

Brownfield Cleanup Program Application

Oregon Road Site
Olean, New York

August 2016

0323-015-001

Prepared For:

Homer Street Properties, LLC



Prepared By:





BROWNFIELD CLEANUP PROGRAM (BCP) APPLICATION FORM

DEC requires an application to request major changes to the description of the property set forth in a Brownfield Cleanup Agreement, or "BCA" (e.g., adding a significant amount of new property, or adding property that could affect an eligibility determination due to contamination levels or intended land use). Such application must be submitted and processed in the same manner as the original application, including the required public comment period. Is this an application to amend an existing BCA?

Yes No If yes, provide existing site number: _____

PART A (note: application is separated into Parts A and B for DEC review purposes) BCP App Rev 5

Section I. Requestor Information - See Instructions for Further Guidance
NAME Homer Street Properties, LLC
ADDRESS 221 Homer Street
CITY/TOWN Olean ZIP CODE 14760
PHONE (716) 372-1893 FAX (716) 372-8645 E-MAIL dbenson@benson-construction.com
Is the requestor authorized to conduct business in New York State (NYS)?
Do all individuals that will be certifying documents meet the requirements detailed below?

Section II. Project Description
1. What stage is the project starting at? Investigation Remediation
2. If the project is starting at the remediation stage, a Remedial Investigation Report (RIR), Alternatives Analysis, and Remedial Work Plan must be attached
3. If a final RIR is included, please verify it meets the requirements of Environmental Conservation Law (ECL) Article 27-1415(2): Yes No
4. Please attach a short description of the overall development project, including:
the date that the remedial program is to start; and See Attachment 2 & Figure 5
the date the Certificate of Completion is anticipated.

Section III. Property's Environmental History See Attachment 3

All applications **must include** an Investigation Report (per ECL 27-1407(1)). The report must be sufficient to establish contamination of environmental media on the site above applicable Standards, Criteria and Guidance (SCGs) based on the reasonably anticipated use of the property.

To the extent that existing information/studies/reports are available to the requestor, please attach the following (**please submit the information requested in this section in electronic format only**):

1. Reports: an example of an Investigation Report is a Phase II Environmental Site Assessment report prepared in accordance with the latest American Society for Testing and Materials standard (ASTM E1903).

2. SAMPLING DATA: INDICATE KNOWN CONTAMINANTS AND THE MEDIA WHICH ARE KNOWN TO HAVE BEEN AFFECTED. LABORATORY REPORTS SHOULD BE REFERENCED AND COPIES INCLUDED.

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

*Please describe: LNAPL on the groundwater, subsurface petroleum piping

3. FOR EACH IMPACTED MEDIUM INDICATED ABOVE, INCLUDE A SITE DRAWING INDICATING:

- **SAMPLE LOCATION** See Attachment 3
- **DATE OF SAMPLING EVENT**
- **KEY CONTAMINANTS AND CONCENTRATION DETECTED**
- **FOR SOIL, HIGHLIGHT IF ABOVE REASONABLY ANTICIPATED USE**
- **FOR GROUNDWATER, HIGHLIGHT EXCEEDANCES OF 6NYCRR PART 703.5**
- **FOR SOIL GAS/ SOIL VAPOR/ INDOOR AIR, HIGHLIGHT IF ABOVE MITIGATE LEVELS ON THE NEW YORK STATE DEPARTMENT OF HEALTH MATRIX**

THESE DRAWINGS ARE TO BE REPRESENTATIVE OF ALL DATA BEING RELIED UPON TO MAKE THE CASE THAT THE SITE IS IN NEED OF REMEDIATION UNDER THE BCP. DRAWINGS SHOULD NOT BE BIGGER THAN 11" X 17". THESE DRAWINGS SHOULD BE PREPARED IN ACCORDANCE WITH ANY GUIDANCE PROVIDED.

ARE THE REQUIRED MAPS INCLUDED WITH THE APPLICATION?* Yes No
 (*answering No will result in an incomplete application)

4. INDICATE PAST LAND USES (CHECK ALL THAT APPLY):

- | | | | |
|---|--|--|--|
| <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 checked="" 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: Oregon Road Site was formerly a portion of the larger Former Felmont Oil Site/ExxonMobil Legacy Site which was an oil refinery.

Section IV. Property Information - See Instructions for Further Guidance

PROPOSED SITE NAME Oregon Road Site

ADDRESS/LOCATION Oregon Road

CITY/TOWN Olean

ZIP CODE 14760

MUNICIPALITY(IF MORE THAN ONE, LIST ALL):

Town of Olean

COUNTY Cattaraugus County

SITE SIZE (ACRES) 24.65

LATITUDE (degrees/minutes/seconds)
N 42 ° 6 ' 12.67 "

LONGITUDE (degrees/minutes/seconds)
W 78 ° 26 ' 30.32 "

COMPLETE TAX MAP INFORMATION FOR ALL TAX PARCELS INCLUDED WITHIN THE PROPERTY BOUNDARIES. ATTACH REQUIRED MAPS PER THE APPLICATION INSTRUCTIONS.

Parcel Address	Section No.	Block No.	Lot No.	Acreage
Oregon Road	94.001	2	13.2	24.65

1. Do the proposed site boundaries correspond to tax map metes and bounds? Yes No
If no, please attach a metes and bounds description of the property. See Attachment 4

2. Is the required property map attached to the application? See Figures 2, 3 & 4 Yes No
(application will not be processed without map)

3. Is the property within a designated Environmental Zone (En-zone) pursuant to Tax Law 21(b)(6)?
(See [DEC's website](#) for more information) Yes No

If yes, identify census tract : _____

Percentage of property in En-zone (check one): 0-49% 50-99% 100%

4. Is this application one of multiple applications for a large development project, where the development project spans more than 25 acres (see additional criteria in BCP application instructions)? Yes No

If yes, identify name of properties (and site numbers if available) in related BCP applications: _____

5. Is the contamination from groundwater or soil vapor solely emanating from property other than the site subject to the present application? Yes No

6. Has the property previously been remediated pursuant to Titles 9, 13, or 14 of ECL Article 27, Title 5 of ECL Article 56, or Article 12 of Navigation Law? Yes No

If yes, attach relevant supporting documentation.

7. Are there any lands under water? Two Mile Creek traverses the Site as shown on Figure 2. Yes No
If yes, these lands should be clearly delineated on the site map.

Section IV. Property Information (continued)

8. Are there any easements or existing rights of way that would preclude remediation in these areas?
If yes, identify here and attach appropriate information. Yes No

Easement/Right-of-way Holder

Description

None/Unknown

9. List of Permits issued by the DEC or USEPA Relating to the Proposed Site (type here or attach information)

Type

Issuing Agency

Description

Open Spill File

NYSDEC

Spill No. 1409761 for petroleum product identified during environmental investigations.

10. Property Description and Environmental Assessment – **please refer to application instructions for the proper format of each narrative requested.** See Attachment 4

Are the Property Description and Environmental Assessment narratives included in the **prescribed format**? Yes No

11. For sites located within the five counties comprising New York City, is the requestor seeking a determination that the site is eligible for tangible property tax credits?
If yes, requestor must answer questions on the supplement at the end of this form. NA Yes No

12. Is the Requestor now, or will the Requestor in the future, seek a determination that the property is Upside Down? Yes No

13. If you have answered Yes to Question 12, above, is an independent appraisal of the value of the property, as of the date of application, prepared under the hypothetical condition that the property is not contaminated, included with the application? Yes No

If this determination is not being requested in the application to participate in the BCP, the applicant may seek this determination at any time before issuance of a certificate of completion, using the BCP Amendment Application, except for sites seeking eligibility under the underutilized category.

If any changes to Section IV are required prior to application approval, a new page, initialed by each requestor, must be submitted.

Initials of each Requestor: _____

BCP application - PART B (note: application is separated into Parts A and B for DEC review purposes)

Section V. Additional Requestor Information See Instructions for Further Guidance	DEC USE ONLY BCP SITE NAME: _____ BCP SITE #: _____
--	---

NAME OF REQUESTOR'S AUTHORIZED REPRESENTATIVE Mr. R. Donald Benson (See Attachment 1)		
ADDRESS 221 Homer Street		
CITY/TOWN Olean		ZIP CODE 14760
PHONE (716) 372-1893	FAX (716) 372-8645	E-MAIL dbenson@benson-construction.com
NAME OF REQUESTOR'S CONSULTANT Mr. Michael Lesakowski		
ADDRESS 2558 Hamburg Turnpike, Suite 300		
CITY/TOWN Buffalo		ZIP CODE 14218
PHONE (716) 856-0635	FAX (716) 856-0583	E-MAIL mlesakowski@turnkeyllc.com
NAME OF REQUESTOR'S ATTORNEY Mr. Craig Slater, Esq.		
ADDRESS 500 Seneca Street, Suite 504		
CITY/TOWN Buffalo		ZIP CODE 14204
PHONE (716) 845-6760	FAX (716) 845-6764	E-MAIL cslater@cslaterlaw.com

Section VI. Current Property Owner/Operator Information – if not a Requestor

CURRENT OWNER'S NAME Homer Street Properties, LLC		OWNERSHIP START DATE: 6/18/2014
ADDRESS 221 Homer Street		
CITY/TOWN Olean		ZIP CODE 14760
PHONE (716) 372-1893	FAX (716) 372-8645	E-MAIL dbenson@benson-construction.com
CURRENT OPERATOR'S NAME Homer Street Properties, LLC		
ADDRESS 221 Homer Street		
CITY/TOWN Olean		ZIP CODE 14760
PHONE (716) 372-1893	FAX (716) 372-8645	E-MAIL dbenson@benson-construction.com

IF REQUESTOR IS NOT THE CURRENT OWNER, DESCRIBE REQUESTOR'S RELATIONSHIP TO THE CURRENT OWNER, INCLUDING ANY RELATIONSHIP BETWEEN REQUESTOR'S CORPORATE MEMBERS AND THE CURRENT OWNER. See Attachment 5
PROVIDE A LIST OF PREVIOUS PROPERTY OWNERS AND OPERATORS WITH NAMES, LAST KNOWN ADDRESSES AND TELEPHONE NUMBERS AS AN ATTACHMENT. DESCRIBE REQUESTOR'S RELATIONSHIP, TO EACH PREVIOUS OWNER AND OPERATOR, INCLUDING ANY RELATIONSHIP BETWEEN REQUESTOR'S CORPORATE MEMBERS AND PREVIOUS OWNER AND OPERATOR. IF NO RELATIONSHIP, PUT "NONE".

Section VII. Requestor Eligibility Information (Please refer to ECL § 27-1407) See Attachment 6

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? Yes No
2. Is the requestor subject to an existing order for the investigation, removal or remediation of contamination at the site? Yes No
3. Is the requestor subject to an outstanding claim by the Spill Fund for this site? Any questions regarding whether a party is subject to a spill claim should be discussed with the Spill Fund Administrator. Yes No

Section VII. Requestor Eligibility Information (continued)

4. Has the requestor been determined in an administrative, civil or criminal proceeding to be in violation of i) any provision of the ECL Article 27; ii) any order or determination; iii) any regulation implementing Title 14; or iv) any similar statute, regulation of the state or federal government? If so, provide an explanation on a separate attachment. Yes No
5. Has the requestor previously been denied entry to the BCP? If so, include information relative to the application, such as name, address, DEC assigned site number, the reason for denial, and other relevant information. Yes No
6. Has the requestor been found in a civil proceeding to have committed a negligent or intentionally tortious act involving the handling, storing, treating, disposing or transporting of contaminants? Yes No
7. Has the requestor been convicted of a criminal offense i) involving the handling, storing, treating, disposing or transporting of contaminants; or ii) that involves a violent felony, fraud, bribery, perjury, theft, or offense against public administration (as that term is used in Article 195 of the Penal Law) under federal law or the laws of any state? Yes No
8. Has the requestor knowingly falsified statements or concealed material facts in any matter within the jurisdiction of DEC, or submitted a false statement or made use of or made a false statement in connection with any document or application submitted to DEC? Yes No
9. Is the requestor an individual or entity of the type set forth in ECL 27-1407.9 (f) that committed an act or failed to act, and such act or failure to act could be the basis for denial of a BCP application? Yes No
10. Was the requestor's participation in any remedial program under DEC's oversight terminated by DEC or by a court for failure to substantially comply with an agreement or order? Yes No
11. Are there any unregistered bulk storage tanks on-site? Yes No

THE REQUESTOR MUST CERTIFY THAT HE/SHE IS EITHER A PARTICIPANT OR VOLUNTEER IN ACCORDANCE WITH ECL 27-1405 (1) BY CHECKING ONE OF THE BOXES BELOW:

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.

