

Lewis S. Streeter

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GE Global Operations - Remediation 1 River Road, Bldg 5-7W Schenectady, NY 12345

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September 26, 2019

Mr. David Szymanski Project Manager New York State Department of Environmental Conservation 270 Michigan Avenue Buffalo, NY 14203-2915

Re: Periodic Review Report and IC/EC Certification

318 Urban Street Buffalo, New York NYSDEC Site No. 915151

Dear Mr. Szymanski:

Attached please find a Periodic Review Report for the referenced site, prepared by Arcadis of New York, Inc., on behalf of the General Electric Company. The property owner, Mr. Michael Sweeney, accompanied us during site inspections conducted on July 28, 2018 and June 25, 2019; an IC Certification form, signed by Mr. Sweeney, is included in the attached report. Based on site inspections and discussions with the site owner, the site remedy continues to be protective of public health and the environment and is performing as intended. Please contact me if you have any questions regarding the attached report.

Sincerely yours,

Lewis S. Streeter

Senior Project Manager

Enclosure:

CC:

Eugene Melnyk, P.E., NYSDEC Doug Weeks, Arcadis, via email



General Electric Company

PERIODIC REVIEW REPORT FOR AUGUST 2017 THROUGH AUGUST 2019

318 Urban Street Site

Erie County, New York

NYSDEC Site Number: 9-15-151

September 2019

PERIODIC REVIEW REPORT FOR AUGUST 2017 THROUGH AUGUST 2019

318 Urban Street Site
Erie County, New York
NYSDEC Site No. 9-15-151

Prepared for:

General Electric Company Schenectady, New York

Prepared by:

Arcadis of New York, Inc.

855 Route 146

Suite 210

Clifton Park

New York 12065

Tel 518 250 7300

Fax 518 250 7301

Our Ref.:

AP013092

Date:

September 2019

PERIODIC REVIEW REPORT FOR AUGUST 2017 THROUGH AUGUST 2019 318 URBAN STREET SITE

CONTENTS

1	Executive Summary	1
	Site Overview	
2		
	2.1 Site Location and Description	2
	2.2 Remedial Program	2
3	Remedy Evaluation	4
	3.1 Remedy Summary	4
	3.2 2019 Remedy Review	4
4	Institutional control/Enviromental control Compliance Report	5
	4.1 Engineering Controls	5
	4.2 Institutional Controls	5
	4.3 EC/IC Compliance	6
5	Site Monitoring Plan	7
6	Conclusions and Recommendations	8

FIGURE

Figure 1 Site Layout

APPENDICES

Appendix A Inspection Forms and Photographic Records

Appendix B Certification Forms

1 EXECUTIVE SUMMARY

The New York State Department of Environmental Conservation (NYSDEC) became involved in the 318 Urban Street site (NYSDEC site # 915151) after an environmental site assessment performed in conjunction with a planned property transfer identified that the site was impacted by polychlorinated biphenyls (PCBs). A previous owner, the General Electric Company (GE), had operated the site from 1921 to 1968 and GE's activities included the service of electrical equipment with PCB-containing dielectric fluid.

Between 1990 and 1993, investigations found PCBs on the building and equipment surfaces, in the on-site soil, and in the on-site sewers. Additionally, off-site soils and the public sewer system were found to contain PCBs. GE entered an Order on Consent (Index # B9-0388-91-09) with the NYSDEC in September 1996. The NYSDEC required remediation of on- and off-site sewers, decontamination of the building, and excavation and off-site disposal of PCB-containing soil. In accordance with the Order on Consent, GE implemented remedial actions at the site during the period of 1997 through 1999.

Engineering Controls (ECs) and Institutional Controls (ICs) were established to address the residual impacts that remained at the site following completion of the remedial work. The residually impacted material contains contaminants at concentrations greater than the unrestricted use criteria but less than industrial use criteria, with the exception of a small area where further remedial actions could not be undertaken without undermining the building foundation.

The ECs and ICs established at the site include:

- Cover systems;
- Access controls
- Environmental Notice; and
- Site Management Plan (SMP).

A SMP was prepared to manage the residual impacts at the site following implementation of the remedial actions and requires that site inspections to assess the ECs be performed at least annually. This Periodic Review Report (PRR) is required by the SMP to document the assessment of site conditions and certify that the ECs and ICs required by the remedy are in place and operating as designed, or identify corrective actions needed.

On behalf of GE, Arcadis of New York, Inc. (Arcadis) completed site inspections with Mr. Mike Sweeney of Pyramid Steel Corporation, the site owner, on July 26, 2018 and June 25, 2019. These annual visits are the only opportunities Arcadis personnel has had to access to the site. The evaluation presented herein is based upon information regarding the site provided by Mr. Sweeney. Based on our interview with Mr. Sweeney and observations of current conditions, the ECs (soil, concrete and asphalt covers, and perimeter fencing) are present and operating as intended. In addition, the owner reports no subsurface disturbances have occurred over the last two years and there were no visual indications of any such disturbances. Observations indicated that the site activities are in compliance with the ICs.

2 SITE OVERVIEW

2.1 Site Location and Description

The site is located in the City of Buffalo, Erie County, New York and is identified as tax parcel number 101.46-3-1 on the Erie County Tax Map. The site is an approximately 2.25-acre area of relatively flat land bounded by residential homes along French Street to the north, Urban Street to the south, apartments and a playground to the east, and railroad tracks to the west (see Figure 1).

The site is located in a developed area in an urban section of Buffalo. The property contains a brick building. As shown in Figure 1, more than half the site is either paved (asphalt cover) or covered by the building. The remainder of the site is covered with a 12-inch soil cover stabilized with turf grass.

The surface soils consist primarily of poorly drained silts and clays. The depth to groundwater and bedrock has not been determined as neither groundwater nor bedrock were encountered in borings advanced 32 feet below ground surface, the total depth of exploration. Based on the United States Geological Survey (USGS) topographic map, there are no surface water bodies within a one-mile radius of the site. The nearest surface water body shown on the map is Scajaquada Creek, which is one and one-half miles northwest of the site. The creek flows northwest, away from the site, and ultimately discharges into Lake Erie.

Stormwater runoff enters on-site catch basins and is directed through the combined storm and sanitary sewer to the public sewer on French Street. During normal flow conditions, the flow is discharged to the publicly-owned treatment works (POTW) on Squaw Island. During heavy storms, the flow discharges directly to Scajaquada Creek.

2.2 Remedial Program

Remedial actions were performed to address PCBs located throughout the interior of the building and in both on-site and off-site soil outside the building. The remediation cleanup goals for the property are summarized below.

