

Brownfield Cleanup Program Application

*Steelfields Area IV (Hydro-Air) Site
Buffalo, New York*

April 2006

0107-001-100

Prepared For:

Hydro-Air Components, Inc.

**BROWNFIELD CLEANUP PROGRAM (BCP) APPLICATION**

ECL ARTICLE 27 / TITLE 14

DEPARTMENT USE ONLY
BCP SITE #: _____

07/05

Section I. Requestor Information			
NAME Hydro-Air Components, Inc.			
ADDRESS 4950 Camp Road			
CITY/TOWN Hamburg		ZIP CODE 14075	
PHONE 716-648-3801	FAX 716-648-3203	E-MAIL kkoch@hydro-air.net	
NAME OF REQUESTOR'S REPRESENTATIVE Mr. Kevin T. Koch			
ADDRESS 4950 Camp Road			
CITY/TOWN Hamburg		ZIP CODE 14075	
PHONE 716-648-3801	FAX 716-648-3203	E-MAIL kkoch@hydro-air.net	
NAME OF REQUESTOR'S CONSULTANT Benchmark Environmental Engineering & Science, PLLC			
ADDRESS 726 Exchange Street, Suite 624			
CITY/TOWN Buffalo		ZIP CODE 14210	
PHONE 716-856-0599	FAX 716-856-0583	E-MAIL martin@benchmarkees.com	
NAME OF REQUESTOR'S ATTORNEY Edward C. Daniel III (Hiscock & Barclay)			
ADDRESS 2000 HSBC Plaza			
CITY/TOWN Rochester		ZIP CODE 14604-2404	
PHONE 585-295-4432	FAX 716-295-8455	E-MAIL edaniel@hiscockbarclay.com	
<p>THE REQUESTOR MUST CERTIFY THAT IT IS EITHER A PARTICIPANT OR VOLUNTEER IN ACCORDANCE WITH ECL § 27-1405 (1) BY CHECKING ONE OF THE BOXES BELOW:</p> <div><div><input type="checkbox"/> 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.</div><div><input checked="" type="checkbox"/> 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.</div></div>			
Requestor Relationship to Property (check one): <input type="checkbox"/> Previous Owner <input type="checkbox"/> Current Owner <input checked="" type="checkbox"/> Potential /Future Purchaser <input type="checkbox"/> Other _____			
If requestor is not the site owner, requestor will have access to the property throughout the BCP project. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
(Note: proof of site access must be submitted for non-owners)			

Section II. Site Information Summary Sheet												
SITE /PROPERTY NAME: Steelfields Area IV												
ADDRESS/LOCATION 324 Baraga Street		CITY/TOWN Buffalo		ZIP CODE 14220								
MUNICIPALITY(IF MORE THAN ONE, LIST ALL): Buffalo, NY												
COUNTY Erie		SITE SIZE (ACRES) 30.91										
LATITUDE (degrees/minutes/seconds) 42 ° 50 ' 57 "			LONGITUDE (degrees/minutes/seconds) 78 ° 50 ' 22 "									
HORIZONTAL COLLECTION METHOD:			HORIZONTAL REFERENCE DATUM:									
FOR EACH PARCEL, FILL OUT THE FOLLOWING TAX MAP INFORMATION (if more than three parcels, attach additional information)												
Parcel Address	Parcel No.	Section No.	Block No.	Lot No.	Acreage							
324 Baraga St., Buffalo, New York 14220	L	132.12	1	10.1	27.54							
324 Baraga St., Buffalo, New York 14220 (Partial)	M	132.12	1	9.1	3.37							
<p>1. Do the site boundaries correspond to tax map metes and bounds? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p style="padding-left: 40px;">If no, please attach a metes and bounds description of the site.</p> <p>2. Is the required site map attached to the application? (application will not be processed without site map) <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>3. Is the site part of a designated En-zone pursuant to Tax Law § 21(b)(6)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p style="padding-left: 40px;">For more information go to:</p> <p style="padding-left: 40px;">http://www.nylovesbiz.com/Productivity_Energy_and_Environment/BrownField_Redevelopment/default.asp</p> <p style="padding-left: 40px;">If yes, identify area (name) _____</p> <p style="padding-left: 40px;"><input type="checkbox"/> 50% <input type="checkbox"/> 100% of the site is in the En-zone (check one)</p>												
<p>SITE DESCRIPTION NARRATIVE:</p> <p>Site is a 31-acre parcel formerly used as a coke storage yard by the Donner -Hanna Coke Corporation. Investigation and partial remedial activities completed to date indicate soil/fill impacts by coal tar constituents. The site is slated for redevelopment as an industrial HVAC equipment manufacturing facility.</p>												
<p>List of Existing Easements (type here or attach information)</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; border-bottom: 1px solid black;">Easement Holder</th> <th style="text-align: left; border-bottom: 1px solid black;">Description</th> </tr> </thead> <tbody> <tr> <td style="height: 100px;"> </td> <td> </td> </tr> </tbody> </table>							Easement Holder	Description				
Easement Holder	Description											
<p>List of Permits Relating to the Proposed Site (type here or attach information)</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; border-bottom: 1px solid black;">Type</th> <th style="text-align: left; border-bottom: 1px solid black;">Issuing Agency</th> <th style="text-align: left; border-bottom: 1px solid black;">Description</th> </tr> </thead> <tbody> <tr> <td>Building Permit</td> <td>City of Buffalo</td> <td>Facility Construction; Tift Street Access</td> </tr> </tbody> </table>							Type	Issuing Agency	Description	Building Permit	City of Buffalo	Facility Construction; Tift Street Access
Type	Issuing Agency	Description										
Building Permit	City of Buffalo	Facility Construction; Tift Street Access										

Initials of each Requestor: *CEP* _____

Section III. Current Site Owner/Operator InformationOWNER'S NAME (if different from requestor) **Steelfields, Ltd.**ADDRESS **726 Exchange Street, Suite 624**CITY/TOWN **Buffalo**ZIP CODE **14210**PHONE **716-856-0635**FAX **716-856-0583**E-MAIL **pwerthman@turnkeyllc.com**

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

ADDRESS

CITY/TOWN

ZIP CODE

PHONE

FAX

E-MAIL

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

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

- | | | |
|--|------------------------------|--|
| 1. Are any enforcement actions pending against the requestor regarding this site? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 2. Is the site subject to an existing order for the contamination? | <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 violated any provision of ECL Article 27? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 5. Has the requestor been previously denied entry to the BCP? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 6. Has the requestor committed a negligent or intentionally tortuous act regarding hazardous waste or petroleum? | <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 statements or concealed material facts in a matter related to the Department? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 9. Has the requestor, based on the provisions of ECL Article 27-1407 (or a similar provision of federal or state law), 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. Site Eligibility Information (Please refer to ECL § 27-1405)

- | | | |
|--|---|--|
| 1. Is the site listed on the National Priorities List? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 2. Is the site listed on the NYS Registry of Inactive Hazardous Waste Disposal Sites?
If yes, please provide: Site # <u>915017</u> Class # <u>III</u> | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| 3. Is the site 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 site 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 site 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 Description

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

- Purpose and scope of the project
- Estimated project schedule

Section VII. Site's Environmental History

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

1. Environmental Reports

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

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

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

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

*Please describe: _____

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

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

*Please describe: _____

4. INDICATE KNOWN OR SUSPECTED SOURCES OF CONTAMINANTS:

- | | | | |
|---|---|---|--|
| <input type="checkbox"/> Above Ground Pipeline or Tank | <input type="checkbox"/> Lagoons or Ponds | <input type="checkbox"/> Underground Pipeline or Tank | <input type="checkbox"/> Surface Spill or Discharge |
| <input checked="" type="checkbox"/> Routine Industrial Operations | <input checked="" type="checkbox"/> Dumping or Burial of Wastes | <input type="checkbox"/> Septic tank/lateral field | <input type="checkbox"/> Drums or Storage Containers |
| <input type="checkbox"/> Adjacent Property | <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:

- | | | | | | |
|---|--|---|--------------------------------------|---|-------------------------------------|
| <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: Coke and Coal Storage Yard

6. Owners

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

7. Operators

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

Section VIII. Contact List Information

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

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

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

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

Intended Use: ☐ Unrestricted ☐ Residential ☐ Commercial ☒ Industrial

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

	Yes	No
1. Do current historical and/or recent development patterns support the proposed use? (See #12 below re: discussion of area land uses)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Is the proposed use consistent with applicable zoning laws/maps?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Is the proposed use consistent with applicable comprehensive community master plans, local waterfront revitalization plans, designated Brownfield Opportunity Area plans, other adopted land use plans?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Are there any Environmental Justice Concerns? (See §27-1415(3)(p)).	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. Are there any federal or State land use designations relating to this site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Do the population growth patterns and projections support the proposed use?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Is the site accessible to existing infrastructure?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Are there important cultural resources, including federal or state historic or heritage sites or Native American religious sites proximate to the site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
9. Are there important federal, state or local natural resources, including waterways, wildlife refuges, wetlands, or critical habitats of endangered or threatened species proximate to the site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
10. Are there floodplains proximate to the site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
11. Are there any institutional controls currently applicable to the site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
12. Describe on attachment the proximity to real property currently used for residential use, and to urban, commercial, industrial, agricultural, and recreational areas.		
13. Describe on attachment the potential vulnerability of groundwater to contamination that might migrate from the site, including proximity to wellhead protection and groundwater recharge areas.		
14. Describe on attachment the geography and geology of the site.		

Statement of Certification and Signatures

(By requestor who is an individual)

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

Date: _____ Signature: _____ Print Name: _____

(By an requestor other than an individual)

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

Date: 5/11/06 Signature:  Print Name: Walter J. Zurawski

SUBMITTAL INFORMATION

Three (3) complete copies are required.

