Site Management Periodic Review Report and IC/EC Certification Submittal

Erie County Shoreline Trail-NYSDEC Site No. C915197L

Location:

Erie County Shoreline Trail
2303 Hamburg Turnpike
Lackawanna, New York 14218
NYSDEC Site No. C915197L

Reporting Period: June 8, 2023 to August 13, 2024

Prepared by:

Erie County Department of Environment and Planning 95 Franklin Street, Room 1053 Buffalo, New York 14202



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1.0 EXECUTIVE SUMMARY

This Periodic Review Report (PRR) is a required element of the approved Site Management Plan (SMP) for the Erie County Shoreline Trail Bethlehem Steel Phase I (Shoreline Trail). This New York State Brownfield Cleanup Program (BCP) site was remediated in accordance with Brownfield Cleanup Agreement (BCA) Index No. C915197L-01-18), which was executed on March 9, 2018 with amendments dated on February 14, 2019 and April 2, 2020. The Reporting Period for this report is June 8,2023 to August 13, 2024.

During this reporting period, a water supply line was installed on the adjacent property, 2 Steelworkers Way parcel, North of the Dona Street and Rt. 5 intersection and passed underneath the existing greenway trail. Minor excavation did occur within the site boundary when the water supply line was installed about 15 feet deep using an underground burrowing machine method. No exceedances were observed during air monitoring conducted during excavation (CAM data appended to Appendix 2 report). Excavated soils were managed as per the SMP. These activities were coordinated with NYSDEC personnel, and a report of these activities is included with this report as Appendix 2.

1.1 Site Summary

The Site is identified as the Erie County Shoreline Trail Bethlehem Steel Phase I NYSDEC BCP No. C915197L and consists of approximately 5,140 feet of the 10-foot wide asphalt paved Erie County Shoreline Trail Bethlehem Steel Phase I located in Lackawanna, New York (hereafter referred to as the "Site"). The Site is approximately seven acres of land divested and formed from the easterly fifty-foot (50') widths of BCP Sites C915198H, C915198K, C915197B, C915197D, C915197F, C915197H and C915197K. The Site is a long 50-foot wide parcel along the west side of NYS Route 5 and Hamburg Turnpike from Dona Street north to the Gateway Trade Center. The Site is bounded by the Gateway Trade Center property to the north, NYSDEC BCP Site C915198F to the south, NYS Route 5 and Hamburg turnpike to the east, and NYSDEC BCP Sites C915198H, C915197B, C915197D, C915197F, C915197H, and C915197K to the west.

Historically, the Site was a portion of a larger property occupied by an integrated steel mill operated by the Bethlehem Steel Corporation (BSC). The site was part of a large industrial complex that

contained numerous buildings and facilities, none of which currently remain on the site. The BSC property was the subject of assessments and investigations under the Resource Conservation and Recovery Act (RCRA) and the area containing the sites received a "No Further Assessment" designation from the U.S. Environmental Protection Agency (USEPA) in the early 1990s and was excluded from the RCRA Order by USEPA in 2001. In 2005, Tecumseh Redevelopment Inc. (Tecumseh) entered an approximate 102-acre portion of the BSC property containing the Sites and referred to as the Phase I Business Park in the BCP. In 2007, Tecumseh Redevelopment Inc. (Tecumseh) entered an approximate 143-acre portion of the BSC property containing the Site and referred to as the Phase II Business Park in the BCP. The Site was divested from these BCP Sites.

The Remedial Investigation (RI) conducted on the Phase I Business Park property between 2006 and 2008 and on the Phase II Business Park property between 2010 and 2013 revealed that contamination associated with historical steel mill operations had impacted the soil/fill on the property, necessitating remedial action. The RIs did not identify groundwater impacts proximate the Site. Several phases of remedial actions were undertaken for Business Park Phase I and Phase II in accordance with NYSDEC-approved Interim Remedial Measures (IRM) Work Plans. Following completion of the remedial work, some contamination was left in the soil/fill of the Sites, which is hereafter referred to as the "remaining contamination". The remaining contamination was generally characterized by widespread exceedances of the 6 New York Codes, Rules and Regulation (NYCRR) Part 375 Soil Cleanup Objectives (SCOs) for un-restricted use for certain metals and polycyclic aromatic hydrocarbons (PAHs) to the approximate native soil depth of 8 feet below the ground surface. The remedial efforts also included development of SMPs to manage the remaining contamination at the Sites in perpetuity or until extinguishment of the Environmental Easements that were placed on the Sites in accordance with Environmental Conservation Law (ECL) Article 71, Title 36.

The NYSDEC-approved Remedial Action Work Plan (RAWP) for the Erie County Shoreline Trail

Bethlehem Steel Phase I BCP Site No. C915197L dated February 2018 prescribed the remedy for
the Site which included the placement of a cover system comprised of 12 inches of clean soil with a

demarcation layer in all areas that are not covered by the asphalt trail or covered by concrete. In 2018, the pedestrian/bicycle trail along with the remainder of the cover system was constructed at the Site and a BCP Certificate of Completion (COC) was issued, signifying satisfactory completion of the remedial program and acceptance of the Final Engineering Report (FER) for the Site.

1.2 Effectiveness of Remedial Program

Based on a recent inspection of the Site, the engineering and institutional controls are in place, are performing properly, and remain effective and protective of public health and the environment.

1.3 Non-Compliance

No areas of non-compliance regarding the major elements of the SMP were identified during the preparation of this PRR.

1.4 Recommendations

Overall, the remedial program is viewed to be effective in achieving the remedial objectives for the Sites. No changes to the SMP or the frequency of PRR submissions are recommended at this time.

2.0 SITE OVERVIEW

2.1 Site Description

The Site includes an approximately seven-acre parcel consisting of a 10-foot wide 5,140-foot long asphalt pedestrian/bicycle trail along the west side of NYS Route 5 and Hamburg Turnpike within the City of Lackawanna. The Site is 50 feet in width and extends from Dona Street north beyond Ridge Road to the Gateway Trade Center property. The Site is bounded by the Gateway property to the north, NYSDEC BCP Site C915198F to the south, NYS Route 5 and Hamburg turnpike to the east, and NYSDEC BCP Sites C915198H, C915198K, C915197B, C915197D, C915197F, C915197H, and C915197K to the west. The Site was divested and formed from the easterly fifty-foot (50') widths of BCP Sites C915198H, C915198K, C915197B, C915197D, C915197F, C915197H, and C915197K. Lake Erie is situated approximately 5,100 feet to the west of the Sites, while Smoke Creek is located approximately 1,200 feet south of the Site. Figure 1 shows the approximate location of the Site and Figure 2 depicts the approximate extents of the Site.

Soil/fill remaining on the Site located beneath the cover system was characterized as generally impacted by the historical industrial usage of the BSC property. These impacts were characterized as widespread exceedances of the 6 NYCRR Part 375 SCOs for un-restricted use for certain metals and PAHs to the approximate native soil depth of 8 feet below the ground surface. The impacted soil/fill constitutes the remaining contamination on the Site. No groundwater contamination necessitating remediation was identified on the Site.

2.2 Summary of Remedial Actions

Remedial activities completed at the Site were conducted in accordance with the NYSDEC-approved Remedial Action Work Plan (RAWP) for the Erie County Shoreline Trail Bethlehem Steel Phase I BCP Site No. C915197L dated February 2018. Remediation for the Site was performed as a single project, and no interim remedial measures, operable units or separate construction contracts were performed. The final remedy implemented at the Site in 2018 involved the installation of a cover system in accordance with the NYSDEC-approved RAWP. The cover system installed at the Site is comprised of the following components:

- A demarcation layer placed atop the remaining soil/fill followed by a minimum of a 12-inch soil cover, obtained from a NYSDEC approved stockpile, in areas of the Site not covered by the 10-foot wide asphalt trail to prevent human exposure to remaining contaminated soil/fill.
- A 10-foot wide asphalt trail consisting of four inches of asphalt pavement and eight inches of gravel subbase.
- Concrete cover at the approach ramps for Ridge Road and Dona Street, bench pads, and the areas of the iron button.

Contaminated soil/fill was encountered during excavation activities associated with the installation of the underdrain system in one portion of the Site. The excavation extended approximately two feet below ground surface and resulted in the transported and disposal of 137.23 tons of non-hazardous soil/fill to the Waste management of NY at Chafee Landfill, a permitted Subtitle D landfill.

On-site soil/fill was used as subgrade backfill beneath the soil cover. Excess existing soil excavated

during the installation of the underdrain system as well as soil generated from created grading operations were placed west of the Site to fill in low areas on BCP Parcel Nos. C915157D, C915157F and C915158K.

In addition to the cover system, a Site Specific Site Management Plan (SMP) was prepared to manage remaining contamination as required by the Environmental Easements placed on NYSDEC BCP Site Nos. C915157 and C915198. The Site Specific SMP is included as Appendix E-12 in the January 2014 SMP for the Tecumseh Phase I Business Park for NYSDEC Site Nos. C915197 through C915197K. The SMP specifies the procedures required to manage the remaining contamination on the Site post remediation, including (1) implementation and management of all engineering and institutional controls; (2) media monitoring, if applicable; (3) operation and maintenance of treatment, collection, containment or recover systems, if applicable; (4) performance of periodic inspections, certification of results and submittal of PRRs; and (5) defining criteria for termination of any remaining treatment system operations.

Two environmental easements in place for the Site encompass NYSDEC BCP Site Nos. C915157 and C915198, executed by the NYSDEC and recorded with the Erie County Clerk in 2014. The environmental easements were placed on the properties to (1) implement, maintain and monitor the Engineering Controls; (2) prevent future exposure to remaining contamination by controlling disturbances of the subsurface contamination; and, (3) limit the use and development of the site to commercial and industrial uses only. An additional easement was put in place in June 2022 that granted conditional access to a portion of the Greenway Trail for the installation/maintenance of a storm sewer pipe connection for the Dona 8 project. Copies of the easements are provided in Appendix 3.

3.0 PERFORMANCE, EFFECTIVENESS & PROTECTIVENESS OF THE REMEDY

All remedial actions prescribed in the RAWP for the Site were completed and the remedial goals were accomplished through the installation of the Site-wide cover systems to prevent exposure to remaining contamination in the subsurface.

As indicated below in Section 4.1.2, the cover systems were inspected on August 13, 2024. Based on the inspections, the cover systems are intact, functioning effectively throughout the Site and are protective of public health and the environment.

4.0 INSTITUTIONAL/ENGINEERING CONTROL (IC/EC) PLAN COMPLIANCE REPORT

4.1 IC/EC Requirements and Compliance

4.1.1 IC Requirements-Site Restrictions

In accordance with the SMP, a series of Institutional Controls (ICs) have been established for the Site. Adherence to these ICs is required by the Environmental Easements. The Environmental Easements are described within the Final Engineering Report, included within Appendix 3. These ICs are:

- Compliance with the environmental easement and the SMP by the Owner and the Owner's successors and assignees that limit site use to commercial or industrial uses;
- All Engineering Controls (ECs) must be installed, operated and maintained as specified in the SMP;
- All ECs on the Site must be inspected at a frequency and in a manner defined in the SMP;
- Environmental or public health monitoring must be performed as defined in the SMP;
- Data and information pertinent to site management of the Site must be reported at the frequency and in a manner defined in the SMP;
- All future activities on the property that will disturb remaining contaminated material must be conducted in accordance with the SMP;
- Monitoring to assess the performance and effectiveness of the remedy must be performed as defined in the SMP;
- Operation, maintenance, monitoring, inspection, and reporting of mechanical or physical components of the remedy shall be performed as defined in the SMP; and
- Access to the Site must be provided to agents, employees or other representatives of the State
 of New York with reasonable prior notice to the property owner to assure compliance with the
 restrictions identified by the environmental easements.

Institutional Controls identified in the environmental easements may not be discontinued without an amendment to or extinguishment of the environmental easement.

The Site has a series of ICs in the form of restrictions. Site restrictions that apply are as follows:

- The Site may only be used for recreational trail uses only;
- The use of groundwater underlying the Site is restricted as a source of potable or process water, without necessary water quality treatment, as determined by the New York State Department of Health or Erie County Health Department;

- Compliance with the SMP is required; and
- The owner of the Site is required to provide an IC/EC certification, prepared and submitted by a professional engineer or environmental professional acceptable to the NYSEC annually or for a period to be approved by the NYSDEC, which will certify that the ICs and ECs put in place are unchanged from the previous certification or that any changes to the controls were approved by the NYSDEC; and, nothing has occurred that impairs the ability of the controls to protect public health and environment or that constitute a violation or failure to comply with the SMP.

Erie County has concluded that the ICs are in force and are being adhered to with respect to the condition and use of the Sites and activities conducted thereon.

4.1.2 Engineering Control-Soil Cover System

Exposure to the remaining contamination in soil/fill at the Site is prevented by the cover systems that were previously placed over the Site. The cover system is comprised of a minimum of 12 inches of NYSDEC approved soil overlaying a demarcation layer (orange plastic mesh material) in areas of the Site not covered by the asphalt pedestrian/bicycle trail. The pedestrian/bicycle trail consists of eight inches of subbase and four inches of asphalt pavement. The Excavation Work Plan, which appears in Appendix B of the SMP, outlines the procedures that are required to be implemented in the event the cover system is breached, penetrated or temporarily removed, and any underlying remaining contamination is disturbed. The cover system is a permanent control and the quality and integrity of this system will be inspected at defined, regular intervals in perpetuity.

During February 2024, a water supply line for the newly constructed 2 Steelworkers Way building on the parcel adjacent to the Bike trail was installed beneath the bike trail. The water supply line installation was conducted using an underground burrowing machine beneath the shoreline trail site. Minor excavation did occur within the site boundary when the water supply line was installed about 15 feet deep using an underground burrowing machine method. NYSDEC was provided prior notification, and the work was conducted as per the SMP and overseen by site contractor Roux. A report of these activities is included as Appendix 2.

Copies of the IC Certification for the waterline installation are included as appendices. Correspondence including NYSDEC notification and description of the work and cap repair details, cover soil, placement of excavated materials, are included in Appendix 2. Photographs of the waterline work area are included in the site inspection report Appendix 1.

On August 13, Erie County personnel conducted the annual Site inspections, which included traversing the Sites on foot to observe the current conditions. The Site Inspection Form is included herein as Appendix 1 and includes photographs taking during the Site inspection.

The Site consists of an asphalt pedestrian/bicycle trail aligned with vegetated soil cover occurring at the ground surface along the length of the Site. The areas associated with the water supply line installation described in this report, appear to be repaired and were observed to be intact and

4.2 IC/EC Certification

functioning as intended.

Appendix 4 includes the NYSDEC Site Management Periodic Review Report Notice-Institutional and Engineering Controls Certification Forms.

5.0 MONITORING PLAN COMPLIANCE REPORT

5.1 Requirements

The Monitoring Plan is included in Section 3.0 of the SMP and describes the measures for evaluating the performance and effectiveness of: the remedy to reduce or mitigate contamination at the Site, the soil cover systems, and all affected Site media.

The Monitoring Plan describes the methods to be used for:

- Monitoring the cover system;
- Assessing achievement of the remedial performance criteria;
- Evaluating Site information periodically to confirm that the remedy continues to be effective in protecting public health and the environment;
- Preparing the necessary reports for the various monitoring activities.

To adequately address these issues, the Monitoring Plan provides information on:

• Annual inspection and periodic certification.

5.2 Comparisons with Remedial Objectives

Cover system monitoring was performed in accordance with the SMP, and included the annual visual inspection of the cover system components. As described in Section 4.1.2, the waterline installation on the adjacent parcel was conducted without impacting the Shoreline Trail site. The cover system on the

remainder of the site was observed to be intact and functioning as intended, and is continuing to satisfy the remedial objectives for the Site.

5.3 Monitoring Deficiencies

No monitoring deficiencies were noted or experienced during the inspection of the cover system or completion of the PRR.

5.4 Monitoring Conclusions and Recommendations

The procedures utilized to evaluate the performance and effectiveness of the cover system were conducted in accordance with the SMP and verified that the cover system is functioning as intended. No changes to the monitoring plan are recommended.

6.0 OPERATION AND MAINTENANCE PLAN

The remedy for the Site does not rely on mechanical systems to protect public health and the environment. Therefore, no operation and maintenance requirements apply to the Site.

7.0 CONCLUSIONS AND RECOMMENDATIONS

Annual inspection of the Site was performed on August 13, 2024 by Erie County personnel as prescribed in the SMP. As a result of this inspection, it was determined that any impacts to the site resulting from the water line installation excavation projects described in this report have been completed and conducted in compliance with the SMP. The cover system on the remainder of the site was observed to be intact and functioning as intended, and is continuing to satisfy the remedial objectives for the Site.

8.0 REFERENCES

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

Site Management Plan for BCP Tecumseh Phase I Business Park, NYSDEC Site No. C915197 through C915197K, Turnkey Environmental Restoration, LLC, January 2014

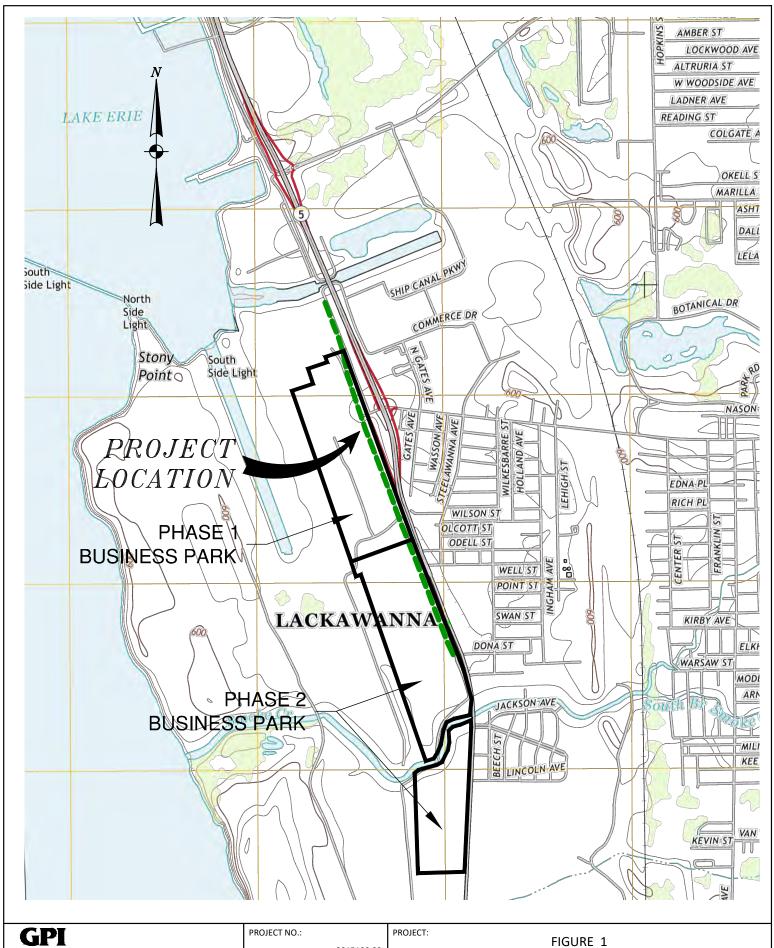
Decision Document for the Phase I Business Park Site No. C915197, January 2012

Appendix E - Site Management Plan for Tecumseh Phase I Business Park, NYSDEC Site No. C915197 through C915197K, Turnkey Environmental Restoration, LLC, November 2017

Remedial Action Work Plan – Erie County Shoreline Trail Bethlehem Steel Phase I BCP Site No. C915197L, February 2018



Figure 1-Site Location Map of Shoreline Trail along Rt 5 in Lackawanna near the former Bethlehem Steel Site.



Greenman-Pedersen, Inc. Engineering and Construction Services

Surveying Services Performed By GPI Engineering and Surveying, LLP 4950 Genesee Street, Buffalo, NY 14225 Tel: (716) 633-4844 Fax: (716) 633-4940

PROJECT NO.:		PROJE
	2015100.00	
SCALE:	N.T.S.	TITLE:
DRAWN BY:	DV	
CHECKED BY:	JM	DATE:

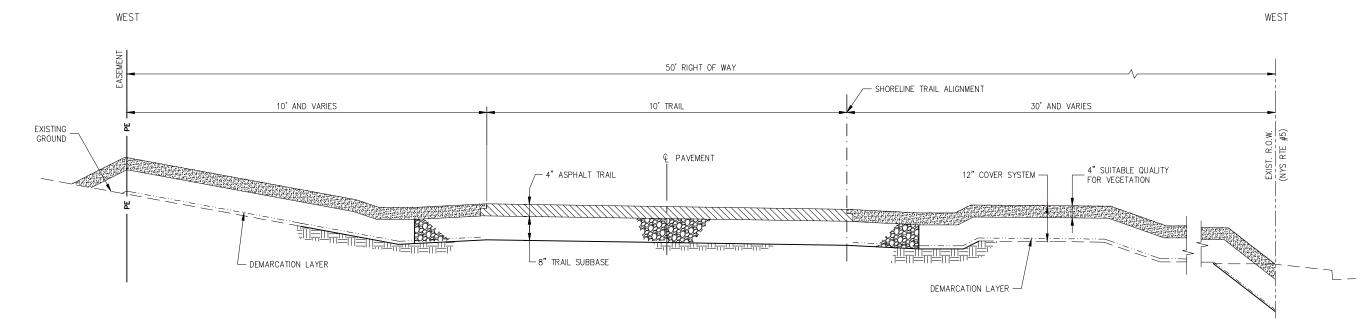
FIGURE 1

BETHLEHEM SHORELINE TRAIL
CITY OF LACKAWANNA, ERIE COUNTY, NEW YORK

MARCH, 2016

DWG. NO.
LOC-1

SHORELINE TRAIL BETHLEHEM STEEL PHASE 1



TYPICAL SECTION OF COVER SYSTEM

SCALE: 3/4" = 1'-0"

TYPICAL SECTION OF COVER SYSTEM



Appendix 1

Site Inspection Form

Annual Site Inspection Form

Bethlehem Steel Shoreline Trail
2303 Hamburg Turnpike, Lackawanna, New York
NYSDEC Site No. **C915197L**

Date: August 13, 2024

Inspector: John Hood

Weather: Sunny, 80 deg F

1. Compliance with all ICs, including site usage:

SITE USAGE: Use of the Site is limited to Commercial & Industrial Uses. Indicate if any other type of use is occurring at the Site.

Site is used as a bicycle and pedestrian trail

GROUNDWATER USAGE: Use of groundwater underlying the Site is prohibited without treatment. Indicate whether groundwater use is occurring at the Site along with any treatment measures being applied.

Groundwater is not used.

COMPLIANCE WITH SMP: List Site activities and indicate compliance or non-compliance with SMP.

During this reporting period, a water supply line was installed on the adjacent property, 2 Steelworkers Way parcel and passed underneath the existing greenway trail just South of the Odell and Rt 5 intersection. The water supply line was installed about 15 feet deep using an underground burrowing machine method without excavating material from the capped portion of the bike trail property. Per the existing Soil Management Plan (SMP), Roux submitted an Excavation Work Plan (EWP) to the DEC for review and received approval on February 2, 2024. Final landscaping was completed in July 2024 and was observed to be in good condition during site inspection.

2. An evaluation of the condition and continued effectiveness of the ECs:

SITE COVER CONDITION: Good, Fair, or Poor

Based on the inspections, the cover systems are intact, functioning effectively throughout the Site and are protective of public health and the environment.

SITE COVER EFFECTIVNESS: As Intended or Needs Repair

Based on the inspections, the cover systems are intact, functioning effectively throughout the Site and are protective of public health and the environment.

3. General site conditions at the time of the inspection:

Acceptable



Figure 1-Shoreline Trail-waterline installation location.



Figure 2-Shoreline Trail-Waterline installation location.

Appendix 2

Certification

I, Thomas H. Forbes, am currently a registered professional engineer licensed by the State of New York, I had primary direct responsibility for the recertification of topsoil cover system at the Bethlehem Shoreline Trail Site (NYSDEC Site I-12, BCP No. 915197L) resulting from intrusive utility installation work completed on NYSDEC Site II-11, BCP No. C915198K. All cover system repair work was completed as described in the Recertification Letter, dated August 1, 2024,

I certify that all documents generated in support of this report have been submitted in accordance with the DER's electronic submission protocols and have been accepted by the Department.

I certify that all data generated in support of this report have been submitted in accordance with the Department's electronic data deliverable and have been accepted by the Department.

I certify that all information and statements in this certification form are true. I understand that a false statement made herein is punishable as a Class "A" misdemeanor, pursuant to Section 210.45 of the Penal Law. I, Thomas H. Forbes, P.E., of Roux Environmental Engineering and Geology, D.P.C., 2558 Hamburg Turnpike, Suite 300, Buffalo, NY 14218, am certifying as Owner's Designated Site Representative for the site.

10-24-24

Date

Signature



Date: August 1, 2024

To: John Hood, Chief Environmental Compliance Specialist, Erie County, Buffalo, NY

From: Eric Warren, Roux Environmental Engineering and Geology, D.P.C.

Subject: Recertification Letter of Bethlehem Shoreline Trail Site (NYSDEC Site 1-12, BCP

No. 915197L) Topsoil Cover System.

Dear Mr. Hood.

As you are aware, Roux Environmental Engineering and Geology, D.P.C. (Roux) provided environmental oversight for all intrusive work that was completed by Erie County Water Authority (ECWA) sub-contractor (Kandey Company), in February 2024, to complete post COC excavation work on 2 Steelworkers Way property. The work was to complete a tap onto the County's main water line that is located in the middle of Hamburg Turnpike (Route 5). This work involved excavating down approximately 15 feet deep on the southeast side property line of 2 Steelworkers Way and then tunneling under the County's Bethlehem Shoreline Trail Site, (NYSDEC Site I-12, BCP No. 915197L) including the County bike path into Route 5 to complete the water tap. To be able to successfully complete such a large excavation area, work was completed to the east off 2 Steelworkers Way property and onto the County property (see attached Figure). The excavation work into the County's property was approximately 15' in length and approximately 15' wide but did not include the excavation through the bike path, the bike path remained intact. Per the existing Soil Management Plan (SMP), Roux submitted an Excavation Work Plan (EWP), see attached, to the DEC for review and received approval from Mr. Andrew Zwack and Ms. Megan Kuczka on February 2, 2024.

A summary of the work EWP work that was completed is as follows:

During excavation work that was completed in the Bethlehem Shoreline Trail Site (NYSDEC Site I-12, BCP No. 915197L), the clean topsoil cover was carefully removed down to the demarcation layer and placed in a stockpile near the excavation for later use for restoration of the cap. All subgrade soil material below the demarcation layer was excavated and directly loaded out into dump trucks and hauled to and disposed of at Allied Waste Niagara Falls Landfill via existing waste profile # 4215238714. After the excavation was completed down to the required grade, using an underground burrowing machine, the new water line was installed and tapped into the ECWA main water line which is located within the limits of Hamburg Turnpike (NYS Route 5) that runs in a north/south orientation and is located east of the Site. Once the new water line was installed and tapped into the ECWA main line, backfilling commenced with previously DEC approved stone per the approved EWP. Previously approved No. 1 clean crushed stone was placed around the water line to protect it, then approved No. 2 run of crush (ROC) stone was placed and compacted all the way up to minus 1' below grade level. At this point new demarcation fabric was laid out in the area to easily identify the subgrade from the cover system material which will be comprised of an orange 3/4-inch plastic industrial netting material. Then additional approved ROC stone was installed along with the existing topsoil from the stockpile was placed down to match existing grade. Then in July 2024, previously approved topsoil (see attached approval) was imported and placed down for a total thickness of 12" and then re-seeded for new grass growth in July 2024 (see attached pictures).

This letter certifies that all restoration work completed in the Bethlehem Shoreline Trail Site (NYSDEC Site I-12 BCP No. C915197L) included approved cover material and was installed correctly per the requirements of the SMP.

Please contact Eric Warren by telephone at 716-856-0599, or by email at ewarren@rouxinc.com if you have any questions or require additional information.

Sincerely,

ROUX ENVIRONMENTAL ENGINEERING AND GEOLOGY, D.P.C.

Tric A. Warren

Eric A. Warren Senior Scientist II

Thomas H. Forbes, P.E.

Vice President, Principal Engineer, Co-Operations Manager

Attachments:

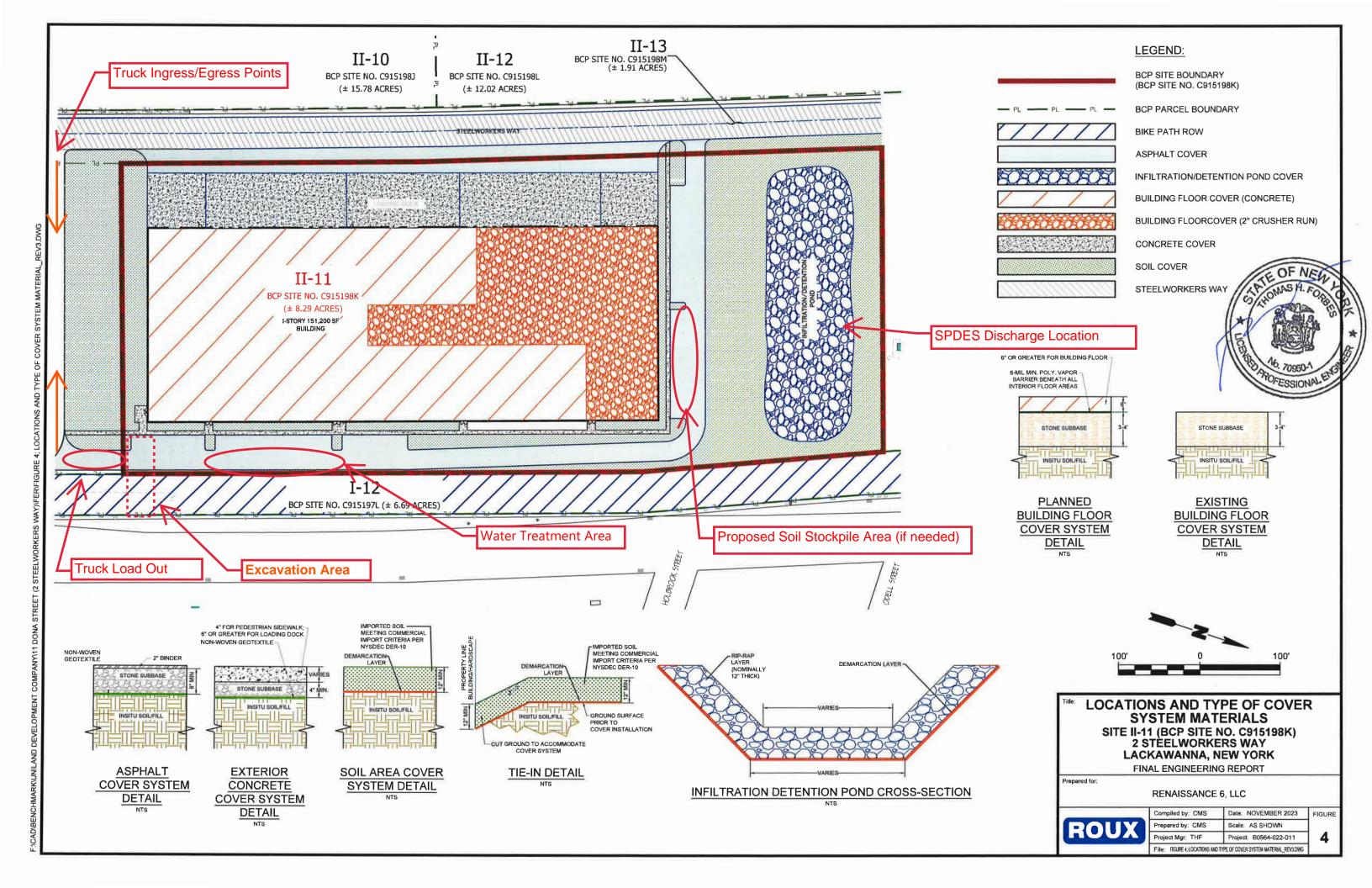
Figure

Approved NYSDEC EWP

NYSDEC Import Approvals

Site Work Photo Log

FIGURE



Approved NYSDEC Excavation Work Plan (EWP)



Date: February 2, 2024 (Revised)

To: Megan Kuczka/Andrew Zwack – NYSDEC DER Region 9

From: Eric Warren, Roux Environmental Engineering and Geology, D.P.C.

Subject: Site Management Plan Excavation Work Plan Notification for

Waterline installation at 2 Steelworkers Way, Lackawanna, NY

Site II-11, BCP Site No. C915198K

Dear Ms. Kuczka and Mr. Zwack,

On behalf of Renaissance 6, LLC. (Renaissance 6), Roux Environmental Engineering and Geology, D.P.C. (Roux) has prepared this Excavation Work Plan Notification (EWPN) for 2 Steelworkers Way, Lackawanna, NY (Site) as required by the Site Management Plan¹. This EWPN has been prepared to satisfy SMP requirements in accordance with Section 2.3.1 of the 2014 SMP and of the Appendix B Excavation Work Plan (EWP) revised July 2021.

As you are aware, Renaissance 6 received the BCP Certificate of Completion (COC) for the Site in December 2023. The post COC intrusive work proposed within this EWP is to gain access to Erie County Water Authority (ECWA) main line to complete a tap to install the Site's required fire and domestic water supplies. The main line tap will be completed by ECWA contractor tunneling underneath the ground from the Site and tapping into the ECWA main water line pipe that is located within the limits of Hamburg Turnpike (NYS Route 5) that runs in a north/south orientation and is located east of the Site.

The EWP requires that the NYSDEC shall be notified 15-days prior to the start of any activities that may encounter remaining contamination at the Site. The work is proposed to start the week of February 12, 2024. The workplan requires that the notification will supply information for the following information (in bold print) to the NYSDEC, prior to the start of any activities. The requested information is supplied in *italics* below:

Depth of work to be performed, location of work and areal extent.

The onsite excavation to complete the Site's water line main tap onto the ECWA 16" main line is proposed to be completed on the southeast corner of the Site. The excavation will be approximately 40' long x 15' wide x 15' deep and an estimated 333 cubic yards of asphalt/ston/subgrade soil will be directly loaded out into dump trucks and disposed of at a NYSDEC permitted landfill.

 A detailed description of plans for re-grading, intrusive elements, or utilities to be installed below the soil cover, estimated volumes of contaminated soil to be excavated, and any work that may impact an existing engineering control. Appropriate locations for staging and stockpiling of non-impacted and impacted (if encountered) soil/fill materials will also be identified.

The majority of the proposed excavation will take place within the Site's existing driveway/parking lot area that has an asphalt cover system. The excavation will start on the east side of the Site's

2558 Hamburg Turnpike, Suite 300 Buffalo, New York 14218 +1.716.856.0599 www.rouxinc.com
California Massachusetts New Jersey New York Texas Virginia

¹ Brownfield Cleanup Program Tecumseh Phase II Business Park NYSDEC Site Nos, C915198 throughC915198L, Lackawanna, New York, Site Management Plan. Prepared by Benchmark Environmental Engineering & Science, PLLC. Dated January 2014.

(NYSDEC Site II-11, BCP Site No. C915198K) water hotbox location and continue to the east and will extend pass the property line and onto Erie County's Bethlehem Shoreline Trail Site (NYSDEC Site I-12, BCP No. 915197L). Please note exaction on the Bethlehem Shoreline Trail Site will stop prior to the asphalt bike path and will not be excavated. Please see Figure 4 attached, excavation area is shown in dotted line.

Please note that Mr. John Hood, Chief Environmental Compliance Specialist from Erie County Environment & Planning Office, is aware that this work will encroach on the County's property and understands that all work including the cap repair will be completed per the SMP requirements. Please see the attached acknowledgment.

For excavation work in the existing onsite asphalt area, all asphalt material and subbase stone/soil that will be excavated down to 15' deep will be directly loaded out into dump trucks and hauled to and disposed of at Allied Waste Niagara Falls Landfill via existing waste profile # 4215238714. After the excavation is completed down to the required grade, using an underground burrowing machine, the new water line will be installed and tapped into the ECWA main water line. Once that is completed, the new line will be bedded with the approved No. 1 clean crushed stone. Please see the attached NYSDEC approval for No. 1 clean crushed stone. Once No. 1 stone is placed around the water line to protect it, approved No. 2 ROC stone (please see the attached NYSDEC approval for No. 2 ROC stone) will be placed and compacted all the way up to minus 1' below grade level. At this point new demarcation fabric will be laid out in the area to easily identify the Site subgrade from the cover system material which will be comprised of an orange ¾-inch plastic industrial netting material. Then the placement of No. 2 ROC stone will continue to be backfilled up to surrounding grade level. This stone will be a temporary cover system in this excavation area. A permanent cover system of new asphalt will be installed to repair the driveway and parking lot area later this spring/summer when asphalt plants open.

For excavation work that will be completed in the topsoil cover areas both onsite and offsite, the clean topsoil cover will be carefully removed down to the demarcation layer and placed in a stockpile near the excavation for later use for restoration of the cap. All subgrade soil material below the demarcation layer that will be excavated down to 15' deep will be directly loaded out into dump trucks and hauled to and disposed of at Allied Waste Niagara Falls Landfill via existing waste profile # 4215238714. The same means and methods for tunneling down to the ECWA main water line described above will take place. Once the Site's new water line is installed and tapped into the ECWA main line, backfilling as described above will take place. Once No. 1 stone is placed around the water line to protect it, approved No. 2 ROC stone will be placed and compacted all the way up to minus 1' below grade level. At this point new demarcation fabric will be laid out in the area to easily identify the Site subgrade from the cover system material which will be comprised of an orange 3/4-inch plastic industrial netting material. Then the existing topsoil from the stockpile will be placed back down and then the area will be brought back up to grade with a thickness of 12" or more then re-seeded for new grass growth as the weather permits.

At the completion of the above-described work, all restoration work completed onsite (Site II-11 BCP No. C915198K) and offsite (Site I-12 BCP No. C915197L) will be recertified that demarcation fabric and approved cap material was installed correctly by Roux per the requirements of the SMP.

A Qualified Environmental Professional (QEP), or person under their supervision, will monitor all intrusive work, excavation and load-out of all excavated material. The Site Owner and its contractors are responsible for safe execution of all intrusive and other work performed under this EWP; however, any entity performing intrusive work on the Site is required to abide by the requirements identified herein. The QEP will investigate the presence of utilities and easements on the Site and determine whether they pose a risk or impediment to the planned work under this EWP. Locations where vehicles enter or exit the Site shall be inspected daily for evidence of off-site soil tracking. The QEP will be responsible for ensuring that all egress points for truck and equipment transport from the Site are clean of dirt and other materials derived from the Site during intrusive excavation activities. Please

see the attached Figure 4. If truck tires will be in contact with gross amounts of impacted materials and/or ground conditions result in mud carryout on vehicles a truck wash will be operated on-site. Truck wash waters will be collected and disposed off-site in an appropriate manner. Cleaning of adjacent streets will be performed as needed to maintain a clean condition with respect to Site-derived materials.

All excavated asphalt, stone, subgrade material is planned to be live loaded directly from the excavator bucket into tandem dump trucks provided by the contractor Zoladz Construction Company 9A-499, transported to Allied Waste Niagara Falls Landfill via existing waste profile # 4215238714 as described above. Please see Figure 4. Material transported by trucks exiting the Site will be secured with tight-fitting covers; loose-fitting canvas-type truck covers are prohibited. If loads contain wet material capable of producing free liquid, truck liners will be used. All trucks loaded with Site materials will exit the vicinity of the Site using only NYSDEC-approved truck routes. The route will consider (a) limiting transport through residential areas and past sensitive sites; (b) use of city mapped truck routes; (c) prohibiting off-site queuing of trucks entering the facility; (d) limiting total distance of major highways; (e) promoting safety in access to highways; and (f) overall safety in transport. If an alternate RCRA Subtitle C facility or TSDF is employed the corresponding truck transport route shall be provided to the NYSDEC for approval. Trucks will be prohibited from stopping and idling in the neighborhood outside the Site. Egress points for truck and equipment transport from the Site will be kept clean of dirt and other materials. Queuing of trucks will be performed on-site to minimize off-site disturbance; off-site queuing will be prohibited.

SOIL STOCKPILING (IF NEEDED)

All excavated material is expected to be loaded, hauled off the site and disposed of but if direct loading of soil is not available at any point in the project the subgrade material will be stockpiled on the asphalt driveway/parking area north of the building. Please see the attached Figure 4 for exact location. The subgrade material will be placed on and covered appropriately with poly sheeting. The stockpile will be routinely inspected at a minimum once each week and after every storm event. Damaged tarps or plastic will be promptly replaced. Hay bales will be used as needed near catch basins, surface waters and other discharge points.

STORMWATER POLLUTION PREVENTIONS AND SPDES PERMIT

The Site is covered under a Stormwater Pollution Prevention Plan (SWPPP) dated March 2023. Please see the attached SWPPP. Per the SWPPP, erosion controls must be installed as necessary to mitigate impacted stormwater and sediment runoff. These controls (which may include silt fencing around stockpiles, berms, and hay bale checks) will be required in areas of disturbance proximate to surface water bodies and drainage structures and will also be required if disturbances occur in areas where the surrounding slag/fill is not sufficiently permeable to allow re-infiltration. Also, eight-inch diameter silt sock is in place around the proposed excavation in the grass area to immediately mitigate the chance of impacted stormwater and sediment runoff.

While it is unknow on how much groundwater will be encountered during this excavation work, we are prepared to handle, pump, contain, treat, sample and discharge the groundwater according to the approved NYSDEC Wastewater Discharge SPDES Permit Equivalent that was issued on 1/8/2024. Please see the SPDES Permit Equivalent attached.

DECONTAMINATION PROCEDURES

The degree of decontamination required is a function of a particular task and the environment within which it occurs. The following decontamination procedure will remain flexible, thereby allowing crew to respond appropriately to the changing environmental conditions that may arise at the Site. All Roux personnel onsite shall follow the procedure below, or the Contractor's procedure (if applicable), whichever is more stringent.

Personnel Protective Equipment (PPE) and boot wash – Deposit visible contaminated (if any) PPE and/or re-usable equipment (gloves, hand tools, monitoring equipment, etc.) on plastic sheeting. Scrub outer boots in boot wash which is comprised of a shallow pan of clean water and scrub brush. The boot wash will be used by all workers exiting the immediate work zone (exclusion zone).

Decontamination of Field Equipment – Decontamination of heavy equipment will be conducted by the Contractor in accordance with the Health and Safety Plan in the Contamination Reduction Zone. At a minimum, this will include manually removing heavy soil contamination, followed by washing the equipment (if necessary) on an impermeable pad. Decontamination of all tools used including the underground tunneling equipment will be completed by the contractor with oversight from Roux QEP. It is expected that all tools will be constructed of nonporous, nonabsorbent materials (i.e. metal) which will aid in the decontamination effort.

Inspection/Decontamination of transportation equipment — Trucks that were loaded with onsite soil material to be hauled to landfill for disposal will be inspected in the egress area before traveling off of the site. Dry decontamination procedures will be complete as necessary to remove soil that may be on tires with shovels or brushes. As described above, the QEP will be responsible for ensuring that all egress points for truck and equipment transport from the Site are clean of dirt and other materials derived from the Site during intrusive excavation activities. If truck tires will be in contact with gross amounts of impacted materials and/or ground conditions result in mud carryout on vehicles a truck wash will be operated on-site. Truck wash waters will be collected and disposed off-site in an appropriate manner.

 A summary of environmental conditions anticipated in the work areas, including the nature and concentration levels of contaminants of concern, potential presence of grossly contaminated media and plans for any pre-construction sampling.

Per the approved Appendix H-11 in the Site's SMP, the remedial work conducted on Site II-11 has removed all known "source area" (i.e., metal- and petroleum/ organic-impacted) slag/fill. The remaining soil/fill is generally characterized by widespread exceedance of the Part 375 USCOs for several ubiquitous constituents; specifically, PAHs and inorganic compounds (i.e., arsenic, chromium, lead, and mercury). Other constituents remaining above USCOs in select areas of the Site include PCB Aroclor 1254 (one test pit) and inorganic compounds (i.e., cadmium, copper, manganese, and zinc). It is not possible to quantify with any certainty areas that do not exceed one or more of the USCO criteria; therefore, it is assumed that the entire 8.29-acre Site is impacted above the USCOs to the approximate native soil depth of 12 fbgs. As described above, all soil/fill material that will be excavated (except the clean topsoil cover system) will be direct loaded into dump trucks, hauled to and disposed of at Allied Waste Niagara Falls Landfill via existing profile #4215238714. No additional soil sampling is required.

A schedule for the work, detailing the start and completion of all intrusive work.

This excavation work to install the Site's domestic water service and fire service water lines and tap onto ECWA main line is proposed to start the week of 2/12/24 and be completed withing two-three weeks.

A summary of the applicable components of this Excavation Work Plan.

Section 3 through 5 of the Excavation Work Plan (EWP) are applicable to this project, is described herein.

A statement that the work will be performed in compliance with this EWP and 29 CFR 1910.120.

Roux will perform CAMP monitoring during all excavation/intrusive work and provide oversight, as needed, to verify compliance with the SMP requirements. Roux has prepared a HASP (Appendix C of the SMP) which describes the specific health and safety practices and procedures for its employees. Roux will comply with the HASP.

 A copy of the contractor's health and safety plan (HASP), in electronic format, if it differs from the HASP provided in Appendix C of this SMP.

Just as all previous work completed on this site, the contractor will use a similar HASP that is provided in Appendix C of the SMP.

· Identification of disposal facilities for potential waste streams; and

As stated above, all excavated soil will be hauled to and disposed of at Allied Waste Niagara Falls Landfill via existing profile #4215238714.

 Identification of sources of any anticipated backfill, along with all required chemical testing results.

As stated above, there are two types of stone that are proposed to be imported to the site and used as backfill. No. 1 clean crushed stone (NYSDEC approval date 1/10/24) and approved No. 2 ROC stone (NYSDEC approval date 1/17/24). Please see the attached approvals.

Please contact Eric Warren by telephone at 716-856-0599, or by email at ewarren@rouxinc.com if you have any questions or require additional information.

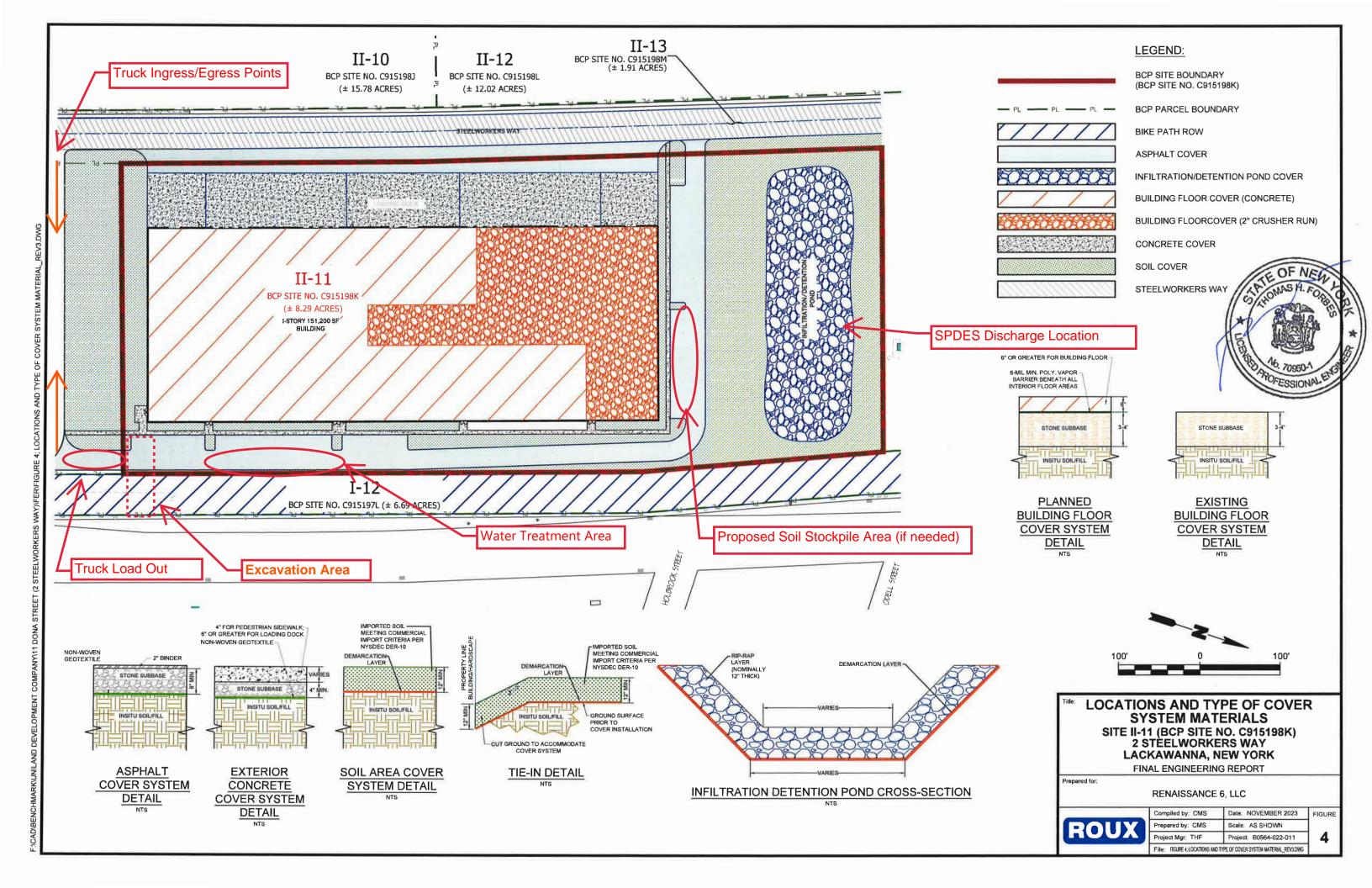
Sincerely,

ROUX ENVIRONMENTAL ENGINEERING AND GEOLOGY, D.P.C.

Eric A. Warren Senior Scientist II

Tric A. Warren

FIGURES



NYSDEC IMPORT APPROVALS

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Remediation, Region 9 700 Delaware Avenue, Buffalo, NY 14209 P: (716) 851-7220 | F: (716) 851-7226 www.dec.ny.gov

January 10, 2024

Eric Warren Roux Environmental Engineering and Geology, D.P.C. 2558 Hamburg Turnpike, Suite 300 Buffalo, NY 14218

> Stone Import Request Site II-11 Tecumseh Phase II Business Park Site No. C915198K Lackawanna (C), NY

Dear Eric Warren,

The Department has reviewed the request dated January 9, 2024 to import 500 cubic yards of No. 1 Clean Crushed Stone from County Line Stone Co., Inc., Akron, NY. Based on the information provided, the request is hereby approved.

The proposed fill material meets the requirements for material other than soil (i.e., gravel, rock, stone, recycled concrete or recycled brick) as specified in section 5.4(e)5 of DER-10. Therefore, this material may be placed below the demarcation barrier or above the demarcation layer as part of final site cover.

Should you have any questions or would like to discuss the matter in further detail, feel free to contact me at andrew.zwack@dec.ny.gov or (716) 851-7220.

Sincerely,

Andrew Zwack
Assistant Engineer

ec: Benjamin McPherson – NYSDEC





NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION



Request to Import/Reuse Fill or Soil

This form is based on the information required by DER-10, Section 5.4(e). Use of this form is not a substitute for reading the applicable Technical Guidance document.

SECTION 1 – SITE BACKGROUND

The allowable site use is:

Have Ecological Resources been identified?

Is this soil originating from the site?

How many cubic yards of soil will be imported/reused?

If greater than 1000 cubic yards will be imported, enter volume to be imported:

SECTION 2 – MATERIAL OTHER THAN SOIL

Is the material to be imported gravel, rock or stone?

Does it contain less than 10%, by weight, material that would pass a size 80 sieve?

Is this virgin material from a permitted mine or quarry?

Is this material recycled concrete or brick from a DEC registered processing facility?

SECTION 3 - SAMPLING

Provide a brief description of the number and type of samples collected in the space below:

Example Text: 5 discrete samples were collected and analyzed for VOCs. 2 composite samples were collected and analyzed for SVOCs, Inorganics & PCBs/Pesticides.

If the material meets requirements of DER-10 section 5.4(e)5 (other material), no chemical testing needed.

SECTION 3 CONT'D - SAMPLING					
Provide a brief written summary of the sampling results or attach evaluation tables (compare to DER-10, Appendix 5):					
Example Text: Arsenic was detected up to 17 ppm in 1 (of 5) samples; the allowable level is 16 ppm.					
If Ecological Resources have been identified use the "If Ecological Resources are Present" column in Appendix 5.					
SECTION 4 – SOURCE OF FILL					
Name of person providing fill and relationship to the source:					
Location where fill was obtained:					
Identification of any state or local approvals as a fill source:					
If no approvals are available, provide a brief history of the use of the property that is the fill source:					
Provide a list of supporting documentation included with this request:					

Cric A. Warren	
Signature	Date
Print Name	
 Firm	

The information provided on this form is accurate and complete.

