



Department of  
Environmental  
Conservation

# FACT SHEET

## Brownfield Cleanup Program

1827 Fillmore Avenue Site  
1827 Fillmore Avenue  
Buffalo, New York 14214

February 2019

SITE No. C915279  
NYSDEC REGION 9

### Where to Find Information:

*Project documents are available at the following location to help the public stay informed.*

**Buffalo & Erie County Public Library**  
1 Lafayette Square  
Buffalo, NY 14203

### Who to Contact:

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

#### **Project-Related Questions**

David Locey, Project Manager  
NYSDEC  
270 Michigan Avenue  
Buffalo, NY 14203  
(716)851-7220  
[david.locey@dec.ny.gov](mailto:david.locey@dec.ny.gov)

#### **Project-Related Health Questions**

Steven G. Berninger  
NYSDOH  
Empire State Plaza  
Corning Tower, Room 1787  
Albany, New York, 12237  
(518)-402-7860  
[bee@health.ny.gov](mailto:bee@health.ny.gov)

For more information about New York's  
Brownfield Cleanup Program, visit:  
[www.dec.ny.gov/chemical/8450.html](http://www.dec.ny.gov/chemical/8450.html)

## Remedy Proposed for Brownfield Site Contamination; Public Comment Period Announced

The public is invited to comment on a proposed remedy being reviewed by the New York State Department of Environmental Conservation (NYSDEC), in consultation with the New York State Department of Health (NYSDOH), to address contamination related to the 1827 Fillmore Avenue site ("site") located at 1827 Fillmore Avenue, Buffalo, Erie County. Please see the map (Page 2) for the site location.

**How to Comment:** NYSDEC is accepting written comments about the proposed plan for 45 days, from **February 6** through **March 22, 2019**. The proposed plan is available for public review at the location identified at left under "Where to Find Information." Please submit comments to the NYSDEC project manager listed under Project Related Questions in the "Who to Contact" area at left.

**Proposed Remedy:** To allow for the commercial re-use of the site, the remedy would consist of:

- Limited excavation and off-site disposal of soil/fill impacted with elevated concentrations of lead and semi-volatile organic compounds;
- In-situ stabilization of lead contaminated soil/fill that exhibits the characteristic of a hazardous waste. Stabilization is a treatment process that reduces the potential for lead in soil/fill to be released into groundwater and renders the material non-hazardous;
- Placement of a site-wide cover system, consisting of pavement or at least one foot of clean soil; and
- Recording of an environmental easement on the property that will restrict property use to commercial or industrial activities, and require compliance with the site management plan.

The proposed remedy was developed by 1827 Fillmore LLC ("volunteer") after performing a detailed investigation of the site under New York's Brownfield Cleanup Program (BCP). The *Remedial Investigation / Alternatives Analysis Report* describes the results of the site investigation and the assessment leading to the proposed remedy. The report is available for review at the public library, identified to left, under "Where to Find Information".

**Next Steps:** NYSDEC will consider public comments, revise the cleanup plan as necessary, and issue a final Decision Document. NYSDOH must concur with the proposed remedy. After approval, the proposed remedy becomes the selected remedy. The volunteer may then design and perform the cleanup action to address the site contamination, with oversight by NYSDEC and NYSDOH.

NYSDEC will keep the public informed throughout the investigation and cleanup of the site.

# BROWNFIELD CLEANUP PROGRAM

**Site Description:** The site is located in the City of Buffalo and is bound by the Kensington Expressway (Route 33) and Buffalo Public School #84 to the north, Erie County Medical Center to the east, Buffalo Public School #89 to the south and Fillmore Avenue to the west.

The site is currently vacant land with vegetated areas and abandoned asphalt-paved parking lots and roadways. The last of six, seven-story apartment buildings that comprised the Kensington Heights housing project, was demolished in 2018.

The site was formerly utilized as a stone quarry beginning in at least 1917. Sometime in the 1940s and/or 1950s the quarry was backfilled with various fill material from unknown sources. In 1958, the site was developed as the Kensington Heights housing project.

Additional site details, including environmental and health assessment summaries, are available on NYSDEC's Environmental Site Remediation Database (by entering the Site ID, C915279) at:

<http://www.dec.ny.gov/cfm/xtapps/derexternal/index.cfm?pageid=3>

**Summary of the Investigation:** The primary contaminants of concern at the site are semi-volatile organic compounds (SVOCs) and metals, which are present site-wide in the soil/fill.

