August 21, 2026

Megan Kuczka
Environmental Program Specialist 2
New York State Department of Environmental Conservation
Division of Environmental Remediation
700 Delaware Avenue
Buffalo, NY, 14209

RE: Notification of Cover System Repairs
BCP Site I-9 – Renaissance Commerce Park, Lackawanna, NY
NYSDEC Site No. C915197I

Dear Ms. Kuzcka:

Pursuant to the notification requirements set forth in the December, 2013 Excavation Work Plan (EWP) located in Appendix B of the January, 2014 Site Management Plan for the above referenced site, this letter has been prepared on behalf of Erie County Industrial Development Agency to notify the New York State Department of Environmental Conservation (NYSDEC) of cover system repairs and intrusive activities to be performed at the site. Proposed activities will be conducted to address the distressed vegetation/disturbed area identified near the west boundary of Site I-9. The following sections address the requirements established in the EWP.

1.0 Description of Work to be Performed

The contractor will mobilize to the project site to perform the following site repairs. The approximate location of the distressed vegetation/disturbed area on Site I-9 is depicted on Figure 1 (attached).

Removal of Distressed Vegetation and Topsoil

Within the limits of the disturbed area, the contractor will utilize machinery to scrape off the existing distressed vegetation, remove 1 to 2 inches of topsoil, and any fill materials present on the cover. Although not anticipated, disturbed cover system material removal will continue until all fill material/ disturbed cover has been removed or until the demarcation layer is reached. LaBella will inspect the disturbed area during removal activities and confirm all affected soils have been sufficiently removed.

Disturbed Area Cover Restoration

After all distressed vegetation and disturbed materials have been removed, the removal area will be restored. Clean imported topsoil will be used to restore the cover system. Topsoil will be placed across the area and leveled to match surrounding grades and seeded. An Import Request Form for the topsoil will be submitted to the NYSDEC prior to import to the site.

Crushed Stone Cover Improvement

No. 2 crushed stone is proposed to be placed in areas along the railroad tracks subject to vehicle rutting. CSX vehicles transect the site along the railroad tracks and have begun to cause minor rutting. In an effort to prevent future vehicle rutting No. 2 crushed stone will be placed in low areas along the vehicle path.

2.0 Materials Staging, Transport and Disposal

All excavation soils generated during the course of the work will be loaded into a roll-off container for subsequent off-site disposal. The excavated materials are anticipated to be disposed at the Waste Management Chaffee Facility. Subsequent waste profile approval the roll-off container will be transported to the disposal facility.

3.0 Imported Backfill

Topsoil and stone will be imported by the contractor subsequent submission of import request forms and approval by the NYSDEC.

4.0 Anticipated Environmental Conditions

Based on the shallow nature of the work within the existing cover system (1 to 2 inches bgs), impacted site materials beneath the cover system are not anticipated to be encountered.

5.0 Schedule

The work is proposed to begin on or around August 27, 2026, with an estimated duration of two (2) days. Removal of the roll-off container from the site for disposal will occur subsequent disposal approval from the disposal facility.

6.0 Compliance with EWP

The work will be completed in accordance with the aforementioned EWP and with applicable provisions of 29 CFR part 1910.120.

7.0 Recordkeeping and Reporting

LaBella will observe the removal and restoration activities. Work conducted will be documented and summaries in the next Periodic Review Report

Please let me know if you have any questions or concerns related to this notification.

Respectfully Submitted,

LABELLA ASSOCIATES, DPC

Andrew Benkleman
Project Manager

FIGURES

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