



NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION  
 DIVISION OF ENVIRONMENTAL REMEDIATION  
**Site Classification Report**



DATE: 5/21/2012

<b>Site Code:</b> 915119	<b>Site Name:</b> Wide Beach
<b>City:</b> Brant	<b>Town:</b> Brant
<b>Region:</b> 9	<b>County:</b> Erie
<b>Current Classification:</b> 05	<b>Proposed Classification:</b> C
<b>Estimated Size (acres):</b> 55.00	<b>Disposal Area:</b> Dump
<b>Significant Threat:</b> Previously	<b>Site Type:</b>
<b>Priority ranking Score:</b>	<b>Project Manager:</b> Michael Cruden

**Summary of Approvals**

<b>Originator/Supervisor:</b> Michael Cruden	<b>05/19/2011</b>
<b>RHWRE:</b> Gregory Sutton / Martin Doster:	<b>05/19/2011</b>
<b>BEEI of NYSDOH:</b>	<b>03/09/2012</b>
<b>CO Bureau Director:</b> Michael Cruden, Director, Remedial Bureau E:	<b>05/19/2011</b>
<b>Assistant Division Director:</b> Robert W. Schick, P.E.:	<b>03/15/2012</b>

**Basis for Classification Change**

Hazardous waste disposal at this site was addressed by implementation of the remedy identified for the site by one or more Record of Decisions. All construction of the components of the site wide remedy were completed no later than 1991. Institutional controls were not required to ensure protectiveness of the site. A significant threat to public health and the environment no longer exists at the site. The site is properly closed and requires no site management, therefore delisting from the Registry of Inactive Hazardous Waste disposal sites is appropriate.

**Site Description - Last Review: 02/09/2012**

**Location:** The Wide Beach development site, incorporated in 1920, is a small lake-side community located in the town of Brant, in southern Erie County, New York, approximately 48 kilometers (km) south of Buffalo.

**Site Features:** Grass-lined drainage ditches and a series of catch-basins, culverts, and unnamed watercourses collected and conveyed storm waters to a marsh, draining to Lake Erie. An area of the site is community-owned property used for recreation.

**Current Zoning:** The site is zoned residential.

**Historical Uses:** During the 1960s and 1970s, waste oil was used by residents to control dust. The waste oil was reported to have come from Niagara Transformer and the oil was allegedly contaminated with PCBs as



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well as TCDD and TCDF (Dioxins). PCBs were also detected in some groundwater samples. No TCDD or TCDF were detected in groundwater samples. A Federal Superfund Site Remedial Investigation and Feasibility Study (RI/FS) started in August 1984, and was completed in August of 1985. The USEPA issued a Record of Decision (ROD) on September 30, 1985 calling for PCB contaminated soil excavation and chemical treatment. Soils at the site were excavated, treated and partially backfilled in 1990. The treatment rendered the soil unsuitable for use as backfill due to its physical properties and soil was imported to the site for use as backfill. The restoration of the wetland was completed in the Spring of 1993. Sediment filters were installed at the homes to treat the private drinking water supplies and the homes were professionally cleaned to mitigate PCB contaminated dust. Since 1985, PCBs have not been detected in the residential water supplies. No further investigations or remediation activities are planned for this site. No further public health actions are indicated.

**Site Geology and Hydrogeology:** The surficial soils, underlain by a brown, clayey, fine-grained sand, are found throughout the site, except for locations near the wetlands. The thickness of this layer varies up to 1 m. In some locations, thin lenses of this soil alternate with layers of a brown silty clay. During the remedial investigation, a water table was rarely encountered. Based on the December 1984 contours, roughly 80 percent of the site's groundwater discharge is via the stream and wetlands, with the remaining 20 percent being discharged directly to Lake Erie.

Contaminants of Concern (Including Materials Disposed)	Quantity Disposed
<b>OU 01</b>	
WASTE OIL CONTAINING TCDD, CHLOROFORM,	0.00
PCBS, TRICHLOROETHANE, TRICHLOROBENZENE,	0.00
DICHLOROETHANE, BENZOFLUORANTHENE, LEAD,	0.00
ARSENIC	0.00

**Analytical Data Available for :** Groundwater, Soil

**Applicable Standards Exceeded for:**

**Site Environmental Assessment- Last Review: 02/09/2012**

Nature and Extent of Contamination:

Prior to Remediation:

PCBS, specifically AROCLOR 1254, have been found at the site, generally in the roadway and drainage ditch soils.

Soils:

With regard to the soils, pcb contamination was found in all but one of the 53 unpaved driveway samples, ranging from 0.18 to .390 milligrams/kilogram (mg/kg); in all but one yard and open lot samples, ranging from less than 0.05 to 600 mg/kg; in all roadway samples, ranging from 1.0 to 226 mg/kg, and in all drainage ditch samples, ranging from 0.2 to 1026 mg/kg.

Ground Water:



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Based on the drinking water sampling studies, twenty-one of sixty residential wells had been determined to be contaminated at some point in time. Levels of aroclor 1254 in residential wells, however, were both low and sporadic in occurrence.

**Dust and Air:**

Vacuum cleaner dust samples from forty-seven of the sixty residences showed pcb levels ranging from 0.25 to 770 mg/kg. ambient air particulate samples indicated pcb levels ranging from 0.040 to 0.307 mg/m3.

**Biota:**

Live-trapping of small mammals was conducted at three on-site and two off-site locations to collect liver tissue for PCB determinations. PCB values were normalized for percent lipids. Normalized values ranged from 6.7 to 69.6 mg/kg for on-site samples.

**Post Remediation:**

Remedial activities have been completed.

**Site Health Assessment - Last Update: 02/08/2012**

The potential residual levels of PCBs that remain in soil following the US EPA remediation do not present exposure concerns. The area is served public drinking water and PCBs have not been detected in the former residential water supplies since 1985.

	Start		End	
<b>OU 01</b>				
Reclass Pkg.	12/1/92	ACT		XXX
Reclass Pkg.	5/19/11	ACT	5/21/12	PLN
Remedial Action	10/1/89	ACT	11/1/91	ACT
Remedial Design	9/1/86	ACT	5/1/89	ACT
Remedial Investigation	7/1/84	ACT	9/1/85	ACT

**Remedy Description and Cost**

**Remedy Description for Operable Unit 01**

The selected remedy involved excavation of PCB contaminated soil; thermal treatment using Potassium polyethylene glycol (KPEG); and restoration of the wetland.