- **Two (2)** copies, one hard copy with original signatures and one electronic copy in Portable Document Format (PDF) on a CD or diskette, must be sent to:

Chief, Site Control Section
New York State Department of Environmental Conservation
Division of Environmental Remediation
625 Broadway
Albany, NY 12233-7020

- **One (1)** hard copy must be sent to the DEC regional contact in the regional office covering the county in which the site is located. Please check our website for the address of our regional offices: <http://www.dec.state.ny.us/website/der/index.html>

FOR DEPARTMENT USE ONLY

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

LIST OF APPLICATION ATTACHMENTS

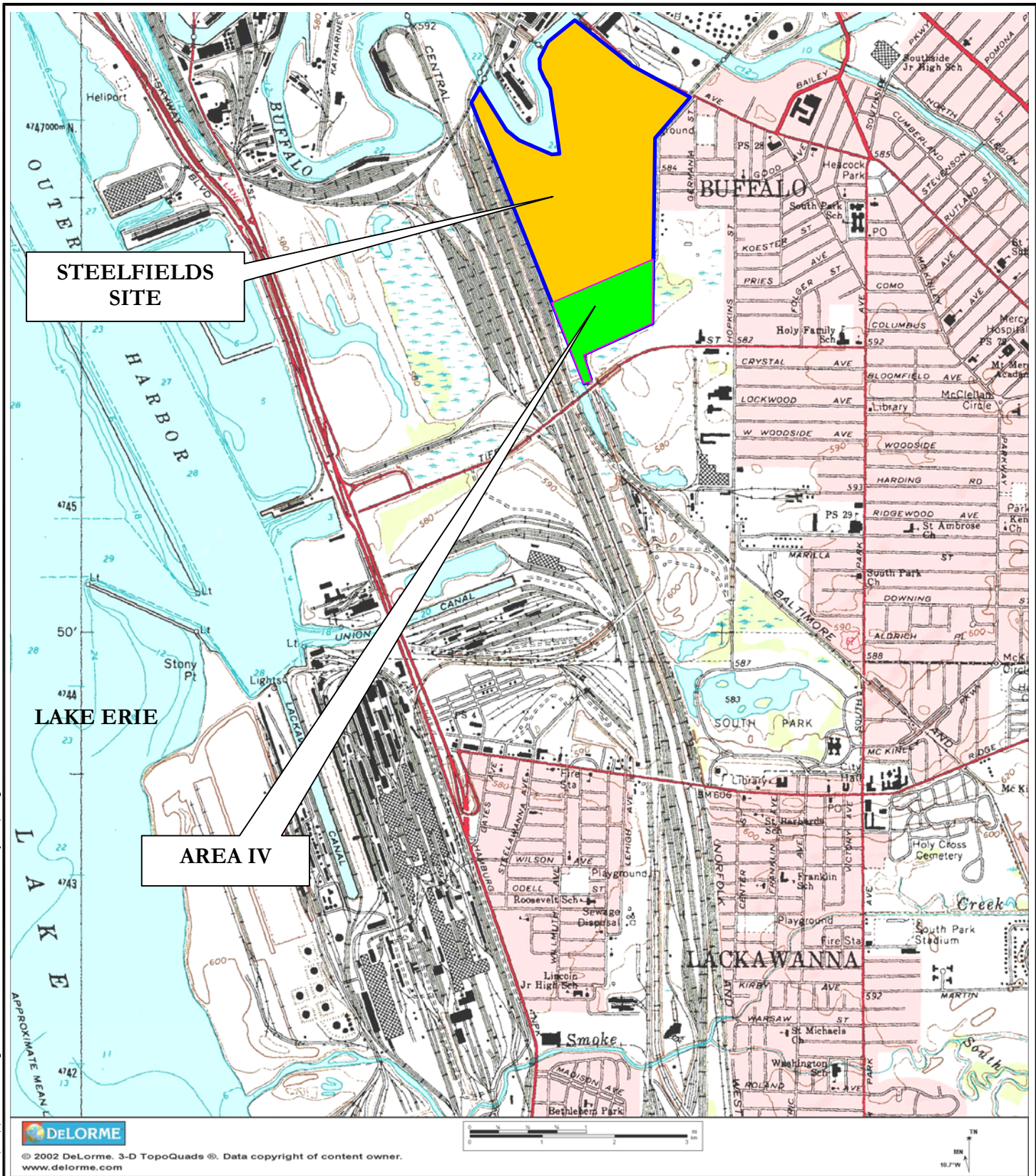
*NYSDEC Brownfield Cleanup Program Application
Hydro-Air Components, Inc. – Steelfields Area IV (Hydro-Air) Site
Buffalo, New York*

Attachment No.	Description
1	Site Location Map and Site Plan
2	Tax Map, Metes and Bounds Description
3	Project Description and Schedule
4	Proposed Redevelopment Master Plan
5	Environmental Site Assessment
6	Environmental Investigation/Assessment Reports
7	Listing of Previous Site Owners
8	Listing of Previous Site Operators
9	Contact List Information
10	Document Repository Confirmation Letter
11	Environmental Factors and Historic Land Use Considerations
12	Nearby Land-Use Map
13	Groundwater Vulnerability Assessment
14	Description of Site Geography/Geology

ATTACHMENT 01

SITE LOCATION MAP & SITE PLAN

FIGURE 1-1



726 EXCHANGE STREET
SUITE 624
BUFFALO, NEW YORK 14210
(716) 856-0599

SITE LOCATION AND VICINITY MAP

BROWNFIELD CLEANUP PROGRAM APPLICATION

STEELFIELDS AREA IV SITE
BUFFALO, NEW YORK

PREPARED FOR
HYDRO-AIR COMPONENTS, INC.

PROJECT NO.: 0107-001-100

DATE: APRIL 2006

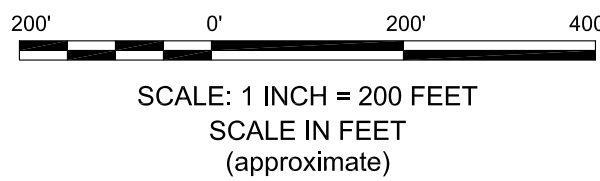
DRAFTED BY: BCH

SEAL

BUFFALO, NEW YORK
STEELFIELDS AREA IV SITE

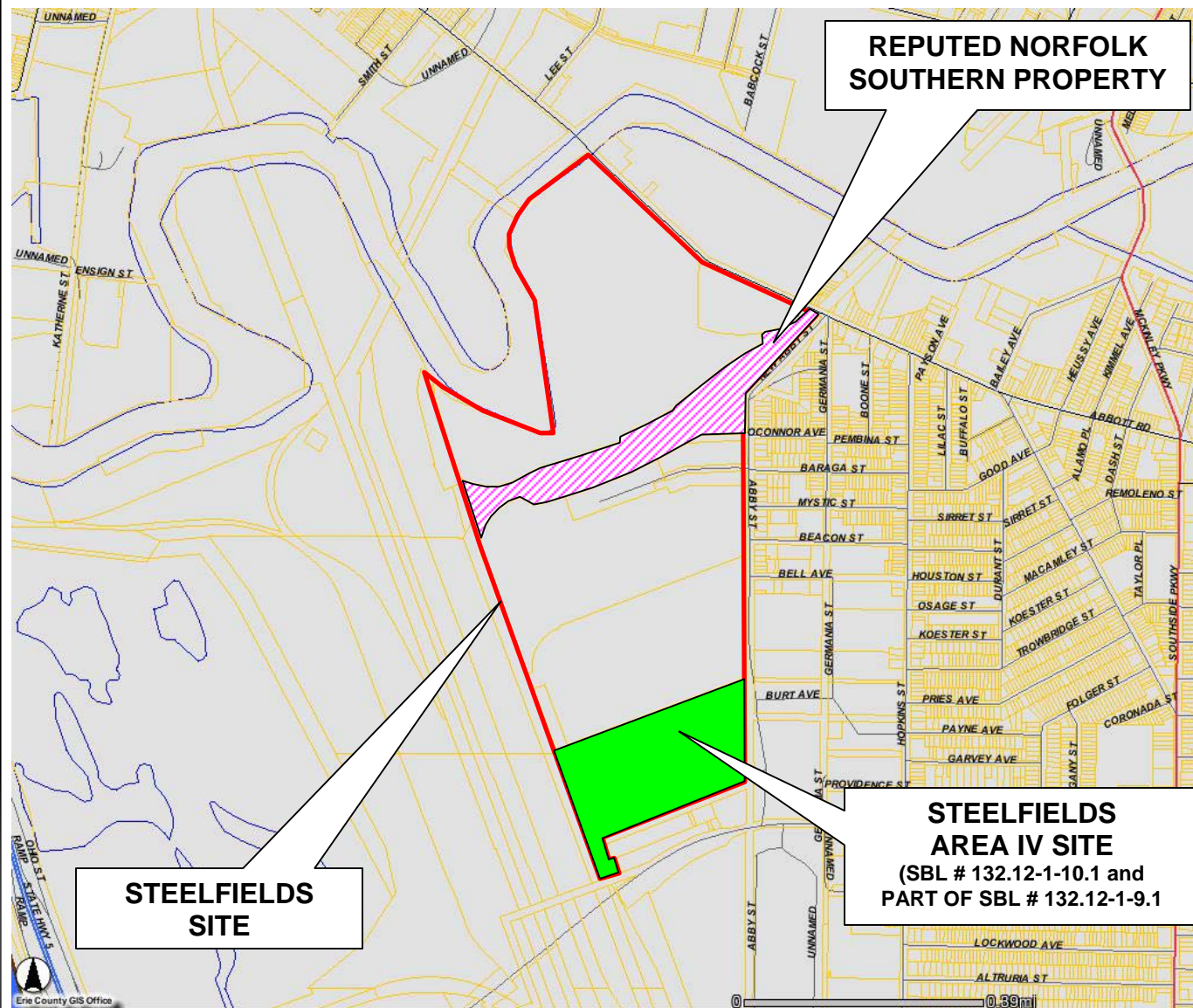
HYDRO-AIR COMPONENTS, INC.

FIGURE 1-2



ATTACHMENT 02

TAX MAP, METES AND BOUNDS DESCRIPTION



LEGEND:

- Municipalities
- Parcels
- Railroads
- Road Names**
- Local Roads**
- Interstate
- Primary Federal / State
- Secondary State / County
- Local Road
- Ponds
- Streams