County Line STONE CO., INC.

4515 CRITTENDEN ROAD, AKRON, N.Y. 14001

Phone 716-542-5435

Fax 716-542-5442

ALL SIZES CRUSHED STONE

BITUMINOUS CONCRETE

AGRICULTURAL LIME

Material

No. 1 Clean Crushed Stone

Date

1/9/2023

Sieve	% Passing	Specification
4"(100mm)		
3"(75mm)		
2 1/2"(63mm)		
2"(50mm)		
1 1/2"(37.5mm)		
1"(25mm)	100.0	100
3/4"(19mm)		
5/8"(16.0mm)		
1/2"(12.5mm)	92.1	90-100
3/8"(9.5mm)		
5/16 "(8.0mm)		
1/4"(6.3mm)	8.1	0-15
#4(4.75mm)		
1/8"(3.2mm)		
#8(2.36mm)		
#16(1.18mm)		
#20(850um)		
#30(600um)		
#40(425um)		
#50(300um)		
#80(180um)	0.9	
#100(150um)		
#200(75um)	0.6	0-1.0
PAN		
TOTAL		

New York State Specifications

Size	Screen Sizes											
Designation	4"	3"	2 1/2"	2"	1 1/2"	1"	1/2"	1/4"	1/8"	No 40	No 80	No 200
Screenings							100	90-100				0-1.0
1B								100	90-100		0-15	0-1.0
1A							100	90-100	0-15			0-1.0
1ST							100	0-15				0-1.0
1						100	90-100	0-15				0-1.0
2					100	90-100	0-15					0-1.0
3A				100	90-100	0-15						0-0.7
3			100	90-100	35-70	0-15						0-0.7
4A		100	90-100		0-20							0-0.7
4	100	90-100		0-15								0-0.7
5	90-100	0-15										0-0.7
TYPE 1		100		90-100				30-65		5-40		0-10
TYPE 2				100				25-60		5-40		0-10
TYPE 3	100							30-75		5-40		0-10
TYPE 4				100				30-65		5-40		0-10

Comments: Meet all requirements of NYSDOT Item No. 703-02

NYSDOT Source 5-7RS

County Line STONE Co., Inc.

CRITTENDEN ROAD, P.O. BOX 150, AKRON, NEW YORK 14001

PHONE 716-542-5435

FAX 716-542-5442

ALL SIZES OF CRUSHED STONE

BITUMINOUS CONCRETE

AGRICULTURAL LIME

January 9th, 2024

To whom it may concern,

This letter is to serve as notice that all of the aggregate produced and sold by County Line Stone Company in Akron, NY is free from any known contaminates or additives. Our Aggregate is produced by crushing the mineable virgin limestone from our Akron, NY Quarry. Water may be added to the product for dust control.

Regards

Eric Lukowski, Quality Control Manager



NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Remediation, Region 9 700 Delaware Avenue, Buffalo, NY 14209 P: (716) 851-7220 | F: (716) 851-7226 www.dec.ny.gov

January 17, 2024

Eric Warren
Roux Environmental Engineering and Geology, D.P.C.
2558 Hamburg Turnpike, Suite 300
Buffalo, NY 14218

Re: Stone Import Request Site II-11 Tecumseh Phase II Business Park

Site No. C915198K

Lackawanna (C), NY

Dear Eric Warren,

The Department has reviewed the request dated January 10, 2024 to import 500 cubic yards of No. 2 R.O.C. from New Enterprise Stone and Lime Co., Inc., Buffalo, NY. Based on the information provided, the request is hereby approved.

The proposed fill material meets the requirements for material other than soil (i.e., gravel, rock, stone, recycled concrete or recycled brick) as specified in section 5.4(e)5 of DER-10. Therefore, this material may be placed below the demarcation barrier or above the demarcation layer as part of final site cover.

Should you have any questions or would like to discuss the matter in further detail, feel free to contact me at andrew.zwack@dec.ny.gov or (716) 851-7220.

Sincerely,

Andrew Zwack Assistant Engineer

ec: Benjamin McPherson – NYSDEC





NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION



Request to Import/Reuse Fill or Soil

This form is based on the information required by DER-10, Section 5.4(e). Use of this form is not a substitute for reading the applicable Technical Guidance document.

SECTION 1 – SITE BACKGROUND

The allowable site use is:

Have Ecological Resources been identified?

Is this soil originating from the site?

How many cubic yards of soil will be imported/reused?

If greater than 1000 cubic yards will be imported, enter volume to be imported:

SECTION 2 – MATERIAL OTHER THAN SOIL

Is the material to be imported gravel, rock or stone?

Does it contain less than 10%, by weight, material that would pass a size 80 sieve?

Is this virgin material from a permitted mine or quarry?

Is this material recycled concrete or brick from a DEC registered processing facility?

SECTION 3 - SAMPLING

Provide a brief description of the number and type of samples collected in the space below:

Example Text: 5 discrete samples were collected and analyzed for VOCs. 2 composite samples were collected and analyzed for SVOCs, Inorganics & PCBs/Pesticides.

If the material meets requirements of DER-10 section 5.4(e)5 (other material), no chemical testing needed.

SECTION 3 CONT'D - SAMPLING					
Provide a brief written summary of the sampling results or attach evaluation tables (compare to DER-10, Appendix 5):					
Example Text: Arsenic was detected up to 17 ppm in 1 (of 5) samples; the allowable level is 16 ppm.					
If Ecological Resources have been identified use the "If Ecological Resources are Present" column in Appendix 5.					
SECTION 4 – SOURCE OF FILL					
Name of person providing fill and relationship to the source:					
Location where fill was obtained:					
Identification of any state or local approvals as a fill source:					
If no approvals are available, provide a brief history of the use of the property that is the fill source:					
Provide a list of supporting documentation included with this request:					

Tric A. Warren	
Signature	Date
Print Name	
Firm	

The information provided on this form is accurate and complete.



2727 Broadway St., Suite 2 Cheektowaga, New York 14227 (716) 877-9577 (716) 877-9629 (Fax)

www.cmeassociates.com

Page 1 of 3

LAB REPORT SUMMARY

PROJECT: NESL Source Pre-Qual REPORT NO.: 17330L-14

CLIENT: NESL DATE: 08/15/2023 DEDDECENTATIVE. Augs

REPRESENTATIVE: Austin Glasier

This CME Associates, Inc representative performed a sieve analysis and moisture density test (Modified Proctor) on a 2" R.O.C. sample BL3223 sampled by client representative and delivered to CME's Buffalo laboratory on 08/03/2023. Tests were performed in accordance with ASTM Standards C136, C117, and D1557.

The following table distinguishes your sample from some common NYSDOT items:

Sample No.:

Location:

BL3223

NESL Wehrle Dr. 5-3R

MECHANICAL ANALYSIS (ASTM C136, C117)

Sieve Size	Percent Passing by Weight Sample BL3223	Item 304.14 Subbase Type IV	Item 304.13 Subbase Type III	Item 304.12 Subbase Type II	Item 203.7 Select Granular Fill
4"	100		100		100
2"	100	100		100	
1"	93				
3/4"	85				
1/2"	68				
3/8"	58				
1/4"	47	30-65	30-75	25-60	
No. 4	42				
No. 10	27				
No. 40	12	5-40	5-40	5-40	0-70
No. 80	8				
No. 200	7.3	0-10	0-10	0-10	0-15

CLASSIFICATION

Gray cmf Gravel and cmf Sand; trace Silt/Clay

LABORATORY MOISTURE-DENSITY RELATIONSHIP (ASTM D1557)

Corrected Maximum Dry Density	-	141.8	Pcf	
Corrected Optimum Moisture Content	=	6.3	%	

It is recommended the engineer of record review and comment on the use of this material. Please see attached documents for lab test results.

Feel free to contact this office should you have any questions.



NEW ENTERPRISE STONE & LIME CO., INC.

500 Como Park Boulevard • Buffalo NY 14227

Office: (716) 826-7310 Fax: (716) 826-1342 Dispatch: (716) 566-9690

January 10, 2024

Eric Warren

Roux Inc.

2558 Hamburg Turnpike

Suite 300

Buffalo NY 14218

Re: 2024 Projects

Dear Eric,

The 2" Crusher Run to be supplied to the above referenced project was extracted, crushed & screened at our Lancaster, NY facility. The material is produced from a virgin stone source, un-impacted by hazardous materials or contaminants and free of loom, organic matter including clay. The quarry is a NYSDOT approved source; the source number is 5-3r and our mining permit # is 90018.

Sincerely,

Robert Warrington

Russy-

STORMWATER POLLUTION PREVENTION PLAN (SWPPP)

CARMINAWOOD DESIGN

STORMWATER POLLUTION PREVENTION PLAN for

CONSTRUCTION ACTIVITIES

At

Proposed Warehouse

2 Steelworkers Way City of Lackawanna, Erie County, New York

Prepared for

Uniland Development Company

100 Corporate Pkwy Amherst, NY 14226

Prepared by

Carmina Wood Design

487 Main Street, Suite 500 Buffalo, NY 14203

Telephone: (716) 842-3165 Fax: (716) 842-0263

March 2023



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GP-0-20-001

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101 SCOPE

A. PURPOSE: Uniland Development Co. has placed an emphasis on following the New York State Department of Environmental Conservation (NYSDEC) SPDES General Permit for Stormwater Discharges from Construction Activity governing storm water discharges during construction, and in accordance with erosion control practices. The Contractor's participation in this program is mandatory and its non-compliance is subject to various remedies, including without limitation, monetary set-offs, withholding payments; reimbursement for costs, expenses (including reasonable attorney's fees), fines and civil penalties incurred by Uniland Development Co.; and/or liquidated damages. This section provides a descriptive explanation of Uniland Development Co.'s Storm Water Pollution Prevention Program and required Contractor participation.

The Engineer of record for this project certifies that this SWPPP meets the requirements and is in compliance with the New York State Stormwater Management Design Manual and latest NYSDEC Phase II stormwater regulation requirements.

B. SPDES General Permit for Stormwater Discharges from Construction Activity: Regulations promulgated by the NYSDEC to regulate the discharge of storm water from construction activities on sites where more than one (1) acre of soil is disturbed. One of the ways to comply with these regulations for affected sites is to request coverage under the General Permit for Construction Activities for New York State. In order to use the General Permit, a Notice of Intent (NOI) form must be completed and electronically submitted to the NYSDEC at least 5 business days prior to any earth-disturbing activities (this time frame may increase to 60 business days if a full review of the SWPPP is determined necessary by the NYSDEC) and a Storm Water Pollution Prevention Plan (SWPPP) for the site must be prepared and followed during the construction activities. Once a copy of the SPDES permit is received from NYSDEC, a copy will be included in Appendix E of this report.

Approval from a regulated, traditional land use control MS4:

- An owner or operator of a construction activity that is <u>not</u> subject to the requirements of a regulated, traditional land use control MS4 must first develop a SWPPP in accordance with all applicable requirements of this permit and then submit a completed NOI form to the NYSDEC.
- 2. An owner or operator of a construction activity that is subject to the requirements of a regulated, traditional land use control MS4 must first develop a SWPPP in accordance with all applicable requirements of this permit and then have its SWPPP reviewed and accepted by the MS4 prior to submitting the NOI to the NYSDEC. The owner or operator shall have the "MS4 SWPPP Acceptance" form signed by the principal executive officer or ranking elected official from the regulated, traditional land use control MS4, or by a duly authorized representative of that person, and then submit that form along with the NOI to the address referenced under "Notice of Intent (NOI) Submittal".
- C. RESPONSIBILITIES OF THE CONTRACTOR: The Contractor shall manage the discharge of storm water from the site in accordance with the NYSDEC General Permit for Construction Activities conditions and the following provisions of this section. The Operator shall be responsible for conducting the storm water management practices in accordance with the permit. The Contractor shall be responsible for providing qualified inspectors to conduct the inspections required by the SWPPP. The Contractor shall be

responsible for any enforcement action taken or imposed by federal, state, or local agencies, including the cost of fines, construction delays, and remedial actions resulting from the Contractor's failure to comply with the permit provisions. It shall be the responsibility of the Contractor to make any changes to the SWPPP necessary when the Contractor or any of his subcontractors elects to use borrow or fill or material storage sites, either contiguous to or remote from the construction site, when such sites are used solely for this construction site. Such sites are considered to be part of the construction site covered by the permit and this SWPPP. Off-site borrow, fill, or material storage sites which are used for multiple construction projects are not subject to this requirement, unless specifically required by state or local jurisdictional entity regulations. The Contractor should consider this requirement in negotiating with earthwork subcontractors, since the choice of an off-site borrow, fill, or material storage site may impact their duty to implement, make changes to, and perform inspections required by the SWPPP for the site.

- D. NOTICE OF INTENT: The Operator has petitioned the NYSDEC for coverage under the storm water discharges during construction at this site to be covered by the SPDES General Permit for Construction Activity for the State of New York. A Notice of Intent (NOI) for coverage under this permit has been filed by the Operator. The SWPPP must be prepared prior to submittal of the NOI form. The Operator will require the Contractor to be a co-permittee with the Operator. The Contractor will be required to post the NOI at the construction site along with any building permits.
- E. CONTRACTOR CERTIFICATION & TRAINING: Proof of Training/Certification of the Contractor's designated individual shall be kept on site at all times.
- F. REQUIREMENTS FOR THE GENERAL CONTRACTOR AND SUBCONTRACTOR(S): The General Contractor and Subcontractor(s) shall sign the "Contractor's Certification Statement" (located in the Appendix of this report) verifying they have been instructed on how to comply with and fully understand the requirements of the SPDES General Permit for Construction Activity for the State of New York and the SWPPP. These certifications must be signed, by a responsible corporate officer or other party meeting the "Signatory Requirements" of the SPDES General Permit, on behalf of each entity, prior to the beginning of any construction activities.
- G. STORM WATER POLLUTION PREVENTION PROGRAM LOCATION REQUIREMENTS: The SWPPP is meant to be a working document that shall be maintained at the site of the Construction Activities at all times throughout the project, shall be readily available upon request by the Operator's personnel or NYSDEC or any other agency with regulatory authority over storm water issues, and shall be kept on-site until the site complies with the Final Stabilization section of this document. A sign or other notice must be posted near the main entrance of the construction site which contains a completed NOI, the location of the SWPPP and the name and phone number of a contact person responsible for scheduling SWPPP viewing times, and any other state specific requirements.

H. INSPECTIONS AND RECORD-KEEPING:

A. General Construction Site Inspection and Maintenance Requirements

- 1. The **owner or operator** must ensure that all erosion and sediment control practices and all post-construction stormwater management practices identified in the SWPPP are maintained in effective operating condition at all times.
- 2. The terms of this permit shall not be construed to prohibit the State of New York from exercising any authority pursuant to the ECL, common law or federal law, or prohibit New York State from taking any measures, whether civil or criminal, to prevent

violations of the laws of the State of New York, or protect the public health and safety and/or the environment.

B. Owner or operator Maintenance Inspection Requirements

- The owner or operator shall inspect, in accordance with the requirements in the most current version of the technical standard, New York State Standards and Specifications for Erosion and Sediment Control, the erosion and sediment controls identified in the SWPPP to ensure that they are being maintained in effective operating condition at all times.
- 2. For construction sites where soil disturbance activities have been temporarily suspended (e.g. winter shutdown) and temporary stabilization measures have been applied to all disturbed areas, the owner or operator can stop conducting the maintenance inspections. The owner or operator shall begin conducting the maintenance inspections in accordance with Part IV.B.1. of the General Permit as soon as soil disturbance activities resume.
- 3. For construction sites where soil disturbance activities have been shut down with partial project completion, the **owner or operator** can stop conducting the maintenance inspections if all areas disturbed as of the project shutdown date have achieved final stabilization and all post-construction stormwater management practices required for the completed portion of the project have been constructed in conformance with the SWPPP and are operational.

C. <u>Qualified inspector Inspection Requirements</u>

The **owner or operator** shall have a **qualified inspector** conduct site inspections in conformance with the following requirements:

Note: The trained contractor identified in Part III.A.6 of the General Permit cannot conduct the qualified inspector site inspections unless they meet the qualified inspector qualifications included in Appendix A of the General Permit. In order to perform these inspections, the trained contractor would have to be a:

- Licensed Professional Engineer,
- Certified Professional in Erosion and Sediment Control (CPESC),
- Registered Landscape Architect, or
- Someone working under the direct supervision of, and at the same company as, the
 licensed Professional Engineer or Registered Landscape Architect, provided they have
 received four (4) hours of Department endorsed training in proper erosion and sediment
 control principles from a Soil and Water Conservation District, or other Department
 endorsed entity.
- 1. A qualified inspector shall conduct site inspections for all construction activities identified in Tables 1 and 2 of Appendix B of the General Permit, with the exception of:
 - a. The construction of a single family residential subdivision with 25% or less impervious cover at total site build-out that involves a soil disturbance of one (1) or more acres of

- land but less than five (5) acres and is not located in one of the watersheds listed in Appendix C of the General Permit and not directly discharging to one of the 303(d) segments listed in Appendix E of the General Permit;
- The construction of a single family home that involves a soil disturbance of one (1) or more acres of land but less than five (5) acres and is not located in one of the watersheds listed in Appendix C and not directly discharging to one of the 303(d) segments listed in Appendix E of the General Permit;
- c. Construction on agricultural property that involves a soil disturbance of one (1) or more acres of land but less than five (5) acres; and
- d. Construction activities located in the watersheds identified in Appendix D of the General Permit that involve soil disturbances between five thousand (5000) square feet and one (1) acre of land.
- 2. Unless otherwise notified by the Department, the **qualified inspector** shall conduct site inspections in accordance with the following timetable:
 - a. For construction sites where soil disturbance activities are on-going, the **qualified** inspector shall conduct a site inspection at least once every seven (7) calendar days.
 - For construction sites where soil disturbance activities are on-going and the owner or operator has received authorization in accordance with Part II.C.3 of the General Permit to disturb greater than five (5) acres of soil at any one time, the qualified inspector shall conduct at least two (2) site inspections every seven (7) calendar days.
 The two (2) inspections shall be separated by a minimum of two (2) full calendar days.
 - c. For construction sites where soil disturbance activities have been temporarily suspended (e.g. winter shutdown) and temporary stabilization measures have been applied to all disturbed areas, the qualified inspector shall conduct a site inspection at least once every thirty (30) calendar days. The owner or operator shall notify the Regional Office stormwater contact person (see contact information in Appendix F of the General Permit) or, in areas under the jurisdiction of a regulated, traditional land use control MS4, the MS4 (provided the MS4 is not the owner or operator of the construction activity) in writing prior to reducing the frequency of inspections.
 - d. For construction sites where soil disturbance activities have been shut down with partial project completion, the qualified inspector can stop conducting inspections if all areas disturbed as of the project shutdown date have achieved final stabilization and all post-construction stormwater management practices required for the completed portion of the project have been constructed in conformance with the SWPPP and are operational. The owner or operator shall notify the Regional Office stormwater contact person or, in areas under the jurisdiction of a regulated, traditional land use control MS4, the MS4 (provided the MS4 is not the owner or operator of the construction activity). in writing prior to the shutdown. If soil disturbance activities are not resumed within 2 years from the date of shutdown, the owner or operator shall have the qualified inspector perform a final inspection and certify that all disturbed areas have achieved final stabilization, and all temporary, structural erosion and sediment control measures have been removed; and that all post-construction stormwater management practices have been constructed in conformance with the SWPPP by signing the "Final"

Stabilization" and "Post-Construction Stormwater Management Practice" certification statements on the NOT. The **owner or operator** shall then submit the completed NOT form to the address in Part II.A.1 of the General Permit.

- 3. At a minimum, the qualified inspector shall inspect all erosion and sediment control practices to ensure integrity and effectiveness, all post-construction stormwater management practices under construction to ensure that they are constructed in conformance with the SWPPP, all areas of disturbance that have not achieved final stabilization, all points of discharge to natural surface waterbodies located within, or immediately adjacent to, the property boundaries of the construction site, and all points of discharge from the construction site.
- 4. The **qualified inspector** shall prepare an inspection report subsequent to each and every inspection. At a minimum, the inspection report shall include and/or address the following:
 - a. Date and time of inspection;
 - b. Name and title of person(s) performing inspection;
 - c. A description of the weather and soil conditions (e.g. dry, wet, saturated) at the time of the inspection;
 - d. A description of the condition of the runoff at all points of discharge from the construction site. This shall include identification of any discharges of sediment from the construction site. Include discharges from conveyance systems (i.e. pipes, culverts, ditches, etc.) and overland flow;
 - e. A description of the condition of all natural surface waterbodies located within, or immediately adjacent to, the property boundaries of the construction site which receive runoff from disturbed areas. This shall include identification of any discharges of sediment to the surface waterbody;
 - f. Identification of all erosion and sediment control practices that need repair or maintenance;
 - g. Identification of all erosion and sediment control practices that were not installed properly or are not functioning as designed and need to be reinstalled or replaced;
 - h. Description and sketch of areas that are disturbed at the time of the inspection and areas that have been stabilized (temporary and/or final) since the last inspection;
 - i. Current phase of construction of all post-construction stormwater management practices and identification of all construction that is not in conformance with the SWPPP and technical standards;
 - j. Corrective action(s) that must be taken to install, repair, replace or maintain erosion and sediment control practices; and to correct deficiencies identified with the construction of the post-construction stormwater management practice(s); and
 - k. Digital photographs, with date stamp, that clearly show the condition of all practices that have been identified as needing corrective actions. The **qualified inspector** shall attach paper color copies of the digital photographs to the inspection report being maintained onsite within seven (7) calendar days of the date of the inspection. The

qualified inspector shall also take digital photographs, with date stamp, that clearly show the condition of the practice(s) after the corrective action has been completed. The qualified inspector shall attach paper color copies of the digital photographs to the inspection report that documents the completion of the corrective action work within seven (7) calendar days of that inspection.

- 5. Within one business day of the completion of an inspection, the qualified inspector shall notify the owner or operator and appropriate contractor or subcontractor identified in Part III.A.6. of any corrective actions that need to be taken. The contractor or subcontractor shall begin implementing the corrective actions within one business day of this notification and shall complete the corrective actions in a reasonable time frame.
- 6. All inspection reports shall be signed by the **qualified inspector**. Pursuant to Part II.C.2 of the General Permit, the inspection reports shall be maintained on site with the SWPPP.

<u>Record Retention</u> - The owner or operator shall retain a copy of the NOI, NOI Acknowledgment Letter, SWPPP, MS4 SWPPP Acceptance form and any inspection reports that were prepared in conjunction with this permit for a period of at least five (5) years from the date that the site achieves final stabilization. This period may be extended by the Department, in its sole discretion, at any time upon written notification.

- I. SWPPP MODIFICATIONS: The inspection report should also identify if any revisions to the SWPPP are warranted due to unexpected conditions. The SWPPP is meant to be a dynamic working guide that is to be kept current and amended whenever there is a change in design, construction, operation, or maintenance at the construction site that has or could have a significant effect on the discharge of pollutants or when the plan proves to be ineffective in eliminating or significantly minimizing pollutant discharges. The Contractor's failure to modify or report deficiencies to the Operator will result in the Contractor being liable for fines and construction delays resulting from any federal, state, or local agency enforcement action.
- J. FINAL STABILIZATION AND TERMINATION OF PERMIT COVERAGE: A site can be considered finally stabilized when all soil disturbing activities have been completed and a uniform perennial vegetative cover with a density of 85% for the unpaved areas and areas not covered by permanent structures has been established or equivalent permanent stabilization measures have been established and the facility no longer discharges storm water associated with construction activities and a Notice of Termination (NOT) form filed by the Operator(s) with the NYSDEC. The Operator's Project Manager must complete the NOT. The NOT must be signed by the signatory (or equivalent position) on the NOI and subsequently submitted to the appropriate agency. The Operator's Project Manager must provide a completed copy of the NOT to the Contractor for inclusion in the SWPPP, which will then be optically scanned into the final SWPPP document as required. This filing terminates coverage under the General Permit and terminates the Contractor's responsibility to implement the SWPPP, but the requirements of the SWPPP, including periodic inspections, must be continued until the NOT is filed. The owner or operator shall also have the qualified inspector perform a final site inspection prior to submitting the NOT to the Department. Final payment and/or the release of retainage will be withheld until all provisions of the SWPPP have been submitted, completed and accepted by the Operator.

102 PROJECT NAME AND LOCATION

Proposed Warehouse

2 Steelworkers Way

Proposed Warehouse 2 Steelworkers Way Lackawanna, NY 14218 3/2/2023 Page 8 of 22 City of Lackawanna, County of Erie, New York

42.819°N, 78.849°W

Estimated Area of Site ≈ 8.29 acres

Estimated Area to be Disturbed by Construction Activities ≈ 8.29+/- acres

A general location map is included as Appendix A.

103 OPERATOR'S NAME AND ADDRESS

Uniland Development Co.

100 Corporate Pkwy.

Amherst, NY 14226

Contact Person: Kevin Kirk

Telephone: 716-834-5000

104 PROJECT DESCRIPTION

This redevelopment project will consist of the construction of a single-story, 151,200 gsf warehouse type building. Truck deep-docks and at-grade docks will be constructed on the west side of the building and accessed via Steelworkers Way from Dona Street. The redevelopment will also include driveway access from Steelworkers Way, onsite utility improvements, a stormwater management system and a total of 63 open parking spaces, with areas along the north driveway for future trailer parking expansion if necessary. The site is located on the west side the Hamburg Turnpike (NYS Route 5) and north of the Dona Street intersection in the City of Lackawanna. The site is currently a vacant parcel and part of the Bethlehem Steel redevelopment plan. Based on historic aerials of the property, former industrial type buildings were previously located onsite but have since been demolished. Mixed vegetation and random impervious surfaces currently remain onsite. An existing warehouse building is located on the adjacent southern parcel. A proposed driveway connection to this existing site will be provided at the southeast corner of the project site. The proposed building use will comply with the BRA-LI Bethlehem Redevelopment Area - Light Industrial zoning. The overall acreage of the parcel is approximately 8.29± acres, with an anticipated disturbance of the majority of this area.

Soil disturbing activities will include:

- A. Construction of temporary construction exit points
- B. Clearing & grubbing of the site within disturbance limits
- C. Installation of stormwater management areas including topsoil & seed
- D. Installation of storm sewer pipes and inlets
- E. Construction of utilities
- F. Construction of curb and parking lot
- G. Final grading & landscaping

H. Construction of building

This project is owned by Uniland Development Co. and will be developed by Uniland Development Co. The work area consists of approximately 8.29+/- acres for which erosion and sediment controls have been developed and fully addressed in this written plan and the Erosion and Sediment Control Plans. See the construction documents for additional details

105 RUNOFF COEFFICIENT, SOILS, AND RAINFALL INFORMATION

The initial runoff curve number for the pre-construction site is "CN" = 87. The post-construction runoff curve number for the site will be "CN" = 93. Approximately 8.29+/- acres total will be disturbed by construction activities.

See soils information located in Appendix C.

The site is in Erie County, which receives an average of approximately 45 inches rainfall annually with the highest amounts of rainfall received in the months of May thru September. Annual snow for this area is approximately 120 inches.

106 WATERS

The existing site is relatively level and gradually slopes from the center of the site to the west and east sides of the site. East of the project site, existing drainage structures are located along the NYS Route 5 right-of-way to collect runoff along the existing asphalt walkway and convey runoff to the existing closed drainage system along NYS Route 5. West of the project site, existing drainage structures are located along Steelworkers Way that collect and convey runoff north along the roadway. All runoff from the site is ultimately tributary to Lake Erie.

107 INDIAN COUNTRY LANDS

This project is not located on Indian Lands.

108 ENDANGERED AND THREATENED SPECIES

No endangered and threatened species are within the project area.

109 CRITICAL HABITAT

No critical environment area within project area.

110 HISTORIC PLACES

The assessed property is not identified as a historically sensitive area.

111 WETLANDS AND/OR OTHER SURFACE WATERS

No wetlands or other surface waters are located on the project site.

112 EROSION AND SEDIMENT CONTROLS

112.1 STABILIZATION PRACTICES

Stabilization practices for this site include:

- A. Land clearing activities shall be done only in areas where earthwork will be performed and shall progress as earthwork is needed.
- B. Use of stabilization method for all slopes having a slope greater than 1V:3H.
- C. Permanent seeding and planting of all unpaved areas using the hydromulching grass seeding technique.
- D. Mulching exposed areas.
- E. Vegetation preservation in undisturbed areas.
- F. Frequent watering to minimize wind erosion during construction.
 - a. For sites where 5 acres or more are disturbed at any one time: In areas where soil disturbance activity has been temporarily or permanently ceased, temporary and/or permanent soil stabilization measures shall be installed and/or implemented within seven (7) days from the date the soil disturbance activity ceased. The soil stabilization measures selected shall be in conformance with the most current version of the New York Standards and Specifications for Erosion and Sediment Control.
 - b. The **owner or operator** shall prepare a phasing plan that defines maximum disturbed area per phase and shows required cuts and fills.
 - The owner or operator shall install any additional measures needed to protect water quality.

112.2 STRUCTURAL PRACTICES

Structural practices for this site include:

- A. Inlet protection using a method detailed in the Construction Documents.
- B. Perimeter protection using temporary silt fence/silt sock or silt sock.
- C. Outlet protection using rip-rap stone and end sections.
- D. Stabilized Construction Entrance.
- E. Temporary stone wash off areas.
- F. Storm sewer, curb/gutter.
- G. Sediment traps and basins.

112.3 SEQUENCE OF MAJOR ACTIVITIES

The Contractor will be responsible for implementing the following erosion control and storm water management control measures. The Contractor may designate these tasks to certain subcontractors as he sees fit, but the ultimate responsibility for implementing these controls and ensuring their proper functioning remains with the Contractor. The order of activities will be as follows:

- A. Construct temporary construction exits at locations shown on the Demolition & Erosion Control Plan Sheet.
- B. Install perimeter silt fence/silt socks/silt sock in the locations shown on the Demolition & Erosion Control Plan Sheet.
- C. Clear & Grub site.
- Installation of detention basin to act as sediment basins (do not install bioretention soil or underdrains until stabilized)
- E. Commence site grading.
- F. Disturbed areas of the site where construction activity has ceased for more than 14 days shall be temporarily seeded and watered.
- G. Construction of buildings
- H. Installation of proposed utilities
- I. Finalize pavement subgrade preparation.
- J. Construct all curb, drainage inlets, storm sewer pipes and storm sewer manholes, as shown on the plans. Install temporary inlet protection at the locations of all inlets.
- K. Dust control.
- L. Remove inlet protection around inlets and manholes no more than 48 hours prior to placing stabilized base course.
- M. Install base material as required for pavement.
- N. Carry out final grading and seeding and planting.
- O. Clean storm system following construction, clean detention basins of any silt and return to design grades.
- P. Remove silt fencing/silt sock only after all paving is complete and exposed surfaces are stabilized.
- Q. Remove temporary construction exits only prior to pavement construction in these areas.

Note: Sediment control storage during construction (traps & basins) during construction shall be 134 cy per acre of disturbance per NYSDEC requirements.

112.4 STORM WATER MANAGEMENT

Refer to Appendix C, Engineer's Report

113 OTHER CONTROLS

113.1 OFF-SITE VEHICLE TRACKING

A stabilized construction exit will be provided to help reduce vehicle tracking of sediments. Existing paved areas will remain as long as possible and will be used for vehicle wash areas and to further aid in the reduction of vehicle tracking of sediments. The paved streets adjacent to the site entrance shall be inspected daily and swept as necessary to remove any excess mud, dirt, or rock tracked from the site.

Dump trucks hauling material to/from the construction site will be covered with a tarpaulin. The job site superintendent will be responsible for seeing that these procedures are followed.

113.2 EXCAVATION SPOIL MATERIALS

Excavation spoil materials are generated during the excavation of the development's building and utilities installation. These materials must be properly managed to prevent them from contributing to storm water discharges. The materials generated from the development of this project will be hauled off-site or stockpiled for re-use in designated areas which will have temporary erosion & sediment control measures installed. Any removal from site will be done under the necessary permits required by the local governing agencies.

113.3 DUST CONTROL

Minimizing wind erosion and controlling dust will be accomplished by one or more of the following methods:

- A. Frequent watering of excavation and fill areas.
- B. Providing gravel or paving at entrance/exit drives, parking areas and transit paths.

113.4 WASTE DISPOSAL

If needed, all waste materials will be collected and stored in securely lidded metal dumpsters rented from an approved waste management company. The dumpster will comply with all local and state solid waste management regulations.

All trash and construction debris from the site will be deposited in the dumpsters. The dumpsters will be emptied when full and then hauled to a NYSDEC approved landfill for proper disposal. No construction waste will be buried on-site. All personnel will be instructed regarding the correct procedures for waste disposal.

113.5 SANITARY WASTE

If needed, portable toilet units or field offices with toilet facilities connected to the municipal sanitary sewer will be used for sanitary purposes. All portable toilet units will be emptied a minimum of once per week by a licensed portable facility provided in compliance with local and state regulations.

113.6 CONCRETE WASTE FROM CONCRETE TRUCKS

- A. Emptying of excess unhardened concrete and/or washout from concrete delivery trucks will be allowed on the job site, but in either (1) specifically designated diked areas which have been prepared to prevent contact between concrete and/or washout and storm water which will be discharged from the site or (2) in locations where waste concrete will be poured into forms to make rip-rap or other useful concrete products.
- B. Hardened waste concrete from the designated diked areas described above will be disposed of in accordance with applicable local and state regulations with regards to disposal of construction debris.

113.7 HAZARDOUS SUBSTANCES & HAZARDOUS WASTE

- A. All hazardous waste materials will be disposed of by the Contractor in the manner specified by local, state, and/or federal regulations and by the manufacturer of such products. Site personnel will be instructed in these practices by the job superintendent, who will also be responsible for seeing these practices are followed. Material Safety Data Sheets (MSDS's) for each substance with hazardous properties that is used on the job site will be obtained and used for the proper management of potential wastes that may result from these products. An MSDS will be posted in the immediate area where such products are stored and/or used and another copy of each MSDS will be maintained in the SWPPP file at the job site construction office. Each employee who must handle a substance with hazardous properties will be instructed on the use of MSDS sheets and the specific information in the applicable MSDS for the product he/she is using, particularly regarding spill control techniques.
- B. The contractor will implement the Spill Prevention Control and Countermeasures (SPCC) Plan found within this SWPPP and will train all personnel in the proper cleanup and handling of spilled materials. No spilled hazardous materials of hazardous wastes will be allowed to come in contact with storm water discharges. If such contact occurs, the storm water discharge shall be contained on site until appropriate measures in compliance with state and federal regulations are taken to dispose of such contaminated storm water. It shall be the responsibility of the job superintendent to properly train all personnel in the use of the SPCC plan.
- C. Any spills of hazardous materials which are in excess of the Reportable Quantities as defined by the EPA regulations shall be immediately reported to the EPA National Response Center at 1-100-424-1102. From SWPPP-9 "Reportable Quantity Release Form" must be filled out.
- D. In order to minimize the potential for a spill of hazardous materials to come in contact with storm water, the following steps will be implemented:
 - All materials with hazardous properties (such as pesticides, petroleum products, fertilizers, detergents, construction chemicals, acids, paints, paint solvents, cleaning solvents, additives for soil stabilization, concrete curing compounds and additives, etc.) will be stored in a secure location, under cover, when not in use.
 - 2. The minimum practical quantity of all such materials will be kept on the job site.
 - 3. A spill control and containment kit (containing for example, absorbent such as kitty litter or sawdust, acid neutralizing powder, brooms, dust pans, mops, rags, gloves, goggles, plastic and metal trash containers, etc.) will be provided at the storage site.
 - 4. All of the product in a container will be used before the container is disposed of. All such containers will be triple rinsed with water prior to disposal. The rinse water used in these containers will be disposed of in a manner in compliance with state and federal regulations and will not be allowed to mix with storm water discharges.
 - 5. All products will be stored in and used from the original container with the original product label.
 - 6. All products will be used in strict compliance with instructions on the product label.
 - 7. The disposal of excess or used products will be in strict compliance with instructions on the product label.

113.8 CONTAMINATED SOILS

- A. Any contaminated soils (resulting from spills of materials with hazardous properties) which may result from construction activities will be contained and cleaned up immediately in accordance with the procedures given in the Spill Prevention Control and Countermeasures (SPCC) Plan and in accordance with applicable state and federal regulations.
- B. The job site superintendent will be responsible for seeing that these procedures are followed.

114 COMPLIANCE WITH FEDERAL, STATE, AND LOCAL REGULATIONS

The Contractor will obtain copies of any and all local and state regulations which are applicable to storm water management, erosion control, and pollution minimization at this job site and will comply fully with such regulations. The Contractor will submit written evidence of such compliance if requested by the Operator or any agent of a regulatory body. The Contractor will comply with all conditions of the SPDES General Permit for Construction Activity for the State of New York, including the conditions related to maintaining the SWPPP and evidence of compliance with the SWPPP at the job site and allowing regulatory personnel access to the job site and to records in order to determine compliance.

The SWPPP for this site development project requires regulated MS4 approval from the City of Lackawanna. All changes to the SWPPP must be approved by the City of Lackawanna prior to applying changes to the SWPPP in the field.

115 INSPECTION AND MAINTENANCE PROCEDURES

The following inspection and maintenance practices will be used to maintain erosion and sediment controls and stabilization measures.

- 1. All control measures will be inspected by the owner/operator at least weekly and shall continue until the site complies with the Final Stabilization section of this document (See Section 116).
- 2. All control measures will be inspected by a Qualified Professional at least weekly and shall continue until the site complies with the Final Stabilization section of this document (See Section 116).
- 3. All measures will be maintained in good working order; if repairs or other measures are found to be necessary, they will be initiated within 24 hours of report.
- 4. Built up sediment will be removed from silt fence/silt sock when it has reached one-third the height of the fence.
- 5. Silt fence/silt socks will be inspected for depth of sediment, tears, etc., to see if the fabric is securely attached to the fence posts, and to see that the fence posts are securely in the ground.
- 6. Temporary and permanent seeding and all other stabilization measures will be inspected for bare spots, washouts, and healthy growth.
- 7. A maintenance inspection report will be made after each inspection. Copies of the report forms to be completed by the inspector are included in this SWPPP.
- 8. The job site superintendent will be responsible for selecting and training the individuals who will be responsible for these inspections, maintenance and repair activities, and filling out inspection and maintenance reports.

- 9. Personnel selected for the inspection and maintenance responsibilities will receive training from the job site superintendent. They will be trained in all the inspection and maintenance practices necessary for keeping the erosion and sediment controls that are used onsite in good working order. They will also be trained in the completion of, initiation of actions required by, and the filing of the inspection forms. Documentation of this personnel training will be kept on site with the SWPPP.
- 10. Disturbed areas and materials storage areas will be inspected for evidence of or potential for pollutants entering stormwater systems.
- 11. Report to the NYSDEC within 24 hours any noncompliance with the SWPPP that will endanger public health or the environment. Follow up with a written report within 5 days of the noncompliance event. The following events require 24 hour reporting: a) any unanticipated bypass which exceeds any effluent limitation in the permit, b) any upset which exceeds any effluent limitation in the permit, and c) a violation of a maximum daily discharge limitation for any of the pollutants listed by the NYSDEC in the permit to be reported within 24 hours. The written submission must contain a description of the non-compliance and its cause; the period of non-compliance, including exact dates and times, and if the non-compliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the non-compliance.
- 12. Releases of hazardous substances or oil in excess of reportable quantities (as established under 40 CFR 110, 40 CFR 117 or 40 CFR 302) must be reported.

Upon completion of construction, the property owner is responsible for ensuring that the stormwater facilities are regularly inspected and maintained. Maintenance and inspection procedures are as follows.

- 1. On a quarterly basis and following significant rainfall events or snow-melts, perform the following:
 - Inspect catch basins, storm manholes, treatment structures, storm piping and stormwater pond for debris and accumulation of sediment.
 - Remove and properly dispose of any collected debris and sediment in accordance with applicable state, federal and local regulations.
 - Flush piping with water if necessary to remove accumulated sediment.
 - Bioretention areas shall be maintained per the NYSDEC Maintenance and Management Checklist included in this SWPPP.
 - Check all stone outfall structures for erosion and re-stone if necessary to prevent further erosion.
 - Inspect grassed/landscaped areas for un-vegetated areas or areas with less than 85% healthy stand of grass and reseed and mulch as necessary. Water daily if reseeded in July and August.
 - A record of all inspections should be kept.
- 2. Maintain all lawn areas by regular mowing, including the grassed slopes of the stormwater pond and any grass swales. Any eroded areas shall be regarded, seeded and mulched immediately.

116 INSPECTION AND MAINTENANCE REPORT FORMS

Once installation of any required or optional erosion control device or measure has been implemented, inspections shall be performed by a Qualified Professional at least once every seven (7) calendar days. For construction sites where soil disturbance activities are on-going and the owner or operator has received authorization in accordance with Part II.C.3 of the General Permit to disturb greater than five (5) acres of soil at any one time, the qualified inspector shall conduct at least two (2) site inspections every seven (7) calendar days. The two (2) inspections shall be separated by a minimum of two (2) full calendar days. The owner and contractor shall obtain from the MS4 an approval for disturbing more than five-acres at any given time. For construction sites where active construction has been suspended, inspection frequency under the general permit can be reduced to once every 30 days, provided temporary stabilization measures have been applied to all disturbed areas. The forms found in this SWPPP shall be used by the inspectors to inventory and report the condition of each measure to assist in maintaining the erosion and sediment control measures in good working order.

These report forms shall become an integral part of the SWPPP and shall be made readily accessible to governmental inspection officials, the Operator's Engineer, and the Operator for review upon request during visits to the project site. In addition, copies of the reports shall be provided to any of these persons, upon request, via mail or facsimile transmission. Inspection and maintenance report forms are to be maintained by the permittee for five years following the final stabilization of the site.

117 OTHER RECORD-KEEPING REQUIREMENTS

The Contractor shall keep the following records related to construction activities at the site:

- Dates when major grading activities occur and the areas which were graded
- Dates and details concerning the installation of structural controls
- Dates when construction activities cease in an area
- Dates when an areas is stabilized, either temporarily or permanently
- Dates of rainfall and the amount of rainfall
- Dates and descriptions of the character and amount of any spills of hazardous materials
- Records of reports filed with regulatory agencies if reportable quantities of hazardous materials spilled

118 SPILL PREVENTION CONTROL AND COUNTERMEASURES (SPCC) PLAN

118.1 MATERIALS COVERED

The following materials or substances are expected to be present onsite during construction:

- Concrete/Additives/Wastes
- Cleaning solvents
- Sanitary wastes
- Detergents
- Petroleum based products
- Paints/Solvents
- Pesticides
- Solid and construction wastes

- Acids
- Fertilizers
- Soil stabilization additives

118.2 MATERIAL MANAGEMENT PRACTICES

The following are the material management practices that will be used to reduce the risk of spills or other accidental exposure of materials and substances to stormwater runoff. The job site superintendent will be responsible for ensuring that these procedures are followed.

A. Good Housekeeping

The following good housekeeping practices will be followed onsite during the construction project.

- 1. An effort will be made to store only enough products required to do the job.
- 2. All materials stored onsite will be stored in a neat, orderly manner and, if possible, under a roof or in a containment area. At a minimum, all containers will be stored with their lids on when not in use. Drip pans shall be provided under all dispensers.
- 3. Products will be kept in their original containers with the original manufacturer's label in legible condition.
- Substances will not be mixed with one another unless recommended by the manufacturer.
- 5. Whenever possible, all of a product will be used up before disposing of the container.
- 6. Manufacturer's recommendations for proper use and disposal will be followed.
- 7. The job site superintendent will be responsible for daily inspections to ensure proper use and disposal of materials.

B. Hazardous Products

These practices will be used to reduce the risks associated with hazardous materials. Material Safety Data Sheets (MSDS's) for each substance with hazardous properties that is used on the job site will be obtained and used for the proper management of potential wastes that may result from these products. An MSDS will be posted in the immediate area where such product is stored and/or used and another copy of each MSDS will be maintained in the SWPPP file at the job site construction trailer office. Each employee who must handle a substance with hazardous properties will be instructed on the use of MSDS sheets and the specific information in the applicable MSDS for the product he/she is using, particularly regarding spill control techniques.

- 1. Products will be kept in original containers with the original labels in legible condition.
- 2. Original labels and material safety data sheets (MSDS's) will be procured and used for each material.
- 3. If surplus product must be disposed of, manufacturer's or local/state/federal recommended methods for proper disposal will be followed.

- 4. A spill control and containment kit (containing for example, absorbent such as kitty litter or sawdust, acid neutralizing powder, brooms, dust pans, mops, rags, gloves, goggles, plastic and metal trash containers, etc.) will be provided at the storage site.
- 5. All of the product in a container will be used before the container is disposed of. All such containers will be triple rinsed with water prior to disposal. The rinse water used in these containers will be disposed of in a manner in compliance with state and federal regulations and will not be allowed to mix with storm water discharges.

C. Hazardous Waste

All hazardous waste materials will be disposed of by the Contractor in the manner specified by local, state, and/or federal regulations and by the manufacturer of such products. Site personnel will be instructed in these practices by the job site superintendent, who will also be responsible for seeing that these practices are followed.

D. Product Specific Practices

The following product specific practices will be followed on the job site.

1. Petroleum Products

All onsite vehicles will be monitored for leaks and receive regular preventative maintenance to reduce the chance of leakage. Petroleum products will be stored in tightly sealed containers which are clearly labeled. Any petroleum storage tanks stored onsite will be located within a containment area that is designed with an impervious surface between the tank and the ground. The secondary containment must be designed to provide a containment volume that is equal to 110% of the volume of the largest tank. Drip pans shall be provided for all dispensers. Any asphalt substances used onsite will be applied according to the manufacturer's recommendations. The location of any fuel tanks and/or equipment storage areas must be identified on a plan by the contractor once the locations have been determined.

2. Fertilizers

Fertilizers will be applied only in the minimum amounts recommended by the manufacturer. Once applied, fertilizer will be worked in the soil to limit exposure to stormwater. Storage will be in a covered shed. The contents of any partially used bags of fertilizer will be transferred to a sealable plastic bin to avoid spills.

3. Paints, Paint Solvents, and Cleaning Solvents

All containers will be tightly sealed and stored when not in use. Excess paint and solvents will not be discharged to the storm sewer system but will be properly disposed of according to manufacturer's instructions or state and federal regulations.

4. Concrete Wastes

Concrete trucks will be allowed to wash out or discharge surplus concrete or drum wash water on the site, but only in either (1) specifically designated diked areas which have been prepared to prevent contact between the concrete and/or wash out and storm

water which will be discharged from the site or (2) in locations where waste concrete can be poured into forms to make riprap or other useful concrete products.

The hardened residue from the concrete wash out diked areas will be disposed of in the same manner as other non-hazardous construction waste materials or may be broken up and used on site as deemed appropriate by the Contractor. The job site superintendent will be responsible for seeing that these procedures are followed.

All concrete wash out areas will be located in an area where the likelihood of the area contributing to storm water discharges is negligible. If required, additional BMPs must be implemented to prevent concrete wastes from contributing to storm water discharges. The location of concrete wash out area(s) must be identified on a plan by the contractor once the locations have been determined. In addition, a standard detail on the construction of the concrete wash out shall be included on this plan.

E. Solid and Construction Wastes

All waste materials will be collected and stored in an appropriately covered container and/or securely lidded metal dumpster rented from a local waste management company which must be a solid waste management company licensed to do business in New York and the City of Lackawanna. The dumpster will comply with all local and state solid waste management regulations.

All trash and construction debris from the site will be deposited in the dumpster. The dumpster will be emptied a minimum of twice per week or more often if necessary, and the trash will be hauled to a landfill approved by the NYSDEC. No construction waste materials will be buried on site. All personnel will be instructed regarding the correct procedures for waste disposal.

All waste dumpsters and roll-off containers will be located in an area where the likelihood of the containers contributing to storm water discharges is negligible. If required, additional BMPs must be implemented, such as sandbags around the base, to prevent wastes from contributing to storm water discharges. The location of waste dumpsters and roll-off containers must be identified on a plan by the contractor once the locations have been determined.

F. Sanitary Wastes

Portable toilet units or field offices with toilet facilities connected to the municipal sanitary sewer will be used for sanitary purposes. All portable toilet units will be emptied a minimum of once per week by a licensed portable facility provided in compliance with local and state regulations.

All sanitary waste units will be located in an area where the likelihood of the unit contributing to storm water discharges is negligible. If required, additional BMPs must be implemented, such as sandbags around the base, to prevent wastes from contributing to storm water discharges. The location of sanitary waste units must be identified on a plan by the contractor once the locations have been determined.

G. Contaminated Soils

Any contaminated soils (resulting from spills of materials with hazardous properties) which may result from construction activities will be contained and cleaned up immediately in accordance

with the procedures given in the Materials Management Plan and in accordance with applicable state and federal regulations.

118.3 SPILL PREVENTION AND RESPONSE PROCEDURES

The Contractor will train all personnel in the proper handling and cleanup of spilled materials. No spilled hazardous materials or hazardous wastes will be allowed to come in contact with storm water discharges. If such contact occurs, the storm water discharge will be contained on site until appropriate measures in compliance with state and federal regulations are taken to dispose of such contaminated storm water. It shall be the responsibility of the job site superintendent to properly train all personnel in spill prevention and clean up procedures.

- A. In order to minimize the potential for a spill of hazardous materials to come into contact with storm water, the following steps will be implemented:
 - All materials with hazardous properties (such as pesticides, petroleum products, fertilizers, detergents, construction chemicals, acids, paints, paint solvents, cleaning solvents, additives for soil stabilization, concrete curing compounds and additives, etc.) will be stored in a secure location, with their lids on, preferably under cover, when not in use.
 - 2. The minimum practical quantity of all such materials will be kept on the job site.
 - 3. A spill control and containment kit (containing, for example, absorbent materials, acid neutralizing powder, brooms, dust pans, mops, rags, gloves, goggles, plastic and metal trash containers, etc.) will be provided at the storage site.
 - 4. Manufacturer's recommended methods for spill cleanup will be clearly posted and site personnel will be trained regarding these procedures and the location of the information and cleanup supplies.
- B. In the event of a spill, the following procedures should be followed
 - 1. All spills will be cleaned up immediately after discovery.
 - 2. The spill area will be kept well ventilated and personnel will wear appropriate protective clothing to prevent injury from contact with the hazardous substances.
 - 3. The project manager and the Engineer of Record will be notified immediately.
 - Spills of toxic or hazardous materials will be reported to the appropriate federal, state, and/or local government agency, regardless of the size of the spill. Spills of amounts that exceed Reportable Quantities of certain substances specifically mentioned in federal regulations (40 CFR 110, 40 CFR 117, and 40 CFR 302) must be immediately reported to the EPA National Response Center, telephone 1-100-424-1102. From SWPPP-9 "Reportable Quantity Release Form" must be filled out.
 - 4. If the spill exceeds a Reportable Quantity, the SWPPP must be modified within seven (7) calendar days of knowledge of the discharge to provide a description of the release, the circumstances leading to the release, and the date of the release. The plans must identify measures to prevent the recurrence of such releases and to respond to such releases.

C. The job site superintendent will be the spill prevention and response coordinator. He will designate the individuals who will receive spill prevention and response training. These individuals will each become responsible for a particular phase of prevention and response. The names of these personnel will be posted in the material storage area and in the office trailer onsite.

119 CONTROL OF NON-STORM WATER DISCHARGES

Certain types of discharges are allowable under the NYSDEC SPDES General Permit for Construction Activity for the State of New York, and it is the intent of this SWPPP to allow such discharges. These types of discharges will be allowed under the conditions that no pollutants will be allowed to come in contact with the water prior to or after its discharge. The control measures which have been outlined previously in this SWPPP will be strictly followed to ensure that no contamination of these non-storm water discharges takes place. The following allowable non-storm water discharges which may occur at the job site include:

- A. Discharges from firefighting activities.
- B. Fire hydrant flushings (see note below)
- C. Waters used to wash vehicles or control dust in order to minimize offsite sediment tracking.
- D. Routine external building washdown which does not use detergents.
- E. Pavement wash waters where spills or leaks of hazardous materials have not occurred or detergents have not been used.
- F. Air conditioning condensate.
- G. Springs or other uncontaminated groundwater, including dewatering ground water infiltration.
- H. Foundation or footing drains where no contamination with process materials such as solvents is present.

Note: The Contractor shall discharge any super-chlorinated water from water distribution pipe disinfection activities into sanitary sewer system

120 STORM WATER CONTROL FACILITY MAINTENANCE

The frequency of inspections for the stormwater management areas shall match the frequencies listed on the "Stormwater Pond and Bioretention Operation, Maintenance and Management Inspection Checklist" in Appendix I of the SWPPP.

The proposed catch basins, as per section 115, shall be inspected 4 times per year for removal of floatable debris. Any silt buildup over 6" in depth shall be removed and disposed of properly off-site.

