2022 Periodic Review Report
(Reporting Period: May 15, 2021 to May 15, 2022)

Location:

Bern Metal Corporation
22 Bender Avenue, City of Buffalo, New York
NYSDEC Site No. 915135

Prepared for:

City of Buffalo
Office of Strategic Planning
Division of Environmental Affairs
65 Niagara Square Room 901
Buffalo, New York 14202

LaBella Project No. 2223105

July 2022 (revised September 2022)

Olympic Towers, 300 Pearl Street, Suite 130 | Buffalo, NY 14202 | p 716-551-6281 | f 716-551-6282
www.labellapc.com

Table of Contents

1.0 EXECUTIVE SUMMARY

This Periodic Review Report (PRR) is a required element of the approved Operation, Maintenance and Monitoring (OM&M) Plan for 22 Bender Avenue (Former Bern Metal Corporation Site) in the City of Buffalo, Erie County, New York (hereafter referred to as the "Site"). This PRR was prepared on behalf of the City of Buffalo to summarize the post remedial status of New York State Department of Environmental Conservation (NYSDE) Site No. 915135. This PRR and associated Institutional and Engineering Controls (IC/EC) Certification Form have been completed for the post-remedial activities at the Site for the reporting period from May 15, 2021 to May 15, 2022.

1.1 Site Summary

The Site encompasses approximately 3.7 acres, located at 22 and 23 Bender Street in the City of Buffalo, Erie County, New York. The Site was an abandoned scrap reprocessor. The NYSDEC conducted a Phase I investigation in 1987 that identified approximately 200 55-gallon drums on the property, along with other wastes including: metal turnings, waste chemicals, sludges, battery cases, and spilled battery acids. In 1990 the United States Environmental Protection Agency (USEPA) conducted an emergency removal at the Site. From 1994 to 1995 a Remedial Investigation and Feasibility Study (RI/FS) was completed at the Site. A Record of Decision (ROD) was signed in 1996 which required contaminated soils be consolidated and properly capped. Under a New York State consent order, the waste was consolidated and capped on the property known as Bern Metals, in 2002. An OM&M Plan was prepared by Blasland Bouck & Lee, Inc., (BBL) dated May 2003. The long-term operation, maintenance, and monitoring is in effect and is being implemented by the City of Buffalo.

1.2 Effectiveness of Remedial Program

Based on a recent inspection of the Site and the groundwater analytical results, the Site cover system is intact and the remedial program appears to be functioning as designed on the Site.

1.3 Non-Compliance

No areas of non-compliance regarding the major elements of the OM&M Plan were identified during the preparation of this PRR.

1.4 Recommendations

Overall, the remedial program is viewed to be effective in achieving the remedial objectives for the Site. No changes to the OM&M Plan or the frequency of PRR submissions are recommended at this time.

2.0 SITE OVERVIEW

The Site encompasses approximately 3.049 acres and is located at 22 and 23 Bender Street in the City of Buffalo, Erie County, New York (see Figure 1). As shown in Figure 2, the Site is bounded by Norfolk Southern railroad tracks to the west and south, Laub International to the east, and commercial, residential and vacant properties to the north. The Site is currently a vacant grass covered landfill. Figure 2 depicts the Site boundaries overlain on a current aerial image.

2.1 Site Background

The Site previously consisted of two properties known as: Bern Metals (approximately 3.049 acres) and Universal Metals (approximately 1.5 acres). The Site was an abandoned scrap reprocessor. Based on complaints from citizens, the NYSDEC conducted a Phase I Investigation in 1987. Approximately 200 55-gallon drums were found on the Bern Metals property, along with other wastes including metal turnings, waste chemicals, sludges, battery cases, and spilled battery acids. Subsequently, 25 leaking transformers containing PCBs were found on the Universal Metals property.

In 1990 the USEPA conducted an emergency removal at the Site. Drums, gas cylinders, and transformers were removed from the Site. Under order of the USEPA in 1994, a group of potentially responsible parties (PRPs) remediated neighboring residential properties and erected a fence around the contaminated Site. The PRPs conducted a RI/FS of the Site during the period from 1994 to 1995.

The ROD was signed in 1996 which required the contaminated soils be consolidated and properly capped. Under a separate New York State consent order, the PRPs consolidated and capped the waste onto the property known as Bern Metals (approximately 3.7 acres), completing the project in 2002. An OM&M Plan was prepared in accordance with Section 5 of Final Design Report (FDR) prepared by (BBL) dated October 1998, and was required by Consent Decree No.02-CV-0277, which was entered by the United States District Court for the Western District of New York on July 19, 2002. The long-term OM&M Plan is in effect and is being implemented by the City of Buffalo. The Universal Metals property has been remediated as required by the ROD.

3.0 EFFECTIVENESS OF THE REMEDIAL PROGRAM

As detailed below in Section 5.1.1, the Site cover system, stormwater drainage system, and perimeter fence at the Site were inspected during the annual periodic review conducted July 8, 2021. Based on this inspection, the engineering controls are generally intact and functioning effectively; the cover system is intact and functioning effectively throughout the Site. Additionally, quinquennial groundwater monitoring was conducted on July 8, 2022. Based on the analytical results for the groundwater samples collected and analyzed the remedial program appears to be functioning as intended.

4.0 INSTITUTIONAL/ENGINEERING CONTROLS (IC/EC)

4.1 Institutional Control Requirements and Compliance

In accordance with the OM&M Plan, a series of Institutional Controls (ICs) have been established for the Site in the form of Site restrictions. Adherence to these ICs is required by the OM&M Plan and include the following:

- Groundwater use restrictions;
- Implementation of the OM&M Plan

The maintenance, monitoring, inspection and reporting of all components of the remedy was performed as defined in the OM&M Plan and compliance with the above ICs was achieved.

4.2 Engineering Control Requirements and Compliance

Engineering Controls (ECs) have been established for the Site including a cover system and access restrictions in the form of perimeter fencing.

4.2.1 Site Cover System

Exposure to remaining contamination in soil/fill at the Site is prevented by a cover system that was previously placed over the Site. The cover system is a permanent control and quality and integrity of this system is inspected on an annual basis. The frequency of inspections will not change without the prior approval of the NYSDEC. The need for maintenance and repairs of the final cover system, sides, slopes, and stormwater drainage systems will be evaluated during the routine inspections. The purpose of these inspections is to confirm the final closure measures taken to limit stormwater infiltration and to prevent the migration of contaminant are operating as intended. The overall integrity of the final cover system on the Site will be assessed during inspections. Final cover maintenance and repair will be required if an inspection reveals any of the following conditions:

- Settlement /subsidence relative to the surrounding areas;
- Topsoil erosion;
- Cracking of the final cover system;
- Ponding of stormwater;
- Vehicle ruts;
- Exposed or damaged geosynthetic cover components;
- Animal burrows;
- Vegetative distress;
- Loss of vegetation due to traffic, drought, or excessive moisture; or
- Weed, brush or tree development.

The inspections will include observation of these condition and other conditions that could be construed to be potentially detrimental to the function of the final cover system. Repairs will be performed at all areas exhibiting deficiencies or potential problems. Remedies can include additional soil cover or repair of cover as a result of erosion, settlement, cracking, ponding, or other similarly damaging conditions. Reseeding will be performed when a loss of vegetation is notes. Bush and tress seedlings will be removed upon discovery to prevent disruption of the final cover system.

The condition of the stormwater drainage system for the final cover system is assessed as part of the inspection and maintenance activities for the final cover system. Components of the stormwater drainage system include: mid-slope drainage swales; perimeter drainage ditches; and outlet drainage ditches. The stormwater components will be inspected for worn or degraded vegetation, settlement, ponding, channel erosion or breach, and displaced rip-rap. In areas where inspections indicate a decrease in the performance of drainage system components, steps will be taken to restore components.