726 EXCHANGE STREET
SUITE 624
BUFFALO, NEW YORK 14210
(716) 856-0599

PROJECT NO.: 0107-001-100

DATE: APRIL 2006

DRAFTED BY: BCH

TAX MAP

BROWNFIELD CLEANUP PROGRAM APPLICATION

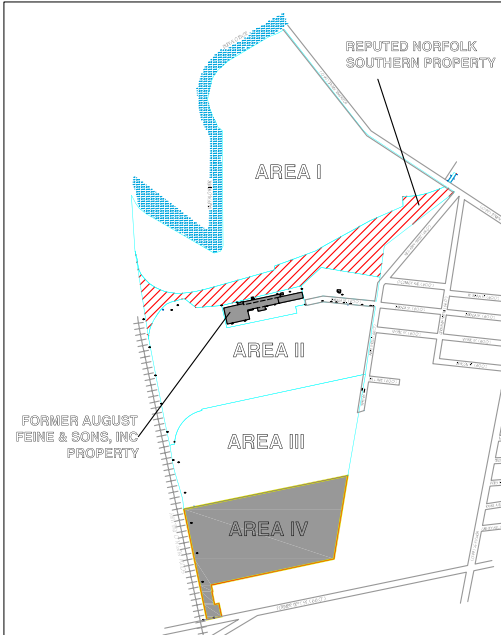
BUFFALO, NEW YORK

STEELFIELDS AREA IV SITE

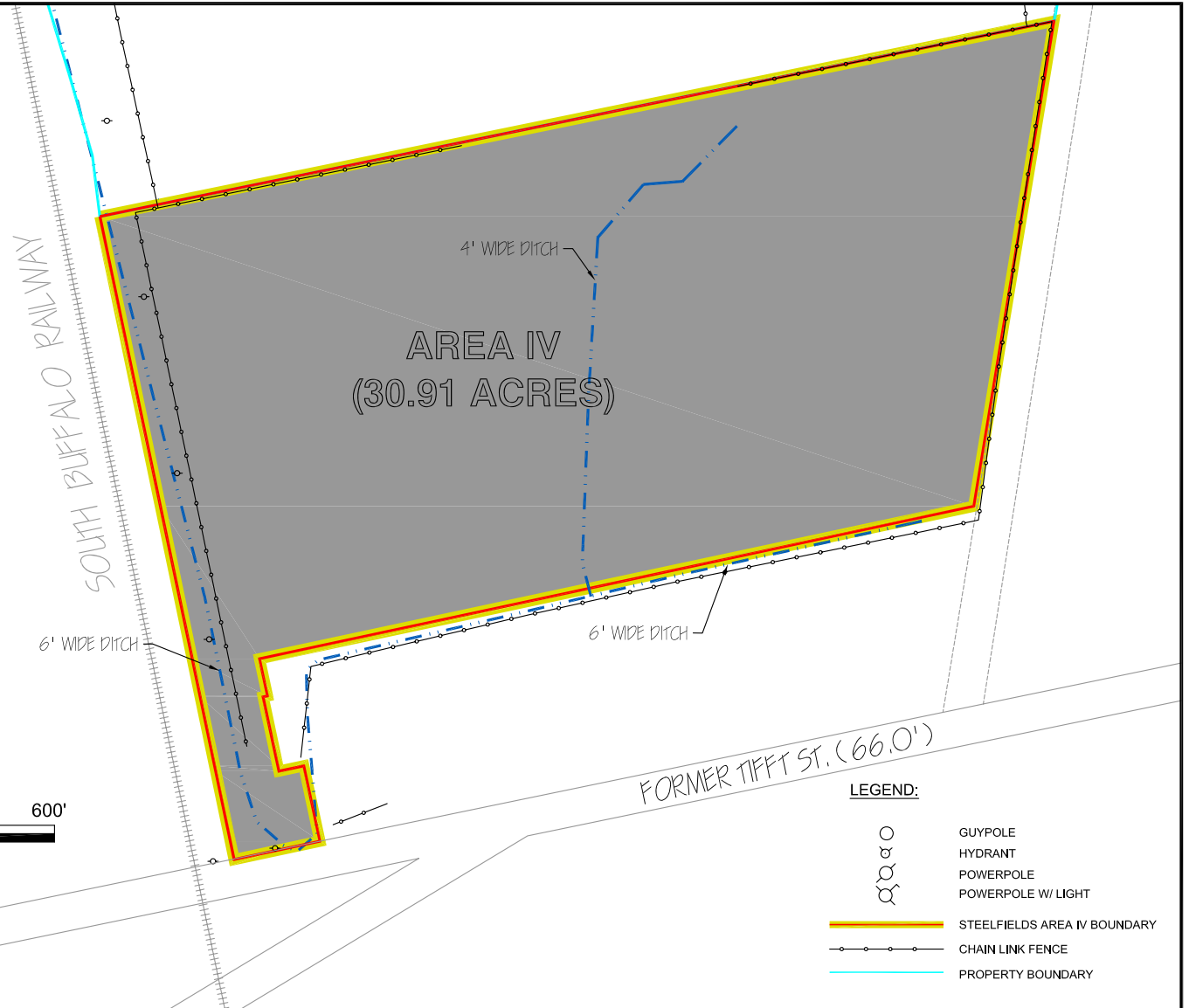
PREPARED FOR
HYDRO-AIR COMPONENTS, INC.

FIGURE 2-1

SITE PLAN: SCALE: 1" = 2000'



SCALE: 1 INCH = 300 FEET
SCALE IN FEET
(approximate)



726 EXCHANGE STREET
SUITE 624
BUFFALO, NEW YORK 14210
(716) 856-0599

PROJECT NO.: 0107-001-100

DATE: APRIL 2006

DRAFTED BY: BCH

METES & BOUNDS

BROWNFIELD CLEANUP PROGRAM APPLICATION

BUFFALO, NEW YORK
STEELFIELDS AREA IV SITE

PREPARED FOR
HYDRO-AIR COMPONENTS, INC.

FIGURE 2-2

SCHEDULE A DESCRIPTION

PARCEL “L”

ALL THAT TRACT OR PARCEL OF LAND, situate in the City of Buffalo, County of Erie and State of New York, being part of the Ogden Gore Lot No. 17, and being more particularly described as follows:

BEGINNING at a point in the westerly line of Abby Street with the northerly line of Providence Street, which point is northerly 364.68 feet more or less measured along the westerly line of Abby Street from its intersection with the northerly line of Tifft Street and which point is also the southeasterly corner of Subdivision Lot No. 87 as shown on a map filed in the Erie County Clerk’s Office under Cover No. 589; thence westerly along the northerly line of Providence Street which is also the southerly line of Subdivision Lots 87, and 91 through 130, inclusive, to the southwesterly corner of Subdivision Lot No. 130; thence northerly along the westerly line of Subdivision Lot No. 130 which is also on an easterly line of lands described at Parcel “M” described in deed recorded in the Erie County Clerk’s Office in Liber 8804 of Deeds at page 442 to a point at the northwesterly corner of Subdivision Lot No. 130; thence easterly along the north line of Subdivision Lot No. 130, 14.56 feet more or less to the southwesterly corner of Subdivision Lot No. 137, being also along a southerly line of lands described at said Parcel “M”; thence north along the westerly line of Subdivision Lot No. 137 and the easterly line of Parcel “M”, as aforesaid, 137.85 feet more or less to a point in the south line of Boller Street; thence continuing along the extension of the westerly line of Subdivision Lot No. 137 and an easterly line of Parcel “M”, as aforesaid, a distance of 66 feet to a point in the north line of Boller

HYDRO-AIR COMPONENTS, INC. -STEELFIELDS AREA IV (HYDRO-AIR) SITE
NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
BROWNFIELD CLEANUP PROGRAM APPLICATION

Street; thence westerly along the north line of Boller Street and a northerly line of the said Parcel "M" herein, 7.91 feet to a point; thence northerly at right angles along an easterly line of the said Parcel "M", 275.70 feet to an iron pipe; thence easterly along a line parallel with Tifft Street, being also a southerly line of the said Parcel "M", a distance of 24.01 feet to an iron pipe; thence northerly at right angles to Tifft Street and being also an easterly line of the said Parcel "M", a distance of 66 feet to an iron pipe; thence westerly along a line parallel to Tifft Street and being a northerly line of the said Parcel "M", 50 feet to an iron pipe; thence northerly and along the east line of the said Parcel "M", as aforesaid, a distance of 138.04 feet more or less to an iron pipe on the southerly line of lands conveyed by Bethlehem Steel Corporation to Republic Steel Corporation under deed dated June 24, 1968 and recorded June 27, 1968 in the Erie County Clerk's Office in Liber 7482 of Deeds at page 400; thence easterly and along the southerly line of lands of Republic Steel Corporation, 1635.95 feet more or less to the westerly line of Abby Street; thence southerly along the westerly line of Abbey Street, 879.14 feet more or less to the place of beginning.

THE hereinabove described property having been acquired by Donner-Hanna Coke Corporation under the following deeds filed in the Erie County Clerk's Office:

1. Deed made by Cheektowaga Plaza, Inc. to Donner-Hanna Coke Corporation dated June 16, 1952 recorded May 23, 1956 in Liber 5990 of Deeds at page 326.
2. Deed made by Cheektowaga Plaza, Inc. to Donner-Hanna Coke Corporation dated July 28, 1953 and recorded May 23, 1956 in Liber 5990 of Deeds at page 309.
3. Deed made by Herman Doran to Donner-Hanna Coke Corporation dated August 4, 1961 and recorded August 8, 1961 in Liber 6686 of Deeds at page 47.

HYDRO-AIR COMPONENTS, INC. –STEELFIELDS AREA IV (HYDRO-AIR) SITE
NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
BROWNFIELD CLEANUP PROGRAM APPLICATION

4. Deed made by Amy Regina Juengling to Donner-Hanna Coke Corporation dated August 25, 1961 and recorded August 31, 1961 in Liber 6695 of Deeds at page 41.
5. Deed made by Ralph J. Morrow, individually and as Executor of the Last Will and Testament of Alice L. Morrow, to Donner-Hanna Coke Corporation dated December 29, 1961 and recorded January 4, 1962 in Liber 6732 of Deeds at page 83.

PARCEL “M”

ALL THAT TRACT OR PARCEL OF LAND, situate in the City of Buffalo, County of Erie and State of New York, being part of the Ogden Gore Lot No. 17 and being more particularly described as follows:

BEGINNING at a point in the northerly line of Tifft Street 1142 feet west of the intersection of the northerly line of Tifft Street with the westerly line of Abby Street, as measured along the northerly line of Tifft Street; thence northerly 137.85 feet along the west line of Subdivision Lot No. 39 as shown under map filed in the Erie County Clerk’s Office under Cover No. 589; thence westerly along a line drawn parallel to the north line of Tifft Street 45.45 feet; thence northerly at right angles and along the west line of Subdivision Lot No. 46, 170.85 as shown under Map Cover No. 589 as filed in the Erie County Clerk’s Office; thence easterly and parallel with the northerly line of Tifft Street 8.23 feet to the west line of Subdivision Lot No. 130 as shown under map filed in the Erie County Clerk’s Office under Cover No. 589, as extended southerly, thence northerly at right angles and along the west line of Subdivision Lot No. 130 as extended southerly 170.85 feet; thence easterly and parallel with the northerly line of Tifft Street 14.56 feet; thence northerly at right angles and along a straight line 203.85 feet to the northerly line of a street formerly known as Boller Avenue; thence westerly and parallel with the northerly line of Tifft Street 7.91 feet to a point which is 1427.40 feet westerly from the westerly

HYDRO-AIR COMPONENTS, INC. –STEELFIELDS AREA IV (HYDRO-AIR) SITE
NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
BROWNFIELD CLEANUP PROGRAM APPLICATION

line of Abby Street as measured along the northerly line of Boller Avenue; thence northerly at right angles to the aforementioned line and along a straight line 275.70 feet to the southerly line of lands conveyed by deed recorded in the Erie County Clerk's Office in Liber 1410 of Deeds at page 260; thence easterly along a line drawn parallel with the northerly line of Tifft Street 24.01 feet; thence northerly at an interior angle of $90^{\circ} 01'$, 66 feet; thence westerly along a line drawn parallel with the north line of Tifft Street 50 feet to a line drawn parallel with the center line of the main track of the South Buffalo Railway; thence northerly at an exterior angle of $89^{\circ} 59'$ and along a line drawn parallel with the center line of the main track of the South Buffalo Railway 138.04 feet to the south line of land conveyed by Krull to McClintic Marshall Construction Co. by deed recorded in the Erie County Clerk's Office in Liber 2070 of Deeds at page 130; thence westerly along the south line of land conveyed by Krull to McClintic Marshall Construction Co., 100.28 feet to a point 77 feet easterly of the center line of the main track of the South Buffalo Railway as measured along said south line of McClintic Marshall Construction Co.; thence continuing southerly along a line drawn parallel with and 77 feet easterly of the center line of the main track of the south Buffalo Railway 1163 feet to the northerly line of Tifft Street; thence easterly along the northerly line of Tifft Street 156.84 feet to the point or place of beginning.

