



December 14, 2022

Site Control Section  
Attn: Alexandra Servis-Oettinger  
New York State Department of Environmental Conservation  
Bureau of Technical Support  
625 Broadway, 11th Floor  
Albany, NY 12233-7020

RE: Response to Letter of Incompleteness and Transmittal  
Brownfield Cleanup Application  
3821 River Road, Inc.  
Town of Tonawanda, New York  
BCP #C915003

Dear Alexandra:

On behalf of 3821 River Road, Inc., Inventum Engineering has revised the Enclosed Brownfield Cleanup Program Application for the proposed BCP Site at 3821 River Road in the Town of Tonawanda, New York. The New York State Department of Environmental Conservation (DEC) determined that our November 21, 2022, application for participation in the Brownfield Cleanup Program pursuant to ECL § 27-1400 et seq. was incomplete. The following items were found to be missing/incomplete, and the revision enclosed is addressed as shown in the italic text below:

**Section I: Property Information**

- Please see attached comments provided by the Project Manager
  - *Responses to the Project Manager Comments follow the first set of comments.*

**Section III: Land Use Factors**

- Please revise the response to Item 5, as the proposed post-remediation use of the site is not residential.
  - *The "NA" circle was marked for the question "If residential, does it qualify as single family housing".*
- Please provide a brief explanation of why the proposed post-remediation use of the site is inconsistent with applicable community master plans, local waterfront revitalization plans or other adopted land use plans.
  - *The question response has been revised to "Yes". The proposed post-remediation use is consistent with the current and proposed master plans for the community which are currently being revised.*

#### Section IV: Property's Environmental History

- Please revise the response to Item 4, as the past use of the site does not include an agricultural co-op (note the boxes associated with the past land use options are to the left of the text).
  - *That was corrected to the box to the left of "Manufacturing", the past land use.*

#### Section IX: Current Property Owner and Operator Information

- Please provide a list of previous operators, including last-known contact information and dates of operation; or, if applicable, note that previous owners were concurrently the sole operators of the site.
  - *Attachment A-IX-1 has been revised to include the Tonawanda Coke Corporation and Ausmus Corporation (trucking company) as previous operators during the period the site was owned by Rouse Breihan, Inc. TCC went through a bankruptcy proceeding so no contact details remain. Ausmus Corporation is listed as active on the Department of State, Division of Corporations Site but has not filed required statements dating back to 2016.*

#### Section XI: Site Contact List

- Please add the Commissioner of the Erie County Department of Environment and Planning.
  - *Added: Daniel Castle, AICP, Commissioner, Environment and Planning, Edward A Rath County Office Building, 95 Franklin Street, 10th Floor, Buffalo, New York 14202 (716) 858-8390, daniel.castle@erie.gov*
- Please add the Director of the Town of Tonawanda Department of Planning and Development.
  - *Added: James Hartz, Director of Community Development, 169 Sheridan Parkside Dr., Tonawanda, New York 14150, Phone: (716) 871-8847, jhartz@tonawanda.ny.us*

#### Additional Comments

- Please provide the revised application form in final, non-fillable Portable Document Format (PDF).
  - *The revised application has been provided in final, non-fillable PDF format to:*

Site Control Section  
Attn: Alexandra Servis-Oettinger  
New York State Department of Environmental Conservation Bureau of Technical Support  
625 Broadway, 11<sup>th</sup> Floor  
Albany, NY 12233-7020

#### PM Comments on the Environmental Assessment in Section I and/or Section IV Property's Environmental History



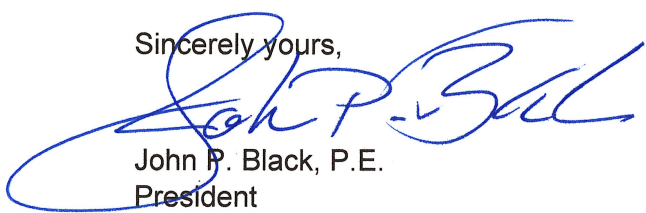
and 915003C should be included in this answer instead as they were formerly on the Registry;

- a. *Revised both the application form and attachment. Note: The form field was limited in size so "915003B and 915003C" were abbreviated to "915003B and C".*
- 2) Section III, Items 1 and 2: according to the Town of Tonawanda's zoning map, portions of the site also fall within the 'General Industrial District', therefore industrial use should be identified in the answer to both of these Items; and
  - a. *Industrial has been added to Item 1 and checked on Item 2.*
- 3) Section X, Item 2: the 915003 site is currently a class 'A' site, not 'C' under the RCRA Corrective Action Program, but is not listed on the Registry. The site numbers 915003B and 915003C should be included in this answer instead as they were formerly on the Registry.
  - a. *This section and Attachment A-X-1 were revised.*

The revised application and Table of Contents are attached. A thumb drive has been enclosed with the associated electronic documents.

Please feel free to call, write or e-mail any additional questions or comments.

Sincerely yours,



John P. Black, P.E.  
President  
Inventum Engineering

Enclosure

cc: M. Cruden, Director, Remedial Bureau E  
B. McPherson, Project Manager, Region 9  
A. Caprio, RHWRE, Region 9  
M. Brady, Regional Attorney, Region 9  
G. Scholand, Project Attorney  
K. Lewandowski, Chief, Site Control Section  
J. Yensan, 3821 River Road, Inc. – [jyensan@oscinc.com](mailto:jyensan@oscinc.com)  
R. Knoer, The Knoer Group – [rknoer@knoergroup.com](mailto:rknoer@knoergroup.com)  
J. Edwards, Inventum Engineering, P.C. – [james.edwards@inventumeng.com](mailto:james.edwards@inventumeng.com)





***INVENTUM ENGINEERING, PC***

# **Brownfield Cleanup Program (BCP) Table of Contents and Application Form**

3821 River Road  
Tonawanda, NY 14150

Submitted for  
3821 River Road, Inc.

Prepared by  
Inventum Engineering, P.C.

November 18, 2022  
Revised December 14, 2022

***441 CARLISLE DRIVE  
SUITE C  
HERNDON, VIRGINIA 20172***



## Table of Contents

### Application

New York State Department of Environmental Conservation BCP Application Form

### Attachments

#### Attachment A-I-1 Property Information

- Figure 1 - Tax Map
- Figure 2 - Topographical Map
- Figure 3 - Site Survey
- Figure 4 - Site Map (Aerial)
- Figure 5 – Surrounding Property Owners Map

#### Attachment A-I-2 Property Information

- Figure 6 - Disadvantaged Communities

#### Attachment A-I-3 Property Information

#### Attachment A-I-4 Property Information

#### Attachment A-I-5 Property Information

- Historical Topographical Maps
- Historical Aerial Imagery

#### Attachment A-II-1 Project Description

#### Attachment A-III-1 Land Use Factors

#### Attachment A-III-2 Land Use Factors

#### Attachment A-IV-1 Property's Environmental History

- Tonawanda Plastics Site NYSDEC ID 915003 Draft Site Investigation Summary Report, Parsons, 2021 (Electronic)

#### Attachment A-IV-2 Property's Environmental History

- Tonawanda Plastics Investigation Summary Report, Parsons, 2017 (Electronic)



Attachment A-IV-3 Property's Environmental History

Table 1 – Soil Detections Summary

Table 1A – Soil Detections

Table 2 – Sewer Detections Summary

Table 2A – Sewer Detections

Table 3 – Groundwater Detection Summary

Table 3A – Groundwater Detections

Attachment A-IV-4 Property's Environmental History

Figure 7 – 2020 Soil Data

Figure 8 – 2016 Monitoring Well Data

Figure 9 – 2018 Storm Sewer Data

Attachment A-V-1 Requestor Information

New York Department of State Division of Corporations Entity Information

Attachment A-V-2 Requestor Information

Attachment A-V-3 Requestor Information

Attachment A-VI-1 Requestor Eligibility

Attachment A-VI-2 Requestor Eligibility

Recorded Deed of Sale

Attachment A-IX-1 Current Property Owner and Operator Information

Attachment A-IX-1 Current Property Owner and Operator Information

Erie County Historical Ownership Report

Attachment A-X -1 Property Eligibility Information

Attachment A-X -2 Property Eligibility Information

Attachment A-X -3 Property Eligibility Information

Attachment A-XI-1 Site Contact List

Document Repository Confirmation



## Brownfield Cleanup Program Application





# BROWNFIELD CLEANUP PROGRAM (BCP) APPLICATION FORM

Is this an application to amend an existing BCA with a major modification? Please refer to the application instructions for further guidance related to BCA amendments. ☐ Yes ☒ No  
If yes, provide existing site number: \_\_\_\_\_

Is this a revised submission of an incomplete application? ☒ Yes ☐ No  
If yes, provide existing site number: 915003

## BCP App Rev 13

### SECTION I: Property Information

PROPOSED SITE NAME 3821 River Road, Inc.

ADDRESS/LOCATION 3821 River Road

CITY/TOWN Tonawanda ZIP CODE 14150

MUNICIPALITY (LIST ALL IF MORE THAN ONE) Town of Tonawanda

COUNTY Erie SITE SIZE (ACRES) 17.446

LATITUDE 42 ° 58 ' 47 " LONGITUDE 78 ° 55 ' 55 "

Provide tax map information for all tax parcels included within the proposed site boundary below. If a portion of any lot is to be included, please indicate as such by inserting "p/o" in front of the lot number in the appropriate box below, and only include the acreage for that portion of the tax parcel in the corresponding acreage column. See Figures 1, 2, and 4 in Attachment A-I-1

#### ATTACH REQUIRED TAX MAPS PER THE APPLICATION INSTRUCTIONS.

Parcel Address	Section	Block	Lot	Acreage
3821 River Road, Tonawanda, NY 14150	61.12	4	1	17.446
<u>See Figure 1 and 3 in Attachment A-I-1</u>				

- |  | Y                                | N                                |
|--|----------------------------------|----------------------------------|
| 1. Do the proposed site boundaries correspond to tax map metes and bounds?<br>If no, please attach an accurate map of the proposed site including a metes and bounds description. <u>See Figure 1 and 3 in Attachment A-I-1</u>  | <input checked="" type="radio"/> | <input type="radio"/>            |
| 2. Is the required property map provided in electronic format with the application?<br>(Application will not be processed without a map) <u>See Figure 4 in Attachment A-I-1</u>   | <input checked="" type="radio"/> | <input type="radio"/>            |
| 3. Is the property within a designated Environmental Zone (En-zone) pursuant to Tax Law 21(b)(6)? (See <a href="#">DEC's website</a> for more information)<br>If yes, identify census tract: _____<br>Percentage of property in En-zone (check one): 0% <input checked="" type="radio"/> 1-49% <input type="radio"/> 50-99% <input type="radio"/> 100% <input type="radio"/> | <input type="radio"/>            | <input checked="" type="radio"/> |
| 4. Is the project located within a disadvantaged community?<br>See application instructions for additional information. <u>See Figure 6 in Attachment A-I-2</u>  | <input checked="" type="radio"/> | <input type="radio"/>            |
| 5. Is the project located within a NYS Department of State (NYS DOS) Brownfield Opportunity Area (BOA)? See application instructions for additional information.   | <input type="radio"/>            | <input checked="" type="radio"/> |

6. Is this application one of multiple applications for a large development project, where the development spans more than 25 acres (see additional criteria in application instructions)? If yes, identify names of properties and site numbers, if available, in related BCP applications: _____	<b>Y</b>	<b>N</b>
7. Is the contamination from groundwater or soil vapor solely emanating from property other than the site subject to the present application?	<input type="radio"/>	<input checked="" type="radio"/>
8. Has the property previously been remediated pursuant to Titles 9, 13 or 14 of ECL Article 27, Title 5 of ECL Article 56, or Article 12 of Navigation Law? <span style="border: 1px solid black; padding: 2px;">See Attachment A-I-3</span> If yes, attach relevant supporting documentation.	<input checked="" type="radio"/>	<input type="radio"/>
9. Are there any lands under water? If yes, these lands should be clearly delineated on the site map.	<input type="radio"/>	<input checked="" type="radio"/>
10. Has the property been the subject of or included in a previous BCP application? If yes, please provide the DEC site number: _____	<input type="radio"/>	<input checked="" type="radio"/>
11. Is the site currently listed on the Registry of Inactive Hazardous Waste Disposal Sites (Class 2, 3, or 4) or identified as a Potential Site (Class P)? <span style="border: 1px solid black; padding: 2px;">See Attachment A-I-4</span> If yes, please provide the DEC site number: <u>915003B and C</u> Class: <u>C</u>	<input type="radio"/>	<input checked="" type="radio"/>
12. Are there any easements or existing rights-of-way that would preclude remediation in these areas? If yes, identify each here and attach appropriate information.  <div style="display: flex; justify-content: space-between;"> <div><u>Easement/Right-of-Way Holder</u></div> <div><u>Description</u></div> </div> <div style="display: flex; justify-content: space-between;"> <div>The Site, 3821 River Road, Inc.</div> <div>2 Storm Sewers, 36" and 48" <span style="border: 1px solid black; padding: 2px;">See Attachment A-I-1, Figure 3 Site Survey</span></div> </div>	<input type="radio"/>	<input checked="" type="radio"/>
13. List of permits issued by the DEC or USEPA relating to the proposed site (describe below or attach appropriate information):  <div style="display: flex; justify-content: space-between;"> <div><u>Type</u></div> <div><u>Issuing Agency</u></div> <div><u>Description</u></div> </div>	<input type="radio"/>	<input checked="" type="radio"/>
14. Property Description and Environmental Assessment – please refer to the application instructions for the proper format of each narrative requested. Are the Property Description and Environmental Assessment narratives included in the prescribed format? <span style="border: 1px solid black; padding: 2px;">See Attachment A-I-5</span>	<input checked="" type="radio"/>	<input type="radio"/>
<b>Note: Questions 15 through 17 below pertain ONLY to proposed sites located within the five counties comprising New York City.</b>		
15. Is the Requestor seeking a determination that the site is eligible for tangible property tax credits? If yes, Requestor must answer the Supplemental Questions for Sites Seeking Tangible Property Credits Located in New York City ONLY on pages 11-13 of this form.	<b>Y</b>	<b>N</b>
16. Is the Requestor now, or will the Requestor in the future, seek a determination that the property is Upside Down?	<input type="radio"/>	<input type="radio"/>
17. If you have answered YES to Question 16 above, is an independent appraisal of the value of the property, as of the date of application, prepared under the hypothetical condition that the property is not contaminated, included with the application?	<input type="radio"/>	<input type="radio"/>
<b>NOTE:</b> If a tangible property tax credit determination is not being requested at the time of application, the applicant may seek this determination at any time before issuance of a Certificate of Completion by using the BCP Amendment Application, except for sites seeking eligibility under the underutilized category.		
<b>If any changes to Section I are required prior to application approval, a new page, initialed by each Requestor, must be submitted with the application revisions.</b> <b>Initials of each Requestor:</b> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div><u>  <i>99</i>  </u></div> <div>_____</div> <div>_____</div> <div>_____</div> <div>_____</div> <div>_____</div> </div>		

## SECTION II: Project Description

1. The project will be starting at: ☒ Investigation ☐ Remediation

NOTE: If the project is proposed to start at the remediation stage, at a minimum, a Remedial Investigation Report (RIR) must be included, resulting in a 30-day public comment period. If an Alternatives Analysis and Remedial Action Work Plan (RAWP) are also included (see [DER-10, Technical Guidance for Site Investigation and Remediation](#) for further guidance), then a 45-day public comment period is required.

2. If a final RIR is included, does it meet the requirements in ECL Article 27-1415(2)?

☐ Yes ☐ No ☒ N/A

3. Have any draft work plans been submitted with the application (select all that apply)?

☒ RIWP ☐ RAWP ☐ IRM ☐ No

4. Please provide a short description of the overall project development, including the date that the remedial program is to begin, and the date by which a Certificate of Completion is expected to be issued.

Is this information attached?

☒ Yes ☐ No

See Attachment A-II-1

## SECTION III: Land Use Factors

1. What is the property's current municipal zoning designation? Commercial and Industrial

2. What uses are allowed by the property's current zoning (select all that apply)?

Residential ☐ Commercial ☒ Industrial ☒

3. Current use (select all that apply):

Residential ☐ Commercial ☐ Industrial ☐ Recreational ☐ Vacant ☒

4. Please provide a summary of current business operations or uses, with an emphasis on identifying possible contaminant source areas. If operations or uses have ceased, provide the date by which the site became vacant.

Is this summary included with the application?

See Attachment A-III-1

Y	N
<input checked="" type="radio"/>	<input type="radio"/>

5. Reasonably anticipated post-remediation use (check all that apply):

Residential ☐ Commercial ☒ Industrial ☒

If residential, does it qualify as single-family housing?

☒ N/A

<input type="radio"/>	<input type="radio"/>
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6. Please provide a statement detailing the specific proposed post-remediation use. Is this summary attached?

See Attachment A-III-2

<input checked="" type="radio"/>	<input type="radio"/>
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7. Is the proposed post-remediation use a renewable energy facility? See application instructions for additional information.

See Attachment A-III-2

<input type="radio"/>	<input checked="" type="radio"/>
-----------------------	----------------------------------

8. Do current and/or recent development patterns support the proposed use?

<input checked="" type="radio"/>	<input type="radio"/>
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9. Is the proposed use consistent with applicable zoning laws/maps? Please provide a brief explanation and additional documentation if necessary.

See Attachment A-III-1

<input checked="" type="radio"/>	<input type="radio"/>
----------------------------------	-----------------------

10. Is the proposed use consistent with applicable comprehensive community master plans, local waterfront revitalization plans, or other adopted land use plans? Please provide a brief explanation and additional documentation if necessary.

<input checked="" type="radio"/>	<input type="radio"/>
----------------------------------	-----------------------

## SECTION IV: Property's Environmental History

All applications **must include** an Investigation Report (per ECL 27-1407(1)). The report must be sufficient to establish that contamination of environmental media exists on the site above applicable Standards, Criteria and Guidance (SCGs) based on the reasonably anticipated use of the site property and that the site requires remediation. To the extent that existing information/studies/reports are available to the requestor, please attach the following (***please submit information requested in this section in electronic format ONLY***):

1. **Reports:** an example of an Investigation Report is a Phase II Environmental Site Assessment report prepared in accordance with the latest American Society for Testing and Materials standard ([ASTM E1903](#)). **Please submit a separate electronic copy of each report in Portable Document Format (PDF). Please do NOT submit paper copies of ANY supporting documents.**

See Attachment A-IV-1 and 2 (electronic) (Reports)

2. **SAMPLING DATA: INDICATE (BY SELECTING THE OPTIONS BELOW) KNOWN CONTAMINANTS AND THE MEDIA WHICH ARE KNOWN TO HAVE BEEN DETECTED. DATA SUMMARY TABLES SHOULD BE INCLUDED AS AN ATTACHMENT. LABORATORY REPORTS REFERENCED AND INCLUDED.**

See Attachment A-IV-3 (Tables) and Laboratory Reports included in Attachment A-IV-1 and 2.

CONTAMINANT CATEGORY	SOIL	GROUNDWATER	SOIL GAS
Petroleum	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chlorinated Solvents	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other VOCs	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
SVOCs	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Metals	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Pesticides	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PCBs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PFAS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1,4-dioxane	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other – indicated below	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

\*Please describe other known contaminants and the media affected:

3. For each impacted medium above, include a site drawing indicating:
  - Sample location
  - Date of sampling event
  - Key contaminants and concentration detected
  - For soil, highlight exceedances of reasonably anticipated use
  - For groundwater, highlight exceedances of 6 NYCRR part 703.5
  - For soil gas/soil vapor/indoor air, refer to the NYS Department of Health matrix and highlight exceedances that require mitigation

These drawings are to be representative of all data being relied upon to determine if the site requires remediation under the BCP. Drawings should be no larger than 11"x17" and should only be provided electronically. These drawings should be prepared in accordance with any guidance provided.

See Attachment A-IV-4 (Figures)

Are the required drawings included with this application? ☒ YES ☐ NO

4. Indicate Past Land Uses (check all that apply):

<input type="checkbox"/> Coal Gas Manufacturing	<input checked="" type="checkbox"/> Manufacturing	<input type="checkbox"/> Agricultural Co-Op	<input type="checkbox"/> Dry Cleaner
<input type="checkbox"/> Salvage Yard	<input type="checkbox"/> Bulk Plant	<input type="checkbox"/> Pipeline	<input type="checkbox"/> Service Station
<input type="checkbox"/> Landfill	<input type="checkbox"/> Tannery	<input type="checkbox"/> Electroplating	<input type="checkbox"/> Unknown

Other: Site operations included research and development and the polymerization of ethylene into low molecular weight polyethylene (trademark: A-C Polyethylene and Co-polymers), which was finished into powder, pelleted and solid forms.



**SECTION V: Requestor Information****NAME**

3821 River Road, Inc.

**ADDRESS**

140 Lee Street Suite 200

**CITY/TOWN**

Buffalo

**ZIP CODE**

14210

**PHONE**

7168563333

**EMAIL**

jyensan@oscinc.com

	Y	N
1. Is the requestor authorized to conduct business in New York State (NYS)?	<input checked="" type="radio"/>	<input type="radio"/>
2. If the requestor is a Corporation, LLC, LLP or other entity requiring authorization from the NYS DOS to conduct business in NYS, the requestor's name must appear, exactly as given above, in the <a href="#">NYS Department of State's Corporation &amp; Business Entity Database</a> . A print-out of entity information from the database must be submitted with this application to document that that requestor is authorized to conduct business in NYS. Is this attached? <span>See Attachment A-V-1 and Attachment A-V-2</span>	<input checked="" type="radio"/>	<input type="radio"/>
3. If the requestor is an LLC, the names of the members/owners need to be provided on a separate attachment. Is this attached?	<input type="radio"/>	<input checked="" type="radio"/>
4. Individuals that will be certifying BCP documents, as well as their employers, must meet the requirements of Section 1.5 of <a href="#">DER-10: Technical Guidance for Site Investigation and Remediation</a> and Article 145 of New York State Education Law. Do all individuals that will be certifying documents meet these requirements? <span>See Attachment A-V-3</span> <b>Documents that are not properly certified will not be approved under the BCP.</b>	<input checked="" type="radio"/>	<input type="radio"/>

**SECTION VI: Requestor Eligibility**

If answering "yes" to any of the following questions, please provide appropriate explanation and/or documentation as an attachment.

	Y	N
1. Are any enforcement actions pending against the requestor regarding this site?	<input type="radio"/>	<input checked="" type="radio"/>
2. Is the requestor subject to an existing order for the investigation, removal or remediation of contamination at the site?	<input type="radio"/>	<input checked="" type="radio"/>
3. Is the requestor subject to an outstanding claim by the Spill Fund for this site? Any questions regarding whether a party is subject to a spill claim should be discussed with the Spill Fund Administrator.	<input type="radio"/>	<input checked="" type="radio"/>
4. Has the requestor been determined in an administrative, civil or criminal proceeding to be in violation of (i) any provision of the ECL Article 27; (ii) any order or determination; (iii) any regulation implementing Title 14; or (iv) any similar statute or regulation of the State or Federal government?	<input type="radio"/>	<input checked="" type="radio"/>
5. Has the requestor previously been denied entry to the BCP? If so, please provide the site name, address, assigned DEC site number, the reason for denial, and any other relevant information regarding the denied application.	<input type="radio"/>	<input checked="" type="radio"/>
6. Has the requestor been found in a civil proceeding to have committed a negligent or intentionally tortious act involving the handling, storing, treating, disposing or transporting of contaminants?	<input type="radio"/>	<input checked="" type="radio"/>

## SECTION VI: Requestor Eligibility (CONTINUED)

	Y	N
7. Has the requestor been convicted of a criminal offence (i) involving the handling, storing, treating, disposing or transporting or contaminants; or (ii) that involved a violent felony, fraud, bribery, perjury, theft or offense against public administration (as that term is used in Article 195 of the Penal Law) under Federal law or the laws of any state?	<input type="radio"/>	<input checked="" type="radio"/>
8. Has the requestor knowingly falsified statements or concealed material facts in any matter within the jurisdiction of DEC, or submitted a false statement or made use of a false statement in connection with any document or application submitted to DEC?	<input type="radio"/>	<input checked="" type="radio"/>
9. Is the requestor an individual or entity of the type set forth in ECL 27-1407.9(f) that committed an act or failed to act, and such act or failure to act could be the basis for denial of a BCP application?	<input type="radio"/>	<input checked="" type="radio"/>
10. Was the requestor's participation in any remedial program under DEC's oversight terminated by DEC or by a court for failure to substantially comply with an agreement or order?	<input type="radio"/>	<input checked="" type="radio"/>
11. Are there any unregistered bulk storage tanks on-site which require registration?	<input type="radio"/>	<input checked="" type="radio"/>
12. THE REQUESTOR MUST CERTIFY THAT HE/SHE IS EITHER A PARTICIPANT OR VOLUNTEER IN ACCORDANCE WITH ECL 27-1405(1) BY CHECKING ONE OF THE BOXES BELOW:		
<b>PARTICIPANT</b> <input type="checkbox"/> <p>A requestor who either (1) was the owner of the site at the time of the disposal of hazardous waste or discharge of petroleum, or (2) is otherwise a person responsible for the contamination, unless the liability arises solely as a result of ownership, operation of, or involvement with the site subsequent to the disposal of hazardous waste or discharge of petroleum.</p>	<b>VOLUNTEER</b> <input checked="" type="checkbox"/> <p>A requestor other than a participant, including a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site subsequent to the disposal of hazardous waste or discharge of petroleum.</p> <p>NOTE: By selecting this option, a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site certifies that he/she has exercised appropriate care with respect to the hazardous waste found at the facility by taking reasonable steps to: (i) stop any continuing discharge; (ii) prevent any threatened future release; and, (iii) prevent or limit human, environmental or natural resource exposure to any previously released hazardous waste.</p> <p><b>If a requestor whose liability arises solely as a result of ownership, operation of, or involvement with the site, submit a statement describing why you should be considered a volunteer – be specific as to the appropriate care taken.</b></p>	
13. If the requestor is a volunteer, is a statement describing why the requestor should be considered a volunteer attached?  Yes <input checked="" type="radio"/> No <input type="radio"/> N/A <input type="radio"/> <span style="border: 1px solid black; padding: 2px;">See Attachment A-VI-1</span>		

**SECTION VI: Requestor Eligibility (CONTINUED)**

14. Requestor relationship to the property (check one; if multiple applicants, check all that apply):

☐ Previous Owner ☒ Current Owner ☐ Potential/Future Purchaser ☐ Other: \_\_\_\_\_

If the requestor is not the current owner, **proof of site access sufficient to complete remediation must be provided.** Proof must show that the requestor will have access to the property before signing the BCA and throughout the BCP project, including the ability to place an environmental easement on the site.

Is this proof attached?



Yes



No

See Attachment A-VI-2  
for the Recorded Deed  
of Sale.

