



# FACT SHEET

## Brownfield Cleanup Program

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**Site Name:** 441 Ohio Street Site  
**DEC Site #:** C915285  
**Address:** 9 South Street; Buffalo, NY 14203  
**Website:** <http://www.dec.ny.gov/chemical/102769.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 New York State Department of Environmental Conservation (DEC) to address contamination related to the 441 Ohio Street Site ("site") located at 9 South Street, Buffalo, Erie 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."

#### How to Comment

DEC is accepting written comments about the proposed plan for 45 days, from **July 31, 2015** through **September 14, 2015**. The proposed plan is available for public review at the location 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.

The proposed remedy for the Site is to achieve a Track 4 Restricted Residential Use cleanup. For Track 4 remedies, restrictions are placed on the use of the property in the form of Institutional Controls/Engineering Controls (IC/ECs). For restricted-residential use, the top two feet of all exposed soils that are not otherwise covered by the components of the development of the site (e.g. buildings, pavement) cannot exceed the restricted-residential soil cleanup objectives (RRSCOs). Areas that exceed the RRSCOs must be covered by material meeting the requirements for restricted-residential future Site use.

This alternative's remedial measures would include:

- Site preparation that includes demolition of the existing building;
- Excavation and off-site disposal of soil/fill exceeding Commercial Use SCOs (CSCOs), specifically to address elevated arsenic, barium and PCBs;
- Placement of Cover System, including demarcation layer underlying DER-10 acceptable backfill in areas without hardscape (building, asphalt and concrete) to address remaining contamination above RRSCOs; and

- Implementation of a Site Management Plan (SMP). The SMP will include:
  - o Institutional Controls and Engineering Controls (IC/EC) Engineering Controls. Institutional controls at the site will include an Environmental Easement restricting groundwater use and limitations on end use of the site to restricted residential, commercial or industrial applications;
  - o 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
  - o Site Monitoring Plan that includes: provisions for a Site-wide inspection program to assure that the IC/ECs have not been altered and remain effective.

Under this remedy approach, approximately 1,100 CY of impacted soil/fill would require excavation and off-site disposal. Specifically, arsenic, barium and/or PCB-impacted soil/fill, identified selectively within the areas of concern (AOCs) will be excavated and disposed off-site in a permitted landfill. An equivalent volume of DER-10 approved backfill would be required to restore the Site to grade. Upon completion of the removal and offsite disposal work, the entire site will be covered with a compliant cover system as described above.

The proposed remedy was developed by 441 Ohio Street, LLC ("applicant(s)") after performing a detailed investigation of the site under New York's Brownfield Cleanup Program (BCP).

#### *Summary of the Investigation*

Contamination at the site is limited, and is found mostly in surface and shallow soil depths. The following is a summary of the historic investigations and RI findings.

#### Surface-Near Surface Soil/Fill:

No volatile organic compounds (VOCs), pesticides or herbicides were detected at concentrations above unrestricted soil cleanup objectives (USCOs). Several polycyclic aromatic hydrocarbons (PAHs), polychlorinated biphenyls (PCBs), and metals were identified above restricted residential SCOs (RRSCOs) and in some instances, above commercial SCOs (CSCOs).

#### Subsurface Soil/Fill:

No VOCs, semi-volatile organic compounds (SVOCs), PCBs, pesticides or herbicides were detected above USCOs from the subsurface soils. Several metals elevated above USCOs, RRSCOs, and CSCOs were detected, primarily associated with a reworked soil/fill area from the 2-8 feet horizon below ground surface.

#### Groundwater:

No VOCs, PCBs, or herbicides were detected above GWQS. PAH, benzo(b)flouranthene, was detected above its groundwater quality standard (GWQS). Dissolved metals detected above GWQS are primarily naturally occurring minerals. Select pesticides were detected above their respective GWQS, including the upgradient wells. On-site soil analytical results did not report elevated detections of pesticides, indicating that they may originate off-site.

