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February 2, 2023

Ms. Megan Kuczka  
Project Manager  
New York State Department of Environmental Conservation  
700 Delaware Avenue  
Buffalo, NY 14209-2202

**Re: Revised Periodic Review Report and IC/EC Certification  
318 Urban Street  
Buffalo, New York  
NYSDEC Site No. 915151**

Dear Ms. Kuczka:

Attached please find a revised Periodic Review Report (PRR) for the referenced site, prepared by Arcadis of New York, Inc., on behalf of the General Electric Company. The PRR has been revised to address the comments received from the New York State Department of Environmental Conservation (NYSDEC) via electronic mail on November 15, 2022, and to reflect the follow-up discussions between GE and NYSDCE on December 6, 2022.

Please contact me if you have any questions regarding the attached revised report.

Sincerely yours,

A handwritten signature in blue ink, appearing to read 'Lewis S. Streeter'.

Lewis S. Streeter  
Senior Project Manager

Enclosure:

cc:  
Eugene Melnyk, P.E., NYSDCE  
Doug Weeks, Arcadis

General Electric Company

# Periodic Review Report for August 2019 through August 2022

**318 Urban Street Site  
Erie County, New York  
NYSDEC Site Number: 9-15-151**

September 2022;  
Revised February 2023

# Periodic Review Report for August 2019 through August 2022

**318 Urban Street Site**  
**Erie County, New York**  
**NYSDEC Site Number: 9-15-151**

September 2022;

Revised February 2023

**Prepared By:**

Arcadis of New York, Inc.  
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New York 12065  
Phone: 518 250 7300  
Fax: 518 371 2757

**Prepared For:**

General Electric Company  
Schenectady, New York

**Our Ref:**

AP013092

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Figure 1 Site Layout

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- Appendix C 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. There have been two Orders on Consent between GE and NYSDEC for the Site. Under a 1992 Order on Consent GE implemented Interim Remedial Measures (IRMs) to remove PCB-contaminated surface soil from neighboring properties and PCB-contaminated sediment from the on-site sewer lines and the Buffalo Sewer Authority's (BSA's) manhole nearest the site. GE entered a second Order on Consent (Index # B9-0388-91-09) with the NYSDEC in September 1996. Under the 1996 Order 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 two Orders on Consent, GE implemented remedial actions at the site during the period of 1992 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 6 New York Codes of Rules and Regulation (NYCRR) Part 375 Unrestricted Use criteria, but less than the 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).

An SMP was prepared in May 2012 to identify and manage the residual impacts at the site following implementation of the remedial actions, and to require that site inspections are performed 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 provide certification 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 on June 11, 2020, July 27, 2021, and June 15, 2022. During the June 2020 inspection Arcadis observed that a small area of asphalt adjacent to the west side of the building appeared to have been saw cut and removed to support construction of an access ramp sometime between the 2018 and 2019 site inspections. The soils in the area where the asphalt was removed (i.e., underneath the access ramp) were not disturbed. The site cover system in this area was repaired by the property owner in November 2022.

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318 Urban Street Site

The ECs (soil, concrete and asphalt covers, and perimeter fencing) are functioning as intended and remain protective of human health.

Observations indicate that site use remains industrial.

## 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 approximate 2.5-acre site is relatively flat and 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 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 topographic 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 to Lake Erie.

Stormwater runoff within the site enters 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 severe storms with heavy precipitation, the flow discharges directly to Scajaquada Creek.

### 2.2 Remedial Program

Remedial actions were performed to address PCBs located within the interior of the building, within on-site and off-site sewers, and in both on-site (outside the building) and off-site soil. 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 micrograms per 100 square centimeters ( $\mu\text{g}/100\text{ cm}^2$ ) PCBs
Impervious porous surfaces, including concrete floors and the walls and floor of the transformer pit	10 $\mu\text{g}/100\text{ cm}^2$ PCBs (wall wipe samples) 50 milligrams per kilogram (mg/kg) PCBs (concrete chip samples) 100 $\mu\text{g}/100\text{ cm}^2$ PCBs and encapsulation (concrete floor wipe samples)

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Media	Remediation Goal
Soil from 0 to 1 foot in depth	1 mg/kg PCBs – excavated and disposed off-site
Soil at depths greater than 1 foot	10 mg/kg PCBs – excavated and disposed off-site
Soil at depths greater than 1 foot that contains VOCs at concentrations exceeding Unrestricted use criteria in a small area 50 feet long and 2 feet wide near the building foundation on the south side of the building	Covered with a geotextile barrier and the area backfilled with clean soil
Soil near the former fuel oil UST	NYSDEC Spills Technology and Remediation Series (STARS) Memo #1 guidance values
Sewers	Cleaned and sediment removed

There have been two Orders on Consent between GE and NYSDEC for the Site. Under a 1992 Order on Consent GE implemented IRMs to remove PCB-contaminated surface soil from neighboring properties and PCB-contaminated sediment from the on-site sewer lines and the BSA’s manhole nearest the site. IRM No. 1 addressed remediation of PCB-containing soil on the residential properties north of the Site and was conducted between November 1992 and April 1993. IRM No. 2 addressed removal of PCB-containing sediment from discrete segments of on-Site sewer lines and from the nearest BSA sewer manhole on French Street. This work was conducted in the summer of 1993. IRM No. 3 addressed remediation of PCB-containing soil on the playground east of the Site and was completed in May 1994.

In September 1996, GE signed the second Order on Consent with the NYSDEC. This second Order required that GE implement the scope of work that was outlined in a 1995 Record of Decision. Remedial actions undertaken at the site under the 1996 Order on Consent 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 1996 and 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 established to protect human health and the environment. Engineering controls to prevent exposure to residual soil impacts 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 the Environmental Notice and SMP for the site. The EC/ICs are described further in Section 4..



## 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 guidance value.

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

1. Exterior Areas: Soils containing PCBs at concentrations greater than 1 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.
2. 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 vegetated clean soil cover this area.
3. Main Building Area: Soils in this area and reinforced concrete associated with a former transformer pit contain PCBs at concentrations greater than 1 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 inspection results are to be presented in PRRs to document the assessment of site conditions and certify all ECs/ICs required by the remedy are in place and operating as designed, or identify corrective actions needed.