4.2.2 Site Access Controls

Access controls at the facility include fencing around the Bern Metal property and a gate located at the end of Bender Avenue. The chain link fence as well as the gate will be inspected for structural integrity and signs of vandalism and/or tampering. Repairs, if necessary will be performed following inspections. The access gate will be checked to verify the latch assembly and lock are in place.

5.0 SITE MONITORING AND MAINTENANCE PROGRAM

5.1 Site Inspection and Certification

This PRR provides the information necessary to document the IC/EC certification. The certification primarily consists of a Site inspection to complete the NYSDEC "Site Management Periodic Review Report Notice-Institutional and Engineering Controls Certification Form" and confirm the IC/ECs:

- Are in place, performing properly, and remain effective;
- Nothing has occurred that would impair the ability of the controls to protect the public health and environment;
- Nothing has occurred that would constitute a violation or failure to comply with any operation and maintenance plan for such controls; and
- That access is available to the Site to evaluate continued maintenance of such controls.

The Site inspection includes the inspection of the following components in accordance with the OM&M Plan.

- Final cover system;
- Stormwater drainage system;
- Site access controls; and
- Site monitoring wells

5.1.1 Site-Wide Inspection

Annual Site-wide inspections of the Site are required per the OM&M Plan. The annual inspection was conducted by LaBella on July 8, 2022, which included traversing the Site on foot to observe current conditions. The annual site inspection was conducted outside of the certifying period with NYSDEC approval. The Site is vacant and undeveloped, with vegetated soil cover at the ground surface. At the time of the Site inspection the vegetative cover was observed to be in good condition and cover system intact. Erosion, vehicle ruts, ponding water and protruding objects were not observed. The stormwater drainage system was observed to be in good condition and functioning as intended. Inspection of the stormwater drainage system revealed early growth of Japanese Knotweed and other brush within the perimeter drainage ditch. The perimeter fencing and access gate were

generally observed to be intact and functioning as intended. Additionally, the Site monitoring wells were observed to be in good condition. The completed Post-Closure Inspection Form and map is included in Appendix 1. A photographic log showing the current condition of the Site is included in Appendix 2.

Corrective measures during this reporting period included fence repairs and site mowing, completed in June 2022. The brush growth within the perimeter drainage ditch is scheduled to be cut/removed.

5.1.2 IC/EC Certification

The NYSDEC's IC/EC Certification Form was completed in its entirety as all ICs/ECs are in place for the Site per the OM&M Plan. Appendix 3 includes the NYSDEC "Site Management Periodic Review Report Notice-Institutional and Engineering Controls Certification Form."

5.2 Groundwater Monitoring

The OM&M Plan specified that during the first two years of the OM&M program, groundwater sampling would be performed on a semi-annual basis and the first two groundwater sampling events would include analysis of cadmium, chromium, lead, manganese, zinc, polychlorinated biphenyls (PCBs) and benzene, toluene, ethylbenzene, and xylenes (BTEX). After a review of the first two rounds of groundwater sampling data and as approved by the NYSDEC, the analyses were reduced to lead analysis only. Following the first two years of groundwater sampling, the groundwater sampling frequency was reduced to annually. The previous groundwater sampling event was performed on May 3, 2017 and the recommendation was made to modify the groundwater monitoring frequency to quinquennially (every 5 years). NYSDEC approved the modification to the groundwater monitoring frequency on November 21, 2017. Groundwater sampling was performed during this reporting period at five locations (RD-1, RD-2, RD-3R, RD-4, and RD-5) for Lead. Sampling of the monitoring wells was conducted using low-flow sampling procedures. Groundwater monitoring well locations are depicted on Figure 2. The next groundwater sampling event will be performed in 2027.

5.2.1 Groundwater Monitoring Procedures

The quintennial groundwater monitoring activities were performed in general accordance with the OM&M Plan and included the following:

- Measure depth of groundwater from the top of the well riser to determine groundwater elevations for the sampled groundwater monitoring wells;
- Collection of groundwater samples from monitoring wells RD-1, RD-2, RD-3R, RD-4, and RD-5 using low-flow sampling techniques;
- Record field parameters (pH, oxidation-reduction potential, temperature, turbidity, and specific conductivity) at each monitoring well during the low-flow sampling;
- Submit groundwater samples for laboratory analysis for lead to Eurofins/TestAmerica, a New York State Department of Health (NYSDOH) environmental laboratory approval program (ELAP)-certified laboratory;
- Collection and analysis of a blind field duplicate sample from RD-5; and
- Inspection and documentation of the structural integrity of the monitoring wells.

Groundwater elevations at each monitoring well at the Site are summarized in Table 1. Groundwater contours are depicted on Figure 3. Field parameters collected at the time of sampling are provided in Table 2. Monitoring well sampling logs are included in Appendix 4.

5.2.2 Groundwater Monitoring Results

The analytical results for the groundwater samples are summarized in Table 2. The laboratory analytical results are compared to the NYSDEC Division of Water Technical and Operational Guidance Series (TOGS) 1.1.1, Ambient Water Quality Standards and Guidance Values and Groundwater Effluent Limitations (AWQS) dated June 1998.

Lead was detected above laboratory method detection limits (MDLs) in RD-1 and RD-4. Lead concentrations at these locations were well below NYSDEC TOGS 1.1.1 AWQS. Lead was not detected in RD-2, RD-3R, RD-5, and the Field Duplicate. Laboratory analytical reports are included in Appendix 5.

Third-party data validation was completed for the laboratory analytical results by Data Validation Services. The Data Usability Summary Report (DUSR) indicates the results are usable as reported and no qualifiers were added to the results. The DUSR is included in Appendix 5.

6.0 CONCLUSIONS AND RECOMMENDATIONS

Annual inspection of the Site and quinquennial groundwater monitoring were performed on July 8, 2022 by LaBella Associates, DPC as prescribed in the OM&M Plan. As a result of this inspection, LaBella has determined that the Site is in compliance with the elements of the OM&M Plan.

As reflected by the signed Institutional and Engineering Controls Certification Form (Appendix 3), LaBella has concluded that:

- The required EC/ICs are in place, are performing properly, and remain effective;
- The OM&M Plan is being implemented; and
- The remedy continues to be protective of public health and the environment.

Based on the results of the quinquennial groundwater monitoring, lead was not detected or detected at concentrations below the Groundwater Standard in all groundwater monitoring wells.

LaBella recommends the following:

- No changes to the inspection, reporting or certification frequency prescribed for the Site;
- Vegetation from the perimeter drainage ditches should be removed.

7.0 LIMITATIONS

The conclusions presented in this report are based on information gathered in accordance with generally acceptable professional consulting principles and practices. All conclusions reflect observable conditions existing at the time of the Site inspection. Information provided by outside sources (individuals, agencies, laboratories, etc.) as cited herein, was used in the assessment of the Site. The accuracy of the conclusions drawn from this assessment is, therefore, dependent upon the

accuracy of information provided by these sources. Furthermore, LaBella is not responsible for the impacts of any changes in environmental standards, practices, or regulations subsequent to the performance of services.

This report is based upon the application of scientific principles and professional judgment to certain facts with resultant subjective interpretations. Professional judgments expressed herein are based upon the facts currently available with the limits of the existing data, scope of services, budget and schedule. To the extent that more definitive conclusions are desired by the Client than are warranted by the current available facts, it is specifically Labella's' intent that the conclusions and recommendations stated herein will be intended as guidance and not necessarily a firm course of action expect where explicitly stated as such. LaBella makes no warranties, expressed or implied including without limitation, warranties as to merchantability or fitness of a particular purpose. Furthermore, the information provided in this report is not be construed as legal advice.

This assessment and report have been completed and prepared on behalf of and for the exclusive use of City of Buffalo. Any reliance on this report by a third party is at such party's sole risk.

