



FACT SHEET

Brownfield Cleanup Program

Cobey, LLC Site
Site # C915202
Buffalo, Erie County

October 2006

Environmental Cleanup Action Completed at Cobey, LLC Site; Remedial Action Report Under Review

Cleanup work has been completed to address contamination related to the Cobey, LLC Site located within the Buffalo Lakeside Commerce Park (former Hanna-Furnace/Union Ship Canal) site in the City of Buffalo, Erie County, New York under New York's Brownfield Cleanup Program (BCP). See map on last page for the location of the site.

Krog submitted a Brownfield Cleanup Program (BCP) Application to the DEC to participate as a volunteer in the BCP to develop the Cobey manufacturing facility on approximately 12 acres of land at the Buffalo Lakeside Commerce Park (Parcel 1). The application proposed that the future use of the site will be light industrial. The application was accepted by DEC, and remedial action and construction at the site began during September, 2005.

The Krog Corporation has completed DEC-approved cleanup actions and has submitted a Remedial Action Report (RAR) to the DEC for review. "*Remedial activities*" and "*remediation*" refer to all necessary cleanup actions to address any known or suspected contamination associated with a site. The report states that remediation requirements have been achieved regarding site contamination to fully protect public health and the environment for the proposed future site use. A copy of the RAR is available for public viewing at the locations identified at the end of this fact sheet, under the heading "For More Information."

Highlights of the Remedial Action Report

The Remedial Action Report (RAR) has several goals. It will:

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 cleanup activities completed;
 - 2) Certify that cleanup requirements have been achieved or will be achieved;
 - 3) Define the boundaries of the site;
 - 4) Describe any institutional/engineering controls to be used at the site. An *institutional control* is a non-physical restriction for use of the site, such as a deed restriction that identifies a remedial action that leaves residual contamination making 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;
- Institutional and engineering controls were defined in the DEC approved Environmental

Easement that was signed during September 2006.

5) Certify that an operation, monitoring and maintenance (OM&M) plan for any engineering controls used at the site has been approved by DEC.

Cleanup actions completed at the Cobey site include the following:

- In August 2006, approximately 68 tons of petroleum contaminated soil associated with the remnants of a buried steel vessel was excavated and removed from the site.
- In October 2006, a site cover system was installed, covering the entire site being with one of several cover types including the site building foundation, asphalt pavement, concrete sidewalks, or clean soil in planned green space areas. The site cover system will reduce the potential for direct contact with low levels of contaminants identified within the underlying soil/fill material.
- Institutional controls were implemented at the site to restrict the exposure risk to contaminated soils. Future activities at the site are limited to commercial and light industrial uses.
- An Operation, Monitoring and Maintenance (OM&M) Work Plan has been developed and will be implemented on a long-term basis to maintain the institutional and physical components of the remedial action. The OM&M Work Plan includes an organizational chart outlining who will be responsible for implementing the post-closure OM&M, a health and safety plan, example inspection report forms, a schedule for the annual inspections and reporting, and procedures to maintain the cover system and associated remedial work.

Next Steps

DEC will complete its review of the RAR, make any necessary revisions, and, if appropriate, approve the report. DEC then will issue a Certificate of Completion to The Krog Corporation. With its receipt of a Certificate of Completion, the Krog Corporation 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 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 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 the Certificate of Completion to the Krog Corporation.

Site Background

In 1900, the Buffalo Union Steel Corporation purchased the land that would become a manufacturing area and railroad yard. The Union Ship Canal was constructed in 1910 to service the facility. Pig iron manufacturing began around this time with the construction of four blast furnaces. The Hanna Furnace Company acquired the property from Buffalo Union Steel in 1915, and subsequently became known as the Hanna Furnace Corporation.

Hanna Furnace ceased all operations in 1982 and Jordan Foster Scrap Corporation purchased the property in 1983. They dismantled the blast furnaces, many of the buildings, and removed the rails from the railroad yard. In 1986, Jordan Foster Scrap filed for bankruptcy. The City of Buffalo acquired title to the property due to nonpayment of taxes in 1998.

For future development considerations, the property was divided into four parcels. (See site map.) The Cobey site is situated in Parcels 1 and 2 as described below:

- Parcel 1 – the former railroad yard and is about 43 acres in size.
- Parcel 2 – The former manufacturing area as is about 29 acres.

To fulfill the requirements of Voluntary Cleanup Agreements, the City of Buffalo conducted more extensive sampling of Parcels 1 and 2 between 1999 and 2001. This sampling identified Contaminants of Potential Concern (COPCs) in the surface and subsurface soils, and fill material. The COPCs included various semi-volatile organic compounds, metals, and elevated pH of the groundwater. The elevated pH is attributed to the presence of lime that was used as a raw material in the iron manufacturing process.

Assessment activities conducted on Parcels 1 and 2 concluded that the primary exposure pathway for contaminants was through direct contact with the contaminated soils and fill. Analysis indicated that the contaminants did not readily leach or release to the groundwater. With the possible exception of pH, the groundwater was not significantly impacted; groundwater is not used at the site and therefore no direct contact with the groundwater is anticipated except during invasive construction activities. It was proposed that a cover of clean soil, asphalt or concrete would eliminate the potential for direct contact and hence be protective of public health. Remedial Action Work Plans were submitted to the DEC and approved in February of 2002 (Parcel 1) and November of 2002 (Parcel 2). Remedial action and construction at the site began during September, 2005.

FOR MORE INFORMATION

Locations to View Project Documents

Project reports for this site, including the Remedial Action Report, are available for public review at the following locations:

Buffalo & Erie County Public Library
JP Dudley Branch
2010 South Park Avenue
Buffalo, New York 14220
(716) 823-1854

NYS Department of Environmental Conservation
Region 9 Offices
270 Michigan Avenue
Buffalo, New York 14203
(716) 851-7220
Hours: 8:30 AM – 4:45 PM
Please call to schedule an appointment.

Who to Contact

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

Site-Related Project Questions

Mr. David Locey, Project Manager
NYS Department of Environmental Conservation
270 Michigan Avenue
Buffalo, NY 14203
(716) 851-7220
dplocey@gw.dec.state.ny.us

Site-Related Health Questions

Mr. Matthew Forcucci, Public Health Specialist
NYS 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 DEC 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.

SITE LOCATION MAP