**Note:** A purchase contract or lease agreement does not suffice as proof of site access.

**SECTION VII: Requestor Contact Information****REQUESTOR'S REPRESENTATIVE**

John Yensan

**ADDRESS**

140 Lee Street, Suite 200

**CITY**

Buffalo

**ZIP CODE**

14210

**PHONE**

7168563333

**EMAIL**

jyensan@oscinc.com

**REQUESTOR'S CONSULTANT (CONTACT NAME)**

John Black, P.E.

**COMPANY**

Inventum Engineering, P.C.

**ADDRESS**

441 Carlisle Drive, Suite C

**CITY**

Herndon, VA

**ZIP CODE**

20170

**PHONE**

5717526558

**EMAIL**

john.black@inventumeng.com

**REQUESTOR'S ATTORNEY (CONTACT NAME)**

Robert Knoer

**COMPANY**

The Knoer Group

**ADDRESS**

424 Main Street, Suite 1820

**CITY**

Buffalo, NY

**ZIP CODE**

14202

**PHONE**

716 815 4680

**EMAIL**

rknoer@knoergroup.com

**SECTION VIII: Program Fee**

Upon submission of an executed Brownfield Cleanup Agreement to the Department, the requestor is required to pay a non-refundable program fee of \$50,000. Requestors may apply for a fee waiver based on demonstration of financial hardship.

	Y	N
1. Is the requestor applying for a fee waiver based on demonstration of financial hardship?	<input type="radio"/>	<input checked="" type="radio"/>
2. If yes, appropriate documentation to demonstrate financial hardship must be provided with the application. See application instructions for additional information.	<input type="radio"/>	<input type="radio"/>
Is the appropriate documentation included with this application?		

**SECTION IX: Current Property Owner and Operator Information**

CURRENT OWNER 3821 River Road, Inc.	
CONTACT NAME John Yensan	See Attachment A-IX-1 for Historical Owners and Operators
ADDRESS 140 Lee Street, Suite 200	
CITY Buffalo	ZIP CODE 14210
PHONE 7168563333	EMAIL jyensan@oscinc.com
OWNERSHIP START DATE August 2, 2022	
CURRENT OPERATOR OSC, Inc. for site maintenance and security	
CONTACT NAME John Yensan	
ADDRESS 140 Lee Street, Suite 200	
CITY Buffalo	ZIP CODE 14210
PHONE 7168563333	EMAIL jyensan@oscinc.com
OPERATION START DATE August 3, 2022	

**SECTION X: Property Eligibility Information**

	Y	N
1. Is/was the property, or any portion of the property, listed on the National Priorities List? If yes, please provide additional information.	<input type="radio"/>	<input checked="" type="radio"/>
2. Is/was the property, or any portion of the property, listed on the NYS Registry of Inactive Hazardous Waste Disposal Site pursuant to ECL 27-1305? If yes, please provide the DEC site number: <u>915003B and 915003C</u> Class: <u>A</u>	<input checked="" type="radio"/>	<input type="radio"/>

See Attachment A-X-1

**SECTION X: Property Eligibility Information (continued)**

	Y	N
3. Is/was the property subject to a permit under ECL Article 27, Title 9, other than an Interim Status facility? If yes, please provide: <span>See Attachment A-X-2</span> Permit Type: _____ EPA ID Number: <u>NYD051816262</u>  Date Permit Issued: _____ Permit Expiration Date: _____	<input type="radio"/>	<input checked="" type="radio"/>
4. If the answer to question 2 or 3 above is YES, is the site owned by a volunteer as defined under ECL 27-1405(1)(b), or under contract to be transferred to a volunteer? If yes, attach any available information related to previous owners or operators of the facility or property and their financial viability, including any bankruptcy filings and corporate dissolution documents. <span>See Attachment A-X-3</span> N/A <input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
5. Is the property subject to a cleanup order under Navigation Law Article 12 or ECL Article 17 Title 10? If yes, please provide the order number: _____	<input type="radio"/>	<input checked="" type="radio"/>
6. Is the property subject to a state or federal enforcement action related to hazardous waste or petroleum? If yes, please provide additional information.	<input type="radio"/>	<input checked="" type="radio"/>

**SECTION XI: Site Contact List**

To be considered complete, the application must include the Brownfield Site Contact List in accordance with *DER-23: Citizen Participation Handbook for Remedial Programs*. Please attach, at a minimum, the names and mailing addresses of the following:

- The chief executive officer and planning board chairperson of each county, city, town and village in which the property is located.
- Residents, owners, and occupants of the property and adjacent properties.
- Local news media from which the community typically obtains information.
- The public water supplier which services the area in which the property is located.
- Any person who has requested to be placed on the contact list.
- The administrator of any school or day care facility located on or near the property.
- The location of a document repository for the project (e.g., local library). **If the site is located in a city with a population of one million or more, add the appropriate community board as an additional document repository.** In addition, attach a copy of an acknowledgement from each repository indicating that it agrees to act as the document repository for the site.

See Attachment A-XI-1

## SECTION XII: Statement of Certification and Signatures

(By requestor who is an individual)

If this application is approved, I hereby acknowledge and agree: (1) to execute a Brownfield Cleanup Agreement (BCA) within 60 days of the date of DEC's approval letter; (2) to the general terms and conditions set forth in the [DER-32, Brownfield Cleanup Program Applications and Agreements](#); and (3) that in the event of a conflict between the general terms and conditions of participation and terms contained in a site-specific BCA, the terms in the site-specific BCA shall control. Further, I hereby affirm that information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to section 210.45 of the Penal Law.

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

(By a requestor other than an individual)

I hereby affirm that I am \_\_\_\_\_ (title) of \_\_\_\_\_ (entity); that I am authorized by that entity to make this application and execute a Brownfield Cleanup Agreement (BCA) and all subsequent documents; that this application was prepared by me or under my supervision and direction. If this application is approved, I hereby acknowledge and agree: (1) to execute a Brownfield Cleanup Agreement (BCA) within 60 days of the date of DEC's approval letter; (2) to the general terms and conditions set forth in the [DER-32, Brownfield Cleanup Program Applications and Agreements](#); and (3) that in the event of a conflict between the general terms and conditions of participation and terms contained in a site-specific BCA, the terms in the site-specific BCA shall control. Further, I hereby affirm that information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to section 210.45 of the Penal Law.

Date: 12/14/2022

Signature: 

Print Name: John Yensan

### SUBMITTAL INFORMATION

- Two (2) copies, one unbound paper copy of the application form with original signatures and table of contents, and one complete electronic copy in final, non-fillable Portable Document Format (PDF), must be sent to:

Chief, Site Control Section  
New York State Department of Environmental Conservation  
Division of Environmental Remediation  
625 Broadway, 11<sup>th</sup> Floor  
Albany, NY 12233-7020

PLEASE DO NOT SUBMIT PAPER COPIES OF SUPPORTING DOCUMENTS. Please provide a hard copy of ONLY the application form and a table of contents.

### FOR DEC USE ONLY

BCP SITE T&A CODE: \_\_\_\_\_

LEAD OFFICE: \_\_\_\_\_

**FOR SITES SEEKING TANGIBLE PROPERTY CREDITS IN NEW YORK CITY ONLY**

Sufficient information to demonstrate that the site meets one or more of the criteria identified in ECL 27-1407(1-a) must be submitted if requestor is seeking this determination.

**BCP App Rev 13**

<b>Please respond to the questions below and provide additional information and/or documentation as required.</b>	<b>Y</b>	<b>N</b>
1. Is the property located in Bronx, Kings, New York, Queens or Richmond County?	<input type="radio"/>	<input type="radio"/>
2. Is the requestor seeking a determination that the site is eligible for the tangible property credit component of the brownfield redevelopment tax credit?	<input type="radio"/>	<input type="radio"/>
3. Is at least 50% of the site area located within an environmental zone pursuant to NYS Tax Law 21(b)(6)?	<input type="radio"/>	<input type="radio"/>
4. Is the property upside down or underutilized as defined below?		
Upside down	<input type="radio"/>	<input type="radio"/>
Underutilized	<input type="radio"/>	<input type="radio"/>

**From ECL 27-1405(31):**

"Upside down" shall mean a property where the projected and incurred cost of the investigation and remediation which is protective for the anticipated use of the property equals or exceeds seventy-five percent of its independent appraised value, as of the date of submission of the application for participation in the brownfield cleanup program, developed under the hypothetical condition that the property is not contaminated.

**From 6 NYCRR 375-3.2(I) as of August 12, 2016** (Please note: Eligibility determination for the underutilized category can only be made at the time of application):

375-3.2:

- (I) "Underutilized" means, as of the date of application, real property on which no more than fifty percent of the permissible floor area of the building or buildings is certified by the applicant to have been used under the applicable base zoning for at least three years prior to the application, which zoning has been in effect for at least three years; and
- (1) the proposed use is at least 75 percent for industrial uses; or
- (2) at which:
- (i) the proposed use is at least 75 percent for commercial or commercial and industrial uses;
  - (ii) the proposed development could not take place without substantial government assistance, as certified by the municipality in which the site is located; and
  - (iii) one or more of the following conditions exists, as certified by the applicant:
    - (a) property tax payments have been in arrears for at least five years immediately prior to the application;
    - (b) a building is presently condemned, or presently exhibits documented structural deficiencies, as certified by a professional engineer, which present a public health or safety hazard; or
    - (c) there are no structures.

"Substantial government assistance" shall mean a substantial loan, grant, land purchase subsidy, land purchase cost exemption or waiver, or tax credit, or some combination thereof, from a governmental entity.



**FOR SITES SEEKING TANGIBLE PROPERTY CREDITS IN NEW YORK CITY ONLY (continued)**

5. If you are seeking a formal determination as to whether your project is eligible for Tangible Property Tax Credits based in whole or in part on its status as an affordable housing project (defined below), you must attach the regulatory agreement with the appropriate housing agency (typically, these would be with the *New York City Department of Housing, Preservation and Development*; the *New York State Housing Trust Fund Corporation*; the *New York State Department of Housing and Community Renewal*; or the *New York State Housing Finance Agency*, though other entities may be acceptable pending Department review).

**Check appropriate box below:**

- ☐ Project is an Affordable Housing Project – regulatory agreement attached
- ☐ Project is planned as Affordable Housing, but agreement is not yet available\*  
\*Selecting this option will result in a “pending” status. The regulatory agreement will need to be provided to the Department and the Brownfield Cleanup Agreement will need to be amended prior to issuance of the CoC in order for a positive determination to be made.
- ☐ This is not an Affordable Housing Project

**From 6 NYCRR 375-3.2(a) as of August 12, 2016:**

- (a) “Affordable housing project” means, for purposes of this part, title fourteen of article twenty-seven of the environmental conservation law and section twenty-one of the tax law only, a project that is developed for residential use or mixed residential use that must include affordable residential rental units and/or affordable home ownership units.
- (1) Affordable residential rental projects under this subdivision must be subject to a federal, state, or local government housing agency’s affordable housing program, or a local government’s regulatory agreement or legally binding restriction, which defines (i) a percentage of the residential rental units in the affordable housing project to be dedicated to (ii) tenants at a defined maximum percentage of the area median income based on the occupants’ household’s annual gross income.
- (2) Affordable home ownership projects under this subdivision must be subject to a federal, state, or local government housing agency’s affordable housing program, or a local government’s regulatory agreement or legally binding restriction, which sets affordable units aside for homeowners at a defined maximum percentage of the area median income.
- (3) “Area median income” means, for purposes of this subdivision, the area median income for the primary metropolitan statistical area, or for the county if located outside a metropolitan statistical area, as determined by the United States department of housing and urban development, or its successor, for a family of four, as adjusted for family size.

**FOR SITES SEEKING TANGIBLE PROPERTY CREDITS IN NEW YORK CITY ONLY (continued)**

6. Is the site a planned renewable energy facility site as defined below?

- ☐ Yes – planned renewable energy facility site
- ☐ No – not a planned renewable energy facility site

If yes, please provide any documentation available to demonstrate that the property is planned to be developed as a renewable energy facility site.

**From ECL 27-1405(33) as of April 9, 2022:**

"Renewable energy facility site" shall mean real property (a) this is used for a renewable energy system, as defined in section sixty-six-p of the public service law; or (b) any co-located system storing energy generated from such a renewable energy system prior to delivering it to the bulk transmission, sub-transmission, or distribution system.

**From Public Service Law Article 4 Section 66-p as of April 23, 2021:**

(b) "renewable energy systems" means systems that generate electricity or thermal energy through use of the following technologies: solar thermal, photovoltaics, on land and offshore wind, hydroelectric, geothermal electric, geothermal ground source heat, tidal energy, wave energy, ocean thermal, and fuel cells which do not utilize a fossil fuel resource in the process of generating electricity.

7. Is the site located within a disadvantaged community, within a designated Brownfield Opportunity Area, and meets the conformance determinations pursuant to subdivision ten of section nine-hundred-seventy-r of the general municipal law?

- ☐ Yes
- ☐ No

**From ECL 75-0111 as of April 9, 2022:**

(5) "Disadvantaged communities" means communities that bear the burdens of negative public health effects, environmental pollution, impacts of climate change, and possess certain socioeconomic criteria, or comprise high-concentrations of low- and moderate-income households, as identified pursuant to section 75-0111 of this article.

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BCP APPLICATION SUMMARY (FOR DEC USE ONLY)		
SITE NAME 3821 River Road, Inc.		SITE ADDRESS 3821 River Road
CITY Tonawanda	COUNTY Erie	ZIP 14150
REQUESTOR NAME <small>3821 River Road, Inc.</small>		REQUESTOR ADDRESS 140 Lee Street Suite 200
CITY Buffalo	ZIP 14210	EMAIL jyensan@oscinc.com

PROPERTY ADDRESS	SECTION	BLOCK	LOT
3821 River Road, Tonawanda, NY 14150	61.12	4	1

REQUESTOR'S REPRESENTATIVE		
NAME John Yensan	ADDRESS 140 Lee Street, Suite 200	
CITY Buffalo	ZIP 14210	EMAIL jyensan@oscinc.com
REQUESTOR'S ATTORNEY		
NAME Robert Knoer	ADDRESS 424 Main Street, Suite 1820	
CITY Buffalo, NY	ZIP 14202	EMAIL rknoer@knoergroup.com
REQUESTOR'S CONSULTANT		
NAME John Black, P.E.	ADDRESS 441 Carlisle Drive, Suite C	
CITY Herndon, VA	ZIP 20170	EMAIL john.black@inventumeng.com

REQUESTOR'S REQUESTED STATUS	PARTICIPANT <input type="checkbox"/>	VOLUNTEER <input checked="" type="checkbox"/>
DEC DETERMINATION	AGREE	DISAGREE

APPLIED FOR FEE WAIVER	YES <input type="radio"/>	NO <input checked="" type="radio"/>
ELIGIBLE FOR FEE WAIVER	YES	NO

PERCENTAGE WITHIN AN EN-ZONE	0% <input checked="" type="radio"/>	<50% <input type="radio"/>	50-99% <input type="radio"/>	100% <input type="radio"/>
DEC DETERMINATION	AGREE		DISAGREE	

**BCP APPLICATION SUMMARY (FOR DEC USE ONLY) (CONTINUED)****FOR SITES IN NEW YORK CITY ONLY****IS THE REQUESTOR SEEKING TANGIBLE PROPERTY CREDITS?**

YES

☐

NO

☐**UPSIDE DOWN**

YES

☐

NO

☐**DEC DETERMINATION**

AGREE

DISAGREE

**UNDERUTILIZED**

YES

☐

NO

☐**DEC DETERMINATION**

AGREE

DISAGREE

**AFFORDABLE HOUSING STATUS**

PLANNED

☐

YES

☐

NO

☐**DEC DETERMINATION**

AGREE

DISAGREE

**DISADVANTAGED COMMUNITY AND CONFORMING BOA**

YES

☐

NO

☐**DEC DETERMINATION**

AGREE

DISAGREE

**RENEWABLE ENERGY FACILITY SITE**

YES

☐

NO

☐**DEC DETERMINATION**

AGREE

DISAGREE

**NOTES:**

## Attachment A-I-1      Property Information

### **Proposed Site Name**

The proposed Site name for the project Site is “3821 River Road, Inc.”

### **Site Address**

The Site address is 3821 River Road in the Town of Tonawanda, Erie County, New York.

### **Site Information**

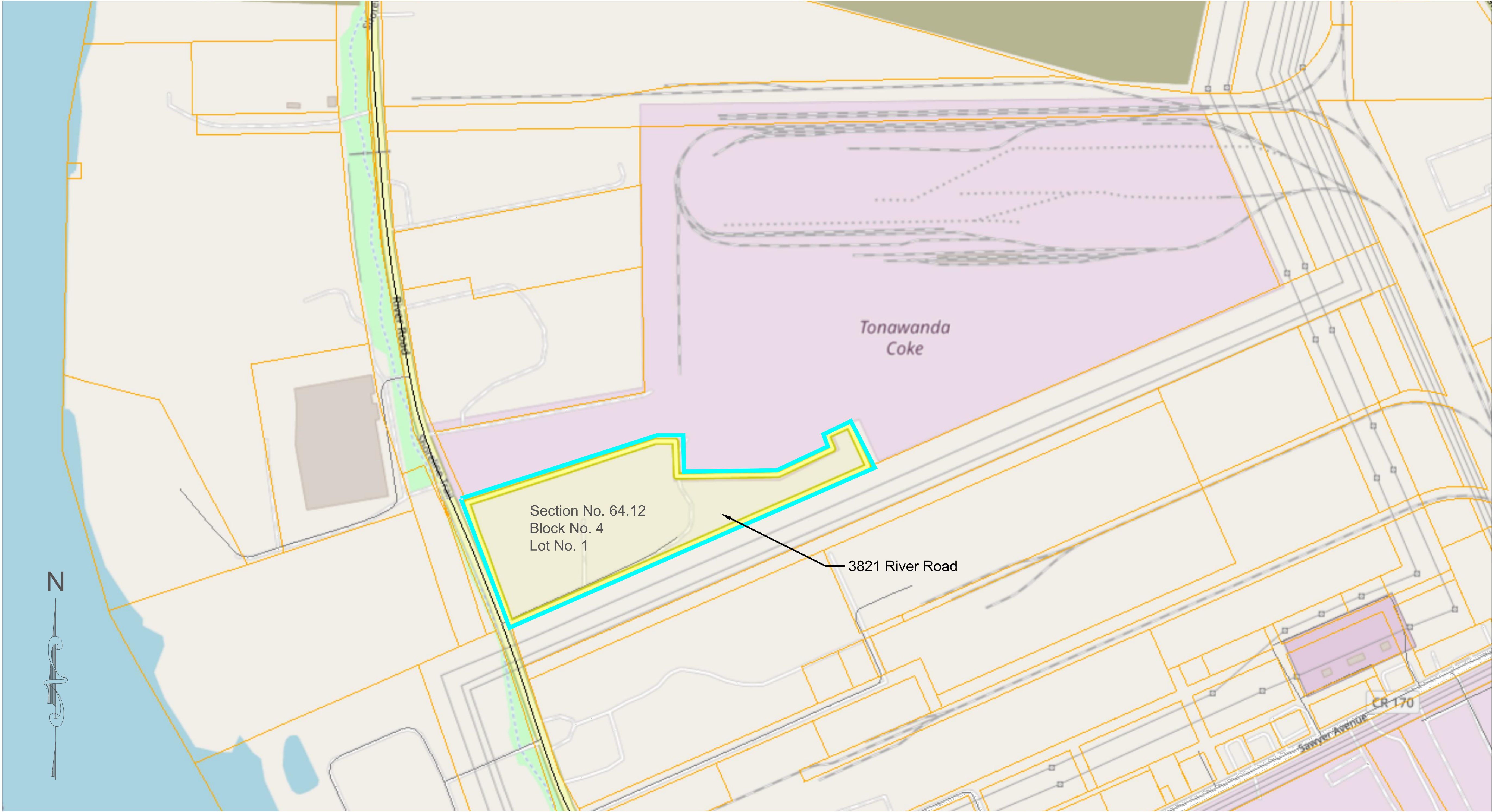
The attached Figures 1 through Figure 4 include:

- Figure 1 - Tax Map
- Figure 2 - Topographical Map
- Figure 3 - Site Survey with the property legal description. The total acreage of the proposed BCP Site is 17.446 acres and the Site’s section/block/lot tax parcel number is 64.12-4-1.
- Figure 4 - Aerial Site Map which shows the location of the proposed BCP Site and the Site features.
- Figure 5 – Surrounding Property Owners Map. This map shows the proposed BCP Site on a Tax Map along with the surrounding adjoining property owners.

Note: Refer to Figure 3 - Site Survey for the location of the Storm Sewers that cross the site from the southeast to northwest. These sewers will not preclude remediation in these areas.







Erie County, New York, Interactive Mapping Viewer, [www2.erie.gov/gis](http://www2.erie.gov/gis)

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**TAX MAP AND PARCEL INFORMATION**  
3821 RIVER ROAD  
TONAWANDA NEW YORK, 14150

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APPROVED		
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FIGURE - 1

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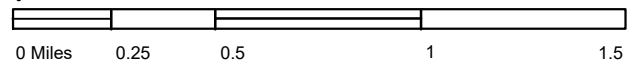


# Topographical Map

2019



This report includes information from the following map sheet(s).



SITE NAME: 3821 River Road  
ADDRESS: 3821 River Road  
Tonawanda, NY 14150  
CLIENT: Inventum Engineering



A



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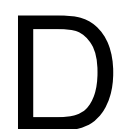
**USGSTOPOGRAPHICAL MAP (2019)**  
3821 RIVER ROAD  
TONAWANDA, NY 14150

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FIGURE 2  
DRAWING NUMBER





REFERENCE: NIAGARA BOUNDARY AND MAPPING SERVICES, MAP SHOWING TOPOGRAPHIC SURVEY OF PROPERTY OWNED BY RIVERVIEW INNOVATION & TECHNOLOGY CAMPUS INC., APRIL, 2022

Thence along the east line of River Road as now laid out the following 3 courses and distances:

- (1) S 23° 11' 55" E, 110.34 feet;
- (2) S 20° 26' 20" E, 429 feet more or less;
- (3) S 18° 40' SO" E, 86.02 feet to a point on the south line of Lot No. 97;

thence N 66° 12' 55" E, 1890 feet to the principal point or place of beginning.

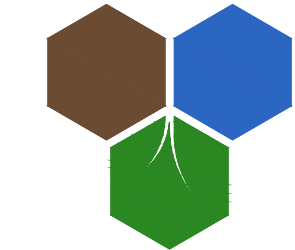
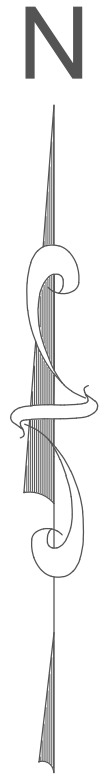
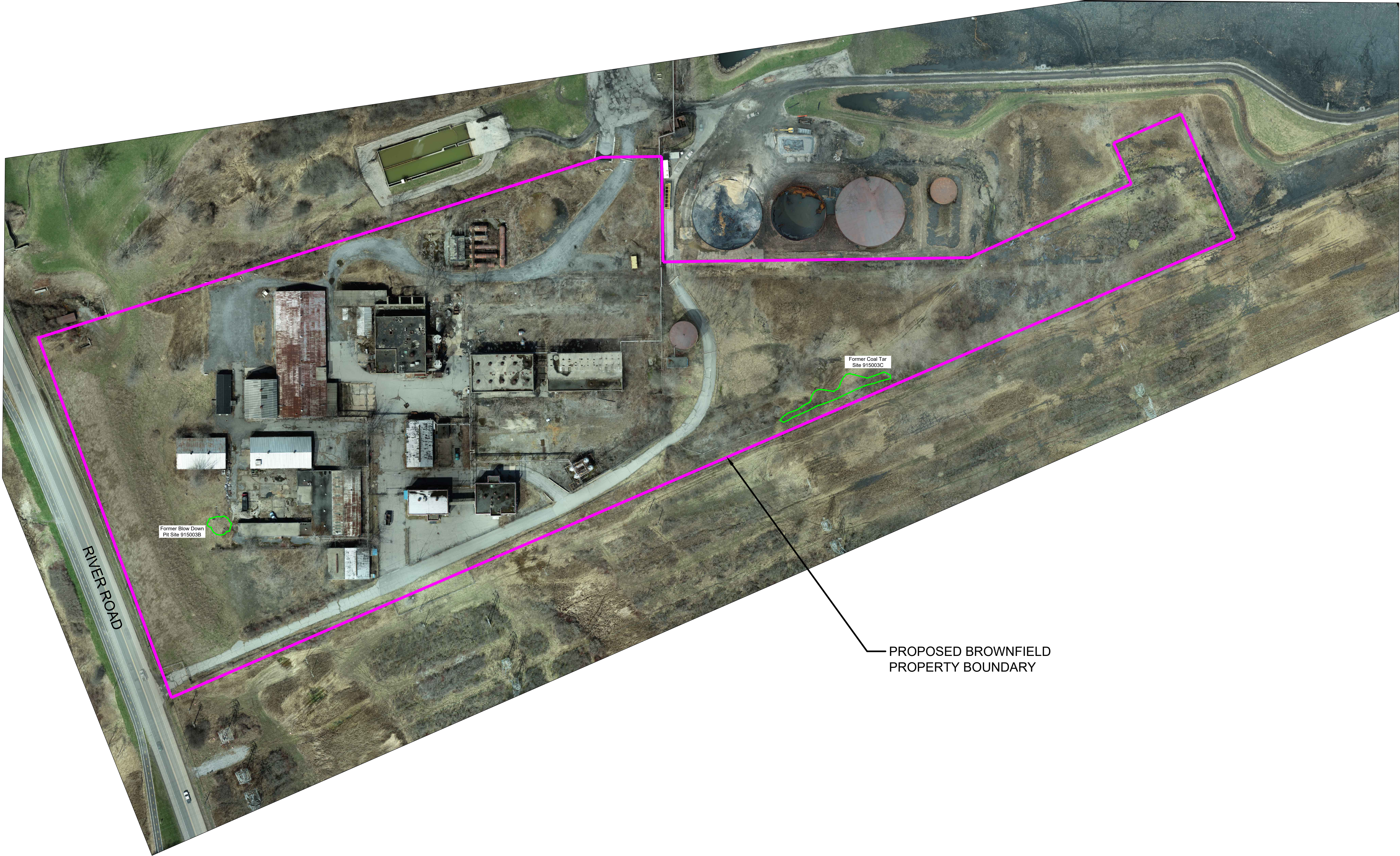
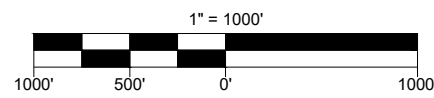
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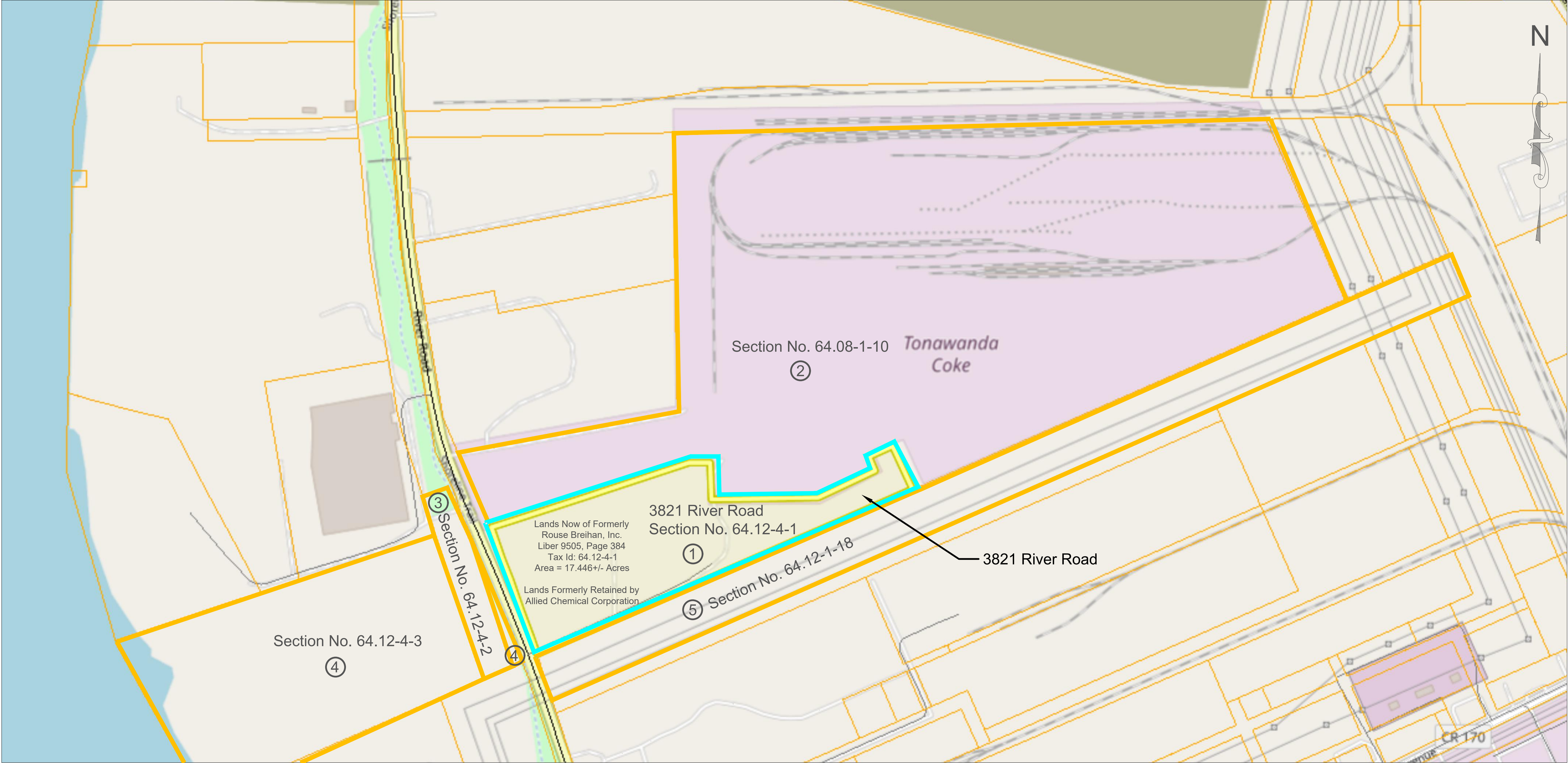
**SITE MAP**  
**AERIAL IMAGE - APRIL 2022**  
3821 RIVER ROAD  
TONAWANDA NEW YORK, 14150

