

Brownfield Cleanup Program Application

229 Homer Street
Olean, New York

June 2015

0225-015-001

Prepared For:
Benson Construction and Development, LLC



Prepared By:



2558 Hamburg Turnpike, Suite 300, Buffalo, New York 14218 | phone: (716) 856-0599 | fax: (716) 856-0583



NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION
BROWNFIELD CLEANUP PROGRAM (BCP)

ECL ARTICLE 27 / TITLE 14



08/2013

DEPARTMENT USE ONLY
BCP SITE #:

Section I. Requestor Information

NAME **Benson Construction and Development, LLC**

ADDRESS **221 Homer Street**

CITY/TOWN **Olean**

ZIP CODE **14760**

PHONE **(716) 372-1893**

FAX **(716) 372-8645**

E-MAIL **dbenson@benson-construction.com**

Is the requestor authorized to conduct business in New York State (NYS)?

☒ Yes ☐ No

-If the requestor is a Corporation, LLC, LLP or other entity requiring authorization from the NYS Department of State to conduct business in NYS, the requestor's name must appear, exactly as given above, in the [NYS Department of State's Corporation & Business Entity Database](#). A print-out of entity information from the database must be submitted to DEC with the application, to document that the applicant is authorized to do business in NYS. **See Attachment 1**

-Individuals that will be certifying BCP documents, as well as their employers, meet the requirements of Section 1.5 of [DER-10: Technical Guidance for Site Investigation and Remediation](#) and New York State Education Law. **Documents that are not properly certified will not be approved under the BCP.**

☒ Yes ☐ No

NAME OF REQUESTOR'S REPRESENTATIVE **Mr. R. Donald Benson**

ADDRESS **221 Homer Street**

CITY/TOWN **Olean**

ZIP CODE **14760**

PHONE **(716) 372-1893**

FAX **(716) 372-8645**

E-MAIL **dbenson@benson-construction.com**

NAME OF REQUESTOR'S CONSULTANT **Mr. Michael Lesakowski (TurnKey Environmental Restoration, LLC)**

ADDRESS **2558 Hamburg Turnpike, Suite 300**

CITY/TOWN **Buffalo**

ZIP CODE **14218**

PHONE **(716) 856-0635**

FAX **(716) 856-0583**

E-MAIL **mlesakowski@turnkeyllc.com**

NAME OF REQUESTOR'S ATTORNEY **Mr. Craig Slater, Esq. (The Slater Law Firm, PLLC)**

ADDRESS **26 Mississippi Street, Suite 400**

CITY/TOWN **Buffalo**

ZIP CODE **14203**

PHONE **(716) 845-6760**

FAX **(716) 845-6764**

E-MAIL **cslater@cslaterlaw.com**

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

-Proof of site access must be submitted for non-owners

Section II. Property Information**Check here if this application is to request significant changes to property set forth in an existing BCA:** ☐

Existing BCP site number: _____

PROPERTY NAME **229 Homer Street Site**ADDRESS/LOCATION **229 Homer Street**CITY/TOWN **Olean**ZIP CODE **14760**

MUNICIPALITY(IF MORE THAN ONE, LIST ALL):

City of Olean

COUNTY **Cattaraugus County**SITE SIZE (ACRES) **3.34**LATITUDE (degrees/minutes/seconds) **N 42 ° 6 ' 0.85 "**LONGITUDE (degrees/minutes/seconds) **W 78 ° 26 ' 23.69 "**HORIZONTAL COLLECTION METHOD: ☐ SURVEY ☐ GPS ☒ MAPHORIZONTAL REFERENCE DATUM: **NAD 83 West**

COMPLETE TAX MAP INFORMATION FOR ALL TAX PARCELS INCLUDED WITHIN THE PROPERTY BOUNDARIES. ATTACH REQUIRED MAPS PER THE APPLICATION INSTRUCTIONS.

Parcel Address

Parcel No.

Section No.

Block No.

Lot No.

Acreage

229 Homer Street**1****94.032****1****2.5****3.34**

1. Do the property boundaries correspond to tax map metes and bounds?

☒ Yes ☐ No

If no, please attach a metes and bounds description of the property.

2. Is the required property map attached to the application? (application will not be processed without map)

☒ Yes ☐ No

3. Is the property part of a designated En-zone pursuant to Tax Law § 21(b)(6)?

☐ Yes ☒ NoFor more information please see Empire State Development's [website](#).

If yes, identify area (name) _____

Percentage of property in En-zone (check one): ☒ 0-49% ☐ 50-99% ☐ 100%

4. Is this application one of multiple applications for a large development project, where the development project spans more than 25 acres (see additional criteria in BCP application instructions)? If yes, identify name of properties in related BCP applications: _____

☐ Yes ☒ No

5. Property Description Narrative:

See Attachment 2

6. List of Existing Easements (type here or attach information)

Easement HolderDescription

None/Unknown

7. List of Permits issued by the NYSDEC or USEPA Relating to the Proposed Site (type here or attach information)

TypeIssuing AgencyDescription

None/Unknown

If any changes to Section II are required prior to application approval, a new page, initialed by each requestor, must be submitted.

Initials of each Requestor: R.D.B. _____

Section III. Current Property Owner/Operator Information

OWNER'S NAME Benson Construction and Development, LLC

ADDRESS 221 Homer Street

CITY/TOWN Olean

ZIP CODE 14760

PHONE (716) 372-1893

FAX (716) 372-8645

E-MAIL dbenson@benson-construction.com

OPERATOR'S NAME Benson Construction and Development, LLC

ADDRESS 221 Homer Street

CITY/TOWN Olean

ZIP CODE 14760

PHONE (716) 372-1893

FAX (716) 372-8645

E-MAIL dbenson@benson-construction.com

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? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 2. Is the requestor subject to an existing order relating to contamination at the site? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 3. Is the requestor subject to an outstanding claim by the Spill Fund for this site? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 4. Has the requestor been determined to have violated any provision of ECL Article 27? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 5. Has the requestor previously been denied entry to the BCP? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 6. Has the requestor been found in a civil proceeding to have committed a negligent or intentionally tortious act involving contaminants? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> 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? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> 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? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 9. Is the requestor an individual or entity of the type set forth in ECL 27-1407.9(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? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

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

- | | | |
|--|------------------------------|--|
| 1. Is the property, or was any portion of the property, listed on the National Priorities List? If yes, please provide relevant information as an attachment. | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 2. Is the property, or was any portion of the property, listed on the NYS Registry of Inactive Hazardous Waste Disposal Sites? If yes, please provide: Site # _____ Class # _____ | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> 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: _____ | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> 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 # _____ | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> 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. | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

Section VI. Project DescriptionWhat 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
- See Attachment 3

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 See Attachment 4

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. LABORATORY REPORTS SHOULD BE REFERENCED AND COPIES INCLUDED. See Attachment 4

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

*Please describe: Abandoned subsurface petroleum piping and light non-aqueous phase liquid (apparent petroleum product) was observed.

3. SUSPECTED CONTAMINANTS: INDICATE SUSPECTED CONTAMINANTS AND THE MEDIA WHICH MAY HAVE BEEN AFFECTED. PROVIDE BASIS FOR ANSWER AS AN ATTACHMENT.

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

*Please describe: _____

4. INDICATE KNOWN OR SUSPECTED SOURCES OF CONTAMINANTS (CHECK ALL THAT APPLY). PROVIDE BASIS FOR ANSWER AS AN ATTACHMENT.

- | | | | |
|---|--|--|--|
| <input checked="" type="checkbox"/> Above Ground Pipeline or Tank | <input type="checkbox"/> Lagoons or Ponds | <input checked="" type="checkbox"/> Underground Pipeline or Tank | <input checked="" type="checkbox"/> Surface Spill or Discharge |
| <input checked="" type="checkbox"/> Routine Industrial Operations | <input type="checkbox"/> Dumping or Burial of Wastes | <input type="checkbox"/> Septic tank/lateral field | <input type="checkbox"/> Adjacent Property |
| <input type="checkbox"/> Drums or Storage Containers | <input type="checkbox"/> Seepage Pit or Dry Well | <input type="checkbox"/> Foundry Sand | <input type="checkbox"/> Electroplating |
| <input type="checkbox"/> Coal Gas Manufacture | <input type="checkbox"/> Industrial Accident | <input type="checkbox"/> Unknown | |

Other: _____

5. INDICATE PAST LAND USES (CHECK ALL THAT APPLY):

- | | | | | | |
|---|--|---|--------------------------------------|---|-------------------------------------|
| <input type="checkbox"/> Coal Gas Manufacturing | <input type="checkbox"/> Manufacturing | <input type="checkbox"/> Agricultural Co-op | <input type="checkbox"/> Dry Cleaner | <input type="checkbox"/> Salvage Yard | <input type="checkbox"/> Bulk Plant |
| <input type="checkbox"/> Pipeline | <input type="checkbox"/> Service Station | <input type="checkbox"/> Landfill | <input type="checkbox"/> Tannery | <input type="checkbox"/> Electroplating | <input type="checkbox"/> Unknown |

Other: 229 Homer Street was formerly a portion of the larger Former Felmont Oil Site and is a part of the ExxonMobil Legacy Site which was an oil refinery.

6. PROVIDE A LIST OF PREVIOUS PROPERTY OWNERS AND OPERATORS WITH NAMES, LAST KNOWN ADDRESSES AND TELEPHONE NUMBERS AS AN ATTACHMENT. DESCRIBE REQUESTOR'S RELATIONSHIP, IF ANY, TO EACH PREVIOUS OWNER AND OPERATOR. IF NO RELATIONSHIP, PUT "NONE".

Section VIII. Contact List Information

Please attach, at a minimum, the names and addresses of the following: See Attachment 5

1. The chief executive officer and planning board chairperson 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. In cities with a population of one million or more, the local community board if the proposed site is located within such community board's boundaries (*note: per the 2010 census, New York City is the only city in NY with a population over one million).
8. 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))

1. Current Use: ☐ Residential ☒ Commercial ☐ Industrial ☐ Vacant ☐ Recreational (check all that apply)
Provide summary of business operations as an attachment.

2. Intended Use Post Remediation: ☐ Unrestricted ☐ Residential ☒ Commercial ☒ Industrial (check all that apply)
Provide specifics as an attachment.

| | |
|--|---|
| 3. Do current historical and/or recent development patterns support the proposed use? (See #14 below re: discussion of area land uses) | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
|--|---|

| | |
|--|---|
| 4. Is the proposed use consistent with applicable zoning laws/maps? See Attachment 7 | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
|--|---|

| | |
|--|---|
| 5. 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? | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
|--|---|

| | |
|--|---|
| 6. Are there any Environmental Justice Concerns? (See §27-1415(3)(p)). | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
|--|---|

| | |
|--|---|
| 7. Are there any federal or state land use designations relating to this site? | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
|--|---|

| | |
|--|---|
| 8. Do the population growth patterns and projections support the proposed use? | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
|--|---|

| | |
|---|---|
| 9. Is the property accessible to existing infrastructure? | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
|---|---|

| | |
|--|---|
| 10. Are there important cultural resources, including federal or state historic or heritage sites or Native American religious sites within ½ mile? See Attachment 7 | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
|--|---|

| | |
|--|---|
| 11. 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? See Attachment 7 | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
|--|---|

| | |
|---|---|
| 12. Are there floodplains within ½ mile? See Attachment 7 | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
|---|---|

| | |
|--|---|
| 13. Are there any institutional controls currently applicable to the property? | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
|--|---|

| |
|---|
| 14. Describe the proximity to real property currently used for residential use, and to urban, commercial, industrial, agricultural, and recreational areas in an attachment. See Attachment 7 |
|---|

| |
|---|
| 15. Describe the potential vulnerability of groundwater to contamination that might migrate from the property, including proximity to wellhead protection and groundwater recharge areas in an attachment. See Attachment 7 |
|---|

| |
|---|
| 16. Describe the geography and geology of the site in an attachment. See Attachment 7 |
|---|

Section X. Statement of Certification and Signatures

(By an requestor other than an individual)

I hereby affirm that I am Sole Owner (title) of Benson Construction and Development, 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. If this application is approved, I acknowledge and agree to the general terms and conditions set forth in DER-32 *Brownfield Cleanup Program Applications and Agreements* and to execute a Brownfield Cleanup Agreement (BCA) within 60 days of the date of DEC's approval letter. I also agree that in the event of a conflict between the general terms and conditions of participation set forth in DER-32 and the terms contained in a site-specific BCA, the terms in the BCA shall control. 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:

6/3/15

Signature:

R. Donald Benson

Print Name:

R. Donald Benson

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, 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.

