

ATTACHMENT 06

LISTING OF CURRENT & PREVIOUS SITE OWNERS

Attachment 06

Listing of Current & Previous Site Owners 300 Ohio Street Site Brownfield Cleanup Program Application

INTRODUCTION

Reasonable attempts were made to attain complete current and previous site owner contact information.

The following table lists the current and previous property owners:

Parcel Address	Date(s)	Relationship to Applicant
300-354 Ohio Street (including 11 Chicago St)		
Current Owner		
Petroleum Sales and Service, Inc (aka Sam's Truck Stop and Petro USA) 300 Ohio Street Buffalo New York	At least 1953 - present	None
71-75 Chicago Street		
Current Owner		
4216 Group, LLC 295 Main Street, Suite 210 Buffalo, New York 14203	2004 - present	Applicant
Previous Owner		
EB Holmes Machinery Company 59 Chicago Street Buffalo NY	At least 1889 - 1999	None
49 and 53 Mackinaw Street		
Current Owner		
Petroleum Sales and Service, Inc (aka Sam's Truck Stop and Petro USA) 300 Ohio Street Buffalo New York	At least 1969 - present	None

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Listing of Current & Previous Site Owners 300 Ohio Street Site Brownfield Cleanup Program Application

Previous Owner		
Motor Freight Station / Trucking Terminal (New York Truck Lines, Cavanaugh Trucking, BWC Transportation, etc.)	At least 1950 - 1969	None
Vacant (via Sanborn Maps)	1925 – 1950	--
Central Manufacturing Co (Coffin Manufacturers)	At least 1889 - 1900	None

ATTACHMENT 07

LISTING OF CURRENT & PREVIOUS SITE OPERATORS

Attachment 07

**Listing of Current & Previous Site Operators
300 Ohio Street Site
Brownfield Cleanup Program Application**

INTRODUCTION

Reasonable attempts were made to attain complete current and previous site operators contact information.

The following table lists the current and previous property operators:

Parcel Address	Date(s)	Relationship to Applicant
300-354 Ohio Street (including 11 Chicago St.)		
Current Operator		
Vacant	2010 - present	None
Previous Operator		
Petroleum Sales and Service, Inc (aka Sam's Truck Stop and Petro USA) 300 Ohio Street Buffalo New York	At least 1969 - 2010	None
71-75 Chicago Street		
Previous Operator		
EB Holmes Machinery Company 59 Chicago Street Buffalo NY	At least 1889 - 1999	None
49 and 53 Mackinaw Street		
Current Operators		
Vacant	2010 - present	None
Petroleum Sales and Service, Inc (aka Sam's Truck Stop and Petro USA) 300 Ohio Street Buffalo New York	At least 1969 - 2010	None

Attachment 07

Listing of Current & Previous Site Operators 300 Ohio Street Site Brownfield Cleanup Program Application

Motor Freight Station / Trucking Terminal (New York Truck Lines, Cavanaugh Trucking, BWC Transportation, etc.)	At least 1950 - 1969	None
Vacant (via Sanborn Maps)	1925 – 1950	--
Central Manufacturing Co (Coffin Manufacturers)	At least 1889 - 1900	None

ATTACHMENT 08

BROWNFIELD SITE CONTACT LIST

Attachment 08

Brownfield Site Contact List 300 Ohio Street Brownfield Cleanup Program Application

CONTACT LIST

The following is the contact list information for the subject property. The following contacts will be sent fact sheets throughout the project's duration.

Erie County Contacts:

Honorable Christopher Collins
Erie County Executive
95 Franklin Street
Buffalo, NY 14202

Erie County Legislator Daniel M. Kozub
District 1
609 Ridge Road
Lackawanna, NY 14218

Commissioner Kathy Konst
Erie Co. Environment & Plan.
95 Franklin Street
Buffalo, NY 14202

Mr. Paul Kranz
Erie Co. Environment & Plan.
95 Franklin Street
Buffalo, NY 14202

Mr. Robert Graber
Erie County Legislature Clerk
25 Delaware Avenue
Buffalo, NY 14202