**Total Cost**

**OU**

**Site Management Plan Approval:**

**Status:**



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NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION  
**Site Management Form**  
5/21/2012

**SITE DESCRIPTION**

**SITE NO.** 915119

**SITE NAME** Wide Beach

**SITE ADDRESS:** Wide Beach Community      **ZIP CODE:** 14027

**CITY/TOWN:** Brant

**COUNTY:** Erie

**ALLOWABLE USE:**

**SITE MANAGEMENT DESCRIPTION**

**SITE MANAGEMENT PLAN INCLUDES:**                      YES    NO

- IC/EC Certification Plan
- Monitoring Plan
- Operation and Maintenance (O&M) Plan

**Periodic Review Frequency:**

**Periodic Review Report Submittal Date:**



NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION  
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**Description of Institutional Control**

0

Not Applicable/No IC's

**Description of Engineering Control**

Not Applicable/No EC's

**NEW YORK**  
*state department of*  
**HEALTH**

Nirav R. Shah, M.D., M.P.H.  
Commissioner

Sue Kelly  
Executive Deputy Commissioner

March 9, 2012

Mr. Michael Cruden  
Division of Environmental Remediation  
NYS Department of Environmental Conservation  
625 Broadway, 12<sup>th</sup> Floor  
Albany, NY 12233-7011

Re: Proposal to Delist  
Wide Beach  
Site #: 915119  
Brant, Erie County

Dear Mr. Cruden:

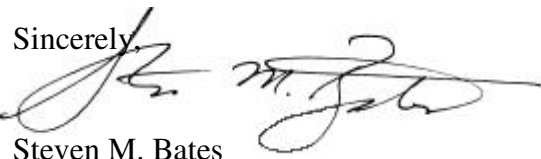
Staff reviewed the NYS Department of Environmental Conservation proposal to delist the Wide Beach Site, in Erie County, presently listed as a Class 5 site on the NYS Registry of Inactive Hazardous Waste Sites. The site is comprised of seasonal and full-time residential properties. Historic application of oil to control dust on roadways within the community contaminated roads, driveways, soil, and adjacent wetlands with Polychlorinated Biphenyls (PCBs).

In 1985, the US Environmental Protection Agency (EPA) issued a Record of Decision for the site calling for excavation of soil containing PCBs exceeding 10 parts per million (ppm), on-site chemical/thermal treatment of excavated soil, and the reuse of treated soil containing less than 2 ppm PCBs for backfill. The treated soil lacked the necessary physical properties to serve as backfill under roadways and could not support vegetation and was removed and replaced with imported backfill.

Some residual PCB concentrations remain, specifically at those properties that did not qualify for soil removal and potentially at depth on those properties where remediation occurred. All available data and information for pre- and post-remediation soil sampling were reviewed. Details related to the historic distribution and extent of contamination, the property uses, the remedial action, and the pathways of human exposure were considered. We understand that the US EPA excavated larger areas than originally delineated for removal and contamination was appropriately removed from the site. While some properties may have residual concentrations of PCBs in soil, the levels are expected to be low and limited in extent.

Based on this information, we feel the remedy addressed human exposure concerns and support the Department's proposal to delist the site.

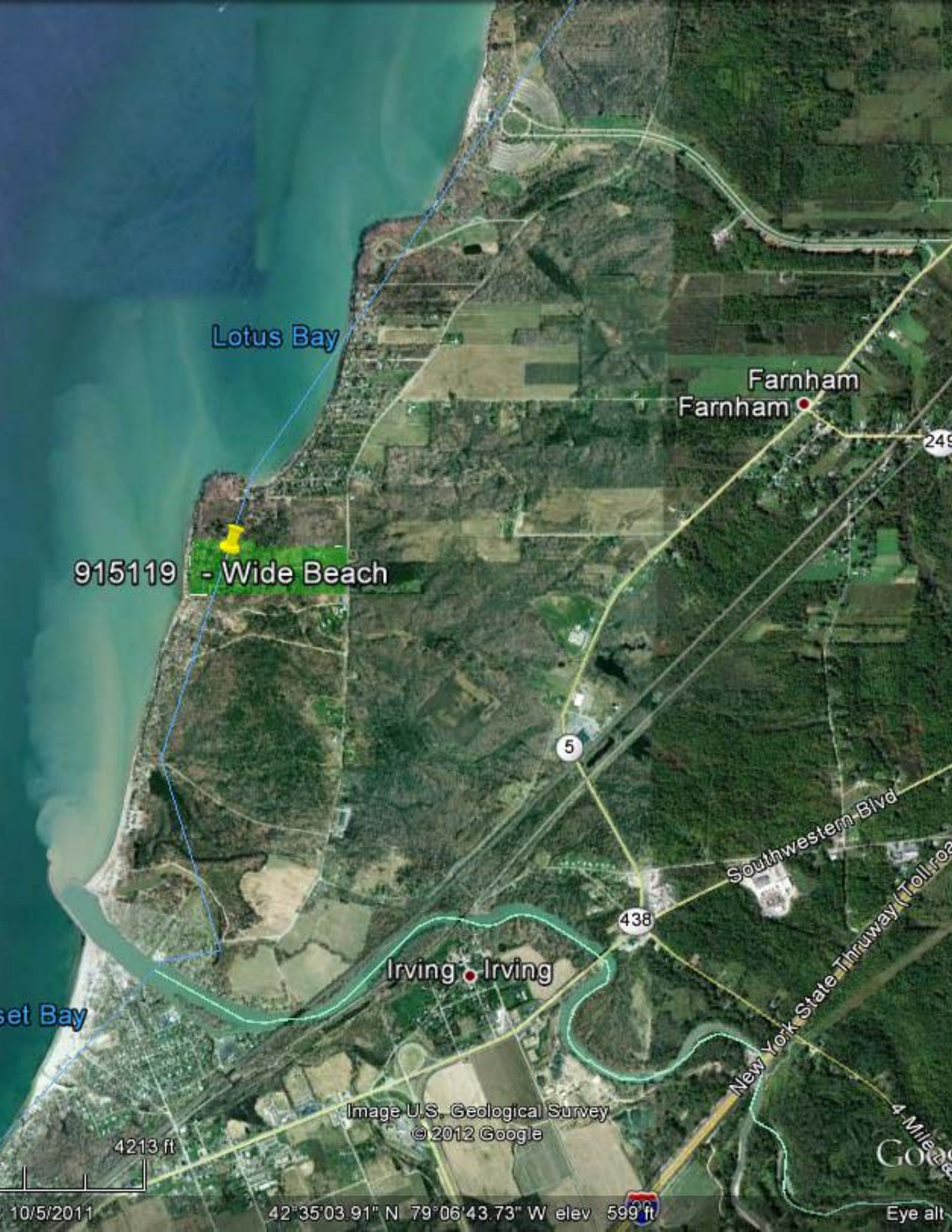
Sincerely,



Steven M. Bates  
Acting Director  
Bureau of Environmental Exposure  
Investigation

Ecc: A. Salame-Alfie, Ph.D., K. Anders. Ph.D.  
R. Fedigan  
R. Schick - NYSDEC  
M. Doster – NYSDEC Region 9