Remediation Cleanup Goals

Media	Remediation Goal
Impervious non-porous surfaces, including machinery and equipment, windows, painted walls, and ceiling, and the Johnson Heater Unit	10 microgram per 100 square centimeters (μg/100 cm²) PCBs
Impervious porous surfaces, including concrete floors and the walls and floor of the transformer pit	 10 μg/100 cm² PCBs (wall wipe samples) 50 milligram per kilogram (mg/kg) PCBs (concrete chip samples) 100 μg/100 cm² PCBs and encapsulation (concrete floor wipe samples)

PERIODIC REVIEW REPORT FOR AUGUST 2017 THROUGH AUGUST 2019 318 URBAN STREET SITE

Media	Remediation Goal
Soil from 0 to 1 foot in depth	1 mg/kg PCBs
Soil at depths greater than 1 foot	10 mg/kg PCBs
Soil along the foundation of the building that contains more than 10 mg/kg PCBs	Covered with an HDPE barrier and the area backfilled with clean soil
Soil near the former fuel oil UST	NYSDEC STARS Memo #1 guidance levels
Sewers	Cleaned and sediment removed

Remedial actions undertaken at the site included decontamination of the building, soil removal and construction of cover systems. The remediation work was conducted in two phases. The first phase, conducted in 1997, included roof cleaning, on-site sewer cleaning and replacement, and the demolition of a steel storage shed. The second phase of remediation began in May 1997 and was substantially completed by December 1999, with the sewer work completed in 2007. The second phase of remediation included demolition and disposal of portions of the main building, replacement of the building's concrete floor, excavation and off-site disposal of 7,000 tons of soil, asphalt paving of 31,000 square feet of parking lots, and cleaning of on and off-site sewers.

As part of the selected remedy ECs and ICs were put into place to protect human health and the environment. Engineering controls to prevent exposure to residually impacted soil at the site include a cover system placed over the site. The cover system is comprised of a minimum of 12 inches of clean soil and/or asphalt pavement, depending on the location, and the concrete building slab. ICs include adherence to the Environmental Notice and SMP for the site. The EC/ICs are described further in Section 4.0.

3 REMEDY EVALUATION

3.1 Remedy Summary

Remedial actions at the site were performed in accordance with the remedial work plans and subsequent NYSDEC-approved modifications. The cleanup goals were achieved with the exception of an area along the south property boundary where soil with one semi-volatile organic compound (SVOC), naphthalene, was present in the sidewall sample from the former underground storage tank excavation at a concentration greater than STARS criteria.

Contaminants remaining at the site include soil with residual concentrations of PCBs underneath a cover layer throughout the property and a limited area with soils containing volatile organic compounds (VOCs). The areas of impact are shown on Figure 1. Specifically, the remaining impacts and their corresponding protective measures include:

- Exterior Areas: Soils containing PCBs at levels above one mg/kg and less than or equal to 10 mg/kg
 are covered with a 12-inch cover layer comprised of soil and/or asphalt pavement, depending on the
 specific location.
- Exterior Area, adjacent to southern wall of the building: VOCs greater than unrestricted use values
 are located in an area 50 feet long by two feet wide adjacent to the building foundation. A geotextile
 fabric and 12 or more inches of soil cover this area.
- Main Building Area: Soils in this area and reinforced concrete associated with a former transformer
 pit contain PCBs at concentrations greater than one mg/kg and less than or equal to 10 mg/kg. This
 area is covered with reinforced concrete flooring.

A SMP was prepared to manage the residual impacts at the site following implementation of the remedial actions and requires that site inspections be performed at least annually to assess the ECs. The site inspections are to be presented in PRRs to document the assessment of site conditions and certify all ECs/ICs required by the remedy for the site are in place and operating as designed, or identify corrective actions needed.

3.2 2019 Remedy Review

On behalf of GE, Arcadis participated in site meetings and inspections with Mr. Mike Sweeney of Pyramid Steel Corporation, the site owner, on July 26, 2018 and June 25, 2019. These annual visits are the only opportunities Arcadis personnel has had to access to the site. Therefore, our evaluation is based largely upon information regarding the site, and any changes thereto, provided by Mr. Sweeney. Based on our interview with Mr. Sweeney and observations of current conditions the ECs (soil, concrete and asphalt covers, and fencing) are present and operating as intended. In addition, the owner reports no subsurface disturbances have occurred over the last two years and there were no visual indications of any such subsurface disturbances noted by Arcadis.

At the time of the 2018 inspection, interior improvements were underway including construction of interior offices and a conference room. Copies of local building permits secured for the work at the facility are appended to the Certification Form included as Appendix B. At the time of the 2019 inspection, the building was empty and unoccupied. Observations and discussions with the owner suggest that the site activities are currently in compliance with the ICs.

4 INSTITUTIONAL CONTROL/ENVIROMENTAL CONTROL COMPLIANCE REPORT

Since soil with residual impacts exists beneath the site, EC/ICs are required to protect human health and the environment. The remainder of this section provides descriptions of the ECs and ICs implemented at the site. The last part of this section provides an assessment of compliance with the ECs and ICs.

4.1 Engineering Controls

Engineering controls at the site include:

- Cover systems; and
- · Access controls.

Exposure to residually impacted soil/fill at the site is prevented by a cover system placed over the site. This cover system is comprised of a minimum of 12 inches of clean soil and/or asphalt pavement, dependent on the location, and the concrete building slab. Disruption of the cover systems is prevented by controlled access to the site. Access controls consist of a six-foot high chain link fence and lockable gate. The location of each control is shown on Figure 1.

In order to evaluate the effectiveness of the engineering controls, a visual inspection of the cover system and fence is required to be completed at least once a year. The inspection includes documenting areas that might need repair, such as areas of grass torn up by traffic or plowing activities, deteriorated pavement, and portions of fence damaged that may allow access to the site by unauthorized personnel.

4.2 Institutional Controls

A series of ICs are required by the Environmental Notice and are implemented under the SMP. Restrictions that apply to the site are:

- The property may only be used for industrial, manufacturing, and all ancillary or related uses without additional remediation and amendment of the Environmental Notice, as approved by the NYSDEC;
- All future activities on the property that will disturb remaining contaminated material must be conducted in accordance with the SMP;
- The use of the groundwater underlying the property is prohibited without treatment rendering it safe for intended use;
- Vegetable gardens and farming on the property are prohibited; and
- The site owner will submit to NYSDEC a written statement that certifies, under penalty of perjury, that: (1) controls employed at the Controlled Property are unchanged from the previous certification or that any changes to the controls were approved by the NYSDEC; and, (2) nothing has occurred that impairs the ability of the controls to protect public health and environment or that constitute a violation or failure to comply with the SMP. NYSDEC retains the right to access such Controlled Property at any time to evaluate the continued maintenance of any and all controls. This certification shall be submitted with the PRR every two years and will be certified by a Professional Engineer in the State of New York.