Mr. Michael Raab
Erie Co. Environment & Planning
95 Franklin Street
Buffalo, NY 14202

Commissioner Anthony Billittier
Erie Co. Health Dept.
95 Franklin Street, Room 931
Buffalo, NY 14202

Erie County Local Emergency
45 Elm St.
Buffalo, NY 14203

David Stebbins
ECIDA
275 Oak St.
Buffalo, NY 14203

Christopher Pawenski
Erie County DEP
95 Franklin St.
Buffalo, NY 14202

Attachment 08

Brownfield Site Contact List 300 Ohio Street Brownfield Cleanup Program Application

City of Buffalo Contacts:

Byron Brown, Mayor
City of Buffalo
65 Niagara Sq
Buffalo, NY 14219

David A. Franczyk, Councilman
City of Buffalo
1315 City Hall
Buffalo, NY 14219

James A. Morrell, Chairman
City of Buffalo
Planning Board
901 City Hall
Buffalo, NY 14219

Supplier of Potable Water:

Buffalo Water Authority
281 Exchange Street
Buffalo, NY 14204

Local News Media:

Buffalo News
ATTN: Ms. Aaron Besecker
1 News Plaza
Buffalo, NY 14240

WGRZ TV - Ch. 2
ATTN: Ms. Maria Sisti
259 Delaware Avenue
Buffalo, NY 14202

WIVB - Ch. 4
ATTN: Ms. Lisa Fullone
2077 Elmwood Avenue
Buffalo, NY 14207

WKBW News Channel 7
ATTN: Ms. Melanie Pritchard
7 Broadcast Plaza
Buffalo, NY 14202

Alternate Press
ATTN: Mr. Joe Schmidbauer
P.O. Box 729, Washington Station
Buffalo, NY 14205

Business First
ATTN: Anne Marie Franczyk
465 Main Street
Buffalo, NY 14203-1793

Attachment 08

**Brownfield Site Contact List
300 Ohio Street
Brownfield Cleanup Program Application**

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

WNED, Environmental News Desk
ATTN: Mr. Michael Desmond
P.O. Box 1263, Horizons Plaza
Buffalo, NY 14240

Nearby Schools:

Jacquelyn Bavaro-Phelan, Principal
Lorraine Elementary School
425 South Park Avenue
Buffalo, NY 14204

Other Interested Parties:

WNY Director
Citizens Env. Coalition
543 Franklin Street
Buffalo, NY 14202-1109

Document Repository:

Mary Jean Jakubowski, Deputy Director
Buffalo & Erie County Public Library
1 Lafayette Square
Buffalo, NY 14203



Attachment 08

**Adjacent Property Owners List
300 Ohio Street
Brownfield Cleanup Program Application**

Adjacent Property Address		Property Owner
No.	Street	Mailing Address
122	Louisiana St	City of Buffalo Dept. of Parks and Recreation 511 City Hall Buffalo, NY 14202
60	Mackinaw St	Patricia Zbock 2825 N Creek Road Hamburg NY 14075
5	Miami St	Seneca Erie Gaming Corp. 310 Fourth Street Niagara Falls, NY 14303
61	Miami St	Joseph M Mazur 61 Miami Street Buffalo, NY 14204
63	Miami St	NU-ERA Towing Services, Inc. 95 Miami Street Buffalo, NY 14204
65	Miami St	NU-ERA Towing Services, Inc. 95 Miami Street Buffalo, NY 14204
67	Miami St	NU-ERA Towing Services, Inc. 95 Miami Street Buffalo, NY 14204
55	Chicago St	Newark Niagara, LLC c/o Clinton Brown Company 653 Main Street Buffalo, NY
81	Chicago St	Peter B. Bus, Jr. 843 Bear Road Cowlesville, NY 14037
87	Chicago St	Peter B. Bus, Jr. 843 Bear Road Cowlesville, NY 14037
215 & 249	Ohio St	Buffalo River Fest Park, LLC 93 Leddy Street Buffalo, NY 14210
286	Ohio St	1029 Group, LLC 295 Main Street, Suite 210 Buffalo, NY 14203
399	Ohio St	Paladino-Magnano Trust 295 Main Street, Suite 210 Buffalo, NY 14203
420	Ohio St	NYSDEC 128 South Street Olean, NY 14760
421	Ohio St	NYSDEC 128 South Street Olean, NY 14760

