September 22, 2026

Ms. Megan Kuczka
New York State Department of Environmental Conservation
700 Delaware Ave.
Buffalo, New York 14209

Re: Elk Street Commerce Park
Water Leak Excavation Notification
ExxonMobil Former Buffalo Terminal – OU-3
Buffalo, New York
NYSDEC BCP Site **#C915201D**
LaBella Project No. 2251277

Ms. Kuczka,

On behalf of Elk Street Commerce Park, LLC, Pinto Construction Services is planning to perform construction excavation activities associated with waterline repairs within the northwestern portion of OU-3 at the Exxon Mobil Former Buffalo Terminal Site, located at 503 Elk Street, 625 Elk Street, and 1 Babcock Street, City of Buffalo, Erie County, New York. Please see attached Figure 1 for the approximate location of the water leak. The work will include the following:

- Saw-cutting of existing pavement.
- An excavation of approximately 20'x20'x8' is anticipated to allow for the waterline repairs. Excavated soil and asphalt debris will be managed within the planned disturbance areas and temporarily staged on and covered with poly sheeting prior to off-site disposal or reuse.
- If disposed of offsite, excavated soil and asphalt debris will be characterized through soil sampling and laboratory testing. Following receipt of the laboratory results and an approved waste profile, the material will be transported off-site for disposal by a licensed waste hauler.
- The excavation will be backfilled with approved imported structural fill, as necessary, and the existing asphalt cover system will be restored to meet existing grade levels.
- Any imported fill will meet applicable NYSDEC backfill soil quality standards and will be subject to the required NYSDEC import approval process.
- Groundwater is not anticipated to be encountered during the work. If water accumulates within the open excavation and dewatering is necessary, fluids will be contained and managed in accordance with applicable requirements.
- The work will be performed in accordance with the OU-3 Site Management Plan (SMP), Excavation Work Plan (EWP), and applicable NYSDEC requirements.
- A LaBella environmental scientist, under the LaBella NYS Licensed PE for the site, will be on-site to oversee the ground-intrusive work, document field activities, and implement Community Air Monitoring. Upwind and downwind monitoring stations will be utilized, and a Photoionization Detector (PID) will be used to monitor for volatile organic compounds (VOCs).
- Daily field logs summarizing construction activities, associated photographs, and CAMP monitoring data will be maintained for the duration of the work. These reports will be submitted to NYSDEC/NYSDOH each following day of site activity.

The work is anticipated to commence the week of September 28, 2026, and will be completed within approximately three days. We respectfully request your review and approval to allow the field work to begin.

If you have any further questions or comments, please do not hesitate to contact me at (716) 345-6709.

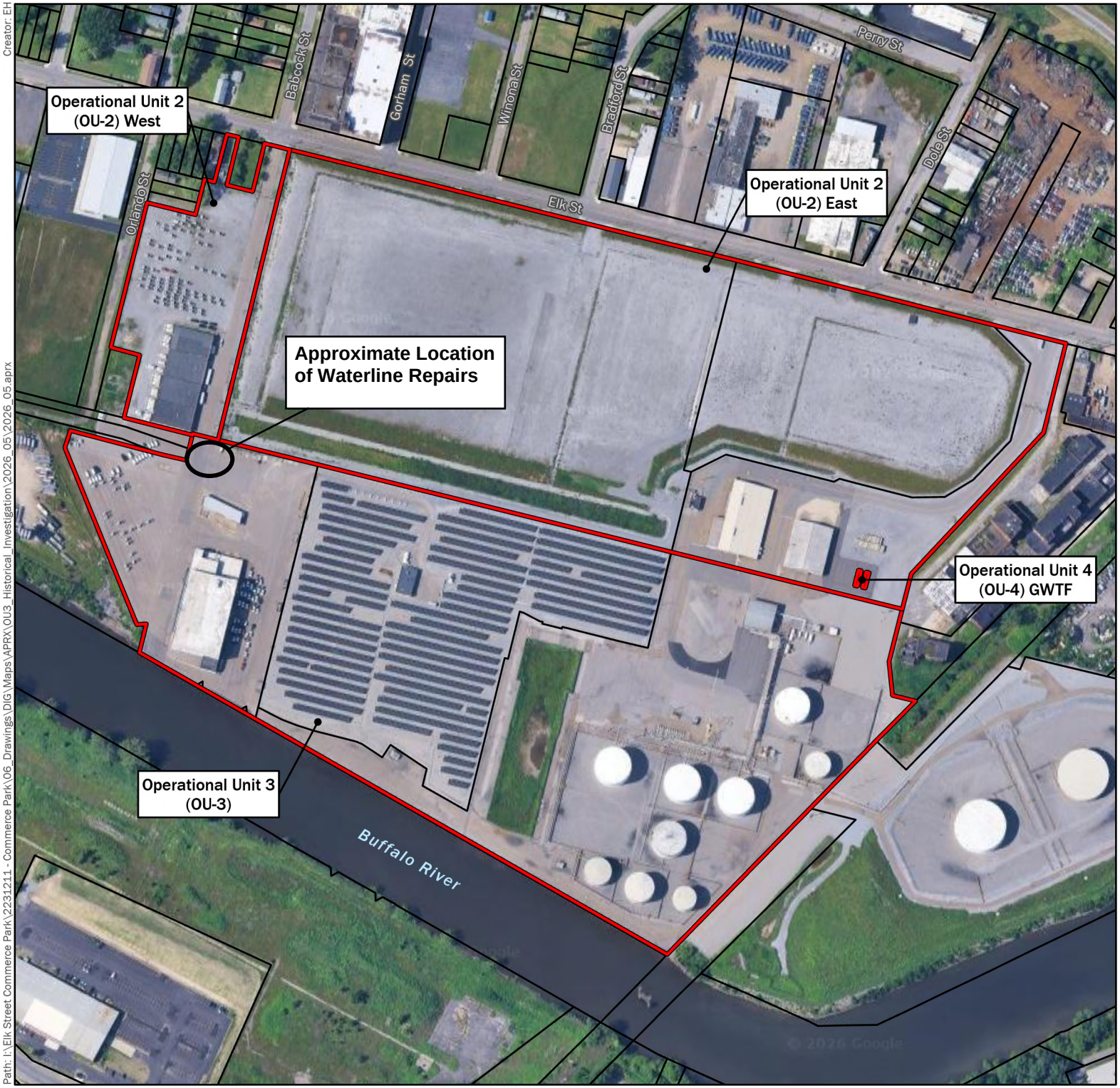
Respectfully submitted,

LABELLA ASSOCIATES, D.P.C



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Project Manager

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Creator: EH

Path: I:\Elk Street Commerce Park\2231211 - Commerce Park\06_Drawings\DIG\Maps\APRX\OU3_Historical_Investigation\2026_05\2026_05.aprx

LaBella
Powered by partnership.

Waterline Repairs
ExxonMobil Oil
Former Buffalo Terminal
OU-3

503, 625 Elk Street
and 1 Babcock, Buffalo, NY
NYSDEC Site No. C915201D

N

0 200 400 Feet

Legend

- Operational Unit (OU) Boundary
- Tax Parcel Boundary

Sources: Google Earth; LaBella 2026; Regrid, 2026

Project Area

Figure 1

LaBella Project No: 2251277
Date: September 2026