

## BROWNFIELD CLEANUP PROGRAM (BCP) APPLICATION FORM

	Brownfield Cle property that c Such application	eanup Agreement, could affect an eligit on must be submitt	quest major changes to the do or "BCA" (e.g., adding a significial controllity determination due to con- ed and processed in the same ment period. Is this an applic	cant amou tamination e manner a	unt of new p levels or in as the origin	roperty, or adding tended land use). al application,						
	Yes	<b>✓</b> No	If yes, provide exist	ing site n	umber:							
P	PART A (note:	application is sep	arated into Parts A and B fo	r DEC rev	view purpos							
	Section I. Re	equestor Informati	on - See Instructions for Fu	ırther Gui	dance BC	DEC USE ONLY CP SITE #:						
	NAME <b>East</b>	Delavan Prop	erty, LLC									
	ADDRESS10	01 East Delay	an Avenue									
	CITY/TOWN B	Buffalo, New York	Z	IP CODE	14215							
	PHONE 7	16 856-3333	FAX		E-MAIL jm	williams@oscinc.com						
	If the repeat above inform Conse in NYS  Do all individue Individue of Second New York      Individue of New York      Indit	requestor is a Corportment of State to compare, in the NYS Deparentation from the data ervation (DEC) with S. (Attachment A-I wals that will be certain 1.5 of DER-10 w York State Education I was not provided the control of the control	oration, LLC, LLP or other entonduct business in NYS, the retrement of State's Corporation & base must be submitted to the the application, to document the application, to document tifying documents meet the restrifying BCP documents, as we retrieve the company of the company of the tree of the company	ity requirir equestor's Businesse New You that the requirement rell as their Investigation.	ng authorization and authorization and Render authorization au	t appear, exactly as given abase. A print-out of entity partment of Environmental authorized to do business elow? Yes No, meet the requirements mediation and Article 145						
	Section II. Project Description											
	1. What stage	e is the project star	ting at? Investiga	ation		Remediation						
	2. If the project is starting at the remediation stage, a Remedial Investigation Report (RIR), Alternatives Analysis, and Remedial Work Plan must be attached (see <u>DER-10 / Technical Guidance for Site Investigation and Remediation</u> for further guidance). (Attachments A-II-1, A-II-2, A-II-3)											
	3. If a final RI (ECL) Article		se verify it meets the requirem			l Conservation Law						
	4. Please atta	ach a short descrip	tion of the overall developmen	t project, i	ncluding:							

the date the Certificate of Completion is anticipated. (Attachments A-II-4 and A-II-5)

the date that the remedial program is to start; and

To the extent that existing information/studies/reports are available to the requestor, please attach the following (please submit the information requested in this section in electronic format only):  1. Reports: an example of an Investigation Report is a Phase II Environmental Site Assessment report prepared in accordance with the latest American Society for Testing and Materials standard (ASTM E1903).  2. SAMPLING DATA: INDICATE KNOWN CONTAMINANTS AND THE MEDIA WHICH ARE KNOWN TO HAVE SEEN AFFECTED. LABORATORY REPORTS SHOULD BE REFERENCED AND COPIES INCLUDED.  2. COntaminant Category Soil Groundwater Soil Gas  2. Contaminant Category Soil Groundwater Soil Gas  2. Chlorinated Solvents  3. Chlorinated Solvents  3. Chlorinated Solvents  3. Chlorinated Solvents  3. FOR EACH IMPACTED MEDIUM INDICATED ABOVE, INCLUDE A SITE DRAWING INDICATING:  (Attachment A-III-1)  5. SAMPLE LOCATION  5. DATE OF SAMPLING EVENT  6. KEY CONTAMINANTS AND CONCENTRATION DETECTED  7. FOR SOIL, HIGHLIGHT IF ABOVE REASONABLY ANTICIPATED USE  7. FOR SOIL, HIGHLIGHT IF ABOVE REASONABLY ANTICIPATED USE  7. FOR SOIL, GAS/SOIL VAPOR/INDOOR AIR, HIGHLIGHT IF ABOVE MITIGATE LEVELS ON THE NEW YORK STATE DEPARTMENT OF HEALTH MATRIX  THESE DRAWINGS ARE TO BE REPRESENTATIVE OF ALL DATA BEING RELIED UPON TO MAKE THE CASE THAT THE SITE IS IN NEED OF REMEDIATION UNDER THE BCP. DRAWINGS SHOULD NOT BE BIGGER THAN THE SITE IS IN NEED OF REMEDIATION UNDER THE BCP. DRAWINGS SHOULD NOT BE BIGGER THAN ARE THE REQUIRED MAPS INCLUDED WITH THE APPLICATION?*  ARE THE REQUIRED MAPS INCLUDED WITH THE APPLICATION?*											
establish contamination of Guidance (SCGs) based of A-III-1) To the extent that existing ing (please submit the information of the prepared in accordance of the stable of	establish contamination of environmental media on the site above applicable Standards, Criteria and Guidance (SCGs) based on the reasonably anticipated use of the property. (Attachments A-II-1, A-II-2, and A-III-1)  To the extent that existing information/studies/reports are available to the requestor, please attach the following (please submit the information requested in this section in electronic format only):  I. Reports: an example of an Investigation Report is a Phase II Environmental Site Assessment report prepared in accordance with the latest American Society for Testing and Materials standard (ASTM E1903).										
Contaminant Category	Soil	Groundwater	Soil Gas								
Petroleum	X	X									
Chlorinated Solvents											
Other VOCs											
SVOCs											
Metals											
Pesticides											
PCBs	X	X (in LNAPL)									
Other*											
*Please describe:											
3. FOR EACH IMPACTED MEDIUM INDICATED ABOVE, INCLUDE A SITE DRAWING INDICATING:  (Attachment A-III-1)  SAMPLE LOCATION  DATE OF SAMPLING EVENT  KEY CONTAMINANTS AND CONCENTRATION DETECTED  FOR SOIL, HIGHLIGHT IF ABOVE REASONABLY ANTICIPATED USE  FOR GROUNDWATER, HIGHLIGHT EXCEEDANCES OF 6NYCRR PART 703.5  FOR SOIL GAS/ SOIL VAPOR/ INDOOR AIR, HIGHLIGHT IF ABOVE MITIGATE LEVELS ON THE NEW YORK STATE DEPARTMENT OF HEALTH MATRIX  THESE DRAWINGS ARE TO BE REPRESENTATIVE OF ALL DATA BEING RELIED UPON TO MAKE THE CASE THAT THE SITE IS IN NEED OF REMEDIATION UNDER THE BCP. DRAWINGS SHOULD NOT BE BIGGER THAN 11" X 17". THESE DRAWINGS SHOULD BE PREPARED IN ACCORDANCE WITH ANY GUIDANCE PROVIDED.  ARE THE REQUIRED MAPS INCLUDED WITH THE APPLICATION?*  (*answering No will result in an incomplete application)											
_	`		nor								
∐Salvage Yard	∐Bulk Plant ☐ Pip	peline Service S	Station								
Other:											

Section IV. Property Information - See Instructions for F	urther Guida	nce		
PROPOSED SITE NAME Former GM and American	n Axle Pla	nt Site		
ADDRESS/LOCATION 1001 East Delavan Avenue				
CITY/TOWN Buffalo ZIP CODE 1	4215			
MUNICIPALITY(IF MORE THAN ONE, LIST ALL): Buffalo, Nev	w York	·		
COUNTY Erie	SITE SIZE (AC	CRES) 3.36		
LATITUDE (degrees/minutes/seconds) 42 ° 55 ' 12 " LONG 78	SITUDE (degre	es/minutes/se 49		8 "
COMPLETE TAX MAP INFORMATION FOR ALL TAX PARCELS BOUNDARIES. ATTACH REQUIRED MAPS PER THE APPLICA (Attachment A-IV-1)			ROPERTY	
Parcel Address	Section No.	Block No.	Lot No.	Acreage
1001 East Delavan Avenue	101.24	1	1.1	35.46
Do the proposed site boundaries correspond to tax map     If no, please attach a metes and bounds description of the				] No
Is the required property map attached to the application?  (application will not be processed without map) (Attachm		-IV-3, A-IV-4	✓ Yes [	] No
3. Is the property within a designated Environmental Zone ( (See <u>DEC's website</u> for more information)		Ye	es 🗸 No	
If yes, identify	census tract :	36 (En	Zone Ty <sub>l</sub>	pe AB)
		50-99%	100%	`
Is this application one of multiple applications for a large project spans more than 25 acres (see additional criteria				
If yes, identify name of properties (and site numbers if avapplications:	ailable) in rel	ated BCP		
5. Is the contamination from groundwater or soil vapor solel subject to the present application?	y emanating	from propert	y other than Ye	
<ol> <li>Has the property previously been remediated pursuant to ECL Article 56, or Article 12 of Navigation Law?</li> <li>If yes, attach relevant supporting documentation.</li> </ol>	Titles 9, 13,	or 14 of ECI	_ Article 27, ☐Ye	
7. Are there any lands under water? If yes, these lands should be clearly delineated on the sit	e map.		□Y€	es 🔽 No

Se	ction IV. Property Information (continued)
8.	Are there any easements or existing rights of way that would preclude remediation in these areas?  If yes, identify here and attach appropriate information.  Yes X No
	Easement/Right-of-way Holder  Although the 5' x 9' sewer crosses the BCP site, no easement has been found
	Although the 5 x 9 sewer crosses the BOF site, no easement has been found
9.	List of Permits issued by the DEC or USEPA Relating to the Proposed Site (type here or attach information)
	Type <u>Issuing Agency</u> <u>Description</u>
10	Property Description and Environmental Assessment – please refer to application instructions for the proper format of each narrative requested.
	Are the Property Description and Environmental Assessment narratives included in the <b>prescribed format</b> ? (Attachment A-IV-5 and A- IV-6
11	For sites located within the five counties comprising New York City, is the requestor seeking a determination that the site is eligible for tangible property tax credits?  If yes, requestor must answer questions on the supplement at the end of this form.
12	. Is the Requestor now, or will the Requestor in the future, seek a determination Yes X No that the property is Upside Down?
13	If you have answered Yes to Question 12, above, is an independent appraisal of the value of the property, as of the date of application, prepared under the hypothetical condition that the property is not contaminated, included with the application?
a u	this determination is not being requested in the application to participate in the BCP, the pplicant may seek this determination at any time before issuance of a certificate of completion, sing the BCP Amendment Application, except for sites seeking eligibility under the underutilized ategory.
mu	ny changes to Section IV are required prior to application approval, a new page, initialed by each requestor, st be submitted.  ials of each Requestor:

BCP application - PART B (note: application is separated into Parts A and B for DEC review purposes) Section V. Additional Requestor Information BCP SITE NAME: See Instructions for Further Guidance BCP SITE #: NAME OF REQUESTOR'S AUTHORIZED REPRESENTATIVE Jon Williams ADDRESS 333 Ganson Street CITY/TOWN Buffalo, NY **ZIP CODE 14203** FAX E-MAIL **PHONE** NAME OF REQUESTOR'S CONSULTANT ESC ADDRESS 481 Carlisle Drive CITY/TOWN Herndon, VA **ZIP CODE 20170** PHONE **703.935.0409** FAX E-MAIL john.black@ensolconsortium.com NAME OF REQUESTOR'S ATTORNEY David Flynn One Canalside, 125 Main Street **ADDRESS** ZIP CODE 14203-2887 Buffalo. New York CITY/TOWN 716.847.5473 PHONE FAX E-MAIL dflynn@phillipslytle.com Section VI. Current Property Owner/Operator Information – if not a Requestor OWNERSHIP START DATE: Oct.3, 2008 CURRENT OWNER'S NAME East Delavan Property **ADDRESS** CITY/TOWN ZIP CODE FAX **PHONE** E-MAIL **CURRENT OPERATOR'S NAME ADDRESS** CITY/TOWN ZIP CODE FAX PHONE E-MAIL IF REQUESTOR IS NOT THE CURRENT OWNER, DESCRIBE REQUESTOR'S RELATIONSHIP TO THE CURRENT OWNER, INCLUDING ANY RELATIONSHIP BETWEEN REQUESTOR'S CORPORATE MEMBERS AND THE **CURRENT OWNER.** (Attachment A-VIII) PROVIDE A LIST OF PREVIOUS PROPERTY OWNERS AND OPERATORS WITH NAMES, LAST KNOWN ADDRESSES AND TELEPHONE NUMBERS AS AN ATTACHMENT. DESCRIBE REQUESTOR'S RELATIONSHIP, TO EACH PREVIOUS OWNER AND OPERATOR, INCLUDING ANY RELATIONSHIP BETWEEN REQUESTOR'S CORPORATE MEMBERS AND PREVIOUS OWNER AND OPERATOR. IF NO RELATIONSHIP, PUT "NONE". Section VII. 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 X No 2. Is the requestor subject to an existing order for the investigation, removal or remediation of contamination at the site? 3. Is the requestor subject to an outstanding claim by the Spill Fund for this site? Any questions regarding whether a party is subject to a spill claim should be discussed with the Spill Fund Administrator. Yes No

Section VII. Requestor Eligibility Information (conti	nued)
or transporting of contaminants; or ii) that involves a against public administration (as that term is used in laws of any state?  8. Has the requestor knowingly falsified statements or jurisdiction of DEC, or submitted a false statement or connection with any document or application submit 9. Is the requestor an individual or entity of the type se	determination; iii) any regulation implementing tate or federal government? If so, provide an
11. Are there any unregistered bulk storage tanks on-si	te?
THE REQUESTOR MUST CERTIFY THAT HE/SHE IS EITH WITH ECL 27-1405 (1) BY CHECKING ONE OF THE BOXE	
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.	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, a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site 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; iii) prevent or limit human, environmental, or natural resource exposure to any previously released hazardous waste.  If a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site, submit a statement describing why you should be considered a volunteer – be specific as to the appropriate care taken (Attachments A-VII and A-VII-1))

Section VII. Requestor Eligibility Information (continued)										
Requestor Relationship to Property (check one):  Previous Owner Current Owner Potential /Future Purchaser Other										
If requestor is not the current site owner, <b>proof of site access sufficient to complete the remediation must be submitted</b> . Proof must show that the requestor will have access to the property before signing the BCA and throughout the BCP project, including the ability to place an easement on the site Is this proof attached?										
Yes No										
Note: a purchase contract does not suffice as proof of access.										
Section VIII. Property Eligibility Information - See Instructions for Further Guidance										
1. Is / was the property, or any portion of the property, listed on the National Priorities List?  If yes, please provide relevant information as an attachment.	□Yes ☒No									
2. Is / was the property, or any portion of the property, listed on the NYS Registry of Inactive										
3. Is / was the property subject to a permit under ECL Article 27, Title 9, other than an Interir facility?  If yes, please provide: Permit type: EPA ID Number: Permit expiration date	☐Yes ☒No									
4. If the answer to question 2 or 3 above is yes, is the site owned by a volunteer as defined a 1405(1)(b), or under contract to be transferred to a volunteer? Attach any information available requestor related to previous owners or operators of the facility or property and their financincluding any bankruptcy filing and corporate dissolution documentation.(Attachment A-VIII)	ilable to the cial viability,									
5. Is the property subject to a cleanup order under Navigation Law Article 12 or ECL Article 1 If yes, please provide: Order #	17 Title 10? ☑Yes ☑No									
6. Is the property subject to a state or federal enforcement action related to hazardous waste If yes, please provide explanation as an attachment.	e or petroleum? ☐YesⅪNo									
Section IX. Contact List Information										
To be considered complete, the application must include the Brownfield Site Contact List in ac <u>DFR-23 / Citizen Participation Handbook for Remedial Programs</u> . Please attach, at a minimum and addresses of the following: (Attachment A-IX and A-IX-1)										

- 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. The location of a document repository for the project (e.g., local library). In addition, attach a copy of an acknowledgement from the repository indicating that it agrees to act as the document repository for the property. (Attachment A\_IX\_2)
- 8. Any community board located in a city with a population of one million or more, if the proposed site is located within such community board's boundaries.

