

Brownfield Cleanup Program Application

Scott Rotary Seals Site
Olean, New York

December 2009

0189-001-101

Prepared For: DST Properties NY, LLC



2558 Hamburg Turnpike, Buffalo, New York | phone: (716) 856-0599 | fax: (716) 856-0583



NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION



BROWNFIELD CLEANUP PROGRAM (BCP)

ECL ARTICLE 27 / TITLE 14

07/07

DEPARTMENT USE ONLY
BCP SITE #: _____

Section I. Requestor Information

NAME

ADDRESS

CITY/TOWN

ZIP CODE

PHONE

FAX

E-MAIL

NAME OF REQUESTOR'S REPRESENTATIVE

ADDRESS

CITY/TOWN

ZIP CODE

PHONE

FAX

E-MAIL

NAME OF REQUESTOR'S CONSULTANT

ADDRESS

CITY/TOWN

ZIP CODE

PHONE

FAX

E-MAIL

NAME OF REQUESTOR'S ATTORNEY

ADDRESS

CITY/TOWN

ZIP CODE

PHONE

FAX

E-MAIL

THE REQUESTOR MUST CERTIFY THAT HE/SHE IS EITHER A PARTICIPANT OR VOLUNTEER IN ACCORDANCE WITH ECL § 27-1405 (1) BY CHECKING ONE OF THE BOXES BELOW:

PARTICIPANT

A requestor who either 1) was the owner of the site at the time of the disposal of hazardous waste or discharge of petroleum or 2) is otherwise a person responsible for the contamination, unless the liability arises solely as a result of ownership, operation of, or involvement with the site subsequent to the disposal of hazardous waste or discharge of petroleum.

VOLUNTEER

A requestor other than a participant, including a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site subsequent to the disposal of hazardous waste or discharge of petroleum.

NOTE: By checking this box, the requestor certifies that he/she has exercised appropriate care with respect to the hazardous waste found at the facility by taking reasonable steps to: i) stop any continuing discharge; ii) prevent any threatened future release; and iii) prevent or limit human, environmental, or natural resource exposure to any previously released hazardous waste.

Requestor Relationship to Property (check one):

Previous Owner

Current Owner

Potential /Future Purchaser

Other _____

If requestor is not the site owner, requestor will have access to the property throughout the BCP project.

Yes

No

(Note: proof of site access must be submitted for non-owners)

Section II. Property Information Summary Sheet											
PROPERTY NAME: Scott Rotary Seals Site											
ADDRESS/LOCATION 301 Franklin Street		CITY/TOWN Olean		ZIP CODE 14760							
MUNICIPALITY(IF MORE THAN ONE, LIST ALL): Town of Olean											
COUNTY Cattaraugus			SITE SIZE (ACRES) 2.0								
LATITUDE (degrees/minutes/seconds) 42 ° 5 ' 38.7 "			LONGITUDE (degrees/minutes/seconds) -78 ° 26 ' 31.2 "								
HORIZONTAL COLLECTION METHOD: <input type="checkbox"/> SURVEY <input type="checkbox"/> GPS <input checked="" type="checkbox"/> MAP			HORIZONTAL REFERENCE DATUM: NY State Planar								
FOR EACH PARCEL, FILL OUT THE FOLLOWING TAX MAP INFORMATION (if more than three parcels, attach additional information)											
Parcel Address	Parcel No.	Section No.	Block No.	Lot No.	Acreage						
301 Franklin Street	94	40	1	29.2	2.0						
<p>1. Do the property boundaries correspond to tax map metes and bounds? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p style="padding-left: 40px;">If no, please attach a metes and bounds description of the property.</p> <p>2. Is the required property map attached to the application? (application will not be processed without map) <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>3. Is the property part of a designated En-zone pursuant to Tax Law § 21(b)(6)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>For more information go to: http://www.nylovesbiz.com/BrownField_Redevelopment/default.asp.</p> <p style="padding-left: 40px;">If yes, identify area (name) _____</p> <p><input type="checkbox"/> 50% <input type="checkbox"/> 100% of the site is in the En-zone (check one)</p>											
PROPERTY DESCRIPTION NARRATIVE: (See Attachment No. 1)											
List of Existing Easements (type here or attach information) <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; width: 50%;"><u>Easement Holder</u></th> <th style="text-align: left; width: 50%;"><u>Description</u></th> </tr> </thead> <tbody> <tr> <td colspan="2">(None)</td> </tr> </tbody> </table>						<u>Easement Holder</u>	<u>Description</u>	(None)			
<u>Easement Holder</u>	<u>Description</u>										
(None)											
List of Permits issued by the NYSDEC or USEPA Relating to the Proposed Site (type here or attach information) <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; width: 33%;"><u>Type</u></th> <th style="text-align: left; width: 33%;"><u>Issuing Agency</u></th> <th style="text-align: left; width: 34%;"><u>Description</u></th> </tr> </thead> <tbody> <tr> <td colspan="3">(None)</td> </tr> </tbody> </table>						<u>Type</u>	<u>Issuing Agency</u>	<u>Description</u>	(None)		
<u>Type</u>	<u>Issuing Agency</u>	<u>Description</u>									
(None)											

Initials of each Requestor: CW CW _____

Section III. Current Site Owner/Operator Information

OWNER'S NAME (if different from requestor)

ADDRESS

CITY/TOWN

ZIP CODE

PHONE

FAX

E-MAIL

OPERATOR'S NAME (if different from requestor or owner)

ADDRESS

CITY/TOWN

ZIP CODE

PHONE

FAX

E-MAIL

Section IV. Requestor Eligibility Information (Please refer to ECL § 27-1407)

If answering "yes" to any of the following questions, please provide an explanation as an attachment.

- | | | |
|--|-----|----|
| 1. Are any enforcement actions pending against the requestor regarding this site? | Yes | No |
| 2. Is the requestor subject to an existing order relating to contamination at the site? | Yes | No |
| 3. Is the requestor subject to an outstanding claim by the Spill Fund for this site? | Yes | No |
| 4. Has the requestor been determined to have violated any provision of ECL Article 27? | Yes | No |
| 5. Has the requestor previously been denied entry to the BCP? | Yes | No |
| 6. Has the requestor been found in a civil proceeding to have committed a negligent or intentionally tortious act involving contaminants? | Yes | No |
| 7. Has the requestor been convicted of a criminal offense that involves a violent felony, fraud, bribery, perjury, theft, or offense against public administration? | Yes | No |
| 8. Has the requestor knowingly falsified or concealed material facts or knowingly submitted or made use of a false statement in a matter before the Department? | Yes | No |
| 9. Is the requestor an individual or entity of the type set forth in ECL 27-1407.8(f) that committed an act or failed to act, and such act or failure to act could be the basis for denial of a BCP application? | Yes | No |

Section V. Property Eligibility Information (Please refer to ECL § 27-1405)

- | | | |
|--|-----|----|
| 1. Is the property listed on the National Priorities List? | Yes | No |
| 2. Is the property listed on the NYS Registry of Inactive Hazardous Waste Disposal Sites?
If yes, please provide: Site # _____ Class # _____ | Yes | No |
| 3. Is the property subject to a permit under ECL Article 27, Title 9, other than an Interim Status facility?
If yes, please provide: Permit type: _____ EPA ID Number: _____
Date permit issued: _____ Permit expiration date: _____ | Yes | No |
| 4. Is the property subject to a cleanup order under navigation law Article 12 or ECL Article 17 Title 10?
If yes, please provide: Order # _____ | Yes | No |
| 5. Is the property subject to a state or federal enforcement action related to hazardous waste or petroleum?
If yes, please provide explanation as an attachment. | Yes | No |

Section VI. Project Description

What stage is the project starting at? investigation remediation

Please attach a description of the project which includes the following components:

- Purpose and scope of the project
- Estimated project schedule

Section VII. Property's Environmental History

To the extent that existing information/studies/reports are available to the requestor, please attach the following:

1. Environmental Reports

A phase I environmental site assessment report prepared in accordance with ASTM E 1527 (American Society for Testing and Materials: Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process), and all environmental reports related to contaminants on or emanating from the site.

If a final investigation report is included, indicate whether it meets the requirements of ECL Article 27-1415(2): Yes No

2. Sampling Data: Indicate known contaminants and the media which are known to have been affected:

Contaminant Category	Soil	Groundwater	Surface Water	Sediment	Soil Gas
Petroleum					
Chlorinated Solvents					
Other VOCs					
SVOCs					
Metals					
Pesticides					
PCBs					
Other*					

*Please describe: _____

3. Suspected Contaminants: Indicate suspected contaminants and the media which may have been affected:

Contaminant Category	Soil	Groundwater	Surface Water	Sediment	Soil Gas
Petroleum					
Chlorinated Solvents					
Other VOCs					
SVOCs					
Metals					
Pesticides					
PCBs					
Other*					

*Please describe: _____

4. INDICATE KNOWN OR SUSPECTED SOURCES OF CONTAMINANTS:

Above Ground Pipeline or Tank	Lagoons or Ponds	Underground Pipeline or Tank	Surface Spill or Discharge
Routine Industrial Operations	Dumping or Burial of Wastes	Septic tank/lateral field	Drums or Storage Containers
Adjacent Property	Seepage Pit or Dry Well	Foundry Sand	Electroplating
Coal Gas Manufacture	Industrial Accident	Unknown	
Other: _____			

5. INDICATE PAST LAND USES:

Coal Gas Manufacturing	Manufacturing	Agricultural Co-op	Dry Cleaner	Salvage Yard	Bulk Plant
Pipeline	Service Station	Landfill	Tannery	Electroplating	Unknown
Other: _____					

6. Owners

A list of previous owners with names, last known addresses and telephone numbers (describe requestor's relationship, if any, to each previous owner listed. If no relationship, put "none").

7. Operators

A list of previous operators with names, last known addresses and telephone number (describe requestor's relationship, if any, to each previous operator listed. If no relationship, put "none").

Section VIII. Contact List Information

Please attach, at a minimum, the names and addresses of the following:

1. The chief executive officer and planning board/dept. chair of each county, city, town and village in which the property is located.
2. Residents, owners, and occupants of the property and properties adjacent to the property.
3. Local news media from which the community typically obtains information.
4. The public water supplier which services the area in which the property is located.
5. Any person who has requested to be placed on the contact list.
6. The administrator of any school or day care facility located on or near the property.
7. The location of a document repository for the project (e.g., local library). In addition, attach a copy of a letter sent to the repository acknowledging that it agrees to act as the document repository for the property.

Section IX. Land Use Factors (Please refer to ECL § 27-1415(3))

Current Use: Residential Commercial Industrial Vacant Recreational (check all that apply)

Intended Use: Unrestricted Residential Commercial Industrial (check all that apply)

Please check the appropriate box and provide an explanation as an attachment if appropriate. Provide a copy of the local zoning classifications, comprehensive zoning plan designations, and/or current land use approvals.

Yes No

1. Do current historical and/or recent development patterns support the proposed use? (See #12 below re: discussion of area land uses)

2. Is the proposed use consistent with applicable zoning laws/maps?

3. Is the proposed use consistent with applicable comprehensive community master plans, local waterfront revitalization plans, designated Brownfield Opportunity Area plans, other adopted land use plans?