ATTACHMENT 03

PROJECT DESCRIPTION & SCHEDULE

**Hydro-Air Components, Inc
Steelfields Area IV (Hydro-Air) Site
Brownfield Cleanup Program Application**

Project Description and Schedule

Background and History

Steelfields Ltd. owns approximately 214 acres of vacant industrial property located in Buffalo, New York bordered by the Buffalo River to the north, South Park Ave and Abby Street to the east, Tifft Street to the south and active rail yards (Norfolk & Southern, CSX and South Buffalo Railroads) to the west. The property is subdivided into four parcels based on the operational and ownership history of each parcel. In October 2002, Steelfields entered into a Voluntary Cleanup Program (VCP) agreement with the NYSDEC for the entire site. Since 2003, Steelfields has performed remediation of the site in accordance with an approved Remedial Design/Remedial Action RD/RA Work Plan (September 2002) under the VCP. The remediation has progressed more or less sequentially from Area I to Area IV. To date, the Area IV parcel (Former Donner-Hanna Coke Yard Parcel) cleanup has been partially completed by Steelfields in accordance with the RD/RA Work Plan for the VCP as approved by NYSDEC in 2002.

Steelfields is currently negotiating an agreement for the sale of the 30.9 acre Area IV parcel to Hydro-Air Components Inc. (Hydro-Air), which is contemplating the development of the parcel for a new manufacturing facility. Hydro-Air is seeking approval from the NYSDEC to enter into the Brownfields Cleanup Program (BCP) related to the redevelopment of the Area IV parcel. Ownership of the remaining three parcels (Area I through III) will remain with Steelfields.

Area IV may also be referred to as the Hydro-Air Site or the Site. The Site was historically utilized by Donner-Hanna Coke for storage of coke product. Tar and tar byproducts from the coke plant (Area II) were also disposed of on the western portion of

the Site. The Site was listed as Class 3 inactive hazardous waste site (Site No. 915017) on the NYSDEC inactive hazardous waste site registry prior to its acquisition by Steelfields and entry into the Voluntary Cleanup Program.

Environmental Investigations

The Site has been extensively investigated and characterized through a series of environmental site assessments and investigations performed over several decades on the parcel. The major documented assessments and investigations include:

- Phase I/Phase II Investigation, Donner-Hanna Coke Site No. 915017. Recra Environmental, Inc. and Lawler, Matusky & Skelly Engineers. July 1990
- Phase I/Phase II Environmental Site Assessment (ESA), Former Republic Steel Plant Area (“Steel Manufacturing Site”). Malcolm Pirnie, Inc. September 1997
- South Buffalo Redevelopment Plan, Steel Manufacturing Site, Voluntary Cleanup Site Assessment Report. Malcolm Pirnie, Inc. September 1997
- Voluntary Cleanup Site Assessment Report, Former Steel Manufacturing Site, Area II, Area III, and Area IV. TurnKey Environmental Restoration, LLC. April 1999
- Voluntary Cleanup Site Assessment Report, Former Steel Manufacturing Site, Addendum 1, Area II, Area III, and Area IV. TurnKey Environmental Restoration, LLC. January 2000

In general, the investigations identified the following environmental impacts associated with the Area IV parcel:

- The presence of substantial quantities (approximately 60,000 to 80,000 cubic yards) of residual coke fill and smaller amounts of other fill materials (sand, demolition debris, sludges, etc.) overlying native soils.
- The presence of tar and tar-impacted soil/fill (estimated at approximately 20,000 to 23,000 cubic yards) in the western portion of the site located in varying thicknesses from the surface down to approximately 6 to 10 feet below grade.
- The presence of volatile and semi-volatile organic compounds and inorganic compounds (i.e., cadmium, lead, chromium and cyanide) in the groundwater collected from the northern and western portions of the Site at concentrations exceeding the NYSDEC groundwater quality standards

The results of these assessments and investigations provided a detailed characterization of the environmental conditions at the Site and established the basis for the Steelfields Voluntary Cleanup Program Remedial Design/Remedial Action (RD/RA) Work Plan for the entire Steelfields Site (including Area IV).

Remedial Actions To Date

Steelfields initiated remedial action in Area IV in 2004 beginning with the removal and off-site recycling of coke residuals. Approximately 43,000 cubic yards of coke residuals were removed to date.

In 2005, Steelfields initiated excavation and off-site treatment or recycling of tar-impacted soil/fill exhibiting hazardous characteristics for benzene. Off-site treatment consisted of low-temperature thermal desorption. Recycling consisted of off-site co-combustion as an alternative fuel in a coal-fired electric power generation facility. Also beginning in 2005, Steelfields initiated excavation of non-hazardous tar-impacted soil/fill in Area IV with on-site disposal in the Area II containment cell. To date, a total of approximately 16,000 cubic yards of tar-impacted soil/fill has been removed from Area IV.

A total of approximately 47,000 cubic yards of clean borrow soil backfill has been placed in Area IV to date.

Remediation and Post-Remediation Actions To Be Completed

Approximately 20,000 to 30,000 cubic yards of fine coke residuals remain stockpiled in Area IV awaiting off-site transportation and recycling.

Additional quantities of tar-impacted soil/fill required to be removed from Area IV is unknown and cannot be accurately quantified until verification sampling and analysis demonstrate compliance with site-specific action levels (SSALs). It is estimated that approximately 4,000 – 9,000 cubic yards of tar-impacted soil/fill remain to be excavated in Area IV as of April 21, 2006. An additional approximately 9,000 cubic yards of non-hazardous tar-impacted soil/fill is stockpiled in Area III awaiting disposal.

The quantity of backfill borrow soil to be placed in Area IV is partly dependant upon remaining excavation volumes, but is estimated at approximately 28,000 to 32,000 cubic yards.

The total estimated cost of the above-described remedial actions to be taken is estimated to be over \$800,000 based upon the estimated quantities and the Steelfields Escrow Agreement Schedule of Values.

Following the remaining tar-impacted soil/fill remediation actions, post-remediation actions to be completed in Area IV during site grading, landscaping, parking lot construction, excavation of foundations and underground utilities, and related redevelopment construction activities include:

- Installation and development of 3 groundwater monitoring wells
- Long-term groundwater sampling, analysis and reporting
- Field screening, sampling, analysis, and on-site management or off-site transportation and disposal of soil/fill encountered Community air quality monitoring and reporting

- Erosion controls, ground and surface water management
- Establishment and maintenance of a paved or vegetative cover
- Annual site inspections and certifications by a professional engineer that engineering and institutional controls are properly maintained
- NYSDEC and NYSDOH oversight

The total cost of the above-described post-remediation actions is estimated to be between \$66,000 and \$100,000.

Intended Future Use of Site

Hydro-Air Industrial Components, Inc. is contemplating a plan to consolidate and expand its current Western New York manufacturing, warehousing/distribution facilities and office operations at the now vacant Site. That plan is contingent upon, inter alia, approval for entrance of Area IV into the BCP. Hydro-Air's Site redevelopment plans include construction of a new 140,000 square foot (s.f.) single-story steel-framed high-bay manufacturing structure with masonry and insulated steel panel walls. An adjacent 12,700 s.f. single-story masonry structure will house Hydro-Air's corporate offices. The planned facility will also have parking for employees and visitors as well as truck loading docks. The preliminary planned facility layout illustrated in Figure A-1 of Attachment 4 includes provision for a 100,000 s.f. future expansion of the manufacturing plant and associated additional parking. Due to Hydro-Air's existing facilities lease term, its short-term manufacturing facility requirements given recent and prospective business opportunities, and other options being considered, this redevelopment project is on a fast-track schedule for completion and occupancy, if at all, by year-end 2006. As such, planning, design and regulatory approvals must be completed in an expedient manner so building construction can begin by July 1, 2006.

Purpose and Objectives

Due to Hydro-Air's business opportunity time constraints, Steelfield's VCP remediation schedule, and related complications related to completion of the remaining remediation elements in Area IV under Steelfield's various VCP agreements, Hydro-Air proposes to complete remaining remedial measures in Area IV upon taking title to same, as currently are required of Steelfields Ltd. under its Voluntary Cleanup Program (VCP) Remedial Design/Remedial Action (RD/RA) Work Plan while Hydro-Air concurrently begins site development work and construction of planned facilities under the New York State Brownfields Program (BCP).

Hydro-Air proposes to enter the BCP at the remedial design stage. The Remedial Design (RD) Work Plan (prepared and submitted as part of the BCP application) identifies the scope of planned remaining remedial and post-remedial measures and the means by which they will be completed, including target site-specific cleanup levels and confirmatory sampling requirements.

For all practical purposes, and to facilitate timely NYSDEC review and approvals, the BCP RD Work Plan is simply a redacted version of the Steelfields VCP RD/RA Work Plan that addresses all remaining remedial and post-remedial measures for Area IV to be performed by or on behalf of Hydro-Air. This BCP RD Work Plan neither adds, deletes nor materially modifies any of the remediation or post-remediation requirements for Area IV as previously approved by NYSDEC under the Steelfields VCA.

Project Organization and Responsibilities

Hydro-Air is applying for acceptance of the Site into the BCP, and plans on executing a Brownfield Cleanup Agreement (BCA) as a non-responsible party (volunteer) per ECL§27-1405. Steelfields, Ltd. shall continue to perform the remaining remediation work elements in Area IV in full conformance with its existing Voluntary Cleanup Agreement unless and until the parcel is acquired by Hydro-Air. Steelfields and NYSDEC will amend the Steelfields Site description in the VCA to exclude Area IV, as the balance of remedial actions will transfer to

Hydro- Air under their BCA. This arrangement is critical to Steelfields completing its overall site remediation schedule on target by the end of calendar year 2006.

The NYSDEC Division of Environmental Remediation shall continue to monitor the remedial actions performed by Steelfields to verify that the work they perform in Area IV is performed in accordance with its VCA. NYSDEC shall also monitor the remaining remediation and post-remediation actions to be performed by Hydro-Air under the BCP, the Remedial Design Work Plan, and DER-10.

BCP Project Schedule

A proposed Project Schedule for the work to be completed by Hydro-Air under the BCP is attached as Figure 3-1.

