

**PHASE I
ENVIRONMENTAL SITE ASSESSMENT**

**Buffalo General Hospital
100 High Street
Buffalo, NY 14203**

Prepared for:

**United States Department of Housing and Urban Development
26 Federal Plaza, Room 3200
New York, NY 10278-0068**

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TABLE OF CONTENTS

| | Page |
|---|------|
| 1.0 SUMMARY | 1 |
| 2.0 INTRODUCTION | 2 |
| 2.1 Purpose | 2 |
| 2.2 Special Terms and Conditions | 3 |
| 2.3 Limitations and Exceptions of Assessment | 3 |
| 2.4 Limiting Conditions and Methodology | 3 |
| 3.0 SITE DESCRIPTION | 4 |
| 3.1 Location and Legal Description | 4 |
| 3.2 Descriptions of Structures or Other Improvements on the Site | 4 |
| 3.3 Information Regarding Environmental Liens or Specialized Knowledge or Experience | 5 |
| 3.4 Current Uses of the Property and Adjoining Properties | 5 |
| 4.0 INFORMATION FROM HISTORICAL SOURCES | 6 |
| 4.1 Interviews | 6 |
| 4.2 Review of Prior Environmental Reports | 6 |
| 4.3 Sanborn Fire Insurance Maps | 6 |
| 5.0 INFORMATION FROM SITE RECONNAISSANCE | 9 |
| 5.1 Site Reconnaissance | 9 |
| 5.2 Hazardous Substance Containers and Unidentified Substance Containers | 10 |
| 5.3 Storage Tanks | 10 |
| 5.4 PCBs | 11 |
| 5.5 Solid Waste Disposal and Hazardous/Biohazardous Waste Disposal | 11 |
| 5.6 Asbestos | 12 |

| | | |
|-------|--|----|
| 6.0 | PHYSICAL SETTING ANALYSIS | 14 |
| 6.1 | Geology and Hydrogeology of the Surrounding Area | 14 |
| 7.0 | RECORDS REVIEW | 15 |
| 7.1 | Freedom of Information Requests | 15 |
| 7.2 | Federal Environmental Databases | 15 |
| 7.2.1 | National Priorities List Sites | 15 |
| 7.2.2 | CERCLA Sites | 16 |
| 7.2.3 | Hazardous Waste Handlers | 16 |
| 7.2.4 | Emergency Response Notification System | 18 |
| 7.3 | New York State Environmental Databases | 18 |
| 7.3.1 | Inactive Hazardous Waste Disposal Sites | 18 |
| 7.3.2 | Voluntary Cleanup Program Sites | 19 |
| 7.3.3 | Solid Waste Facilities | 19 |
| 7.3.4 | Tanks List | 20 |
| 7.3.5 | Spills Database | 21 |
| 7.3.6 | Radon | 22 |
| 8.0 | FINDINGS AND CONCLUSIONS | 23 |
| 8.1 | Findings | 23 |
| 8.2 | Conclusions | 23 |
| 9.0 | DISCLAIMER | 23 |
| 10.0 | SIGNATURES OF ENVIRONMENTAL PROFESSIONALS | 24 |

Figures

Figure 1 Site Location Map
Figure 2 Site layout

Appendices

Appendix A Sanborn Maps and Tax Map
Appendix B Photographs
Appendix C Tank Registration Forms
Appendix D Hazardous and Biohazardous Waste Disposal Manifests
Appendix E Freedom of Information Requests
Appendix F Regulatory Database Records

1.0 SUMMARY

Ethan C. Eldon Associates, Inc. (ECEA) was contracted by the Buffalo General Hospital (BGH) to conduct a Phase I Environmental Site Assessment in accordance with the American Society for Testing and Materials (ASTM) Standards E 1527-00 for the subject property / site identified in the Erie County tax records as (i) Section 100.79, Block 2, Lot 1; (ii) Section 100.80, Block 1, Lot 1; (iii) Section 100.71, Block 4, Lots 1 and 2; and (iv) Section 100.72, Block 6, Lot 1.1 in Erie County, New York. The BGH is located in the central Buffalo City neighborhood in Erie County, New York. The street address of the subject property is 100 High Street, Buffalo, New York.

The findings of this Phase I Environmental Site Assessment relating to the general condition of the subject property are summarized as follows:

The findings of this Phase I Environmental Site Assessment relating to the general condition of the subject property are summarized as follows:

1. Buffalo General Hospital has a 16-story hospital building with two-level basement, a 3-story research building (occupied by Buffalo University), a 1-story garage, a 3-story building for community mental health center, a 1-story building for boilers and generators, a 4-story vacant building and two parking lots. The land uses in surrounding area are institutional and residential
2. No evidence of recognized environmental conditions was identified in connection with the subject property.

2.0 INTRODUCTION

2.1 Purpose

The purpose of this Phase I Environmental Site Assessment is to identify recognized environmental conditions in connection with the subject property. The purpose of the investigation was to identify potential sources of contamination at the property and to satisfy the “all appropriate inquiry” requirement set forth in Section 9601(35)(B) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA). The assessment is intended to demonstrate that due diligence has been exercised as outlined by the ASTM Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process, E 1527-00, and is consistent with good commercial and customary practices.

The Phase I Environmental Site Assessment is being performed because the Buffalo General Hospital is seeking financing and intends to perform renovations/expansions to their facility.

2.2 Special Terms and Conditions

The findings and conclusions set forth in this report are based upon information that was available to ECEA during its inspection of the site. If new information becomes available concerning the site after this date, or if the site is used in the future in a manner other than that which is identified in this report, the findings and conclusions contained herein may have to be modified. Additionally, while this investigation was performed in accordance with good commercial and customary practice and generally accepted protocols within the consulting industry, ECEA cannot guarantee that the site is completely free of hazardous substances or other materials or conditions that could subject the owner or fiduciary to potential liability. The presence or absence of any such condition can only be confirmed through the collection and analysis of soil and groundwater samples, which was beyond the scope of this investigation.

Ethan C. Eldon Associates, Inc. assumes no responsibility for the property owner's actions in relation to the following:

- Violation of any federal, state or local statute or ordinance relating to identification of a hazardous substance or its constituents;

- Undertaking of, or arrangement for, the handling, removal, treatment, storage, transportation, or disposal of hazardous substances or constituents found or identified; and
- Changed conditions or hazardous substances or constituents introduced at the site by the Client or third person during or after the completion of services described in this report.

2.3 Limitations and Exceptions of Assessment

No materials testing, systems operational testing, remedial investigations or cost estimates have been performed in connection with this assessment. No enclosed spaces were investigated for this report. No regulations, codes or ordinances were reviewed. No systems or components were dismantled or disassembled. The findings contained herein are limited in nature and extent, and may represent only a portion of the possible findings.

2.4 Limiting Conditions and Methodology

The information provided in this report is based on the results of ECEA's site reconnaissance, information obtained through interviews with site personnel and information obtained from regulatory agencies. During the site reconnaissance, the property was visually and physically observed. Limitations at the time of the site inspection include that a vacant building could not be accessed for inspection and some areas of the site building could not be accessed for inspection because it would intrude on the privacy of the patients.

3.0 SITE DESCRIPTION

3.1 Location and Legal Description

The site is located between Michigan Avenue to the east and Ellicott Street to the west, and between East North Street to the north and High Street to the south, in the City of Buffalo, New York (see Figure 1). The site is identified in the Erie County tax records as (i) Section 100.79, Block 2, Lot 1; (ii) Section 100.80, Block 1, Lot 1; (iii) Section 100.71, Block 4, Lots 1 and 2; and (iv) Section 100.72, Block 6, Lot 1.1. The street address of the subject property is 100 High Street, Buffalo, New York.

3.2 Descriptions of Structures or Other Improvements on the Site

Buffalo General Hospital occupies two entire blocks which is divided by Goodrich Street.

Block on the south side of Goodrich Street (Main Building):

The site is developed with a 16-story building which is occupied by Buffalo General Hospital, a parking lot which is used by Buffalo General Hospital and a 3-story building which is occupied by Buffalo University. Heat is provided to these buildings by oil-fired boilers. Backup power is provided by emergency diesel-fueled generators. Cooling is provided by chilled water generated through a cooling tower on the roof of the building. The heat at the 3-story building occupied by Buffalo University is provided by a boiler in its basement.

Block on the north side of Goodrich Street:

The site is developed with a 3-story building, one 4-story vacant building and a 1-story power plant for boilers and backup generators. Heat is provided to the 3-story building by oil-fired boilers. Backup power is provided by emergency diesel-fueled generators. Cooling is provided by chilled water generated through a cooling tower on the roof of the buildings.

The surrounding area is serviced by public utility companies. Electricity is provided by the National Grid. Potable water is provided by the American Water Supply System. Sanitary wastes are discharged to the Buffalo City Public Sewer System. No evidence of wells, cesspools or septic tanks was observed on the

subject property.

3.3 Information Regarding Environmental Liens or Specialized Knowledge or Experience

According to Mr. Albert Kruger, Director of Real Estate of the Buffalo General Hospital, there are no environmental liens against the property.

3.4 Current Uses of the Property and Adjoining Properties

The 16-story building which is bounded by Goodrich Street to the north, Michigan Avenue to the east, High Street to the south and Ellicott Street to the west comprises the main hospital including examination rooms, operating rooms, physical therapy rooms, patient beds, clinical laboratories, and administrative offices. The 3-story building which is located at southeast corner in this Block is research laboratory which is occupied by the Buffalo University.

The 3-story building which is bounded by East North Street to the north, Michigan Avenue to the east, Goodrich Street to the south and Ellicott Street to the west comprise clinic offices, impatient rooms, laboratories and sports facility. The 4-story building at 112 Goodrich Street is vacant and no utilities are provided. The 1-story building in this block is the Hospital power plant which supplies heat and backup power.

The properties directly adjoining the site are:

- North: Across E. North Street, 1- and 2-story dwellings.
- East: Across Michigan Avenue, 2-story dwellings and 1-story commercial building.
- South: Across High Street, 4- and 7-story institutional buildings.
- West: Across Ellicott Street, a 13-story office building and a parking garage.

No industrial facilities were noted in the immediate area (in the Blocks containing the site or in the Blocks containing the adjoining properties). No gasoline filling stations were noted in the immediate area.

4.0 INFORMATION FROM HISTORICAL SOURCES

4.1 Interviews

No information on the history of the site was provided to ECEA through interviews. Mr. Albert Kruger, Director of Corporate Real Estate of the Buffalo General Hospital, provided access and accompanied ECEA during the site inspection. Mr. Albert Kruger provided information regarding the petroleum storage tank and biohazardous waste disposal.

4.2 Review of Prior Environmental Reports

ECEA was not provided with any prior environmental reports regarding the subject property for review.

4.3 Sanborn Fire Insurance Maps

In order to further document the past uses of the property and its surroundings, ECEA reviewed Sanborn fire insurance maps showing the property and portions of the adjacent properties for the years 1889, 1899, 1925, 1951, 1981 and 1986. These maps depict the following history:

1889: The subject property consists of 2- and 3-story hospital buildings (Buffalo General Hospital) with two tanks (one 2,000 gallon and one 1,000 gallon in capacity), 1- and 2-story dwellings, 1- and 2-story commercial buildings, 1- to 3-story manufacturing (Buffalo Co-Operative Brewing Company) and vacant land. The adjacent properties to the north across East North Street are 1- and 2-story dwellings and 3-story commercial buildings. The adjacent properties to the south across High Street are 2-story dwellings and 2- and 3-story commercial buildings. The adjacent properties to the west across Ellicott Street are 2-story dwellings and a 1-story commercial building. Information on the subject property to the east across Michigan Avenue is not provided.

1899: The subject property consists of 2- and 3-story hospital buildings (Buffalo General Hospital) with expansion, a 3-story nurse's home, 1- and 2-story dwellings, 1- and 2-story commercial buildings, 1- to 3-story manufacturing (Buffalo Co-Operative Brewing Company), a storage yard and vacant land. The adjacent properties to the north

across East North Street are 1- and 2-story dwellings and 3-story commercial buildings. The adjacent properties to the south across High Street are 2-story dwellings, 3-story commercial buildings and vacant land. The adjacent properties to the west across Ellicott Street are 2-story dwellings and a 1-story commercial building. Information on the subject property to the east across Michigan Avenue is not provided.

1925: The subject property consists of 2- and 3-story hospital buildings (Buffalo General Hospital) with more expansion than the 1899 in the south Block (bounded by High Street, Elm Street, Goodrich Street and Ellicott Street), a 2- and a 4-story hospital buildings (Buffalo General Hospital) on the north side of Goodrich Street, 1- and 2-story dwellings, 1- and 2-story commercial buildings, 1- to 3-story manufacturing (Monawk Products Co) and vacant land. The adjacent properties to the north across East North Street are 1- and 2-story dwellings and 3-story commercial buildings. The adjacent properties to the south across High Street are a 3-story institutional building (NY State Institute for Study of Malignant Diseases), 2-story dwellings, 3-story commercial buildings, a playground, and vacant land. The adjacent properties to the west across Ellicott Street are 2-story dwellings and a 1-story commercial building. Information on the subject property to the east across Michigan Avenue is not provided.

1951: The subject property consists of a 8-story hospital building (Buffalo General Hospital) in the south Block (bounded by High Street, Elm Street, Goodrich Street and Ellicott Street), a 2- hospital building and a 4-story nurse homes on the north side of Goodrich Street, 1- and 2-story dwellings, 1- and 2-story commercial buildings and vacant land. The adjacent properties to the north across East North Street are 1- and 2-story dwellings and 3-story commercial buildings. The adjacent properties to the south across High Street are a 3-story institutional building (Roswell Park Memorial Institute), 2-story dwellings, 3-story commercial buildings, a playground, and vacant land. The adjacent properties to the west across Ellicott Street are 2-story dwellings and 1- and 2-story commercial buildings. Information on the subject property to the east across Michigan Avenue is not provided.

1981: The subject property consists of an 8-story hospital building, a 2- and 3-story research building, a 1-story garage, a 3-story building for community mental health center, 2- and 4-story nurse homes, and a parking lot. The adjacent properties to the north across East North Street are 1- and 2-story new dwellings. The adjacent properties to the south across High Street are a 6-story institutional building (Roswell Park Memorial Institute), a 7-story institutional building with four underground oil tanks (#6 fuel oil, 100,000 gallons each), a 4-story building and vacant land. The adjacent properties to the west across Ellicott Street are a 3-deck parking garage and a 13-story medical building with a 2-deck garage. Information on the subject property to the east across Michigan Avenue is not provided.

1986: The subject property consists of a 16-story hospital building, a 2- and 3-story research building, a 1-story garage, a 3-story building for community mental health center, 2- and 4-story nurse homes, and a parking lot. The adjacent properties to the north across East North Street are 1- and 2-story dwellings. The adjacent properties to the south across High Street are a 6-story institutional building (Roswell Park Memorial Institute), a 7-story institutional building with four underground oil tanks (#6 fuel oil, 100,000 gallons each), a 4-story building and vacant land. The adjacent properties to the west across Ellicott Street are a 3-deck parking garage and a 13-story medical building with a 2-deck garage. Information on the subject property to the east across Michigan Avenue is not provided.

5.0 INFORMATION FROM SITE RECONNAISSANCE

5.1 Site Reconnaissance

On January 16, 2004, Aimee Petkus and Chunyuan Li of ECEA, conducted a site reconnaissance as part of this Phase I Environmental Site Assessment. During the reconnaissance, the property was visually and physically observed except for the 4-story building at 112 Goodrich Street which is vacant.

- The main building at the south side of Goodrich Street is 16 stories high and its uses are summarized below:

Sub-cellar: Laundry room, storage rooms and Magnetic Resonance Imaging (MRI).

Cellar: Emergency Service, Kitchen, Pharmacy storage, offices, Copy room, Warehouse/Storage room, Medical Record room, Mechanical rooms and Loading Dock.

1st Floor: Main lobby, Gift Shop, Coffee Service, Emergency Medicine, Medical Records rooms, Pharmacy, Corporate Offices and Conference room.

2nd Floor: Urology, X-ray diagnostic, Ultra Sound, Nuclear Medicine, Radiology, Orthopedics and Neurology.

3rd Floor: Doctors' Offices, Surgery Operating rooms and Laboratories.

4th Floor: Medical Photography, Offices and Library.

5th Floor: Surgery Operating rooms, Physical Therapy and Patient rooms.

6th Floor: Physician Offices and Patient rooms.

7th Floor: Administrative offices, Laboratories and Storage rooms.

8th Floor: Patient rooms and Laboratories.

9th-16th Floor: Patient rooms.

Roof-top

Penthouse: Mechanical Equipment room including elevator machine room.

- The 3-story building which is located at northwest corner of High Street and Michigan Avenue is occupied by Buffalo University. The building uses are summarized below:

Basement: Mechanical rooms and research laboratories

1st-3rd Floors: Research laboratories

- The 3-story building which is located at the west portion of the Block on the north side of Goodrich Street is summarized below:

1st Floor: Mechanical rooms, Storage rooms and Gyms.

2nd Floor: Inpatient rooms, Laboratories and Conference rooms

3rd Floor: Inpatient rooms, Storage rooms and Administration offices

Roof-top: Mechanical Equipment room including elevator machine room.

- The 1-story building which is located at the middle portion on the north side of Goodrich Street is used for boilers and backup generators.

No signs of distressed vegetation were observed at the site. No stained soil or petroleum or chemical odors were noted at the site. No evidence of cesspools or septic tanks was observed at the site.

5.2 Hazardous Substance Containers and Unidentified Substance Containers

The clinical laboratories store and use various hazardous substances in scientific testing procedures. Since no evidence of leaks or spills was observed from the hazardous substance containers on the site and because the site is connected to the municipal sewer system, it is unlikely that these would pose an environmental concern.

5.3 Storage Tanks

Two underground storage tanks (USTs) with operating capacity of 26,000 gallons

each are located in the middle portion on the north side of Goodrich Street and used for the boilers. One underground storage tank (UST) with operating capacity of 20,000 gallons is located at the north side of the 1-story building and used for the backup generators. A 500 gallon UST is located near the garage and used for ambulances.

There are also two above ground storage tanks (AST) with operating capacity of 250-gallon and 1,500-gallon containing diesel fuel, respectively. They are located in 1-story building. No evidence of leakage or spills was observed on the concrete floors beneath the ASTs.

A current New York State Department of Environmental Conservation petroleum bulk storage certificate (2-451320) was provided by the facility that expires 7/28/2008. Therefore, Buffalo General Hospital appears to be in compliance with federal and state petroleum bulk storage regulations.

5.4 PCBs

Polychlorinated Biphenyls (PCBs) are toxic coolants or lubricating oils used in some electrical transformers, light ballasts, electrical panels or other similar equipment. PCB transformers are no longer produced because of EPA's ban on the manufacture of new equipment containing PCB's.

Suspect PCB-containing equipment, transformers which are located at north side of Goodrich Street was observed at the site. No leaking or spills from the transformers was observed during the site visit. The transformers are maintained by Buffalo General Hospital. Since the suspect PCB-containing equipment, transformer is properly maintained it would not pose an environmental concern.

5.5 Solid Waste Disposal and Hazardous/Biohazardous Waste Disposal

Solid waste generated in the site buildings is picked up by a private carting company. No solid waste disposal at the site was observed.

Buffalo General Hospital is a registered small quantity hazardous waste generator facility (USEPA ID NYD074042292). Buffalo General Hospital had one RCRA hazardous waste violation and the case was closed in 1995.

Copies of recent Hazardous Waste Manifests and Medical Waste Tracking Forms were provided to ECEA for review.

Hazardous wastes are generated on site in the clinical laboratories. Hazardous Wastes are stored in plastic containers. Hazardous wastes from the entire Buffalo General Hospital are recorded on the manifest provided. Hazardous wastes are stored in the basement by the loading dock and removed under a contract with Tonawanda Tank Transport, private registered hazardous waste transport and disposal companies.

Biohazardous wastes are generated on site in the examination rooms and operating rooms. Sharps are stored in plastic sharps containers labeled with a biohazard placards. Biohazardous wastes are stored in the basement by the loading dock and removed under a contract with Stericycle, Inc., a private registered medical waste transport and disposal company.

The facility appears to be in compliance with federal, state, and local regulations and it is unlikely that the generation and disposal of hazardous and biohazardous wastes at the site would pose an environmental concern.

5.6 Asbestos

The USEPA has identified over 3,000 products used in building containing asbestos fibers. The site inspection of the premises is to determine the presence of friable asbestos, as defined by the Federal Environmental Protection Agency as any material, which may be pulverized with hand pressure. This material has the potential to release asbestos fibers into the atmosphere and in turn may hazardous to the building occupants' health.

ECEA has not inspected for or included in the report any building materials, which may contain non-friable asbestos such as vinyl asbestos floor tiles, exterior asbestos shingles, asbestos roofing felts, etc. Many of these materials are still manufactured today and not considered hazardous unless the material is cut, sawed, or grounded in a manner that might release asbestos fibers into the atmosphere.

ECEA have used the 4-category system as defined by Asbestos Hazardous Emergency Response Act (AHERA) to designate the different conditions of asbestos noted throughout the areas of the site.

1. Good Condition

Material with no visible damage or deterioration to very limited damage of

deterioration

2. Fair Condition

Material with one or more of the following characteristics:

- *A few water stains or less than one tenth of insulation with missing jackets.*
- *Crushed insulation or water stains, gouges, puncture or mars on up to one tenth of the insulation if the damage is evenly distributed (or up to one quarter if the damage is localized).*

3. Poor Condition

Material with one or more of the following characteristics:

- *Missing jackets on at least one tenth of the piping equipment.*
- *Crushed or heavily gouged or punctured insulation on at least one tenth of pipe runs/risers, boiler, tank duct, etc., if the damage is evenly distributed (one quarter if the damage is localized).*

4. Significantly Damaged

Thermal systems insulation on pipes, boilers, tanks, ducts, and other thermal system insulation equipment which the insulation has lost its structural integrity, or its covering, in whole or in part, is crushed, water-stained, gouged, punctured, missing, or not intact such that is not able to contain fibers. Damage may be further illustrated by occasional puncture, gouges, or other signs of physical injury to asbestos containing material (ACM); occasional waster damage on the protective coverings/jackets; or exposed ACM ends or joints. Asbestos debris, originating from the ACM in question may also indicate damage.

Asbestos Findings

No friable asbestos containing material was observed in any of the accessible areas of the buildings. No enclosed spaces were inspected.

6.0 PHYSICAL SETTING ANALYSIS

6.1 Geology and Hydrogeology of the Surrounding Area

The property is located in central Buffalo city. The area surrounding the property is classified as urban land, with greater than 80 percent of the land surface covered by concrete, asphalt or other impervious building materials.