8.0 REFERENCES

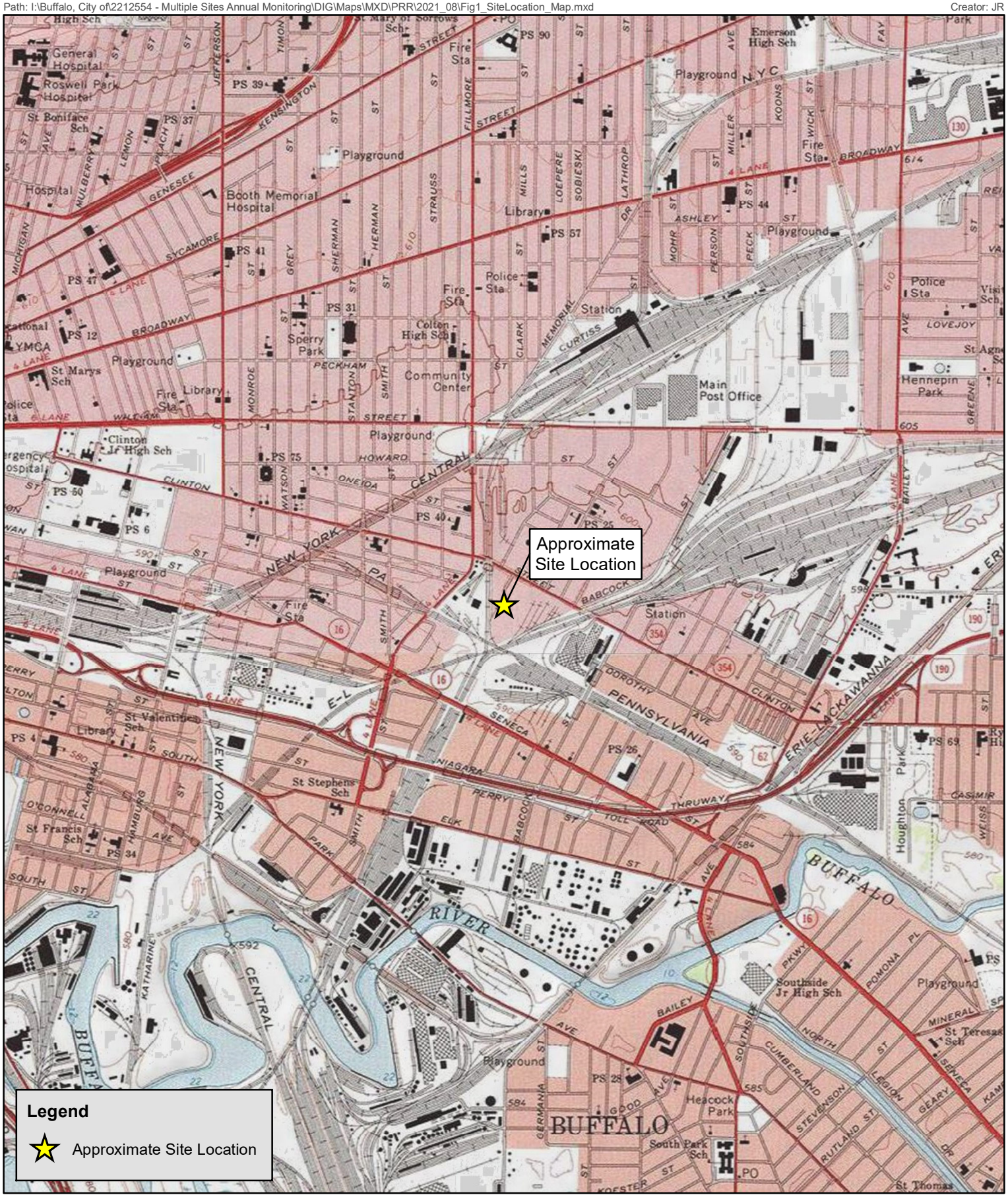
DER-10/Technical Guidance for Site Investigation and Remediation, NYSDEC, May 3, 2010

Operation Maintenance, and Monitoring Plan, Bern Metal/Universal Metal Site Buffalo, New York; Blasland, Bouck &Lee, March 2003 (revised April 2003 and May 2003)

Operation Maintenance, and Monitoring Plan Addendum, Bern Metal Corporation Site; 22 Bender Avenue, Buffalo, New York; LaBella Associates, January 24, 2022

LaBella
Powered by partnership.

FIGURES



PROJECT # / DRAWING # / DATE:	DRAWING NAME:	PROJECT:
2223105 **Figure 1** 8/1/2022	Site Location Map	2022 Periodic Review Report 22 Bender Street, Buffalo, New York NYSDEC Site No. C915135

N

0 1,000 2,000 Feet

LaBella Powered by partnership.

Data Source: Erie County 2020; LaBella 2021; USGS, National Geographic, i-cubed 2019.

Path: I:\Buffalo, City of\2223105 - BCP & LF Monitor Multiple Sites\06_Drawings\DIG\Bern Metal\Maps\MXD\2022_08\Fig2_SiteMap.mxd

Creator: EG

PROJECT # / DRAWING # / DATE:	DRAWING NAME:	PROJECT:
2223105 **Figure 2** 8/1/2022	Site Map	2022 Periodic Review Report 22 Bender Street, Buffalo, New York NYSDEC Site No. C915135

N

0 40 80 Feet

LaBella
Powered by partnership.

Data Source: Bing Maps; Erie County 2020; LaBella 2022.

Path: I:\Buffalo, City of\2223105 - BCP & LF Monitor Multiple Sites\06_Drawings\DIG\Bern Metal\Maps\MXD\2022_08\Fig3_GroundwaterContour_Map.mxd

Creator: EG

PROJECT # / DRAWING # / DATE:	DRAWING NAME:	PROJECT:
2223105 **Figure 3** 8/1/2022	Groundwater Contour Map	2022 Periodic Review Report 22 Bender Street, Buffalo, New York NYSDEC Site No. C915135

N

0 40 80 Feet

LaBella
Powered by partnership.

Data Source: Bing Maps; Erie County 2020; LaBella 2022.

LaBella
Powered by partnership.

TABLES

TABLE 1
SUMMARY OF GROUNDWATER ELEVATIONS
Bern Metal Corporation Site
22 Bender Avenue, Buffalo, New York
NYSDEC Site No.915135

Well ID	Top of Casing Elevation (ft. AMSL)	Depth of Well (feet)	Depth to Water (feet)	Groundwater Elevation (ft. AMSL)
RD-1	588.9	10.45	9.29	579.61
RD-2	597.6	11.70	9.11	588.49
RD-3R	592.9	12.70	7.35	585.55
RD-4	597.2	17.70	8.59	588.61
RD-5	595.7	11.90	7.45	588.25

Notes:
ft. AMSL : feet above sea level
Casing elevation information obtained from the LiRo PRR 2017

TABLE 2
SUMMARY OF GROUNDWATER ANALYTICAL RESULTS
Bern Metal
NYSDEC Site No.915135

Parameter	Monitoring Well ID and Date					Class "GA" GWQS
	RD-1	RD-2	RD-3R	RD-4	RD-5	
	7/8/2022	7/8/2022	7/8/2022	7/8/2022	7/8/2022	
Field Measurements						
pH (standard units)	7.09	6.91	7.25	7.27	7.10	6.5 - 8.5
Temperature (°C)	14.7	16.0	7.25	15.9	16.3	NA
Specific Conductance (ms/cm)	1.585	1.015	2.337	1.249	1.111	NA
Turbidity	7.63	0.5	19.37	0.82	5.9	NA
Oxidation-Reduction Potential (Eh)	-113.2	-45.6	-35.8	-57.3	-17.5	NA
Appearance (visual)	clear	clear	clear	clear	clear	NA
Odor (olfactory)	none	none	none	none	none	NA
Inorganic Compounds (mg/L)						
Total Lead	0.0032 J	<	<	0.0065 J	<	0.025

Notes:
Reported values represent the greater value of the sample and duplicate sample results.
NYSDEC Class "GA" Groundwater Quality Standards/Guidance Values (GWQS/GV) as per NYCRR Part 703
BOLD : represents exceedances of GWQS
NA : Not Applicable; a GWQS has not been established for this parameter.
< : Not detected

