



Department of
Environmental
Conservation

Where to Find Information

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

<https://extapps.dec.ny.gov/data/DecDocs/C932183/>

Niagara Falls Public Library

1425 Main Street,
Niagara Falls, NY 14305
(716) 286-4894

Who to Contact

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

Project-Related Questions

Michael Keller, Project Manager
NYSDEC
700 Delaware Avenue
Buffalo, NY 14209
(716) 851-7220
michael.keller@dec.ny.gov

Project-Related Health Questions

Aaron Keegan
NYSDOH
Empire State Plaza-Corning Tower
Albany, NY 12237
(518) 402-7860
beei@health.ny.gov

For more information about New York's Brownfield Cleanup Program, visit:

<https://dec.ny.gov/environmental-protection/site-cleanup/brownfield-and-state-superfund-programs/brownfield>

FACT SHEET

Brownfield Cleanup Program

The Nest Site

333 1st Street
Niagara Falls, New York
Niagara County

February 2025

SITE No. C932183

NYSDEC REGION 9

Cleanup Proposed for Brownfield Site Contamination; Public Comment Period Announced

The public is invited to comment on a proposed remedy being reviewed by the New York State Department of Environmental Conservation (NYSDEC), in consultation with the New York State Department of Health (NYSDOH), to address contamination related to The Nest site ("site") located at 333 1st Street, Niagara Falls, Niagara County. Please see the map for the site location.

Based on the findings of the investigation, NYSDEC in consultation with the New York State Department of Health (NYSDOH) has determined that the site does not pose a significant threat to public health or the environment. This decision is based on the nature of the existing contaminants identified at the site; the lack of a potential for off-site migration of contaminants in the groundwater; and the lack of a potential for human exposure to site-related contaminants via soil vapors.

How to Comment: NYSDEC is accepting written comments about the proposed plan, called a "Draft Remedial Investigation/ Alternatives Analysis Report (RI/AAR)" and "Draft Remedial Action Work Plan (RAWP)" for 45 days, from **February 6 through March 23, 2025.**

- Access the RI/AAR, RAWP, and other project documents online through the DECinfo Locator:
<https://extapps.dec.ny.gov/data/DecDocs/C932183/>.
- Documents also are available at the location(s) identified under "Where to Find Information."
- Please submit comments to the NYSDEC project manager listed under Project-Related Questions in the "Who to Contact" area.

Draft Remedial Investigation/ Alternatives Analysis Report and Draft Remedial Action Work Plan: The proposed Conditional Track 1 Unrestricted Use remedy plan consists of:

- Removing an Underground Storage Tank (UST);
- Excavation and off-site disposal of contaminated soil to approximately 7 feet below ground surface across the majority of the site;
- Collecting and analyzing confirmatory soil samples, post-cleanup groundwater samples, and post-cleanup soil vapor samples to evaluate the effectiveness of the cleanup;

BROWNFIELD CLEANUP PROGRAM

- If post-cleanup soil vapor samples indicate continued soil vapor concerns, then a Sub-Slab Depressurization System (SSDS) will be installed in the proposed building;
- Importing clean material that meets the established Soil Cleanup Objectives for use as backfill;
- Implementing a Health and Safety Plan and Community Air Monitoring Plan during all ground intrusive activities;
- If an Unrestricted Use cleanup is not achieved, implementation of a Site Management Plan (SMP) would also be required for long term maintenance of the remedial systems; and
- If an Unrestricted Use cleanup is not achieved, recording of an Environmental Easement to ensure proper use of the site may be necessary.

The proposed cleanup plan was developed by Community Services for Every1, Inc. ("applicant") after performing a detailed investigation of the site under New York's Brownfield Cleanup Program (BCP).

Next Steps: NYSDEC will consider public comments, revise the remedy plan as necessary, and issue a final Decision Document. NYSDOH must concur with the proposed cleanup. After approval, the proposed cleanup becomes the selected cleanup. The applicant may then design and perform the cleanup action to address the site contamination, with oversight by NYSDEC and NYSDOH.

