

932078

New York State Department of Environmental Conservation  
Division of Hazardous Waste Remediation  
Bureau of Hazardous Site Control

## ADDITIONS/CHANGE TO REGISTRY: SUMMARY OF APPROVALS

SITE NAME 93rd Street School DEC I.D. NUMBER 932078

Current Classification 2

Activity: ☐ Add as Class ☐ Reclassify to ☒ Delist Category D2 ☐ Modify ☐

## Approvals:

Regional Hazardous Waste Engineer	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
NYSDOH	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
DEE	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
BHSC: a. Investigation Section	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
b. Site Control Section	<u>Robert M. Arcene</u> <u>2-14-94</u>			Date <u>3/14/94</u>
c. Director	<u>Charles M. Follis</u> <u>3-14-94</u>			Date <u>3/14/94</u>
DHWR Assistant Director	<u>Charles M. Follis</u> <u>3-15-94</u>			Date <u>3/15/94</u>

## COMPLETION CHECKLIST

	YES	COMPLETED BY: INITIALS DATE
OWNER NOTIFICATION LETTER?	<input checked="" type="checkbox"/>	<u>7-14-94</u>
ADJACENT PROPERTY OWNER NOTIFICATION LETTER?	<input checked="" type="checkbox"/>	<u>8-15-94</u>
ENB/LEGAL NOTICE SENT? (For Deletion Only)	<input checked="" type="checkbox"/>	<u>8/10/94</u> D.F.
COMMENTS SUMMARIZED/PLACED IN REPOSITORY	<input checked="" type="checkbox"/>	<u>10/28/94</u> D.F.
FINAL NOTIFICATION SENT TO OWNER? (For Deletion Only)	<input checked="" type="checkbox"/>	

(For proposed Class 2a sites only) Planned investigative activities & dates: \_\_\_\_\_

11/18/92

# REGISTRY SITE CLASSIFICATION DECISION

1. SITE NAME 93rd Street School		2. SITE NO 9-32-078		3. TOWN/CITY/VILLAGE Niagara Falls		4. COUNTY Niagara	
5. REGION 9		6. CLASSIFICATION Current 2 Proposed Delist Modify					
7. LOCATION OF SITE (Attach U.S.G.S Topographic Map showing site location)							
a. Quadrangle Tonawanda West, NY							
b. Site Latitude 43° 05' 15" Longitude 79° 57' 14"							
c. Tax Map Numbers 161.10 - 5 - 14							
d. Site street address 607 Walnut Avenue, Niagara Falls, NY							
8. BRIEFLY DESCRIBE THE SITE (Attach site plan showing disposal/sampling locations)							
3000 yds of flyash and BHC from Love Canal Site was used as fill and covered with soil cover. Phase I & II were completed in 1984 and site listed in NPL. RI/FS was conducted which confirmed soil contamination with both organic and inorganic compounds.							
a. Area 19.4 acres b. EPA ID Number NYD 980507198							
c. Completed (X)Phase I (X)Phase II ( )PSA (X)RI/FS ( )PA/SI (X)Other RD/RA							
9. HAZARDOUS WASTES DISPOSED (Include Part 371 hazardous waste name & number)							
°15757.47 Tons of contaminated soils excavated and disposed at 102nd St. Landfill							
°269.987 of hazardous soils (lead) disposed at TSDF in Michigan							
10. ANALYTICAL DATA AVAILABLE							
a. ( )Air (X)Groundwater (X)Surface Water (X)Soil ( )Waste ( )EPTox ( )TCLP							
b. Contravention of Standards or Guidance Values (Include standard/guidance value)							
The shallow ground water exceeded some of the guidance values. However, public water is supplied to the area.							
11. JUSTIFICATION FOR CLASSIFICATION DECISION							
Contaminated soils have been removed from the site. A hot spot containing hazardous waste (270 tons) was also excavated and disposed at a TSDF.							
The 93rd. Street School Site Remediation was completed in accordance with the Contract Documents dated July 9, 1991 and Addendum No.1 dated August 9, 1991, and was Certified on September 18, 1992.							
12. SITE IMPACT DATA (Use UNK in space or U in N box if unknown)							
a. Nearest surface water: Distance Adj. ft. Direction N Classification D2							
b. Nearest Groundwater: Depth 7 ft. Flow Direction ( )Sole Source ( )Primary ( )Principal							
c. Nearest water supply: Distance Public ft. Direction Active ( )Yes ( )No							
d. Nearest building: Distance Site ft. Direction Use							
e. In State Economic Development Zone? ( )Y ( )N							
f. Crops or livestock on site? ( )Y (X)N							
g. Documented fish or wildlife mortality? ( )Y (X)N							
h. Impact on special status fish or wildlife resource? ( )Y (X)N							
i. Controlled site access? ( )Y ( )N							
j. Exposed hazardous waste? ( )Y ( )N							
k. HRS Score							
l. For Class 2: Priority Category							
13. SITE OWNER'S NAME Niagara Falls Board of Education		14. ADDRESS 607 Walnut Avenue Niagara Falls, New York			15. TELEPHONE NUMBER (716) 286-4205		
16. PREPARER				17. APPROVED			
Signature <i>Gerald J. Rider Jr</i> Date 11/29/93				Signature <i>Charles J. Faldut</i> Date 3/15/94			
Name, Title, Organization GERALD J. RIDER JR Chief O&M DHWR				Name, Title, Organization Asst Dir			

**NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION  
DIVISION OF HAZARDOUS WASTE REMEDIATION  
INACTIVE HAZARDOUS WASTE DISPOSAL REPORT**

**CLASSIFICATION CODE:** D2

**REGION:** 9

**SITE CODE:** 932078

**EPA ID:** NYD980507198

**NAME OF SITE:** 93rd Street School

**STREET ADDRESS:** 93rd Street School

**TOWN/CITY:**

Niagara Falls

**COUNTY:**

Niagara

**ZIP:**

10278

**SITE TYPE:** Open Dump-X

Structure - Lagoon- Landfill- Treatment Pond-

**ESTIMATED SIZE:** 19.4

Acres

**SITE OWNER/OPERATOR INFORMATION:**

**CURRENT OWNER NAME:** Niagara Falls Board of Education

**CURRENT OWNER ADDRESS:** 607 Walnut Ave., Niagara Falls, NY

**OWNER(S) DURING USE:** Niagara Falls Board of Education

**OPERATOR DURING USE:**

**OPERATOR ADDRESS:**

**PERIOD ASSOCIATED WITH HAZARDOUS WASTE:** From 1954 To 1980

**SITE DESCRIPTION:**

In 1954, the Niagara Falls Board of Education contracted to have 3000 cubic yards of fly ash and BHC hauled from Love Canal for fill at this site. Subsequently, the fill was covered by 3 ft. of top soil. The site is located within a residential section. Benzene, toluene, BHC, lindane and dioxin have been detected in the soil, surface and groundwater, storm sewers and sediment. A State Superfund Phase I Investigation was completed in June 1983. A Phase II Field Investigation was undertaken in June - July 1984. This investigation revealed the presence of dioxin in subsurface soils on site. The USEPA conducted surface soil sampling during 1985. An RI/FS at this site was completed in 1988. EPA signed a Record of Decision in September, 1988 which called for excavation and on-site solidification/stabilization of soils. During the Remedial Investigation and other follow up supplementary investigations, dioxin was not detected at EPA's level of concern of 1 ppb was prepared and EPA Issued an Amendment to the ROD in May 1991 replacing on site solidification/stabilization by off-site disposal. The remedial work was completed in June 1992 with the 15,757,47 tons of materials excavated and stored in a secure cell at the 102nd Street Site for use as part of the fill during remediation of the 102nd Street Landfill. Two hundred sixty (260) tons of soil were determined to be hazardous (failed for TCLP lead) and were transported and disposed of at TSD in Michigan.

**TYPE**

**QUANTITY (units)**

-----  
Fly Ash and BHC cakes  
from Love Canal

-----  
3000 cubic yards

**ANALYTICAL DATA AVAILABLE:**

SITE CODE: 734018

Air- Surface Water-X Groundwater-X Soil-X Sediment-X

**CONTRAVENTION OF STANDARDS:**

Groundwater-X Drinking Water-X Surface Water- Air-

**LEGAL ACTION:****TYPE:**

State-

Federal-

**STATUS:** Negotiation in Progress-

Order Signed-

**REMEDIAL ACTION:**

Proposed-

Under design-

In Progress-

Completed-X

**NATURE OF ACTION:** Excavation and of site disposal of contaminated and hazardous soils.**GEOTECHNICAL INFORMATION:****SOIL TYPE:** Layers of fine sand, silt and clay over glacial tile**GROUNDWATER DEPTH:** 10 feet**ASSESSMENT OF ENVIRONMENTAL PROBLEMS:**

The site remediation plan has been implemented.

