

**PERIODIC REVIEW REPORT
OCTOBER 31, 2017-OCTOBER 31ST, 2020**

**FORMER AMERON SITE
113 & 119 COLGATE AVENUE
BUFFALO, NEW YORK
NYSDEC SITE NO. 915133**



PREPARED FOR:

**113-119 COLGATE AVENUE II LLC
1255 NIAGARA ST.
BUFFALO, NY 14213**

PREPARED BY:



**960 BUSTI AVENUE
SUITE B-150
BUFFALO, NY 14213**

November 2020

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1.0 INTRODUCTION

BE3Corp., has prepared this Periodic Review Report (PRR) for the Former Ameron Site located at 113 and 119 Colgate Avenue, Buffalo, New York (refer to figures). The PRR is required by the Site Management Plan (*Site Management Plan, Colgate Avenue Site, Buffalo NY, NYSDEC # 915133; prepared for Ameron International; prepared by Benchmark Environmental Engineering and Science, Dated: Final August 2012*). This PRR which is required to be submitted to the NYSDEC every three years covers the certification period of 10/31/2017 through 10/31/2020.

This PRR has been completed in accordance with NYSDEC's DER-10 Technical Guidance for Site Investigation and Remediation" and includes the results of the site wide inspection conducted on September 23rd, 2020. The NYSDECs Institutional and Engineering Controls Certification forms have been prepared for the site (refer to Appendix A).

1.1 SITE BACKGROUND AND DESCRIPTION

The site is located in the City of Buffalo, County of Erie, New York and is identified as 113-119 Colgate Avenue (SBL Nos. 133.62-2-1.11 and 133.62-2-25.11) on the Erie County tax map. The two parcel site is an approximately 3.2-acre area bounded by Colgate Avenue to the north, light industrial properties to the south, residential properties along Colgate Avenue to the east and commercial and industrial properties to the west (refer to attached Figures). The 133 and 119 Colgate Avenue properties are vacant adjacent former industrial properties south of Colgate Avenue.

The subject 113 Colgate parcel is a vacant 1.22-acre industrial property. The 119 Colgate Avenue property is a vacant 1.94-acre manufacturing parcel that contains a mostly empty 2-story building. Both the 113-119 Colgate parcels were owned by Amercoat Corporation and are now owned by 113-119 Colgate Avenue II LLC. Immediately adjacent to the east of the 113-119 Colgate parcels are residential properties. Northeast and north are commercial/industrial properties including Ortlepp Machine (adjacent east of the 122 Colgate parcel), Grove Roofing and Hogan Glass/West Metal Works. South, west and northwest are vacant former commercial/industrial properties. The current zoning is industrial. The surrounding parcels are currently used for a combination of commercial, light industrial, and residential. The nearest residential area is adjacent to the east boundary of the site.

Historically, the 113-119 Colgate Avenue property was occupied as early as 1917 by the Commercial Electrolytic Corporation. A review of historic Sanborn maps and records indicates that the existing structure was constructed in 1917. By 1950, the Nukem Products Corporation occupied an expanded structure on the 113-119 Colgate Avenue property. Nukem was listed as manufacturer of acid resistant cement. The Ameron Protective Coating Division operated the facility from the 1960's through the mid 1980's. Until 1982 the site was used for manufacturing protective coating products. Prior uses that appear to have led to site contamination include storage and handling of solvents and other chemicals.

Currently, the 113-119 Colgate Avenue site includes one approx. 15,000 sq. ft. building surrounded by open land, several concrete slabs, foundations, and roadways. About one third of the site is open grass covered land with piles of debris which includes cement and asphalt. Slag was also observed across the property. Trees and brush cover the southwestern area where rail tracks are located.

The contamination identified previously at the 113-119 Colgate Avenue property appears to have been adequately investigated and remediated but residual soil contamination remains above unrestricted use levels. There are two different environmental easements covering the Site. These easements were put on the property because of the residual contamination.

The easement institutional controls for the property are:

- Property only used for commercial/industrial with a Site Management Plan (SMP)
- SMP adherence required for any future disturbance in contaminated areas including Excavation work plan
- Use of Groundwater prohibited unless treated
- Soil Vapor barrier and passive vapor system required for any new building with upgrade to active system if necessary. Prior to installation a work plan is required with NYSDEC review
- Vegetable gardens and farming prohibited
- Periodic certifications required annually or on NYSDEC schedule
- Notifications and Emergency Response Plans
- Site monitoring – Groundwater Monitoring per the plan is no longer necessary

Historical summary associated with the current SMP is as follows:

- 1986 Ameron entered Order on Consent with NYSDEC to install and operate a sub-slab soil vapor extraction system under the two western rooms of Plant 1 for a period of 10-years. The system was operated through 1999.
- A total of eleven underground storage tanks (USTs) were removed in 2004-2005 from the western portion of the property which included disposal of 2,839 tons of petroleum impacted soil in a landfill.
- Ameron entered into an order on consent in 2004 to complete a remedial investigation/feasibility study (RI/FS).
- In 2009 a fire destroyed a portion of Plant #1. And structures were demolished with the exception of a 2-story structure on the eastern portion of the property.
- In 2010 the site was remediated which included excavation of 75-tons of soil that exceeded lead and PCB levels; placement of an environmental easement to restrict land use; remediation of groundwater using compounds to reduce/remediate chlorinated solvents and petroleum compounds near specific wells/portions of the property; Development and implementation of a SMP for long term management of the property (See Figures)

2.0 SITE ENVIRONMENTAL OVERVIEW

In 1986 an environmental investigation revealed the presence of volatile organic compound contamination on the western portion of the site. A vapor extraction system was constructed and operated from 1989 to 1999. In 2001, several underground storage tanks were discovered. The tanks and impacted soils were removed in 2004. An Order on Consent Index #B9-0690-04-011 was issued on December 15, 2004. A Remedial Investigation was implemented from 2006 to 2009. The Remedial Investigation and Feasibility Study Report concluded that additional soil and groundwater remediation was required. A Decision Document was issued June 2010. Remedial action, including soil removal and groundwater treatment using enhanced biodegradation, was completed October 1, 2010.

The 113-119 Colgate Avenue property was delisted from the registry of Inactive Hazardous Waste Sites on September 3, 2013. Previous requirement to monitor groundwater has been removed by the NYSDEC and is no longer required. There are still environmental requirements/institutional controls for the property as listed above and covered in Section 3.0 Site Management Plan.

3.0 SITE MANAGEMENT PLAN

A Site Management Plan (SMP) was prepared by Benchmark Environmental Engineering and Science (Benchmark) for Ameron and approved by NYSDEC in August 2012. The SMP included:

- A Groundwater Monitoring Plan.
- An Excavation Work Plan;
- An Engineering and Institutional Control Plan; and
- A copy of an Environmental Easement.

3.1 GROUNDWATER MONITORING PLAN

As part of the original remedial investigation a network of groundwater monitoring wells were installed to monitor site groundwater. As part of the post remedial requirements a SMP was developed which included the requirement to sample and analyze specific wells on a semi-annual basis. This lasted for two years and resulted in four sampling events. The results of the groundwater monitoring were submitted to NYSDEC after each event and summarized in the PRR for the period of October 31, 2012 through October 31, 2013. Based on the data which indicated no upward trending or significant offsite impact, the NYSDEC agreed to terminate groundwater monitoring following the December 2012 event. As such, groundwater monitoring is no longer required for this property and is therefore not contained in this PRR.

3.2 SITE DELISTING

On September 3, 2013, the site was delisted from the registry of NY State Inactive

Hazardous Waste Sites in accordance with all State public notice protocol.

3.3 MONITORING WELL DECOMMISSIONING

All the remaining onsite and offsite groundwater monitoring wells and piezometers were decommissioned in February 2014. The wells were decommissioned by Earth Dimensions, Inc., a professional welling drilling contractor following NYSDEC Groundwater Monitoring Decommissioning Policy CP-43. The work was overseen by Benchmark.

3.4 EXCAVATION WORK PLAN

As part of the requirements of the SMP, an Excavation Work Plan (EWP) was developed and is contained in the SMP. The EWP provides the guidance and procedures for the property going forward for the management of soil and fill materials during any future intrusive activities and soil/fill disturbances.

BE3Corp. completed a site reconnaissance during a Phase I Environmental Site Assessment (ESA) completed in October 2015 for property ownership transfer and again in December 2016, October 2017, and September 2020, to complete 2016's, 2017's and this year's PRR. No evidence of intrusive activities, soil disturbances or fill placement was observed during either reconnaissance or the property was observed to be the same in terms of ground topography from the 2015 through the 2020 site visits. In 2019 a Change of Use Form indicated; 1) 113-119 Colgate Avenue II LLC is the same owner which has not changed, however, William Breeser is the sole member replacing the shared membership with Paul Rubino, 2) Place temporary storage structures on existing slabs on the property with overhead utilities if underground cannot be used, and 3) Remove clean backfill used to fill in the former loading dock for its re-use and place the clean backfill soil at another location on the property. Work will be documented following the site SMP. No impacts are anticipated to the completed remedial program when complete.