4.3 EC/IC Compliance

To ensure compliance with EC/IC controls, site-wide inspections are to be performed on a regular schedule, at a minimum of once a year, and after all severe weather conditions, emergencies, or site work that may affect ECs. A walk-through and visual inspection was conducted at the site on July 26, 2018 and most recently on June 25, 2019. The Inspection Forms, which include a photographic record, are included in Appendix A. Observations made during the most recent June 25, 2019 site walk indicate that:

- The asphalt pavement is in generally good condition and there was no indication (such as patching) that the pavement has been disturbed. Some minor cracking and heaving was observed near the tree line along the north side of the site and is likely due to the influence of tree roots. Some minor asphalt cracking was also observed on the west side of the building and in the parking area on east side of the site. However, the degree of cracking appears unchanged from the 2018 inspection and does not require maintenance at this time.
- The concrete floor slab within the building appears to be intact with some minor cracking. There were no indications (such as patching) that the slab had been disturbed.
- A new handicap access ramp has been constructed along the west side of the building.
- The fence and gate are present and functioning as intended. A section of fence in the north part of the property along French St. was leaning but the fence remains functional (condition appears unchanged from previous inspections).
- The site is in compliance with the restrictions on site use (industrial use only, no groundwater use, and no vegetable gardening or farming).
- The engineering controls continue to perform as intended and are protective of human health and the
 environment. The property owner reports that cover materials remain in place and the residual impacted
 material is undisturbed. No deficiencies were noted.

The Institutional and Engineering Controls Certification Form is included in Appendix B.

5 SITE MONITORING PLAN

The Monitoring Plan describes the measures for evaluating the performance and effectiveness of the cover system to mitigate potential effects of the residually impacted materials. Monitoring of site media is not required. Monitoring of active Engineering Controls is not required at this site because the site remedy does not rely on active systems or controls.

The Site Monitoring Plan includes a visual inspection of the complete cover system and access controls (site fencing) to be conducted at least once a year and after all severe weather conditions, emergencies, or site work that may affect the ECs.

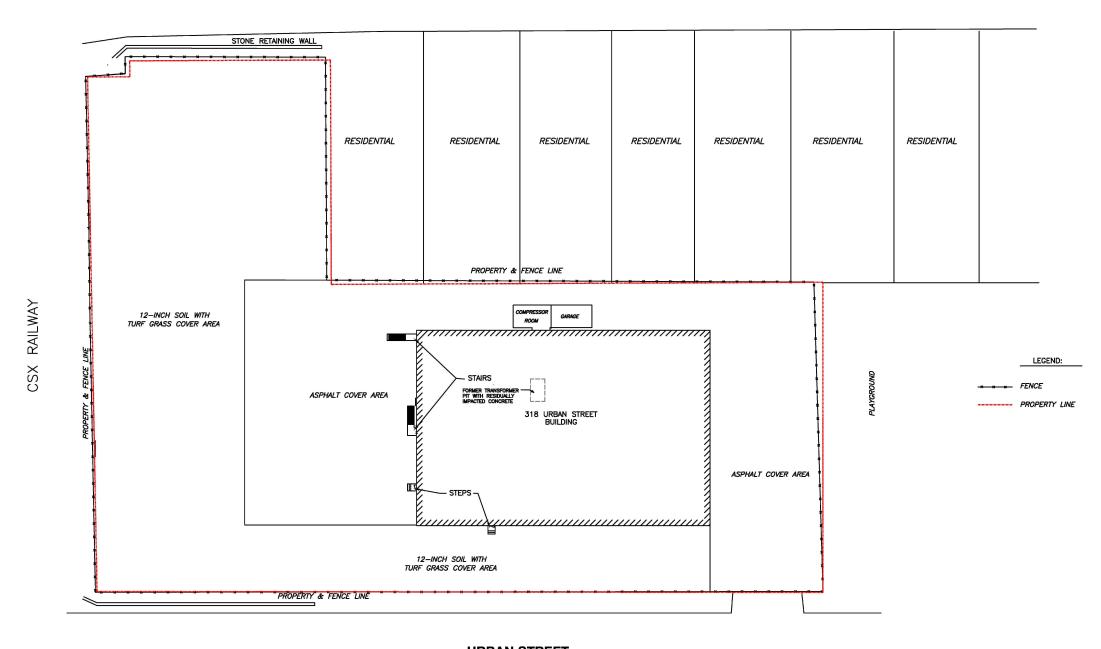
As part of the Site Monitoring Plan, site-wide inspections were completed on July 26, 2018 and June 25, 2019. The inspections confirmed the effectiveness of the ECs and compliance with all ICs, including site usage. This PRR documents the 2018 and 2019 inspections completed at the site. Site inspection forms will be maintained on-site. It is anticipated that the next inspection will be completed in the summer of 2020 and the next PRR report will be submitted in September 2021, unless otherwise directed by NYSDEC.

6 CONCLUSIONS AND RECOMMENDATIONS

This PRR was generated to document the implementation of, and compliance with, the site-specific SMP. In order to confirm that IC/ECs are in place and remain effective, site-wide inspections were conducted on July 26, 2018 and June 25, 2019. Based on the site inspections and interviews with Mr. Sweeney of Pyramid Steel Corporation, the owner, it was concluded that the ECs at the site remain intact and effective, and the site is in compliance with the ICs. Therefore, based on the above items, the site remedy continues to be protective of public health and the environment and is performing as intended. No changes to the site monitoring program are recommended at this time.

FIGURE

FRENCH STREET



SOURCE: "FINAL EXCAVATION PLAN", OCTOBER 20, 1997 (REVISED NOVEMBER 10, 1997) BAC KILLAM CONSULTING ENGINEERS, BUFFALO, NEW YORK.