**ASSESSMENT OF HEALTH PROBLEMS:**

The remedial activities have been completed, including excavation of "hot-spots" and backfilling and covering with clean soil. Public water is supplied to the area.

## DECLARATION FOR THE RECORD OF DECISION AMENDMENT

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### SITE NAME AND LOCATION

93rd Street School - Love Canal, City of Niagara Falls,  
Niagara County, New York

### STATEMENT OF BASIS AND PURPOSE

The purpose of this decision document is to amend the Love Canal 93rd Street School site 1988 Record of Decision to allow for the off-site disposal of the contaminated soils.

This decision document presents the modified selected remedial action for the 93rd Street School site, located in the Love Canal Emergency Declaration Area, Niagara Falls, New York, in accordance with the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended (CERCLA), and, to the extent practicable, the National Contingency Plan (NCP).

This decision document explains the factual and legal basis for selecting the remedy for the 93rd Street School site and is based upon its Administrative Record. The attached index (Appendix C) identifies the items which comprise the Administrative Record upon which the selection of the remedial action is based.

The State of New York concurs with the selected remedy. (See Appendix D).

### ASSESSMENT OF THE SITE

Actual or threatened releases of hazardous substances from this site, if not addressed by implementing the remedial action selected in this Amendment to the 1988 Record of Decision (ROD), may present an imminent and substantial endangerment to public health, welfare, or the environment.

### DESCRIPTION OF THE SELECTED REMEDY

The remedy presented in this document addresses the off-site disposal of the contaminated soils at the 93rd Street School site.

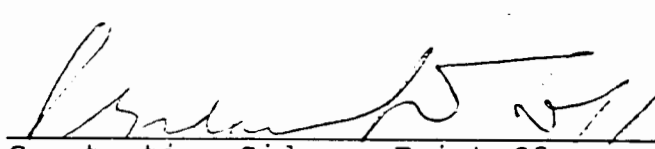
The major components of the selected remedy include:

- ♦ Excavation and off-site disposal of approximately 7000 cubic yards of the contaminated material from the hot-spot areas, which may be reused or recycled off-site as cover and/or fill material.
- ♦ Backfilling the excavated area with Site soils from areas of lower contamination, covering with approximately one foot of suitable fill material, and regrading to contours for proper drainage.

The remediation of site soils, which are considered the principle threat to the site, will prevent any potential groundwater contamination and reduce the risks associated with exposure to the contaminated soil.

#### STATUTORY DETERMINATIONS

The selected remedy is protective of human health and the environment, since all threats associated with soils ingestion, inhalation and dermal contact would be eliminated. The remedy also complies with federal and state requirements that are legally applicable or relevant and appropriate to the remedial action, provides for the reuse of the contaminated material, and is cost effective.

  
Constantine Sidamon-Eristoff  
Regional Administrator

  
Date

FILE



Langdon Marsh  
Commissioner

NOV - 8 1994

Niagara Falls Board of Education  
607 Walnut Avenue  
Niagara Falls, New York 14301

Dear Sir:

Re: DEC Site #932078  
93rd Street School  
1041 93rd Street, Niagara Falls, NY 14301

The 60 day notification period and inclusive 30 day public comment period have 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). No comments have been received. Therefore, the site has been deleted from the Registry effective with receipt of this letter.

Please refer questions to Gerald Rider, Room 220, 50 Wolf Road, Albany, New York 12233-7010.

