



Department of  
Environmental  
Conservation

## Where to Find Information

Access project documents through the  
DECinfo Locator

<https://www.dec.ny.gov/data/DecDocs/C915359/> and at these location(s):

### Buffalo & Erie County Public Library

**Central Library**  
1 Lafayette Square  
Buffalo, New York 14203  
716-858-8900

### North Park Branch Library

975 Hertel Avenue  
Buffalo, New York 14216  
716-875-3748

## Who to Contact

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

### Project-Related Questions

David Locey, Project Manager  
NYSDEC  
270 Michigan Avenue  
Buffalo, New York  
(716) 851-7220  
[david.locey@dec.ny.gov](mailto:david.locey@dec.ny.gov)

### Project-Related Health Questions

Gregory Rys  
NYSDOH – Herkimer District Office  
5665 NYS Rt. 5  
Herkimer, NY 13350  
315-619-3194  
[beei@health.ny.gov](mailto:beei@health.ny.gov)

For more information about New York's  
Brownfield Cleanup Program, visit:  
[www.dec.ny.gov/chemical/8450.html](http://www.dec.ny.gov/chemical/8450.html)

# FACT SHEET

## Brownfield Cleanup Program

**Hertel and Foundry Site**  
356 Hertel Avenue and  
42 Foundry Street  
Buffalo, NY 14207

**March 2022**

**SITE No. C915359**  
**NYSDEC REGION 9**

## 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 (NYSDEC), in consultation with the New York State Department of Health (NYSDOH), to address contamination related to the Hertel and Foundry site ("site") located at 356 Hertel Avenue and 42 Foundry Street, Buffalo, Erie County. Please see the map for the site location.

**How to Comment:** NYSDEC is accepting written comments about the proposed plan, called a "Remedial Investigation/Alternatives Analysis Report (RI/AAR)" for 45 days, from **March 9, 2022 through April 22, 2022.**

- Access the RI/AAR and other project documents online through the DECinfo Locator:  
<https://www.dec.ny.gov/data/DecDocs/C915359/>.
- Documents also are available at the location(s) identified at left under "Where to Find Information."
- Please submit comments to the NYSDEC project manager listed under Project-Related Questions in the "Who to Contact" area at left.

**Draft Remedial Work Plan:** The proposed Unrestricted Use remedy consists of:

- Characterization and disposal of wastes (e.g., drums, etc.) from within the building;
- Excavation and off-site disposal of approximately 480 tons of soil/fill, from three discrete areas beneath the on-site building;
- Excavation and disposal of approximately 17,700 tons of contaminated soil/fil, from outside of the building, across the site;
- Collection and analysis of confirmation samples to ensure that Soil Cleanup Objectives (SCOs) have been met;
- Importing clean material that meets the established SCOs for use as backfill; and
- Implementing a Health and Safety Plan and Community Air Monitoring Plan during all ground intrusive activities.

The proposed remedy was developed by Kam Cleanup LLC (“applicant”) after performing a detailed investigation of the site under New York's Brownfield Cleanup Program (BCP). The results of the site investigation and an outline of the proposed remedy are described in the draft RI/AAR, which is available for review at the document repository identified on this page.

**Next Steps:** NYSDEC will consider public comments, revise the cleanup plan as necessary, and issue a final Decision Document. NYSDOH must concur with the proposed remedy. After approval, the proposed remedy becomes the selected remedy. The applicant may then design and perform the cleanup action to address the site contamination, with oversight by NYSDEC and NYSDOH.

NYSDEC will keep the public informed throughout the investigation and cleanup of the site.

**Site Description:** The 2.99-acre site is comprised of two tax parcels that are located on the northwest corner of Hertel Avenue and Foundry Street in the City of Buffalo, Erie County. The site is bordered by vacant industrial property to the north, Hertel Avenue, railroad tracks, and a vacant industrial property to the south, railroad tracks to the west, and Foundry Street and residential, commercial, and vacant industrial properties to the east. The site is developed with a vacant, 115,000 square foot building. Undeveloped portions of the site are covered by asphalt, gravel, or vegetation.

