



# FACT SHEET

## NYSDEC Certifies Cleanup at Buffalo Color Corp. Area C Site

Brownfield Cleanup Program

Site Number C915231

January 2011

### Introduction

The New York State Department of Environmental Conservation (NYSDEC) is pleased to announce that remediation of the Buffalo Color Corp. (BCC) Area C Site in the City of Buffalo has been completed. Remediation refers to actions taken to eliminate, abate, or contain contamination that may be harmful to public health, welfare, or the environment. The remediation addressed elevated levels of soil and groundwater contaminants associated with past facility operations.

NYSDEC has issued a Certificate of Completion to the applicant regarding the site. A copy of the Notice of the Certification of Completion is available at the locations identified in this fact sheet.



### Description of Completed Remedial Activities

The site remediation was accomplished by completing the following cleanup actions, which included:

- Preparing two existing structures for post-remediation reuse and redevelopment;
- Excavating soil impacted by specific contaminants, properly disposing the material, backfilling the excavation with clean fill, and adding an oxygen releasing bio-stimulant to the clean backfill to treat residual volatile organic compounds (VOCs) and semi-volatile organic compounds (SVOCs) in adjoining soil and groundwater;
- Covering the site with an integrated cover system consisting of one foot of vegetated soil or gravel, and utilizing existing buildings and pavement for the balance of cover over the site; and
- Developing a site management plan with institutional and engineering controls that will be implemented during redevelopment and reuse of the site. An institutional control is a legal or administrative restriction placed on the use of the site when residual contamination left after the cleanup action 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 soil cover system.

The remedial measures successfully addressed contamination and will serve as the final remedy for the site.

### What Controls Are in Place to Ensure the Effectiveness of the Cleanup?

The site owner will be required to adhere to Institutional and Engineering Controls as stipulated in the Site Management Plan (SMP). The plan specifies that:

- The site may be used for commercial and industrial purposes. Any residential use is prohibited;
- Vapor intrusion from residual VOCs in the soil and groundwater must be evaluated for new and existing structures and if warranted, active vapor intrusion mitigation systems must be installed, operated, maintained and monitored until testing shows that it is no longer needed;

- Procedures must be implemented according to an Excavation Work Plan to minimize human and ecological exposure if future work on the site requires the disturbance of the remaining impacted soil;
- Long-term groundwater monitoring is required to monitor the effectiveness of the remediation measures; and
- A site-wide inspection assuring that the Institutional and Engineering controls have not been altered and remain effective must be conducted in accordance with the SMP.

### **Next Steps**

NYSDEC issued the Certificate of Completion based on review and approval of a Final Engineering Report submitted by the applicant. With the receipt of a Certificate of Completion the applicant:

- Has no liability for contamination at or coming from the site, subject to certain conditions; and,
- Is eligible for tax credits to offset cleanup and redevelopment costs.

A Certificate of Completion may be modified or revoked if, for example, the applicant commits fraud regarding its application or its certification that it has met cleanup levels.

### **Site Background**

The site is located in an industrial area of the City of Buffalo and is bounded by the former industrial BCC Area B to the south, an active railroad corridor to the west, Elk Street to the north and Lee Street to the east. Over the last 100 years, the Site has been used for chemical dye-stuff manufacturing purposes. Remediation at the site addressed intermediate dye-stuff chemicals (VOCs and SVOCs), polycyclic aromatic hydrocarbons (PAHs), and metals contamination. The completion of remedial activities at the site means that the owner may proceed with commercial and industrial development of the site.

### **Who Should I Call If I Have Questions About the Site?**

Public participation is important for the success of New York’s remedial programs. We welcome questions and comments.

#### Environmental Questions:

Eugene W. Melnyk, PE  
 NYSDEC  
 270 Michigan Avenue  
 Buffalo, New York 14203  
 (716) 851-7220  
[ewmelnyk@gw.dec.state.ny.us](mailto:ewmelnyk@gw.dec.state.ny.us)

#### Health Questions:

Nathan Freeman  
 NYS Department of Health  
 547 River St., Rm. 300  
 Troy, NY 12180  
 (518) 402-7860  
[ntf01@health.state.ny.us](mailto:ntf01@health.state.ny.us)

#### Project Questions:

John Yensan  
 South Buffalo Development, LLC  
 333 Ganson Street  
 Buffalo, NY 14203  
 (716) 856-3333 Ext. 302  
[jyensan@oscinc.com](mailto:jyensan@oscinc.com)

### **Where Can I Find More Information about the Site?**

To help the public stay informed, NYSDEC has established two locations at which you may view public documents. The locations include:

#### Dudley Branch Public Library

2010 South Park Avenue  
 Buffalo, NY 14220  
 Phone: (716) 858-8900

#### NYSDEC Region 9 Office

270 Michigan Avenue  
 Buffalo, NY 14203  
 (716) 851-7220 (Please call for appointment)

Electronic versions of project documents are also available at <http://www.dec.ny.gov/chemical/52854.html>.

Information about sites in the State’s remedial programs will now be distributed electronically by email. If you would like to continue receiving information, please sign up at the Erie County email listserv at <http://lists.dec.state.ny.us/mailman/listinfo/eriecountycleanupnews>.