FIGURE - 4

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SITE AERIAL

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Map Reference	S-B-L	Property Address				Use	Owner Name	Owner Address	Owner City	Owner State	Owner Zip Code
Site											
1	64.12-4-1	3821 River Road	Tonawanda	NY	14150	Warehouse	3821 River Road, Inc.	140 Lee Street, STE 200	Buffalo	NY	14210
Surrounding Property											
2	64.08-1-10	3875 River Road	Tonawanda	NY	14150	Former industrial, Under Redevelopment	Riverview Innovation and Technology Campus, Inc	140 Lee Street, STE 200	Buffalo	NY	14210
3	64.12-4-2	0 River Road	Tonawanda	NY	14150	Vacant	Niagara Mohawk Power Corp	300 Erie Blvd. West	Syrcause	NY	13202
4	64.12-4-3	3800 River Road	Tonawanda	NY	14150	Former industrial, Under Redevelopment	Riverview Innovation and Technology Campus, Inc	140 Lee Street, STE 200	Buffalo	NY	14210
5	64.12-1-18	0 River Road	Tonawanda	NY	14150	Electrical Transmission	Niagara Mohawk Power Corp	300 Erie Blvd. West	Syrcause	NY	13202

Erie County, New York, Interactive Mapping Viewer, [www2.erie.gov/gis](http://www2.erie.gov/gis)

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**SURROUNDING PROPERTY OWNERS**  
3821 RIVER ROAD  
TONAWANDA NEW YORK, 14150

FIGURE - 5

DRAWING NUMBER

DRAWING BY  
RB

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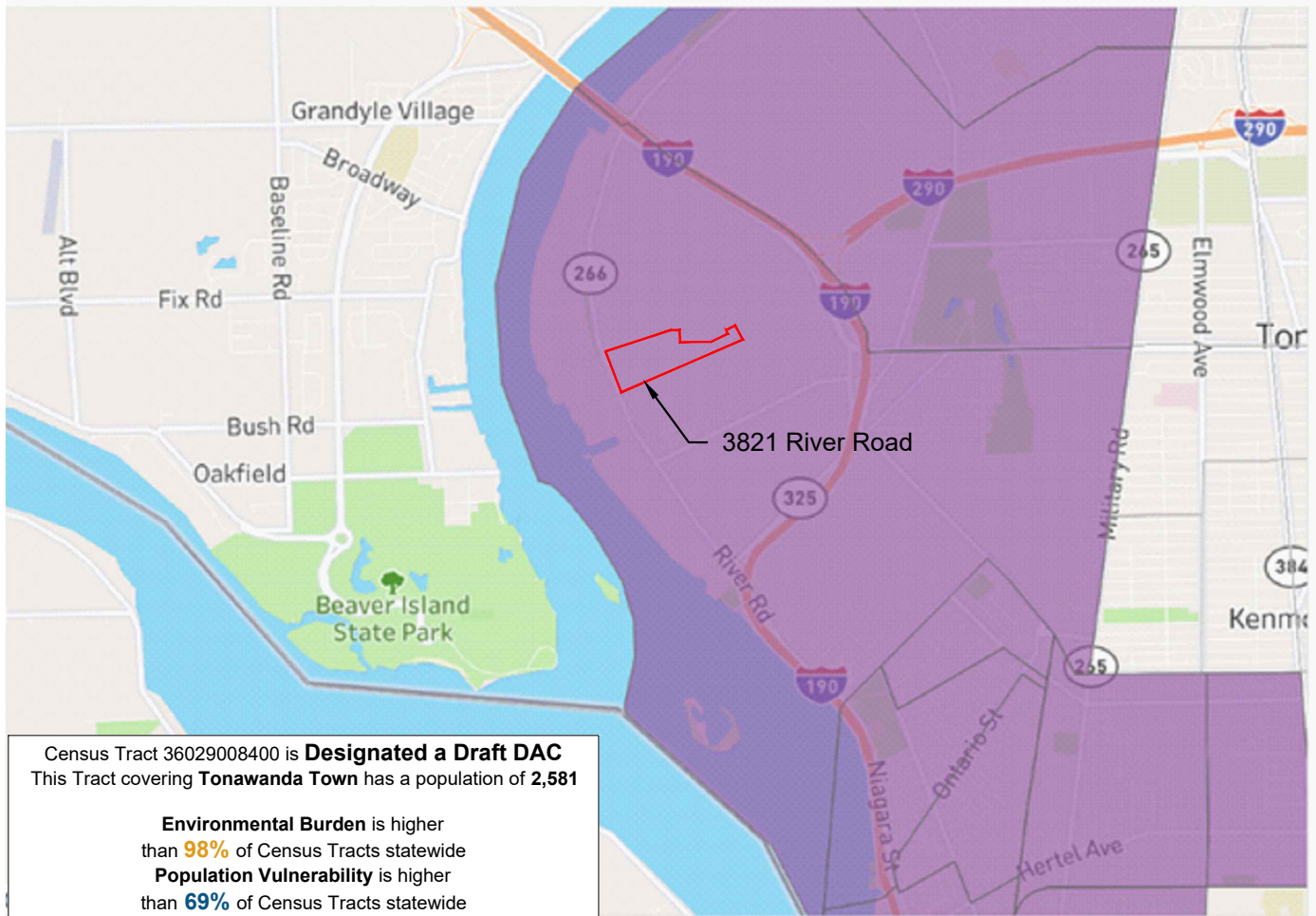
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## Attachment A-I-2      Property Information

The Site is located within a disadvantaged community. Figure 6 provided in **Attachment A-I-2** shows the Population Characteristics and Vulnerability and Environmental Burden & Climate Change Risk information for the Site.





Reference: <https://climate.ny.gov/Our-Climate-Act/Disadvantaged-Communities-Criteria/Disadvantaged-Communities-Map>

#### Population Characteristics & Vulnerability

Health Impacts & Burdens	Asthma ED visits	64%
	COPD ED visits	96%
	Heart attack (MI) Hospitalization	97%
	Low Birthweight	75%
	Pct Adults Age 65+	27%
	Pct w/ Disabilities	59%
	Pct w/o Health Insurance	58%
	Premature Deaths	59%
Housing, Mobility, Communications	Energy Poverty / Cost Burden	58%
	Homes Built Before 1980	67%
	Housing Cost Burden (Rental C.	62%
	Manufactured Homes	40%
	Pct Renter-Occupied Homes	28%
	Pct w/o Internet (home or cellu..	69%
Income	Pct <100% of Federal Poverty ..	65%
	Pct <80% Area Median Income	68%
	Pct Single-Parent Households	43%
	Pct w/o Bachelor's Degree	67%
	Unemployment Rate	52%
Race/Ethnicity	Historical Redlining Score	21%
	Limited English Proficiency	18%
	Pct Asian	48%
	Pct Black or African American	65%
	Pct Latino/a or Hispanic	25%
	Pct Native American or Indigen..	61%

#### Environmental Burden & Climate Change Risk

Land Use & Historic Discrimination	Active Landfills	89%
	Housing Vacancy Rate	78%
	Industrial/Manufacturing/Mining La..	99%
	Major Oil Storage Facilities	79%
	Municipal Waste Combustors	0%
	Power Generation Facilities	44%
	Regulated Management Plan (Ch..	100%
	Remediation Sites	100%
Potential Climate Change Risk	Scrap Metal Processing	0%
	Agricultural Land Use	42%
	Coastal Flooding and Storm Risk ..	0%
	Driving Time to Urgent/Critical Care	56%
	Extreme Heat Projections (>90° d..	17%
	Inland Flooding Risk Areas	76%
Potential Pollution Exposure	Low Vegetative Land Cover	54%
	Benzene Concentration (Modeled)	28%
	Particulate Matter (PM2.5)	72%
	Traffic: Diesel Trucks	87%
	Traffic: Number of Vehicles	70%
	Wastewater Discharge	72%

A

FIGURE 6  
DRAWING NUMBER



**INVENTUM ENGINEERING**  
441 CARLISLE DRIVE  
SUITE C  
HERNDON, VIRGINIA 20170  
(703) 722-6049  
[www.InventumEng.com](http://www.InventumEng.com)

**DISADVANTAGED COMMUNITIES**  
3821 RIVER ROAD  
TONAWANDA, NY 14150

DRAWING BY	RB
CHECKED	
APPROVED	
PROPERTY OF INVENTUM ENGINEERING	
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## Attachment A-I-3 Property Information

The Site was originally developed by Allied Fibers and Plastics Company (Allied, Allied was acquired by Honeywell International in 1999), in the early 1950s, and was operated as a manufacturing facility through 1982. Site operations included the polymerization of ethylene into low molecular weight polyethylene (trademark: A-C Polyethylene and Co-polymers), which was finished into powder, pelleted and solid forms.

Allied sold the property to Rouse Breihan, Inc. in 1985. Several of the Site buildings were used for office and laboratory space, vehicle maintenance, and warehousing by the Tonawanda Coke Corporation (TCC) until the shutdown of TCC operations in October 2018. A trucking firm previously leased space from Rouse-Breihan for offices and truck parking, maintenance, and repair. Remaining buildings are unoccupied and unmaintained. The site has been vacant since 2019.

During the summer 1981, approximately 500 cubic yards (CY) of “tar” and soils were excavated and removed from an area approximately 100-feet by 10 to 20-feet wide located in the eastern portion of the Site. The location was designated as the “Coal Tar Site” (NYSDEC Inactive Hazardous Waste Site 915003C) and consisted of an area of the plant property where “pools” of what was described as “coal tar”, from spillage and leakage during product-transfer operations, were located. The removal was completed by the Tonawanda Coke Corporation (TCC), under agreement with Allied, as part of the demolition of the idle tar storage terminal. Removal was completed to the underlying clay layer. Analytical results of confirmatory soil samples collected following the excavation showed that residual chemicals of concern (COCs) were not detected or were in low parts per million (ppm) concentrations. Three test borings adjacent to the excavation were completed to a depth of approximately three feet to determine if any further migration of coal tar had taken place and no contamination was observed in the test borings. In addition to the “tar” and soil removal, a buried coal tar pipeline was also removed to the property limits. As part of the pipeline removal, an underground tank which was used as a blow-down tank for the transfer line, was removed. NYSDEC informed Allied in October 1981 that no further remediation was necessary in this area.

In 1991, Allied excavated an area at the west end of the property where spent and off-specification batches of magnesium chromate catalyst were disposed. The excavation was completed under a Consent Order between Allied and NYSDEC. This area has historically been referenced as the “blow-down pit” (NYSDEC Inactive Hazardous Waste Site 915003B). Prior to the 1991 remedial excavation of the blow-down pit, the site was sampled by the U.S.G.S in July of 1982 and in May of 1983 under the Niagara River Toxics Investigation. Chromium and lead concentrations in the blow down pit samples exceeded the concentration of those metals in samples taken from undisturbed soils in the Tonawanda area. Twenty-one (21) organic priority pollutants were detected in the soil samples. All concentrations were below 10 ppb. A Phase I Investigation (The term “Phase I” was used as a title for the initial investigation, this was not what would currently be termed an All Appropriate Inquiry Phase I) was completed in 1983. A subsequent investigation was carried out at the end of 1988. Analysis of soil samples collected inside the pit detected “high levels” of chromium and “elevated levels” of lead. Sediment from an onsite catch basin showed elevated metals concentrations. Off-site sewer samples indicated no evidence of migration from this source.

To further investigate the source of organic compound concentrations in the up-gradient monitoring wells, four additional wells were installed. Sampling and analysis of five monitoring wells on Site over a one-year period was completed. Groundwater samples contained concentrations of cyanide, benzene, ethylbenzene, toluene, xylene, and numerous PAH compounds. NYSDEC notified Allied in May 1995 that the site was delisted from the NYSDEC Registry of Inactive Hazardous Waste Disposal Sites.





In July of 1998, NYSDEC notified Allied that subsequent investigations had identified the presence of groundwater contamination upgradient of the chrome pit removal area, and that further Site investigations would be required under the RCRA Corrective Action Program. In November 1998, NYSDEC acknowledged Allied's agreement to voluntarily proceed with additional investigations and identified specific investigation focus areas. Allied subsequently completed multiple rounds of investigation activities as well as cleaning and flushing of the onsite 36-inch and 48-inch storm sewers (Parsons, 2021). Based on their review of the 2002 investigation report, NYSDEC notified Honeywell in October 2013 that additional investigations would be required under the RCRA Corrective Action Program. Honeywell agreed to proceed with the investigations on a volunteer basis.

(Sources: Parsons, 2017, Parsons, 2021, NYSDEC, September 22, 2022 Environmental Site Remediation Database Search Details, <https://www.dec.ny.gov/cfm/xtapps/derexternal/haz/details.cfm>, and Environmental Data Resources Inc. (2022). *Radius Map™ Report with GeoCheck®*. Inquiry Number 7112753.2s. September 13/15.)

The locations of the NYSDEC Inactive Hazardous Waste Sites 915003B (0.1-acres) and 915003C (0.07-acres) are shown on Figure 4 in Attachment-I-1. The remediated areas are within the limits of the BCP Site, but it is proposed that no site development or tangible tax credit apply to these areas.



## Attachment A-I-4      Property Information

The Site is not currently listed on the Registry of Inactive Hazardous Waste Disposal Sites for Classes 2, 3, 4, or P. The Site's NYSDEC Inactive Hazardous Waste Site Code Numbers are 915003B and 915003C and the classification is A for a completed non-registry site. A summary of the inactive hazardous waste disposal at the site is provided in **Attachment A-I-3**.



## Attachment A-I-5 Property Information

### Location

The 3821 River Road, Inc. property is located at 3821 River Road, Town of Tonawanda in Erie County, New York. The Figures in **Attachment A-I-1** show the location of the Site. The Site encompasses approximately 17.446 acres of land, and the center of the site is approximately 1.05 miles west of I-190 and located along the east side of River Road. The Niagara River is located approximately 0.45 miles to the west from the center of the Site. The surrounding properties are primarily former industrial use, electrical transmission rights of way, or vacant. The Riverview Innovation & Technology Campus (RITC, formerly The Tonawanda Coke Corporation [TCC]) is adjacent to Site to east and north. The adjacent property to the south is an electrical transmission corridor and is owned by Niagara Mohawk Power Corporation (National Grid). River Road is directly adjacent to the west boundary of the Site and access to the Site is from an entrance at River Road. Entrances and multiple locations on the RITC BCP property from River Road are monitored by 24-hour 7 day per week security.

### Site Features

Improvements on the Site consist of approximately 22 building and 12 aboveground storage tanks (AST) with aboveground and below grade piping located in the center portion of the Site. The Site and the buildings are not currently in use and all are unoccupied. The Site buildings were last used for office space, a laboratory, vehicle maintenance, and warehousing. Remotely controlled cameras are monitored 24 hours per day 7 days per week. In previous reports, the Site has been described in the three sections consisting of:

- The “East” Area is located along the eastern side of the main onsite access road. This portion of the Site is currently undeveloped. Historical use consisted of railroad tracks to move product from the TCC facility area to the west. A flare that is no longer in operation is present along with several AST foundation slabs. It had been reported that during a Site walk with the NYSDEC in 2016, a tar like material was observed on the ground surface near; the site access road, the former TCC water treatment tanks, and the northern property limits. 3821 River Road, Inc. representatives confirmed there is tar on the ground surface in this section of the proposed BCP Site. Approximately 500 CY of “tar” and soil material were removed from this portion of the Site in 1981. One shallow monitoring well is present in this portion of the Site;
- The “West” Area is parallel to River Road and has no above grade structures present. The former inactive “chromium” blow-down pit was located in the western portion of the Site. The blow-down pit was remediated in 1991. The materials recovered from the blow-down pit area were managed as hazardous waste, and the location was “delisted” in 1995. A 36-inch diameter concrete storm sewer pipe crosses beneath this portion of the site from south to north conveying storm water from the National Grid and Energy Transfer properties south of the Site. Twelve shallow monitoring wells are present in this portion of the Site;
- The “Center” Area is where the previous primary plant manufacturing and research and development operations existed. Approximately 23 buildings and 12 ASTs with associated piping are present in this area. Several concrete slabs which are typical of former large AST (one was a gas holder) foundations are also present. A 48-inch diameter storm sewer pipe crosses beneath this portion of the Site from the south at a northwestern angle conveying storm water from the National Grid property south of the Site. This storm sewer is believed to either (2)cross under



River Road, convey flow from this and other industrial sites along the north side of Site 108 of the RITC property, discharges to the Niagara River in the northwest corner of Site 108 or (2) convey flow to River Road and discharge to the Town of Tonawanda municipal system. There is a meter/flow monitoring station adjacent to the pipe. One shallow monitoring well is present in the eastern portion of the Center Area.

- National Grid PLC owns and maintains an electrical power transmission corridor to the south and immediately south of the National Grid corridor is the Energy Transfer facility with bulk ASTs used for petroleum storage. The stormwater runoff from the Energy Transfer facility discharges to a series of concrete stormwater pipes that run under the site and discharge to a drainage swale on the RITC Site 109. The closest surface water body to the Site is the Niagara River to the west which is approximately 0.26-miles from the Site's entrance along River Road.

### **Current Zoning and Land Use**

The facility is inactive and no longer in operation. The Site is zoned Commercial by the Town of Tonawanda and the Site is within the G-I General Industrial District. The proposed use for the Site will be industrial although less intensive than the historical site operations. The nearest residential area is approximately 0.3-miles south.

### **Past Use of the Site**

The Site was originally developed by Allied Fibers and Plastics Company (Allied<sup>1</sup>) in the early 1950s, and was operated as a research and development and manufacturing facility through 1982. Site operations included the polymerization of ethylene into low molecular weight polyethylene (trademark: A-C Polyethylene and Co-polymers), which was finished into powder, pelleted and solid forms. Allied sold the property to Rouse Breihan, Inc. in 1985. Several of the Site buildings were used for office and laboratory space, vehicle maintenance, and warehousing by the Tonawanda Coke Corporation (TCC) up until the shutdown of TCC operations in October 2018. A trucking firm previously leased space from Rouse-Breihan for offices and truck parking, maintenance, and repair. Remaining buildings are unoccupied and had not been maintained. The site has been vacant since 2019.

Historical aerial and topography maps for the Site are provided within this Attachment.

Historical remediation and investigation activities at the site consist of the following:

- 1981 - 500 cubic yards (CY) of "tar" and soils was reportedly excavated by Allied from the eastern portion of the Site. The New York State Department of Environmental Conservation (NYSDEC) informed Allied Fibers and Plastics Company (Allied) in October 1981 that no further remediation of this area was necessary. (Allied was the Site owner prior to Rouse Breihan Inc. and Allied was acquired by Honeywell International in 1999)
- 1980s - Investigations on behalf of Allied, related to a "chromium" blow-down pit.
- 1991 - The chromium blow-down pit location was remediated by Allied under a Resource Conservation and Recovery Act (RCRA) Consent Order and the area was "delisted" in 1995.
- 1999 and 2001 - Site investigations of potential groundwater impacts were conducted, and storm sewer cleaning was completed on behalf of Allied.
- 2013 - NYSDEC letter responding to investigation reports stated that remedial activities under RCRA up to February 2002 were not satisfactorily completed and requested further

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<sup>1</sup> Allied was purchased by Honeywell International in 1999.



investigation of the potential for off-site migration from the storm sewers and groundwater.

- Prior to the 2013 NYSDEC letter, Honeywell conducted voluntary Site investigations which were focused on a specific scope and not intended to fully characterize the Site conditions. The investigations include a;
  - 2014/2015, Well installation and groundwater sampling in the western area in the vicinity of former chromium blow-down pit, storm sewer water and sediment sampling;
  - 2016/2017, Groundwater sampling, storm sewer water and sediment sampling, soil vapor intrusion study of lab and office buildings;
  - 2018, Storm sewer and sediment sampling;
  - And a 2020, Geoprobe soil sampling was completed in an “undeveloped” eastern portion of the Site.

### **Site Geology and Hydrogeology:**

Surface runoff from the proposed Site flow to a series of onsite catch basins, several small ditches, and to the ditch on the adjacent Site 109 (3875 River Road). National Grid PLC owns and maintains an electrical power transmission corridor to the south and immediately south of the National Grid corridor is the Energy Transfer facility with bulk ASTs used for petroleum storage. The stormwater runoff from the Energy Transfer facility discharges to a series of concrete stormwater pipes that run under the site and discharge to a drainage swale on the RITC Site 109. The closest surface water body to the Site is the Niagara River to the west which is approximately 0.26-miles from the Site’s entrance along River Road. Surficial geology at the Site has been characterized by a dense, massive, reddish glaciolacustrine clay overlain by fill material, clay, sand, and gravel. Glacial till consisting of poorly-sorted, non-stratified mixtures of sand, silt, clay, gravel and rock fragments and a glacial lacustrine clay deposit consisting primarily of silt, sand, and clay appear to be the most widespread natural overburden deposits in the area of the Riverview Invocation & Technology Campus (RITC) property that is adjacent to the north and east of the Site. Perched groundwater on top of the clay has been observed within four feet of the ground surface. During the Remedial Investigation for the RITC property, Inventum Engineering made a distinction between the clay and till deposits across the RITC site based on stiffness, field estimation of moisture content, and plasticity. The upper clay generally extends across the RITC site below the fill to depths of 20 to 30-feet below the ground surface (bgs). The upper clay was typically described as a reddish brown to brown, very firm to stiff, dry to moist, low to medium plasticity, silty clay (lean clay [CL]). The lower clay extends below the upper clay to the top of the bedrock between 50 and 54-feet bgs. The lower clay was typically described as a reddish brown to brown, soft to very soft, moist to saturated, high to very high plasticity, clay with trace rounded gravels. The bedrock encountered below the RITC site is consistent with the regional description of the Camillus Shale formation. The upper 10-feet of the bedrock was described as a brownish thinly bedded shale with isolated gypsum lenses. The rock-quality designations (RQDs) of the recovered cores were good to excellent.

### **Environmental Assessment:**

#### **Historical Remediation**

During the summer of 1981, approximately 500 CY of “tar” and soils were excavated and removed from the eastern portion of the Site. The Coal Tar Site (NYSDEC Inactive Hazardous Waste Site 915003C)



consisted of an area of the plant property where pools of what was described as “coal tar”, from spillage and leakage during product-transfer operations, were located. The removal was completed by the TCC, under agreement with Allied, as part of the demolition of the idle tar storage terminal. Removal was completed to the underlying clay layer. Analytical results of confirmatory soil samples collected following the excavation showed that residual chemicals of concern (COCs) were not detected or were in low parts per million (ppm) concentrations. In addition to the “tar” and soil removal, a buried coal tar pipeline was also removed to the property limits. As part of the pipeline removal, an underground tank which was used as a blow-down tank for the transfer line, was removed. NYSDEC informed Allied in October 1981 that no further remediation was necessary in this area.

In 1991, Allied excavated an area at the west end of the property where spent and off-specification batches of magnesium chromate catalyst were disposed. The excavation was completed under a Consent Order between Allied and NYSDEC. This area has historically been referenced as the blow-down pit (NYSDEC Inactive Hazardous Waste Site 915003B). NYSDEC notified Allied in May 1995 that the site was delisted from the NYSDEC Registry of Inactive Hazardous Waste Disposal Sites.

