



FACT SHEET

Brownfield Cleanup Program

Former Buffalo Service Center; Site #:C915194

June, 2005

Buffalo Urban Renewal Agency West Property; Site #: C915195

Buffalo, Erie County, NY

Brownfield Cleanup Application and Draft Remedial Work Plan Available for Public Comment

The New York State Department of Environmental Conservation (NYSDEC) administers the Brownfield Cleanup Program (BCP) pursuant to State Environmental Conservation Law (ECL) 27-1400 et seq. The BCP was created to encourage the remediation and redevelopment of contaminated properties known as brownfields. QLT Buffalo, LLC and Duke Realty HN New York, LLC have submitted joint BCP applications and a Remedial Work Plan for remediation of the former Buffalo Service Center and the adjacent Buffalo Urban Renewal property. The application proposes that these sites will be used for commercial purposes.

The New York State Department of Environmental Conservation requests public comments as it reviews the applications to New York's Brownfield Cleanup Program (BCP); and, requests public comments as it reviews a proposed remedy to address contamination related to former Buffalo Service Center and the adjacent Buffalo Urban Renewal property located at 249 West Genesee Street in City of Buffalo, Erie County. See map for the location of these sites. The proposed remedy is described in a draft "Remedial Work Plan" that was submitted by QLT Buffalo, LLC and Duke Realty HN New York, LLC.

PUBLIC COMMENT PERIOD

NYSDEC is accepting written public comments about the applications and draft Remedial Work Plan for 45 days, from **June 8, 2005** through **July 22, 2005**. The documents are available for public review at the document repository identified in this fact sheet.

Written comments should be submitted to:
Jaspal S. Walia, Project Manager

NYSDEC
270 Michigan Avenue
Buffalo, New York 14203

Brownfield Cleanup Program: New York's Brownfield Cleanup Program (BCP) encourages the voluntary cleanup of contaminated properties known as "brownfields" so that they can be reused and redeveloped. These uses include recreation, housing and business.

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

Remediation means all necessary actions to address any known or suspected contamination associated with the site.

For more information about the BCP, visit:
www.dec.state.ny.us/website/der/bcp

DRAFT REMEDIAL WORK PLAN HIGHLIGHTS

The Remedial Work Plan has several goals:

- 1) identify cleanup levels to be attained or the process to be used to determine these levels;
- 2) explain why the Remedial Work Plan concludes that the results of remediation will protect public health and the environment; and
- 3) provide a detailed description of the remedy selected to address site contamination. The work will be performed by QLT Buffalo, LLC and Duke Realty HN New York, LLC with oversight by NYSDEC and the New York State Department of Health (NYSDOH).

The draft remedial work plan includes information on the following activities:

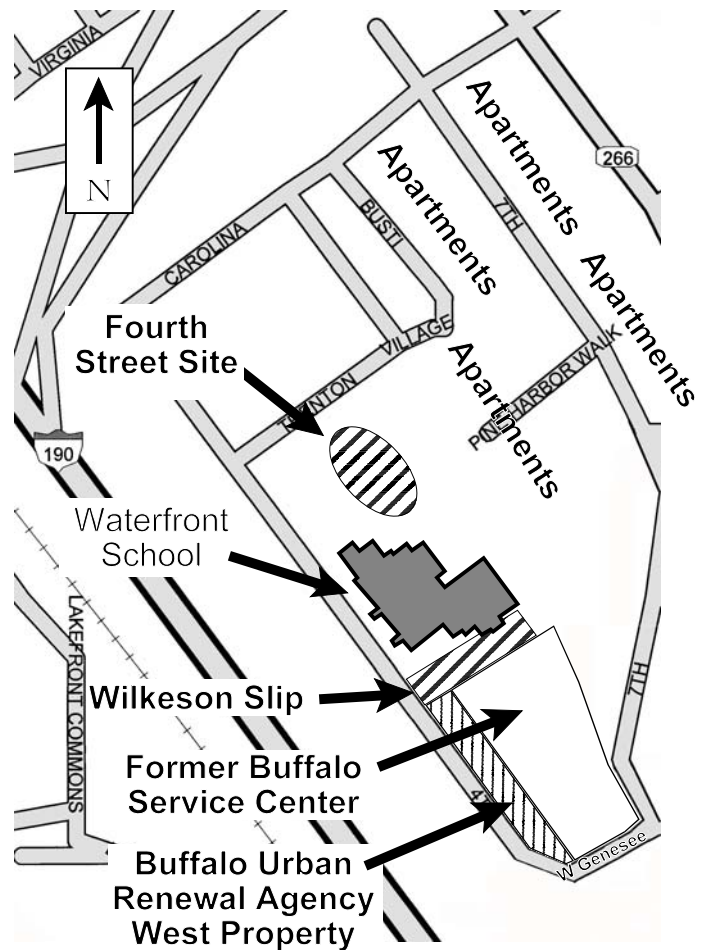
- Groundwater table in the work area will be lowered by dewatering wells to facilitate soil excavation. The extracted water would be treated and tested prior to it being discharged under permit to the Buffalo Sewer Authority lines.
- Soil showing contamination above the site specific action levels from all the areas within the NFG and adjoining Buffalo Urban Renewal Agency (BURA) property would be excavated and hauled by truck off site to a permitted landfill for proper disposal.
- Soil showing contamination from the proposed building excavation will be hauled by truck off site to a permitted landfill for proper disposal.
- After verification that the excavated areas have met cleanup levels, the excavated areas outside the proposed building area will be backfilled with clean fill or soil. The excavated areas inside the proposed building's foundation area will not require extensive backfilling.
- A Health and Safety Plan will be in effect to protect the workers and community throughout the project. Air monitoring will be performed. Dust and odor controls will ensure that workers and public is protected.

