



FACT SHEET

Brownfield Cleanup Program

Former Buffalo Service Center, Site #C915194
Buffalo Urban Renewal Agency West, Site #C915195
Buffalo, Erie County

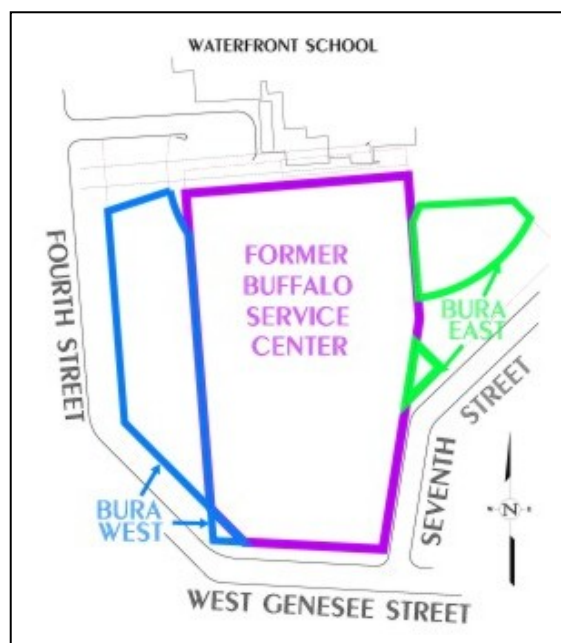
August 2006

Remedial Action Completed to Address Brownfield Site Contamination; Remedial Action Report Under Review

Remedial action has been completed successfully to address contamination related to the Former Buffalo Service Center and BURA West sites located at 249 West Genesee Street in Buffalo, Erie County, under New York's Brownfield Cleanup Program (BCP). See map at right for location of sites. ESC Engineering of New York, P.C. has completed the remedial action and has submitted to the New York State Department of Environmental Conservation (DEC) a Remedial Action Report (RAR), which is under review. The Remedial Action Report demonstrates that remediation requirements have been achieved regarding site contamination in a way that fully protects public health and the environment for the proposed site use. The draft Remedial Action Report is available at the document repository identified in this fact sheet.

DEC previously accepted an application submitted by 257 W. Genesee, LLC to participate in the BCP. The application proposes that the site will be used for a commercial office complex.

"Remedial activities" and *"remediation"* refer to all necessary cleanup actions to address any known or suspected contamination associated with a site.



Highlights of the Remedial Action Report

A Remedial Action Report (RAR) has several goals:

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.

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

- 1) describe the remedial activities completed;
- 2) certify that remediation requirements have been achieved or will be achieved;
- 3) define the boundaries of the site;
- 4) describe any institutional/engineering controls to be used. An *institutional control* is a non-physical restriction on use of the site, such as a deed restriction, when the remedial action leaves residual contamination that makes the site suitable for some, but not all uses. An *engineering control* is a physical barrier or method to manage contamination such as a cap or vapor barrier;
- 5) certify that an operation, monitoring and maintenance plan for any engineering controls used at the site has been approved by DEC.

The Remedial Work Plan/Remedial Action Work Plan required excavation and off-site disposal of certain soil and fill material located at the former Buffalo Service Center and BURA West sites. Approximately 152,800 tons of soil and soil-like fill contaminated with waste from previous industrial site operations was excavated and disposed of properly. Throughout the excavation process air samples were collected and demonstrated that there was no potential airborne health hazard at or near the site due to cleanup activities. Groundwater from the sites was pumped to an onsite treatment facility, treated, and discharged to the Buffalo Sewer Authority. Occupied building areas were excavated to satisfy DEC guidelines or until bedrock was encountered. Only backfill suitable for residential areas was placed in proposed occupied building areas. Post-excavation soil samples were collected and analyzed to verify that soil cleanup criteria were met.

To meet the goals established in the Remedial Work Plan/Remedial Action Work Plan, cleanup activities were conducted from July 28, 2005, to February 21, 2006. Ontario Specialty Contracting (OSC) Herbert F. Darling, Inc., and Visone Construction, Inc., all of Buffalo, New York were contracted by ESC Engineering to perform site cleanup work. Soils that did not meet the cleanup standards were transported by several local permitted haulers to Modern Landfill in Model City, New York. Soil containing non-aqueous phase liquid or tar material was hauled to the Covanta waste facility in Niagara Falls, NY, for incineration. Groundwater and surface water was collected and treated, if required, to meet the discharge requirements of the Buffalo Sewer Authority (BSA). Water collected at the site was discharged in accordance with a permit from the BSA. There was no discharge from the site other than to the BSA under the permit.

