



## ***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:** April 27, 2015

**SUBJECT** New York State Department of Environmental Conservation Documents Received

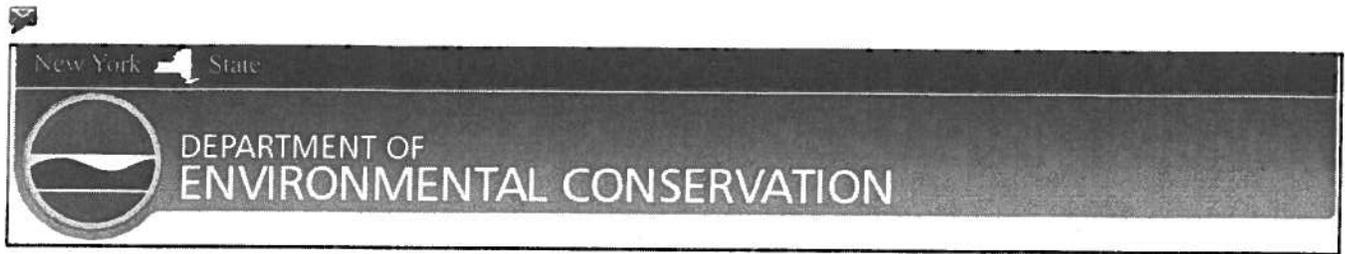
The following documents were submitted by the New York State Department of Environmental Conservation (NYSDEC):

Public Comment Invited on Brownfield Application and Workplan for 240 Kensington Avenue Site (Buffalo)

Public Comment Invited on Remedy for Brownfield Site Contamination for Tecumseh Phase Iii-10 Business Park Site, 2302 Hamburg Turnpike (Lackawanna)

Thank you.

Share Receive Updates  Go



## 240 Kensington Ave. Site (Buffalo) - Brownfield Application and Workplan Received; Public Comment Invited

The New York State Department of Environmental Conservation sent this bulletin on 04/15/2015 01:46 PM EDT



You are subscribed to receive updates from DEC. Links to receive help or to change your preferences are provided [below](#). Having trouble viewing this email? [View it as a Web page](#).

### Brownfield Cleanup Program Public Notice

The New York State Department of Environmental Conservation (DEC) has received a Brownfield Cleanup Program (BCP) application and a Remedial Investigation/Alternatives Analysis Work Plan from Development Unlimited of WNY, LLC for a site known as the **240 Kensington Avenue BCP Site, site ID #C915295**. This site is located in the City of Buffalo, within the County of Erie, and is located at 240 Kensington Avenue.

**Comments regarding this application must be submitted no later than May 15, 2015.** The application can be reviewed at:

Buffalo & Erie County Public Library  
1187 East Delavan Ave.  
Buffalo, NY 14215  
716-896-4433

Information regarding the site, the application, and how to submit comments can be found at <http://www.dec.ny.gov/chemical/60058.html> or send comments to Anthony Lopes, Project Manager, NYS Dept. of Environmental Conservation – Region 9, 270 Michigan Avenue, Buffalo, New York 14203; [Anthony.Lopes@dec.ny.gov](mailto:Anthony.Lopes@dec.ny.gov) or call 716-851-7220.

General information about New York's Brownfield Cleanup Program can be found at <http://www.dec.ny.gov/chemical/8450.html>

Please do not respond to this email. Replies go to an untended mailbox. If you have questions about the sites identified above, please use the contact information provided.

Update your subscriptions, modify your password or email address, or stop subscriptions at any time on your [Subscriber Preferences Page](#). Please visit [subscriberhelp.govdelivery.com](http://subscriberhelp.govdelivery.com) if you have questions or problems with the subscription service.

This service is provided to you by [New York State Department of Environmental Conservation](#). We respect your right to [privacy](#) and welcome your [feedback](#).

Connect with DEC on [Facebook](#) and [Twitter](#)





# FACT SHEET

## Brownfield Cleanup Program

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

**Site Name:** Site III-10 Tecumseh Phase III Business Park  
**DEC Site #:** C915199J  
**Address:** 2303 Hamburg Turnpike; Lackawanna, NY 14218  
**Website:** <http://www.dec.ny.gov/chemical/83505.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 Tecumseh Phase III-10 Business Park Site ("site") 2303 Hamburg Turnpike in the City of Lackawanna, 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."

The cleanup activities will be performed and funded by Tecumseh Redevelopment Inc. (applicant) with oversight provided by DEC. When DEC is satisfied that cleanup requirements have been achieved, the applicant may be eligible for tax credits to offset the costs of performing cleanup activities and for redevelopment of the site.

Based on the findings of the investigation, DEC, in consultation with New York State Department of Health (DOH) has determined that the site poses a significant threat due to elevated concentrations of contaminants in groundwater, soil and soil vapor.

Additional site details, including environmental and health assessment summaries, are available on DEC's website at <http://www.dec.ny.gov/chemical/83505.html> and <http://www.dec.ny.gov/cfm/xtapps/dereexternal/haz/details.cfm?pageid=3&progno=C915199J>.

