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# FACT SHEET

## Buffalo China Update: DEC Issues Certificate of Completion

**Brownfield Cleanup Program** | **December 2012** | **Site Number C915209**

*Receive site fact sheets by *email*. See **For More Information** to learn how.

### Introduction

New York State Department of Environmental Conservation (DEC) has determined Buffalo China has satisfactorily completed the remedial program at the Former Buffalo China site, located at 51 Hayes Place in Buffalo, under New York's Brownfield Cleanup Program (BCP).

DEC has issued a Certificate of Completion to the applicant. A copy of the Certificate of Completion is available at the locations listed under **Where to Find Information** and at http://www.dec.ny.gov/chemical/52695.html.

**Site Location**

### What has been done at the Site?

Buffalo China completed soil removal and off-site disposal in December 2011 and March 2012. The remedial program activities included:

- Excavating impacted soil;
- Sampling the sidewalls and bottom of the excavations to ensure that contaminant concentrations were at or below applicable standards;
- Transporting and disposing impacted soils at a registered waste disposal facility;
- Placing clean gravel in the excavation areas;
- Installation of in situ groundwater treatment injection wells and piping gallery;
- Implementation of the in situ groundwater treatment program;
- Soil Vapor Intrusion sampling and mitigation at off-site properties; and
- Preparing a Site Management Plan (SMP) and an environmental easement that describe institutional and engineering controls for the site.

### Institutional and Engineering Controls

Institutional 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 an environmental easement, 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 soil cover system. Details of the cleanup activities can be found in the Final Engineering Report, which is available at the document repository identified on this fact sheet.

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

- A requirement for the maintenance of existing cover systems such as existing buildings and paved areas;
- A requirement for the installation and maintenance of a soil cover system in areas where the upper one foot of exposed surface soil exceeds the applicable SCOs.

- Operation and maintenance of in situ groundwater treatment injection wells and piping gallery.
- Operation and maintenance of a sub-slab depressurization system at one off-site property;
- Prohibiting the use of groundwater without necessary water quality treatment, as determined by the New York State Department of Health (DOH), and prior notification and approval by the DEC.
- Restricting the property to industrial use;
- Investigating the potential for soil vapor intrusion, and if necessary, installing vapor mitigation systems at buildings developed on the site;
- Inspecting the site and ensuring that institutional controls have not been altered and remain effective.

## Next Steps

DEC 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 have been 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 DEC.

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

## Background

The Former Buffalo China site was historically the location of china manufacturing. A portion of the site purchased in the 1980s was used by the Standard Mirror Company manufacturing operations. The site, which is currently owned and operated by Niagara Ceramics Corp., comprises approximately 9.73 acres and is located in an area of industrial, commercial, and residential uses. Environmental investigations identified that the site's soil was impacted by volatile organic compounds (VOCs) and lead and the groundwater was impacted by VOC contamination that has migrated off-site. DEC has determined that Buffalo China has satisfactorily completed the remedial program at the site.

## Who to Contact

**Environmental Questions**
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## Where to Find Information

To keep you informed, DEC has set up two locations at which you may view project documents. These locations include:

| **Buffalo and Erie County Library** | **NYSDEC Region 9 Office** |
|---|---|
| East Clinton Branch | 270 Michigan Avenue |
| 1929 East Clinton Street | Buffalo, New York 14203 |
| Buffalo, New York 14220 | (716) 851-7220 |
| (716) 823-5626 | (Please call for appointment) |

## 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 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

**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. 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.