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Lotus Bay

Farnham

915119 - Wide Beach

5

438

Irving

set Bay

Image U.S. Geological Survey © 2012 Google

4213 ft

10/5/2011

42°35'03.91" N 79°06'43.73" W elev 599 ft

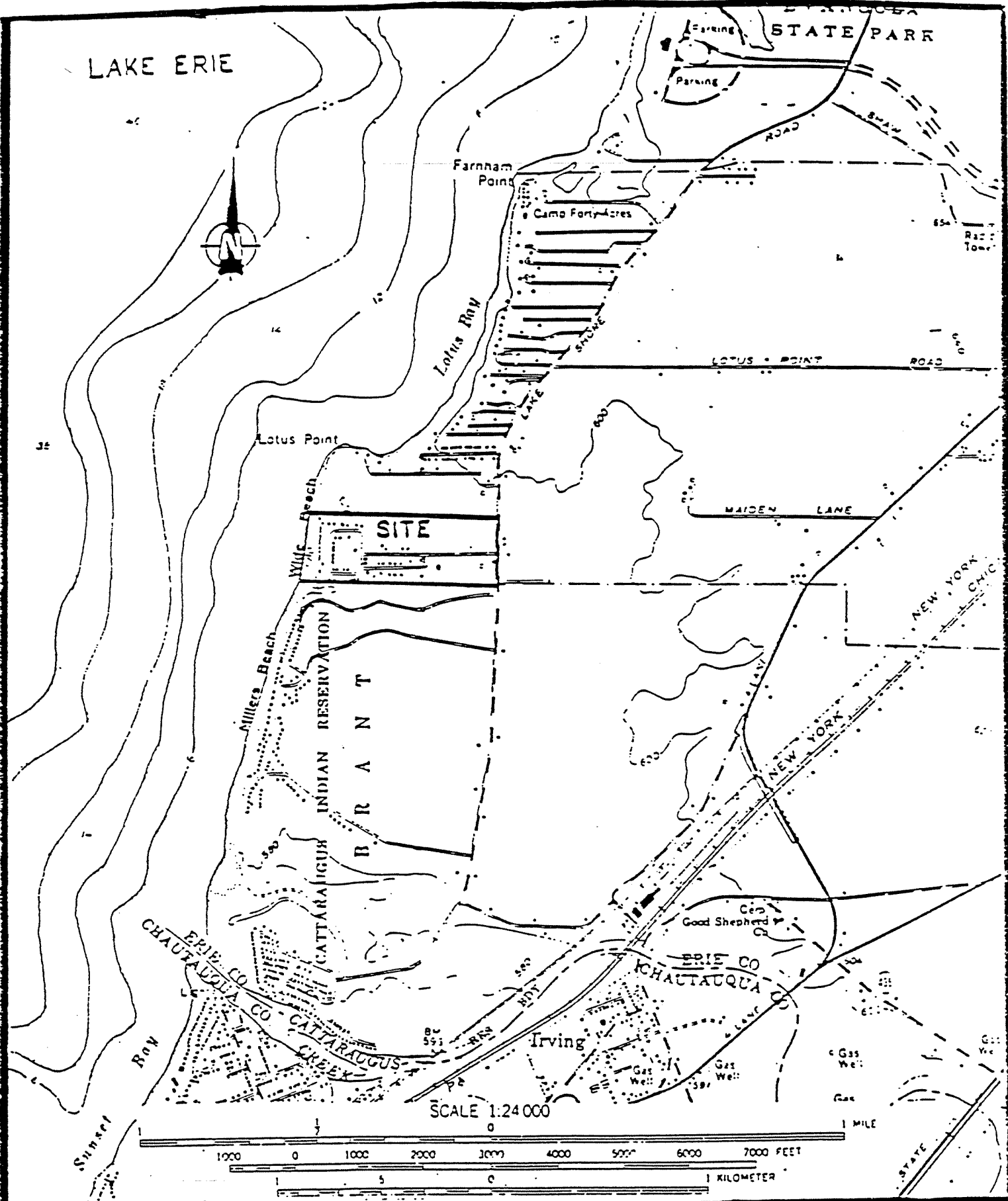
Southwestern Blvd

New York State Thruway (Toll road)

GOOGLE

Eye alt





**WESTON**

SPILL PREVENTION &  
EMERGENCY RESPONSE DIVISION

In association with  
ICF, Inc.

EPA PM-  
Robert M. Cobiella

TAT PM  
Rodolfo J. Hafner

FIGURE 2. SITE MAP

WIDE BEACH  
TOWN OF BRANT, N.Y.

**New York State Department of Environmental Conservation**  
**Division of Environmental Remediation**  
**Bureau of Technical Support, 11<sup>th</sup> Floor**  
625 Broadway, Albany, NY 12233-7020  
**Phone: (518) 402-9553 • Fax: (518) 402-9547**  
**Website: [www.dec.ny.gov](http://www.dec.ny.gov)**



Joe Martens  
Commissioner

March 20, 2012

Jeanette and Frederick Ball  
33 Fox St  
Irving, NY 14081

RE: DEC Site No.: 915119  
Site Name: Wide Beach  
Site Address: Wide Beach Community,  
Brant, Erie County, 14027

Dear Sir/Madam:

As mandated by Section 27-1305 of the Environmental Conservation Law, the New York State Department of Environmental Conservation (Department) must maintain a registry of all disposal sites known to contain hazardous wastes. It is this Department's policy to notify the owner of all or any part of each site or area included in the Registry of Inactive Hazardous Waste Disposal Sites as to changes in site classification.

Our records indicate that you are the owner or part-owner of the above-referenced site. Based on the information that has been gathered to date, the Department has concluded that this site has been properly remediated and that no further action is required. Therefore, this letter constitutes notification of the Department's intention to delist this site from the Registry of Inactive Hazardous Waste Disposal Sites in New York State. State law requires that the Department provide a 30-day public comment period regarding our intention to delist a site from the Registry, and receive any public comments on the proposed deletion. At the conclusion of this period, if no new information is presented, this site will be removed from the Registry 60 days from the date of this letter. If we receive any information which causes us to reconsider this deletion, you will be notified of this change.

If you have any further questions, please contact me at (518) 402-9553.

Sincerely,

Kelly A. Lewandowski, P.E.  
Chief  
Site Control Section

ec: R. Schick  
D. Weigel  
A. English  
K. Lewandowski  
S. Bates, NYSDOH  
M. Brady, Regional Attorney, Region 9  
M. Doster, RHWRE, Region 9  
D. Denk, Regional Permit Administrator, Region 9  
M. Cruden, Director, Remedial Bureau E and Project Manager  
B. Anderson, Site Control Section

Mary Ann Ball  
27 Wide Beach Rd  
Irving, NY 14081

Bruce Bauer  
1250 Cleveland Dr  
Cheektowaga, NY 14225

Donna and David Brown  
107 Wide Beach Oval Rd  
Irving, NY 14081

Mary and Paul Buchanan  
512 Delavan Ave  
Buffalo, NY 14222

Cheryl and Robert Caldwell  
14 Wide Beach Rd  
Irving, NY 14081

Lissa and Jeffrey Carroll  
122 Ridgewood Rd  
Buffalo, NY 14220

Erie County Sewer District  
County of Erie  
95 Franklin Street, Rm 1034  
Buffalo, NY 14202