The site was used industrially from at least 1916 through at least 1950 to produce malt and to process animal feed. Railroad tracks were located throughout the western and eastern portions of the site. An underground gasoline storage tank was located outside the building, in the southern part of the site until it was removed in 2002.

Additional site details, including environmental and health assessment summaries, are available on

NYSDEC's Environmental Site Remediation Database (by entering the site ID, C915359) at:

<https://www.dec.ny.gov/cfm/extapps/derexternal/index.cfm?pageid=3>

**Summary of the Investigation:** The primary contaminants of concern at the site are semi-volatile organic compounds (SVOCs) and metals, which are present site-wide in the soil/fill and groundwater.

**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 may include recreation, housing, business, or other uses. A brownfield site is any real property where a contaminant is present at levels exceeding the soil cleanup objectives or other health-based or environmental standards, criteria or guidance adopted by DEC that are applicable based on the reasonably anticipated use of the property, in accordance with applicable regulations.

For more information about the BCP, visit:

<https://www.dec.ny.gov/chemical/8450.html>

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*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.*

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#### **Stay Informed With DEC Delivers**

Sign up to receive site updates by email:

[www.dec.ny.gov/chemical/61092.html](https://www.dec.ny.gov/chemical/61092.html)

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

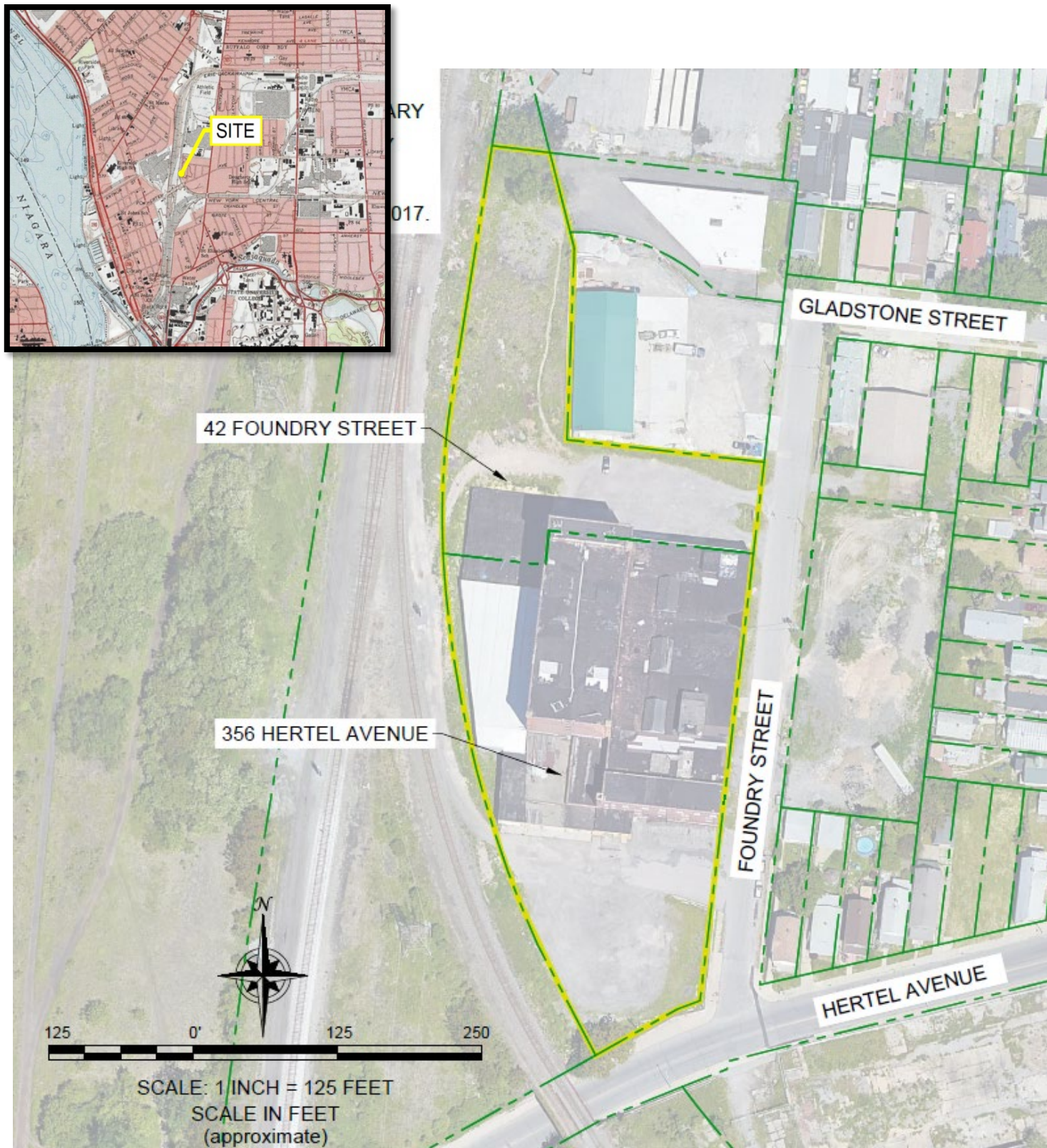
