



FACT SHEET

Brownfield Cleanup Program

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Buffalo Color Corp. Area E
Site Number C915232
Buffalo, NY

January 2012

NYSDEC Certifies Cleanup Requirements Achieved at Brownfield Site

The New York State Department of Environmental Conservation (NYSDEC) has determined that the cleanup requirements to address contamination related to Buffalo Color Corporation Area E Site ("site") located at 85 Lee Street in Buffalo in Erie County under New York State's Brownfield Cleanup Program have been met. See map for site location. NYSDEC has issued a Certificate of Completion regarding the site. A copy of the Notice of the Certificate of Completion is available at the location(s) identified below under "Where to Find Information". The applicant is now eligible to redevelop the site.



Completion of Project

The site remediation was accomplished by completing the following Remedial Measures, which included:

- Demolishing existing structures. Building foundations were saved for post-remediation reuse and redevelopment;
- Excavating impacted soil containing site specific contaminants affecting groundwater quality to a depth of approximately 12 feet;
- Properly disposing the impacted soil;
- Backfilling the excavation with crushed concrete demolition material, clean fill, and adding an oxygen releasing bio-stimulant to the backfill to treat residual volatile organic compounds (VOCs) and semi-volatile organic compounds (SVOCs) consisting of dye manufacturing intermediate chemicals and other dye production chemicals in adjoining soil and groundwater;
- Rehabilitating existing storm sewers and manholes with a liner system to prevent infiltration of impacted groundwater into storm

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:
www.dec.ny.gov/chemical/8450.html

- sewers that discharge to the Buffalo River; and
- Placing an integrated cover system over the site to isolate contact with residuals.

The remedial measures successfully addressed contamination and will serve as the final remedy for the site.

Institutional Controls/Engineering Controls

Institutional controls and engineering controls generally are designed to reduce or eliminate exposure to contaminants of concern. An *institutional control* is a non-physical restriction on use of the site, such as a deed restriction, when contamination left over after the cleanup action makes the site suitable for some, but not all uses. An *engineering control* is a physical barrier or method to manage contamination such as a cap or vapor barrier.

The following institutional and/or engineering controls have been put in place on the site:

- Covering the site with an integrated cover system consisting of one foot of vegetated soil or gravel, and utilizing existing buildings and pavement for the balance of cover over the site; and
- Developing a site management plan with institutional and engineering controls that will be implemented during redevelopment and reuse of the site. An institutional control is a legal or administrative restriction placed on the use of the site when residual contamination left after the cleanup action makes the site suitable for some but not all uses. An engineering control is a physical barrier or method to manage contamination, such as the integrated cover system.

Next Steps

NYSDEC issued the Certificate of Completion based on review and approval of a Final Engineering Report submitted by the applicant. The Final Engineering Report includes: 1) a description of the cleanup activities completed; 2) certification that cleanup requirements will be achieved for the site; 3) a description of any institutional/engineering controls to be used; and 4) a certification that a site management plan for any engineering controls used at the site has been approved by NYSDEC.

With its receipt of a Certificate of Completion, the applicant is eligible to redevelop the site. In addition, the applicant:

- has no liability to the State for contamination at or coming from the site, subject to certain conditions; and
- is 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, the applicant does not comply with the terms of its Brownfield Cleanup Agreement with NYSDEC, or if the applicant commits fraud regarding its application or its certification that it has met cleanup levels.

Background

NYSDEC previously accepted an application from the applicant to participate in the Brownfield Cleanup Program. The application proposes that the site will be used for commercial/industrial, purposes.

The BCP site is situated in the South Buffalo section of the City of Buffalo. It is located on the east side of Lee Street, south of Elk Street and north of South Park Avenue. This site is approximately 15.8 acres in size and was subdivided from the former 54 acre Buffalo Color Corporation (BCC) chemical and dye plant. The site has been used for the production of dyestuff, organic chemicals and intermediate chemicals since the 1940's and continued until 2003, when BCC operations ceased.

The site is currently inactive and is zoned for industrial use. Neighboring areas include residential and some commercial, and vacant industrial lands. The nearest residential areas are located approximately 200 feet north of the Site.

A Remedial Work Plan proposing a Track 4 commercial cleanup standard was approved in 2009. Design investigation activities and development of a detailed remediation plan continued into 2010. Site preparation and demolition/removal of decommissioned plant facilities and process equipment was completed in 2010.

The final remedial plan for soil and groundwater in Area E involved removal of source material impacting groundwater quality and placement of oxidizing materials to treat residual VOC groundwater contamination. Approximately 13,600 cubic yards of VOC contaminated soil were excavated from three areas that were impacting groundwater quality. The fill horizon below the groundwater level was seeded with an oxygen releasing biostimulant in the excavation backfill materials at one foot fill intervals to treat residual VOCs in groundwater.

Site remediation also included abandonment/plugging of unused process and storm sewers and rehabilitation of the existing storm sewer system that discharges directly to the Buffalo River. Placement of a site-wide integrated cover system and additional remediation construction activities were completed in 2011. The planned future reuse for this site is commercial and light industrial.

FOR MORE INFORMATION

Where to Find Information

Project documents are available at the following location(s) to help the public stay informed. These documents include the Notice of the Certificate of Completion.

Dudley Branch Public Library
2010 South Park Avenue
Buffalo, NY 14220
Phone: (716) 858-8900

NYSDEC Region 9 Office
270 Michigan Avenue
Buffalo, New York 14203
(716) 851-7220
(Please call for appointment
M-F 8:30am to 4:45pm)

Who to Contact

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

Project Related Questions

Eugene W. Melnyk, PE
NYSDEC
270 Michigan Avenue
Buffalo, New York 14203
716-851-7220
ewmelnyk@gw.dec.state.ny.us

Site-Related Health Questions

Nathan Freeman
NYS Department of Health
547 River St., Rm. 300
Troy, NY 12180
(518) 402-7860
bee@health.state.ny.us

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: 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.

You may continue also to receive paper copies of site information for a time after you sign up with a county listserv, until the transition to electronic distribution is complete.

Note: Please disregard if you already have signed up and received this fact sheet electronically.