Laura J Dahl  
17 Livingston St  
Buffalo, NY 14213

Marienna and John Elliott  
673 Main St  
Ste 2  
East Aurora, NY 14052

Helen Marie Findlay  
8 Four Seasons Cir  
Egbertsville, NY 14226

Christine M Gierlinger  
59 Wide Beach Rd  
Irving, NY 14081

Marguerite Guerra  
12 Union Pl  
Williamsville, NY 14221

Janice and Frederick Hansen  
43 Wide Beach Rd  
Irving, NY 14081

Jeanne Sasiadek and Ronald  
Helmich  
86 Cayuga Creek Rd  
Cheektowaga, NY 14227

Robert W Hickey, Jr.  
c/o Dosberg Manor - #127  
2680 N Forest Rd  
Getzville, NY 14068

Audrey and Andrew Hoffman  
63 Tomahawk Trl  
Lancaster, NY 14086

Susan M Holmes  
25 Hudson  
#301  
Terseer City, NY 14211

Maxine and Otis Hovencamp  
85 Wide Beach Rd  
Irving, NY 14081

April L Januale  
38 Wide Beach Oval  
Irving, NY 14081

Francis J Kalenda  
94 Spaulding St  
Buffalo, NY 14220

Linda and William Korona  
14 Groveland St  
Buffalo, NY 14214

Linda and William Kuzon  
4665 Fox Sedge Ct  
Dexter, MI 48130

Shirley and Samuel Lojacano  
109 Wide Beach  
Irving, NY 14081

Anita and Laurence Lowell  
81 Wide Beach Oval  
Irving, NY 14081

Patricia and Bruce Lyford  
10870 Lake Shore Rd  
Irving, NY 14081

Ellen and Raymond Marcy  
18 Wide Beach Rd  
Irving, NY 14081

Carol Anne and John Mc Kinnis  
128 Wide Beach Oval  
Irving, NY 14081

Hester and Ronald Meyers  
180 Hidden Hills Ln  
Athens, GA 30605

Susan and Robert Meyers  
22 Swanson Ter  
Williamsville, NY 14221

Marybeth and Henry Michnik  
6183 Smith Rd  
Hamburg, NY 14075

Gail, Larry and Angelo Militello  
132 Wide Beach Oval  
Irving, NY 14081

Cynthia and Clifford Miller  
55 Wide Beach Rd  
Irving, NY 14081

Mary and Peter Mueller  
75 Chesterfield Dr  
Buffalo, NY 14215

Thomas P Mueller  
7567 Erie Rd  
PO Box 322  
Derby, NY 14047

Norma E Murphy  
117 Wide Beach Oval  
Irving, NY 14081

Louis C Newman  
30 Wide Beach Rd  
Irving, NY 14081

John Persichini  
c/o Attn: Eleanore Persichini  
265 Collins Ave  
West Seneca, NY 14224

Colleen and Donald Picone  
31 Hill Valley Dr  
Lancaster, NY 14086

Erva, Jeffrey and Anne Prince  
125 Wide Beach Rd  
Irving, NY 14081

Barbara and Patsy Purpera  
29 Wide Beach Oval  
Irving, NY 14081

Diane and Steven Raczka  
108 Oval St  
Irving, NY 14081

Lesley and Christopher Reed  
203 Woodbridge Ave  
Buffalo, NY 14214

Teresa and Jeffrey Reynolds  
860 Underhill Rd  
East Aurora, NY 14052

Linda and Charles Roe  
11 Wide Beach Rd  
Irving, NY 14081

Joan M Shumer  
1845 Transit Rd  
Elma, NY 14059

John Silner  
380 Getzville Rd  
Amherst, NY 14226

Cynthia A Smith  
34 Wide Beach Rd  
Irving, NY 14084

Jamey and Kristen Pronobis Solecki  
11 Wide Beach Oval  
Irving, NY 14081

Janet L Sonner  
35 Wide Beach Rd  
Irving, NY 14081

Susan E Speck  
39 South Wide Beach Rd  
Irving, NY 14081

Joan and Howard Stitz  
76 Wide Beach Rd  
Irving, NY 14081

Gail and John Szucs  
64 Taylor Dr  
Tonawanda, NY 14150

Anna C Taylor Trustees or their  
Successors  
525 Hayes St  
West Lafayette, IN 47906

George F Vacanti  
3115 Baseline Rd  
Grand Island, NY 14072

Mary Louise Vaughan  
96 Wide Beach Rd  
Irving, NY 14081

Kalyn and Patrick Vogl  
9 Wide Beach  
Irving, NY 14081

W.B. Preservation Inc.  
c/o Ellen Marcy  
18 Wide Beach  
Irving, NY 14081

Maureen and William Wielinski  
34 South Roycroft Blvd  
Cheektowaga, NY 14225

Babette Leisner, Barbara Sigafos  
and Richard Winnicki  
70 McParlin Ave  
Cheektowaga, NY 14225

Sharon Schultz and Bette Ann  
Wolinski  
S-6109 Old Lake Shore Rd  
Lake View, NY 14085

Jeannine Yager  
158 Claremont Ave  
Buffalo, NY 14222

Kim and Bruce Zehnder  
9669 Foote Rd  
Glenwood, NY 14069

Melissa J Zodda  
86 Wide Beach Rd  
Irving, NY 14081

Jeanette and Frederick Ball  
33 Fox St  
Irving, NY 14081



**PUBLIC NOTICE**

**State Superfund Program**

Receive Site Information by Email. See "For More Information" to Learn How.

**Site Name:** Wide Beach

**March 20, 2012**

**Site No. 915119** Tax Map No. 281.06-1-[multiple], 281.07-1-4.1, 281.07-1-5, 281.07-1-1, 281.07-1-3.1

**Site Location:** Wide Beach Community, Brant, NY 14027 Erie County

**Inactive Hazardous Waste Disposal Site Delist Notice**

The Inactive Hazardous Waste Disposal Site Program (the State Superfund Program) is the State's program for identifying, investigating, and cleaning up sites where the disposal of hazardous waste may present a threat to public health and/or the environment. The New York State Department of Environmental Conservation (Department) maintains a list of these sites in the Registry of Inactive Hazardous Waste Disposal Sites (the "Registry"). The Department has determined that this site (see map on reverse side) no longer presents a threat to public health or the environment and is proposing to delist the site from the Registry for the following reason(s):

Historic application of oil to control dust on roadways within the community contaminated roads, driveways, soil, and adjacent wetlands with Polychlorinated Biphenyls (PCBs). In 1985, the US Environmental Protection Agency (EPA) issued a Record of Decision for the site calling for excavation of soil containing PCBs exceeding 10 parts per million (ppm), onsite chemical/thermal treatment of excavated soil, and the reuse of treated soil containing less than 2 ppm PCBs for backfill. The treated soil lacked the necessary physical properties to serve as backfill under roadways and could not support vegetation and was removed and replaced with imported backfill.

Some residual PCB concentrations remain, specifically at those properties that did not qualify for soil removal and potentially at depth on those properties where remediation occurred. While some properties may have residual concentrations of PCBs in soil, the levels are low and limited in extent. The remedy has addressed human exposure concerns.

