



New York State Department of Environmental Conservation

## **Brownfield Cleanup Program**

### **Citizen Participation Plan for 129 Holden Street Site**

129 Holden Street  
City of Buffalo  
Erie County, New York  
Site Number: C915261

March 2012

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**Note:** The information presented in this Citizen Participation Plan was current as of the date of its approval by the New York State Department of Environmental Conservation. Portions of this Citizen Participation Plan may be revised during the brownfield Site’s remedial process.

Applicant: **Strickler Development Corporation (“Applicant”)**

Site Name: **129 Holden Street (“Site”)**

Site Address: **129 Holden Street**

Site County: **Erie County**

Site Number: **C915261**

## **1. What is New York’s Brownfield Cleanup Program?**

New York’s Brownfield Cleanup Program (BCP) is designed to encourage the private sector to investigate, remediate (clean up) and redevelop brownfields. A brownfield is any real property where redevelopment or reuse may be complicated by the presence or potential presence of a contaminant. A brownfield typically is a former industrial or commercial property where operations may have resulted in environmental contamination. A brownfield can pose environmental, legal and financial burdens on a community. If the brownfield is not addressed, it can reduce property values in the area and affect economic development of nearby properties.

The BCP is administered by the New York State Department of Environmental Conservation (NYSDEC) which oversees Applicants that conduct brownfield Site remedial activities.<sup>1</sup> An Applicant is a person whose request to participate in the BCP has been accepted by NYSDEC. The BCP contains investigation and remediation (cleanup) requirements, ensuring that cleanups protect public health and the environment. When NYSDEC certifies that these requirements have been met, the property can be reused or redeveloped for the intended use.

For more information about the BCP, go online at: <http://www.dec.ny.gov/chemical/8450.html> .

## **2. Citizen Participation Plan Overview**

This Citizen Participation (CP) Plan provides members of the affected and interested public with information about how NYSDEC will inform and involve them during the investigation and remediation of the Site identified above. The public information and involvement program will be carried out with assistance, as appropriate, from the Applicant.

Appendix A contains a map identifying the location of the Site.

### *Project Contacts*

Appendix B identifies NYSDEC project contact(s) to whom the public should address questions or request information about the Site’s remedial program. The public’s suggestions about this CP

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<sup>1</sup> “Remedial activities”, “remedial action”, and “remediation” are defined as all activities or actions undertaken to eliminate, remove, treat, abate, control, manage, or monitor contaminants at or coming from a brownfield site.



Plan and the CP program for the Site are always welcome. Interested people are encouraged to share their ideas and suggestions with the project contacts at any time.

### *Document Repositories*

The locations of the Site's document repositories also are identified in Appendix B. The document repositories provide convenient access to important project documents for public review and comment.

### *Site Contact List*

Appendix C contains the brownfield Site contact list. This list has been developed to keep the community informed about, and involved in, the Site's investigation and remediation process. The brownfield Site contact list will be used periodically to distribute fact sheets that provide updates about the status of the project. These will include notifications of upcoming remedial activities at the Site (such as fieldwork), as well as availability of project documents and announcements about public comment periods.

The brownfield Site contact list includes, at a minimum:

- chief executive officer and official(s) principally involved with relevant zoning and planning matters of each county, city, town and village in which the Site is located;
- residents, owners, and occupants of the Site and properties adjacent to the Site;
- the public water supplier which services the area in which the Site is located;
- any person who has requested to be placed on the Site contact list;
- the administrator of any school or day care facility located on or near the Site for purposes of posting and/or dissemination of information at the facility; and
- document repositories.

Where the Site or adjacent real property contains multiple dwelling units, the Applicant will work with NYSDEC to develop an alternative method for providing such notice in lieu of mailing to each individual. For example, the owner of such a property that contains multiple dwellings may be requested to prominently display fact sheets and notices required to be developed during the Site's remedial process. This procedure would substitute for the mailing of such notices and fact sheets, especially at locations where renters, tenants and other residents may number in the hundreds or thousands, making the mailing of such notices impractical.

The brownfield Site contact list will be reviewed periodically and updated as appropriate. Individuals and organizations will be added to the Site contact list upon request. Such requests should be submitted to the NYSDEC project contact(s) identified in Appendix B. Other additions to the brownfield Site contact list may be made on a Site-specific basis at the discretion of the NYSDEC project manager, in consultation with other NYSDEC staff as appropriate.

### *CP Activities*

Appendix D identifies the CP activities, at a minimum, that have been and will be conducted during the Site's remedial program. The flowchart in Appendix E shows how these CP activities integrate with the Site remedial process. The public is informed about these CP activities through fact sheets and notices developed at significant points in the Site's remedial process.

- **Notices and fact sheets** help the interested and affected public to understand contamination issues related to a brownfield Site, and the nature and progress of efforts to investigate and remediate a brownfield Site.
- **Public forums, comment periods and contact with project managers** provide opportunities for the public to contribute information, opinions and perspectives that have potential to influence decisions about a brownfield Site's investigation and remediation.

The public is encouraged to contact project staff at any time during the Site's remedial process with questions, comments, or requests for information about the remedial program.

This CP Plan may be revised due to changes in major issues of public concern identified in Section 6. or in the nature and scope of remedial activities. Modifications may include additions to the brownfield Site contact list and changes in planned citizen participation activities.

### **3. Site Information**

#### *Site Description*

The BCP Site is located at 129 Holden Street (Site) in a commercially-zoned area within the City of Buffalo, Erie County, New York. Surrounding adjacent areas are zoned for residential and public service use. The Site currently consists of approximately 27.09-acres of land that occupies five (5) vacant buildings and is situated entirely within New York State Empire State Development Zones A and B. There are no environmental easement agreements for the Site property; however, there are utility easements. A map locating the Site is included in Appendix A.