ATTACHMENT 09

DOCUMENT REPOSITORY CONFIRMATION LETTER



June 14, 2011

Mary Jean Jakubowski
Deputy Director
Buffalo & Erie County Public Library
1 Lafayette Square
Buffalo, NY 14203

Re: Document Repository for Brownfield Cleanup Program
300 Ohio Street Site
Buffalo, New York

Dear Ms. Jakubowski:

Per our discussion, thank you for agreeing to the Buffalo & Erie County Public Library acting as the document repository for the above-referenced Site. In the future, we will be sending various documents relating to the Site that should be made available for public review upon request.

Please contact me if you have questions or require additional information.

Sincerely,
TurnKey Environmental Restoration, LLC

A handwritten signature in blue ink, reading "Jonathan G. Taylor".

Jonathan G. Taylor
Engineer

c: File: 0136-037-100

ATTACHMENT 10

ENVIRONMENTAL FACTORS AND HISTORIC LAND USE CONSIDERATIONS

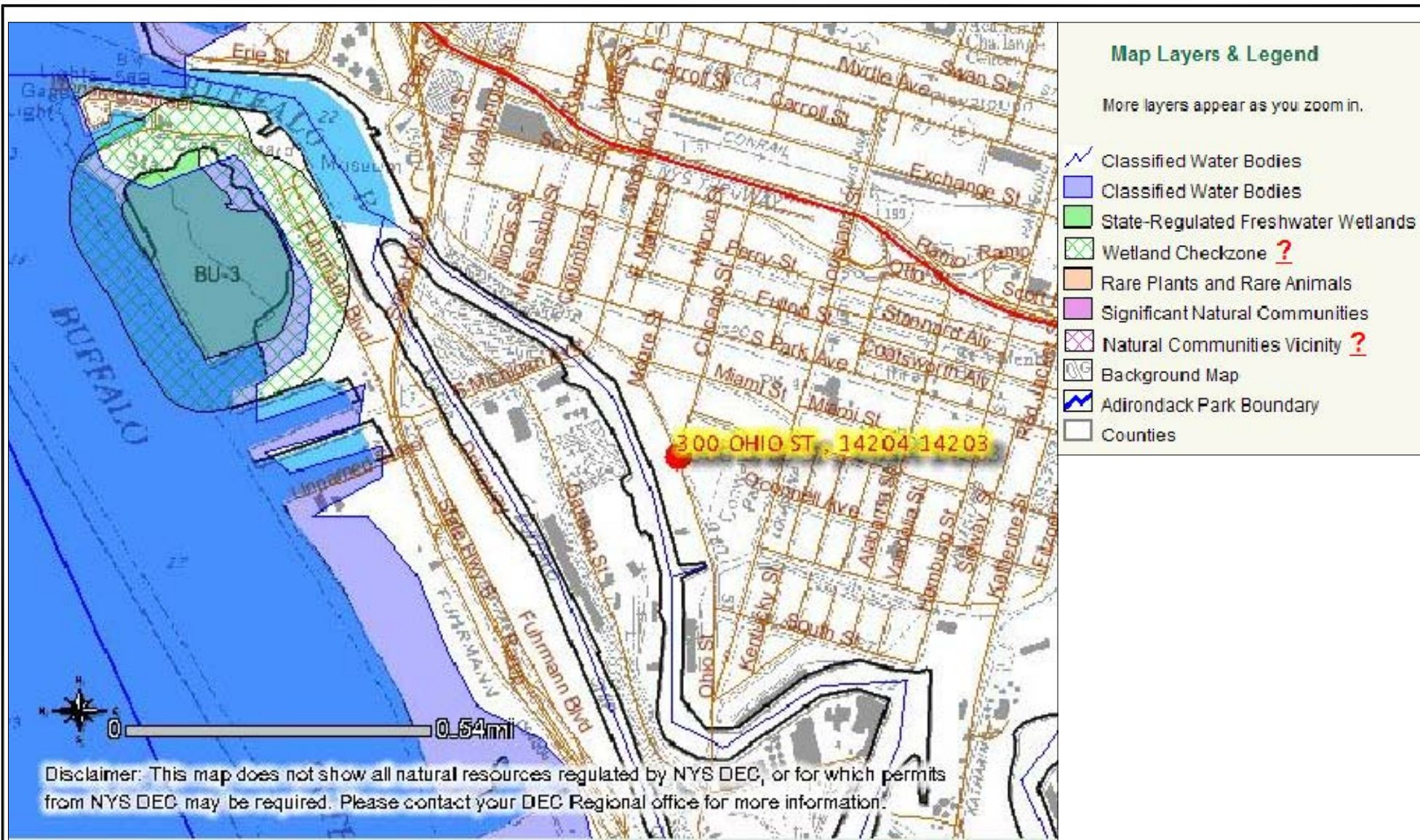
Attachment 10

Environmental Factors & Historic Land Use Considerations 300 Ohio Street Site Brownfield Cleanup Program Application

INTRODUCTION

The following provides a brief summary of the Site:

- The Site is located within a historic industrial zone of the City of Buffalo, containing former industrial, commercial, residential, vacant and recreational areas. The former Ohio Basin and shipping canal was located immediately adjacent to the east of the Site, and was subsequently filled in and is currently utilized as the City of Buffalo - Conway Park.
- There are no State or Federal wetlands or floodplains located on-Site. Per the Erie County GIS System, floodplains are located approximately 250-ft to the west along the Buffalo River.
- The Site is not adjacent to a Significant Coastal Fish and Wildlife Habitat.
- A NYSDEC regulated freshwater wetland (BU-3) is located approximately 0.75-miles to the northwest of the site (see Figure 10-1).
- According to the NYSDEC's Environmental Resource Mapper (ERM) there are important plant habitats, and endangered species listed for the area encompassing the Site.
 - The Golden Dock (*Rumex fueginus*) is listed as an endangered rare plant species under NYS Protected Status.
 - The American Burying Beetle (*Nicrophorus americanus*) is listed as an endangered rare animal species under NYS Protection Status.
- Two National Register listed historical Sites are located within 0.5 miles of the subject Site. The E&B Holmes Machinery Company Building (NR#: 08NR00597) addressed at 59 Chicago Street, is directly adjacent to the subject Site. The Edward M. Cotter Fireboat (NR#: 97NR01143) addressed at the junction of Michigan Avenue and Ohio Street is located less than 0.25-miles north of the Site (see Figure 10-2).



