



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: February 16, 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):

Environmental cleanup is nearly complete at the Gastown MGP Site at 126 East Niagara Street, Tonawanda NY

Public comment on the draft work plan to investigate the Rite Aid, 350 Niagara Street is being accepted from February 12 through March 13, 2016

Remedial Activities at the Former Bethlehem Steel Site Informational Meeting, February 24, 2016 at St. Anthony R.C. Church, 306 Ingham Avenue, Lackawanna

Thank you.



FACT SHEET

State Superfund Program

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

Site Name: Gastown MGP Tonawanda
DEC Site #: 915171
Address: 126 East Niagara Street; Tonawanda, NY 14150
Website: <http://www.dec.ny.gov/chemical/58387.html>

Have questions?
See
"Who to Contact"
Below

Cleanup Nearly Complete at State Superfund Site

Environmental cleanup is nearly complete at the Gastown MGP Site at 126 East Niagara Street, Tonawanda, Erie County. With winter weather having arrived, the operations will be shutting down for the season in early February. All onsite work is now complete, and New York State Department of Environmental Conservation (DEC) expects that the property at 126 East Niagara Street will be returned to the owner by late winter. Next spring, work will resume for less than two weeks to complete the few remaining offsite tasks.

Highlights of Cleanup Activities Completed

The goal of the cleanup action for the site is to achieve cleanup levels that protect public health and the environment. To date, those activities completed include:

1. Buildings E, F, G, and H (see attached map) were demolished in order to access the contamination underneath them;
2. Contaminated onsite areas were excavated to approximately 6 feet;
3. Deeper contamination onsite was permanently immobilized in place using in-situ solidification;
4. The foundation of the one remaining gas holder and its contents have been excavated and disposed offsite;
5. Sediment in Tonawanda Creek, along the south shore over an area approximately 80 by 160 feet, has been excavated, put into the previously excavated gas holder hole and solidified using the same in-situ solidification techniques that were used for the rest of the site; and
6. Two underground collection trenches have been constructed immediately east and west of the Sportsmen's Club building, and another has been constructed along the shore of Tonawanda Creek to prevent any contaminants under the remaining buildings and other inaccessible areas from migrating offsite.

Cleanup Activities Remaining

Approximately two weeks' worth of work remains in offsite areas. With the arrival of warmer weather in April, work will resume for less than two weeks to complete the few offsite tasks remaining, which include:

1. Installing two wells to collect coal tar located approximately 20 feet below the ground surface west of the rail line. (This task may be completed over the winter.)
2. Repaving the stretch of the bike path along Tonawanda Creek that was disturbed during the cleanup along the shore;
3. Seeding and planting shrubs along the bank of the creek; and
4. Seeding other offsite areas which were disturbed during the cleanup.

Next Steps

After completion of the cleanup activities, National Fuel Gas will prepare a Final Engineering Report. The Final Engineering Report will describe the cleanup activities completed and certify that cleanup requirements have been achieved or will be achieved.

Since the remedy will result in contamination above unrestricted levels remaining at the site, a site management plan (SMP) will be developed and implemented. The SMP will include the institutional controls and engineering controls to:

1. Address residual contaminated soils that could be excavated from the site during future redevelopment;
2. Evaluate the potential for vapor intrusion for any buildings developed on the site, including provision for mitigation of any impacts identified;
3. Provide for the operation and maintenance of the components of the remedy, including collection of contaminants from the three collection trenches;
4. Monitor the groundwater and soil gas;
5. Identify any use restrictions on site development or groundwater use; and,
6. Provide a groundwater monitoring program including installing monitoring wells and sampling them on a periodic basis.

Institutional controls will limit the use and development of the property to commercial or industrial uses only, and will restrict use of groundwater as a source of potable or process water, without necessary water quality treatment as determined by Erie County Department of Health.

Background

Location: The Former Gastown MGP Site is located in a small industrial area surrounded by residential neighborhoods in the city of Tonawanda, Erie County.

Site Features: The site, which is flat, is occupied by a complex of commercial buildings. The site is bounded to the west and south by a railroad embankment, to the north by the Tonawanda Creek, a part of the Barge Canal system and to the east by The Gastown Sportsmen's Club.

Current Zoning/Use(s): The site is zoned for commercial and industrial use. The buildings on the site are used by a number of small businesses.

Past Use of the Site: A manufactured gas plant (MGP) was operated at this site by the Tonawanda Gas Light Company, starting in 1884. Initially, gas was manufactured using the coal carbonization process. The carbureted water gas process was added in 1910, and the plant produced gas using both processes until 1921. Both processes produced an oily byproduct, commonly known as coal tar, as

the gas was cooled prior to distribution. The tar typically accumulated in the bottom of a circular gas storage vessel known as a relief gas holder. This structure remains in the subsurface at the northeast corner of the site. This tar is the principal contaminant at the site today.