Sincerely,

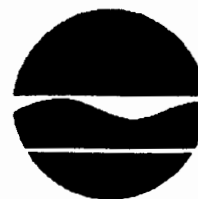
Robert L. Marino  
Chief  
Site Control Section  
Bureau of Hazardous Site Control  
Division of Hazardous Waste Remediation

bcc: G. Rider  
R. Marino  
R. Dana  
A. Carlson  
B. Bentley  
L. Condra  
P. Buechi, R/9  
T. Reamon  
E. Belmore

DF/srh

# FILE

New York State Department of Environmental Conservation  
50 Wolf Road, Albany, New York 12233



Langdon Marsh  
Commissioner

JUL 14 1994

Niagara Falls Board of Education  
607 Walnut Avenue  
Niagara Falls, New York 14301

Dear Sir:

Re: DEC Site No.: 932078  
Site Name: 93rd Street School  
Site Address: 1041 93rd Street  
Niagara Falls, NY 14301

As mandated by Section 27-1305 of the Environmental Conservation Law, the New York State Department of Environmental Conservation (NYSDEC) 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 NYSDEC has concluded that this site has been properly remediated and that no further action is required. Therefore, this letter constitutes notification of DEC's intention to delist this site from the Registry of Inactive Hazardous Waste Disposal Sites in New York State. State laws require that DEC set a 60-day public notification period of 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. If we receive any information which causes us to reconsider this deletion, you will be notified of this change.

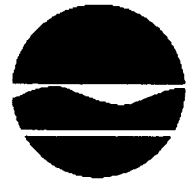
If you have any further questions, please contact me at (518) 457-0747.

Sincerely,

Robert L. Marino  
Chief  
Site Control Section  
Bureau of Hazardous Site Control  
Division of Hazardous Waste Remediation

bcc: R. Marino  
R. Dana  
A. Carlson  
L. Concra  
S. Doleski, R/9  
J. Ryan, R/9  
A. Barkat/P. Buechi, R/9  
E. Belmore  
A. Rockmore  
D. Farrar

DF/srh



Langdon Marsh  
Commissioner

AUG 15 1994

FILE

This letter was sent to the people on the attached list.

Dear :

The New York State Department of Environmental Conservation (DEC) maintains a Registry of sites where hazardous waste disposal has occurred. Property located at 1041 93rd Street, Niagara Falls, New York was listed in the Registry because there was some concern that there was hazardous waste there. The DEC is proposing to delist this site from the Registry. The reason for proposing the removal of this site from the Registry is as follows:

- 3000 cubic yards of flyash and chemicals from the Love Canal site were used as fill and covered with soil at this site in 1954. In 1992, the Environmental Protection Agency, along with NYSDEC, completed excavation of the contaminated area and removal off-site. Follow-up sampling has showed that the clean-up goals set in the Record of Decision (ROD) have been met. A Record of Decision presents the remedial action chosen for a site and documents the information and rationale used to arrive at the decision. No further action is necessary at this site.

Public comments about delisting this site are being received before the decision to remove this site from the Registry is finalized. If you would like to provide us with your written comments, please send them to: Gerald Rider, NYSDEC, Room 220, 50 Wolf Road, Albany, New York 12233-7010. The public comment period will end September 10, 1994. A summary of any comments we receive will be made available at our Region 9 Office, 240 Michigan Avenue, Buffalo, New York.

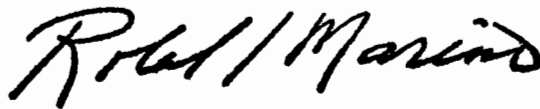
If we do not receive any new or additional information during this public comment period that changes our proposal, we will delist this site on or after October 10, 1994. The name and site I.D. number of this property as listed in the Registry is 93rd Street School, Site ID #932078.

We are sending this letter to you and others who own property near the site listed above as well as the county and town clerks. We are notifying you about these activities at this site because we believe it is important to keep you informed.

If you have questions or need additional information, the Department of Environmental Conservation maintains a hazardous waste site toll-free number: **1(800)342-9296**. The Department of Health maintains a Health Liaison Program (HeLP) toll-free number: **1(800)458-1158 Ext. 402**.

**If you currently are renting or leasing your property to someone else, please share this information with them. If you no longer own the property to which this letter was sent, please provide this information to the new owner and provide this office with the name and address of the new owner so that we can correct our records.**

Sincerely,

A handwritten signature in black ink that reads "Robert L. Marino". The signature is written in a cursive, flowing style.

Robert L. Marino  
Chief, Site Control Section  
Bureau of Hazardous Site Control  
Division of Hazardous Waste Remediation

bcc: G. Rider  
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DF/srh