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, a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site 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; iii) prevent or limit human, environmental, or natural resource exposure to any previously released hazardous waste.

If a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site, submit a statement describing why you should be considered a volunteer – be specific as to the appropriate care taken.

Section VII. Requestor Eligibility Information (continued)

Requestor Relationship to Property (check one):

- Previous Owner Current Owner Potential /Future Purchaser Other _____

If requestor is not the current site owner, **proof of site access sufficient to complete the remediation must be submitted**. Proof must show that the requestor will have access to the property before signing the BCA and throughout the BCP project, including the ability to place an easement on the site Is this proof attached?

- Yes No

Note: a purchase contract does not suffice as proof of access.

Section VIII. Property Eligibility Information - See Instructions for Further Guidance See Attachment 6

1. Is / was the property, or any portion of the property, listed on the National Priorities List?
If yes, please provide relevant information as an attachment. Yes No
2. Is / was the property, or any portion of the property, listed on the NYS Registry of Inactive Hazardous Waste Disposal Sites pursuant to ECL 27-1305? Yes No
If yes, please provide: Site # _____ Class # _____
3. Is / was the property subject to a permit under ECL Article 27, Title 9, other than an Interim Status facility? Yes No
If yes, please provide: Permit type: _____ EPA ID Number: _____
Date permit issued: _____ Permit expiration date: _____
4. If the answer to question 2 or 3 above is yes, is the site owned by a volunteer as defined under ECL 27-1405(1)(b), or under contract to be transferred to a volunteer? Attach any information available to the requestor related to previous owners or operators of the facility or property and their financial viability, including any bankruptcy filing and corporate dissolution documentation. Yes No
5. Is the property subject to a cleanup order under Navigation Law Article 12 or ECL Article 17 Title 10? Yes No
If yes, please provide: Order # _____
6. Is the property subject to a state or federal enforcement action related to hazardous waste or petroleum? Yes No
If yes, please provide explanation as an attachment.

Section IX. Contact List Information See Attachment 7

To be considered complete, the application must include the Brownfield Site Contact List in accordance with [DER-23 / Citizen Participation Handbook for Remedial Programs](#). Please attach, at a minimum, the names and addresses of the following:

1. The chief executive officer and planning board chairperson of each county, city, town and village in which the property is located.
2. Residents, owners, and occupants of the property and properties adjacent to the property.
3. Local news media from which the community typically obtains information. See Figure 6 for
4. The public water supplier which services the area in which the property is located. Adjacent Property
5. Any person who has requested to be placed on the contact list. Owners
6. The administrator of any school or day care facility located on or near the property.
7. The location of a document repository for the project (e.g., local library). In addition, attach a copy of an acknowledgement from the repository indicating that it agrees to act as the document repository for the property.
8. Any community board located in a city with a population of one million or more, if the proposed site is located within such community board's boundaries.

Section X. Land Use Factors See Attachment 8

1. What is the current zoning for the site? What uses are allowed by the current zoning?

Residential Commercial Industrial

If zoning change is imminent, please provide documentation from the appropriate zoning authority.

2. Current Use: Residential Commercial Industrial Vacant Recreational (check all that apply)

Attach a summary of current business operations or uses, with an emphasis on identifying possible contaminant source areas. If operations or uses have ceased, provide the date.

3. Reasonably anticipated use Post Remediation: Residential Commercial Industrial (check all that apply) **Attach a statement detailing the specific proposed use.**

If residential, does it qualify as single family housing?

Yes No

4. Do current historical and/or recent development patterns support the proposed use?

Yes No

5. Is the proposed use consistent with applicable zoning laws/maps? Briefly explain below, or attach additional information and documentation if necessary.

See Attachment 8 and Figure 7

Yes No

6. Is the proposed use consistent with applicable comprehensive community master plans, local waterfront revitalization plans, or other adopted land use plans? Briefly explain below, or attach additional information and documentation if necessary.

See Attachment 8 and Figure 8

Yes No

XI. Statement of Certification and Signatures

(By a requestor other than an individual)

I hereby affirm that I am Managing Member (title) of Homer Street Properties, LLC (entity); that I am authorized by that entity to make this application and execute the Brownfield Cleanup Agreement (BCA) and all subsequent amendments; that this application was prepared by me or under my supervision and direction. If this application is approved, I acknowledge and agree to execute a BCA within 60 days of the date of DEC's approval letter. 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: 8/22/2016 Signature: Ronald Benson

Print Name: R. Donald Benson

SUBMITTAL INFORMATION:

- **Two (2)** copies, one paper copy with original signatures and one electronic copy in Portable Document Format (PDF), 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

FOR DEC USE ONLY

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

BCP Application Summary (for DEC use only)

Site Name: Oregon Road Site
City: Olean

Site Address: Oregon Road
County: Cattaraugus County **Zip:** 14760

Tax Block & Lot

Section (if applicable): 94.001 **Block:** 2 **Lot:** 13.2

Requestor Name: Homer Street Properties, LLC
City: Olean

Requestor Address: 221 Homer Street
Zip: 14760

Email:
dbenson@benson-construction.com

Requestor's Representative (for billing purposes)

Name: Mr. R. Donald Benson (See Attachment 1) **Address:** 221 Homer Street
City: Olean

Zip: 14760

Email:
dbenson@benson-construction.com

Requestor's Attorney The Slater Law Firm, PLLC

Name: Mr. Craig Slater, Esq. **Address:** 500 Seneca Street, Suite 504
City: Buffalo

Zip: 14204

Email:
cslater@cslaterlaw.com

Requestor's Consultant TurnKey Environmental Restoration, LLC

Name: Mr. Michael Lesakowski **Address:** 2558 Hamburg Turnpike, Suite 300
City: Buffalo

Zip: 14218

Email:
mlesakowski@turnkeyllc.com

Percentage of site within an En-Zone: 0% <50% 50-99% 100%

Requestor's Requested Status: Volunteer Participant

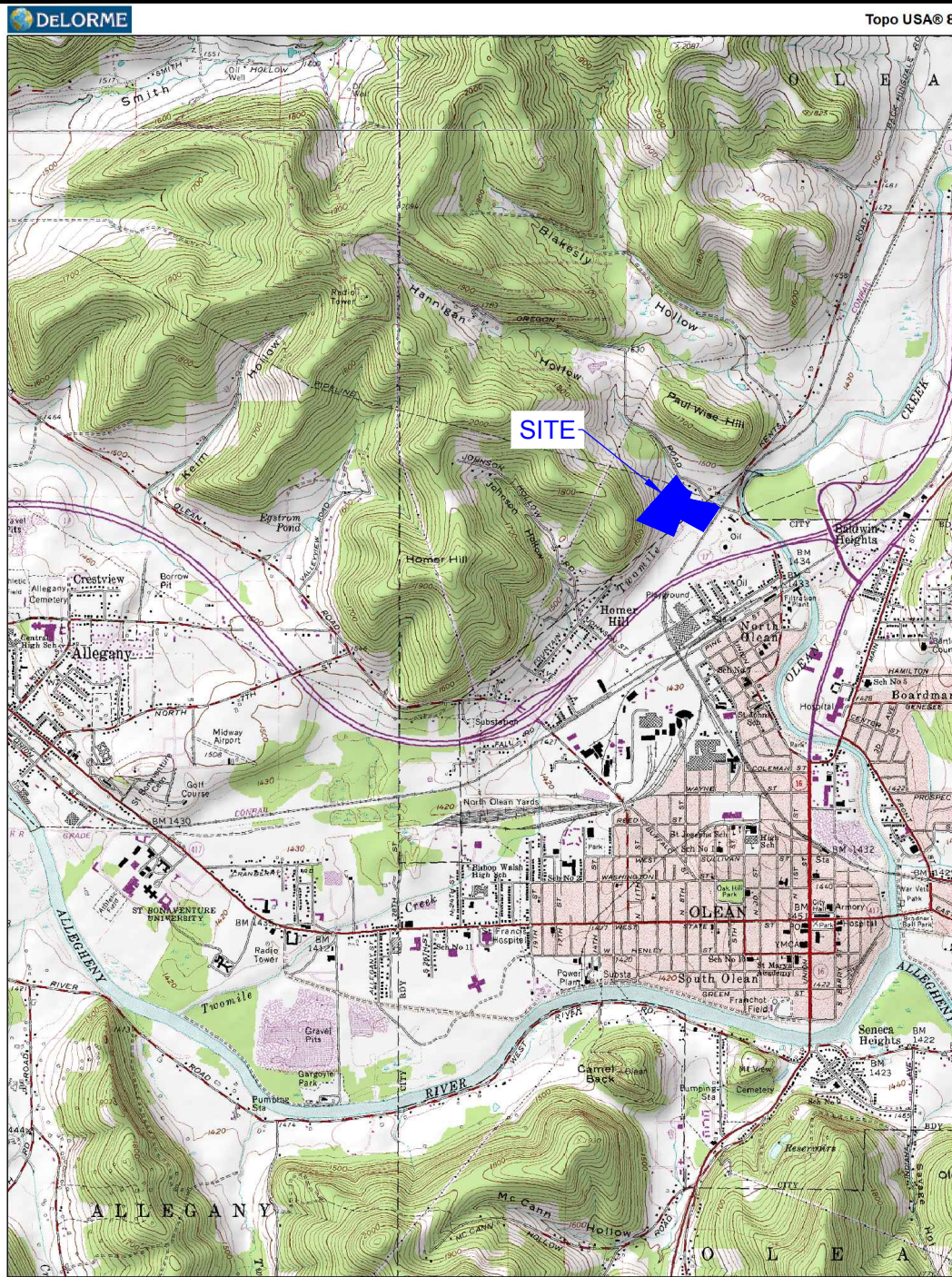
FIGURES

LIST OF APPLICATION FIGURES

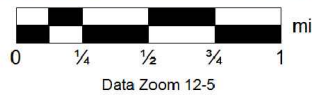
*NYSDEC Brownfield Cleanup Program Application
Oregon Road Site
Olean, New York*

Figure 1	Site Location and Vicinity Map
Figure 2	Site Plan (Aerial)
Figure 3	Tax Map
Figure 4	Property Base Map (1000' Set Back)
Figure 5	Project Schedule
Figure 6	Adjacent Property Owners
Figure 7	Current Zoning Map
Figure 8	City of Olean BOA Limits
Figure 9	Soil Map

FIGURE 1



Data use subject to license.
 © DeLorme. Topo USA® 8.
 www.delorme.com



SITE LOCATION AND VICINITY MAP

BROWNFIELD CLEANUP PROGRAM APPLICATION

OREGON ROAD SITE

OLEAN, NEW YORK

PREPARED FOR

HOMER STREET PROPERTIES, LLC



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

PROJECT NO.: 0323-015-001

DATE: JUNE 2016

DRAFTED BY: KRR

DISCLAIMER:

PROPERTY OF TURNKEY ENV. REST., LLC. IMPORTANT: THIS DRAWING PRINT IS LOANED FOR MUTUAL ASSISTANCE AND AS SUCH IS SUBJECT TO RECALL AT ANY TIME. INFORMATION CONTAINED HEREON IS NOT TO BE DISCLOSED OR REPRODUCED IN ANY FORM FOR THE BENEFIT OF PARTIES OTHER THAN NECESSARY SUBCONTRACTORS & SUPPLIERS WITHOUT THE WRITTEN CONSENT OF TURNKEY ENV. REST., LLC.



SITE PLAN (AERIAL)

BROWNFIELD CLEANUP PROGRAM APPLICATION
 OREGON ROAD SITE
 OLEAN, NEW YORK
 PREPARED FOR
 HOMER STREET PROPERTIES, LLC



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

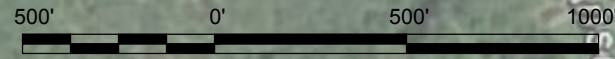
JOB NO.: 0323-015-001

FIGURE 2

DISCLAIMER: PROPERTY OF TURNKEY ENV. REST., LLC. IMPORTANT: THIS DRAWING PRINT IS LOANED FOR MUTUAL ASSISTANCE AND AS SUCH IS SUBJECT TO RECALL AT ANY TIME. INFORMATION CONTAINED HEREON IS NOT TO BE DISCLOSED OR REPRODUCED IN ANY FORM FOR THE BENEFIT OF PARTIES OTHER THAN NECESSARY SUBCONTRACTORS & SUPPLIERS WITHOUT THE WRITTEN CONSENT OF TURNKEY ENV. REST., LLC.