#### *Site History*

The Site was originally developed for industrial use as early as 1874 for the mining industry and the production of limestone and natural rock cement. The property was owned and operated by the Buffalo Cement Co. Ltd. from 1877 to 1948. During that time, extensive mining operations occurred at the Site. Historical aerial photographs, from 1927 and 1951, show that these operations were performed within the Site boundaries and extended beyond to the north and east. Specific mining depths have not been determined for the Site, however, it is documented that 5 to 6 feet of Bertie Limestone was extensively quarried by the Buffalo Cement Co. Ltd. for the



production of natural cement at their Buffalo facility. Backfill material of varying thickness is expected to be prevalent throughout the Site. Sources of this backfill material are unknown.

The Site was developed by Central Park Shopping Center, Inc. in 1958 with the construction of three Site buildings for commercial purposes. Building 4 was constructed on the southern portion of the Site in 1967 and Building 5 was constructed on the western portion of the Site in 1989. Various businesses occupied the Site including auto repair, photographic processing and dry cleaning facilities. The Site has been vacant since July 2011.

### **Environmental History**

In August 2011, GZA GeoEnvironmental of New York (GZA) performed a Phase I Environmental Site Assessment (Phase I ESA) at the Site. Based on the information obtained as part of the assessment, it was GZA's opinion that historic Site usage (i.e., mining operations, photo processing, dry cleaning, chop shop), surrounding area usage, and spill history represented recognized environmental concerns. A summary of historic spill information at the Site is as follows.

- Spill No. 0703866 was listed for the Site on the RCRA database as a large quantity generator (LQG). LQG facilities are generate more than 100 kilograms of any residue or contaminated soil, waste or other debris resulting from the cleanup of a spill, release into or on any land or water, or acutely hazardous wastes generated during any calendar month. The LQG for this listing was Niagara Mohawk, for waste code B007 (polychlorinated biphenyls) as the hazardous waste. Transformer oil was spilled at the Site caused by vandalism. No violations were found, no further information was provided and the spill was closed on July 6, 2007.
- Spill No. 0704399 was listed when petroleum was released from an abandoned disabled car, which caught fire in the northwest portion of the Site. Approximately one gallon of liquid was released to the ground surface beneath the car. The fire was put out; oxygen and acetylene cylinder tanks were discovered inside the car, removed and stored inside the plaza until they were returned to Mills Welding Supply as stamped on the tanks. No further action was required and the spill was closed on November 19, 2007.

During GZA's Site reconnaissance, an abundance of suspect asbestos-containing materials including floor tiles, ceiling tiles and pipe wrap were observed. These suspect materials were observed throughout the Site buildings and as large piles of debris on the building floor.

In October 2011, GZA performed a Phase II Environmental Site Assessment (Phase II ESA) at the Site. The results of GZA's Phase II ESA identified volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs), polychlorinated biphenyls (PCBs) and metals contamination at the Site exceeding Part 375 Unrestricted and Residential Soil Cleanup Objectives. The petroleum related VOCs detected underneath Building 1 (located at the northwestern portion of the Site) in the former chop shop are characteristic of a petroleum release. Total xylene was detected above soil guidance criteria. A petroleum release was called

into the New York State Department of Environmental Conservation (NYSDEC) on October 28, 2011 and Spill No. 1109473 was assigned based on the analytical results.

On October 26, 2011, the former owner of the property, Central Park Plaza, LLC and Samuel Kurz, entered into a Consent Order and Judgment (Index No. 2011-4327) with the State of New York that resolved the public nuisance allegations asserted by the State against the present property owner related to the condition of the property and the buildings on the property. The Consent Order required the owner to provide adequate parking lot lighting and Site security at the property; repair broken windows, exterior doors, and holes in the exterior of the building walls; cleanup Site debris, trash, and broken glass, and cut overgrown weeds, underbrush and high grass.

#### **4. Remedial Process**

**Note:** See Appendix E for a flowchart of the brownfield Site remedial process.

##### *Application*

The Applicant has applied for and been accepted into New York's Brownfield Cleanup Program as a Participant. The Participant must fully characterize the nature and extent of contamination on-Site, as well as the nature and extent of contamination that has migrated from the Site. The Participant also must conduct a "qualitative exposure assessment," a process that characterizes the actual or potential exposures of people, fish and wildlife to contaminants on the Site and to contamination that has migrated from the Site.

The Applicant in its Application proposes that the Site will be used for restricted purposes.

To achieve this goal, the Applicant will conduct remedial activities at the Site with oversight provided by NYSDEC. The Brownfield Cleanup Agreement executed by NYSDEC and the Applicant sets forth the responsibilities of each party in conducting a remedial program at the Site.

##### *Investigation*

If the Applicant conducts a remedial investigation (RI) of the Site, it will be performed with NYSDEC oversight. The Applicant must develop a remedial investigation work plan, which is subject to public comment as noted in Appendix D. The goals of the investigation are as follows:

- 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 to address the contamination, or to support a conclusion that the contamination does not need to be addressed.

The Applicant will prepare an RI Report after it completes the RI. This report will summarize the results of the RI and will include the Applicant's recommendation of whether remediation is needed to address Site-related contamination. The RI Report is subject to review and approval by NYSDEC. Before the RI Report is approved, a fact sheet that describes the RI Report will be sent to the Site's contact list.

NYSDEC will determine if the Site poses a significant threat to public health and/or the environment. If NYSDEC determines that the Site is a "significant threat," a qualifying community group may apply for a Technical Assistance Grant (TAG). The purpose of a TAG is to provide funds to the qualifying community group to obtain independent technical assistance. This assistance helps the TAG recipient to interpret and understand existing environmental information about the nature and extent of contamination related to the Site and the development/implementation of a remedy.

An eligible community group must certify that its membership represents the interests of the community affected by the Site, and that its members' health, economic well-being or enjoyment of the environment may be affected by a release or threatened release of contamination at the eligible Site.

