SUSPENSION

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 27, 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 to investigate the Queen City Landing site at 975 and 1005 Fuhrmann Blvd, Buffalo are being accepted from July 26, 2016 through August 23, 2016.

Thank you.

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NEW YORK STATE | Department of Environmental Conservation

July 2016

FACT SHEET

Brownfield Cleanup Program

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

Site Name: Queen City Landing
DEC Site #: C915304
Address: 975 and 1005 Fuhrmann Boulevard; Buffalo, NY 14203

Have questions? See "Who to Contact" Below

Draft Investigation Work Plan and Interim Remedial Measure (IRM) 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 (DEC) to investigate the Queen City Landing site ("site") located at 975 and 1005 Fuhrmann Boulevard, 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 DEC under New York's Brownfield Cleanup Program. The investigation will be performed by Queen City Landing, LLC ("applicant(s)") with oversight by DEC and New York State Department of Health (DOH).

How to Comment

DEC is accepting written comments about the draft investigation work plan for 30 days, from **July 26, 2016** through **August 23, 2016**. The proposed plan is available for review at the location(s) 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 Proposed Site Investigation and IRM

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. The RI work will include:

Geophysical survey
Surface and subsurface soil sampling
Spill Area Delineation
Groundwater Monitoring
IRM: Removal of petroleum contaminated soils from the spill area.

Next Steps

DEC will consider public comments, revise the plan as necessary, and approve the work plan. DOH must concur with the plan. The approved work plan will be made available to the

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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 DEC that summarizes the results. DEC 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. DEC will present the proposed cleanup plan to the public for its review and comment during a 45-day comment period. DEC will keep the public informed throughout the investigation and cleanup of the site.

Background

Location:
The Site is located in the City of Buffalo on Fuhrmann Boulevard, just north of the Port of Buffalo Small Boat Harbor and Tifft Nature Preserve. The entrance to the parcel is just north of the intersection of Fuhrmann Boulevard and Ohio Street.

Site Features:
The Site is improved with a large manufacturing building, a small office building, two connected parking lots, and a former water treatment facility. The Site fronts to Fuhrmann Boulevard. The majority of the remainder of the site is surrounded by Lake Erie (Buffalo Outer Harbor). As noted above, the tax parcel will be subdivided so that the western boundary of the BCP Site will be land; not the Buffalo Outer Harbor.

Current Zoning and Land Use:
The Site is currently zoned as CM General Commercial. Surrounding parcels are a mix of industrial, commercial, and park and recreation land uses.

Past Use of the Site:
The Phase I ESA indicated that the BCP Site was occupied by a portion of a shipping terminal and then a food manufacturing facility since 1927. Freezer Queen owned the property for food manufacturing from 1958 to 2004. Olsen Marine used the property for boat repair and storage until September 2015.

Contamination at the site appears to be from the use of various sources of urban fill to create land for the original shipping terminal facility and from the presence and use of petroleum products related to the use of machinery and rail service.

Site Geology and Hydrogeology:
The Queen City Landing Site contains urban fill across the site with observed thickness ranging up to twenty feet. Water was observed in site investigations to be approximately 7 to 12 feet below grade. The groundwater flows towards Lake Erie.

Additional site details, including environmental and health assessment summaries, are available on DEC's website at http://www.dec.ny.gov/chemical/107044.html and http://www.dec.ny.gov/cfmx/extapps/derexternal/haz/details.cfm?pageid=3&progno=C915304

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 to help the public stay informed.

