



Department of  
Environmental  
Conservation

# FACT SHEET

## Brownfield Cleanup Program

### Queen City Landing

975 and 1005 Fuhrmann  
Boulevard  
Buffalo, NY 14203

**SITE No. C915304**

**NYSDEC REGION 9**

**January 2019**

## NYSDEC Certifies Cleanup Requirements Achieved at Brownfield Site

**Where to Find Information:**  
*Project documents are available at these  
location(s) to help the public stay informed.*

### **Document Repository Name**

Buffalo & Erie County Public Library  
Attn: Carol Ann Batt  
1 Lafayette Square  
Buffalo, NY 14203  
716-858-7191

### **Who to Contact:**

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

### **Project-Related Questions**

Jaspal S. Walia, Project Manager  
NYSDEC  
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Buffalo, NY 14203-2915  
716-851-7220  
Jaspal.walia@dec.ny.gov

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

Sara Bogardus  
NYSDOH  
Empire State Plaza  
Corning Tower, Room 1787  
Albany, NY 12237  
518-402-7860  
[beei@health.ny.gov](mailto:beei@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)

The New York State Department of Environmental Conservation (NYSDEC) has determined that the cleanup requirements to address contamination related to the Queen City Landing site ("site") located at 975-1005 Fuhrmann Boulevard in the City of Buffalo, Erie County, under New York State's Brownfield Cleanup Program have been met. Please see the map for the site location.

The cleanup activities were performed by Queen City Landing, LLC ("applicant") with oversight provided by the New York State Department of Environmental Conservation (NYSDEC). NYSDEC has approved a Final Engineering Report (FER) and issued a Certificate of Completion (COC) for the site. Copies of the FER and Notice of the COC are available at the location(s) identified to the left under "Where to Find Information."

**Completion of the Project:** The following activities have been completed to achieve the remedial action objectives:

- Excavation and off-site disposal of 3,098 cubic yards of petroleum contaminated soil and 420 cubic yards soil/fill impacted by metals, petroleum, and polycyclic aromatic hydrocarbons (PAHs) exceeding Soil Cleanup Objectives (SCOs). Clean fill was brought in to replace the excavated soil and to establish the design grades at the site.
- Removal of three 5,000-gallon petroleum underground storage tanks.
- Off-site disposal of approximately 4,705 tons of concrete fines contaminated with metals-based paint from the demolition of the on-site building.
- Off-site disposal of 1,117 tons of non-friable and 84 tons of friable asbestos containing material.
- Installation of a site-wide cover system to allow for restricted residential use of the site comprised of a minimum 24 inches of clean soil or crushed stone, or asphalt pavement, concrete covered sidewalks, and concrete retaining wall. The cover system was placed over a demarcation layer.
- Development of a Site Management Plan (SMP) for long-term management of residual contamination as required by the Environmental Easement, including plans for: (1) institutional and engineering controls (IC/ECs); (2) soil/fill management; (3) monitoring; and (4) reporting.
- Recording of an Environmental Easement as an IC to prevent future exposure to any contamination remaining at the site and to ensure implementation of the SMP.

# BROWNFIELD CLEANUP PROGRAM

**Final Engineering Report Approved:** NYSDEC has approved the FER, which:

- 1) Describes the cleanup activities completed.
- 2) Certifies that cleanup requirements have been or will be achieved for the site.
- 3) Describes any institutional/engineering controls to be used. 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.
- 4) Certifies that a site management plan for any engineering controls used at the site has been approved by NYSDEC.

The following institutional controls have been put in place on the site:

- Site Management Plan
- Groundwater Use Restriction
- Land Use Restriction
- Environmental Easement

The following engineering controls have been put in place on the site:

- Cover System

**Next Steps:** With its receipt of a COC, the applicant(s) is eligible to redevelop the site. In addition, the applicant(s):

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

A COC may be modified or revoked if, for example, there is a failure to comply with the terms of the order or agreement with NYSDEC.

**Site Description and Background:**

This 7.75-acre site is located at 975-1005 Fuhrmann Boulevard in the City of Buffalo, just north of the Port of Buffalo Small Boat Harbor and Tiff Nature Preserve. The entrance to the parcel is just north of the intersection of Fuhrmann Boulevard and Ohio Street.

Historic site use has included food manufacturing from 1958 to 2004 and boat repair and storage until September 2015. The site is planned to be developed with a multi-story residential building.

Additional site details, including environmental and health assessment summaries, are available on NYSDEC's Environmental Site Remediation Database (by entering the Site ID, C915304) at:

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

**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 at:

[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

**NOTES:**

1. AERIAL IMAGE FROM GOOGLE EARTH PRO 2015.



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



**SITE LAYOUT MAP**

ALTERNATIVE ANALYSIS REPORT  
 QUEEN CITY LANDING SITE  
 BCP SITE NO. C915304  
 BUFFALO, NEW YORK  
 PREPARED FOR  
 QUEEN CITY LANDING, LLC



2556 HAMBURG TURNPIKE  
 SUITE 300  
 BUFFALO, NY 14218  
 (716) 856-0589

JOB NO.: 0424-017-001

**FIGURE**

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