



Department of
Environmental
Conservation

FACT SHEET

Brownfield Cleanup Program

1585 Hertel Avenue
1585 Hertel Avenue
Buffalo, NY 14216

SITE No. C915328
NYSDEC REGION 9

December 2018

Cleanup Action Completed at Brownfield Site

Where to Find Information:

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

**Buffalo & Erie County
Public Library – North Park**
975 Hertel Avenue
Buffalo, NY 14216
(716) 875-3748

Who to Contact:

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

Project-Related Questions

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Project-Related Health Questions

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

Action has been completed to address the contamination related to the 1585 Hertel Avenue Site ("site") located at 1585 Hertel Avenue in Buffalo, New York, Erie County; under New York State's Brownfield Cleanup Program (BCP). Please see the attached map for the site location.

Cleanup activities were performed by O'Dalaigh Real Estate LLC and 1585 Hertel LLC ("applicants") with oversight provided by the New York State Department of Environmental Conservation (NYSDEC). The applicants have submitted a draft Final Engineering Report (FER) for NYSDEC review which states that cleanup requirements have been or will be achieved to fully protect public health and the environment for the proposed site use.

Highlights of the Site Cleanup: The following activities have been or will shortly be completed to achieve the remedial action objectives:

- Demolition of the pre-existing structure;
- Excavation and off-site disposal of approximately 2,900 tons of impacted soil/fill material which exceeded the site specific clean up criteria for Unrestricted Use;
- Excavation and offsite recycling and/or disposal of nine underground storage tanks (USTs). Prior to recycling/disposal, the tank contents were removed and all liquids and solids disposed off-site;
- Removal of three hydraulic lifts from beneath the former building. The lifts were sent off-site for recycling;
- Removal of the former pump island piping; and
- Confirmation sampling was completed throughout the site to ensure unrestricted clean up objectives were achieved;

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Next Steps: When NYSDEC approves the FER, it will be made available to the public (see "Where to Find Information" at left). NYSDEC then will issue a Certificate of Completion (COC) that will be announced in a fact sheet. The applicant(s) would be able to redevelop the site after receiving a COC. In addition, the applicant(s):

- Will have no liability to the State for contamination at or coming from the site, subject to certain conditions; and
- Will be eligible for tax credits to offset a portion of the costs of performing cleanup activities and for redevelopment of the site.

A COC may be modified or revoked if, for example, an applicant does not comply with the terms of its Brownfield Cleanup Agreement with NYSDEC.

Site Description and Background: The site is a 0.18-acre parcel in a mixed residential/commercial business area at 1585 Hertel Avenue in the City of Buffalo. The site currently is vacant. Historically, the site has been used as a gasoline service station and auto repair facility since the 1930s. The site has an extensive history of underground storage tanks and automotive lift stations, which are associated with previous operations at the site.

Additional site details, including environmental and health assessment summaries, are available on NYSDEC's Environmental Site Remediation Database (by entering the Site ID, C915328) at:

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

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Site Location Map