Section X. Land Use Factors										
What is the current zoning for the site? What uses are allowed by the current zoning?     ☐ Residential ☐ Commercial ☑ Industrial     If zoning change is imminent, please provide documentation from the appropriate zoning and appropriate zoning appropriate zoning and appropriate zoning appropriate zoning and appropriate zoning appropriate	uthority.									
2. Current Use: □Residential ☑ Commercial ☑ Industrial ☑ Vacant □Recreational (checapply) (Attachment A-X)  Attach a summary of current business operations or uses, with an emphasis on iden possible contaminant source areas. If operations or uses have ceased, provide the design of the contaminant source areas.										
3. Reasonably anticipated use Post Remediation: ☐Residential ☐Commercial ☐Industrial (check all that apply) Attach a statement detailing the specific proposed use. (Attachment A-X)										
If residential, does it qualify as single family housing?	_Yes _ No									
4. Do current historical and/or recent development patterns support the proposed use?	XYes⊡No									
<ol> <li>Is the proposed use consistent with applicable zoning laws/maps? Briefly explain below, or attach additional information and documentation if necessary.</li> <li>Site has been industrial since the 1920s.</li> </ol>	⊠Yes⊡No									
6. Is the proposed use consistent with applicable comprehensive community master plans, local waterfront revitalization plans, or other adopted land use plans? Briefly explain below, or attach additional information and documentation if necessary. The site is proposed to be reused for industrial/commercial purposes consistent with current zoning.	<b>▼</b> Yes No									

XI. Statement of Certification and Signatures
(By requestor who is an individual)
If this application is approved, I acknowledge and agree to execute a Brownfield Cleanup Agreement (BCA) within 60 days of the date of DEC's approval letter. 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 a requestor other than an individual)  I hereby affirm that I am
Print Name: JON M. Williams 3/9/16-
SUBMITTAL INFORMATION:
<ul> <li>Two (2) copies, one paper copy with original signatures and one electronic copy in Portable Document Format (PDF), must be sent to:</li> </ul>
<ul> <li>Chief, Site Control Section</li> <li>New York State Department of Environmental Conservation</li> <li>Division of Environmental Remediation</li> <li>625 Broadway</li> <li>Albany, NY 12233-7020</li> </ul>
FOR DEC USE ONLY BCP SITE T&A CODE: LEAD OFFICE:

# Supplemental Questions for Sites Seeking Tangible Property Credits in New York City ONLY. Sufficient information to demonstrate that the site meets one or more of the criteria identified in ECL 27 1407(1-a) must be submitted if requestor is seeking this determination.

### BCP App Rev 5

BOT APPINET		
Property is in Bronx, Kings, New York, Queens, or Richmond counties.		☐ Yes ☐ No
Requestor seeks a determination that the site is eligible for the tangible brownfield redevelopment tax credit.	omponent of the Yes No	
Please answer questions below and provide documentation necess	ary to support ar	iswers.
Is at least 50% of the site area located within an environmental zone Please see <a href="DEC's website">DEC's website</a> for more information.	pursuant to NYS	Γax Law 21(b)(6)? ☐ Yes ☐ No
2. Is the property upside down or underutilized as defined below?	Upside Down?	☐ Yes ☐ No
From ECL 27-1405(31):	☐ Yes ☐ No	
"Upside down" shall mean a property where the projected and incurre remediation which is protective for the anticipated use of the property eq percent of its independent appraised value, as of the date of submission in the brownfield cleanup program, developed under the hypothetical corcontaminated.	uals or exceeds sof the application	seventy-five for participation
From 6 NYCRR 375-3.2(I) as of July 1, 2015: (Please note: Eligibility category can only be made at the time of application)	determination for th	ne underutilized
(I) "Underutilized" means, as of the date of application, real property:  (1) on which a building or buildings, can be certified by the municipalithave for at least five years used no more than fifty percent of the permiss base zoning immediately prior to the application which has been in effect (2) at which the proposed development is solely for a use other than (3) which could not be developed without substantial government assimunicipality in which the site is located; and  (4) which is subject to one or more of the following conditions, as cert responsible for such determinations of the municipality in which the site in (i) property tax payments have been in arrears for at least five year application;  (ii) contains a building that is presently condemned, or presently edeficiencies, as certified by a professional engineer, which present a publication is a purchase as certified by a professional engineer, which present a publication is a purchase cost exemption or waiver, from a governmental part for industrial loan, grant purchase cost exemption or waiver, from a governmental entity; or for print part for industrial uses, a substantial loan, grant, land purchase subsidition waiver, or a tax credit, from a governmental entity, or a low-cost loan from municipality and partner financial institutions.	sible floor area und to for at least five year residential or restri- istance, as certified ified by the munici- is located: rs immediately prior whibits documented blic health or safety uses. t, land purchase supperties to be dever	der the applicable ears; cted residential; d by the pal department or to the d structural hazard; or ubsidy, or land eloped in whole or cost exemption or

Su	pplemental Questions for Sites Seeking Tangible Property Credits in New York Cit	y (continued)
3.	Is the project an affordable housing project as defined below?	Yes No
Fre	om 6 NYCRR 375- 3.2(a) as of July 1, 2015:	
env res	"Affordable housing project" means, for purposes of this part, title fourteen of article twe vironmental conservation law and section twenty-one of the tax law only, a project that is sidential use or mixed residential use that must include affordable residential rental units me ownership units.  (1) Affordable residential rental projects under this subdivision must be subject to a federal government's referedable beginning program, or a local government's residential rental projects.	developed for and/or affordable eral, state, or

- (1) Affordable residential rental projects under this subdivision must be subject to a federal, state, or local government housing agency's affordable housing program, or a local government's regulatory agreement or legally binding restriction, that defines (i) a percentage of the residential rental units in the affordable housing project to be dedicated to (ii) tenants at a defined maximum percentage of the area median income based on the occupants' households annual gross income.
- (2) Affordable home ownership projects under this subdivision must be subject to a federal, state, or local government housing agency's affordable housing program, or a local government's regulatory agreement or legally binding restriction, that sets affordable units aside for tenants at a defined maximum percentage of the area median income.
- (3) "Area median income" means, for purposes of this subdivision, the area median income for the primary metropolitan statistical area, or for the county if located outside a metropolitan statistical area, as determined by the United States department of housing and urban development, or its successor, for a family of four, as adjusted for family size.

BCP Application Summary (for DEC use	only)		
Site Name: Former GM and American Axle Plan City: Buffalo		i <b>te Address</b> : <sup>1001</sup> East Delava ounty: Erie	an Avenue <b>Zip</b> : 14215
Tax Block & Lot Section (if applicable): Blo	ock:	Lot:	
Requestor Name: East Delavan Property, City: Buffalo, New York	LLC.	Requestor Address: <b>Zip:</b> 14215	1001 East Delavan Avenue Email:
Requestor's Representative (for billing p Name: Jon Williams Add City: Buffalo, NY		s) 33 Ganson Street <b>Zip:</b> <sub>14203</sub>	Email: jmwilliams@oscinc.com
Requestor's Attorney Name: David Flynn Add City:	dress: 12	5 Main Street <b>Zip:</b> 14203	Email: dflynn@phillipslytle.com
Requestor's Consultant Name: ESC Add City: Herndon, VA	dress: <sup>48</sup>	1 Carlisle Drive <b>Zip:</b> 20170	Email: john.black@ensolconsortium.com
Percentage of site within an En-Zone:	□ <sub>0%</sub> [	<50% 50-99%	100%
Requestor's Requested Status:	unteer	Participant	

# **Entity Information for Section A-I of BCP Application** (Printout from NYS Division of Corporations)

### **NYS Department of State**

### **Division of Corporations**

#### **Entity Information**

The information contained in this database is current through February 10, 2016.

Selected Entity Name: EAST DELAVAN PROPERTY, LLC

Selected Entity Status Information

Current Entity Name: EAST DELAVAN PROPERTY, LLC

DOS ID #: 3723232

**Initial DOS Filing Date: SEPTEMBER 22, 2008** 

County: **ERIE** 

**NEW YORK** Jurisdiction:

**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)

EAST DELAVAN PROPERTY, LLC 333 GANSON STREET BUFFALO, NEW YORK, 14203

**Registered Agent** 

NONE

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** 

SEP 22, 2008 Actual

EAST DELAVAN PROPERTY, 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.

Search Results New Search

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Member/Owner Information for Section A-I of BCP Application

#### Members/Owners

- · East Delavan Property, LLC members/owners.
  - o *EDP is owned/managed by the following (Attachment A-I-2):* 
    - JT Buffalo Properties, LLC 333Ganson Street Buffalo, NY 14203
    - O Realty Holdings, LLC
       1 Elm Lane
       Rochester, NY 14610
    - · SDHC, LLC 1001 Lexington Avenue Rochester, NY 14606



2006 Remedial Investigation Report
Supplemental Site Characterization Data for Section A-II of BCP Application
(Electronic Version [CD] Only)

2009 Supplemental Remedial Investigation Report Supplemental Site Characterization Data for Section A-II of BCP Application (Electronic Version [CD] Only)

Proposed Remedial Investigation and Interim Remedial Measures Scopes of Work Supplemental Site Characterization Data for Section A-II of BCP Application (Electronic Version [CD] Only)