APPENDIX 1

Post-Closure Inspection Form

Post-Closure Inspection Form for Operation, Maintenance, and Monitoring
Bern Metal/Universal Metal Site
Buffalo, New York

Date: 7/8/22
Weather: 78°F & Sunny

Inspector(s): A. Koons

Inspection Items	Acceptable Yes	Acceptable No	Comments/Conditions
1. General Site Conditions			
Gates Locked and Secure	x		need paths mowed to well locations
Perimeter Fence/ Warning Signs	x		
Perimeter Vegetation	x		
Trash or Litter	x		
Survey Control Monuments	x		
2. Maintenance Road Condition			
Surface	x		
Accessability	x		
3. Final Cover Vegetation			
General Grass Growth	x		
Stressed Vegetation	x		
Animal Burrows	x		
Tree or Bush Growth	x		
Protruding Objects/Settlement	x		
Ponding Water	x		
Erosion	x		
4. Storm Water Drainage System			
Mid-Slope Drainage Swales	x		vegetation in swales needs to be cut down.
Perimeter Drainage Ditch	x		
Outlet Drainage Ditch	x		
Catch Basins	x		
5. Groundwater Monitoring Wells			
Casings Secure and Locked	x		
6. Other Items			

Sketch
See attached maps

Path: I:\Buffalo, City of\2212554 - Multiple Sites Annual Monitoring\DIG\Maps\MXD\PRR\2021_11\Fig2_MonitoringWell_Map.mxd

Creator: JR

PROJECT # / DRAWING # / DATE:	DRAWING NAME:	PROJECT:
2223105 **Figure 2** 11/15/2021	Monitoring Well Location Map	Operation, Maintenance, and Monitoring Plan 22 Bender Street, Buffalo, New York NYSDEC Site No. C915135

N

0 50 100 Feet

LaBella
Powered by partnership.

Data Source: Bing Maps; Erie County 2020; LaBella 2021.

APPENDIX 2

Photographs

Typical view northern side of the Site

Bush growth in perimeter drainage ditch along east side of the Site

Bush growth in perimeter drainage ditch along south side of the Site

Typical view of the top of the hill at the Site

Repaired fencing along western edge of the Site

View of hill slope on western side of the Site

Typical groundwater monitoring well

Typical sign on perimeter fencing

APPENDIX 3

Site Management Periodic Review Report Notice-Institutional and Engineering Controls Certification Form

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

Site Details **Box 1**

Site No. 915135

Site Name Bern Metal Corp.

Site Address: 22 Bender Street Zip Code: 14206
City/Town: Buffalo
County: Erie
Site Acreage: 3.049

Reporting Period: May 15, 2021 to May 15, 2022

	YES	NO
1. Is the information above correct?	☒	☐
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?	☐	☒
3. Has there been any change of use at the site during this Reporting Period (see 6NYCRR 375-1.11(d))?	☐	☒
4. Have any federal, state, and/or local permits (e.g., building, discharge) been issued for or at the property during this Reporting Period?	☐	☒
If you answered YES to questions 2 thru 4, include documentation or evidence that documentation has been previously submitted with this certification form.		
5. Is the site currently undergoing development?	☐	☒

Box 2

	YES	NO
6. Is the current site use consistent with the use(s) listed below? Closed Landfill	☒	☐
7. Are all ICs in place and functioning as designed?	☒	☐

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

SITE NO. 915135 **Box 3**

Description of Institutional Controls

Parcel	Owner	Institutional Control
111.84-2-15.1	Mohammed Siddiqui	Ground Water Use Restriction O&M Plan

i) Implementation of Operation, Maintenance, and Monitoring Plan, dated May, 2003. ii) Prohibition of use of groundwater iii) Maintenance of fencing

111.84-2-16	Mohammed Siddiqui	Ground Water Use Restriction O&M Plan

i) Implementation of Operation, Maintenance, and Monitoring Plan, dated May, 2003. ii) Prohibition of use of groundwater iii) Maintenance of fencing

111.84-2-31	Damone Cannon	Ground Water Use Restriction O&M Plan

i) Implementation of Operation, Maintenance, and Monitoring Plan, dated May, 2003. ii) Prohibition of use of groundwater iii) Maintenance of fencing

Box 4

Description of Engineering Controls

Parcel	Engineering Control
111.84-2-15.1	Cover System Fencing/Access Control

i) Implementation of Operation, Maintenance, and Monitoring Plan, dated May, 2003.
ii) Prohibition of use of groundwater
iii) Maintenance of fencing

111.84-2-16	Cover System Fencing/Access Control
111.84-2-31	Cover System Fencing/Access Control

Box 5

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 compete.

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. 915135

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 ANDREW BENKEMAN at 300 PEARL ST, BUFFALO, NY.
print name print business address

am certifying as REMEDIAL PARTY (Owner or Remedial Party)

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

Signature of Owner, Remedial Party, or Designated Representative Rendering Certification

8/1/2022
Date

EC CERTIFICATIONS

Box 7

Professional Engineer Signature

I certify that all information in Boxes 4 and 5 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 Daniel P. Noll (print name) at LaBella Associate, D.P.C. 300 State Street Rochester, NY (print business address),

am certifying as a Professional Engineer for the Remedial Party (Owner or Remedial Party)

Signature of Professional Engineer, for the Owner or Remedial Party, Rendering Certification	Stamp (Required for PE)	Date
		8/1/2022

APPENDIX 4

Field Logs

LABELLA ASSOCIATES, D.P.C.
Environmental Engineering Consultants

Well I.D. RD-1
Job No. 2223105

Site Location: Bern Metals; City of Buffalo
Sample Date: 7/8/22
LaBella Representative: AK

Well I.D.	Initial Readings	1 Well Volume	2 Well Volumes	3 Well Volume	Sample	Details
Date						
Time	1111	1113	1114	1116	1120	
Depth of well	10.45 (soft bottom)					
Depth to water	9.29					
Well diameter	2"					
Well volume (gallons)	6.2					
Purging device	peri-pump					
Gallons purged	—	0.2	0.4	0.6	—	
Sample device						
Field Parameters						
Temperature	16.5	15.2	15.1	15.1	14.9	
pH measurement	7.06	7.21	7.12	7.05	7.09	
Conductivity (mS/cm)	1.619	1.601	1.601	1.603	1.585	
ORP/Eh (mV)	-29.5	-50.9	-75.9	-101.3	-113.2	
Turbidity (NTUs)	66.45	39.21	23.62	8.33	7.63	

WEATHER:

NOTES/FIELD OBSERVATIONS:

Well Volume Purge: 1 Well Volume = (Total Well Depth – Static Depth To Water) X Well Capacity
(only if applicable) = (ft. –ft.) X . gal/ft = 0.3056 gallons

Well Capacity (Gallons per Foot): **0.75"**=0.02 **1"**=0.04 **1.5"**=0.092 **2"**=0.16 **3"**=0.37
4"=0.65 **5"**=1.02 **6"**=1.47 **12"**=5.88

1. Stabilization Criteria for range of variation of last three consecutive Readings

pH: ± 0.2 units; **Temperature:** ± 0.5°C; **Specific Conductance:** ± 10%; **Turbidity:** ≤ 50 NTU

A minimum of three well volumes and a maximum of five well volumes are to be removed from each well prior to sampling. In the event that groundwater recharge is slow, the purging process will continue until the well is purged "dry". After the water level has returned to its pre-purge level (or within a maximum of two hours), samples will be collected. If the water level is slow to recharge and does not reach its pre-purge level within two hours, then samples can be collected after sufficient water has recharged, and the degree of recharge indicated in field notes with time and depth to water noted.

