

# DECISION DOCUMENT

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111 Hydraulic Street Project  
Brownfield Cleanup Program  
Buffalo, Erie County  
Site No. C915235  
June 2011



Prepared by  
Division of Environmental Remediation  
New York State Department of Environmental Conservation

# **DECLARATION STATEMENT - DECISION DOCUMENT**

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111 Hydraulic Street Project  
Brownfield Cleanup Program  
Buffalo, Erie County  
Site No. C915235  
June 2011

## **Statement of Purpose and Basis**

This document presents the remedy for the 111 Hydraulic Street Project site, a brownfield cleanup site. The remedial program was chosen in accordance with the New York State Environmental Conservation Law and Title 6 of the Official Compilation of Codes, Rules and Regulations of the State of New York (6 NYCRR) Part 375.

This decision is based on the Administrative Record of the New York State Department of Environmental Conservation (the Department) for the 111 Hydraulic Street Project site and the public's input to the proposed remedy presented by the Department.

## **Description of Selected Remedy**

During the course of the investigation certain actions, known as interim remedial measures (IRMs), were undertaken at the above referenced site. An IRM is conducted at a site when a source of contamination or exposure pathway can be effectively addressed before completion of the remedial investigation (RI) or alternatives analysis (AA). The IRM(s) undertaken at this site are discussed in Section 5.2.

Based on the implementation of the IRM(s), the findings of the investigation of this site indicate that the site no longer poses a threat to human health or the environment; therefore No Further Action is the selected remedy. The remedy may include continued operation of a remedial system if one was installed during the IRM and the implementation of any prescribed institutional controls/engineering controls (ICs/ECs) that have been identified as being part of the proposed remedy for the site.

## **Declaration**

The remedy conforms with promulgated standards and criteria that are directly applicable, or that are relevant and appropriate and takes into consideration Department guidance, as appropriate. The remedy is protective of public health and the environment.

07/11/2011

A handwritten signature in black ink, appearing to read "Michael Cruden", is positioned above a horizontal line.

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Date

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Michael Cruden, Director  
Remedial Bureau E

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Buffalo, Erie County  
Site No. C915235  
June 2011

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## **SECTION 1: SUMMARY AND PURPOSE**

The New York State Department of Environmental Conservation (the Department), in consultation with the New York State Department of Health (NYSDOH), has selected a remedy for the above referenced site. The disposal of contaminants at the site resulted in threats to public health and the environment that were addressed by actions known as interim remedial measures (IRMs), which were undertaken at the site. An IRM is conducted at a site when a source of contamination or exposure pathway can be effectively addressed before completion of the remedial investigation (RI) or alternative analysis (AA). The IRMs undertaken at this site are discussed in Section 5.2.

Based on the implementation of the IRM(s), the findings of the investigation of this site indicate that the site no longer poses a threat to human health or the environment; therefore No Further Action is the selected remedy. A No Further Action remedy may include continued operation of any remedial system installed during the IRM and the implementation of any prescribed controls that have been identified as being part of the remedy for the site. This DD identifies the IRM(s) conducted and discusses the basis for No Further Action.

The New York State Brownfield Cleanup Program (BCP) is a voluntary program. The goal of the BCP is to enhance private-sector cleanups of brownfields and to reduce development pressure on "greenfields." A brownfield site is real property, the redevelopment or reuse of which may be complicated by the presence or potential presence of a contaminant.

The Department has issued this document in accordance with the requirements of New York State Environmental Conservation Law and 6 NYCRR Part 375. This document is a summary of the information that can be found in the site-related reports and documents.

## **SECTION 2: SITE DESCRIPTION AND HISTORY**

**Location:** This 2.02 acres site is located at the intersection of Hydraulic and Seneca Streets in the City of Buffalo in a mixed residential and commercial area. The site consists of two industrial /commercial and five residential parcels.

**Site Features:** Since 1940, the industrial/commercial parcels have been used by dry cleaning, linen and laundry services, commercial retail stores, offices, auto body repair, gas tank removal and refurbishing, and door and radiator sand blasting services.

Current Zoning: The property is zoned for Light Industrial use.

