

PHASE I ENVIRONMENTAL SITE ASSESSMENT

Prepared for:

Integrated Separation Solutions

For Property Located at:

**750 East Ferry St.
Buffalo, New York, 14211**

Submitted by:

**Richard A. Bui & Associates, Inc.
520 Fair Vista Court
Wexford, PA**

TABLE OF CONTENTS

- 1.0 Introduction
 - 1.1 Purpose
 - 1.2 Scope of Work
 - 1.3 Organization of Report
- 2.0 Phase I Environmental Site Assessment
 - 2.1 Site Location
 - 2.2 Site Description
 - 2.2.1 Adjacent Property Description
 - 2.3 Site History
 - 2.3.1 Adjacent Property History
 - 2.4 Regulatory Review
 - 2.5 Site Conditions
 - 2.5.1 Containers and Storage Tanks
 - 2.5.2 Polychlorinated Biphenyls (PCBs)
 - 2.5.3 Asbestos
 - 2.5.4 Soil
 - 2.5.5 Lead Based Paint
 - 2.5.6 Waste Water
- 3.0 Conclusions and Recommendations
 - 3.1 Containers and Storage Tanks
 - 3.2 Polychlorinated Biphenyls (PCBs)
 - 3.3 Asbestos
 - 3.4 Soil
 - 3.5 Lead Based Paint
- 4.0 Reliance Statement and Signature Page
 - 4.1 Reliance Statement

APPENDIX A ABE 1993 Phase I Environmental Site Assessment Report

APPENDIX B EDR Regulatory Retrieval

APPENDIX C Photographs

1.0 INTRODUCTION

1.1 Purpose

Richard A. Bui & Associates, Inc. (RAB) conducted an Phase I Environmental Site Assessment Update at the request of Mr. Terry Esbeck of Integrated Separation Solutions. The purpose of the survey is to provide a report describing the current compared to the 1993 Phase 1 Environmental Site Assessment prepared by Astorino Branch Environmental conditions and to identify potential environmental problems for which the property owner might be liable.

RAB does not assume responsibility for the discovery and elimination of hazards which could possibly cause accidents, injuries, or damage. Compliance with submitted recommendations and/or suggestions in no way assures elimination of hazards or the fulfillment of the company's obligations as may be required by any local, state or federal laws or any modifications or changes thereto. In many cases, federal, state or local codes require the prompt reporting to relevant authorities if a release occurs. It is the responsibility of the existing owner or operator to notify authorities of any conditions which are in violation of the current legal standards. RAB submits information gathered from the visual Environmental Site Assessment (ESA), interviews with relevant personnel and review of available records, in good faith. No testing or sampling was performed for the purpose of this survey. Findings and conclusions are based upon visual inspections, review of environmental documents and professional interpretation.

1.2 Scope of Work

The scope of work includes the following tasks:

Document Review

RAB has reviewed documents maintained by the property owner as well as information available from:

- Phase I ESA by Astorino Branch Environmental dated July 1993
- Limited Phase II ESA by RAB dated August 2001

General Site Reconnaissance and Investigation (Non-Intrusive Investigation)

RAB has conducted a reconnaissance of the site's surface and other appurtenances. This task was designed to identify apparent signs or evidence of potential environmental concerns.

Data Analysis / Final Report

After reviewing the available records and site information, and conducting the walkover of the site, RAB staff has evaluated and analyzed the data along with our own independent observations. This task is designed to assist in the identification of any gaps or missing data in the information base and to focus subsequent assessment activities on the real or potential environmental contamination issues.

RAB has assembled the data collected from the prior mentioned tasks into a Final Report for the subject property. The report includes a description of investigation methodologies, raw data, results/conclusions, and a description of any recommended additional investigation or remedial actions.