4. Are there any Environmental Justice Concerns? (See §27-1415(3)(p)).

5. Are there any federal or state land use designations relating to this site?

6. Do the population growth patterns and projections support the proposed use?

7. Is the property accessible to existing infrastructure?

8. Are there important cultural resources, including federal or state historic or heritage sites or Native American religious sites within ½ mile?

9. Are there important federal, state or local natural resources, including waterways, wildlife refuges, wetlands, or critical habitats of endangered or threatened species within ½ mile?

10. Are there floodplains within ½ mile?

11. Are there any institutional controls currently applicable to the property?

12. Describe on attachment the proximity to real property currently used for residential use, and to urban, commercial, industrial, agricultural, and recreational areas.

13. Describe on attachment the potential vulnerability of groundwater to contamination that might migrate from the property, including proximity to wellhead protection and groundwater recharge areas.

14. Describe on attachment the geography and geology of the site.

(By requestor who is an individual)

I hereby affirm that information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to section 210.45 of the Penal Law.

Date: _____ Signature: _____ Print Name: _____

(By an requestor other than an individual)

I hereby affirm that I am mgr (title) of DST Properties NY, LLC (entity); that I am authorized by that entity to make this application; that this application was prepared by me or under my supervision and direction; and that information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.

Date: 12/22/09 Signature: Crystal Welch Print Name: Crystal Welch

SUBMITTAL INFORMATION:

Three (3) complete copies are required.

- **Two (2)** copies, one paper copy with original signatures and one electronic copy in Portable Document Format (PDF) on a CD or diskette, must be sent to:
Chief, Site Control Section
New York State Department of Environmental Conservation
Division of Environmental Remediation
625 Broadway
Albany, NY 12233-7020
- **One (1)** paper copy must be sent to the DEC regional contact in the regional office covering the county in which the site is located. Please check our website for the address of our regional offices: <http://www.dec.ny.gov/about/776.html>

FOR DEPARTMENT USE ONLY

BCP SITE T&A CODE: _____ LEAD OFFICE: _____

LIST OF APPLICATION ATTACHMENTS

*NYSDEC Brownfield Cleanup Program Application
Scott Rotary Seals Site
Olean, New York*

Attachment No.	Description
1	Site Description, BCP Eligibility Statement, Location Map and Site Plan
2	Tax Map, Survey, Metes and Bounds Description
3	Project Description and Schedule
4	Redevelopment Plan
5	Phase I Environmental Site Assessment
6	Phase II Environmental Site Assessments
7	Listing of Current and Previous Site Owners
8	Listing of Current and Previous Site Operators
9	Brownfield Site Contact List
10	Document Repository Confirmation Letter
11	Environmental Factors and Historic Land Use Considerations
12	Nearby Land Use Map
13	Groundwater Vulnerability Assessment
14	Description of Site Geography/Geology
15	Electronic Copy of BCP Application and Attachments

ATTACHMENT 01

SITE DESCRIPTION
BCP ELIGIBILITY STATEMENT
FIGURE 1-1 LOCATION MAP
FIGURE 1-2 SITE PLAN
FIGURE 1-3 OLEAN BROWNFIELD OPPORTUNITY AREAS
SITE PHOTOGRAPHS

Attachment 01

Site Description and BCP Eligibility Statement

Scott Rotary Seals Site Brownfield Cleanup Program Application

A. SITE DESCRIPTION

The subject property (hereinafter, the “Project Site” or the “Site”) subject to the BCP application is an approximate 2-acre parcel of vacant land located in a historic heavy industrial area of the City of Olean, New York (see Figures 1-1 and 1-2). A land use map for the Site and surrounding area is included in Attachment 12. The parcel is not currently improved with any buildings and is bound by railroad tracks to the south and east and former industrial properties to the north and west. Several debris piles containing brick, concrete, metal, and piping apparently associated with former aboveground storage tanks (ASTs) are currently present at the Site (see Site photos attached). The parcel included in this application is described as:

301 Franklin Street, City of Olean, Cattaraugus County, New York – S.B.L. # 94.040-1-29.2

The Site was historically a portion of a larger petroleum refinery and petroleum bulk storage facility commonly known as the former Socony-Vacuum facility. A review of the Title Search for the property indicates ownership of the parcel by entities involved in the refinement, storage, and distribution of petroleum from 1890-1971. Based on a review of a 1938 aerial photograph, the Site historically contained at least eight ASTs. Review of additional aerial photographs circa 1940 show the Site and surrounding area are developed as an apparent petroleum refinery with numerous ASTs and heavy industrial operations (see photos attached).

During preliminary Site work in spring 2009 in preparation for construction of their new facility, which is more fully described in Attachment 3, contaminated soils were encountered that prompted the New York State Department of Environmental Conservation to open a spill file for the Site. As a result of the identification of the contamination, the redevelopment of the parcel was halted.

Attachment 01

Site Description and BCP Eligibility Statement

Scott Rotary Seals Site Brownfield Cleanup Program Application

During the completion of test pits and soil borings during a 2009 Phase II Investigation (see Attachment 6), grossly contaminated soils, stained soils and petroleum-like odors were observed Site-wide. Most locations exhibited strong petroleum odors and PID readings were over 1,000 ppm at several locations. The Phase II Investigation identified the presence of elevated benzo(a)anthracene, chrysene, mercury, as well as volatile organic compound (VOC) tentatively identified compounds (TICs) and semi-volatile organic compound (SVOC) TICs, in soil, and acetone, sec-butylbenzene and phenanthrene in groundwater above NYSDEC GWQS, as well as the presence of VOC TICs and SVOC TICs. Elevated concentrations of VOC TICs (up to 183,600 ug/kg) and SVOC TICs (up to 320,100 ug/kg) were detected in each of the soil samples analyzed. The high concentration of TICs can be attributed to the historic refinement and storage of petroleum at the Site and weathering of petroleum substances historically released at the Site. Based on field observations and analytical results, substantial contamination is present in the subsurface. Elevated concentrations of VOC TICs (up to 26,000 ug/L) and SVOC TICs (up to 8,640 ug/L) were detected in each of the groundwater samples. Similar to the soil results, the high concentration of TICs can be attributed to weathered petroleum and refined substances. Attachment 6 includes a copy of the investigation report.

As clearly evidenced by the contamination identified in the previous subsurface investigation, significant environmental concerns are associated with the Project Site. The confirmed environmental contamination of the Site complicates use and future redevelopment/reuse of the Project Site, and in fact halted a redevelopment project planned for the Site.

B) ELIGIBILITY FOR ACCEPTANCE INTO THE BROWNFIELD CLEANUP PROGRAM

The Site meets the definition of a “Brownfield site” as set forth in New York State Environmental Conservation Law (the “ECL”). The ECL Section 27-1405(2) defines a “Brownfield site” as “any real property, the development or reuse of which may be complicated by the presence or potential presence of a contaminant”. The regulations in

Attachment 01

Site Description and BCP Eligibility Statement

Scott Rotary Seals Site Brownfield Cleanup Program Application

6NYCRR 375-3.3(a)(1) reiterate that a brownfield site has two elements and adds a “reasonable basis” test to each:

- (1) A brownfield site has two elements:
 - (i) There must be confirmed contamination on the property or a reasonable basis to believe that contamination is likely to be present on the property (the “Contamination Element”); and,
 - (ii) There must be a reasonable basis to believe that the contamination or potential presence of contamination may be complicating the development, use or re-use of the property (the “Complication Element”)

Moreover, the New York State Department of Environmental Conservation BCP Eligibility Guidance dated March 2005 which is incorporated into the Brownfield Cleanup Program Guide establishes several factors that the Department considers in evaluating whether the Contamination Element and the Complication Element exist.

The Contamination Element

The Department considers the following factors with respect to the Contamination Element, to the extent they are relevant to the proposed Site:

- (A) The nature and extent of known or suspected contamination;
- (B) Whether contaminants are present at levels that exceed standards, criteria or guidance;
- (C) Whether contamination on the proposed site is historic fill material or exceeds background levels;
- (D) Whether there are or were industrial or commercial operations at the proposed site which may have resulted in environmental contamination; and/or,
- (E) Whether the proposed site has previously been subject to closure, a removal action, an interim or final remedial action, corrective action or any other cleanup activities performed by or under the oversight of the State or Federal government.

Attachment 01

Site Description and BCP Eligibility Statement

Scott Rotary Seals Site Brownfield Cleanup Program Application

The Contamination Element of the BCP Eligibility Test has clearly been met in this application because:

- A. The Phase II ESA established that on-site soils and groundwater have been impacted by petroleum compounds. See TurnKey Environmental Restoration LLC Phase II ESA in Attachment 6.
- B. Grossly contaminated soils, meeting the definition in 6NYCRR Part 375-1, evidenced by visibly impacted soil, strong odors and elevated PID readings, are present on-Site. VOCs and SVOCs in groundwater are also present above NYS groundwater quality standards (GWQS). The elevated VOCs also pose the threat of moving between environmental media and into any structure that might be built on the Project Site. See TurnKey Environmental Restoration LLC Phase II ESA in Attachment 6.
- C. Contamination on the proposed site is not a result of imported historic fill material. Rather, it is associated with the known refinement and storage of petroleum based compounds on the Site, and is present in native soils, generally consisting of sand and gravel, at depths of up to 30 feet below ground surface (fbgs). Refer to TurnKey Environmental Restoration, LLC Phase II ESA in Attachment 6.
- D. Historic industrial operations at the Site included petroleum refining and storage. Contamination in soil and groundwater on-Site consists of petroleum constituents and is attributable to historic Site operations.
- E. The proposed Site has not previously been subject to closure, a removal action, an interim or final remedial action, corrective action or any other cleanup activities performed by or under the oversight of the State or Federal government.

The Complication Element

The Department considers the following factors with respect to the Contamination Element; to the extent they are relevant to the proposed Site:

- (A) Whether the proposed site is idled, abandoned or underutilized;
- (B) Whether the proposed site is unattractive for redevelopment or reuse due to the presence or reasonable perception of contamination;

Attachment 01

Site Description and BCP Eligibility Statement

Scott Rotary Seals Site Brownfield Cleanup Program Application

- (C) Whether properties in the immediate vicinity of the proposed site show indicators of economic distress such as high commercial vacancy rates or depressed property values; and/or,
- (D) Whether the estimated cost of any necessary remedial program is likely to be significant in comparison to the anticipated value of the proposed site as redeveloped or reused.

The Complication Element of the BCP Eligibility Test has clearly been met in this application because the proposed Site is unattractive for redevelopment or reuse due to the presence of contamination. This factor is clearly established by the following:

- (A) The Site is currently vacant and idle and has been underutilized for almost four decades. It is located within the boundaries of the Olean Brownfield Opportunity Area (BOA) shown on Figure 1-3. Site redevelopment efforts have been halted due to the presence of contamination that requires remediation.
- (B) The Site and surrounding properties were home to various petroleum refineries from the late 19th century through approximately 1971. The Site is currently idle and unattractive for redevelopment or reuse due to the actual presence of contamination.
- (C) The Site is located within the boundaries of the Olean BOA that is a targeted brownfield redevelopment area. There are three other BCP sites (Olean Redevelopment Parcels 1, 2 and 3), also historically used for petroleum refining and storage, that are located in close proximity to the Project Site.
- (D) The estimated cost of a proposed remedial program with regard to the Site is significant in comparison to the value of the Site (i.e., estimated at approximately 50% of the value of the redeveloped Site if it were not environmentally impaired).

