



# 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

**November 2013**

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

## Fashion Outlets Expansion Update: Remedy Proposed for Brownfield Site Contamination; Public Comment Period Announced

The public is invited to comment on a proposed remedy being reviewed by New York State Department of Environmental Conservation (DEC) to address contamination related to the Fashion Outlets of Niagara Falls Expansion site ("site") located at 1705 Factory Outlet Boulevard, 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**.

Based on the findings of the investigation, DEC in consultation with New York State Department of Health (DOH) has determined that the site does not pose a significant threat to public health or the environment.

### How to Comment

DEC is accepting written comments about the proposed plan for 45 days, from **November 6, 2013 through December 21, 2013**. The proposed plan is available for public review at the locations identified below under **Where to Find Information**. Please submit comments to DEC project manager listed under Project Related Questions in the **Who to Contact** area below.

### Draft Alternative Analysis Report and Proposed Decision Document

The cleanup plan is described in DEC's Proposed Decision Document, which is based on a more detailed "Alternative Analysis Report (AAR)." The proposed remedy consists of:

- Soil removal to address PCB impacted soils identified at one soil sampling location
- Soil removal to address hazardous waste levels of Chromium impacted soils
- Geotechnical stabilization and reuse of excavated materials that do not exceed commercial use soil cleanup objectives (SCOs).
- Approximately 103,000 cu. yards of material excavated to create two storm water detention ponds will be used for placement under impervious areas (ie. Buildings and/or asphalt)

- Construction of a site-wide capping system (buildings, asphalt, concrete, and 1-foot of clean cover) to eliminate potential direct exposure risks.
- Design and installation of active sub-slab depressurization systems (SSDSs) in all newly constructed structures.

## Summary of the Investigation/Highlights of the Remedial Investigation Report

Based on the data and analyses presented in the preceding sections, we offer the following summary and conclusions:

- Soil at the site consists of a layer of historic fill, underlain by silty sand and/or clay layers. The fill extends to an average depth of 5 feet below grade, with a maximum depth of approximately 15 feet below grade, and consists of brown to dark gray and black fine to coarse grained sands with varying levels of silt, clay, gravel, organics (roots), brick, concrete, wood, glass, rubber, slag, and miscellaneous pieces of plastic and metal. Silty fine sand was observed underneath the fill layer at limited locations, and ranged in thickness from 2 to 4 feet. The fill and silty sand layers are underlain by a thick clay layer that ranges in depth of 13 to 16 feet below grade.
- Slag was observed within the historic fill throughout the site, and had a hard, porous composition, varying in color from black, gray, green, yellow, and blue. A Ludlum Geiger counter was utilized to assess the potential radioactivity of the slag; however, no readings above background (0.05 millirems/hour) were observed and the slag was identified as not radioactive.
- Volatile Organic Compounds (VOCs), Semi Volatile Organic Compounds (SVOCs), PCB, Pesticides and metals were identified in soil throughout the site at concentrations exceeding the Unrestricted Use SCOs. SVOC, metals, and PCB exceedances of the Restricted Commercial SCOs were identified in soil throughout the site, and are likely attributed to the result of site-wide historic dumping.
- Based on chromium analysis of select samples, 2 samples within a layer exhibiting yellow staining exceeded Hazardous Waste Criteria, its extents were delineated following its initial observation.
- The overburden groundwater observed at the site is likely perched water within the fill layer, and is confined by the underlying clay layer. pH values of groundwater ranged from 6.29 to 7.32 at the Fashion Outlets and Secure Storage facility parcels, to 11.44 to 12.2 at the Sabre Park parcels. The impacts in groundwater at the Sabre Park parcel are likely a result of perched water mixing with slag and fill material, and the impacted slag and elevated metal concentrations are also causing the pH in groundwater to rise to the levels observed.
- VOC impacts in soil gas were identified at concentrations exceeding DOH Upper Fence Values, at locations within the footprint of the proposed building expansion.

## Next Steps

DEC will consider public comments, revise the plan as necessary, and issue a final Decision Document. DOH must concur with the proposed remedy. After approval, the proposed remedy becomes the selected remedy. The draft AAR and Proposed Decision Document are revised as needed to describe the selected remedy, and will be made available to the public. The applicant may then design and perform the cleanup action to address the site contamination, with oversight by DEC and DOH.

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.

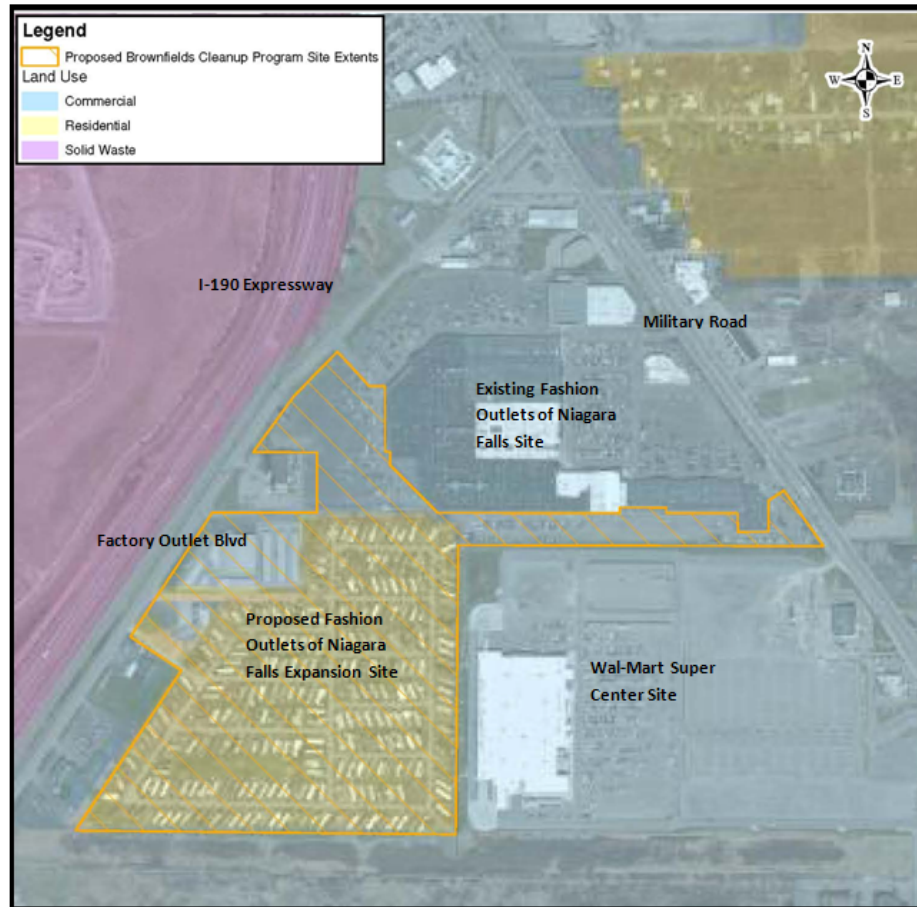
**1755 Factory Outlet Boulevard Property:** This property is currently improved with a secure storage facility and associated asphalt parking.

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/cfmx/extapps/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.