



## ***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: July 11, 2016

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):

Comments on a draft work plan called a "Remedial Investigation work Plan" to investigate the 19 North Street site are being accepted from June 27, 2016 through July 27, 2016.

Notice is given to property owners/occupants adjacent to 537 East Delavan, City of Buffalo that there could be a significant threat to public health and/or the environment due to previous removal of asbestos and items containing polychlorinated biphenyls and mercury.

Thank you.





**FACT SHEET** **Brownfield Cleanup Program**

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

Site Name: 19 North Street  
DEC Site #: C915303  
Address: 19 North Street  
Buffalo, NY 14202

Have questions?  
See  
"Who to Contact"  
Below

**Draft Investigation Work Plan for Brownfield Site Available for Public Comment**

The public is invited to comment on a draft work plan being reviewed by the New York State Department of Environmental Conservation (NYSDEC) to investigate the 19 North Street site ("site") located at 19 North Street, Buffalo, Erie County. Please see the map for the site location. Documents related to the cleanup of this site can be found at the location(s) identified below under "Where to Find Information."

**Draft Investigation Work Plan**

The draft investigation work plan, called a "Remedial Investigation Work Plan," was submitted to NYSDEC under New York's Brownfield Cleanup Program. The investigation will be performed by 23 North Street LLC ("applicant(s)") with oversight by NYSDEC and the New York State Department of Health (NYSDOH).

**How to Comment**

NYSDEC is accepting written comments about the draft investigation work plan for 30 days, from **June 27, 2016** through **July 27, 2016**. The proposed plan is available for review at the location(s) identified below under "Where to Find Information." Please submit comments to the NYSDEC project manager listed under Project Related Questions in the "Who to Contact" area below.

**Highlights of the Proposed Site Investigation**

The investigation will define the nature and extent of contamination in soil, surface water, groundwater and any other parts of the environment that may be affected.

Previous limited soil investigations encountered fill material at the Site that is impacted by semi-volatile organic compounds (SVOCs) and metals at concentrations above NYSDEC Soil Cleanup Objectives (SCOs). Significant investigation activities identified in the draft Remedial Investigation Work Plan are:

- Installation and sampling of up to 24 soil borings to determine the extent of soil contamination.
- Installation and sampling of 4 groundwater monitoring wells to determine the extent of groundwater contamination.

### **Next Steps**

NYSDEC will consider public comments, revise the plan as necessary, and approve the work plan. NYSDOH must concur with the plan. The approved work plan will be made available to the public (see "Where to Find Information" below). After the work plan is approved, the activities detailed in the work plan will be implemented.

When the investigation is completed, a report will be prepared and submitted to the NYSDEC that summarizes the results. NYSDEC will review the report, make any necessary revisions and, if appropriate, approve the report.

After the investigation, a cleanup plan, called a "Remedial Work Plan" will be developed and a Decision Document will be proposed. The cleanup plan will include an evaluation of the proposed site remedy, or recommend a no action or no further action alternative. The goal of the cleanup plan is to ensure the protection of public health and the environment. NYSDEC will present the proposed cleanup plan to the public for its review and comment during a 45-day comment period. NYSDEC will keep the public informed throughout the investigation and cleanup of the site.

### **Background**

#### **Location:**

The proposed BCP Site is located in the City of Buffalo at the intersection of North Pearl Street and North Street, adjacent to the Buffalo Niagara Medical Campus.

#### **Site Features:**

The Site is vacant with a small parking area in the eastern portion of the Site. The Site fronts to North Street.

#### **Current Zoning and Land Use:**

The Site is currently zoned as general commercial district and classified as a commercial land use. The surrounding parcels are a mix of commercial, residential, transit station zoning districts. Surrounding parcels are also a mix of commercial, residential and community service land uses.

#### **Past Use of the Site:**

The Phase I ESA indicated that the BCP Site was occupied by residential dwellings. By 1951, the residence at 23 North Street had become a radio station. By 1981, the residence at 19 North Street had been removed and replaced with a radio tower. Urban fill has been historically used throughout Buffalo to bring properties to grade during excavation and construction. Investigation of this Site indicated that urban fill has historically been used.

#### **Site Geology and Hydrogeology:**

The Site contains urban fill consisting of sand and gravel, clay, brick, concrete and traces of coal. Fill thickness range up to more than eight feet. The fill is underlain by brown silty clay and silty sand. Water was observed in site investigations to be approximately 5.5 feet below grade.

Additional site details, including environmental and health assessment summaries, are available on NYSDEC's website at:

<http://www.dec.ny.gov/cfm/external/derexternal/haz/details.cfm?pageid=3&progno=C915303>

**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** site is any real property where a contaminant is present at levels exceeding the soil cleanup objectives or other health-based or environmental standards, criteria or guidance adopted by DEC that are applicable based on the reasonably anticipated use of the property, in accordance with applicable regulations.