For more information about the TAG Program and the availability of TAGs, go online at: <http://www.dec.ny.gov/regulations/2590.html>.

### *Remedy Selection*

After NYSDEC approves the RI Report, the Applicant will be able to develop a Remedial Work Plan, if remediation is required. The Remedial Work Plan describes how the Applicant would address the contamination related to the Site.

The public will have the opportunity to review and comment on the draft Remedial Work Plan. The Site contact list will be sent a fact sheet that describes the draft Remedial Work Plan and announces a 45-day public comment period. NYSDEC will factor this input into its decision to approve, reject or modify the draft Remedial Work Plan.

A public meeting may be held by NYSDEC about the proposed Remedial Work Plan if requested by the affected community and if significant substantive issues are raised about the draft Remedial Work Plan. Please note that, in order to request a public meeting, the health, economic well-being or enjoyment of the environment of those requesting the public meeting must be threatened or potentially threatened by the Site. In addition, the request for the public meeting should be made within the first 30 days of the 45-day public comment period for the draft Remedial Work Plan. A public meeting also may be held at the discretion of the NYSDEC project manager in consultation with other NYSDEC staff as appropriate.



### *Remedial Action*

Approval of the Remedial Work Plan by NYSDEC will allow the Applicant to design and construct the alternative selected to remediate the Site. The Site contact list will receive notification before the start of Site remediation. When the Applicant completes remedial activities, it will prepare a final engineering report that certifies that remediation requirements have been achieved or will be achieved within a specific time frame. NYSDEC will review the report to be certain that the remediation is protective of public health and the environment for the intended use of the Site. The Site contact list will receive a fact sheet that announces the completion of remedial activities and the review of the final engineering report.

### *Certificate of Completion and Site Management*

Once NYSDEC approves the final engineering report, it will issue the Applicant a Certificate of Completion. This Certificate states that remediation goals have been achieved, and relieves the Applicant from future remedial liability, subject to statutory conditions. The Certificate also includes a description of any institutional and engineering controls or monitoring required by the approved remedial work plan. If the Applicant uses institutional controls or engineering controls to achieve remedial objectives, the Site contact list will receive a fact sheet that discusses such controls.

An institutional control is a non-physical restriction on use of the brownfield Site, such as a deed restriction that would prevent or restrict certain uses of the remediated property. An institutional control may be used when the remedial action leaves some contamination that makes the Site suitable for some, but not all uses.

An engineering control is a physical barrier or method to manage contamination, such as a cap or vapor barrier.

Site management will be conducted by the Applicant as required. NYSDEC will provide appropriate oversight. Site management involves the institutional and engineering controls required for the brownfield Site. Examples include: operation of a water treatment plant, maintenance of a cap or cover, and monitoring of groundwater quality.

## **5. Citizen Participation Activities**

CP activities that have already occurred and are planned during the investigation and remediation of the Site under the BCP are identified in Appendix D: Identification of Citizen Participation Activities. These activities also are identified in the flowchart of the BCP process in Appendix E. NYSDEC will ensure that these CP activities are conducted, with appropriate assistance from the Applicant.

All CP activities are conducted to provide the public with significant information about Site findings and planned remedial activities, and some activities announce comment periods and request public input about important draft documents such as the Remedial Work Plan.

All written materials developed for the public will be reviewed and approved by NYSDEC for clarity and accuracy before they are distributed. Notices and fact sheets can be combined at the discretion, and with the approval of, NYSDEC.

## **6. Major Issues of Public Concern**

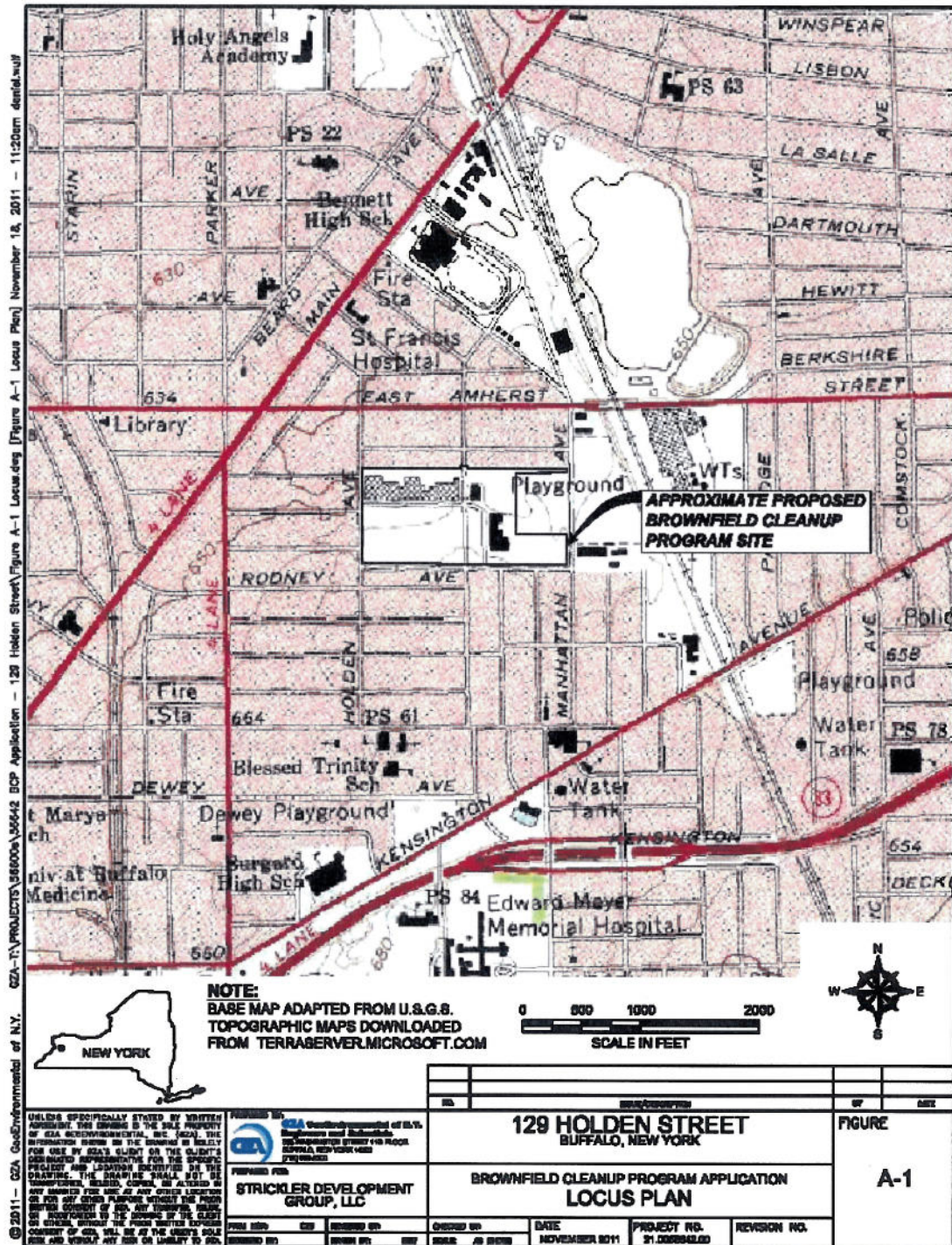
This section of the CP Plan identifies major issues of public concern, if any, that relate to the Site. Additional major issues of public concern may be identified during the Site's remedial process.