Task Name	2006											
	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb
BCP Pre-Application Meeting		▲										
Submit Draft Application & RD Work Plan		▲										
NYSDEC Review, Fact Sheet Preparation		■										
Advertise BCP Appln, Distribute Fact Sheet		▲										
45 Day Public Comment Period			■									
BC Agreement Issued				▲								
BC Agreement Reviewed/Executed				■								
Remedial Activities				■	■	■	■	■				
Redevelopment				■	■	■	■	■	■	■	■	■



726 EXCHANGE STREET
SUITE 624
BUFFALO, NEW YORK 14210
(716) 856-0599

PROJECT NO.: 0107-001-100

DATE: APRIL 2006

DRAFTED BY: BCH

PROJECT SCHEDULE

BROWNFIELD CLEANUP PROGRAM APPLICATION

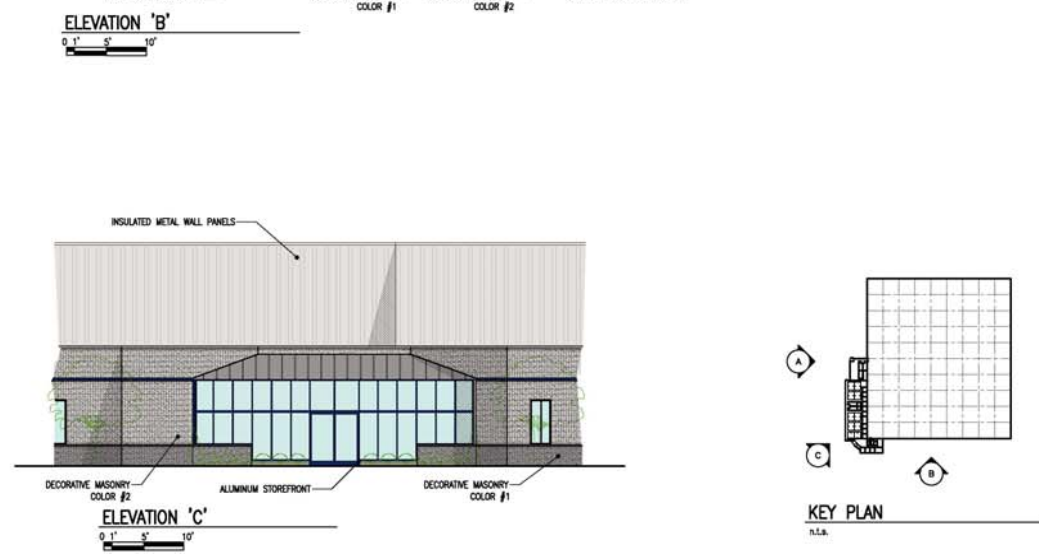
BUFFALO, NEW YORK
STEELFIELDS AREA IV SITE

PREPARED FOR
HYDRO-AIR INDUSTRIAL COMPONENTS, INC.


FIGURE 3-1

ATTACHMENT 04

PROPOSED REDEVELOPMENT MASTER PLAN



MODEL
n.s.a.

 The Krog Corp. <small>4 Corbin Drive Orchard Park, New York 14157 716.667.1324 Fax: 667.1326</small> Contractors Engineers Developers	Project Name Hydro Air T171 Street Buffalo, New York	Sheet Title PROPOSED ELEVATIONS AND SITE PLAN	Drawn By PCE Date 03.31.06	Scale AS NOTED Job No. 05-49S	A-1
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ATTACHMENT 05

ENVIRONMENTAL SITE ASSESSMENT

HYDRO-AIR COMPONENTS, INC. –STEELFIELDS AREA IV (HYDRO-AIR) SITE
NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
BROWNFIELD CLEANUP PROGRAM APPLICATION

A copy of the following site assessment report was submitted to the Regional office of the New York State Department of Environmental Conservation under separate cover.

1. *“Voluntary Cleanup Site Assessment Report Volumes 1 through 4 South Buffalo Redevelopment Plan: Steel Manufacturing Site, Buffalo, New York”, September 1997, Malcolm Pirnie, Inc.*

ATTACHMENT 06

ENVIRONMENTAL INVESTIGATION/ASSESSMENT REPORTS

HYDRO-AIR COMPONENTS, INC. –STEELFIELDS AREA IV (HYDRO-AIR) SITE
NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
BROWNFIELD CLEANUP PROGRAM APPLICATION

A copy of the following documents were submitted to the Regional office of the New York State Department of Environmental Conservation under separate cover which summarize a significant portion of the investigations/assessments associated with Area IV of the Steelfields Site.

1. *“Work Plan for Voluntary Cleanup Program Remedial Design/Remedial Action for Former Steel Manufacturing Site Buffalo, New York”, revised September 2002, TurnKey Environmental Restoration, LLC.*
2. *“Voluntary Cleanup Program Site Assessment Report & Addenda for Area II, Area III, and Area IV – Donner-Hanna Coke Yard Parcel for Former Steel Manufacturing Site Buffalo, New York”, January 2000, TurnKey Environmental Restoration, LLC.*

ATTACHMENT 07

LISTING OF PREVIOUS SITE OWNERS

Attachment 07
Listing of Previous Site Owners

Hydro-Air Components, Inc.
Steelfields Area IV Site
Brownfield Cleanup Program Application

INTRODUCTION

A listing of previous property owners is attached.

ATTACHMENT 07

List of Previous Site Owners

Hydro-Air Components, Inc.
Steelfields Area IV (Hydro-Air) Site
Brownfield Cleanup Program Application

Year	Owner(s)
1917	Donner Hanna Coke Corp. Hanna Furnace Corporation was the other 50% owner of the Donner-Hanna Coke Corp.
1979	Donner Hanna Coke Corp. (company dissolved)
1979	Donner Hanna Coke Joint Venture w/LTV Steel Company as one of the joint ventures. Hanna Furnace Corporation is also a joint owner.
1992	LTV Steel Company Inc./The Hanna Furnace Corporation
2002	Steelfields, Ltd.

ATTACHMENT 08

LISTING OF PREVIOUS SITE OPERATORS

Attachment 08

Listing of Previous Site Operators

**Hydro-Air Components, Inc.
Steelfields Area IV Site
Brownfield Cleanup Program Application**

INTRODUCTION

In addition to the Owners presented in Attachment 07, attached is a listing of prior site operators based on Mortgage and Easement records for specific Tracts on the property, as well as Phase I ESA records.

ATTACHMENT 08

List of Previous Site Operators

Hydro-Air Components, Inc.
Steelfields Area IV (Hydro-Air) Site
Brownfield Cleanup Program Application

Year	Operator(s)
1917	Donner Hanna Coke Corp. Hanna Furnace Corporation was the other 50% owner of the Donner-Hanna Coke Corp.
1979	Donner Hanna Coke Corp. (company dissolved)
1979	Donner Hanna Coke Joint Venture w/LTV Steel Company as one of the joint ventures. Hanna Furnace Corporation is also a joint owner.
1992	LTV Steel Company Inc./The Hanna Furnace Corporation
2002	Steelfields, Ltd.

ATTACHMENT 09

CONTACT LIST INFORMATION

Attachment 09
Contact List Information

Hydro-Air Components, Inc.
Steelfields Area IV (Hydro-Air) Site
Brownfield Cleanup Program Application

CONTACT LIST

The following is the contact list information for the subject property.

New York State Contacts:

Director Abby Snyder
N.Y.S. D.E.C., Region 9
270 Michigan Avenue
Buffalo, NY 14203

Mr. Martin Doster
N.Y.S. D.E.C., Region 9
270 Michigan Avenue
Buffalo, NY 14203

Mr. Maurice Moore
N.Y.S. D.E.C., Region 9
270 Michigan Avenue
Buffalo, NY 14203

Ms. Meaghan Boice-Green
N.Y.S. D.E.C., Region 9
270 Michigan Ave.
Buffalo, N.Y 14203

Ms. Megan Gollwitzer
N.Y.S. D.E.C., Region 9
270 Michigan Ave.
Buffalo, N.Y 14203

Community Outreach File
N.Y.S. D.E.C., Region 9
270 Michigan Ave.
Buffalo, N.Y 14203

Mr. Cameron O'Connor
N.Y.S. D.O.H.
584 Delaware Avenue
Buffalo, NY 14202

Mr. Matt Forcucci
N.Y.S. D.O.H.
584 Delaware Avenue
Buffalo, NY 14202

Senator William Stachowski
58th District, N.Y.S. Senate
2030 Clinton Street
Buffalo, NY 14206

Senator Charles Schumer
U.S. Senate, Suite 660
130 South Elmwood Avenue
Buffalo, NY 14202

The Honorable Brian M. Higgins
Congressional District 27
726 Exchange Street, Suite 601
Buffalo, NY 14210

**Attachment 09
Contact List Information**

**Hydro-Air Components, Inc.
Steelfields Area IV (Hydro-Air) Site
Brownfield Cleanup Program Application**

Assemblyman Mark J.F. Schroeder
District 145
2019 Seneca St.
Buffalo, NY 14210

Assemblyman Jack Quinn
District 146
3812 South Park Ave.
Buffalo, NY 14219

Erie County Contacts:

Mr. Timothy Kennedy
Legislator-District 2
1928 South Park Ave.
Buffalo, NY 14220

City of Buffalo Contacts:

Mayor Byron W. Brown
City Hall
Buffalo, NY 14202

Zoning Board:

James Lewis, III
Chairman
Room 1801, City Hall
Buffalo, NY 14202

Supplier of Potable Water:

Erie County Water Authority
350 Ellicott Square Building
295 Main Street
Buffalo, NY 14203

Local News Media:

The Buffalo News
1 News Plaza
Buffalo, NY 14240

WKBW-TV
7 Broadcast Plaza
Buffalo, NY 14202

**Attachment 09
Contact List Information**

**Hydro-Air Components, Inc.
Steelfields Area IV (Hydro-Air) Site
Brownfield Cleanup Program Application**

WBEN News Radio 930
Entercom Radio of Buffalo
500 Corporate Pkwy
Suite 200
Buffalo, NY 14226

Document Repository (see Attachment 10):

Buffalo & Erie County Public Library
JP Dudley Branch
2010 South Park Ave.
Buffalo, NY 14220

Nearby School:

South Park High School
155 Southside Pkwy
Buffalo, NY 14304
Attn: Ms. Patricia Thomas

