

(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.



Department of
Environmental
Conservation

Where to Find Information

Access project documents through the DECinfo Locator and at these location(s):

Document Repository Name

*(*Repositories are temporarily unavailable due to COVID-19 precautions. If you cannot access the online repository, please contact the NYSDEC project manager listed below for assistance)*

Buffalo & Erie County Public Library
1 Lafayette Square
Buffalo, NY 14203
Phone: (716) 858-8900

Key project documents and project summary also are available on the NYSDEC website:
<https://www.dec.ny.gov/data/DecDocs/C915331/>

Who to Contact

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

Project-Related Questions

Joshua Vaccaro, Project Manager
NYSDEC
270 Michigan Ave
Buffalo, NY 14203
(716) 851-7220
joshua.vaccaro@dec.ny.gov

Project-Related Health Questions

Harolyn Hood
NYSDOH
Empire 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

201 Ellicott Street Site

201 Ellicott Street
Buffalo NY, 14203

SITE No. C915331

NYSDEC REGION 9

June 2020

Interim Remedial Measure Complete, No Further Action Required at Brownfield Site; Public Comment Period Announced

The public is invited to comment on a proposed no further action remedy for the 201 Ellicott Street site ("site") located at 201 Ellicott Street in the City of Buffalo, Erie County. Please see the attached map for the site location.

The New York State Department of Environmental Conservation (NYSDEC), in consultation with the New York State Department of Health (NYSDOH), is reviewing a report that recommends no further action at the site. The report, titled Draft Remedial Investigation/Alternatives Analysis Report (RI/AAR), was prepared and submitted to NYSDEC by 201 Ellicott, LLC ("applicant") dated May 2020.

How to Comment: NYSDEC is accepting written comments about the Draft RI/AAR for 45 days, from **June 10th through July 25th, 2020**.

- Access project documents online through the DECinfo Locator:
<https://www.dec.ny.gov/data/DecDocs/C915331/>
- Documents also are available at the location(s) 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 No Further Action Remedy: The no further action proposal is based on the completion of several expedited cleanup actions known as Interim Remedial Measures (IRMs). The IRMs were conducted in conjunction with the Remedial Investigation and the scope of work is presented in the RI/AAR. The completed IRMs included the following:

- Excavation and off-site disposal of 50,971 tons of impacted soil/fill material exceeding the unrestricted use soil cleanup objectives. Clean backfill was brought to replace the excavated soil and to establish the design grades at the site.
- Excavation and off-site disposal of three 500-gallon underground storage tanks that were encountered during excavation activities.

The following are the remaining elements proposed under the no further action remedy:

- A site management plan will be prepared. The plan requires an evaluation for potential soil vapor intrusion.

BROWNFIELD CLEANUP PROGRAM

- Recording of an Environmental Easement (EE) as an Institutional Control (IC) requiring a soil vapor intrusion evaluation to be performed on the buildings after redevelopment. If post construction soil vapor intrusion sampling shows that soil vapor is not an issue at the site, the EE will not be required. If soil vapor is a concern, a sub-slab depressurization system will be installed to mitigate any impacts to the buildings.

End point samples confirmed that the remaining soils met unrestricted soil cleanup objectives. The applicant will be submitting a Final Engineering Report for NYSDEC review, to document that cleanup requirements have been achieved to fully protect public health and the environment for the proposed site use.

Next Steps: NYSDEC will consider public comments, make any necessary revisions and, if appropriate, approve the report along with its no further action recommendation. 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. Upon receiving the COC, 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.

Site Description: The 2.477-acre site is located at 201 Ellicott Street in the City of Buffalo, Erie County. The site encompasses the entire city block and is bounded by Clinton Street to the north, East Eagle Street to the south, Oak Street to the east, and Ellicott Street to the west. Historically, the site was used for various commercial uses, such as a blacksmith shop, the National Lead Company, Buffalo Kay Chemical Company, a salvage shop, auto repair shops, a laundromat, several commercial retail shops, a hotel and various restaurants. The property was converted to a surface parking lot in the 1980s and has been used as a parking lot ever since. The site is being redeveloped into affordable housing apartments and space for a local market.

Additional site details, including environmental and health assessment summaries, are available on NYSDEC's

Environmental Site Remediation Database (by entering the site ID, C915331) at:

<https://www.dec.ny.gov/cfm/externalapps/derexternal/haz/details.cfm?ProgNo=C915331>

Summary of the Investigation: Contaminated soils and urban fill were identified across the site. The impacted subsurface soils ranged from 2 to 11 feet below ground surface. Volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs), and metals were identified above unrestricted soil cleanup objectives. Groundwater samples were collected from monitoring wells across the site. Groundwater samples displayed slight exceedances above NYSDEC groundwater criteria for one VOC, SVOCs, and metals.

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.

Stay Informed With DEC Delivers

Sign up to receive site updates by email:

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

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

DECinfo Locator

Interactive map to access DEC documents and public data about the environmental quality of specific sites: <http://www.dec.ny.gov/pubs/109457.html>

BROWNFIELD CLEANUP PROGRAM

Site Location Map