Historical Use: Site investigations conducted in 2006-07 and 2009-10 report the presence of petroleum hydrocarbons (ranging up to 1380 ppm), PAHs, and metals (lead ranging up to 3590 ppm) at the site from past industrial uses. DEC Spill # 0650564 was created in 2006 as a result of these findings.

The Brownfield Cleanup Agreement was signed by the Department in June 2010. An Interim Remedial Measure to demolish the on-site building (former Good Door Store) and remove contaminated soils began in the September 2010 and was completed in November 2010.

Site Geology and Hydrogeology: Subsurface consists of fill underlain with silty clay and gray clay. Groundwater is approximately 8-10 feet below ground surface and groundwater in overburden flows towards the south-west.

A site location map is attached as Figure 1.

### **SECTION 3: LAND USE AND PHYSICAL SETTING**

The Department may consider the current, intended, and reasonably anticipated future land use of the site and its surroundings when evaluating a remedy for soil remediation. For this site, alternatives (or an alternative) that restrict(s) the use of the site to residential use (which allows for restricted-residential use, commercial use and industrial use) as described in Part 375-1.8(g) were/was evaluated in addition to an alternative which would allow for unrestricted use of the site.

A comparison of the results of the investigation to the appropriate standards, criteria and guidance values (SCGs) for the identified land use and the unrestricted use SCGs for the site contaminants is available in the RI Report.

### **SECTION 4: ENFORCEMENT STATUS**

The Applicant(s) under the Brownfield Cleanup Agreement is a/are Volunteer(s). The Applicant(s) does/do not have an obligation to address off-site contamination. However, the Department has determined that this site does not pose a significant threat to public health or the environment; accordingly, no enforcement actions are necessary.

### **SECTION 5: SITE CONTAMINATION**

#### **5.1: Summary of the Remedial Investigation**

A remedial investigation (RI) serves as the mechanism for collecting data to:

- characterize site conditions;
- determine the nature of the contamination; and

- assess risk to human health and the environment.

The RI is intended to identify the nature (or type) of contamination which may be present at a site and the extent of that contamination in the environment on the site, or leaving the site. The RI reports on data gathered to determine if the soil, groundwater, soil vapor, indoor air, surface water or sediments may have been contaminated. Monitoring wells are installed to assess groundwater and soil borings or test pits are installed to sample soil and/or waste(s) identified. If other natural resources are present, such as surface water bodies or wetlands, the water and sediment may be sampled as well. Based on the presence of contaminants in soil and groundwater, soil vapor will also be sampled for the presence of contamination. Data collected in the RI influence the development of remedial alternatives. The RI report is available for review in the site document repository and the results are summarized in section 5.4.

#### **5.1.1: Standards, Criteria, and Guidance (SCGs)**

The remedy must conform to promulgated standards and criteria that are directly applicable or that are relevant and appropriate. The selection of a remedy must also take into consideration guidance, as appropriate. Standards, Criteria and Guidance are hereafter called SCGs.

To determine whether the contaminants identified in various media are present at levels of concern, the data from the RI were compared to media-specific SCGs. The Department has developed SCGs for groundwater, surface water, sediments, and soil. The NYSDOH has developed SCGs for drinking water and soil vapor intrusion. For a full listing of all SCGs see: <http://www.dec.ny.gov/regulations/61794.html>

#### **5.1.2: RI Information**

The analytical data collected on this site includes data for:

- groundwater
- soil

The data have identified contaminants of concern. A "contaminant of concern" is a contaminant that is sufficiently present in frequency and concentration in the environment to require evaluation for remedial action. Not all contaminants identified on the property are contaminants of concern. The nature and extent of contamination and environmental media requiring action are summarized below. Additionally, the RI Report contains a full discussion of the data. The contaminant(s) of concern identified at this site is/are:

lead	polycyclic aromatic hydrocarbons (PAHs),
petroleum products	total

Based on the investigation results, comparison to the SCGs, and the potential public health and environmental exposure routes, certain media and areas of the site required remediation. These media were addressed by the IRM(s) described in Section 6.2. More complete information can be found in the RI Report and the IRM Construction Completion Report.

## **5.2: Interim Remedial Measures**

An interim remedial measure (IRM) is conducted at a site when a source of contamination or exposure pathway can be effectively addressed before issuance of the Decision Document.