LABELLA ASSOCIATES, D.P.C.
Environmental Engineering Consultants

Well I.D. RD-2
Job No. 2223105

Site Location: Bern Metals; City of Buffalo
Sample Date: 7/8/22
LaBella Representative: AK

Well I.D.	Initial Readings	1 Well Volume	2 Well Volumes	3 Well Volume	Sample	Details
Date						
Time	1131	1133	1135	1137	1140	
Depth of well	11.70					
Depth to water	9.11					
Well diameter	2"					
Well volume (gallons)	0.4					
Purging device	peri-pump					
Gallons purged	—	0.4	0.8	1.2	—	
Sample device						
Field Parameters						
Temperature	16.1	15.9	15.9	15.9	16.0	
pH measurement	7.10	7.06	7.03	6.97	6.91	
Conductivity (mS/cm)	1.307	1.031	0.992	0.999	1.015	
ORP/Eh (mV)	-67.6	-68.3	-64.3	-57.3	-45.6	
Turbidity (NTUs)	78.99	45.68	6.02	0.58	0.50	

WEATHER:

NOTES/FIELD OBSERVATIONS:

Well Volume Purge: 1 Well Volume = (Total Well Depth – Static Depth To Water) X Well Capacity
(only if applicable) = (ft. –ft.) X . gal/ft = 0.3056 gallons

Well Capacity (Gallons per Foot): **0.75"**=0.02 **1"**=0.04 **1.5"**=0.092 **2"**=0.16 **3"**=0.37
4"=0.65 **5"**=1.02 **6"**=1.47 **12"**=5.88

1. Stabilization Criteria for range of variation of last three consecutive Readings

pH: ± 0.2 units; **Temperature:** ± 0.5°C; **Specific Conductance:** ± 10%; **Turbidity:** ≤ 50 NTU

A minimum of three well volumes and a maximum of five well volumes are to be removed from each well prior to sampling. In the event that groundwater recharge is slow, the purging process will continue until the well is purged "dry". After the water level has returned to its pre-purge level (or within a maximum of two hours), samples will be collected. If the water level is slow to recharge and does not reach its pre-purge level within two hours, then samples can be collected after sufficient water has recharged, and the degree of recharge indicated in field notes with time and depth to water noted.

LABELLA ASSOCIATES, D.P.C.
Environmental Engineering Consultants

Well I.D. RD-3R
Site Location: Bern Metals; City of Buffalo
Job No. 2223105
Sample Date: 7/18/22
LaBella Representative: AK

Well I.D.	Initial Readings	1 Well Volume	2 Well Volumes	3 Well Volume	Sample	Details
Date						
Time	0943	0957	1011	1029	1035	
Depth of well	12.70					
Depth to water	7.35					
Well diameter	4"					
Well volume (gallons)	3.58					
Purging device	peri-pump					
Gallons purged	—	3.5	7.0	10.5	—	
Sample device						
Field Parameters						
Temperature	15.2	14.7	14.9	14.5	14.6	
pH measurement	6.88	7.22	7.10	7.46	7.25	
Conductivity (mS/cm)	2.512	2.320	2.355	2.531	2.337	
ORP/Eh (mV)	-36.7	-65.7	-36.6	-45.7	-35.8	
Turbidity (NTUs)	224.29	5.01	4.23	17.86	19.37	

WEATHER:

NOTES/FIELD OBSERVATIONS:
4 inch well

Well Volume Purge: 1 Well Volume = (Total Well Depth – Static Depth To Water) X Well Capacity
(only if applicable) = (ft. –ft.) X . gal/ft = 0.3056 gallons

Well Capacity (Gallons per Foot): **0.75"**=0.02 **1"**=0.04 **1.5"**=0.092 **2"**=0.16 **3"**=0.37
4"=0.65 **5"**=1.02 **6"**=1.47 **12"**=5.88

1. **Stabilization Criteria for range of variation of last three consecutive Readings**

pH: ± 0.2 units; **Temperature:** ± 0.5°C; **Specific Conductance:** ± 10%; **Turbidity:** ≤ 50 NTU

A minimum of three well volumes and a maximum of five well volumes are to be removed from each well prior to sampling. In the event that groundwater recharge is slow, the purging process will continue until the well is purged "dry". After the water level has returned to its pre-purge level (or within a maximum of two hours), samples will be collected. If the water level is slow to recharge and does not reach its pre-purge level within two hours, then samples can be collected after sufficient water has recharged, and the degree of recharge indicated in field notes with time and depth to water noted.

LABELLA ASSOCIATES, D.P.C.
Environmental Engineering Consultants

Well I.D. RD-4
Site Location: Bern Metals; City of Buffalo
Job No. 2223105
Sample Date: 7/8/22
LaBella Representative: AK

Well I.D.	Initial Readings	1 Well Volume	2 Well Volumes	3 Well Volume	Sample	Details
Date						
Time	1152	1159	1207	—	1225	
Depth of well	17.70					
Depth to water	8.59					
Well diameter	2"					
Well volume (gallons)	1.4					
Purging device	peri-pump					
Gallons purged	—	1.4	2.8	4.2	—	
Sample device						
Field Parameters						
Temperature	13.8	14.1	14.3	—	15.9	
pH measurement	6.80	7.16	7.22	—	7.27	
Conductivity (mS/cm)	4.433	1.334	1.281	—	1.249	
ORP/Eh (mV)	0.2	-87.8	-105.5	—	-57.3	
Turbidity (NTUs)	994.33	6.94	17.07	—	0.82	

WEATHER:

NOTES/FIELD OBSERVATIONS:
well going dry after 2 well volumes
let recharge and sample

Well Volume Purge: 1 Well Volume = (Total Well Depth – Static Depth To Water) X Well Capacity
(only if applicable) = (ft. –ft.) X . gal/ft = 0.3056 gallons

Well Capacity (Gallons per Foot): **0.75"**=0.02 **1"**=0.04 **1.5"**=0.092 **2"**=0.16 **3"**=0.37
4"=0.65 **5"**=1.02 **6"**=1.47 **12"**=5.88

1. Stabilization Criteria for range of variation of last three consecutive Readings

pH: ± 0.2 units; **Temperature:** ± 0.5°C; **Specific Conductance:** ± 10%; **Turbidity:** ≤ 50 NTU

A minimum of three well volumes and a maximum of five well volumes are to be removed from each well prior to sampling. In the event that groundwater recharge is slow, the purging process will continue until the well is purged "dry". After the water level has returned to its pre-purge level (or within a maximum of two hours), samples will be collected. If the water level is slow to recharge and does not reach its pre-purge level within two hours, then samples can be collected after sufficient water has recharged, and the degree of recharge indicated in field notes with time and depth to water noted.

LABELLA ASSOCIATES, D.P.C.
Environmental Engineering Consultants

Well I.D. RD-5
Job No. 2223105

Site Location: Bern Metals; City of Buffalo
Sample Date: 7/8/22
LaBella Representative: AK

Well I.D.	Initial Readings	1 Well Volume	2 Well Volumes	3 Well Volume	Sample	Details
Date						
Time	1053	1056	1059	1102	1105	
Depth of well	11.90					
Depth to water	7.45					
Well diameter	2"					
Well volume (gallons)	0.7					
Purging device	peri-pump					
Gallons purged	—	0.7	1.4	2.1	—	
Sample device						
Field Parameters						
Temperature	17.1	16.6	17.7	16.9	16.3	
pH measurement	7.23	7.16	7.13	7.10	7.10	
Conductivity (mS/cm)	1.371	1.009	1.011	1.061	1.111	
ORP/Eh (mV)	-14.9	-20.6	-12.5	-16.5	-17.5	
Turbidity (NTUs)	21.10	3.70	7.19	4.69	5.90	

WEATHER:

NOTES/FIELD OBSERVATIONS:
Field duplicate taken @ this location

Well Volume Purge: 1 Well Volume = (Total Well Depth – Static Depth To Water) X Well Capacity
(only if applicable) = (ft. –ft.) X . gal/ft = 0.3056 gallons

Well Capacity (Gallons per Foot): **0.75"**=0.02 **1"**=0.04 **1.5"**=0.092 **2"**=0.16 **3"**=0.37
4"=0.65 **5"**=1.02 **6"**=1.47 **12"**=5.88

1. Stabilization Criteria for range of variation of last three consecutive Readings

pH: ± 0.2 units; **Temperature:** ± 0.5°C; **Specific Conductance:** ± 10%; **Turbidity:** ≤ 50 NTU

A minimum of three well volumes and a maximum of five well volumes are to be removed from each well prior to sampling. In the event that groundwater recharge is slow, the purging process will continue until the well is purged "dry". After the water level has returned to its pre-purge level (or within a maximum of two hours), samples will be collected. If the water level is slow to recharge and does not reach its pre-purge level within two hours, then samples can be collected after sufficient water has recharged, and the degree of recharge indicated in field notes with time and depth to water noted.