The Requestor as a Volunteer

A BCP applicant may be either a “Participant” or a “Volunteer.”

A “Participant” is an applicant who either (i) was the owner of the site at the time of the disposal or discharge of contaminants; or (ii) is otherwise responsible according to

Attachment 01

Site Description and BCP Eligibility Statement

Scott Rotary Seals Site Brownfield Cleanup Program Application

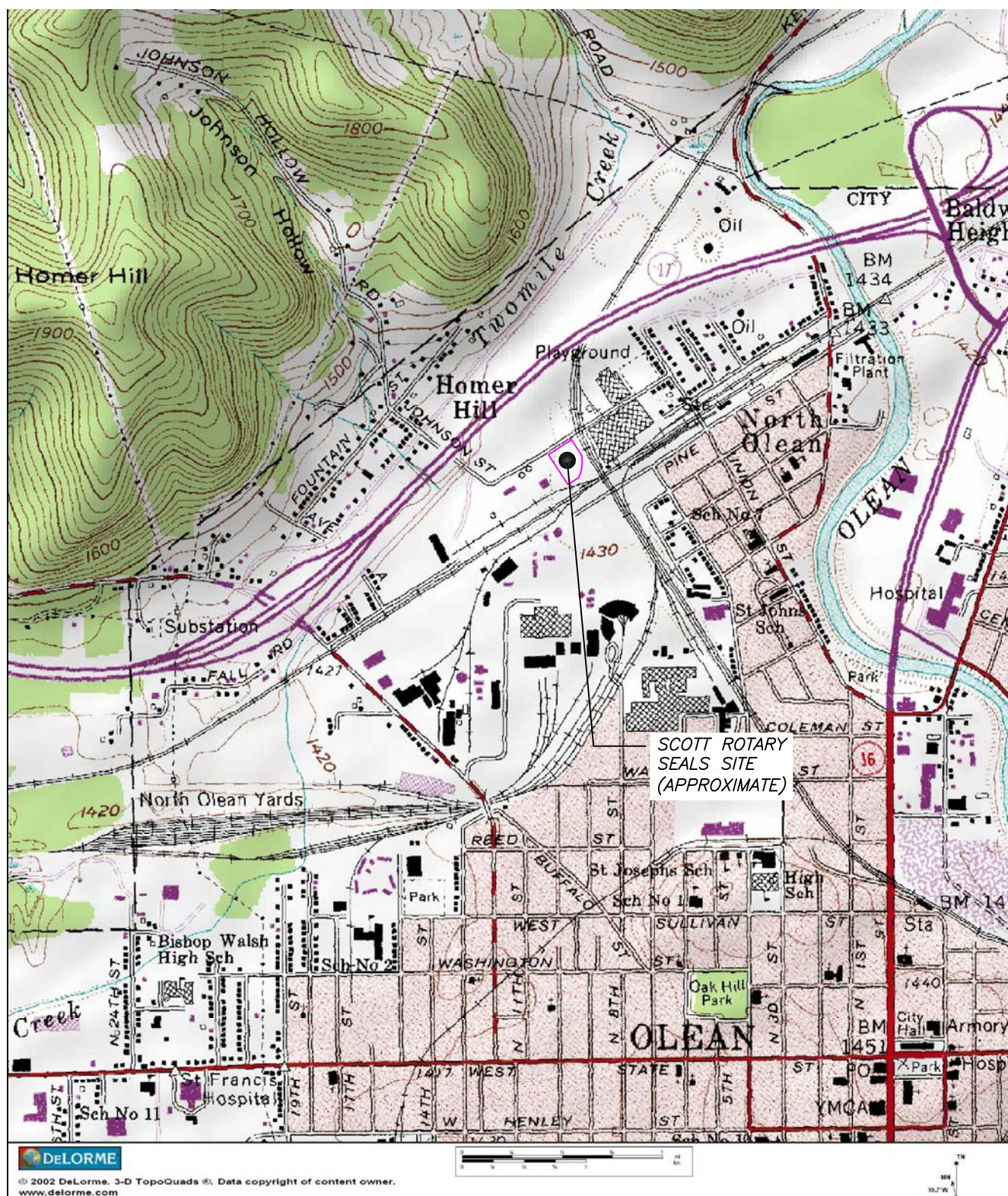
applicable principles of statutory or common law liability, unless such person's liability arises solely as a result of such person's ownership or operation of or involvement with the site subsequent to the disposal or discharge. NY ECL 27-1405(1)(a). This definition is repeated verbatim at 6 NYCRR 375-3.2(b)(1) and is paraphrased in the Brownfield Cleanup Program Guide at Section 2.4(1)(A).

A "Volunteer" is an applicant other than a participant, including a person whose liability arises solely as a result of such person's ownership or operation of or involvement with the site subsequent to the disposal or discharge of contaminants provided that such person exercises appropriate care with respect to the contamination. NY ECL 27-1405(1)(b). This definition is repeated verbatim at 6 NYCRR 375-3.2(b)(2) and is paraphrased in the Brownfield Cleanup Program Guide at Section 2.4(1)(B).

Since the Applicant owned the property after the disposal or discharge of contaminants and took appropriate care with respect to the contamination, it is entitled to Volunteer status under NY ECL27-1405(1)(b).

Based on the foregoing and as further set forth in the BCP application, the Site meets the Contamination Element and the Complication Element tests. As such, the Site qualifies as a Brownfield Site eligible for participation in the BCP, with the Applicant as a Volunteer, because (A) there is confirmed contamination on the Site, and (B) the contamination is complicating the redevelopment and re-use of the Site.

FIGURE 1-1



2558 HAMBURG TURNPIKE
SUITE 300
BUFFALO, NY 14218
(716) 856-0599

SITE VICINITY AND LOCATION MAP

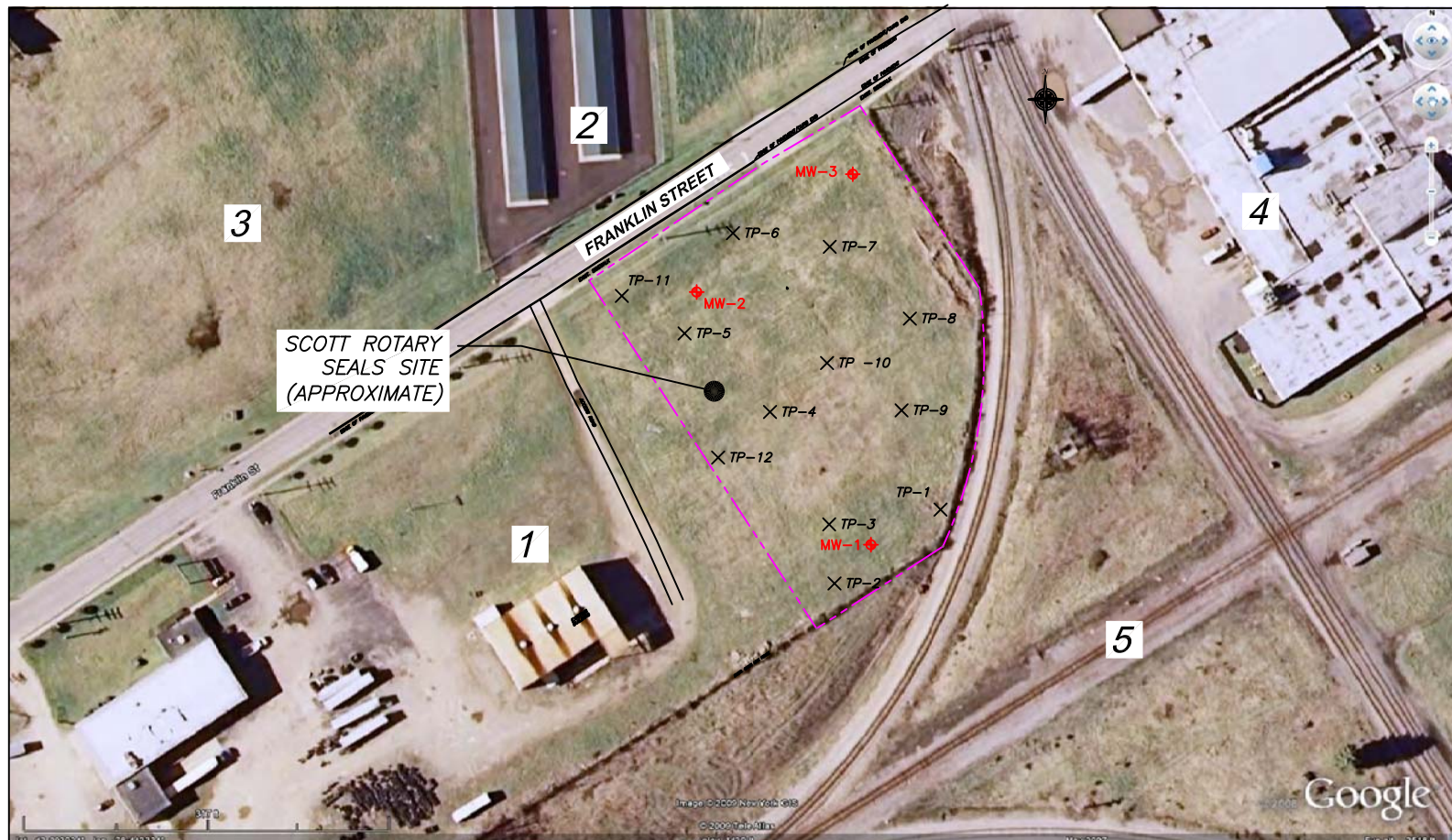
SCOTT ROTARY SEALS SITE
OLEAN, NEW YORK

PREPARED FOR
DSTI, INC. d/b/a SCOTT ROTARY SEALS

PROJECT NO.: 0189-001-101

DATE: SEPTEMBER 2009

DRAFTED BY: AJZ

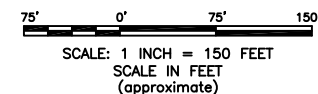


Adjacent Properties:

- 1 - Warehouse (351 Franklin Street)
- 2 - Warehouse (302 Franklin Street)
- 3 - Vacant (350 Franklin Street)
- 4 - Manufacturing (211 Franklin Street)
- 5 - Southern Tier Rail Authority

LEGEND:

- PROPERTY BOUNDARY
- ✦ MW-3 GROUNDWATER MONITORING WELL
- ✕ TP-7 TEST PIT



2558 HAMBURG TURNPIKE
SUITE 300
BUFFALO, NEW YORK 14218
(716) 856-0599

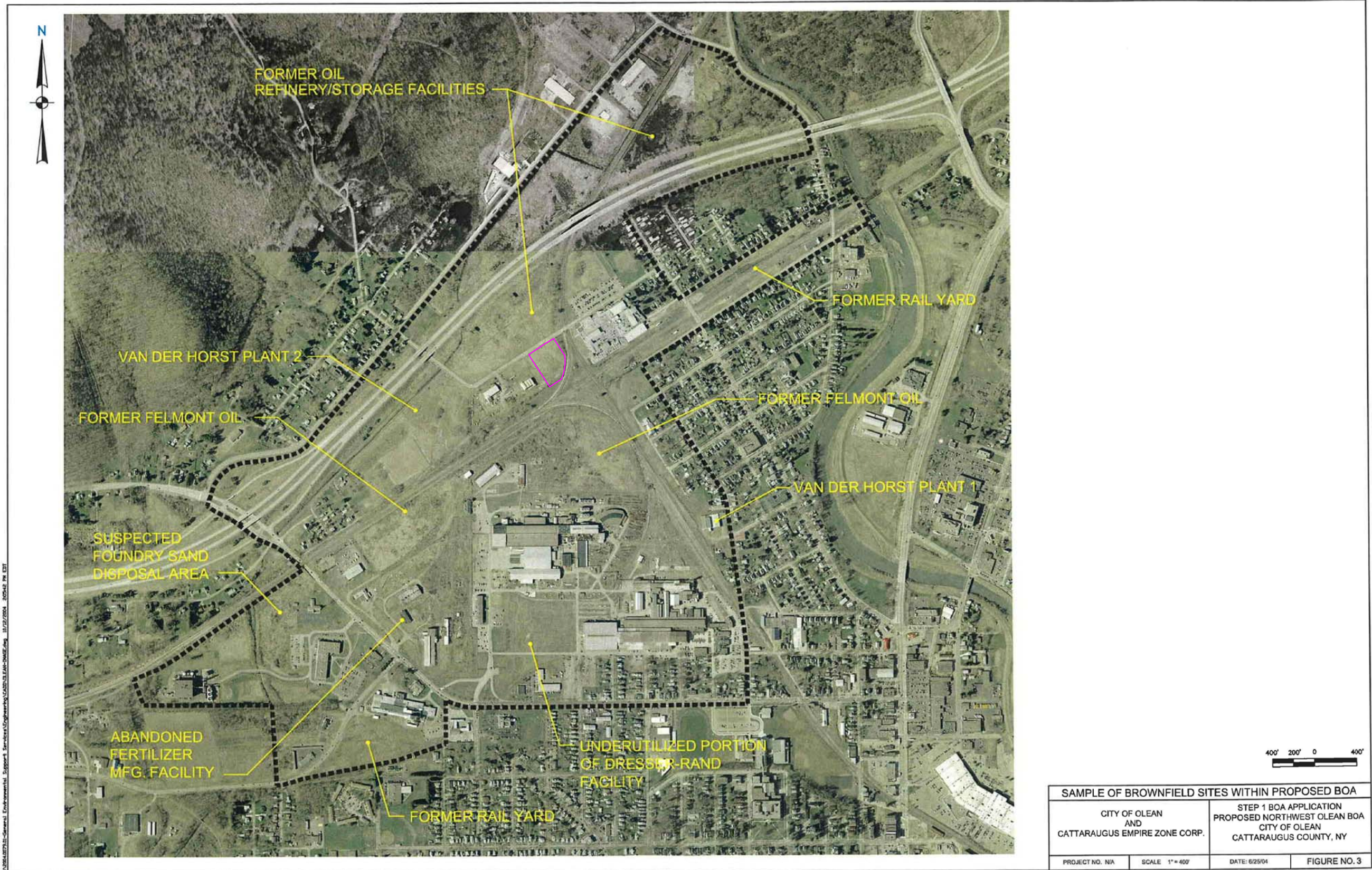
PROJECT NO.: 0188-001-101

DATE: SEPTEMBER 2009

DRAFTED BY: AJZ

SITE PLAN BROWNFIELD CLEANUP PROGRAM APPLICATION SCOTT ROTARY SEALS SITE OLEAN, NEW YORK

PREPARED FOR
DSTI, INC. d/b/a SCOTT ROTARY SEALS



OLEAN BROWNFIELD OPPORTUNITY AREAS

BROWNFIELD CLEANUP PROGRAM APPLICATION

SCOTT ROTARY SEALS SITE
OLEAN, NEW YORK

PREPARED FOR
DSTI, INC. d/b/a SCOTT ROTARY SEALS



2558 HAMBURG TURNPIKE
SUITE 300
BUFFALO, NY 14218
(716) 856-0598

JOB NO.: 0189-001-101

FIGURE 1-3

HISTORIC AERIAL PHOTOGRAPHS

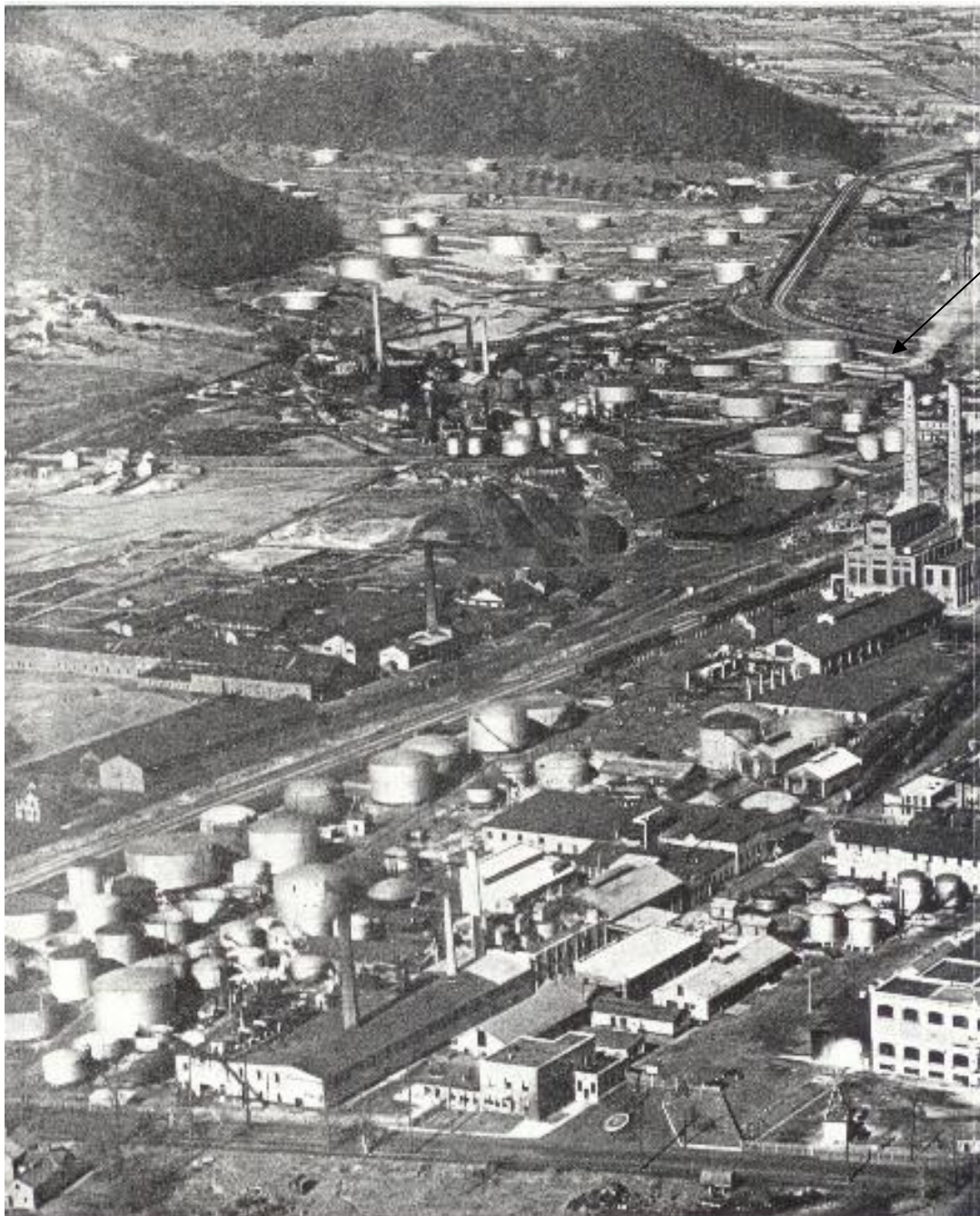


Photo 1: Site area circa 1940

Franklin Street Site
Olean, New York



HISTORIC AERIAL PHOTOGRAPHS

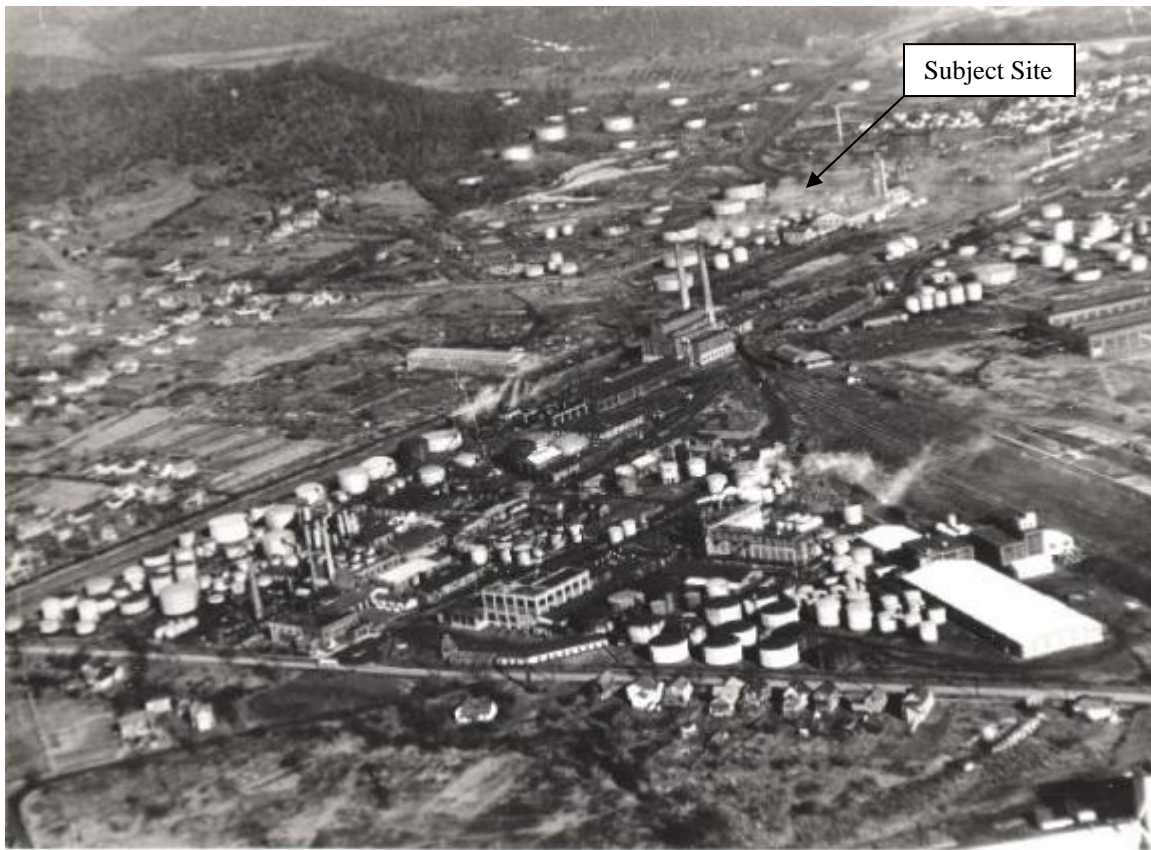


Photo 2: Site area circa 1940

**Franklin Street Site
Olean, New York**



SITE PHOTOGRAPHS

Photo 3:



Photo 4:



Photo 5:



Photo 6:



Photo 3: Site conditions (note brick and concrete debris)

Photo 4: Site conditions (note brick and concrete debris)