In 1993, DEC's Spills Unit responded to a complaint at the Gastown Sportsmen's Club, near the eastern site boundary, where an unknown petroleum product was entering the basement sump of the club. Investigation revealed that the material found in the sump was likely coal tar related to the MGP next door. DEC investigated the site and in 1998 installed a system to: 1) eliminate to the extent possible the continued entrance of coal tar into the sumps, 2) remove coal tar and contaminated water that did enter the sumps, and 3) vent potentially hazardous organic vapors from the sump area. The system remains in operation today.

A State funded remedial investigation (RI) was completed in 2004 and the feasibility study (FS) was completed in 2005. Coal tar was found to have migrated off site to the east, west and north. A Record of Decision (ROD) was signed in March 2007, requiring installation of sub-slab depressurization systems in several buildings near the site, excavation of source areas, collection trenches to control migration, and sediment removal in Tonawanda Creek.

National Fuel Gas signed a consent order in July 2008 to implement the ROD. Sub-slab depressurization systems have been installed and are operating. A metal tank (one of the source areas described in the ROD) was removed in late 2009.

In April 2013 an amendment to the ROD was approved. The amendment includes: (a) Use of in-situ solidification resulting in less excavation and less truck traffic, (b) Substituting less intrusive tar collection wells for a 600-foot-long tar collection trench, and (c) The temporary relocation of only 3 of the 8 businesses onsite with less disruption to those businesses remaining onsite during the remediation.

Site Geology and Hydrogeology: There are four geologic units below the site. The first encountered below the ground surface (bgs) is man-made fill, ranging in thickness from a few inches to 22 feet. A recent alluvium deposit, made up largely of interbedded layers of sand and silt, lies beneath the fill. This unit extends down to a depth ranging from 12 to 24 feet bgs. Underlying the alluvium is a layer of coarser sand and gravel, which in turn is underlain by a red clay, which is the hydraulic base at this site.

The water table is typically 6 feet bgs. Groundwater flow is primarily to the north, towards Tonawanda Creek. There are also components of groundwater flow both to the east and to the west. This groundwater flow pattern has resulted in the migration of contamination in three directions.

Offsite Investigation Results

Last spring, based on reports of possible coal tar in a sanitary sewer line near the corner East Niagara Street and Carney Street, a DEC contractor conducted an extensive camera investigation of sanitary sewer lines east, west, and north of the site. All accessible sanitary sewer lines were videotaped, looking for possible coal tar. The physical condition of the sewer line made video inspection difficult and time-consuming. There were a number of locations where the sections of pipe had been crushed and places where the alignment of the pipe was offset enough so that the camera was not able to pass. The City of Tonawanda cleaned the sewers near the site and during a second attempt an additional 771 feet of sewer was videotaped.

In the more than 3,400 feet of sewer inspected, no clearly identifiable coal tar was observed. However, the camera did produce tentative evidence of tar infiltration at the point where there appeared to be a break in the sewer line under Carney Street. At this location a small sinkhole had formed in the street above the break. This location was approached from both directions, and an oily residue which smelled like coal tar was observed on the camera surface. Unfortunately, there was not enough oily residue to allow a lab to analyze the substance to confirm if it was coal tar.

With the sewer nearly blocked, and with some uncertainty as to whether coal tar contamination was present in the area, DEC agreed to call in a state contractor to conduct the excavation necessary to repair the pipe. On December 11-12, the contractor conducted the excavation and repair. The broken pipe lay approximately 9 feet below the ground surface, and the excavation proceeded two feet farther down to allow inspection of deeper soils.

No coal tar was visually observed in the excavation, and no coal tar odors were detected by those observing the excavation. The air monitoring device onsite did not detect contaminants in the air around the excavated soil. Soil samples collected and sent to a lab for analysis were also shown to be uncontaminated.

All soil removed from the hole was stored temporarily in roll off containers. Once the analytical results were received showing no contamination in the soils, the soil was transported to a local landfill for disposal. At this point we do not know where that oily substance on the camera originated or how it entered the sewer. If not coal tar, it may have been a weathered diesel or fuel oil which can have a similar odor under certain conditions.

Additional site details, including environmental and health assessment summaries, are available on DEC's website at <http://www.dec.ny.gov/chemical/58387.html> and <http://www.dec.ny.gov/cfmx/extapps/derexternal/haz/details.cfm?pageid=3&progno=915171>.

