

FACT SHEET

State Superfund Program

Remedy Proposed for the Depew Village Landfill Operable Unit No. 01

Site # 915105

Village of Depew

NEW YORK STATE
DEPARTMENT OF



ENVIRONMENTAL
CONSERVATION

Public Meeting Invitation

February 12, 2008
7:00 p.m.

**Village of Depew
Municipal Building
85 Manitou Street
Depew, NY 14043**

The New York State Department of Environmental Conservation (NYSDEC) and the New York State Department of Health (NYSDOH) will discuss the proposed remedy for the Village of Depew Landfill site. At the meeting representatives from the NYSDEC and NYSDOH will:

- Describe the results of the site remedial investigations;
- Describe and explain the proposed remedy;
- Answer your questions about the investigation and remedy
- Receive your verbal or written comments about the PRAP

PUBLIC COMMENT PERIOD

From: January 29, 2008

To: February 28, 2008

The New York State Department of Environmental Conservation (NYSDEC) in cooperation with the New York State Department of Health (NYSDOH) has proposed a remedy to address contamination identified at the Depew Village Landfill, State Superfund Project in Depew, New York (see location map on page 4). Operable Unit(OU)-01 of the site, includes approximately 20 acres encompassing the limits of the former landfill. OU-02 of the site, which is still under investigation, includes the Cayuga Creek watershed and the Zurbrick Road hillside.

The Proposed Action: Highlights of the proposed remedy include:

- Soil removal along the creek bank
- Creek bank stabilization, restoration and erosion protection
- A soil cover over 7.5 acres of the landfill
- Passive landfill gas controls to address the methane gas
- Monitoring of the site groundwater, biota, creek surface water and sediments
- Institutional controls

An institutional control is a non-physical restriction on use of the site, such as an environmental easement, when the remedial action leaves residual contamination that makes the site suitable for some, but not all uses.

This remedy is described in the site's Proposed Remedial Action Plan (PRAP). The PRAP was developed following a remedial investigation of the site. The PRAP evaluates the different options to clean up the site and presents the alternative preferred by the NYSDEC and NYSDOH.

The Full PRAP and other documents are available for your review at the document repositories listed on page 4.

Opportunities to Comment on the Proposed Remedy: Your comments and input concerning the proposed remedy are important and encouraged. Your oral and written comments about the PRAP are welcome at the **public meeting** and during a **public comment period** which runs until **February 28, 2008**. Comments may be mailed up until the end of the comment period (see "For More Information" on page 4 for site contacts).

What Happens Next: All comments received during the comment period will be considered as the remedy is finalized for the Depew Village Landfill. Public input will be factored into the development of the Record of Decision (ROD) which will describe the remedy selected and why it was chosen. NYSDEC will respond to the comments provided in a Responsiveness Summary included in the ROD.

Site History

The Depew Village Landfill was operated by the Village of Depew between 1940 and 1961. During operations the landfill received approximately 10,000 tons per year of municipal solid waste and/or other unknown waste streams. Much of the wastes were processed through the incinerator located on-site, with the resulting ash disposed of in the landfill. Site hazardous waste contamination, including heavy metals and in particular lead, appears to have been concentrated in the ash residue. The former landfill was not lined. For some time, foundry sand was used to cover the wastes.

In 1983, Erie County acquired 14.5 acres of the peninsula area for an Overflow Retention Facility (ORF) project. The ORF is used to hold excess storm and wastewater, prior to treatment. During ORF construction approximately 60,000 cubic yards³ of fill was removed from the site and disposed of in the BFI Landfill in Tonawanda, New York. No chemical analysis was performed. Following ORF construction, the County transferred 9.5 acres back to the Village of Depew.

In 1985, the Erie County Department of Environment and Planning prepared a "Hazardous Waste Site Profile Report," which concluded that no hazardous waste was disposed at the site.

In 1990, the Department de-listed the site from the Registry of Inactive Hazardous Waste Disposal Sites.

In 2001, the Village of Depew entered into an agreement with the U.S. Army Corps of Engineers (USACOE) to perform an Emergency Streambank Protection Project on a section of Cayuga Creek below Zurbrick Road, to stabilize the stream bank. During excavation on the peninsula, the USACOE contractor noticed the presence of fill materials and conducted sampling and analysis. The analysis indicated total lead concentrations as high as 86,000 parts per million, which was determined to be hazardous.

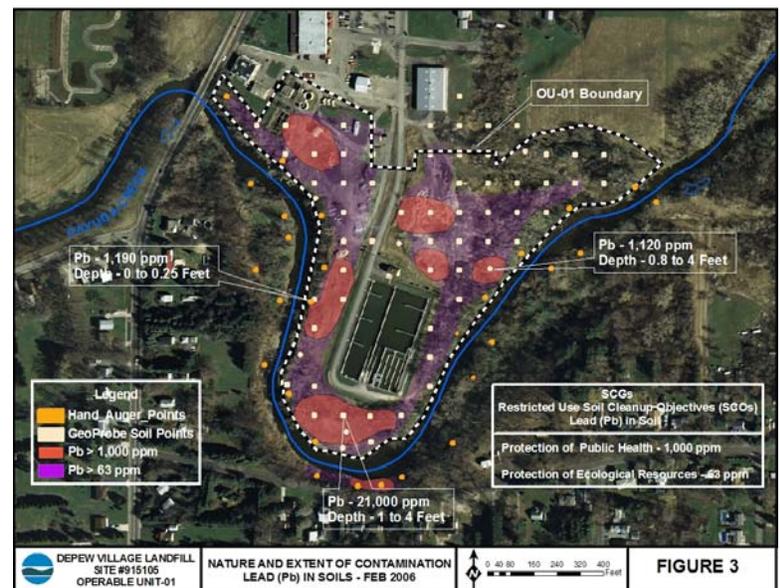
In 2002, the Village of Depew entered the NYSDEC Voluntary Cleanup Program (VCP) and the site was designated as number V00609-9. In 2003, a Site Investigation was conducted by the

Village's consultant which focused on the 1.3 acre area at the tip of the peninsula.