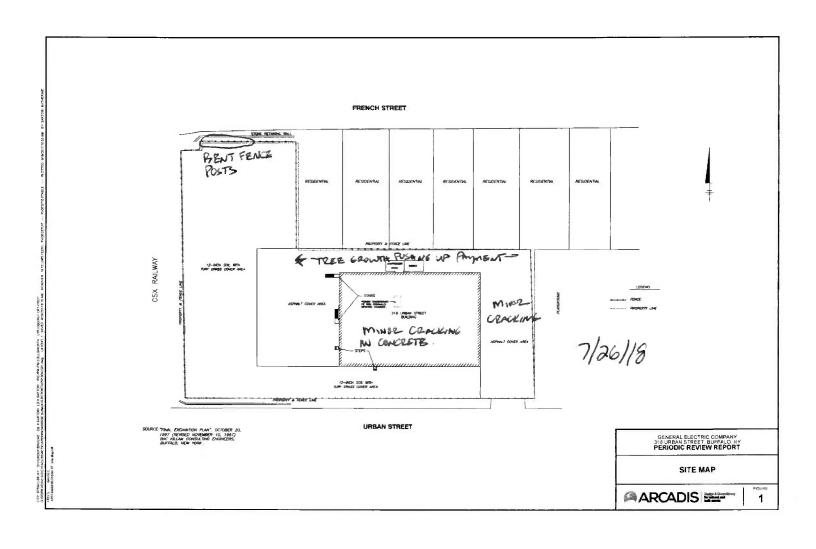
URBAN STREET

GENERAL ELECTRIC COMPANY 318 URBAN STREET, BUFFALO, NY **PERIODIC REVIEW REPORT**

SITE MAP



APPENDIX A Inspection Forms and Photographic Records



Inspection Form

318 Urban Street, Buffalo, New York NYSDEC Site Number: 9-15-151

Inspection Performed by: Tim HENSON FIELD SUPERVISO	2				
ARCADIS 315-671-9369 110 WBST FAYZTTEST. SYTHU.					
Company Phone No. Reason for Inspection: Annual Severe Weather Emergency	Site Work				
Describe Site Use: AVAILABLE FOR SALE OF LEASE. BUILDING 15		EMPTY			
NEW TENETS ON-SITE FOR CONSTRUCTION OF OFFICE SPACE	11.00.07	7.			
NEW JENELS OF THE					
Is site use compliant with Institutional Controls?	Yes	No			
Describe General Site Conditions: OVERALL GWS CODITION: GRASS COVER IS	BEING MA	INTANED.			
AND ASPIRAT COVER AREA AND INTERIOR CONCRETE SLAB HAVE O	NLY MW92	. CRACKING			
OBSERVED.					
Site Records Up To Date: Sop ONSITE	(Yes)	No			
Cover System Status	60	* 1			
12-Inch Soil and Turf Grass Area Condition: Is cover effective?	(Yes)	No			
Is cover intact? Yes No					
Does cover need maintenance? Yes (No) Asphalt Cover Area and Exterior Concrete Slab Condition: Is cover effective?	00	Na			
Asphalt Cover Area and Exterior Concrete Slab Condition: Is cover effective? Is cover intact? Yes No	(Yes)	No			
Does cover need maintenance? Yes No					
Interior Concrete Slab Condition: ls cover effective?	Yes	No			
Is cover intact? Yes No	(LES)	140			
Site Security: Is security effective?	Yes	No			
Fence and Gate Condition:	165	INU			
Is fencing functional? (Yes) No.					
Is maintenance needed? Yes (No.)					
Recommendations for maintenance:	Pa . 1.11				
M2 SWEENEY SHOWED ME WHERE WATER WAS 035ERVE	> COMINO	1			
MIL SWEENEY SHOWED ME WHERE WATER WAS OBSERVED THROUGH WALL NEAR FRENCH ST. WHEN CITY TRIED TO THEN C	MAG2 ON)			
TO BUILDING SPENKLER SYSTEM					
Additional comments:	2 2	_			
TENENTS WELE STARTING CONSTRUTON OF SEVERAL OFFICES 1	N BILDING	P .			
ONE CINTERENCE ROOM WAS NEARLY CONFLETED.					
ONE CINTERENCE INC					
Corrective Measures necessary?					
(○ ()					
Residually impacted material remains undisturbed?	(Yes)	No			
Engineering controls continue to protective of human health and the environment?					
Site compliant with SMP and Deed Restriction?					
7/26/18					
Inspection Date	-	~ 1			
Attachments: Additional Comments Site Map with Notations (Photographs)	Page	of _L			



Site No. 915151 318 Urban Street Buffalo, New York



Photo: #1

Date:

July 26, 2018

Description:

New conference/training room in south west corner of

building

Location:

Southwest



Photo: #2

Date:

July 26,2018

Description:

Overview of south side of

building

Location:

west



Photo: #3

Date:

July 26, 2018

Description:

West side of building.

Location:

West



Site No. 915151 318 Urban Street Buffalo, New York



Photo: #4

Date:

July 26, 2018

Description

Overview of western side of

property

Location:

North



Photo: #5

Date:

July 26, 2018

Description:

Minor cracking of pavement on west side of building

Location:

North



Photo: #6

Date:

July 26, 2018

Description:

Overview of east side of building. Roll gate had been repaired since 2017

inspection.

Location:

North



Site No. 915151 318 Urban Street Buffalo, New York



Photo: #7

Date:

July 26, 2018

Description:

Minor cracking of pavement on east side of building which seems unchanged from 2017 inspection.

Location:

South

Photo: #8

Date:

July 26,2018

Description:

View of leaning fence along French St. Condition appears unchanged from 2017 inspection.

Location:

North

Photo: #9

Date:

July 26,2018

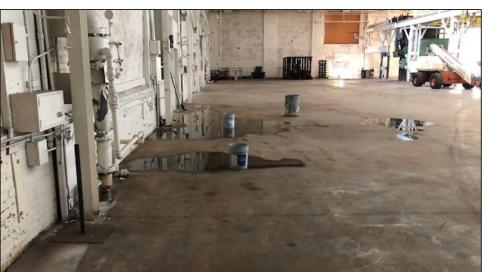
Description:

Eastern side of building. Note water on floor where roof has developed a leak.

Location:

East







Site No. 915151 318 Urban Street Buffalo, New York



Photo: #10

Date:

July 26, 2018

Description:

Western side of building.

Location:

West



Photo: #11

Date:

July 26, 2018

Description:

Eastern side of building taken from mezzanine.

Location:

East

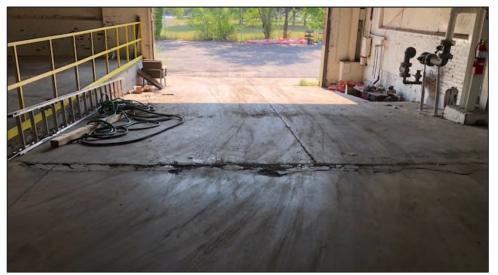


Photo: #12

Date:

July 26, 2018

Description:

Loading ramp on east side of building. Minor concrete cracking noted.

Location:

East



Site No. 915151 318 Urban Street Buffalo, New York



Photo: #13

Date:

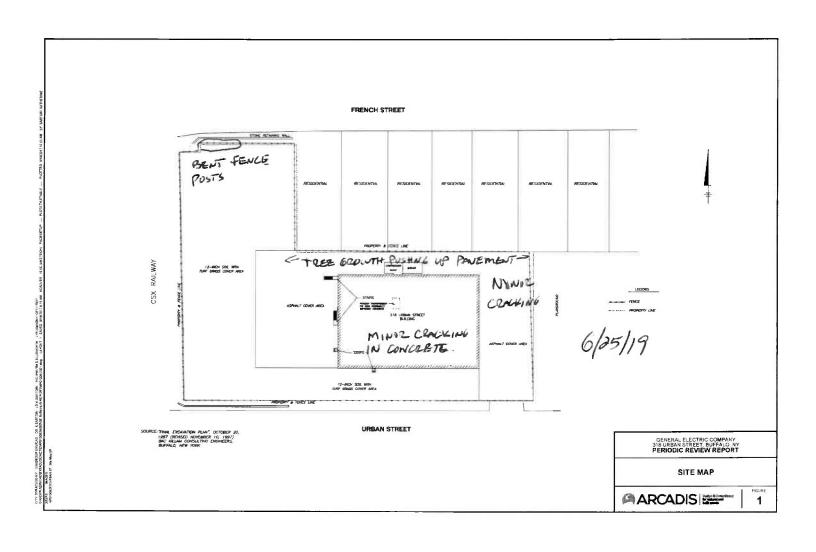
July 26, 2018

Description:

Minor cracking in concrete flooring.