APPENDIX 5

Laboratory Analytical Report and
Data Usability Summary Report

eurofins | Environment Testing America

ANALYTICAL REPORT

Eurofins Buffalo
10 Hazelwood Drive
Amherst, NY 14228-2298
Tel: (716)691-2600

Laboratory Job ID: 480-199636-1
Client Project/Site: Bern Metal

For:
LaBella Associates DPC
300 Pearl Street
Suite 130
Buffalo, New York 14202

Attn: Mr. Andrew Benkleman

Judy Stone

Authorized for release by:
7/14/2022 3:37:57 PM
Judy Stone, Senior Project Manager
(484)685-0868
Judy.Stone@et.eurofinsus.com

Designee for

Brian Fischer, Manager of Project Management
(716)504-9835
Brian.Fischer@et.eurofinsus.com

Table of Contents

Definitions/Glossary

Client: LaBella Associates DPC
Project/Site: Bern Metal

Job ID: 480-199636-1

Qualifiers

Metals

Qualifier	Qualifier Description
J	Result is less than the RL but greater than or equal to the MDL and the concentration is an approximate value.

Glossary

Abbreviation	These commonly used abbreviations may or may not be present in this report.
¤	Listed under the "D" column to designate that the result is reported on a dry weight basis
%R	Percent Recovery
CFL	Contains Free Liquid
CFU	Colony Forming Unit
CNF	Contains No Free Liquid
DER	Duplicate Error Ratio (normalized absolute difference)
Dil Fac	Dilution Factor
DL	Detection Limit (DoD/DOE)
DL, RA, RE, IN	Indicates a Dilution, Re-analysis, Re-extraction, or additional Initial metals/anion analysis of the sample
DLC	Decision Level Concentration (Radiochemistry)
EDL	Estimated Detection Limit (Dioxin)
LOD	Limit of Detection (DoD/DOE)
LOQ	Limit of Quantitation (DoD/DOE)
MCL	EPA recommended "Maximum Contaminant Level"
MDA	Minimum Detectable Activity (Radiochemistry)
MDC	Minimum Detectable Concentration (Radiochemistry)
MDL	Method Detection Limit
ML	Minimum Level (Dioxin)
MPN	Most Probable Number
MQL	Method Quantitation Limit
NC	Not Calculated
ND	Not Detected at the reporting limit (or MDL or EDL if shown)
NEG	Negative / Absent
POS	Positive / Present
PQL	Practical Quantitation Limit
PRES	Presumptive
QC	Quality Control
RER	Relative Error Ratio (Radiochemistry)
RL	Reporting Limit or Requested Limit (Radiochemistry)
RPD	Relative Percent Difference, a measure of the relative difference between two points
TEF	Toxicity Equivalent Factor (Dioxin)
TEQ	Toxicity Equivalent Quotient (Dioxin)
TNTC	Too Numerous To Count

Case Narrative

Client: LaBella Associates DPC
Project/Site: Bern Metal

Job ID: 480-199636-1

Job ID: 480-199636-1

Laboratory: Eurofins Buffalo

Narrative

Job Narrative
480-199636-1

Comments
No additional comments.

Receipt
The samples were received on 7/8/2022 1:35 PM. Unless otherwise noted below, the samples arrived in good condition, and where required, properly preserved and on ice. The temperature of the cooler at receipt was 3.6º C.

Metals
No analytical or quality issues were noted, other than those described in the Definitions/Glossary page.

Detection Summary

Client: LaBella Associates DPC
Project/Site: Bern Metal

Job ID: 480-199636-1

Client Sample ID: RD-1 — Lab Sample ID: 480-199636-1

Analyte	Result	Qualifier	RL	MDL	Unit	Dil Fac	D	Method	Prep Type
Lead	0.0032	J	0.010	0.0030	mg/L	1		6010C	Total/NA

Client Sample ID: RD-2 — Lab Sample ID: 480-199636-2

No Detections.

Client Sample ID: RD-3 — Lab Sample ID: 480-199636-3

No Detections.

Client Sample ID: RD-4 — Lab Sample ID: 480-199636-4

Analyte	Result	Qualifier	RL	MDL	Unit	Dil Fac	D	Method	Prep Type
Lead	0.0065	J	0.010	0.0030	mg/L	1		6010C	Total/NA

Client Sample ID: RD-5 — Lab Sample ID: 480-199636-5

No Detections.

Client Sample ID: FIELD DUP — Lab Sample ID: 480-199636-6

No Detections.

This Detection Summary does not include radiochemical test results.

Client Sample Results

Client: LaBella Associates DPC
Project/Site: Bern Metal

Job ID: 480-199636-1

Client Sample ID: RD-1

Date Collected: 07/08/22 11:20
Date Received: 07/08/22 13:35

Lab Sample ID: 480-199636-1

Matrix: Water

Method: 6010C - Metals (ICP)

Analyte	Result	Qualifier	RL	MDL	Unit	D	Prepared	Analyzed	Dil Fac
Lead	0.0032	J	0.010	0.0030	mg/L		07/12/22 09:08	07/12/22 17:07	1

Client Sample Results

Client: LaBella Associates DPC
Project/Site: Bern Metal

Job ID: 480-199636-1

Client Sample ID: RD-2

Date Collected: 07/08/22 11:47
Date Received: 07/08/22 13:35

Lab Sample ID: 480-199636-2

Matrix: Water

Method: 6010C - Metals (ICP)

Analyte	Result	Qualifier	RL	MDL	Unit	D	Prepared	Analyzed	Dil Fac
Lead	ND		0.010	0.0030	mg/L		07/12/22 09:08	07/12/22 17:11	1

Client Sample Results

Client: LaBella Associates DPC
Project/Site: Bern Metal

Job ID: 480-199636-1

Client Sample ID: RD-3

Date Collected: 07/08/22 10:35
Date Received: 07/08/22 13:35

Lab Sample ID: 480-199636-3

Matrix: Water

Method: 6010C - Metals (ICP)

Analyte	Result	Qualifier	RL	MDL	Unit	D	Prepared	Analyzed	Dil Fac
Lead	ND		0.010	0.0030	mg/L		07/12/22 09:08	07/12/22 17:15	1

Client Sample Results

Client: LaBella Associates DPC
Project/Site: Bern Metal

Job ID: 480-199636-1

Client Sample ID: RD-4

Date Collected: 07/08/22 12:25
Date Received: 07/08/22 13:35

Lab Sample ID: 480-199636-4

Matrix: Water

Method: 6010C - Metals (ICP)

Analyte	Result	Qualifier	RL	MDL	Unit	D	Prepared	Analyzed	Dil Fac
Lead	0.0065	J	0.010	0.0030	mg/L		07/12/22 09:08	07/12/22 17:18	1

Client Sample Results

Client: LaBella Associates DPC
Project/Site: Bern Metal

Job ID: 480-199636-1

Client Sample ID: RD-5

Date Collected: 07/08/22 11:05
Date Received: 07/08/22 13:35

Lab Sample ID: 480-199636-5

Matrix: Water

Method: 6010C - Metals (ICP)

Analyte	Result	Qualifier	RL	MDL	Unit	D	Prepared	Analyzed	Dil Fac
Lead	ND		0.010	0.0030	mg/L		07/12/22 09:08	07/12/22 17:22	1

