



FACT SHEET

Brownfield Cleanup Program

Former Buffalo Service Center (Site #C915194)

December 2006

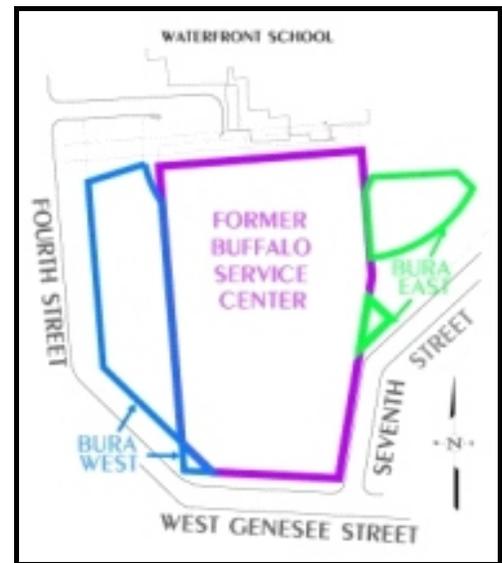
Buffalo Urban Renewal Agency, West (Site #C915195)

Buffalo, Erie County

DEC Certifies Completion of Environmental Cleanup Activities at Former Buffalo Service Center and Buffalo Urban Renewal Agency West Sites

The New York State Department of Environmental Conservation (DEC) has determined that 257 W. Genesee LLC has achieved cleanup requirements to address contamination related to the Former Buffalo Service Center and BURA West sites, located at 249 West Genesee Street in Buffalo, Erie County. (See figure at right.) Cleanup activities at the site were completed under New York State’s Brownfield Cleanup Program (BCP), a program that encourages the voluntary cleanup of contaminated properties known as “brownfields” so that they can be reused and redeveloped.

DEC has issued a Certificate of Completion to 257 W. Genesee, LLC for the former Buffalo Service Center and BURA West sites. 257 W. Genesee, LLC is now eligible to redevelop the site for future commercial/industrial use. A copy of the Certificate of Completion is available for review at the locations identified on the back of this page.



DETAILS ABOUT THE CERTIFICATE OF COMPLETION

The Certificate of Completion issued by DEC contains:

- 1) a description of the cleanup activities completed;
- 2) a certification that cleanup requirements have been achieved;
- 3) the boundaries of the site;
- 4) a description of 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; and
- 5) a certification that an operation, monitoring and maintenance plan for any engineering controls used at the site had been approved by DEC.

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**

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

CLEANUP ACTIVITIES COMPLETED

Cleanup activities completed at the former Buffalo Service Center and BURA West sites was performed in accordance with a Remedial Work Plan/Remedial Action Work Plan, and included the following cleanup activities:

- 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. 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.

The Site Management Plan includes details on groundwater monitoring, soil/fill 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 so that future site owners will be notified that groundwater in this area is not suitable for consumption.

Cleanup activities are also underway at the neighboring 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 issued the Certificate of Completion for the Former Buffalo Service Center and BURA West sites based on review and approval of a Remedial Action Report (RAR) submitted by 257 W. Genesee, LLC. The report described the cleanup activities completed and certified that cleanup requirements were achieved for the site.

With its receipt of a Certificate of Completion, 257 W. Genesee, LLC is eligible to redevelop the site. In addition, 257 W. Genesee, LLC:

- has no liability to the State for contamination at or coming from the site, subject to certain conditions; and
- is eligible for tax credits to offset the costs of performing remedial 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 or if the applicant commits fraud regarding its application or its certification that it has met cleanup levels.

SITE BACKGROUND

The former Buffalo Service Center Site (previously owned by National Fuel Gas), is a 5-acre site located at 249 West Genesee Street in the City of Buffalo. The BURA West site is a 1.6 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.

Prior to cleanup, there were no occupied structures on the sites. Environmental conditions at the site have been under investigation since 1989. Hundreds of analyses were conducted to determine the type and location of contamination to ensure that cleanup actions addressed all site related environmental impacts. The sites are underlain by fill, soil, and bedrock. Groundwater at the sites 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 fine sand to clayey silt material (ranging from 2 to 12 feet) that was present throughout the majority of the sites. Bedrock was encountered below this material at depths from 18 to 25 feet below ground surface (bgs). Groundwater was found between 2 to 8 feet bgs in the overburden materials.

Significant project steps have included:

- 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
- Remedial Action Report – received on October 6, 2006 and approved on November 30, 2006.

LOCATIONS TO VIEW PROJECT RELATED DOCUMENTS

You are welcome to view project reports and a copy of the Certificate of Completion for this site at the following locations:

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 WITH QUESTIONS

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

Site- Related Project Questions

Mr. Jaspal S. Walia, P.E., Project Manager
NYS Department of Environmental Conservation
270 Michigan Avenue
Buffalo, NY 14203-2399
(716) 851-7220
jswalia@gw.dec.state.ny.us

Site-Related Health Questions

Mr. Cameron O'Connor
Public Health Specialist
NYS Department of Health
582 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.