

WENDEL/BUDC

Golf Course Feasibility Study

**Phase I Environmental site Assessments
Executive Summaries**

August 2013

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1.0 Introduction

This report summarizes the findings of Phase I Environmental site Assessments (ESAs) completed for the South Buffalo Golf Course Feasibility Study, which includes the properties identified in Table 1 on the following page, and illustrated on Figure 1 - Study Area Parcels Map included as Attachment 1.

The ESAs were commissioned by the Buffalo Urban Development Corporation (BUDC) pursuant to a Professional Services Agreement signed in January 2013 between the BUDC and Audubon Architecture, Engineering, Surveying & Landscape Architecture P.C. (WENDEL). This Phase I ESA is included as part of the scope of services attached as Exhibit A to the Professional Services Agreement. ARCADIS was commissioned as a sub-consultant to WENDEL to complete the Phase I ESAs pursuant to an agreement between WENDEL and ARCADIS signed in April 2013.

The Phase I ESAs were conducted as part of an overall due diligence project for the South Buffalo Golf Course Feasibility Study initiated by the BUDC. The Feasibility Study will evaluate the construction of a golf course on existing landfills and adjacent properties as part of implementation of the South Buffalo Brownfield Opportunity Area program.

With the exception of Mardan Technologies and 49 Hopkins Street, the scope of this assessment included site visits which were performed by Ms. Tracy Hemmerling and/or Ms. Sandra Johnston of ARCADIS. ARCADIS also performed a detailed environmental database search and records review of each site.

Full versions of the Phase I ESAs for all of the properties have been provided under separate cover to WENDEL. This executive summary report summarizes the general site descriptions, property data gaps, recognized environmental conditions (RECs), or other environmental findings identified for each property.

Table 1: Report Organization

| Report Name | Report Status | sites | Address | SBL# |
|--|-----------------------|---|-----------------|---------------|
| Steelfields / Marilla Street Landfill | Completed June 2013 | BOA site 61: Marilla Street Landfill | 226 Marilla St. | 132.16-1-9 |
| | | | 50 Marilla St. | 132.16-1-11.2 |
| | | | 4 Buffalo RR S. | 132.16-1-13 |
| | | | 230 Marilla St. | 133.13-1-8 |
| | | | 105 Marilla St. | 132.20-1-9 |
| | | | 47 Marilla St. | 132.20-1-2.2 |
| | | | 107 Marilla St. | 133.17-1-1 |
| | | | 109 Marilla St. | 133.17-1-2 |
| | | | 38 Hopkins St. | 133.17-1-9 |
| | | | 2 Hopkins St. | 133.17-1-10 |
| | | | 228 Marilla St. | 132.16-1-14 |
| Alltiff Landfill and Adjacent Properties | Completed June 2013 | BOA site 62: Vacant Industrial site | 51 Hopkins St. | 133.17-1-6 |
| | | BOA site 49: Alltiff Landfill | 302 Abby St. | 132.12-1-21 |
| | | BOA site 57: South Buffalo Railroad Company | N/A | 132.16-1-11.1 |
| | | BOA site 47: Adrian Realty Co. | 106 Abby St. | 132.12-1-22 |
| 90 Hopkins Street | Completed June 2013 | BOA site 47: Unknown Railroad Property | N/A | 132.12-1-24 |
| | | | | 132.16-1-12 |
| 90 Hopkins Street | Completed June 2013 | BOA site 58: Vacant Industrial | 90 Hopkins St. | 133.13-1-10 |
| Skyway Auto Parts | Completed June 2013 | BOA site 49: Skyway Auto | 637 Tiff St. | 133.09-1-17 |
| Hopkins Tiff Realty Corp (former Ramco Steel) and Adjacent South Buffalo Rail Road | Completed July 2013 | BOA site 50: Former Ramco Steel | 193 Abby St. | 133.13-1-1 |
| | | BOA site 57: South Buffalo Railroad | N/A | 133.13-1-2 |
| | | BOA site 57: South Buffalo Railroad | N/A | 133.13-1-16.1 |
| LKQ Broadway Auto Parts Inc. | Completed July 2013 | BOA site 60: LKQ Auto Parts Inc. | 40 Hopkins St. | 133.13-1-7 |
| | | | 42 Hopkins St. | 133.13-1-6 |
| 49 Hopkins Street | Completed August 2013 | BOA site 63: Vacant / Cell Tower | 49 Hopkins St. | 133.17-1-7 |
| Mardan Technologies | Completed August 2013 | BOA site 59: Mardan Technologies | 88 Hopkins St. | 133.13-1-5 |

2.0 Steelfields / Marilla Street Landfill

Steelfields is located east of the South Buffalo Railroad railway corridor, south of Marilla Street and the Baltimore and Ohio Railroad tracks and north of South Park. The site is irregularly shaped and consists of twelve tax map parcels, detailed in Table 1. The site area totals approximately 102.5 acres of land, of which 80 acres is landfilled area.

