



# FACT SHEET

## Brownfield Cleanup Program

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**Site Name:** ExxonMobil Oil Former Buffalo Terminal OU-3

**DEC Site #:** C915201D

**Address:** 503/625 Elk St. and 1 Babcock St., Buffalo, NY

Have questions?  
See  
"Who to Contact"  
Below

### Remedy Proposed for Brownfield Site Contamination; Public Comment Period Announced

The public is invited to comment on a proposed remedy being reviewed by the New York State Department of Environmental Conservation (NYSDEC) to address contamination related to ExxonMobil Oil Former Buffalo Terminal Operable Unit 3 (OU-3) ("site") located at 503/625 Elk Street and 1 Babcock Street in Buffalo, Erie County, NY. Please see the map for the site location. Documents related to the cleanup of this site can be found at the locations identified below under "Where to Find Information."

The cleanup activities will be performed by Elk Street Commerce Park, LLC (applicant) and funded by ExxonMobil Environmental Services Company with oversight provided by NYSDEC. When NYSDEC is satisfied that cleanup requirements have been achieved, the applicant may be eligible for tax credits to offset the costs of performing cleanup activities and for redevelopment of the site.

Pursuant to a request from ExxonMobil Environmental Services Company, the NYSDEC recently amended the site wide Brownfield Cleanup Program (BCP) agreement to include (5) separate agreements encompassing the entire upland area of the former petroleum refinery complex. Potentially contaminated near shore Buffalo river sediments will be address under order with the NYSDEC. The five individual agreements will expedite remediation on portions of the site to help facilitate planned redevelopment by Elk Street Commerce Park, LLC. This administrative effort will not affect the overall remediation strategy at the site. The OU-3 site comprises approximately 34.3 acres of the former 90.4 acre former ExxonMobil Refinery complex.

Additional site details, including environmental and health assessment summaries, are available on NYSDEC's website at :

<http://www.dec.ny.gov/cfm/xtapps/derexternal/haz/details.cfm?pageid=3&progno=C915201D>

#### How to Comment

NYSDEC is accepting written comments about the proposed cleanup plan for 45 days, from **December 13, 2017 through January 27, 2018**. The draft Remedial Investigation Alternatives Analysis Report (RI-AAR) containing the proposed site remedy is available for public review at the locations identified below under "Where to Find Information." Please submit comments to the NYSDEC project manager listed under Project Related Questions in the "Who to Contact" area below.

The proposed remedy for OU-3 consists of:

1. Demolition of a former pump house structure and abandoned aboveground piping in specific areas of OU-3 that were not previously removed.
2. Limited excavation of shallow petroleum impacted soil along with in place treatment of petroleum contaminated soil outside the vertical containment barrier on the western end of OU-3
3. Installation of a containment barrier wall around the central and eastern portion of OU3 to prevent petroleum contamination from migrating to the river.
4. Installation of a dual phase recovery system to remove petroleum product from within the containment barrier wall. The collected product and groundwater will be treated and disposed off-site.
5. Installation of a low permeability cover over the site to limit surface water infiltration. The cover will also include a one-foot layer of clean soil over areas to be restored with turf grass.
6. Evaluation of soil vapor intrusion and mitigation measures as necessary for existing and future structures for site use.
7. Filing of an Environmental Easement on the property that limits site use to commercial and industrial uses, prohibits groundwater usage and requires compliance with the Site Management Plan.
8. Preparation and implementation of a Site Management Plan that will include procedures for management of remaining residual contamination and ensure the remedy remains protective.

Remedies for other portions of the former refinery complex are being developed and will be released in the future.

### **Summary of the Investigation**

During the remedial investigations, soil, groundwater, soil vapor and indoor air samples were evaluated. The primary sources of contamination in OU-3 are the historical petroleum refining, storage and distribution operations. The prolonged use of OU-3 for these operations resulted in widespread occurrence of petroleum product, metal, volatile organic compound (VOC) and semi-VOC (SVOC) contamination. Petroleum product was identified floating on the surface of the groundwater over large area in the central and east portion of the site.