### 3.2 Remedy Review

On behalf of GE, Arcadis performed site inspections with Pyramid Steel Corporation, the site owner, on June 11, 2020, July 27, 2021, and June 15, 2022. These annual visits are typically the only opportunities that Arcadis personnel have to access to the site. Therefore, our evaluation is based largely upon these inspections and information regarding the site, and any changes thereto, provided by the owner.

During the June 2020 inspection Arcadis observed that a small area of asphalt adjacent to the west side of the building appeared to have been saw cut and removed to facilitate construction of an access ramp sometime between the 2018 and 2019 site inspections.<sup>1</sup> The soils in the area where the asphalt was removed were not

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<sup>1</sup> The area of removed asphalt was not observed during the 2019 inspection due to the presence of a debris pile (rubble and concrete) adjacent to the ramp. This debris, which was also present during the 2018 site inspection, was subsequently removed sometime between the 2019 and 2020 site inspections. In its February 5, 2020 approval of the 2019 Periodic Review Report, NYSDEC inquired as to the origin of the debris pile and whether the site's cover system had been breached. Following the NYSDEC's inquiry, Arcadis contacted the property owner

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318 Urban Street Site

disturbed and the site cover system in this area was restored in November 2022 with the placement of concrete around and beneath the access ramp.

Additionally, during the 2020 inspection, a small area of deteriorated asphalt was observed on east side of the building at the base of the entrance ramp to the building. This area of deteriorated asphalt was repaired by GE on October 25, 2022.

At the time of the 2022 inspection, a new tenant (Kerr Industries) was in the process of moving supplies and equipment into the building. Observations and discussions with the owner indicate that the site use remains industrial in accordance with the Environmental Notice.

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via telephone on February 14, 2020. During that phone conversation the property owner stated that the pile of concrete depicted in the 2019 photograph was brought to the site by his tenant for use in planned site renovations and was left onsite when the tenant ceased having any interest in the property.

## 4 Institutional Control/Engineering 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 system; 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. The potential for disturbance of the cover systems is mitigated 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.

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 disturbed 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 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 the 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 three years and will be certified by a Professional Engineer in the State of New York.

### 4.3 EC/IC Compliance

To verify 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 severe weather conditions, emergencies, or site work that may affect the ECs. Visual inspections were conducted at the site by Arcadis, on behalf of GE, on June 11, 2020, July 27, 2021, and June 15, 2022. The Inspection Forms, which include a photographic record, are included in Appendix A. Observations made during the most recent June 15, 2022 inspection indicate that:

- The asphalt pavement is in generally good condition. The asphalt driveway and parking areas on the east and west sides of the building were seal-coated by the property owner in 2021. Some cracking and heaving of asphalt was observed along the tree line at the north side of the site due to the presence of tree roots. Additionally, weeds and other vegetation were observed growing within cracks in the asphalt and adjacent to the building. As discussed with NYSDEC during a conference call on December 6, 2022, the presence of vegetation will be re-assessed during the 2023 inspection and vegetation will be removed to prevent further cracking and heaving of the asphalt. Following removal of the vegetation, cracks in the asphalt will be sealed as appropriate to mitigate the potential for re-growth of the weedy vegetation and further damage to the asphalt cover system.
- A small area of deteriorated asphalt was observed on east side of the building at the base of the entrance ramp to the building. This area of deteriorated asphalt was repaired by GE with asphalt cold patch on October 25, 2022 (See photographs in Appendix B)<sup>2</sup>.
- As stated previously, a small area of the asphalt cover adjacent to the west side of the building was removed in constructing a new handicap access ramp sometime in 2019. Soils beneath the asphalt were not disturbed in constructing the ramp. The area where the asphalt was removed was repaired by the property owner in November 2022 with the placement of concrete beneath and around the ramp area (see photographs of repairs in Appendix B).
- The concrete floor slab within the building is intact, with some minor cracking observed. There were no indications (such as patching) that the slab had been disturbed.
- 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).

With the completion of the asphalt and concrete cover system repairs noted above, the engineering controls continue to perform as intended and remain protective of human health and the environment. The Institutional and Engineering Controls Certification Form is included in Appendix C.

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<sup>2</sup> In preparation for placement of asphalt cold patch the deteriorated asphalt and debris were cleared from the targeted repair area, revealing that a layer of concrete was present beneath the asphalt. As a conservative measure, the area was patched with asphalt nonetheless.