3.5 INSTITUTIONAL CONTROL REQUIREMENTS AND COMPLIANCE

There are two different environmental easements covering the Site. These easements were put on the property because of the residual contamination. The easements are to the People of the State of New York and give the DEC power to enforce certain "rules" applicable to the Site. As detailed in the easements, several Institutional Controls (ICs) are associated with the property

The ICs for the property are:

- Land Use restriction - property only used for commercial/industrial use with a SMP.
- SMP adherence required including for any future disturbance in contaminated areas including Excavation work plan;
- Use of Groundwater prohibited unless treated as approved by DEC/DOH;
- Soil Vapor barrier and passive vapor system required for any new building with

upgrade to active system if necessary. Prior to installation a work plan is required with NYSDEC review;

- Vegetable gardens and farming prohibited;
- Periodic certifications required annually or on NYSDEC schedule;
- Notifications and Emergency Response Plans required; and
- Site monitoring – Groundwater Monitoring per the plan is no longer necessary.

4.0 SITE EVALUATION

A Site Wide Inspection was completed by BE3Corp. on September 23rd, 2020. Previous site wide inspections were completed by BE3Corp. during October 2017, December 2016, and October 2015 for the Phase I ESA associated with property transfer. The results of the inspection coupled with the observations made during the Phase I ESA are provided in PEI's Site Wide Inspection Form provided in Appendix B. The inspection concluded that the Site was in compliance with all IC/EC for the site.

5.0 CONCLUSIONS

All components of the SMP (IC/EC, monitoring, O & M) were in compliance with SMP requirements during the reporting period. The cover system has not been disturbed since initially placement. The soil cover, grass areas and concrete and asphalt areas are undisturbed. No excavations into the cover system have occurred since initial placement.

6.0 CERTIFICATION OF ENGINEERING AND INSTITUTIONAL CONTROLS

Below is the signed certification. Also, attached in Appendix A are the executed NYSDEC Site Management Periodic Review Report Notice Institutional and Engineering Controls Certification Form.

For each institutional or engineering control identified for the site, I certify that all the following statements are true:

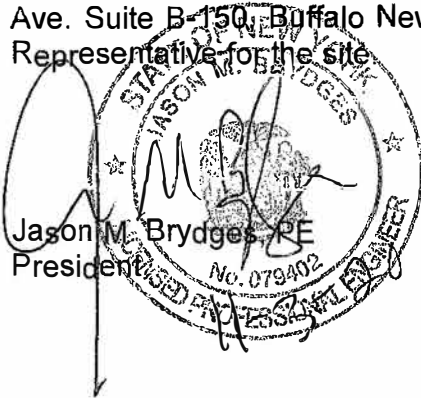
- The inspection of the site to confirm the effectiveness of the institutional and engineering controls required by the remedial program was performed under my direction.
- The institutional control and engineering control employed at this site is unchanged from the date the control was put in place, or last approved by the Department.
- Nothing has occurred that would impair the ability of the control to protect the public health and environment;
- Nothing has occurred that would constitute a violation or failure to comply with any site management plan for this control;
- Access to the site will continue to be provided to the Department to evaluate the remedy, including access to evaluate the continued maintenance of this control;
- If a financial assurance mechanism is required under the oversight document

for the site, the mechanism remains valid and sufficient for the intended purpose under the document;

- Use of the site is compliant with the environmental easement;
- The engineering control systems are performing as designed and are effective;
- To the best of my knowledge and belief, the work and conclusions described in this certification are in accordance with the requirements of the site remedial program and generally accepted engineering practices; and
- The information presented in this report is accurate and complete.

I certify that all information and statements in this certification form are true. I understand that a false statement made herein is punishable as a Class "A" misdemeanor, pursuant to Section 210.45 of the Penal Law. I, Jason M. Brydges, PE, of BE3Corp., 960 Busti Ave. Suite B-150, Buffalo New York 14213, am certifying as Owner's Designated Site Representative for the site

Jason M. Brydges, PE
President

A circular professional engineer seal for the State of New York. The outer ring contains the text "STATE OF NEW YORK" at the top and "PROFESSIONAL ENGINEER" at the bottom, separated by two stars. Inside the ring, the name "JASON M. BRYDGES" is written in a semi-circle at the top. In the center, there is a signature and the number "No. 079402".