LEGEND:

- SITE LOCATION AND BOUNDARY
- 1,000 FOOT OFFSET



SCALE: 1 INCH = 500 FEET
 SCALE IN FEET
 (approximate)

DATE: JUNE 2016
 DRAFTED BY: KRR

PROPERTY BASEMAP (1,000' SETBACK)

BROWNFIELD CLEANUP PROGRAM APPLICATION
 OREGON ROAD SITE
 OLEAN, NEW YORK
 PREPARED FOR
 HOMER STREET PROPERTIES, LLC



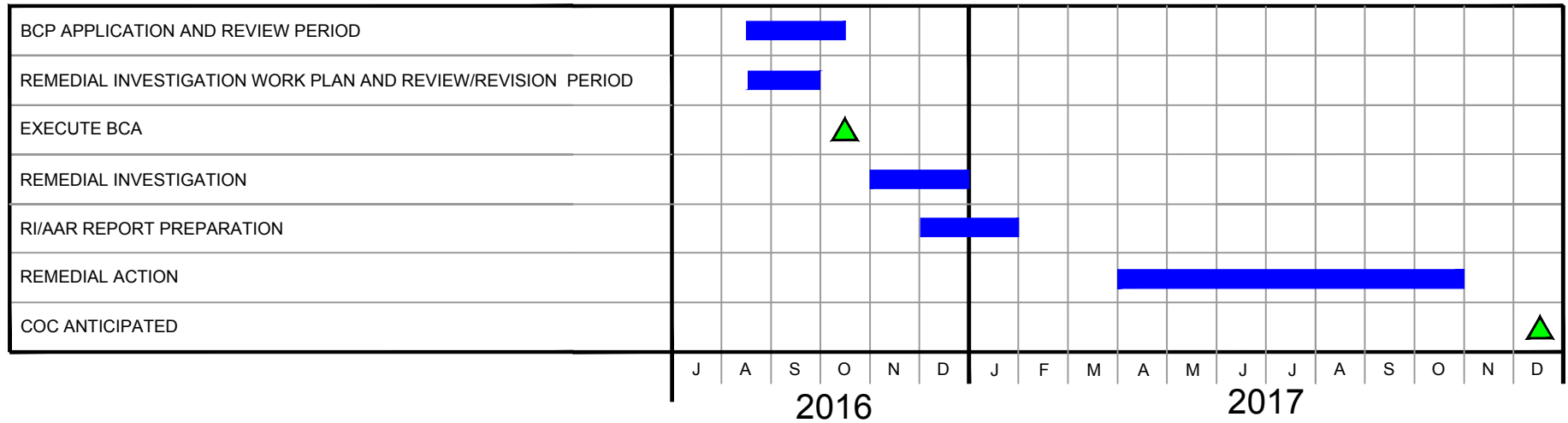
2558 HAMBURG TURNPIKE
 SUITE 300
 BUFFALO, NY 14218
 (716) 856-0635

JOB NO.: 0323-015-001

FIGURE 4

DISCLAIMER: PROPERTY OF TURNKEY ENV. REST., LLC. IMPORTANT: THIS DRAWING PRINT IS LOANED FOR MUTUAL ASSISTANCE AND AS SUCH IS SUBJECT TO RECALL AT ANY TIME. INFORMATION CONTAINED HEREON IS NOT TO BE DISCLOSED OR REPRODUCED IN ANY FORM FOR THE BENEFIT OF PARTIES OTHER THAN NECESSARY SUBCONTRACTORS & SUPPLIERS WITHOUT THE WRITTEN CONSENT OF TURNKEY ENV. REST., LLC.

PROJECT TASKS:



2558 HAMBURG TURNPIKE
 SUITE 300
 BUFFALO, NY 14218
 (716) 856-0835

PROJECT SCHEDULE

BROWNFIELD CLEANUP PROGRAM APPLICATION
 OREGON ROAD SITE
 OLEAN, NEW YORK
 PREPARED FOR
 HOMER STREET PROPERTIES, LLC

FIGURE 5

DISCLAIMER:

PROPERTY OF TURNKEY ENV. REST., LLC. IMPORTANT: THIS DRAWING PRINT IS LOANED FOR MUTUAL ASSISTANCE AND AS SUCH IS SUBJECT TO RECALL AT ANY TIME. INFORMATION CONTAINED HEREON IS NOT TO BE DISCLOSED OR REPRODUCED IN ANY FORM FOR THE BENEFIT OF PARTIES OTHER THAN NECESSARY SUBCONTRACTORS & SUPPLIERS WITHOUT THE WRITTEN CONSENT OF TURNKEY ENV. REST., LLC.



ADDRESS:
Oregon Rd
Tax ID No.
94.001-2-13.1

OWNER:
Lawrence J Lewicki
2580 Oregon Rd
Olean, NY 14760

ADDRESS:
Hillside Dr
Tax ID No.
94.001-2-14

OWNER:
Lawrence J Lewicki
2580 Oregon Rd
Olean, NY 14760

ADDRESS:
Hillside Dr
Tax ID No.
94.001-2-15

OWNER:
Lawrence J Lewicki
2580 Oregon Rd
Olean, NY 14760

ADDRESS:
200 Homer St Ext
Tax ID No.
94.001-2-13.3

OWNER:
State and Union, LLC
202 Woodview Ave
Olean, NY 14760

ADDRESS:
Johnson Rd
Tax ID No.
94.001-2-8

OWNER:
Lawrence J Lewicki
2580 Oregon Rd
Olean, NY 14760

ADDRESS:
2580 Oregon Rd
TAX ID No.
94.001-2-9

OWNER:
Lawrence J Lewicki
2580 Oregon Rd
Olean, NY 14760

ADDRESS:
2589 Oregon Rd
Tax ID No.
94.001-2-12

OWNER:
Kathleen Thropp
2589 Oregon Rd
Olean, NY 14760

ADDRESS:
2585 Oregon Rd
Tax ID No.
94.001-2-11

OWNER:
Michelle Vaughn
2585 Oregon Rd
Olean, NY 14760

ADDRESS:
2577 Oregon Rd
Tax ID No.
94.001-2-10

OWNER:
Gary & Paula Ursoy
2577 Oregon Rd
Olean, NY 14760

ADDRESS:
Homer St Ext
Tax ID No.
94.001-2-13.8

OWNER:
Homer Street Properties, LLC
221 Homer Street
Olean, NY 14760

ADDRESS:
225 Homer St
Tax ID No.
94.032-1-2.8

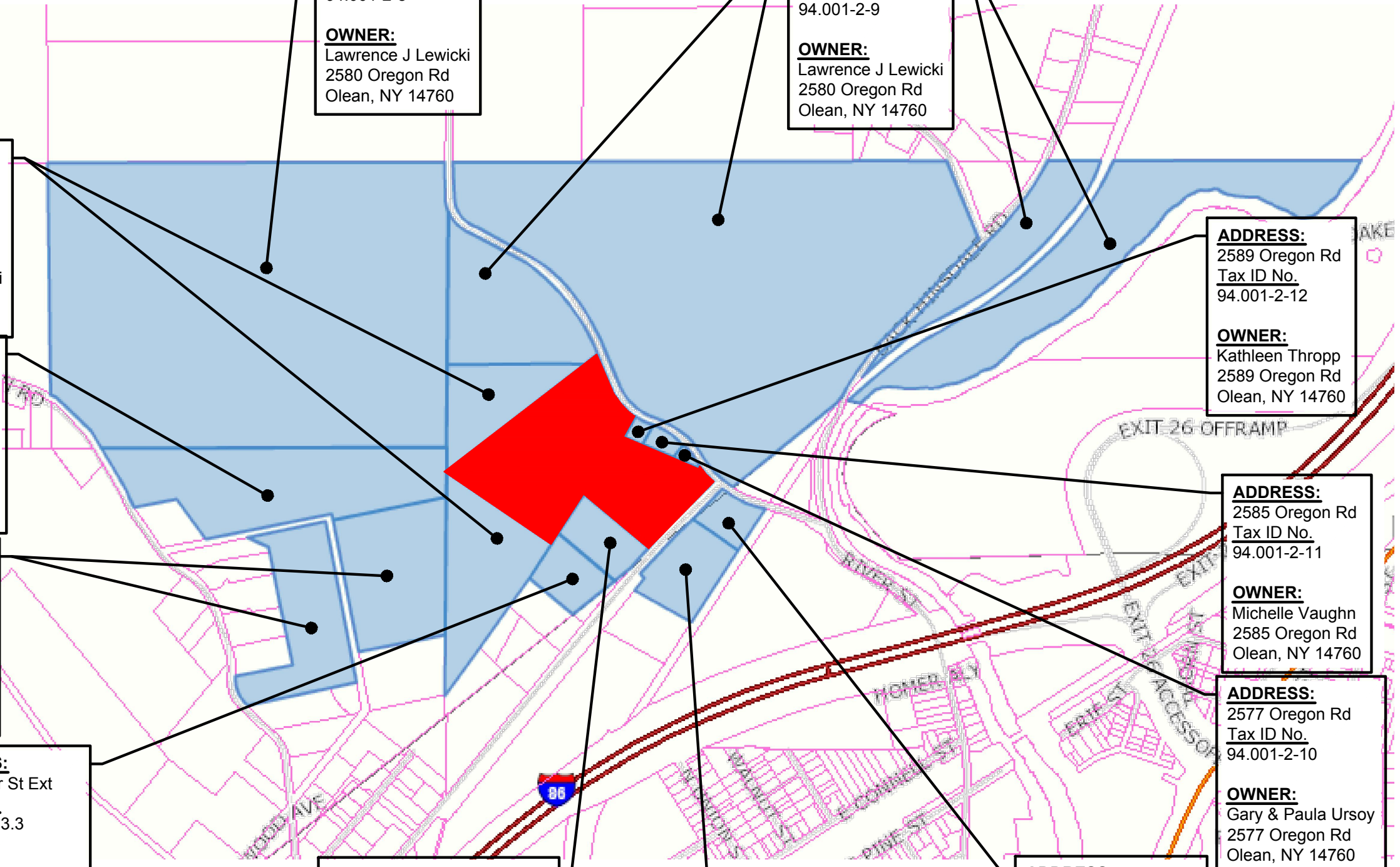
OWNER:
Casella Waste Mgt of NY, Inc
3903 Bellaire Blvd
Houston, TX 77025

ADDRESS:
211 Homer St
Tax ID No.
94.032-1-2.9

OWNER:
Spink Enterprises, LLC
646 E State St
Olean, NY 14760



SCALE: 1 INCH = 800 FEET
SCALE IN FEET
(approximate)



DATE: JULY 2016
DRAFTED BY: KRR



2558 HAMBURG TURNPIKE, SUITE 300, BUFFALO, NY 14218, (716) 856-0599

JOB NO.: 0323-015-001

ADJACENT PROPERTY OWNERS



BROWNFIELD CLEANUP PROGRAM APPLICATION
OREGON ROAD SITE
OLEAN, NEW YORK
PREPARED FOR
HOMER STREET PROPERTIES, LLC

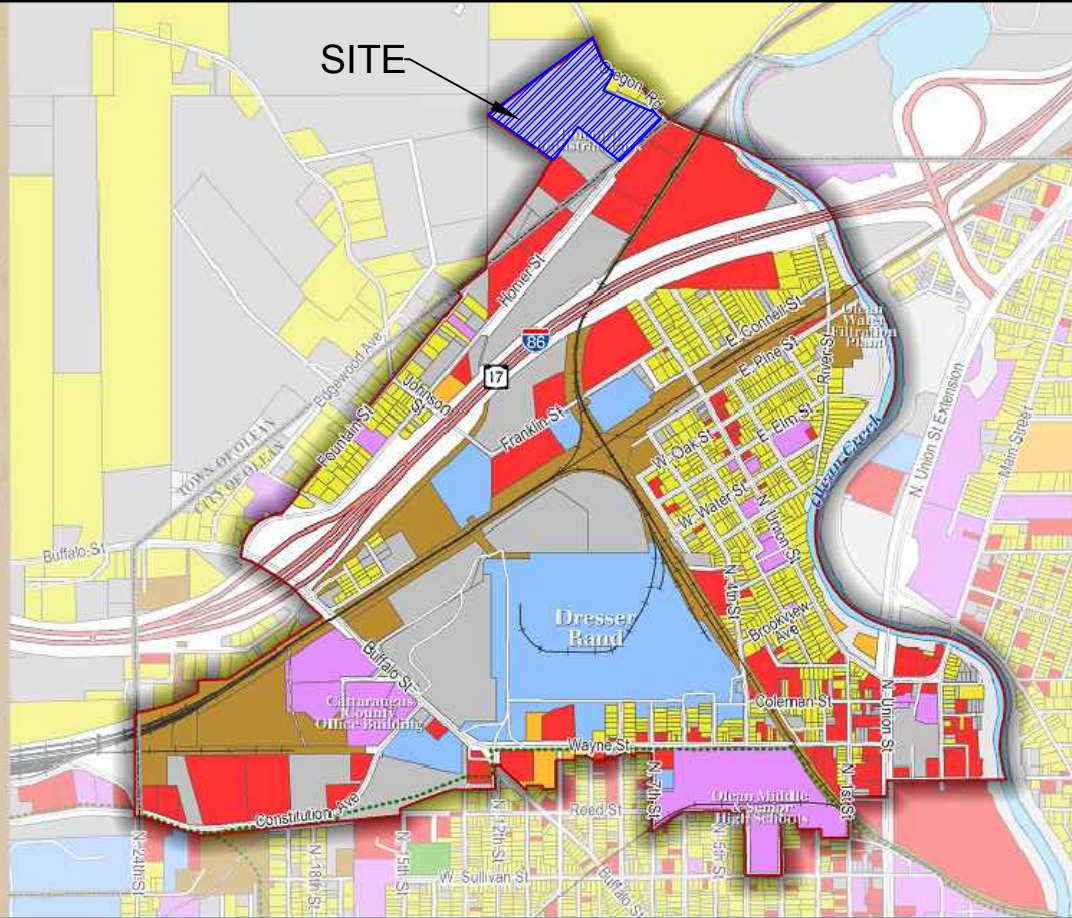
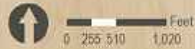
FIGURE 6