Location:

South



Inspection Form 318 Urban Street, Buffalo, New York NYSDEC Site Number: 9-15-151 Inspection Performed by: Reason for Inspection: Annual Severe Weather Site Work Emergency Describe Site Use: CUERENTLY EMPTY AND UNUCCUPIED. Is site use compliant with Institutional Controls? No Describe General Site Conditions: OVERALL GOOD CONDITON. GRASS GOVER 15 BRING MAINTAINED AND ASPHALT COVER AREA AND INTERIOR CONCRETE SLAS HAVE ONLY MINE CRACKING OSSERVED. Site Records Up To Date: SMD ONSITE (Yes) No Cover System Status 12-Inch Soil and Turf Grass Area Condition: Is cover effective? (Yes) No (Yes) No Is cover intact? Yes (No) Does cover need maintenance? Asphalt Cover Area and Exterior Concrete Slab Condition: Is cover effective? No (Yes) No Is cover intact? Does cover need maintenance? (No Interior Concrete Slab Condition: Is cover effective? No Is cover intact? Site Security: Is security effective? No Fence and Gate Condition: Is fencing functional? Is maintenance needed? Recommendations for maintenance: Additional comments: BUILDING SPRINKLER SYSTEM IS STILL INDPERITUE. PROPERTY OWNER Corrective Measures necessary? NO Residually impacted material remains undisturbed? No Engineering controls continue to protective of human health and the environment? No Site compliant with SMP and Deed Restriction? No

Signature / / / / / / Attachments: Additional Comments Site Map with Notations

Photographs

Page ___of ___l



Site No. 915151 318 Urban Street Buffalo, New York

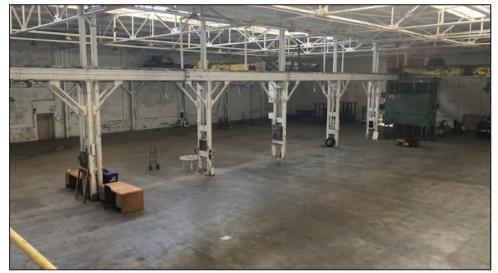


Photo: #1

Date:

June 25, 2019

Description:

View from mezzanine looking northeast.

Location:

North



Photo: #2

Date:

June 25, 2019

Description:

View from mezzanine looking east

Location:

East



Photo: #3

Date:

June 25, 2019

Description:

Loading ramp with minor cracking in concrete.

Location:

East



Site No. 915151 318 Urban Street Buffalo, New York



Photo: #4

Date:

June 25, 2019

Description:

Some concrete cracking that appears unchanged from 2018 inspection.

Location:

South



Photo: #5

Date:

June 25, 2019

Description:

North side of building.

Location:

West



Photo: #6

Date:

June 25, 2019

Description:

North fence line with thick vegetation.

Location:

West



Site No. 915151 318 Urban Street Buffalo, New York



Photo: #7

Date:

2019, June 25

Description:

West side of building where a new handicap ramp has been constructed since the 2018 inspection.

Location:

South

Photo: #8

Date:

June 25, 2019

Description:

West side paved area - minor cracking in the pavement was observed.

Location:

North

Photo: #9

Date:

June 25, 2019

Description

South side of building.

Location:

West







Site No. 915151 318 Urban Street Buffalo, New York

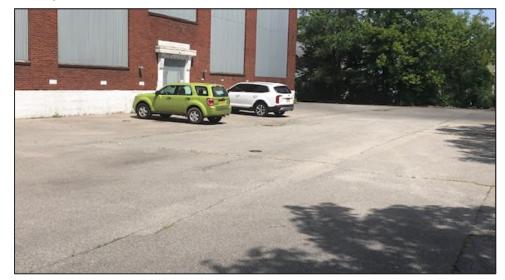


Photo: #10

Date:

June 25, 2019

Description:

Parking area on east side of building - minor cracking in the pavement observed.

Location:

North



Photo: #11

Date:

June 25, 2019

Description:

Minor cracking of pavement on east side of building which seems unchanged from 2018 inspection.

Location:

South

Photo: #12

Date:

June 25, 2019

Description:

Overview of leaning fence along French St. Condition appears unchanged from 2018 inspection.

Location:

North







Site No. 915151 318 Urban Street Buffalo, New York



Photo: #13

Date:

June 25, 2019

Description:

View of main gate to facility.

Location:

North



Photo: #14

Date:

June 25, 2019

Description:

South side of building.

Location:

North



Photo: #15

Date:

June 25, 2019

Description:

South fence line where fence was repaired. Appears unchanged from previous

years.

Location:

South

APPENDIX B

Certification Forms

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Remediation

625 Broadway, 11th Floor, Albany, NY 12233-7020 P: (518)402-9543 | F: (518)402-9547 www.dec.ny.gov

6/28/2019

Lewis S. Streeter Senior Project Manager GE Corporate 1 River Road Building 5 - 7W Schenectady, NY 12345

Re: Reminder Notice: Site Management Periodic Review Report and IC/EC Certification Submittal

Site Name: 318 Urban Street

Site No.: 915151

Site Address: 318 Urban Street

Buffalo, NY 14211

Dear Lewis S. Streeter:

This letter serves as a reminder that sites in active Site Management (SM) require the submittal of a periodic progress report. This report, referred to as the Periodic Review Report (PRR), must document the implementation of, and compliance with, site-specific SM requirements. Section 6.3(b) of DER-10 *Technical Guidance for Site Investigation and Remediation* (available online at http://www.dec.ny.gov/regulations/67386.html) provides guidance regarding the information that must be included in the PRR. Further, if the site is comprised of multiple parcels, then you as the Certifying Party must arrange to submit one PRR for all parcels that comprise the site. The PRR must be received by the Department no later than **September 29, 2019**. Guidance on the content of a PRR is enclosed.

Site Management is defined in regulation (6 NYCRR 375-1.2(at)) and in Chapter 6 of DER-10. Depending on when the remedial program for your site was completed, SM may be governed by multiple documents (e.g., Operation, Maintenance, and Monitoring Plan; Soil Management Plan) or one comprehensive Site Management Plan.

A Site Management Plan (SMP) may contain one or all of the following elements, as applicable to the site: a plan to maintain institutional controls and/or engineering controls ("IC/EC Plan"); a plan for monitoring the performance and effectiveness of the selected remedy ("Monitoring Plan"); and/or a plan for the operation and maintenance of the selected remedy ("O&M Plan"). Additionally, the technical requirements for SM are stated in the decision document (e.g., Record of Decision) and, in some cases, the legal agreement directing the remediation of the site (e.g., order on consent, voluntary agreement, etc.).

When you submit the PRR (by the due date above), include the enclosed forms documenting that all SM requirements are being met. The Institutional Controls (ICs) portion of the form (Box 6) must be signed by you or your designated representative. If you cannot certify that all SM requirements are being met, you must submit a Corrective Measures Work Plan that identifies the actions to be taken to restore compliance. The work plan must include a schedule to be approved by the Department. The Periodic Review process will not be considered complete until all necessary corrective measures are completed and all required controls are certified. Instructions for completing the certifications are enclosed.