### **Storm Sewer**

In July of 1998, NYSDEC notified Allied that subsequent investigations had identified the presence of groundwater impacts upgradient of the chromium blow-down pit removal area, and that further site investigations would be required. In November 1998, NYSDEC acknowledged Allied’s agreement to voluntarily proceed with additional investigations and identified specific investigation focus areas. Allied subsequently completed multiple rounds of investigation activities as well as cleaning and flushing of the onsite 36-inch and 48-inch storm sewers (Parsons, 2021). Based on their review of the 2002 investigation report, NYSDEC notified Honeywell in October 2013 that additional investigations would be required. In 2018, Parsons on behalf of Honeywell, conduct a storm sewer sampling program that was designed to represent three different seasonal conditions consisting of;

- High flow snow melt in February, 2018;
- Storm event in April, 2018;
- Low flow event in July, 2018

The April 2018 storm water outlet sample report included benzene and naphthalene detections. Benzene was reported at an estimated concentration of 1.4 µg/L compared to standard of 1 µg/L and naphthalene was reported at 23 µg/L compared to a standard of 10 µg/L. The inlet sample results from the April sampling event were reported not detected for benzene and naphthalene.

Several inorganic compounds were detected in both inlet and outlet samples with concentrations above the Standard during the three sampling events. These include aluminum, iron, manganese, magnesium, sodium, vanadium, and cyanide. Concentrations were typically higher in the outlet samples for those instances where there was an inorganic exceedance.

The detections from the storm sewer sampling event a summarized in Table 2 (provided in **Attachment-IV-3**).

### **Observations of Tar**

Parsons reported in the Draft Site Investigation Summary Report (Parsons, 2021) that “tar” like materials of various consistency and compositions were observed on the ground surface in the western end of the



East Area in an area of approximately 180-feet by 60-feet and at four borings along the southern property line in the East Area.

The observed “tar” was identified by Parsons as potentially a result of localized disposal and / or a result of a leaking tank, rail car, or piping. The requestor does not know the source of the tar or have any reference material to determine the source but has confirmed tar is present on the ground surface in the east portion of the proposed BCP Site.

### **Soil Investigation in 2020**

In November of 2020, Parsons on behalf of Honeywell, completed 30 soil borings (9 borings in the Center Area and 21 borings in the East Area) using a Geoprobe and hand augers (B-1 through B-30) in the East and Center Areas of the site. Borings were not installed in areas where grossly material, such as “tar”, was observed, but placed around those areas in an attempt to define the lateral extents. Soil samples for analytical analysis of volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs), and inorganic parameters were collected when a soil sample exhibited visible signs of potential contamination or strong odors. No borings were completed in the West Area.

Analytical results for the surface and subsurface soil samples from the Center Area of the site reported detections of:

- Volatile Organic Compounds (VOCs) (primarily Benzene, Toluene, Ethylbenzene, and Xylenes [BTEX]) in 6 samples at 3 locations
- Semi-volatile Organic Compounds (SVOCs) in 5 samples at 3 locations
- Chromium in 9 samples from 6 locations
- Cyanide in 1 sample from 1 location

Analytical results for the surface and subsurface soil samples from the East Area of the site show detections of:

- VOCs (primarily BTEX) in 10 samples at 7 locations
- SVOCs in 15 samples at all 10 locations
- Chromium in 15 samples from all 10 locations
- Cyanide in 2 samples from 2 locations

The analytical soil sample results from the November 2020 investigation are summarized in the attached Table 1 and Table 1a included in **Attachment-IV-3**.

The historic surface soil, subsurface soil, and sediment sample parameters that have shown exceedances of the Restricted, Commercial, and Industrial Use Soil Cleanup Objectives (SCOs) Protection of Public Health, and historic groundwater and surface water (or storm sewer) sample parameters that have shown exceedances of the Ambient Water Quality Standards are listed below and summarized in the provided Table 1, Table 1a, Table 2, Table 2a, Table 3 and Table 3a (provided in **Attachment-IV-3**):

### **Compounds Detected in Subsurface Soil Samples (Table 1):**

Benzene  
Ethylbenzene  
Toluene  
Total Xylenes



Acenaphthene  
 Acenaphthylene  
 Anthracene  
 Benzo(A)Anthracene  
 Benzo(A)Pyrene  
 Benzo(B)Fluoranthene  
 Benzo(G,H,I)perylene  
 Benzo(K)Fluoranthene  
 Chrysene  
 Dibenzo(a,h)Anthracene  
 Fluoranthene  
 Fluorene  
 Indeno(1,2,3-Cd)Pyrene  
 Naphthalene  
 Phenanthrene  
 Pyrene  
 Chromium

**Compounds Detected in Sewer Samples (Table 2):**

Benzene  
 Naphthalene  
 Aluminum  
 Magnesium  
 Manganese  
 Iron  
 Sodium  
 Vanadium  
 Cyanide

**Compounds Detected in Shallow Groundwater (Table 3):**

Benzene  
 Ethylbenzene  
 Toluene  
 Xylenes (Total)  
 Acetone  
 Cis-1,2-Dichloroethene  
 Trichloroethene  
 Vinyl Chloride  
 Benzo(A)Anthracene  
 Biphenyl (Diphenyl)  
 Bis(2-Ethylhexyl) Phthalate  
 Hexachlorocyclopentadiene  
 Naphthalene  
 Pentachlorophenol  
 Phenol  
 Arsenic





Barium  
 Beryllium  
 Cadmium  
 Chromium, Total  
 Copper  
 Iron  
 Lead  
 Magnesium  
 Manganese  
 Nickel  
 Selenium  
 Sodium

### **Soil Vapor Intrusion Study**

During a site investigation completed by Parsons between October 2016 and January 2017 (Parsons, 2017) a soil vapor intrusion study was completed as part of the investigation at the request of the NYSDEC. Indoor air and sub-slab samples were collected in and below the southeast office and laboratory building and the southwest office building.

Twenty-six VOCs were detected in the indoor air samples and 30 VOCs were detected in sub-slab soil vapor samples. Three of the VOCs (1,2-dichloroethane, 1,4-dioxane, and 1,4-dichlorobenzene) were detected only in indoor air. Seven VOCs (1,3-dichlorobenzene, benzyl chloride, chlorobenzene, cyclohexane, hexachlorobutadiene, isopropylbenzene, and vinyl chloride) were only detected in sub-slab soil vapor samples. A full summary of the air sampling analytical data results is included in Appendix E, Table 2 of the referenced Investigation Summary Report, October 2017.

The following VOCs were detected at concentrations at least one order of magnitude greater in the sub-slab than in indoor samples:

- 1,2,4-trimethylbenzene (detected up to 8.3 micrograms per cubic meter [ug/m3])
- 1,3,5-trimethylbenzene (detected up to 1.9 ug/m3)
- 2-butanone (detected up to 15 ug/m3)
- Benzene (detected up to 10 ug/m3)
- Chloroform (detected up to 350 ug/m3)
- Cyclohexane (detected up to 15 ug/m3)
- N-hexane (detected up to 40 ug/m3)
- Tetrachloroethene (detected up to 7.5 ug/m3)
- Toluene (detected up to 29 ug/m3)
- Trichloroethene (detected up to 26 ug/m3)
- Vinyl chloride (detected up to 0.32 ug/m3)

The following VOCs were detected in both sub-slab soil gas and groundwater at the Site:

- Acetone (detected up to 72 ug/m3)
- Benzene (detected up to 10 ug/m3)
- Carbon disulfide (detected up to 2.8 ug/m3)
- Cyclohexane (detected up to 15 ug/m3)



- Ethylbenzene (detected up to 3.1 ug/m<sup>3</sup>)
- Isopropylbenzene (detected up to 0.47 ug/m<sup>3</sup>)
- Toluene (detected up to 29 ug/m<sup>3</sup>)
- Trichloroethene (detected up to 26 ug/m<sup>3</sup>)
- Vinyl chloride (detected up to 0.32 ug/m<sup>3</sup>)
- Xylenes(detected up to 5.3 ug/m<sup>3</sup>)

Vinyl chloride is the only compound included in this list of VOCs that were detected in both sub-slab soil gas and onsite ground water that is included in the NYSDOH Soil Vapor / Indoor Air Matrix A, May 2017. The max detected concentration of 0.32ug/m<sup>3</sup> is below the NYSDOH No Further Action criteria of 6 ug/m<sup>3</sup>.



## Attachment A-II-1 Project Description

The property development plan is intended to support multiple commercial and industrial tenants (see **Attachment A-III-2**). The key targets for the redevelopment are data management and users of large-scale data management centers.

To achieve the vision and to produce a viable business community for Tonawanda and New York State, the Site must be investigated and characterized in accordance with the BCP requirements, Alternatives Analysis must be conducted by unique areas of required remediation, Remedial Designs must be prepared and approved, and the selected remedial actions must be implemented.

The Remedial Investigations are expected to begin in the first quarter 2023, followed by the Alternatives Analysis, Remedial Design, and Remediation. A Certificate of Completion is expected in the fourth quarter 2026.



## Attachment A-III-1 Land Use Factors

### Current Zoning and Land Use

The facility is inactive and no longer in operation. The Site is zoned commercial by the Town of Tonawanda and the Site is within the G-I General Industrial District. The proposed use for the Site will be commercial or industrial, although less intensive than the historical site operations. The nearest residential area is approximately 0.3-miles to the south.

### Current Use of the Site

The most recent Site operations included use of several of the Site buildings that were used for office and laboratory space, vehicle maintenance, and warehousing by the former Tonawanda Coke Corporation (TCC) up until the shutdown of TCC operations in October 2018. A trucking firm also previously leased space on the site for offices and truck parking, maintenance, and repair. The remaining buildings are unoccupied and had not been maintained. The site had been vacant since 2019.

Following acquisition by 3821 River Road, Inc. the security of the site was upgraded with 24/7 surveillance, improperly stored drums and containers were properly staged, and routine inspections are conducted.

### Possible Contaminant Source Areas

The Site was originally developed by Allied Fibers and Plastics Company (Allied) in the early 1950s, and was operated as a research and development and a manufacturing facility through 1982. Site operations included the polymerization of ethylene into low molecular weight polyethylene (trademark: A-C Polyethylene and Co-polymers), which was finished into powder, pelleted and solid forms. Allied sold the property to Rouse Breihan, Inc. in 1985. Possible contaminated sources area include:

- **Observed Tar** – Parsons reported in the Draft Site Investigation Summary Report September 2021 that “tar” like materials of various consistency and compositions were observed on the ground surface in the western end of the East Area in an area of approximately 180-feet by 60-feet and at four borings along the southern property line in the East Area. The observed “tar” was identified by Parsons as potentially a result of localized disposal and / or a result of a leaking tank, rail car, or piping. The applicant does not know the source of the mentioned potential result of this statement but has confirmed the presence of tar.
- **Impacted Soils from Site Operations** – In November of 2020, Parsons on behalf of Honeywell, completed 30 soil borings (9 borings in the Center Area and 21 borings in the East Area) using a Geoprobe and hand augers (B-1 through B-30) in the East and Center Areas of the site. Borings were not installed in areas where grossly material, such as “tar”, was observed, but borings were placed around those areas in an attempt to define the lateral extents. Soil samples for analytical analysis of VOCs, SVOCs, and inorganic parameters were collected when a soil sample exhibited visible signs of potential contamination or strong odors. Analytical results indicated the presence of VOCs, SVOCs, chromium, and cyanide. The analytical detections in the soil above Restricted, Commercial, and Industrial Use Soil Cleanup Objectives (SCOs) are shown on Figure 7 in **Attachment-IV-4**. Only limited sampling was conducted in the former operational areas.
- **Drums and Containers** – Drums and containers were abandoned throughout the site. The applicant has stabilized the drums and containers and moved them indoors, but there is potential that some may have leaked prior to the purchase of the property.
- **Aboveground Storage Tanks (AST) and Piping** – Twelve ASTs with aboveground and below grade piping are located in the center portion of the Site. Numerous slabs from previously removed ASTs



are present throughout the site. An assessment of the ASTs, piping, and former AST slabs for evidence of leaks or spills has not been completed.

- **Buried Utilities** – Numerous buried utilities and a suspected septic tank system were identified on the property. Based on the condition of the pipes and manholes opened during the pre-acquisition site inspection, these represent potential sources on the property.
- **Site Storm Sewers** - In July of 1998, NYSDEC notified Allied that subsequent investigations had identified the presence of groundwater impacts upgradient of the chromium blow-down pit removal area, and that further site investigations would be required. In November 1998, NYSDEC acknowledged Allied's agreement to voluntarily proceed with additional investigations and identified specific investigation focus areas. Allied subsequently completed multiple rounds of investigation activities as well as cleaning and flushing of the onsite 36-inch and 48-inch storm sewers (Parsons, 2021). Based on their review of the 2002 investigation report, NYSDEC notified Honeywell in October 2013 that additional investigations would be required. In 2018, Parsons on behalf of Honeywell, conducted a storm sewer sampling program that was designed to represent three different seasonal conditions consisting of;
  - High flow snow melt in February, 2018;
  - Storm event in April, 2018;
  - Low flow event in July, 2018

The April 2018 storm water outlet sample report included benzene and naphthalene detections. Benzene was reported at an estimated concentration of 1.4 µg/L compared to standard of 1 µg/L and naphthalene was reported at 23 µg/L compared to a standard of 10 µg/L. The inlet sample results from the April sampling event were reported not detected for benzene and naphthalene.

Several inorganic compounds were detected in both inlet and outlet samples with concentrations above the Standard during the three sampling events. These include aluminum, iron, manganese, magnesium, sodium, vanadium, and cyanide. Concentrations were typically higher in the outlet samples for those instances where there was an inorganic exceedance.

The detections from the storm sewer sampling event are summarized in the attached Table 2A in **Attachment-IV-3**.





Photograph No. 1 – 3821 River Road, Looking Northeast across proposed BCP Site (State Superfund Site 109 is to the north [left] and the RITC BCP Site is to the east [top of photograph])







Photograph No. 2 – 3821 River Road looking South from gate on the RITC BCP Site







Photograph No. 3 – Abandoned Tanks (Northeast corner of AOI 2) – Note Fire Suppression Systems Surrounding Tank







Photograph No. 4 – Abandoned Tanks and Equipment





Photograph No. 5 – Unstable Accumulations of Abandoned Drums and Containers







Photograph No. 6 – Abandoned Tanks





Photograph No. 7 – Abandoned Laboratory (1 of 2) – Chemicals Throughout





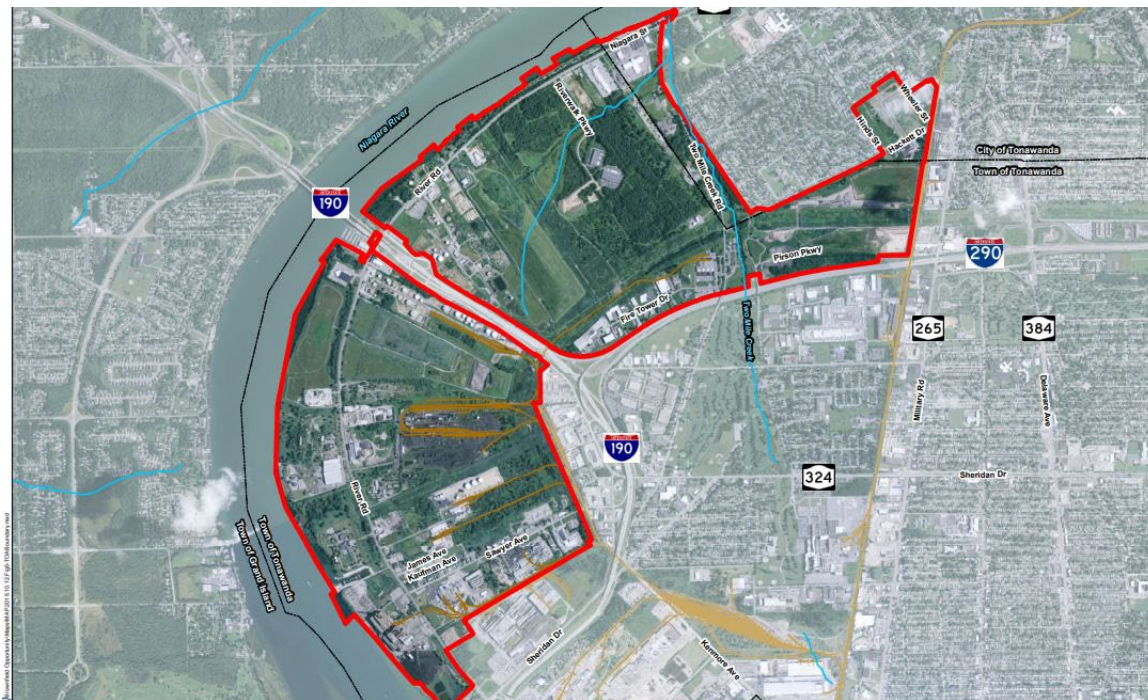
## Attachment A-III-2 Land Use Factors

Although on a different timeline, the project is planned to have similar end use or be a support site for the Riverview Innovation & Technology Campus (RITC) Site. The RITC site is the adjoining property to the north and has been undergoing investigation and remediation through the NYS BCP since 2019. The BCP work for the 3821 River Road, Inc. Site will be managed and implemented separately from the Riverview Innovation & Technology Campus Site as the planned redevelopment of the RITC BCP Site is on a separate, earlier remediation schedule.

The project is designed to take advantage of the redevelopment of the Tonawanda River Road Corridor and the RITC Site allowing the 3821 River Road development to support multiple commercial tenants. The strategy is to integrate the 3821 River Road, Inc. Site into the overall development of the region. The plans for this site will be coordinated with the ongoing development of the Town of Tonawanda Brownfield Development Area. The key targets for this portion of the development area are data management, data users, and associated academic institutions. The site will support, even with potential groundwater management and monitoring, commercial data management and use operations.

### **Proposed Uses**

The development teams' vision is to work with the Town of Tonawanda, local businesses and the local universities to create a sustainable integrated facility that includes a technology/data center campus, technology support center and commercial offices, and training center. The development will be coordinated with the Town of Tonawanda Brownfield Development Area (TOA), as the Riverview Innovation & Technology Campus Site forms the southern boundary of the Area.



The TOA Pre-determination study recognizes:



*“At the same time, the advantages of the TOA location are constrained by several factors. Twenty-nine properties, or approximately 14 percent of all the properties and 47 percent of the land area in the TOA, are classified as brownfield, underutilized or vacant parcels. Brownfield and underutilized properties are deterrents to development in the area because they create a perception of decline. Some active heavy industrial properties also hinder development as their appearance and production processes are incompatible with certain commercial and light industrial uses.”*

The Riverview Innovation & Technology Campus and 3821 River Road, Inc., represent nearly 10 percent of the TOA and more than 20 percent of the brownfield property in the TOA.

Regionally, the Lumber City Development Corporation is working to revitalize over 540-acres in North Tonawanda with funding from the New York Department of State’s Brownfield Opportunity Areas Program (BOA). The southern boundary of this NT Momentum Project<sup>2</sup> is separated from the northern boundary of the TOA and the 3821 River Road Site by under 2-miles. Within that 2-miles are several residential communities who would benefit from both redevelopment successes. Brownfield redevelopment successes in the North Tonawanda community include recent groundbreaking on the construction of a \$20 Million River’s Edge Housing Complex<sup>3</sup>. The development teams’ vision for the 3821 River Road Site integrates with this larger regional push to redevelop stranded assets in the immediate surrounding areas. Although the proposed redevelopment program is not dependent on the BOA program, the TOA and the NT Momentum Project show a clear driver for redevelopment in this area from the local community, businesses, and government.

The TOA’s objectives are to restore properties to productive reuse and reconnect the community’s residential areas to the Niagara River.<sup>4</sup> Critical to meeting this objective is the ability to redevelop and market all parcels within the opportunity area, as portions of properties left undeveloped can serve as an unbroken link in an otherwise continuous chain and inhibit the path to success of the larger development.

### Sustainable Redevelopment

Technology parks and especially data centers are energy intensive, but the surrounding campus and auxiliary buildings could be designed to achieve Gold Leadership in Energy and Environmental Design (LEED) Certification to attract clients and to be consistent with the current New York leadership. This requires careful design, energy efficiency, high indoor air quality, and selection of recycled and renewable materials. From the categories listed below we must design to obtain a cumulative score of 60 or higher:

Category	Available Points
Sustainable Sites	26
Water Efficiency	10
Energy and Atmosphere	35
Materials and Resources	14
Indoor Environmental Quality	15
Innovation in Design	6
Regional Priority	4

There is no greater demonstration of the transformation of the site than achieving LEED Certification for the buildings on a property that was considered an environmental risk to the community.

<sup>2</sup> <http://www.ntmomentum.com/>

<sup>3</sup> <http://www.ntmomentum.com/construction-beings-on-20-m-rivers-edge-housing-complex/>

<sup>4</sup> <http://www.tonawandaopportunity.com/project-information.html>



## Target Markets

Western New York's economy has moved to be dominated by the Internet of Things (IoT). The number of jobs in western New York has transitioned from manufacturing to services; medical, academics, banking and away from steel, chemicals, and transportation. The opportunity to provide a gateway between the major economic drivers in western New York, Toronto and the US will drive the major users of the facility.

## Redevelopment

The phased development of the site will complement the operable unit approach to the remedial program. The redevelopment phasing will allow generations of jobs, tax revenues, interest in the site and income.

The development plan and existing infrastructure provides complementary and beneficial uses to the community:

- Potential for commercial development adjacent to the RITC Campus that will bring people off I-190 to the area;
- Potential office space and opportunities to complement and accommodate the local universities, non-governmental Organizations (NGOs), and the medical campus;
- A data center campus will demonstrate the capabilities of housing major IoT commerce in Western New York.

The redevelopment program will be integrated with the remediation as the investigation/remediation progresses to reduce the cost of site planning and preparation.

## Summary

The vision is built on the emergence of Western New York and the IoT markets. With the development of the TOA, the 3821 River Road BCP Site will support the Town of Tonawanda's vision for the River Road Corridor. The availability and ability to remediate stranded and under-utilized properties like 3821 River Road is fundamental to the realization of the Town's vision. These facilities require massive investment and must compete with other sites, some built on greenfield properties. The access to the site must attract high technology users, not remind the investors or community of the taint that the site represented.



## Attachment A-IV-1 Property's Environmental History

Tonawanda Plastics Site NYSDEC ID 915003 Draft Site Investigation Summary Report, Parsons, 2021  
(Electronic)





## Attachment A-IV-2 Property's Environmental History

Tonawanda Plastics Investigation Summary Report, Parsons, 2017 (Electronic)



## Attachment A-IV-3 Property's Environmental History

Impacted media tables; Table 1 – Soil, Table 2 – Storm Sewer, Table 3 – Groundwater



Table 1: 2020 Soil Sampling Analytes and Detections Exceeding SCOs.

Analytes > Unrestricted use SCOs	Detections> Residential SCOs	Detections > Commercial SCOs	Detections > Industrial SCOs	Maximum Detection (ppm)	Residential SCO (ppm)	Commercial SCO (ppm)	Industrial SCO (ppm)	Depth (ft bgs)
Benzene	7	2	0	86.0	0.1	44.0	89.0	9.5-10
Ethylbenzene	5	0	0	17.0	1.0	390.0	780.0	0.9-1.4
Toluene	7	0	0	83.0	0.7	500.0	1,000.0	2.0-2.5
Total Xylenes	7	0	0	120.0	0.3	500.0	1,000.0	0.5-1.0
Acenaphthene	4	2	0	790.0	20.0	500.0	1,000.0	0.3-0.8
Acenaphthylene	4	4	3	3,200.0	100.0	500.0	1,000.0	0.9-1.4
Anthracene	4	4	4	14,000.0	100.0	500.0	1,000.0	0.9-1.4
Benzo(A)Anthracene	5	4	4	3,100.0	1.0	5.6	11.0	0.5-1.0
Benzo(A)Pyrene	5	5	5	2,800.0	1.0	1.0	1.1	0.5-1.0
Benzo(B)Fluoranthene	5	4	4	3,200.0	1.0	5.6	11.0	0.5-1.0
Benzo(G,H,I)perylene	4	4	2	1,600.0	100.0	500.0	1,000.0	0.9-1.4
Benzo(K)Fluoranthene	4	4	4	1,300.0	0.8	56.0	110.0	0.9-1.4
Chrysene	5	4	4	3,000.0	1.0	56.0	1.1	0.5-1.0
Dibenzo(a,h)Anthracene	4	4	4	460.0	330.0	0.6	1.1	0.5-1.0
Fluoranthene	4	4	4	9,400.0	100.0	500.0	1,000.0	0.5-1.0
Fluorene	4	4	4	4,400.0	30.0	500.0	1,000.0	0.9-1.4
Indeno(1,2,3-Cd)Pyrene	5	4	4	1,500.0	0.5	5.6	11.0	0.9-1.4
Naphthalene	4	4	4	11,000.0	12.0	500.0	1,000.0	0.5-1.0
Phenanthrene	4	4	4	13,000.0	100.0	500.0	1,000.0	0.5-1.0
Pyrene	4	4	4	5,900.0	100.0	500.0	1,000.0	0.5-1.0
Chromium	1	0	0	37.6	30.0	1,500.0	6,800.0	1.8-2.3

Parsons, 2021 Tonawanda Plastics Site NYSDEC ID 915003 Draft Site Investigation Summary Report