DISCLAIMER: PROPERTY OF BENCHMARK ENVIRONMENTAL ENGINEERING & SCIENCE, PLLC. & TURNKEY ENVIRONMENTAL RESTORATION, LLC. IMPORTANT: THIS DRAWING PRINT IS LOANED FOR MUTUAL ASSISTANCE AND AS SUCH IS SUBJECT TO RECALL AT ANY TIME. INFORMATION CONTAINED HEREON IS NOT TO BE DISCLOSED OR REPRODUCED IN ANY FORM FOR THE BENEFIT OF PARTIES OTHER THAN NECESSARY SUBCONTRACTORS & SUPPLIERS WITHOUT THE WRITTEN CONSENT OF BENCHMARK ENVIRONMENTAL ENGINEERING & SCIENCE, PLLC & TURNKEY ENVIRONMENTAL RESTORATION, LLC.

Nw Quadrant
REVITALIZATION PLAN

LEGEND

-  BOA Boundary
-  Allegheny River Valley Trail
- Existing Land Use
 -  No Data
 -  Agriculture
 -  Residential
 -  Vacant
 -  Commercial
 -  Recreation & Entertainment
 -  Community Services
 -  Industrial
 -  Public Services
 -  Parks & Conservation



Map 3: Existing Land Use

This effort was made possible with the guidance and financial assistance provided by the New York State Department of State Brownfield Opportunity Program.



**2558 HAMBURG TURNPIKE
SUITE 300
BUFFALO, NY 14218
(716) 858-0835**

PROJECT NO.: 0323-015-001

DATE: JUNE 2016

DRAFTED BY: KRR

NEARBY LAND USE/ZONING MAP

BROWNFIELD CLEANUP PROGRAM APPLICATION

OREGON ROAD SITE

OLEAN, NEW YORK



PREPARED FOR

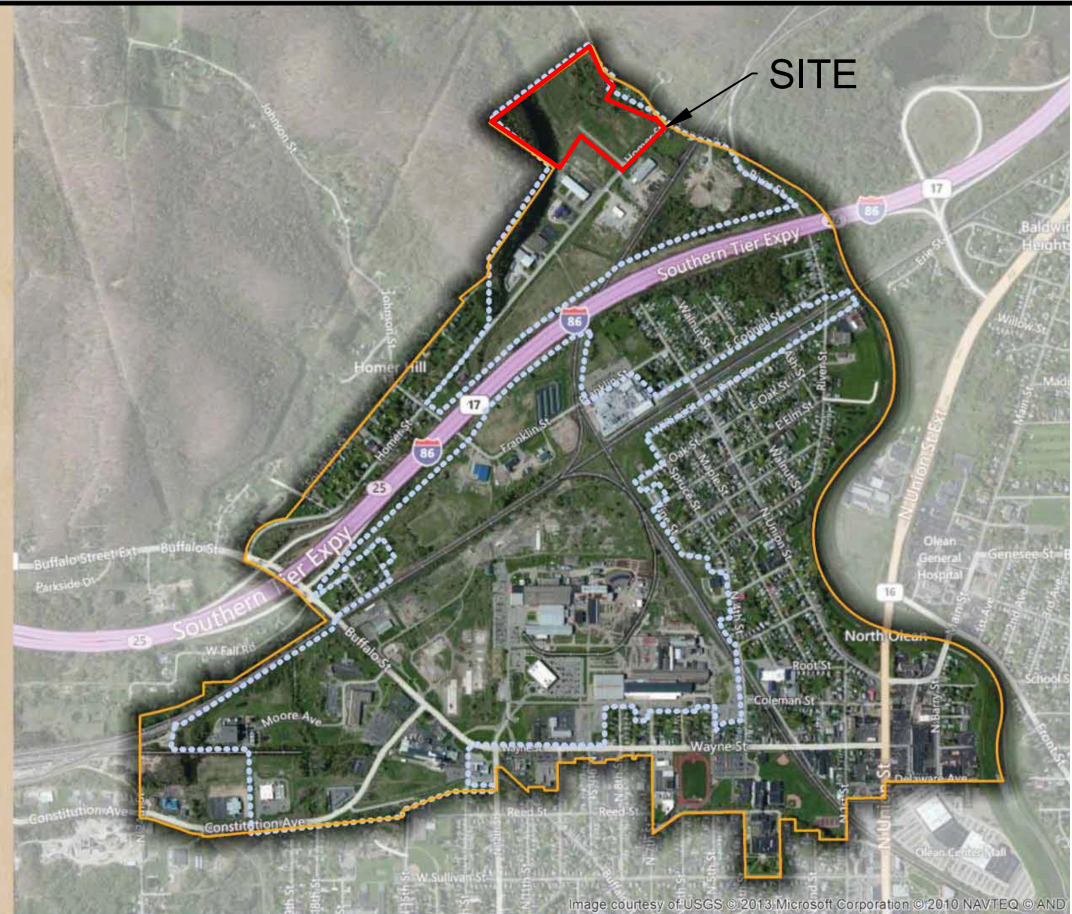
HOMER STREET PROPERTIES, LLC

FIGURE 7

DISCLAIMER:
PROPERTY OF TURNKEY ENV. REST., LLC. IMPORTANT: THIS DRAWING PRINT IS LOANED FOR MUTUAL ASSISTANCE AND AS SUCH IS SUBJECT TO RECALL AT ANY TIME. INFORMATION CONTAINED HEREON IS NOT TO BE DISCLOSED OR REPRODUCED IN ANY FORM FOR THE BENEFIT OF PARTIES OTHER THAN NECESSARY SUBCONTRACTORS & SUPPLIERS WITHOUT THE WRITTEN CONSENT OF TURNKEY ENV. REST., LLC.

LEGEND

-  Current BOA Boundary
-  Pre-Nomination Study Area



City of Olean
Linda L. Witte, Mayor
101 East State Street
Olean, NY 14760

Map 1: Project Boundary

This effort was made possible with the guidance and financial assistance provided by the New York State Department of State Brownfield Opportunity Program.



2558 HAMBURG TURNPIKE
SUITE 300
BUFFALO, NY 14218
(716) 858-0835

PROJECT NO.: 0323-015-001

DATE: JUNE 2016

DRAFTED BY: KRR

CITY OF OLEAN BOA LIMITS

BROWNFIELD CLEANUP PROGRAM APPLICATION

OREGON ROAD SITE

OLEAN, NEW YORK

PREPARED FOR

HOMER STREET PROPERTIES, LLC

FIGURE 8

DISCLAIMER:
PROPERTY OF TURNKEY ENV. REST., LLC. IMPORTANT: THIS DRAWING PRINT IS LOANED FOR MUTUAL ASSISTANCE AND AS SUCH IS SUBJECT TO RECALL AT ANY TIME. INFORMATION CONTAINED HEREON IS NOT TO BE DISCLOSED OR REPRODUCED IN ANY FORM FOR THE BENEFIT OF PARTIES OTHER THAN NECESSARY SUBCONTRACTORS & SUPPLIERS WITHOUT THE WRITTEN CONSENT OF TURNKEY ENV. REST., LLC.

ATTACHMENT 1

BCP APPLICATION – SECTION I

REQUESTER INFORMATION

NYS DEPARTMENT OF STATE CORPORATION & BUSINESS ENTITY DATABASE

SIGNATURE RESOLUTION

NYS Department of State

Division of Corporations

Entity Information

The information contained in this database is current through December 18, 2014.

Selected Entity Name: HOMER STREET PROPERTIES, LLC
Selected Entity Status Information

Current Entity Name: HOMER STREET PROPERTIES, LLC

DOS ID #: 3604577

Initial DOS Filing Date: DECEMBER 12, 2007

County: CATTARAUGUS

Jurisdiction: NEW YORK

Entity Type: DOMESTIC LIMITED LIABILITY COMPANY

Current Entity Status: ACTIVE

Selected Entity Address Information

DOS Process (Address to which DOS will mail process if accepted on behalf of the entity)

HOMER STREET PROPERTIES, LLC
221 HOMER STREET
OLEAN, NEW YORK, 14760

Registered Agent

NONE

This office does not require or maintain information regarding the names and addresses of members or managers of nonprofessional limited liability companies. Professional limited liability companies must include the name(s) and address(es) of the original members, however this

information is not recorded and only available by
[viewing the certificate.](#)

***Stock Information**

# of Shares	Type of Stock	\$ Value per Share
No Information Available		

*Stock information is applicable to domestic business corporations.

Name History

Filing Date	Name Type	Entity Name
DEC 12, 2007	Actual	HOMER STREET PROPERTIES, LLC

A **Fictitious** name must be used when the **Actual** name of a foreign entity is unavailable for use in New York State. The entity must use the fictitious name when conducting its activities or business in New York State.

NOTE: New York State does not issue organizational identification numbers.

[Search Results](#) [New Search](#)

[Services/Programs](#) | [Privacy Policy](#) | [Accessibility Policy](#) | [Disclaimer](#) | [Return to DOS](#)
[Homepage](#) | [Contact Us](#)

HOMER STREET PROPERTIES, LLC
JOINT UNANIMOUS WRITTEN CONSENT
OF THE SHAREHOLDERS AND OFFICERS

August 5, 2016

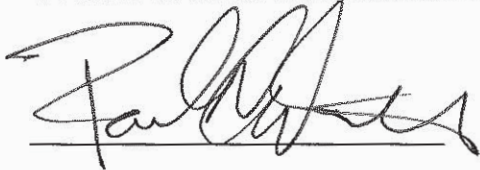
The undersigned and Managing Members of **HOMER STREET PROPERTIES, LLC**, a New York limited corporation (the "Company"), hereby jointly consent to the adoption of the following resolutions without a meeting and direct that this Consent be filed with the minutes of the Company.

RESOLVED, that R. DONALD BENSON (an "Authorized Person") be, and hereby is, authorized, directed, and empowered, acting alone, in the name or on behalf of the Corporation, to execute the Brownfield Cleanup Program (BCP) Application, the BCP Agreement, or any other documents or agreements necessary to enter and participate in the New York State Department of Environmental Conservation's Brownfield Cleanup Program (Environmental Conservation Law Article 27, Title 14) for property owned by the Company located at Oregon Road, Olean, New York; and be it further

RESOLVED, that the Authorized Person is hereby authorized, empowered and directed to take all such action on behalf of the Corporation as they may deem necessary, appropriate or advisable to carry out the intent and purposes of the foregoing resolution; and be it further

RESOLVED, that any acts of any officer of the Corporation and of any persons designated and authorized to act by any such officer of the Corporation, which acts would have been authorized by the foregoing resolutions except that such acts were taken prior to the adoption of such resolutions, are hereby severally ratified, confirmed, approved and adopted as acts of the Corporation.

IN WITNESS WHEREOF, the undersigned have executed this Joint Unanimous Written Consent as of the date set forth above.