## 5 Site Monitoring Plan

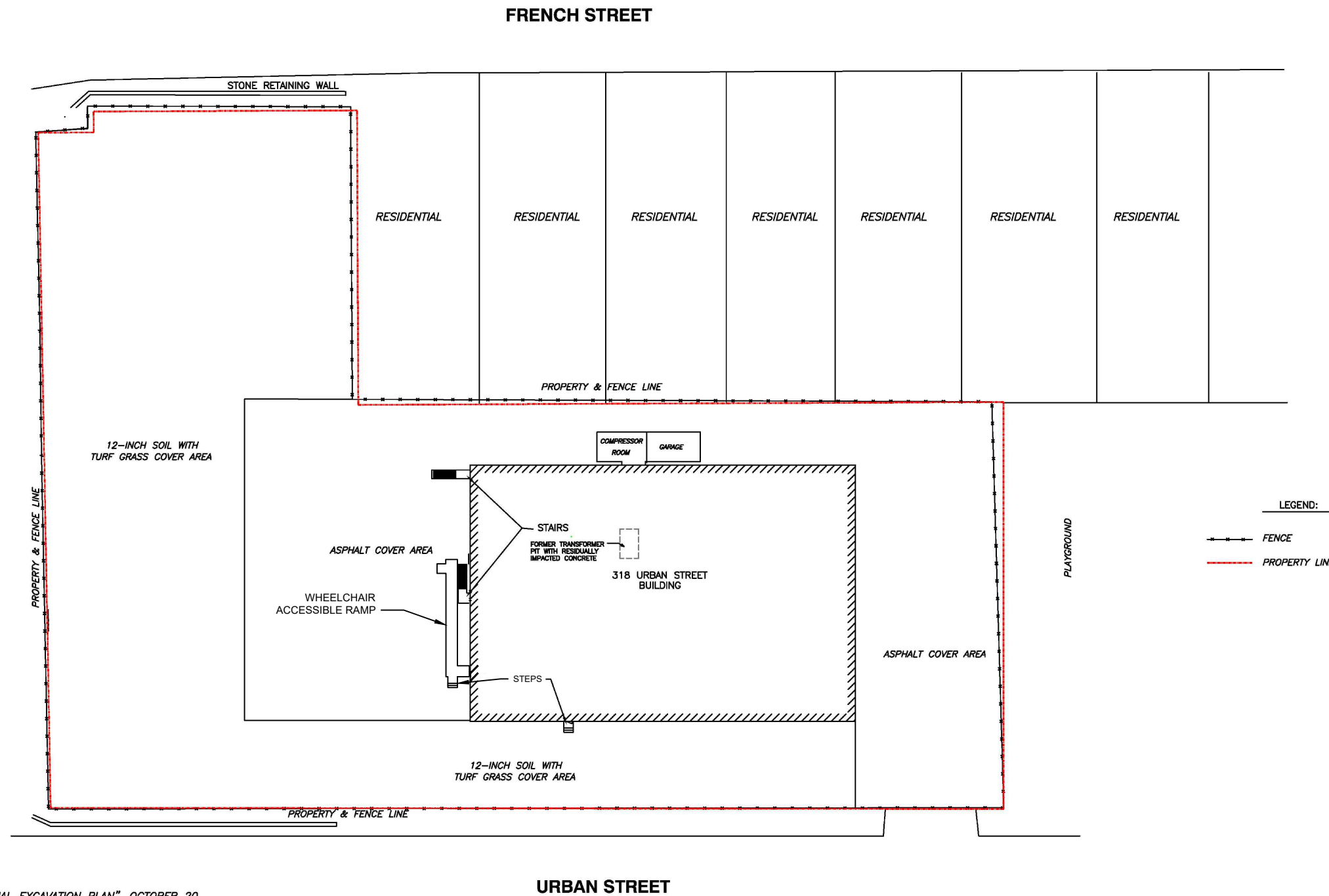
The Monitoring Plan describes the measures for evaluating the performance and effectiveness of the cover system to mitigate potential effects of the residually impacted materials. Monitoring of site media is not required. Monitoring of active Engineering Controls is not required at this site because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

The Site Monitoring Plan requires a visual inspection of the complete cover system and access controls (site fencing) to be conducted at least once a year and after severe weather conditions, emergencies, or site work that may affect the ECs. Site-wide inspections were completed on June 11, 2020, July 27, 2021, and June 15, 2022. The inspections identified the need for minor repairs of the cover system (which were completed in fall 2022) but confirmed the overall continued effectiveness of the ECs and compliance with site usage. This PRR documents the 2020, 2021 and 2022 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 2023 and the next PRR report will be submitted in September 2025, 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 June 11, 2020, July 27, 2021, and June 15, 2022. Based on the site inspections and discussions with the owner, and considering the repairs to the site cover system completed in the fall of 2022, the ECs at the site remain effective. Site use remains industrial, in compliance with the ICs. Therefore, 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



LEGEND:  
- - - - - FENCE  
- - - - - PROPERTY LINE

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

GENERAL ELECTRIC COMPANY 318 URBAN STREET, BUFFALO, NY PERIODIC REVIEW REPORT	
SITE PLAN	
	FIGURE 1



# Appendix A

## Inspection Forms and Photographs

**2020**

Inspection Form

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

Inspection Performed by: Tim Henson FIELD SUPERVISOR  
Name Title

ARCADIS 315-671-9369 110 WEST FAYETTE ST. SYRACUSE, NY  
Company Phone No. Address

Reason for Inspection:  Annual  Severe Weather  Emergency  Site Work

Describe Site Use: AVAILABLE FOR SALE OR ~~LEASE~~ LEASE. BUILDING HAS SOME LARGE MACHINERY STAGED IN BUILDING THAT WAS NOT PRESENT LAST VISIT.

Is site use compliant with Institutional Controls?  Yes  No

Describe General Site Conditions: OVERALL GOOD CONDITION. GRASS COVER IS BEING MAINTAINED. ASPHALT COVER + INTERIOR CONCRETE SLAB HAVE ONLY MINOR CRACKING OBSERVED.

Site Records Up To Date: MIKE SWENNEY HAS COPY OF SMP IN HIS VEHICLE.  Yes  No

Cover System Status

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?  Yes  No

Is cover intact?  Yes  No  
Does cover need maintenance? Yes  No

Interior Concrete Slab Condition: Is cover effective?  Yes  No

Is cover intact?  Yes  No

Site Security: Is security effective?  Yes  No

Fence and Gate Condition:

Is fencing functional?  Yes  No  
Is maintenance needed? Yes  No

Recommendations for maintenance:

NONE AT THIS TIME.

Additional comments:

PROPERTY OWNER INDICATED THAT HE WILL REPAIR A COUPLE OF ROOF LEAKS OVER THE SUMMER.

Corrective Measures necessary?

NOT AT THIS TIME.

