Department of Environmental Conservation

March 2015

FACT SHEET

Brownfield Cleanup Program

Receive Site Fact Sheets by *Email.* See "For More Information" to Learn How.

Site Name: 3 Gates Circle Site
DEC Site #: C915272
Address: 3 Gates Circle; Buffalo, NY 14209
Website: http://www.dec.ny.gov/chemical/91521.html

Have questions? See "Who to Contact" Below

Remedy Proposed for Brownfield Site Contamination; Public Comment Period Announced

The public is invited to comment on a proposed remedy being reviewed by the New York State Department of Environmental Conservation (DEC) to address contamination related to the 3 Gates Circle Site ("site") located at 3 Gates Circle, Buffalo, Erie County. Please see the map for the site location. Documents related to the cleanup of this site can be found at the location identified below under "Where to Find Information."

The cleanup activities will be performed and funded by Gates Circle Holdings, LLC (applicant) with oversight provided by DEC. When DEC is satisfied that cleanup requirements have been achieved, the applicant may be eligible for tax credits to offset the costs of performing cleanup activities and for redevelopment of the site.

How to Comment

DEC is accepting written comments about the proposed plan for 45 days, from **March 4, 2015** through **April 17, 2015**. The proposed plan is available for public review at the location(s) identified below under "Where to Find Information." Please submit comments to the DEC project manager listed under Project Related Questions in the "Who to Contact" area below.

Proposed Remedy

The proposed remedy consists of:

Excavation of Contaminated Soils:

1. The soils from a fuel oil spill will be excavated to remove the contaminated soils.
2. Four additional areas were identified that require remedial action to address semi-volatile organic compounds (SVOCs) and mecury present in the soil/fill material.

3. **Cover System:** After removal of contaminated soils, a cover system will be placed over the entire site. The cover system may consist of building footprints, asphalt parking lots, concrete walk ways, acceptable backfill or a vegetative cover.
4. **Site Management Plan (SMP)**: This plan will include a maintenance plan for the cover system and a soils management plan for any future excavation activities.
5. **Environmental Easement:** The institutional controls in the form of an environmental easement will be required. The institutional controls such as allowable land use and groundwater use restrictions and engineering controls such as monitoring and maintenance of the cover system and implementation of the SMP will be described in this document.

The proposed remedy would be protective of public health and the environment as contaminated soils in the upper two feet would be removed and the cover system would reduce the potential exposure to subsurface contamination in soil/fill materials. The Site Management Plan (SMP) will ensure that any contaminated soil/fill excavated during future activities would be handled properly and the cover system is maintained. The Environmental Easement would ensure that all the institutional and engineering controls remain and the SMP is carried on.

Summary of the Investigation: During site investigations, soil and groundwater samples were tested. The contaminants in soil were identified to be No. 6 fuel oil, polycyclic aromatic hydrocarbons (PAHs), and metals. The fuel oil was due to leaking underground storage tanks or a spill and PAHs and metals were found in the fill materials at the site. The remaining oil from the spill at the site in soil requires a cleanup. The levels of PAHs and metals (especially mercury) found in soil exceed the cleanup objectives for the intended use of the property (Restricted Residential) and also require a remediation. The groundwater does not show significant contamination and does not require any remediation.

Next Steps
DEC will consider public comments received on the proposed remedy presented in the draft Remedial Work Plan (RWP) and ultimately issue a final Decision Document. New York State Department of Health (DOH) must also concur with the remedy. The final Remedial Work Plan (with revisions if necessary) and the Decision Document will be made available to the public. The applicant(s) 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 property is located at 3 Gates Circle in the City of Buffalo. It consists of approximately 6.9 acres and encompasses the former Millard Fillmore Gates Circle hospital complex. The property is bounded by Delaware Ave. and commercial properties to the west; Linwood Ave. and a mix of commercial and residential properties to the east; Lafayette Ave. and a mix of commercial and residential properties to the north; and commercial properties to the south.

