



FACT SHEET

Brownfield Cleanup Program

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

Site Name: 1360 Niagara Street
DEC Site #: C915302
Address: 1336, 1340 and 1360 Niagara Street
Buffalo, NY 14213

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 1360 Niagara Street site ("site") located at 1336, 1340 and 1360 Niagara 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/cfmx/extapps/derexternal/haz/details.cfm?pageid=3&progno=C915302>

The cleanup activities were performed by 1360 Niagara Street Owner, LLC 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

Completion of the remedial program included:

- Removal and off-site disposal of three underground storage tanks and one above ground storage tank;
- Excavation and off-site disposal of all urban fill material and upper layers of contaminated native soils (21,693 tons) to achieve unrestricted soil cleanup objectives;
- Backfill of the excavation to grade with clean soil, stone, and/or suitable fill material; and
- Mitigation of asbestos and lead-based paint materials within the on-site building.

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:

- Local Groundwater Restriction

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

- No engineering controls

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 1360 Niagara Street site is a 1.804-acre site located in an urban area near the intersection of Niagara Street and Lafayette Avenue in the City of Buffalo.

Site Features:

The site is relatively flat and is composed of three parcels separated by City owned Brace Street. The northern parcel includes one un-occupied four story commercial building, a small attached structure to the north and paved parking area. The southern two parcels are vacant land.

Current Zoning and Land Use:

The site is currently being developed for restricted residential use and the existing building is being rehabilitated into an apartment building. The surrounding parcels are currently used for a combination of light industrial, commercial, residential and utility right-of-ways.

Past Use of the Site:

Until 2016 the site was used for residential purposes, a lubricating factory, planning mill, pharmaceuticals production and leather operations. Prior uses that appear to have led to site contamination include the use of fill throughout the site, fuel USTs, a CSX rail line to the west, the 1318 Niagara Street Environmental Restoration Program site (Site No. E915213) to the south and

groundwater contamination migrating from the ChemCore Superfund site (Site No. 915176) to the north.

Site Geology and Hydrogeology:

The site contains 3 to 4 feet of clean fill underlain by native clay. Groundwater is 30-50 feet below ground surface and flows to the southwest.

A site location map is attached as Figure 1.

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: Carol Ann Batt
Buffalo & Erie County Public Library System
1 Lafayette Square
Buffalo, NY 14203
phone: 716-858-7191
(battc@buffalolib.org)

NYS DEC
Attn: Anthony Lopes, P.E.
270 Michigan Avenue
Buffalo, NY 14203
phone: 716-851-7220
(anthony.lopes@dec.ny.gov)

Project documents are also available on the NYSDEC website at:

<http://www.dec.ny.gov/chemical/37554.html>

Who to Contact

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

Project Related Questions

Anthony Lopes, P.E.
Department of Environmental Conservation
Division of Environmental Remediation
270 Michigan Ave
Buffalo, NY 14203-2915
716-851-7220
anthony.lopes@dec.ny.gov

Site-Related Health Questions

Sarita Wagh
New York State Department of Health
Bureau of Environmental Exposure Investigation
Empire State Plaza - Corning Tower, Rm 1787
Albany, NY 12237
518-402-7860
BEEI@health.ny.gov

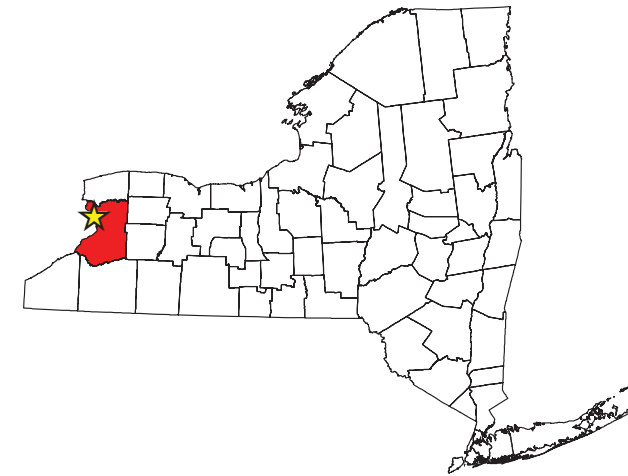
We encourage you to share this fact sheet with neighbors and tenants, and/or post this fact sheet in a prominent area of your building for others to see.

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.



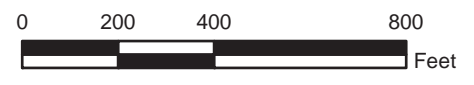
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 C&S Engineers, Inc.
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 Buffalo, New York 14203
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GARRETT LEATHER
 REMEDIAL INVESTIGATION-
 INTERIM REMEDIAL MEASURES
 WORK PLAN
 BUFFALO, NEW YORK
 APRIL 2016

MARK	DATE	DESCRIPTION
REVISIONS		
		PROJECT NO: E67.018.001
		DATE: APRIL 2016
		DRAWN BY: S. HERBERGER
		DESIGNED BY: S. HERBERGER
		CHECKED BY:
NO ALTERATION PERMITTED HEREON EXCEPT AS PROVIDED UNDER SECTION 7209 SUBDIVISION 2 OF THE NEW YORK EDUCATION LAW		

Legend
 BCP BOUNDARY



SITE LOCATION

FIGURE 1