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ERIE COUNTY LEGISLATURE
92 Franklin Street - 4th Floor
Buffalo, New York 14202

TO: Members of the Erie County Legislature

FROM: Karen M. McCarthy, Clerk

DATE: December 11, 2015

SUBJECT New York State Department of Environmental Conservation Documents Received

The following documents were submitted by the New York State Department of Environmental Conservation (NYSDEC):

Public comment is accepting written comments about the proposed remedy to address contamination on the Northtown Inc. site located at 3097 Sheridan Drive, Amherst.

Thank you.

Department of Environmental Conservation

December 2015

FACT SHEET

Brownfield Cleanup Program

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

Site Name: Northtown Inc.
DEC Site #: C915292
Address: 3097 Sheridan Drive; Amherst, NY 14226
Website: http://www.dec.ny.gov/chemical/102338.html

Have questions? See "Who to Contact" Below

Remedy Proposed for Brownfield Site Contamination; Public Comment Period Announced

The public is invited to comment on a proposed remedy being reviewed by New York State Department of Environmental Conservation (DEC) to address contamination related to the Northtown Inc. site ("site") located at 3097 Sheridan Drive, Amherst, Erie County. Please see the map for the site location. Documents related to the cleanup of this site can be found at the location identified below under "Where to Find Information."

Based on the findings of the investigation, DEC in consultation with New York State Department of Health (DOH) has determined that the site does not pose a significant threat to public health or the environment.

How to Comment
DEC is accepting written comments about the proposed plan for 45 days, from **December 11, 2015** through **January 25, 2016**. The proposed plan is available for public review at the location identified below under "Where to Find Information." Please submit comments to the DEC project manager listed under Project Related Questions in the "Who to Contact" area below.

Highlights of the Remedial Investigation Alternatives Analysis and Interim Remedial Measures (RI/AAR/IRM) Report:

IRM activities included the installation of sub-slab depressurization systems (SSDS) in two buildings to remove and prevent vapor migration from contaminated soils to indoor air. This work was implemented in accordance with a previously approved IRM work plan.

The proposed remedial action consists of:

1. Excavation - Removal of soils contaminated with Tetrachloroethene (PCE) above Commercial Soil Cleanup objectives (SCOs).

2. Underground Storage Tank Removal - Removal of two inactive underground storage tanks (USTs) and associated petroleum contaminated soils.

3. The final remedy also includes a Site Management Plan with an Environmental Easement that will implement site use restrictions as well periodic reporting requirements.

Summary of the Investigation

Environmental investigations identified soil impacts at three (3) Areas of Interest (AOIs): next to two abandoned fuel oil USTs locations (AOI-1 & AOI-2), and to the west of a dry cleaners, one of eight tenant spaces within the building and portion of parking lot comprising AOI-3. No petroleum compounds were detected above Commercial SCOs however petroleum staining and nuisance odors were encountered immediately adjacent to the two USTs. PCE, a chlorinated volatile organic compound (CVOC), was detected above Commercial SCOs in soil samples from a parking lot located along the west side of the dry cleaners and the adjoining vacant tenant space. The PCE impacts are restricted to a depth between 6 and 18 feet below ground surface (ft. bgs). A soil vapor intrusion (SVI) assessment was conducted to test for CVOCs in indoor air and soil vapor beneath the building sub-slab at each of the tenant spaces in AOI-3 and the building to the west. PCE was detected at concentrations above New York State Department of Health (DOH) action levels in the sub-slab and indoor air samples at the dry cleaners and the one adjoining tenant space and require mitigation. No mitigation or further monitoring is required in the remaining tenant spaces in AOI-3. Sampling indicated no impacts to indoor air in the western building however, sub-slab soil vapor concentrations of PCE and Trichloroethene (TCE) exceeded DOH action levels and require mitigation. PCE and TCE were detected above the DEC groundwater standards in two shallow wells installed to a depth of 20 ft. bgs in silty clay above the water table. Source removal of PCE impacted soils will remove the contaminated pore water which is confined to immediate vicinity of the impacted soils.

Next Steps
DEC will consider public comments, revise the plan as necessary, and issue a final Decision Document. DOH must concur with the proposed remedy. After approval, the proposed remedy becomes the selected remedy and a Decision Document will be made available to the public. The applicant(s) may then design and perform the cleanup action to address the site contamination, with oversight by DEC and DOH.

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

Background
Location: The Site is located in the Northtown Plaza in a suburban area in the Town of Amherst. Sheridan Avenue borders the site to the North, other Northtown Plaza buildings then Bailey Avenue to the East, Niagara Falls Boulevard to the west and Eggert Road to the South.

Site Features: The Site consists of three (3) Areas of Interest (AOIs) comprising approximately 1.5 acres within the approximately 18.6 acre parcel of land on which the Northtown Plaza is located. Currently the Plaza Site is occupied by six commercial buildings, most containing multiple tenant spaces.

Current Zoning and Land Use: The site is located in a Commercial Zoning District and is currently used as a commercial-retail plaza. The area is primarily used as a shopping district, with major retailers located within 1/2 mile. Residential properties are located on the side streets surrounding the site.