Photo 5: Site conditions (note miscellaneous debris)

Photo 6: Site conditions (note apparent AST foundation)

Franklin Street Site
Olean, New York



SITE PHOTOGRAPHS

Photo 7:



Photo 8:



Photo 9:



Photo 10:



Photo 7: TP-4 showing stained soil and piping

Photo 8: TP-4 showing stained soil and piping

Photo 9: TP-5 showing stained soil and debris

Photo 10: TP-5 showing stained soil and debris

**Franklin Street Site
Olean, New York**



SITE PHOTOGRAPHS

Photo 11:



Photo 12:



Photo 13:



Photo 14:



Photo 11: TP-6 excavation and stained soil

Photo 12: TP-6 stained soil

Photo 13: TP-9 excavation and stained soil

Photo 14: TP-9 stained soil

Franklin Street Site
Olean, New York



SITE PHOTOGRAPHS

Photo 15:



Photo 16:



Photo 17:



Photo 18:



- Photo 15: TP-10 excavation and stained soil
- Photo 16: TP-10 stained soil and debris
- Photo 17: TP-11 excavation and stained soil
- Photo 18: TP-12 excavation, stained soil, debris

Franklin Street Site
Olean, New York



ATTACHMENT 02

FIGURE 2-1 TAX MAP
FIGURE 2-2 SITE SURVEY
METES AND BOUNDS DESCRIPTION



FIGURE 2-1

TAX MAP
BROWNFIELD CLEANUP PROGRAM APPLICATION
SCOTT ROTARY SEALS SITE
OLEAN, NEW YORK

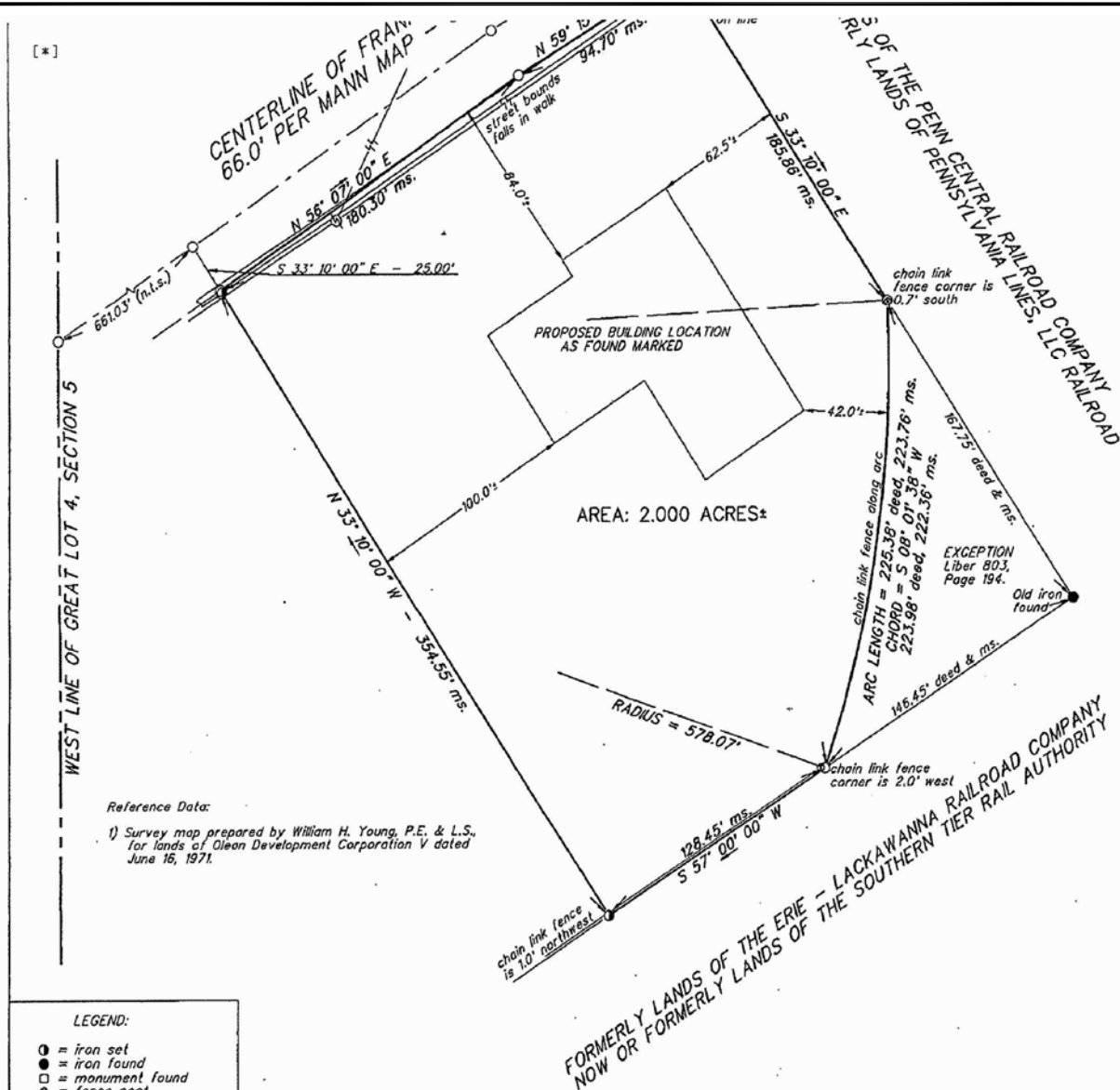
PREPARED FOR
DSTI, INC. d/b/a SCOTT ROTARY SEALS

JOB NO.: 0189-001-101



2558 HAMBURG TURNPIKE
SUITE 300
BUFFALO, NY 14218
(716) 856-0599

FIGURE 2-2



Note: Reproduction or copying of this document may be a violation of copyright law unless permission of the author and/or copyright holder is obtained.

The documents of record provided by the client and/or others are:

Deed from Charter Enterprise Associates, Inc., to Bluebird Industrial Park, Inc., recorded on Aug. 2, 1989 in Liber 892 of Deeds at Page 45.

Exception deed to the Consolidated Rail Corporation recorded on July 11, 1980 in Liber 803 of Deeds at Page 194.

SURVEY OF LANDS TO BE CONVEYED BY BLUEBIRD INDUSTRIAL PARK, INC.

Lands adjoining Franklin Street
Being part of Blacks 65 & 66 according to a map of the Olean Depot made by Joseph Mann, Esq. in 1853 and being part of Great Lot 4, Section 5, Township 2, Range 4 of the Holland Land Company's Survey, City of Olean - County of Cattaraugus State of New York

This survey is certified to the following:

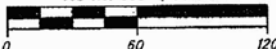
1) DSTI, Inc. d/b/a Scott Rotary Seals

Note: The certifications hereon are not transferable and do not extend to subsequent owners, mortgages, title insurers or affidavits of no changes.

From the Office of

Michael A. Roeske, P.L.S.
105 North Clark St. Olean, NY 14760
188 Stevens St. Wellsville, NY 14895
(716) 372-0871 (585) 593-3273

Job No. 359-1, Sec. 1



I am a New York State Licensed Land Surveyor and this plat was completed on Nov. 24, 2008 from an instrument survey on Nov. 21, 2008. Map revised on Dec. 2, 2008.

Michael A. Roeske
© 2008 Michael A. Roeske, P.L.S. No. 50006



2558 HAMBURG TURNPIKE
SUITE 300
BUFFALO, NY 14218
(716) 856-0599

SITE SURVEY

BROWNFIELD CLEANUP PROGRAM APPLICATION

SCOTT ROTARY SEALS SITE

OLEAN, NEW YORK

PROJECT NO.: 0189-001-101

DATE: OCTOBER 2009

DRAFTED BY: AJZ

PREPARED FOR
DSTI, INC. d/b/a SCOTT ROTARY SEALS

MICHAEL A. ROESKE, LAND SURVEYOR
105 North Clark Street, New York 14895
Phone / Fax (716) 372 - 0871

December 2, 2008

PROPOSED SURVEY DESCRIPTION

Bluebird Industrial Park, Inc.
Franklin Street

ALL THAT TRACT OR PARCEL OF LAND situate in the City of Olean, County of Cattaraugus, State of New York, being a portion of Great Lot No.4, Section No.5, Township 2, Range 4 of the Holland Land Company's Survey, also being portion of Blocks 65 & 66 of the Olean Depot, according to a map by Joseph Mann, Esq. in 1953, bounded and described as follows:

BEGINNING: At a point in the center of Franklin Street being N 56° 07' 00" E, a distance of 661.03 feet from the east line of Great Lot No.4, Section 5;

Thence S 33° 10' 00" E, a distance of 25.0 feet to the southeast bounds of said street;

Thence N 56° 07' 00" E, along the bounds of said street, a distance of 180.30 feet to an angle point therein;

Thence N 59° 15' 00" E, continuing along the bounds of said street, a distance of 94.70 feet to the westerly bounds of lands now or formerly owned by Pennsylvania Lines, LLC Railroad;

Thence S 33° 10' 00" E, along the westerly bounds of said railroad, a distance of 185.86 feet to a point on the westerly bounds of lands deeded to Consolidated Rail Corporation, as recorded on July 11, 1980 in Liber 803 of Deeds at Page 194;

Thence, Along said Consolidated Rail Corporation Lands on a curve to the right having a Radius of 578.07 feet, an Arc Length of 225.38 feet and a Chord Course of S 08° 01' 38" W with a distance of 222.36 feet to the northerly bounds of lands now or formerly owned by the Southern Tier Rail Authority;

Thence S 57° 00' 00" W, along the northerly bounds of said Southern Tier Rail Authority, a distance of 128.45 feet to an iron set;

Thence N 33° 10' 00" W, a distance of 354.55 feet to the Point and Place of Beginning: Containing 2.000 acres of land more or less.

The above-described parcel(s) are subject to any right of ways, easements and encumbrances of record.

ATTACHMENT 03

PROJECT DESCRIPTION & SCHEDULE

Attachment 03

Project Description

Scott Rotary Seals Site Brownfield Cleanup Program Application

PROJECT DESCRIPTION

Based on a Phase I Environmental Site Assessment of the Site completed by Neeson-Clark Associates, Inc. in September 2008 (see [Attachment 5](#)), the Site was historically a portion of a larger petroleum refinery and petroleum bulk storage facility commonly known as the former Socony-Vacuum facility. Based on a 1938 aerial photograph reviewed by TurnKey, the Site historically contained at least eight aboveground storage tanks (ASTs). Review of additional aerial photographs circa 1940 show the Site and surrounding area developed as an apparent petroleum refinery with numerous ASTs and heavy industrial operations. The subsurface investigation completed by TurnKey in June 2009 identified the presence of petroleum contaminants in soil and groundwater on-Site at concentrations requiring remediation.

Scott Rotary Seals plans to construct a new 10,000-square foot facility, with expansion plans for additional 5,000-square feet, to be used for the manufacture of rotating unions and rotary timing valves and associated commercial offices. A Site Redevelopment Plan is provided in Figure 4-1.

Scott Rotary Seals, acting as non-responsible volunteer, is willing to remediate the Site under the Brownfield Cleanup Program (BCP), and is submitting this BCP application for eligibility into the Program. Upon acceptance into the BCP, Scott Rotary Seals will implement the remedial actions outlined in the Remedial Action Work Plan (RAWP), submitted concurrently with this BCP application under separate cover, to address the contamination on-Site.

