



Strong Advocates, Effective Solutions, Integrated Implementation

May 15, 2013

Mr. Martin Doster, P.E.
Project Manager
New York State Department of Environmental Conservation
Division of Environmental Remediation, Region 9
270 Michigan Avenue
Buffalo, New York 14203-2999

**Re: 1088 Niagara Street Site
Draft Interim Remedial Measures Work Plan**

Dear Mr. Doster:

On behalf of our client, 9271 Group, LLC (9271 Group), TurnKey Environmental Restoration, LLC (TurnKey) has prepared this letter work plan for proposed interim remedial measures (IRM) related to NY Spill 1201545 for the 1088 Niagara Street Site, in accordance with the Department's May 2, 2013 correspondence.

9271 Group has prepared and submitted an application for admittance into the Brownfield Cleanup Program (BCP) as a volunteer for the larger 1050-1088 Niagara Street Site. Additional remedial investigation is planned for the entire site after admittance into the BCP.

BACKGROUND

The 1088 Niagara Street portion of the BCP Site (northern portion of the Site) formerly included Hygrade Oil Co. and Gulf Oil Corp. which utilized the site as a service station and fuel distribution facility, including multiple petroleum storage and distribution tanks, and gasoline pump house from at least the 1920s through the 1960s.

Based on the findings of the Phase I ESA (June 2012), TurnKey completed a limited Phase II site investigation on the 1088 Niagara Street parcel in June 2012. During the investigation, the presence of three (3) abandoned historic underground storage tanks (USTs) and one (1) former in-ground hydraulic lifts were discovered. Based on the investigation findings, the NYSDEC Spills hotline was notified and Spill No. 1201545 was issued for the Site.

This IRM Work Plan has been prepared in association with the submitted BCP Application for the larger 1050-1088 Niagara Street Site. The purpose of this IRM Work Plan is to provide details relative to the removal and proper handling of the USTs and any residual

contents prior to or concurrent with completion of the Remedial Investigation (RI) and development of remedial alternatives.

INTERIM REMEDIAL MEASURES

In accordance with the Department's request, an IRM is being proposed to address the discovered USTs and any residual contents, and the identified hydraulic lift to expedite the remedial measures. Additional remedial measures beyond those planned as an IRM will be presented in a Remedial Action Work Plan (RAWP) that will be prepared and submitted to the Department after acceptance into the BCP and completion of the remedial investigation (RI). The IRM has been prepared in general accordance with NYSDEC DER-10 and NYSDEC Memorandum *Permanent Closure of Petroleum Storage Tanks* (1987/1988/2003).

UST and Residual Contents Removal

Prior to excavation of the USTs, the tops of the tanks will be fully exposed using an excavator. Upon completion of uncovering the tanks will be opened and inspected to determine proper handling of any residual contents.

If residual contents are discovered, a properly licensed vacuum truck operator will be employed to remove the contents of the tanks and clean the interior of the tanks. All tanks contents and residual cleaning materials will be properly characterized and disposed of off-site at a licensed disposal facility.

Once tank contents are removed, USTs will be removed from the ground, cleaned of residual soil and transported off-site for disposal as scrap. Any appurtenant piping attached to the USTs will be removed during tank excavation.

Hydraulic Lift Removal

The hydraulic lift and reservoir will be excavated and staged on plastic sheeting to allow for the removal and cleaning of any residual contents by the vacuum truck operator, as described above. After removal of any contents, the hydraulic lift and reservoir will be cleared of residual soil and transported off-site for scrap.

Community Air Monitoring

Real-time community air monitoring will be performed during all ground intrusive activities at the Site. Particulate and VOC monitoring will be performed along the downwind perimeter of the work area during subgrade excavation, grading and soil/fill handling activities in accordance with this plan. The CAMP is consistent with the requirements for community air monitoring at remediation sites as established by the New York State Department of Health (NYSDOH) and NYSDEC. Accordingly, it follows procedures and practices outlined under NYSDEC's DER-10 (May 2010) Appendix 1A (NYSDOH's Generic Community Air Monitoring Plan) and Appendix 1B (Fugitive Dust and Particulate Monitoring).

Future BCP Investigation and Remedial Measures

As indicated in the submitted BCP Application, 9271 Group is prepared to complete an RI and remediate the 1050-1088 Niagara Street Site in accordance with the requirements of the BCP. As such, we propose to address any additional petroleum-impacted soil/fill and/or characterization sampling associated with the IRM described above, under the supervision of the Department during the RI and Remedial Action phases of the BCP project.

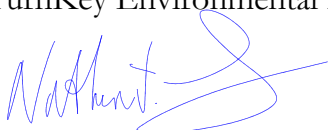
Reporting

All reporting and documentation associated with the IRM will be included in the RI-IRM-AAR. IRM documentation will include:

- Daily log sheets
- Disposal facility applications, approvals and associated manifests
- Copy of NYSDEC Petroleum Bulk Storage Application to register all USTs closed-removed
- Sampling and Analysis results, and
- Community Air Monitoring Plan records.

If you have any question, please us know.

Sincerely,
TurnKey Environmental Restoration, LLC



Nathan Munley
Senior Project Scientist



Michael Lesakowski
Project Manager

cc: W. Paladino (9271 Group)
C. Slater (Slater Law)
E. Melnyk (NYSDEC)
F. Gallego (NYSDEC)

File: 0136-013-005

FIGURE

