



FACT SHEET

Brownfield Cleanup Program

2250 Factory Outlet Blvd.
C932127
Town of Niagara, NY

December 2007

DEC Certifies Completion of Environmental Cleanup at 2250 Factory Outlet Blvd. Site

The New York State Department of Environmental Conservation (DEC) has determined, NF-3rd Associates, LLC (the site's owner) has achieved cleanup requirements to address contamination related to the 2250 Factory Outlet Blvd. site in the Town of Niagara, Niagara County. (See map on last page) Cleanup activities at this site were completed under New York State's Brownfield Cleanup Program (BCP), a program that encourages the voluntary cleanup of environmentally contaminated properties known as "brownfields" so that they can be brought back into productive use.

DEC has issued a Certificate of Completion to NF-3rd Associates, LLC for cleanup of the 2250 Factory Outlet Blvd site. NF-3rd Associates is now eligible to redevelop the site; proposed future use of the site is commercial. A copy of the Certificate of Completion is available at the locations identified on the back of this page. In this fact sheet, *Remedial activities* and *remediation* refer to all necessary actions to address any known or suspected contamination associated with a site.

DETAILS ABOUT THE CERTIFICATE OF COMPLETION

The Certificate of Completion issued by DEC contains:

- 1) a description of the remedial activities completed;
- 2) a certification that cleanup requirements have been or will be achieved;
- 3) the boundaries of the site;
- 4) a description of any institutional/engineering controls to be used. An *institutional control* is a non-physical restriction on use of the site, such as a deed restriction, when the remedial action leaves residual contamination that 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;
- 5) a certification that an operation, monitoring and maintenance plan for any engineering controls used at the site has been approved by DEC.

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 and business.

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

CLEANUP ACTIVITIES COMPLETED

Site soils were contaminated with chromium. Investigations performed in 2006 identified the extent of the contaminated soils at the site. The removal and appropriate disposal of on-site contaminated soils was completed in 2007 as an Interim Remedial Measure (IRM). Approximately 1,569 tons of chromium contaminated soils were disposed off site as hazardous waste. Approximately 5,359 tons of chromium contaminated soils were disposed off site as solid waste. All remaining site soils meet Part

375 restricted commercial soil cleanup objectives. A Site Management Plan was approved in November 2007 to ensure that soils on other areas of the property (beyond the cleanup area) comply with cleanup standards and objectives and are adequate for re-use.

NEXT STEPS

DEC issued the Certificate of Completion based on review and approval of the Final Engineering Report (FER) submitted by NF-3rd Associates, LLC. The FER described the cleanup activities completed and certified that cleanup requirements were achieved for the site.

With its receipt of a Certificate of Completion, NF-3rd Associates, LLC is eligible to redevelop the site. In addition, NF-3rd Associates, LLC:

- 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 remedial 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 DEC, or if the applicant commits fraud regarding its application or its certification that it has met cleanup levels.

SITE BACKGROUND

The 2250 Factory Outlet Blvd site consists of a 1.81 acre portion of the larger 5.33 acre property. The property was formerly occupied by Grossmans Lumber, and it is located in a commercial area of the Town. The principal site contaminant is chromium, which has been detected in shallow soils (less than 5 feet) in several areas of the site and appears to from past filling activities. No significant groundwater was encountered during the excavation of the contaminated fill material.

The BCP application for this site was accepted by the DEC in September 2006. The BCP application included a Remedial Investigation, Alternatives Assessment, and Interim Remedial Measures (RI/AAR/IRM) work plan. These work plans were approved by DEC in December 2006. The IRM excavation and disposal activities occurred from February- July 2007. The RI/AAR/IRM Report was approved by the DEC in November 2007.

FOR MORE INFORMATION

Locations to View Project Related Documents

A local document repository has been established at the following location to help the public to review important project documents. These documents include the Certificate of Completion and the application to participate in the BCP accepted by DEC.

Niagara Falls Public Library, Lasalle Branch
8728 Buffalo Avenue
Niagara Falls, NY 14304
Phone: (716) 283-8309
Hours: M-W 10-8; Th - Sat 10-5; Sun - closed

Who to Contact

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

Project Related Questions

Jeff Konsella, Project Manager
New York State Department of Environmental
Conservation
270 Michigan Avenue
Buffalo, NY 14203-2999
Phone: (716) 851-7220
email: jakonsel@gw.dec.state.ny.us

Health Related Questions

Matt Forcucci, Public Health Specialist
New York State Department of Health
584 Delaware Avenue
Buffalo, NY 14202-1295
Phone: (716) 847-4385

