



# FACT SHEET

## Brownfield Cleanup Program

\*Receive site fact sheets by *email*. See **For More Information** to learn how.

Site Name: Fashion Outlets of Niagara Falls Expansion  
DEC Site #: C932162  
Site Address: 1705 Factory Outlet Boulevard; Niagara, NY 14304

**September 2013**

Have questions? See  
**Who to Contact**  
below

## Fashion Outlets Expansion Update: Report Recommends Cleanup of Brownfield Site Contamination

New York State Department of Environmental Conservation (DEC) is reviewing both the Remedial Investigation Report and the Interim Remedial Measures Work Plan for the Fashion Outlets of Niagara Falls Expansion site (“site”) located at 1705 Factory Outlet Boulevard, Town of Niagara, Niagara County. Please see the map for the **Site Location**. Documents related to the cleanup of this site can be found at the locations identified below under **Where to Find Information**.

### Remedial Investigation Report

The Remedial Investigation Report describes the results of the site investigation and recommends development of a remedy to address the contamination that was found.

### Highlights of the Remedial Investigation

The highlights of the Remedial Investigation are summarized as follows:

- Subsurface conditions at the Site consisted of fill ranging in thickness from 2 to 15 feet underlain by silty sand and clay. Fill material consisted of brown to dark gray and black, fine to coarse grained, sands with varying levels of silt, clay, gravel, roots, brick, concrete, wood, glass, rubber, slag, and miscellaneous pieces of plastic and metal. The underlying clay appeared to be continuous throughout the site;
- Slag was prevalent within the historic fill throughout the site. An analysis of the material confirmed that the slag is not radioactive;
- Semivolatile organic compounds, PCBs, and metals were identified in fill material at concentrations exceeding the Restricted Commercial Use soil cleanup objectives. Hazardous levels of chromium were identified in an isolated area;
- Overburden groundwater at the site is perched within the fill material, contained by the underlying clay layer;
- Hexavalent chromium and total chromium were detected in four groundwater samples at concentrations that exceeded the Ambient Water Quality Standards;
- Groundwater pH values ranged from 6.29 to 7.32 in the northern portion of the site, and from 11.44 to 12.20 in the southern portion of the site; and
- Volatile organic compounds were identified in soil gas at elevated concentrations at locations within the footprint of the proposed building expansion.

## Proposed Interim Remedial Measure

New York State Department of Environmental Conservation is proposing an expedited cleanup for the site, called an Interim Remedial Measure (IRM), to facilitate mall expansion activities. An IRM is a cleanup activity that may be performed when a source of contamination or exposure pathway (the way in which a person may contact contamination) can be effectively addressed without extensive investigation and evaluation.

Documents related to the IRM can be found at the locations identified below under **Where to Find Information**. DEC is notifying the public of these activities because the IRM is likely to represent a significant part of the cleanup for this site.

## Interim Remedial Measure Work Plan

The draft IRM work plan describes the proposed cleanup activities that include the following:

- Excavation and off-site disposal of PCB and chromium impacted soils at two isolated areas;
- Excavation and off-site disposal of excess contaminated soils generated from the proposed development activities (upwards of approximately 8,000 cubic-yards);
- Construction of a site-wide capping system (asphalt parking, concrete building foundations and floors, and a 1-foot clean soil cover over all landscaped areas) to eliminate potential direct contact exposure risks;
- Construction of three storm water detention ponds;
- Collection, sampling, and off-site disposal of impacted groundwater removed during construction dewatering (approximately 1,000,000 gallons); and
- Installation of sub-slab depressurization systems (SSDS) beneath the entire proposed mall expansion and office building of the relocated Secure Storage facility.

## Next Steps

DEC will complete its review of both the Remedial Investigation Report and IRM Work Plan, and have the applicant make any necessary revisions. The final RI Report and IRM Work Plan will also be made available to the public (see **Where to Find Information** below). IRM activities are expected to begin in September 2013 and continue through September 2014. DEC and DOH will oversee this work. Concurrently with this work the applicant will be developing a final cleanup plan, called an "Alternatives Analysis Report". This report will evaluate remedial alternatives to address contamination at the site. It is anticipated that a Proposed Decision Document, which will present the final remedy for the site, will be available for public review and comment in early 2014.