**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 site is any real property where a contaminant is present at levels exceeding the soil cleanup objectives or other health-based or environmental standards, criteria or guidance adopted by DEC that are applicable based on the reasonably anticipated use of the property, in accordance with applicable regulations.

For more information about the BCP, visit:

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

*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:

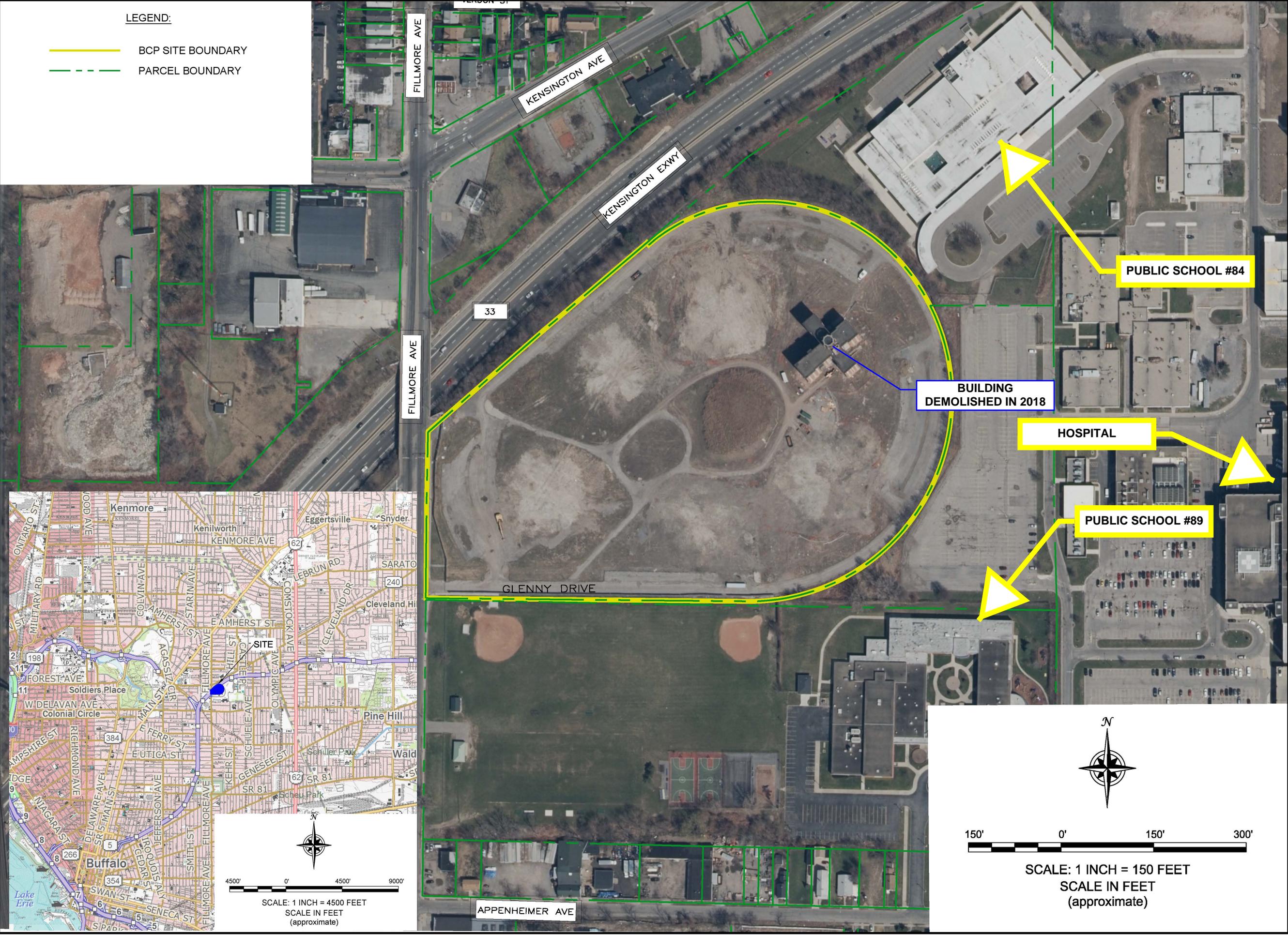
[www.dec.ny.gov/chemical/61092.html](http://www.dec.ny.gov/chemical/61092.html)

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.