Historically, the site has been utilized for the landfilling of byproducts from the production of steel. The landfill was owned and operated by Republic Steel from 1930-1981. In 1984, LTV Steelfields Company acquired Republic Steel and has completed closure, remediation, and long term monitoring of the site. Republic Steel utilized the site for the disposal of slag, blast furnace dust, basic oxygen furnace (BOF) dust, clarifier sludge, precipitator dust, railroad ties, checker bricks, construction debris, waste oils and acids.

Remedial actions have been completed for the landfill and the site is currently registered as an Inactive Hazardous Waste Disposal site. The site currently consists of landfilled capped areas, wetlands, and ponds. A railroad and railroad bridge also traverse the property on the eastern portion of the site. There are no other structures located on the site. A Site Details Map is provided as Figure 4 in the Phase I ESA, and is also included in Attachment 2 of this executive summary report.

Data Gaps/Limitations:

A data gap, as defined by ASTM, is a lack of or inability to obtain information required by the standard and practices listed in ASTM despite good faith efforts by the Environmental Professional to gather information pertaining to the site. The following data gaps were identified for the site:

- A Chain of Title Search was not provided by the Client or Owner prior to completion of the report.
- The site contacts did not accompany ARCADIS during the site reconnaissance and as such were not interviewed during the completion of this Phase I ESA. A request to complete a User Questionnaire was made with the site contacts; however it was not received prior to the completion of this Phase I ESA.
- No information pertaining to the relationship of the purchase price to the fair market value of the site was provided by the Client

- Detailed information regarding any environmental liens or activity and land use limitations (AULs) such as deed restrictions, engineering controls or institutional controls was not provided prior to completion of this report.

Findings:

This Environmental site Assessment has revealed the following evidence of recognized environmental conditions associated with Steelfields/Marilla Street Landfill:

- **Previous site Uses:** Historically, the site has been utilized for the landfilling of byproducts from the production of steel including the disposal of slag, blast furnace dust, basic oxygen furnace (BOF) dust, clarifier sludge, precipitator dust, railroad ties, checker bricks, construction debris, waste oils and acids. The landfill was owned and operated by Republic Steel from 1930-1981. In 1984, LTV Steel Company acquired Republic Steel and has completed closure, remediation, and long term monitoring of the site.
- **Active and Historic Railroad on site:** The site is traversed by an active railroad track and associated railroad bridge that have been located on the site since at least 1948.
- **Impacts from Adjacent Railroad/Industrial Properties:** The site is located in a historically industrialized area. The site is bordered to the north by active rail lines owned by Baltimore and Ohio Railroad Company and a railroad corridor is located west of the site. The site also abuts three properties located on the north side of the rail lines: the Alltiff Landfill site (#915054), 90 Hopkins Street (Environmental Restoration site) and an auto parts yard (LKQ Broadway Auto Parts). Nearby inactive hazardous waste sites include, Ramco Steel, Donner Hanna Coke, Republic Steel/Marilla Street Landfill, and Union Ship Canal/Lakeside Commerce Park. Refer to Section 2.4 of the Phase I ESA for full description of adjacent properties identified to have the potential to impact the site.

3.0 Alltift Landfill and Adjacent Properties

This report included an assessment of five tax map parcels identified as follows:

- 132.12-1-21: Alltift Landfill, 302 Abby Street, City of Buffalo, 25.427 acres
- 132.12-1-22: Adrian Realty Corporation, 106 Abby Street, 7.394 acres
- 132.12-1-24: Unknown Railroad Property, 2.08 acres
- 132.16-1-12: Unknown Railroad Property, 2.43 acres
- 132.16-1-11.1: South Buffalo Railroad Company, 5.2 acres

The largest portion of the Alltift Landfill is located on tax map parcel 132.12-1-21 on an approximate 25 acre parcel (referred to as the Alltift Landfill). The landfill, and associated reconstructed wetlands, extends west onto the adjacent Adrian Realty property, 132.12-1-22 (referred to as the Adrian Realty Property). Further west are two railroad properties identified as 132.12-1-24 and 132.16-1-12 that have no known property owner (referred to as Unknown Railroad properties). West of the Unknown Railroad properties is another railroad property owned by the South Buffalo Railroad Company identified as 132.16-1-11.1 and referred to as South Buffalo Railroad Property. The landfill does not extend onto the railroad properties, however they have been included in this Report due to their proximity to the landfill.

Remedial actions have been completed for the Alltift Landfill and the site is currently registered as an Inactive Hazardous Waste Disposal site. The Alltift Landfill is currently comprised of wetlands and vacant lands. There are no structures located on the Alltift Landfill or Adrian Realty properties with the exception of a small storage shed located at the entrance to the Alltift Landfill.

The Unknown Railroad Properties are currently vacant land with overgrown vegetation. Several electrical poles (unknown use or ownership) are located on the Unknown Railroad Properties. The South Buffalo Railroad Property is a small parcel of land with two active railroad tracks.

A Site Details Map is provided as Figure 4 in the Phase I ESA, and is also included in Attachment 2 of this executive summary report.