Table 1A  
2020 Soil Data  
3821 River Road Tonawanda NY

Analytes		Part 375 SCOs		Units	B-1-11112020-1.5-2.0		B-4-11112020-0.8-1.3		B-4-11112020-1.5-2.0		B-5-11112020-0.6-1.1		B-7-11112020-1.7-2.2	
	Unrestricted Use	Commercial	Industrial											
		Sample Date:			11/11/2020		11/11/2020		11/11/2020		11/11/2020		11/11/2020	
		Sample Interval:			1.5'-2'		0.8'-1.3'		1.5'-2'		0.6'-1.1'		1.7'-2.2'	
			Matrix			Soil		Soil		Soil		Soil		Soil
Acetone	50	500,000	1,000,000	Ug/kg	<20	U	<31	UJ	11	J	<20	U	9.6	J
Benzene	60	44,000	89,000	Ug/kg	<3.9	U	<0.54	J	<3.9	U	<4	U	2	J
Ethylbenzene	1,000	390,000	780,000	Ug/kg	<3.9	U	<6.2	UJ	<3.9	U	<4	U	<4.1	U
Styrene	NS	NS	NS	Ug/kg	<3.9	U	<6.2	UJ	<3.9	U	<4	U	<4.1	U
Toulene	700	500,000	1,000,000	Ug/kg	<3.9	U	1.2	J	<3.9	U	<4	U	<4.1	U
Total Xylenes	260	500,000	1,000,000	Ug/kg	<7.8	U	<12	UJ	<7.8	U	<7.9	U	<8.3	U
Acenaphthene	20,000	500,000	1,000,000	Ug/kg	<200	U	<180	U	<200	U	<200	U	<200	U
Acenaphthylene	100,000	500,000	1,000,000	Ug/kg	<200	U	<180	U	<200	U	<200	U	<200	U
Anthracene	100,000	500,000	1,000,000	Ug/kg	<200	U	<180	U	<200	U	<200	U	<200	U
Benzo(A)Anthracene	1,000	5,600	11,000	Ug/kg	21	J	26	J	<200	U	<200	U	<200	U
Benzo(A)Pyrene	1,000	1,000	1,100	Ug/kg	<200	U	<180	U	<200	U	<200	U	<200	U
Benzo(B)Fluoranthene	1,000	5,600	11,000	Ug/kg	<200	U	<180	U	<200	U	<200	U	<200	U
Benzo(G,H,I)perylene	100,000	500,000	1,000,000	Ug/kg	<200	U	<180	U	<200	U	<200	U	<200	U
Benzo(K)Fluoranthene	800	56,000	110,000	Ug/kg	<200	U	<180	U	<200	U	<200	U	<200	U
Chrysene	1,000	56,000	110,000	Ug/kg	<200	U	<180	U	<200	U	<200	U	<200	U
Dibenzo(a,h)Anthracene	330	560	1,100	Ug/kg	<200	U	<180	U	<200	U	<200	U	<200	U
Fluoranthene	100,000	500,000	1,000,000	Ug/kg	23	J	58	J	<200	U	<200	U	<200	U
Fluorene	30,000	500,000	1,000,000	Ug/kg	<200	U	<180	U	<200	U	<200	U	<200	U
Indeno(1,2,3-Cd)Pyrene	500	5,600	11,000	Ug/kg	<200	U	<180	U	<200	U	<200	U	<200	U
Naphthalene	12,000	500,000	1,000,000	Ug/kg	<200	U	<180	U	<200	U	<200	U	<200	U
Phenanthrene	100,000	500,000	1,000,000	Ug/kg	<200	U	91	J	<200	U	<200	U	<200	U
Pyrene	100,000	500,000	1,000,000	Ug/kg	<200	U	41	J	<200	U	<200	U	<200	U
Chromium	30	1,500	6,800	mg/kg	22		6.7		24.2		26.6		23.7	
Cyanide, Total	27	27	10,000	mg/kg	<1.2	U	<1	U	<1.1	U	<1.1	UJ	<1.1	U

Parsons, 2021 Tonawanda Plastics Site NYSDEC ID 915003 Draft Site Investigation Summary Report

Notes:  
U - Indicates compound was not detected  
J - Indicates an estimated concentration  
Ug/kg - Micrograms per kilogram  
mg/kg - Miligrams per kilogram



Table 1A  
2020 Soil Data  
3821 River Road Tonawanda NY

Analytes		Part 375 SCOs		Units	B-8-11112020-1.9-2.4		B-9-11112020-0.5-1.0		B-9-11112020-2.0-2.5		B-9-11112020-9.5-10.0		B-12-11102020-1.0-1.5	
	Unrestricted Use	Commercial	Industrial											
		Sample Date:			11/11/2020		11/11/2020		11/11/2020		11/11/2020		11/11/2020	
		Sample Interval:			1.9'-2.4'		0.5'-1'		2.0'-2.5'		9.5'-10'		1.0'-1.5'	
		Matrix			Soil		Soil		Soil		Soil		Soil	
Acetone	50	500,000	1,000,000	Ug/kg	<25	U	<12,000	U	<12,000	U	<13,000	U	<21	U
Benzene	60	44,000	89,000	Ug/kg	<5	U	17,000		66,000		86,000		<4.2	U
Ethylbenzene	1,000	390,000	780,000	Ug/kg	<5	U	17,000		1,500	J	1,300	J	<4.2	U
Styrene	NS	NS	NS	Ug/kg	<5	U	<2,400	U	<2,400	U	<2,500	U	<4.2	U
Toulene	700	500,000	1,000,000	Ug/kg	<5	U	14,000		83,000		54,000		<4.2	U
Total Xylenes	260	500,000	1,000,000	Ug/kg	<10	U	120,000		9,200		8,100		<8.4	U
Acenaphthene	20,000	500,000	1,000,000	Ug/kg	<190	U	<1,100	U	<190	U	<200	U	<210	U
Acenaphthylene	100,000	500,000	1,000,000	Ug/kg	<190	U	<1,100	U	<190	U	<200	U	35	J
Anthracene	100,000	500,000	1,000,000	Ug/kg	<190	U	<1,100	U	<190	U	<200	U	<210	U
Benzo(A)Anthracene	1,000	5,600	11,000	Ug/kg	<190	U	120	J	<190	U	31	J	<210	U
Benzo(A)Pyrene	1,000	1,000	1,100	Ug/kg	<190	U	<1,100	U	<190	U	34	J	<210	U
Benzo(B)Fluoranthene	1,000	5,600	11,000	Ug/kg	<190	U	<1,100	U	<190	U	46	J	<210	U
Benzo(G,H,I)perylene	100,000	500,000	1,000,000	Ug/kg	<190	U	<1,100	U	<190	U	<200	U	<210	U
Benzo(K)Fluoranthene	800	56,000	110,000	Ug/kg	<190	U	<1,100	U	<190	U	26	J	<210	U
Chrysene	1,000	56,000	110,000	Ug/kg	<190	U	<1,100	U	<190	U	<200	U	<210	U
Dibenzo(a,h)Anthracene	330	560	1,100	Ug/kg	<190	U	<1,100	U	<190	U	<200	U	<210	U
Fluoranthene	100,000	500,000	1,000,000	Ug/kg	<190	U	170	J	<190	U	46	J	<210	U
Fluorene	30,000	500,000	1,000,000	Ug/kg	<190	U	<1,100	U	<190	U	<200	U	26	J
Indeno(1,2,3-Cd)Pyrene	500	5,600	11,000	Ug/kg	<190	U	<1,100	U	<190	U	<200	U	<210	U
Naphthalene	12,000	500,000	1,000,000	Ug/kg	<190	U	8,700		600		950		1,000	
Phenanthrene	100,000	500,000	1,000,000	Ug/kg	<190	U	<1,100	U	<190	U	<200	U	<210	U
Pyrene	100,000	500,000	1,000,000	Ug/kg	<190	U	<1,100	U	<190	U	32	J	<210	U
Chromium	30	1,500	6,800	mg/kg	22.8		20.3		22		23.7		28.8	
Cyanide, Total	27	27	10,000	mg/kg	<1.1	U	0.69	J	<0.99	U	<1.1	U	1.2	UJ

Parsons, 2021 Tonawanda Plastics Site NYSDEC ID 915003 Draft Site Investigation Summary Report

Notes:

U - Indicates compound was not detected

J - Indicates an estimated concentration

Ug/kg - Micrograms per kilogram

mg/kg - Miligrams per kilogram





Table 1A  
2020 Soil Data  
3821 River Road Tonawanda NY

Analytes		Part 375 SCOs		Units	B-14-11102020-0.3-0.8		B-14-11102020-4.5-5.0		B-15-11102020-1.3-1.8		B-16-11102020-0.9-1.4		B-16-11102020-2.5-3.0	
	Unrestricted Use	Commercial	Industrial											
		Sample Date:			11/11/2020		11/11/2020		11/11/2020		11/11/2020		11/11/2020	
		Sample Interval:			0.3'-0.8'		4.5'-5.0'		1.3'-1.8'		0.9'-1.4'		2.5'-3.0'	
		Matrix			Soil		Soil		Soil		Soil		Soil	
Acetone	50	500,000	1,000,000	Ug/kg	<51,000	U	<250	U	26		<29,000	U	<1,200	U
Benzene	60	44,000	89,000	Ug/kg	8,700	J	<49	U	<4.5	U	17000		<230	U
Ethylbenzene	1,000	390,000	780,000	Ug/kg	7,100	J	<49	U	<4.5	U	15,000		<230	U
Styrene	NS	NS	NS	Ug/kg	<10,000	u	<49	U	<4.5	U	30,000		<230	U
Toulene	700	500,000	1,000,000	Ug/kg	19,000		<49	U	<4.5	U	36,000		<230	U
Total Xylenes	260	500,000	1,000,000	Ug/kg	37,000		<98	U	<9	U	140,000		<460	U
Acenaphthene	20,000	500,000	1,000,000	Ug/kg	790,000		710	J	<200	U	670,000		31	J
Acenaphthylene	100,000	500,000	1,000,000	Ug/kg	820,000		590	J	<200	U	2,100,000		90	J
Anthracene	100,000	500,000	1,000,000	Ug/kg	1,500,000		1,100		<200	U	14,000,000		310	
Benzo(A)Anthracene	1,000	5,600	11,000	Ug/kg	2,000,000		1,600		<200	U	2,100,000		76	J
Benzo(A)Pyrene	1,000	1,000	1,100	Ug/kg	2,000,000		1,700		<200	U	1,800,000		85	J
Benzo(B)Fluoranthene	1,000	5,600	11,000	Ug/kg	1,700,000		1,300		<200	U	1,800,000		110	J
Benzo(G,H,I)perylene	100,000	500,000	1,000,000	Ug/kg	930,000		820	J	<200	U	890,000		47	J
Benzo(K)Fluoranthene	800	56,000	110,000	Ug/kg	780,000		600	J	<200	U	970,000		39	J
Chrysene	1,000	56,000	110,000	Ug/kg	2,100,000		1,800		<200	U	2,000,000		87	J
Dibenzo(a,h)Anthracene	330	560	1,100	Ug/kg	300,000		230	J	<200	U	310,000		<210	U
Fluoranthene	100,000	500,000	1,000,000	Ug/kg	4,300,000		3,400		55	J	6,100,000		200	J
Fluorene	30,000	500,000	1,000,000	Ug/kg	2,700,000		2,300		<200	U	4,400,000		85	J
Indeno(1,2,3-Cd)Pyrene	500	5,600	11,000	Ug/kg	850,000		610	J	<200	U	900,000		46	J
Naphthalene	12,000	500,000	1,000,000	Ug/kg	8,800,000		4,900		60	J	10,000,000		1,900	
Phenanthrene	100,000	500,000	1,000,000	Ug/kg	9,100,000		8,500		35	J	11,000,000		230	
Pyrene	100,000	500,000	1,000,000	Ug/kg	4,200,000		4,200		27	J	4,100,000		150	J
Chromium	30	1,500	6,800	mg/kg	11.4		14.7		21.3		17.7		22.8	
Cyanide, Total	27	27	10,000	mg/kg	<1.2	UJ	<1.1	UJ	<1	UJ	<1	UJ	<1.1	UK

Parsons, 2021 Tonawanda Plastics Site NYSDEC ID 915003 Draft Site Investigation Summary Report

Notes:  
U - Indicates compound was not detected  
J - Indicates an estimated concentration  
Ug/kg - Micrograms per kilogram  
mg/kg - Miligrams per kilogram



Table 1A  
2020 Soil Data  
3821 River Road Tonawanda NY

Analytes		Part 375 SCOs		Units	B-17-11102020-0.7-1.2		B-17-11102020-1.5-2.0		B-18-11092020-0.9-1.4		B-18-11092020-4.5-5.0		B-19-11092020-4.5-5.0	
	Unrestricted Use	Commercial	Industrial											
		Sample Date:			11/11/2020		11/10/2020		11/9/2020		11/9/2020		11/9/2020	
		Sample Interval:			0.7'-1.2'		1.5'-2.0'		0.9'-1.4'		4.5'-5.0'		4.5'-5.0'	
			Matrix			Soil		Soil		Soil		Soil		Soil
Acetone	50	500,000	1,000,000	Ug/kg	21	J	41		<22,000	U	<22	U	<22	U
Benzene	60	44,000	89,000	Ug/kg	<4.6	U	<4.2	U	27,000		<4.4	U	<4.4	U
Ethylbenzene	1,000	390,000	780,000	Ug/kg	<4.6	U	<4.2	U	<4,400	U	<4.4	U	<4.4	U
Styrene	NS	NS	NS	Ug/kg	<4.6	U	<4.2	U	<3,300	J	<4.4	U	<4.4	U
Toulene	700	500,000	1,000,000	Ug/kg	0.62	J	<4.2	U	19,000		<4.4	U	<4.4	U
Total Xylenes	260	500,000	1,000,000	Ug/kg	<9.1	U	<8.4	U	23,000		<8.7	U	<8.7	U
Acenaphthene	20,000	500,000	1,000,000	Ug/kg	<200	U	<200	U	450,000		74	J	<190	U
Acenaphthylene	100,000	500,000	1,000,000	Ug/kg	28	J	<200	U	3,200,000		150	J	<190	U
Anthracene	100,000	500,000	1,000,000	Ug/kg	<200	U	<200	U	3,100,000		380		<190	U
Benzo(A)Anthracene	1,000	5,600	11,000	Ug/kg	44	J	<200	U	3,000,000		380		<190	U
Benzo(A)Pyrene	1,000	1,000	1,100	Ug/kg	62	J	<200	U	2,800,000		340		<190	U
Benzo(B)Fluoranthene	1,000	5,600	11,000	Ug/kg	69	J	<200	U	2,900,000		350		<190	U
Benzo(G,H,I)perylene	100,000	500,000	1,000,000	Ug/kg	38	J	<200	U	1,600,000		180	J	<190	U
Benzo(K)Fluoranthene	800	56,000	110,000	Ug/kg	28	J	<200	U	1,300,000		210		<190	U
Chrysene	1,000	56,000	110,000	Ug/kg	<200	U	<200	U	2,300,000		330		<190	U
Dibenzo(a,h)Anthracene	330	560	1,100	Ug/kg	<200	U	<200	U	380,000		44	J	<190	U
Fluoranthene	100,000	500,000	1,000,000	Ug/kg	80	J	<200	U	8,700,000		1,200		<190	U
Fluorene	30,000	500,000	1,000,000	Ug/kg	<200	U	<200	U	3,900,000		300		<190	U
Indeno(1,2,3-Cd)Pyrene	500	5,600	11,000	Ug/kg	34	J	<200	U	1,500,000		170	J	<190	U
Naphthalene	12,000	500,000	1,000,000	Ug/kg	77	J	38	J	9,100,000		840		<190	U
Phenanthrene	100,000	500,000	1,000,000	Ug/kg	<200	U	<200	U	10,000,000		1,100		<190	U
Pyrene	100,000	500,000	1,000,000	Ug/kg	57	J	<200		5,600,000		760		<190	U
Chromium	30	1,500	6,800	mg/kg	23		21.3		3		26.5		21.5	
Cyanide, Total	27	27	10,000	mg/kg	<1.1	UJ	<1.2	UJ	26.8		<1.1	U	<1.1	U

Parsons, 2021 Tonawanda Plastics Site NYSDEC ID 915003 Draft Site Investigation Summary Report

Notes:

U - Indicates compound was not detected

J - Indicates an estimated concentration

Ug/kg - Micrograms per kilogram

mg/kg - Miligrams per kilogram



Table 1A  
2020 Soil Data  
3821 River Road Tonawanda NY

Analytes		Part 375 SCOs		Units	B-20-11092020-6.1-6.6		B-29-11102020-1.8-2.3		B-30-11102020-0.5-1.0		B-30-11102020-3.5-4.0	
	Unrestricted Use	Commercial	Industrial									
		Sample Date:			11/9/2020		11/10/2020		11/10/2020		11/10/2020	
		Sample Interval:			6.1'-6.6'		1.8'-2.3'		0.5'-1'		3.5'-4.0'	
		Matrix			Soil		Soil		Soil		Soil	
Acetone	50	500,000	1,000,000	Ug/kg	6.1	J	<27	U	<68,000	U	21	J
Benzene	60	44,000	89,000	Ug/kg	<4.7	U	<5.3	U	29,000		<4.8	U
Ethylbenzene	1,000	390,000	780,000	Ug/kg	<4.7	U	<5.3	U	<14,000	U	<4.8	U
Styrene	NS	NS	NS	Ug/kg	<4.7	U	<5.3	U	<15,000	U	<4.8	U
Toulene	700	500,000	1,000,000	Ug/kg	<4.7	U	<5.3	U	19,000		<4.8	U
Total Xylenes	260	500,000	1,000,000	Ug/kg	<9.5	U	<11	U	28,000		<9.7	U
Acenaphthene	20,000	500,000	1,000,000	Ug/kg	<230	U	<220	U	410,000		<190	U
Acenaphthylene	100,000	500,000	1,000,000	Ug/kg	33	J	40	J	3,330,000		120	J
Anthracene	100,000	500,000	1,000,000	Ug/kg	<230	U	<220	U	4,200,000		<190	U
Benzo(A)Anthracene	1,000	5,600	11,000	Ug/kg	180	J	100	J	3,100,000		<190	U
Benzo(A)Pyrene	1,000	1,000	1,100	Ug/kg	200	J	140	J	2,800,000		<190	U
Benzo(B)Fluoranthene	1,000	5,600	11,000	Ug/kg	190	J	180	J	3,200,000		<190	U
Benzo(G,H,I)perylene	100,000	500,000	1,000,000	Ug/kg	130	J	75	J	1,500,000		<190	U
Benzo(K)Fluoranthene	800	56,000	110,000	Ug/kg	120	J	55	J	1,200,000		<190	U
Chrysene	1,000	56,000	110,000	Ug/kg	180	J	96	J	3,000,000		<190	U
Dibenzo(a,h)Anthracene	330	560	1,100	Ug/kg	40	J	<220	U	460,000		<190	U
Fluoranthene	100,000	500,000	1,000,000	Ug/kg	390		230	J	9,400,000		20	J
Fluorene	30,000	500,000	1,000,000	Ug/kg	<230	U	<220	U	3,900,000		83	J
Indeno(1,2,3-Cd)Pyrene	500	5,600	11,000	Ug/kg	120	J	74	J	1,400,000		<190	U
Naphthalene	12,000	500,000	1,000,000	Ug/kg	44	J	440		11,000,000		3,600	
Phenanthrene	100,000	500,000	1,000,000	Ug/kg	200	J	54	J	13,000,000		74	J
Pyrene	100,000	500,000	1,000,000	Ug/kg	290		160	J	5,900,000		<190	U
Chromium	30	1,500	6,800	mg/kg	28.6		37.6		8.4		23.3	
Cyanide, Total	27	27	10,000	mg/kg	<1.1	U	<1.3	UJ	3.7	J	<1.1	UJ

Parsons, 2021 Tonawanda Plastics Site NYSDEC ID 915003 Draft Site Investigation Summary Report

Notes:

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Ug/kg - Micrograms per kilogram

mg/kg - Miligrams per kilogram

Table 2: 2020 Sewer Sample Detections

Analytes > NYSDEC Class A Surface Water Standards and Guidance Values	Detections > NYSDEC Class A Surface Water Standards and Guidance Values	Maximum Detections (ppb)	NYSDEC Class A Surface Water Standards and Guidance Values (ppb)
Benzene	1	1.4 J	1
Naphthalene	1	23	10
Aluminum	5	2,700	100
Magnesium	2	45,000	35,000
Manganese	2	3,700	300
Iron	6	13,800	300
Sodium	6	83,400	20,000
Vanadium	1	56	15
Cyanide	1	240	200

Parsons, 2021 Tonawanda Plastics Site NYSDEC ID 915003 Draft Site Investigation Summary Report



Table 2A  
2020 Sewer Data  
3821 River Road Tonawanda NY

Analytes	Class A Ambient Surface Water Quality Standards and Guidance Values	Units	36 INLET-02162018	36 OUTLET-02162018	36 INLET-04172018	36 OUTLET-04172018	36 INLET_07202018	36 OUTLET_07202018
	Sample Date:		2/16/2018	2/16/2018	4/17/2018	4/17/2018	7/20/2018	7/20/2018
	Sample Location:		Inlet A - 36" Storm Sewer	Outlet A - 36" Storm Sewer	Inlet A - 36" Storm Sewer	Outlet A - 36" Storm Sewer	Inlet A - 36" Storm Sewer	Outlet A - 36" Storm Sewer
	Flow Event:		High Flow - Snow Melt	High Flow - Snow Melt	Storm - Rain Storm	Storm - Rain Storm	Low Flow Event	Low Flow Event
<u>Volatile Organic Compounds</u>								
Benzene	1 ug/L		<1.0 U	0.6 J	<2.0 U	1.4 J	<2.0 U	<2.0 U
Carbon Disulfide	- ug/L		<1.0 U	0.7 J	<2.0 U	1.7 J	<2.0 U	<2.0 U
Cis-1,2-Dichloroethene	5 ug/L		<1.0 U	1.4	<2.0 U	<2.0 U	<2.0 U	2.6
Methylene Chloride	5 ug/L		<1.0 U	<1 U	1.8 J	1.4 J	1.2 J	<2.0 U
Trichloroethene	5 ug/L		<1.0 U	0.9 J	<2.0 U	<2.0 U	<2.0 U	<2.0 U
<u>Semi-Volatile Organic Compounds</u>								
2-Methylnaphthalene	- ug/L		<5.0 U	0.7 J	<5.0 U	1.5 J	<5.0 U	<5.0 U
Fluorene	50 (G)* ug/L		<5.0 U	<5.0	<5.0 U	0.4 J	<5.0 U	<5.0 U
Naphthalene	10 ug/L		<5.0 U	0.9 J	<5.0 U	23.0	<5.0 U	<5.0 U
<u>Inorganics</u>								
Aluminum	0.1 mg/L		0.10 J	0.75	0.28	2.7	0.50	0.17 J
Barium	1 mg/L		0.045	0.044	0.036	0.035	0.086	0.077
Cadmium	0.005 mg/L		<0.0005 U	<0.0005 U	<0.0005 U	0.00063 J	<0.0005 U	0.00056 J
Calcium	- mg/L		100	106	81	88	147	238
Chromium	0.05 mg/L		<0.001 U	0.0038 J	<0.001 U	0.022	0.003 J	<0.001 U
Cobalt	0.005 mg/L		<0.00063 U	0.00063 J	<0.00063 U	0.0035 J	<0.00063 U	0.0029 J
Copper	0.2 mg/L		0.0025 J	0.0022 J	0.0031 J	0.0062 J	0.0026 J	<0.0016 U
Iron	0.3 mg/L		0.32	3.8	0.31	13.8	1.7	3.3
Lead	0.05 mg/L		<0.003 U	<0.003 U	0.0039 J	0.029	<0.003 U	<0.003 U
Magnesium	35 mg/L		20.7	21.5	16.6	19.4	58.6	45.0
Manganese	0.3 mg/L		0.16	0.22	0.05	0.16	4.3	3.7
Nickel	0.1 mg/L		<0.0013 U	0.0066 J	<0.0013 U	0.032	0.0022 J	0.022
Potassium	- mg/L		5.5	5.5	5.4	5.4	8.6	6.4
Sodium	20 mg/L		37.8	46.0	23.1	27.8	63.7	83.4
Vanadium	0.015 mg/L		<0.0015 U	0.0084	<0.0015 U	0.056	<0.0015 U	<0.0015 U
Zinc	2 (G)* mg/L		<0.0064 U	0.025	<0.01 U	0.083	<0.01 U	0.14
Cyanide	0.20 mg/L		<0.005 UJ	0.014	<0.005 U	0.025	0.049	0.24

Parsons, 2021 Tonawanda Plastics Site NYSDEC ID 915003 Draft Site Investigation Summary Report

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Table 3 : 2016 Monitoring Well Detections for 3821 River Road, Tonawanda New York

Analytes > Class GA Ambient Water Quality Standards and Guidance Values	Detection greater than Class GA Ambient Water Quality Standards and Guidance Values	Maximum Detections (ppb)	Class GA Ambient Water Quality Standards and Guidance Values (ppb)
<u>TCL VOCs</u>			
Benzene	4	84.0	5
Ethylbenzene	2	20.0	5
Toluene	2	12.0	5
Xylenes (Total)	3	34.0	5
Acetone	1	82 J	50
cis-1,2-Dichloroethene	2	50.0	5
Trichloroethene	1	5.9	5
Vinyl Chloride	1	5.4	2
<u>TCL SVOCs</u>			
Benzo(A)Anthracene	1	0.4	0.002
Biphenyl (Diphenyl)	3	31.0	5
Bis(2-Ethylhexyl) Phthalate	1	34.0	5
Hexachlorocyclopentadiene	4	50 UJ	5
Naphthalene	4	1700.0	10
Pentachlorophenol	8	100 UJ	1
Phenol	1	3.5	1
<u>Tal Metals</u>			
Arsenic	5	920.0	25
Barium	1	4900.0	1000
Beryllium	5	11.0	3
Cadmium	2	16.0	5
Chromium, Total	4	5800.0	50
Copper	2	510.0	200
Iron	11	491000.0	300
Lead	4	1200.0	25
Magnesium	11	1180000.0	35000
Manganese	10	12300.0	300
Nickel	5	1700.0	100
Selenium	1	13.0	10
Sodium	8	491000.0	20000
Zinc	2	4100.0	2000
Mercury	1	1.7	0.7
Cyanide	10	2.2	0.2



