

DECISION DOCUMENT

1132-1146 Seneca St.
Brownfield Cleanup Program
Buffalo, Erie County
Site No. C915228
October 2010



Prepared by
Division of Environmental Remediation
New York State Department of Environmental Conservation

PROPOSED DECISION DOCUMENT

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SECTION 1: SUMMARY AND PURPOSE OF THE PROPOSED PLAN

The New York State Department of Environmental Conservation (the Department), in consultation with the New York State Department of Health (NYSDOH), is proposing a remedy for the above referenced site. The disposal of contaminants at the site has resulted in threats to public health and the environment that would be addressed by the remedy proposed by this Decision Document (DD). The disposal or release of contaminants at this site, as more fully described in Section 6 of this document, have contaminated various environmental media. Contaminants include hazardous waste and/or petroleum.

The New York State Brownfield Cleanup Program (BCP) is a voluntary program. The goal of the BCP is to enhance private-sector cleanups of brownfields and to reduce development pressure on "greenfields." A brownfield site is real property, the redevelopment or reuse of which may be complicated by the presence or potential presence of a contaminant.

The Department has issued this document in accordance with the requirements of New York State Environmental Conservation Law and Title 6 of the Official Compilation of Codes, Rules and Regulations of the State of New York, 6 NYCRR Part 375. This document is a summary of the information that can be found in the site-related reports and documents in the document repository identified below.

SECTION 2: CITIZEN PARTICIPATION

The Department sought input from the community on the proposed Decision Document. **A public comment period was held from 7/30/2010 to 9/13/2010**

No comments were received.

SECTION 3: SITE DESCRIPTION AND HISTORY

The 1132-1146 Seneca St. Site is located in an urban area. The site is located at 1132 and 1146 Seneca Street, Buffalo, Erie County.

The main site features include one large abandoned building with a small open grass and gravel area to the northeast and southeast. About one half of the site area is grass covered.

The site is currently inactive, and the northwest portion is zoned for manufacturing and processing and the southeast portion is zoned for vacant industrial use.

The surrounding parcels are currently used for a combination of municipal, residential, commercial, light industrial, and transportation right-of-ways. The nearest residential area is less than 0.125 miles southwest.

Until 2007 the site was used for manufacturing of fiberglass products. Prior uses also include manufacture of electrical equipment, lumber operations, gasoline retail, and automobile repair. Prior uses that appear to have led to site contamination include chemical storage and handling, fuel storage and handling, metal cleaning, treatment of fuel contaminated soils, and release of polychlorinated biphenyls (PCBs).

The site remedial program is being performed by Flexo Transparent Inc. as a volunteer in the DEC's Brownfield Cleanup Program.

In 1990 a remedial action was carried out at the site which resulted in the excavation and off-site disposal of two PCB sludge piles located in the northeast portion of the site. In 2001 a Phase I Environmental Site Assessment (ESA) and a Limited Phase II Site Investigation was conducted. In 2007, another Phase I ESA was conducted and in 2008 a Phase II investigation was performed. A Remedial Investigation and Interim Remedial Measure (IRM) Work Plan was approved by the DEC in 2009, and implementation began in mid/late 2009. Additional site characterization was completed in late 2009, and an additional IRM is being implemented by the Applicant.

A site location map is attached as Figure 1.

SECTION 4: LAND USE AND PHYSICAL SETTING

The Department may consider the current, intended, and reasonable anticipated future land use of the site and its surroundings when assessing the nature and extent of contamination. For this site alternatives that may restrict the use of the site to industrial criteria as described in Part 375-1.8(g) are being evaluated in addition to unrestricted SCGs.

A comparison of the appropriate SCGs for the identified land use against the unrestricted use

SCGs for the site contaminants is available in the RI.

SECTION 5: SITE CONTAMINATION

5.1: Summary of the Remedial Investigation

A remedial investigation (RI) serves as the mechanism for collecting data to:

- characterize site conditions;
- determine the nature of the contamination; and
- assess risk to human health and the environment.

The RI is intended to identify the nature (or type) of contamination which may be present at a site and the extent of that contamination in the environment on the site, or leaving the site. The RI reports on data gathered to determine if the soil, groundwater, soil vapor, surface water or sediments may have been contaminated. Monitoring wells are installed to assess groundwater and soil borings or test pits are installed to sample soil and/or waste(s) identified. If other natural resources are present, such as surface water bodies or wetlands, the water and sediment may be sampled as well. Based on the presence of contaminants in soil and groundwater, soil vapor will also be sampled for the presence of contamination. Data collected in the RI influence the development of remedial alternatives. The RI report is available for review in the site document repository and the results are summarized in section 5.4.

5.1.1: Standards, Criteria, and Guidance (SCGs)

The remedy must conform with promulgated standards and criteria that are directly applicable, or that are relevant and appropriate. The selection of a remedy must also take into consideration guidance, as appropriate. Standards, Criteria and Guidance are hereafter called SCGs.