Attachment 03

Project Description

Scott Rotary Seals Site Brownfield Cleanup Program Application

PROJECT SCHEDULE

The environmental engineering and consulting tasks, including completion and implementation of a Remedial Action Work Plan (RAWP), are estimated as follows:

December 2009 – Submit BCP application and RAWP

February 2009 – Execute Brownfield Cleanup Agreement (BCA)

March-May 2010 – Complete remedial field activities

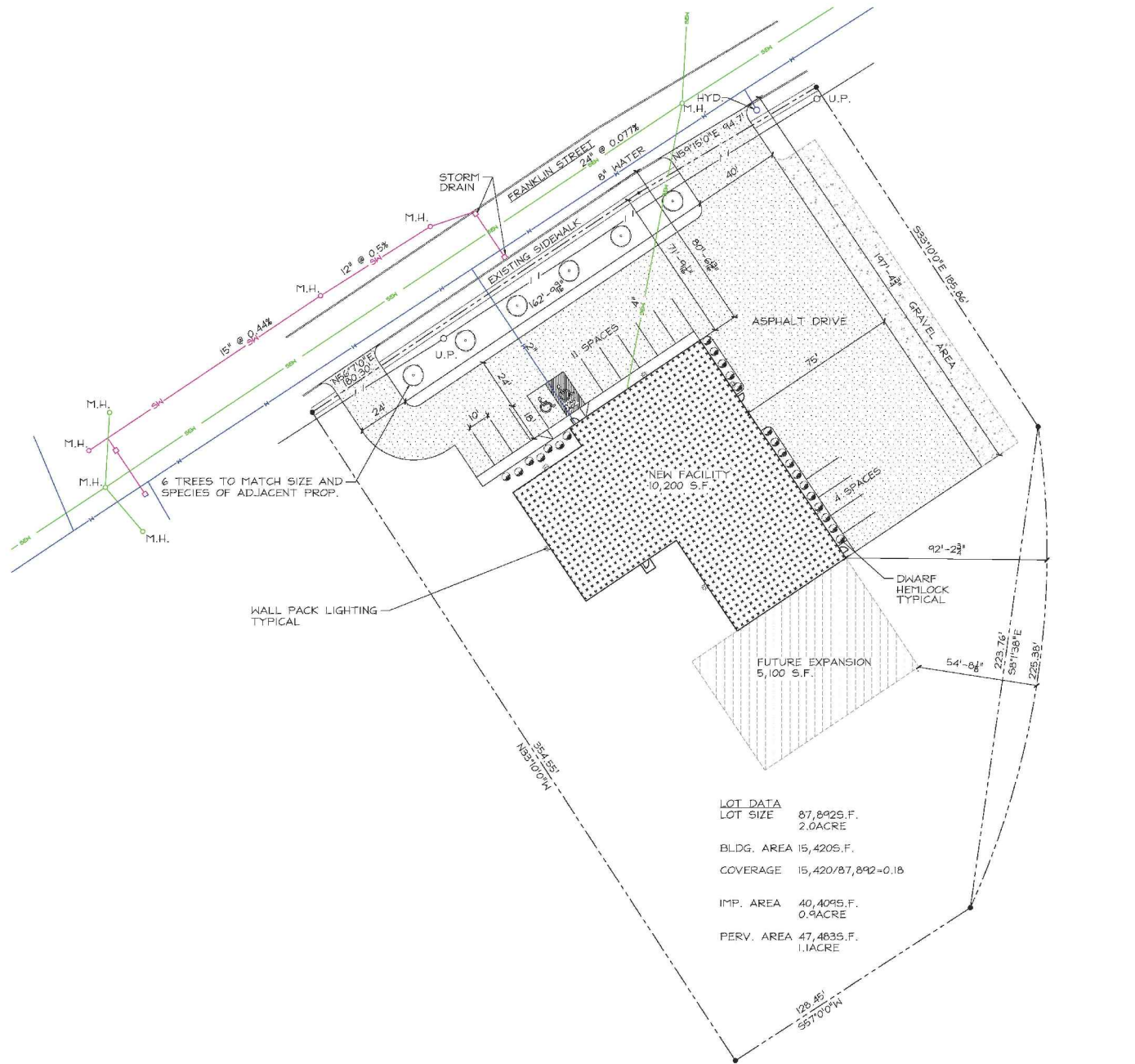
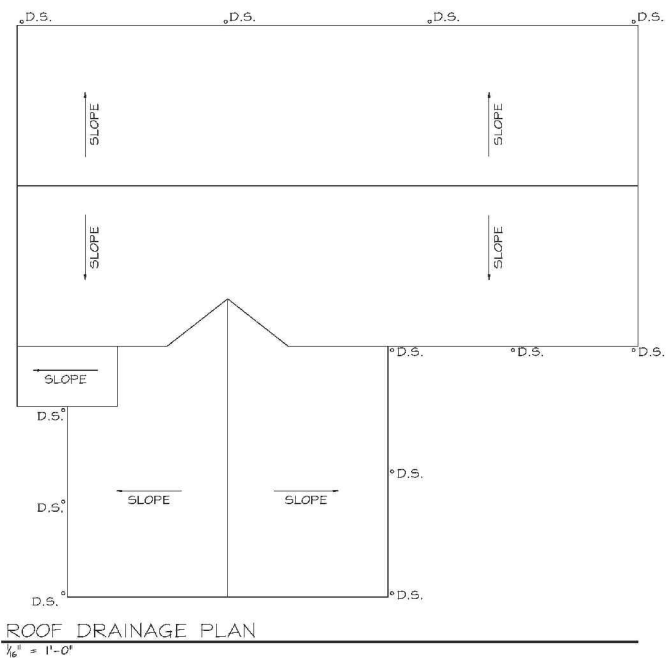
August 2010 – Submit Remedial Action Report

October 2010 – Submit Site Management Plan and Final Engineering Report

December 2010 – Receive Certificate of Completion (COC)

ATTACHMENT 04

PROPOSED REDEVELOPMENT PLAN



SITE PLAN
1" = 30'-0"

PROFESSIONAL SEAL
DESIGN CONSULTANT CURTIS J WALLACE 26 BEDFORD STREET BRADFORD, PA 16701 814.363.9889 814.598.2207(C) CURTISJWALLACE@VERIZON.NET
PROJECT SCOTT ROTARY SEALS OLEAN, NY
CLIENT TROUTMAN & TROUTMAN CONT. 8 CAM HAY DRIVE LEWIS RUN, PA 16738

4 11/7/09 REVISED SITE PLAN
5 11/9/09 REVISED SITE PLAN
4 11/2/09 REVISED SITE PLAN
5 12/31/08 REVISED SITE PLAN
2 12/16/08 REVISED PARKING
1 11/29/08 PRELIMINARY DRAWINGS
REVISIONS
PROJECT NO.: 08-042
DWG FILE: 08-02C395
DRAWN BY: C.J.W
CHKD BY:
PRINT DATE: 12/14/2006
COPYRIGHT:
SHEET TITLE SITE PLAN
C-101
SHEET 1 OF 7

CONCEPTUAL REDEVELOPMENT PLAN

BROWNFIELD CLEANUP PROGRAM APPLICATION

SCOTT ROTARY SEALS SITE
OLEAN, NEW YORK

PREPARED FOR
DSTI, INC. d/b/a SCOTT ROTARY SEALS

2558 HAMBURG TURNPIKE
SUITE 300
BUFFALO, NY 14218
(716) 856-0599

JOB NO.: 0189-001-101

FIGURE 4-1

ATTACHMENT 05

PHASE I ENVIRONMENTAL SITE ASSESSMENT INCLUDED ELECTRONICALLY:

Neeson-Clark Associates, Inc. *Phase I Site Assessment: 350 Franklin St. Olean (Vacant Parcel), Olean, New York.* September 10, 2008.

Attachment 5

Phase I Site Assessment Summary

Scott Rotary Seals Site Brownfield Cleanup Program Application

A summary of the Phase I Site Assessment that was completed for the Site is presented below.

September 10, 2008 – Phase I Site Assessment

Neeson-Clark Associates, Inc. conducted a Phase I Site Assessment of the subject property, and concluded that:

“In our opinion the subject site is not free of any serious environmental, health or safety concerns. Additional Phase II Environmental testing is recommended for this property. There has been no activity in the past or in the current situation that would alter this conclusion.”

ATTACHMENT 06

PREVIOUS ENVIRONMENTAL INVESTIGATIONS INCLUDED ELECTRONICALLY:

**LIMITED SUBSURFACE INVESTIGATION
NEESON-CLARK ASSOCIATES, INC. – NOVEMBER 2008**

**PHASE II ENVIRONMENTAL INVESTIGATION REPORT
TURNKEY ENVIRONMENTAL RESTORATION – JULY 2009**

Attachment 6

Previous Environmental Investigations

Scott Rotary Seals Site Brownfield Cleanup Program Application

A summary of the previous investigations that have been completed for the Site is presented below. The previous studies are provided on the attached CD.

November 2008 – Limited Subsurface Investigation

A Limited Subsurface Investigation Letter Report was completed by Neeson – Clark Associates, Inc. on November 11, 2008. The Phase I Site Assessment concluded that a subsurface investigation of the area was warranted. The area of the subsurface investigation was limited to the suspected areas of former aboveground storage tanks (ASTs). The investigation included excavation of six test pits to approximately 10 feet below grade and collection of soil samples from 5 of the 6 test pits for analysis of volatile organic compounds (VOCs) and semi-volatile organic compounds (SVOCs). The subsurface investigation revealed fill materials consisting of bricks, stone, concrete, and metal piping. Soil discoloration and odors of petroleum products were noted during the test pit excavations. The report concluded that the discoloration and odors would be consistent with degraded petroleum products.

July 2009 – Phase II Environmental Investigation

TurnKey conducted a Phase II Environmental Investigation at the Scott Rotary Seals Site in June 2009. The investigation included the excavation of 12 test pits, completion of 3 soil borings, and installation of 3 groundwater monitoring wells on-site. Soil and groundwater samples were collected and analyzed during the investigation. During the investigation, grossly contaminated soils, stained soils and petroleum-like odors were observed Site-wide. Most locations exhibited strong petroleum odors and PID readings were over 1,000 ppm at several locations. The Phase II Investigation identified the presence of elevated benzo(a)anthracene, chrysene, mercury, as well as volatile organic compound (VOC) tentatively identified compounds (TICs) and semi-volatile organic compound (SVOC) TICs, in soil, and acetone, sec-butylbenzene and phenanthrene in

Attachment 6

Previous Environmental Investigations

Scott Rotary Seals Site Brownfield Cleanup Program Application

groundwater above NYSDEC GWQS, as well as the presence of VOC TICs and SVOC TICs. Elevated concentrations of VOC TICs (up to 183,600 ug/kg) and SVOC TICs (up to 320,100 ug/kg) were detected in each of the soil samples analyzed. The high concentration of TICs can be attributed to weathered petroleum that, based on field observations and analytical results, is present in the subsurface. Elevated concentrations of VOC TICs (up to 26,000 ug/L) and SVOC TICs (up to 8,640 ug/L) were detected in each of the groundwater samples. Similar to the soil results, the high concentration of TICs can be attributed to weathered petroleum.