FIGURES

Historical Topographic Map

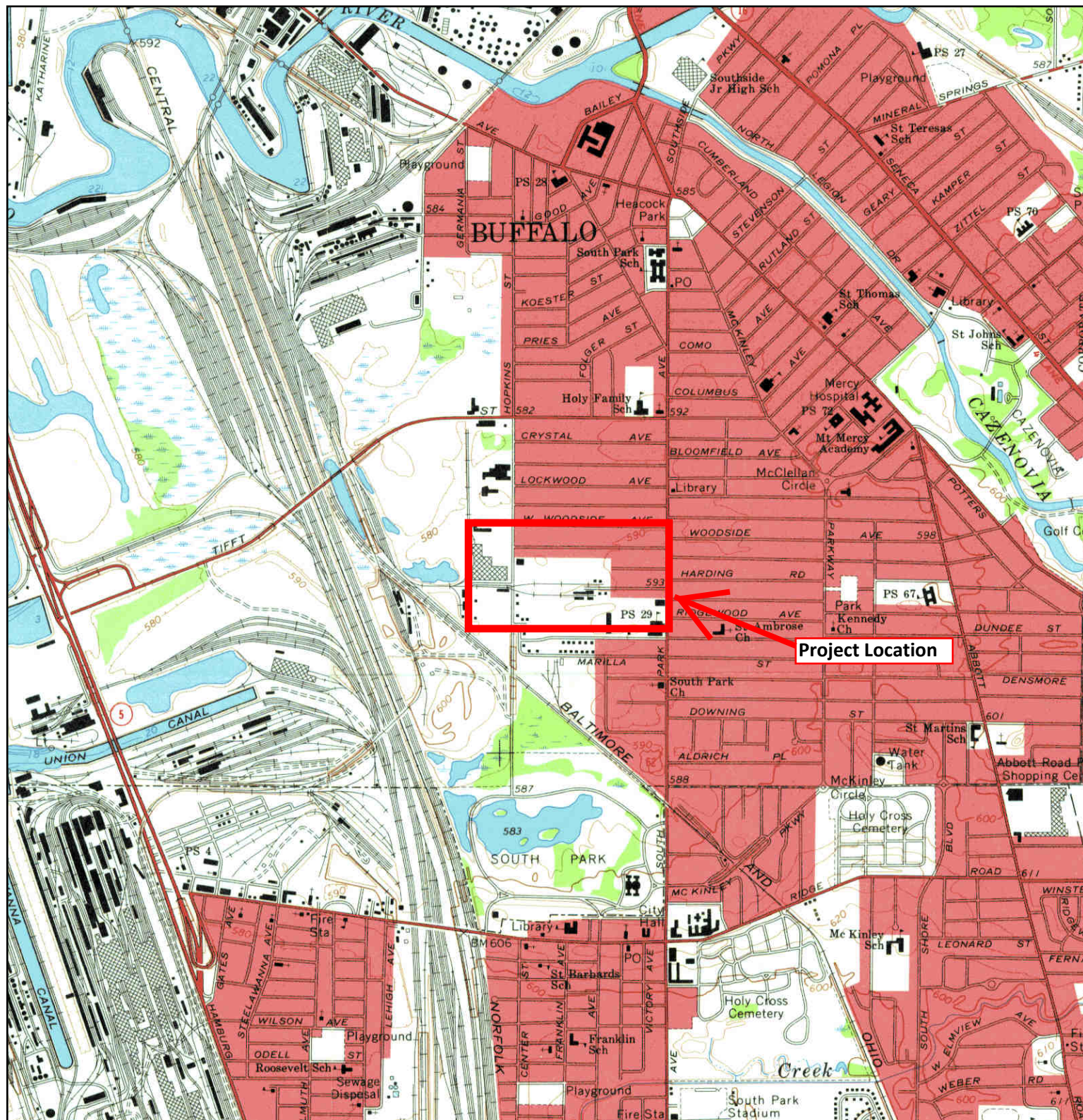


Figure: Property Location

<p>N ↑</p>	<p>TARGET QUAD NAME: BUFFALO SE MAP YEAR: 1965</p> <p>SERIES: 7.5 SCALE: 1:24000</p>		<p>CLIENT: Panamerican Environmental, Inc CONTACT: Peter J Gorton INQUIRY#: 4247799.10 RESEARCH DATE: 03/30/2015</p>
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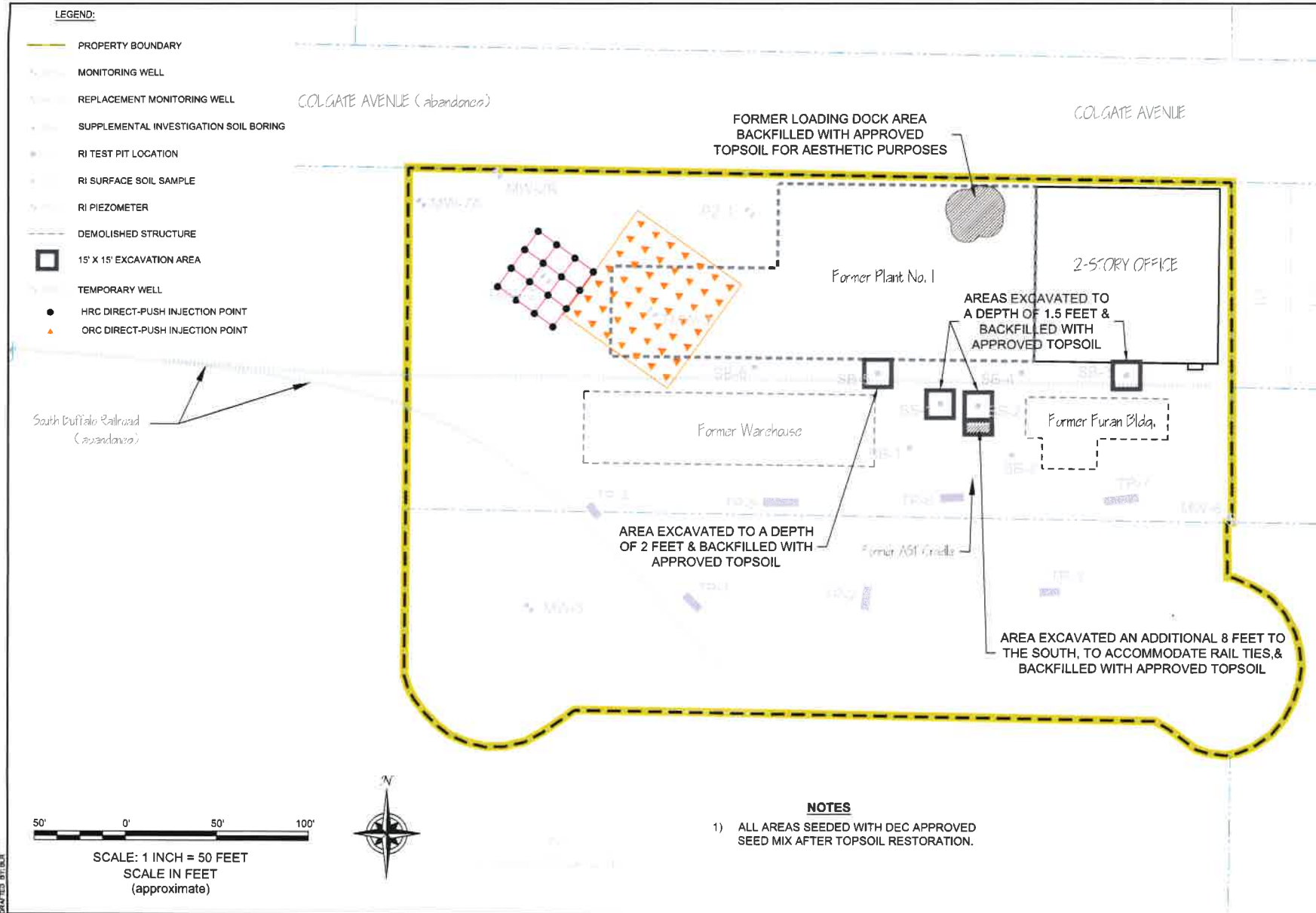


Figure: Property Areas of Previous Remediation

Source:

BENCHMARK
ENVIRONMENTAL
ENGINEERING
SCIENCE, PLLC
2955 ELMHURST TURNPIKE
SUITE 300
BUFFALO, NEW YORK 14218
(716) 856-0590

From PRR October 2014-October 2015 Report

JOB NO.: 0100-014-003

APPENDIX A

IC/EC Certification Form



Enclosure 2
NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Site Management Periodic Review Report Notice
Institutional and Engineering Controls Certification Form



Site No. **915133**

Site Details

Box 1

Site Name Ameron

Site Address: 113 and 119 Colgate Avenue Zip Code: 14220
City/Town: Buffalo
County: Erie
Site Acreage: 3.200

Reporting Period: October 31, 2017 to October 31, 2020

	YES NO
1. Is the information above correct?	<input checked="" type="checkbox"/> <input type="checkbox"/>

If NO, include handwritten above or on a separate sheet.

