Department of Environmental Conservation

November 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

Have questions? See "Who to Contact" Below

Cleanup Action Completed at Brownfield Site

Action has been completed to address the contamination related to the 3 Gates Circle Site ("site") located at 3 Gates Circle, Buffalo, Erie County under New York State's Brownfield Cleanup Program. Please see the map for the site location.

The cleanup activities were performed by Gates Circle Holdings, LLC ("applicant)") with oversight provided by the New York State Department of Environmental Conservation (NYSDEC). The applicant has submitted a draft Final Engineering Report for NYSDEC review which states that cleanup requirements have been or will be achieved to fully protect public health and the environment for the proposed site use.

Highlights of the Site Cleanup:

1. Excavation and off-site disposal of approximately 1,520 cubic yards of soils contaminated with No. 6 fuel oil to achieve Restricted Residential Soil Cleanup Objectives (RRSCOs).
2. Excavation and off-site disposal of approximately 1,090 cubic yards of soils/fill contaminated with polycyclic aromatic hydrocarbons (PAHs) and mercury to achieve RRSCOs.
3. Placing a site-wide cover system. The cover system consists of soil, crushed stone, asphalt covered areas, and concrete building slab/foundations. The soil and/or stone cover system has a minimum 2-foot thickness of soil meeting the Part 375 restricted residential use cover requirements. The soil cover and crushed stone were placed over an orange mesh demarcation layer where contamination remained below the cover system.
4. An Environmental Easement was placed on the property to restrict land use to restricted residential/commercial/industrial operations and prevent future exposure to any contamination remaining at the Site.
5. Implementation of a Site Management Plan (SMP) detailing requirements for management of remaining contamination as required by the Environmental Easement.
6. Implementation of an Excavation Work Plan to assure that future intrusive activities and soil/fill handling at the site are completed in a safe and environmentally responsible manner; and
7. Certification that the institutional and engineering controls are still in place and effective will be made annually.

Next Steps
When NYSDEC approves the Final Engineering Report, it will be made available to the public (see "Where to Find Information" below). NYSDEC then will issue a Certificate of Completion which will be announced in a fact sheet that is sent to the site contact list.

The applicant would be able to redevelop the site after receiving a Certificate of Completion. In addition, the applicant:

- 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.

A Certificate of Completion may be modified or revoked if, for example, an applicant does not comply with the terms of its Brownfield Cleanup Agreement with NYSDEC.

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 Avenue and commercial properties to the west; Linwood Avenue and a mix of commercial and residential properties to the east; Lafayette Avenue and a mix of commercial and residential properties to the north; and commercial properties to the south.

Site Features: The site consists of two buildings, cleared areas from demolition of buildings, debris from demolished buildings, and parking areas.

Current Zoning and Land Use: The site is currently zoned R5-residential.

Past Use of the Site: 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 soil/fills in the 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 NYSDEC's website at:
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(s) to help the public stay informed.

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

Project documents are also available on the NYSDEC website at:
http://www.dec.ny.gov/chemical/37554.html

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

Project Related Questions
Jaspal S. Walia, P.E.
Department of Environmental Conservation
Division of Environmental Remediation
270 Michigan Ave
Buffalo, NY 14203-2915
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
518-402-7860
BEEI@health.ny.gov