Data Gap/Limitations:

A data gap, as defined by ASTM, is a lack of or inability to obtain information required by the standard and practices listed in ASTM despite good faith efforts by the

Environmental Professional to gather information pertaining to the site. The following data gaps were identified for the site:

- A Chain of Title Search was not provided by the Client prior to completion of the report.
- ARCADIS was not able to interview the owners of the South Buffalo Railroad, Adrian Realty, and the Unknown Railroad Properties during the completion of this Phase I ESA. In addition, User Questionnaires were not provided for these properties because the no contact information was provided for the current owners of these properties.
- ARCADIS was unable to conduct a site reconnaissance of the Unknown Railroad Properties and South Buffalo Railroad Property as access to the properties was not obtained from the site owners.

Findings:

This Environmental Site Assessment has revealed the following evidence of recognized environmental conditions associated with the Alltiff Landfill, Adrian Realty, and South Buffalo Realty Properties:

Alltiff Landfill and Adrian Realty Properties:

- The Alltiff Landfill and adjacent Adrian Realty property were operated or associated with landfilling activities from the 1930's until 1984. The City of Buffalo first operated the site as a municipal landfill from 1930 to 1957. From 1957 until 1975 the site was owned and operated as a commercial/industrial landfill by a private entity, Abtiff Realty. In 1975 Alltiff Realty obtained the landfill, operating it as an industrial and construction demolition landfill until ceasing operations in February 1984. The City of Buffalo took title of the Alltiff Landfill site in 1992.
- While the Alltiff Landfill and Adrian Realty property have been considered remediated by the NYSDEC there are several institutional controls in place to prevent future exposure to human health and the environment including: development of the sites are restricted to commercial/industrial uses, future excavation must be conducted in accordance with an approved plan; if new buildings are constructed a soil vapor intrusion evaluation must be completed.

Unknown Railroad and South Buffalo Railroad Properties:

- The Unknown Railroad Properties and the South Buffalo Railroad Property, while adjacent to the landfill operations, do not appear to have been associated with landfilling activities. However, these properties have been associated with active railroad usage since at least 1917. Several spills have been reported in this area do to railroad activities.

Industrial Uses of Properties Adjacent to and in General Vicinity of the sites:

- The sites are located in a historically industrialized area. Active industrial facilities are located east of the sites including, Skyway Auto Parts, Buffalo Recycling Enterprises, Buffalo Block, and Niagara LaSalle. And an active railroad corridor is located west of the sites. Nearby inactive hazardous waste sites include, Ramco Steel, Donner Hanna Coke, Republic Steel/Marilla Street Landfill, and Union Ship Canal/Lakeside Commerce Park. Refer to Section 2.4 of the Phase I ESA for full description of adjacent properties identified to have the potential to impact the sites.

4.0 90 Hopkins Street

The 90 Hopkins Street site is irregularly shaped and consists of one tax map parcel, identified as 133.13-1-10. The property is zoned “Vacant Industrial” and is owned by the City of Buffalo. The property is part of the New York State Department of Environmental Conservation (NYSDEC) Environmental Restoration Program (program ID: E915181) under the Clean Water/Clean Air Act.

The site is currently vacant with the exception of two lime waste piles covering the majority of the site. The lime is a by-product of residual industrial lime from previous industrial operations and is described in further detail in the Phase I ESA. Several former structures were demolished in 2002 and foundations and concrete pads from the previous structures currently exist on site.

A Site Details Map is provided as Figure 4 in the Phase I ESA, and is also included in Attachment 2 of this executive summary report.

Data Gap/Limitations:

A data gap, as defined by ASTM, is a lack of or inability to obtain information required by the standard and practices listed in ASTM despite good faith efforts by the Environmental Professional to gather information pertaining to the site. The following data gaps were identified for the site:

- No information pertaining to the relationship of the purchase price to the fair market value of the site was provided by the Client.
- No Chain of Title information was provided by the Client or property owner.

Findings:

This Environmental site Assessment has revealed the following evidence of recognized environmental conditions associated with the 90 Hopkins Street site:

- **Existence of Lime Stockpiles:** The lime material extends to depths of 7 to 9 feet below the existing grade and up to 15 feet above grade at its highest point. The volume of material was estimated to be approximately 121,850 cubic yards. While not considered a hazardous waste, the material presents a risk through runoff and leachate due to high pH concentration (up to 12.5) of the material.