## **Next Steps**

DEC will consider public comments, revise the plan as necessary, and issue a final Decision Document. New York State Department of Health (DOH) must concur with the proposed remedy. After approval, the proposed remedy becomes the selected remedy. The draft Remedial Work Plan and Proposed Decision Document are revised as needed to describe the selected remedy, and 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 is located in an urban area at 9 South Street in the City of Buffalo.

**Site Features:** The site is a 1.8-acre portion of a larger 2.25 acre parcel. The site is bounded by South Street to the north, with the DEC recreational boat launch beyond; commercial and recreational property to the south (Bison City Rod and Gun Club), a vacant lot and Ohio Street to the east, and the Buffalo River along the western property line. The topography of the site and vicinity is generally flat with little no topographic elevation change. The land surface is only several feet above the water level of the adjoining Buffalo River and is situated within the 100 year floodplain of the river. The non-BCP portion of the 2.25 acre parcel is submerged by the Buffalo River. This area may have been previously dredged to allow docking of commercial freight ships and barges. A century old 500 x 100 foot 2-story warehouse type building that occupied most of the site was demolished spring 2015 for future redevelopment. The building was in an extremely dilapidated condition and had been condemned by the City of Buffalo Building Department. The balance of the site is mostly covered with gravel with some minor vegetated areas and strips. A rail spur leads to the northern side of the site. Multiple rails lines previously lead to the interior of the building.

**Current Zoning and Land Use:** The site is located in the M2, General Industrial District. The site and building are currently idle.

**Past Use of the Site:** The site has been used for various freight and warehousing operations from early as 1889. Operations included intermodal (lake freight, rail and trucking) material handling and shipping, equipment use and maintenance, paper recycling and bundling equipment. The building was also used for storage of paints, solvents, thinners, greases, hydraulic oils, and lubricants commonly used by the former commercial recycle paper handling operations.

**Site Geology and Hydrogeology:** The site is located within the Erie-Ontario lake plain physiographic province, which is typified by little topographic relief and gentle slope toward Lake Erie, except in the immediate vicinity of major drainage ways. The surficial geology of the Lake Erie Plain consists of a thin glacial till, glaciolacustrine deposits, and recent alluvium.

Surface soils within the City of Buffalo are characterized as urban land with level to gently sloping land in which 80 percent or more of the soil surface is covered by asphalt, concrete, buildings, or other impervious structures typical of an urban environment. Based on the bedrock geologic map of Erie County, the Site is situated over Onondaga limestone formation. The unit has an approximated thickness of 110 to 160 feet.

Based on area topography and proximity to the Buffalo River, the groundwater gradient is relatively flat, and likely flows in a westerly direction toward the river.

Additional site details, including environmental and health assessment summaries, are available on DEC's website at <http://www.dec.ny.gov/chemical/102769.html> and <http://www.dec.ny.gov/cfm/external/derexternal/haz/details.cfm?pageid=3&progno=C915285>.

**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: Mary Jean Jakubowski  
1 Lafayette Square  
Buffalo, NY 14203  
phone: 716-858-8900  
[jakubowskim@buffalolib.org](mailto:jakubowskim@buffalolib.org)

Project documents are also available on the DEC website at:  
<http://www.dec.ny.gov/chemical/102769.html>

### Who to Contact

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

#### Project Related Questions

Eugene Melnyk, PE  
Department of Environmental Conservation  
Division of Environmental Remediation  
270 Michigan Ave  
Buffalo, NY 14203  
716-851-7220  
[eugene.melnyk@dec.ny.gov](mailto:eugene.melnyk@dec.ny.gov)

#### Site-Related Health Questions

Stephanie Selmer  
New York State Department of Health  
Bureau of Environmental Exposure Investigation  
Empire State Plaza, Corning Tower, Room 1787  
Albany, NY 12237  
518-402-7860  
[BEEI@health.ny.gov](mailto: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.