Table 3A  
Groundwater Data for  
3821 River Road Tonawanda, New York

Analytes	Class GA Ambient Water Quality Standards and Guidance Values	Units	MW-1	MW-2	MW-3	MW-4	MW-5	MW-6	MW-7	MW-8	MW-9	MW-10	MW-11R	MW-12R
	Sample Date:		10/24/2016	10/25/2016	10/25/2016	10/24/2016	10/25/2016	10/25/2016	10/24/2016	10/24/2016	10/24/2016	10/25/2016	10/26/2016	10/25/2016
	Sample Interval:		NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
	Formation:		GW	GW	GW	GW	GW	GW	GW	GW	GW	GW	GW	GW
TCL VOCs (SW8260C)														
1,1,1-Trichloroethane (TCA)	5	ug/l	<1 U	<1 U	<1 U	<1 U	<1 U	<10 U	<10 U	<1 U	<1 U	<1 U	<1 U	<1 U
1,1,2,2-Tetrachloroethane	5	ug/l	<1 U	<1 U	<1 U	<1 U	<1 U	<10 U	<10 U	<1 U	<1 U	<1 U	<1 U	<1 U
1,1,2-Trichloroethane	1	ug/l	<1 U	<1 U	<1 U	<1 U	<1 U	<10 U	<10 U	<1 U	<1 U	<1 U	<1 U	<1 U
1,1,2-Trichloro-1,2,2-Trifluoroethane	5	ug/l	<1 U	<1 U	<1 U	<1 U	<1 U	<10 U	<10 U	<1 U	<1 U	<1 U	<1 U	<1 U
1,1-Dichloroethane	5	ug/l	0.47 J	<1 U	<1 U	<1 U	<1 U	<10 U	<10 U	1.6	<1 U	<1 U	<1 U	<1 U
1,1-Dichloroethene	5	ug/l	<1 U	<1 U	<1 U	<1 U	<1 U	<10 U	<10 U	<1 U	<1 U	<1 U	<1 U	<1 U
1,2,3-Trichlorobenzene	5	ug/l	<1 U	<1 U	<1 U	<1 U	<1 U	<10 U	<10 U	<1 U	<1 U	<1 U	<1 U	<1 U
1,2,4-Trichlorobenzene	5	ug/l	<1 U	<1 U	<1 U	<1 U	<1 U	<10 U	<10 U	<1 U	<1 U	<1 U	<1 U	<1 U
1,2-Dibromo-3-Chloropropane	0.04	ug/l	<1 U	<1 U	<1 U	<1 U	<1 U	<10 U	<10 U	<1 U	<1 U	<1 U	<1 U	<1 U
1,2-Dibromoethane (Ethylene Dibromide)	0.0006	ug/l	<1 U	<1 U	<1 U	<1 U	<1 U	<10 U	<10 U	<1 U	<1 U	<1 U	<1 U	<1 U
1,2-Dichlorobenzene	3	ug/l	<1 U	<1 U	<1 U	<1 U	<1 U	<10 U	<10 U	<1 U	<1 U	<1 U	<1 U	<1 U
1,2-Dichloroethane	0.6	ug/l	<1 U	<1 U	<1 U	<1 U	<1 U	<10 U	<10 U	<1 U	<1 U	<1 U	<1 U	<1 U
1,2-Dichloropropane	1	ug/l	<1 U	<1 U	<1 U	<1 U	<1 U	<10 U	<10 U	<1 U	<1 U	<1 U	<1 U	<1 U
1,3-Dichlorobenzene	3	ug/l	<1 U	<1 U	<1 U	<1 U	<1 U	<10 U	<10 U	<1 U	<1 U	<1 U	<1 U	<1 U
1,4-Dichlorobenzene	3	ug/l	<1 U	<1 U	<1 U	<1 U	<1 U	<10 U	<10 U	<1 U	<1 U	<1 U	<1 U	<1 U
1,4-Dioxane (P-Dioxane)		ug/l	<1 U	<1 U	<1 U	<1 U	<1 U	<10 U	<10 U	<1 U	<1 U	<1 U	<1 U	<1 U
Methyl Ethyl Ketone (2-Butanone)	50	ug/l	<10 U	<10 U	<10 U	<10 U	<10 U	<100 U	<100 U	<10 U	<10 U	<10 U	<10 U	4.7 J
2-Hexanone	50	ug/l	<5 U	<5 U	<5 U	<5 U	<5 U	<50 U	<50 U	<5 U	<5 U	<5 U	<5 U	<5 U
Methyl Isobutyl Ketone (4-Methyl-2-Pentanone)		ug/l	<5 U	<5 U	<5 U	<5 U	<5 U	<50 U	<50 U	<5 U	<5 U	<5 U	<5 U	<5 U
Acetone	50	ug/l	18	<10 UJ	4.5 J	<10 UJ	3.9 J	<100 UJ	82 UJ	10 UJ	<10 U	10 UJ	10 UJ	10 UJ
Benzene	1	ug/l	7.8	<1 U	<1 U	<1 U	<1 U	84	36	<1 U	12	4.8	<1 U	<1 U
Bromochloromethane	5	ug/l	<1 U	<1 U	<1 U	<1 U	<1 U	<10 U	<10 U	<1 U	<1 U	<1 U	<1 U	<1 U
Bromodichloromethane	50	ug/l	<1 U	<1 U	<1 U	<1 U	<1 U	<10 U	10UJ	<1 U	<1 UJ	<1 U	<1 U	<1 U
Bromoform	50	ug/l	<1 U	<1 U	<1 U	<1 U	<1 U	<10 U	<10 U	<1 U	<1 U	<1 U	<1 U	<1 U
Bromomethane	5	ug/l	<1 U	<1 U	<1 U	<1 U	<1 U	<10 U	<10 U	1 UJ	<1 U	<1 U	<1 U	<1 U
Carbon Disulfide		ug/l	0.7 J	0.2 J	<1 U	<1 U	0.22 J	28	110	<1 U	<1 U	<1 U	<1 U	<1 U
Carbon Tetrachloride	5	ug/l	<1 U	<1 U	<1 U	<1 U	<1 U	<10 U	<10 U	<1 U	<1 U	<1 U	<1 U	<1 U
Chlorobenzene	5	ug/l	<1 U	<1 U	<1 U	<1 U	<1 U	<10 U	<10 U	<1 U	<1 U	<1 U	<1 U	<1 U
Chloroethane	5	ug/l	<1 U	<1 U	<1 U	<1 U	<1 U	<10 U	<10 U	<1 U	<1 U	<1 U	<1 U	<1 U
Chloroform	7	ug/l	<1 U	<1 U	<1 U	<1 U	<1 U	<10 U	<10 U	<1 U	<1 U	<1 U	<1 U	<1 U
Chloromethane	5	ug/l	<1 U	<1 U	<1 U	<1 U	<1 U	<10 U	<10 U	<1 U	<1 U	<1 U	<1 U	<1 U
Cyclohexane		ug/l	<1 U	<1 U	<1 U	<1 U	<1 U	<10 U	<10 U	<1 U	<1 U	<1 U	<1 U	<1 U
Dibromochloromethane	50	ug/l	<1 U	<1 U	<1 U	<1 U	<1 U	<10 U	<10 U	<1 U	<1 U	<1 U	<1 U	<1 U
Dichlorodifluoromethane	5	ug/l	<1 U	<1 U	<1 U	<1 U	<1 U	<10 U	<10 U	<1 U	<1 U	<1 U	<1 U	<1 U
Methylene Chloride	5	ug/l	<1 U	<1 U	<1 U	<1 U	<1 U	<10 U	<10 U	<1 U	<1 U	<1 U	<1 U	<1 U
Ethylbenzene	5	ug/l	2.8	<1 U	<1 U	<1 U	<1 U	20	<10 U	<1 U	5.3	<1 U	<1 U	<1 U
Isopropylbenzene (Cumene)	5	ug/l	<1 U	<1 U	<1 U	<1 U	<1 U	<10 U	<10 U	<1 U	.84 J	<1 U	<1 U	<1 U
Methyl Acetate		ug/l	<2.5 U	<2.5 U	<2.5 U	<2.5 U	<2.5 U	<25 U	<25 U	<2.5 U	<2.5 U	<2.5 U	<2.5 U	<2.5 U
Tert-Butyl Methyl Ether		ug/l	<1 U	<1 U	<1 U	<1 U	<1 U	<10 U	<10 U	<1 U	<1 U	<1 U	<1 U	<1 U
Methylcyclohexane		ug/l	<1 U	<1 U	<1 U	<1 U	<1 U	<10 U	<10 U	<1 U	.61 J	<1 U	0.22 J	<1 U
Styrene	5	ug/l	<1 U	<1 U	<1 U	<1 U	<1 U	<10 U	<10 U	<1 U	<1 U	<1 U	<1 U	<1 U
Tetrachloroethylene (PCE)	5	ug/l	<1 U	<1 U	<1 U	<1 U	<1 U	<10 U	<10 U	<1 U	<1 U	<1 U	<1 U	<1 U
Toluene	5	ug/l	2.5	<1 U	<1 U	<1 U	<1 U	7.8 J	12	<1 U	0.51 J	<1 U	<1 U	<1 U
Trichloroethylene (TCE)	5	ug/l	<1 U	<1 U	<1 U	5.9	2.6	<10 U	<10 U	<1 U	0.52 J	<1 U	<1 U	<1 U
Trichlorofluoromethane	5	ug/l	<1 U	<1 U	<1 U	<1 U	<1 U	<10 U	<10 U	<1 U	<1 U	<1 U	<1 U	<1 U
Vinyl Chloride	2	ug/l	<1 U	<1 U	<1 U	1.6	4.3	<10 U	<10 U	<1 U	5.4	<1 U	<1 U	<1 U
Cis-1,2-Dichloroethylene	5	ug/l	<1 U	<1 U	<1 U	50	1	<10 U	<10 U	2	8.5	2.5	<1 U	<1 U
Cis-1,3-Dichloropropene	0.4	ug/l	<1 U	<1 U	<1 U	<1 U	<1 U	<10 U	<10 U	<1 U	<1 U	<1 U	<1 U	<1 U
m,p-Xylene	5	ug/l	12	<2 U	<2 U	<2 U	<2 U	24	34	<2 U	2	<2 U	<2 U	<2 U
O-Xylene (1,2-Dimethylbenzene)	5	ug/l	<1 U	<1 U	<1 U	<1 U	<1 U	<10 U	<10 U	<1 U	<1 U	<1 U	<1 U	<1 U
Trans-1,2-Dichloroethene	5	ug/l	<1 U	<1 U	<1 U	1.8	<1 U	<10 U	<10 U	<1 U	1.8	<1 U	<1 U	<1 U
Trans-1,3-Dichloropropene	0.4	ug/l	<1 U	<2 U	<2 U	<1 U	<1 U	<10 U	<10 U	<1 U	<1 U	<1 U	<1 U	<1 U



Table 3A  
Groundwater Data for  
3821 River Road Tonawanda, New York

Analytes	Class GA Ambient Water Quality Standards and Guidance Values	Units	MW-1	MW-2	MW-3	MW-4	MW-5	MW-6	MW-7	MW-8	MW-9	MW-10	MW-11R	MW-12R	
			Sample Date:	10/24/2016	10/25/2016	10/25/2016	10/24/2016	10/25/2016	10/25/2016	10/24/2016	10/24/2016	10/24/2016	10/25/2016	10/26/2016	10/25/2016
			Sample Interval:	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
			Formation:	GW	GW	GW	GW	GW	GW	GW	GW	GW	GW	GW	GW
TCL SVOCs (SW8270D)															
1,2,4,5-Tetrachlorobenzene	5	ug/l	<5.2 U	<6.2 U	<5 U	<4.7 U	<29 U	<4.9 U	<5.3 U	<5.2 U	<50 U	<5.4 U	<4.8 U	<4.7 U	
2,3,4,6-Tetrachlorophenol		ug/l	<5.2 U	<6.2 U	<5 U	<4.7 U	<29 U	<4.9 U	<5.3 U	<5.2 U	<50 U	<5.4 U	<4.8 U	<4.7 U	
2,4,5-Trichlorophenol		ug/l	<5.2 U	<6.2 U	<5 U	<4.7 U	<29 U	<4.9 U	<5.3 U	<5.2 U	<50 U	<5.4 U	<4.8 U	<4.7 U	
2,4,6-Trichlorophenol		ug/l	<5.2 U	<6.2 U	<5 U	<4.7 U	<29 U	<4.9 U	<5.3 U	<5.2 U	<50 U	<5.4 U	<4.8 U	<4.7 U	
2,4-Dichlorophenol	5	ug/l	<5.2 U	<6.2 U	<5 U	<4.7 U	<29 U	<4.9 U	<5.3 U	<5.2 U	<50 U	<5.4 U	<4.8 U	<4.7 U	
2,4-Dimethylphenol	50	ug/l	1.6 J	<6.2 U	<5 U	<4.7 U	<29 U	0.75 J	4.6 J	<11 U	<50 U	<5.4 U	<4.8 U	<4.7 U	
2,4-Dinitrophenol	10	ug/l	<10 U	<12 U	<10 U	<9.5 U	<57 U	<9.7 U	<11 U	<10 U	<100 U	<11 U	<9.7 U	<9.4 U	
2,4-Dinitrotoluene	5	ug/l	<5.2 U	<6.2 U	<5 U	<4.7 U	<29 U	<4.9 U	<5.3 U	<5.2 U	<50 U	<5.4 U	<4.8 U	<4.7 U	
2,6-Dinitrotoluene	5	ug/l	<5.2 U	<6.2 U	<5 U	<4.7 U	<29 U	<4.9 U	<5.3 U	<5.2 U	<50 U	<5.4 U	<4.8 U	<4.7 U	
2-Chloronaphthalene	10	ug/l	<5.2 U	<6.2 U	<5 U	<4.7 U	<29 U	<4.9 U	<5.3 U	<5.2 U	<50 U	<5.4 U	<4.8 U	<4.7 U	
2-Chlorophenol		ug/l	<5.2 U	<6.2 U	<5 U	<4.7 U	<29 U	<4.9 U	<5.3 U	<5.2 U	<50 U	<5.4 U	<4.8 U	<4.7 U	
2-Methylnaphthalene	NC	ug/l	19	<6.2 U	<5 U	<4.7 U	<29 U	110	90 J	<5.2 U	<50 U	<5.4 U	<4.8 U	<4.7 U	
2-Methylphenol (O-Cresol)		ug/l	0.83 J	<6.2 U	<5 U	<4.7 U	<29 U	<4.9 U	4.9 J	<5.2 U	<100 U	<11 U	<4.8 U	<4.7 U	
2-Nitroaniline		5	ug/l	<10 U	<12 U	<10 U	<9.5 U	<57 U	<9.7 U	<11 U	<10 U	<50 U	<5.4 U	<4.8 U	<4.7 U
2-Nitrophenol			ug/l	<5.2 U	<6.2 U	<5 U	<4.7 U	<29 U	<4.9 U	<5.3 U	<5.2 U	<50 U	<5.4 U	<4.8 U	<4.7 U
3,3'-Dichlorobenzidine		5	ug/l	<5.2 U	<6.2 U	<5 U	<4.7 U	<29 U	<4.9 U	<11 U	<5.2 U	<50 U	<5.4 U	<4.8 U	<4.7 U
Cresols, M & P			ug/l	<5.2 U	<6.2 U	<10 U	<9.5 U	<29 U	.67 J	<5.3 U	<10 U	<100 U	<11 U	<9.7 U	<9.4 U
3-Nitroaniline		5	ug/l	<10 U	<12 U	<10 U	<9.5 U	<57 U	<9.7 U	<11 U	<10 U	<100 U	<11 U	<9.7 U	<9.4 U
4,6-Dinitro-2-Methylphenol			ug/l	<5.2 U	<6.2 U	<5 U	<4.7 U	<57 U	<9.7 U	<5.3 U	<5.2 U	<100 U	<11 U	<9.7 U	<9.4 U
4-Bromophenyl Phenyl Ether			ug/l	<5.2 U	<6.2 U	<5 U	<4.7 U	<29 U	<4.9 U	<5.3 U	<5.2 U	<50 U	<5.4 U	<4.8 U	<4.7 U
4-Chloro-3-Methylphenol			ug/l	<5.2 U	<6.2 U	<5 U	<4.7 U	<29 U	<4.9 U	<5.3 U	<5.2 U	<50 U	<5.4 U	<4.8 U	<4.7 U
4-Chloroaniline	5	ug/l	<5.2 U	<6.2 U	<5 U	<4.7 U	<29 U	<4.9 U	<5.3 U	<5.2 U	<50 U	<5.4 U	<4.8 U	<4.7 U	
4-Chlorophenyl Phenyl Ether		ug/l	<5.2 U	.68 J	<10 U	<9.5 U	<29 U	<4.9 U	9.9 J	<5.2 U	<50 U	<5.4 U	<4.8 U	<4.7 U	
4-Nitroaniline	5	ug/l	<10 U	<12 U	<10 U	<9.5 U	<57 U	<9.7 U	<11 U	<10 U	<100 U	<11 U	<9.7 U	<9.4 U	
4-Nitrophenol		ug/l	<10 U	<12 U	<10 U	<9.5 U	<57 U	<9.7 U	<11 U	<10 U	<100 U	<11 U	<9.7 U	<9.4 U	
Acenaphthene	20	ug/l	5 J	<6.2 U	<5 U	<4.7 U	<29 U	11	6.9	<5.2 U	6.7 J	19	<4.8 U	<4.7 U	
Acenaphthylene		ug/l	5.7	<6.2 U	<5 U	<4.7 U	<29 U	<4.9 U	<5.3 U	<5.2 U	<50 U	.46 J	<4.8 U	<4.7 U	
Acetophenone		ug/l	4.5 J	<6.2 U	<5 U	<4.7 U	<29 U	<4.9 U	6.1	<5.2 U	<50 U	<5.4 U	<4.8 U	<4.7 U	
Anthracene	50	ug/l	<5.2 U	<6.2 U	<5 U	<4.7 U	<29 U	4.8 J	<5.3 U	<5.2 U	<50 U	.79 J	<4.8 U	<4.7 U	
Atrazine	7.5	ug/l	<5.2 U	<6.2 U	<5 U	<4.7 U	<29 U	<4.9 U	<5.3 U	<5.2 U	<50 U	<5.4 U	<4.8 U	<4.7 U	
Benzo(A)Anthracene	0.002	ug/l	<5.2 U	<6.2 U	<5 U	<4.7 U	<29 U	<4.9 U	.38 J	<5.2 U	<50 U	<5.4 U	<4.8 U	<4.7 U	
Benzaldehyde		ug/l	<5.2 U	<6.2 U	<5 U	<4.7 U	<29 U	<4.9 U	<5.3 U	<5.2 U	<50 U	<5.4 U	<4.8 U	<4.7 U	
Benzo(A)Pyrene	NC	ug/l	<5.2 U	<6.2 U	<5 U	<4.7 U	<29 U	<4.9 U	<5.3 U	<5.2 U	<50 U	<5.4 U	<4.8 U	<4.7 U	
Benzo(B)Fluoranthene		0.002	ug/l	<5.2 U	<6.2 U	<5 U	<4.7 U	<29 U	<4.9 U	<5.3 U	<5.2 U	<50 U	<5.4 U	<4.8 U	<4.7 U
Benzo(G,H,I)Perylene			ug/l	<5.2 U	<6.2 U	<5 U	<4.7 U	<29 U	<4.9 U	<5.3 U	<5.2 U	<50 U	<5.4 U	<4.8 U	<4.7 U
Benzo(K)Fluoranthene		0.002	ug/l	<5.2 U	<6.2 U	<5 U	<4.7 U	<29 U	<4.9 U	<5.3 U	<5.2 U	<50 U	<5.4 U	<4.8 U	<4.7 U
Biphenyl (Diphenyl)		5	ug/l	7.4	<6.2 U	<5 U	<4.7 U	<29 U	31	6	<5.2 U	<50 U	<5.4 U	<4.8 U	<4.7 U
Bis(2-Chloroisopropyl) Ether		5	ug/l	<5.2 U	<6.2 U	<5 U	<4.7 U	<29 U	<4.9 U	<5.3 U	<5.2 U	<50 U	<5.4 U	<4.8 U	<4.7 U
Bis(2-Chloroethoxy) Methane		5	ug/l	<5.2 U	<6.2 U	<5 U	<4.7 U	<29 U	<4.9 U	<5.3 U	<5.2 U	<50 U	<5.4 U	<4.8 U	<4.7 U
Bis(2-Chloroethyl) Ether (2-Chloroethyl Ether)		1	ug/l	<5.2 U	<6.2 U	<5 U	<4.7 U	<29 U	<4.9 U	<5.3 U	<5.2 U	<50 U	<5.4 U	<4.8 U	<4.7 U
Bis(2-Ethylhexyl) Phthalate		5	ug/l	<5.2 U	<6.2 U	<5 U	<4.7 U	<29 U	<4.9 U	<5.3 U	34	<50 U	<5.4 U	<4.8 U	<4.7 U
Benzyl Butyl Phthalate	50	ug/l	<5.2 U	<6.2 U	<5 U	<4.7 U	<29 U	<4.9 U	<5.3 U	<5.2 U	<50 U	<5.4 U	<4.8 U	<4.7 U	
Caprolactam		ug/l	<5.2 U	<6.2 U	<5 U	<4.7 U	<29 U	<4.9 U	<5.3 U	6.1	<50 U	<5.4 U	<4.8 U	<4.7 U	
Carbazole		ug/l	18	<6.2 U	<5 U	<4.7 U	<29 U	18	25	<5.2 U	5 J	10	<4.8 U	<4.7 U	
Chrysene	0.002	ug/l	<5.2 U	<6.2 U	<5 U	<4.7 U	<29 U	<4.9 U	<5.3 U	<5.2 U	<50 U	<5.4 U	<4.8 U	<4.7 U	
Di-N-Butyl Phthalate	50	ug/l	<5.2 U	<6.2 U	<5 U	<4.7 U	<29 U	<4.9 U	<5.3 U	<5.2 U	<50 U	<5.4 U	<4.8 U	<4.7 U	



Table 3A  
Groundwater Data for  
3821 River Road Tonawanda, New York

Analytes	Class GA Ambient Water Quality Standards and Guidance Values	Units	MW-1	MW-2	MW-3	MW-4	MW-5	MW-6	MW-7	MW-8	MW-9	MW-10	MW-11R	MW-12R
			10/24/2016	10/25/2016	10/25/2016	10/24/2016	10/25/2016	10/25/2016	10/24/2016	10/24/2016	10/24/2016	10/25/2016	10/26/2016	10/25/2016
			NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
			GW	GW	GW	GW	GW	GW	GW	GW	GW	GW	GW	GW
Di-N-Octylphthalate	50	ug/l	0.55 J	<6.2 U	<5 U	<4.7 U	<29 U	<4.9 U	<5.3 U	<5.2 U	<50 U	<5.4 U	<4.8 U	<4.7 U
Dibenz(A,H)Anthracene		ug/l	<5.2 U	<6.2 U	<5 U	<4.7 U	<29 U	<4.9 U	<5.3 U	<5.2 U	<50 U	<5.4 U	<4.8 U	<4.7 U
Dibenzofuran		ug/l	5.8 J	<12 U	<10 U	<9.5 U	<57 U	4.3 J	3.4 J	<10 U	<100 U	<5.4 U	<9.7 U	<9.4 U
Diethyl Phthalate	50	ug/l	<5.2 U	<6.2 U	<5 U	<4.7 U	<29 U	<4.9 U	<5.3 U	<5.2 U	<50 U	<5.4 U	<4.8 U	<4.7 U
Dimethyl Phthalate	50	ug/l	<5.2 U	<6.2 U	<5 U	<4.7 U	<29 U	<4.9 U	<5.3 U	<5.2 U	<50 U	<5.4 U	<4.8 U	<4.7 U
Fluoranthene	50	ug/l	1.2 J	<6.2 U	<5 U	<4.7 U	<29 U	2.7 J	.92 J	<5.2 U	<50 U	1.9 J	<4.8 U	<4.7 U
Fluorene	50	ug/l	17	<6.2 U	<5 U	<4.7 U	<29 U	32	9.5	<5.2 U	<50 U	4.8 J	<4.8 U	<4.7 U
Hexachlorobenzene	0.04	ug/l	<5.2 U	<6.2 U	<5 U	<4.7 U	<29 U	<4.9 U	<5.3 U	<5.2 U	<50 U	<5.4 U	<4.8 U	<4.7 U
Hexachlorobutadiene	0.5	ug/l	<5.2 U	<6.2 U	<5 U	<4.7 U	<29 U	<4.9 U	<5.3 U	<5.2 U	<50 U	<5.4 U	<4.8 U	<4.7 U
Hexachlorocyclopentadiene	5	ug/l	<5.2 U	<6.2 U	<5 U	<4.7 U	29 UJ	<4.9 U	5.3 UJ	5.2 UJ	50 UJ	<5.4 U	4.8 UJ	4.7
Hexachloroethane	5	ug/l	<5.2 U	<6.2 U	<5 U	<4.7 U	<29 U	<4.9 U	<5.3 U	<5.2 U	<50 U	<5.4 U	<4.8 U	<4.7 U
Indeno(1,2,3-C,D)Pyrene	0.002	ug/l	<5.2 U	<6.2 U	<5 U	<4.7 U	<29 U	<4.9 U	<5.3 U	<5.2 U	<50 U	<5.4 U	<4.8 U	<4.7 U
Isophorone	50	ug/l	<5.2 U	<6.2 U	<5 U	<4.7 U	<29 U	<4.9 U	<5.3 U	<5.2 U	<50 U	<5.4 U	<4.8 U	<4.7 U
N-Nitrosodi-N-Propylamine		ug/l	<5.2 U	<6.2 U	<5 U	<4.7 U	<29 U	<4.9 U	<5.3 U	<5.2 U	<50 U	<5.4 U	<4.8 U	<4.7 U
N-Nitrosodiphenylamine	50	ug/l	<5.2 U	<6.2 U	<5 U	<4.7 U	<29 U	<4.9 U	<5.3 U	<5.2 U	<50 U	<5.4 U	<4.8 U	<4.7 U
Naphthalene	10	ug/l	250	<6.2 U	<5 U	<4.7 U	<29 U	630	1700	<5.2 U	98	1.1 J	<4.8 U	<4.7 U
Nitrobenzene	0.4	ug/l	<5.2 U	<6.2 U	<5 U	<4.7 U	<29 U	<4.9 U	<5.3 U	<5.2 U	<50 U	<5.4 U	<4.8 U	<4.7 U
Pentachlorophenol	1	ug/l	<10 UJ	<12 UJ	<10 UJ	<9.5 UJ	57 UJ	9.7 UJ	6.9 J	10 UJ	100 UJ	11 UJ	9.7 UJ	9.4 UJ
Phenanthrene	50	ug/l	11	<6.2 U	<5 U	<4.7 U	<29 U	32	4.9 J	<5.2 U	<50 U	.82 J	<4.8 U	<4.7 U
Phenol	1	ug/l	<5.2 U	<6.2 U	<5 U	<4.7 U	<29 U	<4.9 U	3.5 J	<5.2 U	<50 U	<5.4 U	<4.8 U	<4.7 U
Pyrene	50	ug/l	1.4 J	<6.2 U	<5 U	<4.7 U	<29 U	3.3 J	.82 J	<5.2 U	<50 U	1.2 J	<4.8 U	<4.7 U
TAL Metals (SW6010)														
Aluminum	NC	ug/l	117,000	200	270	<60 U	7000	37500	65600	87 J	193000	43600	10200	190 J
Antimony	3	ug/l	<6.8 U	<6.8 U	<6.8 U	<6.8 U	<6.8 U	<6.8 U	<6.8 U	<6.8 U	<6.8 U	<6.8 U	<6.8 U	<6.8 U
Arsenic	25	ug/l	84	10 J	12 J	<5.6 U	43	<5.6 U	920	<5.6 U	150	31	11 J	6 J
Barium	1,000	ug/l	16	68	78	54	100	22	7.5	40	4900	33	88	18
Beryllium	3	ug/l	11	<0.3 U	<0.3 U	<0.3 U	0.35 J	5.2	5.8	<0.3 U	11	4.7	0.33 J	<0.3 U
Cadmium	5	ug/l	16	0.7 J	<0.5 U	<0.5 U	3.7	0.64 J	20	<0.5 U	15	1.7 J	<0.5 U	<0.5 U
Calcium		ug/l	394,000	453,000	236,000	153,000	124000	278000	275000	118000	272000	271000	594000	424000
Chromium, Total	50	ug/l	580	3.7 J	1.3 J	<1 U	77	160	650	1.2 J	650	200	15	1.1 J
Cobalt	NC	ug/l	180	5.9	<0.63 U	<0.63 U	22	<0.63 U	82	1.3 J	99	12	9.3	8.4
Copper	200	ug/l	250	12	5.7 J	2 J	76	<1.6 U	54	2.2 J	510	69	15	<1.6 U
Iron	300	ug/l	491,000	10000	15,100	960	108000	97000	438000	4800	322000	251000	12900 J	1800 J
Lead	25	ug/l	350	6.1 J	3.1 J	<3 U	180	6.2 J	1200	4 J	890	12	14	3 J
Magnesium	35,000	ug/l	231000	156000	55800	18700	218000	40100	58900	258000	99300	80100	501000	1180000
Manganese	300	ug/l	12300	4700	2300	210	2500	4600	3800	690	6900	7800	660	310
Nickel	100	ug/l	1700	20	<3.4 U	1.7 J	180	27	570	2.9 J	580	140	23	15
Potassium		ug/l	6800	10200	3300	5600	2180	19500	16400	3100	59100	15600	18600	13900
Selenium	10	ug/l	<8.7 U	<8.7 U	<8.7 U	<8.7 U	<8.7 U	<8.7 U	<8.7 U	<8.7 U	13 J	<8.7 U	<8.7 U	<8.7 U
Silver	50	ug/l	<1.7 U	<1.7 U	<1.7 U	<1.7 U	<1.7 U	<1.7 U	<1.7 U	<1.7 U	16	<1.7 U	<1.7 U	<1.7 U
Sodium	20,000	ug/l	75400	125000	108000	10800	80100	17900	25100	154000	90900	127000	491000	465000
Thallium	0.5	ug/l	<10 U	<10 U	<10 U	<10 U	<10 U	<10 U	<10 U	<10 U	<10 U	<10 U	<10 U	<10 U
Vanadium	NC	ug/l	66	<1.5 U	<1.5 U	1.8 J	20	33	56	<1.5 U	330	81	19	<1.5 U
Zinc	2,000	ug/l	4100	15	9.1 J	3.6 J	150	190	2200	11	1800	650	48	5.3 J
Mercury (SW7470)														
Mercury	0.7	ug/l	<0.12 U	<0.12 U	<0.12 U	<0.12 U	0.16 J	<0.12 U	<0.12 U	<0.12 U	1.7	<0.12 U	<0.12 U	<0.12 U
Cyanide (SW9012B/ KELADA-01)														
Cyanide	0.20	mg/l	0.23	2.2	0.38	0.32	.75 J	0.4	0.91	0.7	0.54	1.1	<0.005 U	0.029 J