1.3 Organization of Report

Part 1 of this report introduces the purpose of this project, the primary objectives of the ESA, and the scope of work. Part 2 summarizes the findings, and Part 3 covers recommendations and conclusions regarding the visual survey of the subject property. Part 4 is the signature page and reliance statement.

2.0 PHASE I ENVIRONMENTAL SITE ASSESSMENT

This section of the report documents the Phase I ESA conducted by RAB. The purpose of the Phase I assessment was to:

- review readily available information to assess if past or present property usage could have significantly affected the environment;
- determine the status of current environmental conditions by performing a site reconnaissance;
- evaluate the potential for environmental impact from polychlorinated biphenyls (PCBs), Storage Tanks, and hazardous chemicals and materials

On June 20 and 21, Richard A. Bui, CIH, CSP, met with Marc Willer, Facilities Manager and Environmental Coordinator for Buflovak LLC, at the subject site to begin the onsite investigation portion of the assessment.

2.1 Site Location

The subject property is located at 750 East Ferry St., Buffalo, New York, 14211. The subject site is located in Erie County, on the east side of the city of Buffalo, New York (see Figure I in Appendix A). According to information provided to RAB, the approximate coordinates for the subject property are 42 degrees 54 minutes 58 seconds latitude, and 78 degrees 50 minutes 25 seconds longitude.

2.2 Site Description

The subject property consists of approximately seventeen (17) acres. Scajaquada Creek runs under the property in a tunnel constructed by the Buffalo Sewage Authority around 1922. The Scajaquada Creek flows from the west running to the east running both underneath and between the main floor building and the machine shop building.

The facility consists of five (5) buildings. For the purpose of this report, the buildings are identified as follows:

<u>Building Number</u>	<u>Description</u>	<u>Date Built</u>
One	Laboratory	1918
Two	Main Fabrication	1910
Three	Machine Shop	1910/1930
Four	Fabricating Department	1918/1930 +
Five	Office	1901 +

The laboratory building is used as a testing area. Equipment for testing includes such things as food dryers, mixers, etc. This building is the most easterly building on the subject property and utilizes a gas-fired boiler.

South of the laboratory building is the main fabricating building. This building has the main boiler room located on the east side of the building and a large bay of approximately four hundred and eighty feet (480) by eighty feet (80) wide. There is approximately 6,000 linear feet of suspect asbestos containing pipe insulation in the main fabricating building. A waste oil incinerator is located along the west side of the main building. At the time of the survey, the incinerator was temporarily out of service.

There are three (3) dry pits in the main fabricating building. These pits are utilized when oversized equipment is being fabricated.

A 20,000-gallon above ground fuel oil tank was removed from the site in 1994.

A 10,000-gallon above ground fuel oil tank was removed from the site in 1987.

A 10,000-gallon Fuel Oil underground storage tank was cleaned and filled with concrete in 1987.

The machine shop has a cementitious coating on the exterior of the building and wood block flooring on the interior of the building.

The machine shop and remaining buildings are constructed of brick, steel, coated corrugated steel, and transite panels. Many of the transite panels are in fair to poor condition. All buildings have had roofs are in need of repair.

The office building has a central boiler room with a gas-fired boiler.

The parking area is located on the south end of the property between the buildings and East Ferry Street.

2.2.1 Adjacent Property Description

The adjacent property to the north of the subject property is a right of way for the New York Central Railroad. Industrial property is located in close proximity as well.

The property to the south of the subject property (across East Ferry St.) is occupied by Secondary Service and Supply, a collision repair facility, and residential property.

The adjacent property to the east includes a juvenile correction facility and a large elevated municipal water tank.

West of the subject property, several properties exist along Fillmore Street including Jamison Roofing, an auto repair facility, St. Augustine Home Healthcare Center, and residential properties.

2.3 Site History

This portion of the report contains a chain of title to investigate possible previous environmental concerns that may be present as a result of a previous ownership on the subject property or previous owners of adjoining properties involved in the handling or storage of hazardous materials or hazardous waste. Additional information (other than names or dates of ownership) may be included in this portion of the report if determined by the researcher that it may be relevant. Such items would include Right of Ways, and physical descriptions.