**Steelfields Public Information Mailing List
RESIDENTIAL**

LAST NAME	FIRST NAME	No.	STREET	CITY, STATE, ZIP	MAILING ADDRESS
		195	Abby St	Buffalo, NY 14220	Return mail 7/9/04 Vacant
Lockwood	Samuel J.	221	Abby St	Buffalo, NY 14220	
Whiten	Larry	227	Abby St	Buffalo, NY 14220	Return mail 7/9/04 Attempted Not Known
Oates	Wayne & Delores	233	Abby St	Buffalo, NY 14220	
Smith	James & Robin	237	Abby St	Buffalo, NY 14220	
Eggleston	Larry & Marlene	249	Abby St	Buffalo, NY 14220	
Guzman	Francisco	259	Abby St	Buffalo, NY 14220	
Pettegrew	Gwendolyn	263	Abby St	Buffalo, NY 14220	
Stampone	Allasandra & Rita	281	Abby St	Buffalo, NY 14220	
Chwalinski	Thomas	285	Abby St	Buffalo, NY 14220	
Ammerman	Richard P.	289	Abby St	Buffalo, NY 14220	
Parot	Carol A.	293	Abby St	Buffalo, NY 14220	
Blake	Patrick	297	Abby St	Buffalo, NY 14220	
Ando	Patricia	311	Abby St	Buffalo, NY 14220	
Roux	Ronald & Joan	315	Abby St	Buffalo, NY 14220	Return Mail 7/9/04 Vacant
		317	Abby St	Buffalo, NY 14220	Return mail 7/9/04 Vacant
Cardas	Nadine	323	Abby St	Buffalo, NY 14220	
Montroy	James & Debra	327	Abby St	Buffalo, NY 14220	
		329	Abby St	Buffalo, NY 14220	Return mail 7/9/04 Vacant
		343	Abby St	Buffalo, NY 14220	Return mail 7/9/04 Vacant
Junik	David	347	Abby St	Buffalo, NY 14220	Return mail 7/9/04 Attempted Not Known
Wright	Linda	353	Abby St	Buffalo, NY 14220	
Polniaszek	D	355	Abby St	Buffalo, NY 14220	Return Mail 7/9/04 No Such Number
McNamara	Patrick C.	359	Abby St	Buffalo, NY 14220	
Dejesus	Ezequiel & Lydia	365	Abby St	Buffalo, NY 14220	
		84	Amelia St	Buffalo, NY 14220	Return Mail 7/9/04 Vacant
July	Grace	88	Amelia St	Buffalo, NY 14220	
Pitonack	Andrew	90	Amelia St	Buffalo, NY 14220	
Licata	Robert D.	263	Baraga St	Buffalo, NY 14220	
Manaher	Patrick R.	267	Baraga St	Buffalo, NY 14220	Return Mail 4/25/05 Attempted Not Known
Carrero	Martha	269	Baraga St	Buffalo, NY 14220	Return Mail 4/25/05 Not deliverable as addressed
Story	Edward A. Sr.	272	Baraga St	Buffalo, NY 14220	
Crapo	Rebecca	273	Baraga St	Buffalo, NY 14220	

**Steelfields Public Information Mailing List
RESIDENTIAL**

LAST NAME	FIRST NAME	No.	STREET	CITY, STATE, ZIP	MAILING ADDRESS
Whitney	Harvey	274	Baraga St	Buffalo, NY 14220	
Neureuther	James & Susan	276	Baraga St	Buffalo, NY 14220	
Grabowski	Michael	278	Baraga St	Buffalo, NY 14220	
Cacciatore	Susan	282	Baraga St	Buffalo, NY 14220	
Sanchez	Alex	284	Baraga St	Buffalo, NY 14220	
Hassett	Timothy & Diane	288	Baraga St	Buffalo, NY 14220	
Rivera	William	326	Baraga St	Buffalo, NY 14220	
D'amico	Anthony	327	Baraga St	Buffalo, NY 14220	
Higgins	P.	330	Baraga St	Buffalo, NY 14220	
Rattle	Frances	337	Baraga St	Buffalo, NY 14220	Return Mail 4/25/05 Attempted Not Known
Green	Gary	338	Baraga St	Buffalo, NY 14220	
Collins	D.	341	Baraga St	Buffalo, NY 14220	
Kornowski	Lawrence	345	Baraga St	Buffalo, NY 14220	
Cousins	John A.	346	Baraga St	Buffalo, NY 14220	
Fitzrandolph	George	351	Baraga St	Buffalo, NY 14220	Return Mail 4/25/05 Attempted Not Known
Polniaszek	D.	355	Baraga St	Buffalo, NY 14220	
Strianese	Robert L.	355	Baraga St	Buffalo, NY 14220	
Whalen	James	356	Baraga St	Buffalo, NY 14220	Return Mail 4/25/05 Attempted Not Known
Mc Nerney	R. M.	362	Baraga St	Buffalo, NY 14220	
Kaplan Trucking Co		67	Beacon St	Buffalo, NY 14220	
		67	Beacon St	Buffalo, NY 14220	
Wutz	Karen	16	Bell St	Buffalo, NY 14220	
Schnell	Kathy	19	Bell St	Buffalo, NY 14220	
Tropia	Arleen	22	Boone	Buffalo, NY 14220	
Tyczka	James	1326	Folsomdale Rd	Cowlesville, NY 14037	
Mcparlane	Mark	267	Germania St	Buffalo, NY 14220	
		271	Germania St	Buffalo, NY 14220	
Quinn	Leonard	275	Germania St	Buffalo, NY 14220	
		276	Germania St	Buffalo, NY 14220	
		278	Germania St	Buffalo, NY 14220	
Pagan	Victoria	290	Germania St	Buffalo, NY 14220	
Mendez	Jose	292	Germania St	Buffalo, NY 14220	
Andriacclo	Rose	301	Germania St	Buffalo, NY 14220	

**Steelfields Public Information Mailing List
RESIDENTIAL**

LAST NAME	FIRST NAME	No.	STREET	CITY, STATE, ZIP MAILING ADDRESS
		306	Germania St	Buffalo, NY 14220
Guadagno	Paul C. Jr.	308	Germania St	Buffalo, NY 14220
Pattison	Daniel	309	Germania St	Buffalo, NY 14220
Brucz	David & Mary	312	Germania St	Buffalo, NY 14220
Gugliuzza	J. L.	312	Germania St	Buffalo, NY 14220
Tutuska	Sophia	324	Germania St	Buffalo, NY 14220
S Buffalo Pizza & Subs		329	Germania St	Buffalo, NY 14220
Owner		332	Germania St	Buffalo, NY 14220
Goble	Lawrence	336	Germania St	Buffalo, NY 14220
		339	Germania St	Buffalo, NY 14220
Rodgers	Charles	346	Germania St	Buffalo, NY 14220
Cousins	G.	349	Germania St	Buffalo, NY 14220
Owner		351	Germania St	Buffalo, NY 14220
Zwolinski	Edward	358	Germania St	Buffalo, NY 14220
Turpin	Michael & Ellen	360	Germania St	Buffalo, NY 14220
Hovey	T.S.	362	Germania St	Buffalo, NY 14220
Lischak	Diane Braven	370	Germania St	Buffalo, NY 14220
Dynarski	Darryl	372	Germania St	Buffalo, NY 14220
		374	Germania St	Buffalo, NY 14220
Santiago	Juan	378	Germania St	Buffalo, NY 14220
Schrader	Timothy	394	Germania St	Buffalo, NY 14220
Faries	Robert	401	Germania St	Buffalo, NY 14220
Rodriguez	Felix & Jane	248	Mystic St	Buffalo, NY 14220
Mc Nerney	James J.	258	Mystic St	Buffalo, NY 14220
Charley's Frontier Svc		259	Mystic St	Buffalo, NY 14220
Mucciaccio	Kimberly	262	Mystic St	Buffalo, NY 14220
Jimenez	J.	318	Mystic St	Buffalo, NY 14220
Acoff	Melinda	331	Mystic St	Buffalo, NY 14220
Kimbrough	Zack	331	Mystic St	Buffalo, NY 14220
Naples	Amy	332	Mystic St	Buffalo, NY 14220
Naples	John	332	Mystic St	Buffalo, NY 14220
Dejesus	M.	338	Mystic St	Buffalo, NY 14220
Cephas	T. D.	72	O'Connor Ave	Buffalo, NY 14220

**Steelfields Public Information Mailing List
RESIDENTIAL**

LAST NAME	FIRST NAME	No.	STREET	CITY, STATE, ZIP	MAILING ADDRESS
Salaam	Mustafa	79	O'Connor Ave	Buffalo, NY 14220	
Thie	David R.	81	O'Connor Ave	Buffalo, NY 14220	
Gostomski	Donna	82	O'Connor Ave	Buffalo, NY 14220	
Pristach	Susan	86	O'Connor Ave	Buffalo, NY 14220	
Loder	William Jr.	87	O'Connor Ave	Buffalo, NY 14220	
Nasca	Debra	90	O'Connor Ave	Buffalo, NY 14220	
Fletcher	George	91	O'Connor Ave	Buffalo, NY 14220	
		94	O'Connor Ave	Buffalo, NY 14220	
Lorocco	Russell	95	O'Connor Ave	Buffalo, NY 14220	
Benes	John	100	O'Connor Ave	Buffalo, NY 14220	
Radder	Russell & Diane	101	O'Connor Ave	Buffalo, NY 14220	
Whitener	Darlene	108	O'Connor Ave	Buffalo, NY 14220	

ATTACHMENT 10

DOCUMENT REPOSITORY CONFIRMATION LETTER

April 13, 2006

Ms. Claudia Yates, Branch Manager
Buffalo & Erie County Public Library
JP Dudley Branch
2010 So. Park Avenue
Buffalo, New York 14220


Re: Steelfields Area IV (Hydro-Air) Site Brownfield Cleanup Program
Remedial Design Work Plan
Document Repository Copy

Dear Ms Yates:

Per our telephone conversation, thank you for agreeing to the Lackawanna Public Library Branch acting as the document repository for the above-referenced site. As requested, all site documents will be labeled "For placement at JP Dudley Branch" and sent to your attention at the address above.

Please contact us if you have any questions or require additional information

Sincerely,
Benchmark Environmental Engineering and Science, PLLC


Nathan T. Munley
Environmental Scientist

File

ATTACHMENT 11

ENVIRONMENTAL FACTORS AND HISTORIC LAND USE CONSIDERATIONS

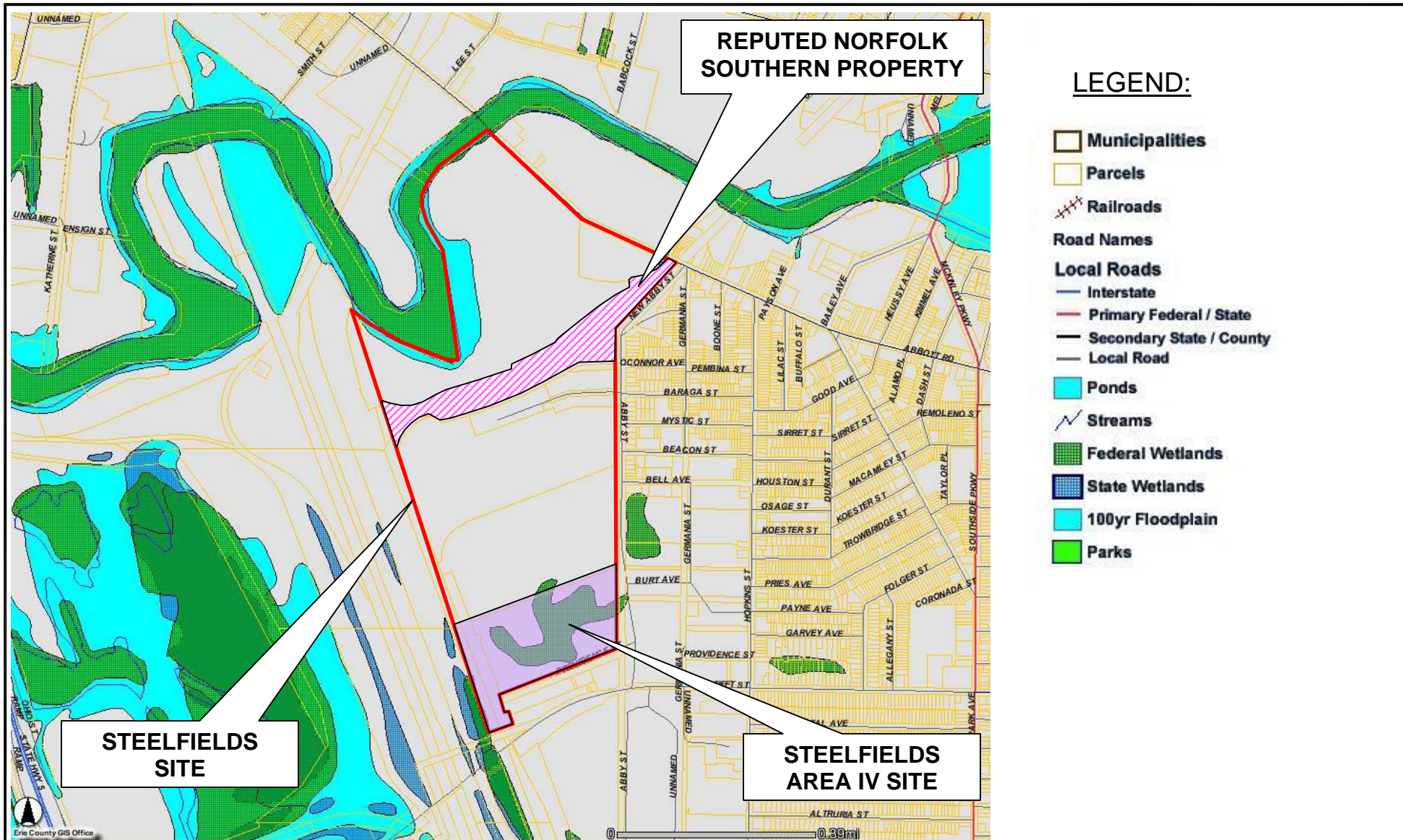
Attachment 11
Environmental Factors & Historic Land Use Considerations