The following IRM(s) has/have been completed at this site based on conditions observed during the RI.

### **Soil and UST Removal**

This IRM consisted of:

- i) removal of containers of wastes such as oils, paint sludges, degreasers, cleaning agents, etc. from the building area;
- ii) asbestos removal from the buildings;
- iii) demolition of on-site buildings (a residence and the former Good Door Store);
- iv) removal of concrete and asphalt;
- v) removal of 11 abandoned underground storage tanks previously decommissioned in place;
- vi) removal of 14,630 tons of contaminated soils from the spill area and other areas of the site with off-site disposal. In general the excavation was to the native soil. Depth of excavation varied from 2-14 feet below ground surface (bgs);
- vii) post-excavation samples results showed that residential use soil cleanup objectives (SCOs) were achieved for VOCs, PAHs, and PCBs for all the samples over the entire site. Only a few samples showed metals above Unrestricted SCOs. The highest levels of lead, zinc, and mercury were 386 ppm, 369 ppm, and 0.81 ppm respectively and
- viii) backfilling the excavated areas with materials meeting the residential use or protection of groundwater SCOs.

## **5.3: Summary of Human Exposure Pathways**

This human exposure assessment identifies ways in which people may be exposed to site-related contaminants. Chemicals can enter the body through three major pathways (breathing, touching or swallowing). This is referred to as *exposure*.

Remedial activities performed as an interim remedial measure have removed all contamination to a level consistent with residential use.

## **5.4: Summary of Environmental Assessment**

This section summarizes the assessment of existing and potential future environmental impacts presented by the site. Environmental impacts may include existing and potential future exposure pathways to fish and wildlife receptors, wetlands, groundwater resources, and surface water. The RI report presents a detailed discussion of any existing and potential impacts from the site to fish and wildlife receptors.

Prior to the IRM, petroleum hydrocarbons (up to 1,380 ppm), PAHs, and metals (lead up to 3,590 ppm) were found at the site. These levels exceeded the commercial/industrial SCOs. Contaminated soils from the spill area and other areas of the site were addressed during an IRM.

During the IRM 14,630 tons of contaminated soils from the spill area and other areas of the site were excavated and disposed at a permitted off-site landfill. In general, the excavations were from 2-14 feet deep and continued to native soil. Post excavation soil samples results showed that Unrestricted SCOs were achieved for VOCs, PAHs, and PCBs for all the samples over the entire site. A few samples showed metals above Unrestricted SCOs. The highest levels of lead, zinc, and mercury were 386 ppm, 369 ppm, and 0.81 ppm respectively. The entire site has been backfilled with materials meeting the residential SCOs.

The soils at site consist of clayey-silt and sandy-silt. The bedrock is approximately 18 feet bgs. In general the groundwater from the site flows towards Lake Erie or towards south-west. The site no longer poses a threat to the environment.

Only one overburden well shows low levels of metals and PAHs. No VOCs were found in either overburden or bedrock wells. There are no drinking water wells on-site and the City of Buffalo prohibits the use of groundwater. Therefore remedial action to address groundwater were not determined to be necessary

#### **SECTION 6: ELEMENTS OF THE SELECTED REMEDY**

No Further Action is required for this site since the soil removal IRM conducted achieved the Part 375 residential soil cleanup objectives and the limited groundwater impact is addressed by the City of Buffalo's prohibition relative to the use of groundwater as a potable water supply. Remediation is therefore complete. Since there are no engineering controls to maintain, or use restrictions required for this site there are no institutional controls necessary, therefore an environmental easement and site management plan are not required.





BCP Parcel Boundary Approximate

Not to Scale



7815 BUFFALO AVE  
P.O. BOX 4049  
NIAGARA FALLS, NY 14304  
(716) 283-7645

PROJECT NO.: YB-111HYDRAULICBCP

DRAFTED BY: GSH

## SITE PLAN (AERIAL)

RI / AAR / IRM REPORT

111 HYDRAULIC STREET SITE

BCP SITE No.: C915235

BUFFALO, NY 14210

PREPARED FOR

598 MAIN STREET LLC

FIGURE 2