Residually impacted material remains undisturbed?  Yes  No

Engineering controls continue to protective of human health and the environment?  Yes  No

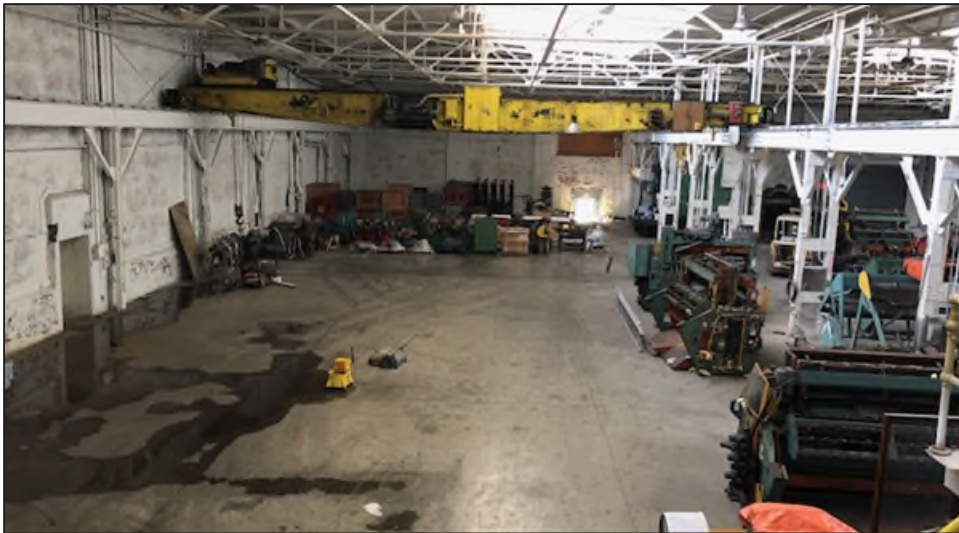
Site compliant with SMP and Deed Restriction?  Yes  No

Tim Henson  
Signature

6/11/2020  
Inspection Date

## Project Photographs

Site No. 915151  
318 Urban Street  
Buffalo, New York



**Photo: #1**

**Date:**  
June 11, 2020

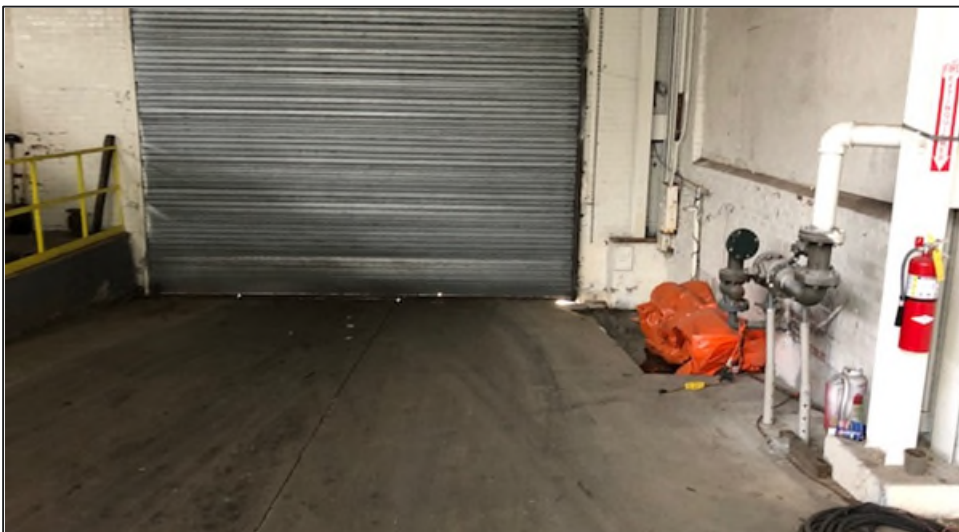
**Description:**  
View from mezzanine looking east.



**Photo: #2**

**Date:**  
June 11, 2020

**Description:**  
View from mezzanine looking east towards overhead door/loading ramp.



**Photo: #3**

**Date:**  
June 11, 2020

**Description:**  
Loading ramp area.



## Project Photographs

Site No. 915151  
318 Urban Street  
Buffalo, New York



**Photo: #4**

**Date:**

June 11, 2020

**Description:**

Minor concrete cracking near entry door; condition unchanged from 2019 inspection.



**Photo: #5**

**Date:**

June 11, 2020

**Description:**

North side of building facing west; note dense vegetation along fence line.



**Photo: #6**

**Date:**

June 11, 2020

**Description:**

North fence line; some heaving of pavement due to tree roots.



## Project Photographs

Site No. 915151  
318 Urban Street  
Buffalo, New York



**Photo: #7**

**Date:**  
June 11, 2020

**Description:**  
West side of building.



**Photo: #8**

**Date:**  
June 11, 2020

**Description:**  
Area where pavement was saw cut by others in constructing a handicap access ramp.



**Photo: #9**

**Date:**  
June 11, 2020

**Description**  
South side of building.



## Project Photographs

Site No. 915151  
318 Urban Street  
Buffalo, New York



**Photo:** #10

**Date:**

June 11, 2020

**Description:**

Parking area on east side of building - minor cracking of the pavement was observed (condition generally unchanged from 2019 inspection).



**Photo:** #11

**Date:**

June 11, 2020

**Description:**

East side of building



**Photo:** #12

**Date:**

June 11, 2020

**Description:**

Fence along French St. Condition appears unchanged from 2019 inspection.



## Project Photographs

Site No. 915151  
318 Urban Street  
Buffalo, New York



**Photo: #13**

**Date:**  
June 11, 2020

**Description:**  
View of main gate to facility.



**Photo: #14**

**Date:**  
June 11, 2020

**Description:**  
East parking area by front gate where minor cracking was observed; condition appears unchanged from 2019.