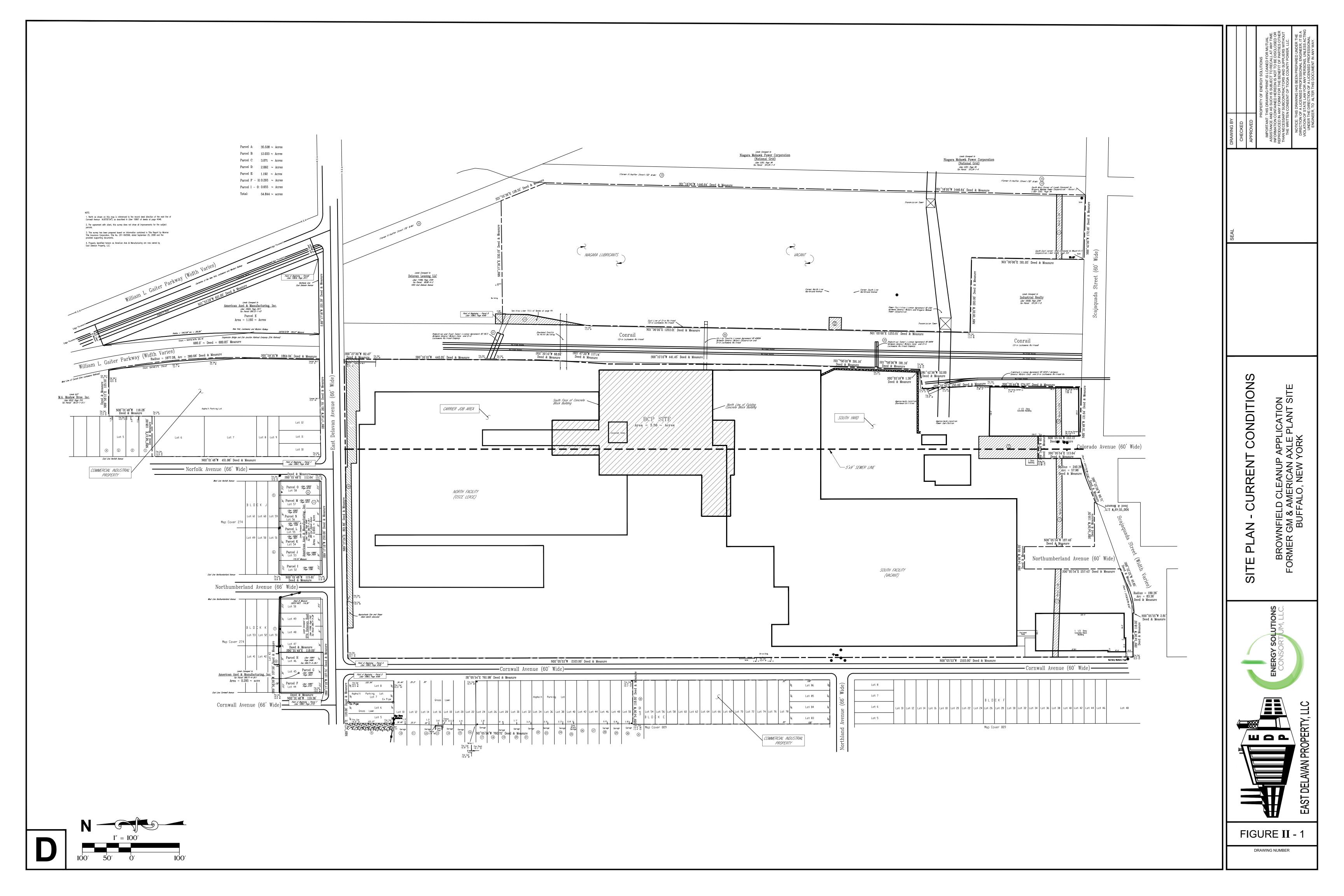
# Attachment A-II-4 Project Description

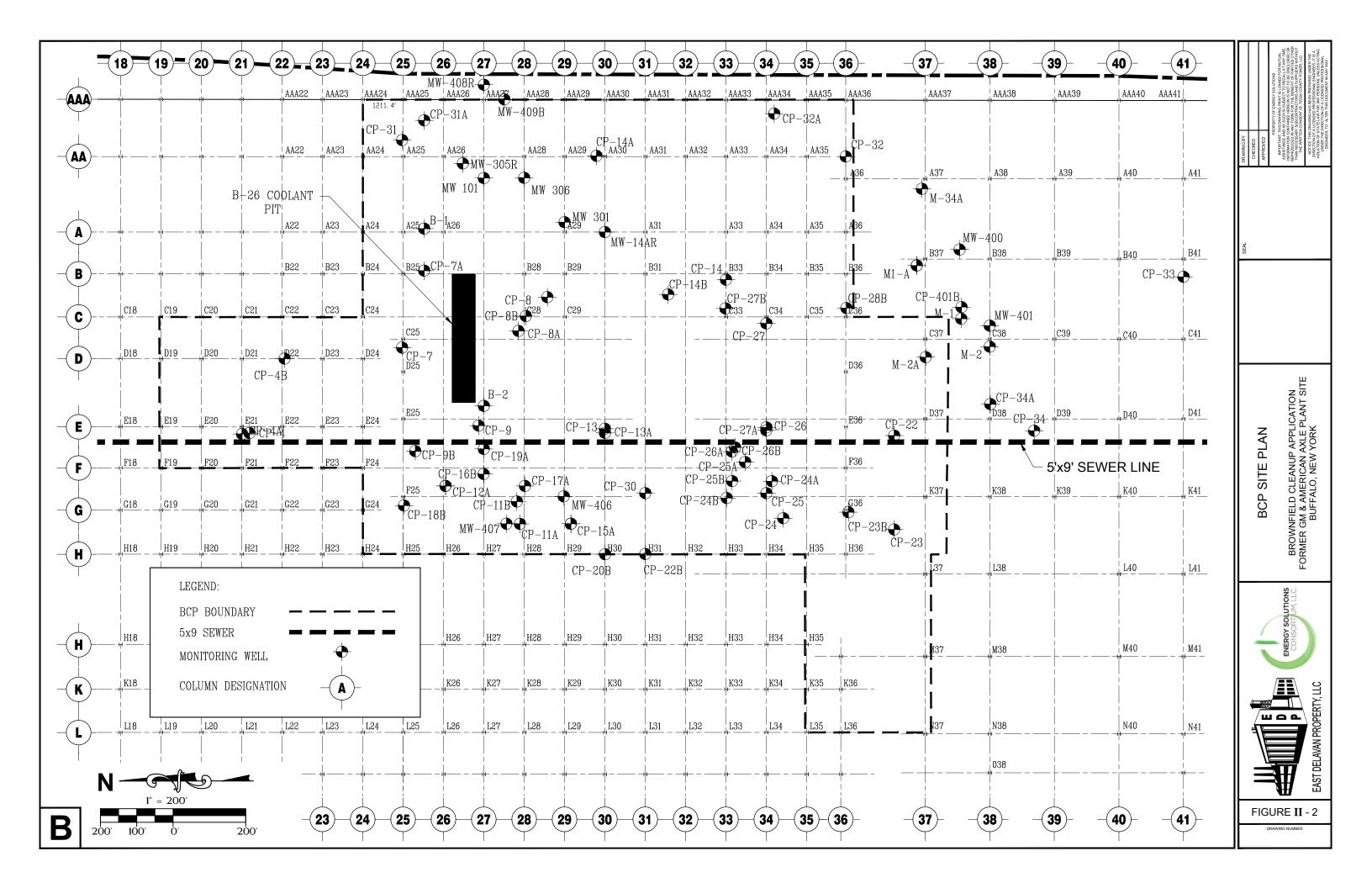
#### **Project Description**

The project is designed to unlock the BCP Site and allow the overall property development support multiple industrial tenants. The key targets are heavy manufacturing, warehouse support of heavy manufacturing or logistics.

The proposed Scope of the RI and IRM activities are presented in Attachment A-II-3 (electronic version only) and the attached Gantt Chart (Attachment A-II5) provides the currently envisioned schedule:

- RI Work Plans June 13, 2016 to September 2, 2016
- *RI Activities May 16, 2016 to November 12, 2017*
- *IRM Ongoing Continued since 2009 (Continue until final remedy operational)*
- *IRM Proposed September 19, 2016 through June 15, 2018 (incorporate into final remedy)*
- Remedial Measures August 2017 to April 2019
- Certificate of Completion April 2019



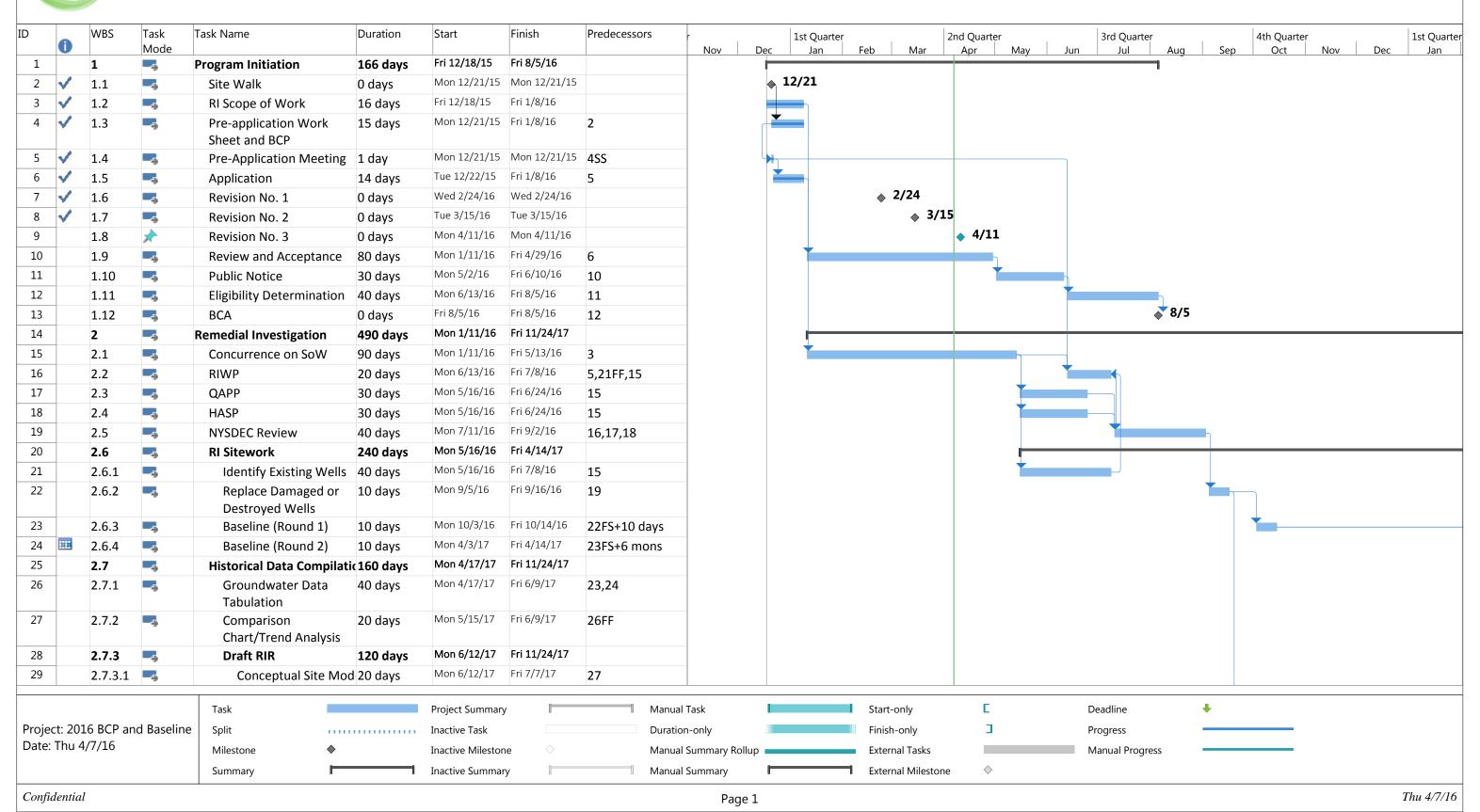


# Proposed Schedule Revised for Section A-II of BCP Application

## ENERGY SOLUTIONS CONSORTIUM, LLC.

#### DRAFT Schedule BCP and Remedial Investigation

#### **ENERGY FOR THE NEXT 100 YEARS**



# ENERGY SOLUTIONS CONSORTIUM, LLC.

### DRAFT Schedule BCP and Remedial Investigation

### ENERGY FOR THE NEXT 100 YEARS

đ	WBS	Task Mode	Task Name	Duration	Start	Finish	Predecessors	Nov   5	1st Quarter		nd Quarter	3rd Quarter	C-:	4th Quarter	1st (
	2.7.3.2			20 days	Mon 6/12/17	Fri 7/7/17	27	Nov E	Dec Jan F	Feb Mar	Apr May	Jun Jul Au	ıg Sep	Oct Nov	Dec J
			Analyses												
	2.7.3.3	-5	CADD	20 days		Fri 7/21/17	30FS-10 days								
	2.7.3.4	-5	Draft Report	20 days	Mon 7/10/17	Fri 8/4/17	30								
	2.7.3.5	-5	Meeting with NYSDE	(0 days	Fri 8/4/17	Fri 8/4/17	32								
	2.7.3.6	5	NYSDEC Review	40 days	Mon 8/7/17	Fri 9/29/17	33								
5	2.7.3.7	-5	Final RIR	40 days	Mon 10/2/17	Fri 11/24/17	34,24								
5	3	-5	Alternatives Analysis	145 days	Mon 8/7/17	Fri 2/23/18									
7	3.1	-5	Technology Screening	20 days	Mon 8/7/17	Fri 9/1/17	33								
3	3.2	-5	Alternative Development and Screening	20 days	Mon 9/4/17	Fri 9/29/17	37								
	3.3	-5	CADD	20 days	Mon 8/21/17	Fri 9/15/17	37FS-10 days								
)	3.4	-5	Draft Report	20 days	Mon 10/9/17	Fri 11/3/17	38,34FS+5 days								
L	3.5	-5	·	0 days	Fri 11/3/17	Fri 11/3/17	40								
2	3.6	-	NYSDEC Review	40 days	Mon 11/6/17	Fri 12/29/17	41								
3	3.7	-5	Final AAR	40 days	Mon 1/1/18	Fri 2/23/18	42								
	4	-5	Interim Remedial Measures	•	Fri 12/18/15	Fri 6/15/18									
	4.1	-5	Ongoing	28 mons	Fri 12/18/15	Thu 2/8/18									
5	4.2	-5	Supplemental	455 days	Mon 9/19/16	Fri 6/15/18									
7	4.2.1	-5	Phase I	455 days	Mon 9/19/16	Fri 6/15/18									
3	4.2.1.1	_	Installation	10 days	Mon 9/19/16		22								
9	4.2.1.2	_	Testing	40 days	Mon 10/10/16		48FS+5 days								
)	4.2.1.3		<u> </u>	22 mons	Mon 10/10/16		48FS+5 days							•	
1	4.2.2	-5	Phase II	375 days	Mon 1/2/17	Fri 6/8/18									
2	4.2.2.1	_	Installation	10 days	Mon 1/2/17	Fri 1/13/17	49FS+20 days								<u> </u>
3	4.2.2.2		Testing	5 days		Fri 1/27/17	52FS+5 days								
4		-5	Operation	18 mons	Mon 1/23/17		52FS+5 days								
5	5	-5	Remedial Measures	300 days	Mon 2/26/18		3213.3 days								
5	5.1	-5		60 days		Fri 5/18/18	43								
7	5.2	-3	Review Approval and Comments	120 days	Mon 5/21/18		56								
3	5.3	-	Installation	40 days	Mon 11/5/18	Fri 12/28/18	57								
9	5.4	-5	Testing	40 days	Mon 12/3/18		58FS-20 days								
	-		1	, .											
••	2016 PGP	al Daniell	Task		Project Summary	/	Manual			Start-only	E	Deadline	•		
_	2016 BCP an	a Baseline			Inactive Task		Duration	•		Finish-only	<u> </u>	Progress			
ie. III	u 4/7/16		Milestone		Inactive Milestor			Summary Rollup		External Tasks		Manual Progress			
			Summary	1	Inactive Summar	у	Manual :	Summary		External Milestone	$\Diamond$				



#### DRAFT Schedule BCP and Remedial Investigation

### ENERGY FOR THE NEXT 100 YEARS

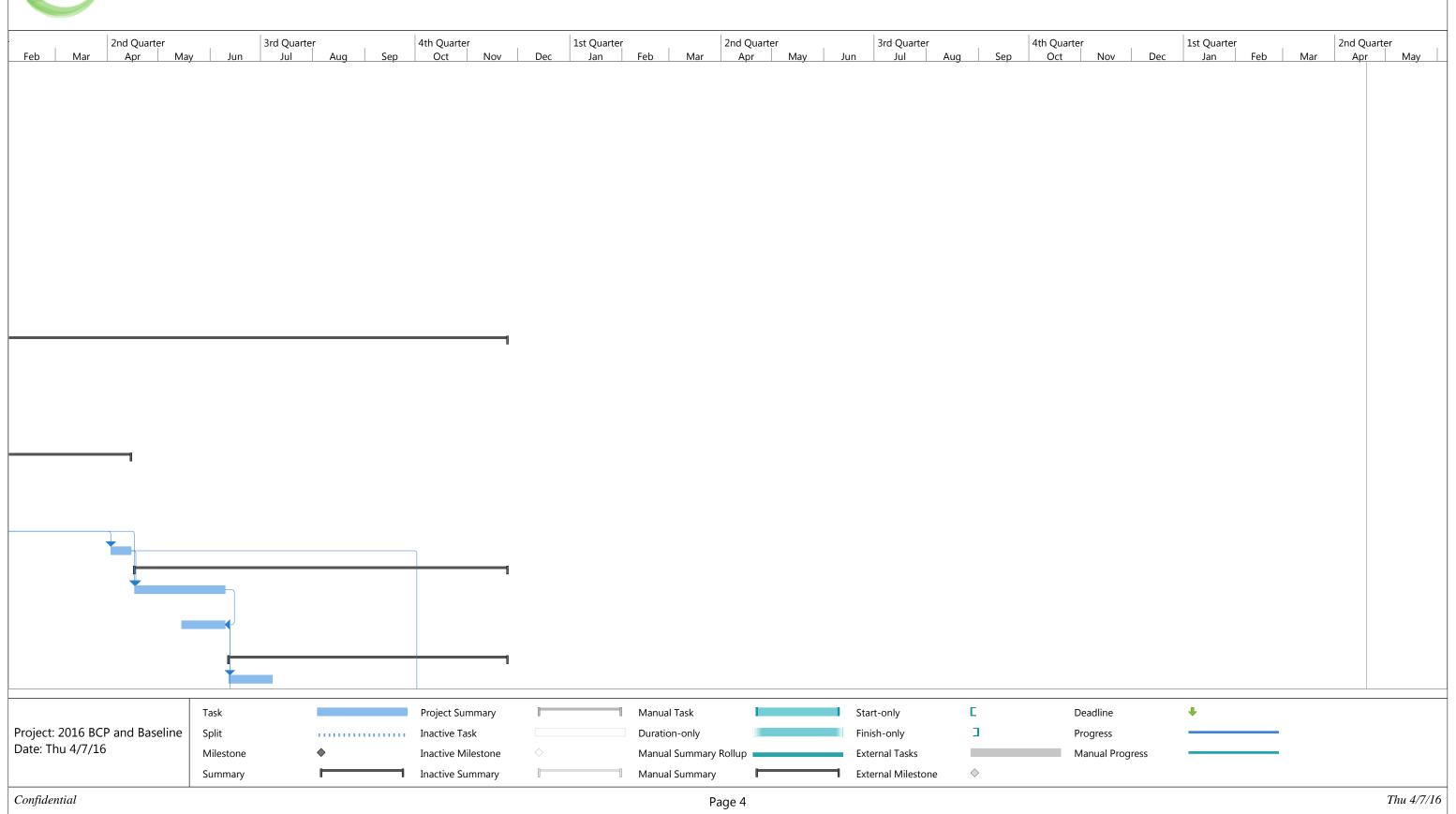
ID	0	WBS	Task Mode	Task Name	Duration	Start	Finish	Predecessors	r Nov	Dec	1st Quarter Jan Feb	Mar	2nd Quarter Apr May	3rd Quarter	4th Quarter Sep Oct Nov	Dec 1	1st Quarter Jan
60		5.5		Operation	60 days	Mon 1/7/19	Fri 3/29/19	58FS+5 days							·		
61		5.6	-	Certificate of Completion	n 0 days	Fri 4/19/19	Fri 4/19/19	59FS+60 days									