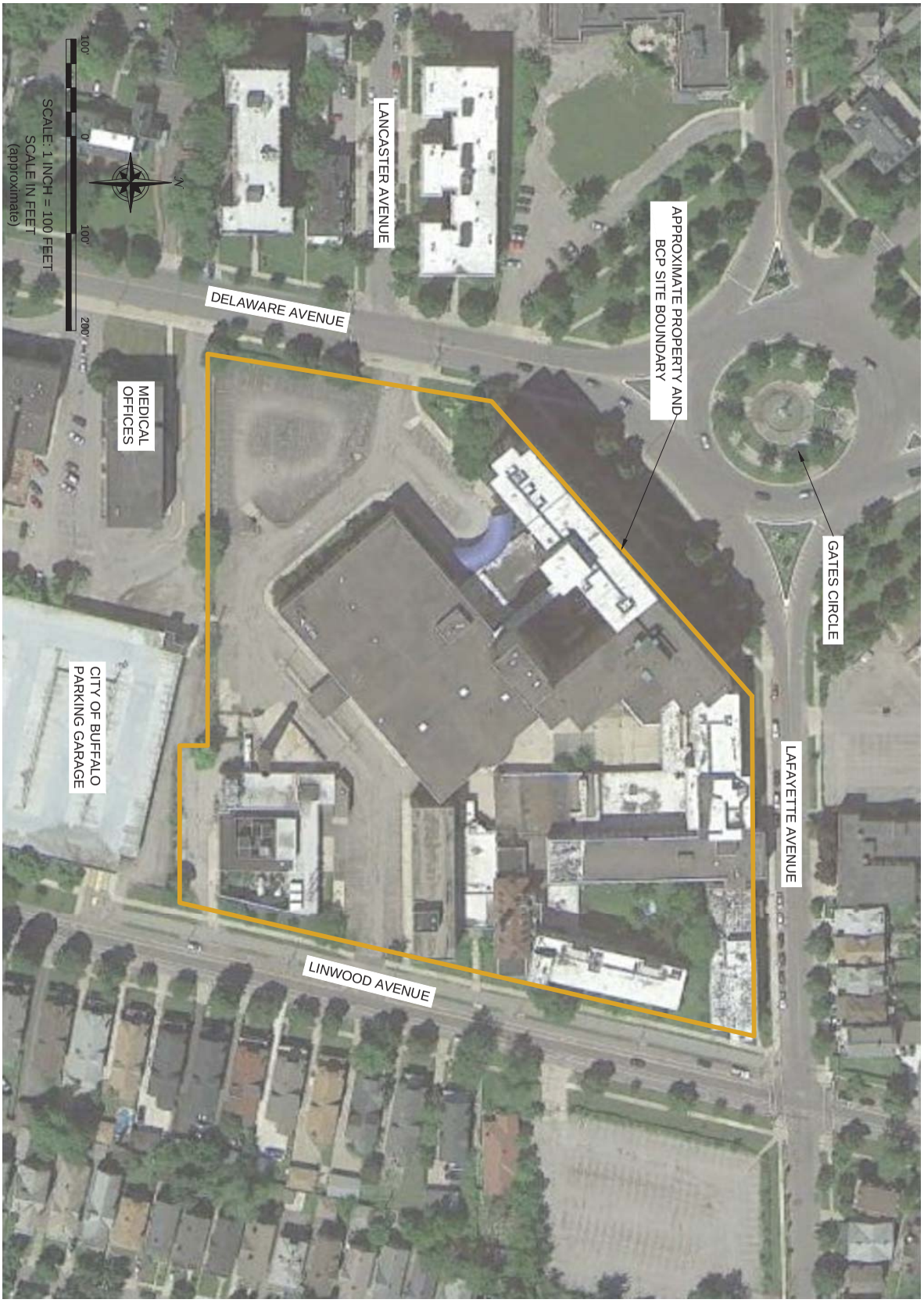
We encourage you to share this fact sheet with neighbors and tenants, and/or post this fact sheet in a prominent area of your building for others to see.

Receive Site Fact Sheets by Email
Have site information such as this fact sheet sent right to your email inbox.
NYSDEC 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.

DATE: JULY 2015
DRAFTED BY: RFL



FIGURE

SITE PLAN

SITE MANAGEMENT PLAN

BROWNFIELD CLEANUP PROGRAM
3 GATES CIRCLE SITE
BUFFALO, NEW YORK

PREPARED FOR

GATES CIRCLE HOLDINGS, LLC

BENCHMARK
ENVIRONMENTAL ENGINEERING & SCIENCE, PLLC

2558 HAMBURG TURNPIKE
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