No additional Major Issues of Public Concern have been identified at this time. Upon completion of the remedial investigation, this section will be revisited to determine if any major issues of public concern have been identified.

The Contact List in Appendix C will be used to keep the community informed of the investigation and remediation process. It will be used periodically to distribute fact sheets that provide updates about the status of the BCP project. These will include availability of project documents and announcements about public comment periods.



## Appendix A – Site Location Map



## **Appendix B – Project Contacts and Document Repositories**

### **Project Contacts**

For information about the Site's remedial program, the public may contact any of the following project staff:

#### **New York State Department of Environmental Conservation (NYSDEC):**

Jaspal Walia, P.E.  
Project Manager  
NYSDEC 9  
Division of Environmental Remediation  
270 Michigan Avenue, Buffalo, NY 14203  
716-851-7220

#### **New York State Department of Health (NYSDOH):**

Mathew Forcucci  
Project Manager  
NYSDOH  
584 Delaware Avenue  
716-847-4500

### **Document Repositories**

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

East Delavan Branch Library  
1187 East Delavan Avenue  
Buffalo, NY 142151  
Attn: Reference Librarian  
Phone: 716-896-4433

Hours: Monday and Wednesday 12:00 pm -8:00 pm  
Friday 10:00 am -6:00 pm  
Saturday 9:00 am -5:00 pm  
Tuesday, Thursday and Sunday - Closed

NYSDEC Region 9 Office  
Attn: Jaspal Walia, P.E.  
Phone: 716-851-7220  
Hours: Monday through Friday 9am to 4 pm  
(call for appointment)



## Appendix C – Brownfield Site Contact List

### NYSDEC

#### Regional Director

Abby M. Snyder  
270 Michigan Avenue  
Buffalo, NY 14203

Martin L. Doster  
270 Michigan Avenue  
Buffalo, NY 14203

### U.S. SENATE

Charles E. Schumer  
130 S. Elmwood Ave. Rm. 660  
Buffalo, NY 14202

### NYS SENATE

Catharine M. Young  
700 W. State St  
Olean, NY 14760

### CITY OF BUFFALO

#### Chief Executive Officer

Mayor Byron W. Brown  
201 City Hall  
Buffalo, NY 14202

#### Executive Director of Office of Strategic Planning

Mr. Brendan Mehaffy  
920 City Hall  
Buffalo, NY 14202

### ERIE COUNTY

#### Erie County Executive

Mark Poloncarz  
95 Franklin Street, 16<sup>th</sup> Floor  
Buffalo, NY 14202

#### Erie County Department of Environment and Planning

Kathy Konst, Commissioner  
95 Franklin Street, 16<sup>th</sup> floor  
Buffalo, NY 14202

## **Appendix C**

### **Brownfield Site Contact List**

#### **LOCAL NEW MEDIA**

Buffalo News  
One News Plaza  
PO Box 100  
Buffalo, NY 14240

#### **PUBLIC WATER SUPPLY**

Buffalo Water Authority  
281 Exchange Street  
Buffalo, NY 14202

#### **SCHOOLS & DAY CARES**

Bennett High School (approximately 0.4 mi north of the Site)  
2885 Main Street  
Buffalo, New York 14214  
(716) 816-4250  
David Mauricio – Principal- [DMauricio@buffaloschools.org](mailto:DMauricio@buffaloschools.org)

Burgard High School (approximately 0.4 mi south of the Site)  
400 Kensington Avenue  
Buffalo, New York 14214  
(716) 816-4450  
Brian M. Wiesinger – Principal – [bmWiesinger@buffaloschools.org](mailto:bmWiesinger@buffaloschools.org)

Buffalo United Charter School (approximately 0.3 mi northeast of the Site)  
325 Manhattan  
Buffalo, New York 14214  
(716) 835-9862  
Tammy Messmer – Principal – [tmessmer@buffalounitedcharterschool.org](mailto:tmessmer@buffalounitedcharterschool.org)

Holy Angels Academy (approximately 0.8 mi north of Site)  
24 Shoshone Drive  
Buffalo, New York 14214  
(716) 834-7120  
Kathleen Fitch Tedesco – Principal – [ktedesco@holyanfelsacademy.org](mailto:ktedesco@holyanfelsacademy.org)