The topography in the vicinity of the site slopes gently to the northwest. The elevation of the subject site is approximately 660 feet above mean sea level. According to a Flood Insurance Rate Map published by the Federal Emergency Management Agency's National Flood Insurance Program, the site is not located within the 100-year flood hazard area.

Depth to groundwater at the site is unknown. The estimated groundwater flow direction beneath the site is to the west, based on a USGS topographic map and on the location of the Lake Erie, which is a groundwater discharge point, located within one and one-half miles of the site. The surface runoff at the site drains westward toward Lake Erie. The direction of groundwater flow at the site may vary, depending on local geology. The groundwater depth and flow direction at the site can only be confirmed by a hydrogeological study, which was beyond the scope of this investigation.

East of Lake Ontario, elevations increase to form the Tug Hill Plateau. South of the lake and across the Mohawk Valley, the land surface rises to form the Allegheny Plateau. This plateau forms the northern end of the extensive Appalachian Plateaus, which extend to the southwest. The plateau boundary curves eastward across New York south of Rochester and Syracuse, to the Helderberg Escarpment southwest of Albany. The plateau surface rises in this direction until it becomes the Catskill Mountains. Rivers and their tributaries have cut the originally level Appalachian Plateaus into hilly uplands. The branching drainage pattern typically is developed by streams eroding horizontal layers of rock. Some of the north-south stream valleys were broadened and deepened by glacial ice, then dammed by glacial debris to form lakes.

7.0 RECORDS REVIEW

The purpose of the records review for the property is to obtain and review records that will help identify recognized environmental conditions in connection with the property. The records reviewed pertain not just to the subject property, but also to surrounding properties within ASTM-designated search distances. This information is gathered from reasonably ascertainable standard sources. The sources reviewed and the information obtained is provided below.

7.1 Freedom of Information Requests

Freedom of information requests were filed with the New York State Department of Environmental Conservation (NYSDEC), the Erie County Department of Health (ECDOH), and the Erie County Fire Department (ECFD) for the subject property. Information was requested concerning records of underground and aboveground storage tanks, hazardous waste storage, spills, violations and environmental liens on the property. Copies of the requests are provided in Appendix. The record search from the ECFD indicates that Buffalo General Hospital installed a 500 gallon UST in 1951, a 5,000-gallon UST in 1980, a 5,000-gallon UST in 1983 and a 10,000-gallon UST in 1984. No responses from the NYSDEC and ECDOH have been received to date. If we receive a response that contains environmentally significant information, a letter will be forwarded providing the information as a supplement to this report.

7.2 Federal Environmental Databases

ECEA reviewed federal environmental databases to identify sites of known contamination in the vicinity of the subject site. The results are provided below.

7.2.1 National Priorities List Sites

The National Priorities List (NPL) is the U.S. Environmental Protection Agency (USEPA) database of uncontrolled or abandoned hazardous waste sites identified for priority remedial action under the Superfund Program.

ASTM standards require the reporting of NPL sites within a one-mile radius of the subject property, including the subject property. A review of the October 2005 NPL revealed that there are no NPL sites listed within a one-mile radius of the subject property.

7.2.2 CERCLA Sites

The Comprehensive Environmental Response, Compensation and Liability Information System (CERCLIS) list is a compilation by the USEPA of sites which have been investigated for a release of hazardous substances under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA).

ASTM standards require the reporting of CERCLA sites within a half-mile radius of the subject property, including the subject property. ASTM standards also require the reporting of CERCLA sites for which No Further Remedial Action is Planned (NFRAP) on the subject property and adjoining sites. A review of the September 2005 CERCLIS database indicated that there are no CERCLA sites listed within a half-mile radius of the subject property. According to the August 2005 CERCLIS-NFRAP database, neither the subject property nor any of the adjoining properties are listed as CERCLA-NFRAP sites.

7.2.3 Hazardous Waste Handlers

*RCRIS TSD - Resource Conservation Recovery Information System -
Treatment, Storage and Disposal:*

The USEPA Office of Solid Waste and Emergency Response produces the Resource Conservation and Recovery Information System list of treatment, storage and disposal (TSD) facilities. The report contains information concerning facilities tracked by the RCRA Administrative Action Tracking System (RAATS) that either treat, store or dispose of hazardous waste.

ASTM standards require the reporting of RCRA TSD facilities within a half-mile radius of the subject property, including the subject property. A review of the October 2005 update of the database indicated that there are no TSD facilities within a half-mile radius of the subject property.

*RCRIS HWG - Resource Conservation Recovery Information System
Hazardous Waste Generators*

The USEPA Office of Solid Waste and Emergency Response produces the Resource Conservation and Recovery Information System list of small quantity and large quantity hazardous waste generators. The report contains information pertaining to facilities tracked by RAATS that either generate more than 100 kg of

hazardous waste per month or meet other applicable requirements of the Resource Conservation and Recovery Act.

ASTM standards require the reporting of RCRIS hazardous waste generators on the subject property and adjoining sites. According to the October 2005 update of the database, the subject property was identified as a registered small quantity hazardous waste generator facility (USEPA ID NYD074042292) and two adjoining properties (50 and 73 High Street) were identified as a registered small quantity hazardous waste generator facility (USEPA ID NYD982179434 and NYR000130849). The subject property (BGH) facility received one violation in June 19, 1995 and achieved regulatory compliance in June 23, 1995. Based on the status, this violation is of no environmental concern. Since no other violations exist on the subject property it is unlikely that the on-site small quantity hazardous waste generator facility would pose an environmental concern. Since there are no RCRA violations on the adjoining sites, it is unlikely that the small quantity hazardous waste generator facility on the adjoining site would pose an environmental concern to the subject property.

CORRACTS - Corrective Action Report

The Corrective Action Report is a list prepared by the USEPA of hazardous waste handlers with RCRA violations and corrective action activity.

ASTM standards require the reporting of CORRACTS sites listed within a one-mile radius of the subject property, including the subject property. A review of the October 2005 update of the database indicated that there are two CORRACTS sites listed within a one-mile radius of the subject property.

Trico Products Corporation Plant
817 Washington Street
Buffalo, New York
Location: approximately 2,000 feet to the southwest.

Buffalo Tin Plating
194 Oak Street
Buffalo, New York
Location: approximately 5,000 feet to the south-southwest.

Due to the distance it is unlikely that these two CORRECTS sits would pose an environmental concern to the subject property.

7.2.4 Emergency Response Notification System

The USEPA Office of Solid Waste and Emergency Response compiles the Emergency Response Notification System (ERNS), which is a national computer database system used to store information on the sudden and/or accidental release of hazardous substances, including the spill location, the substance released and the responsible party.

ASTM standards require the review of the ERNS database for the subject property only. According to the December 2004 ERNS report, there is no listing for the subject property.

7.3 New York State Environmental Databases

ECEA reviewed New York State environmental databases to identify sites of known contamination in the vicinity of the subject site. The results are provided below.

7.3.1 Inactive Hazardous Waste Disposal Sites

The New York State Department of Environmental Conservation (NYSDEC) is responsible for the investigation, monitoring and cleanup of hazardous waste sites in New York State. State hazardous waste sites are the state equivalent to CERCLIS. Priority sites planned for cleanup using state funds are identified along with sites where cleanup will be paid for by potentially responsible parties.

ASTM standards require the reporting of Inactive Hazardous Waste Sites listed within a one-mile radius of the subject property, including the subject property. A review of the August 2005 report indicated that there are two inactive hazardous waste sites listed within a one-mile radius of the subject property.

Osmose Inc
980 Ellicott Street
Buffalo, New York 14209
Location: approximately 1,600 feet to the north.
Status: site is properly closed

Diarsenol Company
84 Kingsley Street

Buffalo, New York

Location: approximately 4,800 feet to the northeast.

Status: site is properly closed

Since both sites are properly closed it is unlikely that these two Inactive Hazardous Waste Sites would pose an environmental concern to the subject property.

7.3.2 Voluntary Cleanup Program Sites

The NYSDEC publishes a list of contaminated sites that use private funds to remediate the site to levels allowing for its productive use.

ASTM standards require the reporting of Voluntary Cleanup Program Sites within a half-mile radius of the subject property, including the subject property. A review of the directory of August 2005 indicated there is one Voluntary Cleanup Program Site listed within a half-mile radius of the subject property.

Buffalo City Mission

150 East North Street

Buffalo, New York 14203

Location: Approximately 870 feet to the northeast.

The description for this site states: "... The application included an assessment conducted in 2004 which revealed no evidence of recognized environmental condition in connection with the subject property..." Based on the site description it is unlikely that this Voluntary Cleanup Program Site would pose an environmental concern to the subject property.

7.3.3 Solid Waste Facilities

SWF/LF - Solid Waste Facility/Landfill

The NYSDEC publishes a list of Solid Waste Facilities, which include landfills, incinerators, transfer stations and other sites that manage solid wastes, known as the Solid Waste Facility Directory.

ASTM standards require the reporting of State Solid Waste Facilities within a half-mile radius of the subject property, including the subject property. A review of the directory of July 2005 indicated there are no Solid Waste Facilities listed within a half-mile radius of the subject property.

7.3.4 State UST List

The NYSDEC maintains a database that lists registered Underground Storage Tanks (USTs). ASTM standards require reviewing this list for the subject property and adjoining sites.

PBS - Petroleum Bulk Storage

The PBS database lists facilities that have petroleum storage capacities in excess of 1,100 gallons and less than 400,000 gallons. A review of the directory of January 2002 indicated that the subject property is a registered petroleum bulk storage facility (PBS ID: 2-091065).

The Buffalo General Hospital
100 High Street
Buffalo, NY 14203
PBS ID: 9-451320
Location: subject property.

Buffalo General Hospital is registered as having two 26,000-gallon underground storage tanks in service which were installed 6/1/1967. There was one spill on the subject property. But the spill has been cleaned up and the case was closed. Three other USTs (one 5,000 gallon no. 2 fuel oil UST, one 10,000 gallon no. 2 fuel oil UST and one 500 gallon gasoline UST,) were closed and removed in October 1998. The USTs on the subject property would not pose an environmental concern.

A review of the directory of January 2002 indicated that that the adjoining property is a registered petroleum bulk storage facility (PBS ID: 2-091065).

Roswell Park Cancer Institute-NYSDOH
666 Elm Street (@Carlton)
Buffalo, NY 14263
PBS ID: 9-125415
Location: adjoining property.

Roswell Park Cancer Institute is registered as having two 26,500-gallon underground storage tanks (installed in 1966) are temporarily out of service. There was one spill on this adjoining property. But the spill has been cleaned up and the

case was closed. The USTs on the adjoining property would not pose an environmental concern.

CBS - Chemical Bulk Storage

The CBS database lists facilities that store regulated hazardous substances in tanks of any size. A review of the directory of January 2002 indicated that neither the subject property nor adjoining properties are identified as a chemical bulk storage facility.

MOSF - Major Oil Storage Facility

The MOSF database lists onshore facilities or vessels with petroleum storage capacities of 400,000 gallons or greater. A review of the directory of January 2002 indicated that neither the subject property nor adjoining properties are identified as a major oil storage facility.

7.3.5 State Spills Database

The NYSDEC provides a database of spills of petroleum products and other hazardous materials reported to their department. This database contains information on active and inactive spills from both stationary and non-stationary sources, including Leaking Storage Tanks (LTANKS), and spills from minor sources such as motor vehicle accidents and the like (NY SPILLS).

ASTM standards require the review of LTANK spills that occurred within a half-mile radius of the subject property. A review of the November 2005 report indicated that there were 2 NY Spills and 25 LTANKS spill sites within a half mile of the subject property (including the spill on the subject property) reported to the NYSDEC and no NY SPILLS sites.

The approximate numbers of spill sites within specified distance intervals from the property are as follows:

| | <u>Distance Interval</u> <u>from Property</u> | <u>Number of Spill Sites</u> |
|-----------|--|------------------------------|
| NY Spills | 0-1/8 mi. | 2 (2 closed, 0 active) |
| LTANKS: | 0 - 1/8 mi. | 1 (1 closed, 0 active) |
| | 1/8 - 1/4 mi. | 9 (9 closed, 0 active) |
| | 1/4 - 1/2 mi. | 15 (14 closed, 1 active) |

An “active” spill is defined by the NYSDEC as a spill that has not been cleaned up and/or for which the associated paperwork is not complete. A “closed” spill is listed as cleaned up, investigation closed, which indicates that the spill has been resolved to the satisfaction of the NYSDEC.

One active spill occurred in the air approximately 2,400 feet west of the subject site. The estimated groundwater flow direction in the vicinity of the subject property is to the west-southwest. The active spill occurred in down-gradient from the subject property with respect to the local groundwater flow. It is unlikely that contaminants from this spill would have migrated to the subject property to cause adverse environmental impacts on the subject property.

7.3.6 Radon

The New York State Department of Health maintains statistics on radon gas levels in New York State. In the area of Buffalo, 683 homes have been tested for radon gas to date. These tests yielded an average radon concentration of 1.16 picocuries per liter (pCi/L). This value is below the USEPA action level of 4.0 pCi/L. Thus, it is not likely that radon gas poses a significant environmental hazard to the subject property.

8.0 FINDINGS AND CONCLUSIONS

8.1 Findings

The findings of this Phase I Environmental Site Assessment relating to the general condition of the subject property are summarized as follows:

1. Buffalo General Hospital has a 16-story hospital building with two-level basement, a 2- and 3-story research building (occupied by Buffalo University), a 1-story garage, a 3-story building for community mental health center, a 1-story building for boilers and generators, a 4-story vacant building and two parking lots. The land uses in surrounding area are institutional and residential
2. No evidence of recognized environmental conditions was identified in connection with the subject property.

8.2 Conclusions

ECEA performed a Phase I Environmental Site Assessment in conformance with the scope and limitations of ASTM Practice E 1527-00 of the property (100 High Street) identified in Erie County records as (i) Section 100.79, Block 2, Lot 1; (ii) Section 100.80, Block 1, Lot 1; (iii) Section 100.71, Block 4, Lots 1 and 2; and (iv) Section 100.72, Block 6, Lot 1.1, in the City of Buffalo, New York. Any exceptions to or deletions from this practice are described in Section 2 of this report.

This assessment has revealed no evidence of recognized environmental conditions in connection with the subject property.

9.0 DISCLAIMER

Under no circumstance is any liability of ECEA to exceed the amount of the fee paid for this report.

10.0 SIGNATURES OF ENVIRONMENTAL PROFESSIONALS

Ethan C. Eldon Associates, Inc.

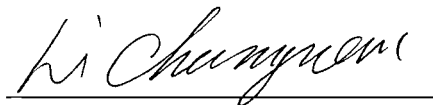
Investigator



Aimee Petkus
Environmental Scientist

Date 1/30/06

Investigator



Chunyuan Li, Ph.D., P.E.
Technical Director

Date 1/30/06

Reviewer



Ethan C. Eldon
President

Date January 30, 2006

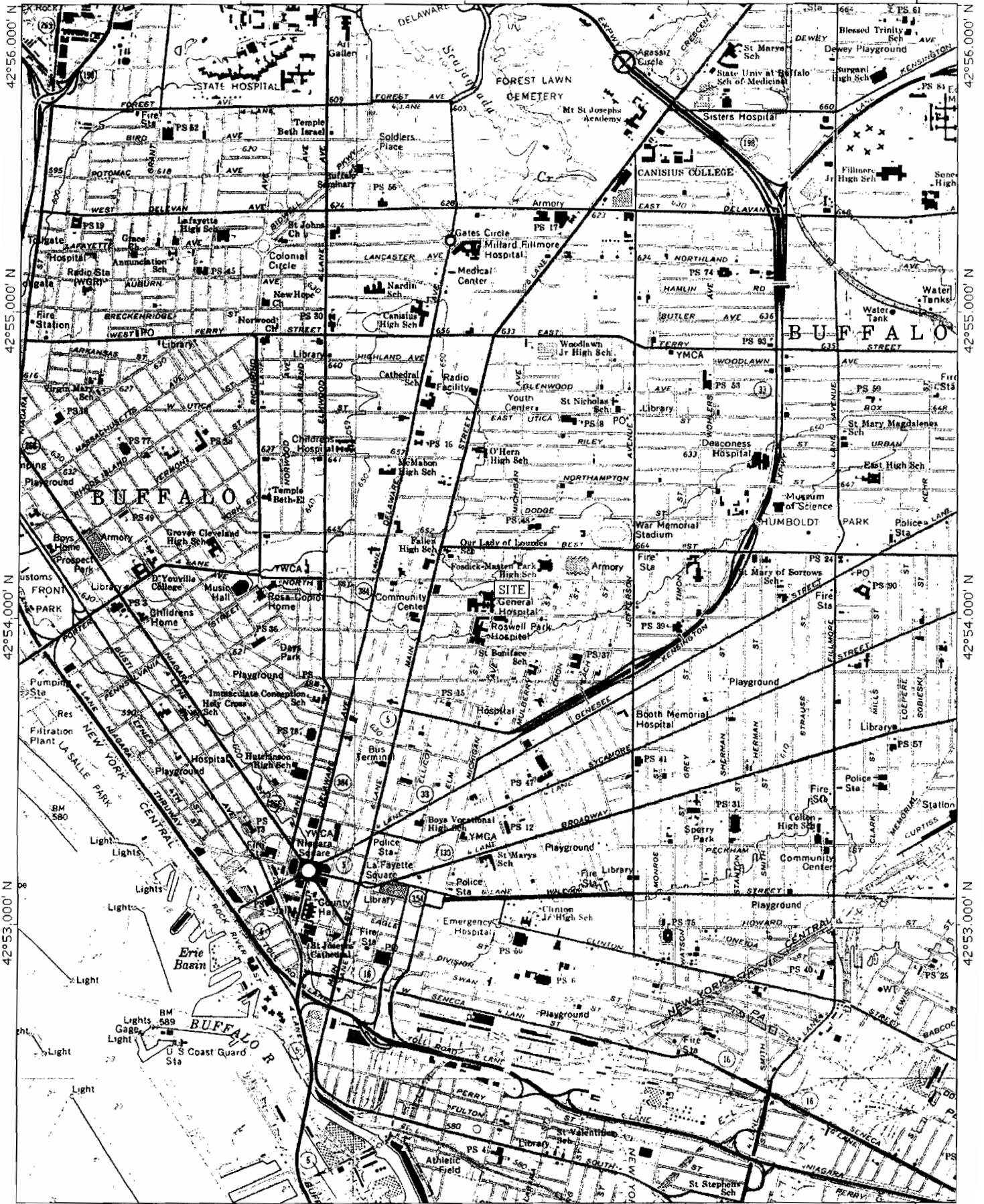
Figure 1 Site Location Map, 100 High Street, Buffalo, N.Y.

78°53.000' W

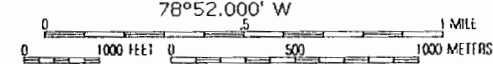
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78°51.000' W

WGS84 78°50.000' W

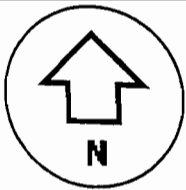
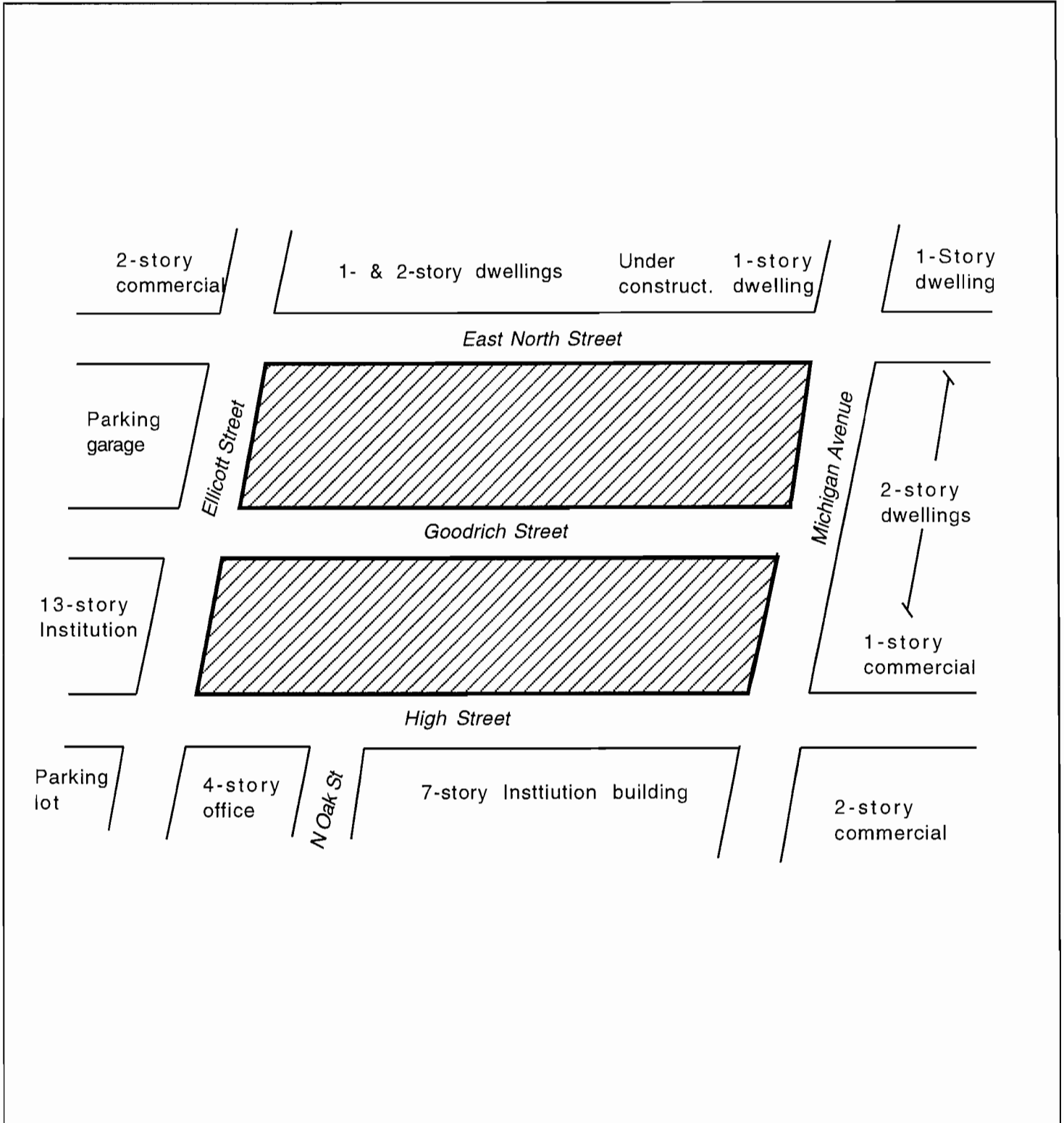


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100 High Street, Buffalo, New York