FOR DEPARTMENT USE ONLY

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



LIST OF SUPPLEMENTAL INFORMATION

NYSDEC Brownfield Cleanup Program Application

229 Homer Street

Olean, New York

| Attachment No. | Section No. | Section Title | Question No. | Description |
|----------------|-------------|----------------------------------|--------------|---|
| 1 | I | Requestor Information | -- | NYS Department of State Corporation & Business Entity Database |
| | | | -- | Figure 1 - Site Location and Vicinity Map (USGS) Figure 2 - Site Plan (Aerial) |
| | | | 1 | Figure 3 - Tax Map Figure 4 - Survey Map Figure 5 - Property Base Map (1,000' set back) |
| 2 | II | Property Information | 2 | Tax Map and Tax Map ID/Property Data |
| | | | 5 | Property Description Figure 6 - Nearby Land Use / Zoning Map Figure 7 - Adjacent Property Owners Map Figure 8 - City of Olean BOA Limits |
| 3 | V | Project Eligibility Information | | Project Description & Eligibility for Acceptance into BCP |
| | VI | Project Description | | Figure 9 - Estimated Project Schedule |
| 4 | VII | Property's Environmental History | 1 | Previous Environmental Reports Summary |
| | | | 5 | Past Land Uses |
| | | | 6 | List of Previous Property Owners and Operators |
| 5 | VIII | Contact List Information | 1, 3 - 8 | Brownfield Site Contact List |
| | | | 2 | Adjacent Property Owner List |
| 6 | VIII | Document Repository | 8 | Document Repository Confirmation Letter |
| | | | 1, 3 & 14 | Land Use Factors & Adjacent Land Use |
| | | | 4 | see Figure 6 in Attachment 2 |
| | | | 5 | see Figure 8 in Attachment 2 |
| | | | 10 | Figure 10 - Cultural Resources |
| | | | 11 | Figure 11 - Natural Resource Map |
| | | | 12 | Figure 12 - Wetland & Floodplain Map |
| | | | 15 | Groundwater Vulnerability Assessment |
| | | | 16 | Site Geography/Geology Figure 13 - Soils Map |
| 7 | IX | Land Use Factors | | |

ATTACHMENT 1

BCP Application – Section I

REQUESTER INFORMATION

SIGNATURE RESOLUTION

NYS DEPARTMENT OF STATE CORPORATION & BUSINESS ENTITY
DATABASE

BENSON CONSTRUCTION AND DEVELOPMENT, LLC

**JOINT UNANIMOUS WRITTEN CONSENT
OF THE SHAREHOLDERS AND OFFICERS**

January 14, 2014

The undersigned, the sole shareholder of **BENSON CONSTRUCTION AND DEVELOPMENT, LLC**, a New York limited corporation (the "Company"), herby jointly consent to the adoption of the following resolutions without a meeting and direct that this Consent be filed with the minutes of the Company.

RESOLVED, that R. DONALD BENSON (an "Authorized Person") be, and hereby is, authorized, directed, and empowered, acting alone, in the name or on behalf of the Corporation, to execute the Brownfield Cleanup Program (BCP) Application, the BCP Agreement, or any other documents or agreements necessary to enter and participate in the New York State Department of Environmental Conservation's Brownfield Cleanup Program (Environmental Conservation Law Article 27, Title 14) for property owned by the Company located at 229 Homer Street, Olean, New York; and be it further

RESOLVED, that the Authorized Person is hereby authorized, empowered and directed to take all such action on behalf of the Corporation as they may deem necessary, appropriate or advisable to carry out the intent and purposes of the foregoing resolution; and be it further

RESOLVED, that any acts of any officer of the Corporation and of any persons designated and authorized to act by any such officer of the Corporation, which acts would have been authorized by the forgoing resolutions except that such acts were taken prior to the adoption of such resolutions, are hereby severally ratified, confirmed, approved and adopted as acts of the Corporation.

IN WITNESS WHEREOF, the undersigned have executed this Joint Unanimous Written Consent as of the date set forth above.

A handwritten signature in cursive script, reading "R. Donald H. Benson", is written over a horizontal line.

Name: R. Donald Benson

Sole Shareholder

NYS Department of State

Division of Corporations

Entity Information

The information contained in this database is current through December 16, 2014.

Selected Entity Name: BENSON CONSTRUCTION AND DEVELOPMENT, LLC

Selected Entity Status Information

Current Entity Name: BENSON CONSTRUCTION AND DEVELOPMENT, LLC

DOS ID #: 2218868

Initial DOS Filing Date: JANUARY 16, 1998

County: CATTARAUGUS

Jurisdiction: NEW YORK

Entity Type: DOMESTIC LIMITED LIABILITY COMPANY

Current Entity Status: ACTIVE

Selected Entity Address Information

DOS Process (Address to which DOS will mail process if accepted on behalf of the entity)

R. DONALD BENSON
221 HOMER STREET
OLEAN, NEW YORK, 14760

Registered Agent

R. DONALD BENSON
4683 BIRCH RUN ROAD
ALLEGANY, NEW YORK, 14706

This office does not require or maintain information regarding the names and addresses of members or managers of nonprofessional limited liability companies. Professional limited liability companies must include the name(s) and address

(es) of the original members, however this information is not recorded and only available by [viewing the certificate.](#)

***Stock Information**

| # of Shares | Type of Stock | \$ Value per Share |
|--------------------------|---------------|--------------------|
| No Information Available | | |

*Stock information is applicable to domestic business corporations.

Name History

| Filing Date | Name Type | Entity Name |
|--------------|-----------|--|
| DEC 01, 2000 | Actual | BENSON CONSTRUCTION AND DEVELOPMENT, LLC |
| JAN 16, 1998 | Actual | PENN COMMERCIAL PROPERTIES, LLC |

A **Fictitious** name must be used when the **Actual** name of a foreign entity is unavailable for use in New York State. The entity must use the fictitious name when conducting its activities or business in New York State.

NOTE: New York State does not issue organizational identification numbers.

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ATTACHMENT 2

BCP Application – Section II

PROPERTY INFORMATION

PROPERTY DESCRIPTION

PROPERTY DESCRIPTION REPORT

FIGURE 1; SITE LOCATION AND VICINITY MAP

FIGURE 2; SITE PLAN (AERIAL)

FIGURE 3; PARCEL MAP

FIGURE 4; TAX MAP

FIGURE 5; PROPERTY BASE MAP

FIGURE 6; NEARBY LAND USE/ ZONING MAP

FIGURE 7; ADJACENT PROPERTY OWNERS MAP

FIGURE 8; CITY OF OLEAN BOA MAP

NYSDEC SPILL RECORD

ATTACHMENT 2
BCP Application Section II
Property Information
229 Homer Street

SECTION II - QUESTIONS 1-4

PARCEL DESCRIPTION

The subject property (hereinafter, the “Project Site” or the “Site”) subject to the BCP application is a single parcel totaling approximately 3.34 acres, located in a mixed use commercial and residential area of the City of Olean, Cattaraugus County, New York (see Figures 1 and 2).

The parcel included in this application is described as:

- **229 Homer Street, SBL # 94.032-1-2.5, 3.34 acres**

The US Postal Service mailing address for the Site is 221 Homer Street, although the actual property address, as identified on the Cattaraugus County Real Property & GIS Web page (<http://www.cattco.org/real-property-and-gis>), is 229 Homer Street.

The Cattaraugus County – Property Detail Report for the parcel is attached. The parcel corresponds to the tax and survey boundaries (see Figures 3 and 4).

The Site is bound by Two Mile Creek and Homer Street to the northwest, a Casella Waste Management of New York transfer station to the northeast, Southern Tier Rail Authority rail lines to the southeast, and 251 Homer Street (a vacant parcel currently being remediated under the New York State Department of Environmental Conservation (NYSDEC) Brownfield Cleanup Program (BCP) to the southwest (see Figure 5 and 7).

Land use surrounding the Site includes a mix of commercial and residential properties (see Figure 6). Adjacent property owners are identified on Figure 7.

The Site is located within Census Tract 9615 (2000 Census Data) and is not included in an En-Zone.

ATTACHMENT 2
BCP Application Section II
Property Information
229 Homer Street

SECTION II - QUESTION 5

PROPERTY DESCRIPTION NARRATIVE

The 229 Homer Street parcel is currently owned by Benson Construction and Development, LLC (Benson). The Site is approximately 3.34 acres in size and improved with an approximate 5,575 square foot building. The Site is utilized by Benson as their office, warehouse and construction equipment and supplies storage yard.

The Site is located within the limits of the City of Olean Brownfield Opportunity Area (BOA) as identified in the Northwest Quadrant Revitalization Plan¹. The BOA includes approximately 904 acres, of which 186 acres are considered brownfields. The BOA encompasses an area that was historically utilized for industrial purposes for over 150 years.

The BOA study identified 13 sites that were “identified as possessing a history of known environmental contamination” and that were “classified as being highly relevant to the redevelopment of the Northwest Quadrant Revitalization Area”. Three (3) of these sites, Homer Street Redevelopment Site (i.e., 251 Homer Street), Bluebird Industrial Park 1, and Bluebird Industrial Park 3, surround the 229 Homer Street (see Figure 8).

The Site is also located within the approximate 125-acre ExxonMobil Legacy Site (EMLS). The EMLS operated as an oil refinery under several different names from approximately 1880 to 1950s. Initially, two separate refineries operated on the EMLS from 1882 until 1902. The two refineries merged to become Vacuum Oil, who then merged with the Standard Oil Company in 1934. These companies were predecessors of the ExxonMobil Oil Corporation.

¹ “Northwest Quadrant Revitalization Plan, DRAFT Nomination Study, NYSDOS Brownfield Opportunity Areas Program” prepared for the City of Olean by Bergmann Associates. 2013

ATTACHMENT 2
BCP Application Section II
Property Information
229 Homer Street

There were three (3) main areas of the refinery.

- Works #1 was the main research and administration area, and also contained the central power house and central shops building.
- Works #2 contained the bulk oil loading, treating and storage departments.
- Works #3 is where most of the refining took place.

The 229 Homer Street was located with the EMLS Works #3, where refining took place.

The following information was available from the New York State Department of Environmental Conservation (NYSDEC) Spills Incident Database. There were no records for the Site on the Environmental Site Remediation or Bulk Storage databases.

NYSDEC Spill

During an interim remedial measure (IRM) completed by TurnKey at the southern adjacent property, 251 Homer Street (NYSDEC BCP Site No. C9050037), abandoned refinery piping containing petroleum was identified and removed. The piping containing the petroleum was identified extending onto 229 Homer Street from 251 Homer Street. NYSDEC assigned Spill Number 1300860 to the 229 Homer Street and adjacent Southern Tier Rail Authority property, as petroleum impacts identified at 251 Homer Street associated with the refinery piping, likely exist at both 229 Homer Street and the Southern Tier Rail Authority property. The pipes from 251 Homer Street were drained, cut-off, and capped at the 229 Homer Street southern property boundary.

ATTACHMENT 2
BCP Application Section II
Property Information
229 Homer Street

A 2008 Phase I Environmental Site Assessment² conducted at the Site identified the following recognized environmental condition (REC):

- The Site was historically occupied by a large tank, used for oil storage by Socony Vacuum and/or Felmont Oil, and two tank berm areas. The Site was identified as part of the ExxonMobil Legacy Site Works #3 area. The tank and berm areas were removed by the 1970s. Potential historic releases may have impacted the soil and/or groundwater at the Site.