Client Sample Results

Client: LaBella Associates DPC
Project/Site: Bern Metal

Job ID: 480-199636-1

Client Sample ID: FIELD DUP

Date Collected: 07/08/22 00:00
Date Received: 07/08/22 13:35

Lab Sample ID: 480-199636-6

Matrix: Water

Method: 6010C - Metals (ICP)

Analyte	Result	Qualifier	RL	MDL	Unit	D	Prepared	Analyzed	Dil Fac
Lead	ND		0.010	0.0030	mg/L		07/12/22 09:08	07/12/22 17:26	1

QC Sample Results

Client: LaBella Associates DPC
Project/Site: Bern Metal

Job ID: 480-199636-1

Method: 6010C - Metals (ICP)

Lab Sample ID: MB 480-633113/1-A
Matrix: Water
Analysis Batch: 633377

Client Sample ID: Method Blank
Prep Type: Total/NA
Prep Batch: 633113

Analyte	MB Result	MB Qualifier	RL	MDL	Unit	D	Prepared	Analyzed	Dil Fac
Lead	ND		0.010	0.0030	mg/L		07/12/22 09:08	07/12/22 16:48	1

Lab Sample ID: LCS 480-633113/2-A
Matrix: Water
Analysis Batch: 633377

Client Sample ID: Lab Control Sample
Prep Type: Total/NA
Prep Batch: 633113

Analyte			Spike Added	LCS Result	LCS Qualifier	Unit	D	%Rec	%Rec Limits		
Lead			0.200	0.195		mg/L		98	80 - 120		

QC Association Summary

Client: LaBella Associates DPC
Project/Site: Bern Metal

Job ID: 480-199636-1

Metals

Prep Batch: 633113

Lab Sample ID	Client Sample ID	Prep Type	Matrix	Method	Prep Batch
480-199636-1	RD-1	Total/NA	Water	3005A	
480-199636-2	RD-2	Total/NA	Water	3005A	
480-199636-3	RD-3	Total/NA	Water	3005A	
480-199636-4	RD-4	Total/NA	Water	3005A	
480-199636-5	RD-5	Total/NA	Water	3005A	
480-199636-6	FIELD DUP	Total/NA	Water	3005A	
MB 480-633113/1-A	Method Blank	Total/NA	Water	3005A	
LCS 480-633113/2-A	Lab Control Sample	Total/NA	Water	3005A	

Analysis Batch: 633377

Lab Sample ID	Client Sample ID	Prep Type	Matrix	Method	Prep Batch
480-199636-1	RD-1	Total/NA	Water	6010C	633113
480-199636-2	RD-2	Total/NA	Water	6010C	633113
480-199636-3	RD-3	Total/NA	Water	6010C	633113
480-199636-4	RD-4	Total/NA	Water	6010C	633113
480-199636-5	RD-5	Total/NA	Water	6010C	633113
480-199636-6	FIELD DUP	Total/NA	Water	6010C	633113
MB 480-633113/1-A	Method Blank	Total/NA	Water	6010C	633113
LCS 480-633113/2-A	Lab Control Sample	Total/NA	Water	6010C	633113

Lab Chronicle

Client: LaBella Associates DPC
Project/Site: Bern Metal

Job ID: 480-199636-1

Client Sample ID: RD-1
Date Collected: 07/08/22 11:20
Date Received: 07/08/22 13:35

Lab Sample ID: 480-199636-1
Matrix: Water

Prep Type	Batch Type	Batch Method	Run	Dilution Factor	Batch Number	Prepared or Analyzed	Analyst	Lab
Total/NA	Prep	3005A			633113	07/12/22 09:08	NVK	TAL BUF
Total/NA	Analysis	6010C		1	633377	07/12/22 17:07	LMH	TAL BUF

Client Sample ID: RD-2
Date Collected: 07/08/22 11:47
Date Received: 07/08/22 13:35

Lab Sample ID: 480-199636-2
Matrix: Water

Prep Type	Batch Type	Batch Method	Run	Dilution Factor	Batch Number	Prepared or Analyzed	Analyst	Lab
Total/NA	Prep	3005A			633113	07/12/22 09:08	NVK	TAL BUF
Total/NA	Analysis	6010C		1	633377	07/12/22 17:11	LMH	TAL BUF

Client Sample ID: RD-3
Date Collected: 07/08/22 10:35
Date Received: 07/08/22 13:35

Lab Sample ID: 480-199636-3
Matrix: Water

Prep Type	Batch Type	Batch Method	Run	Dilution Factor	Batch Number	Prepared or Analyzed	Analyst	Lab
Total/NA	Prep	3005A			633113	07/12/22 09:08	NVK	TAL BUF
Total/NA	Analysis	6010C		1	633377	07/12/22 17:15	LMH	TAL BUF

Client Sample ID: RD-4
Date Collected: 07/08/22 12:25
Date Received: 07/08/22 13:35

Lab Sample ID: 480-199636-4
Matrix: Water

Prep Type	Batch Type	Batch Method	Run	Dilution Factor	Batch Number	Prepared or Analyzed	Analyst	Lab
Total/NA	Prep	3005A			633113	07/12/22 09:08	NVK	TAL BUF
Total/NA	Analysis	6010C		1	633377	07/12/22 17:18	LMH	TAL BUF

Client Sample ID: RD-5
Date Collected: 07/08/22 11:05
Date Received: 07/08/22 13:35

Lab Sample ID: 480-199636-5
Matrix: Water

Prep Type	Batch Type	Batch Method	Run	Dilution Factor	Batch Number	Prepared or Analyzed	Analyst	Lab
Total/NA	Prep	3005A			633113	07/12/22 09:08	NVK	TAL BUF
Total/NA	Analysis	6010C		1	633377	07/12/22 17:22	LMH	TAL BUF

Client Sample ID: FIELD DUP
Date Collected: 07/08/22 00:00
Date Received: 07/08/22 13:35

Lab Sample ID: 480-199636-6
Matrix: Water

Prep Type	Batch Type	Batch Method	Run	Dilution Factor	Batch Number	Prepared or Analyzed	Analyst	Lab
Total/NA	Prep	3005A			633113	07/12/22 09:08	NVK	TAL BUF
Total/NA	Analysis	6010C		1	633377	07/12/22 17:26	LMH	TAL BUF

Laboratory References:
TAL BUF = Eurofins Buffalo, 10 Hazelwood Drive, Amherst, NY 14228-2298, TEL (716)691-2600

Accreditation/Certification Summary

Client: LaBella Associates DPC
Job ID: 480-199636-1
Project/Site: Bern Metal

Laboratory: Eurofins Buffalo

The accreditations/certifications listed below are applicable to this report.

Authority	Program	Identification Number	Expiration Date
New York	NELAP	10026	03-31-23

Method Summary

Client: LaBella Associates DPC
Project/Site: Bern Metal

Job ID: 480-199636-1

Method	Method Description	Protocol	Laboratory
6010C	Metals (ICP)	SW846	TAL BUF
3005A	Preparation, Total Metals	SW846	TAL BUF

Protocol References:

SW846 = "Test Methods For Evaluating Solid Waste, Physical/Chemical Methods", Third Edition, November 1986 And Its Updates.