Appendix A Site Location Maps











Google Maps



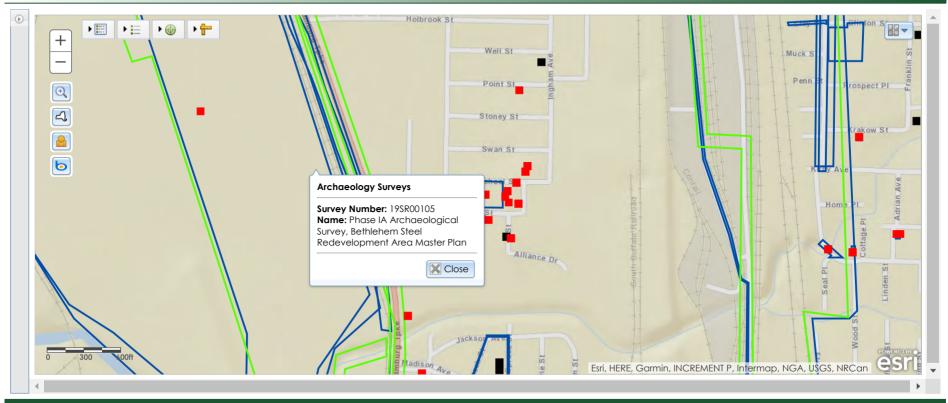
Imagery ©2023 CNES / Airbus, Maxar Technologies, New York GIS, U.S. Geological Survey, USDA/FPAC/GEO, Map data ©2023 500 ft

HOME

SUBMIT



COMMUNICATE



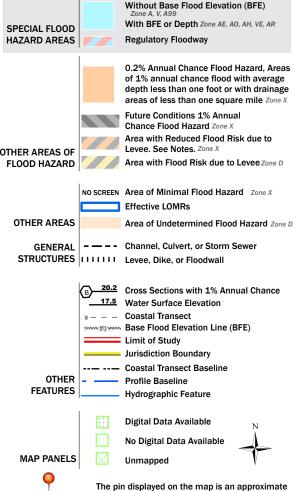
National Flood Hazard Layer FIRMette





Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT



This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

point selected by the user and does not represent

an authoritative property location.

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 3/1/2023 at 2:41 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

Appendix B NYSDEC Notice of Intent (NOI)

NOTICE OF INTENT



New York State Department of Environmental Conservation Division of Water

625 Broadway, 4th Floor Albany, New York 12233-3505

NYR					
	(for	DEC	use	only)	

Stormwater Discharges Associated with Construction Activity Under State Pollutant Discharge Elimination System (SPDES) General Permit # GP-0-20-001 All sections must be completed unless otherwise noted. Failure to complete all items may result in this form being returned to you, thereby delaying your coverage under this General Permit. Applicants must read and understand the conditions of the permit and prepare a Stormwater Pollution Prevention Plan prior to submitting this NOI. Applicants are responsible for identifying and obtaining other DEC permits that may be required.

-IMPORTANTRETURN THIS FORM TO THE ADDRESS ABOVE

OWNER/OPERATOR MUST SIGN FORM

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Project Site Informa	ation
Project/Site Name	
Proposed Warehouse	
Street Address (NOT P.O. BOX)	
2 Steelworkers Way	
Side of Street ○ North ○ South ● East ○ West	
City/Town/Village (THAT ISSUES BUILDING PERMIT)	
City of Lackawanna	
State Zip County N Y 1 4 2 1 8 - E r i e	DEC Region 9
Name of Nearest Cross Street	
Dona Street	
Distance to Nearest Cross Street (Feet)	Project In Relation to Cross Street North O South O East O West
Tax Map Numbers Section-Block-Parcel	Tax Map Numbers

1. Provide the Geographic Coordinates for the project site. To do this, go to the NYSDEC Stormwater Interactive Map on the DEC website at:

https://gisservices.dec.ny.gov/gis/stormwater/

Zoom into your Project Location such that you can accurately click on the centroid of your site. Once you have located the centroid of your project site, go to the bottom right hand corner of the map for the X, Y coordinates. Enter the coordinates into the boxes below. For problems with the interactive map use the help function.

X Coordinates (Easting)

Y Coordinates (Northing)

8 8 4 9

Ex. -73.749

Ex. 42.652

2. What is the nature of this construction project?

Onew Construction
Redevelopment with increase in impervious area
Onew Redevelopment with no increase in impervious area

3. Select the predominant land use for both p SELECT ONLY ONE CHOICE FOR EACH	re and post development conditions.
Pre-Development Existing Land Use	Post-Development Future Land Use
○ FOREST	O SINGLE FAMILY HOME Number of Lots
O PASTURE/OPEN LAND	O SINGLE FAMILY SUBDIVISION
O CULTIVATED LAND	O TOWN HOME RESIDENTIAL
O SINGLE FAMILY HOME	O MULTIFAMILY RESIDENTIAL
O SINGLE FAMILY SUBDIVISION	O INSTITUTIONAL/SCHOOL
O TOWN HOME RESIDENTIAL	• INDUSTRIAL
O MULTIFAMILY RESIDENTIAL	COMMERCIAL
O INSTITUTIONAL/SCHOOL	O MUNICIPAL
○ INDUSTRIAL	O ROAD/HIGHWAY
○ COMMERCIAL	O RECREATIONAL/SPORTS FIELD
○ ROAD/HIGHWAY	O BIKE PATH/TRAIL
O RECREATIONAL/SPORTS FIELD	O LINEAR UTILITY (water, sewer, gas, etc.)
OBIKE PATH/TRAIL	O PARKING LOT
O LINEAR UTILITY	O CLEARING/GRADING ONLY
O PARKING LOT	O DEMOLITION, NO REDEVELOPMENT
● OTHER	O WELL DRILLING ACTIVITY *(Oil, Gas, etc.)
*Note: for gas well drilling, non-high volume	OOTHER hydraulic fractured wells only
	l area to be disturbed; or redevelopment constructed within the
5. Do you plan to disturb more than 5 acres of	soil at any one time? • Yes O No
6. Indicate the percentage of each Hydrologic A B 0 %	Soil Group(HSG) at the site. C D 1 0 0 %
7. Is this a phased project?	○ Yes • No
3. Enter the planned start and end dates of the disturbance activities.	End Date 0 1 / 2 0 2 3 - 0 6 / 0 1 / 2 0 2 4

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15.	Does the site runoff enter a separate storm sewer system (including roadside drains, swales, ditches, culverts, etc)?	No O Unk	nown
16.	What is the name of the municipality/entity that owns the separate system?	storm sew	er
Ci	ty of Lackawanna / NYSDOT		
17.	Does any runoff from the site enter a sewer classified as a Combined Sewer?	No O Unk	nown
18.	Will future use of this site be an agricultural property as defined by the NYS Agriculture and Markets Law?	O Yes	• No
19.	Is this property owned by a state authority, state agency, federal government or local government?	O Yes	• No
20.	Is this a remediation project being done under a Department approved work plan? (i.e. CERCLA, RCRA, Voluntary Cleanup Agreement, etc.)	○ Yes	• No
21.	Has the required Erosion and Sediment Control component of the SWPPP been developed in conformance with the current NYS Standards and Specifications for Erosion and Sediment Control (aka Blue Book)?	• Yes	O No
22.	Does this construction activity require the development of a SWPPP that includes the post-construction stormwater management practice component (i.e. Runoff Reduction, Water Quality and Quantity Control practices/techniques)? If No, skip questions 23 and 27-39.	• Yes	O No
23.	Has the post-construction stormwater management practice component of the SWPPP been developed in conformance with the current NYS Stormwater Management Design Manual?	• Yes	O No

24.		Th	e	Sto	rmv	wa	te:	r I	Pol	.lu	ti	on	Pr	ev	en	tic	n	Pl	an	(S	WP	PP)) V	vas	p	rej	paı	red	b	у:					1
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SWPPP Preparer Certification

I hereby certify that the Stormwater Pollution Prevention Plan (SWPPP) for this project has been prepared in accordance with the terms and conditions of the GP-0-20-001. Furthermore, I understand that certifying false, incorrect or inaccurate information is a violation of this permit and the laws of the State of New York and could subject me to criminal, civil and/or administrative proceedings.

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25.	Has a construction sequence schedule for practices been prepared?	the planned management • Yes O No
26.	Select all of the erosion and sediment comemployed on the project site:	ntrol practices that will be
	Temporary Structural	Vegetative Measures
	Check Dams	O Brush Matting
	Oconstruction Road Stabilization	O Dune Stabilization
	● Dust Control	○ Grassed Waterway
	○ Earth Dike	• Mulching
	O Level Spreader	O Protecting Vegetation
	O Perimeter Dike/Swale	O Recreation Area Improvement
	O Pipe Slope Drain	Seeding
	O Portable Sediment Tank	Sodding
	O Rock Dam	O Straw/Hay Bale Dike
	O Sediment Basin	O Streambank Protection
	O Sediment Traps	O Temporary Swale
	Silt Fence	• Topsoiling
	Stabilized Construction Entrance	O Vegetating Waterways
	Storm Drain Inlet Protection	Permanent Structural
	O Straw/Hay Bale Dike	remanent beructurar
	O Temporary Access Waterway Crossing	O Debris Basin
	O Temporary Stormdrain Diversion	O Diversion
	O Temporary Swale	O Grade Stabilization Structure
	O Turbidity Curtain	O Land Grading
	○ Water bars	O Lined Waterway (Rock)
		O Paved Channel (Concrete)
	Biotechnical	O Paved Flume
	O Brush Matting	O Retaining Wall
	O Wattling	O Riprap Slope Protection
	O Hatting	Rock Outlet Protection
Ot	her	O Streambank Protection

Post-construction Stormwater Management Practice (SMP) Requirements

Important: Completion of Questions 27-39 is not required
 if response to Question 22 is No.

- 27. Identify all site planning practices that were used to prepare the final site plan/layout for the project.

 Preservation of Undisturbed Areas
 Preservation of Buffers
 Reduction of Clearing and Grading
 Locating Development in Less Sensitive Areas
 Roadway Reduction
 Sidewalk Reduction
 Driveway Reduction
 Cul-de-sac Reduction
 Building Footprint Reduction
- 27a. Indicate which of the following soil restoration criteria was used to address the requirements in Section 5.1.6("Soil Restoration") of the Design Manual (2010 version).
 - All disturbed areas will be restored in accordance with the Soil Restoration requirements in Table 5.3 of the Design Manual (see page 5-22).
 - O Compacted areas were considered as impervious cover when calculating the **WQv Required**, and the compacted areas were assigned a post-construction Hydrologic Soil Group (HSG) designation that is one level less permeable than existing conditions for the hydrology analysis.
- 28. Provide the total Water Quality Volume (WQv) required for this project (based on final site plan/layout).

Total WQv Required

Parking Reduction

0.357_{acre-feet}

29. Identify the RR techniques (Area Reduction), RR techniques (Volume Reduction) and Standard SMPs with RRv Capacity in Table 1 (See Page 9) that were used to reduce the Total WQv Required (#28).

Also, provide in Table 1 the total impervious area that contributes runoff to each technique/practice selected. For the Area Reduction Techniques, provide the total contributing area (includes pervious area) and, if applicable, the total impervious area that contributes runoff to the technique/practice.

Note: Redevelopment projects shall use Tables 1 and 2 to identify the SMPs used to treat and/or reduce the WQv required. If runoff reduction techniques will not be used to reduce the required WQv, skip to question 33a after identifying the SMPs.

	Area (acres)				uting (acres
RR Techniques (Area Reduction)	Area (acres)	Imper	11000		(acres
O Conservation of Natural Areas (RR-1)		and/or			
O Sheetflow to Riparian Buffers/Filters Strips (RR-2)		and/or			
○ Tree Planting/Tree Pit (RR-3)		and/or		-	
O Disconnection of Rooftop Runoff (RR-4)		and/or		•	Щ
RR Techniques (Volume Reduction)					
O Vegetated Swale (RR-5)				-	
O Rain Garden (RR-6)				-	
O Stormwater Planter (RR-7)				-	
O Rain Barrel/Cistern (RR-8)					
O Porous Pavement (RR-9)					
○ Green Roof (RR-10)					
Standard SMPs with RRv Capacity					
O Infiltration Trench (I-1) ·····				-	
O Infiltration Basin (I-2) ······				-	
O Dry Well (I-3)					
O Underground Infiltration System (I-4)					
O Bioretention (F-5)			6	. 1	
Opry Swale (0-1)					
S21, 2,,415 (6-1)			-		
Standard SMPs					
O Micropool Extended Detention (P-1)				,	
O Wet Pond (P-2)		A 1 A 1 A 1 A 1 A 1 A 1 A 1 A 1 A 1 A 1			
O Wet Extended Detention (P-3) ······					
O Multiple Pond System (P-4)					
O Pocket Pond (P-5) · · · · · · · · · · · · · · · · · · ·					
				ĪĦ	
O Surface Sand Filter (F-1) · · · · · · · · · · · · · · · · · · ·				1	
O Underground Sand Filter (F-2) ······				1	+
O Perimeter Sand Filter (F-3) ······				-	
Organic Filter (F-4)				-	
○ Shallow Wetland (W-1)				-	
O Extended Detention Wetland (W-2)				-	
O Pond/Wetland System (W-3)				-	
O Pocket Wetland (W-4)				-	
○ Wet Swale (0-2)					

	Table 2 - Alternative SMPs (DO NOT INCLUDE PRACTICES BEING USED FOR PRETREATMENT ONLY)		
Alt		al Contributing vious Area(acres)	
-	imperv	vious Area (acres)	
0	Hydrodynamic		
0	Wet Vault		
0:	Media Filter		
	Other		
		501	
	de the name and manufacturer of the Alternative SMPs (i.e.		
brobi	Name Name		
65.4			
	nufacturer		
Note:	Redevelopment projects which do not use RR techniques, shall use questions 28, 29, 33 and 33a to provide SMPs used, total		
	WQv required and total WQv provided for the project.		
30.	Indicate the Total RRv provided by the RR techniques (Area/Volum Standard SMPs with RRv capacity identified in question 29.	me Reduction) and	
	Total RRv provided		
	0.365 acre-feet		
31.	Is the Total RRv provided (#30) greater than or equal to the		
	total WQv required (#28).	• Yes O No	
	If Yes, go to question 36.	J les ONO	
	If No, go to question 32.		
32.	Dravide the Minimum DDv required based on HSC		
32.	Provide the Minimum RRv required based on HSG. [Minimum RRv Required = (P) (0.95) (Ai) /12, Ai=(S) (Aic)]		
	Minimum RRv Required		
	acre-feet		
32a.	Is the Total RRv provided (#30) greater than or equal to the		
	Minimum RRv Required (#32)?	Yes O No	
	If Yes, go to question 33.		
	Note: Use the space provided in question #39 to summarize the specific site limitations and justification for not reducing		
	100% of WQv required (#28). A <u>detailed</u> evaluation of the		
	specific site limitations and justification for not reducing 100% of the WQv required (#28) must also be included in the		
	SWPPP.		
	If No, sizing criteria has not been met, so NOI can not be processed. SWPPP preparer must modify design to meet sizing		
	criteria.		

33. Identify the Standard SMPs in Table 1 and, if applicable, the Alternative SMPs in Table 2 that were used to treat the remaining total WQv (=Total WQv Required in 28 - Total RRv Provided in 30).

Also, provide in Table 1 and 2 the total $\underline{\text{impervious}}$ area that contributes runoff to each practice selected.

Note: Use Tables 1 and 2 to identify the SMPs used on Redevelopment projects.

33a.	Indicate the Total WQv provided (i.e. WQv treated) by the SMPs identified in question #33 and Standard SMPs with RRv Capacity identified in question 29.
	WQv Provided acre-feet
Note:	For the standard SMPs with RRv capacity, the WQv provided by each practice = the WQv calculated using the contributing drainage area to the practice - RRv provided by the practice. (See Table 3.5 in Design Manual)
34.	Provide the sum of the Total RRv provided (#30) and the WQv provided (#33a).
35.	Is the sum of the RRv provided (#30) and the WQv provided (#33a) greater than or equal to the total WQv required (#28)? • Yes O No If Yes, go to question 36. If No, sizing criteria has not been met, so NOI can not be
	processed. SWPPP preparer must modify design to meet sizing criteria.

36. Provide the total Channel Protection Storage Volume (CPv) required and provided or select waiver (36a), if applicable.

CPv Required

	0 . 4 1 9 acre-feet	0 4 1 9 acre-feet
36a. T	The need to provide channel protection has be	een waived because:
	O Site discharges directly to tidal water or a fifth order or larger stream.	ers
	O Reduction of the total CPv is achieved	d on site

CPv Provided

37. Provide the Overbank Flood (Qp) and Extreme Flood (Qf) control criteria or select waiver (37a), if applicable.

through runoff reduction techniques or infiltration systems.

Total Overbank Flood Control Criteria (Qp) Pre-Development 1 6 . 9 0 CFS 2 . 3 4 CFS

Total Extreme Flood Control Criteria (Qf)

Pre	-Dev	elo	pme	nt	Post-	de	eve	lop	ment
3	3.	9	2	CFS	3		0	0	CFS

7a.	111	_											60														waı					aus	, C									
				O D	r ow	a ns	fi	f	th	o a	rd	lei	r c	r	l r	ar ev	ge	r	st	r	dal eam. at t					nd	l Q:	£														
	po de	st	t-c	op	ns ed	tr	uc	t.	ior	1	st	01	mw	a	te	r	ma	na	iger	ne	nanc ent	pı	rac	ti	ce	2 (s)	be	eer							• :	Ye:	s	C) 1	No	
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						_		L			_																						_									
	fo	r	no	ot	r	ed	uc	i	ng	1	00	90	of		WQ.	7	re	qu	iir	ec	ific d(#2 r pe	8)) .	(5	See	4	que	s	tic	n	32	2a)					.ca	ıt.	ior	1		
	fo	r	no	ot	r	ed	uc	i	ng	1	00	90	of		WQ.	7	re	qu	iir	ec	1(#2	8)) .	(5	See	4	que	s	tic	n	32	2a)					.ca	ıt:	ior	n		
	fo	r	no	ot	r	ed	uc	i	ng	1	00	90	of		WQ.	7	re	qu	iir	ec	1(#2	8)) .	(5	See	4	que	s	tic	n	32	2a)					.ca	ıt:	ior	n		
	fo	r	no	ot	r	ed	uc	i	ng	1	00	90	of		WQ.	7	re	qu	iir	ec	1(#2	8)) .	(5	See	4	que	s	tic	n	32	2a)					са	ıt:	ior	1		
	fo	r	no	ot	r	ed	uc	i	ng	1	00	90	of		WQ.	7	re	qu	iir	ec	1(#2	8)) .	(5	See	4	que	s	tic	n	32	2a)					ca	ıt.	ior	1		
	fo	r	no	ot	r	ed	uc	i	ng	1	00	90	of		WQ.	7	re	qu	iir	ec	1(#2	8)) .	(5	See	4	que	s	tic	n	32	2a)					ca	ıt:	ior	1		

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40.	Identify other DEC permits, existing and new, that are required for this project/facility.
	O Air Pollution Control
	O Coastal Erosion
	O Hazardous Waste
	○ Long Island Wells
	O Mined Land Reclamation
	○ Solid Waste
	O Navigable Waters Protection / Article 15
	O Water Quality Certificate
	O Dam Safety
	O Water Supply
	O Freshwater Wetlands/Article 24
	O Tidal Wetlands
	O Wild, Scenic and Recreational Rivers
	O Stream Bed or Bank Protection / Article 15
	O Endangered or Threatened Species (Incidental Take Permit)
	O Individual SPDES
	O SPDES Multi-Sector GP N Y R
	O Other
	• None
41.	Does this project require a US Army Corps of Engineers Wetland Permit? If Yes, Indicate Size of Impact.
42.	Is this project subject to the requirements of a regulated, traditional land use control MS4? • Yes • No (If No, skip question 43)
43.	Has the "MS4 SWPPP Acceptance" form been signed by the principal executive officer or ranking elected official and submitted along with this NOI?
44.	If this NOI is being submitted for the purpose of continuing or transferring coverage under a general permit for stormwater runoff from construction activities, please indicate the former SPDES number assigned. N

Owner/Operator Certification

I have read or been advised of the permit conditions and believe that I understand them. I also understand that, under the terms of the permit, there may be reporting requirements. I hereby certify that this document and the corresponding documents were prepared under my direction or supervision. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations. I further understand that coverage under the general permit will be identified in the acknowledgment that I will receive as a result of submitting this NOI and can be as long as sixty (60) business days as provided for in the general permit. I also understand that, by submitting this NOI, I am acknowledging that the SWPPP has been developed and will be implemented as the first element of construction, and agreeing to comply with all the terms and conditions of the general permit for which this NOI is being submitted.

Pri	nt	F	ır	st	Na	me									MI										
J	е	f	f	r	е	У																			
Pri	nt	L	as	t 1	Van	ne																			
В	e	n	d	е	r	s	0	n																	
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Appendix C

Engineer's Report

CARMINAWOOD DESIGN

ENGINEER'S REPORT

for

Proposed Warehouse

2 Steelworkers Way City of Lackawanna, Erie County, New York

Prepared for

Uniland Development Company

100 Corporate Pkwy Amherst, NY 14226

Prepared by

Carmina Wood Design

487 Main Street, Suite 500 Buffalo, NY 14203

Telephone: (716) 842-3165 Fax: (716) 842-0263

March 2023



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- Water Quality and Runoff Reduction Calculations
- Infiltration Testing Report by Empire Geo Technical Engineering Services, dated June 15, 2021
- Extreme Precipitation Table
- Proposed and Existing Runoff Maps and Event Tables
- HydroCAD Analysis

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- Pump Specifications
- Pump System Curve

Section 1 - Location & Description

This redevelopment project will consist of the construction of a single-story, 151,200 gsf warehouse type building. Truck deep-docks and at-grade docks will be constructed on the west side of the building and accessed via Steelworkers Way from Dona Street. The redevelopment will also include driveway access from Steelworkers Way, onsite utility improvements, a stormwater management system and a total of 63 open parking spaces, with areas along the north driveway for future trailer parking expansion if necessary. The site is located on the west side the Hamburg Turnpike (NYS Route 5) and north of the Dona Street intersection in the City of Lackawanna. The site is currently a vacant parcel and part of the Bethlehem Steel redevelopment plan. Based on historic aerials of the property, former industrial type buildings were previously located onsite but have since been demolished. Mixed vegetation and random impervious surfaces currently remain onsite. An existing warehouse building is located on the adjacent southern parcel. A proposed driveway connection to this existing site will be provided at the southeast corner of the project site. The proposed building use will comply with the BRA-LI Bethlehem Redevelopment Area - Light Industrial zoning. The overall acreage of the parcel is approximately 8.29± acres, with an anticipated disturbance of the majority of this area.

Section 2 - Private Water Service

An existing 16" cast iron ECWA water main is located along the centerline of NYS Route 5. A proposed 8" Class 52 D.I. combined water service will tap the existing 16" water main and continue to the southeast corner onsite. The service will be split at the property line into a 4" Class 52 D.I. domestic service and an 8" Class 52 D.I. fire service. Both services will continue to an insulated enclosure for backflow protection and metering. Heat will be provided in the enclosure to prevent freezing. Drainage due to testing or failure will be to the exterior grade. The owner will be responsible for removing snow from the discharge path. A 4" AWWA C-900 PVC domestic service and an 8" AWWA C-900 PVC fire service will continue from the enclosure and into the southeast corner of the proposed building. Existing public fire hydrants are located along the east side of NYS Route 5.

Domestic Summary:

Peak Operating Demand: 1.50 gpm

Water Main: 16" cast iron (ECWA)

Static Pressure: 107 psi (per ECWA flow test 8/19/21)

Friction Loss:

Elevation Loss:

Meter & RPZ Loss:

Pressure after RPZ & Meter:

0.00 psi
-1.30 psi
13 psi
95.3 psi

Repairs to all devices will be made during off hours; dual backflow preventers are not required. The building is not located in a 100-year flood plain. Disinfection of the water service following installation will be continuous feed, according to AWWA C-651, latest revision.

Section 3 - Private Sanitary Sewer Service

An existing 18" private sanitary sewer main is located on the adjacent northern parcel. The existing sewer flows east under NYS Route 5 and connects into an existing ECSD6 public sewer on Odell Street. The proposed private sanitary sewer for the site will consist of a 6" SDR-35 PVC lateral that will exit the east side of the building and discharge into a proposed private pump station onsite. A 2" PVC SCH-40 force main will continue from the pump station to the north property line where it will transition into a 6" SDR-35 PVC lateral prior to connection into the existing 18" private sanitary sewer on the adjacent site. The proposed pump station and force main will be installed to minimize the utility trench depth required for a full gravity sewer lateral connection.

Sanitary Sewer Summary:

Warehouse: 40 employees @ 15 gpd/employee = 600 gpd average

Design Parameters: Hydraulic loading rates per "Design Standard for Wastewater Treatment Works" 2014, NYSDEC

Proposed Warehouse 2 Steelworkers Way Lackawanna, NY 14218 10/27/2022 1 of 3

Section 4 - Stormwater Drainage System

The existing site is relatively level and gradually slopes from the center of the site to the west and east side of the site. East of the project site, existing drainage structures are located along the NYS Route 5 right-of-way to collect runoff along the existing asphalt walkway and convey runoff to the existing closed drainage system along NYS Route 5. West of the project site, existing drainage structures are located along Steelworkers Way that collect and convey runoff north along the roadway. All runoff from the site is ultimately tributary to Lake Erie.

For purposes of the runoff analysis, portions of the project site were classified as "Redevelopment" per NYSDEC Stormwater Management Design Manual Chapter 9 requirements. Existing remnants of random impervious surfaces throughout the site were quantified and included in the runoff analysis.

The proposed site will consist of a combination of overland sheet flow and HDPE pipe channel flow connected by a series of catch basins, trench drains and manholes located throughout the project site. For purposes of the proposed runoff analysis and stormwater design, the proposed greenspace areas located along the north driveway were identified as impervious surfaces for future trailer parking expansion (24 future parking spaces). All stormwater runoff will be conveyed to a proposed onsite stormwater management area located on the north side of the site consisting of a dry detention basin with a bioretention planting area located in the bottom of the basin. Runoff generated throughout the development area will be routed through the proposed basin and discharged via a 10" HDPE outlet control pipe to an existing drainage structure and closed stormwater drainage system located along Steelworkers Way. A 20' wide spillway will be installed at the top of the basin to provide emergency overflow to the northeast corner of the site.

The bioretention area will provide Runoff Reduction and Water Quality volume requirements. Soil infiltration tests performed by Empire Geo Technical Services (see Appendix D) resulted in average infiltration rates of 6.24 inches per hour and 14.64 inches per hour. Therefore, the onsite stormwater design will incorporate Infiltration Bioretention (HSG A without underdrains) designed in accordance with NYSDEC Stormwater Design Manual requirements with 2.5' soil media depth, 0.5' stone drainage depth and 0.5' ponding depth above surface. The detention volume provided above the bioretention filter area will be routed through an outlet control structure and 10" outlet pipe to attenuate proposed runoff rates to flows less than existing runoff rates from the development area.

The NYSDEC Stormwater Management Design Manual requires a five-step process for Stormwater Management Planning as outlined in Chapter 3. The five steps include:

- 1. Site planning to preserve natural features and reduce impervious cover.
 - Minimal natural existing features are located onsite and the site is located in a less sensitive area.
- 2. Calculation of Water Quality Volume (WQv) for site.
 - See "Stormwater Drainage Analysis".
- 3. Incorporation of Green Infrastructure techniques and standard SMPs with Runoff Reduction Volume (RRv) capacity.
 - A bioretention area was incorporated into the site design to provide required RRv. See "Stormwater Drainage Analysis".
- 4. Use of standard SMPs where applicable, to treat the portion of water quality volume not addressed by green infrastructure techniques and standard SMPs with RRv capacity.
 - 100% of required Water Quality was addressed by the bioretention area. See "Stormwater Drainage Analysis".
- 5. Design of volume and peak rate control practices where required.
 - See "Stormwater Drainage Analysis".

The NYSDEC Stormwater Management Design Manual requires (5) five different criteria be considered when designing a stormwater management system. Those criteria are Water Quality, Runoff Reduction Volume, Channel Protection, Overbank Flooding and Extreme Storm Protection. Below is a summary of each item and how it is incorporated into this project.

Water Quality:

The NYSDEC requires water quality treatment prior to discharge. This will be achieved by the application of a bioretention area. The total WQv provided was 15,918 cf and greater than the required WQv of 15,553 cf.

Runoff Reduction Volume:

The NYSDEC requires reduction of the total water quality volume by green infrastructure techniques and SMPs to replicate pre-development hydrology. A bioretention area was incorporated into the site layout to provide the required RRv for contributing runoff areas in the WQv. The RRv provided was 15,918 cf and greater than the required WQv of 15,553 cf. 100% of the required WQv was reduced by the bioretention area.

Channel Protection:

The NYSDEC requires that 24-Hour extended detention be provided for the proposed 1-year storm event. A volume of 18,241 cf will be accommodated in the stormwater management area onsite.

Overbank Flooding:

The NYSDEC requires that the 10-year proposed storm event be attenuated with detention and that the outlet be restricted to the 10-year existing storm event. Storage of this storm will be provided within the onsite stormwater management area. At this storm event the detention basin and stormwater drainage system will allow discharge of 2.34 cfs, which is below the existing peak 10-year runoff of 16.90 cfs.

Extreme Storm Protection:

The NYSDEC requires that the 100-year proposed storm event be attenuated with detention and that the outlet be restricted to the 100-year existing storm event. Storage of this storm will be provided within the onsite stormwater management area. At this storm event the detention basin and stormwater drainage system will allow discharge of 3.00 cfs, which is below the existing peak 100-year runoff of 33.92 cfs.

Design Criteria:

Storm pipes: 10-year storm

Detention:

Comparison of the existing 1-year vs. the proposed 1-year runoff Comparison of the existing 10-year vs. the proposed 10-year runoff Comparison of the existing 100-year vs. the proposed 100-year runoff

RUNOFF ANALYSIS OF PROPOSED DEVELOPMENT AREA:

STORM EVENT	EXISTING RUNOFF	PROPOSED RUNOFF
1 YEAR	6.76 CFS	1.61 CFS @ 579.01
10 YEAR	16.90 CFS	2.34 CFS @ 579.94
25 YEAR	22.57 CFS	2.60 CFS @ 580.41
100 YEAR	33.92 CFS	3.00 CFS @ 581.27

WATER QUALITY SUMMARY:

WQv REQUIRED = 15,553 CF (0.357 AC-FT) RRv PROVIDED WITHIN BIORETENTION AREA = 15,918 CF (0.365 AC-FT) (WQv PROVIDED = 100% RRv PROVIDED)

BIORETENTION FILTER AREA & ELEVATION SUMMARY:

FILTER AREA = 13,265 SF @ 578.00

See Appendix B - Stormwater Drainage Calculations for additional information.

Appendix A Site Location Map















Appendix B Stormwater Drainage Calculations

WATER QUALITY REQUIRED FOR PROPOSED DEVELOPMENT AREA

(Note: Reference Chap. 9 NYSDEC Stormwater Design Manual)

"Redevelopment Activity", Acres = "New development", Acres = 5.9 2.39

(existing, disturbed impervious area)

Total proposed impervious, Acres = 6.09 Adjusted impervious, Acres = 4.30

(25% redevelopment, 100% new development) "New" impervious, Acres = 3.70

WQv=P*R*A/12Water Quality Volume (WQv)

> Where: P=90% Rainfall Event Number P= 1 Rv = 0.05 + 0.009*(I)Rv= 0.52 IC=Impervious Cover, Acres IC= 4.30

I=Impervious Cover (%) I= 52 A= 8.29 A=Runoff Area, Acres

WQv (ac-ft)= 0.357 WQv (cf)= <u>15545</u>

Note: Although Runoff Reduction Volume (RRv) sizing criteria is not required for "Redevelopment Activity", the attached Bioretention Worksheet for RRv sizing is for both "New Development" and "Redevelopment"

RRv PROVIDED FOR PROPOSED DEVELOPMENT AREA (See NYSDEC worksheets)

WQv, cf RRv, cf Min. RRv Reg'd, cf = 2,966RRv, Bioretention Area 15,918 15,918 Min. RRv Req'd, ac-ft = 0.068

> TOTAL, cf 15918 15918 TOTAL, ac-ft <u>0.365</u> 0.365

8.29

Area, Acres =

WQ & RR SUMMARY (ac-ft):

TOTAL WATER QUALITY PROVIDED FOR PROPOSED DEVELOPMENT AREA 0.365

IS WATER QUALITY VOLUME REQUIREMENT MET?

Yes

(WQv provided equal to or greater than WQv required)

IS RUNOFF REDUCTION VOLUME REQUIREMENT MET?

<u>Yes</u>

(RRv provided equal to or greater than Min. RRv required)

Total Water Quality Volume Calculation WQv(acre-feet) = [(P)(Rv)(A)] /12

Is this project subject to Chapter 10 of the NYS Design Manual (i.e. WQv is equal to post-	
development 1 year runoff volume)?	No

Design Point:

P= 1.00 inch

Manually enter P, Total Area and Impervious Cover.

		Breakdow	n of Subcatchme	nts		
Catchment Number	Total Area (Acres)	Impervious Area (Acres)	Percent Impervious %	Rv	WQv (ft³)	Description
1	8.29	4.30	52%	0.52	15,553	
2						
3						
4						
5						
6						
7						
8						
9						
10						
Subtotal (1-30)	8.29	4.30	52%	0.52	15,553	Subtotal 1
Total	8.29	4.30	52%	0.52	15,553	Initial WQv

Identify Runoff Reduction Techniques By Area												
Technique	Total Contributing Area	Contributing Impervious Area	Notes									
	(Acre)	(Acre)										
Conservation of Natural Areas	0.00	0.00	minimum 10,000 sf									
Riparian Buffers	0.00	0.00	maximum contributing length 75 feet to 150 feet									
Filter Strips	0.00	0.00										
Tree Planting	0.00	0.00	Up to 100 sf directly connected impervious area may be subtracted per tree									
Total	0.00	0.00										

Recalculate WQv after application of Area Reduction Techniques													
	Total Area (Acres)	Impervious Area (Acres)	Percent Impervious %	Runoff Coefficient Rv	WQv (ft³)								
"< <initial td="" wqv"<=""><td>8.29</td><td>4.30</td><td>52%</td><td>0.52</td><td>15,553</td></initial>	8.29	4.30	52%	0.52	15,553								
Subtract Area	0.00	0.00											
WQv adjusted after Area Reductions	8.29	4.30	52%	0.52	15,553								
Disconnection of Rooftops		0.00											
Adjusted WQv after Area Reduction and Rooftop Disconnect	8.29	4.30	52%	0.52	15,553								

Infiltrating Bioretention Worksheet

(For use on HSG A or B Soils without underdrains)

WQv ≤ VSM + VDL + (DP x ARG)

VSM = ARG x DSM x nSM

VDL (optional) = ARG x DDL x nDL

Design Point:]					
	Ent	ter Site Data I	or Drainage <i>i</i>	Area to b	e Treated b	y Practice	
Catchment Number	Total Area (Acres)	Impervious Area (Acres)	Percent Impervious %	Rv	WQv (ft³)	Precipitation (in)	Description
1	8.29	4.30	0.52	0.52	15552.74	1.00	
Reduced by Disc		0.00	52%	0.52	15,553	< <wqv a="" after="" disconnected<="" td=""><td></td></wqv>	
Enter the portion routed to this p		that is not re	duced for all إ	oractices	0	ft ³	
		Infilt	rating Bioret	ention Pa	rameters		
Treatment Volu	ıme	WQv	15,553	ft ³			
Enter depth of	soil Media	DSM	2.50	ft	2.5 - 4 ft		
Enter depth of	drainage	DDL	0.50	ft	≥ 0.5 ft		
Enter ponding of surface	depth above	DP	0.5	ft	≤ 0.5		
Enter porosity of	of Soil Media	nSM	0.20		≥20%		
Enter porosity of	of Drainage	nDL	0.40		≥ 40%		
Required Bioret	tention Area	ARG	12961	sf			
Bioretention Ar	ea Provided		13265	ft2			
Native Soil Infilt	tration Rate		6.24	in/hr	Okay		
Are you using u	inderdrains?		No				
Total Volume P	rovided		15,918	ft ³	Sum of sto	orage Volume F	Provided in each layer
			etermine Ru	noff Red	uction		
Runoff Reducti	on		HSG A and	d Ď (witl	hout unde	erdrain)	ractice) = 100% in
Volume Treated	d		Reference Manual Pa			_	gement Design
Sizing √							

June 15, 2021

Project No.: WB-21-009A

Uniland Planning and Design

University Corporate Centre

Amherst, New York 14226

Ref. SJB Project No.: BE-21-009A

100 Corporate Parkway, Suite 500

CORPORATE/
BUFFALO OFFICE

5167 South Park Avenue Hamburg, NY 14075 Phone: (716) 649-8110 Fax: (716) 649-8051

Attention:

Re:

Kevin B. Kirk, R.A.

ALBANY OFFICE

Ballston Spa, NY 12020

5 Knabner Road Mechanicville, NY 12118 Phone: (518) 899-7491 Fax: (518) 899-7496 22

Bethlehem Steel – Parcel 5 2303 Hamburg Turnpike Lackawanna, New York

Infiltration Testing - Revised

Dear Mr. Kirk:

This revised report presents the results of the infiltration testing completed by SJB Services, Inc. (SJB) at the above referenced project site. Empire Geotechnical Engineering Services (Empire), SJB's affiliated engineering firm, has prepared this letter to summarize the investigation program. Empire prepared this letter at the request of and as authorized by SJB, who was retained by Uniland Planning and Design (Uniland) to complete the investigation.

CORTLAND OFFICE

60 Miller Street Cortland, NY 13045 Phone: (607) 758-7182 Fax: (607) 758-7188

et a

ROCHESTER OFFICE

535 Summit Point Drive Henrietta, NY 14467 Phone: (585) 359-2730 Fax: (585) 359-9668

SUBSURFACE EXPLORATION

The subsurface exploration program consisted of two (2) test borings with an adjacent infiltration test, designated as I-1 and I-2, drilled by SJB on June 7, 2021. The test boring and infiltration test locations were established on the site plan provided by Uniland. SJB then staked the test locations in the field using a handheld global positioning system (gps) instrument, based on GPS coordinates obtained from Google EarthTM. Empire plotted the test locations using the coordinates along with a Google Earth aerial photograph of the site, as shown on Figure 1. The GPS coordinates are also presented on Figure 1.

A laser level was used to determine the existing ground surface elevations at the test locations using the rim of the existing manhole cover located southwest of the test locations, along the north side of Dona Street. The approximate benchmark location is shown on Figure 1 and has a reported elevation of 584.30 feet.

Uniland Planning and Design June 15, 2021 Page 2 of 3

The test borings were advanced using a Central Mine Equipment (CME) model 550X all-terrain rubber tire mounted drill rig, using hollow stem auger techniques and split spoon soil sampling techniques. Split spoon samples and Standard Penetration Tests (SPTs) were taken continuously from the ground surface to a depth of 10 feet where the borings were terminated. The split spoon sampling and SPTs were completed in general accordance with ASTM D 1586 - "Standard Test Method for Penetration Test and Split-Barrel Sampling of Soils".

A geologist prepared the test boring logs based on visual observation of the recovered soil samples and review of the driller's field notes. The soil samples were described based on a visual characterization of the grain size distribution, along with characteristics such as color, relative density, consistency, moisture, etc. The test boring logs are presented in Appendix A, along with general information and a key of terms and symbols used to prepare the logs. The stratification lines shown on the boring logs are approximate, where as in-situ changes between strata may be more gradual. The subsurface information represented by the attached logs indicates the conditions present only at the location or depth of each sample taken at the borehole specified.

INFILTRATION TESTING

Two (2) infiltration tests were completed at the Bethlehem Steel Parcel 5 project site. The infiltration tests were conducted in general conformance with the infiltration test procedure presented in the NYSDEC Publication "Stormwater Management Design Manual – January 2015" – Appendix D: Infiltration Testing Requirements.

Following completion of test borings, I-1 and I-2, the driller moved over slightly from the boring location and augered an infiltration test hole to depth of about 4.2 feet below the existing ground surface. A 4-inch diameter, PVC casing/riser pipe was then placed and set at the bottom of the test holes. The annulus space between the pipe and the boreholes was then backfilled with the auger cuttings. The driller then filled the pipes with pre-soak water to a depth of about 24-inches above the bottom of the hole.

The infiltration tests were conducted the following day on June 8, 2021. The infiltration tests included four runs measuring the water level drop, each over a 1-hour period. The casing pipe was re-filled with water to a depth of about 24-inches above the bottom of the hole for the start of each run. The results of infiltration tests are presented in Appendix B.

Uniland Planning and Design June 15, 2021 Page 3 of 3

CONCLUDING REMARKS

This letter report was prepared to present the results of the subsurface investigation and infiltration testing completed at the Bethlehem Steel Parcel 5 site located at 2303 Hamburg Turnpike in Lackawanna, New York. The following pages contain data recorded in the field by our drill foreman and geologist. The data, along with their visual classification, and infiltration testing constitutes the subsurface investigation report.

It has been a pleasure working with you on this project. If you have any questions or wish to discuss this report further, please contact our office at any time.

Respectfully Submitted:

WMA Engineering, DPC dba EMPIRE GEOTECHNICAL ENGINEERING SERVICES

Wanda M. Aller, P.E.

Senior Geotechnical Engineer





LEGEND:

INDICATES APPROXIMATE LOCATION AND DESIGNATION OF TEST BORING AND ADJACENT INFILTRATION TEST PIPE.

BENCHMARK: RIM OF EXISTING MANHOLE COVER. ELEVATION = 584.30 FEET, AS ESTABLISHED AND REPORTED BY OTHERS.

NOTE:

FIGURE DEVELOPED FROM GOOGLE EARTH

WMA ENGINEERING DPC|DBA EMPIRE CE TECHNICAL ENGINEERING SERVICES

SUBSURFACE EXPLORATION

INFILTRATION TESTING BETHLEHEM STEEL - PARCEL 5 2303 HAMBURG TURNPIKE LACKAWANNA, NEW YORK

PLAN	DR BY: WMA	SCALE: NTS	PROJECT NO.: WB-21-009A	
	CHKD BY: WMA	DATE: 06/10/2021	FIGURE NO: 1	

APPENDIX A SUBSURFACE EXPLORATION LOGS

GENERAL INFORMATION & KEY TO SUBSURFACE LOGS

The Subsurface Logs attached to this report present the observations and mechanical data collected by the driller at the site, supplemented by classification of the material removed from the borings as determined through visual identification by technicians in the laboratory. It is cautioned that the materials removed from the borings represent only a fraction of the total volume of the deposits at the site and may not necessarily be representative of the subsurface condition between adjacent borings or between the sampled intervals. The data presented of the Subsurface Logs together with the recovered samples provide a basis for evaluating the character of the subsurface conditions relative to the project. The evaluation must consider all the recorded details and their procedures to more accurately evaluate the subsurface conditions. Any evaluation of the contents of this report and recovered samples must be performed by qualified professionals. The following information defines some of the procedures and terms used of the Subsurface Logs to describe the conditions encountered, consistent with the numbered identifiers shown on the Key opposite this page.

- 1. The figures in the Depth column define the scale of the Subsurface Log.
- 2. The Samples column shows, graphically, the depth range from which a sample was recovered. See Table I for descriptions of the symbols used to represent the various types of samples.
- 3. The Sample No. is used for identification on sample containers and/or Laboratory Test Reports.
- 4. Blows on Sampler shows the results of the "Penetration Test", recording the number of blows required to drive a split spoon sampler into the soil. The number of blows required for each six inches is recorded. The first 6 inches of penetration is considered a seating drive. The number of blows required for the second and third 6 inches of penetration is termed the penetration resistance, N.
- 5. Blows on Casing Shows the number of blows required to advance the casing a distance of 12 inches. The casing size, hammer weight, and length of drop are noted at the bottom of the Subsurface Log. If the casing is advanced by means other than driving, the method of advancement will be indicated in the Notes column or under the Method of Investigation at the bottom of the Subsurface Log. Alternatively, sample recovery may be shown in this column or other data consistent with the column heading.
- 6. All recovered soil samples are reviewed in the laboratory by an engineering technician, geologist, or geotechnical engineer, unless noted otherwise. Visual descriptions are made on the basis of a combination of the driller's field descriptions and noted observations together with the sample as received in the laboratory. The method of visual classification is based primarily on the Unified Soil Classification System (ASTM D 2487) with regard to the particle size and plasticity (See Table No. II), and the Unified Soil Classification System group symbols for the soil types are sometimes included with the soil classification. Additionally, the relative portion, by weight, of two or more soil types is described for granular soils in accordance with "Suggested Methods of Test for Identification of Soils" by D.M. Burmister, ASTM Special Technical Publication 479, June 1970. (See Table No. III). Description of the relative soil density or consistency is based upon the penetration records as defined in Table No. IV. The description of the soil moisture is based upon the relative wetness of the soil as recovered and is described as dry, moist, wet, and saturated. Water introduced into the boring either naturally or during drilling may have affected the moisture condition of the recovered sample. Special terms are used as required to describe soil deposition in greater detail; several such terms are listed in Table V. When sampling gravelly soils with a standard two inch diameter split spoon, the true percentage of gravel is often not recovered due to the relatively small sampler diameter. The presence of boulders and large gravel is sometimes, but not necessarily, detected by an evaluation of the casing and sampler blows or through the "action" of the drill rig as reported by the driller.
- 7. Rock description is based on review of the recovered rock core and the driller's notes. Frequently used rock classification terms are included in Table VI.
- 8. The stratification lines represent the approximate boundary between soil types and the transition may be gradual. Solid stratification lines delineate apparent changes in soil type, based upon review of recovered soil samples and the driller's notes. Dashed lines convey a lesser degree of certainty with respect to either a change in soil type or where such change may occur.
- 9. Miscellaneous observations and procedures noted by the driller are shown in this column, including water level observations. It is important to realize the reliability of the water level observations depends upon the soil type (water does not readily stabilize in a hole through fine grained soils), and that any drill water used to advance the boring may have influenced the observations. The ground water level will fluctuate seasonally, typically. One or more perched or trapped water levels may exist in the ground seasonally. All the available readings should be evaluated. If definite conclusions cannot be made, it is often prudent to examine the conditions more thoroughly through test pit excavations or groundwater observation wells.
- 10. The length of core run is defined as the length of penetration of the core barrel. Core recovery is the length of core recovered divided by the core run. The RQD (Rock Quality Designation) is the total length of pieces of NX core exceeding 4 inches divided by the core run. The size core barrel used is also noted in the Method of Investigation at the bottom of the Subsurface Log.

FII	ΓAR1 NISH	red Hed	_	OF				SI	SJB SERVICES, INC. SUBSURFACE LOG	PROJ. No HOLE No SURF. ELEV G.W. DEPTH
PR	PROJECT LOCATION									
DEPTH (ft)	SAMPLES	SAMPLE No.	BLOWS ON SAMPLER 0 6 12 18 24 N		N	BLOWS ON CASING C	SOIL OR ROCK CLASSIFICATION	NOTES		
= 0 = - - - 5 -		1	3	3	4	8	7	10 15 50/.5	3" TOPSOIL Brown SILT, some Sand, trace clay, ML (Moist-Loose) Gray SHALE, medium hard, weathered,	Groundwater at 10' upon completion, and 5' 24 hrs. after completion
1 -	 	3		\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\				5	thin bedded, some fractures (a) (numbered features explained on reverse)	Run#1, 2.5'-5.0' _ 95% Recovery \ 50% RQD

TABLE I

Split Spoon Sample











TABLE II

Identification of soil type is made on basis of an estimate of particle sizes, and in the case of fine grained soils also on basis of plasticity.

	•	
Soil Type	Soil Particle Size	
Boulder	>12"	
Cobble	3" - 12"	
Gravel - Coarse	3" - 3/4"	Coarse Grained
- Fine	3/4" - #4	(Granular)
Sand - Coarse	#4 - #10	
- Medium	#10 - #40	
- Fine	#40 - #200	
Silt - Non Plastic Clay - Plastic (Co	Fine Grained	

TABLE III

The following terms are used in classifying soils consisting of mixtures of two or more soil types. The estimate is based on weight of total sample.

Term	Percent of Total Sample
"and"	35 - 50
"some"	20 - 35
"little"	10 - 20
"trace"	less than 10

(When sampling gravelly soils with a standard split spoon, the true percentage of gravel is often not recovered due to the relatively small sampler diameter.)

TABLE IV

The relative compactness or consistency is described in accordance with the following terms:

Granular Soi	ls	Cohesive Soils			
Term	Blows per Foot, N	Term	Blows per Foot, N		
Very Loose Loose Firm Compact Very Compact	0 - 4 4 - 10 10 - 30 30 - 50 >50	Very Soft Soft Medium Stiff Very Stiff Hard	0 - 2 2 - 4 4 - 8 8 - 15 15 - 30 >30		

(Large particles in the soils will often significantly influence the blows per foot recorded during the penetration test)

TABLE V

Varved	Horizontal uniform layers or seams of soil(s).
Layer	Soil deposit more than 6" thick.
Seam	Soil deposit less than 6" thick.
Parting	Soil deposit less than 1/8" thick.
Laminated	Irregular, horizontal and angled seams and partings of soil(s).