To determine whether the contaminants identified in various media are present at levels of concern, the data from the RI were compared to media specific SCGs. The Department has developed SCGs for groundwater, surface water, sediments, and soil. The NYSDOH has developed SCGs for drinking water and soil vapor intrusion. For a full listing of all SCGs see: <http://www.dec.ny.gov/regulations/2393.html>

5.1.2: RI Information

The analytical data collected on this site includes data for:

- groundwater
- soil
- soil vapor

The data has identified contaminants of concern. A "contaminant of concern" is a contaminant that is sufficiently present in frequency and concentration in the environment to require evaluation for remedial action. Not all contaminants identified on the property are contaminants

of concern. The nature and extent of contamination and environmental media requiring action are summarized in section 5.3. Additionally, the RI Report contains a full discussion of the data. The contaminant(s) of concern identified at this site is/are:

PCB-aroclor 1242
PCB-aroclor 1248
PCB-aroclor 1254
PCB-aroclor 1260
benzo(a)pyrene

The contaminant(s) of concern exceed the applicable standards, criteria and guidance for soil.

5.2: Interim Remedial Measures

An interim remedial measure (IRM) is conducted at a site when a source of contamination or exposure pathway can be effectively addressed before issuance of the Decision Document.

IRM - PCB Soil Removal

Analytical results of previous Site investigations identified elevated PCB concentrations in soil/fill material at two Areas of Concern (AOCs) located on the 1132 Seneca Street property. PCB-impacted soil/fill material appeared to be limited to a depth range from the surface, directly below the concrete pavement of the loading dock, to a depth of approximately two feet below the base of the concrete. At the second area of concern located in the exterior back yard to the north (rear) of the building, the depth of PCB impact was potentially up to six feet based on vertical composite sampling. Based on the known concentrations of PCBs which exceeded Commercial Soil Cleanup Objectives (SCOs), the impacted soil/fill was removed at these two locations as interim remedial measures (IRMs) completed concurrent with performance of the RI. The locations of the two IRMs are illustrated in the RI Report. Upon Department approval of the RIR/RWP, both IRM excavations will be backfilled with imported soil concurrent with other remedial actions and redevelopment activities planned for the Site.

5.3: Summary of Environmental Assessment

This section summarizes the assessment of existing and potential future environmental impacts presented by the site. Environmental impacts may include existing and potential future exposure pathways to fish and wildlife receptors, wetlands, groundwater resources, and surface water. The RI report presents a detailed discussion of the existing and potential impacts from the site to fish and wildlife receptors.

Based upon investigations conducted to date, the primary contaminants of concern at the site include poly chlorinated biphenyls (PCBs) and semi-volatile organic hydrocarbons (SVOCs). The SVOCs detected are all classified as poly aromatic hydrocarbons (PAHs) and include benzo(a)anthracene, benzo(a)pyrene, and benzo(b)fluoranthene. However, only benzo(a)pyrene (BAP) was detected at concentrations above the industrial soil cleanup objectives (SCOs). PCBs are found in surface and subsurface soil, mostly north and east of the building located on the

1132 Seneca Street parcel. PCB concentrations in soil ranged from non-detected (ND) to 3,090 parts per million (ppm). The SCO for PCBs is 25 ppm. BAP is found in shallow soils on the east end of the site (1146 Seneca Street parcel) and ranged from ND to 21.7 ppm. The industrial SCO for BAP is 1 ppm. Site overburden soils are composed of a mixture of fill and sandy soil to a depth of 0 to 11-feet below ground surface over a native silty clay with varying amounts of sand. Overburden groundwater, when present, is perched on the native silt/clay layer and flows from east to west. More information regarding the site can be found in the documents placed in the Site Document Repository.

SECTION 6: ELEMENTS OF THE PROPOSED REMEDY

The alternatives developed for the site and evaluation of the remedial criteria are present in the Alternatives Analysis. The remedy is selected pursuant to the remedy selection criteria set forth in DER-10, Technical Guidance for Site Investigation and Remediation.


The remedy will be considered a Track 2 Industrial cleanup. PCBs and other constituents present in soil/fill above the restricted industrial SCOs would be removed and replaced with documented imported backfill, if necessary. Based on the known environmental conditions at the Site and the planned Site industrial use, Site cleanup under Track 2 can be achieved by the removal and off-Site disposal of PCB-impacted soil/fill to meet the restricted industrial SCO of 25 mg/kg. The PCB-impacted soil/fill of concern is located on the 1122 and 1132 Seneca properties.

In addition, soils containing other contaminants above SCOs e.g. benzo(a)pyrene would be excavated and removed from the surface and disposed off-Site at a DEC permitted waste disposal facility. The RI illustrates the areas planned for soil/fill removal operations. Based on post-RI pre-characterization sampling, impacted surface soil will be removed from approximately 50% of the 1146 Seneca Street property. Land use and groundwater institutional controls will be implemented. These controls will include limiting future Site use to industrial and restricting the use of groundwater from beneath the Site without prior treatment and written permission of the Department.

Declaration

The selected remedy is protective of human health and the environment, complies with State and federal requirements that are legally applicable or relevant and appropriate to the remedial action and will allow for the identified use of the site. This remedy utilizes permanent solutions and alternative treatment to the maximum extent practicable, and satisfies the preference for remedies that reduce remove or otherwise treat or contain sources of contamination and protection of groundwater.

10/19/10
Date


Coordinator
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