Hydro-Air Components, Inc.
Steelfields Area IV (Hydro-Air) Site
Brownfield Cleanup Program Application

INTRODUCTION

The following provides a brief summary of the site:

- There are State and Federal wetlands near the site (see attached figure).
- Floodplains exist near the Buffalo River to the north of the Site (see attached figure).
- The site is not adjacent to a Significant Coastal Fish and Wildlife Habitat.
- There are no threatened or endangered species, nor important plant habitats listed at the site.



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STATE AND FEDERAL WETLAND/FLOODPLAIN MAP

BROWNFIELD CLEANUP PROGRAM APPLICATION

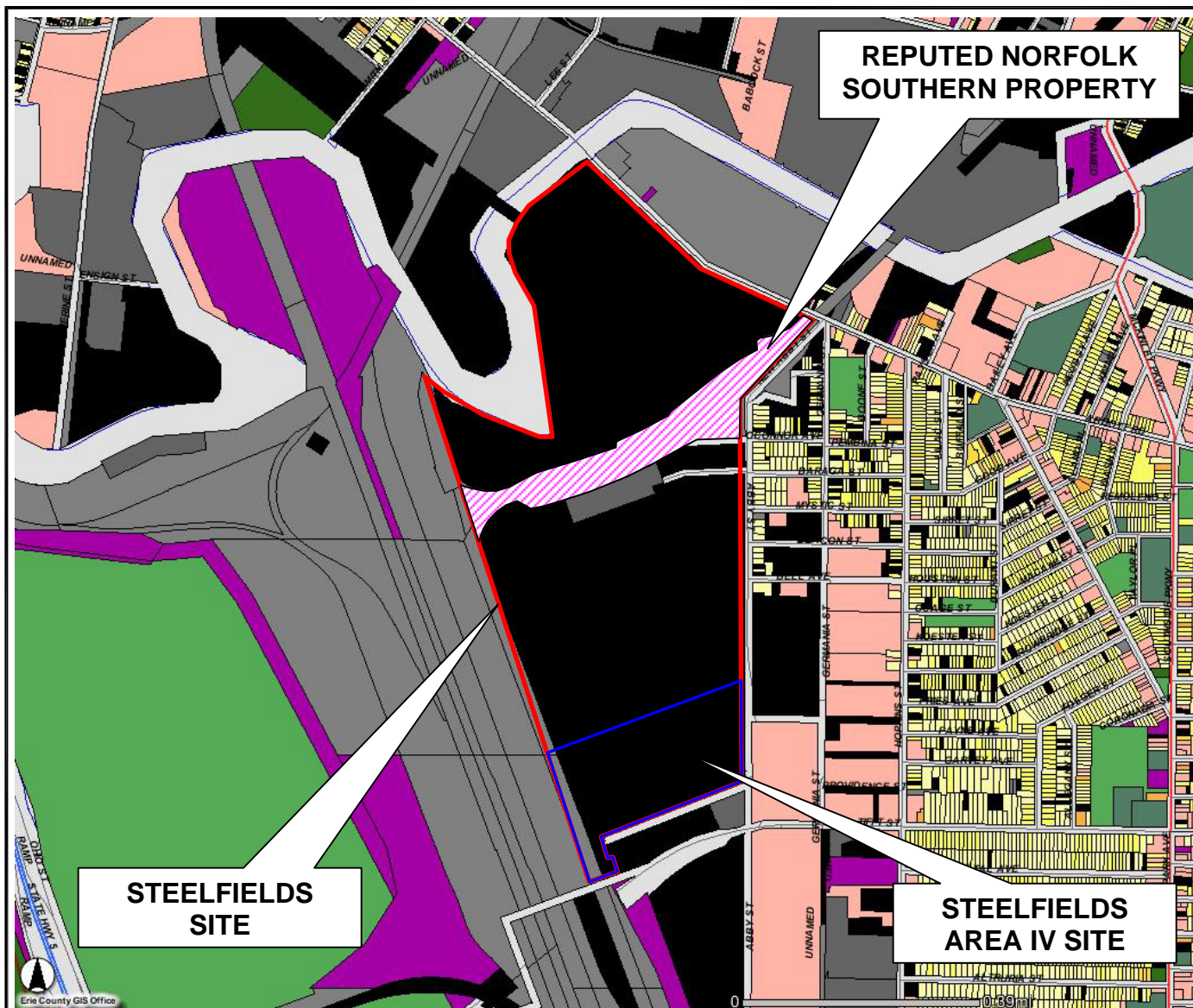
BUFFALO, NEW YORK
STEELFIELDS AREA IV SITE

PREPARED FOR
HYDRO-AIR COMPONENTS, INC.

FIGURE 11-1

ATTACHMENT 12

NEARBY LAND USE MAP



LEGEND:

- Municipalities
- Parcels (Landuse)**
 - Resid. Single Family
 - Resid. Two Family
 - Resid. Three Family
 - Other Residential
 - Vacant
 - Commercial
 - Recreational
 - Community Service
 - Industrial
 - Public Service
 - Conservation Area / Park
 - Other
- Railroads
- Road Names**
- Local Roads**
 - Interstate
 - Primary Federal / State
 - Secondary State / County
 - Local Road
- Ponds
- Streams



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REGIONAL LAND USE MAP

BROWNFIELD CLEANUP PROGRAM APPLICATION

BUFFALO, NEW YORK
STEELFIELDS AREA IV SITE

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FIGURE 12-1

ATTACHMENT 13

GROUNDWATER VULNERABILITY ASSESSMENT

Attachment 13

Groundwater Vulnerability Assessment

Hydro-Air Components, Inc.
Steelfields Area IV (Hydro-Air) Site
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POTENTIAL VULNERABILITY OF GROUNDWATER TO CONTAMINATION

Groundwater at the Site likely is contaminated as a result of impacts from tar soil/fill remaining on-site. Currently, there are no deed restrictions on the use of groundwater at the site and groundwater supply wells are not present on the site. Regionally, groundwater in the area has not been developed for industrial, agriculture, or public supply purposes. Municipal potable water service is provided on- and off-site by the Erie County Water Authority.

Historical investigations and long-term groundwater investigations have shown that groundwater was impacted by contaminated fill and upgradient sources. Historically, the Site contained eleven wells to determine groundwater conditions. Due to ongoing remediation (excavation of fill), three wells of the original eleven remain in place. Only one of the remaining three is currently in the long-term monitoring program. As such, post remediation; two wells will require installation to perform the Long-Term Monitoring. Continued remediation of the site will continue to improve the groundwater conditions.

GROUNDWATER FLOW/RECHARGE

During the past groundwater monitoring, shallow groundwater was determined to flow in an south/southwest direction (see attached Figure 13-1) with a low gradient. Regional groundwater also appears to flow south/southwest towards Lake Erie (see Attachment 1).

RECOMMENDATIONS

As part of the Voluntary Cleanup Agreement, long-term groundwater monitoring will continue after remediation is complete. The Long-term Groundwater Monitoring Plan is included in the RD Work Plan as an appendix and indicates that three monitoring wells are required for Long-Term Groundwater Monitoring of the Site. Two of the three wells will need to be installed.

ATTACHMENT 14

DESCRIPTION OF SITE GEOGRAPHY/GEOLOGY

Attachment 14

Description of Site Geography/Geology

Hydro-Air Components, Inc. Steelfields Area IV (Hydro-Air) Site Brownfield Cleanup Program Application

ECOLOGICAL SETTING

A majority of the site is not vegetated due to the presence of either recently placed fill or coke/tar fill.

Viable aquatic habitats in the vicinity of the Site include the Buffalo River (approximately 0.75-miles north) and Lake Erie (approximately 1.0 miles west). State and Federal wetlands are located adjacent to or near the site (see Attachment 11).

DEMOGRAPHY AND LAND USE

The Site is currently owned by Steelfields, LLC. Land use surrounding the Site includes vacant property, light and heavy commercial properties, and residential single use properties (see Attachment 12).

Nearby residential areas are northeast of the Site, while the majority of commercial properties are south and east of the Site. A railroad exists to the west of the site. Immediately to the north of the Site is Area III, another portion of the Steelfields property.

REGIONAL GEOLOGY & HYDROGEOLOGY

The Site is located within the Erie-Ontario lake plain physiographic province, which is typified by little topographic relief and gentle slope toward Lake Erie, except in the immediate vicinity of major drainageways (USDA, 1978). The surficial geology of the Lake Erie Plain consists of a thin glacial till (if present), glaciolacustrine deposits, recent alluvium, and the soils derived from these deposits. Glacial till deposits are not encountered on the Steelfields Area IV Site.

Glaciolacustrine deposits are characterized as thinly bedded to laminated silts and clays, which were deposited in lakes impounded between glacial ice and ice-free highland areas. As the glacial ice retreated northward in Erie County, water depths decreased and coarser grained shallow water sediments were deposited. These shallow water deposits included sandy beach ridges that defined lake edges, sand bars associated with offshore currents, and near shore silty fine sands.

Surface soils within the City are characterized as urban land with level to gently sloping land in which 80 percent or more of the soil surface is covered by asphalt, concrete, buildings, or

Attachment 14

Description of Site Geography/Geology

Hydro-Air Components, Inc. Steelfields Area IV (Hydro-Air) Site Brownfield Cleanup Program Application

other impervious structures (USDA, 1978) typical of an urban environment. The presence of overburden fill material is widespread and common throughout the City of Buffalo.