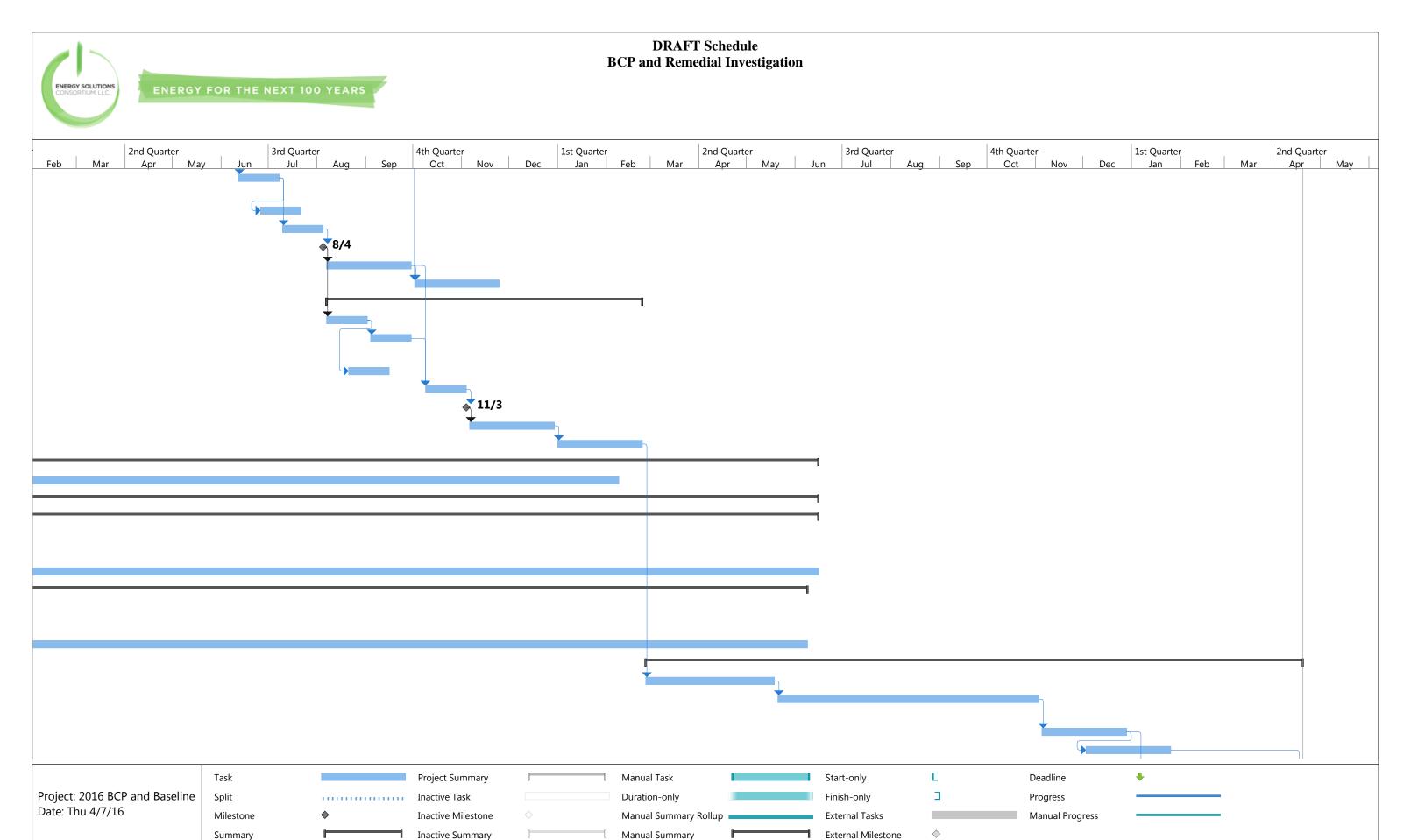
Е Task **Project Summary** Manual Task Start-only Deadline 1 Project: 2016 BCP and Baseline Inactive Task Progress Date: Thu 4/7/16 Milestone Inactive Milestone Manual Summary Rollup External Tasks Manual Progress  $\Diamond$ Summary **Inactive Summary** Manual Summary External Milestone

#### DRAFT Schedule BCP and Remedial Investigation



**ENERGY FOR THE NEXT 100 YEARS** 





# ENERGY SOLUTIONS

**DRAFT Schedule BCP** and Remedial Investigation

	2nd Quarter			3rd Quarter		4th Quarter		1st Quarter			2nd Quarter			3rd Quarter			4th Quarter			1st Quarter			2nd Quarter		
Feb	Mar	Apr	May	Jun	Jul Aug	Sep	Oct Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May
		•				•											•								
																								' Ш	