- **Existence of Soil/Fill Material with C&D Debris:** The top several feet of material beneath and adjacent to the lime waste piles is composed of soil comingled with pieces of brick, concrete and stone related to remains from the use of the site as a construction and demolition (C&D) recycling operation and from the demolition of the former structures. The analytical results of the soil/fill samples collected indicated the presence of low concentrations of SVOC, metals and VOC compounds, below commercial soil cleanup requirements.
- **Previous site Uses:** According to the Sanborn Fire Insurance Maps and City Directories the site was under the operation of Prest-O-Lite Company (from approximately 1930 to 1946). From 1950 to 1964 the site was operated by Linde Air Products Company, an acetylene gas manufacturing plant (which is believed to have created the lime waste by-product); from approximately 1970 to 1986 the site was operated by Sloan Auto Parts; from 2002 to 2006 the site was utilized as concrete crushing and recycling operation.
- **Impacts from Adjacent Property (LKQ):** VOCs including benzene, ethylbenzene, xylenes, and toluene (BTEX) that exceeded Technical & Operational Guidance Series (TOGS) values was detected in a groundwater monitoring well located along the south east perimeter of the site (bordering LKQ Auto Parts). The potential sources of petroleum were concluded to likely be related to historical industrial uses of the junkyard operations immediately east of the well.
- **Industrial Uses of Properties Adjacent to and in General Vicinity of the sites:** The site is located in a historically industrialized area. Active industrial facilities are located east of the site including, Skyway Auto Parts, Buffalo Recycling Enterprises, Buffalo Block, and Niagara LaSalle. And an active railroad corridor is located west of the sites. Nearby inactive hazardous waste sites include, Ramco Steel, Donner Hanna Coke, Republic Steel/Marilla Street Landfill, and Union Ship Canal/Lakeside Commerce Park. Refer to Section 2.4 of the Phase I ESA for full description of adjacent properties identified to have the potential to impact the site.

5.0 Skyway Auto Parts

The Skyway Auto Parts consists of 24.3 acres of land located at 637 Tiff Street in Buffalo, New York. The site is rectangular in shape and is zoned "General Industrial". It is an active auto salvage yard that specializes in auto part resale and scrap steel resale generated from dismantled vehicles. The site has been utilized as an auto salvage yard since 1962. There is one building located on the site that operates as a general office building and storage of auto parts for resale. At the time of the site visit, approximately 1,700 dismantled vehicles were present on the site. A Site Details Map is provided as Figure 4 in the Phase I ESA, and is also included in Attachment 2 of this executive summary report.

Data Gap/Limitations:

A data gap, as defined by ASTM, is a lack of or inability to obtain information required by the standard and practices listed in ASTM despite good faith efforts by the Environmental Professional to gather information pertaining to the site. The following data gaps were identified for the site:

- There are two scales located on-site. The first scale is large enough to drive a vehicle on and is located along the eastern wall of the building. The second scale is significantly smaller and is located in the rear half of the building. ARCADIS could not ascertain the potential underground components of the scales.
- Due to heavy rainfall the day before the site visit was conducted the soil in the vicinity was rain soaked and considerably darker in color than soil would appear on a dry day. This made it difficult to discern potentially stained soil from rain soaked soil. In addition, due to the presence of dismantled vehicles covering the majority of the site (located on top of soil) ARCADIS could not observe all portions of the site. Therefore ARCADIS could not definitively ascertain the extent to which historical or recent spills may have impacted the site.
- No information pertaining to the relationship of the purchase price to the fair market value of the site was provided by the site. A request to complete a User Questionnaire was made with Metalico (the site owner) but was not provided at the completion of this Phase I ESA.
- No Chain of Title information was provided by the site or property owner.

Findings:

This Environmental site Assessment has revealed the following evidence of recognized environmental conditions associated with Skyway Auto Parts:

- **Historical site Use as Automobile Salvage Yard:** The site has been utilized as an auto salvage yard since 1962. Since that time the site has remained unpaved with the exception of a concrete crushing pad and concrete drainage pad. The potential for vehicle fluids, specifically motor oil, engine coolant fluid, and refrigerant to have impacted the soils is likely. Additionally the staining of paved surfaces was observed during the site visit, specifically around the car crusher pad, on the drainage pad, and in the single bay in the rear half of the building.
- **Historical Filling:** Landfill waste associated with the historical landfilling operations at Alltiff Landfill exists on the site beneath four to ten feet of Construction and Demolition (C&D) material that was utilized to bring the property to the present grade. The nature and extent of the contamination found on site includes; Volatile Organics, Semi-Volatile Organics & Inorganics. Prior to filling activities the site was reportedly a marshy low-lying wetland area. NYSDEC has determined that the site is subject to institutional controls to protect the environment and public health.
- **Existence of Soil/Fill Material:** Vehicle debris such as tires, scrap metal, and spare vehicle parts were observed throughout the site partially submerged in existing soils. In one area specifically, approximately 500 feet southeast of the entry gate, fill material was brought into the site from a burned down church in the mid 1960's. The extent and depth of the fill site could not be determined but pieces of brick, concrete and stone was observed.
- **Industrial Uses of Properties in General Vicinity of the site:** The site is located in a historically industrialized area. Active industrial facilities located east of the site include, Buffalo Recycling Enterprises, Lafarge (formerly Buffalo Block), and Niagara LaSalle. Also, an active railroad corridor is located west of the site. Nearby inactive hazardous waste sites include, Alltiff Landfill, Ramco Steel, Donner Hanna Coke, Republic Steel/Marilla Street Landfill, and Union Ship Canal/Lakeside Commerce Park. The Alltiff Landfill and Ramco Steel properties share borders with Skyway Auto Parts. Refer to Section 2.4 of the Phase I ESA for full description of properties located in the general vicinity of the site.