TABLE VI

Rock Clas	sification Term	Meaning	Rock Cla	ssification Term	Meaning	
Hardness	- Soft - Medium Hard - Hard - Very Hard	Scratched by fingernail Scratched easily by penknife Scratched with difficulty by penknife Cannot be scratched by penknife	Bedding	 Laminated Thin Bedded Bedded Thick Bedded 	(<1") (1" - 4") (4" - 12") (12" - 36")	Natural breaks in Rock Layers
Weathering	Very WeatheredWeatheredSound	Judged from the relative amounts of disintegration, iron staining, core recovery, clay seams, etc.		- Massive refers to natural brea e rock layers)	(>36") aks in the rock	oriented at some

DATE

START FINISH

SHEET

6/7/2021 6/7/2021

1 OF 1

SJB SERVICES, INC. SUBSURFACE LOG



HOLE NO. <u>I-1</u>
SURF. ELEV <u>583.8'</u>
G.W. DEPTH See Notes

			TES		DETUI SUSMICISSION COOR CONTROL COOR CONTROL	L TURNIBUKE			
PROJECT: <u>INFILTRATION TES</u> PROJ. NO.: BE-21-009A			ILEST	IING -	- BETHLEHEM STEEL LOCATION: 2303 HAMBURG TURNPIKE LACKAWANNA, NY				
					LACKAWANN	-1, IN T			
DEPTH SMPL B		BLOWS ON SAMPLER				SOIL OR ROCK	NOTES		
FT.	Ь.	NO.	0/6	6/12	12/18	N	PID	CLASSIFICATION	
	17		4.0					Brown-Black-Gray fine GRAVEL, some f-c Sand,	S-1: Exhibited petroleum
_	- 1/	1	13	26				little Silty Clay, tr. asphalt, tr. slag, tr. organics	odor
	/		10	10		36		(moist, FILL)	
_	+		10	10		30		Contains tr. silty clay, tr. cinders, no asphalt	_
	1/	2	8	32				Contains tr. sitty day, tr. cinders, no aspirate	
_	∜	_							REF = Sample Spoon
			50/0.4			REF			Refusal
	17							Dark Brown-Gray-Black SLAG, some f-c Sand,	<u> </u>
5	/ ا	3	10	15				little fine Gravel, tr. silty clay (moist, FILL)	
	1/								
_	1		14	10		29			<u> </u>
	17			_				Contains little Silty Clay, tr. metal (wet)	
_	 /	4	8	6					_
	/		6	7		12			
_	+		0	'		12		Becomes Black, Contains tr. organics, no metal	S-5: Sulfur, Petroleum
	1/	5	18	16				Decomes black, Contains it. Organics, no metal	odor
_	1/		10	-10					
10	1		16	10		32	_		
								Boring Complete at 10.0'	Free Standing Water
_									recorded at 6.0' at
									boring completion
_									<u> </u>
									Driller moved over slightly and drilled infiltration
_	-								test hole following
									completion of test boring
_	1								
15									4" PVC Groundwater
	1								infiltration test pipe set
									at 4.2' below existing
									ground surface
_									_
									Refer to Infiltation Test
_	4		1						Data sheet for additional
									information
_	-								_
20									
20	1							L	ı
	N =	NO. BL	OWS TO) DRIV	'E 2-IN	CH SPO	ON 12-II	NCHES WITH A 140 LB. PIN WT. FALLING 30-INCHES PER BLOW C	CLASSIFIED BY: Geologist
		ILLER:				EWICZ		DRILL RIG TYPE : CME-550X	
METHOD OF INVESTIGATION ASTM D-1586 USING HOLLOW STEM AUGERS									

DATE

START FINISH

SHEET

6/7/2021 6/7/2021

1 OF 1

SJB SERVICES, INC. SUBSURFACE LOG



HOLE NO. <u>I-2</u>
SURF. ELEV <u>582.4'</u>
G.W. DEPTH See Notes

PRO	ROJECT: INFILTRATION TESTING - BETHLEHEM STEEL LOCATION: 2303 HAMBURG TURNPIKE			G TURNPIKE					
PROJ. NO.: BE-21-009A					LACKAWANNA	A, NY			
DEPTH SMPL		SMPL		BLO\	WS ON S	AMPLER		SOIL OR ROCK	NOTES
FT.		NO.	0/6	6/12	12/18	N	PID	CLASSIFICATION	
	$\perp \! \! \! \! \! \! \! \! \! \! \! \! \! \! \! \! \! \! \!$							Dark Brown fine GRAVEL, some f-c Sand,	
-	4/	1	10	45				tr. slag, tr. concrete, tr. cinders, tr. brick,	
			00	40		00		tr. silty clay (moist, FILL)	
-	+		23	12		68		Containe little Slee treesh	
	$\perp \! \! \! \! \! \! \! \! \! \! \! \! \! \! \! \! \! \! \!$	2	9	8				Contains little Slag, tr. ash	
-	$\exists /$		3	0					
	/		7	6		15			
-	17							Contains no concrete (wet)	_
5	$\parallel \mid \mid$	3	2	3				,	
	7/								
_			3	6		6			
_								Brown SLAG, some f-c Sand, little Brick, tr. gravel,	
_	1/	4	14	4				tr. clayey silt (wet, FILL)	_
	- /								
_			3	3		7			
	$\perp \! \! \! \! \! \! \! \! \! \! \! \! \! \! \! \! \! \! \!$	_							
-	$\dashv /$	5	6	4					
10	/		3	2		7			
_ ``-	1		Ŭ	_			-	Boring Complete at 10.0'	Free Standing Water
								·	recorded at 5.5' at
_									boring completion
_									
									Driller moved over slightly
_	_								and drilled infiltration
									test hole following
_	4								completion of test boring
15									4" PVC Groundwater
13 _	\dashv								infiltration test pipe set
									at 4.2' below existing
-	1								ground surface
-	7								Refer to Infiltation Test
_	╝								Data sheet for additional
_									information
_	_								_
20									
		NO D	OWC T	0 00"	/E 0 !}.	211 020	ON 40 "	NOTICE WITH A 440 LB DINIMIT FALLING OF PROJECT BED DOWN	LACCIFIED DV. Coologiet
									LASSIFIED BY: Geologist
		ILLER: THOD C				EWICZ ASTM I			
	METHOD OF INVESTIGATION ASTM D-1586 USING HOLLOW STEM AUGERS								

APPENDIX B INFITRATION TEST DATA



INFILTRATION TEST DATA SUMMARY

INFILTRATION TESTING - BETHLEHEM STEEL

2303 HAMBURG TURNPIKE, LACKAWANNA, NY

Bottom of Casing

ground surface (El. 579.6')

feet below

4.2

		PROJECT NO.: BE-21	-009A	
INFILTRATION TEST POINT: PRESOAK DATE:	I-1 6/7/2021	Diameter of Casing - 4 inches		Casing Stickup:
TEST DA	<u>TA</u>			1.7 feet (El. 585.5')
TEST DATE:	6/8/2021	Existing Grade (El. 583.8')		
IS THERE PRESOAK WATE YES NO IF YES, WHAT DEPTH:	ER IN TEST CASING?			Water level at start of presoak from top of casing
FEET FROM 1	OP OF CASING.	Total depth of infiltration test point-		3.9 feet (FL 581.6')

from top of casing:

feet

5.9

PROJECT:

LOCATION:

RUN NUMBER	START TIME (HOURS)	END TIME (HOURS)	ELAPSED TIME (MIN)	DROP IN WATER LEVEL DURING TEST RUN (FEET)	REFILLED WITH WATER, LEVEL FROM TOP OF CASING (FEET)
START	9:03				3.9
RUN #1	9:03	10:03	60	1.55	3.9
RUN #2	10:03	11:03	60	1.12	3.9
RUN #3	11:03	12:03	60	1.15	3.9
RUN #4	12:03	1:03	60	1.05	

AVERAGE INFILTRATION RATE	1.22	FEET PER HOUR
AVERAGE INFILTRATION RATE	14.64	INCHES PER HOUR

TESTED BY: G. LAVELLE



IS THERE PRESOAK WATER IN TEST

INFILTRATION TEST POINT: PRESOAK DATE:

TEST DATE:

YES IF YES, WHAT DEPTH:

INFILTRATION TEST DATA SUMMARY

INFILTRATION TESTING - BETHLEHEM STEEL

Bottom of Casing

4.2 feet below ground surface (El. 578.2')

PROJECT:

VICES, IN	NC.	LOCATION:	2303 HAMBURG TU	RNPIKE, LACKAWANNA, NY
		PROJECT NO.:	BE-21-009A	
ON		Diameter of Casing		
:	I-2	4	inches	
ATE:	6/7/2021			Casing Stickup:
				1.9 feet
TEST DA	<u>ATA</u>			(El. 584.3')
:	6/8/2021	Existing Grade		
		(El. 582.4')		
RESOAK WAT	ER IN TEST CASING?			
(NO)				Water level at start of
AT DEPTH:				presoak from top of casing
FEET FROM	TOP OF CASING.	Total dep	th of	4.1 feet
_		infiltration tes	st noint-	(FL 580 2')

from top of casing:

feet

6.1

RUN NUMBER	START TIME (HOURS)	END TIME (HOURS)	ELAPSED TIME (MIN)	DROP IN WATER LEVEL DURING TEST RUN (FEET)	REFILLED WITH WATER, LEVEL FROM TOP OF CASING (FEET)
START	8:54			(/	4.1
RUN #1	8:54	9:54	60	1.28	4.1
RUN #2	9:54	10:54	60	0.45	4.1
RUN #3	10:54	11:54	60	0.35	4.1
RUN #4	11:54	12:54	60	0.00	

AVERAGE INFILTRATION RATE	0.52	FEET PER HOUR
AVERAGE INFILTRATION RATE	6.24	INCHES PER HOUR

TESTED BY: G. LAVELLE

Extreme Precipitation Tables

Northeast Regional Climate Center

Data represents point estimates calculated from partial duration series. All precipitation amounts are displayed in inches.

Metadata for Point

Smoothing

State New York

LocationNew York, United StatesLatitude42.819 degrees NorthLongitude78.849 degrees West

Elevation 170 feet

Date/Time Thu Feb 23 2023 09:28:32 GMT-0500 (Eastern Standard Time)

Extreme Precipitation Estimates

	5min	10min	15min	30min	60min	120min		1hr	2hr	3hr	6hr	12hr	24hr	48hr		1day	2day	4day	7day	10day	
1yr	0.27	0.41	0.51	0.66	0.83	1.01	1yr	0.71	0.93	1.14	1.34	1.56	1.81	2.16	1yr	1.60	2.08	2.51	3.02	3.53	1yr
2yr	0.31	0.48	0.59	0.78	0.98	1.20	2yr	0.85	1.10	1.36	1.62	1.90	2.21	2.53	2yr	1.95	2.43	2.87	3.43	3.94	2yr
5yr	0.36	0.57	0.71	0.95	1.22	1.51	5yr	1.05	1.38	1.70	2.02	2.35	2.70	3.10	5yr	2.39	2.98	3.47	4.12	4.72	5yr
10yr	0.41	0.64	0.81	1.11	1.44	1.79	10yr	1.25	1.64	2.03	2.39	2.76	3.15	3.61	10yr	2.79	3.47	4.02	4.73	5.41	10yr
25yr	0.49	0.77	0.99	1.36	1.81	2.25	25yr	1.56	2.05	2.54	2.98	3.42	3.86	4.42	25yr	3.41	4.25	4.87	5.67	6.49	25yr
50yr	0.55	0.89	1.14	1.59	2.14	2.67	50yr	1.85	2.44	3.02	3.53	4.02	4.50	5.15	50yr	3.98	4.95	5.63	6.51	7.44	50yr
100yr	0.63	1.02	1.31	1.86	2.54	3.18	100yr	2.19	2.90	3.59	4.18	4.73	5.26	6.00	100yr	4.65	5.77	6.52	7.48	8.54	100yr
200yr	0.72	1.18	1.53	2.19	3.01	3.78	200yr	2.60	3.45	4.27	4.94	5.57	6.14	7.01	200yr	5.43	6.74	7.55	8.60	9.80	200yr
500yr	0.87	1.43	1.86	2.71	3.79	4.76	500yr	3.27	4.35	5.36	6.17	6.90	7.54	8.59	500yr	6.68	8.26	9.17	10.33	11.77	500yr

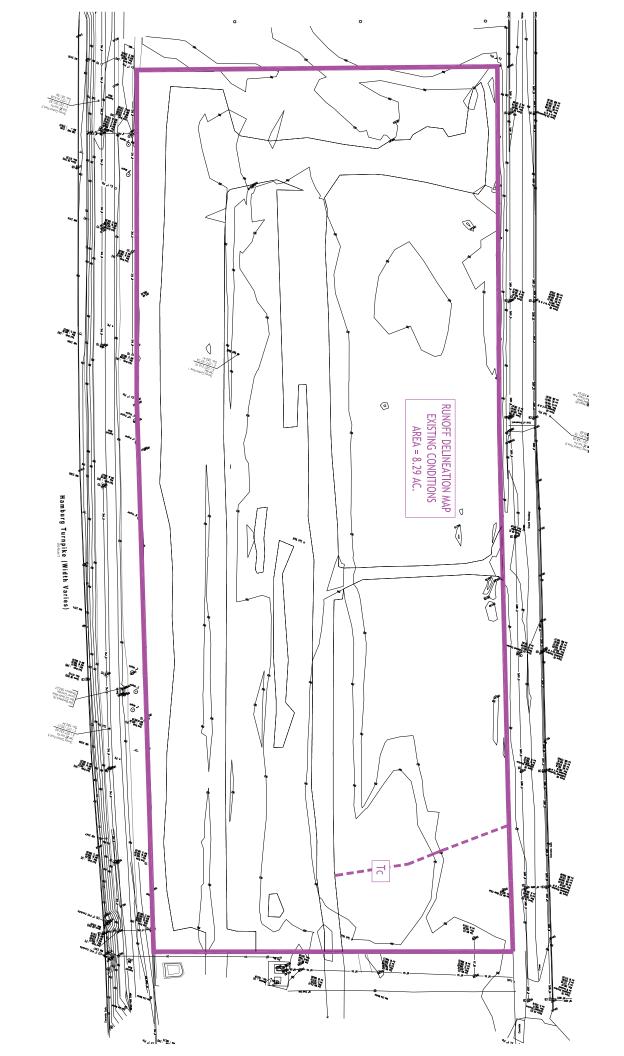
Lower Confidence Limits

	5min	10min	15min	30min	60min	120min		1hr	2hr	3hr	6hr	12hr	24hr	48hr		1day	2day	4day	7day	10day	
1yr	0.23	0.35	0.43	0.58	0.71	0.80	1yr	0.61	0.78	0.87	1.10	1.40	1.62	2.00	1yr	1.44	1.93	2.34	2.84	3.36	1yr
2yr	0.29	0.46	0.56	0.76	0.94	1.08	2yr	0.81	1.05	1.18	1.45	1.73	2.15	2.48	2yr	1.90	2.39	2.80	3.36	3.86	2yr
5yr	0.33	0.51	0.63	0.87	1.11	1.27	5yr	0.96	1.25	1.42	1.72	2.05	2.53	2.92	5yr	2.24	2.81	3.28	3.90	4.48	5yr
10yr	0.36	0.56	0.69	0.97	1.25	1.43	10yr	1.08	1.39	1.62	1.94	2.31	2.85	3.30	10yr	2.52	3.18	3.70	4.35	5.02	10yr
25yr	0.41	0.63	0.78	1.11	1.47	1.67	25yr	1.27	1.63	1.90	2.27	2.69	3.34	3.89	25yr	2.96	3.74	4.33	5.04	5.84	25yr
50yr	0.45	0.68	0.85	1.23	1.65	1.86	50yr	1.42	1.82	2.15	2.55	3.02	3.78	4.40	50yr	3.34	4.23	4.88	5.64	6.57	50yr
100yr	0.49	0.75	0.93	1.35	1.85	2.08	100yr	1.60	2.04	2.44	2.87	3.39	4.26	4.97	100yr	3.77	4.78	5.51	6.32	7.38	100yr
200yr	0.54	0.81	1.03	1.49	2.08	2.32	200yr	1.80	2.27	2.76	3.22	3.79	4.80	5.63	200yr	4.25	5.42	6.22	7.09	8.32	200yr
500yr	0.61	0.91	1.17	1.71	2.43	2.67	500yr	2.09	2.61	3.27	3.75	4.40	5.65	6.64	500yr	5.00	6.38	7.31	8.26	9.75	500yr

Upper Confidence Limits

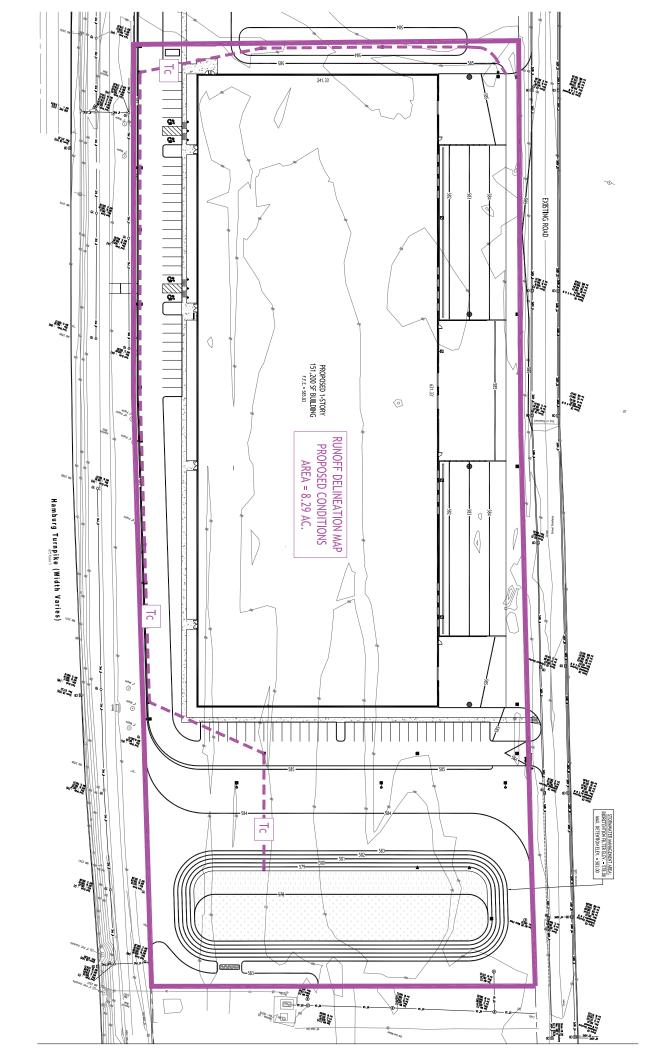
	5min	10min	15min	30min	60min	120min		1hr	2hr	3hr	6hr	12hr	24hr	48hr		1day	2day	4day	7day	10day	
1yr	0.30	0.47	0.57	0.77	0.94	1.08	1yr	0.82	1.06	1.21	1.44	1.77	1.97	2.31	1yr	1.75	2.22	2.66	3.18	3.70	1yr
2yr	0.32	0.50	0.61	0.83	1.02	1.19	2yr	0.88	1.17	1.30	1.59	1.89	2.27	2.62	2yr	2.01	2.52	2.94	3.54	4.05	2yr
5yr	0.40	0.62	0.76	1.05	1.33	1.54	5yr	1.15	1.50	1.71	2.06	2.48	2.88	3.25	5yr	2.55	3.13	3.65	4.34	4.97	5yr
10yr	0.48	0.73	0.91	1.27	1.64	1.89	10yr	1.42	1.85	2.11	2.54	3.06	3.43	3.85	10yr	3.04	3.70	4.31	5.08	5.82	10yr
25yr	0.61	0.93	1.16	1.65	2.17	2.55	25yr	1.87	2.49	2.80	3.35	4.04	4.36	4.83	25yr	3.86	4.64	5.37	6.25	7.15	25yr
50yr	0.73	1.11	1.38	1.98	2.67	3.15	50yr	2.30	3.08	3.47	4.13	4.98	5.23	5.74	50yr	4.63	5.52	6.34	7.29	8.35	50yr
100yr	0.88	1.32	1.66	2.39	3.28	3.90	100yr	2.83	3.81	4.30	5.09	6.13	6.28	6.81	100yr	5.56	6.55	7.49	8.52	9.75	100yr
200yr	1.05	1.58	2.00	2.90	4.04	4.82	200yr	3.49	4.71	5.32	6.28	7.54	7.54	8.07	200yr	6.68	7.76	8.85	9.96	11.40	200yr
500yr	1.35	2.00	2.58	3.74	5.32	6.38	500yr	4.59	6.23	7.04	8.26	9.91	9.63	10.12	500yr	8.52	9.73	11.03	12.25	13.99	500yr





Events for Subcatchment 1S: Existing Site

Event	Rainfall	Runoff	Volume	Depth
	(inches)	(cfs)	(acre-feet)	(inches)
1-Year	1.81	6.76	0.525	0.76
2-Year	2.21	9.65	0.741	1.07
5-Year	2.70	13.38	1.022	1.48
10-Year	3.15	16.90	1.292	1.87
25-Year	3.86	22.57	1.733	2.51
50-Year	4.50	27.76	2.141	3.10
100-Year	5.26	33.92	2.634	3.81

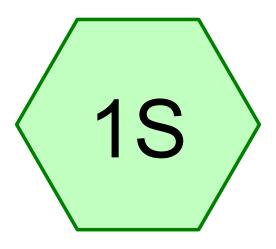


22.066 Proposed

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Events for Pond 1P: Proposed Stormwater Storage & Outlet

Event	Inflow	Outflow	Primary	Secondary	Elevation	Storage
	(cfs)	(cfs)	(cfs)	(cfs)	(feet)	(cubic-feet)
1-Year	10.32	1.61	1.61	0.00	579.01	18,241
2-Year	13.55	1.92	1.92	0.00	579.27	24,437
5-Year	17.52	2.15	2.15	0.00	579.62	32,933
10-Year	21.16	2.34	2.34	0.00	579.94	40,931
25-Year	26.89	2.60	2.60	0.00	580.41	53,427
50-Year	32.03	2.80	2.80	0.00	580.81	64,504
100-Year	38.07	3.00	3.00	0.00	581.27	77,584



Existing Site









Rainfall Events Listing (selected events)

Event#	Event	Storm Type	Curve	Mode	Duration	B/B	Depth	AMC
	Name				(hours)		(inches)	
1	1-Year	Type II 24-hr		Default	24.00	1	1.81	2
2	10-Year	Type II 24-hr		Default	24.00	1	3.15	2
3	25-Year	Type II 24-hr		Default	24.00	1	3.86	2
4	100-Year	Type II 24-hr		Default	24.00	1	5.26	2

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Area Listing (all nodes)

Area	CN	Description
 (acres)		(subcatchment-numbers)
5.900	83	Brush, Poor, HSG D (1S)
2.390	98	Impervious, HSG D (1S)
8.290	87	TOTAL AREA

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Soil Listing (all nodes)

Area	Soil	Subcatchment
(acres)	Group	Numbers
0.000	HSG A	
0.000	HSG B	
0.000	HSG C	
8.290	HSG D	1S
0.000	Other	
8.290		TOTAL AREA

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Ground Covers (all nodes)

 HSG-A (acres)	HSG-B (acres)	HSG-C (acres)	HSG-D (acres)	Other (acres)	Total (acres)	Ground Cover	Subcatchment Numbers
0.000	0.000	0.000	5.900	0.000	5.900	Brush, Poor	1S
0.000	0.000	0.000	2.390	0.000	2.390	Impervious	1S
0.000	0.000	0.000	8.290	0.000	8.290	TOTAL	
						AREA	

22.066 Existing

Type II 24-hr 1-Year Rainfall=1.81"

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Time span=0.00-50.00 hrs, dt=0.01 hrs, 5001 points
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN
Reach routing by Dyn-Stor-Ind method - Pond routing by Dyn-Stor-Ind method

Subcatchment 1S: Existing Site Runoff Area=8.290 ac 28.83% Impervious Runoff Depth=0.76" Flow Length=194' Slope=0.0100 '/' Tc=20.7 min CN=87 Runoff=6.76 cfs 0.525 af

Total Runoff Area = 8.290 ac Runoff Volume = 0.525 af Average Runoff Depth = 0.76" 71.17% Pervious = 5.900 ac 28.83% Impervious = 2.390 ac HydroCAD® 10.20-2g s/n 05019 © 2022 HydroCAD Software Solutions LLC

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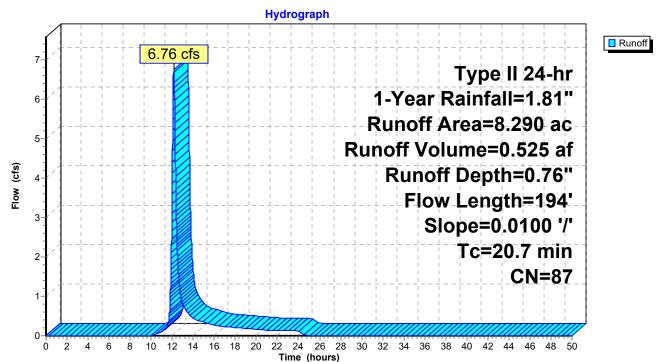
Summary for Subcatchment 1S: Existing Site

Runoff = 6.76 cfs @ 12.14 hrs, Volume= 0.525 af, Depth= 0.76" Routed to nonexistent node 1P

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-50.00 hrs, dt= 0.01 hrs Type II 24-hr 1-Year Rainfall=1.81"

_	Area	(ac) C	N Des	cription		
	5.	900	33 Brus	sh, Poor, H	SG D	
*	2.	390	98 Impe	ervious, HS	SG D	
	8.290 87 Weighted Average				age	_
	5.900 71.17% Pervious Area					
	2.390 28.83% Impervious Area					
	·					
	Тс	Length	Slope	Velocity	Capacity	Description
	(min)	(feet)	(ft/ft)	(ft/sec)	(cfs)	
	20.2	150	0.0100	0.12		Sheet Flow, Overland - Grass/Brush/Trees
						Grass: Short n= 0.150 P2= 2.50"
	0.5	44	0.0100	1.61		Shallow Concentrated Flow, Overland - Grass/Brush/Trees
_						Unpaved Kv= 16.1 fps
	20.7	194	Total			

Subcatchment 1S: Existing Site



22.066 Existing

Type II 24-hr 10-Year Rainfall=3.15"

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Time span=0.00-50.00 hrs, dt=0.01 hrs, 5001 points
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN
Reach routing by Dyn-Stor-Ind method - Pond routing by Dyn-Stor-Ind method

Subcatchment 1S: Existing Site Runoff Area=8.290 ac 28.83% Impervious Runoff Depth=1.87" Flow Length=194' Slope=0.0100 '/' Tc=20.7 min CN=87 Runoff=16.90 cfs 1.292 af

Total Runoff Area = 8.290 ac Runoff Volume = 1.292 af Average Runoff Depth = 1.87" 71.17% Pervious = 5.900 ac 28.83% Impervious = 2.390 ac

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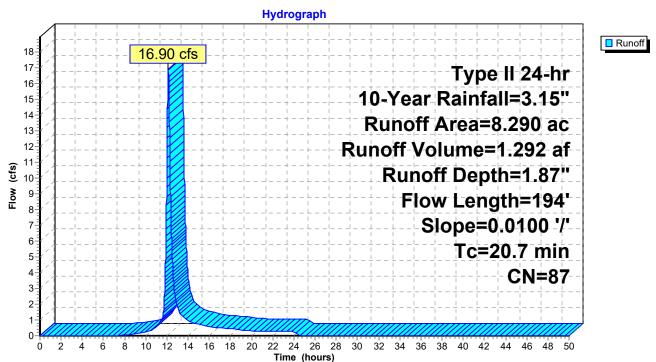
Summary for Subcatchment 1S: Existing Site

Runoff = 16.90 cfs @ 12.13 hrs, Volume= 1.292 af, Depth= 1.87" Routed to nonexistent node 1P

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-50.00 hrs, dt= 0.01 hrs Type II 24-hr 10-Year Rainfall=3.15"

	Area	(ac)	CN [Desc	ription		
	_	900			h, Poor, H		
*	2.	390	98 I	Impe	rvious, HS	SG D	
	8.290 87 Weighted Average					age	
	5.900 71.17% Pervious Area					us Area	
	2.390 28.83% Impervious Area					ious Area	
			_				
	Tc	Length	Slo	ope	Velocity	Capacity	Description
_	(min)	(feet)	(fi	t/ft)	(ft/sec)	(cfs)	
	20.2	150	0.01	100	0.12		Sheet Flow, Overland - Grass/Brush/Trees
							Grass: Short n= 0.150 P2= 2.50"
	0.5	44	0.01	100	1.61		Shallow Concentrated Flow, Overland - Grass/Brush/Trees
_							Unpaved Kv= 16.1 fps
	20.7	194	Tota	al			

Subcatchment 1S: Existing Site



22.066 Existing

Type II 24-hr 25-Year Rainfall=3.86"

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Time span=0.00-50.00 hrs, dt=0.01 hrs, 5001 points
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN
Reach routing by Dyn-Stor-Ind method - Pond routing by Dyn-Stor-Ind method

Subcatchment 1S: Existing Site Runoff Area=8.290 ac 28.83% Impervious Runoff Depth=2.51" Flow Length=194' Slope=0.0100 '/' Tc=20.7 min CN=87 Runoff=22.57 cfs 1.733 af

Total Runoff Area = 8.290 ac Runoff Volume = 1.733 af Average Runoff Depth = 2.51" 71.17% Pervious = 5.900 ac 28.83% Impervious = 2.390 ac

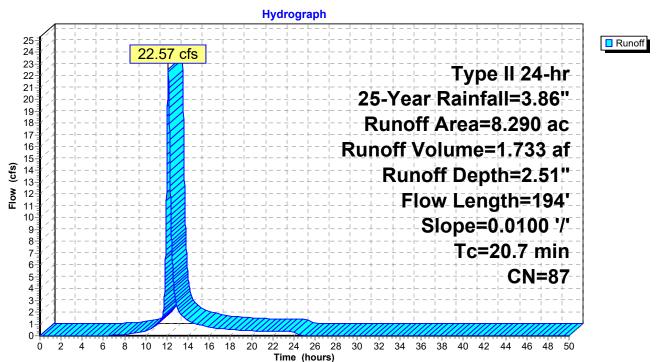
Summary for Subcatchment 1S: Existing Site

Runoff = 22.57 cfs @ 12.13 hrs, Volume= 1.733 af, Depth= 2.51" Routed to nonexistent node 1P

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-50.00 hrs, dt= 0.01 hrs Type II 24-hr 25-Year Rainfall=3.86"

	Area	(ac) C	N Des	cription		
	5.	900	83 Brus	sh, Poor, H	SG D	
* 2.390 98 Impervious, HSG D				ervious, HS	SG D	
_	8.	290	87 Wei	ghted Aver	age	
	5.900 71.17% Pervious Area					
	2.390 28.83% Impervious Area					
	·			-		
	Tc	Length	Slope	Velocity	Capacity	Description
	(min)	(feet)	(ft/ft)	(ft/sec)	(cfs)	
	20.2	150	0.0100	0.12		Sheet Flow, Overland - Grass/Brush/Trees
						Grass: Short n= 0.150 P2= 2.50"
	0.5	44	0.0100	1.61		Shallow Concentrated Flow, Overland - Grass/Brush/Trees
_						Unpaved Kv= 16.1 fps
	20.7	194	Total			

Subcatchment 1S: Existing Site



22.066 Existing

Type II 24-hr 100-Year Rainfall=5.26"

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Time span=0.00-50.00 hrs, dt=0.01 hrs, 5001 points
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN
Reach routing by Dyn-Stor-Ind method - Pond routing by Dyn-Stor-Ind method

Subcatchment 1S: Existing Site Runoff Area=8.290 ac 28.83% Impervious Runoff Depth=3.81" Flow Length=194' Slope=0.0100 '/' Tc=20.7 min CN=87 Runoff=33.92 cfs 2.634 af

Total Runoff Area = 8.290 ac Runoff Volume = 2.634 af Average Runoff Depth = 3.81" 71.17% Pervious = 5.900 ac 28.83% Impervious = 2.390 ac

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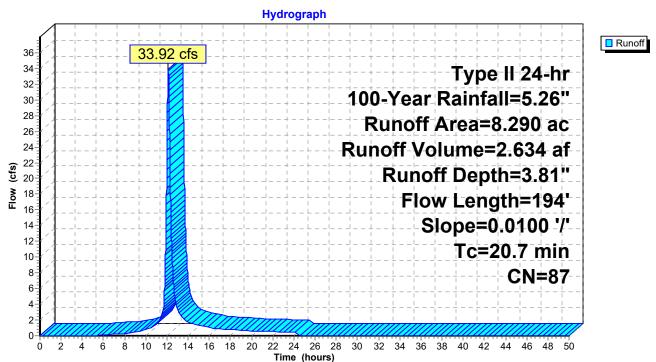
Summary for Subcatchment 1S: Existing Site

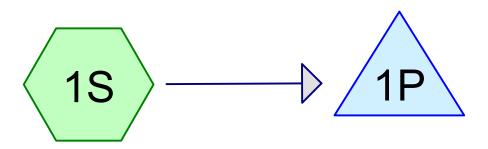
Runoff = 33.92 cfs @ 12.12 hrs, Volume= 2.634 af, Depth= 3.81" Routed to nonexistent node 1P

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-50.00 hrs, dt= 0.01 hrs Type II 24-hr 100-Year Rainfall=5.26"

	Area	(ac)	CN [Desc	ription		
	_	900			h, Poor, H		
*	2.	390	98 I	Impe	rvious, HS	SG D	
	8.290 87 Weighted Average					age	
	5.900 71.17% Pervious Area					us Area	
	2.390 28.83% Impervious Area					ious Area	
			_				
	Tc	Length	Slo	ope	Velocity	Capacity	Description
_	(min)	(feet)	(fi	t/ft)	(ft/sec)	(cfs)	
	20.2	150	0.01	100	0.12		Sheet Flow, Overland - Grass/Brush/Trees
							Grass: Short n= 0.150 P2= 2.50"
	0.5	44	0.01	100	1.61		Shallow Concentrated Flow, Overland - Grass/Brush/Trees
_							Unpaved Kv= 16.1 fps
	20.7	194	Tota	al			

Subcatchment 1S: Existing Site





Proposed Site Proposed Stormwater Storage & Outlet









Rainfall Events Listing (selected events)

Event#	Event	Storm Type	Curve	Mode	Duration	B/B	Depth	AMC
	Name				(hours)		(inches)	
1	1-Year	Type II 24-hr		Default	24.00	1	1.81	2
2	10-Year	Type II 24-hr		Default	24.00	1	3.15	2
3	25-Year	Type II 24-hr		Default	24.00	1	3.86	2
4	100-Year	Type II 24-hr		Default	24.00	1	5.26	2

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Area Listing (all nodes)

8.290	93	TOTAL AREA
6.090	98	Impervious, HSG D (1S)
2.200	80	>75% Grass cover, Good, HSG D (1S)
(acres)		(subcatchment-numbers)
Area	CN	Description

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Soil Listing (all nodes)

Area	Soil	Subcatchment
(acres)	Group	Numbers
0.000	HSG A	
0.000	HSG B	
0.000	HSG C	
8.290	HSG D	1S
0.000	Other	
8.290		TOTAL AREA

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Ground Covers (all nodes)

HSG-A	HSG-B	HSG-C	HSG-D	Other	Total	Ground	Subcatchment
(acres)	(acres)	(acres)	(acres)	(acres)	(acres)	Cover	Numbers
 0.000	0.000	0.000	2.200	0.000	2.200	>75% Grass cover, Good	1S
0.000	0.000	0.000	6.090	0.000	6.090	Impervious	1S
0.000	0.000	0.000	8.290	0.000	8.290	TOTAL AREA	

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Pipe Listing (all nodes)

Line#	Node	In-Invert	Out-Invert	Length	Slope	n	Width	Diam/Height	Inside-Fill
	Number	(feet)	(feet)	(feet)	(ft/ft)		(inches)	(inches)	(inches)
1	1P	577.33	577.05	142.0	0.0020	0.013	0.0	10.0	0.0

22.066 Proposed

Type II 24-hr 1-Year Rainfall=1.81"

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Time span=0.00-50.00 hrs, dt=0.01 hrs, 5001 points
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN
Reach routing by Dyn-Stor-Ind method - Pond routing by Dyn-Stor-Ind method

Subcatchment 1S: Proposed Site Runoff Area=8.290 ac 73.46% Impervious Runoff Depth=1.14" Flow Length=1,249' Slope=0.0110 '/' Tc=20.6 min CN=93 Runoff=10.32 cfs 0.789 af

Pond 1P: Proposed Stormwater Storage & Peak Elev=579.01' Storage=18,241 cf Inflow=10.32 cfs 0.789 af Primary=1.61 cfs 0.607 af Secondary=0.00 cfs 0.000 af Outflow=1.61 cfs 0.607 af

Total Runoff Area = 8.290 ac Runoff Volume = 0.789 af Average Runoff Depth = 1.14" 26.54% Pervious = 2.200 ac 73.46% Impervious = 6.090 ac

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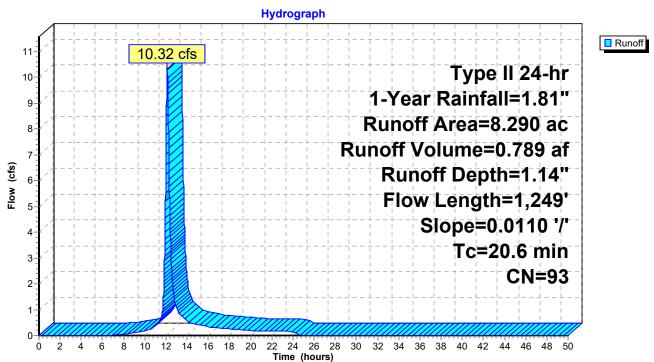
Summary for Subcatchment 1S: Proposed Site

Runoff = 10.32 cfs @ 12.13 hrs, Volume= 0.789 af, Depth= 1.14" Routed to Pond 1P : Proposed Stormwater Storage & Outlet

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-50.00 hrs, dt= 0.01 hrs Type II 24-hr 1-Year Rainfall=1.81"

_	Area	(ac) C	N Des	cription		
*	2.200 80 >75% Grass cover, Good					, HSG D
_	0.090 90 Impervious, nog D					
8.290 93 Weighted Average						
	2.	200	26.5	4% Pervio	us Area	
6.090 73.46% Impervious Area					ious Area	
	Tc	Length	Slope	Velocity	Capacity	Description
	(min)	(feet)	(ft/ft)	(ft/sec)	(cfs)	
	14.1	100	0.0110	0.12		Sheet Flow, Overland - Greenspace
						Grass: Short n= 0.150 P2= 2.50"
	0.3	35	0.0110	1.69		Shallow Concentrated Flow, Overland - Greenspace
	0.0	00	0.0110	1.00		Unpaved Kv= 16.1 fps
	6.0	1 111		2.00		•
_	6.2	1,114		3.00		Direct Entry, Pipe Flow
	20.6	1,249	Total			

Subcatchment 1S: Proposed Site



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Summary for Pond 1P: Proposed Stormwater Storage & Outlet

Inflow Area = 8.290 ac, 73.46% Impervious, Inflow Depth = 1.14" for 1-Year event

Inflow = 10.32 cfs @ 12.13 hrs, Volume= 0.789 af

Outflow = 1.61 cfs @ 12.72 hrs, Volume= 0.607 af, Atten= 84%, Lag= 35.6 min

Primary = 1.61 cfs @ 12.72 hrs, Volume= 0.607 af

Routed to nonexistent node 1L

Secondary = 0.00 cfs @ 0.00 hrs, Volume= 0.000 af

Routed to nonexistent node 1L

Routing by Dyn-Stor-Ind method, Time Span= 0.00-50.00 hrs, dt= 0.01 hrs Peak Elev= 579.01' @ 12.72 hrs Surf.Area= 22,931 sf Storage= 18,241 cf

Plug-Flow detention time= 269.2 min calculated for 0.607 af (77% of inflow)

Center-of-Mass det. time= 181.0 min (1,005.5 - 824.5)

Volume	Invert	Avail.S	torage	Storage	e Description	
#1	578.00'	133	,738 cf	Custon	n Stage Data (P	rismatic)Listed below (Recalc)
Elevation (feet)	Surf.	Area sq-ft)		.Store c-feet)	Cum.Store (cubic-feet)	
578.00	13	3,265		0	0	
579.00	22	2,912	1	8,089	18,089	
580.00	25	5,824	2	24,368	42,457	
581.00	28	3,837	2	27,331	69,787	
582.00	31	,950	3	30,394	100,181	
583.00	35	5,164	3	3,557	133,738	

Device	Routing	Invert	Outlet Devices
#1	Primary	577.33'	10.0" Round Outlet Pipe
	-		L= 142.0' CPP, square edge headwall, Ke= 0.500
			Inlet / Outlet Invert= 577.33' / 577.05' S= 0.0020 '/' Cc= 0.900
			n= 0.013 Corrugated PE, smooth interior, Flow Area= 0.55 sf
#2	Device 1	578.50'	18.0" W x 5.0" H Vert. Orifice - Outlet Structure C= 0.600
			Limited to weir flow at low heads
#3	Device 1	580.00'	24.0" x 24.0" Horiz. Grate - Outlet Structure C= 0.600
			Limited to weir flow at low heads
#4	Secondary	582.50'	20.0' long (Profile 1) Broad-Crested Rectangular Weir
			Head (feet) 0.49 0.98 1.48
			Coef. (English) 2.92 3.37 3.59

Primary OutFlow Max=1.61 cfs @ 12.72 hrs HW=579.01' (Free Discharge)

—1=Outlet Pipe (Passes 1.61 cfs of 1.73 cfs potential flow)

2=Orifice - Outlet Structure (Orifice Controls 1.61 cfs @ 2.57 fps)

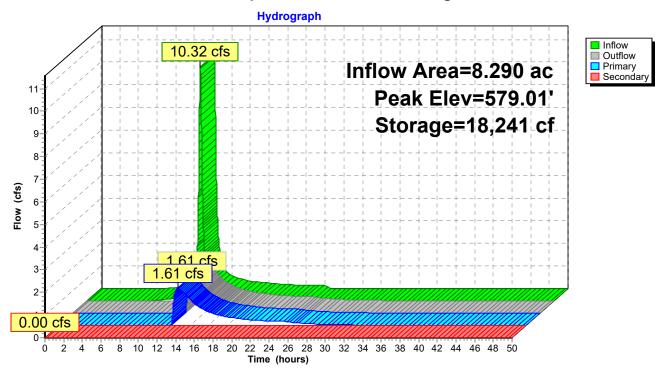
-3=Grate - Outlet Structure (Controls 0.00 cfs)

Secondary OutFlow Max=0.00 cfs @ 0.00 hrs HW=578.00' (Free Discharge)
4=Broad-Crested Rectangular Weir (Controls 0.00 cfs)

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Pond 1P: Proposed Stormwater Storage & Outlet



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Time span=0.00-50.00 hrs, dt=0.01 hrs, 5001 points
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN
Reach routing by Dyn-Stor-Ind method - Pond routing by Dyn-Stor-Ind method

Subcatchment 1S: Proposed Site Runoff Area=8.290 ac 73.46% Impervious Runoff Depth=2.40" Flow Length=1,249' Slope=0.0110 '/' Tc=20.6 min CN=93 Runoff=21.16 cfs 1.656 af

Pond 1P: Proposed Stormwater Storage & Peak Elev=579.94' Storage=40,931 cf Inflow=21.16 cfs 1.656 af Primary=2.34 cfs 1.475 af Secondary=0.00 cfs 0.000 af Outflow=2.34 cfs 1.475 af

Total Runoff Area = 8.290 ac Runoff Volume = 1.656 af Average Runoff Depth = 2.40" 26.54% Pervious = 2.200 ac 73.46% Impervious = 6.090 ac

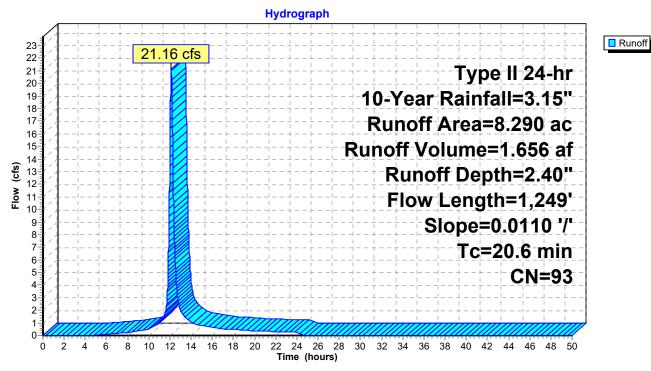
Summary for Subcatchment 1S: Proposed Site

Runoff = 21.16 cfs @ 12.13 hrs, Volume= 1.656 af, Depth= 2.40" Routed to Pond 1P : Proposed Stormwater Storage & Outlet

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-50.00 hrs, dt= 0.01 hrs Type II 24-hr 10-Year Rainfall=3.15"

	Area	(ac) C	N Des	cription		
					over, Good,	, HSG D
*	6.	090	98 Impe	ervious, HS	SG D	
8.290 93 Weighted Average					age	
	2.	200	26.5	4% Pervio	us Area	
	6.	090	73.4	6% Imperv	/ious Area	
				•		
	Tc	Length	Slope	Velocity	Capacity	Description
	(min)	(feet)	(ft/ft)	(ft/sec)	(cfs)	·
	14.1	100	0.0110	0.12		Sheet Flow, Overland - Greenspace
						Grass: Short n= 0.150 P2= 2.50"
	0.3	35	0.0110	1.69		Shallow Concentrated Flow, Overland - Greenspace
						Unpaved Kv= 16.1 fps
	6.2	1,114		3.00		Direct Entry, Pipe Flow
_	20.6	1 249	Total			

Subcatchment 1S: Proposed Site



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Summary for Pond 1P: Proposed Stormwater Storage & Outlet

Inflow Area = 8.290 ac, 73.46% Impervious, Inflow Depth = 2.40" for 10-Year event

Inflow 21.16 cfs @ 12.13 hrs, Volume= 1.656 af

2.34 cfs @ 12.88 hrs, Volume= Outflow = 1.475 af, Atten= 89%, Lag= 45.2 min

2.34 cfs @ 12.88 hrs, Volume= Primary 1.475 af

Routed to nonexistent node 1L

Secondary = 0.00 cfs @ 0.00 hrs, Volume= 0.000 af

Routed to nonexistent node 1L

Routing by Dyn-Stor-Ind method, Time Span= 0.00-50.00 hrs, dt= 0.01 hrs Peak Elev= 579.94' @ 12.88 hrs Surf.Area= 25,651 sf Storage= 40,931 cf

Plug-Flow detention time= 255.1 min calculated for 1.474 af (89% of inflow)

Center-of-Mass det. time= 200.6 min (1,004.1 - 803.6)

Volume	Invert	Avail.St	orage	Storage	Description				
#1	1 578.00' 133,738 cf		738 cf	Custom Stage Data (Prismatic)Listed below (Recalc)					
Elevation (feet)	Surf (s	Area sq-ft)		Store c-feet)	Cum.Store (cubic-feet)				
578.00	13	,265		0	0				
579.00	22	.,912	1	18,089	18,089				
580.00	25	,824	2	24,368	42,457				
581.00	28	,837	2	27,331	69,787				
582.00	31	,950	3	30,394	100,181				
583.00	35	,164	3	3,557	133,738				

Device	Routing	Invert	Outlet Devices
#1	Primary	577.33'	10.0" Round Outlet Pipe
			L= 142.0' CPP, square edge headwall, Ke= 0.500
			Inlet / Outlet Invert= 577.33' / 577.05' S= 0.0020 '/' Cc= 0.900
			n= 0.013 Corrugated PE, smooth interior, Flow Area= 0.55 sf
#2	Device 1	578.50'	18.0" W x 5.0" H Vert. Orifice - Outlet Structure C= 0.600
			Limited to weir flow at low heads
#3	Device 1	580.00'	24.0" x 24.0" Horiz. Grate - Outlet Structure C= 0.600
			Limited to weir flow at low heads
#4	Secondary	582.50'	20.0' long (Profile 1) Broad-Crested Rectangular Weir
			Head (feet) 0.49 0.98 1.48
			Coef. (English) 2.92 3.37 3.59

Primary OutFlow Max=2.34 cfs @ 12.88 hrs HW=579.94' (Free Discharge)

-1=Outlet Pipe (Barrel Controls 2.34 cfs @ 4.29 fps)

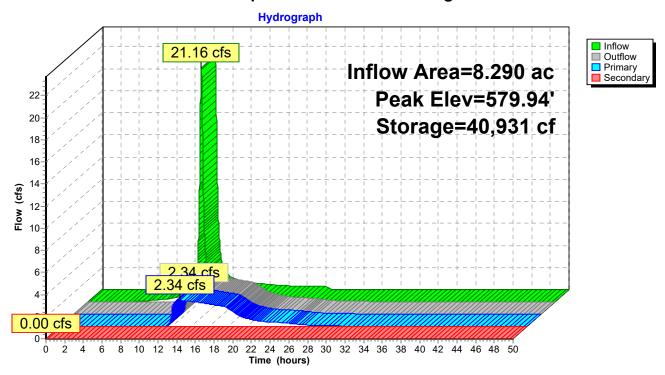
-2=Orifice - Outlet Structure (Passes 2.34 cfs of 3.34 cfs potential flow)

-3=Grate - Outlet Structure (Controls 0.00 cfs)

Secondary OutFlow Max=0.00 cfs @ 0.00 hrs HW=578.00' (Free Discharge) 4=Broad-Crested Rectangular Weir (Controls 0.00 cfs)

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Pond 1P: Proposed Stormwater Storage & Outlet



22.066 Proposed

Type II 24-hr 25-Year Rainfall=3.86"

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Time span=0.00-50.00 hrs, dt=0.01 hrs, 5001 points
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN
Reach routing by Dyn-Stor-Ind method - Pond routing by Dyn-Stor-Ind method

Subcatchment 1S: Proposed Site Runoff Area=8.290 ac 73.46% Impervious Runoff Depth=3.08" Flow Length=1,249' Slope=0.0110 '/' Tc=20.6 min CN=93 Runoff=26.89 cfs 2.130 af

Pond 1P: Proposed Stormwater Storage & Peak Elev=580.41' Storage=53,427 cf Inflow=26.89 cfs 2.130 af Primary=2.60 cfs 1.948 af Secondary=0.00 cfs 0.000 af Outflow=2.60 cfs 1.948 af

Total Runoff Area = 8.290 ac Runoff Volume = 2.130 af Average Runoff Depth = 3.08" 26.54% Pervious = 2.200 ac 73.46% Impervious = 6.090 ac

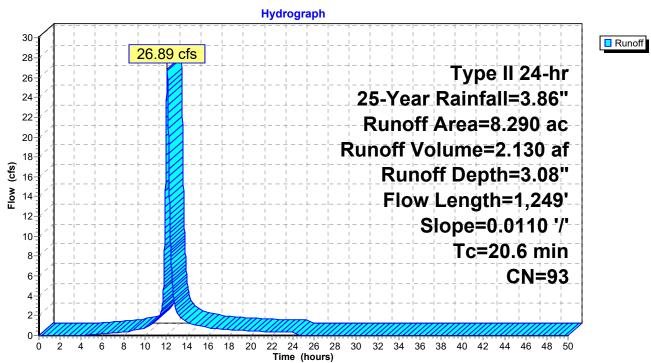
Summary for Subcatchment 1S: Proposed Site

Runoff = 26.89 cfs @ 12.13 hrs, Volume= 2.130 af, Depth= 3.08" Routed to Pond 1P : Proposed Stormwater Storage & Outlet

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-50.00 hrs, dt= 0.01 hrs Type II 24-hr 25-Year Rainfall=3.86"

	Area	(ac) C	N Des	cription		
					over, Good,	, HSG D
*	6.	090	98 Impe	ervious, HS	SG D	
8.290 93 Weighted Average					age	
	2.	200	26.5	4% Pervio	us Area	
	6.	090	73.4	6% Imperv	/ious Area	
				•		
	Tc	Length	Slope	Velocity	Capacity	Description
	(min)	(feet)	(ft/ft)	(ft/sec)	(cfs)	·
	14.1	100	0.0110	0.12		Sheet Flow, Overland - Greenspace
						Grass: Short n= 0.150 P2= 2.50"
	0.3	35	0.0110	1.69		Shallow Concentrated Flow, Overland - Greenspace
						Unpaved Kv= 16.1 fps
	6.2	1,114		3.00		Direct Entry, Pipe Flow
_	20.6	1 249	Total			

Subcatchment 1S: Proposed Site



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Summary for Pond 1P: Proposed Stormwater Storage & Outlet

Inflow Area = 8.290 ac, 73.46% Impervious, Inflow Depth = 3.08" for 25-Year event

Inflow = 26.89 cfs @ 12.13 hrs, Volume= 2.130 af

Outflow = 2.60 cfs @ 12.97 hrs, Volume= 1.948 af, Atten= 90%, Lag= 50.8 min

Primary = 2.60 cfs @ 12.97 hrs, Volume= 1.948 af

Routed to nonexistent node 1L

Secondary = 0.00 cfs @ 0.00 hrs, Volume= 0.000 af

Routed to nonexistent node 1L

Routing by Dyn-Stor-Ind method, Time Span= 0.00-50.00 hrs, dt= 0.01 hrs Peak Elev= 580.41' @ 12.97 hrs Surf.Area= 27,074 sf Storage= 53,427 cf

Plug-Flow detention time= 275.4 min calculated for 1.948 af (91% of inflow)

Center-of-Mass det. time= 230.2 min (1,026.8 - 796.6)

Volume Invert Avail.S		Avail.Sto	rage	Storage	Description	
#1	578.00' 133,738 cf		Custon	ismatic)Listed below (Recalc)		
Elevation (feet)	Surf (s	Area sq-ft)	Inc. (cubic	Store -feet)	Cum.Store (cubic-feet)	
578.00	13,265		0		0	
579.00	22,912		18	8,089	18,089	
580.00	25,824		24	4,368	42,457	
581.00	28	3,837	2	7,331	69,787	
582.00	31	,950	30	0,394	100,181	
583.00	35	5,164	33	3,557	133,738	

Device	Routing	Invert	Outlet Devices
#1	Primary	577.33'	10.0" Round Outlet Pipe
			L= 142.0' CPP, square edge headwall, Ke= 0.500
			Inlet / Outlet Invert= 577.33' / 577.05' S= 0.0020 '/' Cc= 0.900
			n= 0.013 Corrugated PE, smooth interior, Flow Area= 0.55 sf
#2	Device 1	578.50'	18.0" W x 5.0" H Vert. Orifice - Outlet Structure C= 0.600
			Limited to weir flow at low heads
#3	Device 1	580.00'	24.0" x 24.0" Horiz. Grate - Outlet Structure C= 0.600
			Limited to weir flow at low heads
#4	Secondary	582.50'	20.0' long (Profile 1) Broad-Crested Rectangular Weir
			Head (feet) 0.49 0.98 1.48
			Coef. (English) 2.92 3.37 3.59

Primary OutFlow Max=2.60 cfs @ 12.97 hrs HW=580.41' (Free Discharge)

1=Outlet Pipe (Barrel Controls 2.60 cfs @ 4.76 fps)

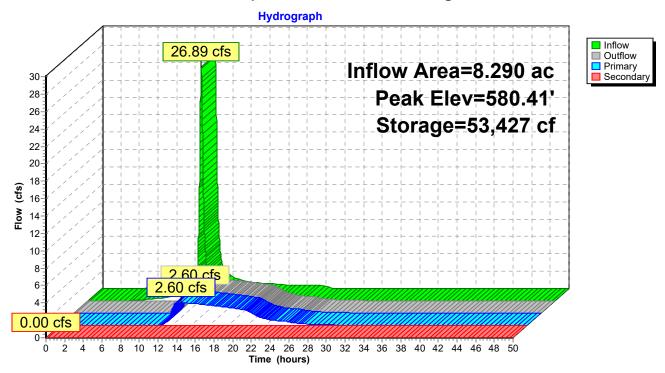
2=Orifice - Outlet Structure (Passes < 3.93 cfs potential flow)

-3=Grate - Outlet Structure (Passes < 6.99 cfs potential flow)

Secondary OutFlow Max=0.00 cfs @ 0.00 hrs HW=578.00' (Free Discharge) 4=Broad-Crested Rectangular Weir (Controls 0.00 cfs)

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Pond 1P: Proposed Stormwater Storage & Outlet



22.066 Proposed

Type II 24-hr 100-Year Rainfall=5.26"

