



# FACT SHEET

## Brownfield Cleanup Program

4 New Seventh Street  
C915203  
Buffalo, Erie County

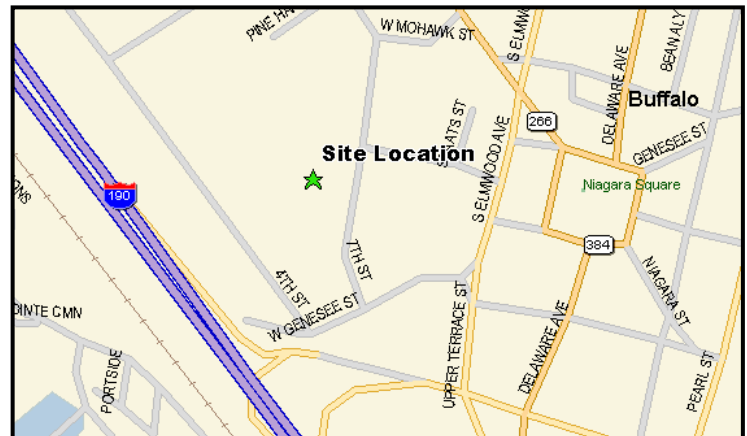
October 2006

### Site Investigation and Cleanup Reports for New Seventh Street Site Available for Public Review; Groundwater Monitoring Recommended

New York State Department of Environmental Conservation (NYSDEC) welcomes public comments as it reviews reports about environmental investigation and cleanup activities completed at the 4 New Seventh Street site located in Buffalo, Erie County. (See map below for site location.)

NYSDEC previously accepted an application submitted by 257 W. Genesee, LLC (the applicant) to participate in the Brownfield Cleanup Program (BCP). The application proposes that the 4 New Seventh Street site will be limited to commercial or industrial use following site remediation. The terms “remediation” or “remedial” used throughout this fact sheet refer to any necessary cleanup actions taken to address known or suspected environmental contamination at the site.

The applicant has submitted a Remedial Investigation (RI)/Remedial Alternatives (RAR) Report, and an Interim Remedial Measure (IRM) Report (titled Final Engineering Report, September 2006). These reports describe environmental investigation and cleanup activities completed at the site, and recommend that additional soil cleanup at the 4 New Seventh Street site is not necessary. More detailed information on cleanup actions taken at the site can be found on page 2 of this fact sheet, under the heading “Highlights of the Interim Remedial Measure (IRM).”



**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](http://www.dec.state.ny.us/website/der/bcp)

#### Reports Available for Public Comment

NYSDEC will accept written public comments on the RI/RAR and IRM Reports for 45 days, from **October 28, 2006** through **December 11, 2006**. The reports are available for public review at the locations identified at the end this fact sheet, under the heading “For More Information.”

Please submit written comments to:  
Mr. Jaspal S. Walia, P.E.  
New York State Department of Environmental Conservation  
270 Michigan Avenue  
Buffalo, New York 14203-2999

## **Highlights of the Remedial Investigation/Remedial Alternatives (RI/RAR) Report**

The objective of this report is to:

- 1) describe the investigation activities completed;
- 2) describe the nature and extent of contamination at the site;
- 3) provide information about off-site contamination issues, and
- 4) recommend whether the applicant believes that remediation is required.

Remedial Investigation activities conducted at the site included:

- geophysical surveying to find any buried tanks or drums; and
- testing of soil and groundwater samples for chemicals of concern.

Soil and groundwater sampling indicated that traces of petroleum-related contaminants remain in some parts of this site. The RI/RAR Report proposes that remaining low level contamination would be monitored through a groundwater monitoring program and that any future soil handling at the site would be addressed through a Site Management Plan.

### **Highlights of the Interim Remedial Measures (IRM):**

In order to address the area where petroleum-related contamination was found, an Interim Remedial Measure (IRM) was conducted at the site in June of 2006. During IRM cleanup activities, approximately 4395 cubic yards of petroleum contaminated soil was excavated and disposed of at an off-site, permitted landfill. After conducting soil sampling to determine that cleanup objectives were met, the excavated area was backfilled with clean fill (soil and/or gravels) and compacted.

### **Significant Threat Determination**

NYSDEC has determined that the 4 New Seventh Street site does not pose a significant threat to human health and the environment. The New York State Department of Health (NYSDOH) has concurred in the determination that the site does not pose a significant threat to human health.

The determination that the site does not pose a significant threat is being proposed because:

- soils from the highly contaminated area were cleaned up during IRM cleanup activities;
- low level of contamination remaining would be monitored under a Site Management Plan; and
- the site will be restricted to commercial use.

### **Next Steps**

NYSDEC will consider public comments as it completes its review, makes any necessary revisions, and, if appropriate, approves the RI/RAR Report and IRM Reports and their recommendation.

If the RI/RAR Report is approved, NYSDEC will issue a Certificate of Completion to 257 W. Genesee, LLC . Upon receiving 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 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 and conditions of its Brownfield Cleanup Agreement with NYSDEC, or if the applicant commits fraud regarding its application or its certification that remedial action is not necessary.

### **Site Background Information**

The 4 New Seventh Street site is a vacant parcel containing no buildings, and is located in a predominantly commercial and residential area of downtown Buffalo. The site and surrounding area were historically used for industrial, commercial and residential purposes. The site once included several tax parcels, which were combined into one greater parcel and eventually re-structured to the current legal tax parcels in a sale from Buffalo Urban Renewal Agency (BURA) to the current owner and BCP applicant (257 W. Genesee, LLC).

The 4 New Seventh Street property was formerly developed with a coal shed and coal yard (between 1889 to 1899), a gasoline service station (from 1927 to 1966), Century Manufacturing Company (1925), Erie Elec. Co. (1951), as well several residential structures.

The adjacent parcel to the west is the former Buffalo Gas Works site, a former manufactured gas plant site. The Buffalo Gas Works site and the western portion of the 4 New Seventh Street site are the subject of an environmental cleanup effort under separate Brownfield Cleanup Agreements (BCA) to address contaminants in soil and groundwater associated with the former manufactured gas plant operations.

Previous investigations were conducted at the site between the years 2003 and 2005, and revealed that soil and groundwater in the area of the former on-site gasoline station were contaminated. In May 2006, the site entered into the Brownfield Cleanup Program. The field work for the RI to determine the site conditions outside the Interim Remedial Measures area was conducted in June 2006.

### **FOR MORE INFORMATION**

#### **Locations to View Project Documents**

Important project documents and site reports are available for public review at the locations listed below.

Erie County Public Library  
1 Lafayette Square  
Buffalo, New York 14203  
Phone: (716) 858-8900  
Hours: M-F 8:30 am – 6 pm  
Sun. 1-5 (Closed Sundays in summer.)

NYS Department of Environmental Conservation  
270 Michigan Avenue  
Buffalo, New York 14203-2999  
Attn: Mr. Jaspal S. Walia  
Phone: (716) 851-7220  
(Please call for appointment.)

#### **Who to Contact**

Comments and questions are always welcome and can 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, New York 14203-2999  
716-851-7220

##### Site-Related Health Questions

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

If you know someone who would like to be added to this site's 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.