Canisius College (approximately 1.3 mi southwest of Site)  
2001 Main Street  
Buffalo, New York 14208  
(716) 883-7000  
Donna Shaffner – Principal – [admissions@canisius.edu](mailto:admissions@canisius.edu)

Bethel Head Start Program (approximately 0.4 mi south of Site)



307 Leroy Avenue  
Buffalo, New York 14214  
(716) 878-0232  
Yvette Lucas – Director – [ylucas@bethelheadstart.org](mailto:ylucas@bethelheadstart.org)

Buffalo Early Childhood Center (approximately 0.4 mi south of Site)  
453 Leroy Avenue  
Buffalo, New York 14214  
(716) 816-3400  
Laura Harris – Principal – [LHarris@buffaloschools.org](mailto:LHarris@buffaloschools.org)

Buffalo Public School #42 (approximately 0.6 mi west of Site)  
2495 Main Street  
Buffalo, New York 14214  
(716) 816-3250  
Thomas F. Vitale – Principal – [tvitale@buffaloschools.org](mailto:tvitale@buffaloschools.org)

Nichols School-High School Campus (approximately 1.4 mi west of Site)  
1250 Amherst Street  
Buffalo, New York 14216  
(716) 332-6355  
Heather Newton – Director of Admissions – [Hnewton@nicholsschool.org](mailto:Hnewton@nicholsschool.org)

St. Mary's School for the Deaf (approximately 0.9 mi southwest of Site)  
2253 Main Street  
Buffalo, New York 14214  
(716) 834-7200  
Tim Kelly – Superintendent – [timk@smsdk12.org](mailto:timk@smsdk12.org)

St. Margaret School (approximately 1.4 mi northwest of Site)  
1395 Hertel Avenue  
Buffalo, New York 14216  
(716) 876-8885  
William Fleckenstein Jr – Principal – [smsprincipal3@gm.com](mailto:smsprincipal3@gm.com)

Elmwood Franklin School (approximately 1.5 mi west of Site)  
104 New Amsterdam Avenue  
Buffalo, New York 14216  
(716) 877-5035  
Cheryl Colpoys – Assistant Director – [ccolpoys@elmwoodfranklin.org](mailto:ccolpoys@elmwoodfranklin.org)

Kidz Zone (approximately 0.4 mi northwest of Site)  
2680 Main Street  
Buffalo, New York 14214  
(716) 835-5439  
Patrice Martin – Director

My Kids Child Care Center LLC (approximately 0.9 mi north of Site)  
3012 Main Street  
Buffalo, New York 14214  
(716) 837-7280  
Theresa Sanders - Owner- [mykidschildcarecenter@yahoo.com](mailto:mykidschildcarecenter@yahoo.com)

EduKids (approximately 1.5 mi northwest of Site)  
1350 Hertel Avenue  
Buffalo, New York 14216  
(716) 332-9500  
Sarah Cane - Administrator

North Park Community Preschool (approximately 1 mi northwest of Site)  
310 Starin Avenue  
Buffalo, New York 14216  
(716) 836-0660

My Precious Angels Childcare (approximately 0.9 mi east of Site)  
2946 Bailey Avenue  
Buffalo, New York 14215  
(716) 896-3800

Children's Day Out Educational Center (approximately 1.5 mi northwest of Site)  
1365 Hertel Avenue  
Buffalo, New York 14216  
(716) 995-6481

#### **DOCUMENT REPOSITORY**

East Delavan Branch Library  
1187 East Delavan Avenue  
Buffalo, New York 14215  
(716) 896-4433