Buffalo & Erie County Public Library
Attn: Carol Ann Batt
1 Lafayette Square
Buffalo, NY 14203
716-858-7191
battc@buffalolib.org

Project documents are also available on DEC's website at:
http://www.dec.ny.gov/chemical/107044.html

Who to Contact

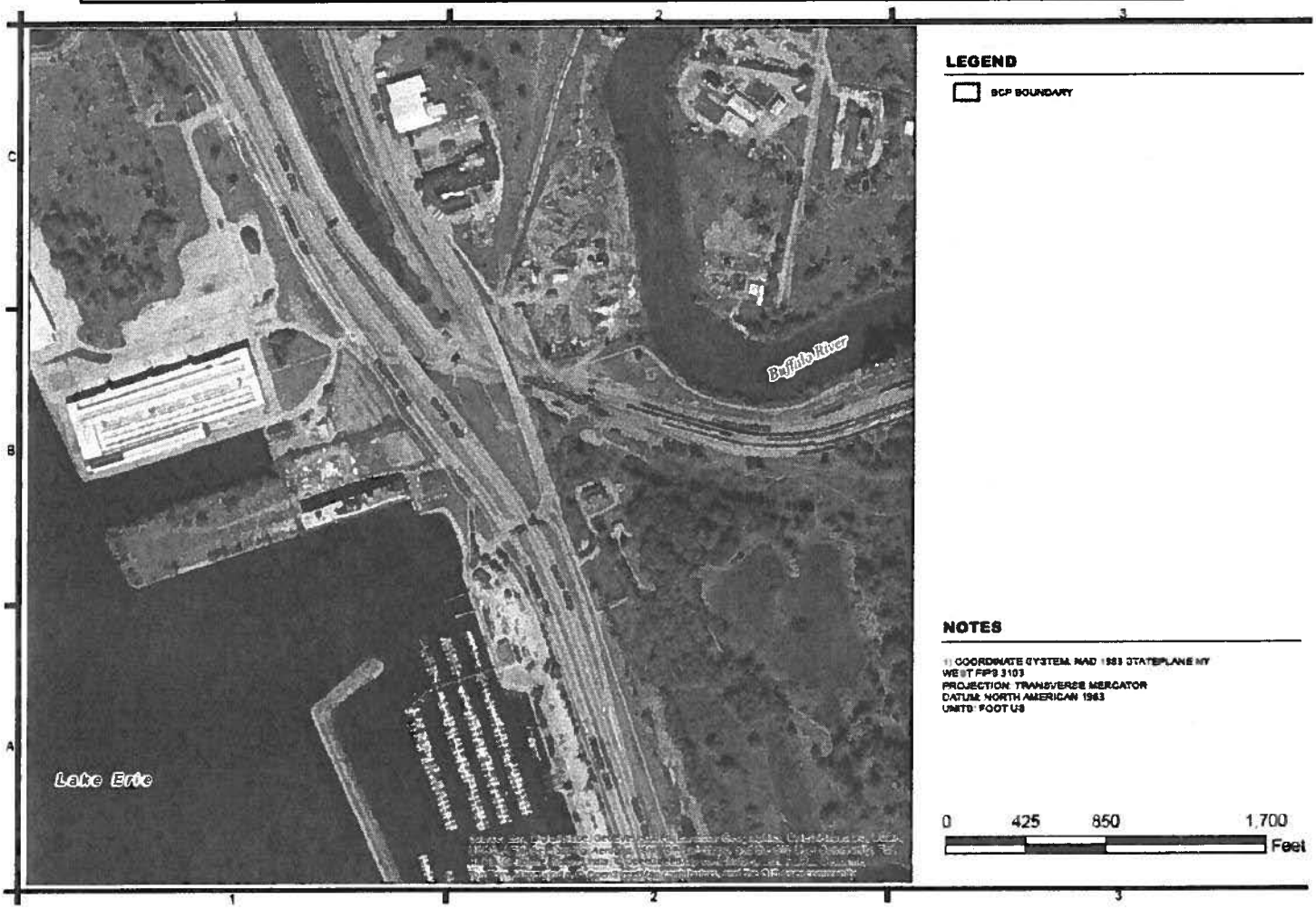
Comments and questions are always welcome and should be directed as follows:

Project Related Questions
Jaspal S. Walia
Department of Environmental Conservation
Division of Environmental Remediation
270 Michigan Ave
Buffalo, NY 14203
716-851-7220
jaspal.walia@dec.ny.gov

Site-Related Health Questions
Sara Bogardus
New York State Department of Health
Empire State Plaza, Corning Tower, Room 1787
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.