Laboratory References:

TAL BUF = Eurofins Buffalo, 10 Hazelwood Drive, Amherst, NY 14228-2298, TEL (716)691-2600

Sample Summary

Client: LaBella Associates DPC
Project/Site: Bern Metal

Job ID: 480-199636-1

Lab Sample ID	Client Sample ID	Matrix	Collected	Received
480-199636-1	RD-1	Water	07/08/22 11:20	07/08/22 13:35
480-199636-2	RD-2	Water	07/08/22 11:47	07/08/22 13:35
480-199636-3	RD-3	Water	07/08/22 10:35	07/08/22 13:35
480-199636-4	RD-4	Water	07/08/22 12:25	07/08/22 13:35
480-199636-5	RD-5	Water	07/08/22 11:05	07/08/22 13:35
480-199636-6	FIELD DUP	Water	07/08/22 00:00	07/08/22 13:35

Eurofins Buffalo
10 Hazelwood Drive
Amherst, NY 14228-2298
Phone: 716-691-2600 Fax: 716-691-7991

Chain of Custody Record

eurofins | Environment Testing America

Client Information	Sampler: A. Kocas	Lab PM: Fischer, Brian J	Carrier Tracking No(s):	COC No: 480-175406-37739.1
Client Contact: Mr. Andrew Benkleman	Phone: 716.417.9150	E-Mail: Brian.Fischer@et.eurofinsus.com	State of Origin: NY	Page: Page 1 of 1
Company: LaBella Associates DPC	PWSID:			Job #:
Address: 300 Pearl Street Suite 130	Due Date Requested:			
City: Buffalo	TAT Requested (days): Standard			
State, Zip: NY, 14202	Compliance Project: Δ Yes Δ No			
Phone: 716-768-3184(Tel)	PO #: Purchase Order not required			
Email: abenkleman@labellapc.com	WO #: 2221417			
Project Name: Bern Metal	Project #: 48025332			
Site:	SSOW#:			

Analysis Requested

480-199636 Chain of Custody

Preservation Codes:

A - HCL
B - NaOH
C - Zn Acetate
D - Nitric Acid
E - NaHSO4
F - MeOH
G - Amchlor
H - Ascorbic Acid
I - Ice
DI Water
EDTA
EDA
M - Hexane
N - None
O - AsNaO2
P - Na2O4S
Q - Na2SO3
R - Na2S2O3
S - H2SO4
T - TSP Dodecahydrate
U - Acetone
V - MCAA
W - pH 4-5
Y - Trizma
Z - other (specify)

Sample Identification	Sample Date	Sample Time	Sample Type (C=Comp, G=grab)	Matrix (W=water, S=solid, O=waste/oil, BT=Tissue, A=Air)	Field Filtered Sample (Yes or No)	Perform MS/MSD (Yes or No)	6010C - (MOD) Lead	Total	Special Instructions/Note:
			Preservation Code:				D		
RD-1	7/8/22	1120	G	Water			K		
RD-2		1140		Water			K		
RD-3		1035		Water			K		
RD-4		1225		Water			K		
RD-5		1105		Water			K		
Field duplicate		-		Water			K		

Possible Hazard Identification
☐ Non-Hazard ☐ Flammable ☐ Skin Irritant ☐ Poison B ☒ Unknown ☐ Radiological

Sample Disposal (A fee may be assessed if samples are retained longer than 1 month)
☐ Return To Client ☒ Disposal By Lab ☐ Archive For _____ Months

Deliverable Requested: I, II, III, IV, Other (specify)

Special Instructions/QC Requirements:

Empty Kit Relinquished by:	Date:	Time:	Method of Shipment:

	Relinquished by	Date/Time	Company	Received by	Date/Time	Company
1	[signature]	7/8/22 1335	LaBella			
2						
3				[signature]	7/8/22 1335	TMD

Custody Seals Intact: Δ Yes Δ No | Custody Seal No.:

Cooler Temperature(s) °C and Other Remarks: 3.6 #1 ICE

Ver: 06/08/2021

7/14/2022

Login Sample Receipt Checklist

Client: LaBella Associates DPC

Job Number: 480-199636-1

Login Number: 199636
List Number: 1
Creator: Stopa, Erik S

List Source: Eurofins Buffalo

Question	Answer	Comment
Radioactivity either was not measured or, if measured, is at or below background	True	
The cooler's custody seal, if present, is intact.	True	
The cooler or samples do not appear to have been compromised or tampered with.	True	
Samples were received on ice.	True	
Cooler Temperature is acceptable.	True	
Cooler Temperature is recorded.	True	
COC is present.	True	
COC is filled out in ink and legible.	True	
COC is filled out with all pertinent information.	True	
Is the Field Sampler's name present on COC?	True	
There are no discrepancies between the sample IDs on the containers and the COC.	True	
Samples are received within Holding Time (Excluding tests with immediate HTs)..	True	
Sample containers have legible labels.	True	
Containers are not broken or leaking.	True	
Sample collection date/times are provided.	True	
Appropriate sample containers are used.	True	
Sample bottles are completely filled.	True	
Sample Preservation Verified	True	
There is sufficient vol. for all requested analyses, incl. any requested MS/MSDs	True	
VOA sample vials do not have headspace or bubble is <6mm (1/4") in diameter.	True	
If necessary, staff have been informed of any short hold time or quick TAT needs	True	
Multiphasic samples are not present.	True	
Samples do not require splitting or compositing.	True	
Sampling Company provided.	True	LABELLA
Samples received within 48 hours of sampling.	True	
Samples requiring field filtration have been filtered in the field.	N/A	
Chlorine Residual checked.	N/A	

Data Validation Services

120 Cobble Creek Road P. O. Box 208
North Creek, NY 12853
Phone (518) 251-4429
harry@frontiernet.net

July 25, 2022

Andrew Koons
LaBella Associates
300 Pearl Street Suite 130
Buffalo, NY 14202

RE: Validation of the Bern Metals Site Analytical Laboratory Data
Data Usability Summary Report (DUSR)
Eurofins SDG No. 480-199636-1

Dear Mr. Koons:

Review has been completed for the data package generated by Eurofins that pertains to aqueous samples collected 07/08/22 at the Bern Metals site. Five samples and a field duplicate were processed for total lead by SW846 method 6010C.

The data package submitted by the laboratory contains full deliverables for validation, and this usability report is generated from review of the QC summary form information, with full review of sample raw data and limited review of associated QC raw data. The reported QC summary forms and sample raw data have been reviewed for application of validation qualifiers, with guidance from the USEPA national and regional validation documents and the specific requirements of the analytical methodology. The following items were reviewed:

* Data Completeness
* Case Narrative
* Custody Documentation
* Holding Times
* Calibration and Preparation Blanks
* Blind Field Duplicate Correlations
* Laboratory Control Sample (LCS)
* Initial and Continuing Calibration Standards
* Method Compliance
* Sample Result Verification

Those items listed above which show deficiencies are discussed within the text of this narrative. All of the other items were determined to be acceptable for the DUSR level review, as discussed in NYS DER-10 Appendix B Section 2.0 (c). Documentation of the outlying parameters cited in this report can be found in the laboratory data package.

In summary, the results for the samples are usable as reported.

Data completeness, precision, representativeness, reproducibility, and comparability are acceptable. Accuracy as affected by the sample matrix has not been evaluated with matrix spikes.

The client sample identifications are attached to this text. Also included in this report is the laboratory EDD.

Blind Field Duplicate

The blind field duplicate evaluation was performed for on RD-5. The correlation is within validation guidelines.

Total Lead Analyses by EPA 6010C

LCS recoveries are compliant. No sample matrix spikes were performed, and the effect of the matrix on analyte recovery has not been determined.

Calibration and low level standard responses are compliant, and blanks show no contamination.

Please do not hesitate to contact me if questions or comments arise during your review of this report.

Very truly yours,

Judy Harry

Judy Harry

Attachments: Sample Identifications
Laboratory EQuIS EDD

Sample Summaries

Sample Summary

Client: LaBella Associates DPC
Job ID: 480-199636-1
Project/Site: Bern Metal

Lab Sample ID	Client Sample ID	Matrix	Collected	Received
480-199636-1	RD-1	Water	07/08/22 11:20	07/08/22 13:35
480-199636-2	RD-2	Water	07/08/22 11:47	07/08/22 13:35
480-199636-3	RD-3	Water	07/08/22 10:35	07/08/22 13:35
480-199636-4	RD-4	Water	07/08/22 12:25	07/08/22 13:35
480-199636-5	RD-5	Water	07/08/22 11:05	07/08/22 13:35
480-199636-6	FIELD DUP	Water	07/08/22 00:00	07/08/22 13:35