SITE NAME: Niagara Transformer Site – 1755 Dale Rd, Cheektowaga, NY
SITE NO.: C915234

CERTIFICATION OF MAILING

I certify that I mailed on December 30, 2010 a copy of the attached fact sheet that summarizes the cleanup requirements have been achieved and a Certificate of Completion was issued for the above referenced site by first class mail to the person(s) on the attached mailing list, by depositing a true copy thereof, securely enclosed in a postpaid wrapper, in the Post Office box at 9860 Niagara Falls Boulevard in the City of Niagara Falls, New York, which box is under the exclusive care and custody of the United States Post Office Department:

Signature

Donna M. Jucinski

Date

1/3/11

Attachment(s)

FACT SHEET

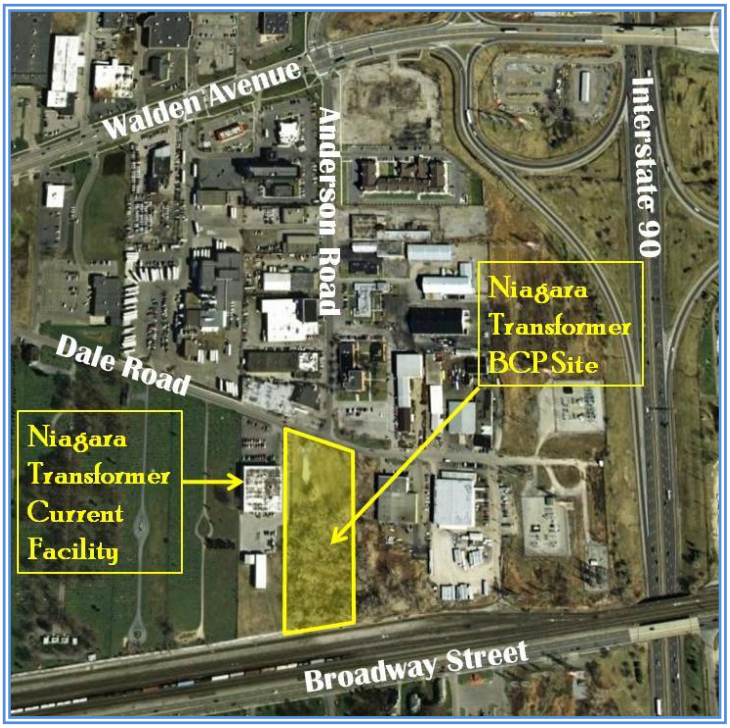
NYSDEC Certifies Cleanup Requirements Achieved At Niagara Transformer Site in Cheektowaga

Brownfield Cleanup Program **Project No. C915234** **December 2010**

Introduction

The New York State Department of Environmental Conservation (NYSDEC) has determined that cleanup requirements at the Niagara Transformer Site, located on Dale Road in the Town of Cheektowaga, have been achieved.

NYSDEC approved a Final Engineering Report that documents the cleanup actions performed at the site and issued a Certificate of Completion to Niagara Transformer. A copy of the Certificate of Completion, which certifies that the site has been properly cleaned up and made suitable for redevelopment, is available at the locations identified in this fact sheet.



What Cleanup Actions Were Performed?

A previous environmental cleanup action, called an Interim Remedial Measure (IRM), was performed in early 2010 to remove approximately 3200 tons of soil contaminated with polychlorinated biphenyls (PCBs). The IRM involved:

- Clearing and removal of large trees and brush within the excavation footprint;
- Identification of impacted soil that exceeded NY State standards for PCBs in 13 locations;
- Excavation of approximately 3200 tons of impacted soil;
- Off-site transportation and disposal of the material at a licensed facility;
- Verification sampling of the sidewalls and floor areas of the excavated areas to ensure cleanup objectives had been achieved;
- Characterization and off-site disposal of approximately 6 partially crushed and deteriorated drums containing non-hazardous roofing tar residuals;
- Excavation and on-site relocation of large pieces of concrete rubble from several areas; and
- Implementation of a community dust monitoring program to protect workers and the surrounding community.

Are Controls In Place to Ensure Continued Protection of Public Health and the Environment?

Institutional controls and engineering controls are designed to reduce or eliminate exposure to any remaining contaminants of concern. An *institutional control* is a non-physical restriction, such as an environmental easement, placed on the site when contamination left over after the cleanup action makes the site suitable for some, but not all uses. An *engineering control* is a physical barrier or method, such as a vapor barrier, to manage contamination.

Because the cleanup achieved NY State standards for industrial reuse, no engineering controls are necessary for the Niagara Transformer site. A Site Management Plan (SMP) has been prepared and an environmental easement has been filed. The following institutional controls have been put in place:

- The property may only be used for industrial purposes. The property may not be used for any other purposes without additional remediation and amendment of the environmental easement, as approved by NYSDEC.

- The use of the groundwater underlying the property is prohibited without treatment rendering it safe for its intended use.
- An Excavation Work Plan has been included in the SMP to assure that future intrusive activities and soil/fill handling at the Site are completed in a safe and environmentally responsible manner.
- Semi-annual monitoring of the Site stormwater and associated sediment will be conducted for the next 5 years to assess the effectiveness of the remedy. The frequency thereafter will be determined by NYSDEC.
- A site-wide inspection program will be conducted annually and written certification will be provided to the NYSDEC that the institutional controls have not been altered and those controls remain effective.

Next Steps

No additional site remediation is necessary. NYSDEC issued the Certificate of Completion based on review and approval of a Final Engineering Report submitted by the Niagara Transformer Corp. The Final Engineering Report includes:

- A description of the cleanup activities completed;
- Certification that cleanup requirements have been achieved for the site;
- A description of any institutional/engineering controls to be used; and
- Certification that a site management plan for any engineering controls used at the site has been approved by NYSDEC.

Background

The Site encompasses approximately 3 acres and is located on Dale Road on the southern side of the intersection of Dale and Anderson Roads in a predominantly industrial and commercial area of Cheektowaga, New York. The Site has been vacant for over 30 years and was previously used for industrial or commercial purposes, including railroad siding and salvage yard activities. Previous releases of PCBs have impacted the Site. Niagara Transformer intends to develop the property for manufacturing purposes.

Who Should I Contact If I Have Questions About the Site?

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

Project related questions:
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(716) 215-0650
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Environment related questions:
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NYSDEC
270 Michigan Avenue
Buffalo, NY 14203
(716) 851-7220
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Health related questions:
Matt Forcucci
NYSDOH
584 Delaware Ave.
Buffalo, NY 14202-7295
(716) 847-4501
mjf13@health.state.ny.us

Locations to View Project Documents

Project documents are available at the following locations:

Cheektowaga Public Library
2580 Harlem Road
Anna M. Reinstein Branch
Cheektowaga, NY 14225
Phone: (716) 892-8101

NYSDEC Buffalo Office
270 Michigan Avenue
Buffalo, N.Y. 14203
(716) 851-7220
(please call for appointment)

You may also view electronic copies of project documents at http://www.dec.ny.gov/chemical/58040.html.
Electronic documents may be abbreviated due to size limitations on the DEC website, but full documents are always available at the listed locations.