2. Has some or all of the site property been sold, subdivided, merged, or undergone a tax map amendment during this Reporting Period?	<input checked="" type="checkbox"/> <input type="checkbox"/>
---	--

3. Has there been any change of use at the site during this Reporting Period (see 6NYCRR 375-1.11(d))?	<input type="checkbox"/> <input checked="" type="checkbox"/>
--	--

SEE ATTACHED FORM

4. Have any federal, state, and/or local permits (e.g., building, discharge) been issued for or at the property during this Reporting Period?	<input type="checkbox"/> <input checked="" type="checkbox"/>
---	--

If you answered YES to questions 2 thru 4, include documentation or evidence that documentation has been previously submitted with this certification form. *SEE ATTACHED NYS DEC FORM*

5. Is the site currently undergoing development?	<input type="checkbox"/> <input checked="" type="checkbox"/>
--	--

Box 2

	YES NO
6. Is the current site use consistent with the use(s) listed below? Commercial and Industrial	<input checked="" type="checkbox"/> <input type="checkbox"/>

7. Are all ICs in place and functioning as designed?	<input checked="" type="checkbox"/> <input type="checkbox"/>
--	--

IF THE ANSWER TO EITHER QUESTION 6 OR 7 IS NO, sign and date below and DO NOT COMPLETE THE REST OF THIS FORM. Otherwise continue.