#### How to Comment

DEC is accepting written comments about the proposed cleanup plan for 45 days, from **April 20, 2015** through **June 4, 2015**. Please submit comments to the DEC project manager listed under Project Related Questions in the "Who to Contact" area below.

The proposed remedy consists of:

A remedial design program will be implemented to address contamination at the site. In this design all efforts will be made using "green" remediation principals and techniques including, but not limited to, reducing greenhouse gas emissions, reducing waste and increasing recycling of materials.

The remedy for the Tecumseh Phase III-10 site includes removal of soils containing metals such as, arsenic, mercury and cyanide. These metals exceed industrial cleanup objectives and have been determined to be a source for potential human contact and further degradation to the environment. Upon removal of the material any remaining exposed soils will be covered with a one foot of cover over a demarcation layer allowing for a commercial re-use of the property.

An area of tar impacted soil will be excavated and a former coke gas line pipe containing residuals will be excavated and disposed off-site.

Impacted groundwater will be addressed in two ways. Groundwater coming from the former Benzol Yard area will be intercepted to prevent further migration and returned to an existing treatment system within that area. Petroleum impacted groundwater in the eastern portion of the site will be injected with a compound which will help to hasten the natural biological breakdown of the contaminants.

Restrictions have been placed on the property, including restriction of use to commercial or industrial uses, prohibiting groundwater use, requiring adherence with a Site Management Plan, continued maintenance of the cover and periodic certification that all required items or restrictions remain in place.

The remedy chosen by the Department will be protective of human health and the environment because it removes sources of contamination, eliminates contact with surface soils, contains and treats groundwater. Restrictions placed on the property restrict use of the property to commercial or industrial use, prohibit use of groundwater, require adherence to a Site Management Plan and periodic reviews.

#### *Summary of the Investigation*

Investigations have determined that high levels of metals, including arsenic, cyanide, mercury and other metals associated with manufacturing processes typical of the steel making industry exist at the site. Storage of petroleum products and transfer and storage of tars have left source areas of soil and groundwater contamination requiring remediation. In addition, the widespread use of rail transportation, oils, greases and burning of fossil fuels has ubiquitously impacted site soils with semi-volatile organic carbon (SVOC) compounds, specifically carcinogenic polycyclic aromatic hydrocarbons, more commonly known as (PAHs.)

Groundwater is impacted by off-site contamination coming from the former Benzol Yard and petroleum residuals impact groundwater in the north central portion of the site requiring cleanup.

#### **Next Steps**

DEC will consider public comments received on the proposed remedy and ultimately issue a final Decision Document. DOH must also concur with the remedy. The final Remedial Work Plan (with revisions if necessary) and the 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 Tecumseh Phase III-10 (Site) is one of 10 sub-parcels comprising the Tecumseh Phase III Business Park (Phase III). Phase III is located at 2303 Hamburg Turnpike in the City of Lackawanna, New York. Situated in an industrial area, Phase III is part a larger property that once included the Bethlehem Steel Company (BSC) identified on the Erie County Tax maps as SBL 141.11-1-50. Phase III is located to the west of Route 5 and the Tecumseh Phase II Business Park, to the south of Gateway Metroport and east of the remaining former Bethlehem Steel property and Lake Erie.

**Site Features:**

Located at the northernmost end of Phase III the Site is a 17.24 acre, irregularly shaped, sub-parcel consisting of rail, power lines and vacant land. The mostly rectangular Phase III is approximately 5,500 feet long, averages 1,500 feet wide and is 148.83 acres in size. Bisected by Smokes Creek, Phase III is flat, covered with slag fill and remnants of former steel manufacturing buildings and foundations. Most of the business park is vegetated with natural grasses, shrubs and poplar trees typical of a primary shrub-young forest ecosystem. The entire BSC site is fenced with vehicle access limited to one automatic gate.

**Current Zoning and Land Use:**

Phase III and the Site are zoned medium industrial. Surrounding uses near the site include: adjacent, to the north and west are portions of the BSC that is a class 2 inactive hazardous waste disposal site being addressed by the responsible party; adjacent to the north east is a metals manufacturing facility adjacent to the south and east is the newly constructed Welded Tube pipe manufacturing facility. Future use anticipates commercial/industrial re-use.

**Past Use of the Site:**

Phase III-10 was formerly a portion of BSC's steelmaking operations. Specific processes and steelmaking facilities performed on or proximate to the Site that may have contributed to soil contamination included:

- Rail lines
- Auto parking
- 1,000,000 cubic feet gas holder
- Tar pump house
- Various scale houses

**Site Geology and Hydrogeology:**

The entire Phase III is filled with between two to eight feet of steel and iron-making slag as well as other fill material being used for backfill. Underlying the fill material are lacustrine silts and clays. Native materials are encountered from about 12 to 14 feet below ground surface.

Bedrock is Middle Devonian age, Skaneateles Formation, consisting of Levanna shale and Stafford limestone of the Hamilton Group. Bedrock varies from about 24 feet deep in the southeastern corner of the site to 45 feet deep near the northern border of the site.