Source: Parsons "Investigation Summary Report", October 2017

Notes:

U - Indicates compound was not detected

J - Indicates an estimated concentration

Ug/kg - Micrograms per kilogram

mg/kg - Milligrams per kilogram

## Attachment A-IV-4 Property's Environmental History

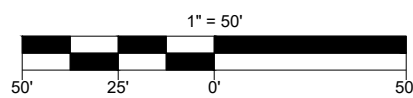
Impacted media Figures; Figure 7 – Soil, Figure 8 – Groundwater, Figure 9 – Storm Sewer





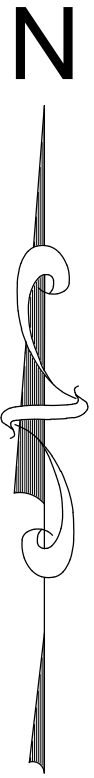


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References:

1. Parsons, 2021, Tonawanda Plastics Site NYSDEC ID 915003 Draft Site Investigation Summary Report
2. Niagara Boundary and Mapping Services, 2022, Site Aerial of 3821 River Road Tonawanda



2020 SOIL DATA

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(703) 722-6049  
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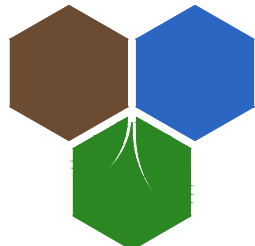


FIGURE 7

DRAWING NUMBER

DRAWING BY	RB
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Analytes	Part 375 SCOs			Units	B-29-11102020-1.8-2.3
	Unrestricted Use	Commercial	Industrial		
				Sample Date:	11/10/2020
				Sample Interval (ft):	1.8-2.3
				Matrix	Soil
Chromium	30	1,500	6,800	mg/kg	37.6

Analytes	Part 375 SCO's			Units	B-14-11102020-0.3-		B-14-11102020-4.5-	
	Unrestricted Use	Commercial	Industrial		0.8		5.0	
					Sample Date:		11/11/2020	11/11/2020
					Sample Interval (ft):		0.3-0.8	4.5-5.0
					Matrix		Soil	Soil
Benzene	60	44,000	89,000	Ug/kg	8,700	J	<49	U
Ethylbenzene	1,000	390,000	780,000	Ug/kg	7,100	J	<49	U
Toluene	700	500,000	1,000,000	Ug/kg	19,000		<49	U
Total Xylenes	260	500,000	1,000,000	Ug/kg	37,000		<98	U
Acenaphthene	20,000	500,000	1,000,000	Ug/kg	790,000		710	J
Acenaphthylene	100,000	500,000	1,000,000	Ug/kg	820,000		590	J
Anthracene	100,000	500,000	1,000,000	Ug/kg	1,500,000		1,100	
Benzo(A)Anthracene	1,000	5,600	11,000	Ug/kg	2,000,000		1,600	
Benzo(A)Pyrene	1,000	1,000	1,100	Ug/kg	2,000,000		1,700	
Benzo(B)Fluoranthene	1,000	5,600	11,000	Ug/kg	1,700,000		1,300	
Benzo(G,H,I)perylene	100,000	500,000	1,000,000	Ug/kg	930,000		820	J
Benzo(K)Fluoranthene	800	56,000	110,000	Ug/kg	780,000		600	J
Chrysene	1,000	56,000	110,000	Ug/kg	2,100,000		1,800	
Dibenzo(a,h)Anthracene	330	560	1,100	Ug/kg	300,000		230	J
Fluoranthene	100,000	500,000	1,000,000	Ug/kg	4,300,000		3,400	
Fluorene	30,000	500,000	1,000,000	Ug/kg	2,700,000		2,300	
Indeno(1,2,3-Cd)Pyrene	500	5,600	11,000	Ug/kg	850,000		610	J
Naphthalene	12,000	500,000	1,000,000	Ug/kg	8,800,000		4,900	
Phenanthrene	100,000	500,000	1,000,000	Ug/kg	9,100,000		8,500	
Pyrene	100,000	500,000	1,000,000	Ug/kg	4,200,000		4,200	

Analytes	Part 375 SCO's			Units	B-18-11092020-0.9-1.4	
	Unrestricted Use	Commercial	Industrial		Sample Date: 11/9/2020	
					Sample Interval (ft): 0.9-1.4	
					Matrix	
					Soil	
Benzene	60	44,000	89,000	Ug/kg	27,000	
Toulene	700	500,000	1,000,000	Ug/kg	19,000	
Total Xylenes	260	500,000	1,000,000	Ug/kg	23,000	
Acenaphthene	20,000	500,000	1,000,000	Ug/kg	450,000	
Acenaphthylene	100,000	500,000	1,000,000	Ug/kg	3,200,000	
Anthracene	100,000	500,000	1,000,000	Ug/kg	3,100,000	
Benzo(A)Anthracene	1,000	5,600	11,000	Ug/kg	3,000,000	
Benzo(A)Pyrene	1,000	1,000	1,100	Ug/kg	2,800,000	
Benzo(B)Fluoranthene	1,000	5,600	11,000	Ug/kg	2,900,000	
Benzo(G,H,I)perylene	100,000	500,000	1,000,000	Ug/kg	1,600,000	
Benzo(K)Fluoranthene	800	56,000	110,000	Ug/kg	1,300,000	
Chrysene	1,000	56,000	110,000	Ug/kg	2,300,000	
Dibenzo(a,h)Anthracene	330	560	1,100	Ug/kg	380,000	
Fluoranthene	100,000	500,000	1,000,000	Ug/kg	8,700,000	
Fluorene	30,000	500,000	1,000,000	Ug/kg	3,900,000	
Indeno(1,2,3-Cd)Pyrene	500	5,600	11,000	Ug/kg	1,500,000	
Naphthalene	12,000	500,000	1,000,000	Ug/kg	9,100,000	
Phenanthrene	100,000	500,000	1,000,000	Ug/kg	10,000,000	
Pyrene	100,000	500,000	1,000,000	Ug/kg	5,600,000	

Analytes	Part 375 SCOs			Units	B-30-11102020-0.5-1.0
	Unrestricted Use	Commercial	Industrial		
	Sample Date:				11/10/2020
	Sample Interval (Ft):				0.5-1
	Matrix				Soil
Benzene	60	44,000	89,000	Ug/kg	29,000
Toulene	700	500,000	1,000,000	Ug/kg	19,000
Total Xylenes	260	500,000	1,000,000	Ug/kg	28,000
Acenaphthene	20,000	500,000	1,000,000	Ug/kg	410,000
Acenaphthylene	100,000	500,000	1,000,000	Ug/kg	3,330,000
Anthracene	100,000	500,000	1,000,000	Ug/kg	4,200,000
Benzo(A)Anthracene	1,000	5,600	11,000	Ug/kg	3,100,000
Benzo(A)Pyrene	1,000	1,000	1,100	Ug/kg	2,800,000
Benzo(B)Fluoranthene	1,000	5,600	11,000	Ug/kg	3,200,000
Benzo(G,H,I)perylene	100,000	500,000	1,000,000	Ug/kg	1,500,000
Benzo(K)Fluoranthene	800	56,000	110,000	Ug/kg	1,200,000
Chrysene	1,000	56,000	110,000	Ug/kg	3,000,000
Dibenzo(a,h)Anthracene	330	560	1,100	Ug/kg	460,000
Fluoranthene	100,000	500,000	1,000,000	Ug/kg	9,400,000
Fluorene	30,000	500,000	1,000,000	Ug/kg	3,900,000
Indeno(1,2,3-Cd)Pyrene	500	5,600	11,000	Ug/kg	1,400,000
Naphthalene	12,000	500,000	1,000,000	Ug/kg	11,000,000
Phenanthrene	100,000	500,000	1,000,000	Ug/kg	13,000,000
Pyrene	100,000	500,000	1,000,000	Ug/kg	5,900,000

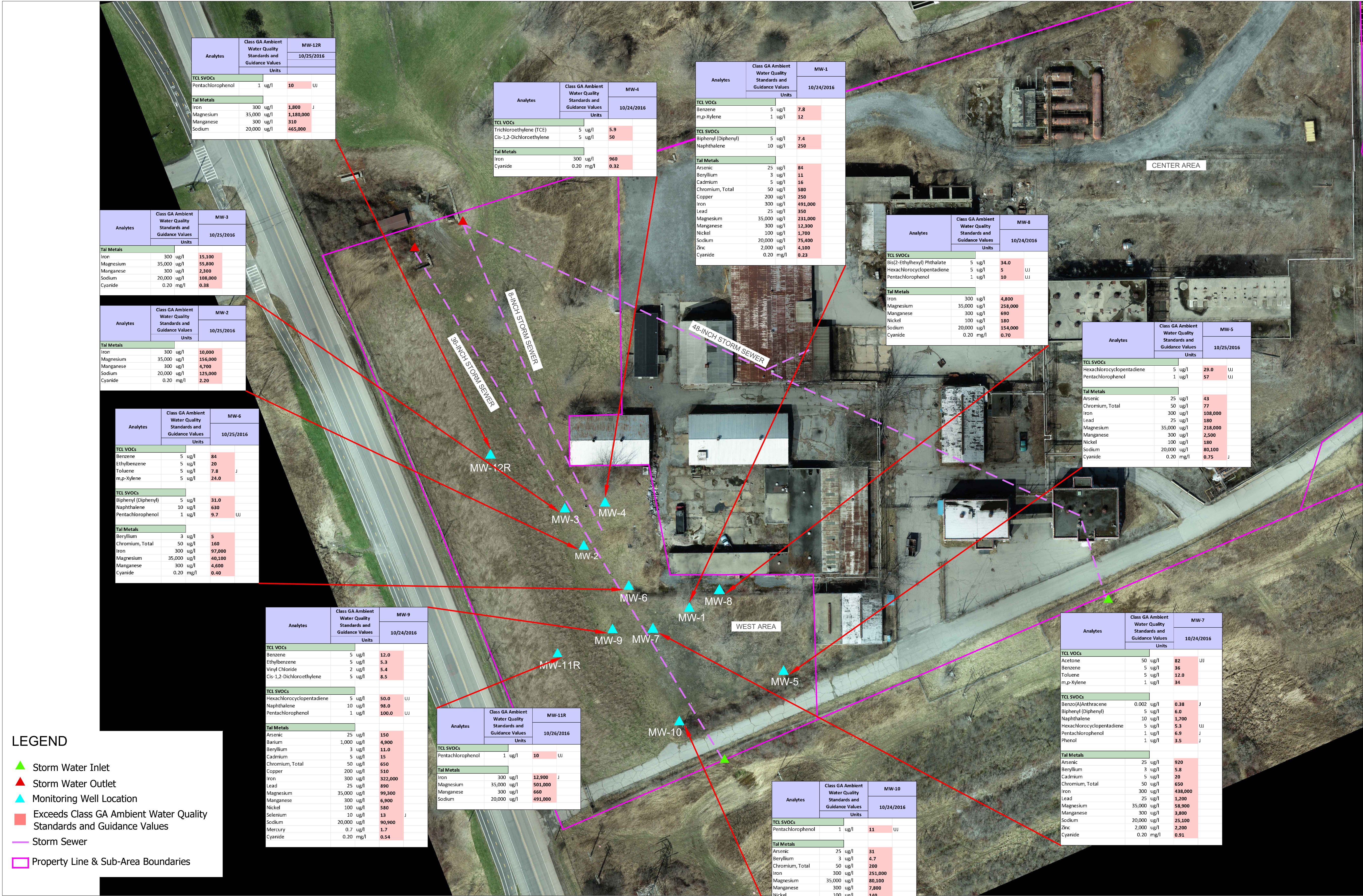
LEGEND

9.5-10 Deepest Exceedance (feet below ground surface)

Soil Borings

- No Exceedance of Industrial Part 375 SCO's at Sample Interval
- Exceeds Unrestricted Use Part 375 Soil Cleanup Objectives (SCO's)
- Exceeds Commercial Part 375 SCO's
- Exceeds Industrial Part 375 SCO's
- Property Line & Sub-Area Boundaries

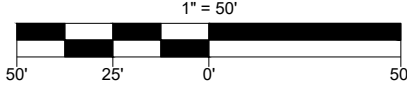




**LEGEND**

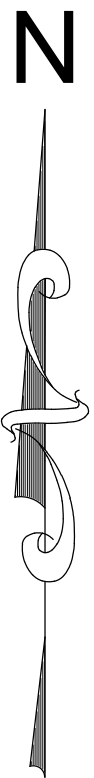
- ▲ Storm Water Inlet
- ▲ Storm Water Outlet
- ▲ Monitoring Well Location
- Exceeds Class GA Ambient Water Quality Standards and Guidance Values
- Storm Sewer
- Property Line & Sub-Area Boundaries

D



- References:
- Parsons, 2017, Tonawanda Plastics Investigation Summary Report
  - Niagara Boundary and Mapping Services, 2022, Site Aerial of 3821 River Road Tonawanda

Note: The trajectories of the 8-inch diameter and 48-inch diameter storm sewers are approximate.



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2016 MONITORING WELL DATA

3821 RIVER ROAD

TONAWANDA NEW YORK, 14150

**INVENTUM ENGINEERING**

441 CARLISLE DRIVE

SUITE C

HERNDON, VIRGINIA 20170

(703) 722-6049

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FIGURE 8

DRAWING NUMBER



Analytes	Class A Ambient Surface Water Quality Standards and Guidance Values		Units	36 OUTLET-02162018	36 OUTLET-04172018	36 OUTLET_07202018
	Sample Date:			2/16/2018	4/17/2018	7/20/2018
	Sample Location:			Outlet A - 36" Storm Sewer	Outlet A - 36" Storm Sewer	Outlet A - 36" Storm Sewer
	Flow Event:			High Flow - Snow Melt	Storm - Rain Storm	Low Flow Event
Volatile Organic Compounds						
Benzene	1	ug/L	0.6 J	1.4 J	<2.0 U	
Carbon Disulfide	-	ug/L	0.7 J	1.7 J	<2.0 U	
Cis-1,2-Dichloroethene	5	ug/L	1.4	<2.0 U	2.6	
Methylene Chloride	5	ug/L	<1 U	1.4 J	<2.0 U	
Trichloroethene	5	ug/L	0.9 J	<2.0 U	<2.0 U	
Semi-Volatile Organic Compounds						
2-Methylnaphthalene	-	ug/L	0.7 J	1.5 J	<5.0 U	
Fluorene	50 (G)*	ug/L	<5.0	0.4 J	<5.0 U	
Naphthalene	10	ug/L	0.9 J	23.0	<5.0 U	
Inorganics						
Aluminum	0.1	mg/L	0.75	2.7	0.17 J	
Barium	1	mg/L	0.044	0.035	0.077	
Cadmium	0.005	mg/L	<0.0005 U	0.00063 J	0.00056 J	
Calcium	-	mg/L	106	88	238	
Chromium	0.05	mg/L	0.0038 J	0.022	<0.001 U	
Cobalt	0.005	mg/L	0.00063 J	0.0035 J	0.0029 J	
Copper	0.2	mg/L	0.0022 J	0.0062 J	<0.0016 U	
Iron	0.3	mg/L	3.8	13.8	3.3	
Lead	0.05	mg/L	<0.003 U	0.029	<0.003 U	
Magnesium	35	mg/L	21.5	19.4	45.0	
Manganese	0.3	mg/L	0.22	0.16	3.7	
Nickel	0.1	mg/L	0.0066 J	0.032	0.022	
Potassium	-	mg/L	5.5	5.4	6.4	
Sodium	20	mg/L	46.0	27.8	83.4	
Vanadium	0.015	mg/L	0.0084	0.056	<0.0015 U	
Zinc	2 (G)*	mg/L	0.025	0.083	0.14	
Cyanide	0.20	mg/L	0.014	0.025	0.24	

\* (G) Represents Guidance Value

\*(G) Represents Guidance Value

## LEGEND

- Storm Water Inlet
- Storm Water Outlet
- Exceeds Class A Ambient Surface Water Quality Standards and Guidance Values
- Storm Sewer
- Property Line & Sub-Area Boundaries

## References:

- Parsons, 2021, Tonawanda Plastics Site NYSDEC ID 915003 Draft Site Investigation Summary Report
- Niagara Boundary and Mapping Services, 2022, Site Aerial of 3821 River Road Tonawanda

## Note:

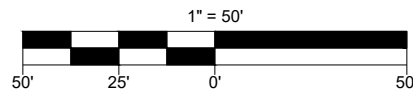
- Storm sewer data is compare to the Class A ambient surface water quality standard because the SPDES discharge criteria for Energy Transfer at Inlet A is not available.
- The trajectories of the 8-inch diameter and 48-inch diameter storm sewers are approximate.

Analytes	Class A Ambient Surface Water Quality Standards and Guidance Values		Units	36 INLET-02162018	36 INLET-04172018	36 INLET_07202018
	Sample Date:			2/16/2018	4/17/2018	7/20/2018
	Sample Location:			Inlet A - 36" Storm Sewer	Inlet A - 36" Storm Sewer	Inlet A - 36" Storm Sewer
	Flow Event:			High Flow - Snow Melt	Storm - Rain Storm	Low Flow Event
Volatile Organic Compounds						
Benzene	1	ug/L		<1.0 U	<2.0 U	<2.0 U
Carbon Disulfide	-	ug/L		<1.0 U	<2.0 U	<2.0 U
Cis-1,2-Dichloroethene	5	ug/L		<1.0 U	<2.0 U	<2.0 U
Methylene Chloride	5	ug/L		<1.0 U	1.8 J	1.2 J
Trichloroethene	5	ug/L		<1.0 U	<2.0 U	<2.0 U
Semi-Volatile Organic Compounds						
2-Methylnaphthalene	-	ug/L		<5.0 U	<5.0 U	<5.0 U
Fluorene	50 (G)*	ug/L		<5.0 U	<5.0 U	<5.0 U
Naphthalene	10	ug/L		<5.0 U	<5.0 U	<5.0 U
Inorganics						
Aluminum	0.1	mg/L		0.10 J	0.28	0.50
Barium	1	mg/L		0.045	0.036	0.086
Cadmium	0.005	mg/L		<0.0005 U	<0.0005 U	<0.0005 U
Calcium	-	mg/L		100	81	147
Chromium	0.05	mg/L		<0.001 U	<0.001 U	0.003 J
Cobalt	0.005	mg/L		<0.00063 U	<0.00063 U	<0.00063 U
Copper	0.2	mg/L		0.0025 J	0.0031 J	0.0026 J
Iron	0.3	mg/L		0.32	0.31	1.7
Lead	0.05	mg/L		<0.003 U	0.0039 J	<0.003 U
Magnesium	35	mg/L		20.7	16.6	58.6
Manganese	0.3	mg/L		0.16	0.05	4.3
Nickel	0.1	mg/L		<0.0013 U	<0.0013 U	0.0022 J
Potassium	-	mg/L		5.5	5.4	6.4
Sodium	20	mg/L		57.8	25.1	83.7
Vanadium	0.015	mg/L		<0.0015 U	<0.0015 U	<0.0015 U
Zinc	2 (G)*	mg/L		<0.0064 U	<0.01 U	<0.01 U
Cyanide	0.20	mg/L		<0.005 U	<0.005 U	0.049

(\*) Represents Guidance Value

\*(G) Represents Guidance Value

D



2018 STORM SEWER DATA  
3821 RIVER ROAD  
TONAWANDA NEW YORK, 14150

INVENTUM ENGINEERING  
441 CARLISLE DRIVE  
SUITE C  
HERNDON, VIRGINIA 20170  
(703) 722-6049  
www.InventumEng.com

FIGURE 9

DRAWING NUMBER



## Attachment A-V-1 Requestor Information

Department of State, Division of Corporations Entity Information .



# Department of State

## Division of Corporations

### Entity Information

[Return to Results](#)[Return to Search](#)

#### Entity Details



**ENTITY NAME:** 3821 RIVER ROAD, INC.

**DOS ID:** 6444198

**FOREIGN LEGAL NAME:**

**FICTITIOUS NAME:**

**ENTITY TYPE:** DOMESTIC BUSINESS CORPORATION

**DURATION DATE/LATEST DATE OF DISSOLUTION:**

**SECTION OF LAW:** BUSINESS CORPORATION - 402 BUSINESS CORPORATION LAW - BUSINESS CORPORATION LAW

**ENTITY STATUS:** ACTIVE

**DATE OF INITIAL DOS FILING:** 03/30/2022

**REASON FOR STATUS:**

**EFFECTIVE DATE INITIAL FILING:** 03/30/2022

**INACTIVE DATE:**

**FOREIGN FORMATION DATE:**

**STATEMENT STATUS:** CURRENT

**COUNTY:** ERIE

**NEXT STATEMENT DUE DATE:** 03/31/2024

**JURISDICTION:** NEW YORK, UNITED STATES

**NFP CATEGORY:** NO-ANSWER

[ENTITY DISPLAY](#)[NAME HISTORY](#)[FILING HISTORY](#)[MERGER HISTORY](#)[ASSUMED NAME HISTORY](#)

#### Service of Process Name and Address

**Name:** C/O THE CORP.

**Address:** 140 LEE STREET, SUITE 200, BUFFALO, NY, UNITED STATES, 14210

#### Chief Executive Officer's Name and Address

**Name:**

**Address:**

#### Principal Executive Office Address

**Address:**

#### Registered Agent Name and Address

**Name:**



Address:

Entity Primary Location Name and Address

Name:

Address:

Farmcorpflag

Is The Entity A Farm Corporation: NO

Stock Information

Share Value	Number Of Shares	Value Per Share
NO PAR VALUE	200	\$0.00

## Attachment A-V-2 Requestor Information

3821 River Road, Inc. is a C-Corporation, not an LLC.



## Attachment A-V-3 Requestor Information

John P. Black with Inventum Engineering, P.C. is a New York State licensed professional engineer (P.E.) and will serve as the P.E. for 3821 River Road, Inc. Site to prepare and certify the various work plans and Reports identified in Section 1.5 of DER-10.

Inventum Engineering, P.C. is authorized to practice engineering in the New York State.



## Attachment A-VI-1 Requestor Eligibility

### **Volunteer Status**

3821 River Road, Inc. purchased the Site from Rouse Breihan Inc. on August 2, 2022. All onsite manufacturing and onsite operations were idled since 2019. 3821 River Road, Inc. has not, and never will, operate any existing manufacturing or process equipment on the property.

### **Care Taken/Work Completed**

Since the transfer of ownership to 3821 River Road, Inc., the requestor has taken significant actions to protect the environment:

- Site Security – Changed gate access codes and installed security cameras. Cameras are monitored 24/7;
- Managed unstable drums and containers;
- Segregated incompatible laboratory chemicals;
- Moved flammable laboratory chemicals to a flammable materials cabinet; F
- Repaired dangerous electrical circuits; and
- Conducts daily perimeter fence and security tours.

3821 is developing plans and engaging contractors for:

- Vegetation Management;
- Utilities – upgrades and security;
- Hazardous Materials (HazMats) Management and Control;
- ACM Management; and
- Waste Management and proper disposal.

3821 River Road, Inc. has engaged professionals to develop and implement Remedial Investigation Work Plans and Remedial Investigations as soon as the site enters the Brownfield Cleanup Program and there is a Brownfield Cleanup Agreement.



## Attachment A-VI-2 Requestor Eligibility

The recorded deed of sale is provided in **Attachment A-VI-2**.





**3821 River Road**

3821 River Road  
Tonawanda, NY 14150

Inquiry Number: 7115753.7

September 14, 2022

## EDR Environmental Lien and AUL Search

## The EDR Environmental LienSearch™ Report

The EDR Environmental Lien and AUL Search Report provides results from a search of available current land title records for environmental cleanup liens and other activity and use limitations, such as engineering controls and institutional controls.

A network of professional, trained researchers, following established procedures, uses client supplied address information to:

- search for parcel information and/or legal description;
- search for ownership information;
- research official land title documents recorded at jurisdictional agencies such as recorders' offices, registries of deeds, county clerks' offices, etc.;
- access a copy of the deed;
- search for environmental encumbering instrument(s) associated with the deed;
- provide a copy of any environmental encumbrance(s) based upon a review of key words in the instrument(s) (title, parties involved, and description); and
- provide a copy of the deed or cite documents reviewed.

***Thank you for your business.***

Please contact EDR at 1-800-352-0050  
with any questions or comments.