**Photo: #15**

**Date:**  
June 11, 2020

**Description:**  
View of south side of the building.



**2021**

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

Inspection Performed by: Tim Henson FIELD SUPERVISOR  
Name Title

ARCADIS 315-671-9369 SYRACUSE NY  
Company Phone No. Address

Reason for Inspection:  Annual  Severe Weather  Emergency  Site Work

Describe Site Use: UN-OCCUPIED  
CURRENTLY EMPTY - MOST EQUIPMENT REMOVED

Is site use compliant with Institutional Controls?  Yes  No

Describe General Site Conditions:  
SOME AREAS OF PAVEMENT SHOW SIGNS OF DETEIORATION

Site Records Up To Date: MIKE SWEENEY HAS COPY OF SMP IN HIS VEHICLE  Yes  No

**Cover System Status**

12-Inch Soil and Turf Grass Area Condition:  Yes  No Is cover effective?  Yes  No

Is cover intact?  Yes  No  
 Does cover need maintenance? Yes  No SOME CRACKING IN PAVEMENT

Asphalt Cover Area and Exterior Concrete Slab Condition: Is cover effective?  Yes  No

Is cover intact?  Yes  No  
 Does cover need maintenance? Yes  No

Interior Concrete Slab Condition: Is cover effective?  Yes  No

Is cover intact?  Yes  No

Site Security: Is security effective?  Yes  No

Fence and Gate Condition:  Yes  No

Is fencing functional?  Yes  No  
 Is maintenance needed? Yes  No

Recommendations for maintenance:  
NONE AT THIS TIME

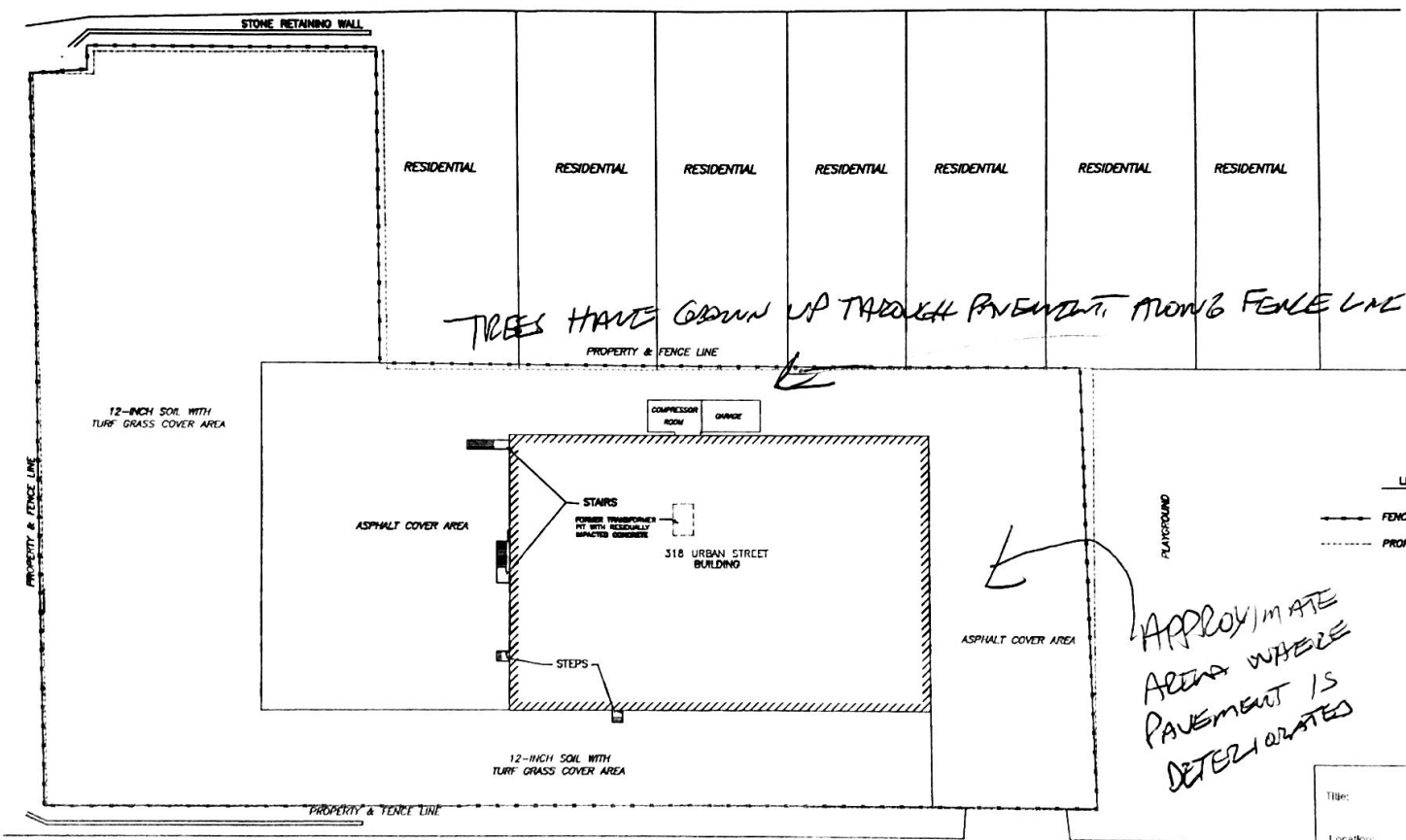
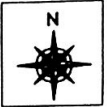
Additional comments:

Corrective Measures necessary?  
NOT AT THIS TIME

Residually impacted material remains undisturbed?  Yes  No  
 Engineering controls continue to protective of human health and the environment?  Yes  No  
 Site compliant with SMP and Deed Restriction?  Yes  No

Tim Henson 7/27/21  
Signature Inspection Date

FRENCH STREET



TREES HAVE GROWN UP THROUGH PAVEMENT ALONG FENCE LINE

APPROXIMATE AREAS WHERE PAVEMENT IS DETERIORATED

7/27/21

LEGEND:

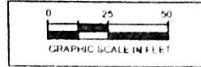
— FENCE



- - - - PROPERTY LINE

CSX RAILWAY

URBAN STREET

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



Title: SITE MAP	
Location: 318 URBAN STREET BUFFALO, NEW YORK	
Client:  GENERAL ELECTRIC COMPANY	
Drafted: KP	Date: March 2012
Orig. Size: 11 x 17	Job No.: 38394784.20000
 URS Corporation 3 Corporate Drive, Suite 203 Glen Park, New York 12065	
<b>FIGURE D-1</b>	

A:\Projects\2011\URS\URS\2011\URS\2011\_03\_27\_12\2011\_03\_27\_12.dwg Plot Date: 03/27/21 10:10:00 AM