In 2004, the Site Investigation / Remedial Report (SI/RR) was generated. This report confirmed the presence of hazardous wastes and it also indicated that the lead contamination most likely extends to the north, beyond the peninsula tip. Based upon the estimated volumes of hazardous material thought to be present and the estimated remedial costs, the Village of Depew opted out of the VCP, and the Voluntary Cleanup Agreement was terminated. NYSDEC listed the site as a Class 2 site in the Registry of Inactive Hazardous Waste Disposal Sites in New York. A Class 2 site is a site where hazardous waste presents a significant threat to the public health and/or the environment and action is required.

Remedial Investigation (RI)

The purpose of the RI was to define the nature and extent of the site contamination. The RI was conducted between February and June 2006. The field activities and findings of the investigation are described in the RI report. The RI involved the collection and analysis of many surface and subsurface soil, groundwater, surface water, sediment and soil vapor samples. The results of the RI indicate that the former landfill footprint and the lead contamination extends to the north of the ORF (see figure below), that methane gas is still being generated and that the Cayuga Creek sediments have been impacted.



Summary of Proposed Remedial Action

The PRAP identifies the remedy preferred by the NYSDEC and NYSDOH to remediate the contamination associated with the solid waste and incinerator ash disposal. The proposed alternative was chosen following a detailed investigation of the site and an evaluation of alternatives for remediating the contamination.

The basic elements of the proposed remedy are as follows:

1. A remedial design program, including a hydrologic and hydraulic analysis, would be implemented to provide the details necessary for the construction, operation, maintenance, and monitoring of the remedial program.
2. Excavation and on-site consolidation of the contamination in the areas along the stream bank up to approximately the mean high water level. These areas would then be backfilled with clean soil. The stream bank and a buffer area would be restored and stabilized using erosion controls. A one foot thick soil cover would be constructed over the landfill around the ORF. Non-vegetated areas (buildings, roadways, parking lots, etc.) would be covered by a paving system or concrete at least 6 inches thick.
3. Imposition of an institutional control in the form of an environmental easement which would require:
 - limiting the use and development of the property, to commercial use;
 - compliance with the approved site management plan (SMP);
 - restricting the use of groundwater as a source of potable or process water;
 - the property owner to complete and submit to the Department a periodic certification of institutional and engineering controls.
4. Development of a site management plan which would include the following institutional and engineering controls:

- management of the final cover systems;
- continued evaluation of the potential for vapor intrusion from the methane gas and treating it if required;
- monitoring of groundwater, surface water, sediments and biota;
- identification of any use restrictions on the site;
- fencing to control site access;
- provisions for the continued proper operation and maintenance of the components of the remedy.

5. Periodic certification of institutional and engineering controls.
6. Long-term monitoring to evaluate site groundwater, biota, and the adjacent Cayuga Creek surface water and sediments.

About the State Superfund Program

The Department of Environmental Conservation, along with the Departments of Health and Law, is responsible for ensuring the cleanup of inactive hazardous waste disposal sites across the state. Under New York State's Inactive Hazardous Waste Disposal Site Remedial Program, the process begins with the discovery of a potential hazardous waste site and follows a path through investigation, remedy selection, design, construction, and monitoring. More information about the State Superfund program can be found under the Chemical & Pollution Control - Environmental Cleanup and Brownfields section of the NYSDEC website at:

<http://www.dec.ny.gov>

Health Issues

There are no confirmed complete exposure pathways that are known to exist on-site at this time. Exposure to the residual on-site contamination from direct contact is a potential pathway for Depew Public Works and ORF workers, and/or the public if excavation in the contaminated areas is undertaken.

Document Repositories: To review the site PRAP and other information:

Village of Depew
Municipal Building
85 Manitou Street
Depew, NY 14043
Contact: Elizabeth Melock
Village Administrator
(716)683-7451

NYSDEC Region 9 Office
270 Michigan Avenue
Buffalo, NY 14203
Contact: Dave Locey
(716)851-0767

NYSDEC Central office
625 Broadway, 12th Floor
Albany, NY 12233
Contact: Randy Hough
(518)402-9767

For more information: Call or write the following staff about:

Meeting/Comment Period/Technical:

Randy Hough - Project Manager
NYSDEC Central office
625 Broadway, 12th Floor
Albany, NY 12233
(518)402-9767
Email: rshough@gw.dec.state.ny.us

Site-Related Health Information:

Matt Forcucci
Public Health Specialist
NYSDOH
584 Delaware Avenue
Buffalo, NY 14202
(716)847-4385

Citizen Participation:

Mark Baetzhold
Public Affairs
NYSDEC Region 9 Office
270 Michigan Avenue
Buffalo, NY 14203
(716)851-7220