State Superfund Program: New York's State Superfund Program (SSF) identifies and characterizes suspected inactive hazardous waste disposal sites. Sites that pose a significant threat to public health and/or the environment go through a process of investigation, evaluation, cleanup and monitoring.

DEC attempts to identify parties responsible for site contamination and require cleanup before committing State funds.

For more information about the SSF, visit: <http://www.dec.ny.gov/chemical/8439.html>

FOR MORE INFORMATION

Where to Find Information

Project documents are available at the following locations to help the public stay informed.

City of Tonawanda Public Library
333 Main Street
Tonawanda, NY 14150

DEC Central Office
Attn: Richard Dana
625 Broadway
Albany, NY 12233
Richard.dana@dec.ny.gov

DEC Region 9 Office
270 Michigan Avenue
Buffalo, NY 14203
716-847-4501
(call for appointment)

Who to Contact

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

Project Related Questions

Richard Dana
Department of Environmental Conservation
Division of Environmental Remediation
625 Broadway
Albany, NY 12233
518-402-9680
richard.dana@dec.ny.gov

Site-Related Health Questions

Matthew Forcucci
New York State Department of Health
584 Delaware Ave.
Buffalo, NY 14202
716-847-4501
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.

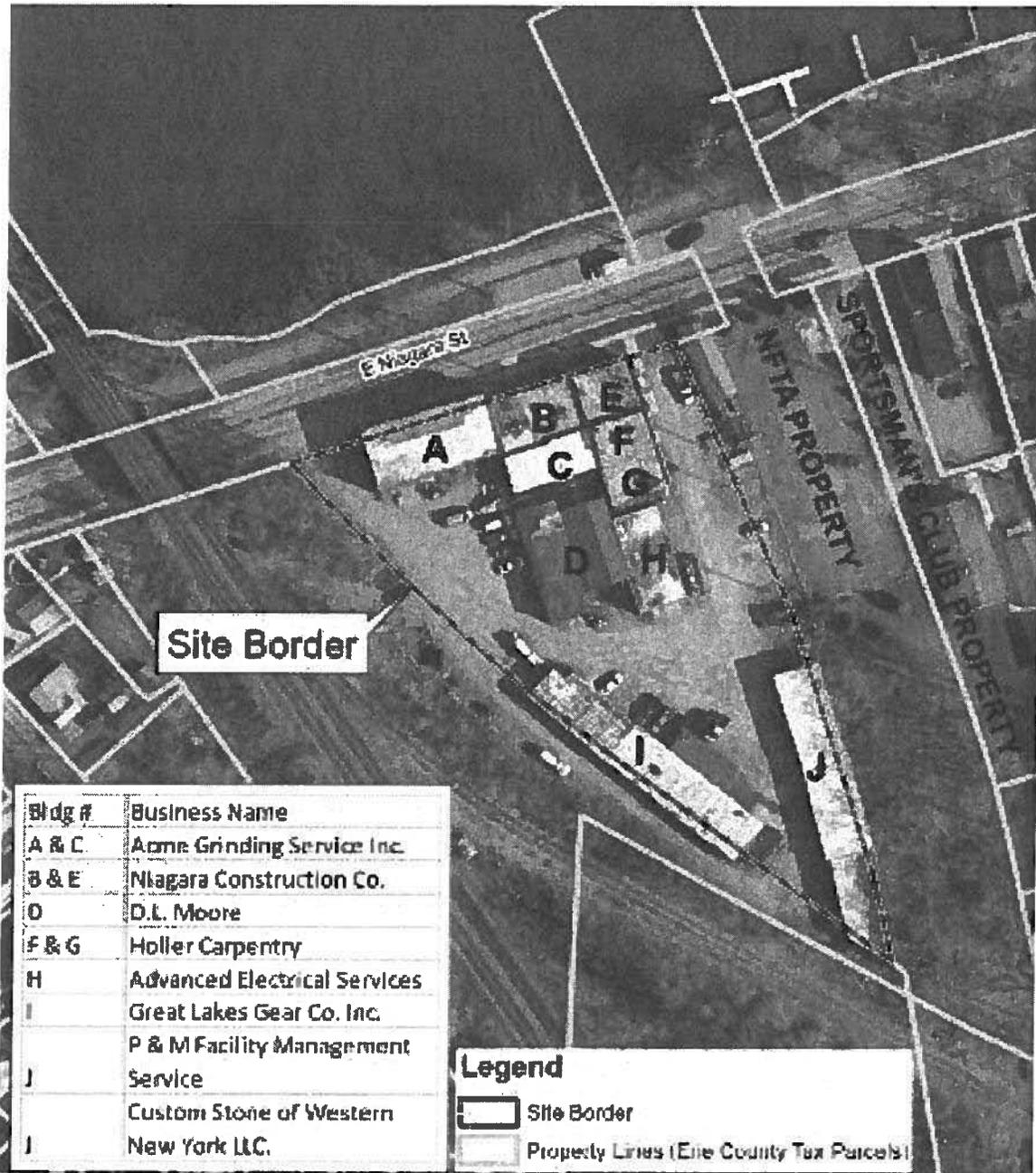
Receive Site Fact Sheets by Email

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.





