground water, sediments and soil. In the 1980s, NYSDEC was the lead agency for the site; it directed early investigations and limited removals. In June 1986, EPA listed the site on the Superfund program's National Priorities List (NPL).



Figure 2. Years of industrial operations left a legacy of contamination at the Liberty Industrial Finishing Superfund site.

Site Cleanup and Reuse Efforts

Between 1991 and 1997, EPA and the site's potentially responsible parties (PRPs) conducted a remedial investigation to define the nature and extent of the contamination. The investigation led to the removal of contaminated electrical transformer materials, wastes in underground storage tanks, and drums.

Further site investigations revealed two distinct contaminated ground water plumes beneath the property. Plume A is from site-related contamination. Plume B originates upgradient of the site and comingles with portions of Plume A. Because Plume B originates off site, it would later become part of a separate cleanup led by

¹ <http://quickfacts.census.gov/qfd/states/36/3625384.html>

² <http://quickfacts.census.gov/qfd/states/36/36059.html>

NYSDEC. In March 1998, EPA selected an interim response action to prevent contaminated ground water from further migrating beyond the site's southern boundary while the final remedy was put in place. In January 2001, the PRPs installed ground water treatment systems to treat ground water in Plume A. EPA also required the site owners to remove 1.5 million pounds of PCB-contaminated shredded auto-fluff from a building at the site.

Planning for a Park

When EPA issued the proposed final cleanup plan in the summer of 2001, it included a proposed cap for the western part of the site. The local community and the Town of Oyster Bay objected and requested that EPA consider a cleanup that did not cap contaminated materials in place. Town officials hoped to acquire the nearly 15-acre western tax lot for the expansion of neighboring Ellsworth Allen Park. The Town and the community were concerned that capped contamination might limit future recreational reuse of the area.

EPA worked with the community on a remedy that could accommodate recreational reuse of the western area and commercial and industrial uses on the central and eastern parts of the site. In March 2002, EPA selected a final remedy that would allow for recreational reuse on the western tax lot, contingent on the Town of Oyster Bay taking significant steps toward acquisition (through eminent domain) within eight months. The revised remedy included excavation and off-site disposal of contaminated soils, removal of contaminated materials from underground storage tanks and subsurface features, ground water pumping and treatment, and excavation and off-site disposal of contaminated sediments within a pond of the Massapequa Creek Preserve nature park located about a half-mile downstream of the site.

In October 2002, EPA entered into a prospective purchaser agreement (PPA) with the Town of Oyster Bay to allow the Town to acquire the 15-acre future parkland without concern for potential CERCLA liability and to provide for the Town to make a payment to EPA to help fund a portion of EPA's cleanup costs at the site. In September 2003, the Town of Oyster Bay acquired the site's western tax lot via condemnation as sitewide cleanup efforts continued. Soil and underground material removal began in March 2007 and finished in May 2011. Off-site pond sediment removal began in September 2007 and finished in March 2009. Ground water system testing and startup took place in February 2010.

Protecting Purchasers from Future Liability

The PPA played an important role in enabling the site's redevelopment. Nationally, EPA has since taken additional steps to make the acquisition and redevelopment of Superfund sites easier for prospective purchasers.

Under the Brownfields Revitalization Act, a prospective purchaser need no longer negotiate a PPA with EPA and the federal government. In lieu of a signed agreement, the purchaser can meet requirements to become a bona fide prospective purchaser (BFPP).

For more information about BFPP requirements, please see: <http://www2.epa.gov/enforcement/bona-fide-prospective-purchasers>.