The subject property has been an industrial property since 1901. Information obtained from Buflovak LLC indicates that the construction to accommodate Buffalo Foundry and Machine Company was in 1902. Beginning in 1948, the property was owned and operated by Buffalo Foundry and Machine with foundry operations having ceased. In 1964 the property was purchased by Blawknex Food and Chemical Equipment and transferred to Blawknex Technologies in 1992. In 1994 the subject property became the site of Buffalo Technologies with subsequent transfer to Buflovak LLC in 2003.

According to information from the Astorino Branch 1993 and RAB 2001 ESAs, the most northern portion of the property was utilized as a city dump prior to industrial development.

2.3.1 Adjacent Property History

According to the 1993 Phase I ESA report prepared by Astorino-Branch Environmental, the industrial property to the south beyond East Ferry Street was formerly owned by:

- City of Buffalo.
- Protection Tile
- Industrial Refining Corporation (1978)
- Western Electric
- General Electric (Seth Gifford)

The property to the east is the former site of a gasoline station.

2.4 Regulatory Review

The regulatory review is a compilation of federal, state and local lists identifying sites within a specified radius of the subject property. The radius searched is based on recommendations established by the American Society for Testing and Materials (ASTM). The following summarizes the results of the regulatory review:

RCRAInfo is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. RCRAInfo replaces the data recording and reporting abilities of the Resource Conservation and Recovery Information System (RCRIS). The database includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Conditionally exempt small quantity generators (CESQGs) generate less than 100 kg of hazardous waste, or less than 1 kg of acutely hazardous waste per month. Small quantity generators (SQGs) generate between 100 kg and 1,000 kg of hazardous waste per month. Large quantity generators generate over 1,000 kilograms (kg) of hazardous waste, or over 1 kg of acutely hazardous waste per month. Transporters are individuals or entities that move hazardous waste from the generator offsite to a facility that can recycle, treat, store, or dispose of the waste. TSDFs treat, store, or dispose of the waste. A review of the RCRA-SQG list, as provided by EDR, and dated 05/20/2005 has revealed that there are 8 RCRA-SQG sites within approximately 0.25 miles of the target property.

The State Hazardous Waste Sites records are the states' equivalent to CERCLIS. These sites may or may not already be listed on the federal CERCLIS list. Priority sites planned for cleanup using state funds (state equivalent of Superfund) are identified along with sites where potentially responsible parties will pay for cleanup. The data come from the Department of Environmental Conservation's Inactive Hazardous Waste Disposal Sites in New York State. A review of the SHWS list, as provided by EDR, has revealed that there are 4 SHWS sites within approximately 1 mile of the target property.

Leaking Storage Tank Incident Reports. These records contain an inventory of reported leaking storage tank incidents reported from 4/1/86 through the most recent update. They can be either leaking underground storage tanks or leaking aboveground storage tanks. The causes of the incidents are tank test failures, tank failures or tank overfills. A review of the LTANKS list, as provided by EDR, and dated 05/02/2005 has revealed that there are 16 LTANKS sites within approximately 0.5 miles of the target property.

The Underground Storage Tank database contains registered USTs. USTs are regulated under Subtitle I of the Resource Conservation and Recovery Act (RCRA). The data come from the Department of Environmental Conservation's Petroleum Bulk Storage (PBS) Database. A review of the UST list, as provided by EDR, and dated 01/01/2002 has revealed that there are 3 UST sites within approximately 0.25 miles of the target property.

Data collected on spills reported to NYSDEC is required by one or more of the following: Article 12 of the Navigation Law, 6 NYCRR Section 613.8 (from PBS regs), or 6 NYCRR Section 595.2 (from CBS regs). It includes spills active as of April 1, 1986, as well as spills occurring since this date. A review of the NY Spills list, as provided by EDR, and dated 05/02/2005 has revealed that there are 2 NY Spills sites within approximately 0.125 miles of the target property.