SITE

Not to scale

**Figure 2
SITE LAYOUT**

APPENDIX A

Sanborn Maps and Tax Map



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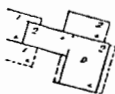
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BEST

STREET

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A. F. SCHEU - MALT HOUSE

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STREET

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MAIN

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CALEDONIAN
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CLUB

JOHN'S
LIVERY

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OAK

EAST NORTH

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Beer Garden

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ELLICOTT

GOODRICH

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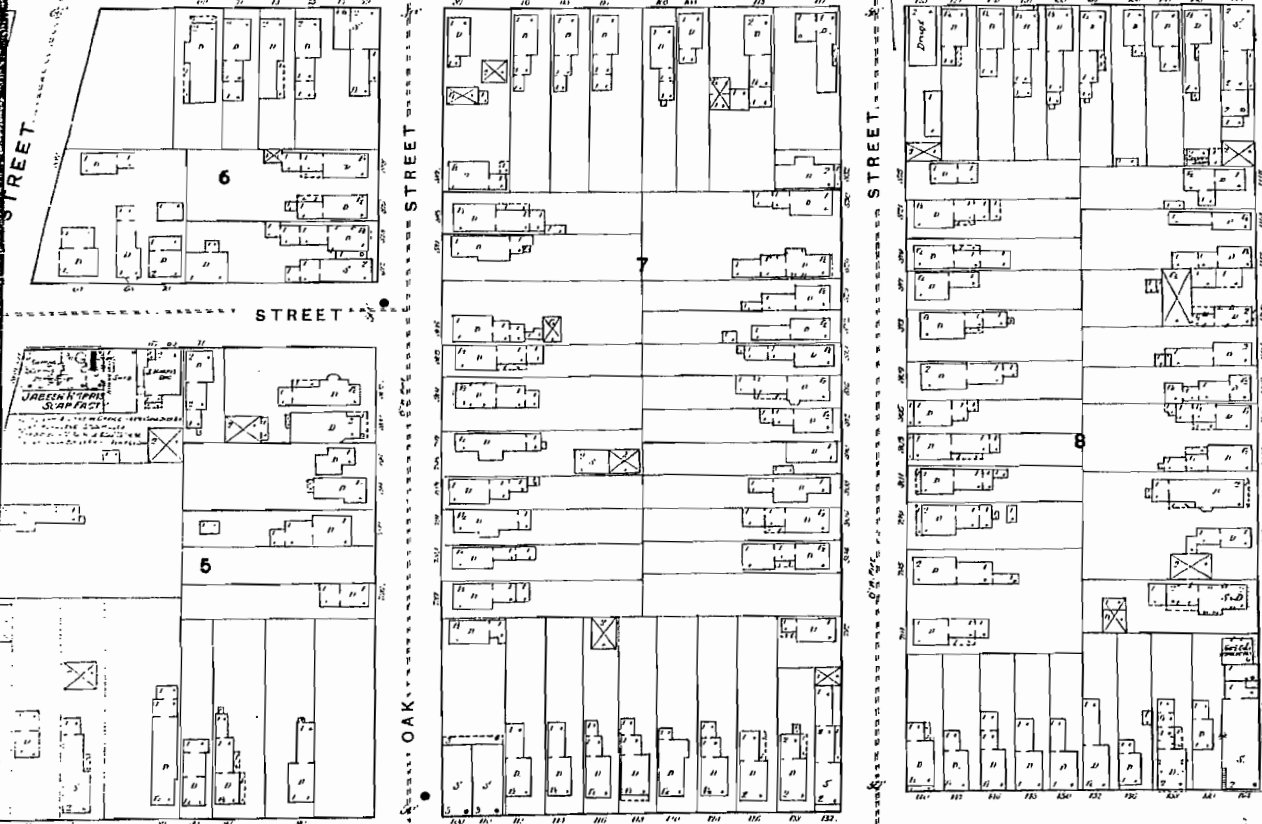


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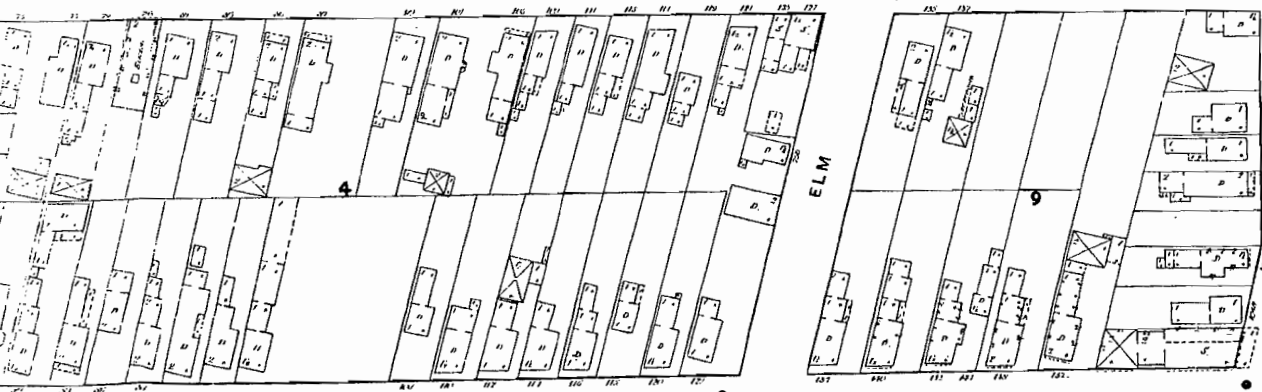
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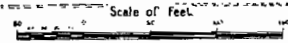
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STREET



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See Volume 3



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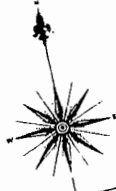
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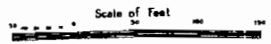
CALENDAR
DINING & READING CLUB

E. NORTH

GOODRICH

ELLCOTT

WILMONT



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GODDRICH

UNIVERSITY OF BUFFALO

HIGH

GERMAN AMERICAN BREWING CO.

WASHINGTON

ELLCOTT

262

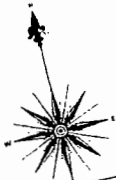
OAK

CARLTON

255

Scale of Feet.

S E E E MAIN



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278

276

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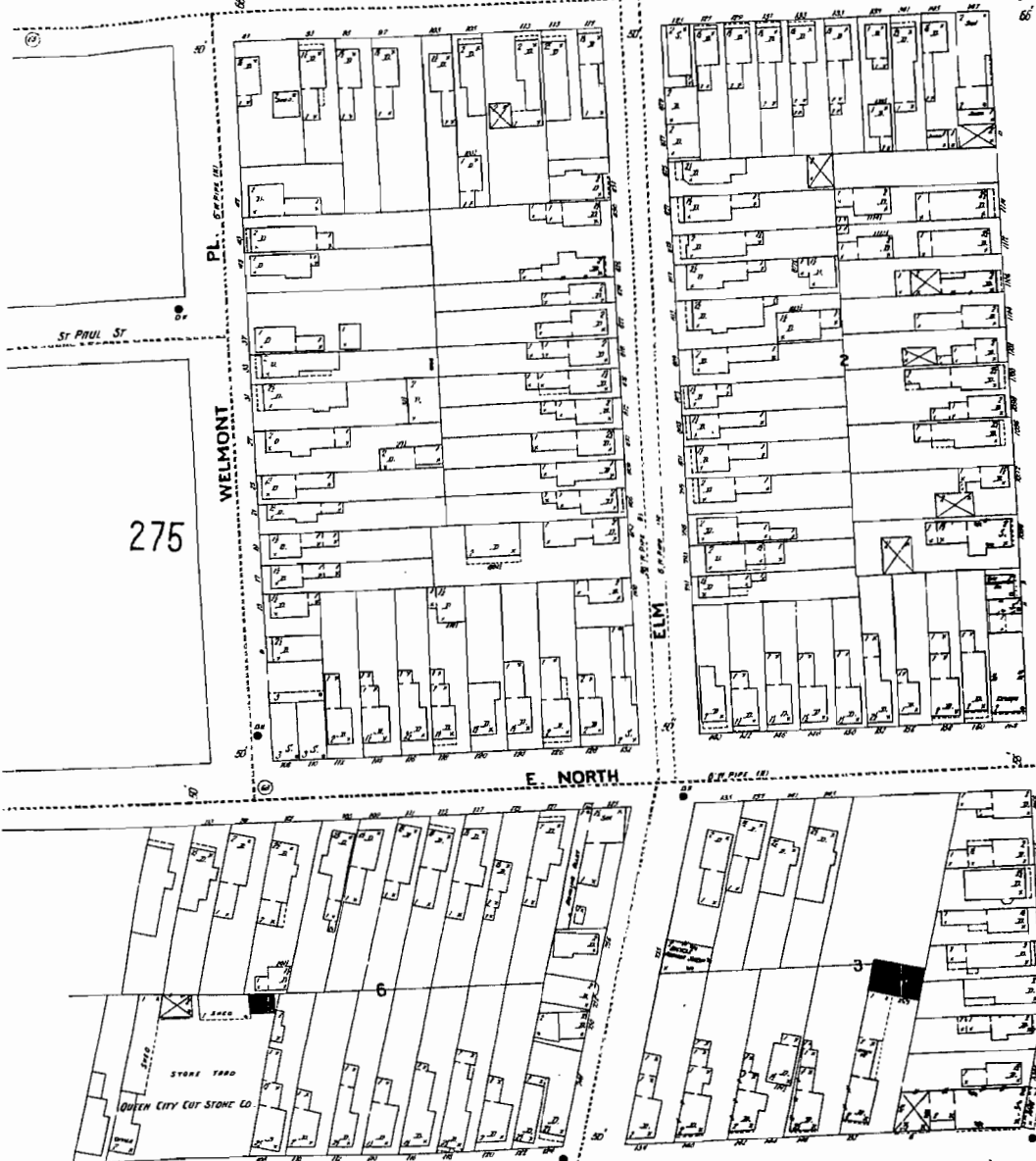
E. NORTH

263

GOODRICH

262

Scale of Feet.



STORE TRAD
LOWEN CITY CUT-STONE CO.

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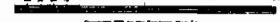
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ELLCOTT

WELMONT PL.

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Scale of Feet



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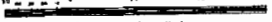
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GOODRICH

UNIVERSITY OF BUFFALO
LABORATORIES

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MAIN

Large Office of Messrs
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High St Bldgs.

WASHINGTON

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68

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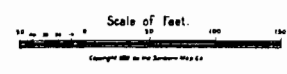
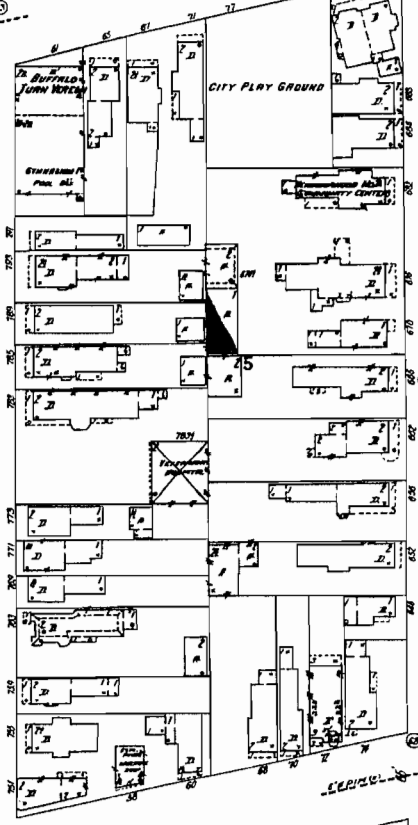
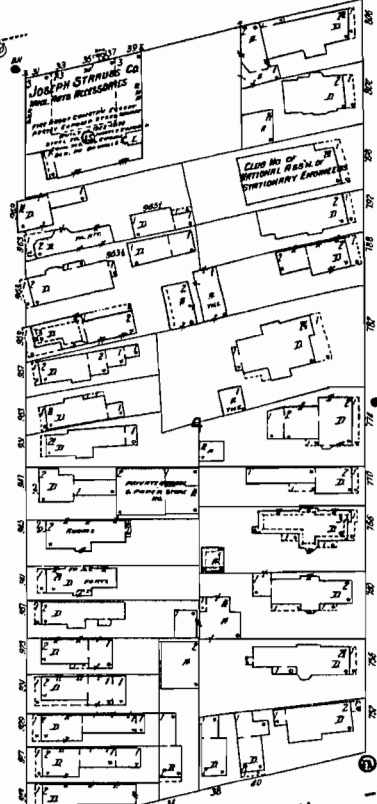
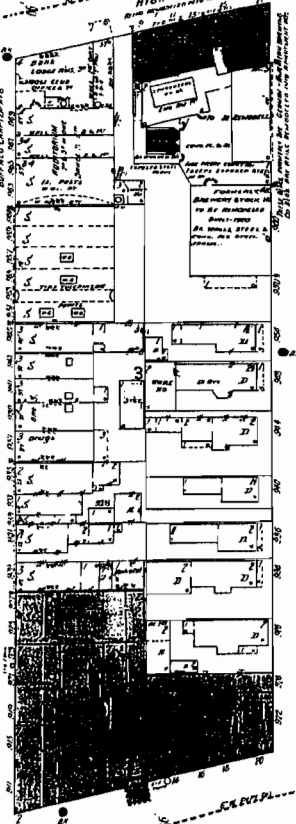
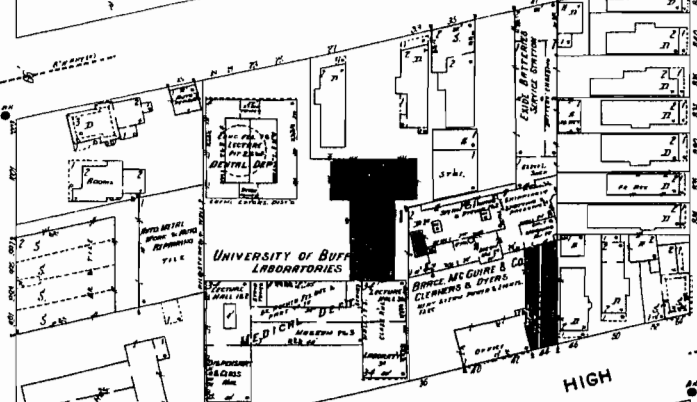
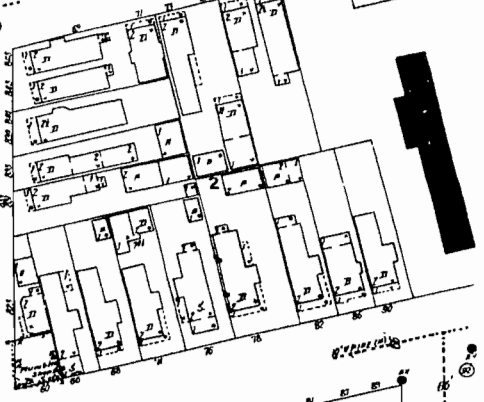
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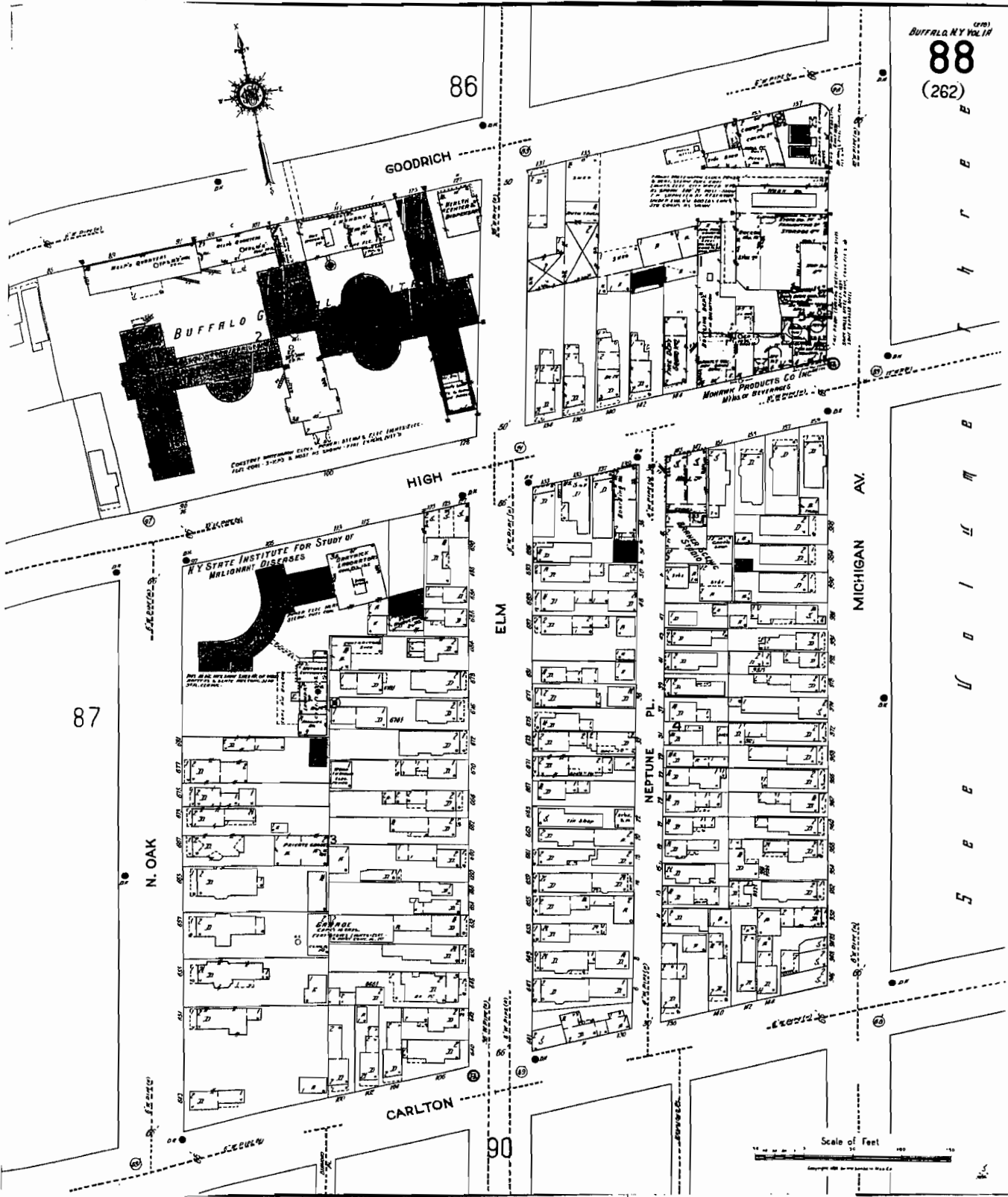
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NEPTUNE PL

MICHIGAN AV.

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86

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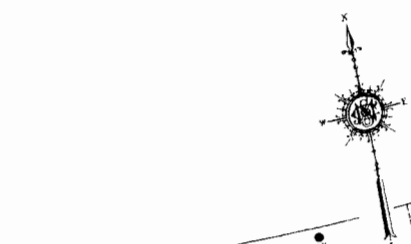
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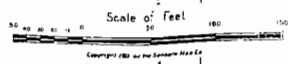
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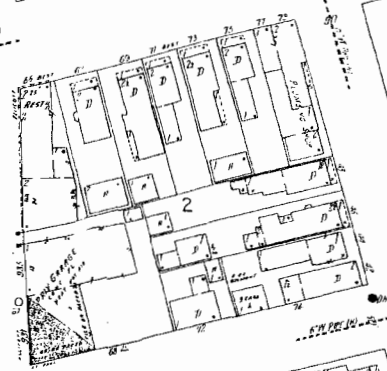
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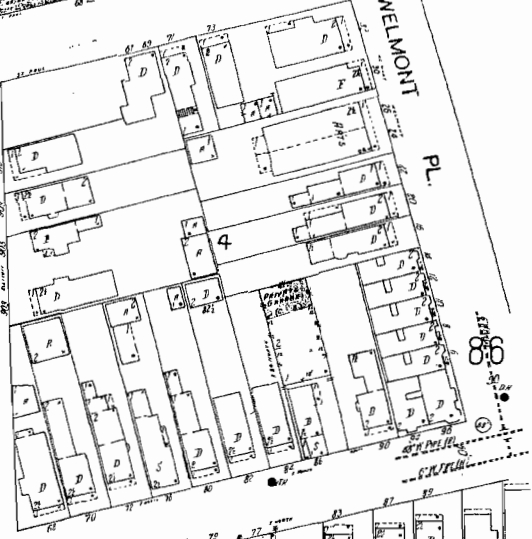
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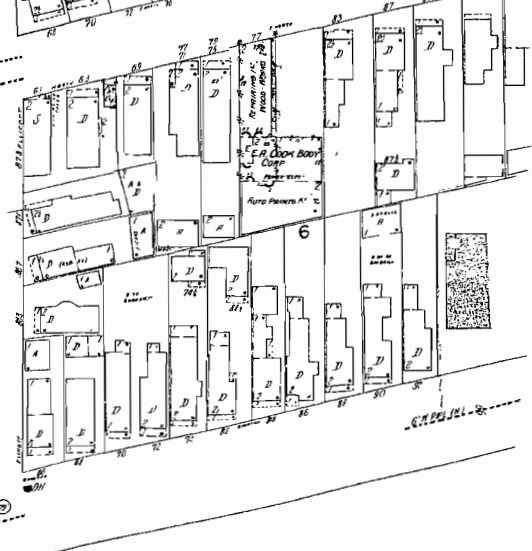
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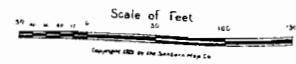
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87