Figure 3. Cleanup included ground water treatment and soil and sediment removal. (Source: EPA and Nassau County websites)

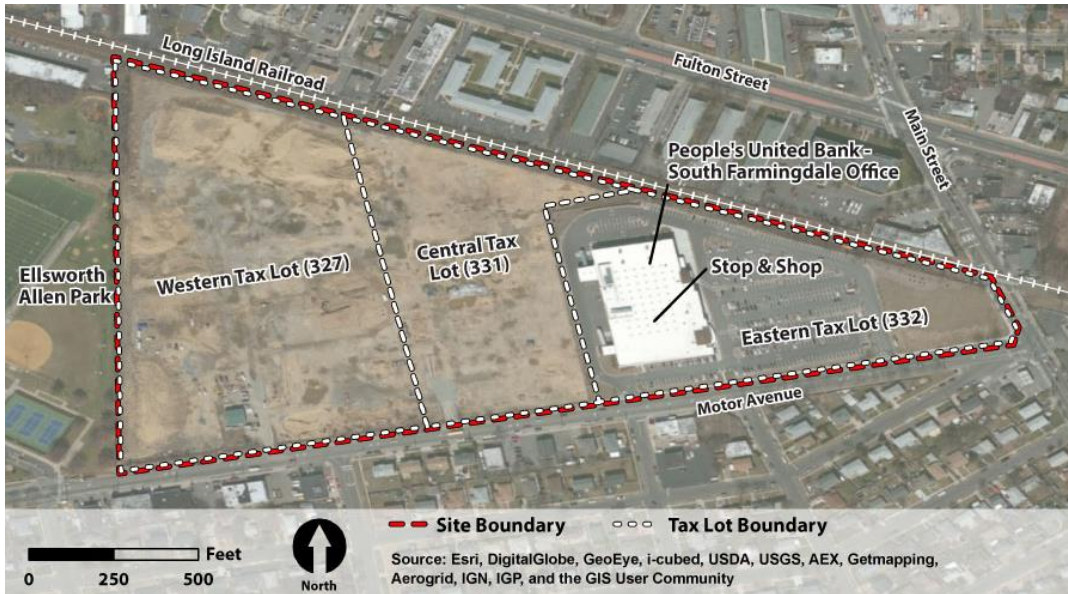


Figure 4. The site consists of three parcels of land, the western, central and eastern parcels.

At a June 2007 meeting, the Town of Oyster Bay informed EPA that it was considering a further 7-acre expansion of Ellsworth Allen Park which would extend across the central tax lot as well. Because cleanup goals for this area had only accounted for commercial and industrial uses, additional site assessment was required. The Town took steps to qualify as a bona fide prospective purchaser (BFPP) to take advantage of the amendment to CERCLA that allows BFPPs to own property at Superfund sites without having CERCLA liability. EPA worked with the Town to assist it in developing the reasonable steps required for BFPP qualification. In July 2010, the locality acquired the central parcel via condemnation. Then, under EPA’s oversight in 2011, the Town of Oyster Bay prepared a Risk Assessment Update as well as the necessary remedial enhancement work so they could reuse the central tax lot for recreational purposes. EPA approved the Risk Assessment Update and announced the land use restriction change for the property from commercial and industrial to recreational use.

Bringing Commercial Use to the Site

Stop & Shop, a chain of supermarkets in the northeastern United States, began discussions with EPA in 2003. The discussions focused on the possibility of locating an 80,000 square foot company supermarket with parking for 400 cars on the site’s 9-acre eastern tax lot. As cleanup progressed, company engineers discussed potential redevelopment concerns and possible ways to integrate remedy and reuse. The company worked closely with EPA and NYSDEC to ensure that redevelopment would be completed safely.

Such a large project required extensive cooperation. In addition to contamination concerns, the community was worried about road congestion and potential impacts of redevelopment on surrounding neighborhoods. Stop & Shop and site stakeholders were committed both to the productive redevelopment of the site and to involving the community, local governments and EPA in their plans. EPA and Stop & Shop representatives attended community meetings to share cleanup status updates and draft redevelopment plans. The company also obtained required permits and environmental easements, allowing construction to



Figure 5. A monitoring well between parking areas in front of the Stop & Shop.

proceed. Stop & Shop decided to move forward with leasing the property from the eastern tax lot owners and redeveloping the property. The company was concerned with potential CERCLA liability that might come from developing and operating the shopping center. To address those concerns, EPA entered into a Prospective Lessee Agreement (PLA) with Stop & Shop in 2005. Upon finalization of the PLA, a long term ground lease between Stop & Shop and the property owners went into effect.