TurnKey concluded that based on visual/olfactory observations, PID measurements, and analytical results, significant site-wide petroleum-VOC and -SVOC impacts are evident, with grossly contaminated soils present in some areas, and that site remediation appears warranted.

ATTACHMENT 07

LISTING OF CURRENT & PREVIOUS SITE OWNERS

Attachment 07

Listing of Current & Previous Site Owners

Scott Rotary Seals Site Brownfield Cleanup Program Application

INTRODUCTION

Reasonable attempts were made to attain complete previous site owner contact information. In some cases, previous owners' complete contact information was not available.

An Abstract of Title is attached. The following table lists the current and previous property owners:

Name and Address of Owner	Date(s)	Relationship to Applicant
Current Owner		
DST Properties NY, LLC 13829 Jay Street NW Andover, MN 55304 763-404-8040	2009 - Current	Applicant
Previous Owners		
Blue Bird Industrial Park, Inc. One Blue Bird Square Olean, New York 14760	1989 - 2009	None
Charter Enterprise Associates, Inc. Three Tobey Brook Pittsford, New York 14534	1986 - 1989	None
Olean Development Corporation V 201 North Union Street Olean, New York 14760	1971 - 1986	None
Felmont Oil Corporation 6 East 43 rd Street New York, New York	1964 - 1971	None
C.J. Simpson Grain Company, Inc./ Swan-Finch Oil Corporation 1446 Buffalo Street Olean, New York 14760	1956 - 1964	None
Kendall Refining Co. (bought 1/3 of property)	1954 - 1956	None
South Penn Oil Co. (bought 2/3 of property)	1954 - 1956	None

Attachment 07

Listing of Current & Previous Site Owners

Scott Rotary Seals Site
Brownfield Cleanup Program Application

Name and Address of Owner	Date(s)	Relationship to Applicant
Previous Owners		
The Vacuum Oil Co. / Socony-Vacuum Co.	1902 - 1954	None
Standard Oil Co. of New York	1901 - 1902	None
Acme Oil	1890 - 1901	None

ATTACHMENT 08

LISTING OF CURRENT & PREVIOUS SITE OPERATORS

Attachment 08

Listing of Current & Previous Site Operators

Scott Rotary Seals Site Brownfield Cleanup Program Application

INTRODUCTION

Reasonable attempts were made to attain complete previous site operator contact information. In some cases, previous operators' complete contact information was not available.

The following table lists the current and previous property operators:

Name of Operator	Date(s)	Relationship to Applicant
Current Operator		
Scott Rotary Seals 4775 Route 16 Hinsdale, New York 14743 716-557-2363	2009 - Current	Owned by Applicant
Previous Operators		
Blue Bird Industrial Park, Inc. One Blue Bird Square Olean, New York 14760	1989 - 2009	None
Charter Enterprise Associates, Inc. Three Tobey Brook Pittsford, New York 14534	1986 - 1989	None
Olean Development Corporation V 201 North Union Street Olean, New York 14760	1971 - 1986	None
Felmont Oil Corporation 6 East 43 rd Street New York, New York	1964 - 1971	None
C.J. Simpson Grain Company, Inc./ Swan-Finch Oil Corporation 1446 Buffalo Street Olean, New York 14760	1956 - 1964	None
Kendall Refining Co. (bought 1/3 of property)	1954 - 1956	None
South Penn Oil Co. (bought 2/3 of property)	1954 - 1956	None

Attachment 08

Listing of Current & Previous Site Operators

Scott Rotary Seals Site
Brownfield Cleanup Program Application

Name of Operator	Date(s)	Relationship to Applicant
Previous Operators		
The Vacuum Oil Co. / Socony-Vacuum Co.	1902 - 1954	None
Standard Oil Co. of New York	1901 - 1902	None
Acme Oil	1890 - 1901	None

ATTACHMENT 09

BROWNFIELD SITE CONTACT LIST

Attachment 09

Brownfield Site Contact List

Scott Rotary Seals Site Brownfield Cleanup Program Application

CONTACT LIST

The following is the contact list information for the subject property. The following contacts will be sent fact sheets throughout the project's duration.

New York State Agency Contacts:

Abby Snyder, Regional Director
NYSDEC, Region 9
270 Michigan Avenue
Buffalo, NY 14203-2999

Mr. Martin Doster
NYSDEC, Region 8
270 Michigan Avenue
Buffalo, NY 14203-2999

Mr. Chad Staniszewski
NYSDEC, Region 8
270 Michigan Avenue
Buffalo, NY 14203-2999

Megan Gollwitzer
Citizen Participation Specialist
NYSDEC, Region 9
270 Michigan Avenue
Buffalo, NY 14203-2999

Mr. Cameron O'Connor
NYSDOH
584 Delaware Avenue
Buffalo, NY 14202

Elected Officials:

Senator Charles Schumer
100 State Street, Room 3040
Rochester, NY 14614

Senator Kirsten Gillibrand
Kenneth B. Keating Federal Office Building
100 State Street, Room 4195
Rochester, NY 14614

Congressman Eric Massa
29th District, U.S. Congress
317 North Union Street
Olean, NY 14760

Senator Catharine Young
57th District
Westgate Plaza 700 W. State Street
Olean, NY 14760

Attachment 09

Brownfield Site Contact List

Scott Rotary Seals Site Brownfield Cleanup Program Application

Elected Officials:

Assemblyman Joe Giglio
149th Assembly District
700 West State Street
Olean, NY 14760

Governor David A. Patterson
State Capitol
Albany, NY 12224

Cattaraugus County Contacts:

Jack Searles
County Administrator
1 Leo Moss Drive, Suite 0123
Olean 14760

Steven Teachman
Cattaraugus County Legislator District 10
138 N. Fifteenth Street
Olean, NY 14760

Linda Witte
Cattaraugus County Legislator District 10
1802 Stardust Lane
Olean, NY 14760

Eric W. Wohlers.
Cattaraugus County Health Department
Director of Environmental Health
1 Leo Moss Drive, Suite 4010
Olean, NY 14760

Mr. Thomas E. Buffamante, Chairman
Cattaraugus County Industrial Dev. Agency
P.O. Box 1749, 3 East Washington Street
Ellicottville, New York 14731

Mr. Joseph E. Higgins, First Vice Chairman
Cattaraugus County Industrial Dev. Agency
P.O. Box 1749, 3 East Washington Street
Ellicottville, New York 14731

Vicki Hitchcock, Assistant
Cattaraugus County Off. of Emergency Svcs.
303 Court Street
Little Valley, NY 14755

Attachment 09

Brownfield Site Contact List

Scott Rotary Seals Site Brownfield Cleanup Program Application

City of Olean Contacts:

Mayor David Carucci
City of Olean Municipal Bldg.
101 East State Street
Olean, NY 14760

Ashok Kapoor
Director of Public Works
Olean Municipal Bldg.
101 East State Street
Olean, NY 14760

Terry Schnell, Police Chief
City of Olean Police Department
101 East State Street
Olean, NY 14760

Robert P. Bell, Fire Chief
City of Olean Fire Department
101 East State Street
Olean, NY 14760

Alexander Utecht, City Clerk
Olean Municipal Bldg.
101 East State Street, P.O. Box 668
Olean, NY 14760

Thomas Barnes, Chairperson
City of Olean Planning Board
101 East State Street
Olean, NY 14760

Supplier of Potable Water:

Robert Thayer, Chief Water Plant Operator
City of Olean Department of Public Works
101 East State Street
Olean, NY 14760

Local News Media:

Olean Times Herald
ATTN: News Editor
639 Norton Avenue
Olean, NY 14760

Allegany Olean Pennysaver
1214C W State
Olean, NY 14760

Attachment 09

Brownfield Site Contact List

Scott Rotary Seals Site Brownfield Cleanup Program Application

WMXO-FM
ATTN: News Director
231 North Union
Olean, NY 14760

WPIG-FM
ATTN: News Director
3219 West State Road
Olean, NY 14760

Document Repository (see Attachment 10):

Lance Chaffee, Library Director
Olean Public Library
134 N 2nd Street
Olean, NY 14760-2583

Nearby Schools:

John White, Principal
Boardmanville Elementary School
622 Main Street
Olean, NY 14760

Gerald Trietley, Principal
Olean Middle School
401 Wayne Street
Olean, NY 14760

Other Interested Parties:

Concerned Citizens of Cattaraugus County
P.O. Box 23
Franklinville, NY 14737-0023

Cattaraugus Community Action, Inc.
25 Jefferson Street
Salamanca, NY 14779-0308



ATTACHMENT 09

AREA PROPERTY OWNERS

Scott Rotary Seals Site
Brownfield Cleanup Program Application

Adjacent Property Address		Owner Name ¹ Mailing Address
No.	Street	
Commercial/Industrial Properties		
1420	Buffalo St.	Exxon Mobil Corporation Houston, TX 77252
1404-06R	Buffalo St.	Exxon Mobil Corporation Houston, TX 77001-0053
211	Franklin St.	Henkel Corporation 211 Franklin Street Olean, NY 14760
302	Franklin St.	Property Owner 302 Franklin St. Olean, NY 14760
350	Franklin St.	Blue Bird Industrial Park One Blue Bird Sq Olean, NY 14760
1601	Johnson St.	Markjon Properties, LLC Olean, NY 14760
	W Oak St. & Spruce St.	National Grid 300 Erie Blvd. W Syracuse, NY 13202
1206	Vine St.	Capital Heat, Inc. 2975 Walden Ave. Depew, NY 14093
		Southern Tier Rail Authority 4039 Route 219 Ste 200 Salamanca, NY 14779
Residential Properties ¹		
312	W Elm St.	Current Resident 312 W Elm St. Olean, NY 14760
206	W Oak St.	Current Resident 206 W Oak St. Olean, NY 14760
208	W Oak St.	Current Resident 208 W Oak St. Olean, NY 14760
212	W Oak St.	Current Resident 894 Route 446 Cuba, NY 14727



ATTACHMENT 09

AREA PROPERTY OWNERS

Scott Rotary Seals Site
Brownfield Cleanup Program Application

Adjacent Property Address		Owner Name ¹ Mailing Address
No.	Street	
Residential Properties ¹		
222	W Oak St.	Current Resident 222 W Oak St. Olean, NY 14760
301	W Oak St.	Current Resident 1703 Happy Hollow Rd. Olean, NY 14760
307	W Oak St.	Current Resident 307 W Oak St. Olean, NY 14760
309	W Oak St.	Current Resident 309 W Oak St. Olean, NY 14760
205	W Pine St.	Current Resident 205 W Pine St. Olean, NY 14760
207	W Pine St.	Current Resident 11 South Academy St. Franklinville, NY 14737
211	W Pine St.	Current Resident 211 W Pine St. Olean, NY 14760
213	W Pine St.	Current Resident 503 N Main St. Coudersport, PA 16915
1207	Spruce St.	Current Resident 1207 Spruce St. Olean, NY 14760
1306	Spruce St.	Current Resident 1306 Spruce St. Olean, NY 14760
1401	N Union St.	Current Resident 1403 Windfall Rd Olean, NY 14760

Notes:

1. The names of the residents and/or property owners have been withheld for privacy concerns.

ATTACHMENT 10

DOCUMENT REPOSITORY CONFIRMATION LETTER



October 2, 2009

Lance Chaffee
Library Director
Olean Public Library
134 N 2nd Street
Olean, NY 14760-2583

Re: Document Repository for Brownfield Cleanup Program
Scott Rotary Seals Site
301 Franklin St., Olean, NY

Dear Mr. Chaffee:

Thank you for agreeing to the Olean Public Library acting as the document repository for the above-referenced Site. In the future, we will be sending various documents relating to the Site that should be made available for public review upon request.