FACT SHEET Brownfield Cleanup Program

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

Site Name: Rite Aid, 350 Niagara Street
DEC Site #: C915297
Address: 350 Niagara Street
Buffalo, NY 14201

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 Rite Aid, 350 Niagara Street site ("site") located at 350 Niagara 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 Rite Aid of New York, Inc. ("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 **February 12, 2016** through **March 13, 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 and will include:

- Completion of soil borings and soil sampling
- Installation of groundwater monitoring wells and groundwater sampling
- Soil vapor intrusion investigation

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. The cleanup plan will include an evaluation of the proposed site remedy. 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. The Department will then prepare a Decision Document outlining the approved remedy. NYSDEC will keep the public informed throughout the investigation and cleanup of the site.

Background

Location:

The subject property is located in an urban area. The property consists of two adjacent parcels totaling approximately 1.84 acres located on the northwest corner of the intersection of Niagara and Virginia Streets in Buffalo. The physical address is 350 Niagara Street, Buffalo, NY 14201.

Site Features:

The property is improved with a single story commercial building, a Rite Aid drug store. There are no other improvements on the property. The remaining portions of the property are covered with the associated paved parking areas, lawn areas, and landscaping.

Current Zoning and Land Use:

The property is zoned for commercial use. The drug store has been in operation since 1995. The property is adjacent to residential property as well as commercial properties. There do not appear to be any industrial, agricultural, or recreational areas in the immediate area.

Past Use of the Site:

The property was previously used as a filling station, auto repair shop, carpet cleaning operation, paint shop, electroplating shop, and taxicab company. All of these uses had potential to impact the soil and groundwater beneath the site.

Site Geology and Hydrogeology:

The subject property is relatively flat and slopes to the southwest at an elevation of about 597 feet above mean sea level. The direction of groundwater flow beneath the subject property is to the southwest. Lake Erie is located approximately 2,500 feet southwest of the property.

The site soils appear to be glacial lake Warren deposits and the site is located between two large east-west oriented glacial moraines; the Niagara Falls Moraine is north of the site and the Buffalo Moraine is located to the immediate south of the site. The Moraines generally consist

of boulders, gravel, sands, and silts deposited at the end of the former glacier. Soils encountered in each of the borings generally consisted of a thin upper layer of fill material underlain by a brown to red-brown silty clay with discrete fine sand seams observed in some of the boring soil samples. Groundwater was encountered at depths of approximately 6 to 7.5 feet.

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=C915297>

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

Where to Find Information

Project documents are available at the following location to help the public stay informed.

Buffalo & Erie County Public Library - Niagara Branch
Attn: Linda Rizzo
280 Porter Avenue
Buffalo, NY 14201
phone: 716-882-1537
(rizzol@buffalolib.org)

Project documents are also available on the NYSDEC 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

David Locey
Department of Environmental Conservation
Division of Environmental Remediation
270 Michigan Ave
Buffalo, NY 14203-2915
716-851-7220
david.locey@dec.ny.gov

Site-Related Health Questions

Kiran Mall
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.

