

(Fact Sheet Begins Next)

Act Now to Continue Receiving Information About This Site!

DEC's Division of Environmental Remediation (DER) now distributes information about contaminated sites *electronically by email*.

If you would like to continue to receive information about the contaminated site featured in this fact sheet:

You must sign up for the DER email listserv:

www.dec.ny.gov/chemical/61092.html

DER cannot register your email address - only the email address owner can do so. If you already have signed up for the listserv for the county in which the site is located, you need do nothing.



Why You Should Go “Paperless”:

Get site information faster and share it easily;

Receive information about all sites in a chosen county - read what you want, delete the rest;

It helps the environment and stretches your tax dollars.

If “paperless” is not an option for you, call or write to the DER project manager identified in this fact sheet. Indicate that you need to receive paper copies of fact sheets through the Postal Service. Include the site name in your correspondence. The option to receive paper is available to individuals only. Groups, organizations, businesses, and government entities are assumed to have email access.

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**FACT SHEET****Brownfield Cleanup
Program**

Site Name: Webster Block
DEC Site #: C915270
Address: 75 Main Street; Buffalo, NY 14203
Website: <http://www.dec.ny.gov/chemical/87990.html>

Have questions?
See
"Who to Contact"
Below

Report Recommends No Further Action at Brownfield Site; Public Comment Period Announced

The public is invited to comment on a no further action remedy for the Webster Block site ("site") located at 75 Main Street, Buffalo, Erie County. Please see the map for the site location. Documents related to the cleanup of this site can be found at the location(s) identified below under "Where to Find Information."

New York State Department of Environmental Conservation (NYSDEC) is reviewing a report that recommends no further action at the site. The report, called a "Remedial Investigation Report," was submitted to NYSDEC by HARBORcenter Development, LLC ("applicant"). The report describes the results of the site investigation.

How to Comment

NYSDEC is accepting written comments about the investigation report for 45 days, from **June 20, 2014** through **August 4, 2014**. The investigation report is available for public review at the location(s) identified below under "Where to Find Information." Please submit comments to the NYSDEC project manager listed under Project Related Questions in the "Who to Contact" area below.

No Further Action Remedy

To remove all disturbed soil and fill unsuitable for redevelopment construction and to remediate the site, an Interim Remedial Measure ("IRM") was implemented. All soil/fill on site above the native material, was excavated and disposed of at a landfill. The depth of the excavation was approximately 10 to 11 feet.

A total of 52,839 tons or approximately 35,000 cubic yards of soil and fill were removed from the site. In addition, 121 truckloads of concrete and asphalt (approximately 1,815 tons) were sent off-site for recycling during the excavation.

Institutional and Engineering Controls

Institutional controls and engineering controls generally are designed to reduce or eliminate exposure to contaminants of concern. An *institutional control* is a non-physical restriction on use of the site, such as a deed restriction, 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 to manage contamination such as a cap or vapor barrier.

No institutional controls or engineering controls have been or will be put in place on the site.

Next Steps

NYSDEC will complete its review, make any necessary revisions and, if appropriate, approve the investigation report and its no further action recommendation. The approved report will be made available to the public (see “Where to Find Information” below).

If the approved investigation report concludes that no further action is needed to address the site, NYSDEC will issue a "Certificate of Completion" to the applicant. Upon receiving a Certificate of Completion, the applicant:

- would have no liability to the State for contamination at or coming from the site, subject to certain conditions; and
- would be eligible for tax credits to offset the costs of performing cleanup activities and for redevelopment of the site.

A Certificate of Completion may be modified or revoked if, for example, an applicant does not comply with the terms and conditions of its Brownfield Cleanup Agreement with NYSDEC.

Background

Location: The site is located at 75 Main Street in the city of Buffalo, Erie County, and is approximately 2.07 acres in size. The site occupies an entire city block, bounded on the west by Main Street; on the east by Washington Street; on the north by Scott Street, on the south by Perry Street and is known locally as the Webster Block.

Site Features: The site is generally flat and level, and had been covered by an asphalt surface parking lot from the 1980s until 2013 when redevelopment construction began.

Current Zoning and Land Use: The property is located in a district of the local zoning map labeled as Institutional/Light industrial; in accordance with the zoning ordinances, residential uses would also be permitted in this district. Office buildings, a sports arena and hotel are located adjacent to the site. On the site itself, construction of a sports complex, hotel, restaurant and retail space is currently underway.

Past Use of the Site: The site had been used for warehousing and manufacturing purposes since the early 1820's, originally due to its location adjacent to the Erie Canal and the Buffalo Harbor. Prior uses that appear to have led to the site contamination include but are not limited to: paint and oil storage, oil refining, machine shops, copper and tin smiths, nickel plating shop, and iron works.

Site Geology and Hydrogeology: Overburden soils in the area consisted of six inches of pavement

and sub-base gravel, fill material varying in thickness from 8 to 14 feet, and native material consisting of alternating layers of silty clay, fine to sandy silt and gravel, and a layer of peat. Bedrock is approximately 42 to 50 feet below ground surface (bgs).

Groundwater is present on site in two hydrogeologic zones. The first hydrogeologic zone is a perched surface water trapped within portions of the fill material (old foundations) extending downward to a clay layer that ranges from 8 to 16 ft. bgs. This zone is affected by numerous foundations throughout the site. Water in the zone is discontinuous and limited in its nature both horizontally (by heterogeneous fill areas) and vertically by the confining clay beneath.

Beneath the fill and clay layer is a semi- confined aquifer extending into native material consisting of fine sandy silt overlaying silty clay and bedrock. This zone vertically extends from approximately 20 ft bgs (beneath the confining clay layer) to 40 ft bgs. Groundwater in both zones flows to the south, towards the Buffalo River.

Additional site details, including environmental and health assessment summaries, are available on NYSDEC's website at <http://www.dec.ny.gov/chemical/87990.html> and <http://www.dec.ny.gov/cfmx/extapps/derexternal/haz/details.cfm?pageid=3&progno=C915270>.

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: <http://www.dec.ny.gov/chemical/8450.html>

FOR MORE INFORMATION

Where to Find Information

Project documents are available at the following location(s) to help the public stay informed.

Buffalo & Erie County Public Library
Attn: Reference Librarian
1 Lafayette Square
Buffalo, NY 14203-1887
716-858-8900

NYSDEC
Region 9 Office
270 Michigan Avenue
Buffalo, NY 14203
716-851-7220

Project documents are also available on the NYSDEC website at:
<http://www.dec.ny.gov/chemical/87990.html>.

Who to Contact

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

Project Related Questions

David Locey, Project Manager
Department of Environmental Conservation
Division of Environmental Remediation
270 Michigan Ave
Buffalo, NY 14203-2915
716-851-7220
Region9@gw.dec.state.ny.us

Site-Related Health Questions

Matthew Forcucci, Public Health Specialist
New York State Department of Health
584 Delaware Avenue
Buffalo, NY 14202
716-847-4501
BEEI@health.state.ny.us

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.