Local Beneficial Effects

Today, the area is home to two businesses and the planned park expansion of Ellsworth Allen Park from about 14 acres to 30 acres. Stop & Shop began construction of its full-service supermarket in September 2009 and completed the project in May 2010. During construction, they worked closely with local, state and to maintain the protectiveness of the remedy and prepare the site for reuse. In addition to installing vapor barriers to address potential vapor intrusion concerns, the company worked with EPA on the placement of ground water monitoring wells. Stop & Shop contractors made sure they would be located in places that allowed for future monitoring and adequate plume assessment without impairing business operations. Collaborative efforts like these have made the site a major commercial asset in the community. This section describes the specific beneficial effects that have resulted from site redevelopment.

Massapequa Preserve

The Superfund pond sediment clean up in conjunction with a CERCLA natural resource restoration under the auspices of the natural resource trustees has resulted in revitalization at the nearby Massapequa Preserve. These efforts have created an amenity for area residents and provides an important source of protection for local wildlife.

People's United Bank

With the new Stop & Shop facility in place, the People's United Bank saw an opportunity to open a branch in Farmingdale. Benefiting from the supermarket's infrastructure and parking, the bank has opened inside the Stop & Shop. The full-service branch offers local shoppers a convenient banking option seven days a week.

Stop & Shop Supermarket

The 80,000-square-foot Stop & Shop supermarket on Motor Avenue opened in May 2010. In addition to providing a full service supermarket for the community with a florist, a pharmacy, a bank branch, and ample parking for 400 cars, the supermarket provides over 95 jobs in the community with \$2,405,780 in annual employee income.



Figure 6. The Stop & Shop supermarket, May 2010. (Source: Nassau County website)

Planned Ellsworth Allen Park Expansion

The western part of the site is located next to the 14-acre Ellsworth Allen Park which already hosts a variety of sports facilities, including tennis courts, football and baseball fields, and playgrounds. Open space on the site's central and western tax lots provides a convenient 22-acre expansion of much needed parkland in this area which is otherwise a densely-developed residential community. The Town of Oyster Bay has begun preparing the tax lots for park construction. Preliminary plans include a community center, ballfields, a multi-purpose sports field and green space. The community has been actively involved in the planning stages for the expansion and is eager to see it come to fruition.



Figure 7. The western parcel next to Ellsworth Allen Park is ready for the park expansion. (Source: Nassau County website)

Property Value and Tax Revenue Impacts

In 2014, the privately owned site property generated \$633,338 in total real property tax revenues, with an estimated property value for the former Superfund site of \$18,001,100. On-site businesses that produce retail sales and services also generate tax revenues through the collection of sales taxes, which support New York State as well as local governments.³

“In 14 years, we’ve gone from a mess to a great location and a new supermarket.”

Town Supervisor John Venditto

“People always dreamed about expanding the park, and this is monumental.”

Councilman Joe Muscarella

Future Site Use

As the Town of Oyster Bay moves forward with park plans, the Town will continue to work with EPA, NYSDEC and other stakeholders to ensure the long-term protectiveness of the remedy.

Conclusion

Today, the industrial history of the Liberty Industrial Finishing Superfund site remains in the past; contamination no longer poses a threat to public health or the environment. This residential area now hosts two businesses and provides the community with jobs, employee income and tax revenues. Meantime, thanks to the ongoing, long-term collaboration among EPA, local governments, site stakeholders and the community, the western and central parts of the site will soon provide new recreation opportunities. Looking to the future, these collaborative efforts will continue to provide long-term economic, environmental and recreational opportunities for the Town of Oyster Bay and surrounding communities.

*For more information about EPA’s Superfund Redevelopment Initiative (SRI), visit:
<http://www.epa.gov/superfund/programs/recycle>.*

³ The sales tax rate in the Town of Oyster Bay is 8.625 percent. For more information, see New York State’s Department of Taxation and Finance: <http://www.tax.ny.gov/pdf/publications/sales/pub718.pdf>.



