



FACT SHEET

Brownfield Cleanup Program

Tecumseh Redevelopment Site C915205
Lackawanna, NY

December, 2007

NYSDEC Certifies Remediation Requirements Achieved at Brownfield Site

The New York State Department of Environmental Conservation (NYSDEC) has determined that Steel Winds Project, LLC will achieve remediation requirements to address contamination related to the Tecumseh Redevelopment Site (Steel Winds) located at 1951 Hamburg Turnpike in the City of Lackawanna, County of Erie under New York's Brownfield Cleanup Program (BCP). See map for the location of the site. NYSDEC has issued a Certificate of Completion to Steel Winds Project, LLC and BQ Energy LLC regarding the Steel Winds Site. Steel Winds Project, LLC and BQ Energy are now eligible to redevelop the site. A copy of the Certificate of Completion is available at the document repository identified in this fact sheet.

NYSDEC previously accepted an application submitted by Steel Winds Project, LLC and BQ Energy, LLC to participate in the BCP. The application proposes that the site will be used for industrial purposes.

Certificate of Completion

The Certificate of Completion issued by NYSDEC contains:

- 1) A description of the remedial activities completed;
- 2) A certification that remediation requirements have been or will be achieved;
- 3) The boundaries of the site;
- 4) A description of 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, and;
- 5) A certification that an operation, monitoring and maintenance plan for any engineering controls used at the site has been approved by NYSDEC.

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 actions to address any known or suspected contamination associated with a site.

Remedial actions that were completed at the Site include:

- Placement of a 12-inch soil cover over the exposed slag;
- Installation of ORC (Oxygen Release Compound by Regeneration) to promote aerobic degradation of naphthalene in groundwater in treatment wells
- Installation of new monitoring wells to monitor performance of ORC;
- Vegetating the site to prevent erosion of the soil cover
- Segregation and off-site permitted disposal of miscellaneous solid waste debris generated from the excavation of several wind turbine foundations deemed unsuitable for onsite structural fill or placement beneath the soil cover.

All remedial activities described above were completed over the past year (October 2006 through November 2007) with the exception of the ongoing treatment and monitoring of naphthalene impacted groundwater. This task is ongoing and anticipated to take approximately five years for completion of the treatment and associated monitoring activities.

An Operation, Monitoring and Maintenance Plan (OM & M) has been approved by the Department as part of the Site Management Plan (SMP). The primary components of the OM & M Plan include:

- The ORC Monitoring and Maintenance Program to continue the treatment and assessment of groundwater treatment in the vicinity of WT-1;
- A Long Term Groundwater Monitoring Plan to monitor and assess the groundwater quality across the site over time; and
- An annual inspection and certification of the soil cover system to assess and provide for the maintenance/repair of the cover system

Next Steps

NYSDEC issued the Certificate of Completion based on review and approval of a Remedial Action Report (RAR) submitted by Steel Winds Project LLC. The RAR described the remedial activities completed and certified that remediation requirements will be achieved for the site.

With its receipt of a Certificate of Completion, Steel Winds Project LLC and BQ Energy, LLC are eligible to redevelop the site. In addition, Steel Winds Project and BQ Energy, LLC:

- have no liability to the State for contamination at or coming from the site, subject to certain conditions; and
- are 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 NYSDEC, or if the applicant commits fraud regarding its application or its certification that it has met cleanup levels.

Background

The Brownfield Cleanup Site is located on a portion of the site of the former Bethlehem Steel Corporation (BSC), now owned by ArcelorMittal Tecumseh Redevelopment, Inc. (Tecumseh). The property was formerly used for the production of steel, coke and related products by BSC. The approximately 29-acre Steel Winds parcel is located within the portion of the Site referred to as the Slag Fill Area along the Lake Erie shore, north of Smokes Creek, and is easily recognized by the recently completed eight turbines and related equipment that are presently operating on the Site.

Steel Winds Project, LLC, the wind farm developer, entered into a long-term lease agreement with Tecumseh to construct and operate wind turbines and supporting power generation equipment and infrastructure on the Steel Winds Site. In September 2006, Steel Winds Project, LLC and the New York State Department of Environmental Conservation (NYSDEC) entered into a Brownfield Cleanup Agreement (BCA) to investigate and address existing and potential environmental conditions at the Site. The results of the site investigation and interim remedial measures were documented in the final Site Investigation/Remedial Alternatives/Interim Remedial Measures Report that was submitted to the Department in July 2007 and subsequently approved by the Department in September 2007. The final

Site Management Plan and Final Engineering Report documenting the completion of remedial activities and future site management requirements were submitted to the Department on November 15, 2007.

FOR MORE INFORMATION

Document Repository

A local document repository has been established at the following location to help the public to review important project documents. These documents include the Certificate of Completion and the application to participate in the BCP accepted by NYSDEC:

Lackawanna Public Library
560 Ridge Rd.
Lackawanna, New York 14218
Phone: (716) 823-0630

Who to Contact

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

Project Related Questions

Maurice Moore
New York State Department of Environmental
Conservation
270 Michigan Ave.
Buffalo, New York 14203
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Health Related Questions

Cameron O'Connor
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Buffalo, New York 14202
(716) 847-4385

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