2558 HAMBURG TURNPIKE
SUITE 300
BUFFALO, NY 14218
(716) 856-0635

PROJECT NO.: 0136-037-100

DATE: JUNE 2011

DRAFTED BY: JGT

NYSDEC WETLAND MAP

BROWNFIELD CLEANUP PROGRAM APPLICATION

300 OHIO STREET SITE

BUFFALO, NEW YORK

PREPARED FOR

4216 GROUP, LLC

FIGURE 10-1



2558 HAMBURG TURNPIKE
SUITE 300
BUFFALO, NY 14218
(716) 856-0635

PROJECT NO.: 0136-037-100

DATE: JUNE 2011

DRAFTED BY: JGT

CULTURAL RESOURCE MAP

BROWNFIELD CLEANUP PROGRAM APPLICATION

300 OHIO STREET SITE

BUFFALO, NEW YORK

PREPARED FOR

4216 GROUP, LLC

FIGURE 10-2

ATTACHMENT 11

NEARBY LAND USE MAP

Attachment 11

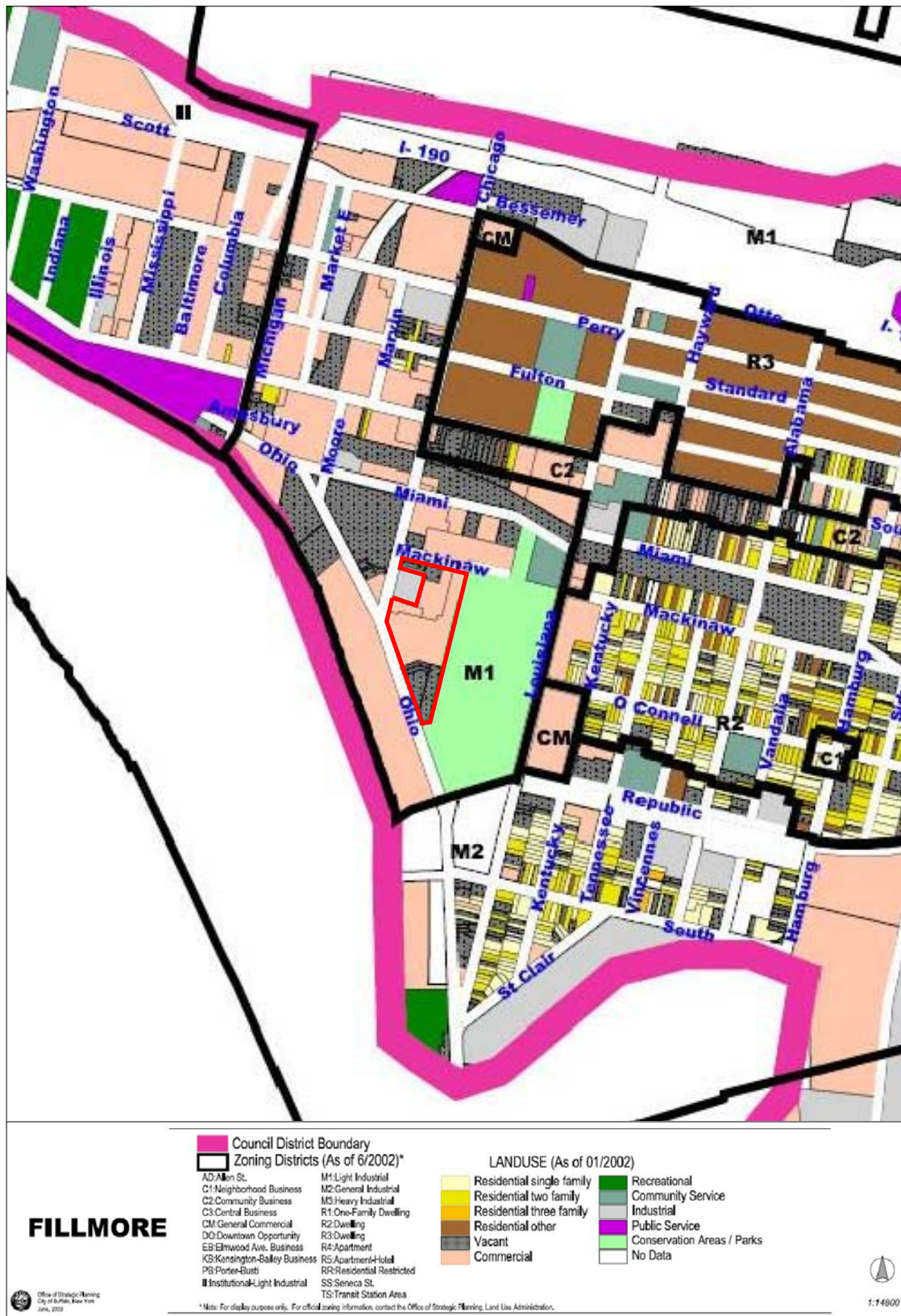
Surrounding Land Use Description 300 Ohio Street Site Brownfield Cleanup Program Application

SURROUNDING LAND USE DESCRIPTION

The Site is comprised of 11 adjoining parcels totaling an approximate 5.0-acre, located in a historically industrial area of the City of Buffalo, Erie County, New York. The Site is bound by Ohio Street and Chicago Street to the west and southwest; Mackinaw Street to the north; and the City of Buffalo – Conway Park to the east (see Figures 1-1 and 1-2). The Buffalo River is located approximately 250-ft to the west of the Site.