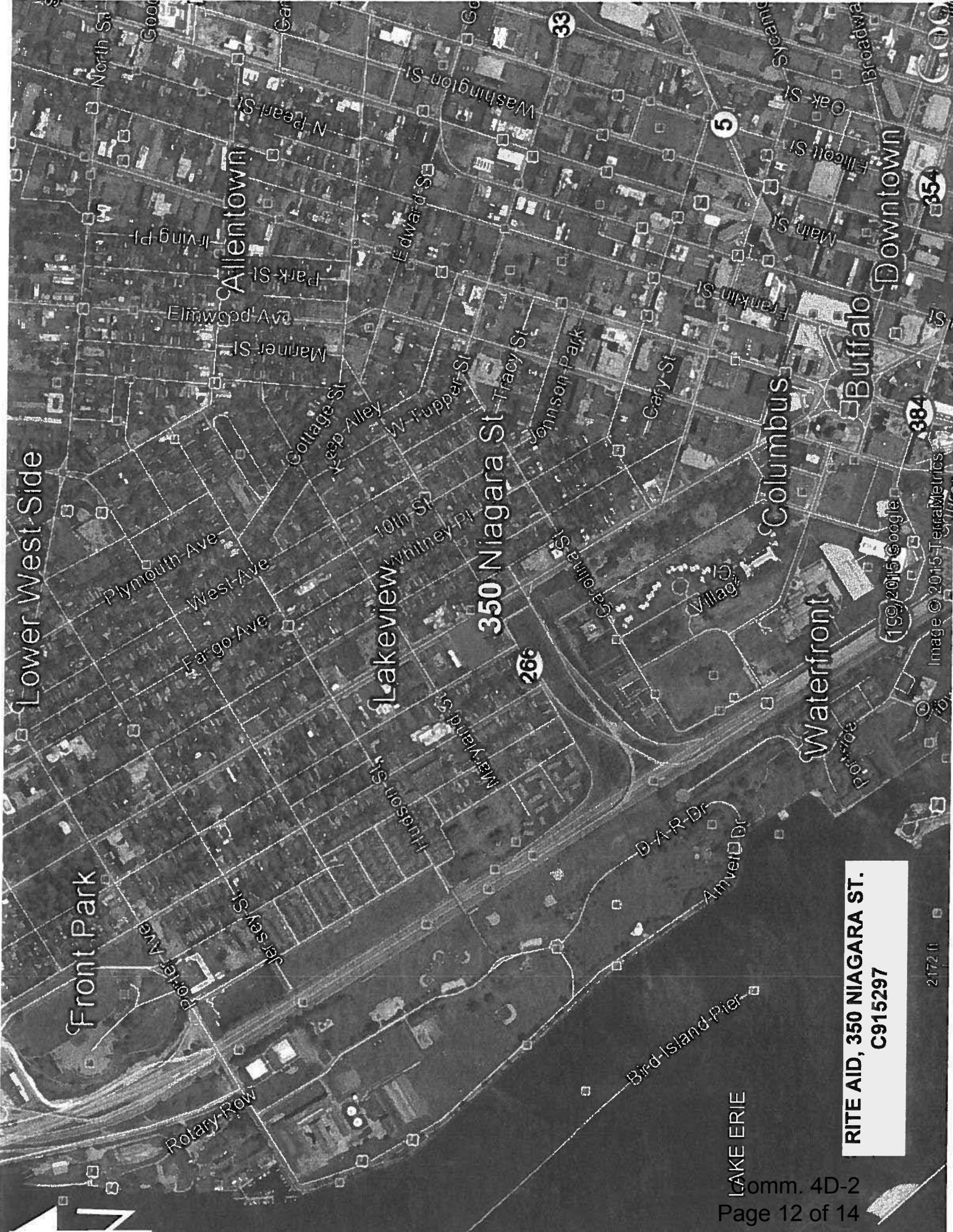
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Note: Please disregard if you already have signed up and received this fact sheet electronically.



**RITE AID, 350 NIAGARA ST.
C915297**



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Pictometry Bird's Eye © 2010 MDA Geospatial Services

FORGE YOUR FUTURE

The City of Lackawanna Department of Development Invites you to attend

First Ward Brownfield Opportunity Area (BOA) Implementation Strategy Public Information Meeting with an Update on Remedial Activities at the Former Bethlehem Steel Site

All are welcome! Help provide community input into the redevelopment planning that is part of the Brownfield Opportunity Area and learn about the history and remediation at the former Bethlehem Steel plant site.

To help focus its revitalization efforts, the City of Lackawanna has taken significant efforts which have resulted in the creation of exceptional plans with individual aspects of community redevelopment. One of these efforts, the First Ward **Brownfield Opportunity Area (BOA)** Implementation Strategy, funded by the NYS Department of State, is currently in progress. Members of the community are invited to attend the meeting, led by the consulting team C & S Companies, to learn about strategies to redevelop and revitalize the First Ward BOA and share ideas with the consultant team and City.

In addition, staff from the NYS Department of Environmental Conservation (DEC) will provide a presentation summarizing the history and remedial activities at the **Tecumseh Redevelopment Site** (former **Bethlehem Steel Plant Site**), which is located within the BOA. After the presentation, DEC staff will be available to answer individual questions.

For additional information regarding this meeting, contact Fred Heinle at 716-827-6421 or at development@lackny.com.

Wednesday, February 24, 2016

6:30 pm Public Information Meeting

7:30 pm Remedial Activities at the Former Bethlehem Steel Site

Where: St. Anthony R.C. Church
306 Ingham Avenue
Lackawanna, NY 14218

RSVP: CSURDYK@JKLASTUDIO.COM