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Reuse and the Benefit to Community Liberty Industrial Finishing Superfund Site

Technical Appendix

Employment Information for On-site Jobs

EPA obtained information on the number of employees and sales volume for on-site businesses from the Hoovers/Dun & Bradstreet (D&B) database. EPA also gathered information on businesses and corporations from [D&B](#). D&B maintains a database of over 179 million companies globally and over 53 million professional contact names using a variety of sources, including public records, trade references, telecommunication providers, newspapers and publications, and telephone interviews. The Data Universal Numbering System (DUNS) number is a unique nine-digit identification number assigned by Hoovers to each business and its location within the Hoovers database for identifying each business.

Wage and Income Information for On-site Jobs

EPA obtained wage and income information from the U.S. Bureau of Labor Statistics (BLS). The BLS is a governmental statistical agency that collects, processes, analyzes and disseminates essential statistical data to the American public, the U.S. Congress and other federal agencies in the broad field of labor economics and statistics. The data EPA obtained from the BLS has high standards of accuracy and consistently high statistical quality, and impartiality in both subject matter and presentation.

EPA used the BLS Quarterly Census of Employment and Wages database to obtain average weekly wage data for the business located at the Liberty Industrial Finishing Superfund site. Average weekly wage data were identified by matching the North American Industry Classification System (NAICS) codes corresponding with each type of business with weekly wage data for corresponding businesses in Nassau County.

To determine the annual wages (mean annual) earned from jobs generated by each of the businesses located at the Liberty Industrial Finishing Superfund site, the average weekly wage figure was multiplied by the number of weeks in a year (52) and by the number of jobs (employees) for each of the businesses.

Table 1: Liberty Industrial Finishing Superfund site Businesses: NAICS Code and Title, Employees, Average Weekly Wage, Annual Wage per Employee, Total Annual Wages and Total Annual Business Sales

| On-site Business | NAICS Code ^a | NAICS Title | Employees ^b | Average Weekly Wage (2013) ^c | Annual Wage (Mean Annual) per Employee | Total Annual Wages ^d | Total Estimated Annual Business Sales (2013) |
|-------------------------------------|-------------------------|---|------------------------|---|--|---------------------------------|--|
| Stop & Shop Supermarket Company LLC | 445110 ^e | Supermarkets and other grocery stores | 95 | \$487 | \$25,324 | \$2,405,780 | NA ^f |
| People's United Bank | 453998 | All Other Miscellaneous Store Retailers (except Tobacco Stores) | NA | \$749 | \$38,948 | NA | \$48,000 |
| TOTALS | | | 95 | | | \$2,405,780 | \$48,000 |

^a NAICS code is from the Hoovers database unless otherwise noted.

^b Employee data is from the Hoovers database, except where otherwise indicated.

^c Average weekly wage per employee is based on BLS Average Weekly Wage data. Data are preliminary.

^d Total annual wage figures were derived by multiplying "Employees" by "Annual Wage (Mean Annual) per Employee."

^e The NAICS code 445110 (Supermarkets and other grocery stores) was used although the NAICS code 446110 (Pharmacies and drug stores) was listed in Hoovers. The majority of employees are grocery employees and not pharmacy employees.

^f Hoovers database flagged this site as having limited marketability due to incomplete or invalid data.

NA: Not available or not applicable.

Property Values and Local Tax Revenue Generated from Property Taxes

EPA obtained data on the most recently assessed value for the town-owned and privately-owned property parcels at the Liberty Industrial Finishing Superfund site in September 2014 through property records accessible through Nassau County's online property appraisal database (<http://www.nassaucountyny.gov/mynassauproperty/main.jsp>). EPA also obtained 2014 property tax information for the three site tax parcels using this website.

Table 2: Property Value and Tax Summary for Taxes Payable in 2014

| Parcel ID No. | Parcel Address | Total Market Value of Land (2014) | Total Property Tax (2014) |
|--|---|-----------------------------------|---------------------------|
| Section 48, Block 518, Lot 327 (west) | 55 Motor Ave., Farmingdale, New York, 11735 | \$4,821,500 | NA |
| Section 48, Block 518, Lot 331 (central) | 55 Motor Ave., Farmingdale, New York, 11735 | \$2,976,500 | NA |
| Section 48, Block 518, Lot 332 (east) | 55 Motor Ave., Farmingdale, New York, 11735 | \$10,203,100 | \$633,338 |
| Totals | | \$18,001,100 | \$633,338 |