Name: Paul H. Werthman

Managing Member



Name: R. Donald Benson

Managing Member

ATTACHMENT 2

BCP APPLICATION – SECTION II

PROJECT DESCRIPTION

ATTACHMENT 2
BCP Application - Section II
Project Description
Oregon Road Site

PROJECT DESCRIPTION

Homer Street Properties, LLC (HSP), acting as a non-responsible Volunteer, is willing to complete additional investigation and remediate the Site (see Figures 1-4) under the Brownfield Cleanup Program (BCP), and is submitting this BCP application for eligibility into the Program. Upon acceptance into the BCP, HSP plans to prepare a Remedial Investigation/Alternatives Analysis (RI/AA) Work Plan, complete a Remedial Investigation, prepare an RI/AA Report, prepare a Remedial Action Work Plan (RAWP), and complete the approved remedial measures.

Figure 5 presents a preliminary project schedule. The RI is planned to commence in fall 2016 and Remedial Action anticipated in spring through fall 2017. A certificate of completion (COC) is anticipated in December 2017.

The Applicant is currently assessing site development options; however, site redevelopment plans have not yet been developed. The preliminary estimated capital investment is \$1,000,000 to \$5,000,000 to investigate, remediate, and restore the Site. This Project will result in the remediation and redevelopment of an idle property located within the City of Olean, NY BOA.

ATTACHMENT 3

BCP APPLICATION – SECTION III

PROPERTY'S ENVIRONMENTAL HISTORY

PREVIOUS ENVIRONMENTAL INVESTIGATIONS

PAST LAND USES

ATTACHMENT 3
BCP Application – Section III
Property’s Environmental History
Oregon Road Site

PREVIOUS ENVIRONMENTAL INVESTIGATIONS

A summary of the previous environmental investigation findings completed for the Oregon Road Site (hereinafter, the “Project Site” or the “Site”) is provided below.

Phase I Environmental Site Assessment – Oregon Road Parcel, Olean, New York

GZA GeoEnvironmental of New York (GZA) completed a Phase I ESA at the Site in May 2008. The findings are summarized below.

- The Site is located on Oregon Road in Olean, New York, identified as SBL Number 94.001-2-13.2, and consists of approximately 24.65 acres of vacant land with a partial asphalt access road.
- Based on a review of the U.S. Geologic Survey Map of Olean, New York dated 1980, the Site varies from approximately 1,700 feet to 1,430 feet above mean sea level.
- The Site and surrounding areas were originally developed in the 1890s to early 1900s for the oil industry and used as a petroleum storage tank farm. Four large tanks, portions of two tanks, and six berm areas were located within the Site limits. The Site appears to be part of the ExxonMobil Legacy Site (EMLS) Works #3 area, identified as Socony Vacuum and Felmont Oil. In the 1960s, the tanks were removed from on-site and nearby off-site locations. Since that time, the Site has been vacant, undeveloped land.
- The Site and surrounding areas were used for oil storage in large aboveground tanks, as was apparent in the 1938, 1955, and 1960 aerial photographs.
- Historic documentation from the North Olean Area indicated that significant leakage occurred from the storage tanks in 1922, enough that nearby residences were able to retrieve barrels of oil from depths of 18 feet below ground surface (fbgs).
- The Site is within the City of Olean Brownfield Opportunity Area (BOA), and identified within the BOA as being within the EMLS Works #3 area. According to the BOA study, these areas likely contain some level of petroleum contamination in the subsurface.
- GZA requested information from the User regarding title information; environmental liens; Activity and Use Limitations; and specialized knowledge or

ATTACHMENT 3
BCP Application – Section III
Property’s Environmental History
Oregon Road Site

commonly known information regarding the Site and reason for significantly lower purchase price (if applicable). No environmental liens, activity use limitations, and specialized knowledge were identified.

The Phase I ESA identified the following Recognized Environmental Conditions in connection with the property.

- The Site was historically occupied by an oil tank farm, including four large tanks, portions of two tanks, and six berm areas within the Site limits, used for oil storage by Socony Vacuum and/or Felmont Oil. The Site was identified as part of the EMLS Works #3 area. The tank and berm areas were removed by the 1970s. Potential historic releases may have impacted the soil and/or groundwater at the Site.

Phase II Environmental Investigation – Oregon Road Site, Olean, NY

TurnKey completed a Phase II Environmental Investigation at the Site in December 2014. The findings are summarized below.

- Olfactory evidence of impact (petroleum-like odors) were observed in 4 of the 7 test pits (i.e., TP-1, TP-2, TP-4, and TP-5) at depths ranging from 3 to 10 fbg.
- Petroleum product (LNAPL) was observed on the groundwater entering into test pits TP-2 and TP-3 at 2 to 3 fbg. NYSDEC Spill No. 1409761 was assigned to the Site due to the free product identified.
- Volatile organic compounds (VOCs) 2-butanone, total xylene, and 1,2,4-trimethylbenzene were detected at concentrations above their respective Part 375 Unrestricted soil cleanup objectives (SCOs) in the 5 to 7 fbg sample collected from TP-1. Elevated VOC tentatively identified compounds (TICs) were also identified in soil samples collected from TP-1 at 5 to 7 fbg (23 ppm) and TP-5 at 2 to 4 fbg (52 ppm).
- Based on the evidence of petroleum odors, elevated PID measurements, the presence of LNAPL, as well as analytical results of this investigation, significant petroleum impacts are evident, with grossly contaminated soils present in some areas. The environmental impacts can reasonably be attributed to the historical use of the Site as a petroleum bulk storage facility. Site remediation appears warranted as NYSDEC Spill No. 1409761 will need to be addressed.

ATTACHMENT 3
BCP Application – Section III
Property’s Environmental History
Oregon Road Site

Supplemental Phase II Environmental Investigation – Oregon Road Site, Olean, NY

Findings of the Supplemental Phase II Environmental Investigation completed by TurnKey Environmental Restoration, LLC in November 2015 are detailed below:

- Field evidence of suspected petroleum impacts (LNAPL and petroleum-like odors) reasonably attributable to the historical use of the Site as a petroleum bulk storage facility were identified during the test trench and soil boring investigations. Elevated PID readings up to 425 ppm were noted on-site. TurnKey had similar observations during the historic test pit investigation.
- Based on elevated PID readings and observed LNAPL and petroleum odors at sample locations proximate the property boundary with the adjacent residences to the east, it is possible that petroleum impacts are present on the adjacent residences; however, the residences are located at higher elevations and topographically upgradient from the subject Site.
- Abandoned piping, believed to be associated with historic petroleum bulk storage operations, was encountered in certain portions of test trenches TT-1 through TT-6, TT-8, and TT-9.
- Analytical results revealed the presence of elevated concentrations of SVOCs in groundwater at MW-3.
- Regarding the soil vapor assessment, four individual VOCs were detected at concentrations above NYSDOH 90th Percentile Values for indoor air at SV-02. However, the soil vapor assessment was not completed as planned due to Site conditions. Based on comments received from NYSDEC and NYSDOH, the soil vapor assessment is not considered complete and NYSDEC and NYSDOH have recommended additional soil vapor assessment on the residential properties due to elevated PID readings, observed LNAPL and petroleum odors at sample locations proximate the property boundary with the adjacent residences to the east. HSP discussed the requested additional soil vapor assessment with NYSDEC on March 23 and 24, 2016 and agreed to submit an off-site soil vapor sampling plan to collect additional soil gas samples from the residential properties after access is obtained. Since that time, we understand that ExxonMobil intends to conduct the off-site soil vapor assessment.

Attachment 3 includes the available spill record for the Site and a figure showing areas of impacted media identified during the previous investigations described above.

ATTACHMENT 3
BCP Application – Section III
Property’s Environmental History
Oregon Road Site

City of Olean, Brownfield Opportunity Area, Olean, New York

The Site is located within the limits of the City of Olean BOA as identified in the Northwest Quadrant Revitalization Plan¹. The BOA includes approximately 904 acres, of which 186 acres are considered brownfields. The BOA encompasses an area that was historically used for industrial purposes for over 150 years. The BOA study identified 13 sites (including the Project Site) that were “identified as possessing a history of known environmental contamination” and that were “classified as being highly relevant to the redevelopment of the Northwest Quadrant Revitalization Area.” Several other brownfield sites (Homer Street Redevelopment Site, 229 Homer Street Site, 299 Homer Street Site, Bluebird Industrial Park 1, and Bluebird Industrial Park 3) are also identified in the immediate vicinity of the Oregon Road Site.

PAST LAND USES

The historical use of the Site has been researched using historic maps, historic aerial photographs, municipal records, and/or other reasonably obtainable documents. The following provides a summary relative to historic uses of the Site.

The Site is located within the 125-acre EMLS, which was operated as an oil refinery under several different names from approximately 1880 to the 1950s. Initially, two separate refineries operated on the EMLS from 1882 until 1902. The two refineries merged to become Vacuum Oil, who then merged with the Standard Oil Company in 1934. These companies were predecessors of the ExxonMobil Oil Corporation. There were three main areas of the refinery:

- Works #1 was the main research and administration area, and also contained the central power house and central shops building.
- Works #2 contained the bulk oil loading, treating, and storage departments.

¹ “Northwest Quadrant Revitalization Plan, DRAFT Nomination Study, NYSDOS Brownfield Opportunity Areas Program” prepared for the City of Olean by Bergmann Associates. 2013.

ATTACHMENT 3
BCP Application – Section III
Property’s Environmental History
Oregon Road Site

- Works #3 is where most of the refining occurred. The Oregon Road Site is located at the northern limit of the EMLS Works #3.

Historic documents and previous investigation reports are provided as separate PDF files, enclosed electronically on a CD.



Spill Incidents Database Search Details

Spill Record

Administrative Information

DEC Region: 9

Spill Number: 1409761

Spill Date/Time

Spill Date: 12/23/2014 **Spill Time:** 12:00:00 AM

Call Received Date: 12/23/2014 **Call Received Time:** 12:00:00 AM

Location

Spill Name: NW CORNER OREGON AND HOMER STREETS

Address: OREGON AND HOMER

City: OLEAN **County:** Cattaraugus

Spill Description

Material Spilled **Amount Spilled** **Resource Affected**

crude oil fractions UNKNOWN Unknown

Cause: Other

Source: Major Facility (MOSF) > 400,000 gal

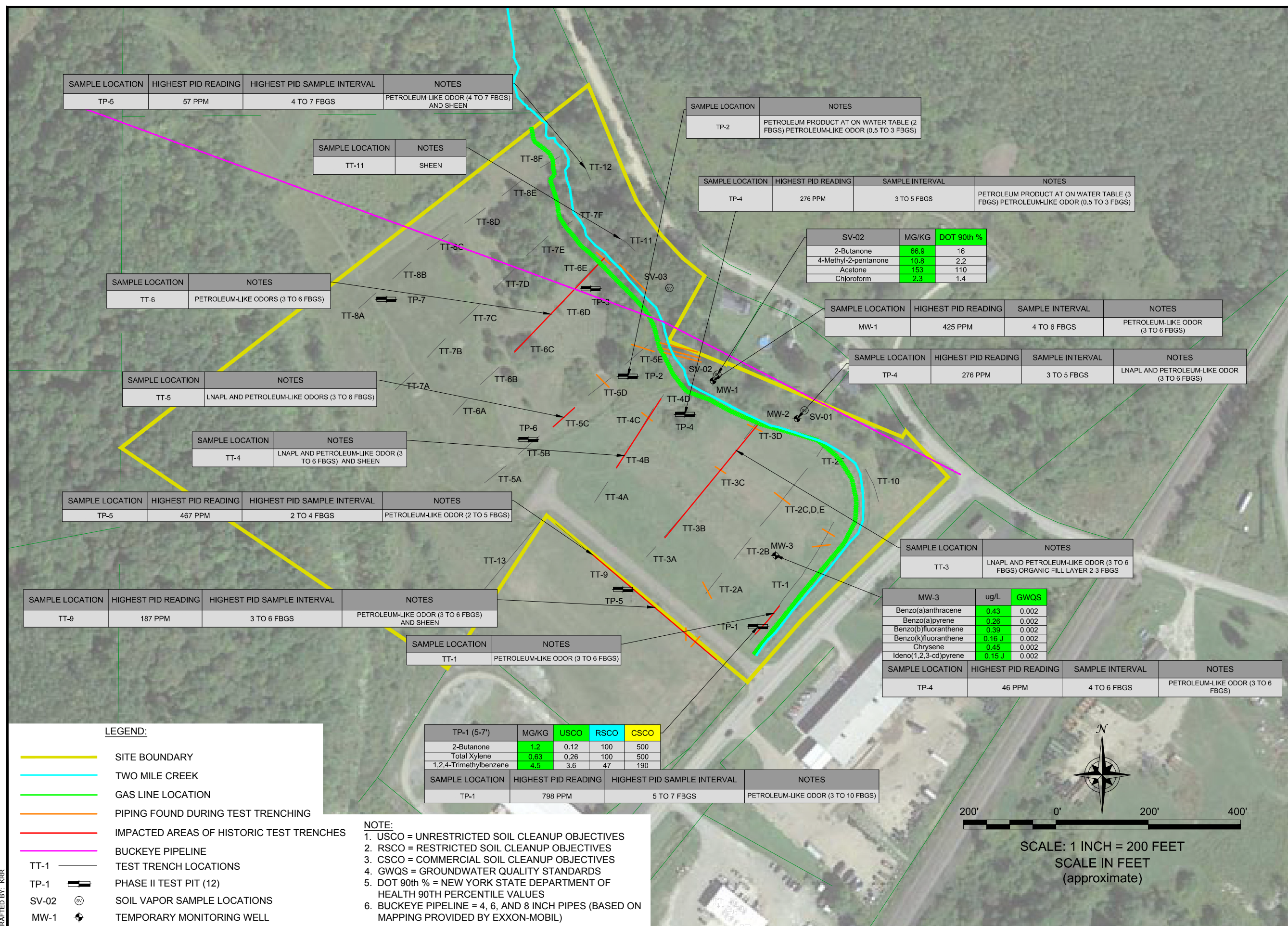
Waterbody:

Record Close

Date Spill Closed: Not closed

If you have questions about this reported incident, please contact the [Regional Office](#) where the incident occurred.