#### **DECinfo Locator**

Interactive map to access DEC documents and public data about the environmental quality of specific sites: <https://www.dec.ny.gov/pubs/109457.html>



# BROWNFIELD CLEANUP PROGRAM

## Site Location





## Translation Available. Don't see your language? Ask!

<b>English</b>	To have this document translated into a language you can understand, contact the person below. There is no charge for the translation.
<b>Español Spanish</b>	Si necesita la traducción de este documento a un idioma que pueda entender, comuníquese con la persona indicada abajo. La traducción es gratis.
<b>简体字 Simplified Chinese</b>	如需將此文件翻譯成您能理解的語言版本，請聯絡下方人員。本次翻譯不收取費用。
<b>Русский Russian</b>	Чтобы получить перевод этого документа на понятный вам язык, свяжитесь с представителем, данные которого указаны ниже. Плата за эту услугу не взимается.
<b>אידיש Yiddish</b>	צו האבן די דאקומענט איבערגעטייטשט אין א שפראך וואס איר קענט פארשטיין, פארבינדט זיך מיט די פערזאן אונטן. די איבערטייטשונג איז פריי פון אפצאל.
<b>বাঙালি Bengali</b>	এই নথিটি আপনি বুঝতে পারেন এমন একটি ভাষায় অনুবাদ করতে, নিম্নলিখিত ব্যক্তির সাথে যোগাযোগ করুন। অনুবাদের জন্য কোন চার্জ দিতে হবে না।
<b>한국어 Korean</b>	이 언어를 본인이 이해할 수 있는 언어로 받아보려면 아래 담당자에게 문의하십시오. 번역료는 없습니다.
<b>Kreyòl Ayisyen Haitian Creole</b>	Pou yo ka tradwi dokiman sa nan yon lang ou ka konprann, kontakte moun ki anba a. Ou p'ap peye anyen pou tradiksyon an.
<b>Italiano Italian</b>	Per ottenere la traduzione di questo documento in un'altra lingua, contatti la persona indicata qui di seguito. La traduzione è gratuita.
<b>العربية Arabic</b>	لترجمة هذا المستند إلى لغة يمكنك فهمها، تواصل مع الشخص أدناه. لا يتم تطبيق رسوم مقابل الترجمة.
<b>Języki Polski Polish</b>	Aby uzyskać tłumaczenie tego dokumentu na język, który jest dla Ciebie zrozumiały, skontaktuj się z poniższą osobą. Za tłumaczenie nie jest pobierana żadna opłata.

**Contact:**