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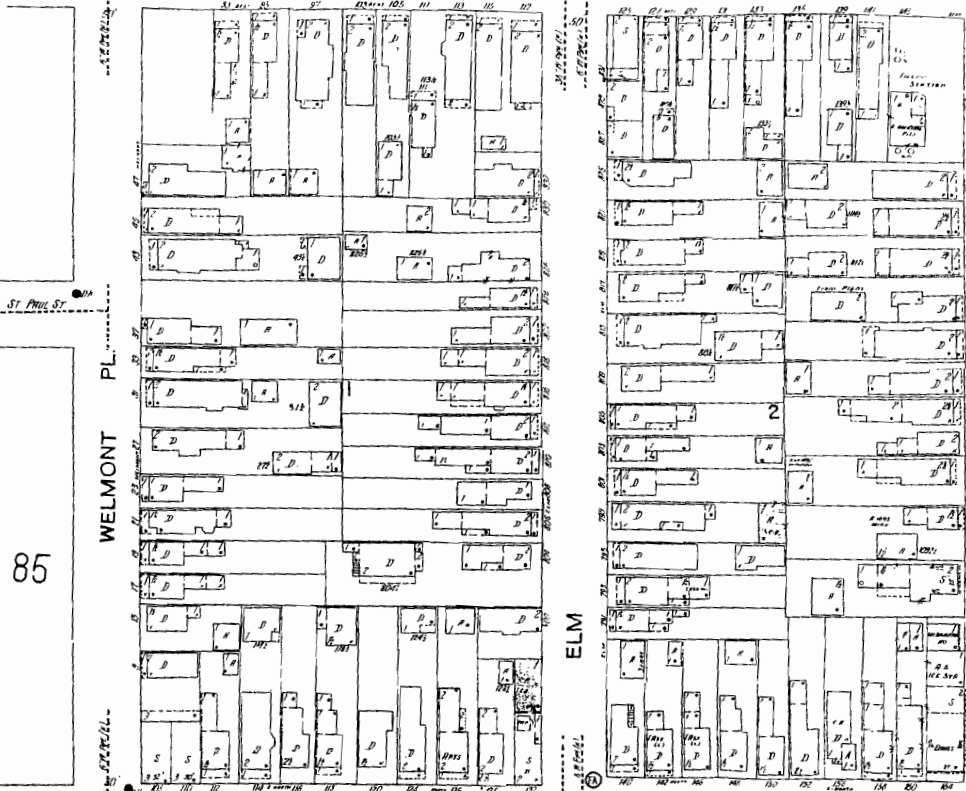
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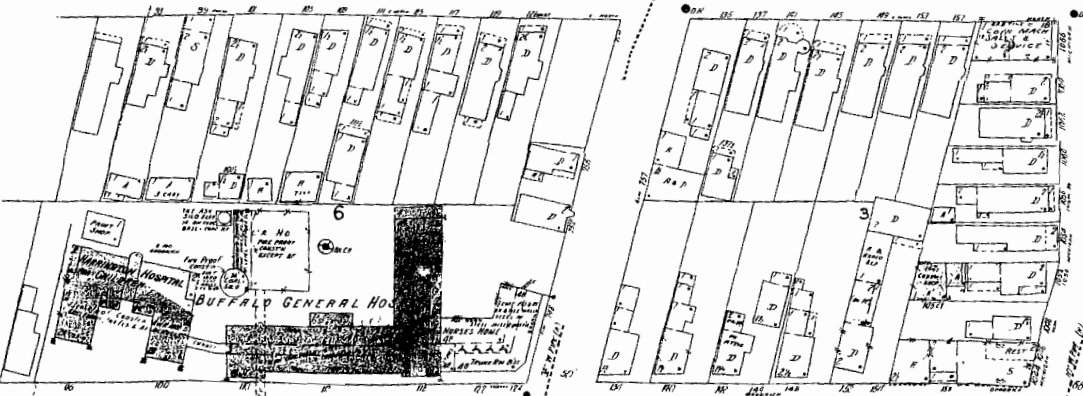
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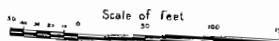
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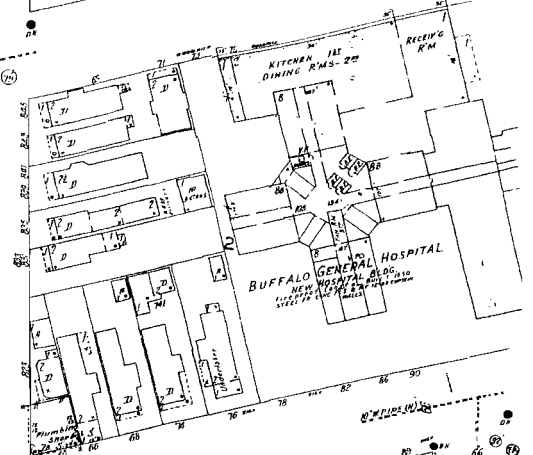
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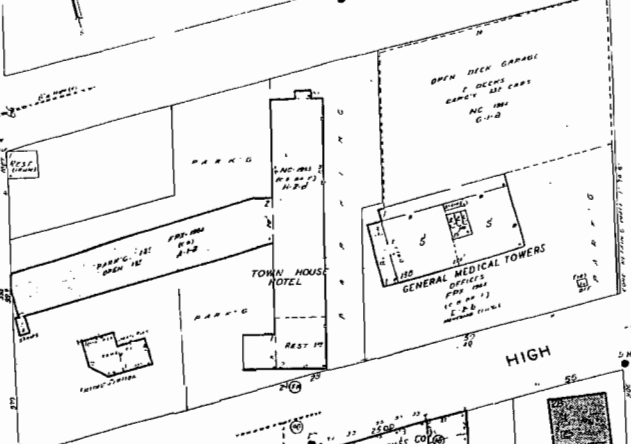
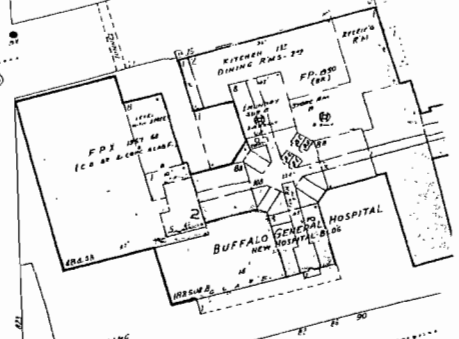


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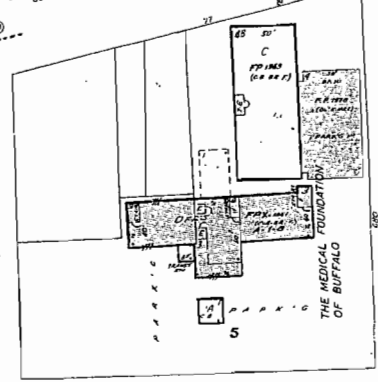
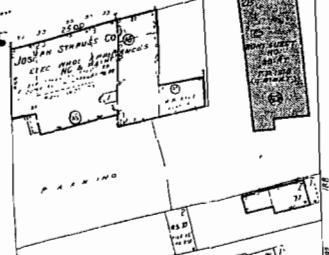
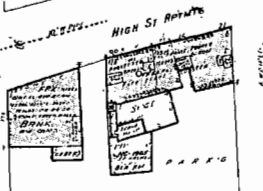
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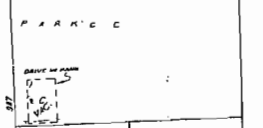
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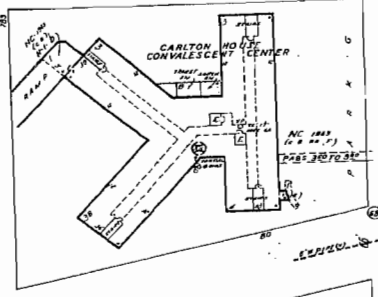
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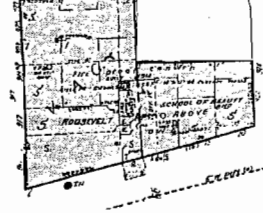
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68



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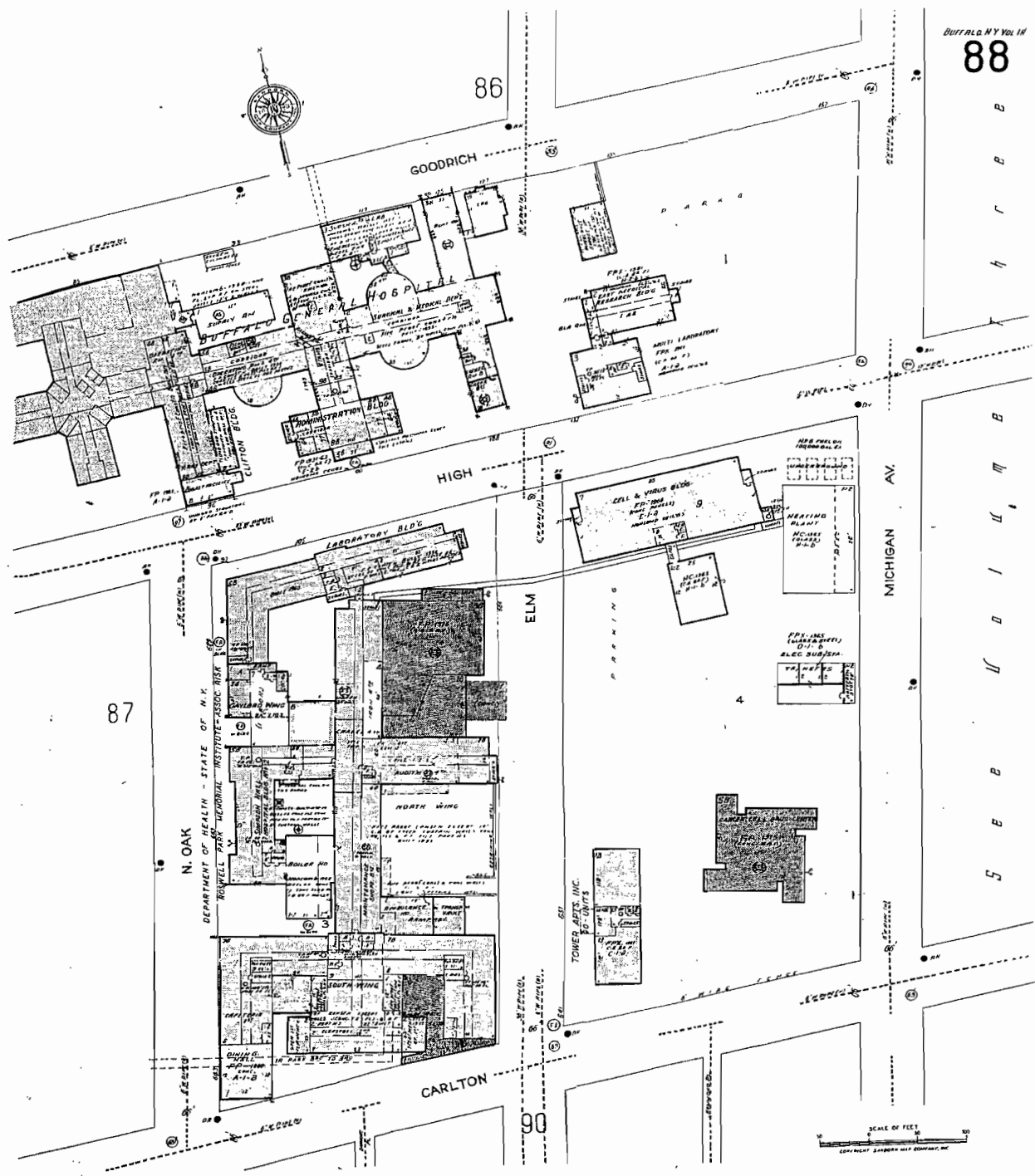
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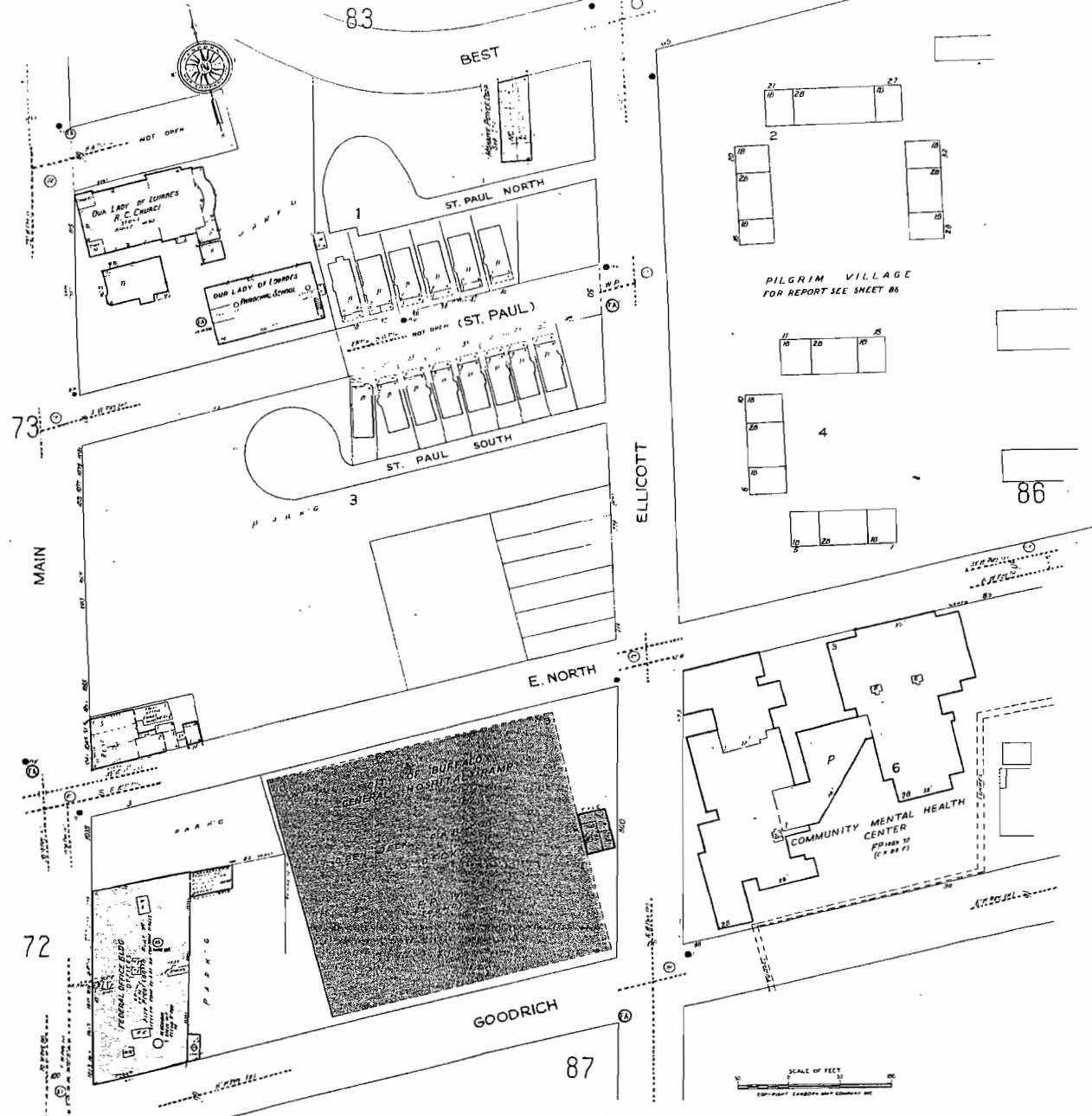
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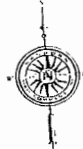
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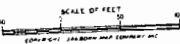
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MAY 11, 1918

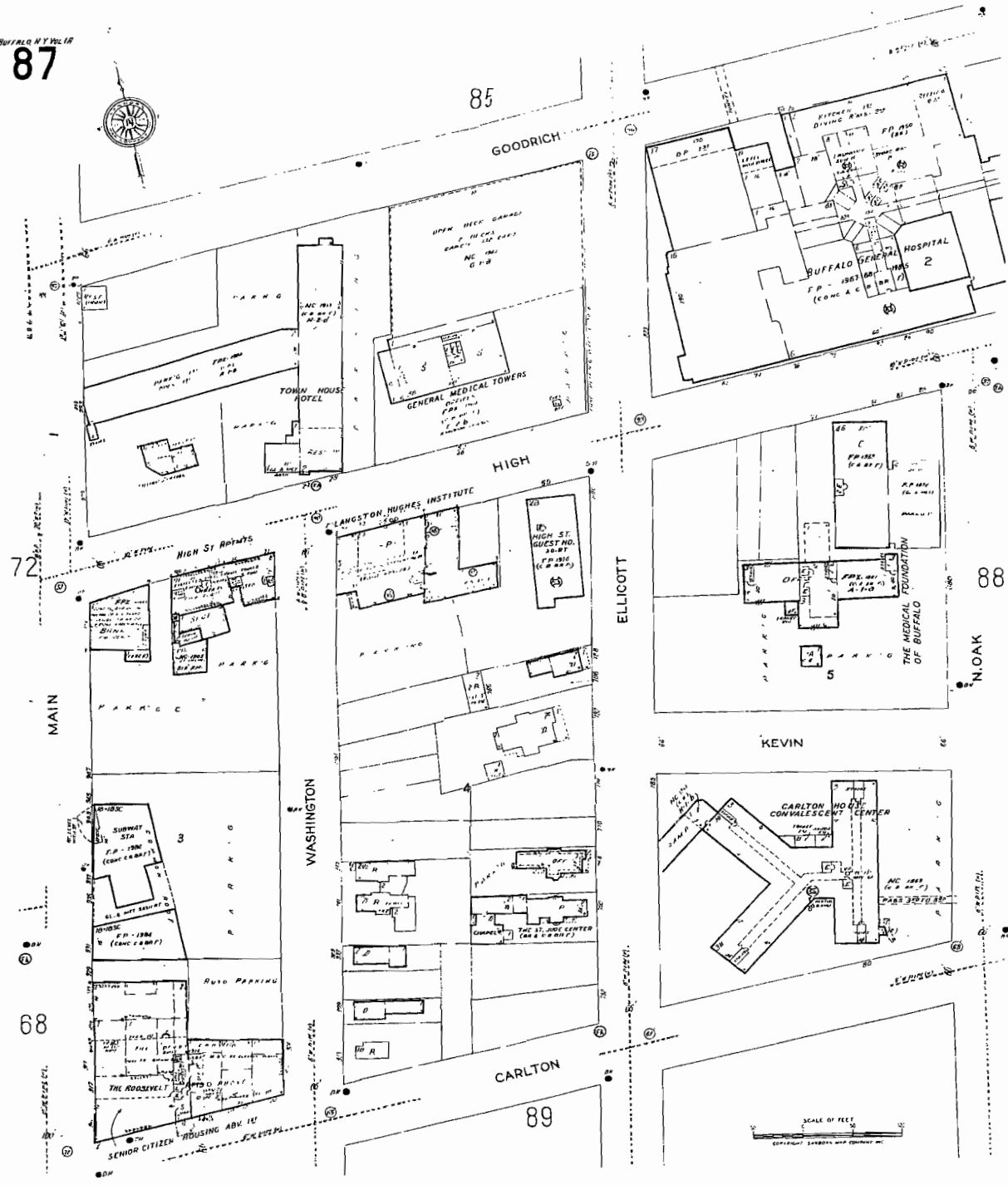


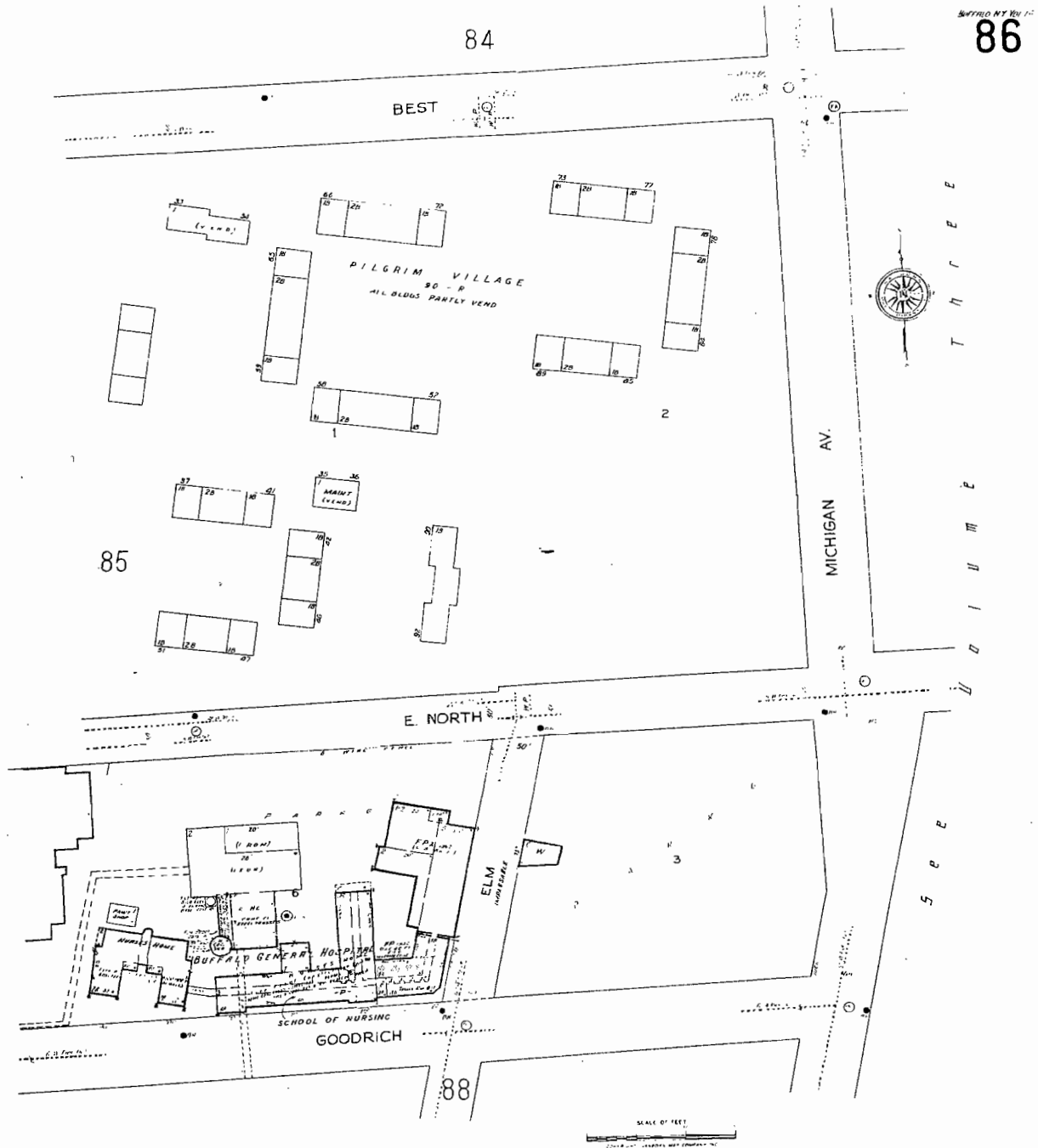
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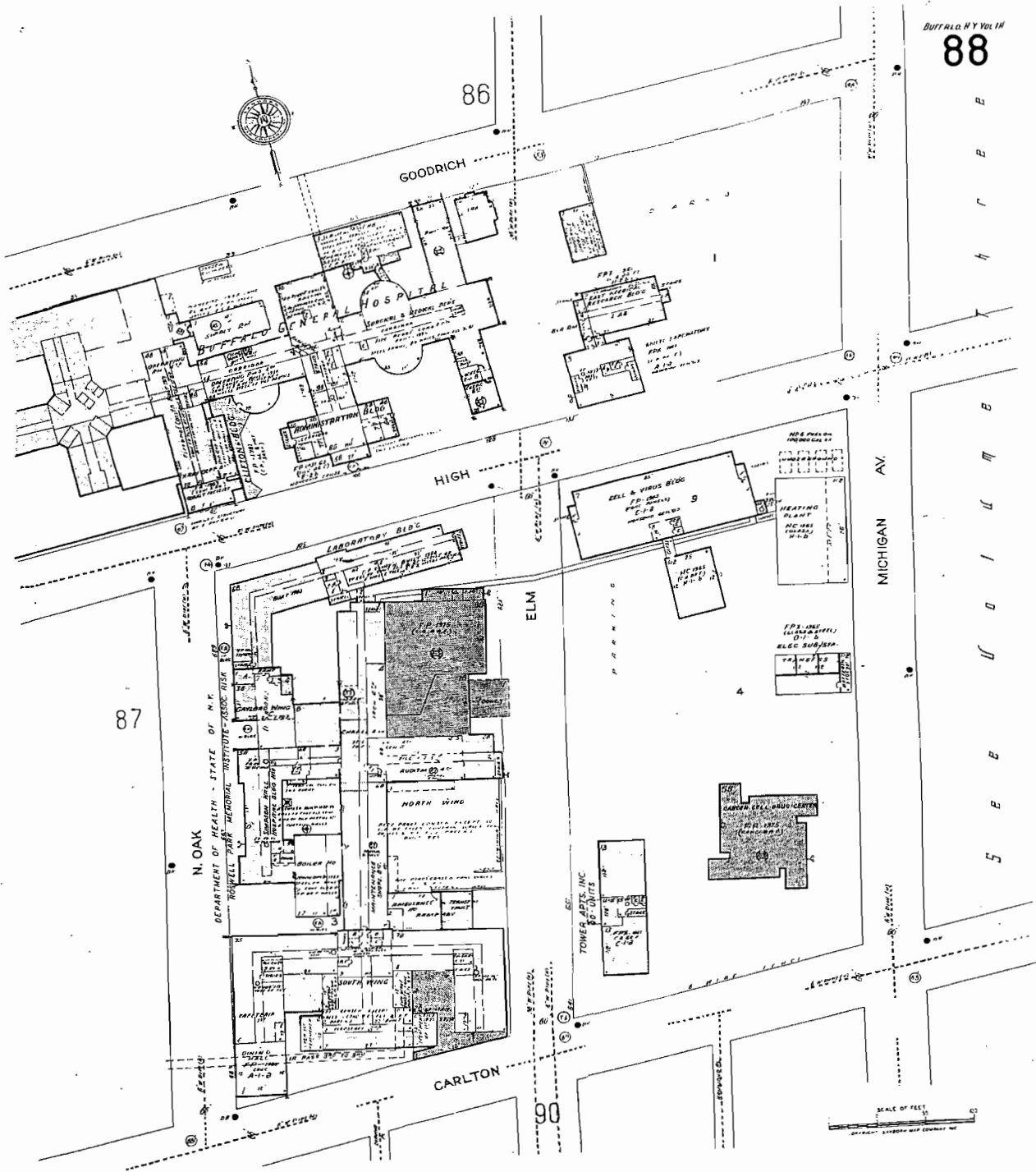
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LABORATORY BLDG
CELL & VIRUS BLDG
HEATING PLANT
MICROBIAL INSTITUTE
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SOUTH WING
GENERAL HOSPITAL
ADMINISTRATION BLDG
TOWER ARTS, INC. 20 UNITS
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SCALE OF FEET
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Year: EDR Research Associate