6.0 Hopkins Tift Realty Corp and South Buffalo Railroad

This report included assessment of five tax map parcels identified as follows:

- 133.13-1-1: Hopkins Tift Realty Corp, 193 Abby St, Buffalo , NY, 6.767 acres
- 133.13-1-2: South Buffalo Railroad Company property, 2.42 acres
- 133.13-1-16.1: South Buffalo Railroad Company property, 0.93 acres

The Hopkins Tift Realty Corp property and the South Buffalo Railroad Property (133.13-1-2) were associated with the former Ramco Steel operations. These two properties were remediated under a joint consent order issued for Alltiff Landfill and Ramco Steel. An approximate three acre wetland is located along the southern border of the Hopkins Tift Realty site and the southwestern border of the South Buffalo Railroad property. The wetland is hydraulically connected to the reconstructed wetland areas located on the Alltiff Landfill property located west of the Hopkins Tift Realty property.

The second South Buffalo Railroad Property (133.13-1-16.1) is a small, narrow strip of land that extends north along the eastern border of Skyway Auto Parts, this parcel of land was associated with a former railroad service line right-of-way. The sites are all currently vacant, vegetated land. A Site Details Map is provided as Figure 4 in the Phase I ESA, and is also included in Attachment 2 of this executive summary report.

Data Gap/Limitations:

A data gap, as defined by ASTM, is a lack of or inability to obtain information required by the standard and practices listed in ASTM despite good faith efforts by the Environmental Professional to gather information pertaining to the site. The following data gaps were identified for the site:

- A Chain of Title Search was not provided by the Client or Owner prior to completion of the report.
- No information pertaining to the relationship of the purchase price to the fair market value of the sites was provided by the Client.
- ARCADIS was not able to interview the owners of the Hopkins Tift Realty Corp or South Buffalo Railroad Properties during the completion of this Phase I ESA because the no contact information was provided for the current owners of these properties.

- In addition, User Questionnaires were not provided for these properties because no contact information was provided for the current owners.
- Interview with current or past property owners were not conducted during the completion of this Phase I ESA.
- No information regarding any environmental cleanup liens or activity and land use limitations (AULs) such as deed restrictions, engineering controls or institutional controls were provided by the Client.
- The South Buffalo Railroad property identified as 133.13-1-16.1 was not inspected during the completion of this Phase I ESA as access to the area was restricted by brush and vegetation.

Findings:

This Environmental site Assessment has revealed the following evidence of recognized environmental conditions associated with the sites:

- **Previous Uses:** Since at least 1940 the wetland located on the Hopkins Tiff Realty Corp and South Buffalo Railroad (133.13-1-2) sites were utilized for the discharge of waste pickle liquors, rinse water, lime sludge, and wastes containing iron and chrome from a steel processing facility located directly east of the sites. The wetlands were utilized up until 1979. Periodically the wetlands were dredged and the spoils were placed in upland areas of the Hopkins Tiff Realty site. Consequently the sediment and surrounding soil areas were largely contaminated with elevated levels of metals when compared to NYSDEC Sediment and Soil Clean Guidelines (TAGM-4046).
- **Impacts from the Adjacent Property to the East:** A steel processing facility with sulfuric acid dipping operations has been located directly east of the sites since at least 1929. Since at least 1940, facility was depicted with steel acid tanks, coal bin, acid dipping operations, a transformer house, and an oil storage house. Currently the facility is owned by Niagara LaSalle and continues to operate as a steel fabrication facility.
- **Impacts from the Adjacent Property to the South:** The sites are bordered to the south by an environmental restoration site known as 90 Hopkins Street. Two lime stock piles are currently located and this property that have contributed to lime leachate/stormwater runoff onto the sites. In November 2012, a stormwater retention berm was installed to prevent stormwater runoff

from leaving the 90 Hopkins Street property and entering the on-site wetland areas.

- **RECs identified on the South Buffalo Railroad Property (133.13-1-16.1):**
This site was not directly impacted by former Ramco Steel operations wastewater discharges and as such was not included as part of the Order on Consent to be remediated. However, this site was utilized as a former rail service line from at least 1958 to 1965. By 1966 the Skyway Auto Parts facility was in operation and borders this site along its western boundary. The impacts from the former use of this site as a rail service line and the proximity of the site to Skyway Auto Parts represents a REC.
- **Industrial Uses of Properties Adjacent to and in General Vicinity of the sites:** The sites are located in a historically industrialized area. Active industrial facilities located in the general vicinity of the sites include: Skyway Auto Parts, Buffalo Recycling Enterprises, Buffalo Block, and Niagara LaSalle. An active railroad corridor is located west of the sites. Nearby inactive hazardous waste sites include, Ramco Steel, Donner Hanna Coke, Republic Steel/Marilla Street Landfill, and Union Ship Canal/Lakeside Commerce Park. Refer to Section 2.4 of the Phase I ESA for full description of adjacent properties identified to have the potential to impact the site.

7.0 LKQ Broadway Auto Parts

LKQ Broadway Auto Parts, Inc. is identified by parcels 133.13-1-6 and 133.13-1-7 which total 8.029 acres. The site was purchased from AA-1 Auto Parts in 2008 and is currently an active auto salvage yard that specializes in the dismantling of vehicles for auto parts and scrap steel salvage. There are two structures located on the site. The first is used for general office space, parts cleaning, and storage of used vehicle parts that are ready for shipping. The second building contains four aboveground hydraulic lifts that are used in vehicle disassembly. At the time of the site visit, there were between 800 and 1,000 vehicles located on the site. A Site Details Map is provided as Figure 4 in the Phase I ESA, and is also included in Attachment 2 of this executive summary report.