### **Next Steps**

NYSDEC will consider public comments received on the proposed remedy presented in the draft RI-AAR and ultimately issue a final Decision Document. The New York State Department of Health (NYSDOH) must also concur with the remedy. The final RI-AAR (with revisions if necessary) and the Decision Document will be made available to the public. The applicant may then design and perform the cleanup action to address the site contamination, with oversight by NYSDEC and NYSDOH.

NYSDEC will keep the public informed throughout the investigation and cleanup of the site.

### **Background**

Location: The OU-3 site is located in an urban area off of Elk Street in the City of Buffalo and includes approximately 34 acres of the larger 90-acre former refinery complex. The site is bordered on the north by Prenatt Street (a paper street) and mostly vacant property comprising the ExxonMobil

OU-2 East (C915201B) and OU-2 West (C915208C) BCP sites; on the east by a commercial business and major oil storage facility comprising the ExxonMobil OU-4 BCP site (C915208E); and on the west by a chemical manufacturing plant and on the south by the Buffalo River.

**Site Features:** The site is comprised of three separate parcels owned by differing entities including Buckeye Terminals (a major oil storage facility), ExxonMobil (vacant former refinery property) and a construction company (office/storage building and storage yard). The ground surface of the site is relatively flat with an inactive northeasterly-trending railroad right-of-way and embankment separating Buckeye's eastern tank yard area (OU-4 BCP site C915208E) from the OU-3 site. An interim remedial measure previously completed in OU-3 includes a groundwater pump and treat system that intercepts petroleum product and contaminated groundwater up gradient of the existing bulkhead wall from entering the Buffalo River.

**Current Zoning and Land Use:** The entire site is currently zoned industrial and is generally surrounded by a mixture of industrial and commercial properties. There are a few isolated residential parcels located north of Elk Street.

**Past Use of the Site:** Since the 1880s, the site has been used for petroleum refining and storage. Refining operations terminated in the 1980s. Former refinery, lube plant and terminal activities have impacted this site.

**Site Geology and Hydrogeology:**

The majority of the site consists of a fill layer (cinders, ash, slag, sand, brick, concrete, etc.) ranging in thickness from 5 to 10 feet, underlain by an alluvial deposit layer consisting of silt, sands, gravel and clay 5 to 20 feet in thickness, underlain by a glacio-lacustrine clay layer that acts as a confining layer. Depth to clay is approximately 10 to 20 feet below ground surface.

Groundwater is approximately 3 to 20 feet below ground surface and generally flows southwest toward the Buffalo River.

**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, business or other uses.

A brownfield site is any real property where a contaminant is present at levels exceeding the soil cleanup objectives or other health-based or environmental standards, criteria or guidance adopted by DEC that are applicable based on the reasonably anticipated use of the property, in accordance with applicable regulations.

For more information about the BCP, visit: <http://www.dec.ny.gov/chemical/8450.html>

## FOR MORE INFORMATION

### Where to Find Information

Project documents are available at the following location(s) to help the public stay informed.

Valley Community Center  
93 Leddy Street  
Buffalo, New York 14210  
716-823-4707 or 716-823-8299

Selected project documents are also available on the NYSDEC website at:  
<http://www.dec.ny.gov/chemical/37554.html>.

### Who to Contact

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

#### Project Related Questions

Eugene Melnyk, PE  
New York State Department of  
Environmental Conservation  
270 Michigan Avenue  
Buffalo, New York 14203  
716-851-7220  
[eugene.melnyk@dec.ny.gov](mailto:eugene.melnyk@dec.ny.gov)  
{ Call for an appointment }

#### Site-Related Health Questions

Richard Jones  
New York State Department of Health  
Bureau of Environmental Exposure and  
Investigation  
Empire State Plaza, Corning Tower,  
Rm 1787, Albany NY 12237  
315-477-8148  
[bee@health.ny.gov](mailto:bee@health.ny.gov)

**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.**

### Receive Site Fact Sheets by Email

Have site information such as this fact sheet 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: <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.

**Note:** Please disregard if you already have signed up and received this fact sheet electronically.