The EPA's listing of Brownfields properties addressed by Cooperative Agreement Recipients and Brownfields properties addressed by Targeted Brownfields Assessments. A review of the US BROWNFIELDS list, as provided by EDR, has revealed that there is 1 US BROWNFIELDS site within approximately 0.5 miles of the target property.

Located approximately 0.3 miles from the eastern border of the subject property, 858 East Ferry Street Site is a Class 2 site, listed on the NYSDEC Registry of Inactive Hazardous Waste Sites (NYSDEC Site No. 9-15-175). This site which is adjacent to the site of a former zinc and lead smelting and refining facility (856 East Ferry St.) is currently vacant and owned by the City of Buffalo. Historical records indicate 858 East Ferry St. may have been used as a disposal area for the smelter. In 2004, the New York State Department of Environmental Conservation contracted with URS Corporation to determine the extent of horizontal contamination originating from 858 East Ferry Street. Results indicate that there is some lead contamination on the subject property. Additionally, PAH contamination from the 858 East Ferry St. site is possible.

2.5 Site conditions

2.5.1 Containers and Storage Tanks

The laboratory houses small quantities of chemicals. Two flammable storage cabinets are located in the laboratory area, and flammable drum storage is located in the power house. Waste drum disposal is located outside the laboratory.

According to the Phase I Environmental Site Assessment prepared in 1993 by Astorino Branch Environmental, the existing facility had a detailed written waste contingency and spill prevention plan which appeared to be well implemented. Waste oil was burned in a waste oil incinerator which was out of commission at the time of this survey.

According to the Limited Phase II Environmental Site Assessment prepared in 2001 by RAB, the 20,000 gallon above ground fuel oil storage tank located on the west side of the Machine Shop was permanently closed and removed in 1992. Additionally a 10,000 gallon above ground storage tank on the east side of the shop was permanently closed and removed in 1987 and a 10,000 gallon underground storage tanks was cleaned and filled with concrete in 1987.

In addition, the attached regulatory data review prepared by Environmental Data Resources (EDR) indicates that three underground storage tanks exist within ¼ mile of the subject property.

2.5.2 Polychlorinated Biphenyls (PCBs)

According to the Phase II Environmental Site Assessment prepared in 2001 by RAB, there were several transformers and capacitors located inside and outside of the buildings prior to March 2000. These transformers were removed to an approved facility. The outside area where the transformers used to exist is located between the Laboratory building and eastern most corner of the boiler room of the Main Fabrication Building.

2.5.3 Asbestos

The table below summarizes the suspect asbestos containing building materials identified during the site reconnaissance:

Location	Type	Approximate Quantity
Main Fabricating Building	Pipe Insulation	6,000 linear feet
Remaining Facility	Pipe Insulation	6,000 linear feet
Office Building	Floor Tile	20,000 square feet
Main Boiler Area	Tar and Felt	7,000 square feet
Main Fabricating Building	Tar and Felt	194,351 square feet
Storage Shed near Tool Room	Transite	1,164 square feet

The transite located in the Receiving Department was observed to be in poor to fair condition. The Transite in the Small Tool Room was observed to be in very poor condition.

2.5.4 Soil

As previously mentioned in paragraph 2.1.1 the subject property has been industrial property since the early 1900s. Previous operations performed relating to foundry operations onsite and offsite may have contributed to any soil contamination existing today. In addition, past practices (prior to 1984) of similar facilities owned by Blaw Knox include the disposing of used oils on parking areas and roadways as a method of dust control. The location and description of specific activities that typically may have created an environmental concern cannot always be defined, therefore it is possible that the entire property may have elevated levels of regulated materials.

