



FACT SHEET Brownfield Cleanup Program

Receive Site Fact Sheets by Email. See "For More Information" to Learn How.

Site Name: 275 Franklin Street
DEC Site #: C915208
Address: 275 Franklin Street
Buffalo, NY 14202

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 275 Franklin Street site ("site") located at 275 Franklin Street, Buffalo, Erie County under New York State's Brownfield Cleanup Program have been or will be met. Please see the map for the site location.

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

http://www.dec.ny.gov/cfm/xtapps/derexternal/haz/details.cfm?pageid=3&progno=C915208

The cleanup activities were performed by Buffalo Development Corporation 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

The remedial program for the site achieved a Track 4 Restricted Residential Use cleanup. For Track 4 remedies, restrictions are placed on the use of the property in the form of Institutional Controls/Engineering Controls. For restricted-residential use, the top two feet of all exposed soils that are not otherwise covered by the components of the development of the site (e.g. buildings, pavement) cannot exceed the restricted-residential soil cleanup objectives (RRSCOs). Areas that exceed the RRSCOs must be covered by material meeting the requirements for restricted-residential Site use.

The remedial program included:

- Maintaining the existing site cover (asphalt) to allow for continued commercial use of the site until future redevelopment plans are implemented. Any site redevelopment will maintain a site cover, which may consist either of the structures such as buildings, pavement or sidewalks. Soil cover areas will require two feet of clean soil meeting restricted residential use requirements.

- Removal and off-site disposal of chlorinated solvent contaminated soil/fill that was the source of groundwater contamination.
- In-situ (in-place) enhanced natural biodegradation of chlorinated solvent contaminated shallow groundwater in the contaminant source area achieved through injection of agents, nutrients and buffers.
- Contaminant plume reduction by treating the contaminated groundwater flowing from the site using in-situ treatment methods. This was accomplished by injecting in-situ treatment materials along a series of injection points in the groundwater flow zone along accessible downgradient perimeter areas of the site forming a vertical permeable reactive treatment zone.
- Filing of an Environmental Easement on the property that restricts site use to restricted residential, commercial or industrial (based on local zoning), prohibits the use of groundwater, requires compliance with the Site Management Plan and requires periodic certification that all controls are in-place and effective.

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 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:

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

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

- Cover System

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 site includes two contiguous parcels in the City of Buffalo, Erie County, that are identified as 275-277 Franklin Street and 279 Franklin Street. The site is situated in an urban commercial district.

Site Features: The site is approximately 0.26 acres in size and paved with asphalt. The site is currently used as a commercial surface parking lot.

Current Zoning and Land Use: The site is located in the Downtown Opportunity (DO) zoning district which allows residential, office, (limited) retail, restaurant, hotel and entertainment uses. The surrounding parcels are currently used for a combination of commercial uses including surface parking, restaurant and entertainment.

Past Use of the Site: Record information concerning the use of the site dates back to the late 1800s where the area was predominantly closely spaced urban residential interspersed with commercial businesses and establishments.

279 Franklin Street: This lot was used for residential purposes from the late 1800s through the 1950s, and as a parking lot from the early 1980s to present. Previous use of the lot does not reveal any recognized environmental concerns.

275-277 Franklin Street: In the late 1800s the lot contained a residence. By the 1950s, the residence was replaced with a commercial use building, and record information indicates that the structure was used by a dry cleaning business from approximately 1951 through the early 2000s. The building on the parcel was demolished in 2004 by the applicant. The building area of the parcel was subsequently paved over and is currently being used as a commercial surface parking lot.

Site Geology and Hydrogeology:

Near surface soil at the site consists of 2 to 5 feet of urban fill underlain by a 40 to 45 foot thick layer of sandy deposits inter-bedded with silty clay lenses underlain by a thin (1 to 2 foot thick) layer of glacial till over bedrock. Limestone bedrock was encountered about 52 feet below the surface.

Unconfined shallow groundwater was encountered within the native soils at depths of approximately 10 to 12 feet below ground surface. Because of a silty clay soil lens within the sandy soil profile at a depth of approximately 25 to 30 feet below ground surface, the site has a defined shallow and deep groundwater zone. Site groundwater flows in a south/southwest direction. Regional groundwater appears to flow west/southwest toward Lake Erie and confluence of the Buffalo River.

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 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>

FOR MORE INFORMATION

Where to Find Information

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

Buffalo & Erie County Public Library
Attn: Michael Mahaney
1 LaFayette Square
Buffalo, NY 14203
phone: 716-858-8900

Who to Contact

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

Project Related Questions

Eugene Melnyk, PE
Department of Environmental Conservation
Division of Environmental Remediation
270 Michigan Ave
Buffalo, NY 14203-2915
716-851-7220
eugene.melnyk@dec.ny.gov

Site-Related Health Questions

Melissa Doroski
New York State Department of Health
Empire State Plaza, Corning Tower, Rm. 1787
Albany, NY 12237
518-402-7860
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.