Data Gap/Limitations:

A data gap, as defined by ASTM, is a lack of or inability to obtain information required by the standard and practices listed in ASTM despite good faith efforts by the Environmental Professional to gather information pertaining to the site. The following data gaps were identified for the site:

- Due to rainfall the day before the site visit was conducted, the soil was rain soaked and considerably darker in color than soil would appear on a dry day. This made it difficult to discern potentially stained soil from rain soaked soil. In addition, due to the presence of dismantled vehicles covering the majority of the site (located on top of soil) ARCADIS could not observe all portions of the site. As such, ARCADIS was not able to fully evaluate the extent to which historical or recent spills may have impacted the site.
- A Chain of Title Search was not provided by the Client prior to completion of the report.
- No information pertaining to the relationship of the purchase price to the fair market value of the site was provided by the Client.

Findings:

This Environmental site Assessment has revealed the following evidence of recognized environmental conditions associated with the site:

- **Historical site Use as Automobile Salvage Yard:** Since at least 1958, the site has been used as an auto salvage yard. The site has remained unpaved with the exception of the areas where the buildings and the concrete pad are located. The

potential for vehicle fluids, specifically motor oil, engine coolant fluid, and refrigerant to have impacted the soils is high.

- **Spills:** One NYSDEC Spill Report Form was found through the FOIL request that was completed for spilled petroleum products. Heavy petroleum sheening was observed on puddles. The contaminated soil was landfilled and the incident was closed by the NYSDEC on September 11, 2008.
- **Violations:** Three Notice of Violations were provided by the NYSDEC pertaining to the site. Two related to the failure of AA-1 Auto Wrecking to provide an Annual Report for the 2008 and 2010 operating years. The third violation occurred in 2012 and was due to the failure of the site to label drums.
- **Industrial Uses of Properties in General Vicinity of the site:** The site is located in a historically industrialized area. Active industrial facilities located north of the site include, Buffalo Recycling Enterprises, Lafarge (formerly Buffalo Block), Mardan Technologies, and Niagara LaSalle. Also, an active railroad corridor is located west of the site. Nearby inactive hazardous waste sites include Alltiff Landfill, Ramco Steel, Donner Hanna Coke, Republic Steel/Marilla Street Landfill, and Union Ship Canal/Lakeside Commerce Park.
- **90 Hopkins Street (Adjacent to site to the West):** This adjacent property was historically used for the manufacture of acetylene gas, which resulted in the formation of waste lime piles. The high pH associated with the stormwater runoff from the lime may have created an impact on the LKQ site.

8.0 49 Hopkins Inc. (Cell Tower site)

The site, located at 49 Hopkins Street in Buffalo consists of one parcel of land, identified with tax map parcel identification number 133.17-1-7. The property is zoned "General Industrial".

Portions of the site were observed from the adjacent public thoroughfare; however, access to the property was not obtained; therefore a detailed site reconnaissance was not conducted. Based on ARCADIS observations made from Hopkins Street the site has miscellaneous dismantled vehicles and vehicle trailers (likely carried over from when the site was operated as a vehicle scrap yard) as well as an active cellular service tower (service provider unknown). Based on ARCADIS' limited site observations, approximately 15 vehicles and one office trailer were located on site. A Site Details Map is provided as Figure 4 in the Phase I ESA, and is also included in Attachment 2 of this executive summary report.

Data Gap/Limitations:

A data gap, as defined by ASTM, is a lack of or inability to obtain information required by the standard and practices listed in ASTM despite good faith efforts by the Environmental Professional to gather information pertaining to the site. The following data gaps were identified for the site:

- A site reconnaissance was not conducted because site access was not granted to ARCADIS. ARCADIS observed portions of the site from Hopkins Street; however the entire site was not able to be viewed from adjacent public thoroughfares.
- No information pertaining to the relationship of the purchase price to the fair market value of the site was provided by the site.
- No Chain of Title information was provided by the site or property owner.
- No relationship of the purchase price to the fair market value of the property was provided by the owner.
- An ASTM User Questionnaire was not completed by the site owner or other site representative.
- Detailed information regarding any environmental liens or activity and land use limitations (AULs) such as deed restrictions, engineering controls or institutional controls was not provided prior to completion of this report.