The Site is located in a historic industrial area of the City of Buffalo. The land use surrounding the Site is a mixed commercial, vacant, residential and recreational area. Residential areas surrounding the site are located approximately 0.2-miles to the east, and 0.4-miles to the north. A surrounding land use map is provided as Figure 11-1.

FIGURE 11-1



2558 HAMBURG TURNPIKE
 SUITE 300
 BUFFALO, NY 14218
 (716) 856-0635

SURROUNDING LAND USE

BROWNFIELD CLEANUP PROGRAM APPLICATION

300 OHIO STREET SITE

BUFFALO, NEW YORK

PREPARED FOR

4216 GROUP, LLC

PROJECT NO.: 0136-037-100

DATE: JUNE 2011

DRAFTED BY: JGT

ATTACHMENT 12

GROUNDWATER VULNERABILITY ASSESSMENT

Attachment 12

Groundwater Vulnerability Assessment 300 Ohio Street Site Brownfield Cleanup Program Application

POTENTIAL VULNERABILITY OF GROUNDWATER TO CONTAMINATION

Petroleum-related volatile organic compounds (VOCs) and semi-volatile organic compounds (SVOCs) were detected in subsurface soil samples during a limited site investigation conducted in 2010. In addition, multiple NYSDEC Spill files have been recorded for operations on-Site, and municipal records indicate historic leaking underground storage tanks (USTs). Attachment 5 includes a summary of the previous environmental investigations and historic records.

Currently, there are no known deed restrictions on the use of groundwater at the Site. Municipal water is available to the Site and all properties in the area. The municipal water is supplied by the Buffalo Water Authority, and is derived from Lake Erie and the Niagara River.

GROUNDWATER FLOW

Based on information from the previous limited environmental investigations, groundwater was typically encountered between eight (8) to ten (10) feet below ground surface (fbgs). The Site is located approximately 250-ft east of the Buffalo River and localized Site groundwater is generally estimated to flow in a western direction.

RECOMMENDATIONS

Further work is required to investigate groundwater quality data. Additional wells to assess groundwater flow patterns and water quality will be needed.

ATTACHMENT 13

DESCRIPTION OF SITE GEOGRAPHY/GEOLOGY

Attachment 13

Description of Site Geography/Geology 300 Ohio Street Site Brownfield Cleanup Program Application

ECOLOGICAL SETTING

The majority of the Site is covered with existing buildings, asphalt parking and driveways. Some grass covered areas are present in the northwest quadrant of the Site.

The Site is located in the Lake Erie-Niagara River Basin, which generally drains west/southwest from the Site, although localized variation may occur. Viable aquatic habitats in the vicinity of the Site include the Buffalo River (approximately 250-ft west) and Lake Erie (approximately 1 mile west).

DEMOGRAPHY AND LAND USE

The Site is located in highly developed urbanized area of the City of Buffalo, Erie County, NY. Land use surrounding the Site includes commercial, residential, and some vacant properties (see Figure 11-1).

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.

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 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

Attachment 13

Description of Site Geography/Geology

300 Ohio Street Site

Brownfield Cleanup Program Application

Based on the bedrock geologic map of Erie County (Buehler and Tesmer, 1963), the Site is situated over Onondaga Formation of the Middle Devonian Series. The Onondaga Formation is comprised of a varying texture from coarse to very finely crystalline with a dark gray to tan color and chert and fossils within. The unit has an approximated thickness of 110 to 160 feet.

SITE GEOLOGY/HYDROGEOLOGY

Based on the previous investigation ([see Attachment 05](#)), the geology at the Site is generally described as fill materials overlying silty clay and sand-gravel. The fill materials consist of sand and gravel with varying amounts of asphalt, brick, gravel, clay, sand and silt at depths ranging from 0 to 8 feet below ground surface (fbgs). Black sand/silty sand was noted in across most of the Site.

Site groundwater will be investigated during the Remedial Investigation fieldwork.

ATTACHMENT 14

ELECTRONIC COPY OF BCP APPLICATION AND ATTACHMENTS