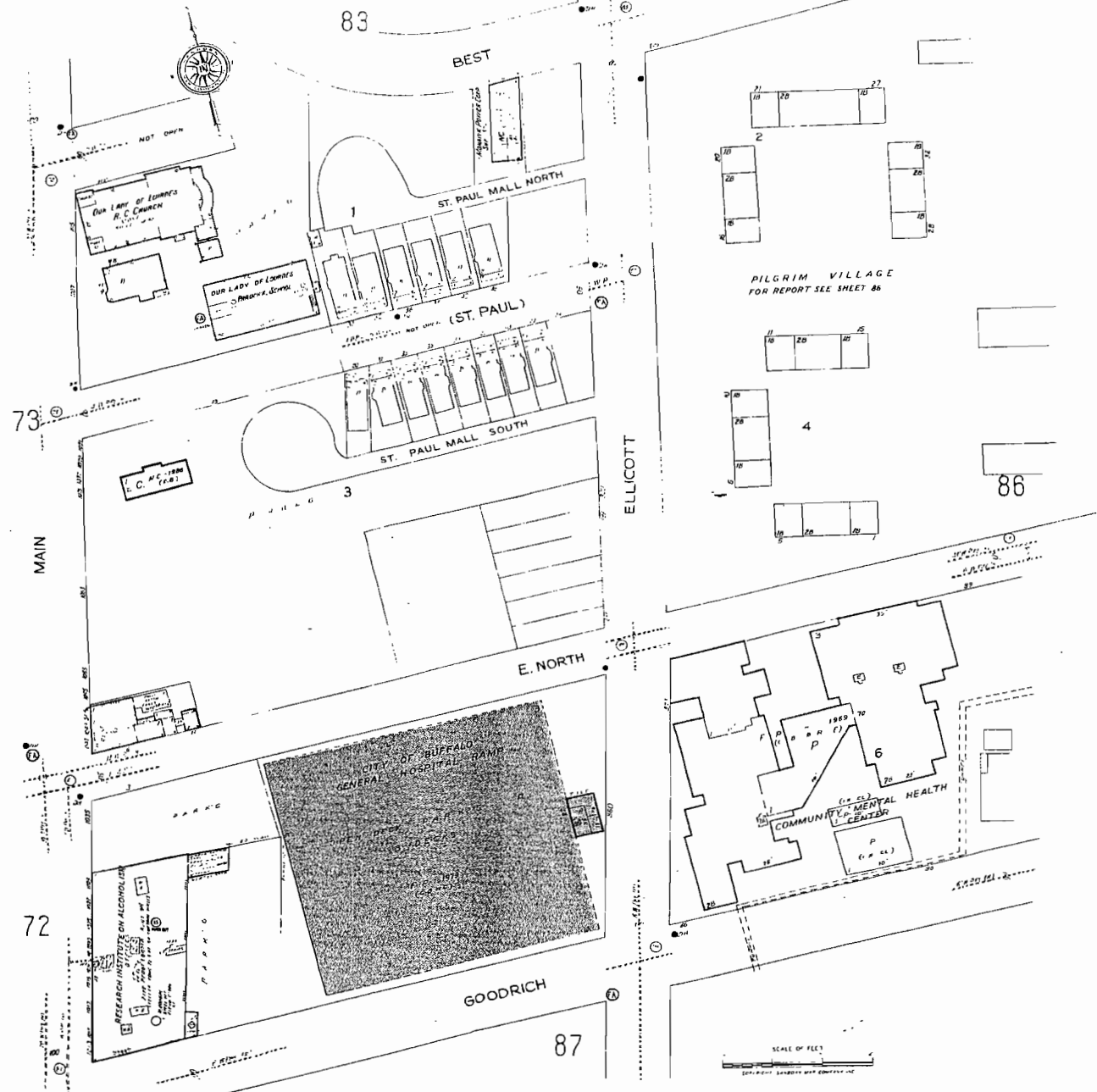
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MAIN

E. NORTH

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ELLCOTT

BEST

ST. PAUL MALL NORTH

(ST. PAUL)

ST. PAUL MALL SOUTH

PILGRIM VILLAGE
FOR REPORT SEE SHEET 86

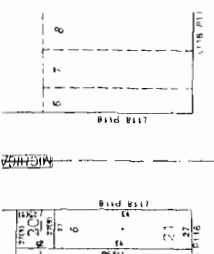
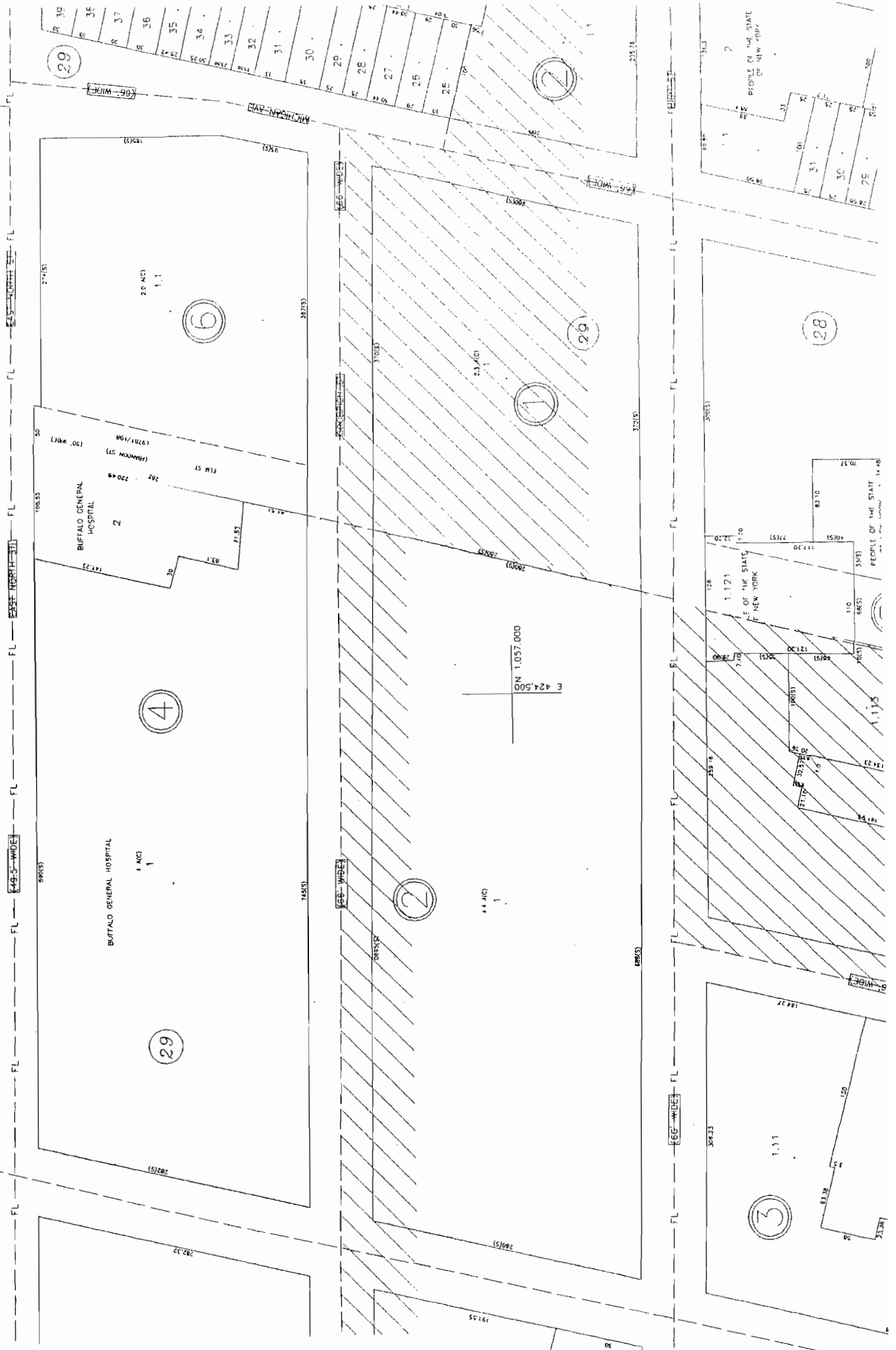
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| 641 | 642 | 643 | 644 | 645 | 646 | 647 | 648 | 649 | 650 |
| 651 | 652 | 653 | 654 | 655 | 656 | 657 | 658 | 659 | 660 |
| 661 | 662 | 663 | 664 | 665 | 666 | 667 | 668 | 669 | 670 |
| 671 | 672 | 673 | 674 | 675 | 676 | 677 | 678 | 679 | 680 |
| 681 | 682 | 683 | 684 | 685 | 686 | 687 | 688 | 689 | 690 |
| 691 | 692 | 693 | 694 | 695 | 696 | 697 | 698 | 699 | 700 |
| 701 | 702 | 703 | 704 | 705 | 706 | 707 | 708 | 709 | 710 |
| 711 | 712 | 713 | 714 | 715 | 716 | 717 | 718 | 719 | 720 |
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| 731 | 732 | 733 | 734 | 735 | 736 | 737 | 738 | 739 | 740 |
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| 751 | 752 | 753 | 754 | 755 | 756 | 757 | 758 | 759 | 760 |
| 761 | 762 | 763 | 764 | 765 | 766 | 767 | 768 | 769 | 770 |
| 771 | 772 | 773 | 774 | 775 | 776 | 777 | 778 | 779 | 780 |
| 781 | 782 | 783 | 784 | 785 | 786 | 787 | 788 | 789 | 790 |
| 791 | 792 | 793 | 794 | 795 | 796 | 797 | 798 | 799 | 800 |
| 801 | 802 | 803 | 804 | 805 | 806 | 807 | 808 | 809 | 810 |
| 811 | 812 | 813 | 814 | 815 | 816 | 817 | 818 | 819 | 820 |
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| 841 | 842 | 843 | 844 | 845 | 846 | 847 | 848 | 849 | 850 |
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| 861 | 862 | 863 | 864 | 865 | 866 | 867 | 868 | 869 | |

APPENDIX B

Photographs



1. Looking east on East North Street from Ellicott Street



2. Looking north from Ellicott Street at the mid-street



3. Looking east on East North Street from Michigan Avenue



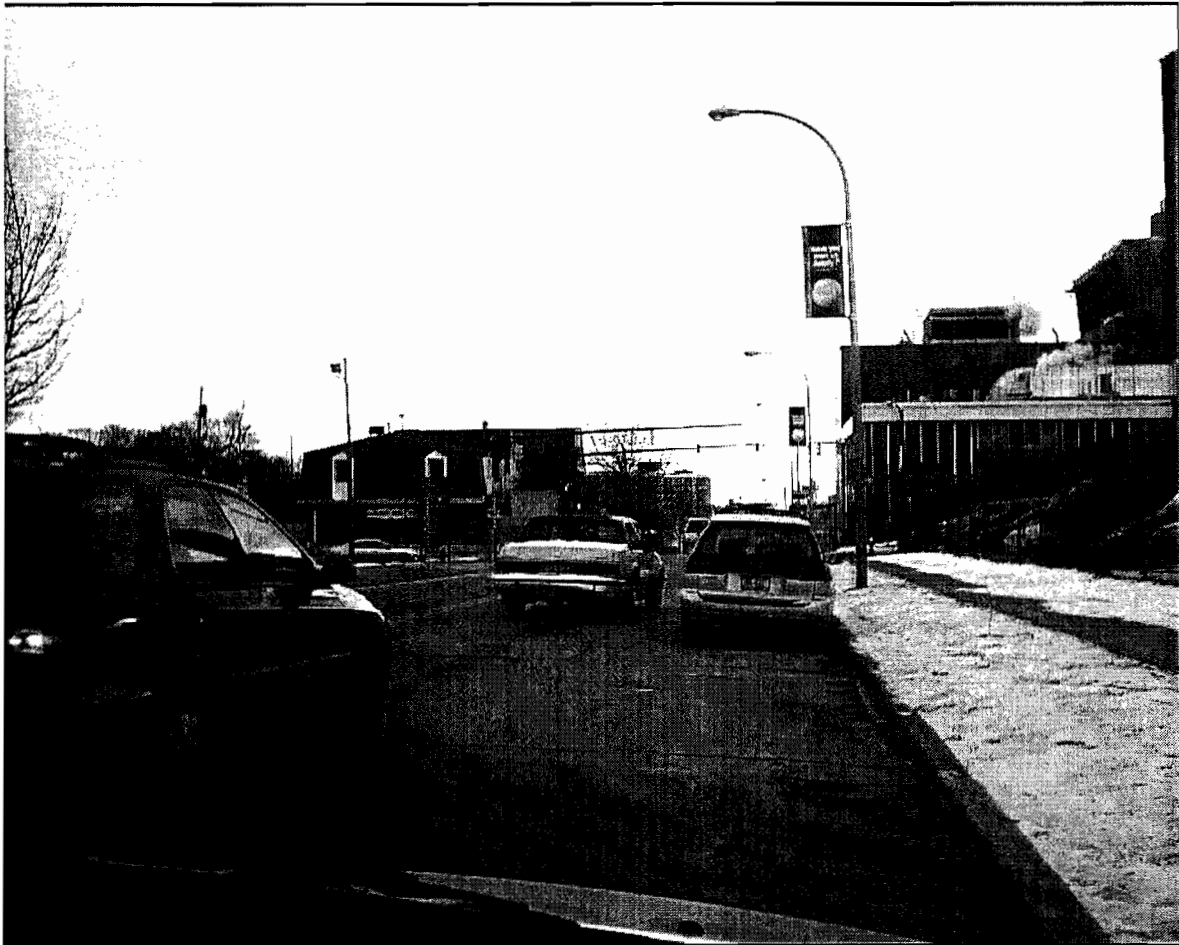
4. Looking north on Michigan Avenue from East North Street



5. Looking south on Michigan Avenue from East North Street



6. Looking the site from Michigan Avenue



7. Looking south on Michigan Avenue from Goodrich Street



8. Looking south on Michigan Avenue from High Street



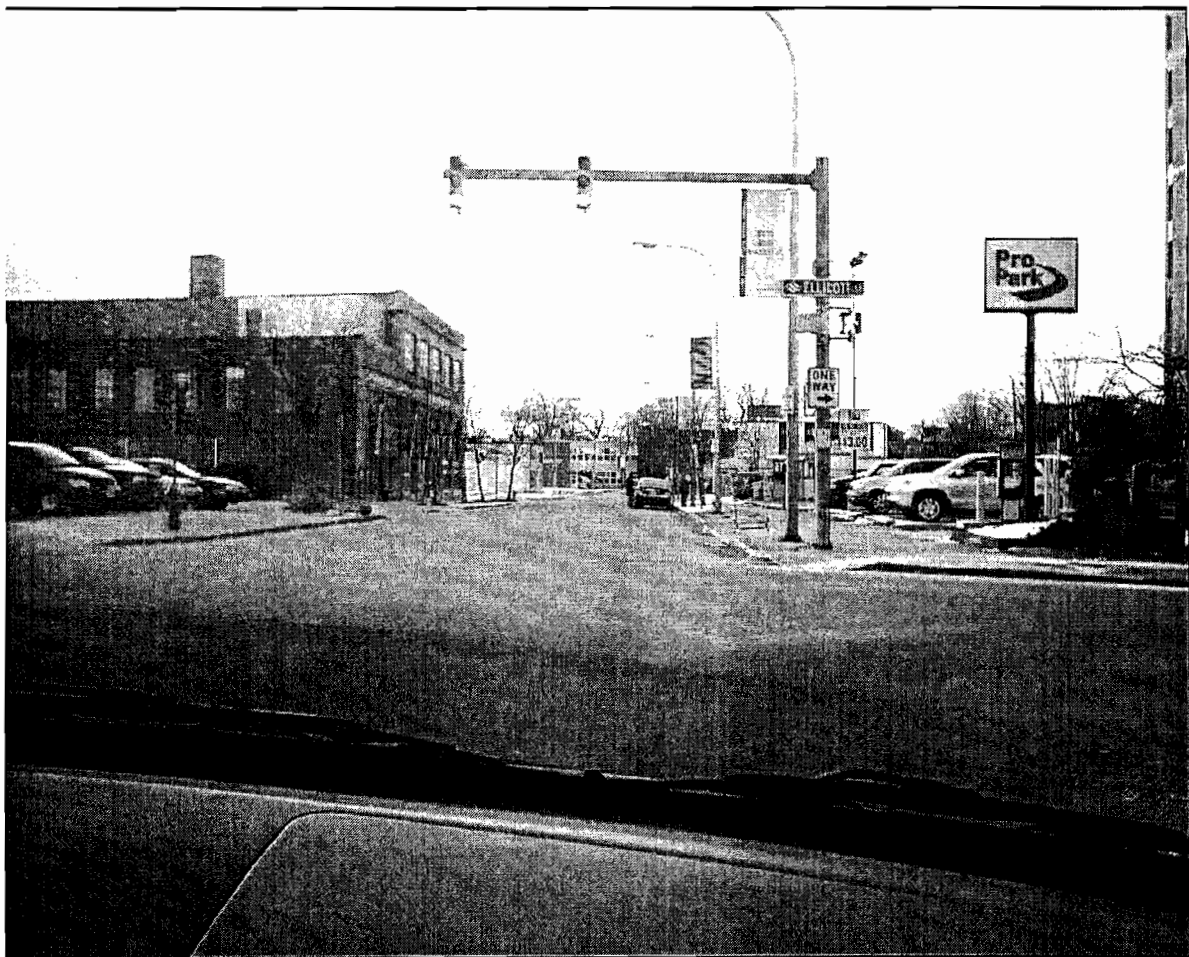
9. Looking west on High Street from Michigan Avenue



10. Looking west on High Street from North Oak Street



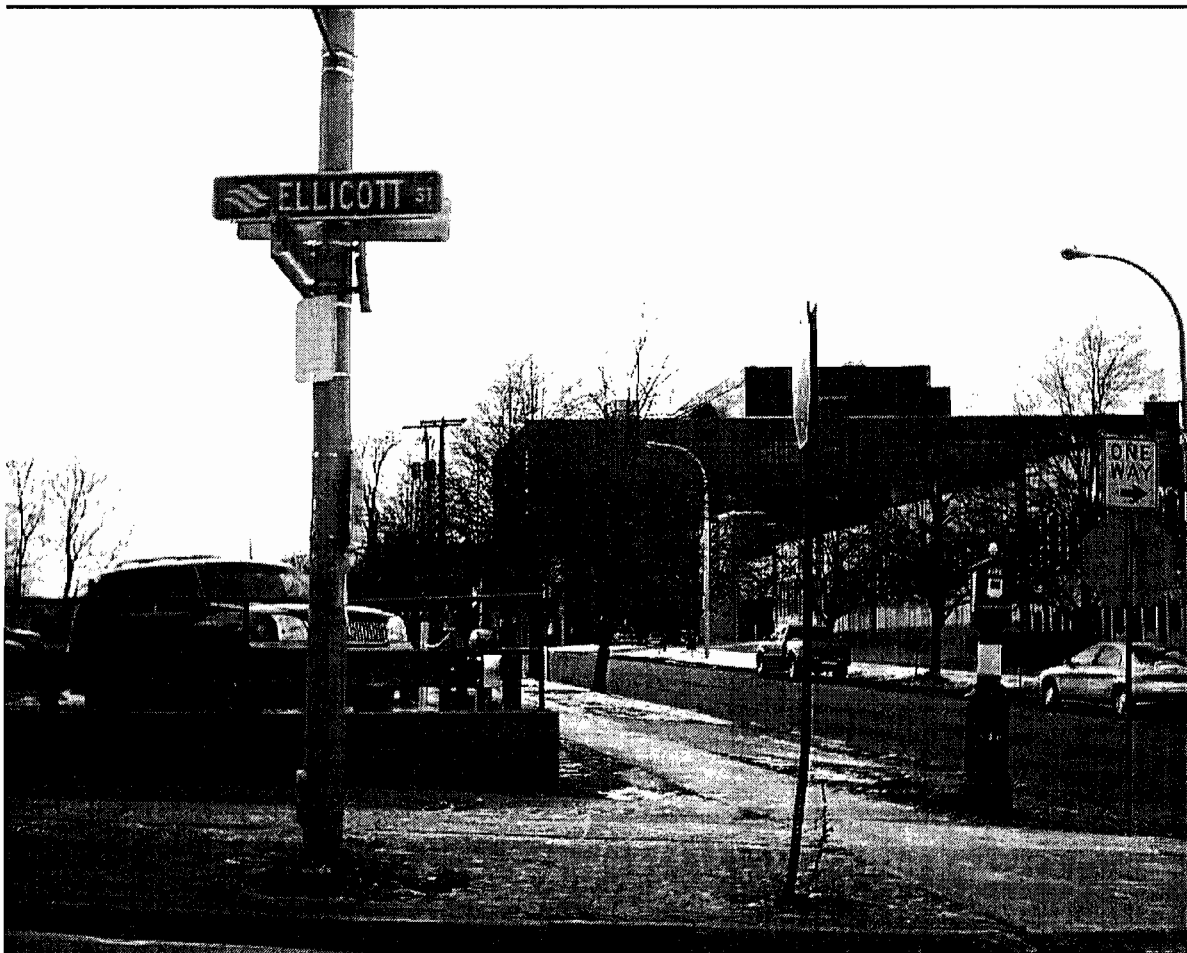
11. Looking south at High Street and Ellicott Street