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## EDR Environmental Lien and AUL Search

### TARGET PROPERTY INFORMATION

#### ADDRESS

3821 River Road  
3821 River Road  
Tonawanda, NY 14150

### ENVIRONMENTAL LIEN

Environmental Lien: Found ☐ Not Found ☒

### OTHER ACTIVITY AND USE LIMITATIONS (AULs)

AULs: Found ☐ Not Found ☒

## **RESEARCH SOURCE**

---

### **Source 1:**

Erie Recorder  
Erie, NY

**PROPERTY INFORMATION**

**Deed 1:**

Type of Deed:	Bargain & Sale Deed
Title is vested in:	3821 River Road Inc
Title received from:	Riuse Beihan Inc
Deed Dated	8/2/2022
Deed Recorded:	8/8/2022
Book:	11405
Page:	9440
Volume:	NA
Instrument	2022150209
Docket	NA
Land Record Comments:	see exhibit
Miscellaneous Comments:	NA

**Legal Description:** see exhibit

**Legal Current Owner:** 3821 River Road Inc

**Parcel # / Property Identifier:** 64.12-4-1

**Comments:** see exhibit

## **Deed Exhibit 1**



ERIE COUNTY CLERK'S OFFICE



County Clerk's Recording Page

Return to:  
BOX 440

Party 1:  
ROUSE BREIHAN INC

Party 2:  
3821 RIVER ROAD INC

**Book Type: D Book: 11405 Page: 9440**

Page Count: 4

Doc Type: DEED

Rec Date: 08/08/2022

Rec Time: 01:13:32 PM

Control #: 2022150209

UserID: Danielle D

Trans #: 22121859

Document Sequence Number  
TT2022000658

**Recording Fees:**

RECORDING	\$40.00
COE CO \$1 RET	\$1.00
COE STATE \$14.25 GEN	\$14.25
COE STATE \$4.75 RM	\$4.75
RP5217 CNTY \$9	\$9.00
RP5217 ST-NON RES \$241	\$241.00
TP584	\$10.00

**Consideration Amount: 1015000.00**

BASIC MT	\$0.00
SONYMA MT	\$0.00
ADDL MT/NFTA	\$0.00
SP MT/M-RAIL	\$0.00
NY STATE TT	\$4,060.00
ROAD FUND TT	\$5,075.00

---

**Total: \$9,455.00**

STATE OF NEW YORK  
ERIE COUNTY CLERK'S OFFICE

WARNING – THIS SHEET CONSTITUTES THE CLERK'S ENDORSEMENT REQUIRED BY SECTION 319&316-a (5) OF THE REAL PROPERTY LAW OF THE STATE OF NEW YORK. DO NOT DETACH. THIS IS NOT A BILL.

Michael P. Kearns  
Erie County Clerk

Record and Return to:  
Duke Holzman, Photiadis & Gresens LLP  
701 Seneca Street, Suite 750  
Buffalo, New York 14210  
Attn: Barbara B. Trzemski-Haase, Esq.

Box 440

## BARGAIN AND SALE DEED

**THIS BARGAIN AND SALE DEED**, made as of this 2nd day of August, 2022  
**BETWEEN**

**ROUSE BREIHAN INC.**, a New York corporation, having an office at 3937 River Road, Tonawanda, New York 14150,

("Grantor")

AND

**3821 RIVER ROAD, INC.**, a New York corporation, having an office at 140 Lee Street, Suite 200, Buffalo, New York 14210,

("Grantee").

## WITNESSETH:

That the Grantor, in consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, does hereby grant and release unto the Grantee, its successors and assigns forever, all right title and interest of the Grantor in and to the following:

**ALL THAT TRACT OR PARCEL OF LAND**, situate in the <sup>Town</sup> ~~City~~ of Tonawanda, County of Erie, and State of New York, and being more particularly described on the attached Schedule A.

**SUBJECT TO** all easements, covenants and restrictions of record.

**TOGETHER** with the appurtenances and all the estate and rights of the Grantor in and to said premises.

**TO HAVE AND TO HOLD** the premises herein granted unto the Grantee, its successors and assigns forever.

**AND THE GRANTOR COVENANTS** that, in compliance with Section 13 of the Lien Law, the Grantor will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

**AND THE GRANTOR COVENANTS** that, the Grantor has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid and

That this conveyance is not of all or substantially all of the property of Grantor and is made in the ordinary course of Grantor's business.

It is understood and agreed that the Grantee shall take title to the premises subject to the following: Honeywell International Inc. (formerly Allied) ("Honeywell") continuing right to have access to the premises (with reasonable notification to the Grantee) to perform any and all investigation and remedial work that may be required by a regulatory authority relative to Honeywell's continued environmental responsibilities.

150209  
deed - 3  
for

IN WITNESS WHEREOF, the Grantor has caused this instrument to be executed and delivered as of the day and year first above written.

ROUSE BREIHAN INC.

By: Michael K. Durkin  
Name: Michael K. Durkin  
Title: Treasurer

STATE OF NEW YORK                    )  
  :SS  
COUNTY OF ERIE                    )

On the 2<sup>ND</sup> day of August, in the year 2022, before me, the undersigned, personally appeared **Michael K. Durkin**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individuals acted, executed the instrument.

Deborah E. Schmidt  
Notary Public

DEBORAH E. SCHMIDT #018C8055207  
NOTARY PUBLIC, STATE OF NEW YORK  
QUALIFIED IN ERIE COUNTY  
MY COMMISSION EXPIRES 02/20/2023

[Signature page to Bargain and Sale Deed]

## **SCHEDULE A**

### **Legal Description**

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Tonawanda, County of Erie and State of New York, being part of Lot No. 97 of the New York State Reservation, bounded and described as follows:

BEGINNING at a point in the south line of Lot No. 97 at a southwest corner of lands conveyed to Niagara Mohawk Power Corporation by deed recorded in Liber 6142 of Deeds at page 154, said point being 692 feet west of the New York State Reservation Line as measured along said lot line; thence S 66° 12' 55" W along said south line of Lot No. 97, a distance of 2,184.72 feet to the principal point of beginning; thence along the following 8 courses and distances (of lands owned by Allied Chemical Corporation): (1) N 23° 47' 05" W, 220 feet; (2) S 66° 12' 55" W, 120 feet; (3) S 23° 47' 05" E, 72.60 feet; (4) S 65° 06' 40" W, 290.56 feet; (5) S 88° 49' 40" W, 499.65 feet; (6) N 01° 10' 20" W, 172 feet; (7) S 88° 49' 40" W, 98.27 feet; (8) S 71° 48' 35" W, 964.43 feet to the east line of River Road as now laid out; thence along the east line of River Road as now laid out the following 3 courses and distances: (1) S 23° 11' 55" E, 110.34 feet; (2) S 20° 26' 20" E, 429 feet more or less; (3) S 18° 40' 50" E, 86.02 feet to a point on the south line of Lot No. 97; thence N 66° 12' 55" E, 1,890 feet to the principal point or place of beginning.

INSTRUCTIONS(RP-5217-PDF-INS): www.orps.state.ny.us

FOR COUNTY USE ONLY

C1. SWIS Code 146489

C2. Date Deed Recorded 8/8/22

C3. Book 11405 C4. Page 9440

New York State Department of  
Taxation and Finance  
Office of Real Property Tax Services  
RP- 5217-PDF  
Real Property Transfer Report (8/10)

PROPERTY INFORMATION

1. Property Location 3821 River Road  
\* STREET NUMBER \* STREET NAME  
Tonawanda 14150  
\* CITY OR TOWN VILLAGE \* ZIP CODE

2. Buyer Name 3821 River Road, Inc.  
\* LAST NAME/COMPANY FIRST NAME  
LAST NAME/COMPANY FIRST NAME

3. Tax Billing Address Indicate where future Tax Bills are to be sent if other than buyer address(at bottom of form)  
LAST NAME/COMPANY FIRST NAME  
STREET NUMBER AND NAME CITY OR TOWN STATE ZIP CODE

4. Indicate the number of Assessment Roll parcels transferred on the deed 1 # of Parcels OR ☐ Part of a Parcel (Only if Part of a Parcel) Check as they apply:  
4A. Planning Board with Subdivision Authority Exists ☐  
4B. Subdivision Approval was Required for Transfer ☐  
4C. Parcel Approved for Subdivision with Map Provided ☐

5. Deed Property Size \* FRONT FEET X \* DEPTH OR 17.35 \* ACRES  
6. Seller Name Rouse Breihan Inc.  
\* LAST NAME/COMPANY FIRST NAME  
LAST NAME/COMPANY FIRST NAME

\*7. Select the description which most accurately describes the use of the property at the time of sale:  
F. Commercial

Check the boxes below as they apply:  
8. Ownership Type is Condominium ☐  
9. New Construction on a Vacant Land ☐  
10A. Property Located within an Agricultural District ☐  
10B. Buyer received a disclosure notice indicating that the property is in an Agricultural District ☐

SALE INFORMATION

11. Sale Contract Date 03/30/2022

\* 12. Date of Sale/Transfer 8/8/2022

\*13. Full Sale Price 1,015,000.00  
(Full Sale Price is the total amount paid for the property including personal property. This payment may be in the form of cash, other property or goods, or the assumption of mortgages or other obligations.) Please round to the nearest whole dollar amount.

14. Indicate the value of personal property included in the sale 0.00

15. Check one or more of these conditions as applicable to transfer:  
☐ A. Sale Between Relatives or Former Relatives  
☐ B. Sale between Related Companies or Partners in Business.  
☐ C. One of the Buyers is also a Seller  
☐ D. Buyer or Seller is Government Agency or Lending Institution  
☐ E. Deed Type not Warranty or Bargain and Sale (Specify Below)  
☐ F. Sale of Fractional or Less than Fee Interest (Specify Below)  
☐ G. Significant Change in Property Between Taxable Status and Sale Dates  
☐ H. Sale of Business is Included in Sale Price  
☐ I. Other Unusual Factors Affecting Sale Price (Specify Below)  
☒ J. None  
\*Comment(s) on Condition:

ASSESSMENT INFORMATION - Data should reflect the latest Final Assessment Roll and Tax Bill

16. Year of Assessment Roll from which information taken(YV) 21 \*17. Total Assessed Value 150,000

\*18. Property Class 449 \*19. School District Name Kenmore

\*20. Tax Map Identifier(s)/Roll Identifier(s) (If more than four, attach sheet with additional Identifier(s))  
64.12-4-1

CERTIFICATION

I certify that all of the items of information entered on this form are true and correct (to the best of my knowledge and belief) and I understand that the making of any willful false statement of material fact herein subject me to the provisions of the penal law relative to the making and filing of false instruments.

SELLER SIGNATURE  
Michael K. Dahan 8/2/22  
DATE

BUYER SIGNATURE  
John J. Williams 8/5/22  
DATE

BUYER CONTACT INFORMATION  
(Enter information for the buyer. Note: If buyer is LLC, society, association, corporation, joint stock company, estate or entity that is not an individual agent or fiduciary, then a name and contact information of an individual/responsible party who can answer questions regarding the transfer must be entered. Type or print clearly.)  
Williams John J.  
\* LAST NAME FIRST NAME  
AREA CODE \* TELEPHONE NUMBER (Ex: 9999999)  
140 Lee Street, Suite 200  
\* STREET NUMBER \* STREET NAME  
Buffalo NY 14210  
\* CITY OR TOWN \* STATE \* ZIP CODE

BUYER'S ATTORNEY  
Strzemeski-Haase Barbara  
LAST NAME FIRST NAME  
(716) 855-1111  
AREA CODE TELEPHONE NUMBER (Ex: 9999999)

## **MISCELLANEOUS EXHIBITS**



# Environmental Site Remediation Database Search Details

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## Site Record

### Document Repository

Site-related documents are available for review through the DECInfo Locator on line at [DECInfoLocator](#)

## Administrative Information

**Site Name:** Allied Chemical - Special Chemical Div.

**Site Code:** 915003C

**Program:** State Superfund Program

**Classification:** C

**EPA ID Number:**

## Location

**DEC Region:** 9

**Address:** 3821 River Road

**City:** Tonawanda    **Zip:** 14150

**County:** Erie

**Latitude:** 42.97942717

**Longitude:** -78.93247689

**Site Type:** DUMP

**Estimated Size:** 1 Acres

## Site Owner(s) and Operator(s)

**Current Owner Name:** ALLIED CHEMICAL - SPEC. CHEM. DIV.

**Current Owner(s) Address:** PO BOX 88  
TONAWANDA, NY, 14150

**Current Owner Name:** Allied Fiber and Plastics Co.

**Current Owner(s) Address:** PO BOX 88  
TONAWANDA, NY, 14150

**Owner(s) during disposal:** ALLIED CHEMICAL - SPEC. CHEM. DIV.

## Hazardous Waste Disposal Period

**From:** 1950    **To:** 1960+

## Site Description

This 1 acre site is located within the Allied Chemical - Special Chemical Division Site on River Road in the Town of Tonawanda. The plant property is located in a generally industrialized area, approximately 2000 feet east of the Niagara River. This site consisted of an area of the plant property where pools of coal tar, from spillage and leakage during product-transfer operations, were located. The amount of material lost is unknown. In the summer of 1981, approximately 500 cubic yards of coal tars and

contaminated soils were excavated from an area approximately 100 feet long by 10-20 feet wide. The waste material was transported to the adjacent Tonawanda Coke Corporation facility and burned in their coal tar ovens. Following excavation, six confirmatory soil samples from the floor of the excavation were collected and analyzed for coal tar derivatives (acenaphthene, acenaphthylene, anthracene, fluorene, naphthalene, phenanthrene, phenol and dimethylphenol). These contaminants were not detected in three of the samples, and only detected at low parts per million concentrations (<0.1 ppm) in the remaining three samples. In addition, three test holes adjacent to the excavation were completed to a depth a approximately three feet to determine if any further migration of coal tar had taken place. No contamination was observed in any of these test holes. Based upon the results of the confirmatory soil samples and test holes, the NYSDEC informed Allied in October 1981 that no further remediation was necessary at this site.

## **Contaminants of Concern (Including Materials Disposed)**

### **Contaminant Name/Type**

coal tar

## **Site Environmental Assessment**

Following the excavation of coal tar contaminated soil associated with this site, six confirmatory soil samples from the floor of the excavation were collected and analyzed for coal tar derivatives (acenaphthene, acenaphthylene, anthracene, fluorene, naphthalene, phenanthrene, phenol and dimethylphenol). These contaminants were not detected in three of the samples, and only detected at low parts per million concentrations (<0.1 ppm) in the remaining three samples. This results indicate that the site has been properly remediated.

## **Site Health Assessment**

The site has been remediated. The potential for exposure has been eliminated.

## Attachment A-IX-1 Current Property Owner and Operator Information

### **Historical Owners and Operators**

On August 2, 2022, 3821 River Road, Inc. purchased the proposed BCP Site located at 3821 River Road, in Tonawanda, NY from Rouse Breihan, Inc (Rouse Breihan). 3821 River Road, Inc. has no prior business relationship with Rouse Breihan. The site was sold to Rouse Breihan in 1985 and has been vacant and unused since 2019. The former industrial site operator of the adjoining property to the north, the Tonawanda Coke Corporation (TCC), used several on-site buildings for operations related to their coking operations, including an office, a laboratory, maintenance and storage until the closing TCC facility in October 2018. A trucking firm also previously leased space on the site for offices and truck parking, maintenance and repair. Contact information for the truck company is not available.

The Allied Chemical Corporation began construction of the onsite plant in the 1950s. The plant manufactured polyethylene products, and operated under various divisions of Allied Chemical until it closed in 1982. (NYSDEC, September 22, 2022 Environmental Site Remediation Database Search Details, [www.dec.ny.gov/cfm/external/derexternal/haz/details.cfm?pageid=3](http://www.dec.ny.gov/cfm/external/derexternal/haz/details.cfm?pageid=3) ).

### **Historical Owners Contact Information**

#### 1. Rouse Breihan, Inc. (Owner)

Ownership Dates: November 1, 1985 to August 2, 2022

Contact information: Kevin R. Walsh  
3937 River Road  
Tonawanda, New York 14150

#### Tonawanda Coke Corporation (Operator)

Operational Dates: November 1, 1985 to October 2018

Contact information: Formerly 3875 River Road  
Tonawanda, New York 14150

#### Ausmus Corporation (Trucking Company tenant Operator, two buildings)

Operational Dates : Unknown (Arrived after 2010 and left before 2018)

Contact information: Department of State, Division of Corporations Listing:  
James D Crane Jr  
3875 River Road  
Tonawanda, New York, 14150  
Note: Has not filed a statement since 2016

#### 2. Allied Chemical & Dye Corporation

Ownership Dates: October 9, 1940 to November 1, 1985

(October 9, 1940 is the earliest available deed reference available on the Erie County Department of Real Property Tax Services)

Contact Information: Rich Galloway  
Global Remediation Director  
Honeywell International Inc.  
115 Tabor Road, 4-D-4  
Morris Plains, NJ 07950  
Telephone: (973) 455-4003



A parcel ownership search from the Erie County Department of Real Property Tax Services website is included within **Attachment A-IX-1**.



**Owner**

ALLIED CHEMICAL &DYE CORP  
ALLIED CHEMICAL &DYE CORP  
ROUSE BREIHAN INC

**Book Page / Date**

3044 130 \*10/09/1940\*  
3044 88 \*10/16/1940\*  
9505 384 \*11/01/1985\*

[Back to Property Information](#)

## Attachment A-X-1 Property Eligibility Information

**NYSDEC Site Code:** 915003B

**Class:** A

**Hazardous Waste Disposal Period:** 1958 to 1962

**Site Owner/ Operator at the time of Disposal:** Allied Chemical

**Disposal Operation:** A disposal pit was located on the southwest side of the facility buildings. The disposal pit was used to dispose of research and development (R&D) waste from the former manufacturing facility which included spent catalyst containing chromium compounds, polyethylene, and chlorinated polyethylene. The pit was approximately 40-feet in diameter.

**Site Description Summary:** This site was sampled by the U.S.G.S in July of 1982 and in May of 1983 under the Niagara River Toxics Investigation. Chromium and lead exceeded concentrations in samples taken from undisturbed soils in the Tonawanda area. Twenty-one organic priority pollutants were detected in the soil samples. All concentrations were below 10 ppb. A Phase I Investigation was completed in 1983. An investigation was carried out at the end of 1988 (report finalized in 1990). Soil samples were taken inside the pit which showed high levels of chromium and elevated levels of lead. Also, sediment from an on-site catch basin showed elevated metals concentrations. Off-site sewer samples showed no migration from this source. Both the blow down pit and the catch basin were remediated in 1991.

Chromium contaminated soil and fill was excavated from the pit in 1991 with the waste material sent off site to a permitted landfill. The disposal area has been covered with clean soil thereby minimizing the potential for direct contact. No further activity related to the blow-down pit is required.

**Source:** NYSDEC, September 22, 2022 Environmental Site Remediation Database Search Details, <https://www.dec.ny.gov/cfm/externalapps/derexternal/haz/details.cfm>

**NYSDEC Site Code:** 915003C

**Hazardous Waste Disposal Period:** 1950 to 1960+

**Class:** A

**Site Owner/ Operator at the time of Disposal:** Allied Chemical (Owner and Operator)

**Disposal Operation:** Pools of coal tar, from spillage and leakage during product-transfer operations was located along the southeast side of the property along the southern property line. The amount of lost tar material is unknown.

**Site Description Summary:** In the summer of 1981, approximately 500 cubic yards of coal tars and contaminated soils were excavated from an area approximately 100 feet long by 10-20 feet wide. The waste material was transported to the adjacent Tonawanda Coke Corporation facility and burned in their coal tar ovens. Following excavation, six confirmatory soil samples from the floor of the excavation were collected and analyzed for coal tar derivatives (acenaphthene, acenaphthylene, anthracene, fluorene, naphthalene, phenanthrene, phenol and dimethylphenol). These contaminants were not detected in three of the samples, and only detected at low parts per million concentrations (<0.1 ppm) in the remaining three samples. In addition, three test holes adjacent to the excavation were completed to a depth an approximately three feet to determine if any further migration of coal tar had taken place. No contamination was observed in any of these test holes. Based upon the results of the confirmatory soil samples and test holes, the NYSDEC informed Allied in October 1981 that no further remediation was necessary at this site.



**Source:** NYSDEC, September 22, 2022 Environmental Site Remediation Database Search Details, <https://www.dec.ny.gov/cfm/EXTAPPS/DEREXTERNAL/HAZ/DETAILS.CFM>





## Attachment A-X-2      Property Eligibility Information

The Site's EPA RCRA identification is NYD051816262. The facility name for the Site that is listed in the EPA database is Allied Corp, a previous facility owner and operator. Allied Chemical & Dye Corporation (Allied Corp) prior to Rouse Breihan, Inc. A summary of historical Site ownership is outlined in **Attachment A-IX-1**.

The Site does not have an active hazardous waste treatment, storage, and disposal facilities (TSDF) permit. Historical onsite hazardous waste disposal operations and clean-up is outlined in **Attachment A-IX-1**.



## Attachment A-X-3      Property Eligibility Information

On August 2, 2022, 3821 River Road, Inc., the requestor, purchased the proposed BCP Site located at 3821 River Road, in Tonawanda, NY from Rouse Breihan, Inc (Rouse Breihan). 3821 River Road, Inc. has no prior business relationship with Rouse Breihan. The Site was conveyed to Rouse Breihan from Allied Corporation in 1985 and has been vacant and unused since 2019. 3821 River Road, Inc. has not, and never will, operate any manufacturing or process equipment on the property.

As a Volunteer, 3821 River Road, Inc, will exercise appropriate care and actions to:

- Stop any continuing release of contamination found at the Site.
- Take measures to prevent future releases of contamination.
- Prevent or limit human, environmental, or natural resource exposure to any previously released contamination.



## Attachment A-XI-1 Site Contact List

## Site Contact List

1. Erie County Executive;
 

Mark C Poloncarz  
Erie County Executive's Office  
95 Franklin Street, 16<sup>th</sup> floor  
Buffalo, NY 14202  
Phone: (716) 858-8500  
Fax: (716) 858-6679  
countyexecutive@erie.gov
2. U.S. Congress
 

Hon. Brian Higgins  
Congressman  
Larkin at Exchange  
726 Exchange Street, Suite 601  
Buffalo, NY 14210  
Phone: (716) 852-3501  
Fax: (716) 852-3929
3. New York State Senate
 

Hon. Timothy M. Kennedy  
37 Franklin Street #550  
Buffalo, NY 14202  
Phone: (716) 826-2683

Hon. Sean M. Ryan  
40 La Riviere Dr Suite 121  
Buffalo, NY 14202  
Phone: (716) 854-8705
4. New York State Assembly
 

Hon. Crystal Peoples-Stokes  
Majority Leader  
425 Michigan Ave.  
Buffalo, NY 14203  
Phone: (716) 897-9714

Hon. William Conrad  
34 Pequet Parkway  
Tonawanda, NY 14150  
Phone: (518) 455-4767
5. Erie County Legislature
 

Hon. John Bargnesi  
District 4  
2165 Sheridan Drive  
Tonawanda, NY 14233  
Phone: (716)-871-5905  
john.bargnesijr@erie.gov
6. Erie County Department of Environment and Planning
 

Daniel Castle, AICP  
Commissioner  
Environment and Planning  
Edward A Rath County Office Building  
95 Franklin Street, 10th Floor  
Buffalo, New York 14202  
Phone: (716) 858-8390  
daniel.castle@erie.gov
7. Town of Tonawanda
  - a. Joseph H. Emminger  
Town Supervisor  
2919 Delaware Avenue  
Room 11  
Kenmore, New York 14217  
Phone: (716) 877-8804  
Fax: (716) 877-1261  
jemminger@tonawanda.ny.us
  - b. Shannon Patch  
Deputy Supervisor  
Councilwoman  
Phone: (716) 877-8804  
spatch@tonawanda.ny.us
  - c. Carl Szarek  
Councilman  
Phone: (716) 877-8804  
cszarek@tonawanda.ny.us



d. Gina Santa Maria  
Councilwoman  
Phone: (716) 877-8804  
gsantamaria@tonawanda.ny.us

e. Jill OMalley  
Councilwoman  
Phone: (716) 877-8804  
[jomalley@tonawanda.ny.us](mailto:jomalley@tonawanda.ny.us)

f. James Hartz  
Director of Community  
Development  
169 Sheridan Parkside Dr.  
Tonawanda, NY 14150  
Phone: (716) 871-8847  
jhartz@tonawanda.ny.us

#### 8. Library - Document Repository.

Included this **Attachment A-XI-1** is the email response from April Tompkins with Buffalo and Erie County Public Library confirming the Kenmore Branch and Central Library will be the repository for the BCP documents.

a. Kenmore Branch  
Library Director: Mary  
Muscarella  
160 Delaware Road  
Kenmore, NY 14217  
Phone: 716-873-2842

b. Central Library  
Attention: April Tompkins  
Re: Repository Documents  
Buffalo and Erie County Library  
1 Lafayette Square  
Buffalo, NY 14203

#### 9. Residents and Surrounding Property Owners

(Surrounding property owner shown on Figure 5 in **Attachment A-I-1**. The Site has no residents)

a. Riverview Innovation &  
Technology Campus  
140 Lee Street, STE 200  
Buffalo, NY 14210

b. Niagara Mohawk Power Corp  
300 Erie Boulevard West  
Syracuse, NY 13202

#### 10. Local News Media

a. Buffalo News  
i. Business Desk  
Phone: (716) 849-4434  
fin@buffnews.com

ii. Robinson, David  
(Deputy Business  
Editor)  
Phone: (716) 849-4435  
drobinson@  
buffnews.comom

iii. Epstein, Jonathan  
(Development)  
Phone: (716) 849-4478  
jepstein@  
buffnews.com

b. Ken-Ton Bee  
i. Chitra Selvaraj  
Editor  
chitras@beenews.com



11. Town of Tonawanda, Water and Sewer  
Maintenance Division

- a. Michael Kessler  
Director of Water Resources  
mkessler@tonawanda.ny.us
- b. Mike Metzger, Crew Chief  
525 Belmont Avenue  
Buffalo, NY 14223  
Phone: (716) 874-0490

12. Local School Contact

- a. Riverview Elementary School  
Principal: Claudia Panaro  
55 Taylor Drive  
Tonawanda, NY 14150  
Phone: (716) 694 7172
- b. PS #65 – Roosevelt ECC  
249 Skillen Street  
Buffalo, New York 14207  
Phone: (716) 816-3430  
Principal: Michelle Hope Barnes
- c. Charter School for Applied  
Technologies  
2303 Kenmore Avenue  
Buffalo, New York 14207  
716.876.7505  
Principals: Sue Jurewicz (K-6);  
Gregory Mott (6-8);  
Ann Morgante (9-12)

- d. Tonawanda Middle School/High  
School  
600 Fletcher Street  
Tonawanda, New York 14150  
HS: 716.694.7670; MS:  
716.694.7660  
Principals: David Sellan (MS);  
Michael Brown (HS)

13. Community Associations

Jackie James-Creedon  
Citizen Science  
Community Resources  
3200 Elmwood Avenue,  
Room 212  
Kenmore, NY 14217  
(716) 873-6191  
[jackie@csresources.org](mailto:jackie@csresources.org)

The Clean Air Coalition of  
W.N.Y.  
52 Linwood  
Buffalo, NY 14209  
phone: (716) 852-3813  
fax: (716) 852-2741  
email: [info@cacwny.org](mailto:info@cacwny.org)

Buffalo Niagara  
Waterkeeper  
Jill Jedlicka  
Executive Director &  
Waterkeeper  
721 Main Street, Buffalo,  
NY 14203  
(716) 852-7483 Ext. 21  
[www.bnwaterkeeper.org](http://www.bnwaterkeeper.org)  
[jedlicka@bnwaterkeeper.org](mailto:jedlicka@bnwaterkeeper.org)

