



Department of
Environmental
Conservation

Where to Find Information:

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

Document Repository Name

East Clinton Branch Library
1929 Clinton Street
Buffalo, NY 14206

Who to Contact:

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

Project-Related Questions

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

FACT SHEET

Brownfield Cleanup Program

1550 Harlem Road Site

1550 Harlem Road
Cheektowaga, NY 14206

SITE No. C915321

NYSDEC REGION 9

January 2019

NYSDEC Certifies Cleanup Requirements Achieved at Brownfield Site

The New York State Department of Environmental Conservation (NYSDEC) has determined that the cleanup requirements to address contamination related to the 1550 Harlem Road site ("site") located at 1550 Harlem Road in the Town of Cheektowaga, 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 American Tire, Inc. ("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:

- Removal and off-site disposal of 8,000-gallon and 5,000-gallon underground storage tanks, and 415 cubic yards of petroleum impacted soil.
- Removal and off-site disposal of approximately 14,200 gallons of petroleum impacted groundwater.
- Excavation and off-site disposal of 63 cubic yards of soil/fill impacted by metals and polycyclic aromatic hydrocarbons (PAHs) exceeding the Restricted Residential Soil Cleanup Objectives. Clean fill was brought in to replace the excavated soil and to establish the design grades at the site.
- 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 and (3) 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

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

- 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 0.43-acre site is located in a mixed residential and commercial business area in the Town of Cheektowaga. The site currently is vacant with no structures.

The site was used as a gasoline station from at least 1950 to 1970s and then a nursery/garden center from the mid-1980s to early 2014. The site is planned to be developed as a tire

distribution center with potential for limited restricted residential use.

Additional site details, including environmental and health assessment summaries, are available on NYSDEC's Environmental Site Remediation Database (by entering the Site ID, C915321) at:

<http://www.dec.ny.gov/cfm/externalapps/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.

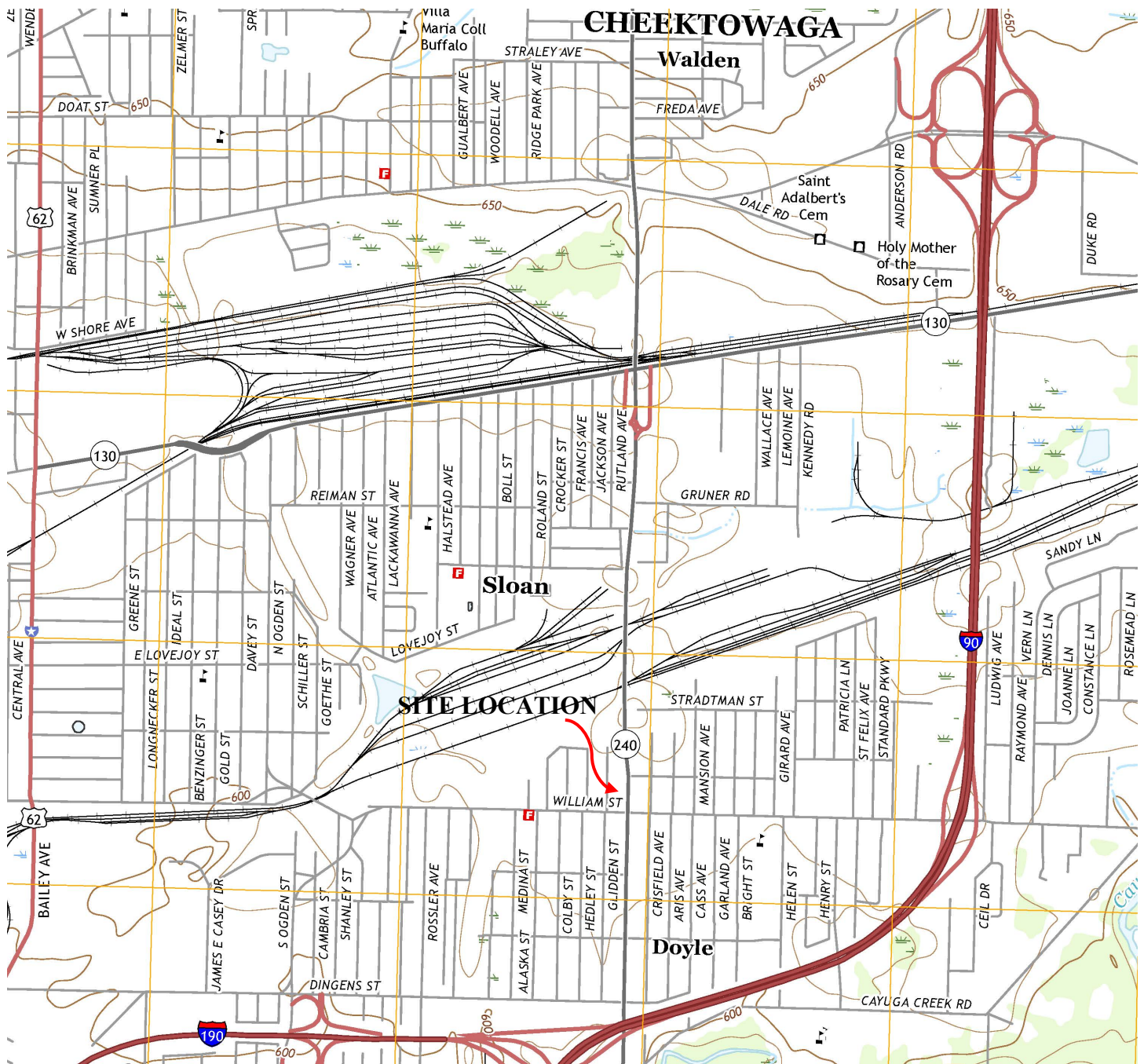
Receive Site Fact Sheets by Email

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:

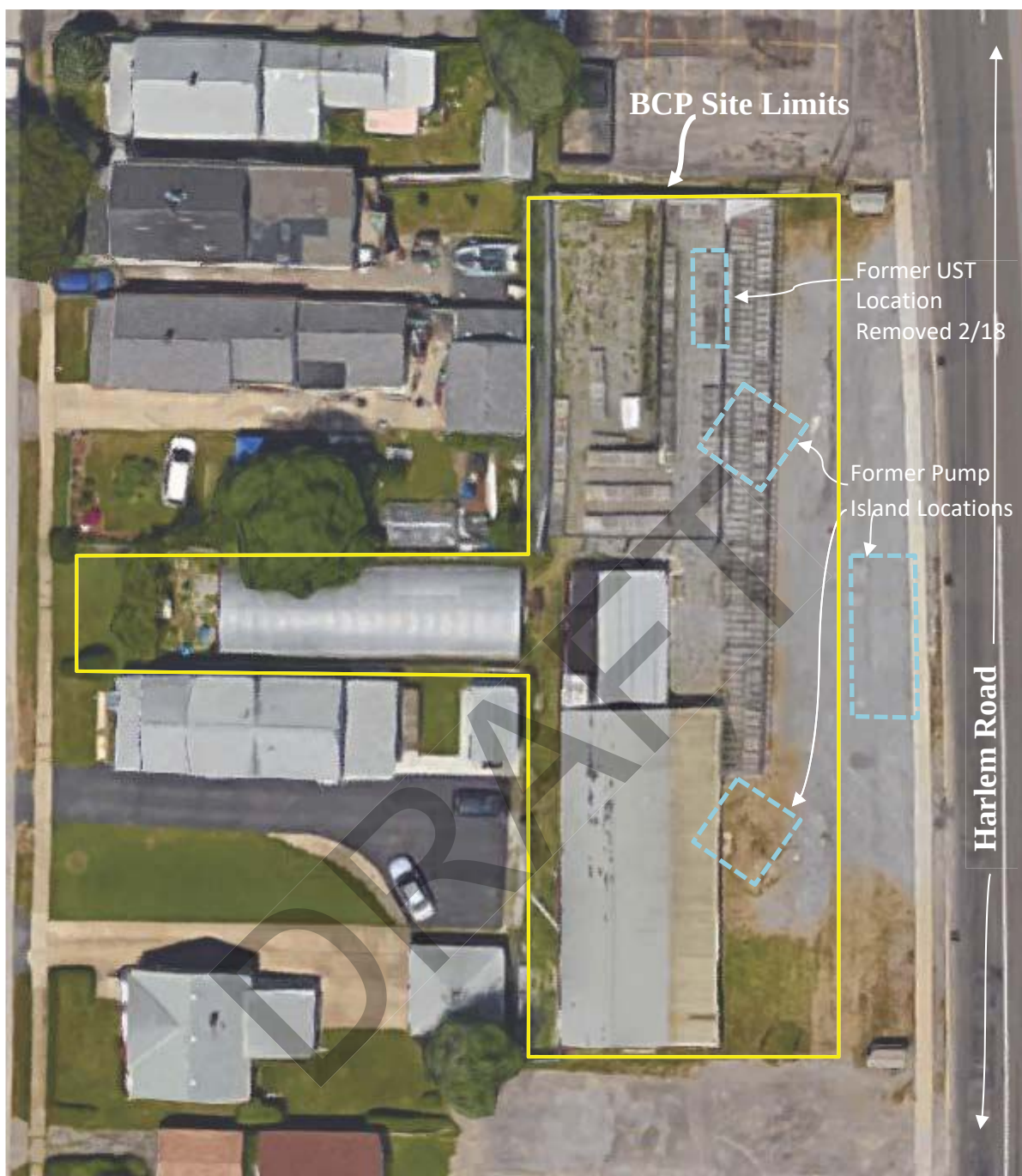
www.dec.ny.gov/chemical/61092.html

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.



WITTMAN GEOSCIENCES, PLLC	Date: 10/2018	Site Location Map 1550 Harlem, Cheektowaga, NY	Project: 18-102 Figure: 1
	Scale: not to scale		



WITTMAN GEOSCIENCES, PLLC	Date: 10/20/2018	Site Limit Plan 1550 Harlem Road, Cheektowaga, NY	Project: 18-102 Figure: 2
	Scale: 1' = 40'		