12. Looking west on High Street from Ellicott Street



13. Looking south on Ellicott Street from High Street



14. Looking west on Goodrich Street from Ellicott Street



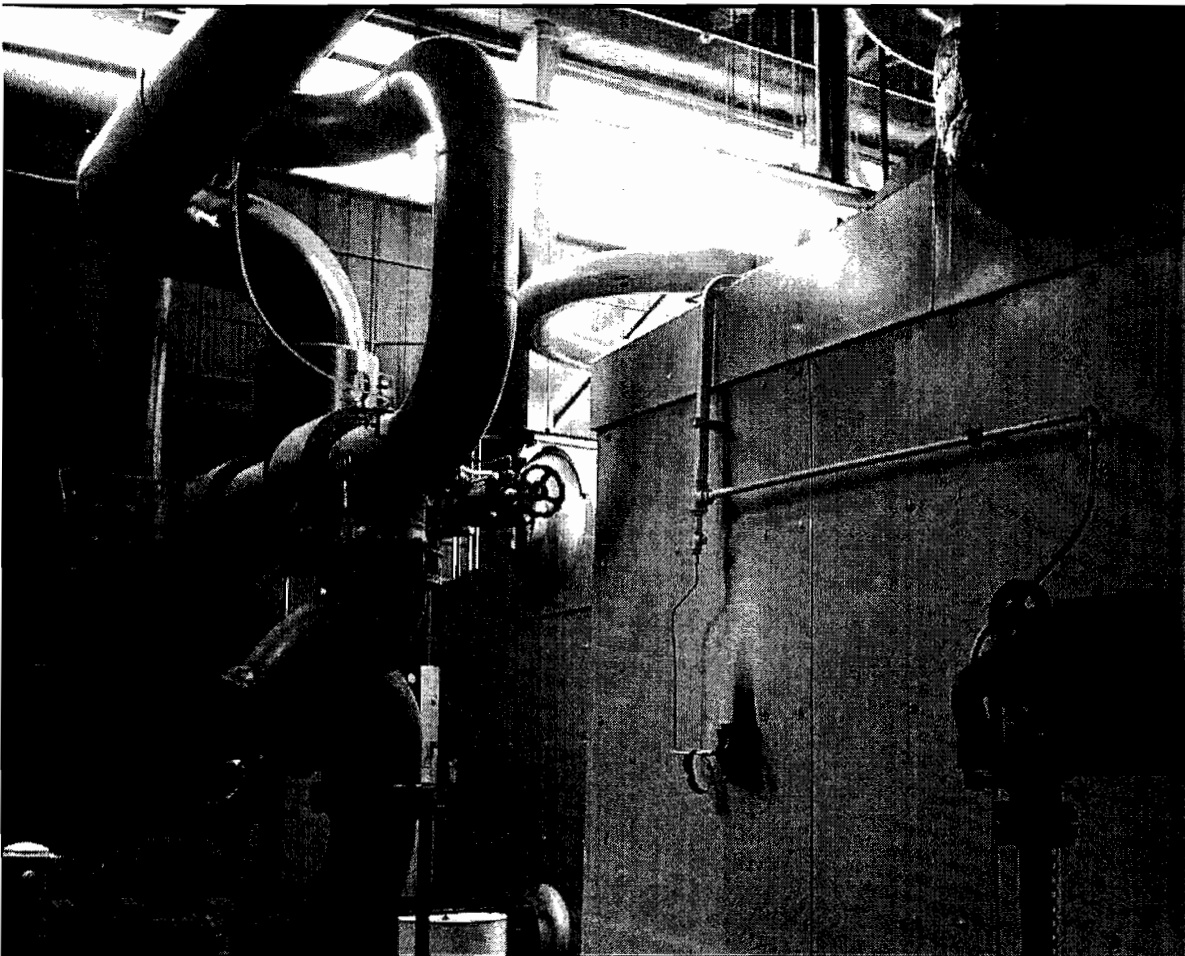
15. Looking east (the site) on Goodrich Street from Ellicott Street



16. Hazardous waste containers



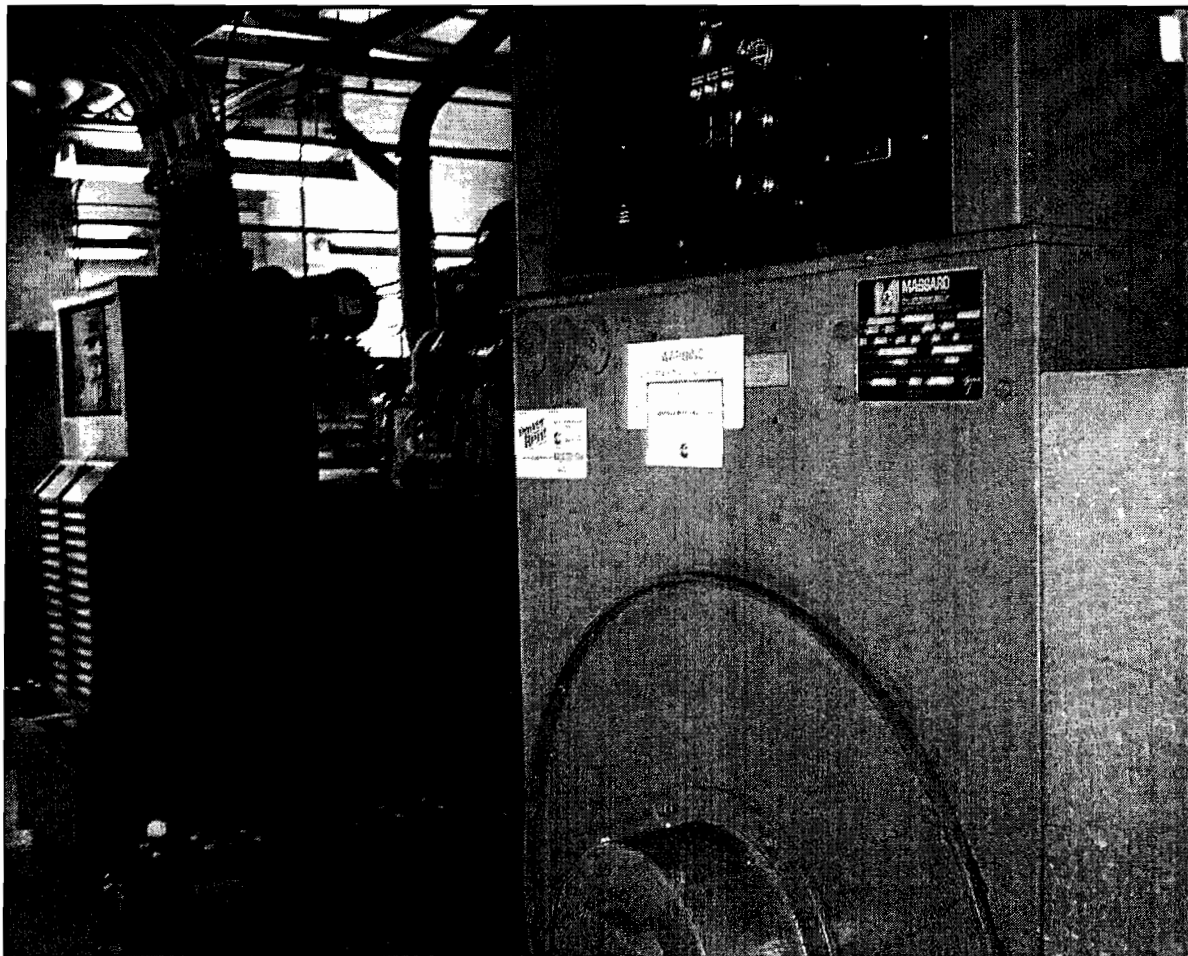
17. Medical and regular waste containers in a patient room



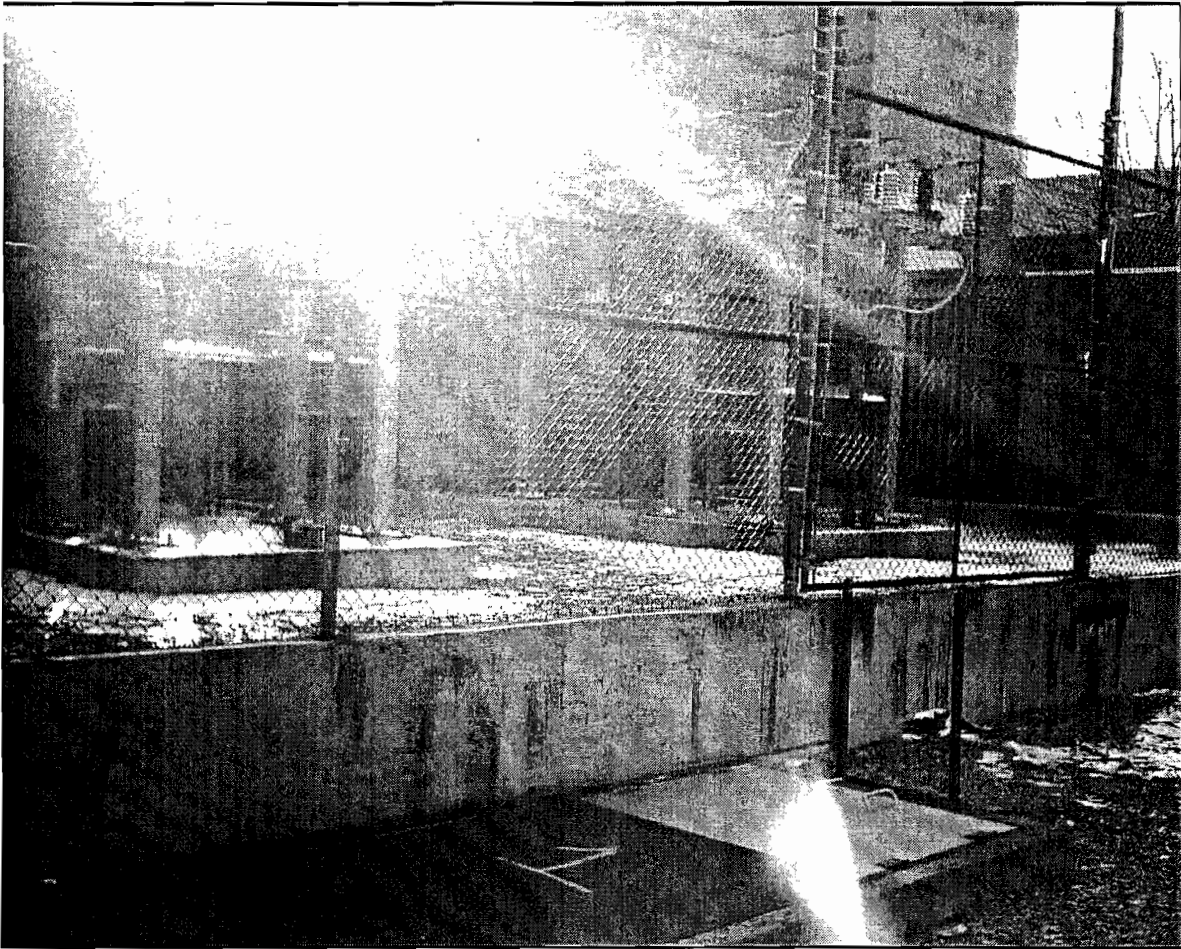
18. Boiler



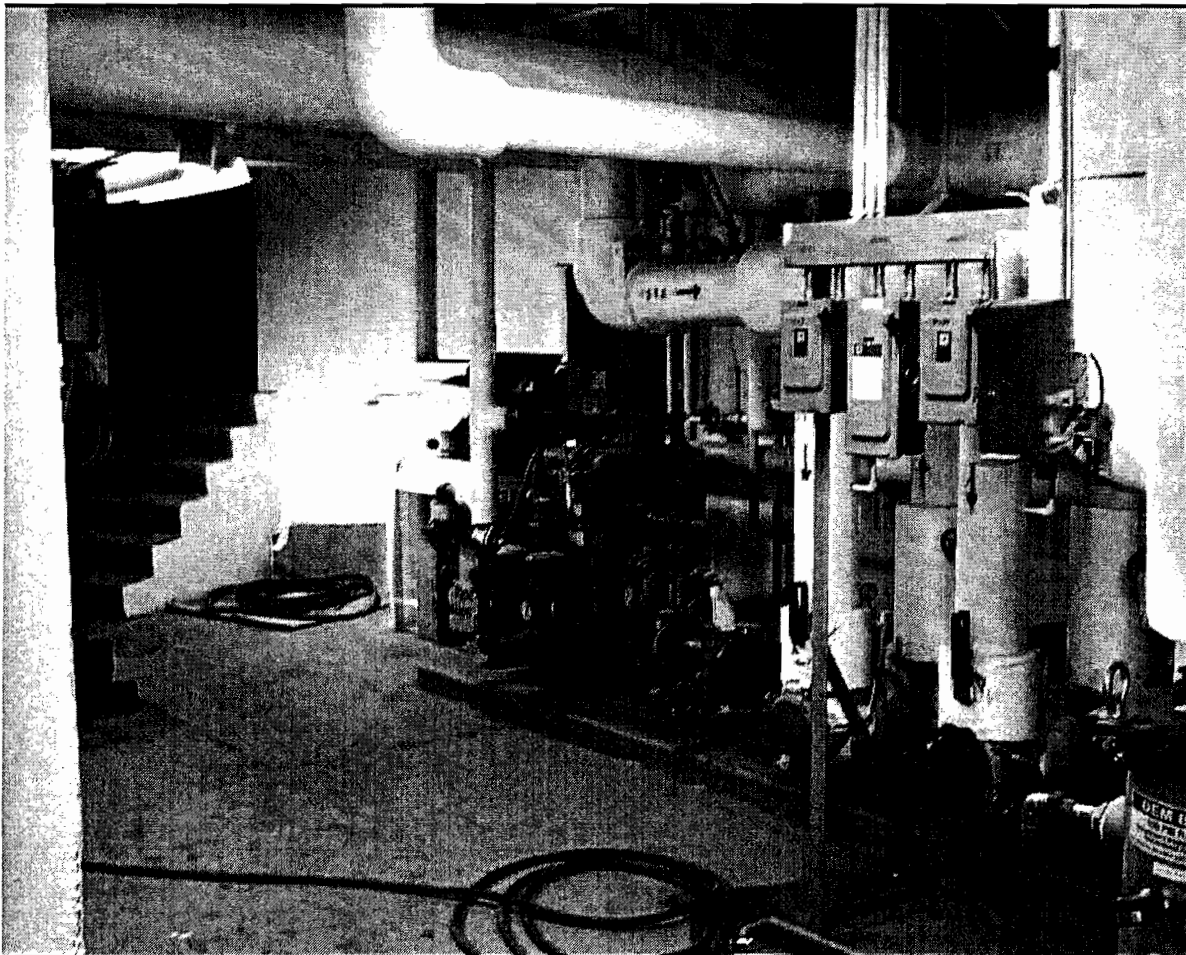
19. Mechanical room in top/roof of 16-story main building



20. Generators



21. Transformers and UST location



22. Chiller in the basement

APPENDIX C

Tank Registration Forms

PETROLEUM BULK STORAGE REGISTRATION CERTIFICATE

NYS DEC - REGION 9
 270 MICHIGAN AVE
 BUFFALO, NY 14203-2999
 (716) 851-7220

| TANK NUMBER | DATE INSTALLED | TANK TYPE | CAPACITY (GALLONS) | DATE LAST TESTED | TESTING DUE DATE |
|-------------|----------------|--------------------|--------------------|------------------|------------------|
| 1 | 06/01/1967 | Steel/Carbon Steel | 26,000 | 06/30/2003 | |
| 2 | 06/01/1967 | Steel/Carbon Steel | 26,000 | 06/30/2003 | |
| 6 | 11/01/1997 | Steel/Carbon Steel | 250 | | * |
| 7 | 10/01/1998 | Steel/Carbon Steel | 5007 | 03/30/2003 | |
| 8 | 10/01/1998 | FRP | 20,000 | 06/30/2003 | |
| NEW | 12/20/1999 | Steel/Carbon Steel | 1,500 | | * |

| | |
|--|--|
| OWNER | |
| BUFFALO GENERAL HOSPITAL 100 HIGH ST BUFFALO, NY 14203 | |
| SITE | |
| BUFFALO GENERAL HOSPITAL 100 HIGH ST BUFFALO, NY 14203 | |
| OPERATOR (Name and Telephone Number) | |
| PETER MURPHY (716) 859-2613 | |
| EMERGENCY CONTACT (Name and Telephone Number) | |
| PETER MURPHY (716) 859-2613 | |

As an authorized representative of the above-named facility, I affirm under penalty of perjury that the information displayed on this form is correct to the best of my knowledge. Additionally, I recognize that I am responsible for assuring that this facility is in compliance with all sections of 6 NYCRR Parts 612, 613 and 614, and applicable sections of 8 NYCRR Subpart 360-14 (used oil tanks only), not just those cited below:

- The facility must be re-registered if there is a transfer of ownership.
- The Department must be notified within 30 days prior to adding, replacing, reconditioning, or permanently closing a stationary tank.
- The facility must be operated in accordance with the code for storing petroleum, 6 NYCRR Part 613.
- Any new facility or substantially modified facility must comply with 6 NYCRR Part 614.
- This certificate must be posted on the premises at all times. Posting must be at the tank, at the entrance of the facility, or the main office where the storage tanks are located.
- Any person with knowledge of a spill, leak or discharge must report the incident to DEC within two hours (1-800-457-7362).

* Aboveground tanks require monthly visual inspections and may need documented internal inspections as described in 6 NYCRR Pt. 613.

| | |
|---|--------------------------------------|
| ISSUED BY: Commissioner Erin M. Crotty | |
| PETROLEUM BULK STORAGE ID NUMBER 9-451320 | |
| DATE ISSUED 01/02/2004 | EXPIRATION DATE 07/28/2008 |
| FEE PAID \$ 250. | |

| | |
|--|--------------|
| MAILING CORRESPONDENCE | |
| PETER MURPHY BUFFALO GENERAL HOSPITAL 100 HIGH ST BUFFALO, NY 14203 | |
| Signature of Authorized Representative/Owner | Date |
| Name of Authorized Representative/Owner (Please Print) | Title |

THIS REGISTRATION CERTIFICATE IS NON-TRANSFERABLE

APPENDIX D

Hazardous and Biohazardous Waste Disposal Manifests



WASTE AND HAZARDOUS MATERIALS DIVISION
MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY

DO NOT WRITE IN THIS SPACE

ATT. DIS. REJ. PR.

and Part 121 of Act 451, 1994, as amended.

Failure to file may subject you to criminal and/or civil penalties under Section 324.11151 or 324.12116 MCL.

Please print or type.

Form Approved OMB No. 2050-0039

UNIFORM HAZARDOUS WASTE MANIFEST

1. Generator's US EPA ID No.

NY D 0 7 4 0 4 2 2 9 2

Manifest Document No.

31700

2. Page 1 of 1

Information in the shaded areas is not required by Federal law.

3. Generator's Name and Mailing Address

KALEIDA - BUFFALO GENERAL HOSPITAL
100 HIGH STREET
BUFFALO, NY 14203

4. Generator's Phone (716 850-2632

5. Transporter 1 Company Name

TONAWANDA TANK TRANSPORT

6. US EPA ID Number

NY D 0 7 5 4 4 8 0 1

7. Transporter 2 Company Name

8. US EPA ID Number

9. Designated Facility Name and Site Address

EQ RESOURCE RECOVERY, INC.
38345 VAN BORN ROAD
ROMULUS, MI 48174

10. US EPA ID Number

MI D 0 6 0 9 7 5 8 4 4

11. US DOT Description (including Proper Shipping Name, Hazard Class, and ID NUMBER)

a. X RQ WASTE Flammable liquids, n.o.s.
(XYLENE, ACETONE, ALCOHOL)
3, UN1993, PG H

12. Containers

No. Type

2 M

13. Total Quantity

110 G

14. Unit

g

15. Special Handling Instructions and Additional information

EMERGENCY CONTACT: 859-2274 PETER PASCENTE

16. GENERATOR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and national government regulations. If I am a large quantity generator, I certify that I have a program in place to reduce the volume and toxicity of waste generated to the degree I have determined to be economically practicable and that I have selected the practicable method of treatment, storage, or disposal currently available to me which minimizes the present and future threat to human health and the environment; OR: If I am a small quantity generator, I have made a good faith effort to minimize my waste generation and select the best waste management method that is available to me and that I can afford.

Printed/Typed Name

Peter Pascente

Signature

[Signature]

Date

05/13/05

17. Transporter 1 Acknowledgement of Receipt of Materials

Printed/Typed Name

William Jerczynski

Signature

[Signature]

Date

05/13/05

18. Transporter 2 Acknowledgement of Receipt of Materials

Printed/Typed Name

Signature

Date

19. Discrepancy Indication Space

20. Facility Owner or Operator: Certification of receipt of hazardous materials covered by this manifest except as noted in item 19.

