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November 26, 2007

Mr. William Murray
Project Manager
New York State Department of Environmental Conservation
Division of Environmental Remediation, Region 9
270 Michigan Avenue
Buffalo, New York 14203-2999

Re: NOCO # S41 Site
Certificate of Mailing – RI/IRM Work Plan Fact Sheet

Dear Mr. Murray:

Enclosed are the Certificate of Mailing, Fact Sheet, and the Public and Private mailing lists to which the mailing was sent on November 26, 2007.

Please do not hesitate to contact us with any questions.

Sincerely,
Benchmark Environmental Engineering & Science, PLLC



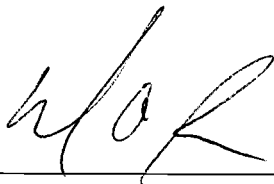
Michael Lesakowski
Project Manager

c: Mike Yount, NOCO
file 0112-010-200

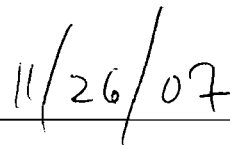
SITE NAME: NOCO #S41 Site
SITE NO.: C915211

CERTIFICATION OF MAILING

I certify that I mailed on November 26, 2007 a copy of the attached Environmental Investigation and Cleanup Work Plan Fact Sheet by first class mail upon the person(s) on the attached mailing list, by depositing a true copy thereof, securely enclosed in a postpaid wrapper, in the Post Office box at 726 Exchange Street in the City of Buffalo, New York, which box is under the exclusive care and custody of the United States Post Office Department:

A handwritten signature in black ink, appearing to be 'W/O R', written over a horizontal line.

Signature

A handwritten date '11/26/07' in black ink, written over a horizontal line.

Date



FACT SHEET

Brownfield Cleanup Program

NOCO S-41 Site
Site No. C915211
Buffalo, NY

November 2007

Environmental Investigation and Cleanup Work Plan for Genesee Street Site Available for Public Comment

The New York State Department of Environmental Conservation (NYSDEC) welcomes public comments as it reviews a work plan to investigate and undertake environmental cleanup activities at the NOCO S-41 Site, located at 1055 Genesee Street, Buffalo, Erie County. See the attached map for the location of the site.

The environmental investigation and cleanup work plan, called the “Remedial Investigation (RI)/ Interim Remedial Measures (IRM) Work Plan” was submitted by NOCO Energy Corporation (NOCO) under New York’s Brownfield Cleanup Program (BCP). This report describes environmental investigation and cleanup activities proposed for the Noco site. More detailed information about proposed activities can be found on page 2 of this fact sheet.

Public Comments about the RI/IRM Work Plan

NYSDEC is accepting written public comments about the RI/IRM Work Plan for 30 days, from **November 13, 2007** through **December 15, 2007**. The RI/IRM Work Plan is available for public review at the locations identified on the last page of this fact sheet.

Written comments should be submitted to:

Mr. William Murray
New York State Department of Environmental Conservation
270 Michigan Avenue
Buffalo, New York 14203-2999

Highlights of the Proposed Remedial Investigation

Brownfield Cleanup Program: New York’s Brownfield Cleanup Program (BCP) encourages the voluntary cleanup of contaminated properties known as “brownfields” so that they can be reused and redeveloped. These uses include recreation, housing and business.

A **brownfield** is any real property that is difficult to reuse or redevelop because of the presence or potential presence of contamination.

For more information about the BCP, visit:
www.dec.ny.gov/chemical/8450.html

Goals of the remedial investigation are to:

- 1) define the nature and extent of contamination in soil, surface water, groundwater and any other impacted media;
- 2) identify the source(s) of the contamination;
- 3) assess the impact of the contamination on public health and/or the environment; and
- 4) provide information to support the development of a Remedial Work Plan, if required upon completion of IRM activities, to address the contamination.

The investigation will be performed by NOCO Energy Corporation with oversight by NYSDEC..

Based on previous environmental investigations completed on-site, the contaminants of concern identified on-site are petroleum-related compounds that have affected soil and groundwater.