A Site Management Plan has been submitted to DEC and is also under review. The Site Management Plan includes details on groundwater monitoring, soils management, and institutional controls, and ensures that there will be no contact with the soils cleaned to commercial standards. Institutional controls are in place to prohibit use of groundwater at the site. Although there are no groundwater users in the City of Buffalo, the institutional controls were placed on the site to notify future owners that groundwater in this area is not suitable for consumption.

Cleanup activities are also underway at the BURA East site (4 New Seventh Street site). An additional fact sheet will be sent once cleanup on that section of the 257 West Genesee Street property is completed.

Next Steps

DEC will complete its review, make any necessary revisions, and, if appropriate, approve the Remedial Action Report. The approved Remedial Action Report will be available for public review at the location identified below under the heading "For More Information." DEC then will issue a Certificate of Completion to 257 W. Genesee, LLC. With its receipt of a Certificate of Completion, 257 W. Genesee, LLC would:

- have no liability to the State for contamination at or coming from the site, subject to certain conditions; and
- be eligible for tax credits to offset the costs of performing cleanup activities and for redevelopment of the site.

A Certificate of Completion may be modified or revoked if, for example, the applicant does not comply with the terms of its Brownfield Cleanup Agreement with DEC, or if the applicant commits fraud regarding its application or its certification that it has met cleanup levels.

An additional fact sheet will be sent when DEC issues a Certificate of Completion to 257 W. Genesee, LLC.

Site Background

The former Buffalo Service Center Site (previously owned by National Fuel Gas), is a 5-acre Brownfield Cleanup site located at 249 West Genesee Street in the City of Buffalo. The BURA West site is a 1.4 acres site located immediately West of the Buffalo Service Center site. (See map on first page for details.) National Fuel Gas Supply Corporation and the City of Buffalo owned portions of these Brownfield Cleanup sites, which have been largely underutilized since 1958. The New York State Brownfield Program provided the opportunity to place these sites back into productive service. In connection with the Brownfield Program, 257 W. Genesee, LLC purchased these properties. 257 W. Genesee, LLC is currently constructing an office complex which will be leased to HealthNow. Planned occupancy is scheduled for late 2007. Based on this future development, the Brownfield Cleanup site will continue to be industrial/commercial in nature.

The Brownfield Cleanup sites are secured with a chain link fence. Prior to cleanup, there were no occupied structures on the sites. Since 1989, the site conditions had been investigated. Hundreds of analyses were conducted to determine the limits of the impact due to the site to ensure the remedial actions addressed all site related environmental impacts. The sites are underlain by fill, soil, and bedrock. Groundwater is contained within the overburden materials and within fractures in the bedrock.

Subsurface fill material (in thickness ranging from 4 to 14 feet) covered the majority of the sites. The fill consisted primarily of silty sand, gravel, brick fragments, and concrete and metal debris. The fill also contained varying amounts of inert coal gasification residuals such as cinders, slag, ash, and coal fragments. Underlying the fill was a low-permeability alluvium unit comprised predominantly of fine sand to clayey silt throughout the majority of the sites. The thickness of the alluvium unit ranges from 2 to 12 feet. Bedrock was encountered below the alluvium at depths from 18 to 25 feet below ground surface (bgs). The first bedrock unit is dark gray fractured limestone. Groundwater was found between 2 to 8 feet bgs in the overburden materials.

Significant administrative activities within the BCP: includes:

Application submitted – April 28, 2005

Brownfield Cleanup Agreement and Remedial Work Plan – approved July, 2005

Remedial action conducted July 28, 2005, to February 21, 2006

FOR MORE INFORMATION

Locations to View Project Documents

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

Reference Section
Buffalo Public Library
Central Library
Lafayette Square
Buffalo, NY 14202

NYS Department of Environmental Conservation
Region 9 Office
270 Michigan Avenue
Buffalo, NY 14203
(716) 851-7220
Please call 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, P.E.
New York State Department of Environmental
Conservation
270 Michigan Avenue
Buffalo, New York 14203
716-851-7220
jswalia@gw.dec.state.ny.us

Health Related Questions

Mr. Cameron O'Connor
Public Health Specialist
New York State Department of Health
584 Delaware Avenue
Buffalo, NY 14202
716-847-4385

If you know someone who would like to be added to the project mailing list, please 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.