Refine This Search



SAMPLE LOCATION	HIGHEST PID READING	HIGHEST PID SAMPLE INTERVAL	NOTES
TP-5	57 PPM	4 TO 7 FBGS	PETROLEUM-LIKE ODOR (4 TO 7 FBGS) AND SHEEN

SAMPLE LOCATION	NOTES
TT-11	SHEEN

SAMPLE LOCATION	NOTES
TP-2	PETROLEUM PRODUCT AT ON WATER TABLE (2 FBGS) PETROLEUM-LIKE ODOR (0.5 TO 3 FBGS)

SAMPLE LOCATION	HIGHEST PID READING	SAMPLE INTERVAL	NOTES
TP-4	276 PPM	3 TO 5 FBGS	PETROLEUM PRODUCT AT ON WATER TABLE (3 FBGS) PETROLEUM-LIKE ODOR (0.5 TO 3 FBGS)

SV-02	MG/KG	DOT 90th %
2-Butanone	66.9	16
4-Methyl-2-pentanone	10.8	2.2
Acetone	153	110
Chloroform	2.3	1.4

SAMPLE LOCATION	NOTES
TT-6	PETROLEUM-LIKE ODORS (3 TO 6 FBGS)

SAMPLE LOCATION	HIGHEST PID READING	SAMPLE INTERVAL	NOTES
MW-1	425 PPM	4 TO 6 FBGS	PETROLEUM-LIKE ODOR (3 TO 6 FBGS)

SAMPLE LOCATION	NOTES
TT-5	LNAPL AND PETROLEUM-LIKE ODORS (3 TO 6 FBGS)

SAMPLE LOCATION	HIGHEST PID READING	SAMPLE INTERVAL	NOTES
TP-4	276 PPM	3 TO 5 FBGS	LNAPL AND PETROLEUM-LIKE ODOR (3 TO 6 FBGS)

SAMPLE LOCATION	NOTES
TT-4	LNAPL AND PETROLEUM-LIKE ODOR (3 TO 6 FBGS) AND SHEEN

SAMPLE LOCATION	HIGHEST PID READING	HIGHEST PID SAMPLE INTERVAL	NOTES
TP-5	467 PPM	2 TO 4 FBGS	PETROLEUM-LIKE ODOR (2 TO 5 FBGS)

SAMPLE LOCATION	NOTES
TT-3	LNAPL AND PETROLEUM-LIKE ODOR (3 TO 6 FBGS) ORGANIC FILL LAYER 2-3 FBGS

SAMPLE LOCATION	HIGHEST PID READING	HIGHEST PID SAMPLE INTERVAL	NOTES
TT-9	187 PPM	3 TO 6 FBGS	PETROLEUM-LIKE ODOR (3 TO 6 FBGS) AND SHEEN

MW-3	ug/L	GWQS
Benzo(a)anthracene	0.43	0.002
Benzo(a)pyrene	0.26	0.002
Benzo(b)fluoranthene	0.39	0.002
Benzo(k)fluoranthene	0.16 J	0.002
Chrysene	0.45	0.002
Ideno(1,2,3-cd)pyrene	0.15 J	0.002

SAMPLE LOCATION	NOTES
TT-1	PETROLEUM-LIKE ODOR (3 TO 6 FBGS)

SAMPLE LOCATION	HIGHEST PID READING	SAMPLE INTERVAL	NOTES
TP-4	46 PPM	4 TO 6 FBGS	PETROLEUM-LIKE ODOR (3 TO 6 FBGS)

TP-1 (5-7')	MG/KG	USCO	RSCO	CSCO
2-Butanone	1.2	0.12	100	500
Total Xylene	0.63	0.26	100	500
1,2,4-Trimethylbenzene	4.5	3.6	47	190

SAMPLE LOCATION	HIGHEST PID READING	HIGHEST PID SAMPLE INTERVAL	NOTES
TP-1	798 PPM	5 TO 7 FBGS	PETROLEUM-LIKE ODOR (3 TO 10 FBGS)

LEGEND:

- SITE BOUNDARY
- TWO MILE CREEK
- GAS LINE LOCATION
- PIPING FOUND DURING TEST TRENCHING
- IMPACTED AREAS OF HISTORIC TEST TRENCHES
- BUCKEYE PIPELINE
- TT-1 — TEST TRENCH LOCATIONS
- TP-1 — PHASE II TEST PIT (12)
- SV-02 — SOIL VAPOR SAMPLE LOCATIONS
- MW-1 — TEMPORARY MONITORING WELL

NOTE:

1. USCO = UNRESTRICTED SOIL CLEANUP OBJECTIVES
2. RSCO = RESTRICTED SOIL CLEANUP OBJECTIVES
3. CSCO = COMMERCIAL SOIL CLEANUP OBJECTIVES
4. GWQS = GROUNDWATER QUALITY STANDARDS
5. DOT 90th % = NEW YORK STATE DEPARTMENT OF HEALTH 90TH PERCENTILE VALUES
6. BUCKEYE PIPELINE = 4, 6, AND 8 INCH PIPES (BASED ON MAPPING PROVIDED BY EXXON-MOBIL)



SCALE: 1 INCH = 200 FEET
SCALE IN FEET (approximate)

SUMMARY OF PREVIOUS INVESTIGATION FINDINGS

BROWNFIELD CLEANUP PROGRAM APPLICATION
OREGON ROAD SITE
OLEAN, NEW YORK
PREPARED FOR
HOMER STREET PROPERTIES, LLC



2558 HAMBURG TURNPIKE, SUITE 300, BUFFALO, NY 14218, (716) 856-0599

JOB NO.: 0323-015-001

ATT. 3

DISCLAIMER: PROPERTY OF BENCHMARK ENVIRONMENTAL ENGINEERING & SCIENCE, PLLC. & TURNKEY ENVIRONMENTAL RESTORATION, LLC IMPORTANT: THIS DRAWING PRINT IS LOANED FOR MUTUAL ASSISTANCE AND AS SUCH IS SUBJECT TO RECALL AT ANY TIME. INFORMATION CONTAINED HEREON IS NOT TO BE DISCLOSED OR REPRODUCED IN ANY FORM FOR THE BENEFIT OF PARTIES OTHER THAN NECESSARY SUBCONTRACTORS & SUPPLIERS WITHOUT THE WRITTEN CONSENT OF BENCHMARK ENVIRONMENTAL ENGINEERING & SCIENCE, PLLC & TURNKEY ENVIRONMENTAL RESTORATION, LLC.

ATTACHMENT 4

BCP APPLICATION – SECTION IV

PROPERTY INFORMATION

PARCEL DESCRIPTION

PROPERTY DESCRIPTION & ENVIRONMENTAL ASSESSMENT NARRATIVE

ATTACHMENT 4
BCP Application – Section IV
Property Information
Oregon Road Site

QUESTIONS 1-4

Parcel Description

The Oregon Road Site, subject to the BCP application, is a single parcel totaling approximately 24.65 acres, located in a mixed use commercial and residential area of the Town of Olean, Cattaraugus County, New York (see Figures 1-4). The parcel included in this application is described as:

- Oregon Road Site: SBL # 94.001-2-13.2

According to the Cattaraugus County Real Property & GIS Web page (<http://www.cattco.org/real-property-and-gis>) there is no street number associated with this property; therefore; it does not have a US Postal Service mailing address. The Site is vacant and does not contain any structures. The Cattaraugus County – Property Detail Report for the parcel is included in Attachment 4. The parcel boundaries correspond to the Town of Olean Tax map boundaries (see Figure 3).

According to the New York State Department of Environmental Conservation (NYSDEC) Environmental Zones (En-Zones), developed by the NYS Department of Labor, the Site is located within Census Tract 9610 (2000 Census Data), and is not included in an applicable New York State Environmental Zone (En-Zone).

QUESTIONS 8 AND 9

Easements and Permits

Utilities are located in the right-of-way along Oregon Road and/or Homer Street. The Site is supplied with municipal sanitary sewer, electric, natural-gas, and public water. Benchmark-TurnKey is not aware of any easements on the Site.

The Site was not identified in the NYSDEC Bulk Storage database or United States Environmental Protection Agency (USEPA) Enforcement and Compliance History Online (ECHO) database; however, the Site was identified in the NYSDEC Environmental Site

ATTACHMENT 4
BCP Application – Section IV
Property Information
Oregon Road Site

Remediation database for open Spill No. 1409761. The following information was available from the NYSDEC Spills Incident Database:

- During Phase II activities at the Site, a petroleum product, light, non-aqueous phase liquid (LNAPL) was encountered. A NYSDEC representative was present on-site during the Phase II work. NYSDEC assigned Spill No. 1409761 to the Site.

QUESTION 10

Property Description Narrative

Location

The Site is located at the corner of Oregon Road and Homer Street in a mixed use commercial and residential area of the Town of Olean, Cattaraugus County, New York. The Site is bound by undeveloped parcels to the north; Oregon Road and three residential parcels to the northeast; Homer Street and two parcels (one commercial and one undeveloped parcel) to the southeast; and undeveloped parcels to the southwest (see Figures 2 and 4). Adjacent property owners are identified on Figure 6.

Site Features

The Site is vacant and does not contain any structures. The surface cover at the Site is generally grass vegetation with tree and brush cover along the eastern and western portions of the Site. There is an asphalt access road that enters from Homer Street on the southern portion of the Site (see Figures 2 and 4). Two Mile Creek, a tributary to Allegheny River, enters the Site from the north, travels southeasterly along the eastern portion of the Site, turns south, and exits the southern portion of the Site.

Current Zoning and Land Use

The Site is currently zoned Industrial (I) by the City of Olean (see Figure 7). Properties adjacent to the Site include primarily commercial/undeveloped with residential properties beyond. The Site is located in Census Tract 9615 in the area of the city zoned for commercial/residential uses.

ATTACHMENT 4
BCP Application – Section IV
Property Information
Oregon Road Site

The Site is located within the limits of the City of Olean Brownfield Opportunity Area (BOA) as identified in the Northwest Quadrant Revitalization Plan¹. The BOA includes approximately 904 acres, of which 186 acres are considered brownfields. The BOA encompasses an area that was historically used for industrial purposes for over 150 years. The BOA study identified 13 sites (including the Project site) that were “identified as possessing a history of known environmental contamination” and “classified as being highly relevant to the redevelopment of the Northwest Quadrant Revitalization Area.” Several other brownfield sites (Homer Street Redevelopment Site, 229 Homer Street Site, 299 Homer Street Site, Bluebird Industrial Park 1, and Bluebird Industrial Park 3) are also identified in the immediate vicinity of the Oregon Road Site (see Figure 8).

Although site redevelopment plans have not yet been developed, they will be consistent with current and future development patterns and zoning.

Past Use of the Site

The Site is located within the 125-acre ExxonMobil Legacy Site (EMLS). The EMLS operated as an oil refinery under several different names from approximately 1880 to the 1950s. Initially, two separate refineries operated on the EMLS from 1882 until 1902. The two refineries merged to become Vacuum Oil, who then merged with the Standard Oil Company in 1934. These companies were predecessors of the ExxonMobil Oil Corporation. There were three main areas of the refinery.