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

**LEGEND:**

- BCP SITE BOUNDARY
- PARCEL BOUNDARY



FILLMORE AVE

KENSINGTON AVE

KENSINGTON EXWY

33

BUILDING  
DEMOLISHED IN 2018

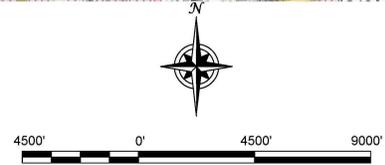
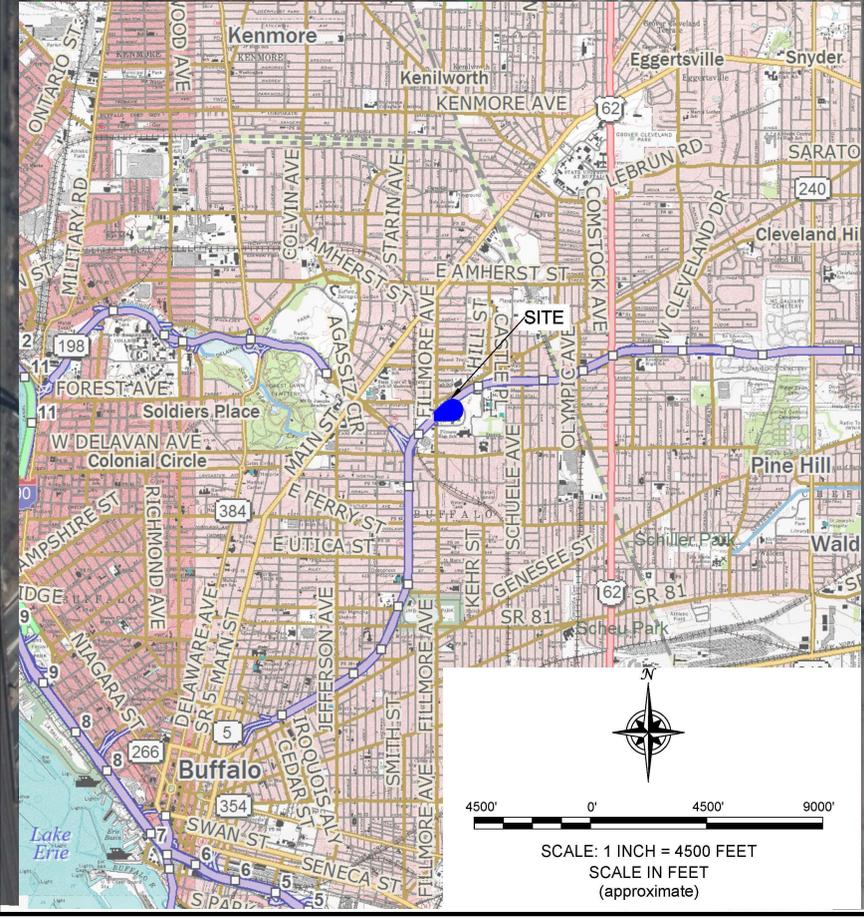
PUBLIC SCHOOL #84

HOSPITAL

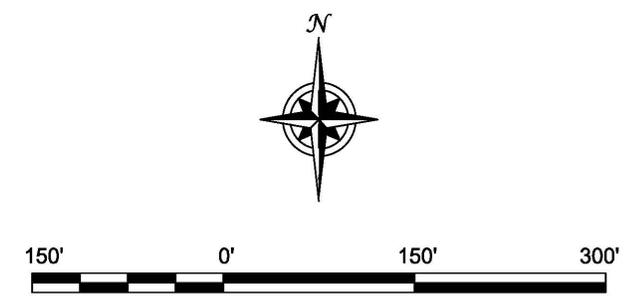
PUBLIC SCHOOL #89

GLENNY DRIVE

APPENHEIMER AVE



SCALE: 1 INCH = 4500 FEET  
SCALE IN FEET  
(approximate)



SCALE: 1 INCH = 150 FEET  
SCALE IN FEET  
(approximate)