Based on the bedrock geologic map of Erie County (Buehler and Tesmer, 1963), the site is situated over the Marcellus Formation of the Middle Devonian Hamilton Group. The Marcellus Formation is comprised of the Oatka Creek shale member. The Oatka Creek shale is described as dense black, fissile shale with a petroliferous odor. Some beds of gray shale are present and several concretionary layers. Nodules of pyrite exist in the black shale near the base. The unit has an approximated thickness of 30 to 55 feet. Underlying the Hamilton Group in Erie County is the lower Devonian Onondaga Limestone Formation, which has an estimated thickness of 110 to 160 feet.

Structurally, the bedrock formations strike in an east-west direction and exhibit a regional dip that approximates 40 feet per mile (3 to 5 degrees) toward the south and southwest. As a result of this dip, the older Onondaga limestone outcrops or subcrops north of the Hamilton Group. An intersecting, orthogonal pattern of fractures and joint sets are common throughout the bedrock strata. The surficial geomorphology of the bedrock strata was modified by period subaerial erosion and continental glaciation.

SITE GEOLOGY

As discussed in the Voluntary Cleanup Site Assessment Report¹, site overburden soils have been described as soil/fill to approximately 6-feet below ground surface (fbgs) overlying native glaciolacustrine sand, silt and clay. These black to gray unconsolidated sediments are dense and organic-rich, and minor amounts of peat were encountered during soil investigation work. The presence of peat below the fill material indicates that wetland-type areas were in-filled to create the coke storage yard.

This area, the former Donner-Hanna coke parcel, was used for the disposal of tar and acid sludges from the coke plant and the storage of coke and coal. Large quantities of coke overlie native soil in this area. Contaminant investigations detected benzene, as well as other volatile organics, and polynuclear aromatic hydrocarbons in soil, groundwater and surface water.

¹ Voluntary Cleanup Site Assessment Report, South Buffalo Redevelopment Plan: Steel Manufacturing Site, Buffalo, New York, prepared by Malcolm Pirnie, Inc., September, 1997.

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Hydro-Air Components, Inc. Steelfields Area IV (Hydro-Air) Site Brownfield Cleanup Program Application

The U.S. Department of Agriculture Soil Conservation Service soil survey map of Erie County² describes the general soil type at the site as Urban land. Field characterization confirms the presence of fill (mostly coke) over much of the Site.

Depth to and type of bedrock below the site has not been determined by drilling.

SITE GROUNDWATER

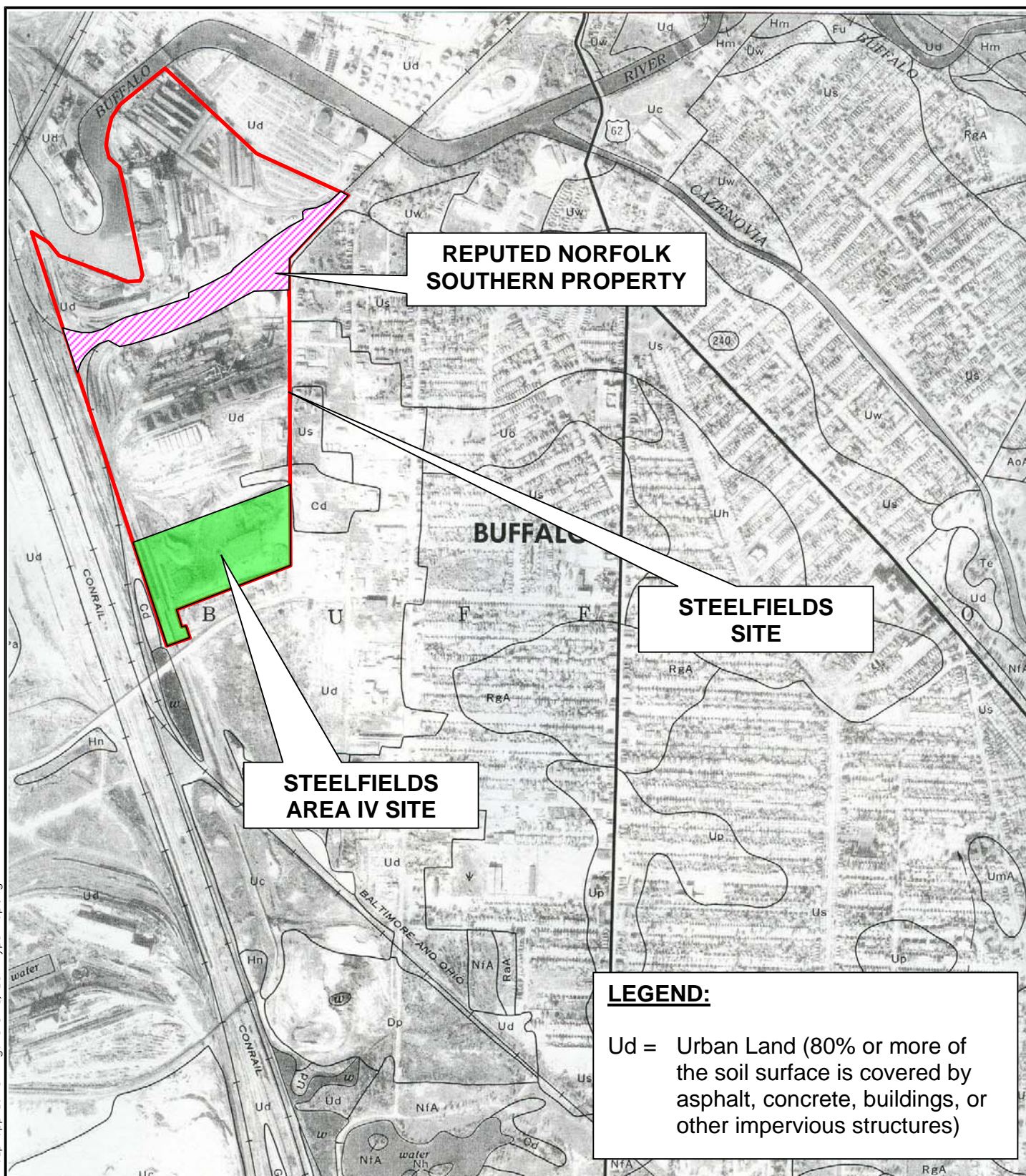
Unconfined perched groundwater was encountered at the site within the soil/fill at a depth of \pm 1.0 to 2.0 fbs. Shallow groundwater was determined to flow in an south/southeast direction (see Attachment 13) with a low gradient. Regional groundwater, also appears to flow east/southeast towards Lake Erie (see Attachment 1).

GROUNDWATER RECHARGE & DISCHARGE

Recharge to the Site water table is primarily from rainfall and snowmelt. Precipitation predominantly infiltrates into the soil/fill present on the Site.

² U.S. Depart of Agriculture Soil Conservation Service Soil Survey of Erie County, New York, issued October 1972.

FIGURE 14-1



LEGEND:

Ud = Urban Land (80% or more of the soil surface is covered by asphalt, concrete, buildings, or other impervious structures)



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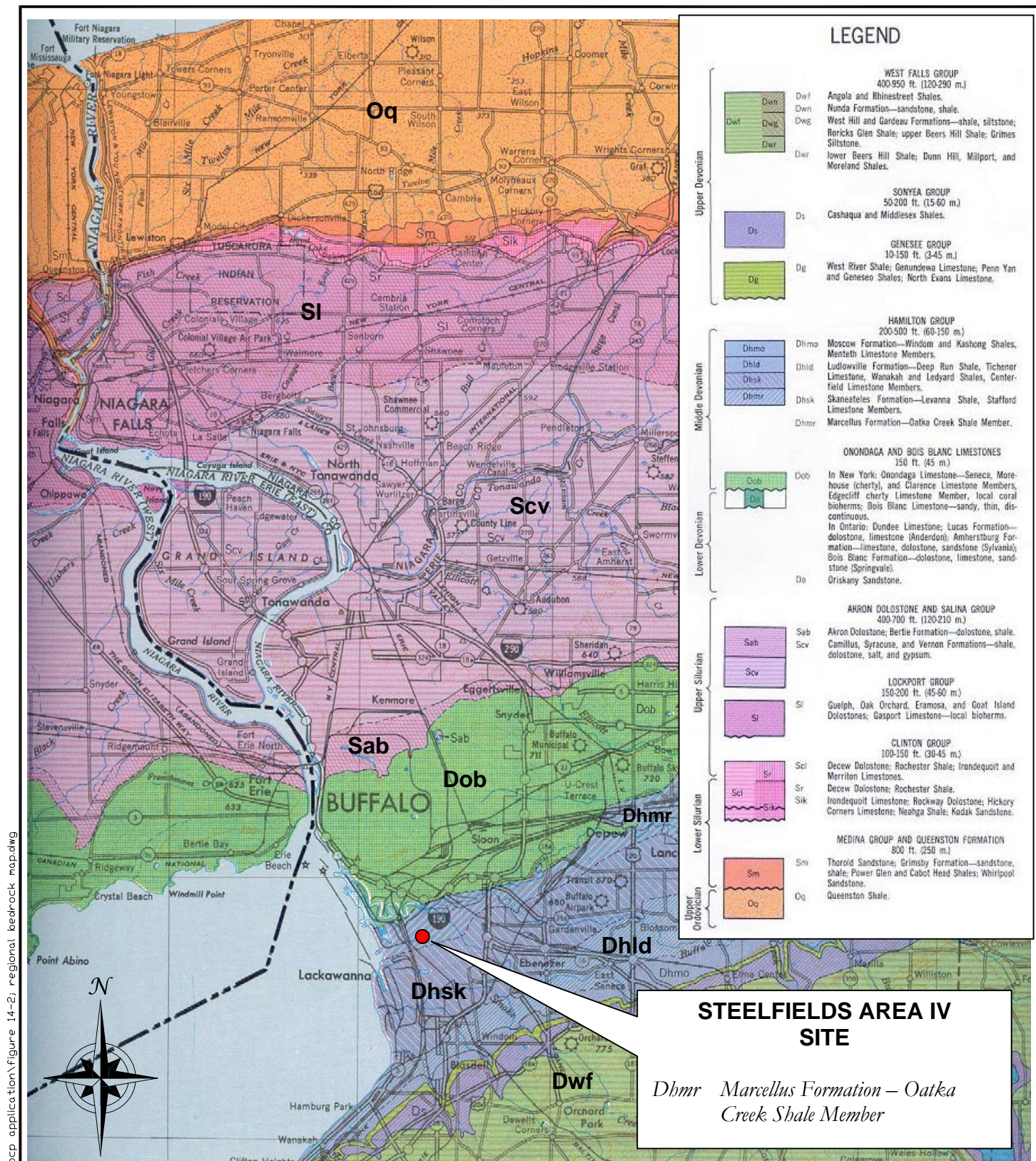
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SOIL TYPE MAP

BROWNFIELD CLEANUP PROGRAM APPLICATION

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REGIONAL BEDROCK MAP

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