Due to the porous nature of the slag/soil fill there is very little storm water retention or surface runoff as most of the precipitation seeps into the highly permeable slag/soil fill.

Groundwater, when encountered, is about 7 feet deep trending northerly and westerly toward Lake Erie.

**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.

Lackawanna Public Library  
560 Ridge Road  
Lackawanna, NY 14218  
(716)851-0630

Selected project documents are also available on the DEC website at:

<http://www.dec.ny.gov/chemical/37554.html>.

### Who to Contact

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

#### Project Related Questions

Maurice F. Moore  
New York State Department of  
Environmental Conservation  
270 Michigan Avenue  
Buffalo, NY 14203  
(716)851-7220  
[maurice.moore@dec.ny.gov](mailto:maurice.moore@dec.ny.gov)  
Call for an appointment

#### Site-Related Health Questions

Matthew Forcucci  
New York State Department of Health  
584 Delaware Avenue  
Buffalo, NY 14202  
(716)847-4501  
[bee@health.ny.gov](mailto:bee@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**

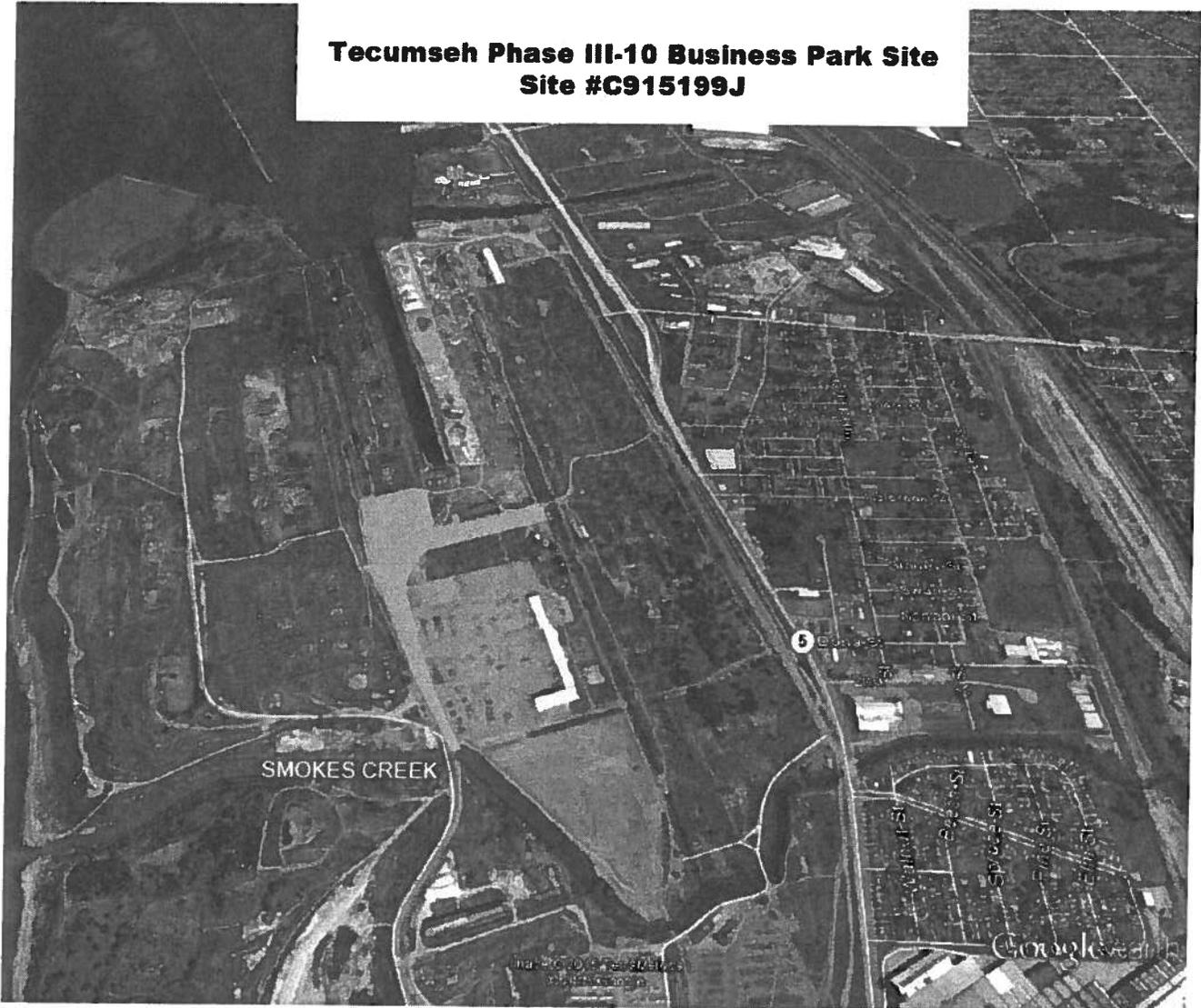
Have site information such as this fact sheet sent right to your email inbox.

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.

**Tecumseh Phase III-10 Business Park Site  
Site #C915199J**



Google earth

feet  
km



3000

1

Comm. 9D-6

Page 7 of 7