All site-related documents and data, including the PRR, must be submitted in electronic format to the Department of Environmental Conservation. The required format for documents is an Adobe PDF file with optical character recognition and no password protection. Data must be submitted as an electronic data deliverable (EDD) according to the instructions on the following webpage:

https://www.dec.ny.gov/chemical/62440.html

Documents may be submitted to the project manager either through electronic mail or by using the Department's file transfer service at the following webpage:

https://fts.dec.state.ny.us/fts/

The Department will not approve the PRR unless all documents and data generated in support of the PRR have been submitted using the required formats and protocols.

You may contact David Szymanski, the Project Manager, at 716-851-7220 or david.szymanski@dec.ny.gov with any questions or concerns about the site. Please notify the project manager before conducting inspections or field work. You may also write to the project manager at the following address:

New York State Department of Environmental Conservation 270 Michigan Ave Buffalo, NY 14203-2915

Enclosures

PRR General Guidance Certification Form Instructions Certification Forms

ec: w/ enclosures

David Szymanski, Project Manager Chad Staniszewski, Hazardous Waste Remediation Supervisor, Region 9

Arcadis of New York, Inc. - Doug Weeks - Doug.Weeks@arcadis.com

Enclosure 1

Certification Instructions

I. Verification of Site Details (Box 1 and Box 2):

Answer the three questions in the Verification of Site Details Section. The Owner and/or Qualified Environmental Professional (QEP) may include handwritten changes and/or other supporting documentation, as necessary.

II. Certification of Institutional Controls/ Engineering Controls (IC/ECs)(Boxes 3, 4, and 5)

- 1.1.1. Review the listed IC/ECs, confirming that all existing controls are listed, and that all existing controls are still applicable. If there is a control that is no longer applicable the Owner / Remedial Party should petition the Department separately to request approval to remove the control.
- 2. In Box 5, complete certifications for all Plan components, as applicable, by checking the corresponding checkbox.
- 3. If you <u>cannot</u> certify "YES" for each Control listed in Box 3 & Box 4, sign and date the form in Box 5. Attach supporting documentation that explains why the **Certification** cannot be rendered, as well as a plan of proposed corrective measures, and an associated schedule for completing the corrective measures. Note that this **Certification** form must be submitted even if an IC or EC cannot be certified; however, the certification process will not be considered complete until corrective action is completed.

If the Department concurs with the explanation, the proposed corrective measures, and the proposed schedule, a letter authorizing the implementation of those corrective measures will be issued by the Department's Project Manager. Once the corrective measures are complete, a new Periodic Review Report (with IC/EC Certification) must be submitted within 45 days to the Department. If the Department has any questions or concerns regarding the PRR and/or completion of the IC/EC Certification, the Project Manager will contact you.

III. IC/EC Certification by Signature (Box 6 and Box 7):

If you certified "YES" for each Control, please complete and sign the IC/EC Certifications page as follows:

- For the Institutional Controls on the use of the property, the certification statement in Box 6 shall be completed and may be made by the property owner or designated representative.
- For the Engineering Controls, the certification statement in Box 7 must be completed by a Professional Engineer or Qualified Environmental Professional, as noted on the form.





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

Sit	te No.	915151	Site Details		Box 1			
Sit	Site Name 318 Urban Street							
Cit Cc	te Address: ty/Town: Bu bunty:Erie te Acreage:		Zip Code: 14211					
Re	Reporting Period: August 30, 2017 to August 30, 2019							
					YES NO			
1.	Is the infor	mation above correc	t?		✓			
	If NO, inclu	ude handwritten abov	ve or on a separate sheet.					
2.		or all of the site prop mendment during this	erty been sold, subdivided, mes Reporting Period?	erged, or undergone a				
3.		been any change of CRR 375-1.11(d))?	use at the site during this Repo	orting Period				
4.	•	federal, state, and/or e property during this	local permits (e.g., building, descriptions Reporting Period?	ischarge) been issued	✓			
			tions 2 thru 4, include docur previously submitted with t					
5.	Is the site	currently undergoing	development?					
					Box 2			
				_	YES NO			
6.		ent site use consister al and Industrial	nt with the use(s) listed below?		✓			
7.	Are all ICs	/ECs in place and fur	nctioning 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	A Corrective Measures Work Plan must be submitted along with this form to address these issues.							
Sig	gnature of Ov	vner, Remedial Party	or Designated Representative	Date				

SITE NO. 915151 Box 3

Description of Institutional Controls

Parcel Owner Institutional Control

101.46-3-1 Pyramid Steel Corp. (Sweeney Steel Srvc)

IC/EC Plan

Ground Water Use Restriction Building Use Restriction Landuse Restriction Soil Management Plan Site Management Plan

An Environmental Notice that references a Site Management Plan. The Site Management Plan includes:

- An Engineering and Institutional Controls Plan. Engineering Controls at the site include a cover system to isolate residual contamination from surface exposure and containment, and site security to prevent unauthorized individuals from site entry.

Institutional controls at the site will include groundwater

use restrictions and land use restrictions of the Site to restricted use (i.e. commercial/industrial purposes).

- A Soil/Fill Management Plan to assure that future intrusive activities and soil/fill handling at the Site are completed in a safe and environmentally responsible manner.
- A Site-wide Inspection program to assure that the Engineering and Institutional controls have not been altered and remain effective.

Box 4

Description of Engineering Controls

<u>Parcel</u> <u>Engineering Control</u>

101.46-3-1

Cover System

Fencing/Access Control

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	· · · ·
	Periodic Review Report (PRR) Certification Statements
	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 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
	If this site has an IC/EC Plan (or equivalent as required in the Decision Document), for each Institutional or Engineering control listed in Boxes 3 and/or 4, I certify by checking "YES" below that all of the following statements are true:
	(a) the Institutional Control and/or 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. 915151

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.

MICLAEL SWEENEY at POP	Box 851 BF16 N.Y. 142,40 print business address
am certifying as	(Owner or Remedial Party)
for the Site named in the Site Details Section of this for the Site named in the Site Details Section of this for the Site named in the Site Details Section of this for the Site named in the Site Details Section of this for the Site named in the Site Details Section of this for the Site named in the Site Details Section of this for the Site named in the Site Details Section of this for the Site named in the Site Details Section of this for the Site named in the Site Details Section of this for the Site named in the Site Details Section of this for the Site named in the Site named i	9/25/19

IC/EC CERTIFICATIONS

	Box 7
Professional Engineer Sign	nature
I certify that all information in Boxes 4 and 5 are true. I understa punishable as a Class "A" misdemeanor, pursuant to Section 21 Arcadis of I James M. Nuss at 100 W. Fayette print name print business	and that a false statement made herein is 10.45 of the Penal Law.
I James M. Nuss at 110 W. Fayette	2 Street, Syracuse NY 13202
print name print busine	ess address
am certifying as a Professional Engineer for the General	(Owner or Remedial Party)
	September 26, 2019 Date equired for PE)

Enclosure 3 Periodic Review Report (PRR) General Guidance

I. Executive Summary: (1/2-page or less)

- A. Provide a brief summary of site, nature and extent of contamination, and remedial history.
- B. Effectiveness of the Remedial Program Provide overall conclusions regarding;
 - 1. progress made during the reporting period toward meeting the remedial objectives for the site
 - 2. the ultimate ability of the remedial program to achieve the remedial objectives for the site.