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

## Background

**Location:** The site is located in an urban area in the Town of Niagara. The site is bordered by Factory Outlet Boulevard and Route 190 to the west, the Fashion Outlets of Niagara Falls to the north, Wal-Mart to the east, and National Grid power lines, vacant land and the City of Niagara Falls to the south.

**Site Features:** The site encompasses approximately 48.6-acres and includes the 34-acre former Sabre Park Mobile Home Community located at 1705 Factory Outlet Boulevard, an approximate 11.28-acre parcel located on the southern portion of the Fashion Outlets of Niagara Falls property,

and an approximate 3.45-acre parcel on the western side of the site located at 1755 Factory Outlet Boulevard.

**Current Zoning/Use:** The site is zoned for commercial use, except for the Sabre Park parcel, which is zoned for residential use. The applicant has applied for a zoning amendment to allow for the commercial/retail use of the parcel.

**Historic Use: Sabre Park Property:** This property was owned by the Union Carbide Corporation from 1949 until 1969. The exact use of this property by Union Carbide is unknown. Use of the property for a mobile home community began in 1972. During an expansion to the south in 1978, fill material with elevated levels of chlorinated solvents, mercury and heating oil was discovered. The fill material was subsequently excavated by the Hooker Chemical Company and disposed off-site at a permitted facility.

Soil sampling by U.S. Environmental Protection Agency (USEPA) in November 1986 and May 1988 identified the presence of elevated concentrations of mercury. As a result, a portion of the property was listed in DEC's Registry of Inactive Hazardous Waste Disposal Sites (Registry) in 1989 (Site No. 932104). Also in 1989, USEPA excavated approximately 1,200 cubic-yards of mercury contaminated fill from the southern portion of the property and disposed of the material as hazardous waste (D009-mercury) at an off-site permitted facility. The site was delisted from the Registry in 1995.

**Fashion Outlets of Niagara Falls Property:** This property received contaminated fill in the late 1960's or early 1970's. In October 1985, a yellow-tan waste material was discovered during the installation of a storm sewer in the northwestern corner of the property. An investigation of the area revealed the presence of volatile organic compounds, semivolatile organic compounds, pesticides and metals. This portion of the property was listed in DEC's Registry in 1988 (Site No. 932103).

Between January and February 1994 approximately 12,879 tons of contaminated materials and 7,300 gallons of impacted water were removed from the site under an IRM. A No Further Action Record of Decision was issued by DEC in December 1994. In January 1995, the site was delisted from DEC's Registry.

During construction of a mall expansion in November 1994, a white powder waste was encountered while drilling caissons for the mall's foundation. A sample of the waste was collected for analysis and found to exceed the TCLP regulatory limit for vinyl chloride. In February 1995 approximately 3,037 cubic yards of material was excavated and staged on-site. This material was subsequently screened on-site to separate drums, wood and other C&D material. The drums and C&D material were disposed off-site at permitted facilities. Analysis of the screened soils did not exceed TCLP limits for vinyl chloride, so the soils were backfilled on-site and covered with an asphalt parking lot.

**1755 Factory Outlet Boulevard Property:** This property is currently improved with a secure storage facility and associated asphalt parking.

