



FACT SHEET

NYSDEC Amends Cleanup Plan for Tract II – Highland Avenue Site; Public Invited to Comment on Proposed Changes

April 2010

Project No. 932136

Introduction

The New York State Department of Environmental Conservation (DEC) has proposed to amend the cleanup plan for the Tract II – Highland Avenue site in the City of Niagara Falls. The amended cleanup plan is based upon updated information obtained from sampling performed at the site during 2008-2009. The proposed amended cleanup plan would change the original 2003 cleanup plan by adding the removal and treatment of all contaminated waste and fill materials present on the eastern half of the site. After treatment, the waste and fill materials would be sent for off-site disposal at an appropriate facility.



New York State regulations require DEC to provide an opportunity for the public to comment on proposed changes to previously issued site cleanup plans. Accordingly, **a public comment period on the proposed amended plan will run from April 21 to May 20, 2010.** The proposed amendment is available at the locations identified in this fact sheet, as well as the DEC website (see link provided on next page). Written comments may be submitted to the DEC project manager listed on Page 2 of this fact sheet. **In addition, a public meeting to discuss the proposed changes to the cleanup plan will be held on Monday April 26, 2010 at 6 PM at the Doris Jones Family Resource Center (3001 9th Street, Niagara Falls).**

Why Is DEC Proposing to Amend the Cleanup Plan for the Site?

The March 2003 Record of Decision (ROD - the document that finalized and described the original cleanup plan for the site) required certain cleanup activities on both the western and the eastern portions of the site. The 2003 remedy for the western portion of the site included cleanup and demolition of the underground parking garage. The 2003 remedy for the eastern portion of the site included cleanup and demolition of the partially collapsed warehouse building, and the excavation and disposal of the upper 2 feet of waste and fill materials.

The 2003 remedy for the eastern portion of the site was based upon sampling that had indicated that major site contamination was limited to the upper soil and fill materials. However, the most recent 2008-2009 sampling has shown that contaminants in the eastern portion of the site extend to the full depth (9 feet) of the waste and fill materials. The recent sampling has also indicated that nearly 50% of the waste and fill materials on the eastern portion of the site have lead contamination at levels high enough to be considered hazardous waste.

What Specifically Does the Amended Cleanup Plan Involve?

The proposed amended cleanup plan would not change the original remedy for the western portion of the site. However, it would significantly change the remedy for the eastern portion of the site. The major changes to the remedy include:

- Excavating and treating all soil and fill materials that have contamination levels above soil cleanup objectives for residential use;
- Disposing treated waste and fill materials at an appropriate offsite disposal facility;
- Backfilling and grading the excavation areas with available clean concrete, brick building debris, and clean soil; and
- Restoring the site surface with grass.

Implementing the proposals in the amended remedy will cost approximately \$12.8 million. The cost of the original remedy was estimated at \$3 million in 2003.

Site Background

From 1903-1970, the site was used as a production facility by several business form companies. The City currently owns the property from a tax foreclosure. The western portion of the site is mostly grass covered, but also includes the remains of a partially underground parking garage. The eastern portion of the site is overgrown with thick brush and trees, and includes the remains of a partially collapsed warehouse building.

The surface of the western portion of the site generally has about 1 foot of fill materials (mostly brick and concrete) spread above the native soils. The eastern portion of the site contains up to 9 feet of waste and fill material. The fill materials include building demolition debris such as brick, concrete, wood, etc. However, also present on the eastern portion of the site are wastes that were likely associated with the former manufacturing activities at the adjacent Power City Warehouse. These wastes include plastic battery casings and other granular fill materials. There has also been significant dumping of household wastes (TVs, roofing materials, mattresses, etc) in the eastern portion of the site.

Next Steps

All comments received during the public comment period will be considered as the cleanup plan for the Tract II site is amended and finalized. Public input will be factored into the Final ROD Amendment, which will describe the cleanup alternative selected and why it was chosen. DEC will respond to public comments in a document called the responsiveness summary, which will be included in the Final ROD Amendment. DEC will keep the public informed about project developments and milestones through fact sheets similar to this one.

Who Should I Call If I Have Questions About the Site?

Environmental Questions

Jeffrey Konsella
 NYSDEC
 270 Michigan Avenue
 Buffalo, NY 14203
 (716) 851-7220
jakonsel@gw.dec.state.ny.us

Health Questions

Matt Forcucci
 NYSDOH
 584 Delaware Avenue
 Buffalo, NY 14202
 (716) 847-4385
mjf13@health.state.ny.us

Locations to View Project Documents

To keep you informed, NYSDEC has set up two locations at which you may view project documents. These locations include:

Doris Jones Family Resource Center
 3001 9th Street
 Niagara Falls, NY 14305
 (716) 285-5374

NYSDEC Region 9 Office
 270 Michigan Avenue
 Buffalo, New York 14203
 (716) 851-7220
 (Please call for appointment)

You can also view project documents online at <http://www.dec.ny.gov/chemical/52435.html>.