A Corrective Measures Work Plan must be submitted along with this form to address these issues.

Signature of Owner, Remedial Party or Designated Representative

Date

Description of Institutional ControlsParcelOwnerInstitutional Control**133.62-2-1.11**

113-119 Colgate Avenue II LLC

Landuse Restriction
Soil Management Plan
IC/EC Plan
Site Management Plan

Control is in the form of two easements one for 113 Colgate Street and a second for 119 Colgate. Both indentures dated 07/25/2012 and filed by the Erie County Clerk's office 9/20/2012.

Use Restriction - commercial

SMP

Annual Reporting

Groundwater Use Prohibited

Gardens prohibited

133.62-2-25.11

113-119 Colgate Avenue II LLC

Soil Management Plan
Landuse Restriction
Site Management Plan
IC/EC Plan

Control is in the form of two easements one for 113 Colgate Street and a second for 119 Colgate. Both indentures dated 07/25/2012 and filed by the Erie County Clerk's office 9/20/2012.

Use Restriction - commercial

SMP

Annual Reporting

Groundwater Use Prohibited

Gardens prohibited

Description of Engineering Controls

None Required

Not Applicable/No EC's

Periodic Review Report (PRR) Certification Statements

1. I certify by checking "YES" below that:

- a) the Periodic Review report and all attachments were prepared under the direction of, and reviewed by, the party making the Engineering Control certification;
- b) to the best of my knowledge and belief, the work and conclusions described in this certification are in accordance with the requirements of the site remedial program, and generally accepted engineering practices; and the information presented is accurate and complete.

YES NO



2. For each Engineering control listed in Box 4, I certify by checking "YES" below that all of the following statements are true:

- (a) The Engineering Control(s) employed at this site is unchanged since the date that the Control was put in-place, or was last approved by the Department;
- (b) nothing has occurred that would impair the ability of such Control, to protect public health and the environment;
- (c) access to the site will continue to be provided to the Department, to evaluate the remedy, including access to evaluate the continued maintenance of this Control;
- (d) nothing has occurred that would constitute a violation or failure to comply with the Site Management Plan for this Control; and
- (e) if a financial assurance mechanism is required by the oversight document for the site, the mechanism remains valid and sufficient for its intended purpose established in the document.

YES NO



**IF THE ANSWER TO QUESTION 2 IS NO, sign and date below and
DO NOT COMPLETE THE REST OF THIS FORM. Otherwise continue.**

A Corrective Measures Work Plan must be submitted along with this form to address these issues.

Signature of Owner, Remedial Party or Designated Representative

Date

IC CERTIFICATIONS
SITE NO. 915133

Box 6

SITE OWNER OR DESIGNATED REPRESENTATIVE SIGNATURE

I certify that all information and statements in Boxes 1,2, and 3 are true. I understand that a false statement made herein is punishable as a Class "A" misdemeanor, pursuant to Section 210.45 of the Penal Law.

I WILLIAM E BREEZER at 113-119 COLGATE,
print name print business address

am certifying as MANAGER / OWNER (Owner or Remedial Party)

for the Site named in the Site Details Section of this form.

W E Breer MANAGER 11/3/20
Signature of Owner, Remedial Party, or Designated Representative Date
Rendering Certification

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION



**60-Day Advance Notification of Site Change of Use, Transfer of
Certificate of Completion, and/or Ownership**
Required by 6NYCRR Part 375-1.11(d) and 375-1.9(f)

To be submitted at least 60 days prior to change of use to:

Chief, Site Control Section
New York State Department of Environmental Conservation
Division of Environmental Remediation, 625 Broadway
Albany NY 12233-7020

I. **Site Name:** Ameron - 113 and 119 Colgate Avenue **DEC Site ID No.** 915133

II. **Contact Information of Person Submitting Notification:**

Name: William E Breaser
Address1: 680 New Babcock, Buffalo, New York
Address2: _____
Phone: 716-883-3377 E-mail: wbreaser@gmail.com

III. **Type of Change and Date:** Indicate the Type of Change(s) (check all that apply):

- ☒ Change in Ownership or Change in Remedial Party(ies)
☐ Transfer of Certificate of Completion (CoC)
☒ Other (e.g., any physical alteration or other change of use)

Proposed Date of Change (mm/dd/yyyy): August 1, 2019

IV. **Description:** Describe proposed change(s) indicated above and attach maps, drawings, and/or parcel information.

1) 113-119 Colgate Avenue II LLC is the same owner which has not changed, however, William Breaser is the sole member replacing the shared membership with Paul Rubino 2) Place temporary storage structures on existing slabs on the property with overhead utilities if underground cannot be used 3) Remove clean backfill used to fill in the former loading dock for its re-use and place the clean backfill soil at another location on the property.

If "Other," the description must explain and advise the Department how such change may or may not affect the site's proposed, ongoing, or completed remedial program (attach additional sheets if needed).