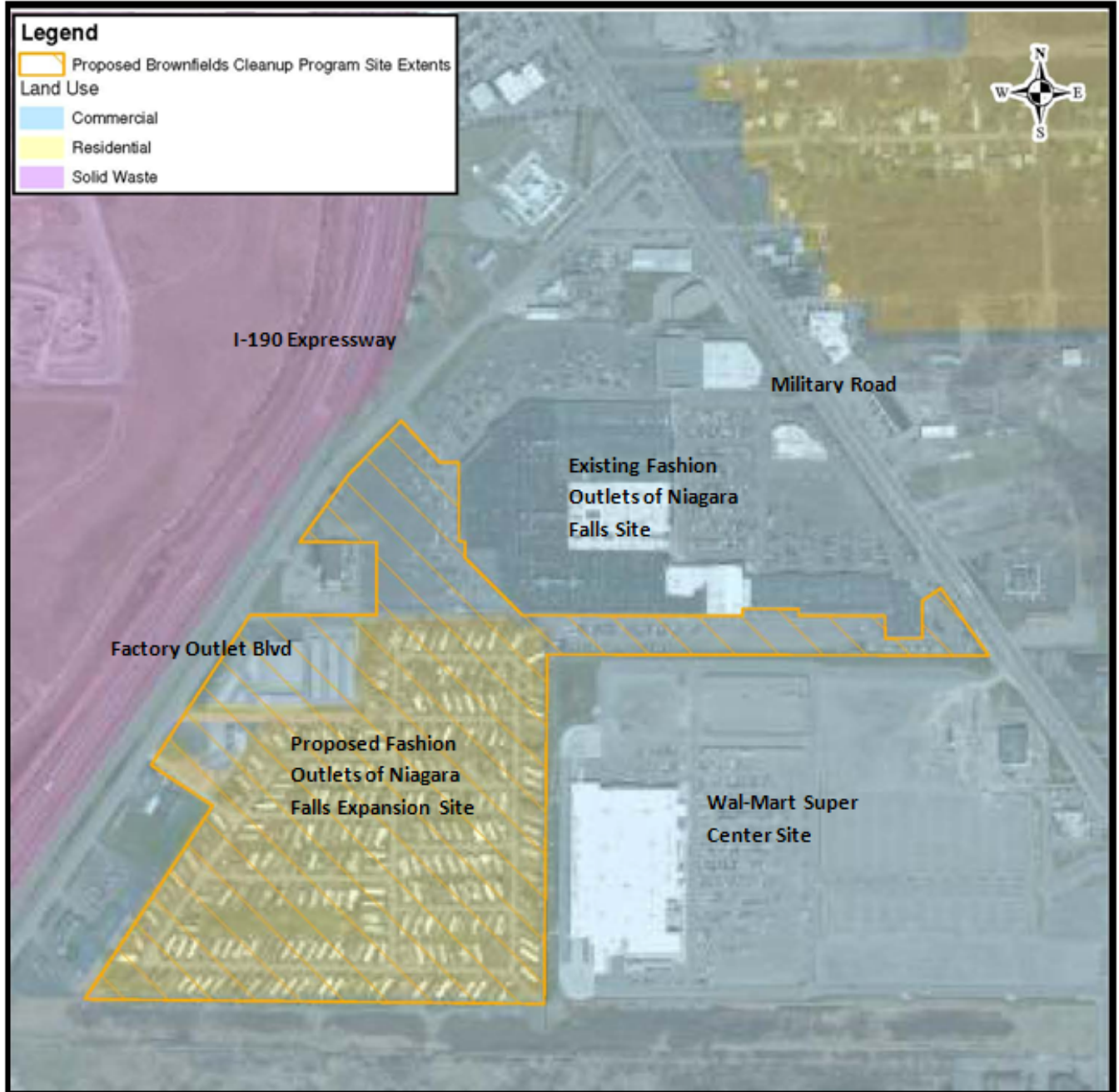
Additional site details, including environmental and health assessment summaries, are available on DEC's website at <http://www.dec.ny.gov/chemical/93328.html> and at <http://www.dec.ny.gov/cfm/xtapps/derexternal/haz/details.cfm?pageid=3&progno=C93216>.

### **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 is any real property that is difficult to reuse

or redevelop because of the presence or potential presence of contamination. For more information about the BCP, visit: <http://www.dec.ny.gov/chemical/8450.html>.

## Site Location



## Where to Find Information

Public interest in this project is valued and appreciated. Project documents are available at the following location to help the public stay informed. For more information about the BCP, visit:

<http://www.dec.ny.gov/chemical/8450.html>.

### NYS DEC Region 9 Office

270 Michigan Avenue  
Buffalo, New York 14203  
716-851-7220  
(Call for appointment)

### Niagara Town Hall

7105 Lockport Road  
Niagara Falls, NY 14305  
716-297-2150

## Who to Contact

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

### Project Related Questions:

Glenn May  
NYS DEC, Division of Environmental Remediation  
270 Michigan Ave  
Buffalo, NY 14203  
716-851-7220  
[gmmay@gw.dec.state.ny.us](mailto:gmmay@gw.dec.state.ny.us)

### Site-Related Health Questions:

Matthew Forcucci  
NYS DOH  
584 Delaware Ave  
Buffalo, NY 14202  
716-847-4501  
[bee@health.state.ny.us](mailto:bee@health.state.ny.us)

## For More Information

**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. DEC 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*.

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