# Adjacent Properties

OWNER	ADDRESS	CITY,STATE	ZIP
HALL, LEGRAND & W. or Current Resident	3 BENNETT VILLAGE TERRACE	BUFFALO, NY	14214
CITY BUFFALO PERFECTING or Current Resident	131 HOLDEN AVENUE	BUFFALO, NY	14214
CITY BUFFALO PERFECTING Regarding 129 Holden Street	65 NIAGARA SQUARE	BUFFALO, NY	14202
HOLT, DEBRA D. or Current Resident	5 BENNETT VILLAGE TERRACE	BUFFALO, NY	14214
ONE FIRM PROPERTIES LLC or Current Resident	7 BENNETT VILLAGE TERRACE	BUFFALO, NY	14214
BROWN, RONALD P. or Current Resident	9 BENNETT VILLAGE TERRACE	BUFFALO, NY	14214
FRAUENHOFER, GARY R. or Current Resident	11 BENNETT VILLAGE TERRACE	BUFFALO, NY	14214
DARBY, JOHN M. JR. or Current Resident	13 BENNETT VILLAGE TERRACE	BUFFALO, NY	14214
DAVIS, RASHARD or Current Resident	15 BENNETT VILLAGE TERRACE	BUFFALO, NY	14214
KITTEL, CHESTER A. or Current Resident	17 BENNETT VILLAGE TERRACE	BUFFALO, NY	14214
HICKS, KARLOTTA R. or Current Resident	19 BENNETT VILLAGE TERRACE	BUFFALO, NY	14214
POWRIE, BARBARA C. or Current Resident	21 BENNETT VILLAGE TERRACE	BUFFALO, NY	14214
CHOSEN 1 HOLDINGS LLC or Current Resident	23 BENNETT VILLAGE TERRACE	BUFFALO, NY	14214
Regarding 23 Bennett Village Terrace	25050 RIDING PLAZA STE 130	SOUTH RIDING, VA	20152
CITY BUFFALO PERFECTING or Current Resident	135 HOLDEN AVENUE	BUFFALO, NY	14214
ALLEN, JUDY G. or Current Resident	25 BENNETT VILLAGE TERRACE	BUFFALO, NY	14214
CORMIER, JOSEPH D. or Current Resident	27 BENNETT VILLAGE TERRACE	BUFFALO, NY	14214
SIMPKINS, ADDIE or Current Resident	29 BENNETT VILLAGE TERRACE	BUFFALO, NY	14214
JOSEPH, LUTHER M. & GENEVA, L.	31 BENNETT VILLAGE TERRACE	BUFFALO, NY	14214
COOKE, ROBERT A. or Current Resident	33 BENNETT VILLAGE TERRACE	BUFFALO, NY	14214
KENAN, REBECCA or Current Resident	35 BENNETT VILLAGE TERRACE	BUFFALO, NY	14214
SANCHEZ, TEREZINHA C. or Current Resident	37 BENNETT VILLAGE TERRACE	BUFFALO, NY	14214
JOHNSTON, HAROLD D. or Current Resident	39 BENNETT VILLAGE TERRACE	BUFFALO, NY	14214
WILLIAMS, ADEITO R. or Current Resident	41 BENNETT VILLAGE TERRACE	BUFFALO, NY	14214
WASHINGTON, O. RANDI or Current Resident	43 BENNETT VILLAGE TERRACE	BUFFALO, NY	14214
C/O ATTN: RANDI MASSEY	1305 E MADISON ST #5	SEATTLE, WA	98122
CLOWERS, CHARLES or Current Resident	45 BENNETT VILLAGE TERRACE	BUFFALO, NY	14214
CITY BUFFALO PERFECTING or Current Resident	220 HILL STREET	BUFFALO, NY	14214
BYRD, GARY D. or Current Resident	47 BENNETT VILLAGE TERRACE	BUFFALO, NY	14214
OGDEN, E. JEANNETTE or Current Resident	49 BENNETT VILLAGE TERRACE	BUFFALO, NY	14214
JOSEYCO REALTY INCORPORATED or Current Resident	51 BENNETT VILLAGE TERRACE	BUFFALO, NY	14214
KITTEL, CHESTER A. or Current Resident	53 BENNETT VILLAGE TERRACE	BUFFALO, NY	14214
SCANLON, THOMAS G. or Current Resident	222 HILL STREET	BUFFALO, NY	14214
GANT, BILLY or Current Resident	55 BENNETT VILLAGE TERRACE	BUFFALO, NY	14214
GOLSTON, CARL A. or Current Resident	57 BENNETT VILLAGE TERRACE	BUFFALO, NY	14214
WILLIAMS, ADEITO or Current Resident	59 BENNETT VILLAGE TERRACE	BUFFALO, NY	14214
MOHABIR, ANGELINA	11604 135TH ST	SO. OZONE PARK, NY	11420
CITY BUFFALO PERFECTING or Current Resident	224 HILL STREET	BUFFALO, NY	14214
NUNESS, WAYNE or Current Resident	61 BENNETT VILLAGE TERRACE	BUFFALO, NY	14214
DAVIS, RASHARD or Current Resident	63 BENNETT VILLAGE TERRACE	BUFFALO, NY	14214
BROWN, JULENE A. or Current Resident	65 BENNETT VILLAGE TERRACE	BUFFALO, NY	14214
ROBINSON, DENNIS M. or Current Resident	226 HILL STREET	BUFFALO, NY	14214
POWELL, EDWARD or Current Resident	67 BENNETT VILLAGE TERRACE	BUFFALO, NY	14214
BURGIN, SONIA or Current Resident	69 BENNETT VILLAGE TERRACE	BUFFALO, NY	14214
CITY BUFFALO PERFECTING or Current Resident	228 HILL STREET	BUFFALO, NY	14214
ATKINSON, PHYLLIS or Current Resident	71 BENNETT VILLAGE TERRACE	BUFFALO, NY	14214
WILSON, DIMITRIUS or Current Resident	73 BENNETT VILLAGE TERRACE	BUFFALO, NY	14214
WILSON, MONA LISA	84 DANBURY STREET	CHEEKTOWAGA, NY	14225
SCANLON, THOMAS G. or Current Resident	230 HILL STREET	BUFFALO, NY	14214
Regarding 230 Hill Street	26 RAND AVE	BUFFALO, NY	14216
CARDONA, MANUEL or Current Resident	75 BENNETT VILLAGE TERRACE	BUFFALO, NY	14214
CARDONA, CHRISTINE	10367 NATIONS CIRCLE	STOCKTON, CA	95209
CITY BUFFALO PERFECTING or Current Resident	232 HILL STREET	BUFFALO, NY	14214
LABADY, JAMES A. or Current Resident	77 BENNETT VILLAGE TERRACE	BUFFALO, NY	14214
HEDGEMAN, SADIE or Current Resident	79 BENNETT VILLAGE TERRACE	BUFFALO, NY	14214
KITTEL, CHESTER or Current Resident	81 BENNETT VILLAGE TERRACE	BUFFALO, NY	14214
CITY BUFFALO PERFECTING or Current Resident	218 HILL STREET	BUFFALO, NY	14214
KITTEL, CHESTER or Current Resident	83 BENNETT VILLAGE TERRACE	BUFFALO, NY	14214
WOOD, JAMES B. or Current Resident	216 HILL STREET	BUFFALO, NY	14214
CHESTER, CAROL or Current Resident	85 BENNETT VILLAGE TERRACE	BUFFALO, NY	14214
WILLIAMS, ADRITO R.	116-04 135TH ST	SO. OZONE PARK, NY	11420
GRANT, FRANK JR. or Current Resident	93 BENNETT VILLAGE TERRACE	BUFFALO, NY	14214
ROBINSON, EDGAR or Current Resident	97 BENNETT VILLAGE TERRACE	BUFFALO, NY	14214