Public comments are being received before the decision to remove the site from the Registry is finalized. The public comment period will end April 30, 2012. If you would like to provide us with written comments, please send them to: Michael Cruden, Director, Remedial Bureau E, NYS Department of Environmental Conservation, 625 Broadway, 12<sup>th</sup> Floor, Albany, NY 12233-7017; mjcruden@gw.dec.state.ny.us; or to submit by phone, call 518-402-9814.

A summary of any comments will be assembled and made available for viewing at our Central Office at 625 Broadway, Albany, NY 12233-7017.

If we do not receive any new or additional information during this public comment period that changes our delist proposal, we will delist the site on or after May 21, 2012.

**If you own property adjacent to this site and are renting or leasing your property to someone else, please share this information with them. If you no longer wish to be on the contact list for this site or otherwise need to correct our records, please contact the Department's Project Manager listed above.**

**FOR MORE INFORMATION**

Additional information about this site can be found using the Department's "Environmental Site Remediation Database Search" engine which is located on the internet at: [www.dec.ny.gov/cfm/xtapps/derexternal/index.cfm?pageid=3](http://www.dec.ny.gov/cfm/xtapps/derexternal/index.cfm?pageid=3)

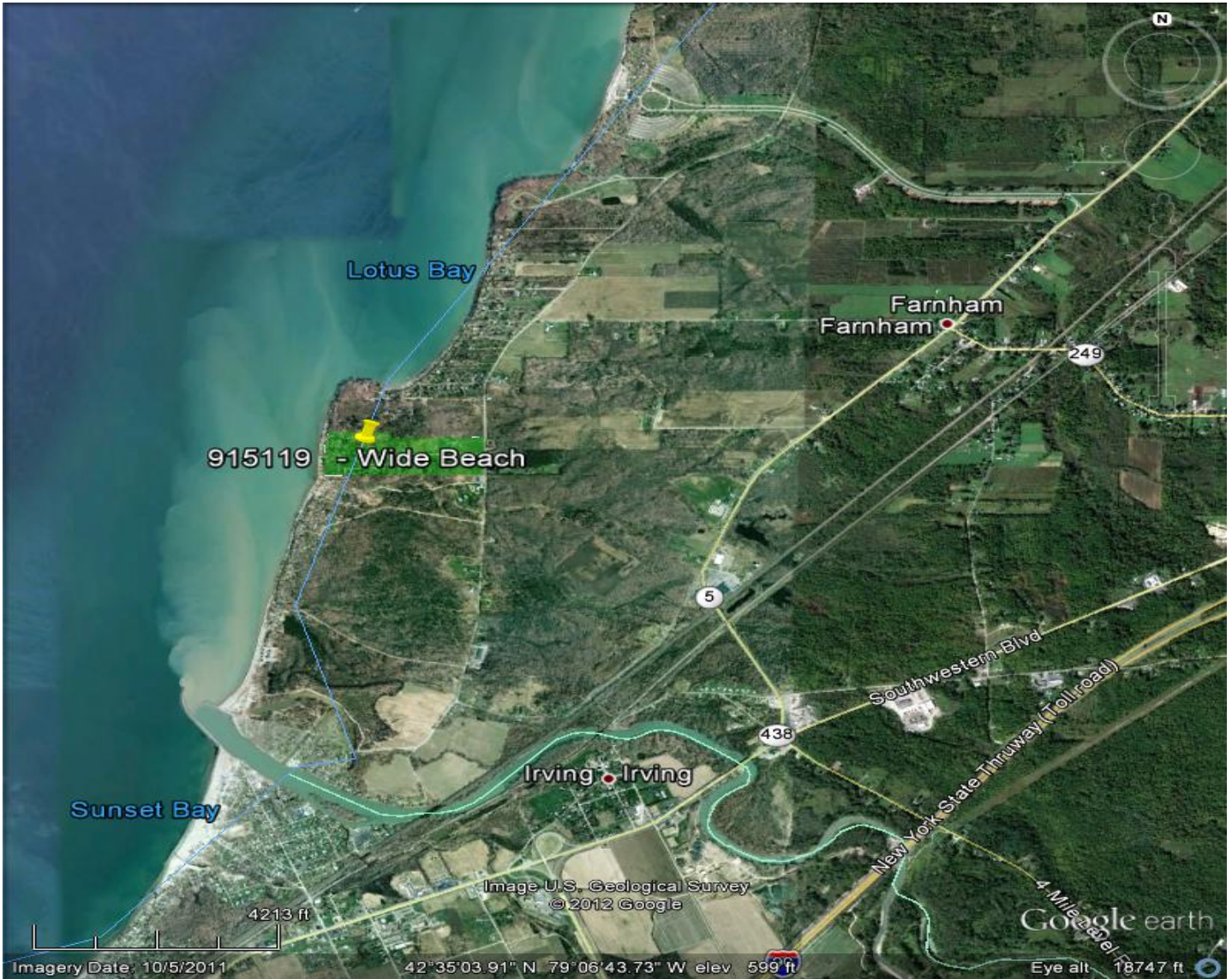
The Department is sending you this notice in accordance with Environmental Conservation Law Article 27, Title 13 and its companion regulation (6 NYCRR 375-2.7(b)(6)(ii)) which requires the Department to notify all parties on the contact list for this site of this recent action.

## Approximate Site Location

Wide Beach

Site ID: 915119

Wide Beach Community, Brant, NY Erie County 14027



### Receive Site Updates by Email

Have site information such as this public notice 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:

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

You may continue also to receive paper copies of site information for a time after you sign up with a county listserv, until the transition to electronic distribution is complete.

**Note:** Please disregard if you received this notice by way of a county email listserv.



**Electronic copies:**

R. Schick, Acting Director, Division of Environmental Remediation  
A. English, Director, Bureau of Technical Support  
K. Lewandowski, Chief, Site Control Section  
M. Cruden, Director, Remedial Bureau E and Project Manager  
M. Doster, RHWRE, Region 9  
G. Sutton, RHWRE, Region 9  
D. Denk, Regional Permit Administrator, Region 9  
M. Gollwitzer, Regional CPS, Region 9  
S. Bates, NYSDOH  
L. Ennist, DER, Bureau of Program Management  
B. Anderson, Site Control Originator

Donald J. Munch  
10907 Lake Shore Rd  
Irving, NY 14081

Barbara J. Daniel  
Town Clerk  
127 Brant-North Collins Rd  
PO Box 228  
Brant, NY 14027

Leonard K. Pero  
Town Supervisor  
127 Brant-North Collins Rd  
PO Box 228  
Brant, NY 14027

Jean and Thomas Gilhooley  
61 Lafayette Ave  
Buffalo, NY 14213

Environment & Planning  
Environmental Department  
95 Franklin Street, 10th Floor  
Buffalo, NY 14202

The Hamburg Sun  
Newspaper  
Hamburg Village Square Plaza  
141 Buffalo St  
Hamburg, NY 14075