TurnKey Environmental Restoration, LLC (TurnKey) completed a Phase II Environmental Investigation in January 2015 to assess the subsurface conditions. The findings of the Phase II are as follows:

- The Site is located within the limits of the ExxonMobil Legacy Site (EMLS). The EMLS operated as an oil refinery under several different names from approximately 1880 to 1950s. The Site is located within the EMLS Works #3 area where oil refining historically took place.
- The Site historically contained ASTs and berm areas similar to the adjacent 251 Homer Street. Based on historic petroleum storage/refinery use of 229 Homer Street, which was once part of the greater refinery, it is likely that similar subsurface conditions exist at 229 Homer Street that were identified at 251 Homer Street.
- Elevated PID readings over 1,000 ppm and olfactory evidence of impacts (petroleum-like odors) were observed in five (5) of the twelve (12) test pits, with impacts apparent at depths ranging from 3 to 10 fbs.
- Abandoned refinery piping was observed at two (2) locations, TP-1 (southern portion of the Site) and TP-9 (northern portion of the Site). LNAPL was also observed on the groundwater in TP-9 at approximately 5 fbs.

² "Phase I Environmental Site Assessment, 229 Homer Street, Olean, New York" prepared for Benson Construction and Development, LLC by GZA GeoEnvironmental of New York. May 2008.

ATTACHMENT 2
BCP Application Section II
Property Information
229 Homer Street

- Acetone was detected at concentrations above its respective Part 375 Unrestricted SCO in four (4) of the seven (7) samples analyzed. Elevated VOC TICs were also identified in soil samples from TP-1 (23 ppm) and TP-6 (41 ppm).
- Based on the evidence of petroleum odors, elevated PID measurements, the presence abandon piping and LNAPL, as well as elevated VOC TICs identified, significant petroleum-impacts are evident. The environmental impacts can reasonably be attributed to the historical use of the Site as a petroleum refinery and petroleum bulk storage facility. Further Site investigation and remediation appears warranted as NYSDEC Spill No. 1300860 will need to be addressed.

QUESTIONS 6 AND 7

No easements were identified.

Based on review of the on-line NYSDEC Environmental Site Database and USEPA ECHO database, no permits were issued for the Site.



Property Description Report For: 229 Homer St, Municipality of City of Olean



| | |
|-----------------------------|---------------------|
| Status: | Active |
| Roll Section: | Taxable |
| Swis: | 041200 |
| Tax Map ID #: | 94.032-1-2.5 |
| Account #: | 026589 |
| Property Class: | 449 - Other Storage |
| Site: | COM 1 |
| In Ag. District: | No |
| Site Property Class: | 449 - Other Storage |
| Zoning Code: | - |
| Neighborhood Code: | 12701 |
| School District: | Olean |
| Total Assessment: | 2014 - \$101,500 |
| Legal Property Desc: | |
| Deed Page: | 1083 |
| Grid North: | 765211 |
| Total Acreage/Size: | 3.34 |
| Land Assessment: | 2014 - \$66,800 |
| Full Market Value: | 2014 - \$101,500 |
| Equalization Rate: | ---- |
| Deed Book: | 1007 |
| Grid East: | 1187188 |

Owners

Benson Construction & Dev.
LLC
221 Homer St
Olean NY 14760

Sales

| Sale Date | Price | Property Class | Sale Type | Prior Owner | Value Usable | Arms Length | Addl. Parcels | Deed Book and Page |
|-----------|----------|---------------------|-----------------|----------------|--------------|-------------|---------------|--------------------|
| 8/29/2001 | \$45,000 | 449 - Other Storage | Land & Building | Catt, Co I D A | No | No | No | 1007/1083 |

Utilities

| | | | |
|--------------------|-------------|----------------------|-------------|
| Sewer Type: | Comm/public | Water Supply: | Comm/public |
| Utilities: | Gas & elec | | |

Inventory

| | | | |
|--------------------------------|---------|------------------------------|------|
| Overall Eff Year Built: | 0 | Overall Condition: | Fair |
| Overall Grade: | Economy | Overall Desirability: | 2 |

Buildings

| AC% | Sprinkler% | Alarm% | Elevators | Basement Type | Year Built | Condition | Quality | Gross Floor Area (sqft) | Stories |
|-----|------------|--------|-----------|------------------|---------------|-----------|---------|----------------------------|---------|
| 0 | 0 | 0 | 0 | 0 | 1990 | Normal | Average | 3250 | 1.00 |

Site Uses

| Use | Rentable Area (sqft) | Total Units |
|--------------|----------------------|-------------|
| Mini-wrhouse | 3,600 | 10 |
| Truck termnl | 2,325 | 0 |

Improvements

| Structure | Size | Grade | Condition | Year |
|-----------|------|-------|-----------|------|
|-----------|------|-------|-----------|------|

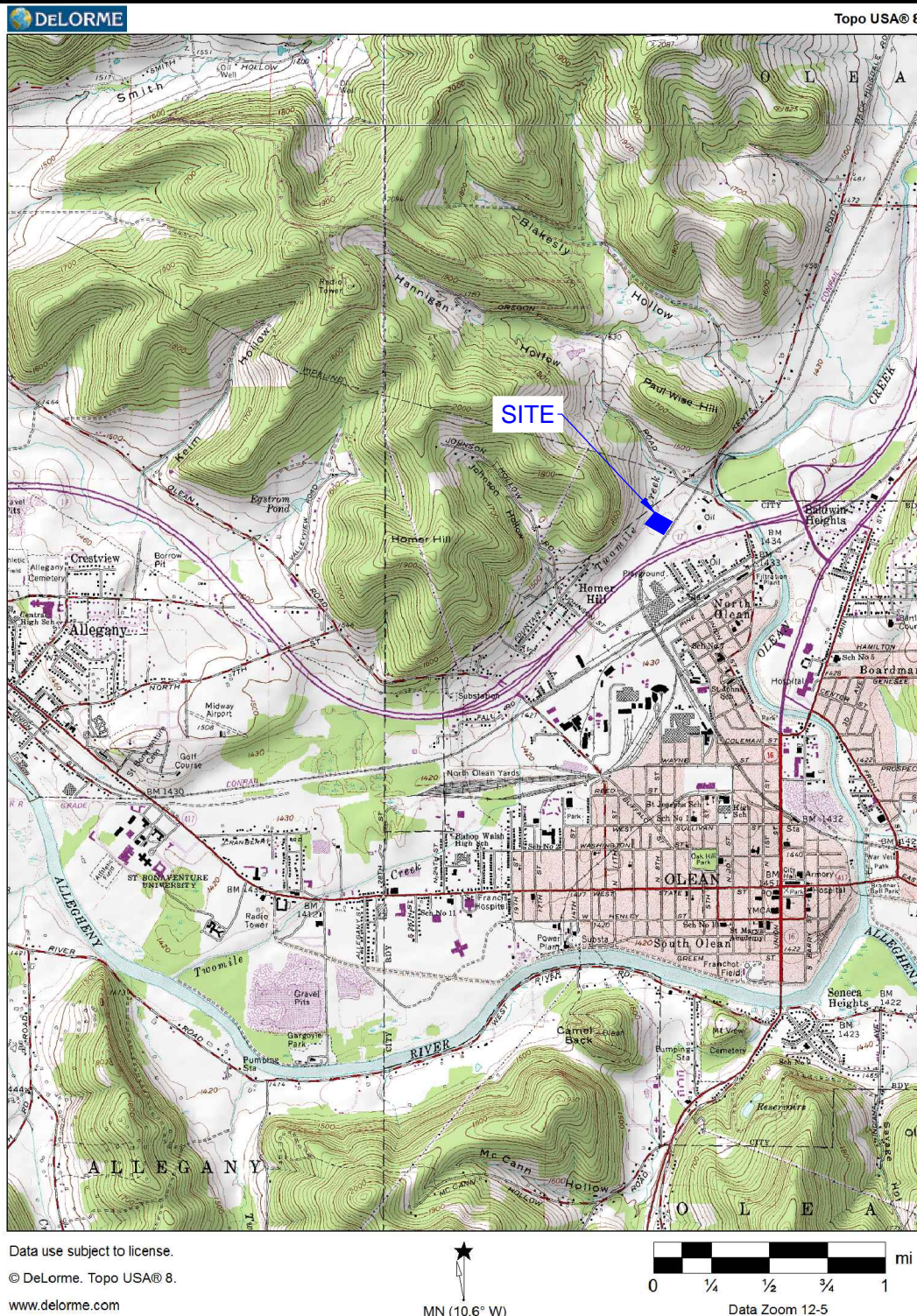
Land Types

| Type | Size |
|---------|---------------|
| Primary | 145,490 sq ft |

Special Districts for 2014

| Description | Units | Percent | Type | Value |
|-------------------|-------|---------|------|-------|
| RE120-City Relevy | 0 | 0% | T | 0 |

FIGURE 1



2558 HAMBURG TURNPIKE
SUITE 300
BUFFALO, NY 14218
(716) 856-0635

PROJECT NO.: 0225-015-001

DATE: JANUARY 2015

DRAFTED BY: BLR

SITE LOCATION AND VICINITY MAP

BROWNFIELD CLEANUP PROGRAM APPLICATION

229 HOMER STREET

OLEAN, NEW YORK

PREPARED FOR

BENSON CONSTRUCTION AND DEVELOPMENT, LLC

DISCLAIMER:

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DATE: JANUARY 2015
DRAFTED BY: BLR

F:\CAD\TurnKey\Benson\229 Homer Street\BCP\Figure 2: Site Plan (aerial).dwg



SITE PLAN (AERIAL)

BROWNFIELD CLEANUP PROGRAM APPLICATION

229 HOMER STREET

OLEAN, NEW YORK

PREPARED FOR

BENSON CONSTRUCTION AND DEVELOPMENT, LLC

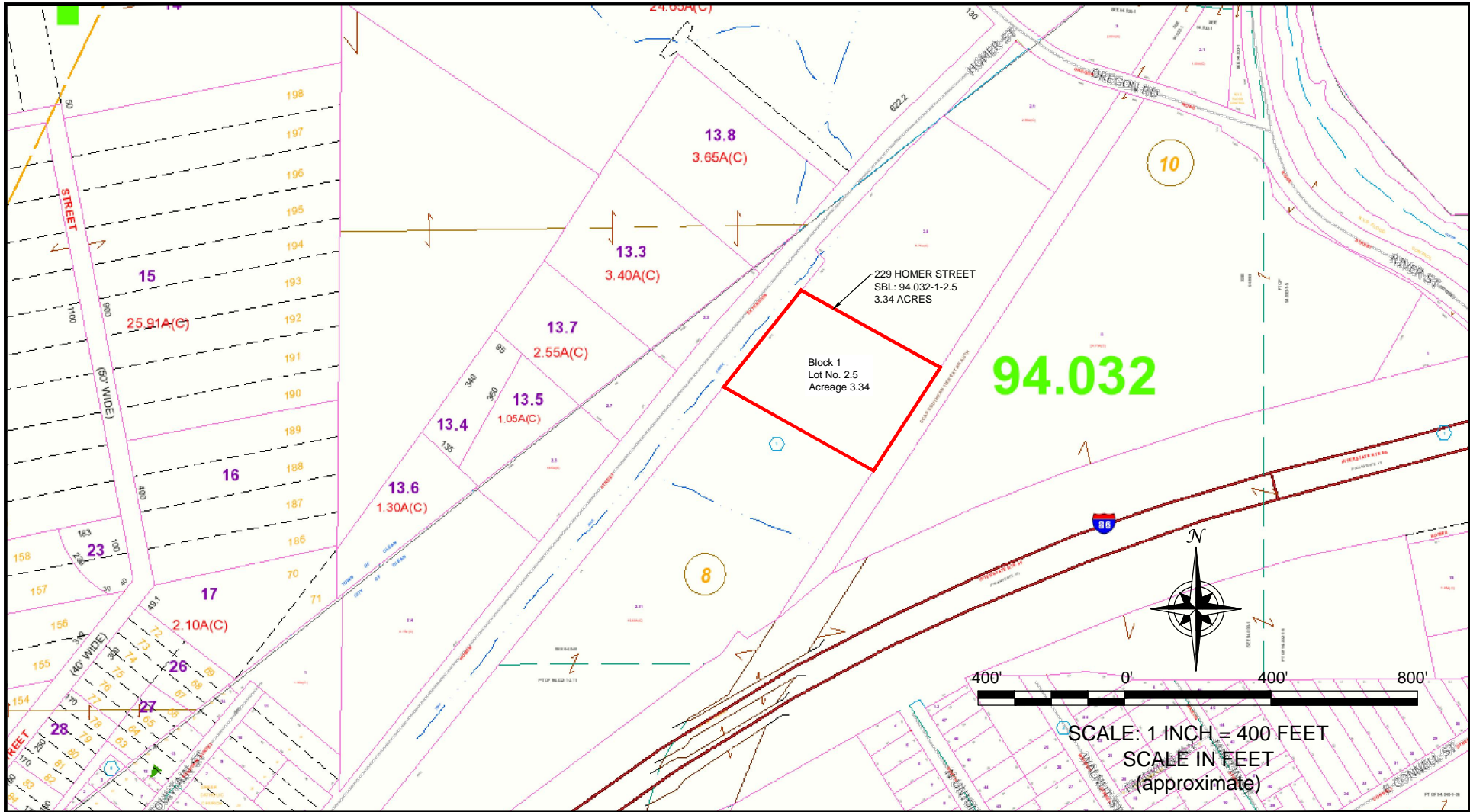


2558 HAMBURG TURNPIKE
SUITE 300
BUFFALO, NY 14218
(716) 856-0635

JOB NO.: 0225-015-001

FIGURE 2

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2558 HAMBURG TURNPIKE
SUITE 300
BUFFALO, NY 14218
(716) 856-0835