**Adjacent Properties**

<b>OWNER</b>	<b>ADDRESS</b>	<b>CITY,STATE</b>	<b>ZIP</b>
HARRIS, ALEX & W. or Current Resident	103 BENNETT VILLAGE TERRACE	BUFFALO, NY	14214
YATES, VERONIKA or Current Resident	105 BENNETT VILLAGE TERRACE	BUFFALO, NY	14214
SCRUGGS, MICHAEL & SANDRA or Current Resident	113 BENNETT VILLAGE TERRACE	BUFFALO, NY	14214
VASCIANNIE, JAMES G. & VASCIANNIE, MARY I or Current Resident	119 BENNETT VILLAGE TERRACE	BUFFALO, NY	14214
WELLS, MICHAEL or Current Resident	123 BENNETT VILLAGE TERRACE	BUFFALO, NY	14214
STOVALL, SYLVIA HALL or Current Resident	129 BENNETT VILLAGE TERRACE	BUFFALO, NY	14214
BELL, CHARLES L. & MARY F. or Current Resident	133 BENNETT VILLAGE TERRACE	BUFFALO, NY	14214
MUHAMMAD, SALAHUDDIN or Current Resident	139 BENNETT VILLAGE TERRACE	BUFFALO, NY	14214
PAYNE, JERRY J. & W. or Current Resident	145 BENNETT VILLAGE TERRACE	BUFFALO, NY	14215
BROWN, DENNIS or Current Resident	149 BENNETT VILLAGE TERRACE	BUFFALO, NY	14215
BROWN, ROBERT E. & W. or Current Resident	155 BENNETT VILLAGE TERRACE	BUFFALO, NY	14214
LEE, IVAN L. & W. or Current Resident	163 BENNETT VILLAGE TERRACE	BUFFALO, NY	14214
SMITH, JESSIE E. & JENNIFER or Current Resident	167 BENNETT VILLAGE TERRACE	BUFFALO, NY	14214
SMITH, JESSIE & DIXIE or Current Resident	171 BENNETT VILLAGE TERRACE	BUFFALO, NY	14214
BUFFALO WATER BOARD or Current Resident	137 MANHATTAN AVENUE	BUFFALO, NY	14215
MANHATTAN SQUARE APTS. LP or Current Resident	190 MANHATTAN AVENUE	BUFFALO, NY	14215
TRUST PER WILL/ANDREE M PUDDU	190-202 MANHATTAN AVE	BUFFALO, NY	14215
THE UNITED STATES POSTAL SERVICE	184 MANHATTAN AVENUE	BUFFALO, NY	14215
135 MANHATTAN AVENUE LLC. or Current Resident	135 MANHATTAN AVENUE	BUFFALO, NY	14215
C/O ATTN: CIMINELLI DEVELOPMENT	350 ESSJAY RD	WILLIAMSVILLE, NY	14221
ROBERTSON CARNELL or Current Resident	127 MANHATTAN AVENUE	BUFFALO, NY	14215
HARRIS, PAMELA J. or Current Resident	128 MANHATTAN AVENUE	BUFFALO, NY	14215
ALLEN, CLAUDE E. or Current Resident	127 MARIGOLD AVENUE	BUFFALO, NY	14215
BIRDSONG, JUANITA or Current Resident	128 MARIGOLD AVENUE	BUFFALO, NY	14215
DEL RICH PROPERTIES INC. or Current Resident	127 RICHLAWN AVENUE	BUFFALO, NY	14214
JOHNSON, MARY or Current Resident	128 RICHLAWN AVENUE	BUFFALO, NY	14214
LEE, IVAN L. & MARY E. or Current Resident	125 HILL STREET	BUFFALO, NY	14214
JOHNSON, THERMAN SR. or Current Resident	282 RODNEY AVENUE	BUFFALO, NY	14214
CITY BUFFALO PERFECTING TITLE or Current Resident	278 RODNEY AVENUE	BUFFALO, NY	14214
CITY BUFFALO PERFECTING TITLE or Current Resident	276 RODNEY AVENUE	BUFFALO, NY	14214
CITY BUFFALO PERFECTING TITLE or Current Resident	274 RODNEY AVENUE	BUFFALO, NY	14214
DAVIS, MICHAEL or Current Resident	268 RODNEY AVENUE	BUFFALO, NY	14214
CITY BUFFALO PERFECTING or Current Resident	266 RODNEY AVENUE	BUFFALO, NY	14214
CITY BUFFALO PERFECTING TITLE or Current Resident	262 RODNEY AVENUE	BUFFALO, NY	14214
CITY BUFFALO PERFECTING TITLE or Current Resident	260 RODNEY AVENUE	BUFFALO, NY	14214
WINGO, VEO JR. & DIANNE or Current Resident	256 RODNEY AVENUE	BUFFALO, NY	14214
WINGO, VEO JR. & W. or Current Resident	254 RODNEY AVENUE	BUFFALO, NY	14214
WINGO, VEO JR. & W. or Current Resident	250 RODNEY AVENUE	BUFFALO, NY	14214
BUTLER, CLASSIE or Current Resident	246 RODNEY AVENUE	BUFFALO, NY	14214
BRADY, JAMES JR. or Current Resident	244 RODNEY AVENUE	BUFFALO, NY	14214
SMITH, MARTHA or Current Resident	240 RODNEY AVENUE	BUFFALO, NY	14214
JOHNSON, BOBBY ONEAL or Current Resident	236 RODNEY AVENUE	BUFFALO, NY	14214
POWELL, CRAIG S. or Current Resident	234 RODNEY AVENUE	BUFFALO, NY	14214
WALLACE, TERRY or Current Resident	230 RODNEY AVENUE	BUFFALO, NY	14214
LEE, TIMOTHY G. & W. or Current Resident	228 RODNEY AVENUE	BUFFALO, NY	14214
BROADUS, DALE MARIE or Current Resident	224 RODNEY AVENUE	BUFFALO, NY	14214
LEE, TIMOTHY G. & W. or Current Resident	220 RODNEY AVENUE	BUFFALO, NY	14214
HUNTER WALTER LEE & MAYBELLE, A. or Current Resident	218 RODNEY AVENUE	BUFFALO, NY	14214
GIBBS, LINDA J. or Current Resident	214 RODNEY AVENUE	BUFFALO, NY	14214
GIBBS, WILLIE J.	72 RICHLAWN AVE	BUFFALO, NY	14215
CITY BUFFALO PERFECTING TITLE or Current Resident	212 RODNEY AVENUE	BUFFALO, NY	14214
CITY BUFFALO PERFECTING TITLE or Current Resident	206 RODNEY AVENUE	BUFFALO, NY	14214
CITY BUFFALO PERFECTING TITLE or Current Resident	204 RODNEY AVENUE	BUFFALO, NY	14214
CITY BUFFALO PERFECTING or Current Resident	127 HOLDEN AVENUE	BUFFALO, NY	14214
CLAY, STACY & CORA or Current Resident	192 RODNEY AVENUE	BUFFALO, NY	14214
BROOKS, VENRIS E. or Current Resident	140 HOLDEN AVENUE	BUFFALO, NY	14214
SEB DEVELOPMENT LLC. or Current Resident	158 HOLDEN AVENUE	BUFFALO, NY	14214
NASH, JONATHAN R. or Current Resident	164 HOLDEN AVENUE	BUFFALO, NY	14214
ELIM CHRISTIAN FELLOWSHIP or Current Resident	70 CHALMERS AVENUE	BUFFALO, NY	14214
HLM HOLDING, LLC. or Current Resident	206 HOLDEN AVENUE	BUFFALO, NY	14214
HLM HOLDING LLC or Current Resident	212 HOLDEN STREET	BUFFALO, NY	14214



