

(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.

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**FACT SHEET****Brownfield Cleanup
Program****Receive Site Fact Sheets by *Email*.** See "For More Information" to Learn How.

Site Name: Tract I Highland Avenue
DEC Site #: C932157
Address: 3123 Highland Avenue
Niagara Falls, NY 14305

Have questions?
See
"Who to Contact"
Below

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 Tract I Highland Avenue site ("site") located at 3123 Highland Avenue, Niagara Falls, Niagara County under New York State's Brownfield Cleanup Program have been or will be met. Please see the map for the site location.

The cleanup activities were performed with oversight provided by NYSDEC. NYSDEC has approved a Final Engineering Report and issued a Certificate of Completion for the site. Copies of the Final Engineering Report and Notice of the Certificate of Completion are available at the location(s) identified below under "Where to Find Information."

Completion of Project

An Interim remedial measure was completed which included the following:

- Demolition of the former Power City Warehouse including removal of concrete floors and foundations and the filling in of the basement area with clean backfill.
- Excavation and off-Site disposal of Technologically Enhanced Naturally Occurring Radioactive Materials (TENORM) identified in two areas of the Site.
- Excavation and off-Site disposal of approximately 11,000 cubic yards of soils containing constituents (primarily lead) that exceeded the Commercial Soil Cleanup Objectives (SCOs).
- Removal and off-Site disposal of four underground storage tanks (USTs).

Final Engineering Report Approved

NYSDEC has approved the Final Engineering Report, 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 and/or institutional controls used at the site has been approved by NYSDEC.

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

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

No engineering controls have been or will be put in place on the site.

Next Steps

With its receipt of a Certificate of Completion, 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 Certificate of Completion may be modified or revoked if, for example, there is a failure to comply with the terms of the order or agreement with NYSDEC.

Background

Location:

The Tract I Site is located in a mixed light industrial, commercial and residential area at 3123 Highland Avenue in the City of Niagara Falls, Niagara County. It is approximately 5.9 acres in area and is bounded by Highland Avenue to the west; the Tulip Corporation, a plastics recycling company to the north; a 60 foot wide National Grid/Niagara Mohawk Power Corp. utility right-of-way to the east; and the Tract II Highland Avenue State Superfund Site (DEC Site Number 932136) to the south and east. Several commercial establishments and the Niagara Falls Alternative School are located to the west of the site. Residential areas are located approximately 400 feet south and 700 feet east of the site.

Site Features:

The site was mostly covered (approximately 3.3 acres) by the former Power City Warehouse Building, a three-story masonry building which has been demolished. Extensive excavations have been completed and the site is currently covered and rough graded with clean backfill material.

Current Zoning/Use:

The property is zoned for industrial use but the regional master plan requires commercial/light industrial applications.

Past Use of the Site:

The Power City Warehouse was formerly part of a larger battery manufacturing facility which encompassed the adjacent Tulip Corporation property north of the site. Sometime around 1910,

U.S. Light and Heat Co., and later Autolite Co., began automobile, truck, and tractor battery manufacturing. Prestolite Co. acquired the facility in the 1960s and retooled operations for manufacturing of hard rubber battery cases, filling of batteries with sulfuric acid, and battery charging. Operations at the facility ceased in the mid-1970s and relocated to 3001 Highland Avenue. After battery manufacturing ended in the mid-1970s, the site was used as an automotive body shop and a warehouse. The site has been vacant since the late 1980s. In 1990, the city of Niagara Falls retained ownership of the site due to tax foreclosure. Due to historical operations at the site, there were environmental concerns about potential residual impacts associated with the battery manufacturing processes.

Site Geology and Hydrogeology:

Borings on the Tract I site indicates that approximately half the site is covered with a fill layer ranging from 1.5 - 9 feet in thickness overlying 2 - 6 feet of silt overlying 2 - 8 feet of clay. Overburden extends from 15 to 23 feet below ground surface (bgs) and consists of glacio-lacustrine clay and silt overlying a thin layer of till composed of clay and sand with varying amounts of silt, gravel, cobbles and fragments of the underlying bedrock. The underlying bedrock is the Lockport Dolostone.

There is no significant groundwater aquifer within the overburden soils or fill materials. The first occurrence of groundwater is an apparently perched layer approximately 6.5 to 8 feet below ground surface within the fill and native soil overburden above the Lockport Dolostone bedrock formation. Groundwater flows generally northeast to southwest, towards the Niagara River within the overburden above the bedrock. However utility lines and other subsurface structures could influence site groundwater flow.

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

<http://www.dec.ny.gov/cfm/externalapps/derexternal/haz/details.cfm?pageid=3&progno=C932157>

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 include recreation, housing, business or other uses.

A brownfield is any real property that is difficult to reuse or redevelop because of the presence or potential presence of contamination.

For more information about the BCP, visit: <http://www.dec.ny.gov/chemical/8450.html>

FOR MORE INFORMATION

Where to Find Information

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

DORIS W. JONES FAMILY
RESOURCE CENTER
3001 9TH STREET
NIAGARA FALLS, NY 14305
phone: 716-285-5374

NYSDEC
Region 9 Office
270 Michigan Avenue
Buffalo, NY 14203
phone: 716-851-7220

Who to Contact

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

Project Related Questions

Timothy Dieffenbach
Department of Environmental Conservation
Division of Environmental Remediation
270 Michigan Ave
Buffalo, NY 14203-2915
716-851-7220
timothy.dieffenbach@dec.ny.gov

Site-Related Health Questions

Matthew Forcucci
New York State Department of Health
584 Delaware Avenue
Buffalo, NY 14202
716-847-4501
BEEI@health.ny.gov

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:
<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.