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(s) to help the public stay informed.

Buffalo & Erie County Public Library -  
Attn: Carol Ann Batt  
1 Lafayette Square  
Buffalo, NY 14203  
phone: 716-858-7129

### Who to Contact

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

#### Project Related Questions

Timothy Dieffenbach  
Department of Environmental Conservation  
Division of Environmental Remediation  
270 Michigan Ave  
Buffalo, NY 14203-2915  
716-851-7220  
[timothy.dieffenbach@dec.ny.gov](mailto:timothy.dieffenbach@dec.ny.gov)

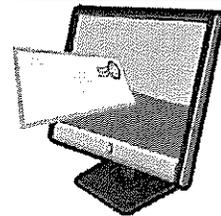
#### Site-Related Health Questions

Eamonn O'Neil  
New York State Department of Health  
New York State Department of Health Empire  
State Plaza, 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. NYSDEC 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.

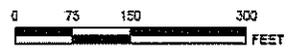


**LEGEND**

 BCP BOUNDARY

**NOTES**

1) COORDINATE SYSTEM: NAD 1983 STATEPLANE NY  
WEST FIPS 3103  
PROJECTION: TRANSVERSE MERCATOR  
DATUM: NORTH AMERICAN 1983  
UNITS: FOOT US





## ***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: July 11, 2016

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):

Comments on a draft work plan called a "Remedial Investigation work Plan" to investigate the 19 North Street site are being accepted from June 27, 2016 through July 27, 2016.

Thank you.





## PUBLIC NOTICE

## State Superfund Program

*Receive site information by email. See next page to learn how.*

**Site Name:** Vibratech Inc.  
**Site No.:** 915165      **Tax Map No.:** 90.77-6-1.1  
**Site Location:** 537 East Delavan, City of Buffalo, 14211

**July 6, 2016**

### Inactive Hazardous Waste Disposal Site Classification Notice

The Inactive Hazardous Waste Disposal Site Program (the State Superfund Program) is the State's program for identifying, investigating, and cleaning up sites where the disposal of hazardous waste may present a threat to public health and/or the environment. The New York State Department of Environmental Conservation (DEC) maintains a list of these sites in the Registry of Inactive Hazardous Waste Disposal Sites (Registry). As of the date of this notice, the site identified above, and located on a map on the reverse side of this page, was reclassified on the Registry as a Class 2 site that presents a significant threat to public health and/or the environment for the following reason(s):

The site consists of a large vacant former manufacturing facility and paved parking lot, with residences along the eastern boundary and others along the south and west. Several investigation and remediation activities have been completed over the years to address pockets of contamination on the site. The United States Environmental Protection Agency conducted a removal action in 2009 to address asbestos and items containing polychlorinated biphenyls (PCBs) and mercury. The results of sampling conducted in 2015 performed in advance of proposed development of the site and the surrounding area indicated areas of solvent and petroleum contamination that need further investigation. Soil vapor from these contaminants could impact on-site buildings and potentially could impact off-site residences. Further actions are needed to identify and address the nature and extent of site-related contamination and any current or potential human exposures.

**If you own property adjacent to this site and are renting or leasing your property to someone else, please share this information with them. If you no longer wish to be on the contact list for this site or otherwise need to correct our records, please contact DEC's Project Manager listed below.**

#### FOR MORE SITE INFORMATION

Additional information about this site can be found using DEC's "Environmental Site Remediation Database Search" engine which is located on the internet at:

[www.dec.ny.gov/cfm/xtapps/derexternal/index.cfm?pageid=3](http://www.dec.ny.gov/cfm/xtapps/derexternal/index.cfm?pageid=3)

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

#### Project Related Questions

Maurice Moore, Project Manager  
NYS Department of Environmental Conservation  
Division of Environmental Remediation  
270 Michigan Avenue  
Buffalo, NY 14203  
Email: [maurice.moore@dec.ny.gov](mailto:maurice.moore@dec.ny.gov)  
Phone: 716-851-7220

DEC is sending you this notice in accordance with Environmental Conservation Law Article 27, Title 13 and its companion regulation (6 NYCRR 375-2.7(b)(6)(ii)) which requires DEC to notify all parties on the contact list for this site of this recent action.

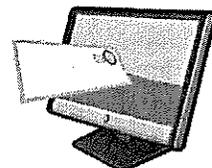
### Approximate Site Location

Vibratech Inc.  
Site ID: 915165  
537 East Delavan  
City of Buffalo, Erie County



#### Receive Site Updates by Email

You can have site information such as this public notice sent right to your email inbox. DEC invites you to sign up for more information using the tool at the following web page: [www.dec.ny.gov/chemical/61092.html](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 received this notice by way of a county email listserv.