C. Compliance

- 1. Identify any areas of non-compliance regarding the major elements of the Site Management Plan (SMP, i.e., the Institutional/Engineering Control (IC/EC) Plan, the Monitoring Plan, and the Operation & Maintenance (O&M) Plan).
- 2. Propose steps to be taken and a schedule to correct any areas of non-compliance.

D. Recommendations

- 1. recommend whether any changes to the SMP are needed
- 2. recommend any changes to the frequency for submittal of PRRs (increase, decrease)
- 3. recommend whether the requirements for discontinuing site management have been met.

II. Site Overview (one page or less)

- A. Describe the site location, boundaries (figure), significant features, surrounding area, and the nature extent of contamination prior to site remediation.
 - B. Describe the chronology of the main features of the remedial program for the site, the components of the selected remedy, cleanup goals, site closure criteria, and any significant changes to the selected remedy that have been made since remedy selection.

III. Evaluate Remedy Performance, Effectiveness, and Protectiveness

Using tables, graphs, charts and bulleted text to the extent practicable, describe the effectiveness of the remedy in achieving the remedial goals for the site. Base findings, recommendations, and conclusions on objective data. Evaluations and should be presented simply and concisely.

IV. IC/EC Plan Compliance Report (if applicable)

- A. IC/EC Requirements and Compliance
 - 1. Describe each control, its objective, and how performance of the control is evaluated.
 - 2. Summarize the status of each goal (whether it is fully in place and its effectiveness).
 - 3. Corrective Measures: describe steps proposed to address any deficiencies in ICECs.
 - 4. Conclusions and recommendations for changes.

B. IC/EC Certification

1. The certification must be complete (even if there are IC/EC deficiencies), and certified by the appropriate party as set forth in a Department-approved certification form(s).

V. Monitoring Plan Compliance Report (if applicable)

- A. Components of the Monitoring Plan (tabular presentations preferred) Describe the requirements of the monitoring plan by media (i.e., soil, groundwater, sediment, etc.) and by any remedial technologies being used at the site.
- B. Summary of Monitoring Completed During Reporting Period Describe the monitoring tasks actually completed during this PRR reporting period. Tables and/or figures should be used to show all data.
- C. Comparisons with Remedial Objectives Compare the results of all monitoring with the remedial objectives for the site. Include trend analyses where possible.
- D. Monitoring Deficiencies Describe any ways in which monitoring did not fully comply with the monitoring plan.
- E. Conclusions and Recommendations for Changes Provide overall conclusions regarding the monitoring completed and the resulting evaluations regarding remedial effectiveness.

VI. Operation & Maintenance (O&M) Plan Compliance Report (if applicable)

- A. Components of O&M Plan Describe the requirements of the O&M plan including required activities, frequencies, recordkeeping, etc.
- B. Summary of O&M Completed During Reporting Period Describe the O&M tasks actually completed during this PRR reporting period.
- C. Evaluation of Remedial Systems Based upon the results of the O&M activities completed, evaluated

- the ability of each component of the remedy subject to O&M requirements to perform as designed/expected.
- D. O&M Deficiencies Identify any deficiencies in complying with the O&M plan during this PRR reporting period.
- E. Conclusions and Recommendations for Improvements Provide an overall conclusion regarding O&M for the site and identify any suggested improvements requiring changes in the O&M Plan.

VII. Overall PRR Conclusions and Recommendations

- A. Compliance with SMP For each component of the SMP (i.e., IC/EC, monitoring, O&M), summarize;
 - 1. whether all requirements of each plan were met during the reporting period
 - 2. any requirements not met
 - 3. proposed plans and a schedule for coming into full compliance.
- B. Performance and Effectiveness of the Remedy Based upon your evaluation of the components of the SMP, form conclusions about the performance of each component and the ability of the remedy to achieve the remedial objectives for the site.

C. Future PRR Submittals

- 1. Recommend, with supporting justification, whether the frequency of the submittal of PRRs should be changed (either increased or decreased).
- 2. If the requirements for site closure have been achieved, contact the Departments Project Manager for the site to determine what, if any, additional documentation is needed to support a decision to discontinue site management.

VIII. Additional Guidance

Additional guidance regarding the preparation and submittal of an acceptable PRR can be obtained from the Departments Project Manager for the site.

CERTIFICATION OF ENGINEERING AND INSTITUTIONAL CONTROLS

318 Urban Street Site

Buffalo, New York

NYSDEC Site No. 9-15-151

For each institutional or engineering control identified for the site, I certify that all of 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/or 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 the site management plan for this control;
- Use of the site is compliant with the Environmental Notice;
- The engineering control systems are performing as intended 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
- The information presented in this report is accurate and complete.

I certify that all information and statements in this certification 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, James M. Nuss, of Arcadis of New York, Inc, One Lincoln Center, 110 West Fayette Street, Suite 300, Syracuse, New York, am certifying as Remedial Party's Designated Site Representative for the site.

September 26, 2019

Vame





BUILDING PERMIT

Department of Permit & Inspection Services

65 Niagara Sq Rm. 301 Buffalo, NY 14202

Byron W. Brown, Mayo

Applicant:

Application Type: Change or Alteration of Use

You must contact the Inspector at (716)851-5767 or at the number listed below prior to starting any work.

Application/Permit No.: USE18-9450705

Location: 318 URBAN

DENNIS SCOTT

116 PARKRIDGE AVE BUFFALO, NY 14215

SBL No.: 1014600003001000

Land Use: 710

Census Track: 35.00

Inspector: SEAN E SULLIVAN (716)851-5767

Issue Date: 07/03/2018

Processed By: MICHAEL CASTRO

Expire Date: 01/03/2019

Fees: \$338.00

License No.: LTC18-10043587

License Type: LIGHT COMMERCIAL CONTRACTOR

DBA: RESTORATION HOME IMPROVEMENTS CO.

Value: \$30,000.00

Plans: Yes

Description of Work: Alter a 2 story masonry Manufacturing facility to a adult vocational training in a N-1S zoning district. Add an ADA ramp and add 8 parking spaces and 2 accessible parking spaces at rear of bldg. Contact Frank 348-6809

YOU MUST CONTACT YOUR INSPECTOR PRIOR TO STARTING ANY WORK

James Consepted Jr.

Commissioner, Permit & Inspection Services

Thank you for investing in the City of Buffalo

THIS PERMIT MUST BE DISPLAYED WHERE IT IS VISIBLE FROM THE STREET

Signature of Contact/Contractor Date: 9/19/2019



ELECTRICAL PERMIT

Department of Permit & Inspection Services

65 Niagara Sq. Rm. 301 Buffalo, NY 14202

Byron W. Brown, Mayor

Application Type: Electrical Permit

You must contact the Inspector at (716)851-5999 or at the number listed below prior to starting any work.

