



# FACT SHEET

## Brownfield Cleanup Program

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**295 Maryland Street Site**  
**2011 Site Number C915242**  
**Buffalo, NY**

**July, 2011**

### Environmental Cleanup Plan for Interim Remedial Measures Available for Public Comment

The public is invited to comment on a draft work plan being reviewed by the New York State Department of Environmental Conservation (NYSDEC) to investigate the 295 Maryland Street Site ("site") located at 295 Maryland Street in Buffalo, Erie County (see map inset for site location). The draft work plan, called an "Interim Remedial Measures (IRM) Work Plan," was submitted to NYSDEC by 295 Maryland, LLC ("applicant") under New York's Brownfield Cleanup Program.

#### How to Comment

NYSDEC is accepting written comments about the draft IRM Work Plan for 30 days, from **July 20, 2011** through **August 20, 2011**. The draft IRM Work Plan is available for review at the Niagara Branch of the Buffalo and Erie County Public Library and the NYSDEC Buffalo Office identified below under "Where to Find Information."

Submit written comments to:

Mr. Anthony Lopes, P.E.  
NYSDEC, Region 9  
270 Michigan Avenue  
Buffalo, NY 14203  
[alopes@gw.dec.state.ny.us](mailto:alopes@gw.dec.state.ny.us)



*Site Location Map*

**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 may include recreation, housing, business or other uses.

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.ny.gov/chemical/8450.html](http://www.dec.ny.gov/chemical/8450.html)

#### Highlights of the Proposed Cleanup Work

This Fact Sheet has been prepared to notify interested parties and nearby property owners of a plan to implement focused environmental cleanup activities at the 295 Maryland Street Brownfield Cleanup Site. The plan proposes an environmental cleanup action that will involve excavation of impacted soil/fill with off-site disposal. An IRM can be conducted relatively quickly to address obvious issues at a site and minimize environmental and health risks. The proposed remedial work will be performed by the applicant with oversight by NYSDEC.

Upcoming IRM cleanup activities will include:

- Testing of the soil/fill to determine disposal requirements.
- Excavating impacted soil/fill across the Site with the goal of

achieving conformance with the NYSDEC's restricted-residential use soil cleanup objectives (SCOs), which are appropriate for the planned use of the site.

- Performing verification sampling after the excavation work is complete to confirm that the cleanup goals were met.
- Backfilling and compacting the excavations with approved backfill material.
- Transporting the excavated impacted soil/fill off-site for disposal at a permitted solid waste disposal facility.

### **Next Steps**

NYSDEC will consider public comments, revise the plan as necessary, and approve the IRM Work Plan. The approved IRM Work Plan will then be available for public review (see "Where to Find Information" below). The IRM field work is expected to begin in August 2011 and be completed in September 2011.

Following the interim cleanup action, further environmental investigation will be conducted to determine the extent of any remaining contamination. A report called an Alternatives Analysis Report detailing the findings and evaluating additional cleanup options will be compiled and made available at the locations for public viewing listed below. This report is expected to be complete in late 2011.

NYSDEC will keep the public informed during the cleanup process of the Site through fact sheets similar to this one.

### **Background**

NYSDEC previously accepted an application from the applicant to participate in the Brownfield Cleanup Program. The applicant proposes that the site will be used for restricted-residential purposes; specifically, the applicant intends to construct a residential apartment complex comprised of approximately 54 living units in a three-story building.

The BCP Site consists of 1.495 acres of contiguous property at 295 Maryland and 129 West Avenue. The Site was historically used in a residential and commercial capacity, with the property at 295 Maryland Street most recently occupied by Lamar Advertising, Inc., a firm specializing in the sale of billboard advertising space and erection of billboard signs. Lamar relocated to another location within the City of Buffalo in December 2000; the associated commercial buildings and facilities on 295 Maryland Street as well as former residential dwellings at 121-129 West Avenue have been demolished. Currently, the Site is vacant and undeveloped; surrounding property is a mixed use commercial/residential neighborhood.

Historical usage of this Site as a manufacturing facility from the 1920s through 2000 included the use of solvents; petroleum products, including gasoline and hydraulic oil; paints; and other hazardous materials. Subsequent testing revealed surface and subsurface soil impacts from organic and inorganic compounds to a depth of approximately 1 to 4 feet below grade across the Site. The compounds detected in the soil are isolated to that medium as they generally are not mobile in groundwater nor are they subject to significant volatilization.

Based on the findings of the investigation work, an IRM will be performed to address impacted soil/fill. The primary goal of the IRM will be removal of the fill layer across the BCP Site as necessary to achieve restricted-residential use SCOs. This will assure levels protective of Site reuse under the anticipated redevelopment scenario without reliance on engineering controls. If unanticipated conditions are encountered that preclude achieving restricted-residential use SCOs throughout the Site, the excavation will be of sufficient depth to allow for 2 feet of clean soil cover in areas not anticipated to be covered by buildings, parking, sidewalks, or hardscape.

### **Where to Find Information**

Project documents are available for review at the following location(s) to help the public stay informed. These documents include the IRM Work Plan and the application to participate in the Brownfield Cleanup Program.

**Buffalo and Erie County Public Library**  
Niagara Branch  
280 Porter Avenue

**NYSDEC Region 9 Office**  
270 Michigan Avenue  
Buffalo, New York 14203-2999

Buffalo, NY 14201  
Phone: (716) 882-1537  
Hours: M-W 12-8; T 9-2; F-S 9-5; Sun (closed)

Phone: (716) 851-7220  
Hours: M-F 8:30 am - 4:45 pm  
(Call for appointment)

### **Who to Contact**

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

#### **Site Related Environment Questions**

Mr. Anthony Lopes, P.E.  
NYSDEC, Region 9  
270 Michigan Avenue  
Buffalo, NY 14203  
(716) 851-7220  
[alopes@gw.dec.state.ny.us](mailto:alopes@gw.dec.state.ny.us)  
(Call for an appointment)

#### **Site-Related Health Questions**

Mr. Matt Forcucci  
NYSDOH  
584 Delaware Avenue  
Buffalo, NY 14202  
(716) 847-4501  
[beei@health.state.ny.us](mailto:beei@health.state.ny.us)

#### **Project Development Questions**

Mr. Anthony P. LoRusso  
296 Maryland, LLC  
366 Elmwood Avenue  
Buffalo, NY 14222  
(716) 884-3800  
[aplpropertygrp@verizon.net](mailto:aplpropertygrp@verizon.net)

**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.**

#### **Receive Site Fact Sheets by Email**

Have site information such as this fact sheet sent right to your email inbox. NYSDEC invites you to sign up with one or more contaminated sites county email listservs available at the following web page: [www.dec.ny.gov/chemical/61092.html](http://www.dec.ny.gov/chemical/61092.html). It's *quick*, it's *free*, and it will help keep you *better informed*.



As a listserv member, you will periodically receive site-related information/announcements for all contaminated sites in the county(ies) you select.

You may continue also to receive paper copies of site information for a time after you sign up with a county listserv, until the transition to electronic distribution is complete.

**Note:** Please disregard if you already have signed up and received this fact sheet electronically.