NYSDEC will keep the public informed throughout the investigation and cleanup of the site.

Site Description: The site is 0.985-acres and is bordered on the west by 1st Street, on the south by Old Falls Street, on the east by a commercial building (Sheraton Niagara Falls), and on the north by a large parking lot. From 1995 through 2024 the site was developed with a former retail store and graphics center and is currently vacant. The on-site building has been demolished except for the concrete floor slab which covers the site. Prior to 1995, the site had been used for various residential and commercial purposes.

The planned redevelopment includes a six-story building for offices, retail, and apartments, a playground, planting bed, parking lot, and a small lawn area.

Additional site details, including environmental and health assessment summaries, are available on NYSDEC's Environmental Site Remediation Database (by entering the site ID, C932183) at: <https://extapps.dec.ny.gov/cfm/extapps/derexternal/in dex.cfm?pageid=3>

Summary of the Investigation: The primary contaminants of concern at the site are volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs), metals, pesticides, and per & polyfluoroalkyl substances (PFAS) which are present site-wide in soil, groundwater, and soil vapor. A former gasoline UST was identified during the investigation. Petroleum related contamination can potentially be present at or around the UST.

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: <https://dec.ny.gov/environmental-protection/site-cleanup/brownfield-and-state-superfund-programs/brownfield>

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: <https://dec.ny.gov/environmental-protection/site-cleanup/regional-remediation-project-information/environmental-cleanup-email-newsletters>

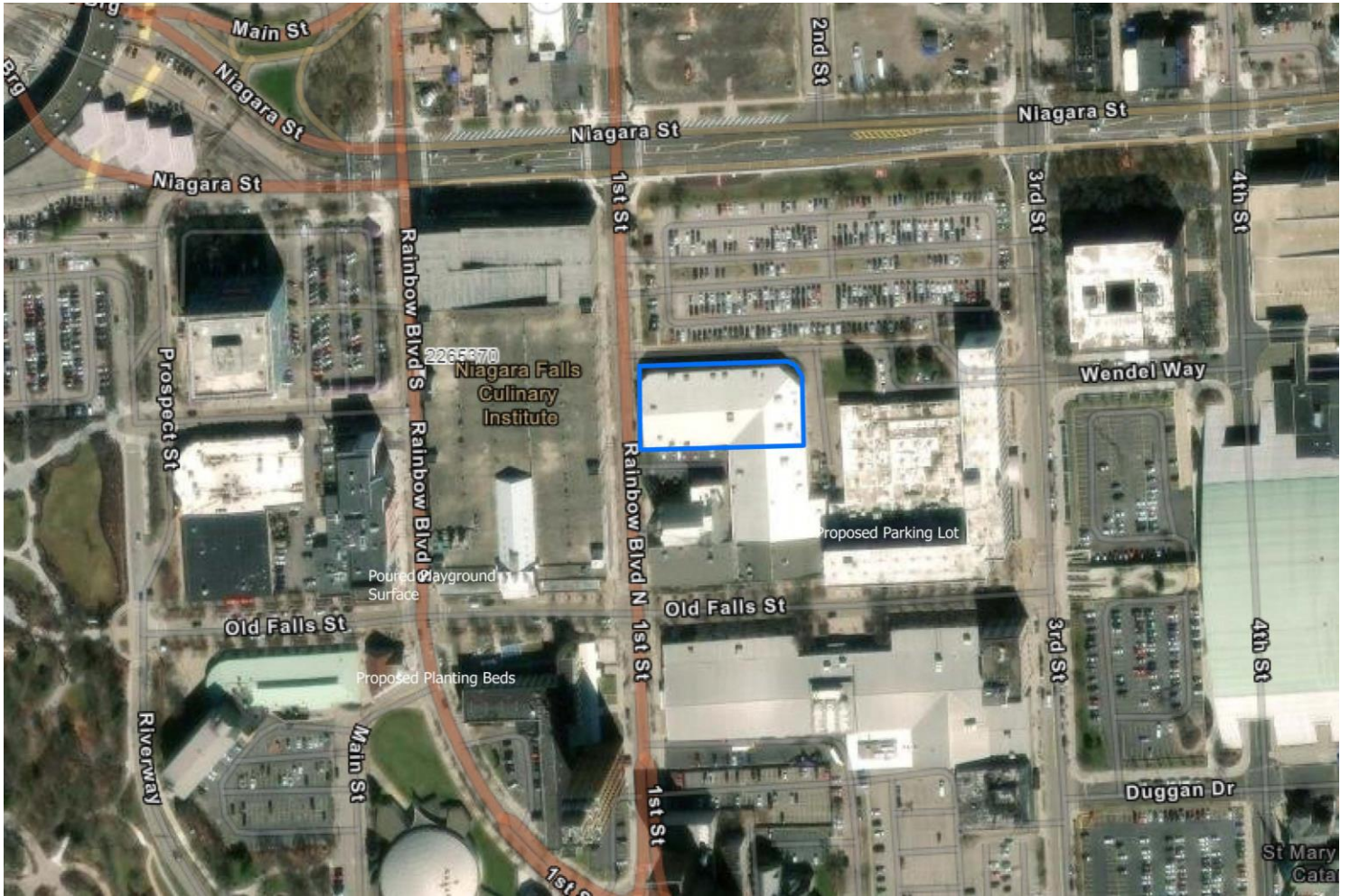
Note: Please disregard if you already have signed up and received this fact sheet electronically.