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Time span=0.00-50.00 hrs, dt=0.01 hrs, 5001 points
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN
Reach routing by Dyn-Stor-Ind method - Pond routing by Dyn-Stor-Ind method

Subcatchment 1S: Proposed Site Runoff Area=8.290 ac 73.46% Impervious Runoff Depth=4.45" Flow Length=1,249' Slope=0.0110 '/' Tc=20.6 min CN=93 Runoff=38.07 cfs 3.077 af

Pond 1P: Proposed Stormwater Storage & Peak Elev=581.27' Storage=77,584 cf Inflow=38.07 cfs 3.077 af Primary=3.00 cfs 2.894 af Secondary=0.00 cfs 0.000 af Outflow=3.00 cfs 2.894 af

Total Runoff Area = 8.290 ac Runoff Volume = 3.077 af Average Runoff Depth = 4.45" 26.54% Pervious = 2.200 ac 73.46% Impervious = 6.090 ac

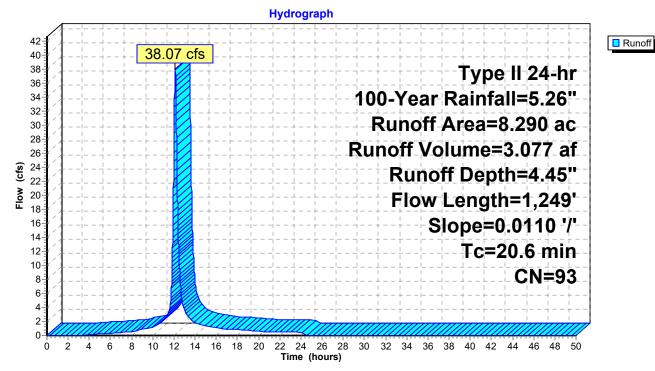
Summary for Subcatchment 1S: Proposed Site

Runoff = 38.07 cfs @ 12.12 hrs, Volume= 3.077 af, Depth= 4.45" Routed to Pond 1P : Proposed Stormwater Storage & Outlet

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-50.00 hrs, dt= 0.01 hrs Type II 24-hr 100-Year Rainfall=5.26"

	Area	(ac) C	N Des	cription		
,				% Grass co ervious, HS	over, Good, SG D	, HSG D
-	8. 2.	290 9 200	93 Weig 26.5	ghted Aver 4% Pervio	age us Area	
	_	090			vious Area	
	Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
_	14.1	100	0.0110	0.12		Sheet Flow, Overland - Greenspace Grass: Short n= 0.150 P2= 2.50"
	0.3	35	0.0110	1.69		Shallow Concentrated Flow, Overland - Greenspace Unpaved Kv= 16.1 fps
_	6.2	1,114		3.00		Direct Entry, Pipe Flow
	20.6	1.249	Total			

Subcatchment 1S: Proposed Site



22.066 Proposed

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Summary for Pond 1P: Proposed Stormwater Storage & Outlet

Inflow Area = 8.290 ac, 73.46% Impervious, Inflow Depth = 4.45" for 100-Year event

Inflow = 38.07 cfs @ 12.12 hrs, Volume= 3.077 af

Outflow = 3.00 cfs @ 13.16 hrs, Volume= 2.894 af, Atten= 92%, Lag= 62.1 min

Primary = 3.00 cfs @ 13.16 hrs, Volume= 2.894 af

Routed to nonexistent node 1L

Secondary = 0.00 cfs @ 0.00 hrs, Volume= 0.000 af

Routed to nonexistent node 1L

Routing by Dyn-Stor-Ind method, Time Span= 0.00-50.00 hrs, dt= 0.01 hrs Peak Elev= 581.27' @ 13.16 hrs Surf.Area= 29,667 sf Storage= 77,584 cf

Plug-Flow detention time= 319.6 min calculated for 2.894 af (94% of inflow)

Center-of-Mass det. time= 285.5 min (1,072.4 - 786.9)

Volume	Invert	Avail.S				
#1	578.00' 133,738 cf		,738 cf	Custo	rismatic)Listed below (Recalc)	
Elevation (feet)		.Area sq-ft)		.Store c-feet)	Cum.Store (cubic-feet)	
578.00	13	3,265		0	0	
579.00	22	2,912	1	8,089	18,089	
580.00	25	5,824	2	24,368	42,457	
581.00	28	3,837	2	27,331	69,787	
582.00	31	1,950	3	30,394	100,181	
583.00	35	5,164	3	3,557	133,738	

Device	Routing	Invert	Outlet Devices
#1	Primary	577.33'	10.0" Round Outlet Pipe
			L= 142.0' CPP, square edge headwall, Ke= 0.500
			Inlet / Outlet Invert= 577.33' / 577.05' S= 0.0020 '/' Cc= 0.900
			n= 0.013 Corrugated PE, smooth interior, Flow Area= 0.55 sf
#2	Device 1	578.50'	18.0" W x 5.0" H Vert. Orifice - Outlet Structure C= 0.600
			Limited to weir flow at low heads
#3	Device 1	580.00'	24.0" x 24.0" Horiz. Grate - Outlet Structure C= 0.600
			Limited to weir flow at low heads
#4	Secondary	582.50'	20.0' long (Profile 1) Broad-Crested Rectangular Weir
			Head (feet) 0.49 0.98 1.48
			Coef. (English) 2.92 3.37 3.59

Primary OutFlow Max=3.00 cfs @ 13.16 hrs HW=581.27' (Free Discharge)

1=Outlet Pipe (Barrel Controls 3.00 cfs @ 5.51 fps)

2=Orifice - Outlet Structure (Passes < 4.81 cfs potential flow)

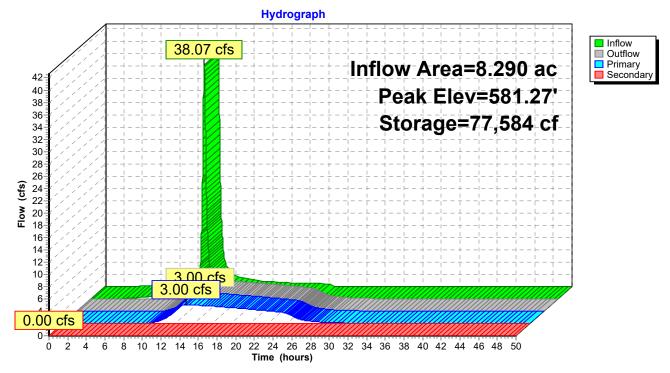
-3=Grate - Outlet Structure (Passes < 21.68 cfs potential flow)

Secondary OutFlow Max=0.00 cfs @ 0.00 hrs HW=578.00' (Free Discharge) 4=Broad-Crested Rectangular Weir (Controls 0.00 cfs)

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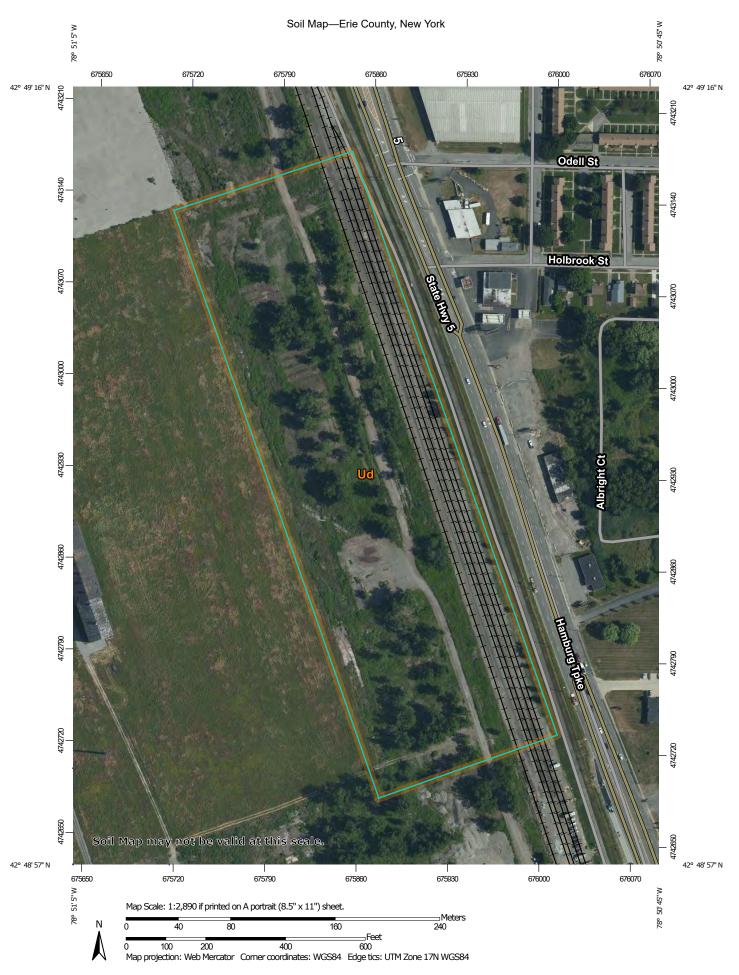
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Pond 1P: Proposed Stormwater Storage & Outlet



Appendix C

Web Soil Survey - Hydrologic Soils Group



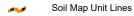
MAP LEGEND

Area of Interest (AOI)

Area of Interest (AOI)

Soils

Soil Map Unit Polygons



Soil Map Unit Points

Special Point Features

Blowout

Borrow Pit

Clay Spot

Closed Depression

Gravel Pit

... Gravelly Spot

Candfill

Lava Flow

Marsh or swamp

24

Miscellaneous Water

Mine or Quarry

Perennial Water

Rock Outcrop

Sandy Spot

Severely Eroded Spot

Saline Spot

Sinkhole

Slide or Slip

Sodic Spot

LOLIND

Spoil Area

Stony Spot

Wery Stony Spot

Wet Spot
Other

Special Line Features

Water Features

Δ

Streams and Canals

Transportation

Rails

Interstate Highways

US Routes

Major Roads

Local Roads

Background

Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:15.800.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service

Web Soil Survey URL:

Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Erie County, New York Survey Area Data: Version 22, Sep 10, 2022

Soil map units are labeled (as space allows) for map scales 1:50.000 or larger.

Date(s) aerial images were photographed: Jul 14, 2019—Jul 27, 2019

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
Ud	Urban land	17.0	100.0%
Totals for Area of Interest		17.0	100.0%

Appendix D

Sanitary Sewer & Water Demand Calculations

CARMINA WOOD MORRIS, D.P.C.

487 MAIN STREET, SUITE 600 BUFFALO, NEW YORK, 14203 (716) 842-3165

(716) 842-3165 FAX (716) 842-0263 Project No.: 22.066 Date: 2/28/2023

Project Name: Proposed Warehouse

Project Address: 2 Steelworkers Way, Lackawanna NY

Subject: Sanitary Sewage & Domestic Water Demand Calcs

Sheet: 1 of 1

	1 AX (710) 04.	2-020				OII	CCI.		1 () I	 	
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Sanitary	Sewage Demand	Caicu	liation	<u>s:</u>								
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<u>i iopc</u>	Jaca Warenouse.											
	40 employees		@	15	5 gpd/emp	olovee	=	600) gpd			
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					Total De	<u>emand</u>	=	600	<u>gpd</u>			
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<u>Propo</u>	osed Warehouse:						ļ	ļ			 	
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	$H_L = \frac{10.44 L Q}{21.85 - 4.8}$	866	= 10.	44(12	85 (2.4.866	- = 0.	.00 ft	= 0	.00 psi			
	C1.00 D4.0		(1	140)''	(8)4.000						 	
					:	located	inside	HotBo))			
	Loss through mete	er =	1	psi :								
	Loss through RPZ Total Losse	. – . –	14 7	psi nei								
	Static Pressure					drant flo	w test					
									(availahle	after rpz & meter)		
	Tresidual Freedam	, , 0,,0	wiiig i	\	100 1		<u>50.0</u>	Poi	(available	and the amount		
							ğ			āāāāāā		
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							ğ				 	

Appendix E ECWA Flow Test & Record Map

HAMBURG TPKE & DONA ST., LACY





Legend:

Parcels



Print Date: 4/12/2021

Residual Hydrant: G14D47A Test Date/Time: 4/08/2021 14:16

Location....: DONA ST

1ST HYD SW/O HAMBURG TPKE

CITY OF LACKAWANNA

Size of Main/Branch: 16"/6" Fire District: 99999

Water District: 002 ECWA ARKA IN LACKAWANNA

Performed By: DWP/MES

Comments: HYDRANT FLOW TEST REQUESTED BY C.WOOD, CARMINA WOOD MORRIS,

EMAIL: CWOOD@CWM-AE.COM

CW #56028

Dischrge Coef: 090 Elvtn Usgs(ft): Static(psi): 100 Residual(psi): 67 Required Residual Pressure(psi): 20
Gallons Used..: 6,240 Total Flow(gpm): 2,068 Flow at Reqd Resid Pressure: 3,336

Flow Hydrants:

Flow Hyd Location G14 D53 DONA ST

Main/Brnch 16"/6" 1: 2.50 38.0 1,034
SW/O HAMBURG TPKE 2: 2.50 38.0 1,034
3: Total Flow: 2,068

2ND HYD SW/O HAMBURG TPKE

Hydrant Flow Test Inquiry -- Hydrant: G14D64 Test Date/Time: 2/26/2013 10:15 2600 HAMBURG TPKE Side: NE Location: 1ST HYD N/O MADISON AVE CHI 095-B ARM

Address:

LACKAWANNA

Water District: 002 ECWA AREA IN LACKAWANNA Si ze of Mai n/Branch: 16"/6" Fi re District: 99999

Comments: HYDRANT FLOW TEST REQUESTED BY ROBERT KLAVOON Performed By: BM, RLS WENDEL ENGINEERING PHONE: 688-0766, FAX: 625-6825

Dischrge Coef: .90 Elvtn Usgs(ft):

Static(psi): 104 Residual(psi): 88 Required Residual Pressure(psi): 20 6,660 Total Flow(gpm): 2,224 Flow at Reqd Resid Pressure: 5,445 Gallons Used..: 6, 660 Flow Hydrants:

Mai n/Brnch Nzle Size Pitot Flow Comments

C Flow Hyd Flow Hydrant Address

— G14 D38 2470 HAMBURG TPKE 16"/6"

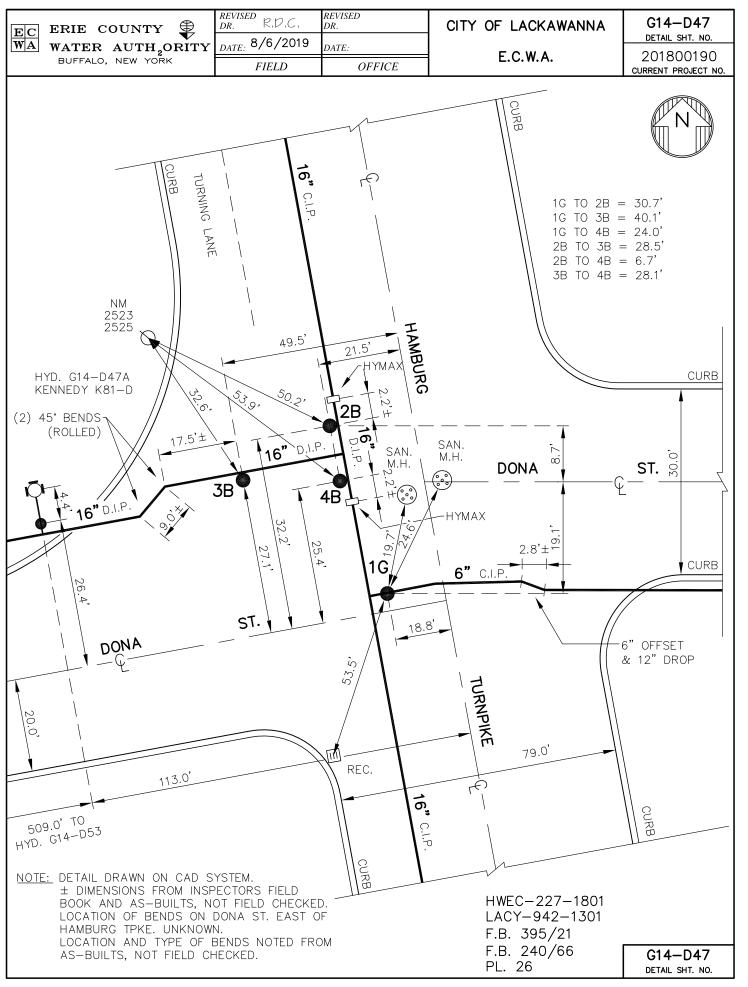
1: 2.50 44.0 1,112 2: 2.50 44.0 1,112 2ND HYD N/O DONA

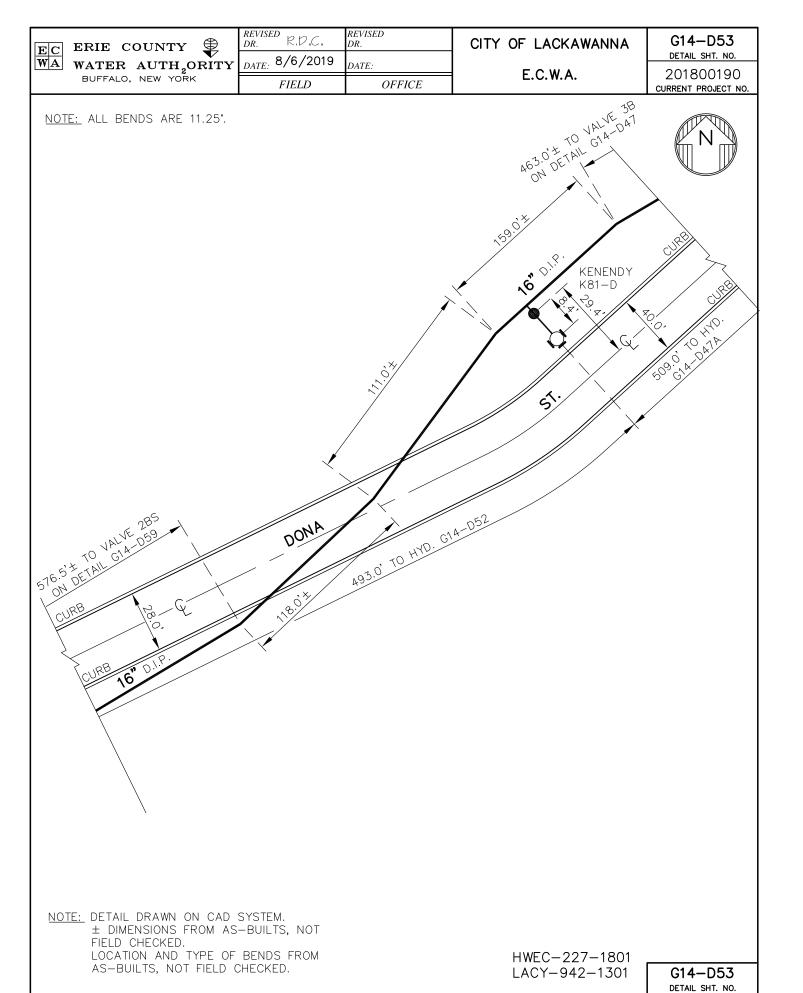
Tot Flow: 2, 224

Bottom

I=Flow Hydrant Inquiry

ENTER=Continue F3=Exit F6=Maintain Test F7=Test Hydrant Inquiry F15=Print Test Information





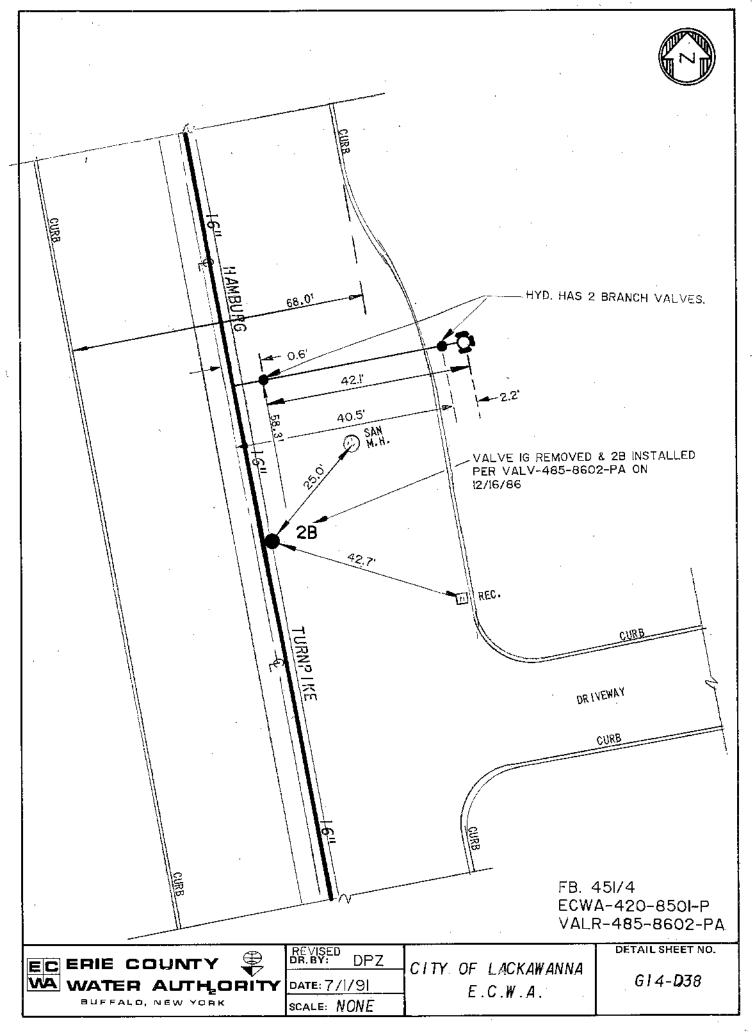


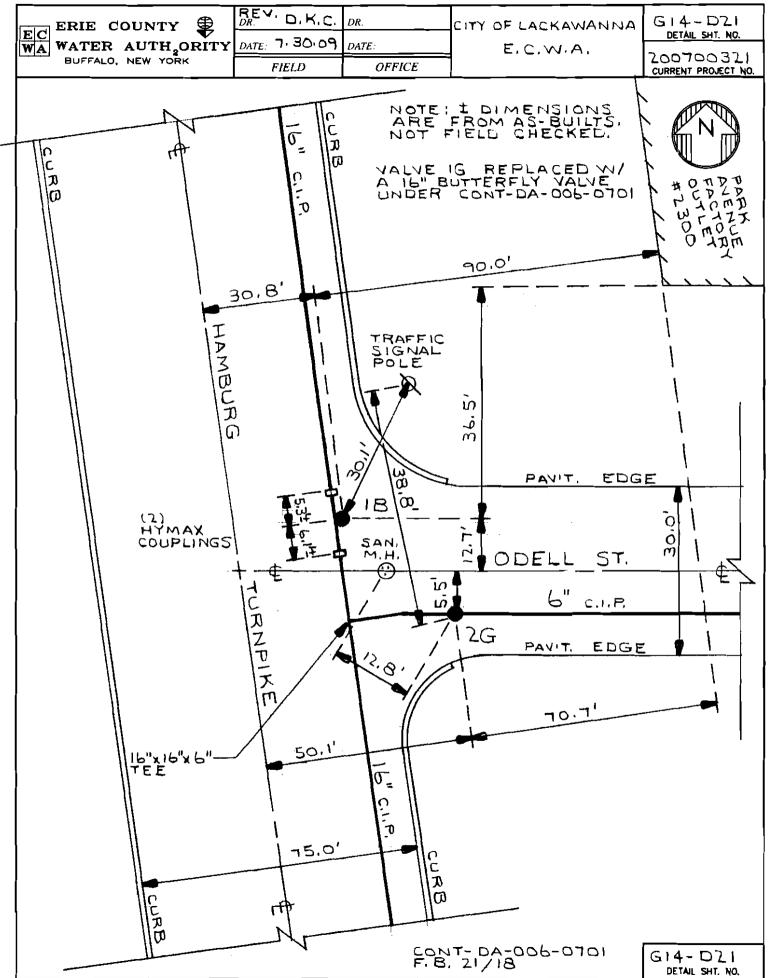
Hamburg Turnpike & Dona St., LACY





Erie County Water Authority Buffalo, New York





MASTER COPY

Hydrant FLow Test

Print Date: 2/21/2023

Residual Hydrant: G14D38 Test Date/Time: 8/19/2021 09:45

Location....: 2470 HAMBURG TPKE

2ND HYD N/O DONA

CITY OF LACKAWANNA

Size of Main/Branch: 16"/6" Fire District: 99999 Water District: 002 ECWA AREA IN LACKAWANNA

Performed By: MED/CDB/DWP Comments: HYDRANT FLOW TEST REQUESTED BY W.WHEELER/L.KOWALSKI, ECWA

EMAIL: WWHEELER@ECWA.ORG LKOWALSKI@ECWA.ORG

CW #62121

Dischrge Coef: 090 Elvtn Usgs(ft): Static(psi): 107 Residual(psi): 87 Required Residual Pressure(psi): 20
Gallons Used..: 6,060 Total Flow(gpm): 2,014 Flow at Reqd Resid Pressure: 4,455

Flow Hydrants:

Flow Hyd Location Main/Brnch Nzle Size Pitot Flow Comments

G14 D22B HOLBROOK ST 6"/6" 1: 2.50 36.0 1,007

C/O HAMBURG TPKE 2: 2.50 36.0 1,007

3: Total Flow: 2,014

Appendix F

Backflow Prevention Device Specifications

Job Name	Contractor	
Job Location	Approval	_
Engineer	Contractor's P.O. No.	_
Approval	Representative	

LEAD FREE*

Series 957, 957N, 957Z

Reduced Pressure Zone Assemblies

Sizes: 21/2" - 10"

Series 957, 957N, 957Z Reduced Pressure Zone Assemblies provide protection to the potable water system from contamination in accordance with national plumbing codes. Series 957, 957N, 957Z are normally used in health hazard applications for protection against backsiphonage or backpressure.

Series 957 is also available with SentryPlusTM Alert technology to detect catastrophic relief valve discharge that could potentially cause flooding, and issue a multi-channel alert (call, email, text) to selected users so they can take action to avoid potentially costly flooding.

Features

- 2½", 3" and 4" sizes available with quarter-turn ball valve shutoffs
- · Replaceable check disc rubber
- · Extremely compact design
- 70% Lighter than traditional designs
- 304 (Schedule 40) stainless steel housing & sleeve
- · Groove fittings allow integral pipeline adjustment
- · Patented torsion spring checks provide lowest pressure loss
- · Unmatched ease of serviceability
- · Bottom mounted cast stainless steel relief valve
- · Available with grooved butterfly valve shutoffs

957OSY 957ZBFG



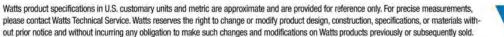
NOTICE

The information contained herein is not intended to replace the full product installation and safety information available or the experience of a trained product installer. You are required to thoroughly read all installation instructions and product safety information before beginning the installation of this product.

NOTICE

Inquire with governing authorities for local installation requirements

*The wetted surface of this product contacted by consumable water contains less than 0.25% of lead by weight.





Specifications

The Reduced Pressure Zone Assembly shall consist of two independent torsion spring check modules, a differential pressure relief valve located between and below the two modules, two drip tight shutoff valves, and required torsion spring check modules and relief valve shall be contained with a sleeve accessible single housing constructed from 304 (Schedule 40) stainless steel pipe with groove end connections. Torsion spring checks shall have replaceable elastomer discs and in operation produce drip tight closure against the reverse flow of liquid caused by backpressure or backsiphonage. Assembly shall be a Watts Regulator Company Series 957, 957N, 957Z.

NOTICE

When installing a drain line on Series 957 backflow preventers, use 957AG air gaps. See ES-AG/EL/TC for additional information.

Available Models & Options

Suffix:

NRS – non-rising stem, resilient seated gate valves
OSY – UL/FM outside stem and yoke resilient seated gate valves

BFG – UL/FM grooved gear operated butterfly valves with tamper switch

QT – 2½" - 4" (65 - 100mm) quarter-turn ball valves
*OSY FxG – Flanged inlet gate connection and grooved outlet

"OSY FxG – Flanged inlet gate connection and grooved outle gate connection

**OSY GxF - Grooved inlet gate connection and flanged outlet gate connection

***OSY GxG -Grooved inlet gate connection and grooved outlet gate connection

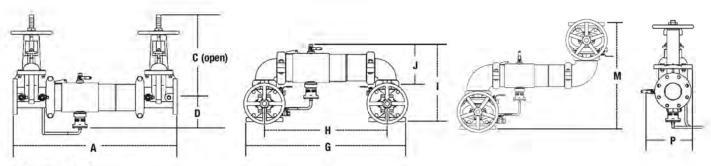
****ALERT with SentryPlus™ Alert flood detection system

*Available with grooved NRS gate valves - consult factory

**Post indicator plate and operating nut available - consult factory

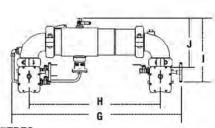
***Consult factory for dimensions

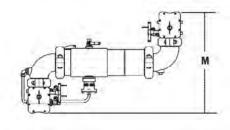
**** Not available with the 957N or 957Z

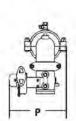


957, 957N, 957Z

SIZE	DIMENSIONS																WEIGHT											
	1	4	C (0	OSY)	C (NF	RS)	0		(ì		Н	1	1-	J		1	N	Р		957	NRS	957	OSY	957N	NRS	957N	I OSY
in.	ìn.	mm	in.	mm	in.	mm	in.	mm	in.	mm	in.	mm	in.	mm	in.	mm	in.	mm	in.	mm	lbs.	kgs.	lbs.	kgs.	lbs.	kgs.	lbs.	kgs.
21/2	303/4	781	163/8	416	93/8	238	61/2	165	291/16	738	211/2	546	151/2	393	813/16	223	211/4	540	93/16	234	118	54	128	58	126	57	136	62
3	313/4	806	187/8	479	101/4	260	611/16	170	301/4	768	221/4	565	171/8	435	93/16	233	23	584	101/2	267	134	61	148	67	147	67	161	73
4	33¾	857	223/4	578	123/16	310	7	178	33	838	231/2	597	181/2	470	915/16	252	261/4	667	113/16	284	164	74	164	74	187	85	187	85
6	431/2	1105	301/8	765	16	406	81/2	216	443/4	1137	331/2	851	233/16	589	131/16	332	341/4	870	15	381	276	125	298	135	317	144	339	154
8	493/4	1264	373/4	959	1915/16	506	911/16	246	541/8	1375	401/8	1019	277/16	697	1511/16	399	361/8	937	173/16	437	441	200	483	219	516	234	558	253
10	573/4	1467	453/4	1162	2313/16	605	113/16	285	66	1676	491/2	1257	321/2	826	175/16	440	441/2	1124	20	508	723	328	783	355	893	405	950	431







957NBFG, 957ZBFG

SIZE	DIMENSIONS														
	(3	Н		1		J	h "	M		P	957N/957Z			
in.	in.	mm	in.	mm	in.	mm	in.	mm	in.	mm	in.	mm	lbs.	kgs.	
21/2	321/2	826	23	584	151/2	394	91/2	241	19¾	502	1113/16	300	67	30	
3	34	864	24	610	165/16	414	101/16	256	211/4	540	121/8	308	70	32	
4	35%	905	251/2	648	173/16	437	1015/16	279	231/2	597	125/8	321	87	39	
6	461/2	1181	351/4	895	201/2	521	131/2	343	271/4	692	15	382	160	73	

Dimensions - Weight

Materials

Housing & Sleeve: 304 (Schedule 40) Stainless Steel

Elastomers: EPDM, Silicone and Buna-N Torsion Spring Checks: Noryl®, Stainless Steel Check Discs: Reversible Silicone or EPDM Test Cocks: Lead Free* Bronze Body Pins & Fasteners: 300 Series Stainless Steel

Springs: Stainless Steel

Pressure - Temperature

Temperature Range: 33°F - 140°F (0.5°C - 60°C) Maximum Working Pressure: 175psi (12.1 bar)

Approvals

- Approved by the Foundation for Cross-Connection Control and Hydraulic Research at The University of Southern California (FCCCHR-USC) (Excluding 'N' Pattern - 10", 'Z' Pattern - 6" and 10")
- AWWA C511-97





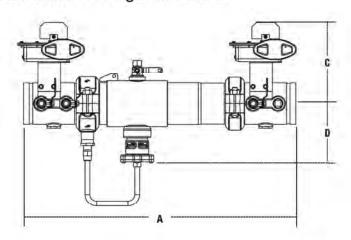


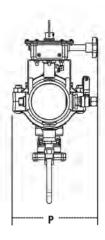




For additional approval information please contact the factory or visit our website at Watts.com

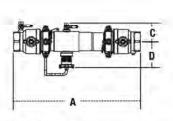
Dimensions - Weight continued



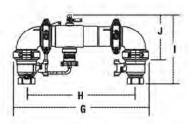


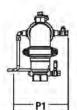
957 BFG

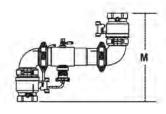
SIZE		WEIGHT									
	A	V	(D		P			-	
in.	in.	mm	in.	mm	in.	mm	in.	mm	lbs.	kgs	
4	29	737	73/4	197	6%	162	91/2	241	66	30	
6	361/2	927	911/16	246	71/16	189	141/4	362	122	55	











957QT

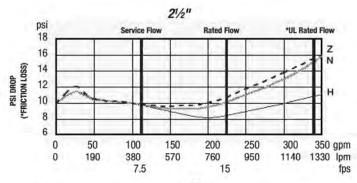
SIZE	10.										DIMENS	IONS										WE	GHT	
	A		A C		D		G		Н		1-		J		М		P		P1		QT		QTN	
in.	in.	mm	ìn.	mm	in.	mm	in.	mm	in.	mm	in.	mm	in.	mm	in.	mm	in.	mm	in.	mm	lbs.	kgs.	lbs.	kgs.
21/2	271/2	698	47/8	124	67/8	175	301/4	768	211/2	546	16 1/16	407	113/8	289	197/8	505	115/16	287	115/16	287	46	21	57	26
3	28	711	47/8	124	67/8	175	301/4	768	221/4	565	169/16	420	113/8	289	207/8	531	115/16	287	115/16	287	56	25	67	30
4	283/4	730	47/8	124	67/8	175	301/4	768	231/2	597	185/16	465	113/8	289	243/8	619	115/16	287	115/16	287	76	34	87	39

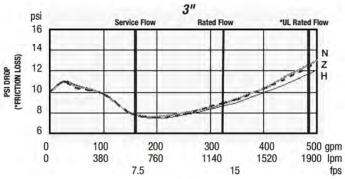
Capacity

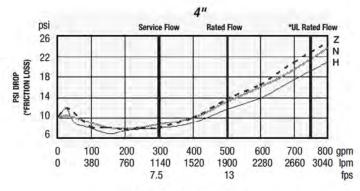
Series 957, 957N, 957Z flow curves as tested by Underwriters Laboratory.

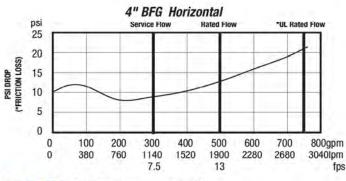
Flow characteristics collected using butterfly shutoff valves

_____ Horizontal _____ N-Pattern ____ Z-Pattern



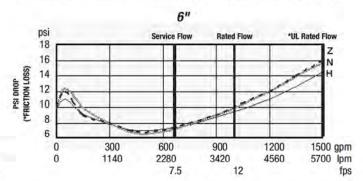


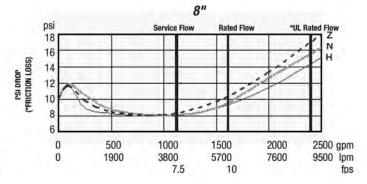


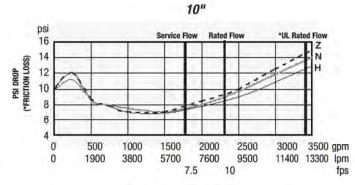


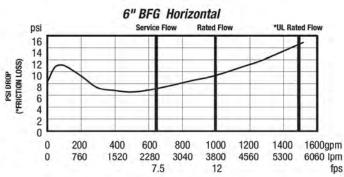
Flow capacity chart identifies valve performance based upon rated water velocity up to 25fps

- Service Flow is typically determined by a rated velocity of 7.5fps based upon schedule 40 pipe.
- Rated Flow identifies maximum continuous duty performance determined by AWWA.
- UL Flow Rate is 150% of Rated Flow and is not recommended for continuous duty.
- AWWA Manual M22 [Appendix C] recommends that the maximum water velocity in services be not more than 10fps.











Appendix G ECSD6 GIS & Record Maps









Appendix H Private Sanitary Sewer Pump Station

LSG200-SERIES

Omnivore® Grinders





2 hp 1-1/4" Discharge

Features

- Patented V-Slice®
 Cutter Technology
- One-piece uni-body casting
- Stainless-steel impeller
- Quick-connect power cord
- Internal or external capacitor models available
- 300 Series SS rotor shaft











LSG200-Series

Liberty Pumps LSG200-Series Grinder Pumps meet the demanding needs of commercial and residential sewage applications where difficult solids handling ability is crucial. The LSG200-Series features a superior cutting system made of hardened 440 stainless steel – Rockwell C 58, for shearing solids into small particles prior to being passed to the discharge by the impeller under high pressure. Applications include individual or groups of homes, motels, schools, shopping centers, lakefront developments and systems requiring high pressure sewage pumping.

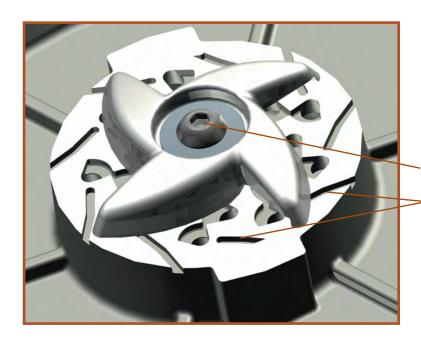


Features

- 2 hp, heavy-duty motor oil-filled, thermally protected
- Upper and lower ball bearings
- One-piece uni-body cast iron housing
- 300 Series SS rotor shaft
- 316 Stainless-steel impeller
- Dual seals Upper seal is unitized durable silicon carbide. Lower seal is Viton® double-lip. (Lower seal ensures that all debris is kept away from upper seal)
- Motor windings insulated to Class B (130°C)
- Advanced V-Slice® Cutter Technology made of hardened 440 stainless steel – Rockwell C 58

- Horizontal 1-1/4" FNPT discharge
- Back vanes on impeller and spiraled bottom plate for superior solids clearing
- Stainless-steel fasteners
- Clog-free volute design
- Designed for maximum heat dissipation and cool motor operating temperatures
- Solid state starting circuit no mechanical relay coil
- Quick-connect 25' power cord
- Piggyback plug with wide-angle float switch (on automatic model) eliminates need for expensive panel

Viton® is a registered trademark of DuPont Dow Elastomers LLC.



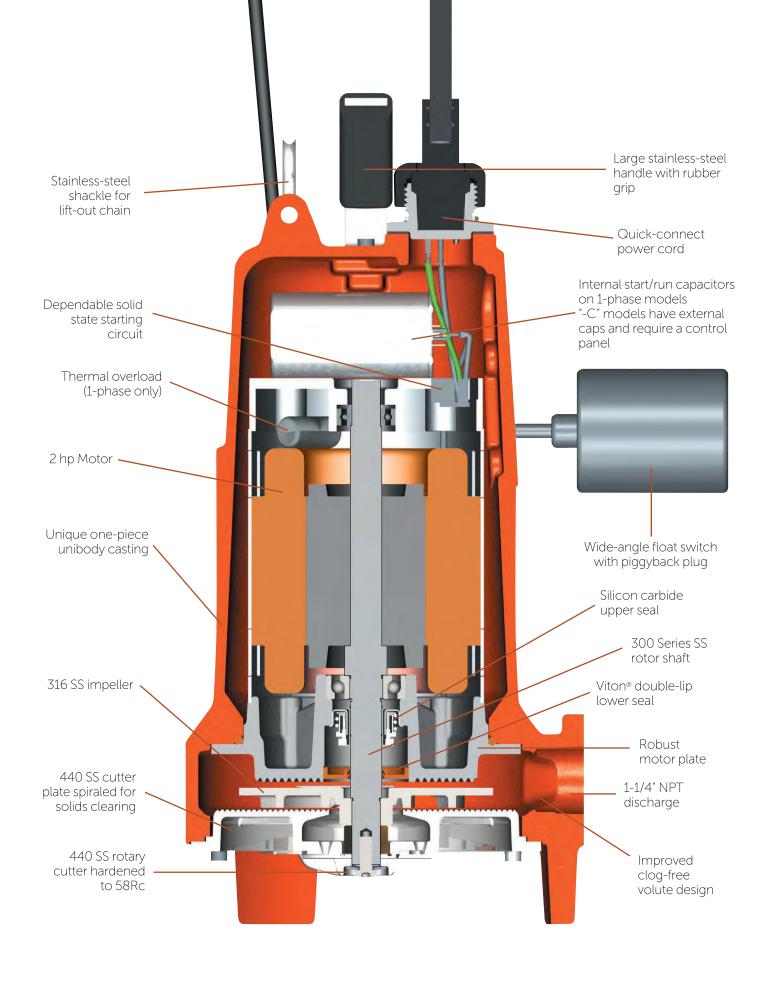
V-Slice® Cutter Technology

Superior cutting system provides improved shredding performance over radial cutters. V-pattern provides up to 108 alternated cuts per revolution. Entire cutting system made of 440 stainless steel hardened to 58Rc.

Recessed cutter bolt eliminates wadding

Exclusion cleanout slots and back relief clears debris from under cutter

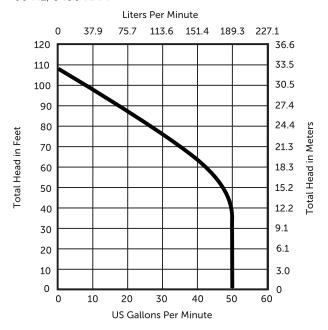
Patent: See www.LibertyPumps.com/patents



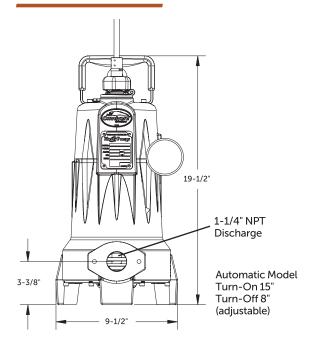
LSG200-Series

Performance Curve

60 Hz, 3450 RPM



Dimensional Data



Models

	MODEL	HP	VOLTS	PHASE	HZ	AMPS	LOCKED ROTOR AMPS	DISCHARGE	FLOAT SWITCH	WEIGHT	
	LSG202A	2	208-230	1	60	15	53	1-1/4"	Yes	86 lbs	
	LSG202A-5-Y	2	208-230	1	60	15	53	1-1/4"	Yes	86 lbs	
>	- LSG202M	2	208-230	1	60	15	53	1-1/4"	No	84 lbs ·	<
	LSG202M-C	2	208-230	1	60	15	53	1-1/4"	No	84 lbs	
	LSG203M	2	208/230	3	60	10.6	62	1-1/4"	No	84 lbs	
	LSG204M	2	440-480	3	60	5.3	31	1-1/4"	No	84 lbs	
	LSG205M	2	575	3	60	4.9	31	1-1/4"	No	84 lbs	

 $¹⁻phase\ models\ are\ thermally\ protected.\ 3-phase\ models\ require\ a\ properly\ sized\ control\ panel.\ Maximum\ fluid\ temperature\ 140^{\circ}\ F.$

LSG202M and LSG202A feature internal capacitors and do not require a separate control panel for operation. LSG202M-C features external capacitors, requiring a panel with appropriately sized start and run capacitors.

Options for LSG202M-C: External Cap Grinder

MODEL	DESCRIPTION
K001316	Start/Run Capacitor Kit for retrofit in existing panels
SXHC24=3-3	Simplex NEMA 4X Panel with start/run capacitors
AE24HC=3-3	Duplex NEMA 4X Panel with start/run capacitors

For complete panel specifications, see SX or AE-series literature. 25' cord standard on all models. LSG202M-C features 35' cord standard. Y-cord models have a 50' cord.

GR20 Guide Rail Base

(GR20 option sold separately)







- Cast Iron construction
- Single 1-1/4" guide rail pipe design
- Auto alignment feature
- GR20 works only with LSG-Series pumps
- Upper rail support bracket

^{*}Models with "Y" suffix feature 50' integrated y-cord with float switch and bare leads.

AE-SERIES

Duplex Pump Controls



A Family and Employee Owned Company

AE-Series duplex panels control two 1-phase or 3-phase pumps in water and sewage installations. This panel includes a new **innovative duplex controller** for pump control, alternation and alarm; including float switch status LEDs, control/alarm power ON/OFF switch with LED indicator, pump run LEDs, HOA switches, pump lead/lag selector switch, auxiliary contacts and more.

The control panel features built-in lag pump delay time, pump failure detection, and float switch out-of-sequence notification. In addition, there are user-selectable field programmable operations: alarm steady-state or flashing; alarm auto reset or manual reset; pump failure notification.





Components

- Newly designed larger NEMA 4X enclosure for indoor/ outdoor use
 - a. Drip shield
 - b. Heavy-duty wide clamping securable latches (2)
 - c. Stainless steel 1/4 turn cover set screw
 - d. Low profile hinged lockable cover
 - e. Integral mounting flanges
- 2. Duplex Controller
 - a. Pump HOA switches with green/red LED indicators
 - b. Control power ON/OFF switch
 - c. Power ON green LED indicator
 - d. Float switch status red LED indicators

- e. Float switch push-to-test buttons
- f. Pump selector switch
- g. Auxiliary alarm contacts
- h. Terminal blocks for incoming power and float switches
- Magnetic motor contactors control pumps by switching electrical lines
- Circuit breakers provides pump disconnect and branch circuit protection
- 5. Ground lugs
- 6. Red LED alarm beacon
- 7. Alarm horn
- 8. Exterior alarm test/normal/silence switch



AE-Series Duplex Pump Controls

Standard Features

Enclosure*: 12" x 10" x 6"; NEMA 4X – ultraviolet stabilized thermoplastic for outdoor use; NEMA 1 – metal for indoor use. Certain options may increase enclosure size.

Magnetic Motor Contactor: Controls pump by switching hot electrical lines.

HDA Switches: Offer manual operation of pumps (on circuit board)

Green Pump Run Indicators: On circuit board **Control DN/DFF Switch:** On circuit board **Float Switch Terminal Block:** On circuit board

Control/Alarm Auto Reset Fuses

Control/Alarm Power ON Indicator: On circuit board.

Float Switch Status Indicators: Stop, lead, lag/alarm, alarm mounted on circuit board. Float switch push-to-test buttons.

Circuit Breakers: Provide pump disconnect and branch circuit protection.

Connection Terminal Block

Auxiliary Contacts

Ground Lug

Alarm Package: NEMA 4X = red beacon and horn (83 to 85 dB), exterior test/normal/silence switch.

NEMA 1: Door mounted red indicator and buzzer mounted internally (83 to 85 dB), exterior test/normal/silence switch.

MODEL	VOLTS	PHASE	FULL LOAD AMPS (Must match pumps)	ENCLOSURE TYPE	FLOAT SWITCHES	
1-Phase	'					
AE21L=3	120/208/240	1	0 - 14.9A	NEMA 1	3	
AE21H=3	120/208/240	1	15 - 20A	NEMA 1	3	
AE21L=4	120/208/240	1	0 - 14.9A	NEMA 1	4	
AE21H=4	120/208/240	1	15 - 20A	NEMA 1	4	
AE24L=3	120/208/240	1	0 - 14.9A	NEMA 4X	3	
→ AE24H=3	120/208/240	1	15 - 20A	NEMA 4X	3 ←	
***AE24HC=3-3	120/208/240	1	15 - 20A	NEMA 4X	3	
AE24L=4	120/208/240	1	0 - 14.9A	NEMA 4X	4	
AE24H=4	120/208/240	1	15 - 20A	NEMA 4X	4	
3-Phase**						
AE34=3-131	208/240/480	3	1.6 - 2.5A	NEMA 4X	3	
AE34=3-141	208/240/480	3	2.5 - 4.0A	NEMA 4X	3	
AE34=3-171	208/240/480	3	4.0 - 6.3A	NEMA 4X	3	
AE34=3-191	208/240/480	3	6 - 10A	NEMA 4X	3	
AE34=3-511	208/240/480	3	9 - 14A	NEMA 4X	3	
AE34=4-131	208/240/480	3	1.6 - 2.5A	NEMA 4X	4	
AE34=4-141	208/240/480	3	2.5 - 4.0A	NEMA 4X	4	
AE34=4-171	208/240/480	3	4.0 - 6.3A	NEMA 4X	4	
AE34=4-191	208/240/480	3	6 - 10A	NEMA 4X	4	
AE34=4-511	208/240/480	3	9 - 14A	NEMA 4X	4	
AE54=3-121	575	3	1.6 - 2.5A	NEMA 4X	3	
AE54=4-121	575	3	1.6 - 2.5A	NEMA 4X	4	
AE54=3-151	575	3	2.5 - 4.0A	NEMA 4X	3	
AE54=3-161	575	3	4.0 - 6.3A	NEMA 4X	3	
AE54=4-151	575	3	2.5 - 4.0A	NEMA 4X	4	
AE54=4-161	575	3	4.0 - 6.3A	NEMA 4X	4	

^{35&#}x27; and 50' cord lengths available. Add "-3" or "-5" suffix to model number. Example: AE21L=3-3 for 35' cord.

NDTE: AE-Series panels come with variable amp ranges and must be ordered with the correct matching full load amp to that of the pump(s) being used. Use the chart above to select the proper amp range or consult the factory for technical assistance.

Float Switch Specifications

All standard duplex panels come equipped with (3) or (4) mercury-free pilot-duty float switches (depending on model). 20' cord standard. Optional lengths available. External weights or pipe clamp mounts required.

Cable: Flexible 18 gauge, 2 conductor **Electrical:** 5A, 120/230 VAC, 50/60 Hz

Float Switch: High impact PVC **Maximum fluid temperature:** 140°F

Liberty Pumps can customize a panel to your specific pump needs. Please contact us for available options and ordering information. 800-543-2550

^{* 3-}phase panels measure 14" x 12" x 6". Multi-tap transformer (208/240/480 VAC primary) provides 120V control voltage. Motor protective switch provides adjustable overload, branch circuit protection and bump disconnect.

^{** 3-}phase panels come equipped with thermal overload protection that must be properly sized to the pump's full load run amps. Please consult factory for proper panel selection. All 3-phase "standard" panels come with NEMA 4X enclosure.

^{***} AE24HC=3-3 includes start/run capacitors and start relay for use with LSG202M-C and LSGX202M-C models.