## Project Photographs

Site No. 915151  
318 Urban Street  
Buffalo, New York



☉ 59°NE (T) ● 42°54'34"N, 78°49'40"W ±88ft ▲ 649ft

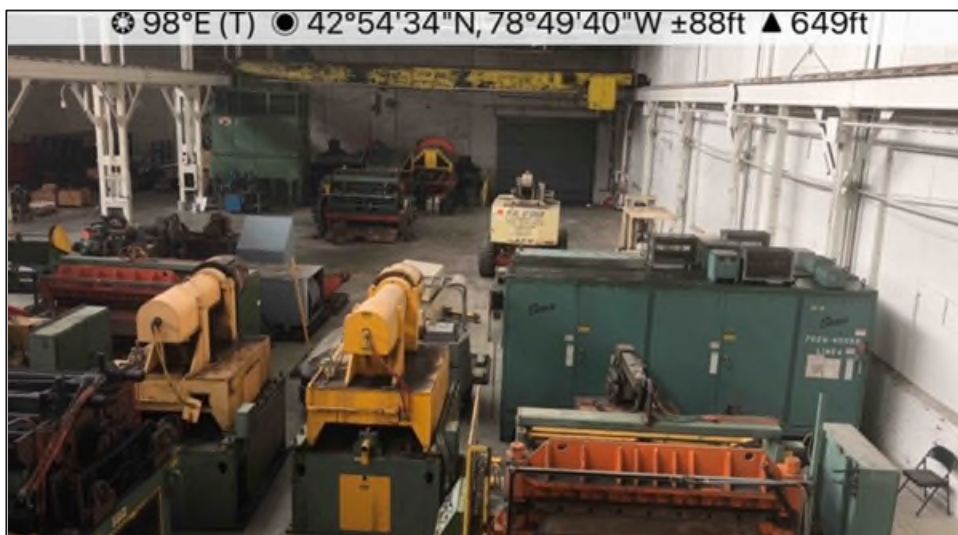
**Photo: #1**

**Date:**

July 27, 2021

**Description:**

View from mezzanine looking southeast.



☉ 98°E (T) ● 42°54'34"N, 78°49'40"W ±88ft ▲ 649ft

**Photo: #2**

**Date:**

July 27, 2021

**Description:**

View from mezzanine looking south.



☉ 305°NW (T) ● 42°54'34"N, 78°49'39"W ±72ft ▲ 647ft

**Photo: #3**

**Date:**

July 27, 2021

**Description:**

Loading ramp with minor cracking of the concrete.



## Project Photographs

Site No. 915151  
318 Urban Street  
Buffalo, New York



**Photo: #4**

**Date:**  
July 27, 2021

**Description:**  
Some minor concrete cracking near entry door; condition appears unchanged from 2020 inspection.



☉ 276°W (T) ● 42°54'35"N, 78°49'38"W ±19ft ▲ 646ft

**Photo: #5**

**Date:**  
July 27, 2021

**Description:**  
North side of building; note dense vegetation along fence line..



☉ 264°W (T) ● 42°54'35"N, 78°49'39"W ±19ft ▲ 647ft

**Photo: #6**

**Date:**  
July 27, 2021

**Description:**  
North fence line with dense vegetation.

## Project Photographs

Site No. 915151  
318 Urban Street  
Buffalo, New York



**Photo: #7**

**Date:**

July 27, 2021

**Description:**

West side of building. Minor cracking in pavement observed that appears unchanged from previous years.



**Photo: #8**

**Date:**

July 27, 2021

**Description:**

West side lawn area.



**Photo: #9**

**Date:**

July 27, 2021

**Description**

Parking area on west side of building.



## Project Photographs

Site No. 915151  
318 Urban Street  
Buffalo, New York



**Photo:** #10

**Date:**  
July 27, 2021

**Description:**  
Parking area on east side of building - minor cracking of pavement observed; appears generally unchanged from 2020 inspection.



**Photo:** #11

**Date:**  
July 27, 2021

**Description:**  
Minor cracking of pavement on east side of building; appears unchanged from 2020 inspection.



**Photo:** #12

**Date:**  
July 27, 2021

**Description:**  
Fence along French St. Condition appears unchanged from 2020 inspection.



## Project Photographs

Site No. 915151  
318 Urban Street  
Buffalo, New York



**Photo:** #13

**Date:**  
July 27, 2021

**Description:**  
South fence line where fence was repaired. Appears unchanged from previous years.



**Photo:** #14

**Date:**  
July 27, 2021

**Description:**  
South side of building.



**Photo:** #15

**Date:**  
July 27, 2021

**Description:**  
Main entrance gate to property.



**2022**

Inspection Form

318 Urban Street, Buffalo, New York

NYSDEC Site Number: 9-15-151

Inspection Performed by: Jim Henson FIELD SUPERVISOR

Company: ARCADIS Phone No: 315-671-9369 Address: SYRACUSE NY

Reason for Inspection:  Annual  Severe Weather  Emergency  Site Work

Describe Site Use: KEER INDUSTRIES IS CURRENTLY LEASING THE BUILDING + WORK IN PROGRESS OFF MOVING SUPPLIES + EQUIPMENT INTO BUILDING.

Is site use compliant with Institutional Controls?  Yes  No

Describe General Site Conditions: SOME AREAS OF PAVEMENT SHOW SIGNS OF DETRIORATION OWNER HAD MAIN DRIVEWAY + PARKING AREAS SECTED LAST YEAR.

Site Records Up To Date: SMP LOCATED IN PROPERTY OWNERS CAR  Yes  No

Cover System Status

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?  Yes  No

Is cover intact?  Yes  No

Does cover need maintenance? Yes  No

Interior Concrete Slab Condition: Is cover effective?  Yes  No

Is cover intact?  Yes  No

Site Security: Is security effective?  Yes  No

Fence and Gate Condition:

Is fencing functional?  Yes  No

Is maintenance needed? Yes  No

Recommendations for maintenance:  
NONE AT THIS TIME

Additional comments:  
INQUIRED ABOUT SPRINKLER SYSTEM + PROPERTY OWNER SAID HE STILL NEEDS TO WORK THAT OUT WITH THE CITY.

