



# FACT SHEET

## Brownfield Cleanup Program

Receive Site Fact Sheets by *Email*. See "For More Information" to Learn How.

**Site Name:** 401,402 and 430 Buffalo Avenue Site  
**DEC Site #:** C932164  
**Address:** 401, 402 & 430 Buffalo Ave; Niagara Falls, NY 14303  
**Website:** <http://www.dec.ny.gov/chemical/103837.html>

Have questions?  
See  
"Who to Contact"  
Below

### DEC Certifies Cleanup Requirements Achieved at Brownfield Site

New York State Department of Environmental Conservation (DEC) has determined that the cleanup requirements to address contamination related to the 401,402 and 430 Buffalo Avenue Site ("site") located at 401, 402 and 430 Buffalo Avenue, Niagara Falls, Niagara County under New York State's Brownfield Cleanup Program have been met. Please see the map for the site location.

The cleanup activities were performed with oversight provided by DEC. DEC has approved a Final Engineering Report and issued a Certificate of Completion for the site. Copies of the Final Engineering Report and Notice of the Certificate of Completion are available at the location(s) identified below under "Where to Find Information."

#### Completion of Project

An Interim Remedial Measure (IRM) Work Plan was approved in December 2014 that included the demolition and removal of a portion of the existing structure that included the removal of abandoned containers of chemicals and maintenance fluids and cleaning of sumps on the 401 parcel. The pre-demolition survey also discovered a PCB oil spill from vandalized transformers. The PCB spill was assigned Spill Number 1312160 which has been closed with the successful completion of the IRM. In addition, a post demolition radiological scan indicated the presence of technically enhanced naturally occurring radioactive material (TENORM) slag used as fill on site. The following IRMs were performed:

- Building demolition including the disposal of universal waste, sediments in trench drains and chemical waste found in the building;
- Excavation and off-site disposal of 1,050 cubic yards of TENORM slag found in various areas of the site;
- Cleanup and off-site disposal of impacted building materials in the PCB transformer room;
- Excavation and off-site disposal of petroleum impacted soil areas; and
- Excavation and off-site disposal of metals and polycyclic aromatic hydrocarbon impacted soil/fill areas.

In addition, an IRM Work Plan Addendum was approved in September 2015 that included:

- Excavation and off-site disposal of TENORM at the 402 Buffalo Ave parcel that exceeded background levels, and
- Excavation and off-site disposal of soil/fill in the 430 Buffalo Ave parcel that exceeded the industrial soil cleanup objectives for lead.

A cover system has also been installed on the 430 Buffalo Ave parcel which consists of soil where the upper two feet of exposed surface soil meets the applicable soil cleanup objectives (SCOs) for restricted residential use. Where the cover system extends above grade a demarcation layer has been installed.

The IRMs were satisfactorily completed and are fully described in the Remedial Investigation/ Alternatives Analysis/IRM Report dated December 4, 2015 and the Final Engineering Report.

### **Final Engineering Report Approved**

DEC has approved the Final Engineering Report, which:

- 1) Describes the cleanup activities completed.
- 2) Certifies that cleanup requirements have been or will be achieved for the site.
- 3) Describes 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 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.
- 4) Certifies that a site management plan for any engineering controls used at the site has been approved by DEC.

An institutional control in the form of an environmental easement has been placed on the 430 Buffalo Ave parcel that restricts groundwater use and restricts the property to restricted residential, commercial or industrial use.

An engineering control in the form of a soil cover system has been placed on the 430 Buffalo Ave site to prevent contact with the underlying soil.

No institutional or engineering controls are in place on the 401 and 402 Buffalo Ave parcels

### **Next Steps**

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, there is a failure to comply with the terms of the order or agreement with DEC.

### **Background**

**Location:** This BCP site is located at 401, 402 and 430 Buffalo Avenue, in Niagara Falls, Niagara County. The site is bound by 4th Street to the west, 6th Street and Holly Place to the east, a public alleyway from 4th Street and 6th Street to the north, and the Robert Moses State Parkway with the Niagara River beyond to the south. Buffalo Avenue intersects the property from east to west.

**Site Features:** The 401 Buffalo Avenue parcel is the location of a former hotel and conference

center, parking areas and vegetated/landscaped areas. A portion of the former hotel has been demolished and work is underway on the construction of a new structure.

The 402 and 430 Buffalo Avenue parcels are currently vacant and were part of a former manufacturing facility.

Current Zoning and Land Use: The 402 and 430 Buffalo Ave parcels are currently vacant while the 401 Buffalo Ave parcel is the site of the former hotel complex and current redevelopment activity. The site is located in a highly developed mixed use commercial and residential area. The site is zoned commercial and redevelopment at the site has begun.

Additional site details, including environmental and health assessment summaries, are available on DEC's website at <http://www.dec.ny.gov/chemical/103837.html> and <http://www.dec.ny.gov/cfm/xtapps/derexternal/haz/details.cfm?pageid=3&progno=C932164>

**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.

Niagara Falls Public Library  
Attn: Michelle Petrazzoulo  
Earl W. Brydges Building  
1425 Main Street  
Niagara Falls, NY 14305

Project documents are also available on DEC's website at:

<http://www.dec.ny.gov/chemical/103837.html>

### Who to Contact

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

#### Project Related Questions

Michael Hinton  
NYS DEC  
Division of Environmental Remediation  
270 Michigan Ave  
Buffalo, NY 14203  
716-851-7220  
[michael.hinton@dec.ny.gov](mailto:michael.hinton@dec.ny.gov)

#### Site-Related Health Questions

Stephanie Selmer  
NYS DOH  
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.