**4/19** 

Project: 2016 BCP and Baseline Date: Thu 4/7/16

Task Milestone Summary

ENERGY FOR THE NEXT 100 YEARS

Inactive Task

**Project Summary** Inactive Milestone

**Inactive Summary** 

Manual Task

Manual Summary Rollup Manual Summary

Page 6

Start-only External Tasks

External Milestone

Deadline

Progress

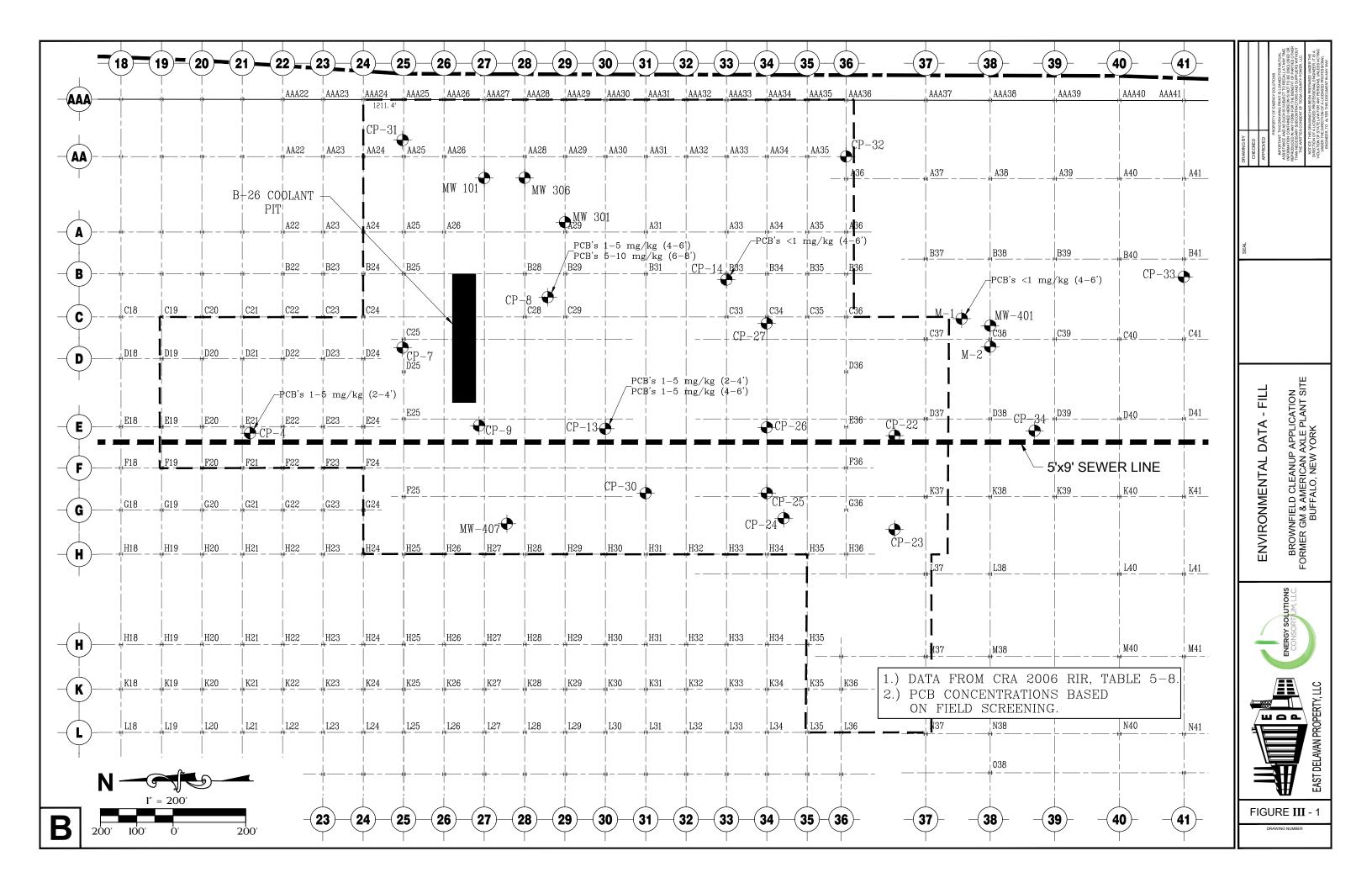
Manual Progress

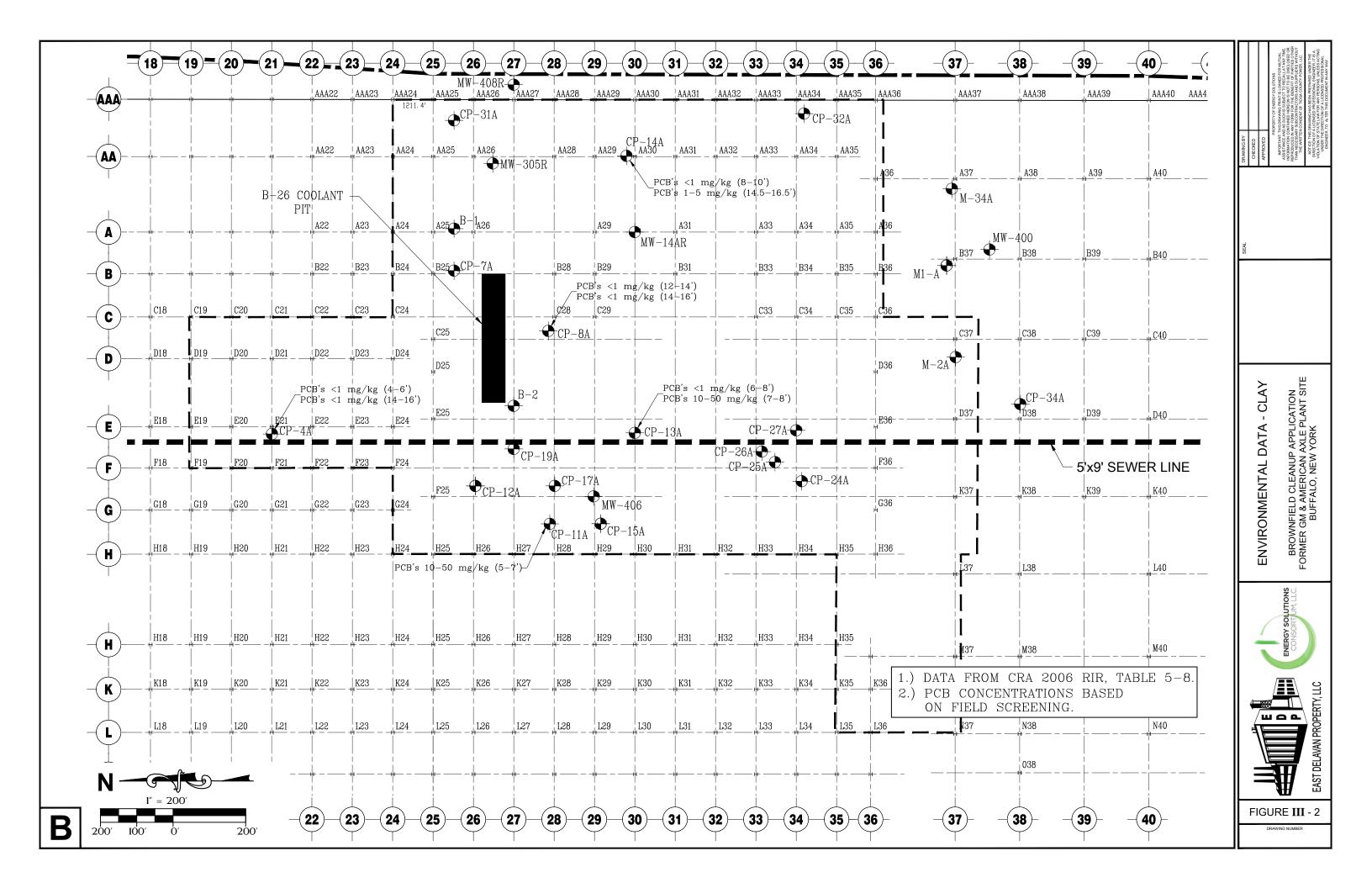
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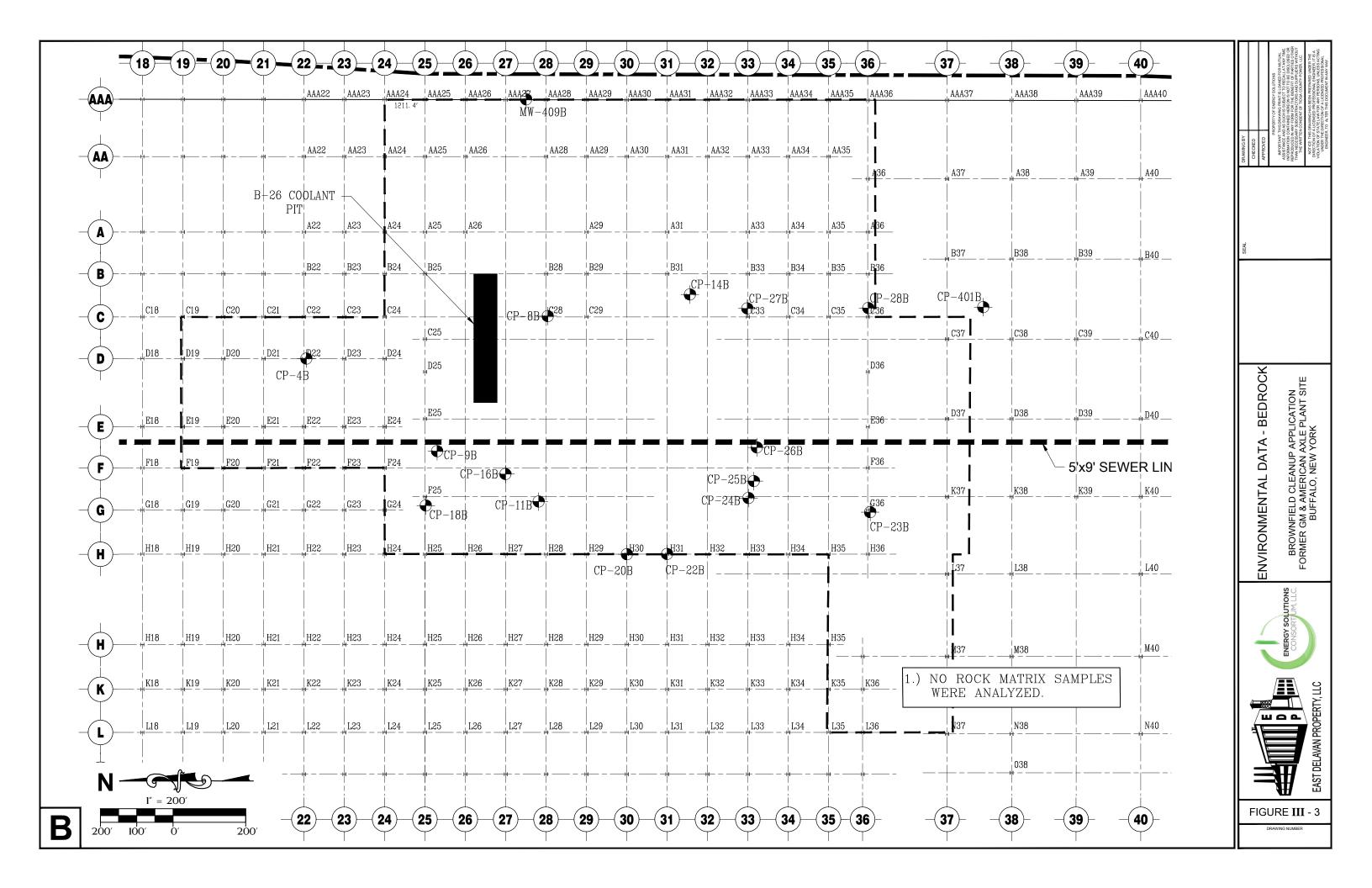
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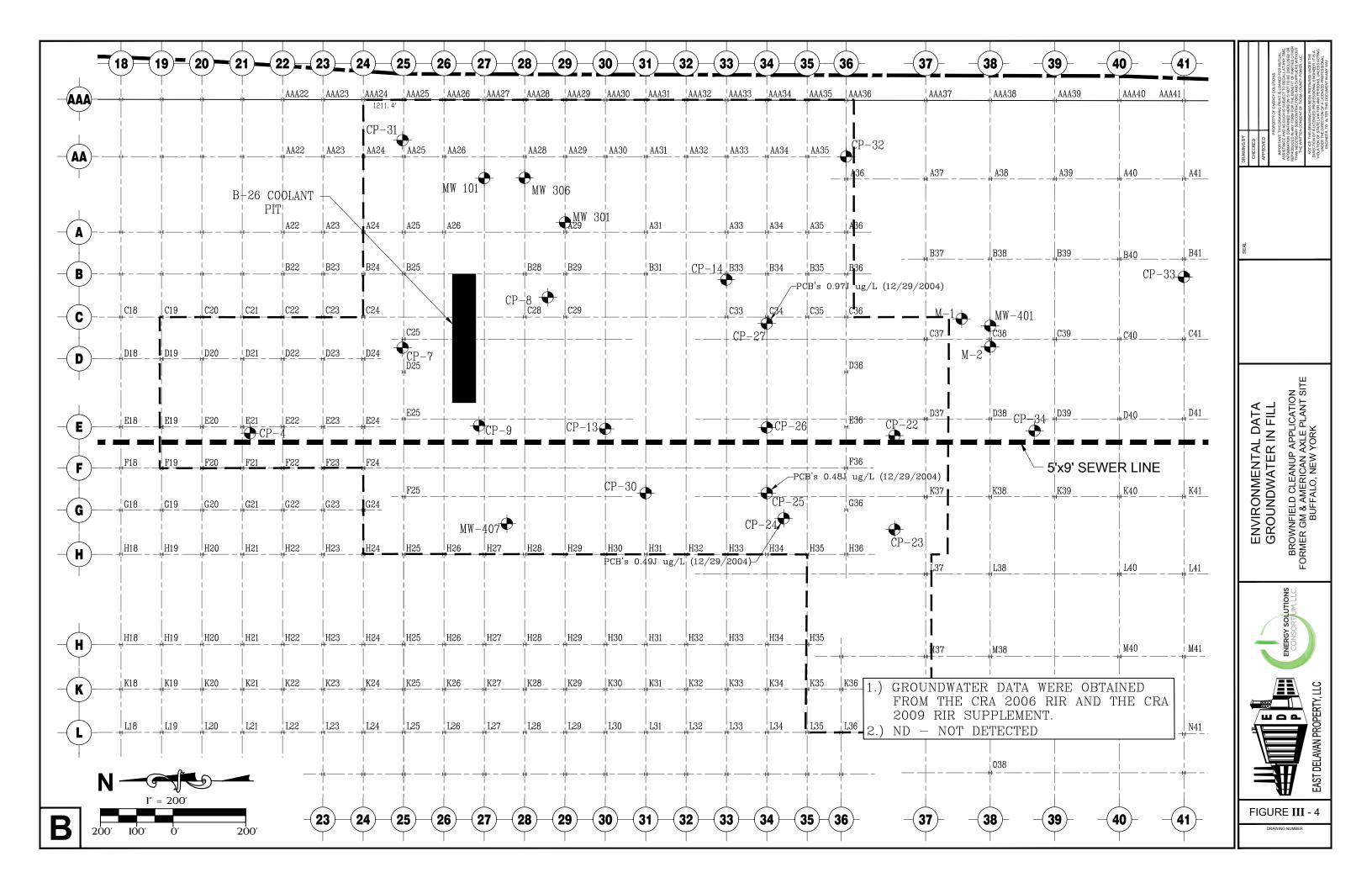
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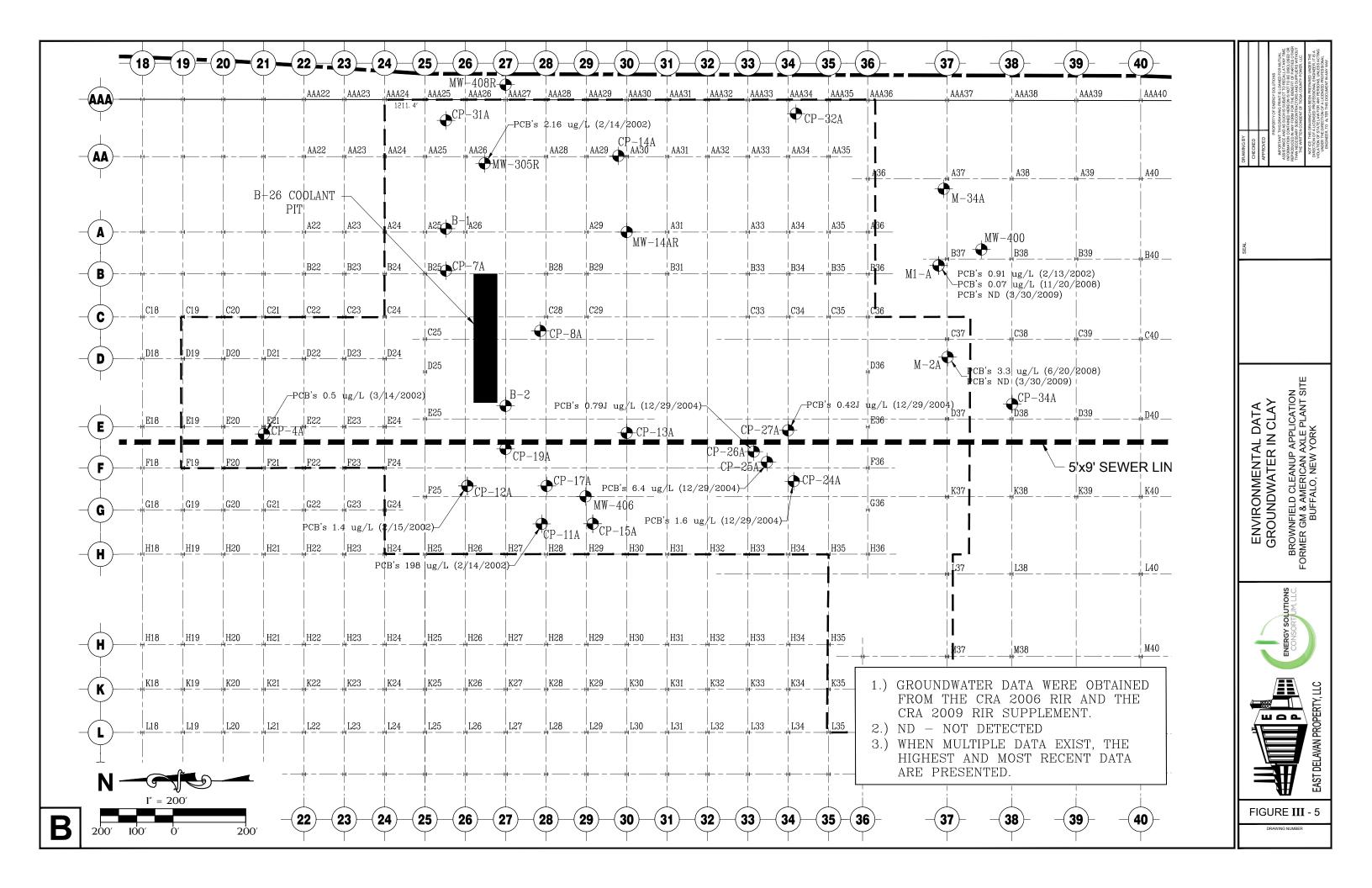
Figures Showing Key Environmental Data by Media Revised for Section A-III of BCP Application