Based upon information collected during a remedial investigation of the site by National Fuel Gas, NYSDEC has determined that the former Buffalo Service Center poses a threat to the environment and requires remediation.

NEXT STEPS

NYSDEC will review the application package, including the Remedial Work Plan, and consider public comments before making a determination on the eligibility of the application, and approval of the work plan. If approved, the Remedial Work Plan will be placed in the document repository. If the work plan is approved, QLT Buffalo, LLC and Duke Realty HN New York, LLC may proceed with the design and construction of the site remedy. It is estimated that design and construction activities will take about six to eight months.

NYSDEC will keep the public informed during the remediation of former Buffalo Service Center and the Buffalo Urban Renewal Agency West Property.



BACKGROUND

Buffalo Service Center site was used from 1848 until 1948, by various owners, to produce manufactured gas. This gas was provided to homes, businesses and industries for lighting, heating and cooking, much like natural gas is used today. Beginning in 1989, National Fuel Gas (NFG), owner of the property, initiated a series of environmental investigations and interim remedial measures on the site.

In 2000, the buildings that were on the site were demolished and NFG submitted a comprehensive investigation work plan to the NYSDEC under the State's Voluntary Cleanup Program. These investigations included installing and testing groundwater monitoring wells and collecting a number of soil samples. Results of these investigations concluded that both the soil and groundwater are contaminated with polycyclic aromatic hydrocarbons related to the manufactured gas plant that formerly operated on the site. The contaminants were found on-site and off-site (in the Wilkeson Slip and next to the Waterfront School Building) and are present in the soil and groundwater. In August 2002, air and sump water sampling in the Waterfront School did not show any volatile or semivolatile organic compounds from the National Fuel Gas property. Based on this information the NYSDEC determined that remediation is necessary.

BURA West Property:

This parcel is located on the west side of the NFG property. It was previously owned by the Buffalo Urban Renewal Agency (BURA) and was used as a parking lot. This property has been impacted by the contaminants at the NFG site.

FOR MORE INFORMATION

Document Repository

A local document repository has been established at the following location to help the public to review important project documents. These documents include the draft Remedial Work Plan and the application to participate in the BCP accepted by NYSDEC:

Reference Section
Central Library
Lafayette Square
Buffalo, NY 14202;

or, by appointment only,

NYSDEC's Region 9 Office
270 Michigan Avenue
Buffalo, NY 14203
Please call Mr. Walia for an appointment.

WHO TO CONTACT

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

Project Related Questions

Mr. Jaspal S. Walia
Project Manager
NYSDEC
270 Michigan Avenue
Buffalo, NY 14203
(716) 851-7220

Health Related Questions

Mr. Cameron O'Connor
NYSDOH
584 Delaware Avenue
Buffalo, NY 14202
(716) 847-4385

If you know someone who would like to be added to the project mailing list, have them contact the NYSDEC project manager above. We encourage you to share this fact sheet with neighbors and tenants, and/or post this fact sheet in a prominent area of your building for others to see.