PROJECT NO.: 0225-015-001

DATE: JANUARY 2015

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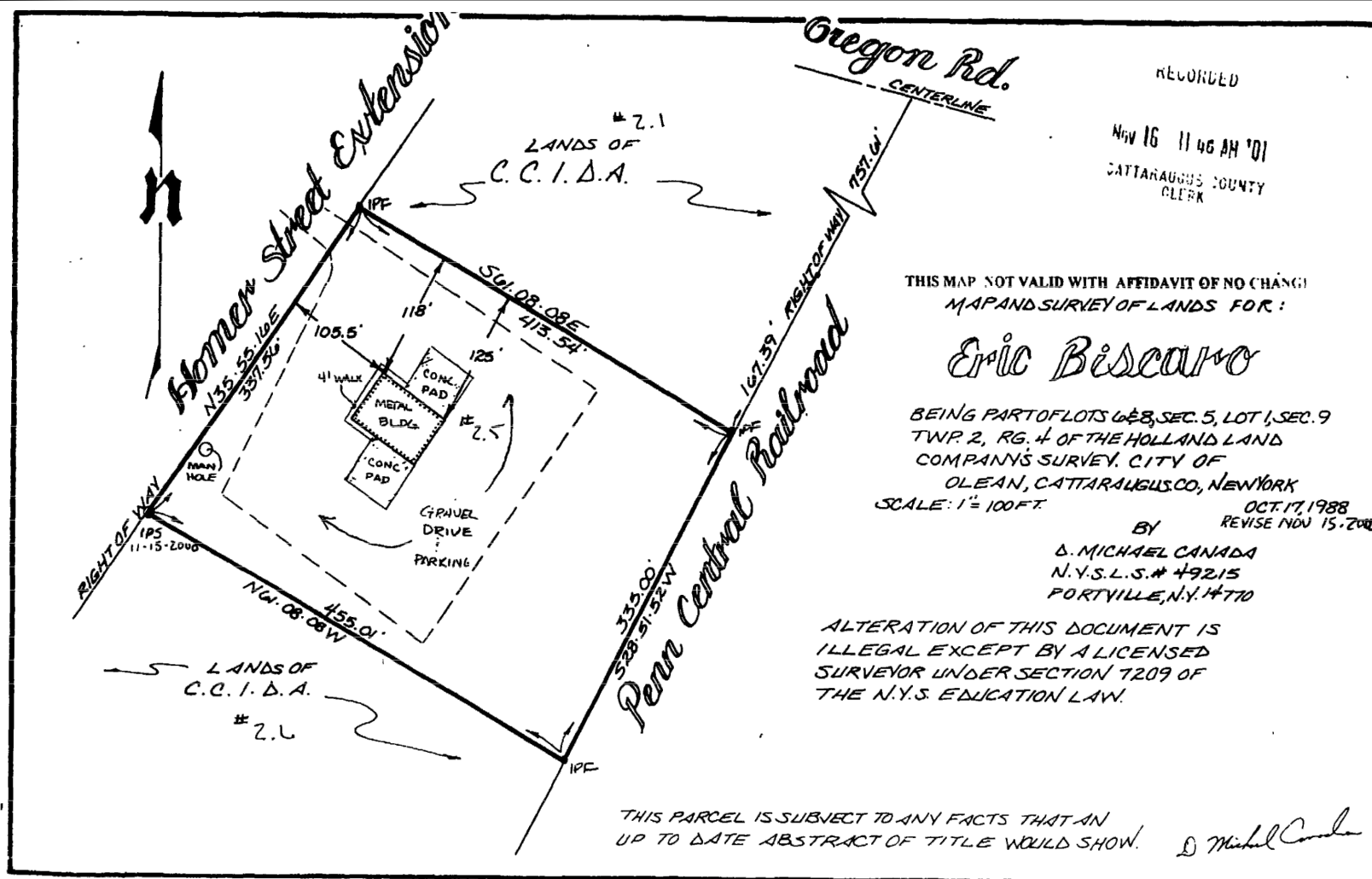
TAX MAP

BROWNFIELD CLEANUP PROGRAM APPLICATION
229 HOMER STREET

OLEAN, NEW YORK
PREPARED FOR
BENSON CONSTRUCTION AND DEVELOPMENT, LLC

FIGURE 3

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2556 HAMBURG TURNPIKE
SUITE 300
BUFFALO, NY 14218
(716) 856-0835

PROJECT NO.: 0225-015-001

DATE: JANUARY 2015

DRAFTED BY: BLR

SURVEY

BROWNFIELD CLEANUP PROGRAM APPLICATION

229 HOMER STREET

OLEAN, NEW YORK

PREPARED FOR

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FIGURE 4

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DATE: JANUARY 2015
DRAFTED BY: BLR



PROPERTY BASEMAP (1,000' SETBACK)

BROWNFIELD CLEANUP PROGRAM APPLICATION

229 HOMER STREET

OLEAN, NEW YORK

PREPARED FOR

BENSON CONSTRUCTION AND DEVELOPMENT, LLC



2558 HAMBURG TURNPIKE
SUITE 300
BUFFALO, NY 14218
(716) 856-0635

JOB NO.: 0225-015-001

FIGURE 5

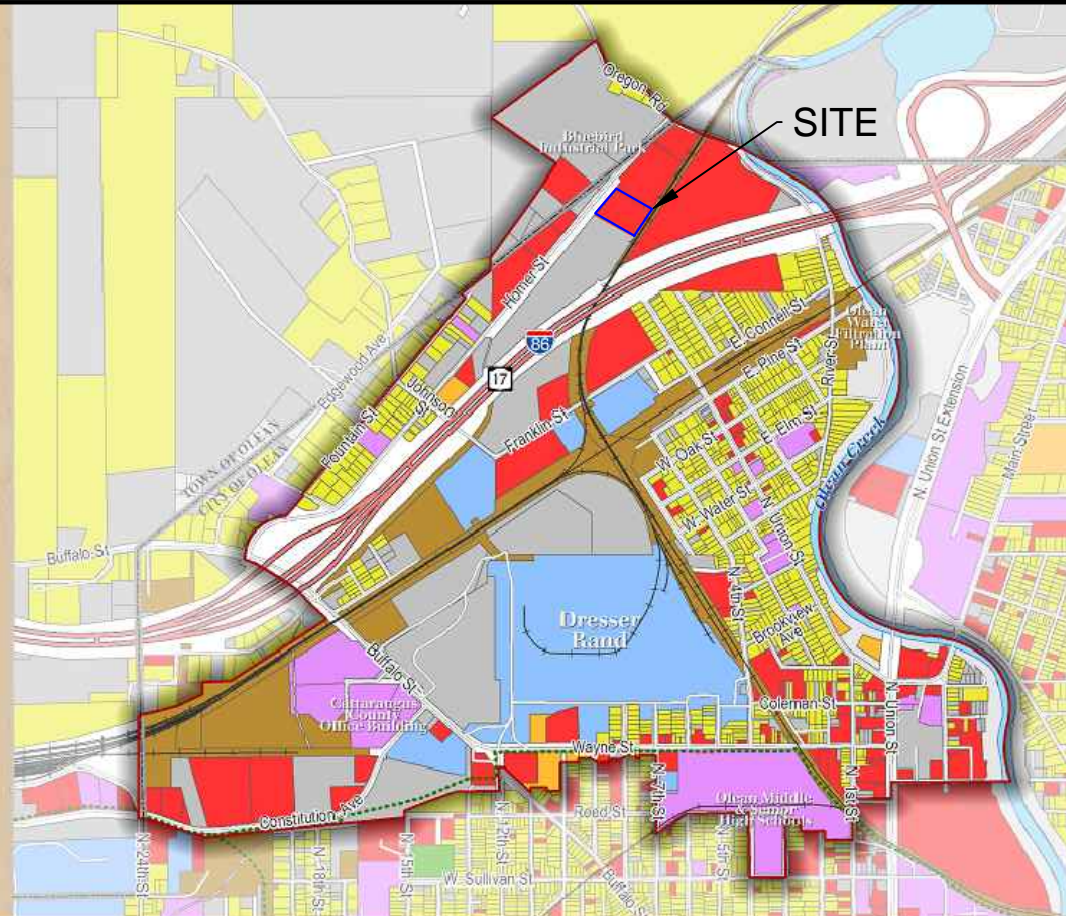
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Nw Quadrant REVITALIZATION PLAN

LEGEND

-  BOA Boundary
-  Allegheny River Valley Trail
- Existing Land Use
 -  No Data
 -  Agriculture
 -  Residential
 -  Vacant
 -  Commercial
 -  Recreation & Entertainment
 -  Community Services
 -  Industrial
 -  Public Services
 -  Parks & Conservation

0 255 510 1,020 Feet



Map 3: Existing Land Use

This effort was made possible with the guidance and financial assistance provided by the New York State Department of State Brownfield Opportunity Program.