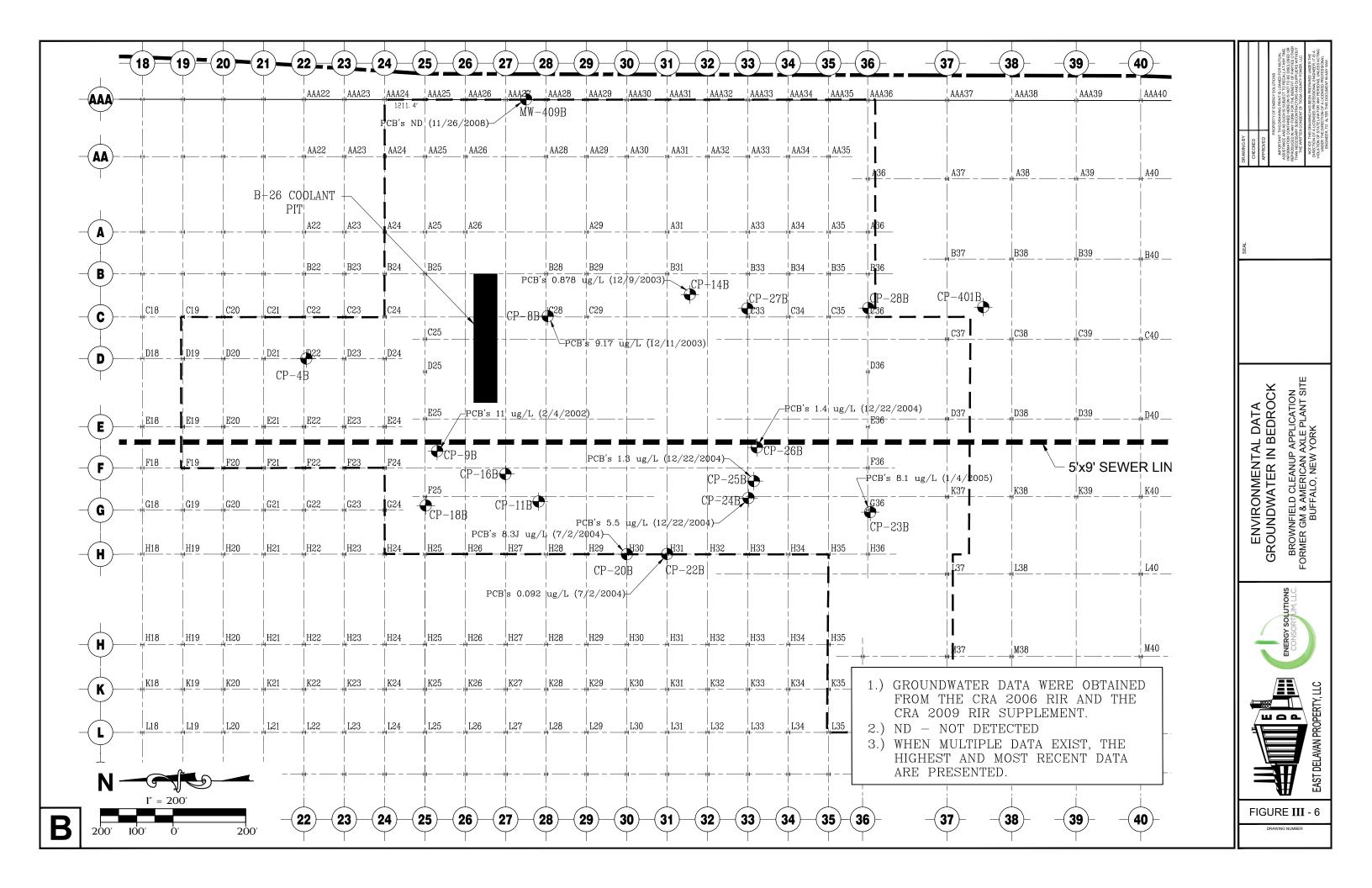


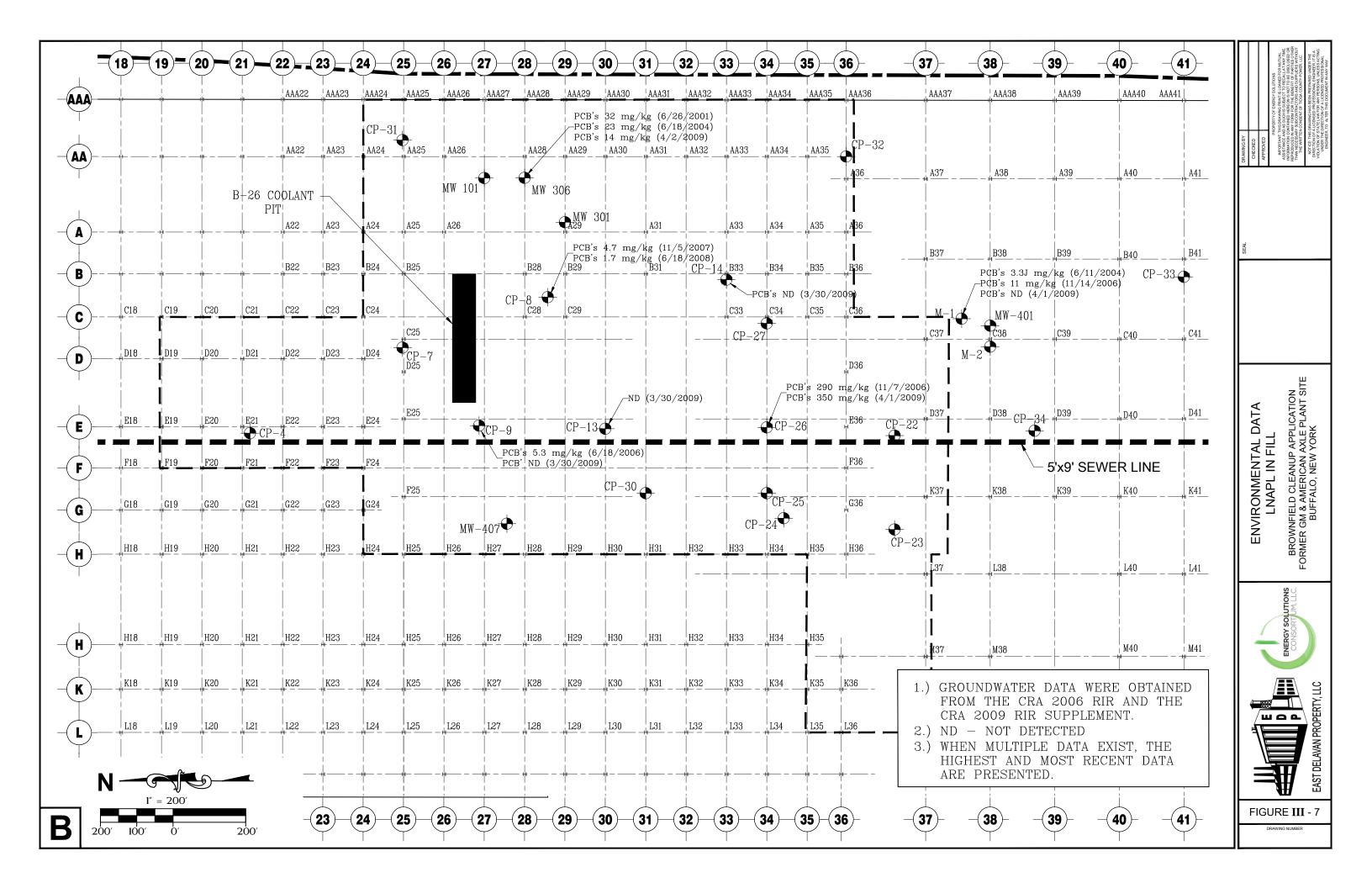


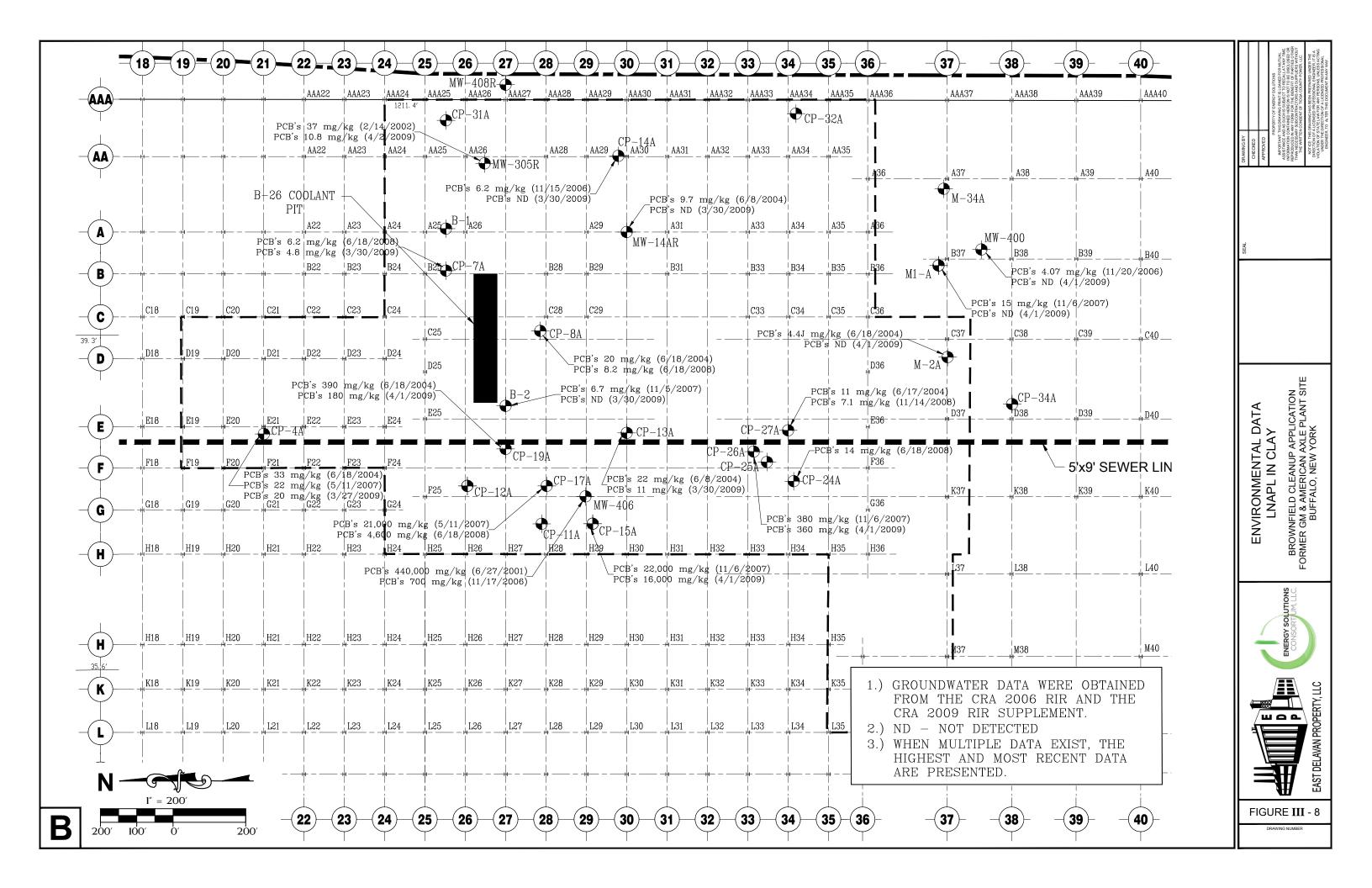


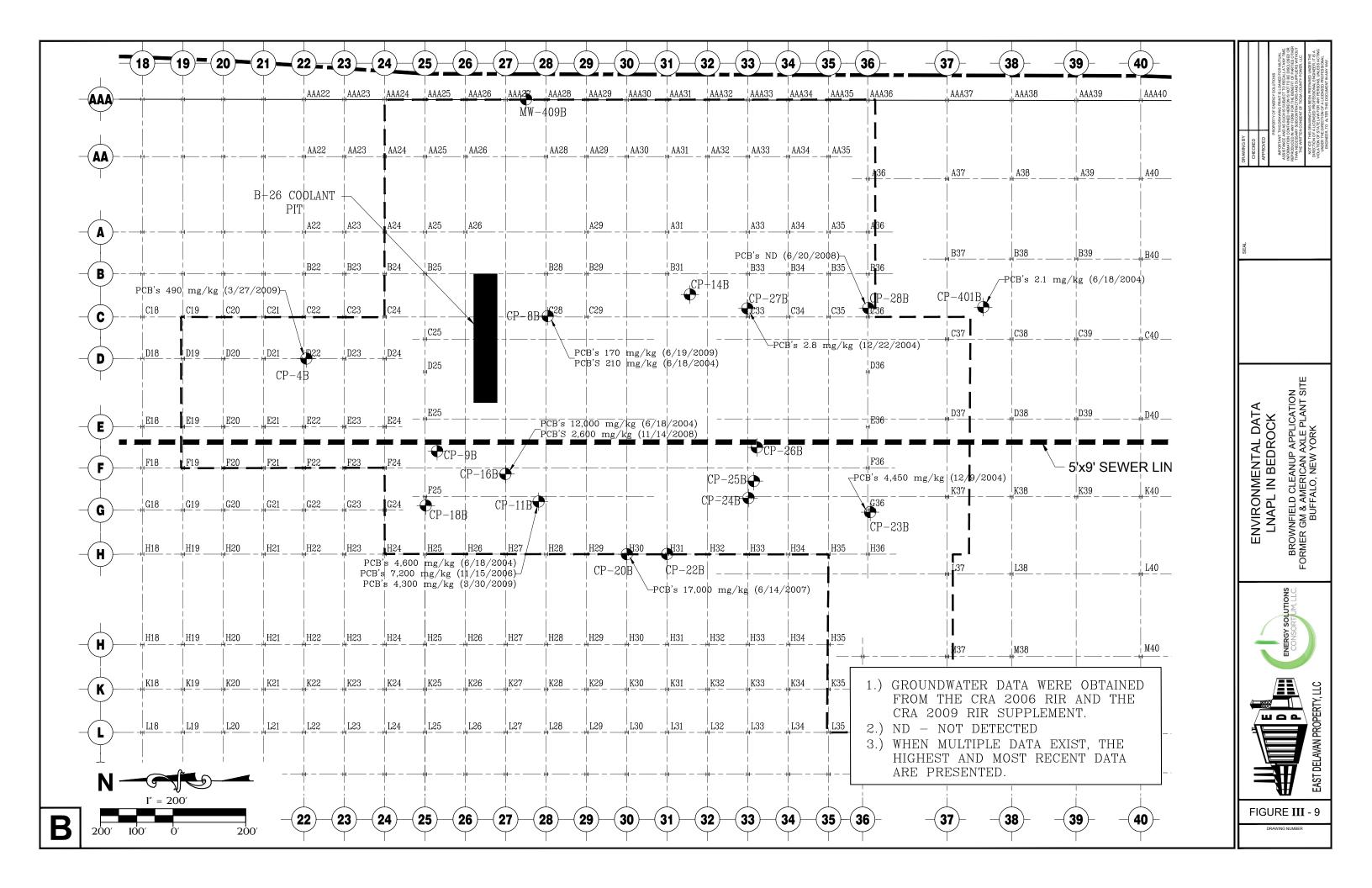




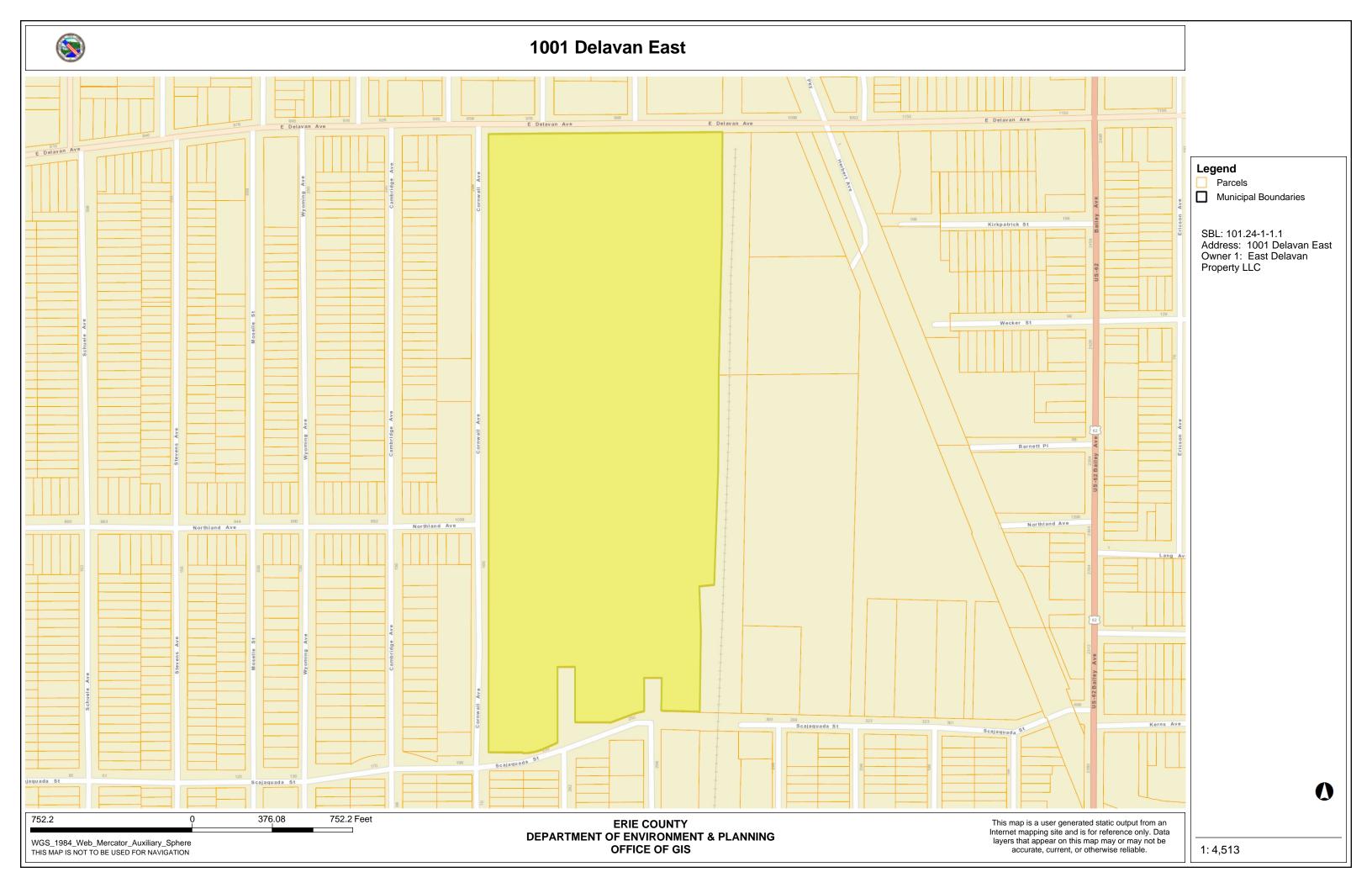




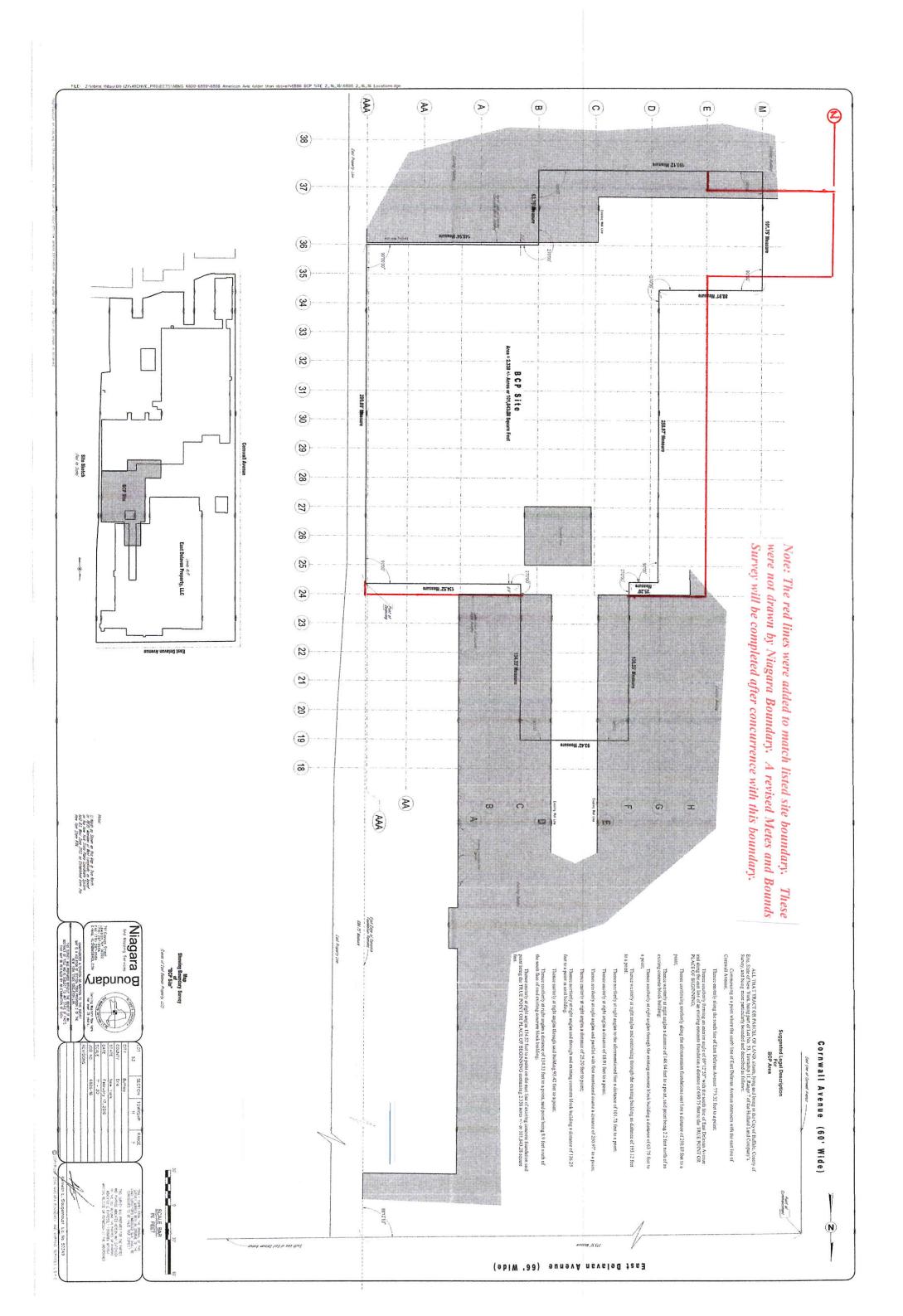


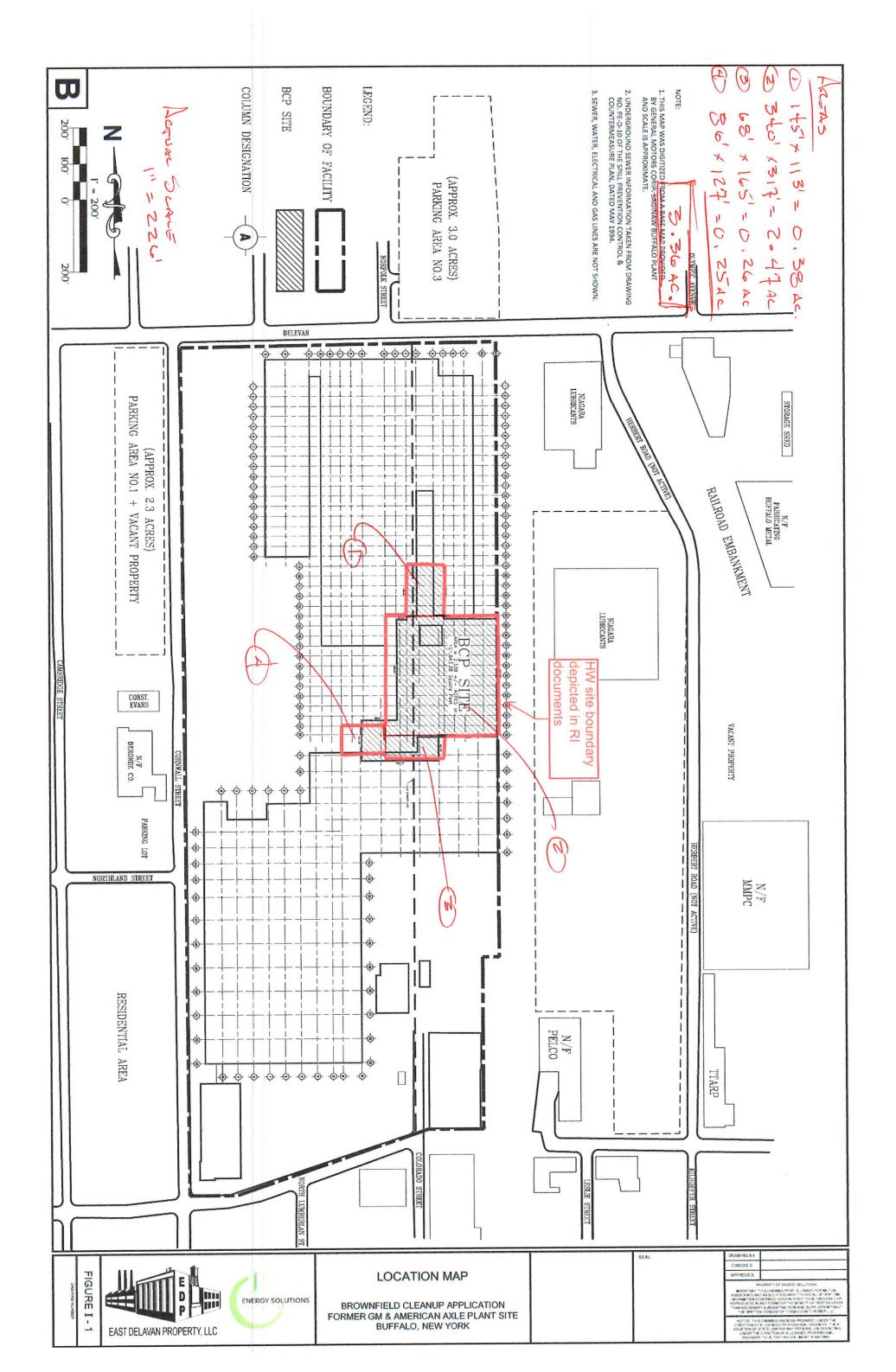


Tax Map for Section A-IV of BCP Application

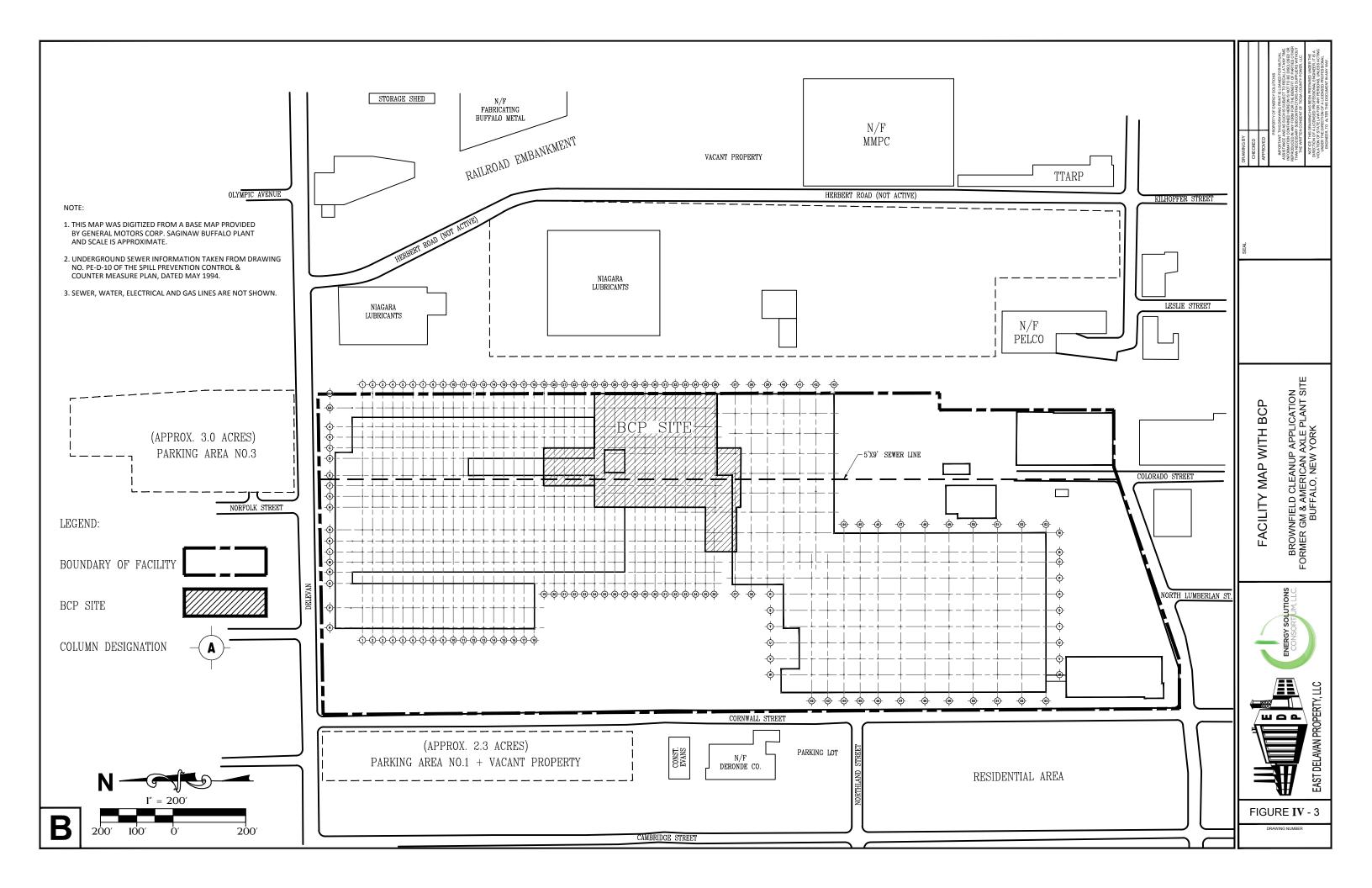


Proposed Metes and Bounds Survey Figure for Section A-IV of BCP Application

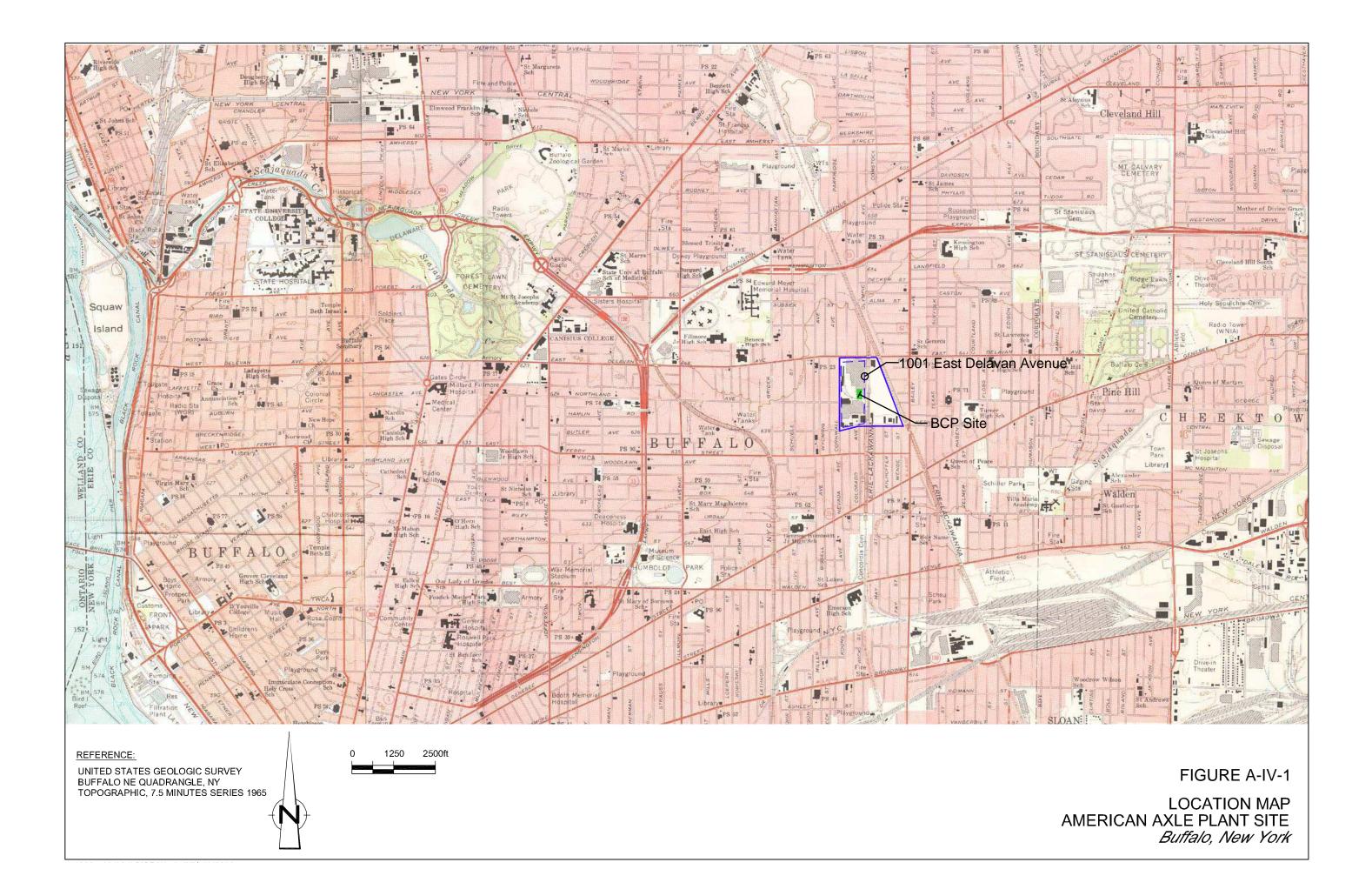




Facility Map Figure for Section A-IV of BCP Application



# **USGS Map Figure for Section A-IV of BCP Application**



**Property Description for Section A-II of BCP Application** 

#### Section IV 10: Property Description

**Property Description**: The Former GM and American Axle Plant Site is located in an urban area of Buffalo, New York within a larger property at 1001 East Delavan Avenue. The site is approximately 1,000 feet south of East Delavan Avenue within the former automotive plant site.

The BCP Site was within a massive abandoned industrial building surrounded by former parking areas and roadways. Subsequent to the property transfer, the former industrial buildings over the BCP Site have been largely removed. A small section of the buildings remain over the treatment system and along the south side of the Site.

**Current Zoning and Land Use**: The BCP Site is currently inactive, with the exception of the IRM, and is zoned for industrial use. The surrounding property is currently used for a combination of commercial, light industrial, and an abandoned railroad right of way. The nearest residential area is 0.1 miles south east of the BCP Site at the corner of Cornwall and Northland Streets.