Printed/Typed Name

Signature

Date

Month Day Year

ALL SPILLS MUST BE REPORTED TO THE MICHIGAN POLLUTION EMERGENCY ALERTING SYSTEM, IN MICHIGAN AT 1-800-992-6706 OR OUT OF STATE AT 817-373-7600 AND THE NATIONAL RESPONSE CENTER AT 1-800-424-6802 24 HOURS PER DAY.

Copy 4 — GOLD 7-6920308

Copy 3 — YELLOW

Copy 2 — GREEN

Copy 1 — WHITE

| MEDICAL WASTE TRACKING FORM | | INSTRUCTIONS | |
|---|--|---|--|
| 1. Generator's Name and Mailing Address Buffalo General Hospital Attn: Bernadette Partl — Plant Operations 100 High Street Buffalo, New York 14203 3. Telephone number (716) 859-2613 5. Transporter's Name and Mailing Address Stericycle, Inc. 155 Sherwood Ave. Farmingdale, NY 11735 EPA Med. Waste ID No. | | 16. Transporter 1 (Certification of Receipt of Medical Waste as described in items 11, 12, & 13) Printed/Typed Name: <i>BAW</i> Signature: <i>[Signature]</i> Date: <i>12-6-05</i> | |
| 2. Tracking Form Number — 16541 4. State Permit or ID No. IL-033 6. Emergency Telephone Number (800) 234-0051 7. State Transporter Permit or ID No. IL-033 9. Telephone Number (716) 366-4444 10. State Permit or ID No. 07H01 | | 17. Transporter 2 or Intermediate Handler (name and address) 18. Telephone Number () 19. State Transporter Permit or ID No. | |
| 11. US EPA Waste Description a. Regulated Medical Waste (Untreated) 102 b. Regulated Medical Waste (Treated) 4578 LBS. c. State Regulated Medical Waste | | 20. Transporter 2 or Intermediate Handler (Certification of Receipt of Medical Waste as described in items 11, 12, & 13) EPA Med. Waste ID No. | |
| 14. Special Handling Instructions and Additional Information Regulated Medical Waste 6.2, LW 3291, PG II | | 21. New Tracking Form Number (for consolidated or remanifested waste) Signature: _____ Date: _____ | |
| 15. Generator Certification: I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport, according to applicable international and national governmental regulations. Printed/Typed Name: <i>Rene Jie</i> Signature: <i>[Signature]</i> Date: <i>12-6-05</i> | | 22. Destination Facility (Certification of Receipt of Medical Waste as described in items 11, 12, & 13) Received in accordance with items 11, 12, & 13 Printed/Typed Name: <i>Amara</i> Signature: <i>[Signature]</i> Date: <i>12-7-05</i> <i>(If other than destination facility, indicate address, phone, and permit or ID no. in box 14)</i> | |
| 23. Discrepancy Box (Any discrepancies should be noted by item number and initials) | | | |

Account Number: 8106738-001 Kits: _____ Disposal: _____ Extra Charges: _____

APPENDIX E

Freedom of Information Requests



NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
APPLICATION FOR ACCESS TO RECORDS
 (See Instructions on Reverse Side)

NUMBER

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T

• TO THE DEPARTMENT OF ENVIRONMENTAL CONSERVATION:

I hereby apply to inspect the following records under the provisions of the Freedom of Information Law:

Buffalo General Hospital, 100 High St. Buffalo 14203
For any possible records of underground storage tanks,
chemical storage, hazardous waste, cesspools, groundwater
concerns, remediation, spills

After inspection, should I desire copies of all or part of the records inspected, I will identify the records to be copied and hereby offer to promptly pay the established fees. (Cost of reproduction or 25¢ per page as applicable). Contact me if cost will exceed \$ 10.00

Name (Print or type) Ethan C. Eldon Assoc., Inc. Telephone No. 212-967-5400

Attention of: Aimee Petkus

Mailing Address 1350 Broadway, Suite 612, New York, NY 10018

Signature [Signature] Date 1/11/06

R
E
C
O
R
D
S

• TO THE APPLICANT:

-Records Provided

- The reproduction costs for the records provided are \$ _____
- Records have been (partially, fully) provided. (If not fully provided, date when records are expected to be fully provided: _____)

-Records Not Available

- Records cannot be found after diligent search
- The Department is not the custodian for records indicated

-Records Denied

I hereby certify that access to the records—or part of the records—circled above has been denied to the applicant for the reason(s) checked below:

- | | |
|--|---|
| <ul style="list-style-type: none"> <input type="checkbox"/> Specifically exempt by other statute <input type="checkbox"/> Unwarranted invasion of personal privacy <input type="checkbox"/> Would impair present or imminent contract awards or collective bargaining negotiations <input type="checkbox"/> Are examination questions or answers <input type="checkbox"/> Are inter-agency or intra-agency materials that are not: <ul style="list-style-type: none"> • statistical or factual tabulations or data • instructions to staff that affect the public • final agency policy or determinations; or • external audits, including but not limited to audits performed by the comptroller and the federal government <input type="checkbox"/> Are trade secrets | <ul style="list-style-type: none"> <input type="checkbox"/> Could endanger the life of any person <input type="checkbox"/> Are compiled for law enforcement purposes and which, if disclosed would: <ul style="list-style-type: none"> • interfere with law enforcement investigations or judicial proceedings • deprive a person of the right to a fair trial or or impartial adjudication • identify a confidential source or disclose confidential information relating to a criminal investigation, or • reveal criminal investigative techniques or procedures, except routine techniques and procedures <input type="checkbox"/> Would jeopardize an agency's capacity to guarantee the security of its information technology assets, such assets encompassing both electronic information systems and infrastructures |
|--|---|

Identification of records withheld (attach listing if additional space is required) and/or explanation if appropriate:

Records Custodian Signature _____ Title _____ Date _____

FREEDOM OF INFORMATION APPLICATION

Erie County Department of Health
95 Franklin Street, Room 931
Buffalo, New York 14202

NOTE: This department is allowed 5 business days by State Law to respond to your request. Also, there will be a charge of 25 cents per page of the report payable upon receipt of the records. We will contact you when the records are available to be picked up.

I hereby apply to inspect or obtain a copy of the following record:

Date(s) of Record Requested up to today

Location of Property 100 High St. Buffalo, NY 14203

Type of Record Housing Lead Other Environmental

Name Aimee Petkus Date 1/11/06

Signature [Signature]

Mailing Address: 1350 Broadway, Suite 612 Day Phone 212-967-2752

City, Town Village New York, Zip 10018

FOR AGENCY USE ONLY

Approved Date Notified _____

Denied for the following reason(s): Cost _____

- Confidential Disclosure
- Part of Investigator's Files
- Unwarranted Invasion of Personal Privacy
- Record of which this Agency is Legal Custodian cannot be found
- Record is not maintained by this Agency
- Exempted by Statute other than the Freedom of Information Act
- Other _____

John T. Kociela _____ Date _____
Records Access Officer

NOTE: You have a right to appeal a denial of this application to:

Deputy County Executive
95 Franklin Street, Room 932
Buffalo, New York 14202

You must fully explain the reasons for such denial in writing seven days after receipt of an appeal.

I hereby appeal: _____
Signature Date

Address

APPENDIX F

Regulatory Database Records

BUFFALO FIRE DEPARTMENT
VOLATILE FLAMMABLE LIQUID
TANK STORAGE AND USE

APPLICATION
INSTALLATION
SURVEY

Gasoline I
KIND OF LIQUID CLASS

BATTALION 2nd
COMPANY _____
DATE 7/11/51

COMMISSIONER OF FIRE: Harold R. Becker

¹⁰⁰ ¹³⁰
LOCATION 133 High St

CITY PROPERTY (CURB)
PRIVATE PROPERTY

NAME General Hospital

ZONED USE DISTRICT Res.

PURPOSE OF USE: ~~COMMERCIAL FILLING STATION~~ PRESSURE
PRIVATE FILLING STATION TYPE OF SYSTEM:
~~PRIVATE STORAGE 200 GAL. OR LESS~~ SUCTION

APPLICATION NUMBER _____ DATE 7/11/51

IS LICENSE REQUIRED No

PERMIT NUMBER _____ DATE _____

CONTRACTOR K. J. Pump Service

INSTALLATION _____ DATE _____

ADDRESS 1217 Fullmore Ave.
Robert B. Kleindinst
agt.

TANKS:
1 NUMBER OF
500 gal CAPACITY OF EACH
500 gal CAPACITY TOTAL
None ABOVE GROUND
2' FEET UNDERGROUND
5' FEET FROM BLDG. LINE
10' FEET FROM STREET LINE
None FEET FROM CELLAR
Yes UNDERWRITERS LAB. LABEL

VENT PIPE:
_____ NUMBER OF
_____ SIZE
_____ TERMINATES OUTSIDE
_____ FEET ABOVE FILL PIPE
_____ FEET FROM BLDG. OPENING
_____ WEATHERPROOF HOOD
_____ FLAME ARRESTER

130 HIGH
100 ft High

FILL PIPE:
_____ LOCATED OUTSIDE
_____ FEET FROM BLDG. OPENING
_____ PROTECTED AGAINST DAMAGE

PUMPS
_____ QUANTITY
_____ FEET FROM BLDG. LINE
_____ FEET FROM STREET LINE
_____ UNDERWRITERS LAB. LABEL

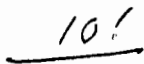
WILL BE
AS ALL TANKS, PUMPS AND PIPING ~~ARE~~ INSTALLED IN ACCORDANCE WITH THE
~~ARE NOT~~
REQUIREMENTS OF THE CITY ORDINANCE AND STANDARDS OF THE NATIONAL BOARD
OF FIRE UNDERWRITERS, I THEREFORE,

RECOMMEND APPROVAL Leo J. Sullivan TITLE 2nd Batt. Chief
DISAPPROVAL

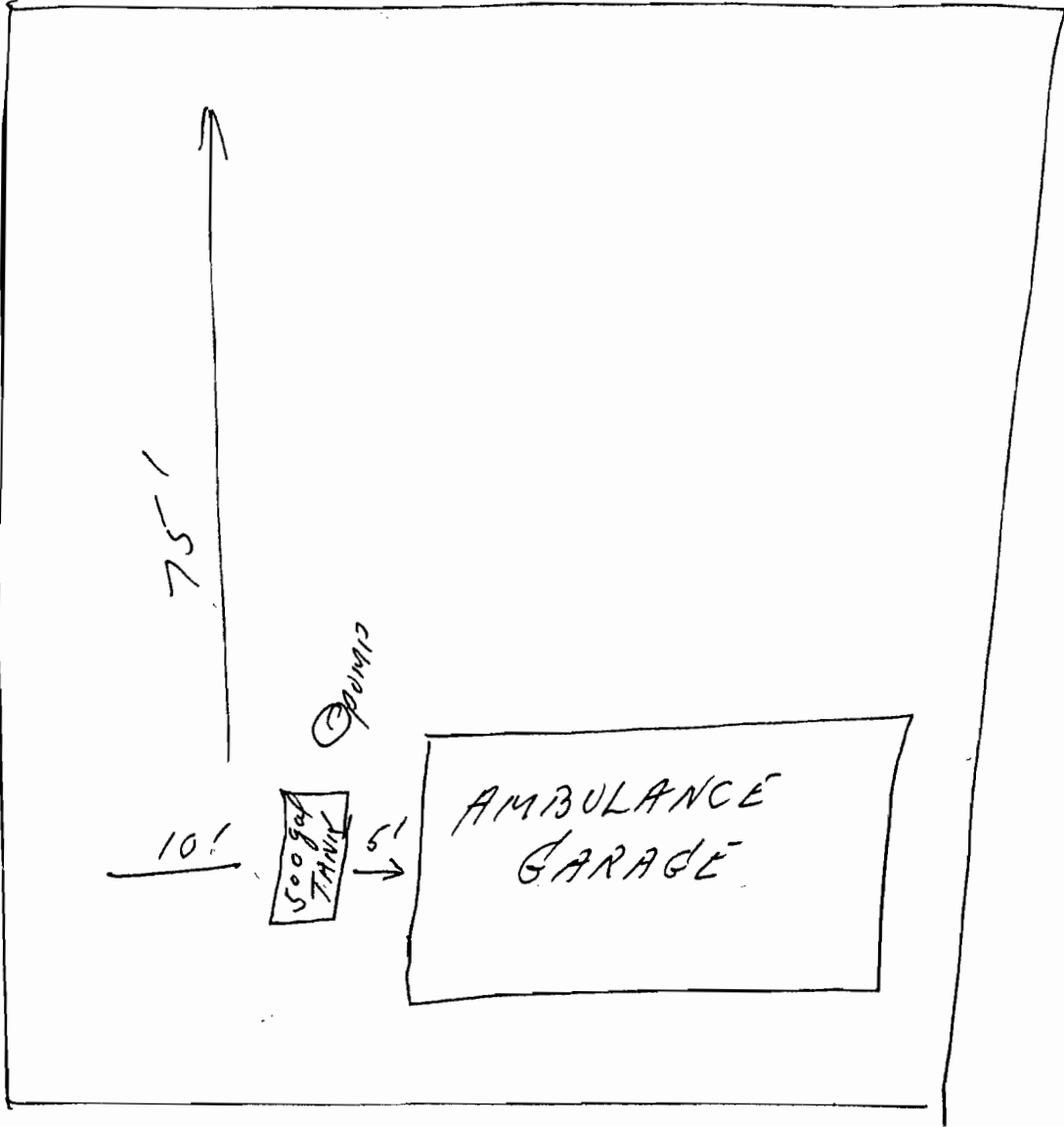
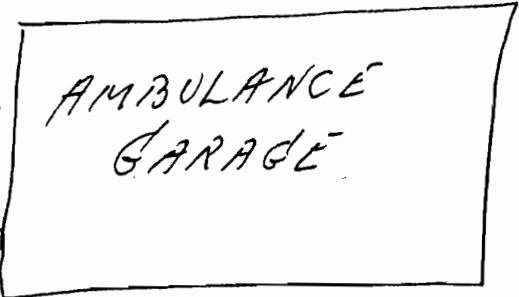
APPROVED Harold R. Becker DATE July 11-51
COMMISSIONER OF FIRE msa

GOODRICH ST.

ELM ST



③ pump



Form 29
11/6/67

BUREAU OF FIRE PREVENTION
FLAMMABLE LIQUID ORDINANCE CHAPTER XXIX
STORAGE AND USE OF Fuel Oil III
TYPE OF LIQUID CLASS

APPLICATION

DATE: 10-17-83 DISTRICT ZONING R-3

NAME General Hospital ADDRESS 100 High Street

USE: COMMERCIAL PRIVATE XX PROPERTY: CITY PRIVATE XX

CONTRACTOR Joseph Davis Inc. ADDRESS 120 W. Tupper Street

APPROVED
DISAPPROVED Fred Larson TITLE Chief of Fire Prevention

Install one (1) 10,000 Gal. underground fuel oil tank

INSTALLATION

DATE: 9-4-84

APPLICATION NO: _____ DATE _____ PERMIT NO: _____ DATE _____

TANKS: VENT PIPE:

Number of One (1) Number of ~~XXX~~ One (1)

Capacity of Each 10,000 gal. Size 2 1/2"

Total Capacity 10,000 Gal. Terminates Outside Yes

Above Ground NO Feet Above Fill Pipe 12'

Feet Underground 4' Feet From Bldg. Opening 10'

Feet From Property Line 15'+ Weatherproof Hood Yes

Feet From Street Line 15'+ Flame Arrester _____

Feet From Bldg. or Cellar 10'

U.L. Label Numbers _____ PUMPS:

UL 180495 Number of Pumps _____

Public Assemblage Bldg. Within Feet From Bldg. Line _____

300 Ft. Yes (Sec. 82) Feet From Street Line _____

Less Than 50 Feet From RR & U.L. Label Nos. _____

Docks? (Sec. 16, Chap LLX) No If inside Bldg., are pumps protected

as required by Sec. 148 _____

FILL PIPE: TESTS: (Sec. 91)

Size 4" Extended Fill? Yes APPROVED 9-4-84 Lt. D'Amico

Located Outside Yes Protected Yes

Feet From Bldg. Opening 10' DISAPPROVED _____

ALL TANKS, PUMPS AND PIPING, ARE INSTALLED IN ACCORDANCE WITHIN THE REQUIREMENTS OF THE FLAMMABLE LIQUID ORDINANCE, I THEREFORE, RECOMMEND

APPROVED Lt. M. D'Amico FPB DATE 9-4-84

THE ABOVE LOCATION HAS BEEN INSTALLED FOR THE FOLLOWING SUPPLIER.

NAME _____ ADDRESS _____

IMPORTANT: Include Remarks, Sketch of Pump and Tank Locations On _____
other side or attach sketch to form. Forward Copy to BUREAU OF

LOCATION: 100 High Street
LICENSE REQUIRED: NO
BATTALION: _____
COMPANY: _____

APPROVED

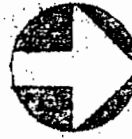
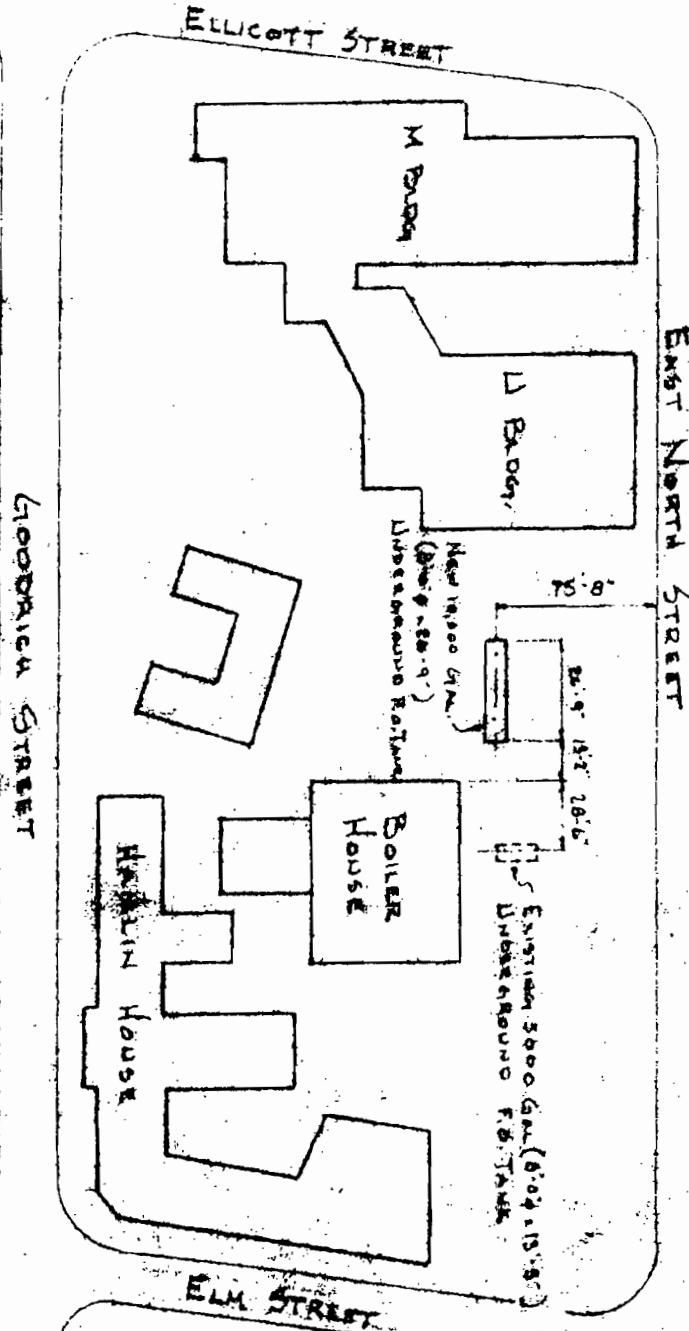
SUBJECT TO COMPLIANCE WITH ALL
APPLICABLE ORDINANCES
BASED UPON INFORMATION SHOWN

BUREAU OF FIRE PREVENTION

By Bred Larson DATE APR 9 1984

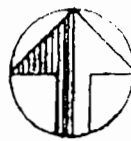
DEPARTMENT OF FIRE
BUFFALO, NEW YORK

EXISTING
Boiler
House

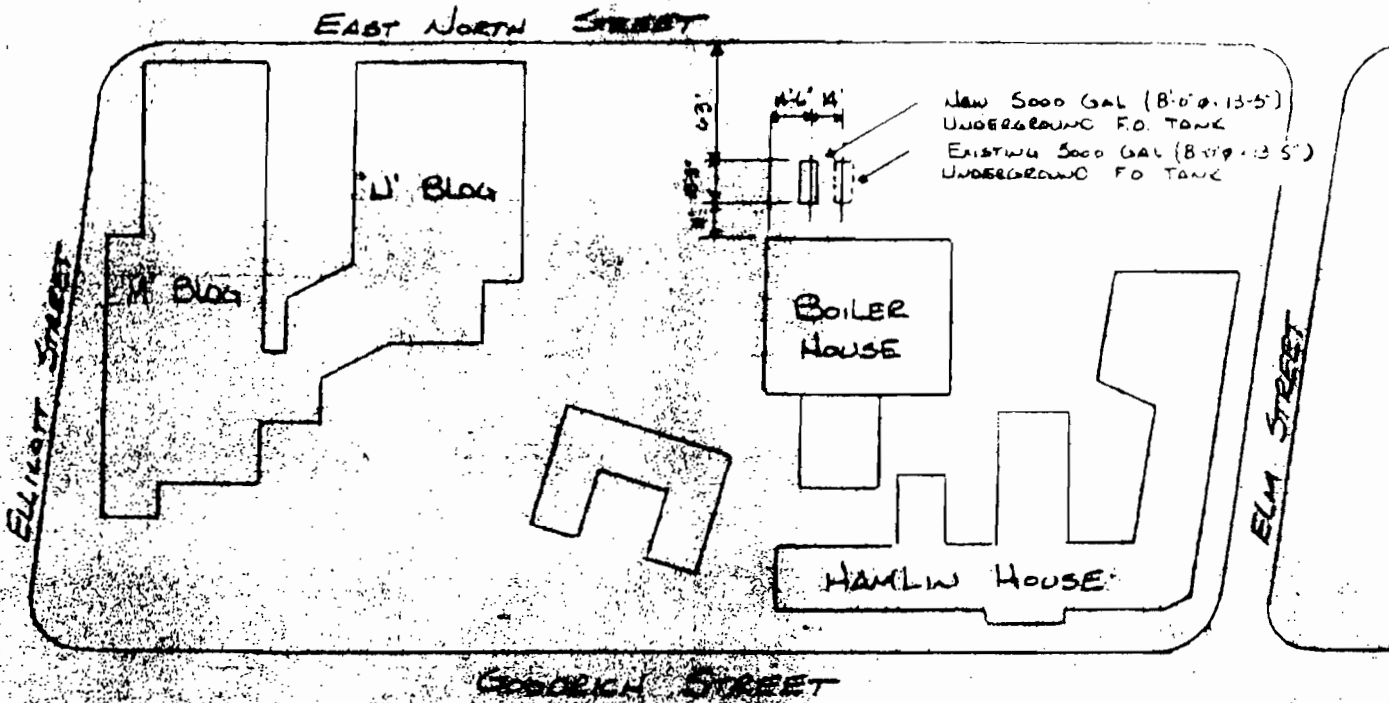


PARTIAL PLAT PLAN BUFFALO GENERAL HOSPITAL

Map To Scale



1/01D
4-984



PARTIAL FLOOR PLAN BUFFALO GENERAL HOSPITAL

NOT TO SCALE

APPROVED

SUBJECT TO COMPLIANCE WITH ALL
APPLICABLE ORDINANCES
BASED UPON INFORMATION SHOWN
BUREAU OF FIRE PREVENTION

BY *Fred Larson* DATE *OCT 18 1983*
DEPARTMENT OF FIRE
BUFFALO, NEW YORK

RECEIVED

AUG 25 1983

COWPER-TURNER J. V.
BUFFALO GENERAL HOSPITAL

RECEIVED

OCT 05 1983

COWPER-TURNER J. V.
BUFFALO GENERAL HOSPITAL

BUFFALO GENERAL HOSPITAL
BUFFALO, NEW YORK
PLAN SHOWING OF NEW 5000 GAL
UNDERGROUND F.O. TANK

| | |
|---------------------------------|-----------------------|
| JOB NO. 8318 | |
| DATE 8-17-83 | |
| SCALE AS NOTED | |
| DRAWN SJS | CHECKED WJS |
| DRAWING NO. 6-8318-28 | |

JOSEPH DAVIS INC.
GENERAL MECHANICAL CONTRACTORS

120 W. TUPPER STREET
BUFFALO, NEW YORK

DEPARTMENT OF INSPECTIONS & LICENSES

7:60.00

301 City Hall

Application No. _____ Permit Fee \$ _____
(This application must be filled out in Quadruplicate; or in Quintuplicate if Board of Appeals action is necessary)

Buffalo, N.Y., Oct - 17, 1983

To the Comm. of Insp. & Licenses

1 - 18000 gal steel tank

- 1. I, the undersigned, propose to erect, enlarge, place, convert, alter, use, a building (frame or other construction)
- 2. On the front of premises known as No. 100 High St.
- 3. Located on the North side of street see plot feet _____ of _____
- 4. In a R-3 Zone District. 5. To be used for oil storage (If a Filling Station, state capacity of all tanks in gallons.)