**2558 HAMBURG TURNPIKE
SUITE 300
BUFFALO, NY 14218
(716) 858-0835**

PROJECT NO.: 0225-015-001

DATE: JANUARY 2015

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NEARBY LAND USE/ZONING MAP

BROWNFIELD CLEANUP PROGRAM APPLICATION

229 HOMER STREET

OLEAN, NEW YORK

PREPARED FOR

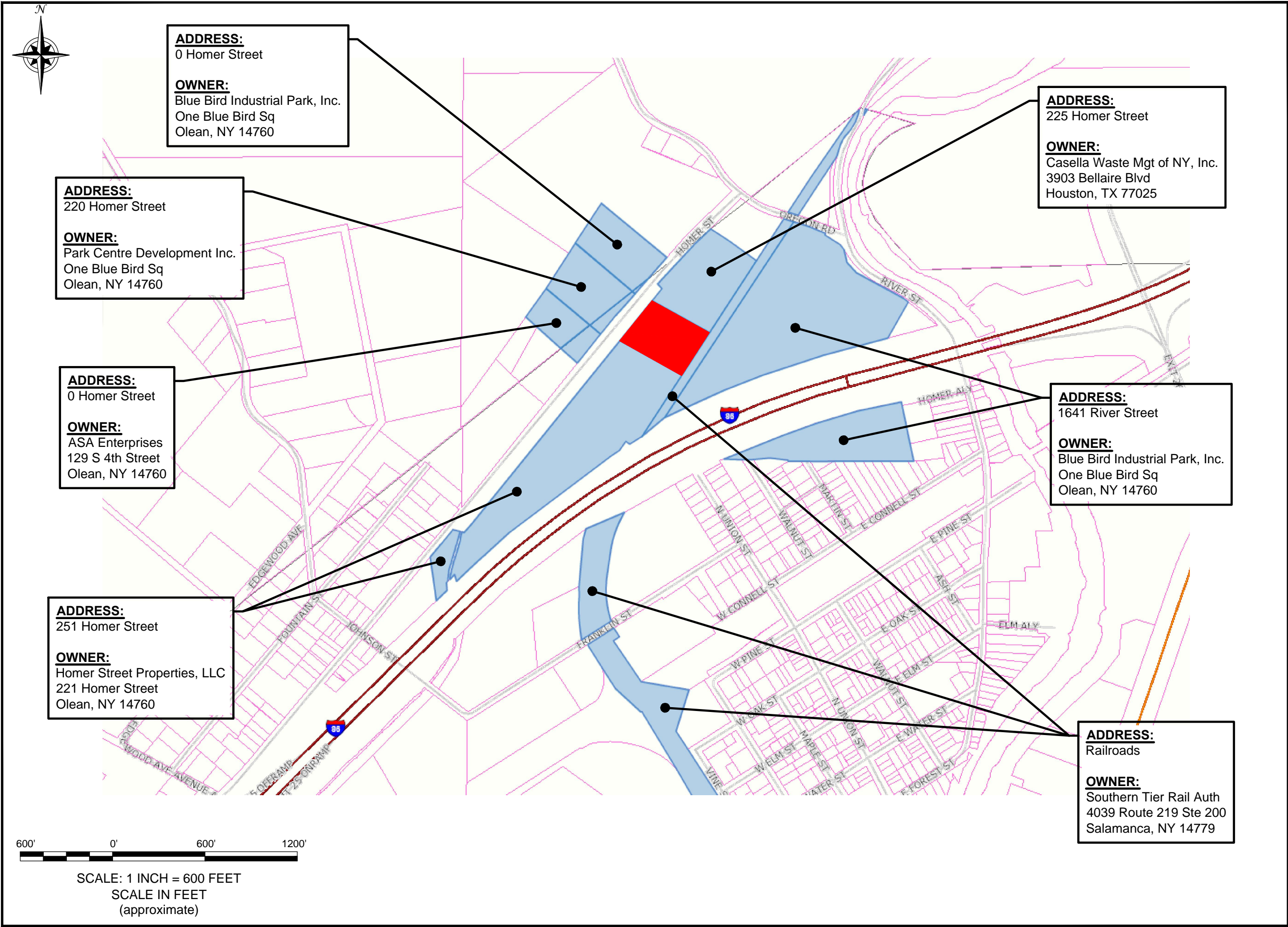
BENSON CONSTRUCTION AND DEVELOPMENT, LLC

FIGURE 6

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DATE: JANUARY 2015
DRAFTED BY: BLR



ADJACENT PROPERTY OWNERS

BROWNFIELD CLEANUP PROGRAM APPLICATION

229 HOMER STREET

OLEAN, NEW YORK

PREPARED FOR

BENSON CONSTRUCTION AND DEVELOPMENT, LLC





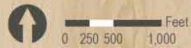
JOB NO.: 0225-015-001

FIGURE 7

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LEGEND

-  Current BOA Boundary
-  Pre-Nomination Study Area



City of Olean
Linda L. Witte, Mayor
101 East State Street
Olean, NY 14760

Map 1: Project Boundary

This effort was made possible with the guidance and financial assistance provided by the New York State Department of State Brownfield Opportunity Program.



**2558 HAMBURG TURNPIKE
SUITE 300
BUFFALO, NY 14218
(716) 858-0835**

PROJECT NO.: 0225-015-001

DATE: JANUARY 2015

DRAFTED BY: BLR

CITY OF OLEAN BOA LIMITS

BROWNFIELD CLEANUP PROGRAM APPLICATION

229 HOMER STREET

OLEAN, NEW YORK

PREPARED FOR

BENSON CONSTRUCTION AND DEVELOPMENT, LLC

FIGURE 8

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Spill Incidents Database Search Details

Spill Record

Administrative Information

DEC Region: 9

Spill Number: 1300860

Spill Date/Time

Spill Date: 02/26/2013 **Spill Time:** 12:00:00 AM

Call Received Date: 02/26/2013 **Call Received Time:** 12:00:00 AM

Location

Spill Name: OFFSITE HOMER STREET BCP SITE

Address: 229 HOMER STREET

City: OLEAN **County:** CATTARAUGUS

Spill Description

Material Spilled Amount Spilled Resource Affected

Crude Oil Fractions UNKNOWN Unknown

Cause: Other

Source: Major Facility (MOSF) > 400,000 gal

Waterbody:

Record Close

Date Spill Closed: Not closed

If you have questions about this reported incident, please contact the [Regional Office](#) where the incident occurred.

Refine This Search

ATTACHMENT 3

BCP Application – Section V & VI

PROJECT DESCRIPTION AND PROPERTY ELIGIBILITY INFORMATION

PROJECT DESCRIPTION & ELIGIBILITY STATEMENT
FIGURE 9; ESTIMATED PROJECT SCHEDULE

ATTACHMENT 3
BCP Application - Sections V and VI
Project Description and BCP Eligibility Statement
229 Homer Street

PROJECT DESCRIPTION

The 229 Homer Street is currently improved with an approximate 5,575 square foot building utilized by Benson as their office, warehouse, construction equipment and supplies storage yard. The proposed redevelopment plan for the Site will involve the expansion of the office space within the current Site building on the northwest (~1,200 square feet) and expansion of the warehouse portion of the current Site building on southeast (~4,000 square feet), almost doubling the size of the building (see Figure 2 for location of proposed expansion).

The proposed expansion project will cleanup an environmentally-impaired Site in a historically industrial area within the City of Olean (portion of ExxonMobil Legacy Site). The expansion project will increase the capacity of an existing development and construction business with a long history in the area. The project will create construction jobs during building expansion and permanent positions associated with company growth.

The Applicant currently owns the Site, and upon acceptance into the BCP, is willing to complete the required Remedial Investigation and Remediation Action, construct an addition to the facility and continue to utilize the Site as an office, warehouse and construction yard. The Applicant would like to clean up the contamination present to remove the liability associated with owning and operating a contaminated property. The preliminary estimated capital investment is approximately \$1,000,000 to \$2,000,000 to investigate, remediate the Site, and redevelop/expand the building. This Project will result in the remediation and expansion of a historic industrial contaminated property located within the City of Olean Brownfield Opportunity Area (BOA). An estimated Project Schedule is presented on Figure 9.

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, where a contaminant is present at levels exceeding

ATTACHMENT 3
BCP Application - Sections V and VI
Project Description and BCP Eligibility Statement
229 Homer Street

soil cleanup objectives or other health-based or environmental standards, criteria or guidance adopted by the department that are applicable based on the reasonably anticipated use of the property in accordance with applicable regulations”. The regulations in 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,

ATTACHMENT 3
BCP Application - Sections V and VI
Project Description and BCP Eligibility Statement
229 Homer Street

(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.

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

- A. The Site is currently located within the City of Olean BOA and within the EMLS in an area of the Site where oil refining took place dating back to the 1880s. Historic owners of the Site include Vacuum Oil, Standard Oil Company (predecessors to ExxonMobil Corporation) has resulted in environmental contamination.
- B. NYSDEC assigned Spill Number 1300860 to the Site because refinery piping containing petroleum was observed at the 229 Homer Street property boundary shared with the adjacent 251 Homer Street BCP Site, currently being remediated. The piping was drained, cut-off and capped at the southern property boundary of 229 Homer Street.
- C. Previous investigations have established that on-site soils have been impacted by contaminants that will require remediation.
- D. Abandoned refinery piping, contaminated soils (as evidenced by elevated PID readings) and LNAPL have been identified at the Site during Phase II work, which are associated with the historic use and operations at the site. These issues are complicating redevelopment of the Site and will require remediation.
- E. The Site has not previously been subject to cleanup activities by or under the oversight of State or Federal agencies.

The Complication Element

The Department considers the following factors with respect to the Complication 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 3
BCP Application - Sections V and VI
Project Description and BCP Eligibility Statement
229 Homer Street

- (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, reuse or sale due to the presence of contamination. This factor is clearly established by the following:

- (A) The Site is currently unattractive for future redevelopment or sale due to the actual presence of contamination and the reasonable perception that there is contamination present on the Site related to the historic operations that will require remediation.
- (B) The Site is located within an area of the BOA identified as “identified as possessing a history of known environmental contamination” and that were “classified as being highly relevant to the redevelopment of the Northwest Quadrant Revitalization Area”. Because the Site is located in this designated distressed area, it is eligible for certain local, state, and federal financial incentives, further indicating that the Site is unattractive for redevelopment particularly outside of the context of the BCP.
- (C) 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 100% or more of the value of the 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 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

ATTACHMENT 3
BCP Application - Sections V and VI
Project Description and BCP Eligibility Statement
229 Homer Street

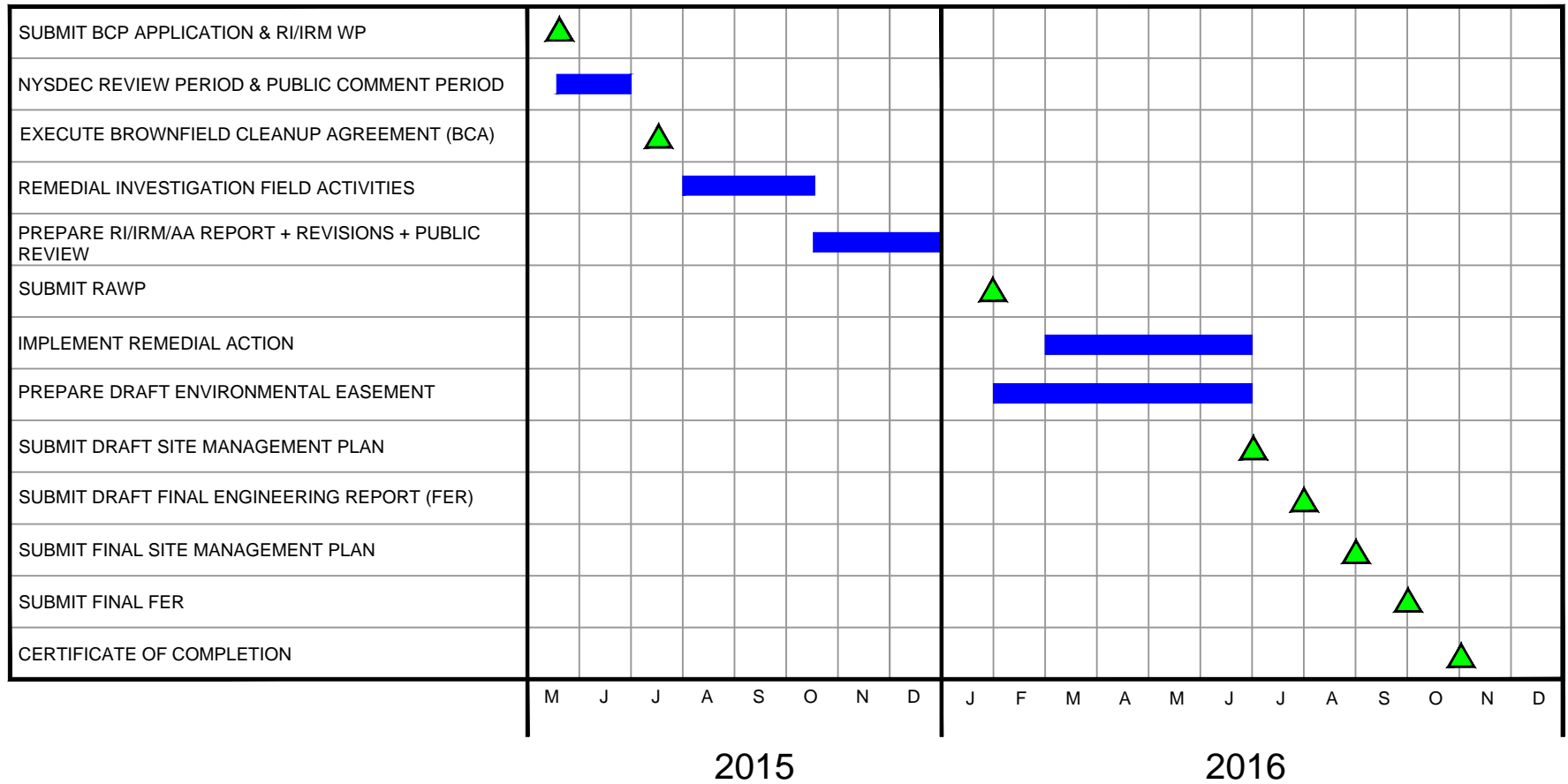
verbatim at 6 NYCRR 375-3.2(b)(1) and is paraphrased in the Brownfield Cleanup Program Guide at Section 2.4(1)(A).