Past Use of the Site: The production facility was operated by General Motors from the 1920s to 1994. The property was sold to the American Axle in 1994. American Axle ceased its manufacturing operations in 2008 and sold the property to the current owner East Delavan Property, LLC on October 3, 2008. The primary production activity at the facility had been the manufacture and assembly of automotive parts and vehicles. Contamination was due to oil from the GM and American Axle plant operations (spills and/or UST) and possibly leakage of PCBs from capacitors. Since October 2008 the site was cleaned up removing the residuals from the automotive component manufactures, portions of the abandoned buildings were removed, and the IRM abandoned by GM was upgraded and continues to operate.

**Site Geology**: The overburden ranges from 6.5 to 20.7 feet and consists of: fill, clay and till units. Fill: The fill varies between 0.2 feet to 15.5 feet and is composed of reworked soil, crushed concrete, gravel, foundry stone, crushed brick, cinders, slag, wood, and other refuse such as pieces of metal and glass fragments. Clay: The clay layer consists of upper gray or black silt/clay and red-brown clay. The average thickness of the upper silt/clay is 2.4 feet and the average thickness of the red-brown clay is 8.5 feet. Till: The till is intermittently present overlying the bedrock. The average thickness of the till is 1.4 feet. Bedrock: The average depth to bedrock beneath the Facility is 15.8 feet below ground surface (bgs). The bedrock consists of light to dark gray cherty limestone (the Onondaga Limestone).