Work will be documented following the site SMP. No impacts are anticipated to the completed remedial program when complete

- V. **Certification Statement:** Where the change of use results in a change in ownership or in responsibility for the proposed, ongoing, or completed remedial program for the site, the following certification must be completed (by owner or designated representative; see §375-1.11(d)(3)(i)):

I hereby certify that the prospective purchaser and/or remedial party has been provided a copy of any order, agreement, Site Management Plan, or State Assistance Contract regarding the Site's remedial program as well as a copy of all approved remedial work plans and reports.

Name:

William E. Breese
(Signature)

7/3/19
(Date)

William E Breese

(Print Name)

Address1: 680 New Babcock, Buffalo, New York

Address2: _____

Phone: 716-883-3377

E-mail: wbreese@gmail.com

- VI. **Contact Information for New Owner, Remedial Party, or CoC Holder:** If the site will be sold or there will be a new remedial party, identify the prospective owner(s) or party(ies) along with contact information. If the site is subject to an Environmental Easement, Deed Restriction, or Site Management Plan requiring periodic certification of institutional controls/engineering controls (IC/ECs), indicate who will be the certifying party (attach additional sheets if needed).

☐ Prospective Owner ☐ Prospective Remedial Party ☒ Prospective Owner Representative

Name: William E. Breese

Address1: 680 New Babcock, Buffalo, New York

Address2: _____

Phone: 716-883-3377

E-mail: wbreese@gmail.com

Certifying Party Name: Brydges Engineering in Environment and Energy DPC (BE3 Corp)

Address1: 1270 Niagara Street, Buffalo, New York 14227

Address2: _____

Phone: 716-2496880

E-mail: pgorton@be3corp.com

VII. Agreement to Notify DEC after Transfer: If Section VI applies, and all or part of the site will be sold, a letter to notify the DEC of the completion of the transfer must be provided. If the current owner is also the holder of the CoC for the site, the CoC should be transferred to the new owner using DEC's form found at <http://www.dec.ny.gov/chemical/54736.html>. This form has its own filing requirements (see 6NYCRR Part 375-1.9(f)).

Signing below indicates that these notices will be provided to the DEC within the specified time frames. If the sale of the site also includes the transfer of a CoC, the DEC agrees to accept the notice given in VII.3 below in satisfaction of the notice required by VII.1 below (which normally must be submitted within 15 days of the sale of the site).

Within 30 days of the sale of the site, I agree to submit to the DEC:

1. the name and contact information for the new owner(s) (see §375-1.11(d)(3)(ii));
2. the name and contact information for any owner representative; and
3. a notice of transfer using the DEC's form found at <http://www.dec.ny.gov/chemical/54736.html> (see §375-1.9(f)).

Name:

W E Breese
(Signature)

7/3/19
(Date)

WILLIAM E BREESER
(Print Name)

Address1: 680 New Babcock, Buffalo, New York

Address2: _____

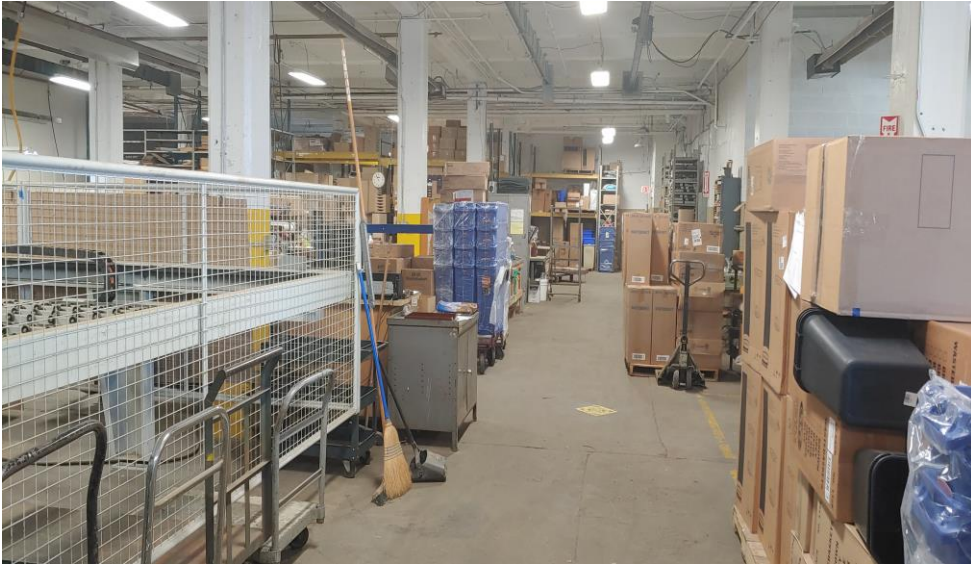
Phone: 716-883-3377 E-mail: wbreeser@gmail.com