Clark Borngraber  
Town Board  
127 Brant-North Collins Rd  
PO Box 228  
Brant, NY 14027

Jeffry Gier  
Town Board  
127 Brant-North Collins Rd  
PO Box 228  
Brant, NY 14027

Lotus Abode LLC  
2 Wood Hill Rd  
Pittsford, NY 14534

Christopher L. Jacobs  
County Clerk  
92 Franklin St  
Buffalo, NY 14202

Patricia J Tronolone  
c/o Karen S Rugg Extx  
7131 Campbell Blvd  
North Tonawanda, NY 14120

Seneca Nation of Indians  
Reservation  
Route 438  
Irving, NY 14081

Donald Clark  
Town Board  
127 Brant-North Collins Rd  
PO Box 228  
Brant, NY 14027

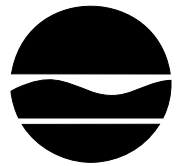
Chad Kacmarek  
Town Board  
127 Brant-North Collins Rd  
PO Box 228  
Brant, NY 14027

Farnham Water Dept.  
Water Department  
426 Commercial St  
Farnham, NY 14061

Gale R. Burstein, MD, MPH, FAAP  
Health Department - Commissioner  
95 Franklin Street  
Buffalo, NY 14202

Mark Poloncarz, County Executive  
Edward A. Rath County  
Office Building  
95 Franklin St  
Buffalo, NY 14202

**New York State Department of Environmental Conservation**  
**Division of Environmental Remediation**  
**Bureau of Technical Support, 11<sup>th</sup> Floor**  
625 Broadway, Albany, NY 12233-7020  
**Phone: (518) 402-9553 • Fax: (518) 402-9547**  
**Website: [www.dec.ny.gov](http://www.dec.ny.gov)**



Joe Martens  
Commissioner

May 21, 2012

Jeanette and Frederick Ball  
33 Fox St  
Irving, NY 14081

RE: DEC Site No.: 915119  
Site Name: Wide Beach  
Site Address: Wide Beach Community,  
Brant, Erie County, 14027

Dear Sir/Madam:

The 60-day prior notification which included a 30-day public comment period has ended. These requirements were established for the proposed deletion of sites from the New York State Registry of Inactive Hazardous Waste Disposal Sites (the Registry).

This letter serves as your official notification that the subject site has been deleted from the Registry and that the deletion became effective on the date marked above.

If you have any questions relative to this matter or wish to review any associated documents in the repository, please contact the Project Manager, Mr. Michael Cruden, Director, Remedial Bureau E, NYS Department of Environmental Conservation, 625 Broadway, 12<sup>th</sup> Floor, Albany, NY 12233-7017; or at (518) 402-9814.

Sincerely,

Kelly A. Lewandowski, P.E.  
Chief  
Site Control Section

ec: M. Cruden  
A. English  
K. Lewandowski  
K. Anders, NYSDOH  
L. Ennist  
D. Denk  
M. Brady  
M. Doster  
G. Sutton  
B. Anderson

Jeanette and Frederick Ball  
33 Fox St  
Irving, NY 14081

Mary Ann Ball  
27 Wide Beach Rd  
Irving, NY 14081

Bruce Bauer  
1250 Cleveland Dr  
Cheektowaga, NY 14225

Donna and David Brown  
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Irving, NY 14081

Mary and Paul Buchanan  
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Cheryl and Robert Caldwell  
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Lissa and Jeffrey Carroll  
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Buffalo, NY 14220

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Rm 1034  
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Marianna and John Elliott  
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Ste 2  
East Aurora, NY 14052

Helen Marie Findlay  
8 Four Seasons Cir  
Egbertsville, NY 14226

Christine M Gierlinger  
59 Wide Beach Rd  
Irving, NY 14081

Marguerite Guerra  
12 Union Pl  
Williamsville, NY 14221

Janice and Frederick Hansen  
43 Wide Beach Rd  
Irving, NY 14081

Jeanne Sasiadek and Ronald  
Helmich  
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Cheektowaga, NY 14227

Robert W Jr Hickey  
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**SUPERFUND SITE CLOSE-OUT REPORT  
WIDE BEACH DEVELOPMENT  
TOWN OF BRANT  
ERIE COUNTY  
NEW YORK**

**I. SUMMARY OF SITE CONDITIONS**

**Site Background**

The Wide Beach Development, incorporated in 1920, is a small lake-side community with 60 residential homes situated on about 55 acres. The site is located in the Town of Brant, Erie County, New York.

Between 1964 and 1978, about 41,000 gallons of waste oil, some of which was contaminated with polychlorinated biphenyls (PCBs), were applied to local roadways for dust control. In 1980, the installation of a sanitary sewer line in the community resulted in the excavation of highly contaminated soils from the roadways. Surplus excavated soil was used as fill in several residential yards.

An investigation of an odor complaint in 1981 by the Erie County Department of Environment and Planning led to the discovery of 19 drums in a wooded area at the Wide Beach Development community. Two of these drums contained PCB-contaminated waste oil. Subsequent sampling indicated the presence of PCBs in the air, roadway and yard soils, vacuum cleaner dust from the homes, and in water samples from private wells.

The site was included on the *National Priorities List* in September 1983, primarily because of the potential for exposure of the community to PCBs in air-carried dust, surface water and groundwater.

In June-July 1985, in response to the levels of PCB contamination found in the homes during the remedial investigation (RI) at the site, EPA performed an immediate removal action including: 1) paving of the roadways, drainage ditches, and driveways to prevent further exposure of the public via the dust and runoff routes; 2) decontamination of the homes by rug shampooing, vacuuming, and replacement of air conditioner and furnace filters; and 3) protection of individual private wells by the installation of particulate filters. The immediate removal action addressed the immediate threat to public health.

**Remedial Investigation and Feasibility Study Results**

An RI and feasibility study (FS) were conducted by the New York State Department of Environmental Conservation's (NYSDEC's) contractor, EA Engineering, Science, and Technology, Inc., during 1984 and 1985 to determine the nature and extent of the contamination at and emanating from the site, to assess the threat the site poses to

public health and the environment, and to develop and evaluate various alternatives to remediate the site. The RI concluded that: 1) PCBs, specifically Aroclor 1254, were the primary contaminants at the site; 2) surficial soils in the roadways, drainage ditches, driveways and front yards of lots bordering the roadways were highly contaminated with PCBs; 3) contamination of drinking water wells was sporadic and, when detected, was in the parts per billion range; 4) observation wells screened in the sanitary sewer trench were the most contaminated; 5) surface water transport was the most important route of migration; 6) on-site soils would act as a long-term source of PCBs; and 7) routes of human exposure to PCBs include ingestion of contaminated vegetables, ingestion of soil, inhalation and dermal absorption.