Corrective Measures necessary?  
NOT AT THIS TIME

Residually impacted material remains undisturbed?  Yes  No

Engineering controls continue to protective of human health and the environment?  Yes  No

Site compliant with SMP and Deed Restriction?  Yes  No

Signature: SITE MAP Inspection Date: 6/15/22 Page 1 of 1

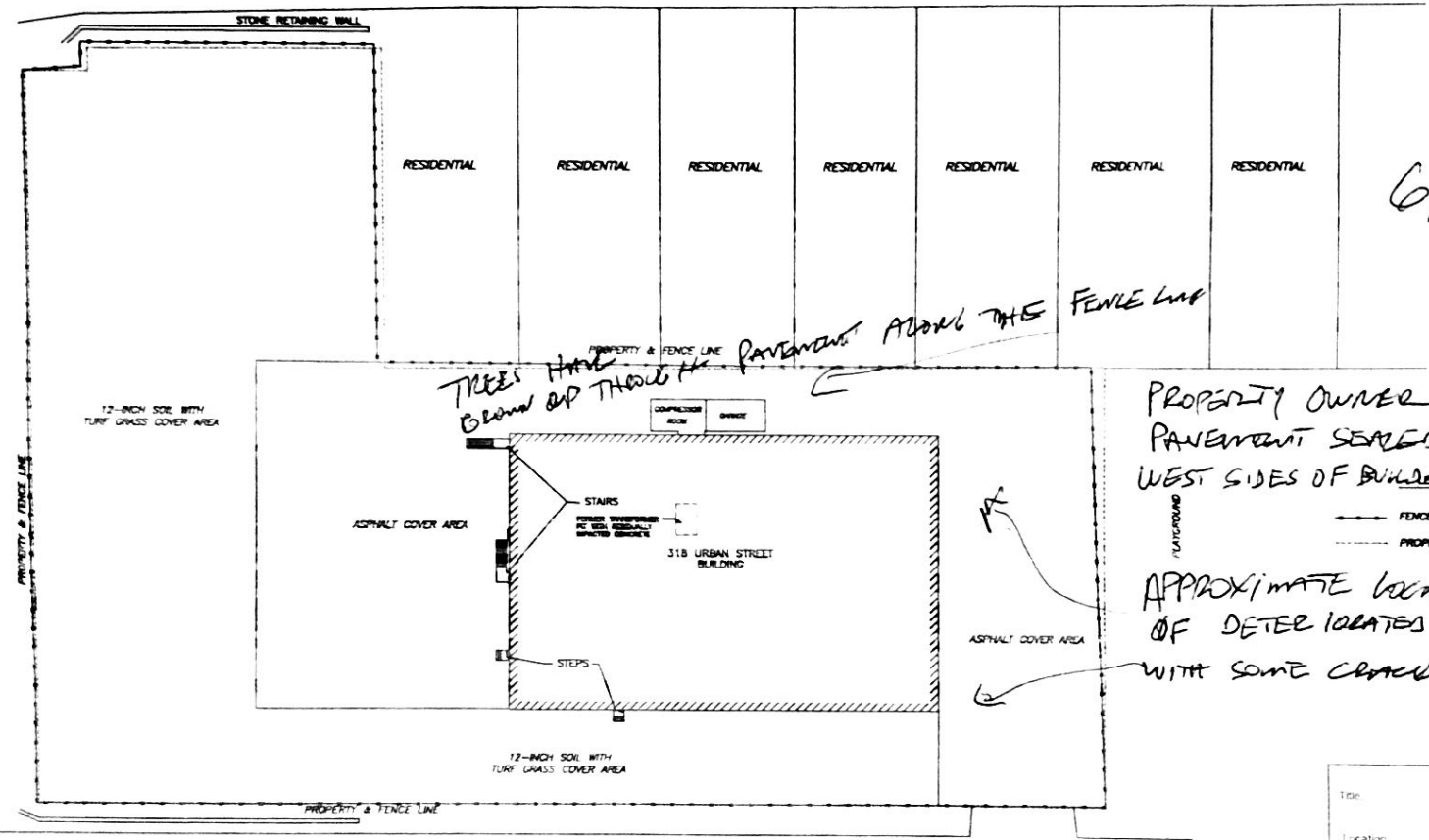
Attachments: YES Site Map with Notations Photographs



FRENCH STREET

6/15/02

CSX RAILWAY



TREES HAVE  
Blown UP THROUGH THE  
PROPERTY & FENCE LINE

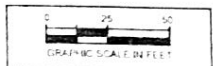
PAVEMENT ALONG THE FENCE LINE



PROPERTY OWNER HAS  
PAVEMENT SEALED ALONG EAST +  
WEST SIDES OF BUILDING

APPROXIMATE LOCATION  
OF DETEER LOCATED PAVEMENT  
WITH SOME CRACKING

← FENCE  
- - - PROPERTY LINE

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



Title:	SITE MAP		
Location:	318 URBAN STREET BUFFALO, NEW YORK		
Client:	 GENERAL ELECTRIC COMPANY		
Drafter:	k.P.	Date:	March 26/12
Orig. Size:	11 x 17	Job No.:	38294784.20000
 URS Corporation 3 Corporate Drive, Suite 200 Clifton Park, New York 12065		<b>FIGURE D-1</b>	

## Project Photographs

Site No. 915151  
318 Urban Street  
Buffalo, New York



**Photo: #1**

**Date:**

June 15, 2022

**Description:**

View from mezzanine looking east.



**Photo: #2**

**Date:**

June 15, 2022

**Description:**

View from mezzanine looking east towards loading ramp.



**Photo: #3**

**Date:**

June 15, 2022

**Description:**

Loading ramp area.



## Project Photographs

Site No. 915151  
318 Urban Street  
Buffalo, New York



**Photo:** #4

**Date:**  
June 15, 2022

**Description:**  
Area at bottom of ramp where pavement has deteriorated.



**Photo:** #5

**Date:**  
June 15, 2022

**Description:**  
North side of building.



**Photo:** #6

**Date:**  
June 15, 2022

**Description:**  
North side of building; note dense vegetation along fence line.

## Project Photographs

Site No. 915151  
318 Urban Street  
Buffalo, New York



**Photo: #7**

**Date:**

June 15, 2022

**Description:**

West side of building. Minor cracking in pavement observed.