- Works #1 was the main research and administration area, and also contained the central power house and central shops building.
- Works #2 contained the bulk oil loading, treating, and storage departments.
- Works #3 is where most of the refining occurred.

¹ “Northwest Quadrant Revitalization Plan, DRAFT Nomination Study, NYSDOS Brownfield Opportunity Areas Program” prepared for the City of Olean by Bergmann Associates. 2013.

ATTACHMENT 4
BCP Application – Section IV
Property Information
Oregon Road Site

The Oregon Road Site is located at the eastern limit of the EMLS Works #3. The Site was historically occupied by an oil tank farm, including four large tanks, portions of two tanks, and six berm areas within the Site limits, used for oil storage by Socony Vacuum and/or Felmont Oil. The tank and berm areas were removed by the 1970s.

Former uses and Site operations have impacted on-site soils and groundwater. Petroleum odors and elevated photoionization detector (PID) measurements were observed in the subsurface, and petroleum product (LNAPL) was observed on the water entering test pits and trenches during the Phase II and Supplemental Environmental Investigations. Based on the evidence of petroleum odors, elevated PID measurements, the presence of LNAPL, as well as analytical results of this investigation, significant petroleum impacts are evident, with grossly contaminated soils (GCS) present in some areas that would require remediation consistent with a commercial cleanup.

Attachment 3 includes electronic copies of historic reports, analytical data packages, and spills documentation.

Site Geology and Hydrogeology

The Site is situated within the Allegheny Plateau province of Western New York with an approximate elevation of 1,430 feet above mean sea level. The regional area dips very gently to the south and southwest toward the Allegheny River. The subject property is located near the valley walls of the Valley-Fill aquifer where the saturated thickness is typically less than 20 feet.

The U.S. Department of Agriculture (USDA) Soil Conservation Service soil survey map of Cattaraugus County shows the Site containing five soil types as shown on Figure 9. These soils are as follows:

- Castile Gravel Silt Loam: These soils are described as gently sloping, very deep, and moderately well drained. These soils are found on outwash plains, beach ridges, and stream terraces.

ATTACHMENT 4
BCP Application – Section IV
Property Information
Oregon Road Site

- Orpark Silt Loam: These soils are described as gently sloping, moderately deep, and somewhat poorly drained. These soils are found on broad hilltops, side slopes, and ridge benches in areas where the topography is influenced by the underlying bedrock.
- Schuyler Silt Loam: These soils are described as strongly sloping, very deep, and moderately well drained. These soils are found on hillsides and side slopes that receive runoff from the higher adjacent soils.
- Towerville Silt Loam: These soils are described as very steep, moderately deep, and moderately well drained. These soils are found on valley sides that commonly are dissected by V-shaped gullies. It is in areas where the topography is influenced by the underlying bedrock.
- Volusia Channery Silt Loam: These soils are described as gently sloping, very deep, and somewhat poorly drained. These soils are found on hilltops, side slopes and concave toe slopes on uplands that receive runoff from higher adjacent soils.

The overburden geology over the majority of the Site is generally described as fill material in the upper approximate 4 feet below ground surface (fbgs) overlying sandy lean clay with various amounts of gravel to depths of 10 fbgs.

Uninhibited groundwater flow, with no significant pumping from wells, is expected to flow southwest from the Olean Creek valley to the Allegheny River. Groundwater was encountered in two test pits at approximately 2-3 fbgs. Precipitation (i.e., rain or snow melt) generally flows southerly over the Site via overland sheet flow.

Additional work is required to investigate groundwater quality. Monitoring wells to assess and characterize groundwater flow patterns and quality are planned during the Remedial Investigation.

Environmental Assessment

Based on the evidence of petroleum odors, elevated PID measurements, the presence of LNAPL, as well as analytical results of these investigations, significant petroleum impacts are evident, with GCS present in some areas. Specifically:

ATTACHMENT 4
BCP Application – Section IV
Property Information
Oregon Road Site

- Petroleum impacts observed in subsurface soil/fill included petroleum-like odors, elevated PID readings as high as 798 parts per million (ppm), and visual evidence of petroleum product on the water entering two of the test pits between 2 and 3 fbs. The petroleum impacts required that the NYSDEC open Spill No. 1409761 for the Site.
- Elevated VOCs (2-butanone, total xylene, and 1,2,4-trimethylbenzene) were detected at concentrations above their respective Part 375 Unrestricted and/or CP-51 SCOs in the sample collected at 5 to 7 fbs from test pit TP-1.
- Based on elevated PID readings and observed LNAPL and petroleum odors at sample locations proximate the property boundary with the adjacent residences to the east, it is possible that petroleum impacts are present on the adjacent residences; however, the residences are located at higher elevations and topographically upgradient from the subject Site. Four individual VOCs were detected at concentrations above NYSDOH 90th Percentile Values for indoor air at SV-02.
- Abandoned piping, believed to be associated with historic petroleum bulk storage operations, was encountered in certain portions of test trenches TT-1 through TT-6, TT-8, and TT-9.
- Analytical results revealed the presence of elevated concentrations of SVOCs in groundwater at MW-3.

Historic documents and previous investigation reports are provided as separate PDF files, enclosed electronically on the CD in Attachment 9.



Property Description Report For: Oregon Rd, Municipality of Olean

No Photo
Available

Status: Active
Roll Section: Taxable
Swis: 046600
Tax Map ID #: 94.001-2-13.2
Account #: 1312
Property Class: 340 - Vacant indus
Site: RES 1
In Ag. District: No
Site Property Class: 340 - Vacant indus
Zoning Code: -
Neighborhood Code: 66350
School District: Olean
Total Assessment: 2016 - *Tentative
\$11,100
2015 - \$11,100

Legal Property Desc:
Deed Page: 7001
Grid North: 766174

Total Acreage/Size: 24.65
Land Assessment: 2016 - *Tentative
\$11,100
2015 - \$11,100
Full Market Value: 2016 - *Tentative
\$14,231
2015 - \$14,231
Equalization Rate: ----
Deed Book: 21898
Grid East: 1186775

Area

Living Area: 0 sq. ft. **First Story Area:** 0 sq. ft.
Second Story Area: 0 sq. ft. **Half Story Area:** 0 sq. ft.
Additional Story Area: 0 sq. ft. **3/4 Story Area:** 0 sq. ft.
Finished Basement: 0 sq. ft. **Number of Stories:** 0
Finished Rec Room: 0 sq. ft.

Structure

Building Style: 0 **Bathrooms (Full - Half):** 0 - 0
Bedrooms: 0 **Kitchens:** 0
Fireplaces: 0 **Basement Type:** 0
Porch Type: 0 **Porch Area:** 0.00
Basement Garage Cap: 0 **Attached Garage Cap:** 0.00 sq. ft.
Overall Condition: 0 **Overall Grade:**
Year Built:

Owners

Homer Street Properties, LLC
221 Homer St
Olean NY 14760

Sales

Sale Date	Price	Property Class	Sale Type	Prior Owner	Value Usable	Arms Length	Add. Parcels	Deed Book and Page
6/18/2014	\$0	300 - Vacant Land	Land Only	BENSON CONSTRUCTION AND, DEVELOPMENT, LLC	No	No	No	21898/7001
1/3/2007	\$78,100	340 - Vacant indus	Land Only	Cattaraugus Co. IDA	No	No	Yes	8930/9001

Utilities

Sewer Type:	None	Water Supply:	None
Utilities:	Electric	Heat Type:	0
Fuel Type:	0	Central Air:	No

Improvements

Structure	Size	Grade	Condition	Year
------------------	-------------	--------------	------------------	-------------

ATTACHMENT 5
BCP APPLICATION – SECTION VI

PREVIOUS/CURRENT PROPERTY OWNERS/OPERATORS

ATTACHMENT 5
BCP Application – Section VI
Previous/Current Property Owners/Operators
Oregon Road Site

Reasonable attempts were made to attain complete contact information regarding current and previous Site owners and operators. The following table lists the current and previous property owners/operators:

Parcel Address	Date(s)	Relationship to Applicant
Oregon Road (no street address has been assigned to the parcel)		
Current Owner/Operator		
Homer Street Properties, LLC 221 Homer Street Olean, New York 14760 (716) 372-1893	6/2014 - present	Applicant
Previous Owner/Operator		
OWNER Benson Construction & Development, LLC 221 Homer Street Olean, New York 14760 (716) 372-1893	10/2007 - 6/2014	There is common ownership with Applicant.
OWNER Cattaraugus County IDA 3 E. Washington Street Ellicottville, New York, NY 14731 (716) 699-2005	Approximately 8/1981 - 10/2007	None
OWNER/OPERATORS (Multiple) Felmont Oil Corporation Socony Vacuum Oil Co Standard Oil <i>These companies were predecessors of the ExxonMobil Oil Corporation.</i>	1880s - 1973	None

ATTACHMENT 6

BCP APPLICATION – SECTION VIII

REQUESTOR ELIGIBILITY INFORMATION

THE REQUESTOR AS A VOLUNTEER

PROPERTY ELIGIBILITY INFORMATION

THE CONTAMINATION ELEMENT

THE COMPLICATION ELEMENT

ATTACHMENT 6
BCP Application - Sections VII & VIII
Requestor Eligibility Information
Oregon Road Site

SECTION VII – REQUESTOR ELIGIBILITY INFORMATION

The Requestor as a Volunteer

A BCP applicant may be either a “Participant” or a “Volunteer.”

A “Participant” is an applicant who either (i) was the owner of the site at the time of the disposal or discharge of contaminants; or (ii) is otherwise responsible according to applicable principles of statutory or common law liability, unless such person’s liability arises solely as a result of such person’s ownership or operation of or involvement with the site subsequent to the disposal or discharge [NY ECL 27-1405(1)(a)]. This definition is repeated verbatim at 6NYCRR 375-3.2(b)(1), and is paraphrased in the Brownfield Cleanup Program Guide at Section 2.4(1)(A).

A “Volunteer” is an applicant other than a participant, including a person whose liability arises solely as a result of such person’s ownership or operation of or involvement with the site subsequent to the disposal or discharge of contaminants provided that such person exercises appropriate care with respect to the contamination [NY ECL 27-1405(1)(b)]. This definition is repeated verbatim at 6NYCRR 375-3.2(b)(2), and is paraphrased in the Brownfield Cleanup Program Guide at Section 2.4(1)(B).

Since the Applicant became involved with the property after the disposal or discharge of contaminants, and has no relationship with the previous owners/operators of the Site, Homer Street Propertied, LLC is entitled to Volunteer status under NY ECL27-1405(1)(b).

SECTION VIII – PROPERTY ELIGIBILITY INFORMATION

Property Eligibility Information

The Site meets the definition of a “Brownfield site” as set forth in New York State Environmental Conservation Law (the “ECL”). The ECL Section 27-1405(2) defines a “Brownfield site” as “any real property, where a contaminant is present at levels exceeding the soil cleanup objectives or other health-based or environmental standards, criteria or

ATTACHMENT 6
BCP Application - Sections VII & VIII
Requestor Eligibility Information
Oregon Road Site

guidance adopted by the department that are applicable based on the reasonably anticipated use of the property in accordance with applicable regulations.” The regulations in 6NYCRR 375-3.3(a)(1) reiterate that a brownfield site has two elements and adds a “reasonable basis” test to each:

- (1) A brownfield site has two elements:
 - (i) There must be confirmed contamination on the property or a reasonable basis to believe that contamination is likely to be present on the property (the “Contamination Element”); and,
 - (ii) There must be a reasonable basis to believe that the contamination or potential presence of contamination may be complicating the development, use, or re-use of the property (the “Complication Element”)

Moreover, the New York State Department of Environmental Conservation (“NYSDEC” or “Department”) BCP Eligibility Guidance dated March 2005, which is incorporated into the Brownfield Cleanup Program Guide, establishes several factors that the Department considers in evaluating whether the Contamination Element and the Complications Element exist.

The Contamination Element

The Department considers the following factors with respect to the Contamination Element, to the extent they are relevant to the proposed Site:

- (A) The nature and extent of known or suspected contamination;
- (B) Whether contaminants are present at levels that exceed standards, criteria, or guidance;
- (C) Whether contamination on the proposed site is historic fill material or exceeds background levels;
- (D) Whether there are or were industrial or commercial operations at the proposed site which may have resulted in environmental contamination; and/or,
- (E) Whether the proposed site has previously been subject to closure, a removal action, an interim or final remedial action, corrective action or any other

ATTACHMENT 6
BCP Application - Sections VII & VIII
Requestor Eligibility Information
Oregon Road Site

cleanup activities performed by or under the oversight of the State or Federal government.