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 became involved with the property after the disposal or discharge of contaminants, and has exercised 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 this 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 at the Site, and (B) the contamination is complicating the redevelopment and re-use of the Site.

PROJECT TASKS:



2558 HAMBURG TURNPIKE
SUITE 300
BUFFALO, NY 14218
(716) 856-0835

PROJECT NO.: 0225-015-001

DATE: MAY 2015

DRAFTED BY: RFL

PROJECT SCHEDULE

BROWNFIELD CLEANUP PROGRAM APPLICATION
229 HOMER STREET
OLEAN, NEW YORK
PREPARED FOR
BENSON CONSTRUCTION AND DEVELOPMENT, LLC

FIGURE 9

DISCLAIMER:
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ATTACHMENT 4

BCP Application – Section VII

PROPERTY ENVIRONMENTAL HISTORY

PREVIOUS ENVIRONMENTAL REPORTS SUMMARY

PAST LAND USES

LIST OF PREVIOUS PROPERTY OWNERS AND OPERATORS

COPY OF PREVIOUS ENVIRONMENTAL REPORTS (CD ENCLOSED)

ATTACHMENT 4
BCP Application Section VII
Previous Environmental Investigations
229 Homer Street

A summary of the previous environmental findings completed for the Site is presented below.

Phase I Environmental Site Assessment – 229 Homer Street, Olean, New York

GZA GeoEnvironmental of New York (GZA) completed a Phase I ESA at the Site in May 2008. The finding from that report are summarized below.

- The Site is located at 229 Homer Street in Olean, New York, identified as SBL number 94.032-1-2.5, consisting of approximately 3.34 acres. The Site is currently occupied by one building, used as an office and storage/warehouse building containing a wash bay area. The remaining area is used as a gravel parking lot for automobiles, trucks and construction vehicles, and is also occupied by seven small portable shelters.
- The Site and surrounding areas were originally developed in the late 1890s to early 1900s for the oil industry and used as a petroleum storage tank farm. One large tank and two berm areas were located within the Site limits. The Site appears to be part of the Exxon Mobile Legacy Site (EMLS) Works #3 area, identified as Socony Vacuum and Felmont Oil. In 1962, Felmont Oil removed numerous structures on and off the site, including the tanks. Since that time, the Site was vacant land until building construction in approximately 1989 for Yellow Freight Systems, who occupied the Site until 1997. Meadow Brook Dairy Company occupied the Site in 2003 for a warehouse area.
- The Site and surrounding areas were used for oil storage in large aboveground tanks, as was apparent in the 1930, 1938, 1955 and 1960 aerial photographs.
- Socony Vacuum Oil Co. refinery was located on a 115-acre area in North Olean. Socony made the various oil products in Olean. Nearly 500 oil tanks dotted the sprawling facility. There was a large plant, wax plant, storehouse and power house.

ATTACHMENT 4
BCP Application Section VII
Previous Environmental Investigations
229 Homer Street

- Typical maintenance supplies were stored in flammable storage cabinet and within the various work areas of facility. These chemicals appeared to be neatly stored with no areas of staining observed.
- One 55-gallon drum of waste oil was observed within the storage warehouse. Mr. Benson indicated the waste oil is from minor maintenance of machines and equipment done in-house, and that less than one 55-gallon drum is generated per year. Mr. Benson stated the waste oil is given to a local facility which burns the waste oil for fuel.
- One floor drain was observed within the wash bay area of the warehouse. Mr. Benson indicated that the drain is connected to the municipal sanitary sewer system.

The Phase I ESA identified the following Recognized Environmental Conditions in connection with the property.

- The Site was historically occupied by a large tank, used for oil storage by Socony Vacuum and/or Felmont Oil, and two tank berm areas. The Site was identified as part of the EMLS Works #3 area. The tank and berm areas were removed by the 1970s. Potential historic releases may have impacted the soil and/or groundwater at the Site.

NYSDEC Spill No. 1300860

NYSDEC Spill Number 1300860 was assigned to the Site and adjacent Southern Tier Rail Authority property for petroleum contained within and potentially spilled from abandoned dilapidated refinery piping. The piping may be associated with the former refinery that was located in this area of the City of Olean. Petroleum contained within piping was identified during interim remedial measure (IRM) activities at 251 Homer

ATTACHMENT 4
BCP Application Section VII
Previous Environmental Investigations
229 Homer Street

Street (BCP Site C905037), adjacent and to the south of the Site. The piping was cut off at the southern property boundary between the Site and 251 Homer Street indicating that the piping extends on to the Site in similar condition.

Phase II Environmental Investigation – 229 Homer Street, Olean, New York

TurnKey completed a Phase II Environmental Investigation in January 2015 to assess the subsurface conditions. The findings of the Phase II are as follows.

- The Site is located within the limits of the Exxon/Mobil Legacy Site (EMLS). The EMLS operated as an oil refinery under several different names from approximately 1880 to 1950s. The Site is located within the EMLS Works #3 area.
- The Site historically contained ASTs and berm areas similar to the adjacent 251 Homer Street. Based on historic petroleum storage/refinery use of 229 Homer Street, which was once part of the greater refinery, it is likely that similar subsurface conditions exist at 229 Homer Street that were identified at 251 Homer Street.
- Elevated PID readings over 1,000 ppm and olfactory evidence of impacts (petroleum-like odors) were observed in five (5) of the twelve (12) test pits, with impacts apparent at depths ranging from 3 to 10 fbgs.
- Abandoned refinery piping was observed at two (2) locations, TP-1 (southern portion of the Site) and TP-9 (eastern portion of the Site). LNAPL was also observed on the groundwater in TP-9 at approximately 5 fbgs.
- Acetone was detected at concentrations above its respective Part 375 Unrestricted SCO in four (4) of the seven (7) samples analyzed. Elevated VOC TICs were also identified in soil samples from TP-1 (23 ppm) and TP-6 (41 ppm).
- Based on the evidence of petroleum odors, elevated PID measurements, the presence abandon piping and LNAPL, as well as elevated VOC TICs identified,

ATTACHMENT 4
BCP Application Section VII
Previous Environmental Investigations
229 Homer Street

significant petroleum-impacts are evident. The environmental impacts can reasonably be attributed to the historical use of the Site as a petroleum bulk storage facility. Further Site investigation and remediation appears warranted as NYSDEC Spill No. 1300860 will need to be addressed.

The Phase II Environmental Investigation Report is attached.

City of Olean Brownfield Opportunity Area, Olean, New York

The Site is located within the limits of the City of Olean Brownfield Opportunity Area (BOA), as identified in the Northwest Quadrant Revitalization Plan (see Figure 8). The BOA encompasses an area that was historically utilized for industrial purposes for over 150 years.

The Site is located within the 125-acre ExxonMobil Legacy Site (EMLS). The EMLS operated as an oil refinery under several different names from approximately 1880 to 1950s. Initially, two separate refineries operated on the EMLS from 1882 until 1902. The two refineries merged to become Vacuum Oil, who then merged with the Standard Oil Company in 1934. These companies were predecessors of the ExxonMobil Oil Corporation.

There were three (3) main areas of the refinery.

- Works #1 was the main research and administration area, and also contained the central power house and central shops building.
- Works #2 contained the bulk oil loading, treating and storage departments.
- Works #3 is where most of the refining took place.

The 229 Homer Street is located within the EMLS Works #3 area.

ATTACHMENT 4
BCP Application Section VI
Listing of Current and Previous Property Owners and Operators
229 Homer Street

INTRODUCTION

Reasonable attempts were made to obtain complete previous site owner contact information. The following table lists the current and previous property owners/operators:

| Parcel Address | Date(s) | Relationship to Applicant |
|---|------------------------------|----------------------------------|
| 229 Homer Street | | |
| Current Owner/Operator | | |
| Benson Construction and Development, LLC 221 Homer Street Olean, New York 14304 (716) 372-1893 | 2001- present | Applicant |
| Previous Owner/Operator | | |
| OWNER Cattaraugus County IDA 3 Washington Street Ellicottville, New York, NY 14731 (716) 699-2005 | Approximately 1979 - 2001 | None |
| OPERATOR Meadow Brook Dairy Co. 1620 Grand Central Avenue Elmira, New York 14903 (607) 734-6741 | 2003 | None |
| OPERATOR Yellow Freight System P.O. Box 7270 Shawnee Mission, Kansas 66207-0270 (913) 344-3000 | 1989 - 1997 | None |
| OWNER/OPERATORS ExxonMobil Oil Corporation 38 Varick Street Brooklyn, New York 11222 Attn: Daniel Grapski (347)537-8355 | See Entry Below | None |
| OWNER/OPERATORS (Multiple) Felmont Oil Corporation Socony Vacuum Oil Co Standard Oil | 1880s – 1973 | None |

ATTACHMENT 5

BCP Application – Section VIII

BROWNFIELD SITE CONTACT LIST

BROWNFIELDS SITE CONTACT LIST
ADJACENT PROPERTY OWNERS LIST

ATTACHMENT 5
BCP Application Section VIII
Contact List Information
229 Homer Street

Cattaraugus County Contacts:

John R. Searles
County Administrator
1 Leo Moss Drive, Suite 0123
Olean 14760

John Padlo
Cattaraugus County Legislator District 10
438 Fountain Street
Olean, NY 14760

James Snyder
Cattaraugus County Legislator District 10
PO Box 1
Olean, NY 14760

Linda M. Edstrom
Cattaraugus County Legislator District 10
408 Laurens Street
Olean, NY 14706

Steven Teachman
Cattaraugus County Legislator District 10
1426 Thorn Street
Olean, NY 14760

Matthew Keller
Cattaraugus County Legislator District 10
433 York Street
Olean, NY 14760

Catherine L. Peters, Assistant
Cattaraugus County Off. of Emergency Svcs.
303 Court Street
Little Valley, NY 14755

Kevin D. Watkins, Director
Cattaraugus County Health Department
1 Leo Moss Drive, Suite 4010
Olean, NY 14760

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

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

ATTACHMENT 5
BCP Application Section VIII
Contact List Information
229 Homer Street

City of Olean Contacts:

Mayor William J. Aiello
City of Olean Municipal Bldg.
101 East State Street
Olean, NY 14760

Tom Windus, Director of Public Works
Olean Municipal Bldg.
101 East State Street
Olean, NY 14760

Jeff Rowley, 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
Olean, NY 14760

Ann McLaughlin, Chairperson
City of Olean Planning Board
101 East State Street
Olean, NY 14760

Supplier of Potable Water:

Mark Whiteman, Water Superintendent
City of Olean Water Division
Water Filtration Plant
1332 River 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

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

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

ATTACHMENT 5
BCP Application Section VIII
Contact List Information
229 Homer Street

Document Repository:

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

Nearby Schools:

New Life Christian School
102 W. Forest Avenue
Olean, NY 14760

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

Mr. Joel Whitcher, Principal
Olean Intermediate 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 5
BCP Application Section VIII
Contact List Information
229 Homer Street

| Adjacent Property Address | | | Property Owner Mailing Address |
|---------------------------|--------------|-------------------|---|
| No. | Street | Property Use | |
| 0 | Homer Street | Vacant Industrial | Blue Bird Industrial Park, Inc. One Blue Bird Square Olean, NY 14760 |
| 0 | Homer Street | Vacant Industrial | Current Occupant 0 Homer Street Olean, NY 14760 |
| 0 | Homer Street | Vacant Industrial | ASA Enterprise 129 S. 4th Street Olean, NY 14760 |
| 0 | Homer Street | Vacant Industrial | Current Occupant 0 Homer Street Olean, NY 14760 |
| 220 | Homer Street | Commercial | Park Centre Development, Inc. One Blue Bird Square Olean, NY 14760 |
| 220 | Homer Street | Commercial | Current Occupant 220 Homer Street Olean, NY 14760 |
| 225 | Homer Street | Commercial | Casella Waste Management of NY, Inc. 3903 Bellaire Blvd. Houston, TX 77025 |
| 251 | Homer Street | Vacant Industrial | Homer Street Properties, LLC 221 Homer Street Olean, NY 14760 |
| 251 | Homer Street | Vacant Industrial | Current Occupant 251 Homer Street Olean, NY 14760 |
| 1641 | River Street | Commercial | Blue Bird Industrial Park, Inc. One Blue Bird Square Olean, NY 14760 |
| 1641 | River Street | Commercial | Current Occupant 1641 River Street Olean, NY 14760 |
| | Railroads | Commercial | Southern Tier Rail Authority 4039 Route 219 Ste 200 Salamanca, NY 14779 |

ATTACHMENT 6

BCP Application – Section VIII

DOCUMENT REPOSITORY

DOCUMENT REPOSITORY CONFIRMATION LETTER



January 12, 2015

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

Re: Document Repository for Brownfield Cleanup Program
229 Homer Street Site
Olean, New York

Dear Mr. Chaffee:

Per our discussion, thank you for agreeing to allow the Olean Public Library to act 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 if you have questions or require additional information.