APPENDIX B

Photographs

BE3 Photolog

Date: November 2020



1. First floor warehousing



2. View of west end of property facing west



3. View of northern half of property from western end facing east at the building



4. View of southwestern end of property and adjacent southern property

BE3 Photolog

Date: November 2020



5. View of south side of property from west facing east



6. View of property along the western side of the building facing north



7. View of property along southern side of building facing east



8. View of property from western side of building facing west

BE3 Photolog

Date: November 2020



9. View of western side of building from north facing south



10. Southeast portion of property facing west



11. Southeast portion of property facing south

APPENDIX C

Field Inspection Report

FIELD INSPECTION REPORT

POST-REMEDIAL OPERATIONS & MAINTENANCE PLAN

Property Name: **Ameron Site**

Client: **113-119 Colgate Avenue II LLC**

Property Address: **113-119 Colgate Avenue, Buffalo, NY**

Property ID: (SBL Number) **133.62-2-1.11 & 133.62-2-25**

Preparer: **Peter J. Gorton**

Date: **November 3, 2020**

Property Access

- | | | | |
|--|---|--|--|
| 1) Is the access to facility available/suitable? | <input checked="" type="checkbox"/> yes | <input type="checkbox"/> no | <input type="checkbox"/> NA |
| 2) Sufficient signage posted (no Trespassing)? | <input type="checkbox"/> yes | <input type="checkbox"/> no | <input checked="" type="checkbox"/> NA |
| 3) Any noted or reported access/security issues | <input type="checkbox"/> yes | <input checked="" type="checkbox"/> no | <input type="checkbox"/> NA |

Describe any property access issues/irregularities or changes in access/security: **There were no irregularities noted during this inspection. Access to the property is controlled by fencing along Colgate Street and entrance into the structure is controlled**

Final Surface Cover/Vegetation

The integrity of the vegetative soil cover or other surface coverage/hardscape (e.g., asphalt, concrete) over the property or specific areas of the property must be maintained.

- 1) Final Cover is in place and in good condition ☐yes ☐no ☒NA

Describe Cover: **Engineered cover is not required; however, the property is covered with vegetative soil and vegetation in places or competent concrete pads**

- | | | | |
|--|------------------------------|--|-----------------------------|
| 2) Evidence of erosion? | <input type="checkbox"/> yes | <input checked="" type="checkbox"/> no | <input type="checkbox"/> NA |
| 3) Cracks visible in pavement? | <input type="checkbox"/> yes | <input checked="" type="checkbox"/> no | <input type="checkbox"/> NA |
| 4) Evidence of distressed vegetation/turf? | <input type="checkbox"/> yes | <input checked="" type="checkbox"/> no | <input type="checkbox"/> NA |
| 5) Evidence of unintended traffic or rutting? | <input type="checkbox"/> yes | <input checked="" type="checkbox"/> no | <input type="checkbox"/> NA |
| 6) Evidence of uneven settlement and/or ponding? | <input type="checkbox"/> yes | <input checked="" type="checkbox"/> no | <input type="checkbox"/> NA |
| 7) Damage to any surface coverage? | <input type="checkbox"/> yes | <input checked="" type="checkbox"/> no | <input type="checkbox"/> NA |

If yes to any question above, please provide more information below:

Gas Vent System Monitoring and Maintenance

- 1) Are there signs of stressed vegetation around gas vents? _yes _no **XNA**
- 2) Are the gas vents currently intact and operational? _yes _no **XNA**
- 3) Has regular maintenance/monitoring been documented? _yes _no **XNA**

Groundwater Monitoring

- 1) Is there a plan in place and currently being followed? _yes _no **XNA**
- 2) Are the wells currently intact and operational? _yes ☐_no **XNA**
- 3) When was the most recent sampling event report/submittal? Date: **December 2012**
- 4) When is next scheduled sampling event? Date: **NA - Wells Decommissioned Feb. 2014 after DEC removed requirement**

Property Use Changes/Site Development

- 1) Has property use/ownership Changed? Site Re-Developed? **Xyes** _no _NA

If yes, please describe and include dates: **Ownership change in October 2015 to 113-119 Colgate Avenue II LLC**

New Information

- 1) Has any new information been brought to the owner/engineers attention? Regarding any and/or all engineering and institutional controls and their operation and effectiveness? _yes **Xno** _NA

Comments:**None**

Additional Notes and Comments

None

Certification

The results of this inspection were discussed with the site owner. Any corrective actions required have been identified and noted in the report. If necessary, plans for any required corrective actions have been discussed with the property owner and will be formalized in a corrective Action Plan for NYSDEC review and be documented in a corrective action report when completed.

Preparer/Inspector: **Peter J Gorton**

Signature: 

Date: 11-3-2020

Next Scheduled Inspection date: **November 2023**

Attachment: Photographs