Please contact me or at 856-0635 if you have questions or require additional information.

Sincerely,
TurnKey Environmental Restoration, LLC

A handwritten signature in blue ink, appearing to read "M. Lesakowski".

Michael Lesakowski
Project Manager

c: File: 0189-001-101

ATTACHMENT 11

ENVIRONMENTAL FACTORS AND HISTORIC LAND USE CONSIDERATIONS

Attachment 11

Environmental Factors & Historic Land Use Considerations

Scott Rotary Seals Site Brownfield Cleanup Program Application

INTRODUCTION

The following provides a brief summary of the Site:

- The Site is located within a developed industrial/commercial area.
- There are no State or Federal wetlands or floodplains on the Site. Per the Cattaraugus County GIS Maps, the Two Mile Creek corridor located approximately 1,000 feet west of the Site is subject to flooding in a 100-year storm.
- The Site is proximate to several waterways, including the Allegheny River and several perennial and intermittent streams. The two closest waterways are Olean Creek, a major perennial stream located approximately 3,000 feet east of the Site, and Two Mile Creek, an intermittent stream located approximately 1,000 feet west of the Site. Olean Creek flows to the south and enters the Allegheny River southeast of the Site. Two Mile Creek flows to the southwest and enters the Allegheny River southwest of the Site.
- The Site is not adjacent to a Significant Coastal Fish and Wildlife Habitat.
- There are no threatened or endangered species, nor important plant habitats listed at the Site.

ATTACHMENT 12

NEARBY LAND USE MAP

Attachment 12

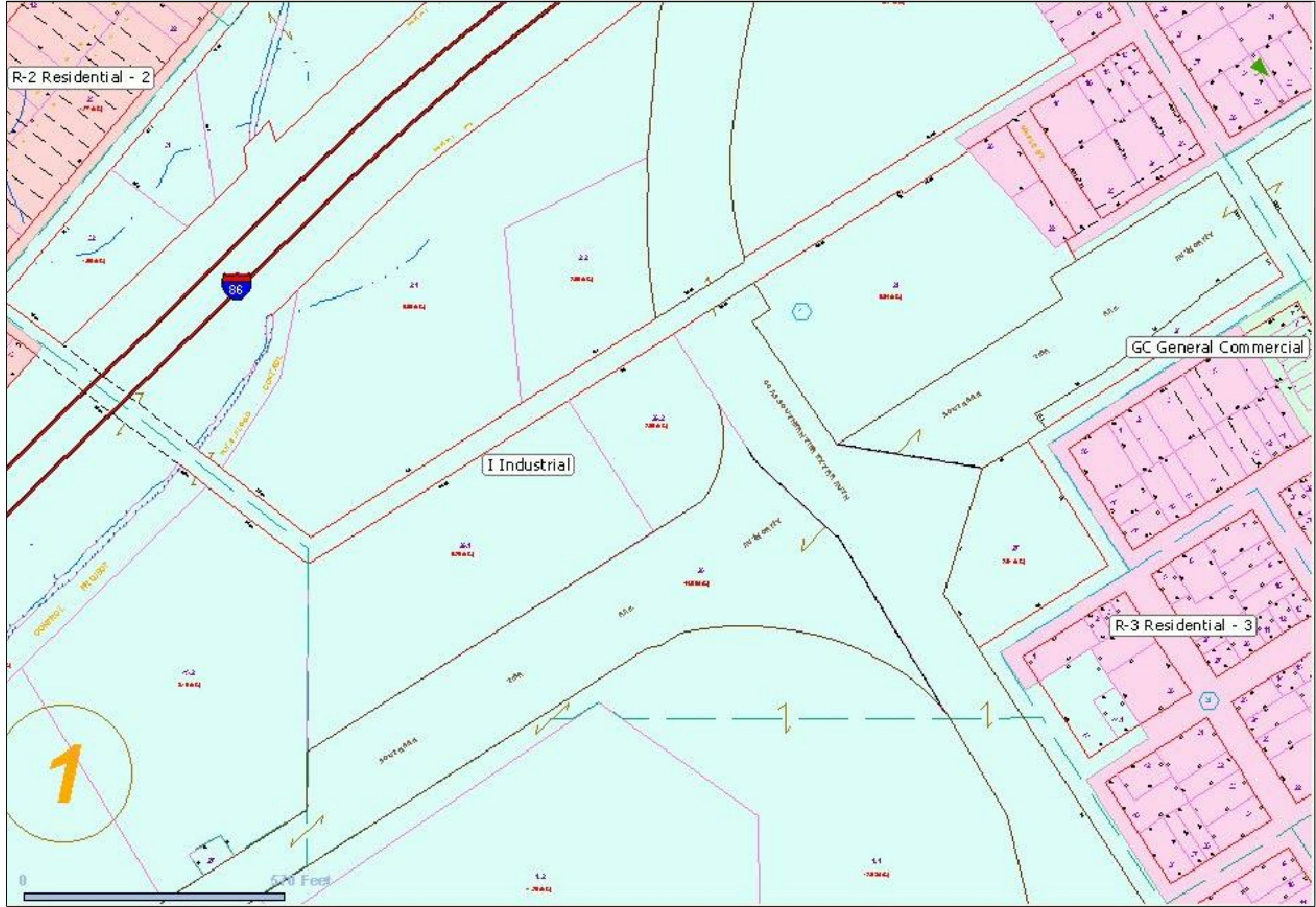
Surrounding Land Use Description

Scott Rotary Seals Site Brownfield Cleanup Program Application

SURROUNDING LAND USE DESCRIPTION

The Site, located at 301 Franklin Street in Olean, New York, is bound by railroad tracks to the south and east, Franklin Street to the north, and former industrial properties to the north and west.

The Site is located in a current and historic industrial area, with manufacturing to the east, warehouses to the north and west, and the Southern Tier Rail Authority to the south. A surrounding land use map is provided as Figure 12-1.



NEARBY LAND USE
BROWNFIELD CLEANUP PROGRAM APPLICATION
SCOTT ROTARY SEALS SITE
OLEAN, NEW YORK

PREPARED FOR
DSTI, INC. d/b/a SCOTT ROTARY SEALS



2558 HAMBURG TURNPIKE
SUITE 300
BUFFALO, NY 14218
(716) 856-0598

JOB NO.: 0189-001-101

FIGURE 12-1

ATTACHMENT 13

GROUNDWATER VULNERABILITY ASSESSMENT

Attachment 13

Groundwater Vulnerability Assessment

Scott Rotary Seals Site Brownfield Cleanup Program Application

POTENTIAL VULNERABILITY OF GROUNDWATER TO CONTAMINATION

Volatile organic compounds (VOCs) and semi-volatile organic compounds (SVOCs) were detected in groundwater during a previous investigation on the Site. Attachment 6 includes a copy of the 2009 Phase II Investigation Report summarizing those results.

Currently, there are no known deed restrictions on the use of groundwater at the Site. Municipal water is available to the Site and all properties in the area. The municipal water supply is derived from the following sources:

1. Ischua Creek (a tributary of Olean Creek) at the City of Olean's Water Filtration Plant, 1332 River Street, approximately 2,300 feet northeast (cross-gradient) of the Site.
2. Groundwater supply wells:
 - Well Site M18: 104 Richmond Ave., approximately 3 miles southeast of the Site.
 - Well Sites M37/38: 1900 East River Rd., approximately 3.7 miles southeast of the Site.

GROUNDWATER FLOW/RECHARGE

According to the BCP Application prepared for the neighboring Olean Redevelopment Parcel 3, the Site is underlain by an upper and a lower outwash aquifer, separated by a clay and silt layer. The upper aquifer ranges from 10 to 50 feet thick and is locally confined by a clayey gravel surface layer. The lower aquifer averages 30 feet thick and is semi-confined by the overlying silt and clay unit. The lower 30 feet of the aquifer tend to be more permeable than the upper 50 feet, which is generally siltier. The rate of natural groundwater flow is expected to be very slow in the less permeable upper aquifer due to the flat water table and non-homogeneous soil types. The rate of natural groundwater flow in the lower aquifer is expected to be higher, but still slow due to the lack of hydraulic gradient.

Attachment 13

Groundwater Vulnerability Assessment

Scott Rotary Seals Site Brownfield Cleanup Program Application

Based on the groundwater gauging data collected by TurnKey during the June 2009 Phase II Investigation, the water table is located between 16 and 25 feet below ground surface (fbgs) and localized Site groundwater generally flows in a southwest direction.

RECOMMENDATIONS

Due to the lack of private wells in the area and because the source of municipal water is a sufficient distant from the Site, the potential to contaminate potable groundwater by means of groundwater migration from the Site is negligible.

ATTACHMENT 14

DESCRIPTION OF SITE GEOGRAPHY/GEOLOGY

Attachment 14

Description of Site Geography/Geology

Scott Rotary Seals Site Brownfield Cleanup Program Application

ECOLOGICAL SETTING

The Site is not currently improved with any buildings. Several debris piles containing brick, concrete, metal, and piping apparently associated with former aboveground storage tanks (ASTs) are currently present at the Site.

DEMOGRAPHY AND LAND USE

The Site is located in an industrial area of the City of Olean, Cattaraugus County, New York (see Figure 12-1).

REGIONAL GEOLOGY/HYDROGEOLOGY

According to the Cattaraugus County GIS maps website, the surficial geology of the site is Chenango gravelly silt loam. The USDA Soil Survey of Cattaraugus County, New York describes Chenango gravelly silt loam, 0 to 3 percent slopes (ChA), as nearly level, very deep, and well drained. This permeability of this soil type is moderate or moderately rapid in the surface layer (0 to 9 inches) and subsoil (9 to 35 inches), and rapid in the substratum (35 to 72 inches). The soil is very strongly acid to moderately acid in the surface layer and subsoil, and strongly acid to slightly alkaline in the substratum.

The Site is located in the Allegheny River valley and is essentially flat with no distinctive natural topographic features. The Site elevation is approximately 1,430 feet above mean sea level and slopes down very gently to the southwest. Bedrock in the Olean area consists predominantly of Upper Devonian shale, siltstone, and sandstone of the Conewango and Conneaut Groups. According to the BCP Application prepared for the neighboring Olean Redevelopment Parcel 3, depth to bedrock is estimated at 220 to 260 feet beneath the Site.

Attachment 14

Description of Site Geography/Geology

Scott Rotary Seals Site Brownfield Cleanup Program Application

SITE GEOLOGY/HYDROGEOLOGY

Based on a Phase II investigation performed in June 2009, the geology at the site is generally described as fill materials overlying fine sand and gravel. The fill materials consist of sand and gravel with varying amounts of brick, concrete, metal, and abandoned piping at depths ranging from 0 to 5 feet below ground surface (fbgs). Native material consists of fine sand and gravel to depths up to 30 fbgs.

Based on the groundwater gauging data collected during the June 2009 Phase II investigation, localized groundwater appears to generally flow across the Site in a southeastern direction.

ATTACHMENT 15

ELECTRONIC COPY OF BCP APPLICATION AND ATTACHMENTS