Proposed investigation activities will include:

- Completing soil borings, and installing groundwater monitoring wells on-site; and,
- Collecting and analyzing soil and groundwater samples to assess soil and groundwater quality and collect site-specific hydrogeological data;

Highlights of the Proposed Interim Remedial Measures

As part of the Remedial Investigation, an IRM will be completed to immediately address known environmental impacts related to past use of the Site as a gasoline station and automotive repair facility. (An IRM is an environmental cleanup action that can be conducted at a site relatively quickly to reduce the risk to people's health and the environment from a well-defined hazardous waste problem.) At the Noco site, the current underground storage tank (UST) system, including USTs, product dispensers and product piping will be removed. Impacted soil will be removed and impacted groundwater (if encountered) will be extracted and treated during the IRM.

Background

Site Background

The Site is an approximate 0.75-acre parcel located on the southeast corner of Genesee Street and Fillmore Avenue. The Site is currently vacant but was historically used as a retail gasoline station and convenience store. The convenience store building remains, and there are currently three 8,000-gallon gasoline tanks and four product dispensers on-site.

Site History

The Site has been used as a gasoline station since at least 1950. According to historical records, previous gas station owner/operators on-site include Gulf Oil Corporation, Northeast Stations, Inc., and Cumberland Farms. NOCO Motor Fuels, Inc. has been Site owner since approximately 1993. The site has been vacant since the summer of 2007.

Environmental History

In October 2004, a Subsurface Investigation Report was completed to further investigate impacts previously identified in a tank field observation well. The results of that study indicated that petroleum-related volatile organic compounds (VOCs) were present in Site soils and groundwater.

In August 2006, a Supplemental Environmental Investigation was performed at the Site to delineate petroleum impacts previously identified. The results of this investigation identified additional on-site soil and groundwater impacts in the area of the current/historic USTs and pump islands.

BCP Status

- A Brownfield Cleanup Agreement was executed between the NYSDEC and NOCO Energy Corporation on July 9, 2007.

Next Steps and Project Timeline

NYSDEC will consider public comments as it completes its review, makes any necessary revisions made, and, if appropriate, approves the RI/IRM Work Plan. NYSDOH must concur in the approval of the Work Plan. The approved Work Plan will be available for public review at the location identified below, under the heading "For More Information." After the Work Plan is approved, NOCO may proceed with the implementation of interim remedial measures and remedial investigation at the site. The IRM field time is anticipated to take approximately two weeks and is anticipated to commence in January 2008. The remedial investigation will take about two weeks of field time and is anticipated to commence in February 2008. The proposed future use of the site is commercial.

The applicant will develop an RI/IRM Report that summarizes the results of the site investigation and cleanup. An Alternatives Analysis Report (AAR) that will evaluate whether additional remedial measures are necessary, beyond the IRM, will also be prepared.

NYSDEC will keep the public informed during the investigation and remediation of the NOCO S-41 site through fact sheets, similar to this one.

FOR MORE INFORMATION

Locations to View Project Related Documents

A local document repository has been established at the following location to help the public to review important project documents. These documents include the draft RI/AAR/IRM Work Plan and the application to participate in the BCP accepted by NYSDEC:

The document repositories identified below have been established to provide the public with convenient access to important project documents:

Buffalo & Erie County Public Library
Central Branch
1 Lafayette Square
Buffalo, NY 14203
Attn: Michael C. Mahaney, Director
Phone: (716) 858-8900
Hours: M, Tu, W, F, Sat. 8:30-6:00
Thurs. 8:30-8:00
Sun. 1:00-5:00 (winter only)

NYSDEC Region 9 Office
270 Michigan Avenue
Buffalo, NY 14203
Attn: Mr. William Murray
Phone: (716) 851-7220
Hours: M-F 8:30-4:45
(Please call for an appointment.)

Who to Contact

Comments and questions are always welcome and should be directed as follows:

Project Related Questions

Mr. William Murray
New York State Department of
Environmental Conservation
270 Michigan Avenue
Buffalo, New York 14203-2999
(716) 851-7220

Health Related
Questions

Ian Ushe
Bureau of
Environmental
Exposure Investigation
547 River Street
Troy, NY 12180-2216
Ph. (518) 402-7880
Fax: (518) 402-7859

Development Related
Questions

Michael Yount
NOCO Energy Corp.
700 Grand Island Blvd.
Tonawanda, NY 14150
(716) 845-4233

If you know someone who would like to be added to the project mailing list, have them contact the NYSDEC project manager above. We encourage you to share this fact sheet with neighbors and tenants, and/or post this fact sheet in a prominent area of your building for others to see.