Past Use of the Site: The plaza was developed between the mid-1950s and mid-1980s, when it reached a configuration similar to what exists today. The current parcel was originally 23 separate parcels. Prior to development of the shopping center, the 23 parcels were agricultural land with no physical improvements. Construction of the first buildings commenced in 1952.

Site Geology and Hydrogeology: The topography in the vicinity of the site is generally flat. The site is located between the Niagara and Onondaga Escarpments which act as major surface and groundwater divides.

Site soils generally consist of a thin layer of fill material, sand, gravel, silt and clay mixed with some anthropogenic material. This overlays native soils comprised of fine grained silts and clays with varying amounts of sand and gravel. Bedrock, located more than 58 feet below ground surface (bgs), is of upper Silurian age and composed of sequences of shale, dolostone, salt and gypsum.

Groundwater is first encountered at depths of 53 to 57 feet bgs. However, once the water bearing zone is encountered, water levels rise to 6 to 8 feet bgs, indicating the overlying silts and clays have formed a confined aquifer. Water level measurements collected from three monitoring wells depict a slight southern groundwater flow direction.

Additional site details, including environmental and health assessment summaries, are available on DEC's website at http://www.dec.ny.gov/chemical/102338.html and http://www.dec.ny.gov/cfmx/extapps/derexternal/haz/details.cfm?pageid=3&progno=C915292.

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.

Audubon Branch Library
Attn: Roseanne Butler-Smith
350 John J. Audubon Parkway
Amherst, NY 14228
716-689-4922

Project documents are also available on the DEC website at:
http://www.dec.ny.gov/chemical/102338.html.

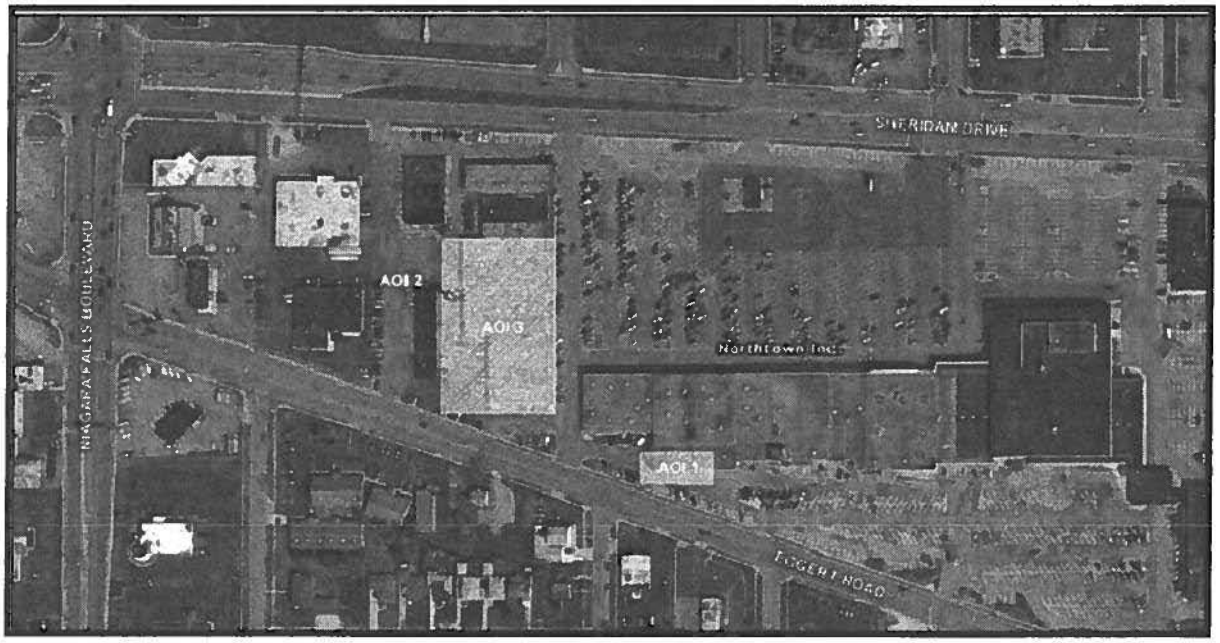
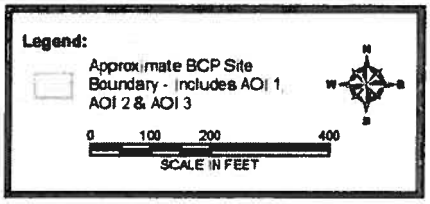
Who to Contact
Comments and questions are always welcome and should be directed as follows:

Project Related Questions
Timothy Dieffenbach
NYS DEC
Division of Environmental Remediation
270 Michigan Ave
Buffalo, NY 14203
716-851-7220
timothy.dieffenbach@dec.ny.gov

Site-Related Health Questions
Brad Wenskoski
NYS DOH
Corning Tower, Room 1787 Empire State Plaza
Albany, NY 12237
518-402-7860
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.