Please refer to the limited Phase II Environmental Site Assessment prepared in 2005 by Richard A. Bui & Associates for a detailed description of soil conditions and sampling results.

2.5.5 Lead Paint

It is suspected that the steel structures have been coated with lead based paint. It is also probable that the interior areas of the building contain lead based paint. Lead based paint was widely used in the early 1950s for residential and commercial properties. Industrial use of lead based paint as a corrosion resistant primer, continued through the 1980s.

2.5.6 Waste Water

According to the 1993 Phase I Environmental Site Assessment prepared by Astorino Branch Environmental, Inc., die testing was performed to determine the fallout locations of the onsite drains. It appears that only storm drains discharge to nearby Scajaquada Creek with the remainder of the waste water being discharge through dedicated sewage lines to municipal facilities.

3.0 CONCLUSIONS AND RECOMMENDATIONS

3.1 Containers and Storage Tanks

Considerable effort has been made starting with Blaw Knox personnel to reduce any potential contamination caused by careless storage of drummed material on the subject property. Past practices may not have been as effective.

The attached regulatory data retrieval report indicates that there are approximately 16 leaking storage tank facilities located within 0.5 miles of the subject property. In addition, the 1993 Phase I ESA Report indicates that there was a fuel oil spill in 1986.

In addition previous ESAs make mention of 250 and 500 gallon storage tanks located at the subject property. These storage tanks were not on the property at the time of this survey and no other information could be obtained regarding the disposition of the tanks.

Richard A. Bui and Associates recommends that the extent of contamination on the subject property from leaking storage tanks and containers should be ascertained in a Phase II Environmental Site Assessment.

3.2 Polychlorinated Biphenyls (PCBs)

According to the 2001 Phase II ESA report prepared by RAB, two areas of soil were sampled for PCB contamination. Both samples indicated that the soil in those areas is not PCB contaminated. The recommendation that if this area is utilized that any old transformers and gravel/dirt be handled with care and properly disposed of remains unchanged.

3.3 Asbestos

A comprehensive asbestos survey has not been performed of this facility. Asbestos containing materials that are damaged may create an environmental health hazard. Prior to any demolition or renovation activities sampling should be conducted to identify any asbestos containing building materials which may be disturbed.

3.4 Soil

As previously mentioned in paragraph 2.1.1 the subject property has been industrial property since the early 1900s. Previous operations performed relating to foundry operations may have contributed to any soil contamination existing today. In addition, past practices (prior to 1984) of similar facilities owned by Blaw Knox include the disposing of used oils on parking areas and roadways as a method of dust control. The location and description of specific activities that typically may have created an environmental concern cannot always be defined, therefore it is possible that the entire property may have elevated levels of regulated materials. Therefore sampling for organics and inorganics on the subject property is recommended.

Please refer to the Phase II Environmental Site Assessment prepared in 2005 by Richard A. Bui & Associates for a detailed description of soil conditions and sampling results.

3.5 Lead Paint

Possible lead based paint is present on all painted surfaces of existing steel structures and the painted walls in the older portion of the office building. It should be noted that the salvage value of the scrap steel from possible demolition of this facility would be reduced due to the presence of lead based paint. Prior to any renovation or demolition activities that involve cutting or grinding of painted surfaces, a lead based paint survey should be conducted to ensure occupant safety and to avoid environmental contamination.

4.0 RELIANCE STATEMENT AND SIGNATURE PAGE

4.1 Reliance Statement

We hereby certify that the Phase I Environmental Site Assessment as provided to Integrated Separation Solutions for the property located at 750 East Ferry St., Buffalo, New York, 14211, was conducted using current industry standards. The activities performed in conducting this assessment are similar to the recommended procedures presented in the American Society for Testing and Materials (ASTM) Standard E1527-00: Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process. In addition, this assessment was conducted and reviewed by knowledgeable and experienced person(s) in performing the project functions.

Prepared by:

Richard A. Bui, CSP, CIH
President