Liberty Pumps



Grinder Pump Accessories

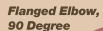


For Standard Locations (Fits LSG and LSGX-Series Pumps)



Model GR20NS

Features a non-sparking bronze claw for installation in hazardous locations (Fits XLSG and XLSGX-Series Pumps)





GR20-Series Guide Rail Base For Omnivore® Grinders

All GR20 models feature:

 Single guide pipe design with auto-align feature

 Powder coated for corrosion resistance Heavy nitrile sealing grommet

 Includes: mating flange, upper rail support bracket, stainless steel bolts and sealing grommet

Model GR

R20 Standard Location
• For LSG and LSGX-Series

All cast iron

1-1/4" guide pipe threads FNPT

• 1-1/4" discharge threads FNPT

For XLSG and XLSGX-Series

Cast iron base with bronze

(non-sparking) mating claw

1-1/4" guide pipe threads FNPT

• 1-1/4" discharge threads FNPT

British Parallel Thread Model GR20-BSP

For LSG and LSGX-Series

All cast iron

• 1-1/4" guide pipe threads BSP

• 1-1/4" discharge threads BSP

G90-Series Flanged Elbow, 90 Degree

Fits all Omnivore® Series Grinders

Provides vertical discharge for

non-guide rail installations
• 1-1/4" female threaded outlet

Heavy cast iron construction

Powder coated for corrosion resistance

Includes sealing grommet and stainless steel bolts

Model G90 1-1/4" FNPT Model G90-BSP 1-1/4" British parallel thread

ACV-Series Anti-siphon Check Valve

• 1-1/4" threaded female connections

Heavy cast iron construction

Integrated heavy weight nitrile ball check valve

 Anti-siphon feature breaks suction to prevent unwanted tank siphonage

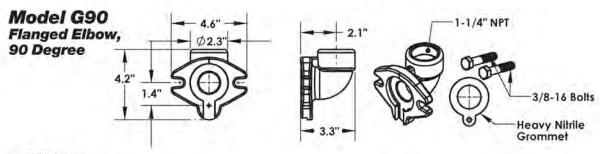
• 125 PSI rated

Model ACV125 1-1/4" FNPT 1-1/4" British parallel thread

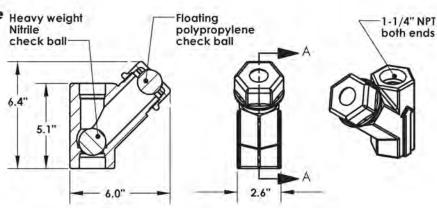
innovate./evol

Grinder Pump Accessories

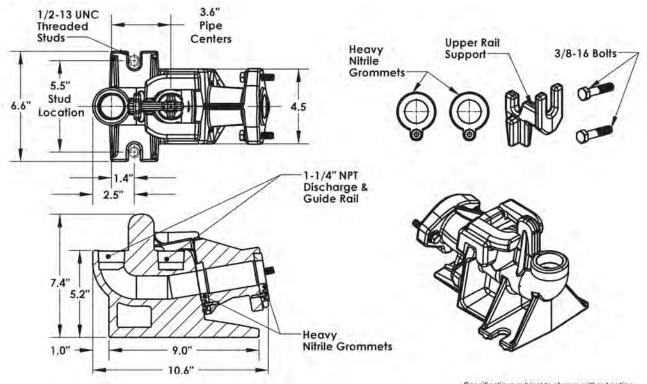
DIMENSIONAL DATA



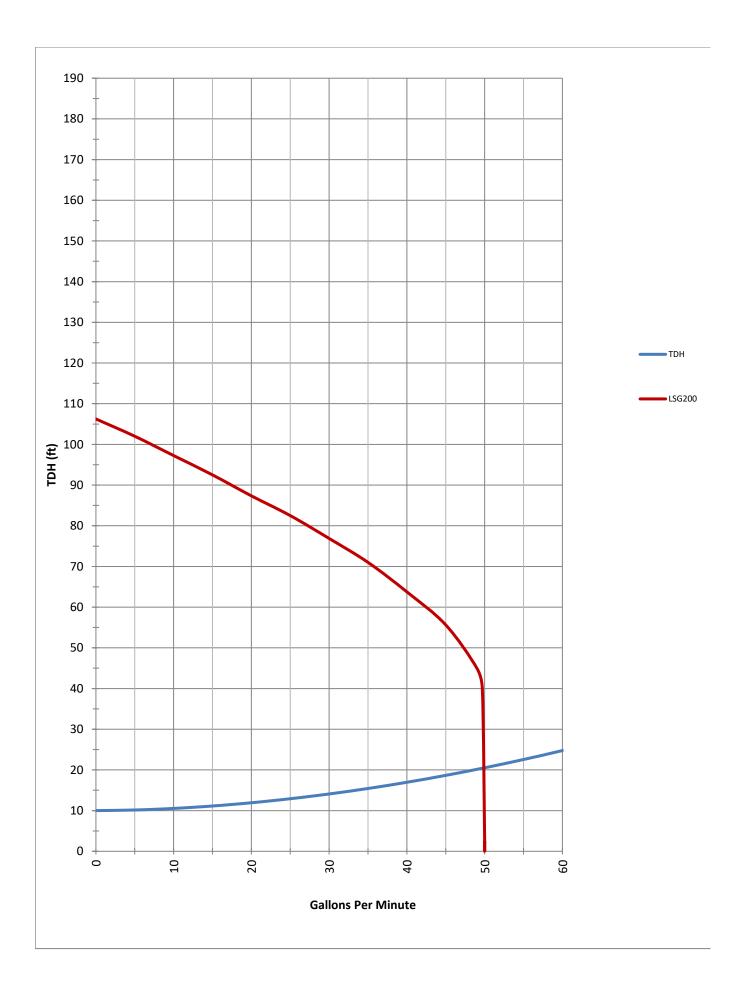
ACV125 Anti-siphon Check Value



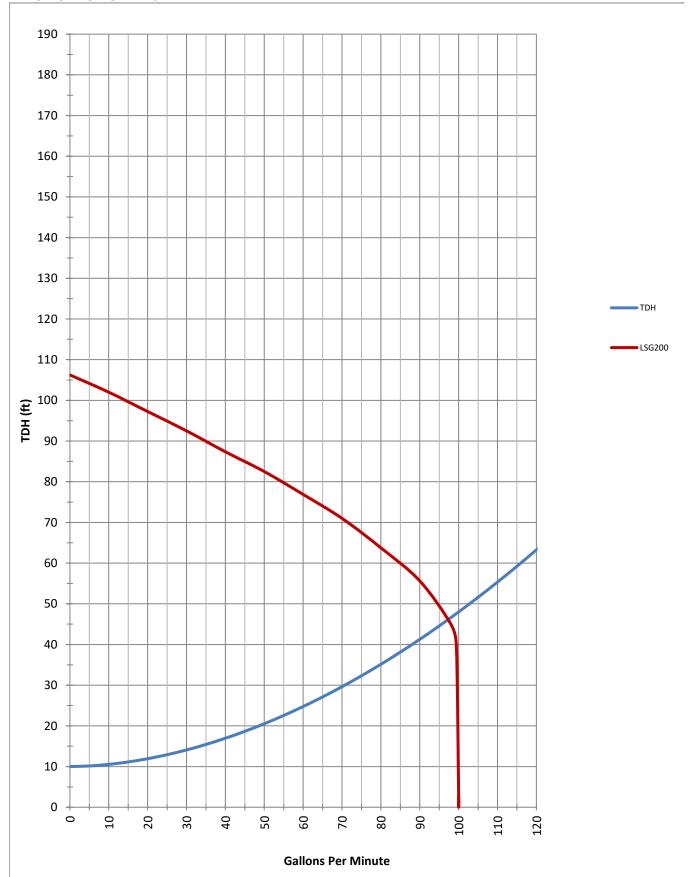
Model GR20 and GR20NS Guide Rail Base



Specifications subject to change without notice.







Appendix D

NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity Permit No. GP-0-20-001



NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

SPDES GENERAL PERMIT FOR STORMWATER DISCHARGES

From

CONSTRUCTION ACTIVITY

Permit No. GP- 0-20-001

Issued Pursuant to Article 17, Titles 7, 8 and Article 70

of the Environmental Conservation Law

Effective Date: January 29, 2020 Expiration Date: January 28, 2025

John J. Ferguson

Chief Permit Administrator

Authorized Signature

Date

Address:

NYS DEC

Division of Environmental Permits

625 Broadway, 4th Floor Albany, N.Y. 12233-1750

PREFACE

Pursuant to Section 402 of the Clean Water Act ("CWA"), stormwater *discharges* from certain *construction activities* are unlawful unless they are authorized by a *National Pollutant Discharge Elimination System* ("NPDES") permit or by a state permit program. New York administers the approved State Pollutant Discharge Elimination System (SPDES) program with permits issued in accordance with the New York State Environmental Conservation Law (ECL) Article 17, Titles 7, 8 and Article 70.

An owner or operator of a construction activity that is eligible for coverage under this permit must obtain coverage prior to the commencement of construction activity. Activities that fit the definition of "construction activity", as defined under 40 CFR 122.26(b)(14)(x), (15)(i), and (15)(ii), constitute construction of a point source and therefore, pursuant to ECL section 17-0505 and 17-0701, the owner or operator must have coverage under a SPDES permit prior to commencing construction activity. The owner or operator cannot wait until there is an actual discharge from the construction site to obtain permit coverage.

*Note: The italicized words/phrases within this permit are defined in Appendix A.

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION SPDES GENERAL PERMIT FOR STORMWATER DISCHARGES FROM CONSTRUCTION ACTIVITIES

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Part 1. PERMIT COVERAGE AND LIMITATIONS

A. Permit Application

This permit authorizes stormwater *discharges* to *surface waters of the State* from the following *construction activities* identified within 40 CFR Parts 122.26(b)(14)(x), 122.26(b)(15)(i) and 122.26(b)(15)(ii), provided all of the eligibility provisions of this permit are met:

- Construction activities involving soil disturbances of one (1) or more acres; including disturbances of less than one acre that are part of a larger common plan of development or sale that will ultimately disturb one or more acres of land; excluding routine maintenance activity that is performed to maintain the original line and grade, hydraulic capacity or original purpose of a facility;
- Construction activities involving soil disturbances of less than one (1) acre
 where the Department has determined that a SPDES permit is required for
 stormwater discharges based on the potential for contribution to a violation of a
 water quality standard or for significant contribution of pollutants to surface
 waters of the State.
- 3. Construction activities located in the watershed(s) identified in Appendix D that involve soil disturbances between five thousand (5,000) square feet and one (1) acre of land.

B. Effluent Limitations Applicable to Discharges from Construction Activities

*Discharge*s authorized by this permit must achieve, at a minimum, the effluent limitations in Part I.B.1. (a) - (f) of this permit. These limitations represent the degree of effluent reduction attainable by the application of best practicable technology currently available.

1. Erosion and Sediment Control Requirements - The *owner or operator* must select, design, install, implement and maintain control measures to *minimize* the *discharge* of *pollutants* and prevent a violation of the *water quality standards*. The selection, design, installation, implementation, and maintenance of these control measures must meet the non-numeric effluent limitations in Part I.B.1.(a) – (f) of this permit and be in accordance with the New York State Standards and Specifications for Erosion and Sediment Control, dated November 2016, using sound engineering judgment. Where control measures are not designed in conformance with the design criteria included in the technical standard, the *owner or operator* must include in the *Stormwater Pollution Prevention Plan* ("SWPPP") the reason(s) for the

deviation or alternative design and provide information which demonstrates that the deviation or alternative design is *equivalent* to the technical standard.

- a. **Erosion and Sediment Controls.** Design, install and maintain effective erosion and sediment controls to *minimize* the *discharge* of *pollutants* and prevent a violation of the *water quality standards*. At a minimum, such controls must be designed, installed and maintained to:
 - (i) *Minimize* soil erosion through application of runoff control and soil stabilization control measure to *minimize pollutant discharges*;
 - (ii) Control stormwater *discharges*, including both peak flowrates and total stormwater volume, to *minimize* channel and *streambank* erosion and scour in the immediate vicinity of the *discharge* points;
 - (iii) Minimize the amount of soil exposed during construction activity;
 - (iv) *Minimize* the disturbance of *steep slopes*;
 - (v) *Minimize* sediment *discharges* from the site;
 - (vi) Provide and maintain *natural buffer*s around surface waters, direct stormwater to vegetated areas and maximize stormwater infiltration to reduce *pollutant discharges*, unless *infeasible*;
 - (vii) Minimize soil compaction. Minimizing soil compaction is not required where the intended function of a specific area of the site dictates that it be compacted;
 - (viii) Unless *infeasible*, preserve a sufficient amount of topsoil to complete soil restoration and establish a uniform, dense vegetative cover; and
 - (ix) *Minimize* dust. On areas of exposed soil, *minimize* dust through the appropriate application of water or other dust suppression techniques to control the generation of pollutants that could be discharged from the site.
- b. **Soil Stabilization**. In areas where soil disturbance activity has temporarily or permanently ceased, the application of soil stabilization measures must be initiated by the end of the next business day and completed within fourteen (14) days from the date the current soil disturbance activity ceased. For construction sites that *directly discharge* to one of the 303(d) segments

listed in Appendix E or is located in one of the watersheds listed in Appendix C, the application of soil stabilization measures must be initiated by the end of the next business day and completed within seven (7) days from the date the current soil disturbance activity ceased. See Appendix A for definition of *Temporarily Ceased*.

- c. **Dewatering**. *Discharges* from *dewatering* activities, including *discharges* from *dewatering* of trenches and excavations, must be managed by appropriate control measures.
- d. Pollution Prevention Measures. Design, install, implement, and maintain effective pollution prevention measures to *minimize* the *discharge* of pollutants and prevent a violation of the water quality standards. At a minimum, such measures must be designed, installed, implemented and maintained to:
 - (i) Minimize the discharge of pollutants from equipment and vehicle washing, wheel wash water, and other wash waters. This applies to washing operations that use clean water only. Soaps, detergents and solvents cannot be used:
 - (ii) Minimize the exposure of building materials, building products, construction wastes, trash, landscape materials, fertilizers, pesticides, herbicides, detergents, sanitary waste, hazardous and toxic waste, and other materials present on the site to precipitation and to stormwater. Minimization of exposure is not required in cases where the exposure to precipitation and to stormwater will not result in a discharge of pollutants, or where exposure of a specific material or product poses little risk of stormwater contamination (such as final products and materials intended for outdoor use); and
 - (iii) Prevent the *discharge* of *pollutants* from spills and leaks and implement chemical spill and leak prevention and response procedures.
- e. **Prohibited** *Discharges*. The following *discharges* are prohibited:
 - (i) Wastewater from washout of concrete;
 - (ii) Wastewater from washout and cleanout of stucco, paint, form release oils, curing compounds and other construction materials;

- (iii) Fuels, oils, or other *pollutants* used in vehicle and equipment operation and maintenance;
- (iv) Soaps or solvents used in vehicle and equipment washing; and
- (v) Toxic or hazardous substances from a spill or other release.
- f. Surface Outlets. When discharging from basins and impoundments, the outlets shall be designed, constructed and maintained in such a manner that sediment does not leave the basin or impoundment and that erosion at or below the outlet does not occur.

C. Post-construction Stormwater Management Practice Requirements

- 1. The owner or operator of a construction activity that requires post-construction stormwater management practices pursuant to Part III.C. of this permit must select, design, install, and maintain the practices to meet the performance criteria in the New York State Stormwater Management Design Manual ("Design Manual"), dated January 2015, using sound engineering judgment. Where post-construction stormwater management practices ("SMPs") are not designed in conformance with the performance criteria in the Design Manual, the owner or operator must include in the SWPPP the reason(s) for the deviation or alternative design and provide information which demonstrates that the deviation or alternative design is equivalent to the technical standard.
- 2. The *owner or operator* of a *construction activity* that requires post-construction stormwater management practices pursuant to Part III.C. of this permit must design the practices to meet the applicable *sizing criteria* in Part I.C.2.a., b., c. or d. of this permit.

a. Sizing Criteria for New Development

- (i) Runoff Reduction Volume ("RRv"): Reduce the total Water Quality Volume ("WQv") by application of RR techniques and standard SMPs with RRv capacity. The total WQv shall be calculated in accordance with the criteria in Section 4.2 of the Design Manual.
- (ii) Minimum RRv and Treatment of Remaining Total WQv: Construction activities that cannot meet the criteria in Part I.C.2.a.(i) of this permit due to site limitations shall direct runoff from all newly constructed impervious areas to a RR technique or standard SMP with RRv capacity unless infeasible. The specific site limitations that prevent the reduction of 100% of the WQv shall be documented in the SWPPP.

For each impervious area that is not directed to a RR technique or standard SMP with RRv capacity, the SWPPP must include documentation which demonstrates that all options were considered and for each option explains why it is considered infeasible.

In no case shall the runoff reduction achieved from the newly constructed impervious areas be less than the Minimum RRv as calculated using the criteria in Section 4.3 of the Design Manual. The remaining portion of the total WQv that cannot be reduced shall be treated by application of standard SMPs.

- (iii) Channel Protection Volume ("Cpv"): Provide 24 hour extended detention of the post-developed 1-year, 24-hour storm event; remaining after runoff reduction. The Cpv requirement does not apply when:
 - (1) Reduction of the entire Cpv is achieved by application of runoff reduction techniques or infiltration systems, or
 - (2) The site discharges directly to tidal waters, or fifth order or larger streams.
- (iv) Overbank Flood Control Criteria ("Qp"): Requires storage to attenuate the post-development 10-year, 24-hour peak discharge rate (Qp) to predevelopment rates. The Qp requirement does not apply when:
 - (1) the site discharges directly to tidal waters or fifth order or larger streams, or
 - (2) A downstream analysis reveals that *overbank* control is not required.
- (v) Extreme Flood Control Criteria ("Qf"): Requires storage to attenuate the post-development 100-year, 24-hour peak discharge rate (Qf) to predevelopment rates. The Qf requirement does not apply when:
 - (1) the site discharges directly to tidal waters or fifth order or larger streams, or
 - (2) A downstream analysis reveals that *overbank* control is not required.

b. Sizing Criteria for New Development in Enhanced Phosphorus Removal Watershed

(i) Runoff Reduction Volume (RRv): Reduce the total Water Quality Volume (WQv) by application of RR techniques and standard SMPs with RRv capacity. The total WQv is the runoff volume from the 1-year, 24 hour design storm over the post-developed watershed and shall be

calculated in accordance with the criteria in Section 10.3 of the Design Manual.

(ii) Minimum RRv and Treatment of Remaining Total WQv: Construction activities that cannot meet the criteria in Part I.C.2.b.(i) of this permit due to site limitations shall direct runoff from all newly constructed impervious areas to a RR technique or standard SMP with RRv capacity unless infeasible. The specific site limitations that prevent the reduction of 100% of the WQv shall be documented in the SWPPP. For each impervious area that is not directed to a RR technique or standard SMP with RRv capacity, the SWPPP must include documentation which demonstrates that all options were considered and for each option explains why it is considered infeasible.

In no case shall the runoff reduction achieved from the newly constructed *impervious areas* be less than the Minimum RRv as calculated using the criteria in Section 10.3 of the Design Manual. The remaining portion of the total WQv that cannot be reduced shall be treated by application of standard SMPs.

- (iii) Channel Protection Volume (Cpv): Provide 24 hour extended detention of the post-developed 1-year, 24-hour storm event; remaining after runoff reduction. The Cpv requirement does not apply when:
 - (1) Reduction of the entire Cpv is achieved by application of runoff reduction techniques or infiltration systems, or
 - (2) The site *discharge*s directly to tidal waters, or fifth order or larger streams.
- (iv) Overbank Flood Control Criteria (Qp): Requires storage to attenuate the post-development 10-year, 24-hour peak discharge rate (Qp) to predevelopment rates. The Qp requirement does not apply when:
 - (1) the site *discharge*s directly to tidal waters or fifth order or larger streams, or
 - (2) A downstream analysis reveals that *overbank* control is not required.
- (v) Extreme Flood Control Criteria (Qf): Requires storage to attenuate the post-development 100-year, 24-hour peak *discharge* rate (Qf) to predevelopment rates. The Qf requirement does not apply when:
 - (1) the site *discharge*s directly to tidal waters or fifth order or larger streams, or
 - (2) A downstream analysis reveals that *overbank* control is not required.

c. Sizing Criteria for Redevelopment Activity

- (i) Water Quality Volume (WQv): The WQv treatment objective for redevelopment activity shall be addressed by one of the following options. Redevelopment activities located in an Enhanced Phosphorus Removal Watershed (see Part III.B.3. and Appendix C of this permit) shall calculate the WQv in accordance with Section 10.3 of the Design Manual. All other redevelopment activities shall calculate the WQv in accordance with Section 4.2 of the Design Manual.
 - (1) Reduce the existing *impervious cover* by a minimum of 25% of the total disturbed, *impervious area*. The Soil Restoration criteria in Section 5.1.6 of the Design Manual must be applied to all newly created pervious areas, or
 - (2) Capture and treat a minimum of 25% of the WQv from the disturbed, impervious area by the application of standard SMPs; or reduce 25% of the WQv from the disturbed, impervious area by the application of RR techniques or standard SMPs with RRv capacity., or
 - (3) Capture and treat a minimum of 75% of the WQv from the disturbed, *impervious area* as well as any additional runoff from tributary areas by application of the alternative practices discussed in Sections 9.3 and 9.4 of the Design Manual., or
 - (4) Application of a combination of 1, 2 and 3 above that provide a weighted average of at least two of the above methods. Application of this method shall be in accordance with the criteria in Section 9.2.1(B) (IV) of the Design Manual.

If there is an existing post-construction stormwater management practice located on the site that captures and treats runoff from the *impervious area* that is being disturbed, the WQv treatment option selected must, at a minimum, provide treatment equal to the treatment that was being provided by the existing practice(s) if that treatment is greater than the treatment required by options 1-4 above.

- (ii) Channel Protection Volume (Cpv): Not required if there are no changes to hydrology that increase the discharge rate from the project site.
- (iii) Overbank Flood Control Criteria (Qp): Not required if there are no changes to hydrology that increase the discharge rate from the project site.
- (iv) Extreme Flood Control Criteria (Qf): Not required if there are no changes to hydrology that increase the *discharge* rate from the project site

d. Sizing Criteria for Combination of Redevelopment Activity and New Development

Construction projects that include both New Development and Redevelopment Activity shall provide post-construction stormwater management controls that meet the sizing criteria calculated as an aggregate of the Sizing Criteria in Part I.C.2.a. or b. of this permit for the New Development portion of the project and Part I.C.2.c of this permit for Redevelopment Activity portion of the project.

D. Maintaining Water Quality

The Department expects that compliance with the conditions of this permit will control discharges necessary to meet applicable water quality standards. It shall be a violation of the ECL for any discharge to either cause or contribute to a violation of water quality standards as contained in Parts 700 through 705 of Title 6 of the Official Compilation of Codes, Rules and Regulations of the State of New York, such as:

- 1. There shall be no increase in turbidity that will cause a substantial visible contrast to natural conditions:
- 2. There shall be no increase in suspended, colloidal or settleable solids that will cause deposition or impair the waters for their best usages; and
- 3. There shall be no residue from oil and floating substances, nor visible oil film, nor globules of grease.

If there is evidence indicating that the stormwater *discharges* authorized by this permit are causing, have the reasonable potential to cause, or are contributing to a violation of the *water quality standards*; the *owner or operator* must take appropriate corrective action in accordance with Part IV.C.5. of this general permit and document in accordance with Part IV.C.4. of this general permit. To address the *water quality standard* violation the *owner or operator* may need to provide additional information, include and implement appropriate controls in the SWPPP to correct the problem, or obtain an individual SPDES permit.

If there is evidence indicating that despite compliance with the terms and conditions of this general permit it is demonstrated that the stormwater *discharges* authorized by this permit are causing or contributing to a violation of *water quality standards*, or if the Department determines that a modification of the permit is necessary to prevent a violation of *water quality standards*, the authorized *discharges* will no longer be eligible for coverage under this permit. The Department may require the *owner or operator* to obtain an individual SPDES permit to continue discharging.

E. Eligibility Under This General Permit

- 1. This permit may authorize all *discharges* of stormwater from *construction* activity to surface waters of the State and groundwaters except for ineligible discharges identified under subparagraph F. of this Part.
- 2. Except for non-stormwater *discharges* explicitly listed in the next paragraph, this permit only authorizes stormwater *discharges*; including stormwater runoff, snowmelt runoff, and surface runoff and drainage, from *construction activities*.
- 3. Notwithstanding paragraphs E.1 and E.2 above, the following non-stormwater discharges are authorized by this permit: those listed in 6 NYCRR 750-1.2(a)(29)(vi), with the following exception: "Discharges from firefighting activities are authorized only when the firefighting activities are emergencies/unplanned"; waters to which other components have not been added that are used to control dust in accordance with the SWPPP; and uncontaminated discharges from construction site de-watering operations. All non-stormwater discharges must be identified in the SWPPP. Under all circumstances, the owner or operator must still comply with water quality standards in Part I.D of this permit.
- 4. The *owner or operator* must maintain permit eligibility to *discharge* under this permit. Any *discharges* that are not compliant with the eligibility conditions of this permit are not authorized by the permit and the *owner or operator* must either apply for a separate permit to cover those ineligible *discharges* or take steps necessary to make the *discharge* eligible for coverage.

F. Activities Which Are Ineligible for Coverage Under This General Permit

All of the following are **not** authorized by this permit:

- 1. *Discharge*s after *construction activities* have been completed and the site has undergone *final stabilization*;
- 2. *Discharge*s that are mixed with sources of non-stormwater other than those expressly authorized under subsection E.3. of this Part and identified in the SWPPP required by this permit;
- 3. *Discharges* that are required to obtain an individual SPDES permit or another SPDES general permit pursuant to Part VII.K. of this permit;
- 4. Construction activities or discharges from construction activities that may adversely affect an endangered or threatened species unless the owner or

operator has obtained a permit issued pursuant to 6 NYCRR Part 182 for the project or the Department has issued a letter of non-jurisdiction for the project. All documentation necessary to demonstrate eligibility shall be maintained on site in accordance with Part II.D.2 of this permit;

- 5. *Discharges* which either cause or contribute to a violation of *water quality* standards adopted pursuant to the *ECL* and its accompanying regulations;
- 6. Construction activities for residential, commercial and institutional projects:
 - a. Where the *discharges* from the *construction activities* are tributary to waters of the state classified as AA or AA-s; and
 - b. Which are undertaken on land with no existing impervious cover; and
 - c. Which disturb one (1) or more acres of land designated on the current United States Department of Agriculture ("USDA") Soil Survey as Soil Slope Phase "D", (provided the map unit name is inclusive of slopes greater than 25%), or Soil Slope Phase "E" or "F" (regardless of the map unit name), or a combination of the three designations.
- 7. Construction activities for linear transportation projects and linear utility projects:
 - a. Where the *discharges* from the *construction activities* are tributary to waters of the state classified as AA or AA-s: and
 - b. Which are undertaken on land with no existing impervious cover; and
 - c. Which disturb two (2) or more acres of land designated on the current USDA Soil Survey as Soil Slope Phase "D" (provided the map unit name is inclusive of slopes greater than 25%), or Soil Slope Phase "E" or "F" (regardless of the map unit name), or a combination of the three designations.

- 8. Construction activities that have the potential to affect an historic property, unless there is documentation that such impacts have been resolved. The following documentation necessary to demonstrate eligibility with this requirement shall be maintained on site in accordance with Part II.D.2 of this permit and made available to the Department in accordance with Part VII.F of this permit:
 - a. Documentation that the construction activity is not within an archeologically sensitive area indicated on the sensitivity map, and that the construction activity is not located on or immediately adjacent to a property listed or determined to be eligible for listing on the National or State Registers of Historic Places, and that there is no new permanent building on the construction site within the following distances from a building, structure, or object that is more than 50 years old, or if there is such a new permanent building on the construction site within those parameters that NYS Office of Parks, Recreation and Historic Preservation (OPRHP), a Historic Preservation Commission of a Certified Local Government, or a qualified preservation professional has determined that the building, structure, or object more than 50 years old is not historically/archeologically significant.
 - 1-5 acres of disturbance 20 feet
 - 5-20 acres of disturbance 50 feet
 - 20+ acres of disturbance 100 feet, or
 - b. DEC consultation form sent to OPRHP, and copied to the NYS DEC Agency Historic Preservation Officer (APO), and
 - (i) the State Environmental Quality Review (SEQR) Environmental Assessment Form (EAF) with a negative declaration or the Findings Statement, with documentation of OPRHP's agreement with the resolution; or
 - (ii) documentation from OPRHP that the *construction activity* will result in No Impact; or
 - (iii) documentation from OPRHP providing a determination of No Adverse Impact; or
 - (iv) a Letter of Resolution signed by the owner/operator, OPRHP and the DEC APO which allows for this *construction activity* to be eligible for coverage under the general permit in terms of the State Historic Preservation Act (SHPA); or
 - c. Documentation of satisfactory compliance with Section 106 of the National Historic Preservation Act for a coterminous project area:

- (i) No Affect
- (ii) No Adverse Affect
- (iii) Executed Memorandum of Agreement, or

d. Documentation that:

- (i) SHPA Section 14.09 has been completed by NYS DEC or another state agency.
- 9. *Discharges* from *construction activities* that are subject to an existing SPDES individual or general permit where a SPDES permit for *construction activity* has been terminated or denied; or where the *owner or operator* has failed to renew an expired individual permit.

Part II. PERMIT COVERAGE

A. How to Obtain Coverage

- An owner or operator of a construction activity that is not subject to the
 requirements of a regulated, traditional land use control MS4 must first prepare
 a SWPPP in accordance with all applicable requirements of this permit and
 then submit a completed Notice of Intent (NOI) to the Department to be
 authorized to discharge under this permit.
- 2. An owner or operator of a construction activity that is subject to the requirements of a regulated, traditional land use control MS4 must first prepare a SWPPP in accordance with all applicable requirements of this permit and then have the SWPPP reviewed and accepted by the regulated, traditional land use control MS4 prior to submitting the NOI to the Department. The owner or operator shall have the "MS4 SWPPP Acceptance" form signed in accordance with Part VII.H., and then submit that form along with a completed NOI to the Department.
- 3. The requirement for an *owner or operator* to have its SWPPP reviewed and accepted by the *regulated, traditional land use control MS4* prior to submitting the NOI to the Department does not apply to an *owner or operator* that is obtaining permit coverage in accordance with the requirements in Part II.F. (Change of *Owner or Operator*) or where the *owner or operator* of the *construction activity* is the *regulated, traditional land use control MS4*. This exemption does not apply to *construction activities* subject to the New York City Administrative Code.

B. Notice of Intent (NOI) Submittal

 Prior to December 21, 2020, an owner or operator shall use either the electronic (eNOI) or paper version of the NOI that the Department prepared. Both versions of the NOI are located on the Department's website (http://www.dec.ny.gov/). The paper version of the NOI shall be signed in accordance with Part VII.H. of this permit and submitted to the following address:

> NOTICE OF INTENT NYS DEC, Bureau of Water Permits 625 Broadway, 4th Floor Albany, New York 12233-3505

- 2. Beginning December 21, 2020 and in accordance with EPA's 2015 NPDES Electronic Reporting Rule (40 CFR Part 127), the *owner or operator* must submit the NOI electronically using the *Department's* online NOI.
- 3. The *owner or operator* shall have the SWPPP preparer sign the "SWPPP Preparer Certification" statement on the NOI prior to submitting the form to the Department.
- 4. As of the date the NOI is submitted to the Department, the *owner or operator* shall make the NOI and SWPPP available for review and copying in accordance with the requirements in Part VII.F. of this permit.

C. Permit Authorization

- 1. An *owner or operator* shall not *commence construction activity* until their authorization to *discharge* under this permit goes into effect.
- 2. Authorization to *discharge* under this permit will be effective when the *owner or operator* has satisfied all of the following criteria:
 - a. project review pursuant to the State Environmental Quality Review Act ("SEQRA") have been satisfied, when SEQRA is applicable. See the Department's website (http://www.dec.ny.gov/) for more information,
 - b. where required, all necessary Department permits subject to the *Uniform Procedures Act ("UPA")* (see 6 NYCRR Part 621), or the equivalent from another New York State agency, have been obtained, unless otherwise notified by the Department pursuant to 6 NYCRR 621.3(a)(4). *Owners or operators* of *construction activities* that are required to obtain *UPA* permits

must submit a preliminary SWPPP to the appropriate DEC Permit Administrator at the Regional Office listed in Appendix F at the time all other necessary *UPA* permit applications are submitted. The preliminary SWPPP must include sufficient information to demonstrate that the *construction activity* qualifies for authorization under this permit,

- c. the final SWPPP has been prepared, and
- d. a complete NOI has been submitted to the Department in accordance with the requirements of this permit.
- 3. An owner or operator that has satisfied the requirements of Part II.C.2 above will be authorized to discharge stormwater from their construction activity in accordance with the following schedule:
 - a. For *construction activities* that are <u>not</u> subject to the requirements of a *regulated, traditional land use control MS4*:
 - (i) Five (5) business days from the date the Department receives a complete electronic version of the NOI (eNOI) for construction activities with a SWPPP that has been prepared in conformance with the design criteria in the technical standard referenced in Part III.B.1 and the performance criteria in the technical standard referenced in Parts III.B., 2 or 3, for construction activities that require post-construction stormwater management practices pursuant to Part III.C.; or
 - (ii) Sixty (60) business days from the date the Department receives a complete NOI (electronic or paper version) for *construction activities* with a SWPPP that has <u>not</u> been prepared in conformance with the design criteria in technical standard referenced in Part III.B.1. or, for *construction activities* that require post-construction stormwater management practices pursuant to Part III.C., the *performance criteria* in the technical standard referenced in Parts III.B., 2 or 3, or;
 - (iii) Ten (10) business days from the date the Department receives a complete paper version of the NOI for construction activities with a SWPPP that has been prepared in conformance with the design criteria in the technical standard referenced in Part III.B.1 and the performance criteria in the technical standard referenced in Parts III.B., 2 or 3, for construction activities that require post-construction stormwater management practices pursuant to Part III.C.

- b. For *construction activities* that are subject to the requirements of a regulated, traditional land use control MS4:
 - Five (5) business days from the date the Department receives both a complete electronic version of the NOI (eNOI) and signed "MS4 SWPPP Acceptance" form, or
 - (ii) Ten (10) business days from the date the Department receives both a complete paper version of the NOI and signed "MS4 SWPPP Acceptance" form.
- 4. Coverage under this permit authorizes stormwater discharges from only those areas of disturbance that are identified in the NOI. If an owner or operator wishes to have stormwater discharges from future or additional areas of disturbance authorized, they must submit a new NOI that addresses that phase of the development, unless otherwise notified by the Department. The owner or operator shall not commence construction activity on the future or additional areas until their authorization to discharge under this permit goes into effect in accordance with Part II.C. of this permit.

D. General Requirements For Owners or Operators With Permit Coverage

- 1. The *owner or operator* shall ensure that the provisions of the SWPPP are implemented from the *commencement of construction activity* until all areas of disturbance have achieved *final stabilization* and the Notice of Termination ("NOT") has been submitted to the Department in accordance with Part V. of this permit. This includes any changes made to the SWPPP pursuant to Part III.A.4. of this permit.
- 2. The owner or operator shall maintain a copy of the General Permit (GP-0-20-001), NOI, NOI Acknowledgment Letter, SWPPP, MS4 SWPPP Acceptance form, inspection reports, responsible contractor's or subcontractor's certification statement (see Part III.A.6.), and all documentation necessary to demonstrate eligibility with this permit at the construction site until all disturbed areas have achieved final stabilization and the NOT has been submitted to the Department. The documents must be maintained in a secure location, such as a job trailer, on-site construction office, or mailbox with lock. The secure location must be accessible during normal business hours to an individual performing a compliance inspection.
- 3. The *owner or operator* of a *construction activity* shall not disturb greater than five (5) acres of soil at any one time without prior written authorization from the Department or, in areas under the jurisdiction of a *regulated*, *traditional land*

use control MS4, the regulated, traditional land use control MS4 (provided the regulated, traditional land use control MS4 is not the owner or operator of the construction activity). At a minimum, the owner or operator must comply with the following requirements in order to be authorized to disturb greater than five (5) acres of soil at any one time:

- a. The owner or operator shall have a qualified inspector conduct at least two (2) site inspections in accordance with Part IV.C. of this permit every seven (7) calendar days, for as long as greater than five (5) acres of soil remain disturbed. The two (2) inspections shall be separated by a minimum of two (2) full calendar days.
- b. In areas where soil disturbance activity has temporarily or permanently ceased, the application of soil stabilization measures must be initiated by the end of the next business day and completed within seven (7) days from the date the current soil disturbance activity ceased. The soil stabilization measures selected shall be in conformance with the technical standard, New York State Standards and Specifications for Erosion and Sediment Control, dated November 2016.
- c. The *owner or operator* shall prepare a phasing plan that defines maximum disturbed area per phase and shows required cuts and fills.
- d. The *owner or operator* shall install any additional site-specific practices needed to protect water quality.
- e. The *owner or operator* shall include the requirements above in their SWPPP.
- 4. In accordance with statute, regulations, and the terms and conditions of this permit, the Department may suspend or revoke an *owner's or operator's* coverage under this permit at any time if the Department determines that the SWPPP does not meet the permit requirements or consistent with Part VII.K..
- 5. Upon a finding of significant non-compliance with the practices described in the SWPPP or violation of this permit, the Department may order an immediate stop to all activity at the site until the non-compliance is remedied. The stop work order shall be in writing, describe the non-compliance in detail, and be sent to the *owner or operator*.
- 6. For *construction activities* that are subject to the requirements of a *regulated, traditional land use control MS4*, the *owner or operator* shall notify the

regulated, traditional land use control MS4 in writing of any planned amendments or modifications to the post-construction stormwater management practice component of the SWPPP required by Part III.A. 4. and 5. of this permit. Unless otherwise notified by the regulated, traditional land use control MS4, the owner or operator shall have the SWPPP amendments or modifications reviewed and accepted by the regulated, traditional land use control MS4 prior to commencing construction of the post-construction stormwater management practice.

E. Permit Coverage for Discharges Authorized Under GP-0-15-002

 Upon renewal of SPDES General Permit for Stormwater Discharges from Construction Activity (Permit No. GP-0-15-002), an owner or operator of a construction activity with coverage under GP-0-15-002, as of the effective date of GP- 0-20-001, shall be authorized to discharge in accordance with GP- 0-20-001, unless otherwise notified by the Department.

An *owner or operator* may continue to implement the technical/design components of the post-construction stormwater management controls provided that such design was done in conformance with the technical standards in place at the time of initial project authorization. However, they must comply with the other, non-design provisions of GP-0-20-001.

F. Change of Owner or Operator

- 1. When property ownership changes or when there is a change in operational control over the construction plans and specifications, the original *owner or operator* must notify the new *owner or operator*, in writing, of the requirement to obtain permit coverage by submitting a NOI with the Department. For *construction activities* subject to the requirements of a *regulated, traditional land use control MS4*, the original *owner or operator* must also notify the MS4, in writing, of the change in ownership at least 30 calendar days prior to the change in ownership.
- 2. Once the new owner or operator obtains permit coverage, the original owner or operator shall then submit a completed NOT with the name and permit identification number of the new owner or operator to the Department at the address in Part II.B.1. of this permit. If the original owner or operator maintains ownership of a portion of the construction activity and will disturb soil, they must maintain their coverage under the permit.
- 3. Permit coverage for the new *owner or operator* will be effective as of the date the Department receives a complete NOI, provided the original *owner or*

operator was not subject to a sixty (60) business day authorization period that has not expired as of the date the Department receives the NOI from the new owner or operator.

Part III. STORMWATER POLLUTION PREVENTION PLAN (SWPPP)

A. General SWPPP Requirements

- 1. A SWPPP shall be prepared and implemented by the owner or operator of each construction activity covered by this permit. The SWPPP must document the selection, design, installation, implementation and maintenance of the control measures and practices that will be used to meet the effluent limitations in Part I.B. of this permit and where applicable, the post-construction stormwater management practice requirements in Part I.C. of this permit. The SWPPP shall be prepared prior to the submittal of the NOI. The NOI shall be submitted to the Department prior to the commencement of construction activity. A copy of the completed, final NOI shall be included in the SWPPP.
- 2. The SWPPP shall describe the erosion and sediment control practices and where required, post-construction stormwater management practices that will be used and/or constructed to reduce the *pollutants* in stormwater *discharges* and to assure compliance with the terms and conditions of this permit. In addition, the SWPPP shall identify potential sources of pollution which may reasonably be expected to affect the quality of stormwater *discharges*.
- 3. All SWPPs that require the post-construction stormwater management practice component shall be prepared by a *qualified professional* that is knowledgeable in the principles and practices of stormwater management and treatment.
- 4. The owner or operator must keep the SWPPP current so that it at all times accurately documents the erosion and sediment controls practices that are being used or will be used during construction, and all post-construction stormwater management practices that will be constructed on the site. At a minimum, the owner or operator shall amend the SWPPP, including construction drawings:
 - a. whenever the current provisions prove to be ineffective in minimizing *pollutants* in stormwater *discharges* from the site;

- whenever there is a change in design, construction, or operation at the construction site that has or could have an effect on the discharge of pollutants;
- c. to address issues or deficiencies identified during an inspection by the *qualified inspector*, the Department or other regulatory authority; and
- d. to document the final construction conditions.
- 5. The Department may notify the *owner or operator* at any time that the SWPPP does not meet one or more of the minimum requirements of this permit. The notification shall be in writing and identify the provisions of the SWPPP that require modification. Within fourteen (14) calendar days of such notification, or as otherwise indicated by the Department, the *owner or operator* shall make the required changes to the SWPPP and submit written notification to the Department that the changes have been made. If the *owner or operator* does not respond to the Department's comments in the specified time frame, the Department may suspend the *owner's or operator's* coverage under this permit or require the *owner or operator* to obtain coverage under an individual SPDES permit in accordance with Part II.D.4. of this permit.
- 6. Prior to the commencement of construction activity, the owner or operator must identify the contractor(s) and subcontractor(s) that will be responsible for installing, constructing, repairing, replacing, inspecting and maintaining the erosion and sediment control practices included in the SWPPP; and the contractor(s) and subcontractor(s) that will be responsible for constructing the post-construction stormwater management practices included in the SWPPP. The owner or operator shall have each of the contractors and subcontractors identify at least one person from their company that will be responsible for implementation of the SWPPP. This person shall be known as the trained contractor. The owner or operator shall ensure that at least one trained contractor is on site on a daily basis when soil disturbance activities are being performed.

The *owner or operator* shall have each of the contractors and subcontractors identified above sign a copy of the following certification statement below before they commence any *construction activity*:

"I hereby certify under penalty of law that I understand and agree to comply with the terms and conditions of the SWPPP and agree to implement any corrective actions identified by the *qualified inspector* during a site inspection. I also understand that the *owner or operator* must comply with

the terms and conditions of the most current version of the New York State Pollutant Discharge Elimination System ("SPDES") general permit for stormwater *discharges* from *construction activities* and that it is unlawful for any person to cause or contribute to a violation of *water quality standards*. Furthermore, I am aware that there are significant penalties for submitting false information, that I do not believe to be true, including the possibility of fine and imprisonment for knowing violations"

In addition to providing the certification statement above, the certification page must also identify the specific elements of the SWPPP that each contractor and subcontractor will be responsible for and include the name and title of the person providing the signature; the name and title of the *trained contractor* responsible for SWPPP implementation; the name, address and telephone number of the contracting firm; the address (or other identifying description) of the site; and the date the certification statement is signed. The *owner or operator* shall attach the certification statement(s) to the copy of the SWPPP that is maintained at the *construction site*. If new or additional contractors are hired to implement measures identified in the SWPPP after construction has commenced, they must also sign the certification statement and provide the information listed above.

7. For projects where the Department requests a copy of the SWPPP or inspection reports, the *owner or operator* shall submit the documents in both electronic (PDF only) and paper format within five (5) business days, unless otherwise notified by the Department.

B. Required SWPPP Contents

- 1. Erosion and sediment control component All SWPPPs prepared pursuant to this permit shall include erosion and sediment control practices designed in conformance with the technical standard, New York State Standards and Specifications for Erosion and Sediment Control, dated November 2016. Where erosion and sediment control practices are not designed in conformance with the design criteria included in the technical standard, the *owner or operator* must demonstrate *equivalence* to the technical standard. At a minimum, the erosion and sediment control component of the SWPPP shall include the following:
 - a. Background information about the scope of the project, including the location, type and size of project

- b. A site map/construction drawing(s) for the project, including a general location map. At a minimum, the site map shall show the total site area; all improvements; areas of disturbance; areas that will not be disturbed; existing vegetation; on-site and adjacent off-site surface water(s); floodplain/floodway boundaries; wetlands and drainage patterns that could be affected by the construction activity; existing and final contours; locations of different soil types with boundaries; material, waste, borrow or equipment storage areas located on adjacent properties; and location(s) of the stormwater discharge(s);
- c. A description of the soil(s) present at the site, including an identification of the Hydrologic Soil Group (HSG);
- d. A construction phasing plan and sequence of operations describing the intended order of *construction activities*, including clearing and grubbing, excavation and grading, utility and infrastructure installation and any other activity at the site that results in soil disturbance;
- e. A description of the minimum erosion and sediment control practices to be installed or implemented for each *construction activity* that will result in soil disturbance. Include a schedule that identifies the timing of initial placement or implementation of each erosion and sediment control practice and the minimum time frames that each practice should remain in place or be implemented;
- f. A temporary and permanent soil stabilization plan that meets the requirements of this general permit and the technical standard, New York State Standards and Specifications for Erosion and Sediment Control, dated November 2016, for each stage of the project, including initial land clearing and grubbing to project completion and achievement of *final stabilization*;
- g. A site map/construction drawing(s) showing the specific location(s), size(s), and length(s) of each erosion and sediment control practice;
- h. The dimensions, material specifications, installation details, and operation and maintenance requirements for all erosion and sediment control practices. Include the location and sizing of any temporary sediment basins and structural practices that will be used to divert flows from exposed soils;
- i. A maintenance inspection schedule for the contractor(s) identified in Part III.A.6. of this permit, to ensure continuous and effective operation of the erosion and sediment control practices. The maintenance inspection

schedule shall be in accordance with the requirements in the technical standard, New York State Standards and Specifications for Erosion and Sediment Control, dated November 2016;

- j. A description of the pollution prevention measures that will be used to control litter, construction chemicals and construction debris from becoming a pollutant source in the stormwater discharges;
- k. A description and location of any stormwater discharges associated with industrial activity other than construction at the site, including, but not limited to, stormwater discharges from asphalt plants and concrete plants located on the construction site; and
- Identification of any elements of the design that are not in conformance with the design criteria in the technical standard, New York State Standards and Specifications for Erosion and Sediment Control, dated November 2016.
 Include the reason for the deviation or alternative design and provide information which demonstrates that the deviation or alternative design is equivalent to the technical standard.
- 2. Post-construction stormwater management practice component The owner or operator of any construction project identified in Table 2 of Appendix B as needing post-construction stormwater management practices shall prepare a SWPPP that includes practices designed in conformance with the applicable sizing criteria in Part I.C.2.a., c. or d. of this permit and the performance criteria in the technical standard, New York State Stormwater Management Design Manual dated January 2015

Where post-construction stormwater management practices are not designed in conformance with the *performance criteria* in the technical standard, the *owner or operator* must include in the SWPPP the reason(s) for the deviation or alternative design and provide information which demonstrates that the deviation or alternative design is *equivalent* to the technical standard.

The post-construction stormwater management practice component of the SWPPP shall include the following:

 a. Identification of all post-construction stormwater management practices to be constructed as part of the project. Include the dimensions, material specifications and installation details for each post-construction stormwater management practice;

- b. A site map/construction drawing(s) showing the specific location and size of each post-construction stormwater management practice;
- c. A Stormwater Modeling and Analysis Report that includes:
 - Map(s) showing pre-development conditions, including watershed/subcatchments boundaries, flow paths/routing, and design points;
 - (ii) Map(s) showing post-development conditions, including watershed/subcatchments boundaries, flow paths/routing, design points and post-construction stormwater management practices;
 - (iii) Results of stormwater modeling (i.e. hydrology and hydraulic analysis) for the required storm events. Include supporting calculations (model runs), methodology, and a summary table that compares pre and post-development runoff rates and volumes for the different storm events;
 - (iv) Summary table, with supporting calculations, which demonstrates that each post-construction stormwater management practice has been designed in conformance with the *sizing criteria* included in the Design Manual;
 - (v) Identification of any *sizing criteria* that is not required based on the requirements included in Part I.C. of this permit; and
 - (vi) Identification of any elements of the design that are not in conformance with the *performance criteria* in the Design Manual. Include the reason(s) for the deviation or alternative design and provide information which demonstrates that the deviation or alternative design is *equivalent* to the Design Manual;
- d. Soil testing results and locations (test pits, borings);
- e. Infiltration test results, when required; and
- f. An operations and maintenance plan that includes inspection and maintenance schedules and actions to ensure continuous and effective operation of each post-construction stormwater management practice. The plan shall identify the entity that will be responsible for the long term operation and maintenance of each practice.

3. Enhanced Phosphorus Removal Standards - All construction projects identified in Table 2 of Appendix B that are located in the watersheds identified in Appendix C shall prepare a SWPPP that includes post-construction stormwater management practices designed in conformance with the applicable *sizing criteria* in Part I.C.2. b., c. or d. of this permit and the *performance criteria*, Enhanced Phosphorus Removal Standards included in the Design Manual. At a minimum, the post-construction stormwater management practice component of the SWPPP shall include items 2.a - 2.f. above.

C. Required SWPPP Components by Project Type

Unless otherwise notified by the Department, *owners or operators* of *construction activities* identified in Table 1 of Appendix B are required to prepare a SWPPP that only includes erosion and sediment control practices designed in conformance with Part III.B.1 of this permit. *Owners or operators* of the *construction activities* identified in Table 2 of Appendix B shall prepare a SWPPP that also includes post-construction stormwater management practices designed in conformance with Part III.B.2 or 3 of this permit.

Part IV. INSPECTION AND MAINTENANCE REQUIREMENTS

A. General Construction Site Inspection and Maintenance Requirements

- 1. The *owner or operator* must ensure that all erosion and sediment control practices (including pollution prevention measures) and all post-construction stormwater management practices identified in the SWPPP are inspected and maintained in accordance with Part IV.B. and C. of this permit.
- 2. The terms of this permit shall not be construed to prohibit the State of New York from exercising any authority pursuant to the ECL, common law or federal law, or prohibit New York State from taking any measures, whether civil or criminal, to prevent violations of the laws of the State of New York or protect the public health and safety and/or the environment.

B. Contractor Maintenance Inspection Requirements

1. The owner or operator of each construction activity identified in Tables 1 and 2 of Appendix B shall have a trained contractor inspect the erosion and sediment control practices and pollution prevention measures being implemented within the active work area daily to ensure that they are being maintained in effective operating condition at all times. If deficiencies are identified, the contractor shall

begin implementing corrective actions within one business day and shall complete the corrective actions in a reasonable time frame.

- 2. For construction sites where soil disturbance activities have been temporarily suspended (e.g. winter shutdown) and *temporary stabilization* measures have been applied to all disturbed areas, the *trained contractor* can stop conducting the maintenance inspections. The *trained contractor* shall begin conducting the maintenance inspections in accordance with Part IV.B.1. of this permit as soon as soil disturbance activities resume.
- 3. For construction sites where soil disturbance activities have been shut down with partial project completion, the *trained contractor* can stop conducting the maintenance inspections if all areas disturbed as of the project shutdown date have achieved *final stabilization* and all post-construction stormwater management practices required for the completed portion of the project have been constructed in conformance with the SWPPP and are operational.

C. Qualified Inspector Inspection Requirements

The *owner or operator* shall have a *qualified inspector* conduct site inspections in conformance with the following requirements:

[Note: The *trained contractor* identified in Part III.A.6. and IV.B. of this permit **cannot** conduct the *qualified inspector* site inspections unless they meet the *qualified inspector* qualifications included in Appendix A. In order to perform these inspections, the *trained contractor* would have to be a:

- licensed Professional Engineer,
- Certified Professional in Erosion and Sediment Control (CPESC),
- New York State Erosion and Sediment Control Certificate Program holder
- Registered Landscape Architect, or
- someone working under the direct supervision of, and at the same company as, the licensed Professional Engineer or Registered Landscape Architect, provided they have received four (4) hours of Department endorsed training in proper erosion and sediment control principles from a Soil and Water Conservation District, or other Department endorsed entity].
- 1. A *qualified inspector* shall conduct site inspections for all *construction activities* identified in Tables 1 and 2 of Appendix B, <u>with the exception of</u>:
 - a. the construction of a single family residential subdivision with 25% or less *impervious cover* at total site build-out that involves a soil disturbance of one (1) or more acres of land but less than five (5) acres and is not located

- in one of the watersheds listed in Appendix C and <u>not</u> directly discharging to one of the 303(d) segments listed in Appendix E;
- b. the construction of a single family home that involves a soil disturbance of one (1) or more acres of land but less than five (5) acres and is <u>not</u> located in one of the watersheds listed in Appendix C and <u>not</u> directly discharging to one of the 303(d) segments listed in Appendix E;
- c. construction on agricultural property that involves a soil disturbance of one (1) or more acres of land but less than five (5) acres; and
- d. construction activities located in the watersheds identified in Appendix D that involve soil disturbances between five thousand (5,000) square feet and one (1) acre of land.
- 2. Unless otherwise notified by the Department, the *qualified inspector* shall conduct site inspections in accordance with the following timetable:
 - a. For construction sites where soil disturbance activities are on-going, the *qualified inspector* shall conduct a site inspection at least once every seven (7) calendar days.
 - b. For construction sites where soil disturbance activities are on-going and the owner or operator has received authorization in accordance with Part II.D.3 to disturb greater than five (5) acres of soil at any one time, the qualified inspector shall conduct at least two (2) site inspections every seven (7) calendar days. The two (2) inspections shall be separated by a minimum of two (2) full calendar days.
 - c. For construction sites where soil disturbance activities have been temporarily suspended (e.g. winter shutdown) and temporary stabilization measures have been applied to all disturbed areas, the qualified inspector shall conduct a site inspection at least once every thirty (30) calendar days. The owner or operator shall notify the DOW Water (SPDES) Program contact at the Regional Office (see contact information in Appendix F) or, in areas under the jurisdiction of a regulated, traditional land use control MS4, the regulated, traditional land use control MS4 (provided the regulated, traditional land use control MS4 is not the owner or operator of the construction activity) in writing prior to reducing the frequency of inspections.