Findings:

- **Historical site Use as Automobile Salvage Yard:** The site was utilized as an unpaved auto salvage yard since at least 1983. The potential for vehicle fluids, specifically motor oil, engine coolant fluid, and refrigerant to have impacted the soils is likely.
- **Industrial Uses of Properties in General Vicinity of the site:** The site is located in a historically industrialized area. Active industrial facilities located east of the site include, Buffalo Recycling Enterprises, Lafarge (formerly Buffalo Block), and Niagara LaSalle. Nearby inactive hazardous waste sites include, Altift Landfill, Ramco Steel, Donner Hanna Coke, Republic Steelfields/Marilla Street Landfill, and Union Ship Canal/Lakeside Commerce Park. Steelfields/Marilla Street landfill, Altift Landfill, and Ramco Steel are included as part of the overall Feasibility Study initiated by BUDC. Refer to Section 2.4 for a full description of properties located in the general vicinity of the site.
- **Adjacent Railroad Tracks:** An active railroad track borders the site on its northeastern property boundary. The railroad has been located adjacent to the site since at least 1917.
- **Adjacent Landfill Activities:** The Steelfields/Marilla Street Landfill is adjacent to the site to the south and west. Landfilling activities have occurred on these adjacent properties from at least 1983 to 1995. The landfill was capped in 1995.
- **Adjacent Hurwitz Auto Salvage Yard:** An auto salvage yard has been located north/northeast of the site (across the railroad tracks) since at least 1958 (according to the 1958 aerial photograph).

While not considered a REC, the following other environmental conditions were identified in connection with each site:

- The site is located within a Zone 1 area as listed in the Federal USEPA Radon Database. Zone 1 is classified as having an indoor average greater than 4 picocuries per liter (pCi/L). The USEPA recommended action level for radon in residential structures is 4.0 pCi/L. There are currently no buildings located on the site; however, there is a potential for impacts from radon on indoor air quality should buildings with basements be constructed on the site in the future.

9.0 Mardan Technologies, Inc.

The site, located at 88 Hopkins Street in Buffalo, New York is rectangular in shaped and consists of one tax map parcel, identified as 133.13-1-5. The property is zoned “General Industrial” and is owned by Mardan Technologies, Inc.

A site reconnaissance was not conducted because site access was not granted to ARCADIS. ARCADIS observed portions of the site from Hopkins Street and the 90 Hopkins Street site which ARCADIS had obtained access to as part of the overall Feasibility Study initiated by BUDC. However, the entire site was not able to be viewed from adjacent public thoroughfares.

One building is currently located on the eastern half of the site. The western half of the site is vacant and consists of vegetated land. A free standing chimney is located on the western half, indicative of a former residence. Access to the property was not obtained; therefore, a detailed site reconnaissance could not be conducted by ARCADIS. A site Details Map is provided as Figure 4 in the Phase I ESA, and is also included in Attachment 2 of this executive summary report.

Data Gap/Limitations:

A data gap, as defined by ASTM, is a lack of or inability to obtain information required by the standard and practices listed in ASTM despite good faith efforts by the Environmental Professional to gather information pertaining to the site. The following data gaps were identified for the site:

- No information pertaining to the relationship of the purchase price to the fair market value of the site was provided by the site.
- No Chain of Title information was provided by the site or property owner.
- No relationship of the purchase price to the fair market value of the property was provided by the owner.
- An ASTM User Questionnaire was not completed by the site owner or other site representative.
- A site reconnaissance was not conducted because site access was not granted to ARCADIS. ARCADIS observed portions of the site from Hopkins Street and the 90 Hopkins Street site which ARCADIS had obtained access to as part of the overall Feasibility Study initiated by BUDC. However, the entire site was not able to be viewed from adjacent public thoroughfares.

- Detailed information regarding any environmental liens or activity and land use limitations (AULs) such as deed restrictions, engineering controls or institutional controls was not provided prior to completion of this report.

Findings:

- **Industrial Uses of Properties Adjacent to and in General Vicinity of the sites:** The site is located in a historically industrialized area. Active industrial facilities are located east of the site and include, Skyway Auto Parts, Buffalo Recycling Enterprises, Buffalo Block, and Niagara LaSalle. An active railroad corridor is located west of the site. Nearby inactive hazardous waste sites include, Ramco Steel, Donner Hanna Coke, Republic Steel/Marilla Street Landfill, and Union Ship Canal/Lakeside Commerce Park. Steelfields/Marilla Street landfill, Alltiff Landfill, and Ramco Steel are included as part of the overall Feasibility Study initiated by BUDC. Refer to Section 2.4 for full description of adjacent properties identified to have the potential to impact the site.
- **Former Industrial Use of the site:** According to Sanborn mapping, the site has been utilized for machine manufacturing since 1950. According to information obtained from EDR Database Report, the site was formerly associated with the following owner or operator names: Pravia Manufacturing (1999 and 2001 Spill Report Forms), FlashFlo Manufacturing, Inc. (2012 City Directory), Mardan Machine, LLC and Mardan Technologies, Inc (2008 Deed). One spill was reported to the NYSDEC in 2001 for a partially aboveground concrete vault that contained tar that had leaked onto the ground.
- **Former Spills associated with Concrete Storage Tank:** According to a 2001 spill report obtained from the NYSDEC, approximately 4 feet of tar was found in a partially aboveground concrete vault. Reportedly, the tank contents were exposed to the weather and tar had spilled to the ground. In October 2001, a contractor was hired to conduct removal of the vault and vault contents. The contents were disposed of off-site. The spill event was closed by the NYSDEC on December 31, 2001; however it is unclear if soil sampling or confirmatory samples were taken at the location of the tank removal.