## Appendix D – Identification of Citizen Participation Activities

Required Citizen Participation (CP) Activities	Timing of CP Requirement(s)
<b>Application Process:</b>	
<ul style="list-style-type: none"> <li>• Prepare brownfield Site contact list (BSCL)</li> </ul>	When Requestor prepares Application to participate in BCP
<ul style="list-style-type: none"> <li>• Establish document repository</li> <li>• Place complete Application in document repository</li> <li>• Publish notice in Environmental Notice Bulletin (ENB) announcing receipt of application and 30-day comment period</li> <li>• Publish notice in local newspaper</li> <li>• Mail notice to Site contact list</li> <li>• Conduct 30-day public comment period on the complete Application</li> </ul>	When NYSDEC determines that Application is complete. Comment period begins on publication date of ENB notice. End date is as stated in ENB notice. ENB, newspaper, and Site contact list notices should be provided at the same time. Notice should request comments on all appropriate documents included in Application package (RI Work Plan, RI Report and/or RWP)
<b>After Execution of Brownfield Cleanup Agreement (BCA):</b>	
<ul style="list-style-type: none"> <li>• Prepare Citizen Participation (CP) Plan</li> </ul>	Draft CP Plan must be submitted to NYSDEC within 20 days of execution of BCA. CP Plan must be approved by NYSDEC before distribution
<b>Before NYSDEC Approves Proposed Remedial Investigation (RI) Work Plan:</b>	
<ul style="list-style-type: none"> <li>• Place proposed RI Work Plan in document repository</li> <li>• Mail fact sheet to BSCL about proposed RI Work Plan and 30-day public comment period on the proposed RI Work Plan</li> </ul>	Before NYSDEC approves RI Work Plan. If RI Work Plan is submitted with Application, comment periods will be combined and public notice will include fact sheet. 30-day comment period begins/ends as per dates identified in fact sheet
<ul style="list-style-type: none"> <li>• Place approved RI Work Plan in document repository</li> </ul>	When NYSDEC approves RI Work Plan
<b>Before NYSDEC Approves Remedial Investigation Report:</b>	
<ul style="list-style-type: none"> <li>• Mail fact sheet to BSCL that describes RI results</li> </ul>	Before NYSDEC approves RI Report
<ul style="list-style-type: none"> <li>• Place approved RI Report in document repository</li> </ul>	When NYSDEC approves RI Report
<b>Significant Threat Determination:</b>	
<ul style="list-style-type: none"> <li>• Mail fact sheet to BSCL that discusses significant threat determination. Combine notice with another fact sheet where appropriate</li> </ul>	Determination may be made any time during remedial process but no later than 20 days after NYSDEC approves RI Report. A significant threat Site is eligible for a Technical Assistance Grant
<b>Before NYSDEC Approves Remedial Work Plan (RWP):</b>	
<ul style="list-style-type: none"> <li>• Place draft RWP in document repository</li> <li>• Mail fact sheet to BSCL that describes draft RWP and announces 45-day comment period</li> <li>• Conduct 45-day public comment period about draft RWP</li> <li>• Hold public meeting about draft RWP if Site a significant threat and requested by community</li> </ul>	Before NYSDEC approves RWP. Comment period begins/ends as per dates identified in fact sheet. Public meeting would be held within the 45-day comment period
<ul style="list-style-type: none"> <li>• Place approved RWP and final Decision Document in document repository</li> </ul>	When NYSDEC approves RWP and finalizes Decision Document

(continued)

Required Citizen Participation (CP) Activities	Timing of CP Requirement(s)
<b>Before Applicant Starts Remedial Action (RA):</b> <ul style="list-style-type: none"> <li>• Mail fact sheet to BSCL that describes upcoming RA</li> </ul>	Before the start of RA at the Site
<b>Before NYSDEC Approves Final Engineering Report:</b> <ul style="list-style-type: none"> <li>• Mail fact sheet to BSCL that describes report, and any proposed institutional/engineering controls</li> <li>• Mail fact sheet to BSCL announcing issuance of Certificate of Completion (COC)</li> </ul>	Before NYSDEC approves Final Engineering Report
<b>When NYSDEC Issues Certificate of Completion (COC):</b> <ul style="list-style-type: none"> <li>• Place notice of COC in document repository</li> <li>• Mail fact sheet to Site contact list that announces issuance of COC</li> </ul>	Within 10 days after NYSDEC issues COC



# Appendix E – Brownfield Cleanup Program Process