Sincerely,
TurnKey Environmental Restoration, LLC

A handwritten signature in blue ink, appearing to read "Chris Boron".

Christopher Boron
Sr. Project Manager

c: File: 0225-015-001

Chris Z. Boron

From: Lance Chaffee <lchaffee@oleanlibrary.org>
Sent: Friday, January 16, 2015 9:36 AM
To: Chris Z. Boron
Subject: Document Repository for Brownfield Cleanup Sites

Chris,

Based on our phone conversation and the letters you have sent to me the Olean Public Library is willing to act as a document repository for the Brownfield Cleanup Programs at the 229 Homer Street Site and the Oregon Road Site.

Lance

Lance Chaffee, Director
Olean Public Library
134 N 2nd St
Olean NY 14760
716.372.0200 (p)
716.372.8651 (f)

ATTACHMENT 7

BCP Application – Section IX

LAND USE FACTORS

ADJACENT LAND USES AND DEVELOPMENT PATTERNS

NEARBY LAND USE/ ZONING

CITY OF OLEAN BROWNFIELD OPPORTUNITY AREA

FIGURE 10; CULTURAL RESOURCES

FIGURE 11; NATURAL RESOURCE MAP

FIGURE 12; WETLAND & FLOODPLAIN MAP

GROUNDWATER VULNERABILITY ASSESSMENT

SITE GEOGRAPHY/ GEOLOGY

FIGURE 13; SOIL MAP

ATTACHMENT 7
BCP Application - Section IX
Land Use Factors
229 Homer Street

LAND USE FACTORS

INTRODUCTION

The following provides a brief summary of the Site:

- The Site is located within a mixed use commercial and residential area of the City of Olean, Cattaraugus County, New York (see Figure 6).
- The Site is used and zoned for commercial purposes. It is improved with one single-story building on the Site which is used by Benson as their office and construction yard (see Figure 2).
- The Site is located within the City of Olean BOA (see Figure 8).
- In accordance with §27-1415(3)(p), there are no environmental justice concerns associated with the project.
- There are no State or Federal designations related to the property.
- The Site has access to municipal utilities including: natural-gas, municipal sewer, electric and public water.
- There are no known Institutional Controls (ICs) for the Site.

ADJACENT LAND USE

The Site is a single parcel (SBL # 94.032-1-2.5) totaling an approximate 3.34-acres in a mixed use commercial and residential area of the City of Olean, Cattaraugus County, New York (see Figures 1 and 2). The Site is immediately surrounded by commercial or vacant properties and residential properties further to the north, west and south.

The Site is bound by Homer Street to the northwest, a Casella Waste Management of New York transfer station to the northeast, Southern Tier Rail Authority rail lines to the southeast, and 251 Homer Street (a vacant parcel currently being remediated under the New York State Department of Environmental Conservation (NYSDEC) Brownfield Cleanup

ATTACHMENT 7
BCP Application - Section IX
Land Use Factors
229 Homer Street

Program (BCP) to the southwest. A land use map for the Site and surrounding area is provided as Figure 6. Adjacent property owners are shown on Figure 7.

CITY OF OLEAN BROWNFIELD OPPORTUNITY AREA

The Site is located within the limits of the City of Olean Brownfield Opportunity Area (BOA) as identified in the Northwest Quadrant Revitalization Plan (see Figure 8). The BOA includes approximately 904 acres, of which 186 acres are considered brownfields. The BOA encompasses an area that was historically utilized for industrial purposes for over 150 years.

The BOA study identified 13 sites that were “identified as possessing a history of known environmental contamination” and that were “classified as being highly relevant to the redevelopment of the Northwest Quadrant Revitalization Area”. Three (3) of these sites, Homer Street Redevelopment Site, Bluebird Industrial Park 1, and Bluebird Industrial Park 3 that surround the 229 Homer Street (see Figure 8).

The Site is also located within the 125-acre ExxonMobil Legacy Site (EMLS). The EMLS operated as an oil refinery under several different names from approximately 1880 to 1950s. Initially, two separate refineries operated on the EMLS from 1882 until 1902. The two refineries merged to become Vacuum Oil, who then merged with the Standard Oil Company in 1934. These companies were predecessors of the ExxonMobil Oil Corporation.

NATURAL AND CULTURAL RESOURCES

- Per New York States Historical Preservation Office, no National Register or cultural resources listed historical sites are located within 0.5 miles of the subject Site (see Figure 10). The Site is located in an area identified as archaeologically sensitive and a Phase I cultural resource investigation being conducted for the City of Olean Waste Water Treatment Plan replacement approximately 0.5 mile to the east of the Site.

ATTACHMENT 7
BCP Application - Section IX
Land Use Factors
229 Homer Street

- According to the NYSDEC's Environmental Resource Mapper (ERM) there are rare animals and/or rare plants within the vicinity of the Site (see Figure 11). However, information on the specific rare animals and/or rare plants was not available (see copy of results from NYSDEC website included in Attachment 7).
- There are no State or Federal wetlands located on the Site. There is a Zone A flood plain in the northern portion of the Site associated with Two Mile Creek (see Figures 11 and 12). Two Mile Creek discharges to the Allegheny River. Olean Creek is located approximately 1,250-feet to the east of the Site and the Allegheny River is located approximately 1.9 miles south.
- The nearest NYSDEC regulated freshwater wetlands (OL-2, OL-3 and OL-5) are located approximately 1,500 feet to 1 mile northwest, respectively, from the Site (see Figures 11 and 12).

POTENTIAL VULNERABILITY OF GROUNDWATER TO CONTAMINATION

Visual, olfactory evidence of impacts (petroleum-like odors) and elevated PID readings were observed in five (5) of the twelve (12) test pits, TP-1, TP-5, TP-6, TP-8, and TP-12 completed as part of a Phase II investigation. The petroleum-impacts were apparent at depths ranging from 3 to 10 fbs. Furthermore, petroleum LNAPL, was encountered on the groundwater table at TP-9 completed in the eastern portion of the site (see Attachment 4). At this time, no groundwater investigations have been completed at the Site.

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 is supplied by the City of Olean. Water is derived from four water sources: Well site M18 on Richmond Ave; Well sites M37 and M38 on the East River Road; and the water treatment plant on River Street, which draws water from the Olean Creek.

Groundwater Flow

Based on regional topography, flow directions of Two-mile Creek and Olean Creek, and investigation activities at 251 Homer Street (adjacent to the south), groundwater likely flows in a southeasterly direction.

ATTACHMENT 7
BCP Application - Section IX
Land Use Factors
229 Homer Street

Recommendations

Further work is required to investigate groundwater quality data. Monitoring wells to assess groundwater flow patterns and water quality will be installed during the Remedial Investigation.

REGIONAL GEOGRAPHY/GEOLOGY

The Site is situated within the Allegheny Plateau province of western New York with an approximate elevation of 1,430 feet above mean sea level. The regional area dips very gently to the south and southwest toward the Allegheny River. The subject property is located near the valley walls of the Valley-Fill aquifer where the saturated thickness is typically less than 20 feet. Uninhibited groundwater flow, with no significant pumping from wells, is expected to flow southwest from the Olean Creek valley to the Allegheny River. The groundwater table at the Site is estimated to be at approximately 6 feet below ground surface. Overburden soils are anticipated to consist of artificial fill material underlain by sequences of outwash sand and gravel and lacustrine silt and clay. Depth to bedrock at the Site is approximately 100 feet below ground surface.

SITE GEOGRAPHY/GEOLOGY

The U.S. Department of Agriculture (USDA) Soil Conservation Service soil survey map of Cattaraugus County shows the Site located within a Red Hook silt loam area (see Figure 13). This soil is nearly level, very deep and somewhat poorly drained. It is on low flats of outwash plains and older stream terraces (see Figure 13).

Two Mile Creek adjoins the Site to the northwest and flows southwest away from the Site. Site geology will be further investigated during the Remedial Investigation.

Precipitation (i.e., rain or snow melt) generally moves at the Site via overland sheet flow to the drainage swale along the western portion of the Site or ponds at the surface, where

ATTACHMENT 7
BCP Application - Section IX
Land Use Factors
229 Homer Street

surface water either infiltrates into the subsurface or evaporates, pending the time of year. Site groundwater and hydrogeology will be investigated during the Remedial Investigation.

[\[print page\]](#) [\[close window\]](#)

The Coordinates of the point you clicked on are:

| | | | |
|------|-------------|--------------------|------------|
| NYTM | E : 215557 | Longitude/Latitude | W : 78.439 |
| | N : 4666604 | | N : 42.099 |

Rare Plants and Rare Animals

This location is in the vicinity of one or more :

Rare Animals and/or Rare Plants

USGS Quadrangle

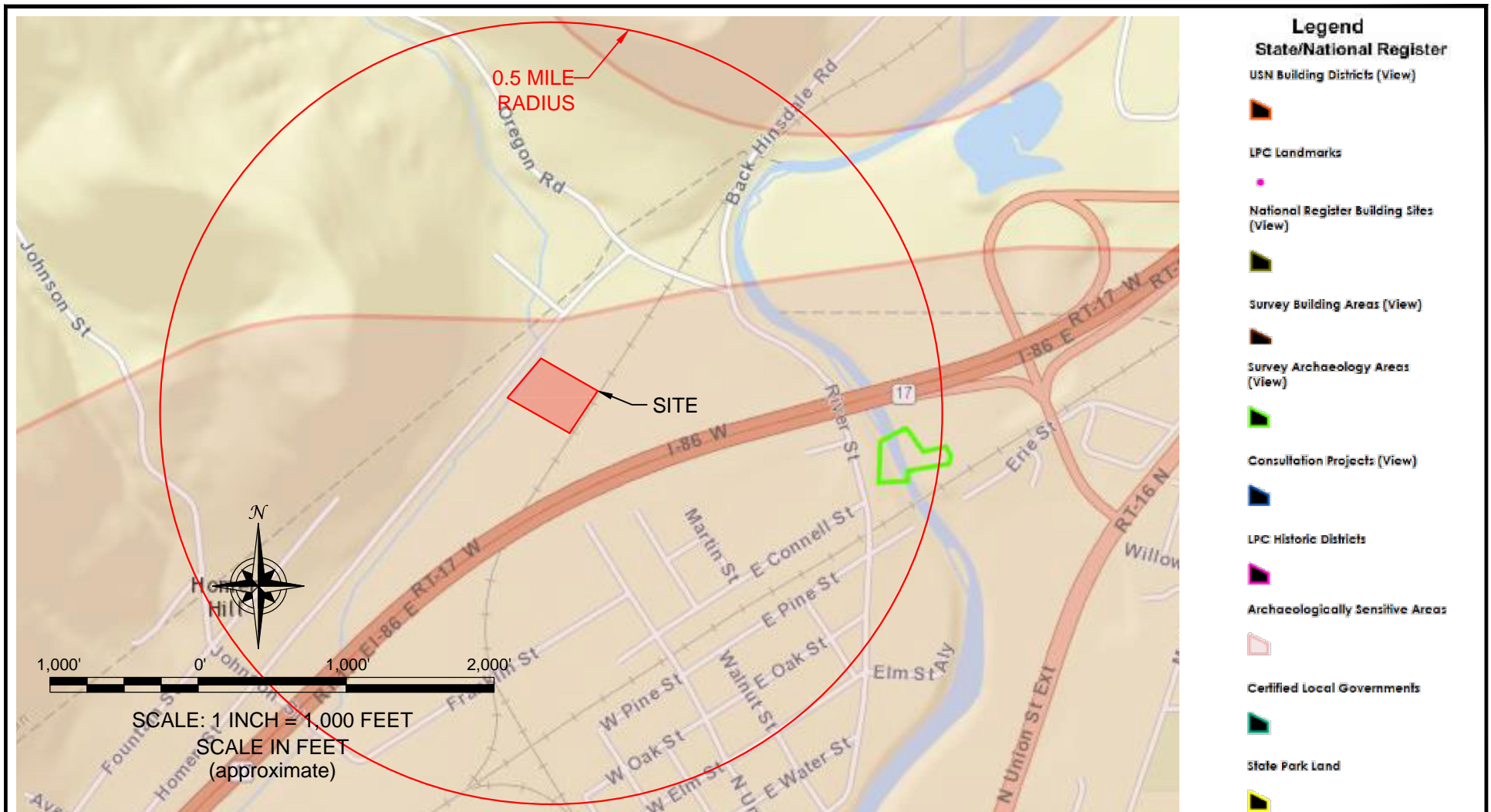
If your project or action is within or near an area with a rare animal, a permit may be required if the species is listed as endangered or threatened and the department determines the action may be harmful to the species or its habitat.