This Environmental site Assessment has revealed the following environmental findings associated with the site:

- A former UST was removed from the site in 1999 at which point soil and groundwater contamination was identified. Confirmatory samples were taken again and samples were found to be below STARS limits. The NYSDEC

issued a no further action and the spill event was closed by the NYSDEC on December 9, 1999.

- The site is located within a Zone 1 area as listed in the Federal USEPA Radon Database. Zone 1 is classified as having an indoor average greater than 4 picocuries per liter (pCi/L). The USEPA recommended action level for radon in residential structures is 4.0 pCi/L. There is one building currently located on site; however, ARCADIS was not provided access to the site and could not confirm if there is a basement associated with the building. There is a potential for impacts from radon on indoor air quality should the building have a basement or should buildings with basements be constructed on the site in the future.

Attachment 1

Study Area Parcels Map



Study Area
 Parcel Boundary
 Sub-Parcel Boundary



Attachment 2

Site Detail Maps





Property Boundary
 Parcel Boundary

0 200

 Feet

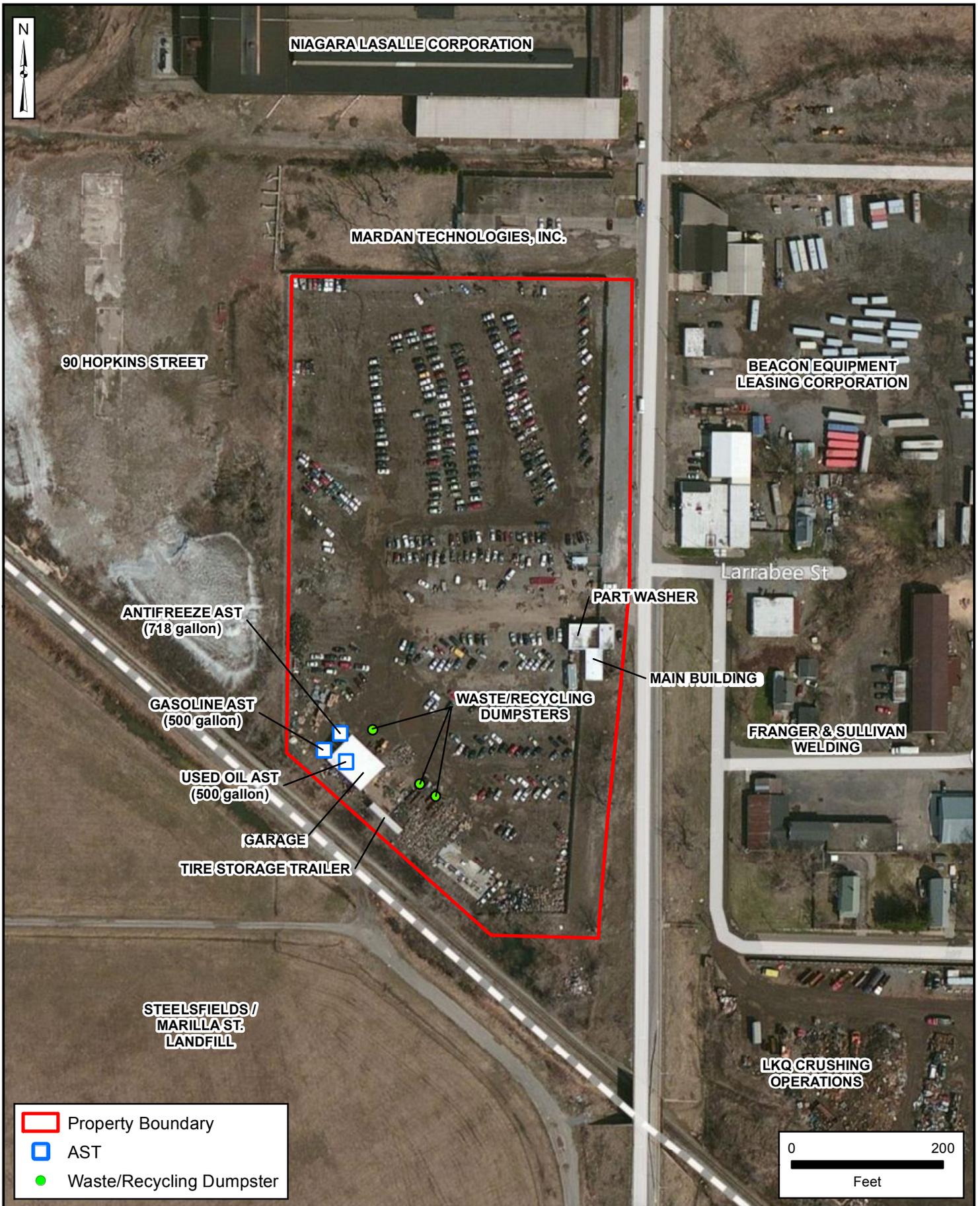






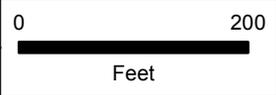
Property Boundary
 Parcel Boundary

0 200
 Feet





 Approx. Property Boundary





Property Boundary