Remarks Lot - see Plot area bounded Elliott East North Goodrich + Elm St.

- 6. On lot _____ feet wide _____ feet long. Area of Lot _____ sq. ft.
- 7. Size of Proposed Building tank 8.0 ft. wide 13.5 ft. long. Area of Bldg. _____ sq. ft. _____ ft. high _____ stories high. Contents of Bldg. _____ cu. ft.
- 8. What other buildings, are, or will be, located on lot? Various
- 9. Size _____ ft. wide _____ ft. long _____ ft. high _____ stories _____ Area _____
- 10. How many families will be housed on premises? none How many apts.? 1
- 11. Depth of front yard _____ ft. Is Heating work necessary? (yes) (no)
Depth of rear yard see ft. Is Electrical work necessary? (yes) (no)
Width of N.E.S.W. side yard see ft. Is Plumbing work necessary? (yes) (no)
Width of other side yard _____ ft. Is Inflammable liquid stored or used on the premises? (yes) (no)
- 12. Area of Accessory Building or Buildings _____ sq. ft., equals _____ % of rear lot Area _____ sq. ft. (Distance from rear of Dwelling to rear lot line multiply by width of lot.)

13. How many employees other than domestic, are or will be engaged in such occupation? _____

14. Compensation Certificate Filed (yes or no). Cost of Building \$ 14,000.00

15. Architect Cannone Contractor Joseph Davis Inc.

Owner of Lot General Hospital Address 1120 W. Tupper St.

Owner of Building Same Agent Steve Spadoni
(Print Owner's Name) (Print Agent's Name)

Mail Address 100 High St. Address 120 W. Tupper St.
(Print Owner's Address) (Print Agent's Address)

Home Improvement Lic. # _____

I declare that I have examined this application and know the contents thereof; that the same correctly describes the character, present and proposed, use and location of the premises or building which the owner proposes to erect, place, enlarge or use, and the ownership thereof.

APPROVED
Date _____ Signature _____ (owner) _____ (contractor)

SUBJECT TO COMPLIANCE WITH ALL APPLICABLE ORDINANCES BASED UPON INFORMATION SHOWN

THIS PERMIT DOES NOT INCLUDE PLUMBING, ELECTRICAL AND HEATING WORK.

BUREAU OF FIRE PREVENTION
Fred Larson DATE OCT 18 1983

SEPARATE PERMITS ARE REQUIRED

DEPARTMENT OF FIRE
BUFFALO, NEW YORK

Disapproved _____ Date _____

Form 29
11/6/67

BUREAU OF FIRE PREVENTION
FLAMMABLE LIQUID ORDINANCE CHAPTER XXIX
STORAGE AND USE OF FUEL OIL III
TYPE OF LIQUID CLASS

APPLICATION
DATE: May 15, 1980 DISTRICT ZONING R - 2
NAME Buffalo General Hospital ADDRESS 100 High Street
Buffalo, New York

USE: COMMERCIAL PRIVATE X PROPERTY: CITY PRIVATE
CONTRACTOR Joseph Davis, Inc. ADDRESS 120 West Tupper Street
Buffalo, New York 14201

APPROVED Joseph E. Hynes Chief
~~DICKERSON~~ JOSEPH E. HYNES TITLE Bureau of Fire Prevention
Install one (1) 5,000-gallon, underground, steel, fuel oil storage tank.

INSTALLATION
DATE: _____
APPLICATION NO: _____ DATE _____ PERMIT NO: _____ DATE _____

TANKS: VENT PIPE:
Number of One (1) Number of ONE (1)

Capacity of Each 5,000-gallon Size 2"

Total Capacity 5000 GAL. Terminates Outside YES

Above Ground NO Feet Above Fill Pipe 12'

Feet Underground 3' Feet From Bldg. Opening 15'

Feet From Property Line 100' 4 Weaherproof Hood YES

Feet From Street Line 63' Flame Arrester _____

Feet From Bldg. or Cellar _____

U.L. Label Numbers NOT AVAILABLE PUMPS:
Number of Pumps _____

Public Assemblage Bldg. Within Feet From Bldg. Line _____

300 Ft. _____ (Sec. 82) Feet From Street Line _____

Less Than 50 Feet From RR & U.L. Label Nos. _____

Docks? (Sec. 16, Chap LLX) _____ If inside Bldg., are pumps protected as required by Sec. 148 _____

FILL PIPE: TESTS: (Sec. 91)
Size 4" Extended Fill? YES APPROVED _____

Located Outside YES Protected _____

Feet From Bldg. Opening 20' DISAPPROVED _____

ALL TANKS, PUMPS AND PIPING, ARE INSTALLED IN ACCORDANCE WITHIN THE REQUIREMENTS OF THE FLAMMABLE LIQUID ORDINANCE, I THEREFORE, RECOMMEND
Lieutenant

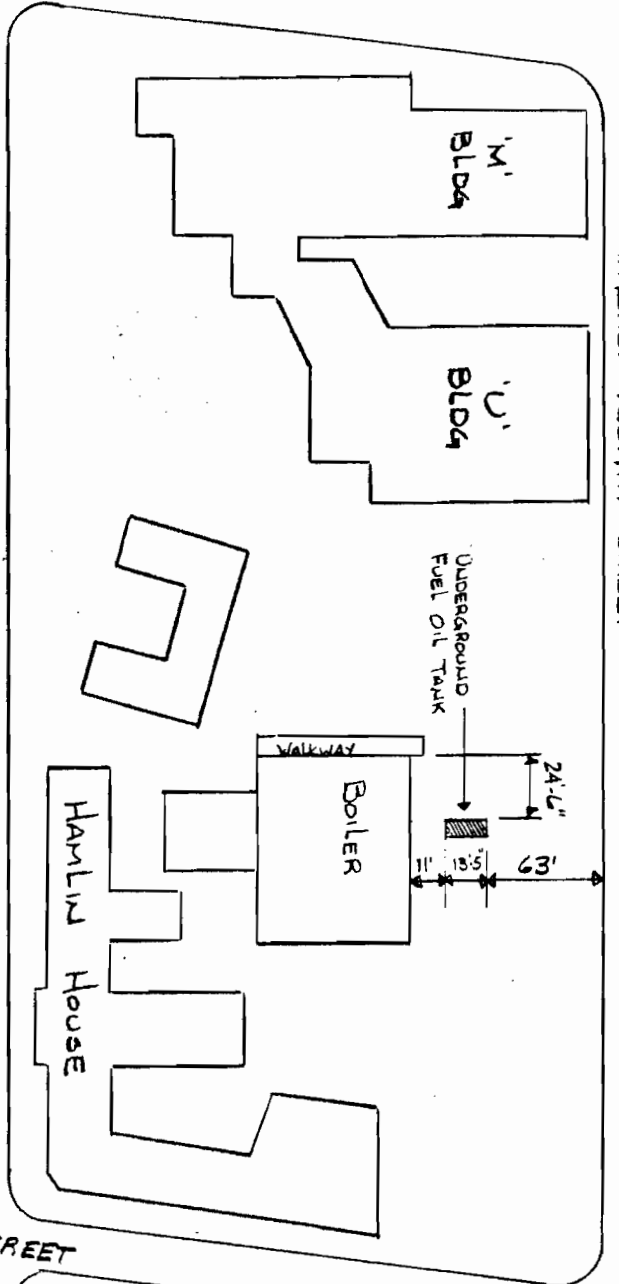
APPROVED TANK INSTALLED Bureau of Fire Prevention DATE UNKNOWN

THE ABOVE LOCATION HAS BEEN INSTALLED FOR THE FOLLOWING SUPPLIER. 1985
NAME _____ ADDRESS _____

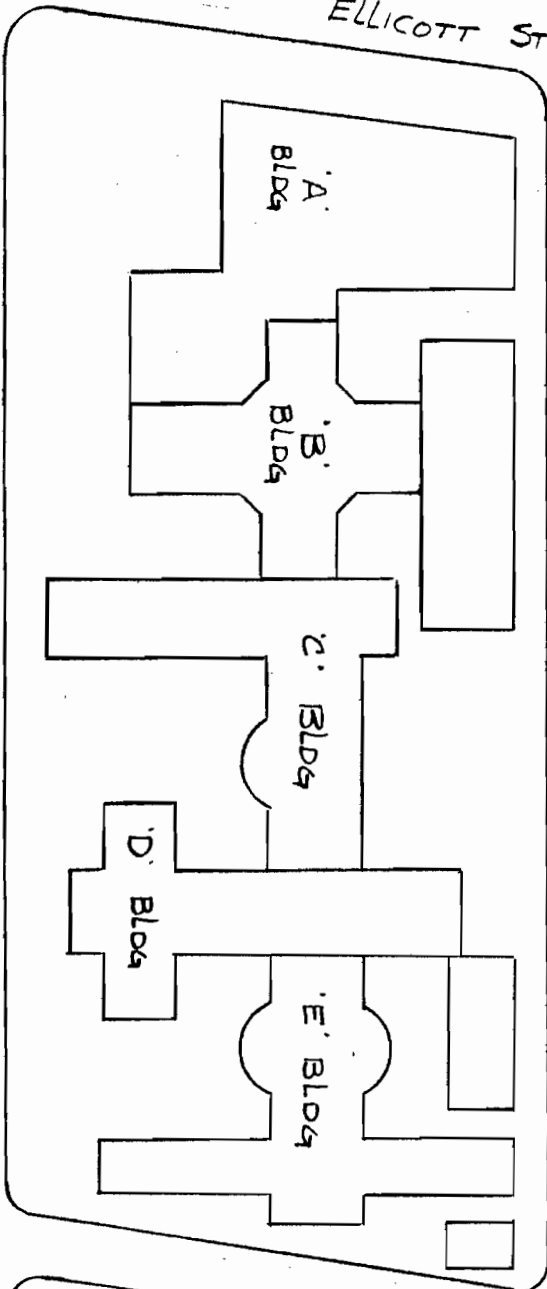
IMPORTANT: Include Remarks, Sketch of Pump and Tank Locations On other side or attach sketch to form. Forward Copy to BUREAU OF

LOCATION Buffalo General Hospital
100 High Street
Buffalo, New York
LICENSE REQUIRED Yes BATTALION 1st COMPANY Ladder 1

EAST NORTH STREET

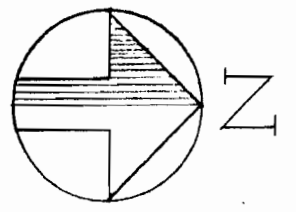
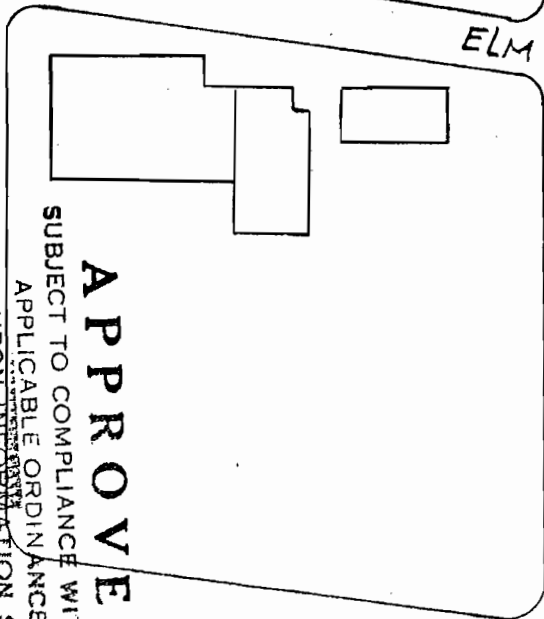


GOODRICH STREET



HIGH STREET

ELM STREET



APPROVED

SUBJECT TO COMPLIANCE WITH ALL APPLICABLE ORDINANCES

BASED UPON INFORMATION SHOWN

BUREAU OF FIRE PREVENTION
MAY 16 1938

BY *Joseph G. ...* DATE

DEPARTMENT OF FIRE
BUFFALO, NEW YORK

Plot Plan Buffalo Gen. Hosp.

1/4" Scale

Form 29
11/6/67

BUREAU OF FIRE PREVENTION
FLAMMABLE LIQUID ORDINANCE CHAPTER XXIX
STORAGE AND USE OF FUEL OIL III
TYPE OF LIQUID CLASS

APPLICATION

DATE: May 15, 1980

DISTRICT ZONING R - 2

NAME Buffalo General Hospital

ADDRESS 100 High Street
Buffalo, New York

USE: COMMERCIAL _____ PRIVATE PROPERTY: CITY PRIVATE

CONTRACTOR Joseph Davis, Inc. ADDRESS 120 West Tupper Street
Buffalo, New York 14201

APPROVED Joseph E. Hynes Chief
~~DISAPPROVED~~ JOSEPH E. HYNES TITLE Bureau of Fire Prevention

Install one (1) 5,000-gallon, underground, steel, fuel oil storage tank.

INSTALLATION

DATE: _____

APPLICATION NO: _____ DATE _____ PERMIT NO: _____ DATE _____

TANKS: VENT PIPE:

Number of One (1) Number of _____

Capacity of Each 5,000-Gallon Size _____

Total Capacity _____ Terminates Outside _____

Above Ground _____ Feet Above Fill Pipe _____

Feet Underground _____ Feet From Bldg. Opening _____

Feet From Property Line _____ Weaherproof Hood _____

Feet From Street Line _____ Flame Arrester _____

Feet From Bldg. or Cellar _____

U.L. Label Numbers _____ PUMPS:

Number of Pumps _____

Public Assemblage Bldg. Within Feet From Bldg. Line _____

300 Ft. _____ (Sec. 82) Feet From Street Line _____

Less Than 50 Feet From RR & U.L. Label Nos. _____

Docks? (Sec. 16, Chap. LLX) _____ If inside Bldg., are pumps protected

as required by Sec. 148 _____

TESTS: (Sec. 91)

APPROVED _____

Size _____ Extended Fill? _____

Located Outside _____ Protected _____

Feet From Bldg. Opening _____ DISAPPROVED _____

ALL TANKS, PUMPS AND PIPING, ARE INSTALLED IN ACCORDANCE WITHIN THE

REQUIREMENTS OF THE FLAMMABLE LIQUID ORDINANCE, I THEREFORE, RECOMMEND

APPROVED Lieutenant Bureau of Fire Prevention DATE _____

THE ABOVE LOCATION HAS BEEN INSTALLED FOR THE FOLLOWING SUPPLIER.

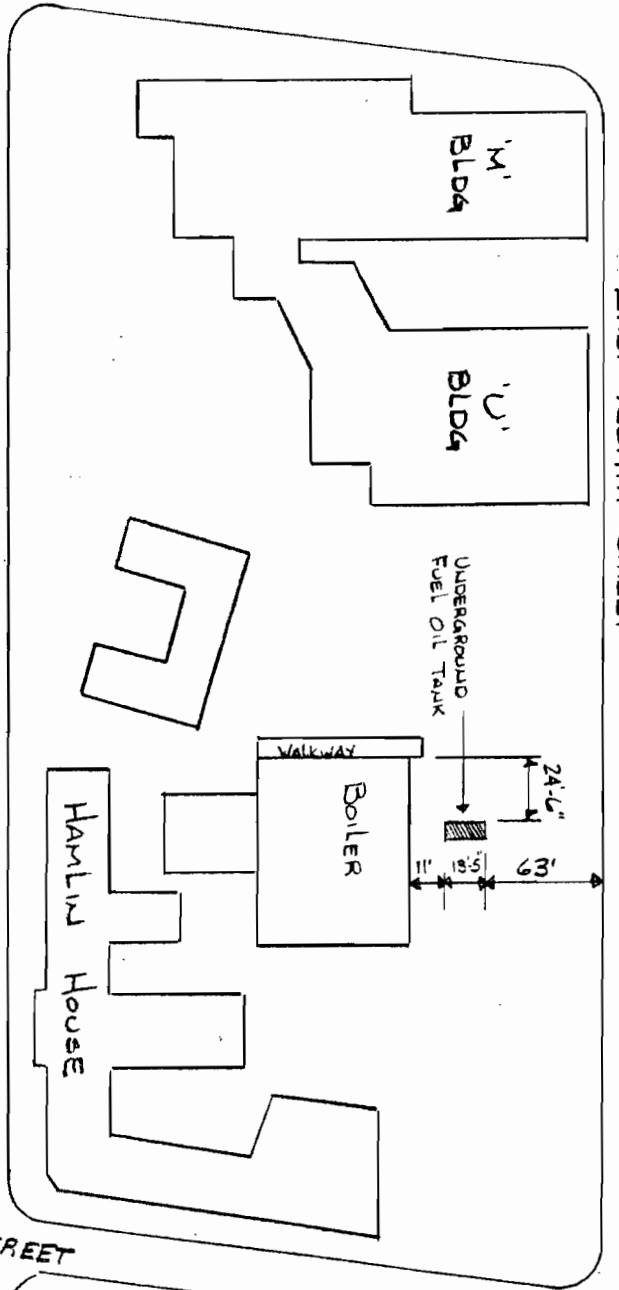
NAME _____ ADDRESS _____

IMPORTANT: Include Remarks, Sketch of Pump and Tank Locations On

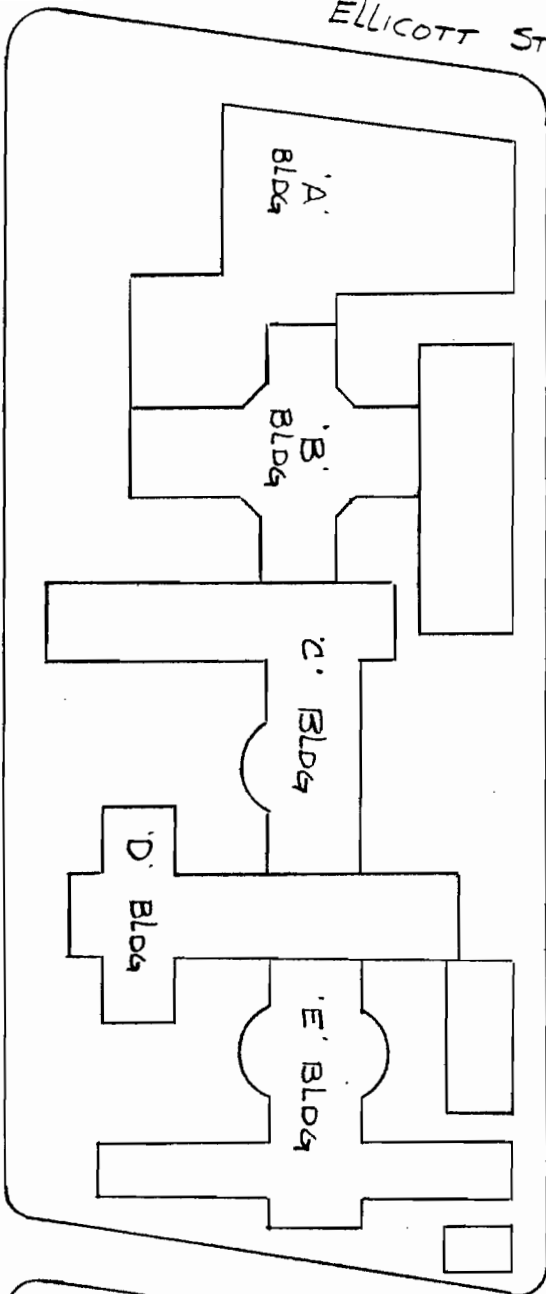
other side or attach sketch to form. Forward Copy to BUREAU OF

LOCATION Buffalo General Hospital
100 High Street
Buffalo, New York
LICENSE REQUIRED Yes
BATTALION 1st
COMPANY Ladder 1

EAST NORTH STREET

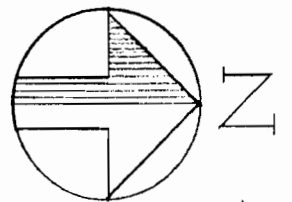


GOODRICH STREET



ELM STREET

HIGH STREET



APPROVED

SUBJECT TO COMPLIANCE WITH ALL APPLICABLE ORDINANCES BASED UPON THE INFORMATION SHOWN

BUREAU OF FIRE PREVENTION MAY 16 1980

DATE

BY

Joseph G. ...

DEPARTMENT OF FIRE
BUFFALO, NEW YORK

Plot PLAN BUFFALO GEN. Hosp.

NO SCALE

ELLCOTT STREET