If your project or action is within or near an area with rare plants and/or significant natural communities, the environmental impacts may need to be addressed.

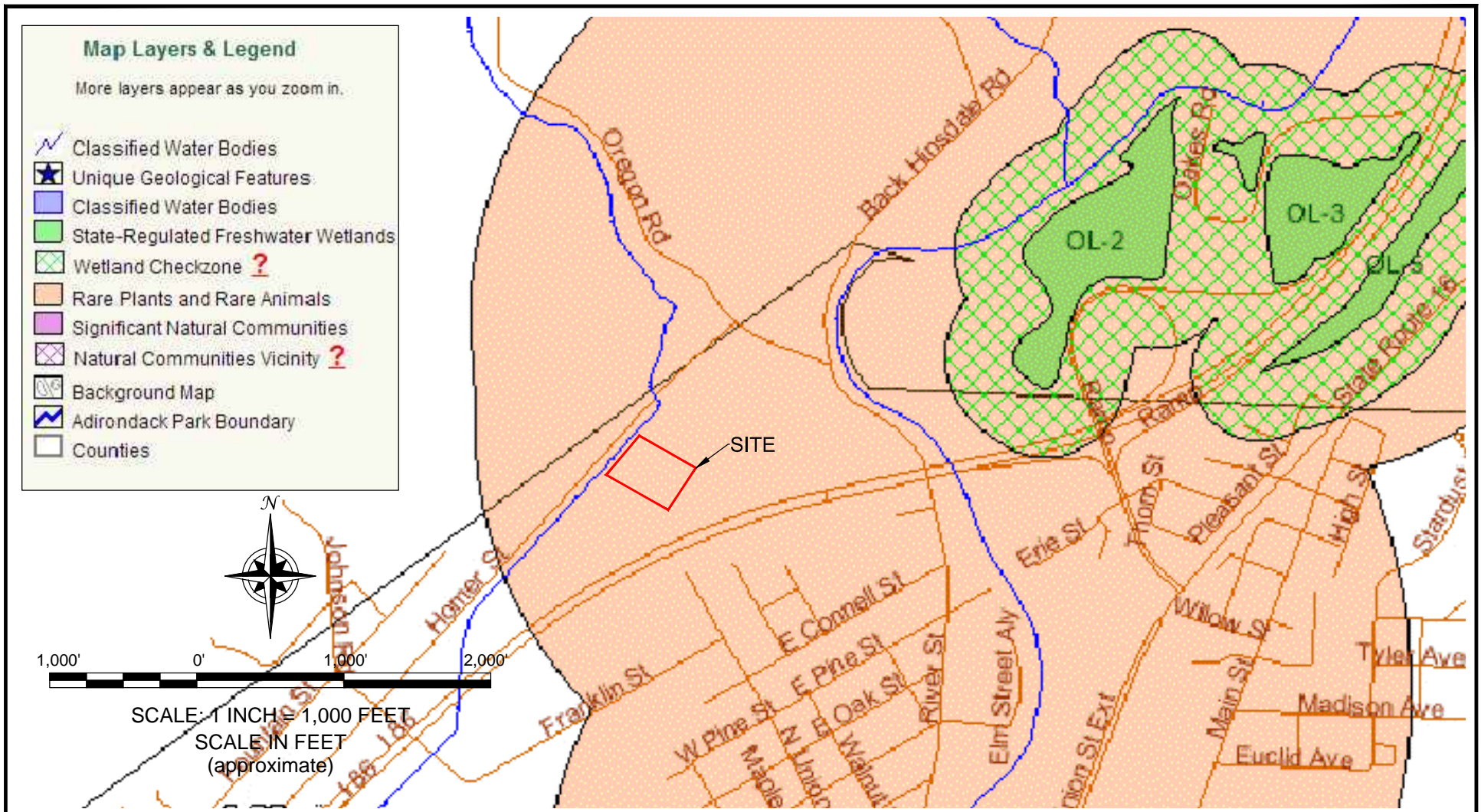
The presence of a unique geological feature or landform near a project, unto itself, does not trigger a requirement for a NYS DEC permit. Readers are advised, however, that there is the chance that a unique feature may also show in another data layer (ie. a wetland) and thus be subject to permit jurisdiction.

Please refer to the "Need a Permit?" tab for permit information or other authorizations regarding these natural resources.

Disclaimer: If you are considering a project or action in, or near, a wetland or a stream, a NYS DEC permit may be required. The Environmental Resources Mapper does not show all natural resources which are regulated by NYS DEC, and for which permits from NYS DEC are required. For example, Regulated Tidal Wetlands, and Wild, Scenic, and Recreational Rivers, are currently not included on the maps.



| | | |
|---|---|------------------|
|  <p>2558 HAMBURG TURNPIKE SUITE 300 BUFFALO, NY 14218 (716) 856-0835</p> | <h2 style="text-align: center;">CULTURAL RESOURCES MAP</h2> <p style="text-align: center;">BROWNFIELD CLEANUP PROGRAM APPLICATION</p> <p style="text-align: center;">229 HOMER STREET</p> <p style="text-align: center;">OLEAN, NEW YORK</p> <p style="text-align: center;">PREPARED FOR BENSON CONSTRUCTION AND DEVELOPMENT, LLC</p> | FIGURE 10 |
| <p>PROJECT NO.: 0225-015-001</p> <p>DATE: JANUARY 2015</p> <p>DRAFTED BY: BLR</p> | <p>DISCLAIMER: PROPERTY OF TURNKEY ENV. REST., LLC. IMPORTANT: THIS DRAWING PRINT IS LOANED FOR MUTUAL ASSISTANCE AND AS SUCH IS SUBJECT TO RECALL AT ANY TIME. INFORMATION CONTAINED HEREON IS NOT TO BE DISCLOSED OR REPRODUCED IN ANY FORM FOR THE BENEFIT OF PARTIES OTHER THAN NECESSARY SUBCONTRACTORS & SUPPLIERS WITHOUT THE WRITTEN CONSENT OF TURNKEY ENV. REST., LLC.</p> | |



2558 HAMBURG TURNPIKE
SUITE 300
BUFFALO, NY 14218
(716) 856-0835

PROJECT NO.: 0225-015-001

DATE: JANUARY 2015

DRAFTED BY: BLR

NATURAL RESOURCES MAP

BROWNFIELD CLEANUP PROGRAM APPLICATION

229 HOMER STREET

OLEAN, NEW YORK

PREPARED FOR

BENSON CONSTRUCTION AND DEVELOPMENT, LLC

FIGURE 11

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DATE: JANUARY 2015

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WETLAND & FLOODPLAIN MAP

BROWNFIELD CLEANUP PROGRAM APPLICATION

229 HOMER STREET

OLEAN, NEW YORK

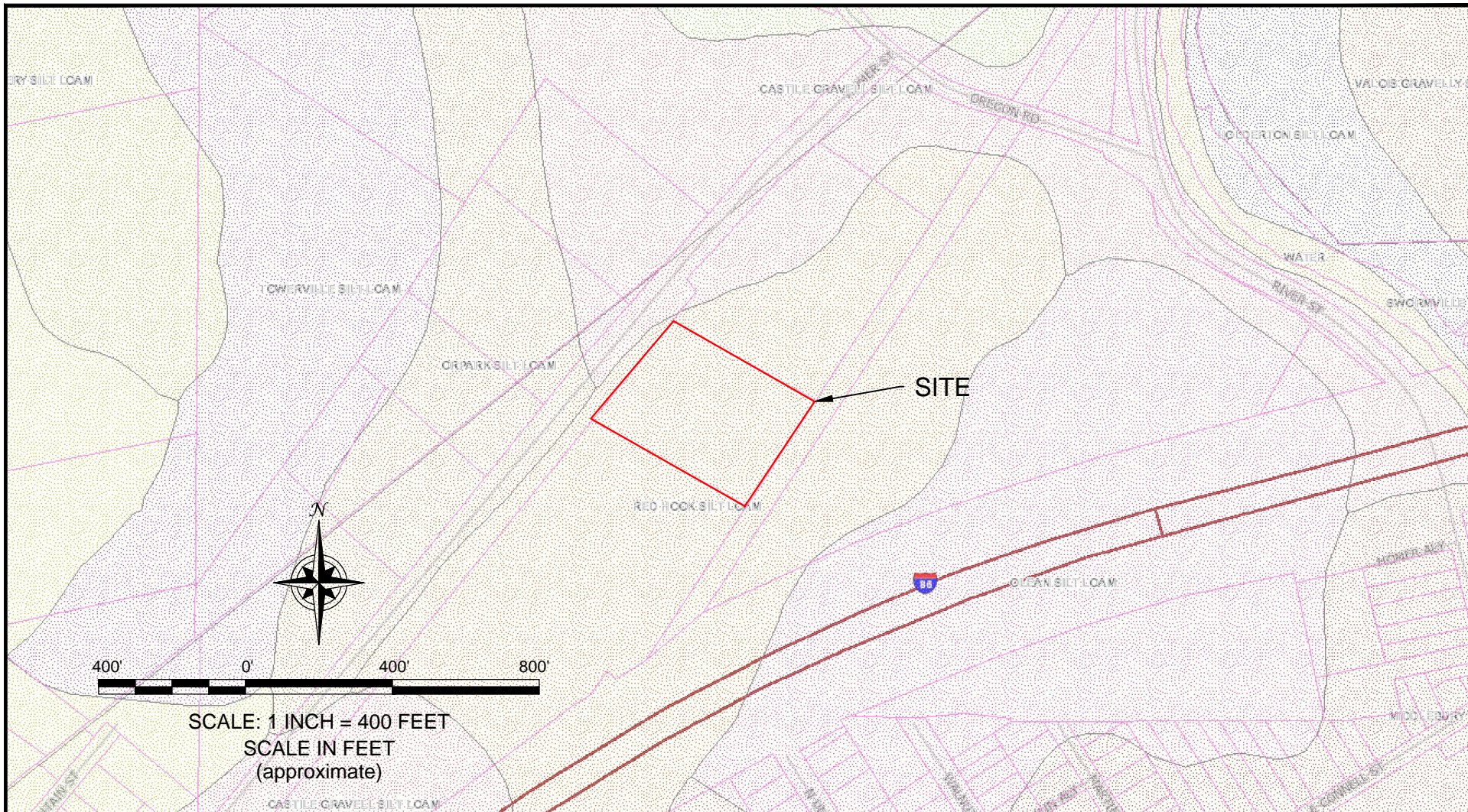
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FIGURE 12

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2558 HAMBURG TURNPIKE
SUITE 300
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(716) 856-0835

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DATE: JANUARY 2015

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SOIL MAP

BROWNFIELD CLEANUP PROGRAM APPLICATION

229 HOMER STREET

OLEAN, NEW YORK

PREPARED FOR

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FIGURE 13

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