Application/Permit No.: ELEC18-9453558

Location: 318 URBAN

Applicant: A

ABEDE DaCOSTA

908 COLLEGE AVE

NIAGARA FALLS, NY 14305

SBL No.: 1014600003001000

Land Use: 710

Census Track: 35.00

Inspector: KEVIN OCONNOR (716)851-5999

Description of Work: Install 15 plugs Install smoke detector

Issue Date: 06/20/2018

Processed By: WEB

Expire Date: 12/20/2018

Fees: \$125.00

License No.: MEL16-10036364

License Type: MASTER ELECTRICIAN

DBA: AGI ELECTRIC LLC

Value: \$1,000.00

Plans: No

Additional Work or Original Installation: Additional Work

Power						<u>Terminations</u>	
Services:	0	Oil Furnaces:	0	Dishwashers:	0 // 11	Telephones:	0
Meters:	1 -	Gas Furnaces:	0	Disposals:	0 /	Sound/Intercom:	0
Light/Plugs:	15	Cook Decks:	0	Signs:	0 / 2 2	Data Cable:	0
Ranges:	0	Ex. Fans:	0	Smoke Det:	1/470, 17	Coaxial:	0
Dryers:	0	Boilers:	0	Fire Alarms:	0	Fiber Optic:	0
Ovens:	0	Generators:	0	Misc:	0	Thermostats:	0
High Voltage:	Υ	Low Voltage:	N	Change in Load:	0	Control Wiring:	0
Service Change	- Voltage: 0 Am	ips: 0		Security System:	N	Solar Panels:	0

James Consepal Jr.

Commissioner, Permit & Inspection Services

Thank you for investing in the City of Buffalo

AND AS SHOWN ON APPLICATION NUMBERED ABOVE. WHICH APPLICATION IS MADE PART OF THIS PERMIT.

**** ALL GENERAL CONTRACTORS AND SUB-CONTRACTORS MUST CARRY A CITY LICENSE ***

ALL WORK PERFORMED AND ANY ASSOCIATED PLANS SUBMITTED FOR THE ISSUANCE OF THIS PERMIT, SHALL COMPLY WITH ALL APPLICABLE STATE AND LOCAL CODES, ORDINANCES AND REGULATIONS.

THIS PERMIT IS VOID IF FOUND TO BE ISSUED IN VIOLATION OF ANY LAW OR ORDINANCE AND CONDITIONS STATED ABOVE.

THIS PERMIT MUST BE DISPLAYED WHERE IT IS VISIBLE FROM THE STREET

Signature of Contact/Contractor	Date:	9/19/2
Olgridiate of Cortace Cortifactor	Date.	01 1 011



.... Building a Better Buffalo

Application Type: Plumbing Permit

You must contact the Inspector at (716)851-5067 or at the number listed below prior to starting any work.

Application/Permit No.: PLUM18-9458894

Location: 318 URBAN

Byron W. Brown, Mayo

Applicant: **ZOE PLUMBING**

> 33 HAMPTON COURT LANCASTER, NY 14086-

SBL No.: 1014600003001000

Land Use: 710

Census Track: 35.00

Inspector: TONY ANDO (716)851-5067

Issue Date: 08/09/2018

Processed By: OLEDA VAZQUEZ

Expire Date: 02/09/2019

Fees: \$270.00

License No.: PLU11-210271

License Type: PLUMBERS MASTER

DBA: ZOE PLUMBING

Value: \$6,000.00

Plans: No

Description of Work: ROUGH IN NEW MENS BTH RM AND WMNS EX BATH

Toilets:	4	Water Heaters: 1 Conductors: 0
Urinals:	2	Sumps: 0 Laundries: 0,
Basins:	0	Floor Drains: 0 Drink Fountains: 1
Bathtubs:	0	Backflows: 0 Catch Basins: 0
Showers:	0	Sinks: 2 Manholes: 0

Other:

Underground Piping:

Length of Pipe 6" diameter or less: 0.00

Length of Pipe > 6" diameter: 0.00

James Consepal Jr.

Commissioner, Permit & Inspection Services

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Signature of Contact/Contractor		Date: 9/19/201

.... Building a Better Buffalo



PLUMBING PERMIT

Department of Permit & Inspection Services

65 Niagara Sq Rm. 301 Buffalo, NY 14202

Byron W. Brown, Mayor

Applicant:

Application Type: Plumbing Permit

You must contact the Inspector at (716)851-5067 or at the number listed below prior to starting any work.

Application/Permit No.: PLUM18-9462073

Location: 318 URBAN

OSINSKI PLUMBING

246 FILLMORE AVENUE BUFFALO, NY 14206-

SBL No.: 1014600003001000

Land Use: 710

Census Track: 35.00

Inspector: TONY ANDO (716)851-5067

Issue Date: 09/26/2018

Expire Date: 03/26/2019

Fees: \$158.00

License No.: PLU11-208052

Processed By: OLEDA VAZQUEZ

License Type: PLUMBERS MASTER

DBA: OSINSKI PLUMBING

Value: \$1.00

Plans: No

Description of Work: INST WTR TNK WTR COLR N HND SNK

Toilets:	0	Water Heaters: 1 Conductors: 0
Urinals:	0	Sumps: 0 Laundries: 0
Basins:	0	Floor Drains: 0 Drink Fountains: 1
Bathtubs:	0	Backflows: 0 Catch Basins: 0
Showers:	0	Sinks: 1 Manholes: 0

Other:

Underground Piping:

Length of Pipe 6" diameter or less: 0.00

Length of Pipe > 6" diameter: 0.00

James Consepal Jr.

Commissioner. Permit & Inspection Services

Thank you for investing in the City of Buffalo

AND AS SHOWN ON APPLICATION NUMBERED ABOVE. WHICH APPLICATION IS MADE PART OF THIS PERMIT.

■■ ALL GENERAL CONTRACTORS AND SUB-CONTRACTORS WIST CARRY A CITY LICENSE ■■

ALL WORK PERFORMED AND ANY ASSOCIATED PLANS SUBMITTED FOR THE ISSUANCE OF THIS PERMIT, ALL CAMPLY WITH ALL APPLICABLE STATE AND LOCAL CODES, ORDINANCES AND REGULATIONS.

THIS PERMIT IS VOID IF FOUND TO BE ISSUED IN VIOLATION OF ANY LAW OR ORDINANCE AND CONDITIONS STATED ABOVE.

THIS PERMIT MUST BE DISPLAYED WHERE IT IS VISIBLE FROM THE STREET

Signature of Contact/Contractor			Date: 9/19/201



Arcadis of New York, Inc.

855 Route 146
Suite 210
Clifton Park, New York 12065
Tel 518 250 7300
Fax 518 250 7301

www.arcadis.com