DECinfo Locator

Interactive map to access DEC documents and public data about the environmental quality of specific sites: <https://dec.ny.gov/maps/interactive-maps/decinfo-locator>

BROWNFIELD CLEANUP PROGRAM

Site Location





Translation Available. Don't see your language? Ask!

English	To have this document translated into a language you can understand, contact the person below. There is no charge for the translation.
Español Spanish	Si necesita la traducción de este documento a un idioma que pueda entender, comuníquese con la persona indicada abajo. La traducción es gratis.
简体字 Simplified Chinese	如需將此文件翻譯成您能理解的語言版本，請聯絡下方人員。本次翻譯不收取費用。
Русский Russian	Чтобы получить перевод этого документа на понятный вам язык, свяжитесь с представителем, данные которого указаны ниже. Плата за эту услугу не взимается.
אידיש Yiddish	צו האבן די דאקומענט איבערגעטייטשט אין א שפראך וואס איר קענט פארשטיין, פארבינדט זיך מיט די פערזאן אונטן. די איבערטייטשונג איז פריי פון אפצאל.
বাঙালি Bengali	এই নথিটি আপনি বুঝতে পারেন এমন একটি ভাষায় অনুবাদ করতে, নিম্নলিখিত ব্যক্তির সাথে যোগাযোগ করুন। অনুবাদের জন্য কোন চার্জ দিতে হবে না।
한국어 Korean	이 언어를 본인이 이해할 수 있는 언어로 받아보려면 아래 담당자에게 문의하십시오. 번역료는 없습니다.
Kreyòl Ayisyen Haitian Creole	Pou yo ka tradwi dokiman sa nan yon lang ou ka konprann, kontakte moun ki anba a. Ou p'ap peye anyen pou tradiksyon an.
Italiano Italian	Per ottenere la traduzione di questo documento in un'altra lingua, contatti la persona indicata qui di seguito. La traduzione è gratuita.
العربية Arabic	لترجمة هذا المستند إلى لغة يمكنك فهمها، تواصل مع الشخص أدناه. لا يتم تطبيق رسوم مقابل الترجمة.
Języki Polski Polish	Aby uzyskać tłumaczenie tego dokumentu na język, który jest dla Ciebie zrozumiały, skontaktuj się z poniższą osobą. Za tłumaczenie nie jest pobierana żadna opłata.

Contact: Michael Keller, (716) 851-7220, and michael.keller@dec.ny.gov