



Department of
Environmental
Conservation

Where to Find Information:

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

Document Repository Name

Erie County Public Library
East Clinton-Bailey Branch
1929 Clinton Street
Buffalo, NY 14206
Phone: 716-823-5626

Who to Contact:

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

Project-Related Questions

Jaspal S. Walia, Project Manager
NYSDEC
270 Michigan Ave.
Buffalo, NY 14203
Tel. No.: 716-851-7220
jaspal.walia@dec.ny.gov

Health-Related Questions

Sarita Wagh
New York State Department of Health
Empire State Plaza, Corning Tower Rm.
1787
Albany, NY 12237
518-402-7860
bee@health.ny.gov

**For more information about New York's
Brownfield Cleanup Program, visit:**
www.dec.ny.gov/chemical/8450.html

FACT SHEET

Brownfield Cleanup Program

837 Bailey Avenue Site
837 Bailey Avenue
Buffalo, NY 14206

SITE No. C915298
NYSDEC REGION 9

May 2019

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) to address contamination related to 837 Bailey Avenue Site ("site") located at 837 Bailey Avenue in the City of Buffalo, Erie County. Please see the map for the site location. Documents related to the cleanup of this site can be found at the locations identified below under "Where to Find Information."

Based on the findings of the investigation, NYSDEC in consultation with the New York State Department of Health (NYSDOH) has determined that the site poses a significant threat to public health or the environment. This decision is based on off-site migration of soil/fill with lead levels above residential cleanup standards. NYSDEC is working with the owners of potentially impacted adjacent residential properties to further investigate and, if necessary, remediate these impacts.

How to Comment

NYSDEC is accepting written comments about the proposed cleanup plan for 45 days, from **May 17, 2019 through July 1, 2019**. The draft Remedial Investigation/Alternatives Analysis Report (AAR) containing the proposed site remedy is available for public review at the locations identified to the 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: The following proposed remedial action is based upon the remedial investigation report and the Interim Remedial Measures (IRMs) already completed:

- 1) Cleaning up areas between the site fence and property lines, behind residential properties, to residential use.
- 2) Constructing a soil cover over the entire site within the site fenced area. The soil cover would be hardscape (asphalt, concrete) or a minimum of one foot of clean approved soil/fill material placed over a demarcation layer.
- 3) Maintenance and monitoring of the site under a Site Management Plan.
- 4) Filing an Environmental Easement with Erie County. The easement would restrict site use to commercial or industrial uses (based on local zoning), prohibit the use of groundwater and require compliance with the site management plan.

Interim Remedial Measures (IRMs): IRMs were conducted in 2017 and 2018 and included the following:

- Removal and off-site disposal of contaminated soil/fill contaminated with metals and polycyclic aromatic hydrocarbons (PAHs) exceeding site specific action levels. The excavated areas were backfilled with approved fill materials.
- Removal and off-site disposal of multiple debris piles consisting of construction and demolition material, concrete, wood stumps, and tires.

Next Steps: NYSDEC will consider public comments, make any necessary revisions and, if appropriate, approve the report and its proposed remedy. The approved report will be made available to the public under "Where to Find Information" on Page 1 of this fact sheet.

When the report and other final documents are approved, NYSDEC will issue a "Certificate of Completion" (COC) to the applicant(s). Upon receiving the COC, the applicant(s):

- 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.

Site Description: The site is 8.76 acres in area located in a mixed residential/commercial business area in the City of Buffalo. The site was used as an auto salvage/wrecking facility, automotive repair facility, tire recapping facility, and a filling station. The site has been vacant since 2014.

Additional site details, including environmental and health assessment summaries, are available on NYSDEC's Environmental Site Remediation Database (by entering the Site ID, C915298) at:

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

Summary of the Investigation: The soil/fill at the site is contaminated with metals (especially lead, mercury, and arsenic) and polycyclic aromatic hydrocarbons (PAHs). The depth of contaminated soil/fill is up to 12 feet below ground surface. Groundwater exceeded NYSDEC groundwater quality standards for a few naturally occurring metals such as iron, manganese, magnesium, and sodium and some PAHs.

Brownfield Cleanup Program Overview: 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 at:

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.

BROWNFIELD CLEANUP PROGRAM

Site Location Map



SITE