- d. For construction sites where soil disturbance activities have been shut down with partial project completion, the qualified inspector can stop conducting inspections if all areas disturbed as of the project shutdown date have achieved *final stabilization* and all post-construction stormwater management practices required for the completed portion of the project have been constructed in conformance with the SWPPP and are operational. The owner or operator shall notify the DOW Water (SPDES) Program contact at the Regional Office (see contact information in Appendix F) or, in areas under the jurisdiction of a regulated, traditional land use control MS4, the regulated, traditional land use control MS4 (provided the regulated, traditional land use control MS4 is not the owner or operator of the *construction activity*) in writing prior to the shutdown. If soil disturbance activities are not resumed within 2 years from the date of shutdown, the owner or operator shall have the qualified inspector perform a final inspection and certify that all disturbed areas have achieved final stabilization, and all temporary, structural erosion and sediment control measures have been removed; and that all post-construction stormwater management practices have been constructed in conformance with the SWPPP by signing the "Final Stabilization" and "Post-Construction" Stormwater Management Practice" certification statements on the NOT. The owner or operator shall then submit the completed NOT form to the address in Part II.B.1 of this permit.
- e. For construction sites that directly *discharge* to one of the 303(d) segments listed in Appendix E or is located in one of the watersheds listed in Appendix C, the *qualified inspector* shall conduct at least two (2) site inspections every seven (7) calendar days. The two (2) inspections shall be separated by a minimum of two (2) full calendar days.
- 3. At a minimum, the *qualified inspector* shall inspect all erosion and sediment control practices and pollution prevention measures to ensure integrity and effectiveness, all post-construction stormwater management practices under construction to ensure that they are constructed in conformance with the SWPPP, all areas of disturbance that have not achieved *final stabilization*, all points of *discharge* to natural surface waterbodies located within, or immediately adjacent to, the property boundaries of the *construction site*, and all points of *discharge* from the *construction site*.
- 4. The *qualified inspector* shall prepare an inspection report subsequent to each and every inspection. At a minimum, the inspection report shall include and/or address the following:

- a. Date and time of inspection;
- b. Name and title of person(s) performing inspection;
- c. A description of the weather and soil conditions (e.g. dry, wet, saturated) at the time of the inspection;
- d. A description of the condition of the runoff at all points of *discharge* from the *construction site*. This shall include identification of any *discharges* of sediment from the *construction site*. Include *discharges* from conveyance systems (i.e. pipes, culverts, ditches, etc.) and overland flow;
- e. A description of the condition of all natural surface waterbodies located within, or immediately adjacent to, the property boundaries of the construction site which receive runoff from disturbed areas. This shall include identification of any discharges of sediment to the surface waterbody;
- f. Identification of all erosion and sediment control practices and pollution prevention measures that need repair or maintenance;
- g. Identification of all erosion and sediment control practices and pollution prevention measures that were not installed properly or are not functioning as designed and need to be reinstalled or replaced;
- h. Description and sketch of areas with active soil disturbance activity, areas that have been disturbed but are inactive at the time of the inspection, and areas that have been stabilized (temporary and/or final) since the last inspection;
- Current phase of construction of all post-construction stormwater management practices and identification of all construction that is not in conformance with the SWPPP and technical standards;
- j. Corrective action(s) that must be taken to install, repair, replace or maintain erosion and sediment control practices and pollution prevention measures; and to correct deficiencies identified with the construction of the post-construction stormwater management practice(s);
- Identification and status of all corrective actions that were required by previous inspection; and

- I. Digital photographs, with date stamp, that clearly show the condition of all practices that have been identified as needing corrective actions. The qualified inspector shall attach paper color copies of the digital photographs to the inspection report being maintained onsite within seven (7) calendar days of the date of the inspection. The qualified inspector shall also take digital photographs, with date stamp, that clearly show the condition of the practice(s) after the corrective action has been completed. The qualified inspector shall attach paper color copies of the digital photographs to the inspection report that documents the completion of the corrective action work within seven (7) calendar days of that inspection.
- 5. Within one business day of the completion of an inspection, the *qualified inspector* shall notify the *owner or operator* and appropriate contractor or subcontractor identified in Part III.A.6. of this permit of any corrective actions that need to be taken. The contractor or subcontractor shall begin implementing the corrective actions within one business day of this notification and shall complete the corrective actions in a reasonable time frame.
- 6. All inspection reports shall be signed by the *qualified inspector*. Pursuant to Part II.D.2. of this permit, the inspection reports shall be maintained on site with the SWPPP.

Part V. TERMINATION OF PERMIT COVERAGE

A. Termination of Permit Coverage

- An owner or operator that is eligible to terminate coverage under this permit
 must submit a completed NOT form to the address in Part II.B.1 of this permit.
 The NOT form shall be one which is associated with this permit, signed in
 accordance with Part VII.H of this permit.
- 2. An *owner or operator* may terminate coverage when one or more the following conditions have been met:
 - a. Total project completion All construction activity identified in the SWPPP has been completed; <u>and</u> all areas of disturbance have achieved *final* stabilization; <u>and</u> all temporary, structural erosion and sediment control measures have been removed; <u>and</u> all post-construction stormwater management practices have been constructed in conformance with the SWPPP and are operational;

- b. Planned shutdown with partial project completion All soil disturbance activities have ceased; <u>and</u> all areas disturbed as of the project shutdown date have achieved *final stabilization*; <u>and</u> all temporary, structural erosion and sediment control measures have been removed; <u>and</u> all post-construction stormwater management practices required for the completed portion of the project have been constructed in conformance with the SWPPP and are operational;
- c. A new *owner or operator* has obtained coverage under this permit in accordance with Part II.F. of this permit.
- d. The *owner or operator* obtains coverage under an alternative SPDES general permit or an individual SPDES permit.
- 3. For *construction activities* meeting subdivision 2a. or 2b. of this Part, the *owner or operator* shall have the *qualified inspector* perform a final site inspection prior to submitting the NOT. The *qualified inspector* shall, by signing the "*Final Stabilization*" and "Post-Construction Stormwater Management Practice certification statements on the NOT, certify that all the requirements in Part V.A.2.a. or b. of this permit have been achieved.
- 4. For construction activities that are subject to the requirements of a regulated, traditional land use control MS4 and meet subdivision 2a. or 2b. of this Part, the owner or operator shall have the regulated, traditional land use control MS4 sign the "MS4 Acceptance" statement on the NOT in accordance with the requirements in Part VII.H. of this permit. The regulated, traditional land use control MS4 official, by signing this statement, has determined that it is acceptable for the owner or operator to submit the NOT in accordance with the requirements of this Part. The regulated, traditional land use control MS4 can make this determination by performing a final site inspection themselves or by accepting the qualified inspector's final site inspection certification(s) required in Part V.A.3. of this permit.
- 5. For *construction activities* that require post-construction stormwater management practices and meet subdivision 2a. of this Part, the *owner or operator* must, prior to submitting the NOT, ensure one of the following:
 - a. the post-construction stormwater management practice(s) and any right-ofway(s) needed to maintain such practice(s) have been deeded to the municipality in which the practice(s) is located,

- b. an executed maintenance agreement is in place with the municipality that will maintain the post-construction stormwater management practice(s),
- c. for post-construction stormwater management practices that are privately owned, the *owner or operator* has a mechanism in place that requires operation and maintenance of the practice(s) in accordance with the operation and maintenance plan, such as a deed covenant in the *owner or* operator's deed of record,
- d. for post-construction stormwater management practices that are owned by a public or private institution (e.g. school, university, hospital), government agency or authority, or public utility; the *owner or operator* has policy and procedures in place that ensures operation and maintenance of the practices in accordance with the operation and maintenance plan.

Part VI. REPORTING AND RETENTION RECORDS

A. Record Retention

The *owner or operator* shall retain a copy of the NOI, NOI Acknowledgment Letter, SWPPP, MS4 SWPPP Acceptance form and any inspection reports that were prepared in conjunction with this permit for a period of at least five (5) years from the date that the Department receives a complete NOT submitted in accordance with Part V. of this general permit.

B. Addresses

With the exception of the NOI, NOT, and MS4 SWPPP Acceptance form (which must be submitted to the address referenced in Part II.B.1 of this permit), all written correspondence requested by the Department, including individual permit applications, shall be sent to the address of the appropriate DOW Water (SPDES) Program contact at the Regional Office listed in Appendix F.

Part VII. STANDARD PERMIT CONDITIONS

A. Duty to Comply

The *owner or operator* must comply with all conditions of this permit. All contractors and subcontractors associated with the project must comply with the terms of the SWPPP. Any non-compliance with this permit constitutes a violation of the Clean Water

Act (CWA) and the ECL and is grounds for an enforcement action against the *owner or operator* and/or the contractor/subcontractor; permit revocation, suspension or modification; or denial of a permit renewal application. Upon a finding of significant non-compliance with this permit or the applicable SWPPP, the Department may order an immediate stop to all *construction activity* at the site until the non-compliance is remedied. The stop work order shall be in writing, shall describe the non-compliance in detail, and shall be sent to the *owner or operator*.

If any human remains or archaeological remains are encountered during excavation, the *owner or operator* must immediately cease, or cause to cease, all *construction activity* in the area of the remains and notify the appropriate Regional Water Engineer (RWE). *Construction activity* shall not resume until written permission to do so has been received from the RWE.

B. Continuation of the Expired General Permit

This permit expires five (5) years from the effective date. If a new general permit is not issued prior to the expiration of this general permit, an *owner or operator* with coverage under this permit may continue to operate and *discharge* in accordance with the terms and conditions of this general permit, if it is extended pursuant to the State Administrative Procedure Act and 6 NYCRR Part 621, until a new general permit is issued.

C. Enforcement

Failure of the *owner or operator*, its contractors, subcontractors, agents and/or assigns to strictly adhere to any of the permit requirements contained herein shall constitute a violation of this permit. There are substantial criminal, civil, and administrative penalties associated with violating the provisions of this permit. Fines of up to \$37,500 per day for each violation and imprisonment for up to fifteen (15) years may be assessed depending upon the nature and degree of the offense.

D. Need to Halt or Reduce Activity Not a Defense

It shall not be a defense for an *owner or operator* in an enforcement action that it would have been necessary to halt or reduce the *construction activity* in order to maintain compliance with the conditions of this permit.

E. Duty to Mitigate

The *owner or operator* and its contractors and subcontractors shall take all reasonable steps to *minimize* or prevent any *discharge* in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

F. Duty to Provide Information

The *owner or operator* shall furnish to the Department, within a reasonable specified time period of a written request, all documentation necessary to demonstrate eligibility and any information to determine compliance with this permit or to determine whether cause exists for modifying or revoking this permit, or suspending or denying coverage under this permit, in accordance with the terms and conditions of this permit. The NOI, SWPPP and inspection reports required by this permit are public documents that the *owner or operator* must make available for review and copying by any person within five (5) business days of the *owner or operator* receiving a written request by any such person to review these documents. Copying of documents will be done at the requester's expense.

G. Other Information

When the *owner or operator* becomes aware that they failed to submit any relevant facts, or submitted incorrect information in the NOI or in any of the documents required by this permit, or have made substantive revisions to the SWPPP (e.g. the scope of the project changes significantly, the type of post-construction stormwater management practice(s) changes, there is a reduction in the sizing of the post-construction stormwater management practice, or there is an increase in the disturbance area or *impervious area*), which were not reflected in the original NOI submitted to the Department, they shall promptly submit such facts or information to the Department using the contact information in Part II.A. of this permit. Failure of the *owner or operator* to correct or supplement any relevant facts within five (5) business days of becoming aware of the deficiency shall constitute a violation of this permit.

H. Signatory Requirements

- 1. All NOIs and NOTs shall be signed as follows:
 - a. For a corporation these forms shall be signed by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means:

- (i) a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or
- (ii) the manager of one or more manufacturing, production or operating facilities, provided the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;
- b. For a partnership or sole proprietorship these forms shall be signed by a general partner or the proprietor, respectively; or
- c. For a municipality, State, Federal, or other public agency these forms shall be signed by either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a Federal agency includes:
 - (i) the chief executive officer of the agency, or
 - (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of EPA).
- 2. The SWPPP and other information requested by the Department shall be signed by a person described in Part VII.H.1. of this permit or by a duly authorized representative of that person. A person is a duly authorized representative only if:
 - The authorization is made in writing by a person described in Part VII.H.1.
 of this permit;
 - b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of plant manager, operator of a well or a well field,

superintendent, position of *equivalent* responsibility, or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position) and,

- c. The written authorization shall include the name, title and signature of the authorized representative and be attached to the SWPPP.
- 3. All inspection reports shall be signed by the *qualified inspector* that performs the inspection.
- 4. The MS4 SWPPP Acceptance form shall be signed by the principal executive officer or ranking elected official from the *regulated, traditional land use control MS4*, or by a duly authorized representative of that person.

It shall constitute a permit violation if an incorrect and/or improper signatory authorizes any required forms, SWPPP and/or inspection reports.

I. Property Rights

The issuance of this permit does not convey any property rights of any sort, nor any exclusive privileges, nor does it authorize any injury to private property nor any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations. *Owners or operators* must obtain any applicable conveyances, easements, licenses and/or access to real property prior to *commencing construction activity*.

J. Severability

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit shall not be affected thereby.

K. Requirement to Obtain Coverage Under an Alternative Permit

1. The Department may require any owner or operator authorized by this permit to apply for and/or obtain either an individual SPDES permit or another SPDES general permit. When the Department requires any discharger authorized by a general permit to apply for an individual SPDES permit, it shall notify the discharger in writing that a permit application is required. This notice shall

include a brief statement of the reasons for this decision, an application form, a statement setting a time frame for the owner or operator to file the application for an individual SPDES permit, and a deadline, not sooner than 180 days from owner or operator receipt of the notification letter, whereby the authorization to discharge under this general permit shall be terminated. Applications must be submitted to the appropriate Permit Administrator at the Regional Office. The Department may grant additional time upon demonstration, to the satisfaction of the Department, that additional time to apply for an alternative authorization is necessary or where the Department has not provided a permit determination in accordance with Part 621 of this Title.

2. When an individual SPDES permit is issued to a discharger authorized to discharge under a general SPDES permit for the same discharge(s), the general permit authorization for outfalls authorized under the individual SPDES permit is automatically terminated on the effective date of the individual permit unless termination is earlier in accordance with 6 NYCRR Part 750.

L. Proper Operation and Maintenance

The *owner or operator* shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the *owner or operator* to achieve compliance with the conditions of this permit and with the requirements of the SWPPP.

M. Inspection and Entry

The *owner or operator* shall allow an authorized representative of the Department, EPA, applicable county health department, or, in the case of a *construction site* which *discharges* through an *MS4*, an authorized representative of the *MS4* receiving the discharge, upon the presentation of credentials and other documents as may be required by law, to:

- Enter upon the owner's or operator's premises where a regulated facility or activity is located or conducted or where records must be kept under the conditions of this permit;
- 2. Have access to and copy at reasonable times, any records that must be kept under the conditions of this permit; and

- Inspect at reasonable times any facilities or equipment (including monitoring and control equipment), practices or operations regulated or required by this permit.
- 4. Sample or monitor at reasonable times, for purposes of assuring permit compliance or as otherwise authorized by the Act or ECL, any substances or parameters at any location.

N. Permit Actions

This permit may, at any time, be modified, suspended, revoked, or renewed by the Department in accordance with 6 NYCRR Part 621. The filing of a request by the *owner or operator* for a permit modification, revocation and reissuance, termination, a notification of planned changes or anticipated noncompliance does not limit, diminish and/or stay compliance with any terms of this permit.

O. Definitions

Definitions of key terms are included in Appendix A of this permit.

P. Re-Opener Clause

- 1. If there is evidence indicating potential or realized impacts on water quality due to any stormwater discharge associated with construction activity covered by this permit, the owner or operator of such discharge may be required to obtain an individual permit or alternative general permit in accordance with Part VII.K. of this permit or the permit may be modified to include different limitations and/or requirements.
- Any Department initiated permit modification, suspension or revocation will be conducted in accordance with 6 NYCRR Part 621, 6 NYCRR 750-1.18, and 6 NYCRR 750-1.20.

Q. Penalties for Falsification of Forms and Reports

In accordance with 6NYCRR Part 750-2.4 and 750-2.5, any person who knowingly makes any false material statement, representation, or certification in any application, record, report or other document filed or required to be maintained under this permit, including reports of compliance or noncompliance shall, upon conviction, be punished in accordance with ECL §71-1933 and or Articles 175 and 210 of the New York State Penal Law.

R. Other Permits

Nothing in this permit relieves the *owner or operator* from a requirement to obtain any other permits required by law.

APPENDIX A – Acronyms and Definitions

Acronyms

APO - Agency Preservation Officer

BMP - Best Management Practice

CPESC - Certified Professional in Erosion and Sediment Control

Cpv – Channel Protection Volume

CWA – Clean Water Act (or the Federal Water Pollution Control Act, 33 U.S.C. §1251 et seq)

DOW - Division of Water

EAF – Environmental Assessment Form

ECL - Environmental Conservation Law

EPA – U. S. Environmental Protection Agency

HSG – Hydrologic Soil Group

MS4 – Municipal Separate Storm Sewer System

NOI – Notice of Intent

NOT – Notice of Termination

NPDES - National Pollutant Discharge Elimination System

OPRHP - Office of Parks, Recreation and Historic Places

Qf – Extreme Flood

Qp - Overbank Flood

RRv - Runoff Reduction Volume

RWE – Regional Water Engineer

SEQR - State Environmental Quality Review

SEQRA - State Environmental Quality Review Act

SHPA – State Historic Preservation Act

SPDES – State Pollutant Discharge Elimination System

SWPPP - Stormwater Pollution Prevention Plan

TMDL - Total Maximum Daily Load

UPA – Uniform Procedures Act

USDA - United States Department of Agriculture

WQv - Water Quality Volume

Definitions

All definitions in this section are solely for the purposes of this permit.

Agricultural Building – a structure designed and constructed to house farm implements, hay, grain, poultry, livestock or other horticultural products; excluding any structure designed, constructed or used, in whole or in part, for human habitation, as a

structure designed, constructed or used, in whole or in part, for human habitation, as a place of employment where agricultural products are processed, treated or packaged, or as a place used by the public.

Agricultural Property –means the land for construction of a barn, *agricultural building*, silo, stockyard, pen or other structural practices identified in Table II in the "Agricultural Management Practices Catalog for Nonpoint Source Pollution in New York State" prepared by the Department in cooperation with agencies of New York Nonpoint Source Coordinating Committee (dated June 2007).

Alter Hydrology from Pre to Post-Development Conditions - means the post-development peak flow rate(s) has increased by more than 5% of the pre-developed condition for the design storm of interest (e.g. 10 yr and 100 yr).

Combined Sewer - means a sewer that is designed to collect and convey both "sewage" and "stormwater".

Commence (Commencement of) Construction Activities - means the initial disturbance of soils associated with clearing, grading or excavation activities; or other construction related activities that disturb or expose soils such as demolition, stockpiling of fill material, and the initial installation of erosion and sediment control practices required in the SWPPP. See definition for "Construction Activity(ies)" also.

Construction Activity(ies) - means any clearing, grading, excavation, filling, demolition or stockpiling activities that result in soil disturbance. Clearing activities can include, but are not limited to, logging equipment operation, the cutting and skidding of trees, stump removal and/or brush root removal. Construction activity does not include routine maintenance that is performed to maintain the original line and grade, hydraulic capacity, or original purpose of a facility.

Construction Site – means the land area where *construction activity(ies)* will occur. See definition for "*Commence (Commencement of) Construction Activities*" and "*Larger Common Plan of Development or Sale*" also.

Dewatering – means the act of draining rainwater and/or groundwater from building foundations, vaults or excavations/trenches.

Direct Discharge (to a specific surface waterbody) - means that runoff flows from a *construction site* by overland flow and the first point of discharge is the specific surface waterbody, or runoff flows from a *construction site* to a separate storm sewer system

and the first point of discharge from the separate storm sewer system is the specific surface waterbody.

Discharge(s) - means any addition of any pollutant to waters of the State through an outlet or *point source*.

Embankment –means an earthen or rock slope that supports a road/highway.

Endangered or Threatened Species – see 6 NYCRR Part 182 of the Department's rules and regulations for definition of terms and requirements.

Environmental Conservation Law (ECL) - means chapter 43-B of the Consolidated Laws of the State of New York, entitled the Environmental Conservation Law.

Equivalent (Equivalence) – means that the practice or measure meets all the performance, longevity, maintenance, and safety objectives of the technical standard and will provide an equal or greater degree of water quality protection.

Final Stabilization - means that all soil disturbance activities have ceased and a uniform, perennial vegetative cover with a density of eighty (80) percent over the entire pervious surface has been established; or other equivalent stabilization measures, such as permanent landscape mulches, rock rip-rap or washed/crushed stone have been applied on all disturbed areas that are not covered by permanent structures, concrete or pavement.

General SPDES permit - means a SPDES permit issued pursuant to 6 NYCRR Part 750-1.21 and Section 70-0117 of the ECL authorizing a category of discharges.

Groundwater(s) - means waters in the saturated zone. The saturated zone is a subsurface zone in which all the interstices are filled with water under pressure greater than that of the atmosphere. Although the zone may contain gas-filled interstices or interstices filled with fluids other than water, it is still considered saturated.

Historic Property – means any building, structure, site, object or district that is listed on the State or National Registers of Historic Places or is determined to be eligible for listing on the State or National Registers of Historic Places.

Impervious Area (Cover) - means all impermeable surfaces that cannot effectively infiltrate rainfall. This includes paved, concrete and gravel surfaces (i.e. parking lots, driveways, roads, runways and sidewalks); building rooftops and miscellaneous impermeable structures such as patios, pools, and sheds.

Infeasible – means not technologically possible, or not economically practicable and achievable in light of best industry practices.

Larger Common Plan of Development or Sale - means a contiguous area where multiple separate and distinct *construction activities* are occurring, or will occur, under one plan. The term "plan" in "larger common plan of development or sale" is broadly defined as any announcement or piece of documentation (including a sign, public notice or hearing, marketing plan, advertisement, drawing, permit application, State Environmental Quality Review Act (SEQRA) environmental assessment form or other documents, zoning request, computer design, etc.) or physical demarcation (including boundary signs, lot stakes, surveyor markings, etc.) indicating that *construction activities* may occur on a specific plot.

For discrete construction projects that are located within a larger common plan of development or sale that are at least 1/4 mile apart, each project can be treated as a separate plan of development or sale provided any interconnecting road, pipeline or utility project that is part of the same "common plan" is not concurrently being disturbed.

Minimize – means reduce and/or eliminate to the extent achievable using control measures (including best management practices) that are technologically available and economically practicable and achievable in light of best industry practices.

Municipal Separate Storm Sewer (MS4) - a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains):

- (i) Owned or operated by a State, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to State law) having jurisdiction over disposal of sewage, industrial wastes, stormwater, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under section 208 of the CWA that discharges to surface waters of the State;
- (ii) Designed or used for collecting or conveying stormwater;
- (iii) Which is not a combined sewer; and
- (iv) Which is not part of a Publicly Owned Treatment Works (POTW) as defined at 40 CFR 122.2.

National Pollutant Discharge Elimination System (NPDES) - means the national system for the issuance of wastewater and stormwater permits under the Federal Water Pollution Control Act (Clean Water Act).

Natural Buffer –means an undisturbed area with natural cover running along a surface water (e.g. wetland, stream, river, lake, etc.).

New Development – means any land disturbance that does not meet the definition of Redevelopment Activity included in this appendix.

New York State Erosion and Sediment Control Certificate Program – a certificate program that establishes and maintains a process to identify and recognize individuals who are capable of developing, designing, inspecting and maintaining erosion and sediment control plans on projects that disturb soils in New York State. The certificate program is administered by the New York State Conservation District Employees Association.

NOI Acknowledgment Letter - means the letter that the Department sends to an owner or operator to acknowledge the Department's receipt and acceptance of a complete Notice of Intent. This letter documents the owner's or operator's authorization to discharge in accordance with the general permit for stormwater discharges from *construction activity*.

Nonpoint Source - means any source of water pollution or pollutants which is not a discrete conveyance or *point source* permitted pursuant to Title 7 or 8 of Article 17 of the Environmental Conservation Law (see ECL Section 17-1403).

Overbank –means flow events that exceed the capacity of the stream channel and spill out into the adjacent floodplain.

Owner or Operator - means the person, persons or legal entity which owns or leases the property on which the *construction activity* is occurring; an entity that has operational control over the construction plans and specifications, including the ability to make modifications to the plans and specifications; and/or an entity that has day-to-day operational control of those activities at a project that are necessary to ensure compliance with the permit conditions.

Performance Criteria – means the design criteria listed under the "Required Elements" sections in Chapters 5, 6 and 10 of the technical standard, New York State Stormwater Management Design Manual, dated January 2015. It does not include the Sizing Criteria (i.e. WQv, RRv, Cpv, Qp and Qf) in Part I.C.2. of the permit.

Point Source - means any discernible, confined and discrete conveyance, including but not limited to any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, vessel or other floating craft, or landfill leachate collection system from which *pollutants* are or may be discharged.

Pollutant - means dredged spoil, filter backwash, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand and industrial, municipal, agricultural waste and ballast discharged into water; which may cause or might reasonably be expected to cause pollution of the waters of the state in contravention of the standards or guidance values adopted as provided in 6 NYCRR Parts 700 et seq.

Qualified Inspector - means a person that is knowledgeable in the principles and practices of erosion and sediment control, such as a licensed Professional Engineer, Certified Professional in Erosion and Sediment Control (CPESC), Registered Landscape Architect, New York State Erosion and Sediment Control Certificate Program holder or other Department endorsed individual(s).

It can also mean someone working under the direct supervision of, and at the same company as, the licensed Professional Engineer or Registered Landscape Architect, provided that person has training in the principles and practices of erosion and sediment control. Training in the principles and practices of erosion and sediment control means that the individual working under the direct supervision of the licensed Professional Engineer or Registered Landscape Architect has received four (4) hours of Department endorsed training in proper erosion and sediment control principles from a Soil and Water Conservation District, or other Department endorsed entity. After receiving the initial training, the individual working under the direct supervision of the licensed Professional Engineer or Registered Landscape Architect shall receive four (4) hours of training every three (3) years.

It can also mean a person that meets the *Qualified Professional* qualifications in addition to the *Qualified Inspector* qualifications.

Note: Inspections of any post-construction stormwater management practices that include structural components, such as a dam for an impoundment, shall be performed by a licensed Professional Engineer.

Qualified Professional - means a person that is knowledgeable in the principles and practices of stormwater management and treatment, such as a licensed Professional Engineer, Registered Landscape Architect or other Department endorsed individual(s). Individuals preparing SWPPPs that require the post-construction stormwater management practice component must have an understanding of the principles of hydrology, water quality management practice design, water quantity control design, and, in many cases, the principles of hydraulics. All components of the SWPPP that involve the practice of engineering, as defined by the NYS Education Law (see Article 145), shall be prepared by, or under the direct supervision of, a professional engineer licensed to practice in the State of New York.

Redevelopment Activity(ies) – means the disturbance and reconstruction of existing impervious area, including impervious areas that were removed from a project site within five (5) years of preliminary project plan submission to the local government (i.e. site plan, subdivision, etc.).

Regulated, Traditional Land Use Control MS4 - means a city, town or village with land use control authority that is authorized to discharge under New York State DEC's

SPDES General Permit For Stormwater Discharges from Municipal Separate Stormwater Sewer Systems (MS4s) or the City of New York's Individual SPDES Permit for their Municipal Separate Storm Sewer Systems (NY-0287890).

Routine Maintenance Activity - means *construction activity* that is performed to maintain the original line and grade, hydraulic capacity, or original purpose of a facility, including, but not limited to:

- Re-grading of gravel roads or parking lots,
- Cleaning and shaping of existing roadside ditches and culverts that maintains the approximate original line and grade, and hydraulic capacity of the ditch,
- Cleaning and shaping of existing roadside ditches that does not maintain the approximate original grade, hydraulic capacity and purpose of the ditch if the changes to the line and grade, hydraulic capacity or purpose of the ditch are installed to improve water quality and quantity controls (e.g. installing grass lined ditch).
- Placement of aggregate shoulder backing that stabilizes the transition between the road shoulder and the ditch or *embankment*,
- Full depth milling and filling of existing asphalt pavements, replacement of concrete pavement slabs, and similar work that does not expose soil or disturb the bottom six (6) inches of subbase material.
- Long-term use of equipment storage areas at or near highway maintenance facilities.
- Removal of sediment from the edge of the highway to restore a previously existing sheet-flow drainage connection from the highway surface to the highway ditch or embankment,
- Existing use of Canal Corp owned upland disposal sites for the canal, and
- Replacement of curbs, gutters, sidewalks and guide rail posts.

Site limitations – means site conditions that prevent the use of an infiltration technique and or infiltration of the total WQv. Typical site limitations include: seasonal high groundwater, shallow depth to bedrock, and soils with an infiltration rate less than 0.5 inches/hour. The existence of site limitations shall be confirmed and documented using actual field testing (i.e. test pits, soil borings, and infiltration test) or using information from the most current United States Department of Agriculture (USDA) Soil Survey for the County where the project is located.

Sizing Criteria – means the criteria included in Part I.C.2 of the permit that are used to size post-construction stormwater management control practices. The criteria include; Water Quality Volume (WQv), Runoff Reduction Volume (RRv), Channel Protection Volume (Cpv), *Overbank* Flood (Qp), and Extreme Flood (Qf).

State Pollutant Discharge Elimination System (SPDES) - means the system established pursuant to Article 17 of the ECL and 6 NYCRR Part 750 for issuance of permits authorizing discharges to the waters of the state.

Steep Slope – means land area designated on the current United States Department of Agriculture ("USDA") Soil Survey as Soil Slope Phase "D", (provided the map unit name is inclusive of slopes greater than 25%), or Soil Slope Phase E or F, (regardless of the map unit name), or a combination of the three designations.

Streambank – as used in this permit, means the terrain alongside the bed of a creek or stream. The bank consists of the sides of the channel, between which the flow is confined.

Stormwater Pollution Prevention Plan (SWPPP) – means a project specific report, including construction drawings, that among other things: describes the construction activity(ies), identifies the potential sources of pollution at the *construction site*; describes and shows the stormwater controls that will be used to control the pollutants (i.e. erosion and sediment controls; for many projects, includes post-construction stormwater management controls); and identifies procedures the *owner or operator* will implement to comply with the terms and conditions of the permit. See Part III of the permit for a complete description of the information that must be included in the SWPPP.

Surface Waters of the State - shall be construed to include lakes, bays, sounds, ponds, impounding reservoirs, springs, rivers, streams, creeks, estuaries, marshes, inlets, canals, the Atlantic ocean within the territorial seas of the state of New York and all other bodies of surface water, natural or artificial, inland or coastal, fresh or salt, public or private (except those private waters that do not combine or effect a junction with natural surface waters), which are wholly or partially within or bordering the state or within its jurisdiction. Waters of the state are further defined in 6 NYCRR Parts 800 to 941.

Temporarily Ceased – means that an existing disturbed area will not be disturbed again within 14 calendar days of the previous soil disturbance.

Temporary Stabilization - means that exposed soil has been covered with material(s) as set forth in the technical standard, New York Standards and Specifications for Erosion and Sediment Control, to prevent the exposed soil from eroding. The materials can include, but are not limited to, mulch, seed and mulch, and erosion control mats (e.g. jute twisted yarn, excelsior wood fiber mats).

Total Maximum Daily Loads (TMDLs) - A TMDL is the sum of the allowable loads of a single pollutant from all contributing point and *nonpoint sources*. It is a calculation of the maximum amount of a pollutant that a waterbody can receive on a daily basis and still meet *water quality standards*, and an allocation of that amount to the pollutant's sources. A TMDL stipulates wasteload allocations (WLAs) for *point source* discharges, load allocations (LAs) for *nonpoint sources*, and a margin of safety (MOS).

Trained Contractor - means an employee from the contracting (construction) company, identified in Part III.A.6., that has received four (4) hours of Department endorsed

training in proper erosion and sediment control principles from a Soil and Water Conservation District, or other Department endorsed entity. After receiving the initial training, the *trained contractor* shall receive four (4) hours of training every three (3) years.

It can also mean an employee from the contracting (construction) company, identified in Part III.A.6., that meets the *qualified inspector* qualifications (e.g. licensed Professional Engineer, Certified Professional in Erosion and Sediment Control (CPESC), Registered Landscape Architect, New York State Erosion and Sediment Control Certificate Program holder, or someone working under the direct supervision of, and at the same company as, the licensed Professional Engineer or Registered Landscape Architect, provided they have received four (4) hours of Department endorsed training in proper erosion and sediment control principles from a Soil and Water Conservation District, or other Department endorsed entity).

The *trained contractor* is responsible for the day to day implementation of the SWPPP.

Uniform Procedures Act (UPA) Permit - means a permit required under 6 NYCRR Part 621 of the Environmental Conservation Law (ECL), Article 70.

Water Quality Standard - means such measures of purity or quality for any waters in relation to their reasonable and necessary use as promulgated in 6 NYCRR Part 700 et seq.

APPENDIX B – Required SWPPP Components by Project Type

Table 1 Construction Activities that Require the Preparation of a SWPPP That Only Includes Erosion and Sediment Controls

The following construction activities that involve soil disturbances of one (1) or more acres of land, but less than five (5) acres:

- Single family home <u>not</u> located in one of the watersheds listed in Appendix C or <u>not</u> *directly discharging* to one of the 303(d) segments listed in Appendix E
- Single family residential subdivisions with 25% or less impervious cover at total site build-out and <u>not</u> located in one of the watersheds listed in Appendix C and <u>not</u> directly discharging to one of the 303(d) segments listed in Appendix E
- Construction of a barn or other agricultural building, silo, stock yard or pen.

The following construction activities that involve soil disturbances between five thousand (5000) square feet and one (1) acre of land:

All construction activities located in the watersheds identified in Appendix D that involve soil disturbances between five thousand (5,000) square feet and one (1) acre of land.

- Installation of underground, linear utilities; such as gas lines, fiber-optic cable, cable TV, electric, telephone, sewer mains, and water mains
- Environmental enhancement projects, such as wetland mitigation projects, stormwater retrofits and stream restoration projects
- · Pond construction
- Linear bike paths running through areas with vegetative cover, including bike paths surfaced with an impervious cover
- · Cross-country ski trails and walking/hiking trails
- Sidewalk, bike path or walking path projects, surfaced with an impervious cover, that are not part of residential, commercial or institutional development;
- Sidewalk, bike path or walking path projects, surfaced with an impervious cover, that include incidental shoulder or curb work along an existing highway to support construction of the sidewalk, bike path or walking path.
- · Slope stabilization projects
- Slope flattening that changes the grade of the site, but does not significantly change the runoff characteristics

Table 1 (Continued) Construction Activities that Require the Preparation of a SWPPP

THAT ONLY INCLUDES EROSION AND SEDIMENT CONTROLS

- · Spoil areas that will be covered with vegetation
- Vegetated open space projects (i.e. recreational parks, lawns, meadows, fields, downhill ski trails) excluding projects that alter hydrology from pre to post development conditions,
- Athletic fields (natural grass) that do not include the construction or reconstruction of *impervious* area and do not alter hydrology from pre to post development conditions
- Demolition project where vegetation will be established, and no redevelopment is planned
- Overhead electric transmission line project that does not include the construction of permanent access roads or parking areas surfaced with *impervious cover*
- Structural practices as identified in Table II in the "Agricultural Management Practices Catalog for Nonpoint Source Pollution in New York State", excluding projects that involve soil disturbances of greater than five acres and construction activities that include the construction or reconstruction of impervious area
- Temporary access roads, median crossovers, detour roads, lanes, or other temporary impervious areas that will be restored to pre-construction conditions once the construction activity is complete

Table 2

CONSTRUCTION ACTIVITIES THAT REQUIRE THE PREPARATION OF A SWPPP THAT INCLUDES POST-CONSTRUCTION STORMWATER MANAGEMENT PRACTICES

- Single family home located in one of the watersheds listed in Appendix C or directly discharging to one of the 303(d) segments listed in Appendix E
- · Single family home that disturbs five (5) or more acres of land
- Single family residential subdivisions located in one of the watersheds listed in Appendix C or directly discharging to one of the 303(d) segments listed in Appendix E
- Single family residential subdivisions that involve soil disturbances of between one (1) and five (5) acres of land with greater than 25% impervious cover at total site build-out
- Single family residential subdivisions that involve soil disturbances of five (5) or more acres of land, and single family residential subdivisions that involve soil disturbances of less than five (5) acres that are part of a larger common plan of development or sale that will ultimately disturb five or more acres of land
- Multi-family residential developments; includes duplexes, townhomes, condominiums, senior housing complexes, apartment complexes, and mobile home parks
- Airports
- Amusement parks
- · Breweries, cideries, and wineries, including establishments constructed on agricultural land
- Campgrounds
- Cemeteries that include the construction or reconstruction of impervious area (>5% of disturbed area) or alter the hydrology from pre to post development conditions
- · Commercial developments
- Churches and other places of worship
- Construction of a barn or other *agricultural building* (e.g. silo) and structural practices as identified in Table II in the "Agricultural Management Practices Catalog for Nonpoint Source Pollution in New York State" that include the construction or reconstruction of *impervious area*, excluding projects that involve soil disturbances of less than five acres.
- · Golf courses
- · Institutional development; includes hospitals, prisons, schools and colleges
- · Industrial facilities; includes industrial parks
- Landfills
- Municipal facilities; includes highway garages, transfer stations, office buildings, POTW's, water treatment plants, and water storage tanks
- Office complexes
- · Playgrounds that include the construction or reconstruction of impervious area
- Sports complexes
- Racetracks; includes racetracks with earthen (dirt) surface
- Road construction or reconstruction, including roads constructed as part of the construction activities listed in Table 1

Table 2 (Continued)

CONSTRUCTION ACTIVITIES THAT REQUIRE THE PREPARATION OF A SWPPP THAT INCLUDES POST-CONSTRUCTION STORMWATER MANAGEMENT PRACTICES

- Parking lot construction or reconstruction, including parking lots constructed as part of the construction activities listed in Table 1
- Athletic fields (natural grass) that include the construction or reconstruction of impervious area (>5% of disturbed area) or alter the hydrology from pre to post development conditions
- Athletic fields with artificial turf
- Permanent access roads, parking areas, substations, compressor stations and well drilling pads, surfaced with *impervious cover*, and constructed as part of an over-head electric transmission line project, wind-power project, cell tower project, oil or gas well drilling project, sewer or water main project or other linear utility project
- Sidewalk, bike path or walking path projects, surfaced with an impervious cover, that are part of a residential, commercial or institutional development
- Sidewalk, bike path or walking path projects, surfaced with an impervious cover, that are part of a highway construction or reconstruction project
- All other construction activities that include the construction or reconstruction of *impervious area* or alter the hydrology from pre to post development conditions, and are not listed in Table 1

APPENDIX C – Watersheds Requiring Enhanced Phosphorus Removal

Watersheds where *owners or operators* of construction activities identified in Table 2 of Appendix B must prepare a SWPPP that includes post-construction stormwater management practices designed in conformance with the Enhanced Phosphorus Removal Standards included in the technical standard, New York State Stormwater Management Design Manual ("Design Manual").

- Entire New York City Watershed located east of the Hudson River Figure 1
- Onondaga Lake Watershed Figure 2
- Greenwood Lake Watershed -Figure 3
- Oscawana Lake Watershed Figure 4
- Kinderhook Lake Watershed Figure 5

Figure 1 - New York City Watershed East of the Hudson

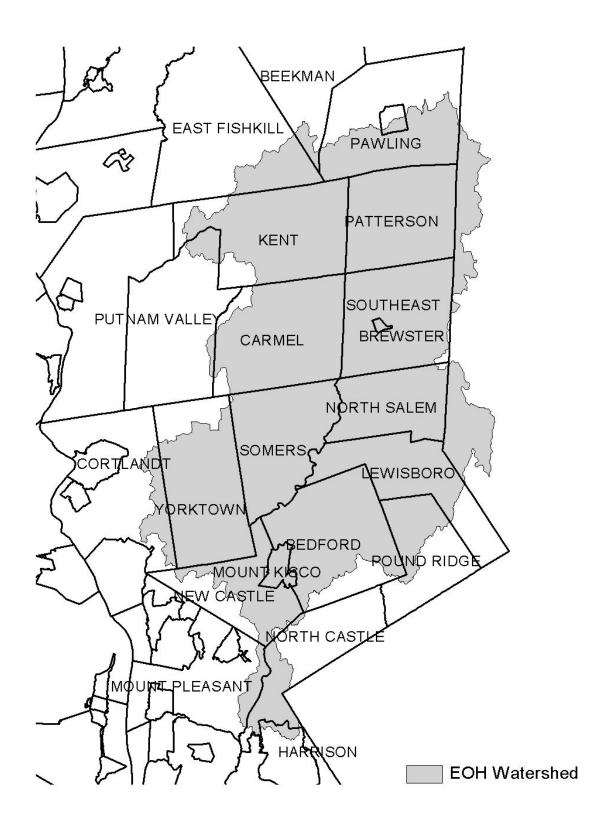


Figure 2 - Onondaga Lake Watershed



Figure 3 - Greenwood Lake Watershed

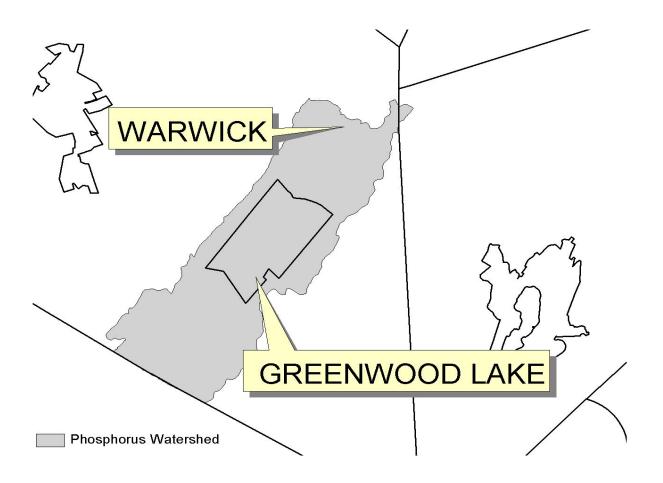


Figure 4 - Oscawana Lake Watershed

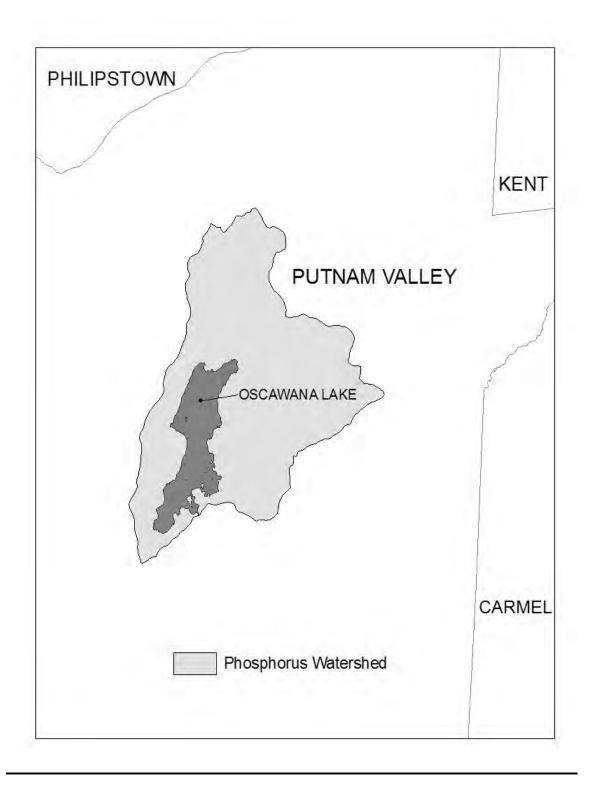
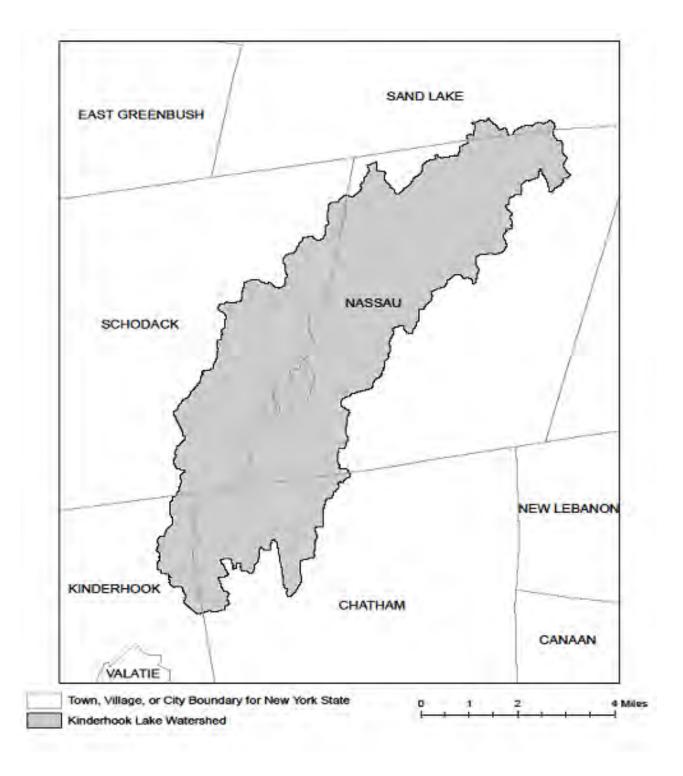


Figure 5 - Kinderhook Lake Watershed



APPENDIX D – Watersheds with Lower Disturbance Threshold

Watersheds where *owners or operators* of construction activities that involve soil disturbances between five thousand (5000) square feet and one (1) acre of land must obtain coverage under this permit.

Entire New York City Watershed that is located east of the Hudson River - See Figure 1 in Appendix C

APPENDIX E – 303(d) Segments Impaired by Construction Related Pollutant(s)

List of 303(d) segments impaired by pollutants related to *construction activity* (e.g. silt, sediment or nutrients). The list was developed using "The Final New York State 2016 Section 303(d) List of Impaired Waters Requiring a TMDL/Other Strategy" dated November 2016. *Owners or operators* of single family home and single family residential subdivisions with 25% or less total impervious cover at total site build-out that involve soil disturbances of one or more acres of land, but less than 5 acres, and *directly discharge* to one of the listed segments below shall prepare a SWPPP that includes post-construction stormwater management practices designed in conformance with the New York State Stormwater Management Design Manual ("Design Manual"), dated January 2015.