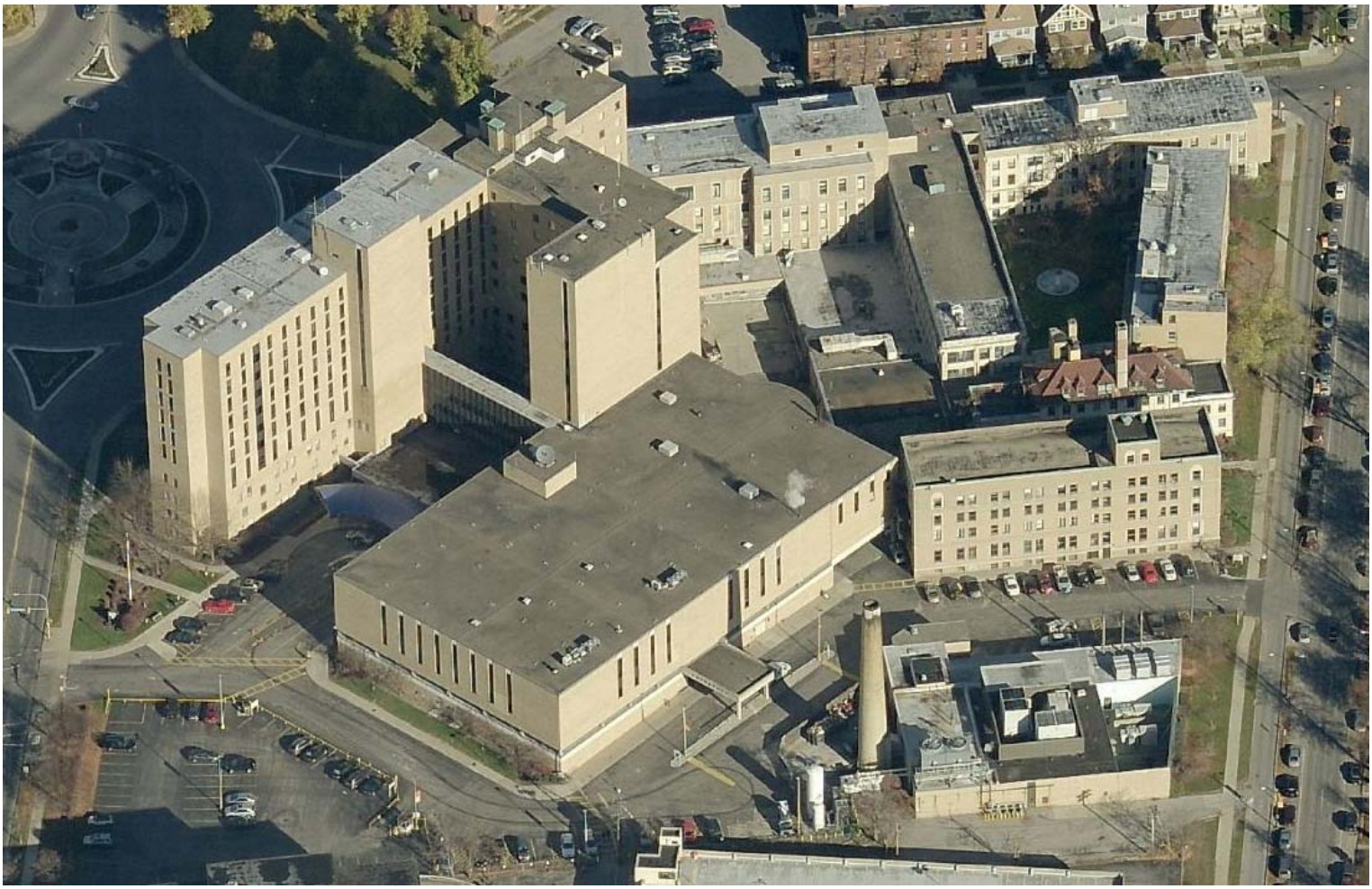
Site Features: The site is composed of several interconnecting buildings covering most of the site. Currently the property is unoccupied.

Current Zoning/Use: The site is currently zoned for commercial purposes.

Historical Use: The site was initially developed for residential use and was partially used for tricycle manufacturing pre-1900. By 1916 the site was beginning to undergo use as a hospital facility, with continued expansion of the hospital complex (Millard Fillmore Gates Circle Hospital) through the early 1970's.

Site Geology and Hydrogeology: The subsurface soils generally consist of non-native soils/fill in upper four feet overlying native soil. The fill materials consist of sands, gravels, cinders, bricks, and slag. The native soil is very hard, medium plasticity, reddish brown lean clay present at varying thicknesses and overlying reddish brown sandy silt. The bedrock is approximately 30 feet below ground surface and is described as gray cherty limestone. Groundwater is approximately 11 feet below ground surface and flows northerly towards Scajaquada Creek.

Additional site details, including environmental and health assessment summaries, are available on DEC's website at http://www.dec.ny.gov/chemical/91521.html and http://www.dec.ny.gov/cfmx/extapps/derexternal/haz/details.cfm?pageid=3&progno=C915272



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

FOR MORE INFORMATION

Where to Find Information

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

Buffalo & Erie County Public Library
Attn: Ms. Mary Schiffhauer
633 Elmwood Avenue
Buffalo, NY 14222
716-883-6651

Project documents are also available on the DEC website at:
http://www.dec.ny.gov/chemical/91521.html.

Who to Contact

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

Project Related Questions
Jaspal Walia
Department of Environmental Conservation
Division of Environmental Remediation
270 Michigan Ave
Buffalo, NY 14203
716-851-7220
jaspal.walia@dec.ny.gov

Site-Related Health Questions
Renata Ockerby
New York State Department of Health
Empire State Plaza, Corning Tower, Room 1787
Albany, NY 12237
BEEI@health.ny.gov

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*.

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.