

# NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Remediation, Region 9  
270 Michigan Avenue, Buffalo, NY 14203-2915  
P: (716) 851-7220 | F: (716) 851-7226  
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December 6, 2019

Ms. Lori Carbaugh  
Ellicott Development Company  
295 Main Street  
Suite 210  
Buffalo, New York 14203

Dear Ms. Carbaugh:

**Petroleum Bulk Storage (PBS) Program  
Facility Inspection – 6 NYCRR Parts 613  
PBS # 9-041602  
Inspection # 68562  
BAP Group, Inc. DBA Gates Circle Trading  
Company  
1395 Delaware Ave.  
Buffalo, NY 14209**

On July 18, 2018, Department Staff visited the above facility to determine compliance with New York State's Petroleum Bulk Storage regulations. A Notice of Violation was issued on July 20, 2018, and a Second Notice of Violation on August 8, 2019, as a result of that inspection. I have reviewed the responses submitted on October 15, 2019 and November 21, 2019. All PBS violations noted during the inspection have been corrected. Spill 1800334 remains open. If you have any questions, please call me at (716) 851-7220.

Sincerely,



Patrick T. Diez  
Environmental Program Specialist T2  
Division of Environmental Remediation  
NYSDEC Region 9

PTD/jl

ec: Mary McIntosh, Regional Spills Geologist



Department of  
Environmental  
Conservation