The Contamination Element of the BCP Eligibility Test has clearly been met in this application because:

- (A) The Site is currently located within the City of Olean BOA and has been identified as a Site “possessing a history of known environmental contamination and is “highly relevant to the redevelopment of the Northwest Quadrant Revitalization area.”
- (B) The Site is located within the EMLS in an area of the Site where oil refining took place dated back to 1882. Historic owners of the Site include Vacuum Oil, Standard Oil Company and ExxonMobil Corporation.
- (C) NYSDEC assigned Spill Number 1409761 to the Site because visual/olfactory evidence of petroleum contamination and petroleum LNAPL were encountered during environmental investigation activities. These contaminants will require remediation to address open Spill Number 1409761.
- (D) Contaminated soils, evidenced by visual/olfactory observations of petroleum impacts, elevated PID readings, and the presence of LNAPL are complicating redevelopment efforts.
- (E) The Site has not previously been subject to cleanup activities by or under the oversight of State or Federal agencies.

The Complication Element

The Department considers the following factors with respect to the Complication Element; to the extent they are relevant to the proposed Site:

- (A) Whether the proposed site is idled, abandoned or underutilized;
- (B) Whether the proposed site is unattractive for redevelopment or reuse due to the presence or reasonable perception of contamination;
- (C) Whether properties in the immediate vicinity of the proposed site show indicators of economic distress such as high commercial vacancy rates or depressed property values; and/or,

ATTACHMENT 6
BCP Application - Sections VII & VIII
Requestor Eligibility Information
Oregon Road Site

- (D) Whether the estimated cost of any necessary remedial program is likely to be significant in comparison to the anticipated value of the proposed site as redeveloped or reused.

The Complication Element of the BCP Eligibility Test has clearly been met in this application because the proposed Site is unattractive for redevelopment, reuse, or sale due to the presence of contamination. This factor is clearly established by the following:

- (A) The Site is currently unattractive for future redevelopment or sale due to the actual presence of contamination and the reasonable perception that there is contamination present on the Site related to the historic operations that will require remediation.
- (B) The Site is located within the City of Olean BOA (see Figure 8) and has been identified as “possessing a history of known environmental contamination and is “highly relevant to the redevelopment of the Northwest Quadrant Revitalization area.”
- (C) The Site is adjacent to other vacant and/or contaminated sites and is part of the EMLS.
- (D) The estimated cost of a proposed remedial program with regard to the Site is significant in comparison to the value of the Site (i.e., estimated at greater than 100% of the value of the Site).

Based on the foregoing and as further set forth in this BCP application, the Site meets the Contamination Element and Complication Element tests. As such, the Site qualifies as a Brownfield Site eligible for participation in the BCP, with the Applicant as a Volunteer, because (A) there is confirmed contamination at the Site, and (B) the contamination is complicating the redevelopment and re-use of the Site.

ATTACHMENT 7

BCP APPLICATION – SECTION IX

CONTACT LIST INFORMATION

SITE CONTACT LIST

DOCUMENT REPOSITORY LETTER

ATTACHMENT 7
BCP Application – Section IX
Contact List Information
Oregon Street Site

Cattaraugus County Contacts:

John R. Searles
County Administrator
1 Leo Moss Drive, Suite 0123
Olean 14760

John Padlo
Cattaraugus County Legislator District 10
438 Fountain Street
Olean, NY 14760

James Snyder
Cattaraugus County Legislator District 10
PO Box 1
Olean, NY 14760

Linda M. Edstrom
Cattaraugus County Legislator District 10
408 Laurens Street
Olean, NY 14706

Steven Teachman
Cattaraugus County Legislator District 10
1426 Thorn Street
Olean, NY 14760

Matthew Keller
Cattaraugus County Legislator District 10
433 York Street
Olean, NY 14760

Catherine L. Peters, Assistant
Cattaraugus County Off. of Emergency Svcs.
303 Court Street
Little Valley, NY 14755

Kevin D. Watkins, Director
Cattaraugus County Health Department
1 Leo Moss Drive, Suite 4010
Olean, NY 14760

Mr. Thomas E. Buffamante, Chairman
Cattaraugus County Industrial Dev. Agency
P.O. Box 1749
9 East Washington Street
Ellicottville, New York 14731

Mr. Joseph E. Higgins, First Vice Chairman
Cattaraugus County Industrial Dev. Agency
P.O. Box 1749
9 East Washington Street
Ellicottville, New York 14731

Mr. Charles W. Couture, Chairman
Cattaraugus County Planning Board
303 Court Street
Little Valley, New York 14755

ATTACHMENT 7
BCP Application – Section IX
Contact List Information
Oregon Street Site

Town of Olean Contacts:

Ms. Annett Parker, Supervisor
1321 Old Rock City Road
Olean, NY 14760

Jame Geise, Town Clerk
2634 Route 16 North
Olean, NY 14760

Mr. John Artlip, Deputy Supervisor
1302 Route 16 South
Olean, NY 14760

Ms. Donna Howard
1543 Spencer Drive
Olean, NY 14760

Mr. Michael Caya, Councilman
16548 Happy Hollow
Olean, NY 14760

Mr. Joshua Torrey
2891 West River Road
Olean, NY 14760

Chief Kelly Karst
Hinsdale Fire Hall
3832 Church Street
Hinsdale, NY 14743

City of Olean Contacts:

Mayor William J. Aiello
City of Olean Municipal Bldg.
101 East State Street
Olean, NY 14760

Tom Windus, Director of Public Works
Olean Municipal Bldg.
101 East State Street
Olean, NY 14760

Jeff Rowley, Police Chief
City of Olean Police Department
101 East State Street
Olean, NY 14760

Robert P. Bell, Fire Chief
City of Olean Fire Department
101 East State Street
Olean, NY 14760

Alexander Utecht, City Clerk
Olean Municipal Bldg.
101 East State Street
Olean, NY 14760

Ann McLaughlin, Chairperson
City of Olean Planning Board
101 East State Street
Olean, NY 14760

ATTACHMENT 7
BCP Application – Section IX
Contact List Information
Oregon Street Site

Supplier of Potable Water:

Mark Whiteman, Water Superintendent
City of Olean Water Division
Water Filtration Plant
1332 River Street
Olean, NY 14760

Local News Media:

Olean Times Herald
ATTN: News Editor
639 Norton Avenue
Olean, NY 14760

Allegany Olean Pennysaver
1214C W State
Olean, NY 14760

WMXO-FM
ATTN: News Director
231 North Union
Olean, NY 14760

WPIG-FM
ATTN: News Director
3219 West State Road
Olean, NY 14760

ATTACHMENT 7
BCP Application – Section IX
Contact List Information
Oregon Street Site

Document Repository:

Lance Chaffee, Library Director
Olean Public Library
134 N 2nd Street
Olean, NY 14760-2583

Nearby Schools:

New Life Christian School
102 W. Forest Avenue
Olean, NY 14760

Mr. Gerald Trietley, Principal
Olean Intermediate Middle School
401 Wayne Street
Olean, NY 14760

Mr. Joel Whitcher, Principal
Olean Intermediate Middle School
401 Wayne Street
Olean, NY 14760

Other Interested Parties:

Concerned Citizens of Cattaraugus County
P.O. Box 23
Franklinville, NY 14737-0023

Cattaraugus Community Action, Inc.
25 Jefferson Street
Salamanca, NY 14779-0308



**ATTACHMENT 7
BCP Application - Section IX
Contact List Information
Oregon Road Site**

Adjacent Property Address				Property Owner Mailing Address
No.	Street	Tax ID no.	Property Use	
	Homer Street Ext	94.001-2-13.8	Vacant Industrial	Homer Street Properties, LLC 221 Homer Street Olean, NY 14760
200	Homer Street Ext	94.001-2-13.3	Commercial	State and Union, LLC 202 Wood Ave. Olean, NY 14760
211	Homer Street	94.032-1-2.9	Commercial	Spink Enterprises, LLC 646 E State St. Olean, NY 14760
225	Homer Street	94.032-1-2.8	Commercial	Casella Waste Management of NY, Inc. 3903 Bellaire Blvd. Houston, TX 77025
	Hillside Drive	94.001-2-14	Vacant Residential	Lawrence Lewicki 2580 Oregon Rd Olean, NY 14760
	Hillside Drive	94.001-2-15	Vacant Residential	Lawrence Lewicki 2580 Oregon Rd Olean, NY 14760
	Johnson Road	94.001-2-8	Vacant Residential	Lawrence Lewicki 2580 Oregon Rd Olean, NY 14760
	Oregon Road	94.001-2-13.1	Vacant Residential	Lawrence Lewicki 2580 Oregon Rd Olean, NY 14760
2577	Oregon Road	94.001-2-10	Residential	Gary & Paula Ursoy 2577 Oregon Rd Olean, NY 14760
2580	Oregon Road	94.001-2-9	Residential	Lawrence Lewicki 2580 Oregon Rd Olean, NY 14760
2585	Oregon Road	94.001-2-11	Residential	Michelle Vaughn 2585 Oregon Road Olean, NY 14760
2589	Oregon Road	94.001-2-12	Residential	Kathleen Thropp 2589 Oregon Rd Olean, NY 14760



January 14, 2015

Lance Chaffee, Library Director
Olean Public Library
134 N 2nd Street
Olean, NY 14760-2583

Re: Document Repository for Brownfield Cleanup Program
Oregon Street Site
Olean, New York

Dear Mr. Chaffee:

Per our discussion, thank you for agreeing to allow the Olean Public Library to act 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 that reads "Cliff Boron".

Christopher Boron
Sr. Project Manager

cc: File: 0323-015-001

Chris Z. Boron

From: Lance Chaffee <lchaffee@oleanlibrary.org>
Sent: Friday, January 16, 2015 9:36 AM
To: Chris Z. Boron
Subject: Document Repository for Brownfield Cleanup Sites

Chris,

Based on our phone conversation and the letters you have sent to me the Olean Public Library is willing to act as a document repository for the Brownfield Cleanup Programs at the 229 Homer Street Site and the Oregon Road Site.

Lance

Lance Chaffee, Director
Olean Public Library
134 N 2nd St
Olean NY 14760
716.372.0200 (p)
716.372.8651 (f)

ATTACHMENT 8

BCP APPLICATION – SECTION X

LAND-USE FACTORS

SITE SUMMARY

ADJACENT LAND USE, DEVELOPMENT PATTERNS, & ZONING

ATTACHMENT 8
BCP Application – Section X
Land Use Factors
Oregon Road Site

LAND-USE FACTORS

Site Summary

The following provides a brief summary of the Site:

- The Site is located within a mixed use commercial and residential area of the Town of Olean, Cattaraugus County, New York (see Figure 7).
- The Site is currently undeveloped land and zoned industrial.
- The Site is located within the City of Olean Brownfield Opportunity Area (BOA) (see Figure 8) and has been identified as a Site “possessing a history of known environmental contamination” and is “classified as being highly relevant to the redevelopment of the Northwest Quadrant Revitalization Area.”
- In accordance with §27-1415(3)(p), there are no environmental justice concerns associated with the project.
- There are no State or Federal designations related to the property.
- The Site has access to municipal utilities including: natural gas, municipal sewer, electric, and public water.
- There are no known Institutional Controls for the Site.

Adjacent Land Use, Development Patterns, & Zoning

The Site is an undeveloped single parcel (SBL # 94.001-2-13.2) totaling approximately 24.65 acres in a mixed use commercial and residential area of the City of Olean, Cattaraugus County, New York. The Site is surrounded by commercial, residential, or vacant properties with more. The Site is bound by undeveloped parcels to the north; Oregon Road and three residential parcels to the northeast; Homer Street and two parcels (one commercial and one undeveloped) to the southeast; and undeveloped parcels to the southwest. Additional residential properties are located further north, west, and south of the Site. Figure 7 illustrates that the Site is currently zoned for industrial (I) and shows land use/ zoning for the surrounding area.

The Site is located within the limits of the City of Olean BOA as identified in the Northwest Quadrant Revitalization Plan (see Figure 8). The BOA includes approximately 904 acres, of

ATTACHMENT 8
BCP Application – Section X
Land Use Factors
Oregon Road Site

which 186 acres are considered brownfields. The BOA encompasses an area that was historically used for industrial purposes for over 150 years. Although site redevelopment plans have not yet been developed, they will be consistent with current and future development patterns and zoning.