**Photo: #8**

**Date:**

June 15, 2022

**Description:**

West side lawn area.



**Photo: #9**

**Date:**

June 15, 2022

**Description**

West side of building, handicap access ramp.



## Project Photographs

Site No. 915151  
318 Urban Street  
Buffalo, New York



**Photo:** #10

**Date:**

June 15, 2022

**Description:**

Parking area on east side of building; pavement sealed by owner in 2021.



**Photo:** #11

**Date:**

July 27, 2021

**Description:**

East side of building; pavement sealed by owner in 2021.



**Photo:** #12

**Date:**

June 15, 2022

**Description:**

Fence along French St. Condition appears unchanged from 2021 inspection.

## Project Photographs

Site No. 915151  
318 Urban Street  
Buffalo, New York



**Photo:** #13

**Date:**  
June 15, 2022

**Description:**  
South fence line where fence was repaired. Condition appears unchanged from previous years.



**Photo:** #14

**Date:**  
June 15, 2022

**Description:**  
South side of building.



**Photo:** #15

**Date:**  
June 15, 2022

**Description:**  
Main entrance gate to property.



# Appendix B

## Photographs of Asphalt Cover Repairs



Photo 1



Photo 2





Photo 3





Photo 4





Photo 5





Photo 6

# Appendix C

## Certification Forms



# NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Remediation

625 Broadway, 11<sup>th</sup> Floor, Albany, NY 12233-7020

P: (518)402-9543 | F: (518)402-9547

[www.dec.ny.gov](http://www.dec.ny.gov)

7/12/2022

Lewis S. Streeter  
Senior Project Manager  
GE Corporate, OneEHS  
1 River Road  
Building 5 - 7W  
Schenectady, NY 12345  
[Lewis.Streeter@ge.com](mailto:Lewis.Streeter@ge.com)

## 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, 2022**. 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 Megan Kuczka, the Project Manager, at 716-842-2175 or [megan.kuczka@dec.ny.gov](mailto:megan.kuczka@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  
700 Delaware Ave

Buffalo, NY 14209-2202

#### Enclosures

PRR General Guidance  
Certification Form Instructions  
Certification Forms

ec: w/ enclosures

Pyramid Steel Corp. (Sweeney Steel Srvc) - [msweeneysr@sweeneysteel](mailto:msweeneysr@sweeneysteel)

ec: w/ enclosures

Megan Kuczka, Project Manager  
Andrea Caprio, Hazardous Waste Remediation Supervisor, Region 9

Arcadis of New York, Inc. - Doug Weeks - [Doug.Weeks@arcadis.com](mailto: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 cannot 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**



	Site Details	Box 1		
<b>Site No.</b>	<b>915151</b>			
<b>Site Name 318 Urban Street</b>				
Site Address: 318 Urban Street      Zip Code: 14211				
City/Town: Buffalo				
County: Erie				
Site Acreage: 2.468				
Reporting Period: August 30, 2019 to August 30, 2022				
		YES	NO	
1.	Is the information above correct?	X	<input type="checkbox"/>	
	If NO, include handwritten above or on a separate sheet.			
2.	Has some or all of the site property been sold, subdivided, merged, or undergone a tax map amendment during this Reporting Period?	<input type="checkbox"/>	X	
3.	Has there been any change of use at the site during this Reporting Period (see 6NYCRR 375-1.11(d))?	<input type="checkbox"/>	X	
4.	Have any federal, state, and/or local permits (e.g., building, discharge) been issued for or at the property during this Reporting Period?	<input type="checkbox"/>	X	
	<b>If you answered YES to questions 2 thru 4, include documentation or evidence that documentation has been previously submitted with this certification form.</b>			
5.	Is the site currently undergoing development?	<input type="checkbox"/>	X	
		<b>Box 2</b>		
		YES	NO	
6.	Is the current site use consistent with the use(s) listed below? Commercial and Industrial	X	<input type="checkbox"/>	
7.	Are all ICs in place and functioning as designed?	X	<input type="checkbox"/>	
<b>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.</b>				
<b>A Corrective Measures Work Plan must be submitted along with this form to address these issues.</b>				
_____ Signature of Owner, Remedial Party or Designated Representative			_____ Date	



**Description of Institutional Controls**

<u>Parcel</u>	<u>Owner</u>	<u>Institutional Control</u>
<b>101.46-3-1</b>	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.

**Description of Engineering Controls**

<u>Parcel</u>	<u>Engineering Control</u>
<b>101.46-3-1</b>	Cover System Fencing/Access Control

**Periodic Review Report (PRR) Certification Statements**

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

a) the Periodic Review report and all attachments were prepared under the direction of, and reviewed by, the party making the Engineering Control certification;

b) to the best of my knowledge and belief, the work and conclusions described in this certification are in accordance with the requirements of the site remedial program, and generally accepted engineering practices; and the information presented is accurate and complete.

YES NO  
X

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  
X

**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.

I **Michael Sweeney** at Pyramid Steel  
print name MICHAEL SWEENEY PO BOX 87 BFLY NY 14240 print business address

am certifying as **Owner** (Owner or Remedial Party)

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

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

1/31/2023  
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 James M. Nuss at 110 West Fayette St, Syracuse, NY 13202,  
print name print business address

I am certifying as a Professional Engineer for the General Electric Company (Remedial Party)  
(Owner or Remedial Party)



\_\_\_\_\_  
Signature of Professional Engineer, for the Owner or  
Remedial Party, Rendering Certification

\_\_\_\_\_  
Stamp  
(Required for PE)

02/02/2023

Date



Arcadis of New York, Inc.  
855 Route 146, Suite 210  
Clifton Park  
New York 12065  
Phone: 518 250 7300  
Fax: 518 371 2757  
[www.arcadis.com](http://www.arcadis.com)