**Sewer and Coolant Pit**: The presence of subsurface features beneath the Facility influenced groundwater flow especially in the fill and upper clay. The primary influencing features were the 5x9 Sewer, the former B-26 Coolant Pit, and numerous pits and sumps throughout the site.



Numerous sewer laterals connected to the 5x9 Sewer beneath the facility during the GM and American Axle operating periods. The laterals were sealed after EDP gained control of the property. An IRM operates in the Coolant Pit and recovers LNAPL that is collected therein. All other pits, sumps and trenches were cleaned and backfilled by EDP.

**Redevelopment**: Figure X-1 of the BCP Permit Application (Attachment A-X) provides a presentation of the options available for the redevelopment of the BCP Site:

- Industrial/Commercial The BCP Site is the primary access point for the northern and southern industrial facilities at the facility. The area will be used for both access and logistics.
- Long-term care The BCP Site includes the area underlain by the B-26 Coolant Pit and portions of the 5x9 Sewer. EDP anticipates that the area will require long-term care including continued operation of the recovery system in the B-26 Coolant Pit, water treatment, LNAPL recovery and storage, as well as additional remedial measures to ensure protection of the 5 x 9 Sewer. The area shown will be accessible at all times during the remedial program for the BCP.

# Environmental Assessment Revised for Section A-III of BCP Application

Section IV: Environmental Assessment

**Environmental Assessment**: As a result of spill in the former B-26 coolant pit, the site investigations at the BCP Site started at site in 1991 by GM. Since then several investigations have been conducted. The latest supplemental RI was conducted on behalf of GM in 2008-09. GM and American Axle stopped all automotive manufacturing activities prior to October 3, 2008. East Delavan Properties cleaned up residual material left by the automotive manufacturers and has upgraded and operated the site IRM since 2008.

**Contamination**: According to the November 2006 RI Report and the 2009 Supplemental RI, the primary contaminants at the site were PCBs mixed with oil. Most of the wells that had oil in 2008 are located east side of the 5x9 sewer and south of Coolant Pit B-26. The characterization of the presence of PCBs in subsurface suggested that the concentrations in the 2009 study were lower than the 2006 studies. EDP is proposing an assessment of the conditions that have resulted due to the passage of nearly a decade, the shutdown of the American Axle facility and the cleanup by EDP.



# **Attachment A-VII**

**Volunteer Statement** 

#### Attachment A-VII

#### Volunteer Statement

Volunteer Status – EDP purchased the facility with the knowledge and understanding that General Motors (GM) was responsible under the 2006 Order with the NYSDEC to remediate the conditions caused by more than four decades of automotive parts manufacturing at the site. Approximately one year later, GM filed for protection under bankruptcy laws and stopped all activity at the Site. AAM, the subsequent owner and operator of the manufacturing facility declined to fulfill the responsibilities of the 2006 Order. East Delavan Property (EDP), the current owner of the Site and surrounding property, has never manufactured automotive parts at the Site, operated any of the manufacturing equipment that caused the releases to the environment, was not identified in the Order. EDP is a not a party to or a signatory to the Order.

Care Taken/Work Completed - EDP has been cooperating with the NYSDEC since its purchase of the facility containing the Site in October 2008. Rather than allow the conditions below the Site to deteriorate, EDP voluntarily and proactively stepped in and upgraded the groundwater treatment system and has expended more than \$3,000,000 to eliminate active source areas on the BCP Site and remediate portions of the facility to eliminate the potential releases to the environment associated with materials left at the Site (see EDP Actions below).

EDP has attended meetings with the NYSDEC since September 2009; at the Site, at the NYSDEC headquarters in Albany, and in the NYSDEC Buffalo Offices. EDP has voluntarily prepared an RI/FS Work Plan which was submitted to the NYSDEC in May 2012. In November 2013, EDP was told that NYSDEC had secured funds from the GM bankruptcy to contribute to the remediation and asked both AAM and EDP to attend a meeting at the Buffalo Office. EDP and AAM attended the meeting to discuss a draft Order. EDP reviewed and offered comments on the Order; AAM refused to contribute or be a party to any activity at the Site.

Voluntary Environmental Response by EDP - EDP acquired the property prior to GM's bankruptcy with the full understanding that GM was responsible for the environmental conditions at the property and that AAM would convey a broom clean property. After both GM and AAM abandoned their responsibilities to NYSDEC and EDP, EDP has continued to address the conditions at the BCP Site and the facility. EDP continues to address the site environmental issues voluntarily, and in fact, has done much more than the limited work GM was completing under the Order, which was limited to periodically hand-bailing light non-aqueous phase liquids (LNAPL) from the subsurface, while much more significant quantities of oil and wastewater filled pits and pipes throughout the property.

EDP has been following a multi-stage program to ensure the conditions remaining following the GM abandonment of their remedial program and RI/FS process do not

deteriorate, and in fact EDP has significantly improved site conditions (Attachment A-VII-1):

- § Eliminated Active Sources At the time EDP acquired the property, there were still numerous subsurface pits, sumps and trenches filled with process water and free oil. Although GM had a consultant bailing free product from wells at the site, EDP elected to spend in excess of \$1 Million to eliminate the sources of water and oil rather than allow the liquids to move into the environment. EDP removed all free liquids; decontaminated the walls and bases of the pits, sumps and trenches; backfilled the voids with clean stone; and capped the openings with concrete. This work was completed before the GM bankruptcy, so there had been no legal discharge of their responsibilities at that point in time.
- Eliminated Discharges to the 5 x 9 Sewer In addition to eliminating Pits, Sumps and Trenches (Photographs 2 to 6) that potentially contributed to the conditions in soil and groundwater; EDP eliminated a number of drains and laterals that discharged directly to the combined sewer from the site. The elimination of these drains and laterals, reduces the hydraulic loading to the combined sewer, reducing the potential for overflow events; and eliminates migration pathways for Site constituents to the sewer.
- Operating the B-26 Coolant Pit Recovery System EDP upgraded and continues to operate the recovery system in the coolant pit left by GM. The recovered oil and water are sampled on a quarterly basis and have shown that the recovered oil has relatively low concentrations of Polychlorinated Biphenyl's (PCBs) and the PCB concentration in the aqueous phase is not detected. The continued operation of the recovery system has removed free oil from the environment.
- Stabilization of Site Conditions During previous GM investigations active manufacturing and active sources were prevalent at and around the Site.
   EDP has eliminated the active sources and all current operations are carefully managed to avoid any contribution to the subsurface. As a result, the Site has been allowed to come into equilibrium during the period while the NYSDEC has negotiated for funding of the GM obligations. This stabilization of conditions provides the opportunity to perform a proper RI/FS to characterize the site conditions as they exist, rather than as they were being actively influenced by ongoing releases.

# **Attachment A-VII - 1**

# Supplement to Volunteer Statement 2015 Summary of Work to Date for Section A-VII of BCP Application (Electronic Version [CD] Only)

# **Attachment A-VIII**

**Contact Information – Previous Owners and Operators** 

#### Attachment A-VIII

#### **Previous Owners and Operators**

- General Motors Corporation Unknown contact or Division within GM. The requestor did not purchase property from GM. It is our understanding that the NYSDEC reached a settlement with GM and likely has a more direct contact.
  - · Address P.O. BOX 33170, Detroit, MI 48232-5170
  - Contact Corporate Secretary, General Motors Company Mail Code 482-C25-A36
     300 Renaissance Center, P.O. Box 300
  - Detroit, Michigan 48265-3000Telephone (313) 556-5000
  - Relationship to EDP None
- o American Axle and Manufacturing
  - Address One Dauch Drive, Detroit, MI 48211
  - · Contact Mark Williams (No relationship to requestor)
  - Telephone 313.78.4944
  - Relationship to EDP None

# $Contact\ Information-Citizen\ Participation$



#### Attachment IX – 1

#### **Contact List Information**

City of Buffalo Mayor
 Mayor Byron W. Brown
 201 City Hall
 Buffalo, NY 14202
 Mayor@city-buffalo.com

· Chair of the City of Buffalo planning board;

James Morrell, Chair 901 City of Hall Buffalo, NY 14202 Phone: 716-851-5029 Fax: 716-851-5590

Nadine Marrero

Director of Planning 901 City of Hall Buffalo NY 14202 Phone: 716-851-5029

Fax: 716-851-5590

nmarrero@city-buffalo.com

Erie County Executive;

Mark C Poloncarz Erie County Executive's Office 95 Franklin Street, 16<sup>th</sup> floor Buffalo, NY 14202

Phone: 716-858-8500 Fax: 716-858-6679 countyexecutive@erie.gov

· East Delavan Branch

1187 E. Delavan Avenue Buffalo, NY 14215 Phone: 716-896-4433

Head Librarian: John Stone

#### · Central Library

Carol Ann Batt
Deputy Director, Chief Operating Officer
Buffalo and Erie County Library
1 Lafayette Square
Buffalo, NY 14203

- · Residents and surrounding property owners
  - o See Attachment A-IX-2
- Local News Media
  - o Buffalo News
    - Business Desk
      - · 716-849-4434
      - · fin@buffnews.com
    - Potter, Grove (Business Editor)
      - · 716-849-3492
      - · gpotter@buffnews.com
    - · Epstein, Jonathan (Development)
      - 716-849-4478
      - jepstein@buffnews.com
- · Buffalo Water Authority
  - · Veolia Water
  - · 2 Porter Avenue
  - · Buffalo, NY 14201
  - · 716-847-1065 Ext.121
- · Local School Contact

PS 197 Math Science Technology Preparatory School

Address: 666 E Delavan Ave,

Buffalo, NY 14215 Phone: (716) 816-4500 Principal: Todd Miklas



King Center Charter School

Charter School

Address: 156 Newburgh Ave.

Buffalo, NY 14211 Phone: (716) 891-7912

Principal: Antoinette Rhodes

Buffalo Public School #82

**Public School** 

Address: 230 Easton Ave.

Buffalo, NY 14215 Phone: (716) 816-4070

Principal: Margaret Wantuck

Buffalo Public School # 84 Address: 462 Grider St. Buffalo, NY 14215 Phone:(716) 816-4080 Principal: Jennifer Kapsiak

#### o Community Associations

Delavan-Grider Community Center Address: 877 E. Delavan Avenue

Buffalo, NY 14215 Phone: (716) 896-7021



# **Summary of Surrounding Properties**

# Addresses Surrounding BCP Site

Map Reference	Address	Use	Owner
1	1001 East Delavan Avenue	Industrial	East Delavan Property, LLC, 333 Ganson Street, Buffalo, NY 14203

# Addresses Surrounding 1001 East Delavan, Buffalo, NY

Map Reference	Address	Use	Owner
2	210 Cornwall	Commercial	Lighting Property LLC, 370 Babcock, Buffalo, NY 14206
3	200 Cornwall	Commercial	Lighting Property LLC, 370 Babcock, Buffalo, NY 14206
4	1015 Northland	Vacant	Lorraine Benning, 2235 Forest Ave., N. Falls, NY 14301
5	78 Cornwall	Residential	Buffalo Municipal Housing Authority
	Joseph J. Kelly Apartments		300 Perry Street, Buffalo, NY 14204
6	76 Cornwall	Church	Pentecostal Deliverance Prayer Center of
			Buffalo NY Inc., 76 Cornwall, Buffalo, NY 14215
7	69 Cornwall	Vacant	Joseph and Tina Chrislaw, 733 Kellogg Ave.,
			Jamesville, WI 53546
8	66 Northumberland	Vacant	Nia Mozee, 332 Grider Street, Buffalo, NY 14215
9	69 Northumberland	Residential	BuffaloEdge LLC, PO Box 734, Buffalo, NY 14213
10	230 Colorado	Commercial	Baehre & Shumway, 230 Colorado, Buffalo, NY 14215
11	1210 East Ferry	Commercial	Shaker Abuhamra and Fawaz K. Kaid, 1210 E. Ferry,
			Buffalo, NY 14215
12	300 Scajaquada	Commercial	300 Scajaquada LLC, 3336 Bailey Ave.,
			Buffalo, NY 14215
13	1057 East Delavan	Commercial	Lasco Inc., 1057 E. Delavan, Buffalo, NY 14215
14	1055 East Delavan	Commercial	Delevan Leasing LLC, 31 Ransier Drive, W. Seneca, NY 14224



BROWNFIELD CLEANUP APPLICATION FORMER GM & AMERICAN AXLE PLANT SITE BUFFALO, NEW YORK

ENERGY SOLUTIONS E



FIGURE IX - 1

DRAWING NUMBER



# Buffalo Public Library Permission for Repository (Note: Includes both the Central and East Delavan Branches)



April 4, 2016

John P. Black, P.E. Vice President, Development Energy Solutions Consortium, LLC 481 Carlisle Drive, Suite 202 Herndon, Virginia 20170

Dear John,

#### SUBJECT: REPOSITORY DOCUMENT

This is to inform you that permission is granted to Energy Solutions Consortium for the Buffalo and Erie County Public Library to be the repository for all present and future documents and updates that should be made available for public inspection/review at both the Central, and East Delavan branches. *You will not need additional future permission*.

Please keep the following in mind:

Documents (including updates) for public inspection/review should be brought in person to the Central Library (second floor Administration Office) or mailed to my attention. Documents sent via e-mail will not be accepted. My mailing address is:

Attention: Carol Ann Batt Deputy Director, Chief Operating Officer Buffalo and Erie County Public Library 1 Lafayette Square Buffalo, NY 14203

- Documents for the Central Library (downtown) are made available on the first floor in the Information Services Department usually within 3 days after receipt, not counting weekends.
- If you would like document(s) distributed at libraries other than the downtown Central Library (Ex: East Delavan), you will need to send the appropriate quantity of copies with labels regarding their destinations. We will distribution accordingly. We do not make copies for distribution.



• You have the choice regarding the format (hard copy and/or disk) you wish to submit. If the document is very large, part in hard copy and part on disk is acceptable. If submitting in both formats, please be sure that they are titled and labeled accordingly. Although CD-ROMs cannot be used on public library computers, if someone brings in their personal laptop, the disc can be viewed inhouse. If optional, an alternative is the availability of a provided link to allow patrons online access to read/review/print. Patrons are not allowed to take the original documents out of the library.

If you still have any questions/concerns, please feel free to contact me or my assistant April via the information below. Thank you.

Carol Ann Batt: 716-858-7191 / battc@buffalolib.org April Tompkins: 716-858-7129 / tompkinsa@buffalolib.org

Sincerely,

Carol Ann Batt

Cawl an Belt

Deputy Director, Chief Operating Officer

CAB/at

# **Attachment A-X**

# **Post-remediation Land Use**

#### Attachment A-X

#### Redevelopment Strategy

The project is designed to unlock the BCP Site and allow the overall property development support multiple industrial tenants. The key targets are heavy manufacturing, warehouse support of heavy manufacturing or logistics. The strategy is to integrate the BCP Site into the overall development of the property. The site will support, even with ongoing groundwater management and monitoring, heavy industrial and logistical operations.