A number of remedial alternatives were identified and evaluated for their capability to reduce the PCB concentration in the soil to the lowest possible level consistent with engineering feasibility, environmental effects and protection, public safety, costs and regulatory restraints. The results of the analysis showed the "No-Action" alternative to be considerably less protective than the action remedial alternatives, and that there were no significant differences among the remedial alternatives. However, since EPA considers the treatment of contaminants to be more favorable than land disposal, chemical treatment of the PCB-contaminated soils above 10 parts per million (ppm) was identified as the preferred alternative.

### **Record of Decision Findings**

A Record of Decision (ROD) was signed on September 30, 1985, selecting excavation and chemical treatment (utilizing potassium polyethylene glycol (KPEG)) of about 37,600 cubic yards of PCB-contaminated soils from the site's roadways, drainage ditches, driveways, yards, and wetlands; backfilling of the excavated areas with the treated soil; treatment of the perched water in the sewer trench; and construction of a hydraulic barrier at the end of the sewer trench, as the long-term remedial measure for the site.

### **Remedial Design and Remedial Action**

The remedial design (RD) was initiated by EPA's contractor, Ebasco Services, Inc. (Ebasco), in May 1986. Sampling, to better define the extent of contamination at the site, was performed by Ebasco in November 1986. To determine the suitability of KPEG to remediate the site's soils, bench-scale treatability studies were performed. Based upon favorable results of the bench-scale studies, EPA's contractor proceeded with on-site pilot-scale treatability studies. Based upon the pilot-scale test results the PCB concentration of the treated soil was lowered to 2 ppm or less. Using the results of the pilot-scale tests, a commercial-size unit was designed. The RD, including the preparation of bidding documents to implement the remedy, was completed in February 1989.

In December 1988, an interagency agreement was signed with the United States Army Corps of Engineers (USACE) for the procurement of a remedial action (RA) contractor



and to provide for USACE management and administration of the RA contract. In May 1989, the USACE solicited requests for proposals. Proposals were received in July 1989 and, after their evaluation in October 1989, an RA contract was awarded to Kimmins Thermal Corporation (Kimmins).

A Value Engineering Change Proposal, offering a different dechlorination technology (SoilTech Anaerobic Thermal/Dechlorination Process) than that in the contract documents, which offered cost savings and a more rapid cleanup, was submitted by Kimmins in February 1990. A demonstration test of the proposed technology was performed in September 1990. The test demonstrated that the technology could reduce the PCB concentration in the treated soil to 2 ppm or less, as required by the bid documents. The technology was accepted, and processing of PCB-contaminated soil commenced in October 1990. Processing was completed on September 26, 1991 and the USACE issued a *Remedial Action Report* for this operable unit on September 30, 1991.

A wetland delineation study performed during the RD determined that the only suitable area on-site for the set-up of the chemical treatment unit and for the storage of the contaminated and treated soil piles was located on a nine-acre portion of a wetland. Consequently, it became necessary that, following the completion of the processing of the PCB-contaminated soils in September 1991, this area be restored to its original wetland condition. The restoration plan consisted of regrading the area back to its original elevations and the planting of trees, shrubs, and grasses of the same or similar species that were present originally. The restoration of the wetland was completed on September 11, 1992, and the USACE issued a *Remedial Action Report* on September 24, 1992.

During the implementation of the RD/RA, a number of significant differences from the ROD became necessary, although these differences were not considered to have fundamentally altered the remedy set forth in the ROD. An *Explanation of Significant Differences* was issued in August 1992, describing the differences and the explanation for them. In summary, the differences are: 1) using virgin asphalt, instead of recycling "clean" asphalt for repaving, since this approach was less expensive; 2) restoring the area used on-site for installing the chemical treatment unit and for the storage of the contaminated and treated soil piles to its original wetland condition; 3) disposing of quantities of treated soil off-site (the ROD called for all of the treated soil to be used as backfill on-site) since a) borrow soil that was brought in to match production rates of the treatment unit with excavation rates resulted in excess treated soil, b) the high processing temperature altered the physical properties of the soil leaving it unsuitable for road sub-base material, c) the road's grade was lowered to improve stormwater drainage (resulting in surplus soil), and d) excess soil that was to be spoiled on-site was disposed of off-site since the spoiling area was determined to be a wetland; and 4) not treating the PCB-contaminated perched water in the sewer trench and not constructing a hydraulic barrier at the end of the sewer trench to prevent off-site migration of PCB-contaminated

groundwater, since the results of a perched water study undertaken during the design determined that the PCB-contamination of the perched water was due principally to the PCB-contaminated soil particles suspended in the water (the source of which was removed when the contaminated soils were excavated). In addition, the *Explanation of Significant Differences* noted that the RA cost increased from the ROD estimate of \$8.8 million to approximately \$27.7 million. Of the \$18.9 million increase, about \$12.7 million is attributable to the increased cost for the chemical treatment of the PCB-contaminated soils that were processed (even though only 22,600 cubic yards of soil was treated compared to the 37,600 cubic yards estimated in the ROD). The increase in the treatment cost reflects the difficulty of estimating the cost of an innovative technology. The remaining cost increase of \$6.2 million was due to a number of construction activities not accounted for in the ROD (*i.e.*, the on-site mobilization and demobilization of the processing unit and the use of an on-site laboratory), unforeseen construction activities and associated costs that became evident during the construction phase itself (*i.e.*, the off-site disposal of treated soil), and additional construction activities necessary to comply with wetland-related requirements (*i.e.*, the restoration of the wetland).

A pre-final inspection conducted on September 26, 1992 determined that the contractor had constructed the remedy in accordance with RD plans and specifications. A *Preliminary Close-Out Report* (instead of a *Close-Out Report*) was approved on September 30, 1992, since several punch list items necessary to achieve site completion were identified, including replacing soil in two residential yards and planting additional trees in the restored wetland to better match the original state of the wetland. In addition, collecting a confirmational perched water sample for PCBs from the sewer trench was required. The punch list items were addressed, and a final inspection of those items was performed on June 3, 1993. The USACE issued a *Completion of Construction Activities* notification to EPA on September 10, 1993. The perched water was sampled on June 29, 1993, and a report was issued on July 15, 1993, stating that no PCBs were detected in the perched water.

### **Community Relations Activities Performed**

Following the discovery of PCBs in on-site drums in July 1981, the presence of PCBs in on-site soils and drinking water was identified by the Erie County Department of Environment and Planning. On May 8, 1982, a public meeting was held to discuss the extent of the PCB contamination problem at the Wide Beach Development site.

A more comprehensive sampling program was performed by EPA's Field Investigation Team in April 1983. On October 27, 1983, a public meeting was held to explain the results of this investigation.

On April 8, 1985, a public meeting was held to present the results of the RI. On August 29, 1985, a public meeting was held to present the results of the FS and to identify the remedy that EPA and NYSDEC proposed for the site.

A public meeting was held on December 15, 1988 to discuss the RD that was then being developed and to obtain the community's input.

On April 25, 1990, a public meeting was held to inform the community that a contract had been awarded by the USACE to perform the remediation, and that remedial activities were about to commence at the site.

In addition to the above meetings, there were a number of informal meetings at the site with the residents to discuss the progress of the remediation and to provide an opportunity for the residents to express their concerns and pose any questions they might have.

