



Department of
Environmental
Conservation

FACT SHEET

Brownfield Cleanup Program

1550 Harlem Road Site
1550 Harlem Road
Cheektowaga, NY 14206

SITE No. C915321
NYSDEC REGION 9

October 2018

Report Recommends No Further Action at Brownfield Site; Public Comment Period Announced

Where to Find Information:

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

Document Repository Name

East Clinton Branch Library
1929 Clinton Street
Buffalo, NY 14206

Who to Contact:

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

Project-Related Questions

Jaspal S. Walia, Project Manager
NYSDEC
270 Michigan Ave.
Buffalo, NY 14203
Tel. No.: 716-851-7220
jaspal.walia@dec.ny.gov

Project-Related Health Questions

Arunesh Ghosh NYSDOH
Empire State Plaza Corning Tower
Albany, NY 12237
Tel. No.: 518-402-7860
bee@health.ny.gov

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

www.dec.ny.gov/chemical/8450.html

The public is invited to comment on a proposed no further action remedy for the **1550 Harlem Road Site** ("site") located at **1550 Harlem Road**, Cheektowaga, Erie County. Please see the map for the site location. Documents related to the cleanup of this site can be found at the location(s) identified to the left under "Where to Find Information."

The New York State Department of Environmental Conservation (NYSDEC) is reviewing a report that recommends no further action at the site. The report, called a Draft Remedial Investigation/Interim Remedial Measures/Alternatives Analysis Report, was prepared by Wittman GeoSciences, PLLC and Hazard Evaluations, Inc. and submitted to NYSDEC by American Tire, Inc. ("applicant") dated October 16, 2018.

How to Comment: NYSDEC is accepting written comments about the report for 45 days, from **October 26 through December 10, 2018**. The report is available for public review at the location(s) identified at left under "Where to Find Information." Please submit comments to the NYSDEC project manager listed under Project-Related Questions in the "Who to Contact" area at left.

Proposed No Further Action Remedy: The no further action proposal is based on the completion of expedited cleanups known as Interim Remedial Measures (IRM) conducted before the report was submitted by the applicant. The completed IRMs included the following:

- Demolishing the existing building to trace underground storage tank (UST) piping.;
- Removing two existing on-site USTs and associated piping;
- Removing and disposing petroleum impacted water off-site; and
- Removing and disposing contaminated soil attributed to the pump island areas and UST areas.

When the IRMs were completed, post excavation soil sampling was conducted to confirm that remaining soil met restricted residential soil cleanup objectives. In addition to the above completed IRMs, an environmental easement will be placed on the property restricting land use to restricted residential, commercial and industrial uses, restrict groundwater use and require compliance with the site management plan. The applicant will be submitting a Final Engineering Report for NYSDEC review, to document that cleanup requirements have been achieved to fully protect public health and the environment for the proposed site use.

BROWNFIELD CLEANUP PROGRAM

Next Steps: NYSDEC will consider public comments, make any necessary revisions and, if appropriate, approve the report and its no further action recommendation. The approved report will be made available to the public under "Where to Find Information" on Page 1 of this fact sheet.

When the report and other final documents are approved, NYSDEC will issue a "Certificate of Completion" (COC) to the applicant(s). Upon receiving the COC, the applicant(s):

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

Site Description: The site is approximately 0.43 acres located in a mixed residential/commercial business area in the Town of Cheektowaga. The site currently is vacant with no structures. The site was used as a gasoline station from at least 1950 to 1970s and then a nursery/garden center from the mid-1980s to early 2014.

Additional site details, including environmental and health assessment summaries, are available on NYSDEC's Environmental Site Remediation Database (by entering the Site ID, C915231) at:

<http://www.dec.ny.gov/cfm/xtapps/derexternal/index.cfm?pageid=3>

Summary of the Investigation: Petroleum contamination was identified resulting from the operation of a former gasoline station. Petroleum related compounds were found in the soil down to 12 feet below ground surface near the former pump islands and underground storage tanks. The soils contaminated with metals and polycyclic aromatic hydrocarbons (PAHs) were found in some areas in the upper 2 to 3 feet. The contaminated soils were excavated and disposed off-site. The remaining soils met restricted

residential soil cleanup objectives. Groundwater samples met NYSDEC Groundwater Quality Criteria except for a few naturally occurring metals and ethyl benzene which were present above groundwater quality standards in some wells.

Brownfield Cleanup Program Overview: 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.

BROWNFIELD CLEANUP PROGRAM

Site Location Map



WITTMAN GEOSCIENCES, PLLC	Date: 10/20/2018	Site Limit Plan 1550 Harlem Road, Cheektowaga, NY	Project: 18-102
	Scale: 1" = 40'		Figure: 2