The Brant Town Hall is the designated repository for public documents for this site. The documents are also available at EPA's offices in New York, New York and NYSDEC's offices in Buffalo and Albany, New York.

Community turnouts were large at the public meetings during the course of the project. The public has shown a skeptical, yet keen interest in the use of the new technology (chemical treatment) to remediate the site. Although the community was initially concerned, considering that this was the first time that this technology was being used to remediate a site, there was no outright objection to its utilization at the site.

Prior to the on-site pilot plant treatability tests, the pilot plant was brought on-site. During an open house session, the residents were given a tour and a demonstration using clean soil. This served to acquaint the residents with the activities that could be expected on-site during the pilot plant tests and forestall questions that might have arisen when the pilot plant was in operation.

Residents were also given the option of temporary relocation for the period while construction activities were underway in the vicinity of their properties. This option was accepted by 10 of the 60 families located on-site. Those parties that were relocated were placed in local motels for periods averaging 2-3 weeks.

There was a 30-day public comment period starting February 8, 1993 associated with a settlements stemming from the litigation initiated by the United States under the Comprehensive Environmental Response, Compensation, and Liability Act to recover its response costs in connection with the site. There will be a public comment period associated with any subsequent settlements, as well.

## II. DEMONSTRATION OF QA/QC FROM CLEANUP ACTIVITIES

All samples collected as part of the RA followed the procedures set forth in the *Site Specific Quality Control Management Plan for the Wide Beach Development Site*,

*Farnham, New York* manual.

Approximately 10 percent of all samples were duplicates taken for quality control purposes. The USACE's New England Division Laboratory was used as the quality assurance laboratory.

Surveys were performed by licensed surveyors and the plants placed in the wetlands were required to conform to ANSI Z60.1, American Standard for Nursery Stock. Licensed USACE engineers performed construction oversight activities. In addition, a USACE botanist performed a field inspection of the wetland plantings as part of the quality control program.

The contractor was required to submit daily quality control reports and USACE personnel were on-site to perform quality assurance reviews.

The performance standards and construction quality control were performed in accordance with the contract drawings and specifications.

### III. MONITORING RESULTS

EPA's contractor collected drinking water samples in 50-60 resident's homes in August 1990. The New York State Department of Health (NYSDOH) collected samples of drinking water in 6 resident's homes in February 1991. Neither sampling event detected PCBs.

During the excavation of the PCB-contaminated soils in the roadway, ditches, driveways and resident yards, post excavation soil samples were collected to confirm that all PCB-contaminated soil with a concentration of 10 ppm and above was removed.

Daily particulate air samples were collected in the construction activity area and in the area of the processing unit to ensure that particulate limits were not exceeded.

Three perimeter monitoring stations were installed around the construction activity area. Samples were collected on a weekly basis and checked to determine that PCBs limits were not exceeded.

Surface water run-off from the contaminated soil pile and the processing unit pad was collected, treated, and tested for PCBs before being discharged on-site.

### IV. PROTECTIVENESS

Based upon the results of the analyses taken during the RA, the site meets the requirements set forth in the ROD pertaining to PCB-contaminated soil, in that any soil

that was found on-site that was contaminated with 10 ppm or higher of PCBs was excavated and treated to reduce the concentration of PCBs to 2 ppm or less. This level is protective of public health, welfare, and the environment.

The sewer trench perched water was sampled on June 29, 1993. Analysis of the samples showed that no PCBs were detected.

EPA's and NYSDOH's sampling of the drinking water in resident's homes have not detected PCBs.

#### V. SUMMARY OF OPERATION AND MAINTENANCE

There are no operational requirements since all remediation activities have been completed. A three-year maintenance plan is required for the wetland restoration component of the remedy. The contractor is required to perform an annual inspection and submit a report on the survival rates of the various plantings. Any dead trees, shrubs, herbs, or grass in excess of 15% will be replaced by the contractor.

#### VI. Five-Year Review

No five-year review is required for this site because no waste materials were left on-site above health-based levels.

Approved by:

  
\_\_\_\_\_  
William J. Muszyński, P.E.  
Acting Regional Administrator

8/25/93  
Date

**BIBLIOGRAPHY**  
**FOR**  
**WIDE BEACH DEVELOPMENT SITE**  
**CLOSE-OUT REPORT**

**I. SITE BACKGROUND**

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**REMEDIAL INVESTIGATION AND FEASIBILITY STUDY RESULTS**

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**DECISION DOCUMENTS**

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**REMEDIAL DESIGN AND REMEDIAL ACTION**

*Field Operations Plan*; Ebasco Services, Inc.; November 1986

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*Final Wetland Delineation/Floodplain Assessment Report*; Ebasco Services, Inc.; September 1989

*Value Engineering Change Proposal*; Kimmins Thermal Corporation; February 26, 1990

*Explanation of Significant Differences*; U.S. Environmental Protection Agency; August 1992

**U.S. ENVIRONMENTAL PROTECTION AGENCY**

**REQUESTS COMMENTS ON THE DELETION**

**OF THE**

**WIDE BEACH DEVELOPMENT SITE, ERIE COUNTY, NEW YORK**

**FROM THE NATIONAL PRIORITIES LIST**

**THE U.S. ENVIRONMENTAL PROTECTION AGENCY (EPA) ANNOUNCES ITS INTENT TO DELETE THE WIDE BEACH DEVELOPMENT SITE FROM THE NATIONAL PRIORITIES LIST (NPL), APPENDIX B OF THE NATIONAL OIL AND HAZARDOUS SUBSTANCES CONTINGENCY PLAN AND REQUESTS COMMENTS ON THIS DELETION. EPA HAS COMPLETED CLEANUP ACTIVITIES AT THE SITE AND IS PROPOSING THAT IT BE TAKEN OFF THE NPL. THIS DELETION DOES NOT PRECLUDE FUTURE ACTIONS UNDER SUPERFUND.**

**EPA, IN CONJUNCTION WITH THE STATE OF NEW YORK, HAS DETERMINED THAT ALL APPROPRIATE RESPONSE MEASURES HAVE BEEN IMPLEMENTED AND THAT NO FURTHER CLEANUP ACTION IS REQUIRED. EPA HAS DETERMINED THAT THE IMPLEMENTED REMEDY IS PROTECTIVE OF PUBLIC HEALTH, WELFARE, AND THE ENVIRONMENT.**

**THE PUBLIC IS INVITED TO COMMENT ON THE PROPOSED DECISION TO DELETE THIS SITE FROM THE NPL. THE PUBLIC COMMENT PERIOD WILL BEGIN ON APRIL 1, 1994, AND WILL EXTEND FOR THIRTY (30) DAYS. WRITTEN COMMENTS MUST BE RECEIVED NO LATER THAN APRIL 30, 1994, AND SHOULD BE ADDRESSED TO:**

**HERBERT KING, REMEDIAL PROJECT MANAGER**

**U.S. ENVIRONMENTAL PROTECTION AGENCY**

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