COUNTY	WATERBODY	POLLUTANT
Albany	Ann Lee (Shakers) Pond, Stump Pond	Nutrients
Albany	Basic Creek Reservoir	Nutrients
Allegany	Amity Lake, Saunders Pond	Nutrients
Bronx	Long Island Sound, Bronx	Nutrients
Bronx	Van Cortlandt Lake	Nutrients
Broome	Fly Pond, Deer Lake, Sky Lake	Nutrients
Broome	Minor Tribs to Lower Susquehanna (north)	Nutrients
Broome	Whitney Point Lake/Reservoir	Nutrients
Cattaraugus	Allegheny River/Reservoir	Nutrients
Cattaraugus	Beaver (Alma) Lake	Nutrients
Cattaraugus	Case Lake	Nutrients
Cattaraugus	Linlyco/Club Pond	Nutrients
Cayuga	Duck Lake	Nutrients
Cayuga	Little Sodus Bay	Nutrients
Chautauqua	Bear Lake	Nutrients
Chautauqua	Chadakoin River and tribs	Nutrients
Chautauqua	Chautauqua Lake, North	Nutrients
Chautauqua	Chautauqua Lake, South	Nutrients
Chautauqua	Findley Lake	Nutrients
Chautauqua	Hulburt/Clymer Pond	Nutrients
Clinton	Great Chazy River, Lower, Main Stem	Silt/Sediment
Clinton	Lake Champlain, Main Lake, Middle	Nutrients
Clinton	Lake Champlain, Main Lake, North	Nutrients
Columbia	Kinderhook Lake	Nutrients
Columbia	Robinson Pond	Nutrients
Cortland	Dean Pond	Nutrients

Dutchess	Fall Kill and tribs	Nutrients
Dutchess	Hillside Lake	Nutrients
Dutchess	Wappingers Lake	Nutrients
Dutchess	Wappingers Lake	Silt/Sediment
Erie	Beeman Creek and tribs	Nutrients
Erie	Ellicott Creek, Lower, and tribs	Silt/Sediment
Erie	Ellicott Creek, Lower, and tribs	Nutrients
Erie	Green Lake	Nutrients
Erie	Little Sister Creek, Lower, and tribs	Nutrients
Erie	Murder Creek, Lower, and tribs	Nutrients
Erie	Rush Creek and tribs	Nutrients
Erie	Scajaquada Creek, Lower, and tribs	Nutrients
Erie	Scajaquada Creek, Middle, and tribs	Nutrients
Erie	Scajaquada Creek, Upper, and tribs	Nutrients
Erie	South Branch Smoke Cr, Lower, and tribs	Silt/Sediment
Erie	South Branch Smoke Cr, Lower, and tribs	Nutrients
Essex	Lake Champlain, Main Lake, South	Nutrients
Essex	Lake Champlain, South Lake	Nutrients
Essex	Willsboro Bay	Nutrients
Genesee	Bigelow Creek and tribs	Nutrients
Genesee	Black Creek, Middle, and minor tribs	Nutrients
Genesee	Black Creek, Upper, and minor tribs	Nutrients
Genesee	Bowen Brook and tribs	Nutrients
Genesee	LeRoy Reservoir	Nutrients
Genesee	Oak Orchard Cr, Upper, and tribs	Nutrients
Genesee	Tonawanda Creek, Middle, Main Stem	Nutrients
Greene	Schoharie Reservoir	Silt/Sediment
Greene	Sleepy Hollow Lake	Silt/Sediment
Herkimer	Steele Creek tribs	Silt/Sediment
Herkimer	Steele Creek tribs	Nutrients
Jefferson	Moon Lake	Nutrients
Kings	Hendrix Creek	Nutrients
Kings	Prospect Park Lake	Nutrients
Lewis	Mill Creek/South Branch, and tribs	Nutrients
Livingston	Christie Creek and tribs	Nutrients
Livingston	Conesus Lake	Nutrients
Livingston	Mill Creek and minor tribs	Silt/Sediment
Monroe	Black Creek, Lower, and minor tribs	Nutrients
Monroe	Buck Pond	Nutrients
Monroe	Cranberry Pond	Nutrients

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Onondaga	Onondaga Lake, northern end	Nutrients
Onondaga	Onondaga Lake, southern end	Nutrients
Ontario	Great Brook and minor tribs	Silt/Sediment
Ontario	Great Brook and minor tribs	Nutrients
Ontario	Hemlock Lake Outlet and minor tribs	Nutrients
Ontario	Honeoye Lake	Nutrients
Orange	Greenwood Lake	Nutrients
Orange	Monhagen Brook and tribs	Nutrients
Orange	Orange Lake	Nutrients
Orleans	Lake Ontario Shoreline, Western	Nutrients
Orleans	Lake Ontario Shoreline, Western	Nutrients
Oswego	Lake Neatahwanta	Nutrients
Oswego	Pleasant Lake	Nutrients
Putnam	Bog Brook Reservoir	Nutrients
Putnam	Boyd Corners Reservoir	Nutrients
Putnam	Croton Falls Reservoir	Nutrients
Putnam	Diverting Reservoir	Nutrients
Putnam	East Branch Reservoir	Nutrients
Putnam	Lake Carmel	Nutrients
	Middle Branch Reservoir	Nutrients
Putnam		Nutrients
Putnam Putnam	Oscawana Lake Palmer Lake	Nutrients
	West Branch Reservoir	Nutrients
Putnam		Nutrients
Queens	Bergen Basin Flushing Creek/Bay	
Queens	Jamaica Bay, Eastern, and tribs (Queens)	Nutrients
Queens		Nutrients
Queens	Kissena Lake	Nutrients
Queens	Meadow Lake	Nutrients
Queens	Willow Lake	Nutrients
Rensselaer	Nassau Lake	Nutrients
Rensselaer	Snyders Lake	Nutrients
Richmond	Grasmere Lake/Bradys Pond	Nutrients
Rockland	Congers Lake, Swartout Lake	Nutrients
Rockland	Rockland Lake	Nutrients
Saratoga	Ballston Lake	Nutrients
Saratoga	Dwaas Kill and tribs	Silt/Sediment
Saratoga	Dwaas Kill and tribs	Nutrients
Saratoga	Lake Lonely	Nutrients
Saratoga	Round Lake	Nutrients
Saratoga	Tribs to Lake Lonely	Nutrients

Schenectady	Collins Lake	Nutrients
Schenectady	Duane Lake	Nutrients
Schenectady	Mariaville Lake	Nutrients
Schoharie	Engleville Pond	Nutrients
Schoharie	Summit Lake	Nutrients
Seneca	Reeder Creek and tribs	Nutrients
St.Lawrence	Black Lake Outlet/Black Lake	Nutrients
St.Lawrence	Fish Creek and minor tribs	Nutrients
Steuben	Smith Pond	Nutrients
Suffolk	Agawam Lake	Nutrients
Suffolk	Big/Little Fresh Ponds	Nutrients
Suffolk	Canaan Lake	Silt/Sediment
Suffolk	Canaan Lake	Nutrients
Suffolk	Flanders Bay, West/Lower Sawmill Creek	Nutrients
Suffolk	Fresh Pond	Nutrients
Suffolk	Great South Bay, East	Nutrients
Suffolk	Great South Bay, Middle	Nutrients
Suffolk	Great South Bay, West	Nutrients
Suffolk	Lake Ronkonkoma	Nutrients
Suffolk	Long Island Sound, Suffolk County, West	Nutrients
Suffolk	Mattituck (Marratooka) Pond	Nutrients
Suffolk	Meetinghouse/Terrys Creeks and tribs	Nutrients
Suffolk	Mill and Seven Ponds	Nutrients
Suffolk	Millers Pond	Nutrients
Suffolk	Moriches Bay, East	Nutrients
Suffolk	Moriches Bay, West	Nutrients
Suffolk	Peconic River, Lower, and tidal tribs	Nutrients
Suffolk	Quantuck Bay	Nutrients
Suffolk	Shinnecock Bay and Inlet	Nutrients
Suffolk	Tidal tribs to West Moriches Bay	Nutrients
Sullivan	Bodine, Montgomery Lakes	Nutrients
Sullivan	Davies Lake	Nutrients
Sullivan	Evens Lake	Nutrients
Sullivan	Pleasure Lake	Nutrients
Tompkins	Cayuga Lake, Southern End	Nutrients
Tompkins	Cayuga Lake, Southern End	Silt/Sediment
Tompkins	Owasco Inlet, Upper, and tribs	Nutrients
Ulster	Ashokan Reservoir	Silt/Sediment
Ulster	Esopus Creek, Upper, and minor tribs	Silt/Sediment
Warren	Hague Brook and tribs	Silt/Sediment

Warren Warren	Indian Brook and tribs Lake George	Silt/Sediment
Warren	Lake George	
		Silt/Sediment
Warren	Tribs to L.George, Village of L George	Silt/Sediment
Washington	Cossayuna Lake	Nutrients
Washington	Lake Champlain, South Bay	Nutrients
Washington	Tribs to L.George, East Shore	Silt/Sediment
Washington	Wood Cr/Champlain Canal and minor tribs	Nutrients
Wayne	Port Bay	Nutrients
Westchester	Amawalk Reservoir	Nutrients
Westchester	Blind Brook, Upper, and tribs	Silt/Sediment
Westchester	Cross River Reservoir	Nutrients
Westchester	Lake Katonah	Nutrients
Westchester	Lake Lincolndale	Nutrients
Westchester	Lake Meahagh	Nutrients
Westchester	Lake Mohegan	Nutrients
Westchester	Lake Shenorock	Nutrients
Westchester	Long Island Sound, Westchester (East)	Nutrients
Westchester	Mamaroneck River, Lower	Silt/Sediment
Westchester	Mamaroneck River, Upper, and minor tribs	Silt/Sediment
Westchester	Muscoot/Upper New Croton Reservoir	Nutrients
Westchester	New Croton Reservoir	Nutrients
Westchester	Peach Lake	Nutrients
Westchester	Reservoir No.1 (Lake Isle)	Nutrients
Westchester	Saw Mill River, Lower, and tribs	Nutrients
Westchester	Saw Mill River, Middle, and tribs	Nutrients
Westchester	Sheldrake River and tribs	Silt/Sediment
Westchester	Sheldrake River and tribs	Nutrients
Westchester	Silver Lake	Nutrients
Westchester	Teatown Lake	Nutrients
Westchester	Titicus Reservoir	Nutrients
Westchester	Truesdale Lake	Nutrients
Westchester	Wallace Pond	Nutrients
Wyoming	Java Lake	Nutrients
Wyoming	Silver Lake	Nutrients

APPENDIX F – List of NYS DEC Regional Offices

<u>Region</u>	COVERING THE FOLLOWING COUNTIES:	DIVISION OF ENVIRONMENTAL PERMITS (DEP) PERMIT ADMINISTRATORS	DIVISION OF WATER (DOW) WATER (SPDES) PROGRAM
1	NASSAU AND SUFFOLK	50 CIRCLE ROAD STONY BROOK, NY 11790 Tel. (631) 444-0365	50 CIRCLE ROAD STONY BROOK, NY 11790-3409 Tel. (631) 444-0405
2	BRONX, KINGS, NEW YORK, QUEENS AND RICHMOND	1 HUNTERS POINT PLAZA, 47-40 21st St. LONG ISLAND CITY, NY 11101-5407 TEL. (718) 482-4997	1 HUNTERS POINT PLAZA, 47-40 21ST ST. LONG ISLAND CITY, NY 11101-5407 TEL. (718) 482-4933
3	DUTCHESS, ORANGE, PUTNAM, ROCKLAND, SULLIVAN, ULSTER AND WESTCHESTER	21 SOUTH PUTT CORNERS ROAD NEW PALTZ, NY 12561-1696 TEL. (845) 256-3059	100 HILLSIDE AVENUE, SUITE 1W WHITE PLAINS, NY 10603 TEL. (914) 428 - 2505
4	ALBANY, COLUMBIA, DELAWARE, GREENE, MONTGOMERY, OTSEGO, RENSSELAER, SCHENECTADY AND SCHOHARIE	1150 NORTH WESTCOTT ROAD SCHENECTADY, NY 12306-2014 Tel. (518) 357-2069	1130 NORTH WESTCOTT ROAD SCHENECTADY, NY 12306-2014 Tel. (518) 357-2045
5	CLINTON, ESSEX, FRANKLIN, FULTON, HAMILTON, SARATOGA, WARREN AND WASHINGTON	1115 STATE ROUTE 86, Po Box 296 Ray Brook, Ny 12977-0296 Tel. (518) 897-1234	232 GOLF COURSE ROAD WARRENSBURG, NY 12885-1172 TEL. (518) 623-1200
6	HERKIMER, JEFFERSON, LEWIS, ONEIDA AND ST. LAWRENCE	STATE OFFICE BUILDING 317 WASHINGTON STREET WATERTOWN, NY 13601-3787 TEL. (315) 785-2245	STATE OFFICE BUILDING 207 GENESEE STREET UTICA, NY 13501-2885 TEL. (315) 793-2554
7	BROOME, CAYUGA, CHENANGO, CORTLAND, MADISON, ONONDAGA, OSWEGO, TIOGA AND TOMPKINS	615 ERIE BLVD. WEST SYRACUSE, NY 13204-2400 TEL. (315) 426-7438	615 ERIE BLVD. WEST SYRACUSE, NY 13204-2400 TEL. (315) 426-7500
8	CHEMUNG, GENESEE, LIVINGSTON, MONROE, ONTARIO, ORLEANS, SCHUYLER, SENECA, STEUBEN, WAYNE AND YATES	6274 EAST AVON-LIMA ROADAVON, NY 14414-9519 TEL. (585) 226-2466	6274 EAST AVON-LIMA RD. AVON, NY 14414-9519 TEL. (585) 226-2466
9	ALLEGANY, CATTARAUGUS, CHAUTAUQUA, ERIE, NIAGARA AND WYOMING	270 MICHIGAN AVENUE BUFFALO, NY 14203-2999 TEL. (716) 851-7165	270 MICHIGAN AVENUE BUFFALO, NY 14203-2999 TEL. (716) 851-7070

Appendix E

Forms



Owner/Operator Certification Form

SPDES General Permit For Stormwater Discharges From Construction Activity (GP-0-20-001)

Project/Site Name: Prop	oosed Warehouse - 2 St	eelworkers Way, Lackawar	nna, NY 14218
eNOI Submission Numb	er: HPS-0SSD-8CP0	SJ .	
eNOI Submitted by:	Owner/Operator	SWPPP Preparer	Other
Certification Stateme	nt - Owner/Operator		
that, under the terms of the pand the corresponding documents of the pand the corresponding documents of the pand the corresponding to the pand that I will reduce as provided for in the guarantees that the SWPPP has been documents of the pand that the SWPPP has been documents of the pand that the SWPPP has been documents of the pand that the SWPPP has been documents of the pand that the SWPPP has been documents of the pand that the SWPPP has been documents of the pand that the pand the p	permit, there may be reporments were prepared undentiting false information, incurderstand that coverage eceive as a result of submitted permit. I also under eveloped and will be imple	nd believe that I understand the ting requirements. I hereby concer my direction or supervision, cluding the possibility of fine a under the general permit will be litting this NOI and can be as lest and that, by submitting this emented as the first element of the general permit for which the	ertify that this document I am aware that there are and imprisonment for be identified in the long as sixty (60) busines NOI, I am acknowledging f construction, and
T			
Owner/Operator First Nam	ne JEFFLEY M.I	.P Last Name BEXD	Elson
My	1. M		
Signature 3 /9/23			

Date



SWPPP Preparer Certification Form

SPDES General Permit for Stormwater Discharges From Construction Activity (GP-0-20-001)

Pro	ect	Site	Inform	ation
	CUL	OILE		lation

Project/Site Name

Proposed Warehouse - 2 Steelworkers Way, Lackawanna, NY 14218

Owner/Operator Information

Owner/Operator (Company Name/Private Owner/Municipality Name)

Uniland Development Company - 100 Corporate Pkwy, Amherst, NY 14226

Certification Statement - SWPPP Preparer

I hereby certify that the Stormwater Pollution Prevention Plan (SWPPP) for this project has been prepared in accordance with the terms and conditions of the GP-0-20-001. Furthermore, I understand that certifying false, incorrect or inaccurate information is a violation of this permit and the laws of the State of New York and could subject me to criminal, civil and/or administrative proceedings.

Christopher		Wood	
First name	MI	Last Name	
Cen	2	3-2-2023	
Signature		Date	



Department of Environmental Conservation

NYS Department of Environmental Conservation Division of Water 625 Broadway, 4th Floor Albany, New York 12233-3505

MS4 Stormwater Pollution Prevention Plan (SWPPP) Acceptance Form

for

Construction Activities Seeking Authorization Under SPDES General Permit *(NOTE: Attach Completed Form to Notice Of Intent and Submit to Address Above)

I. Project Owner/Operat	or Information
1. Owner/Operator Name:	Uniland Development Company
2. Contact Person:	Kevin Kirk
3. Street Address:	100 Corporate Pkwy
4. City/State/Zip:	Amherst, NY 14226
II. Project Site Informati	on
5. Project/Site Name:	Proposed Warehouse
6. Street Address:	2 Steelworkers Way
7. City/State/Zip:	Lackawanna, NY 14218
III. Stormwater Pollution	Prevention Plan (SWPPP) Review and Acceptance Information
8. SWPPP Reviewed by:	SCOTT HAYES
9. Title/Position:	PODE ENFORCEMENT OFFICER
10. Date Final SWPPP Rev	riewed and Accepted: 3/9/2023
IV. Regulated MS4 Inform	ation
11. Name of MS4:	CITY OF CACILAWANNA
12. MS4 SPDES Permit Ide	ntification Number: NYR20A /53
13. Contact Person:	SCOTT 44465
14. Street Address:	714 RIDGE RD.
15. City/State/Zip:	ACKAWANNA, NY 14218
16. Telephone Number:	7/6-827-6427

V. Certification Statement - MS4 Official (principal executive officer or ranking elected official) or Duly Authorized Representative
I hereby certify that the final Stormwater Pollution Prevention Plan (SWPPP) for the construction project identified in question 5 has been reviewed and meets the substantive requirements in the SPDES General Permit For Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4s). Note: The MS4, through the acceptance of the SWPPP, assumes no responsibility for the accuracy and adequacy of the design included in the SWPPP. In addition, review and acceptance of the SWPPP by the MS4 does not relieve the owner/operator or their SWPPP preparer of responsibility or liability for errors or omissions in the plan.
Printed Name: SCOTT HAYES
Title/Position: CODE ENFORCENT OFFICER
Signature:
Date: 3/9/2023
VI. Additional Information

(NYS DEC - MS4 SWPPP Acceptance Form - January 2015)

STORM WATER POLLUTION PREVENTION PLAN CONTRACTOR'S CERTIFICATION STATEMENT

Proposed Warehouse 2 Steelworkers Way City of Lackawanna, NY 14218

CONTRACTOR'S CERTIFICATION:

"I certify under penalty of law that I understand and agree to comply with the terms and conditions of the SWPPP for the construction site identified in such SWPPP as a condition of authorization to discharge storm water. I also understand that the operator must comply with the terms and conditions of the New York State Pollutant Discharge Elimination System (SPDES) general permit for storm water discharges from construction activities and that it is unlawful for any person to cause or contribute to a violation of water quality standards."

Note: The contractor shall have at least one NYSDEC trained individual onsite at all times when earthwork and other SWPPP associated work is being performed from each contractor(s) and subcontractor(s). <u>Each contractor(s)</u> and subcontractor(s) shall provide copies of these individuals' certifications to the Town of Hamburg.

Name:	
(Print)	
Signature:	
Title:	
Company Name:	
Address:	
Telephone Number:	
Date:	
Scope of Services:	
Trained Individual(s) Responsible for Implementation	

This form must be signed by a responsible corporate officer or other party meeting the "Signatory Requirements" of the NYSDEC SPDES General Permit

Appendix F

NYSDEC Notice of Termination (NOT)

New York State Department of Environmental Conservation Division of Water

625 Broadway, 4th Floor

Albany, New York 12233-3505

(NOTE: Submit completed form to address above)

NOTICE OF TERMINATION for Storm Water Discharges Authorized under the SPDES General Permit for Construction Activity

Please indicate your permit identification number: NYF	R
I. Owner or Operator Information	
1. Owner/Operator Name:	
2. Street Address:	
3. City/State/Zip:	
4. Contact Person:	4a.Telephone:
4b. Contact Person E-Mail:	
II. Project Site Information	
5. Project/Site Name:	
6. Street Address:	
7. City/Zip:	
8. County:	
III. Reason for Termination	
9a. □ All disturbed areas have achieved final stabilization in acco SWPPP. *Date final stabilization completed (month/year): _	rdance with the general permit and
9b. Permit coverage has been transferred to new owner/operate permit identification number: NYR (Note: Permit coverage can not be terminated by owner owner/operator obtains coverage under the general permit)	<u> </u>
9c. □ Other (Explain on Page 2)	
IV. Final Site Information:	
10a. Did this construction activity require the development of a S stormwater management practices? $\ \square$ yes $\ \square$ no (If no,	WPPP that includes post-construction go to question 10f.)
10b. Have all post-construction stormwater management practice constructed? □ yes □ no (If no, explain on Page 2)	es included in the final SWPPP been
10c. Identify the entity responsible for long-term operation and m	aintenance of practice(s)?

NOTICE OF TERMINATION for Storm Water Discharges Authorized under the **SPDES General Permit for Construction Activity - continued** 10d. Has the entity responsible for long-term operation and maintenance been given a copy of the operation and maintenance plan required by the general permit? □ yes 10e. Indicate the method used to ensure long-term operation and maintenance of the post-construction stormwater management practice(s): □ Post-construction stormwater management practice(s) and any right-of-way(s) needed to maintain practice(s) have been deeded to the municipality. □ Executed maintenance agreement is in place with the municipality that will maintain the post-construction stormwater management practice(s). □ For post-construction stormwater management practices that are privately owned, a mechanism is in place that requires operation and maintenance of the practice(s) in accordance with the operation and maintenance plan, such as a deed covenant in the owner or operator's deed of record. □ For post-construction stormwater management practices that are owned by a public or private institution (e.g. school, university or hospital), government agency or authority, or public utility; policy and procedures are in place that ensures operation and maintenance of the practice(s) in accordance with the operation and maintenance plan. 10f. Provide the total area of impervious surface (i.e. roof, pavement, concrete, gravel, etc.) constructed within the disturbance area? (acres) 11. Is this project subject to the requirements of a regulated, traditional land use control MS4? (If Yes, complete section VI - "MS4 Acceptance" statement V. Additional Information/Explanation: (Use this section to answer questions 9c. and 10b., if applicable) VI. MS4 Acceptance - MS4 Official (principal executive officer or ranking elected official) or Duly Authorized Representative (Note: Not required when 9b. is checked -transfer of coverage) I have determined that it is acceptable for the owner or operator of the construction project identified in guestion 5 to submit the Notice of Termination at this time. Printed Name: Title/Position:

Date:

Signature:

NOTICE OF TERMINATION for Storm Water Discharges Authorized under the SPDES General Permit for Construction Activity - continued

VII. Qualified Inspector Certification - Final Stabilization:	
I hereby certify that all disturbed areas have achieved final stabilization as of the general permit, and that all temporary, structural erosion and sedin been removed. Furthermore, I understand that certifying false, incorrect oriolation of the referenced permit and the laws of the State of New York a criminal, civil and/or administrative proceedings.	nent control measures have or inaccurate information is a
Printed Name:	
Title/Position:	
Signature:	Date:
VIII. Qualified Inspector Certification - Post-construction Stormwat	er Management Practice(s):
I hereby certify that all post-construction stormwater management practic conformance with the SWPPP. Furthermore, I understand that certifying information is a violation of the referenced permit and the laws of the Starsubject me to criminal, civil and/or administrative proceedings.	false, incorrect or inaccurate
Printed Name:	
Title/Position:	
Signature:	Date:
IX. Owner or Operator Certification	
I hereby certify that this document was prepared by me or under my direct determination, based upon my inquiry of the person(s) who managed the persons directly responsible for gathering the information, is that the infordocument is true, accurate and complete. Furthermore, I understand that inaccurate information is a violation of the referenced permit and the laws could subject me to criminal, civil and/or administrative proceedings.	construction activity, or those mation provided in this certifying false, incorrect or
Printed Name:	
Title/Position:	
Signature:	Date:

(NYS DEC Notice of Termination - January 2015)

Appendix G Construction Documents

SITE DEVELOPMENT DRAWINGS Proposed Warehouse Lackawanna, NY 14218 2 Steelworkers Way

SCOTT HAVES, CODE ENFORCEMENT OFFICER CITY OF LOCKAVANNA CODE ENFORCEMENT 714 RIDGE RD ACKAWANNA, NY 14218 NYSDOT SOUTH ERIE RESIDENCY 3754 LAKEVIEW ROAD HAMBURG, NY 14075 NIAGARA BOUNDARY PO BOX 1120 LEWISTON, NY 14092 716-297-9584 NY STATE HIGHWAY DEPT. COMPANY/DEPT: ADDRESS: CODE ENFORCEMENT NAME/TITLE: COMPANY/DEPT: ADDRESS: LAND SURVEYOR COMPANY/DEPT: ADDRESS: AGENCIES TELEPHONE TELEPHONE: TELEPHONE

FRIE COUNTY SEWER DISTRICT NO. 4 1-716-884-1234 UNDERGROUND FACILITIES PROTECTION ORGANIZATION COMPANY: DIG SAFELY NEW YORK TELEPHONE: 811 FRIE COUNTY WATER AUTHORITY 1716-684-0900 VERIZON COMMUNICATIONS INC. 1-716-840-8688 CHARTER SPECTRUM 1-888-406-7063 VATIONAL FUEL GAS -716-681-5030 ELECTRIC COMPANY: TELEPHONE: CABLE COMPANY: TELEPHONE: TELEPHONE COMPANY: TELEPHONE:

CARMINAWOOD

FELEPHONE:

407 Auin Street, Suite 300 Bulliato, New York 14203 Phone. (716) 840-3145

LOCATION MAP ON NOT TO SCALE UNILAND DEVELOPMENT
UNIVERSITRY CORPORATE CENTER
100 CORPORATE CENTER
AMHERST, NY 14226
716-834-5000

OWNER/DEVELOPER

COVER SHEET

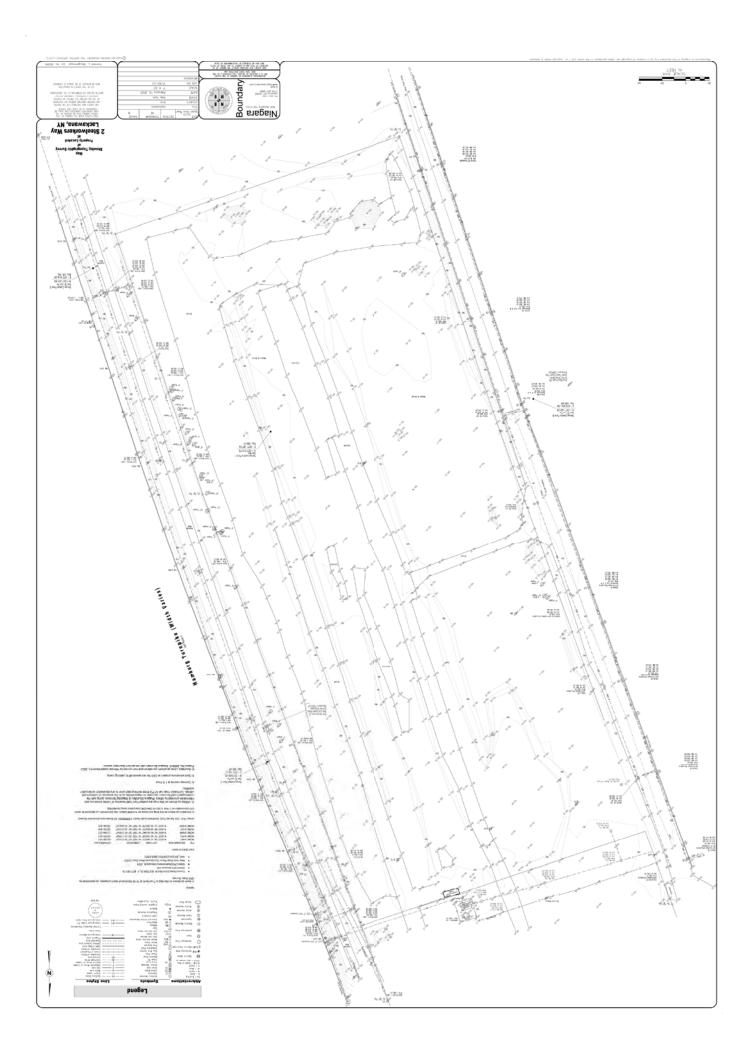
POPCRAPHIC SURVEY (NIAGARA BOUNDARY) NTS

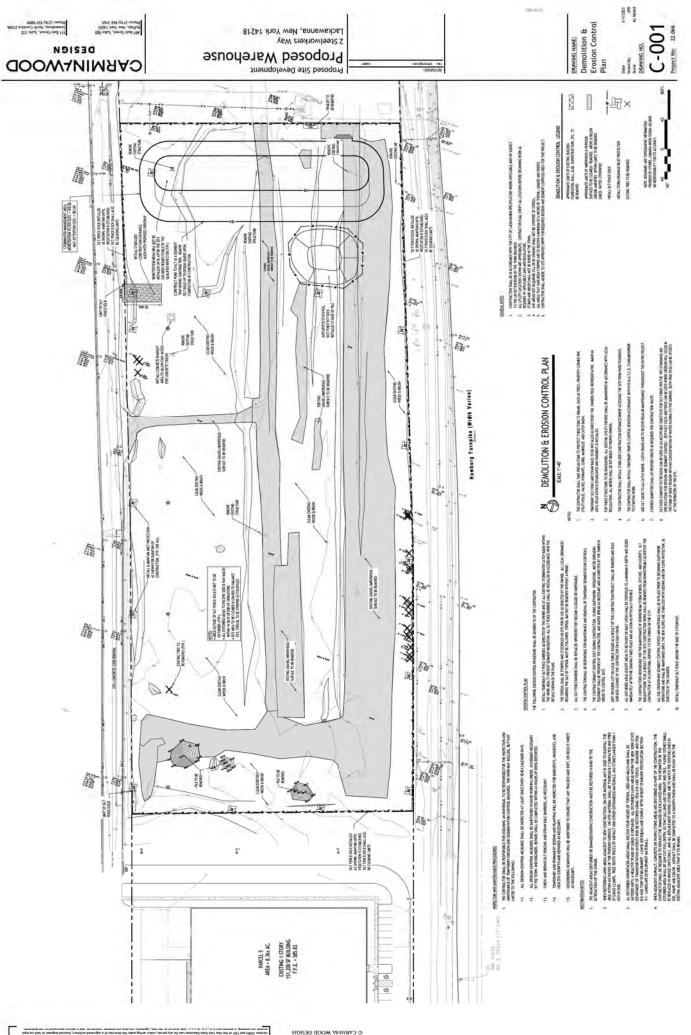
PERMICUTION & EROSION CONTROL PLAN

DEMICLITION & EROSION CONTROL DETAILS STIF PLAN
STIF PLAN
STORM DRANGE PLAN
STORM DRANGE
UTILITY DETAILS
UTILITY DETAILS DRAWING TITLE DWG NO.

2 Steelworkers Way Lackawanna, NY 14218 SITE DEVELOPMENT DRAWINGS Proposed Warehouse

March 2023





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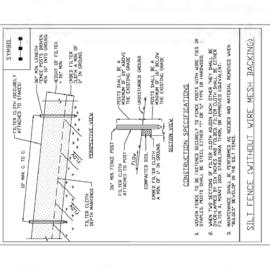
STABILIZED CONSTRUCTION ENTRANCE DETAIL

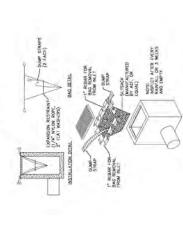
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Project No: 22.066

DEAWING NAME: Demolition & Erosion Control

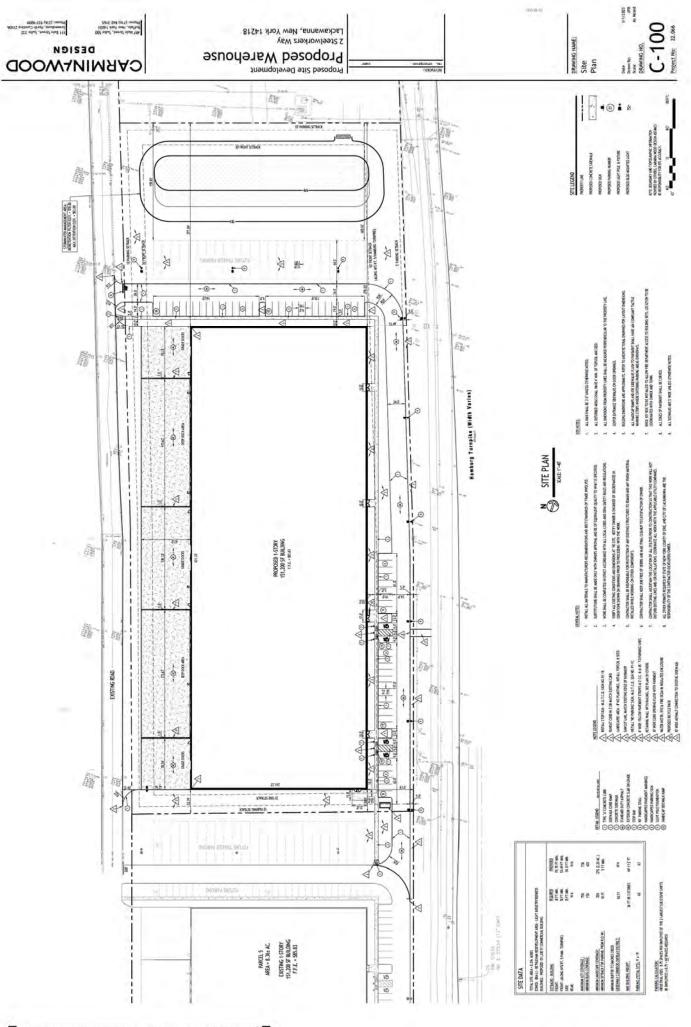




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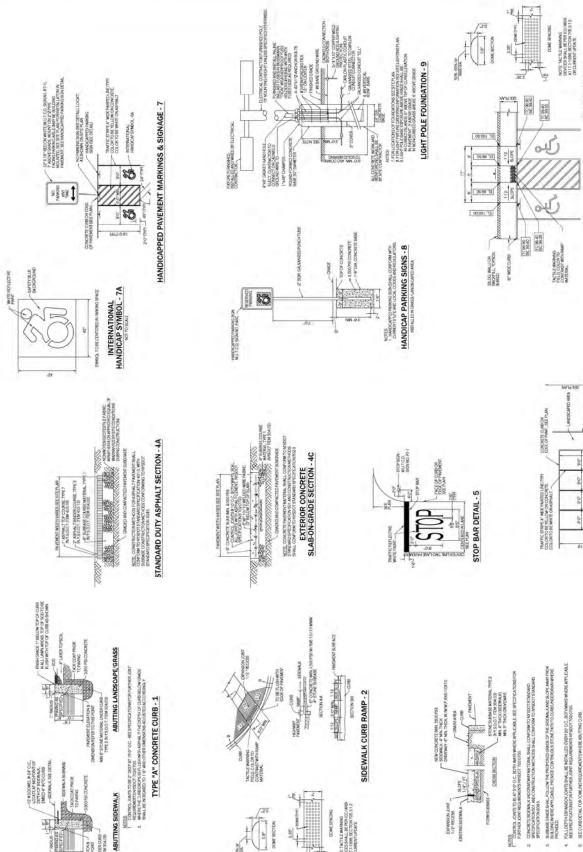


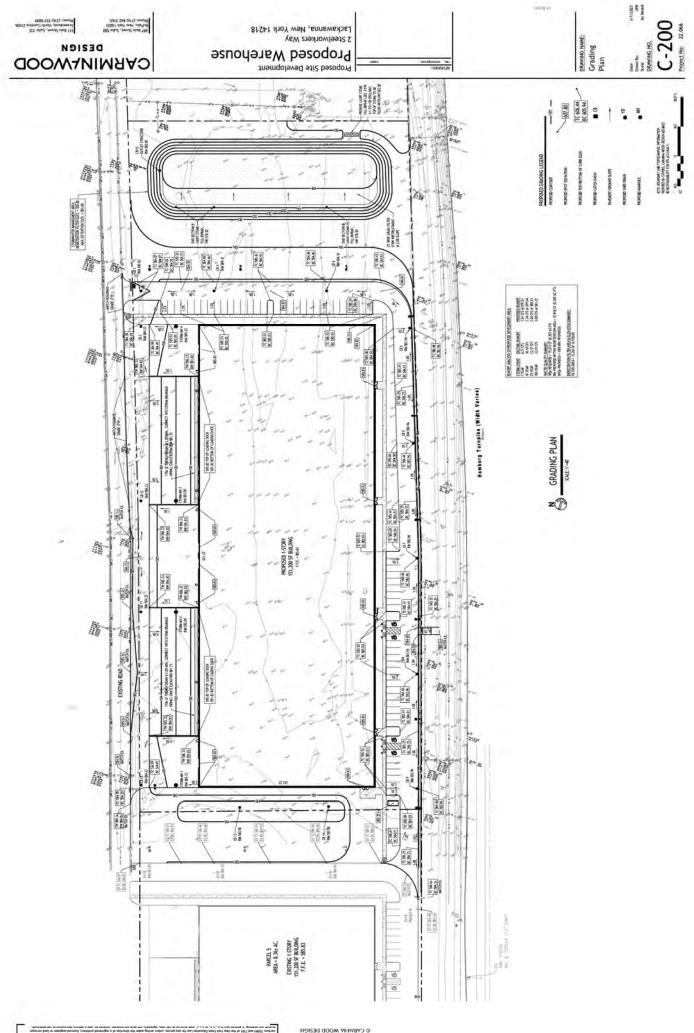
HANDICAPPED PAVEMENT RAMP - 10

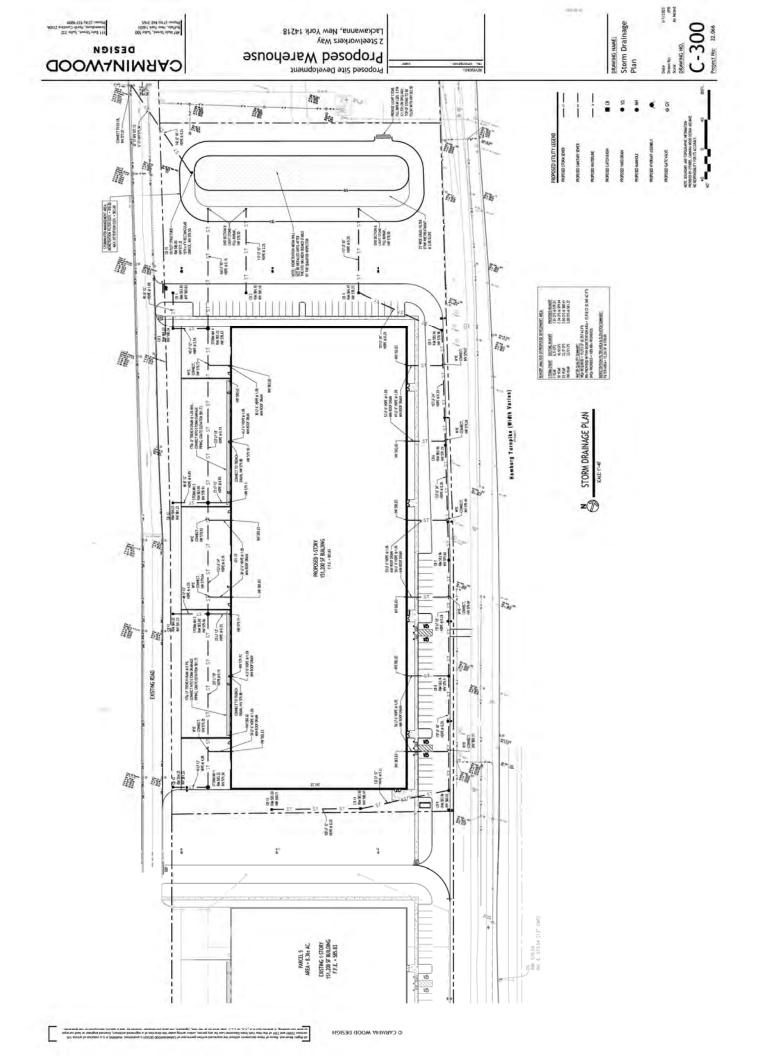
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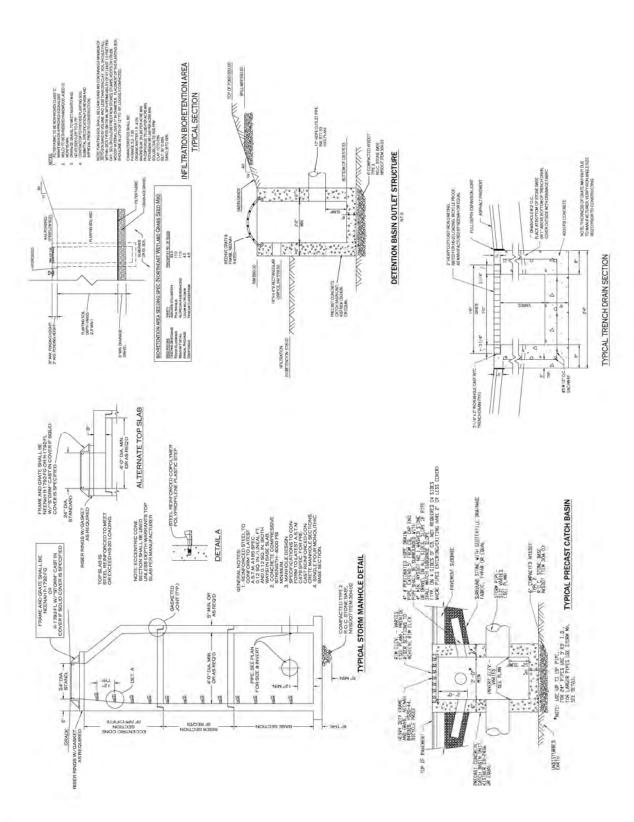




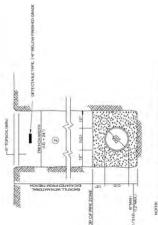
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C-301
Project No. 22.066

DRAWING NAME: Storm Drainage Details









STORM SEWER TRENCH SECTION IN UNPAVED AREAS





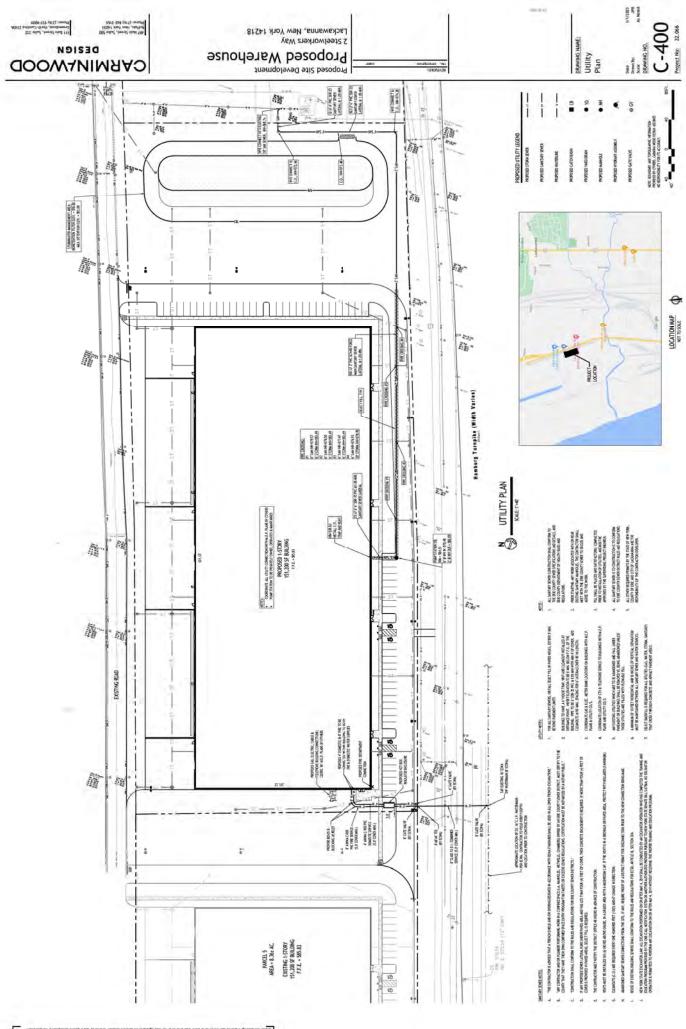
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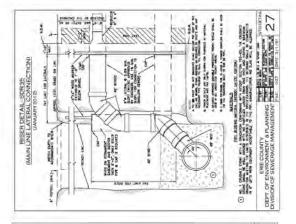
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STORM SEWER TRENCH SECTION IN PAVED AREAS

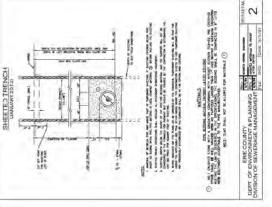


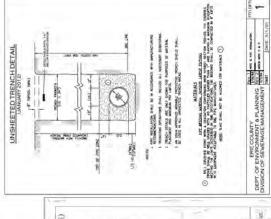


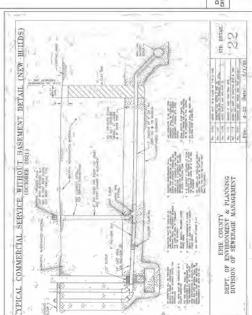
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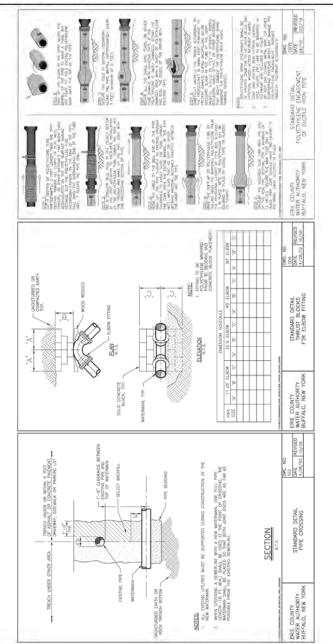
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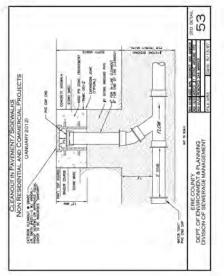
DRAWING NAME: Utility Details











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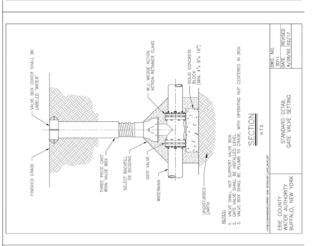
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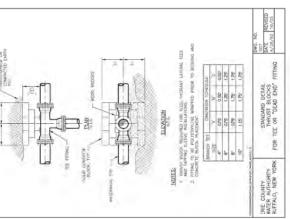
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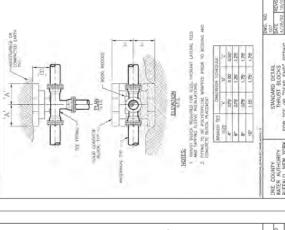
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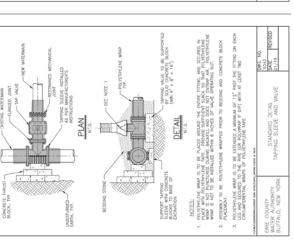
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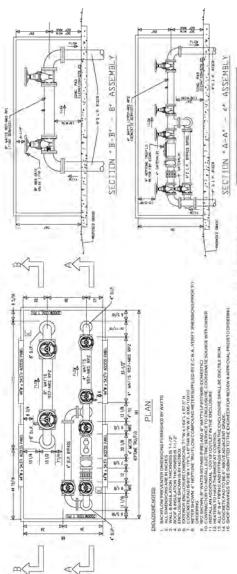
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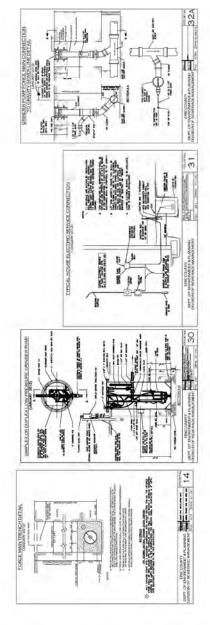


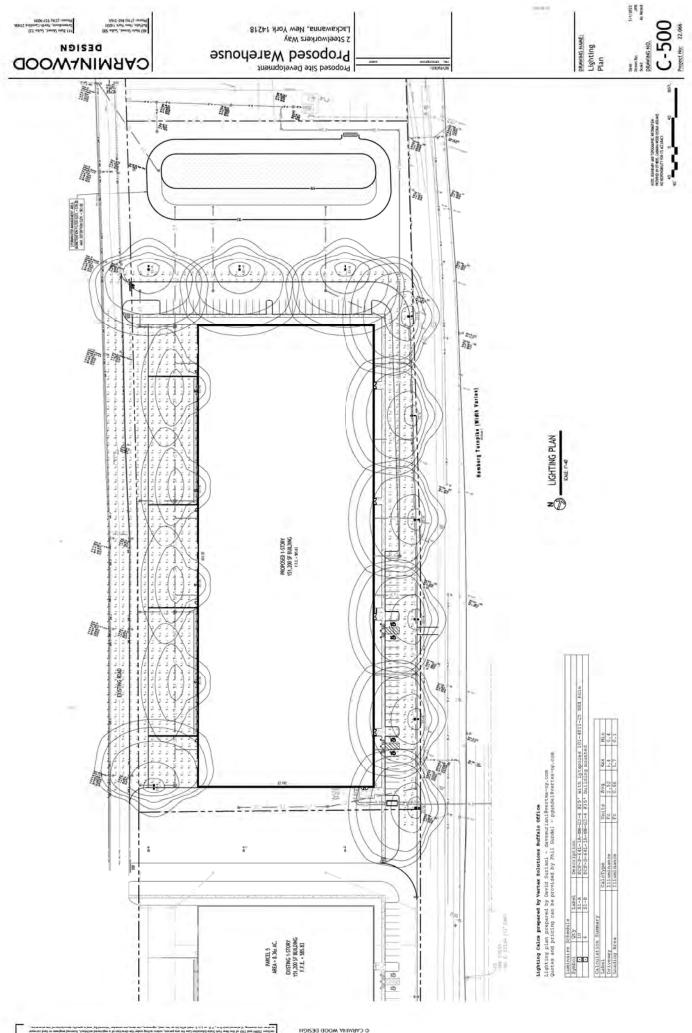


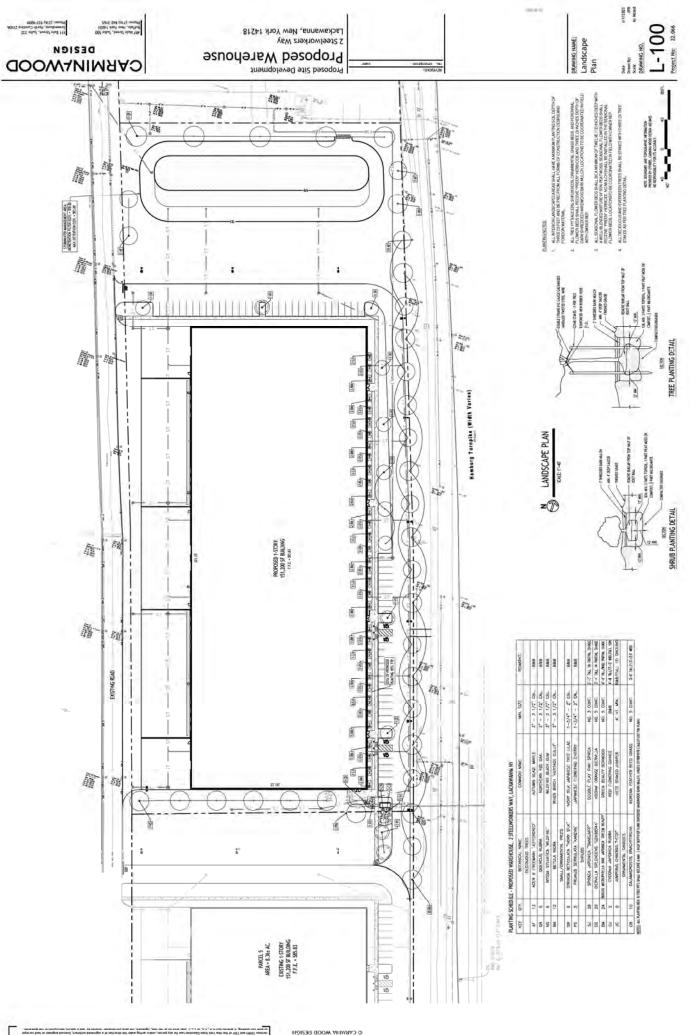




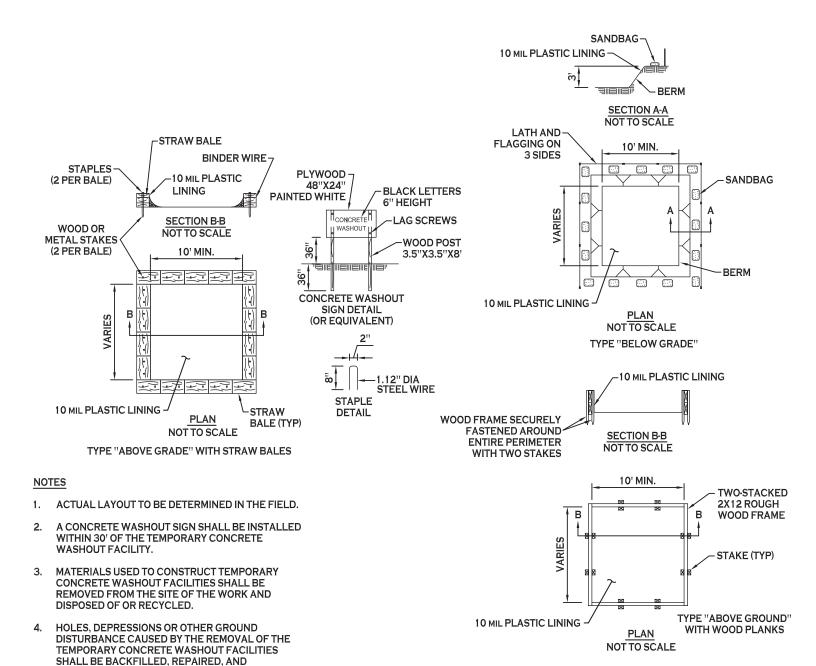
DEWING NAME: Utility Details





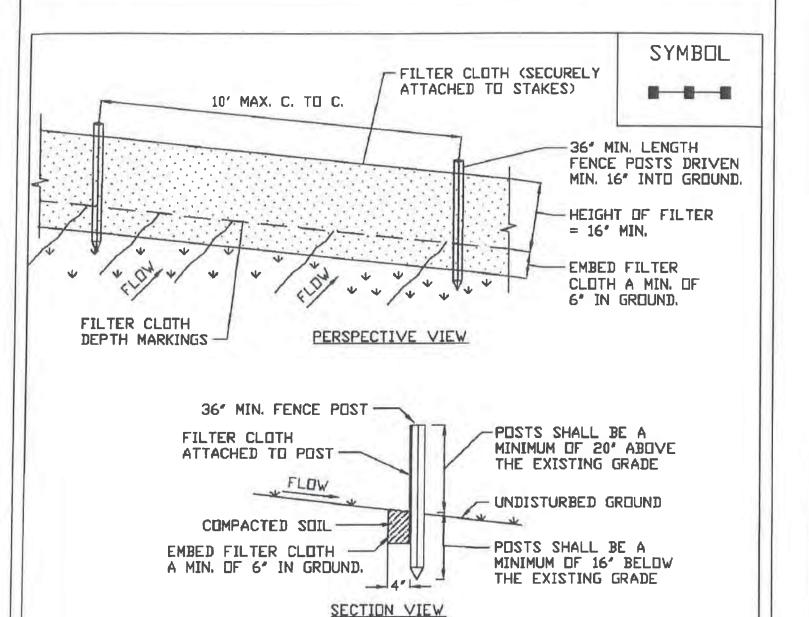


Appendix H Standard Erosion Control Details



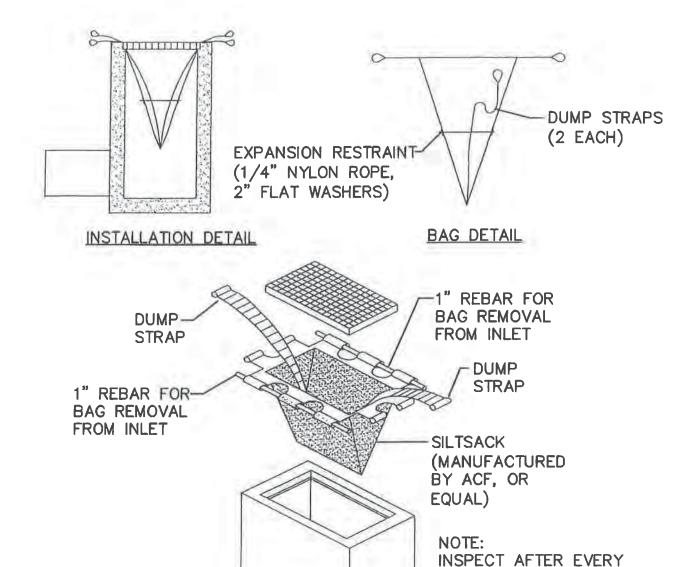
CONCRETE WASHOUT DETAIL

STABILIZED TO PREVENT EROSION.



- 1. WOVEN FENCE TO BE FASTENED SECURELY TO FENCE POSTS WITH WIRE TIES OR STAPLES. POSTS SHALL BE STEEL EITHER "T" OR "U" TYPE OR HARDWOOD.
- 2. WHEN TWO SECTIONS OF FILTER CLOTH ADJOIN EACH OTHER THEY SHALL BE OVER-LAPPED BY SIX INCHES AND FOLDED. FILTER CLOTH SHALL BE EITHER FILTER X, MIRAFI 100X, STABILINKA T140N, OR APPROVED EQUIVALENT.
- 3. MAINTENANCE SHALL BE PERFORMED AS NEEDED AND MATERIAL REMOVED WHEN "BULGES" DEVELOP IN THE SILT FENCE.

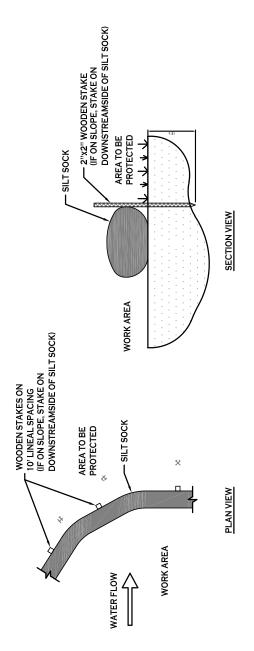
SILT FENCE (WITHOUT WIRE MESH BACKING)

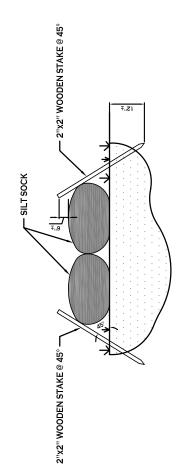


SILT SACK DETAIL

RAINFALL OR 3 WEEKS

AND EMPTY.





SECTION VIEW @ JOINT OVERLAP

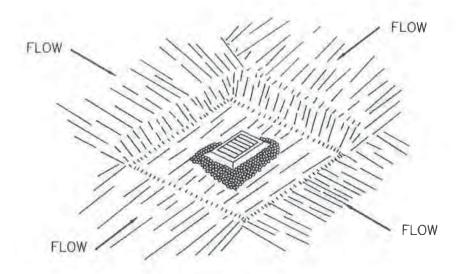
NOTES:

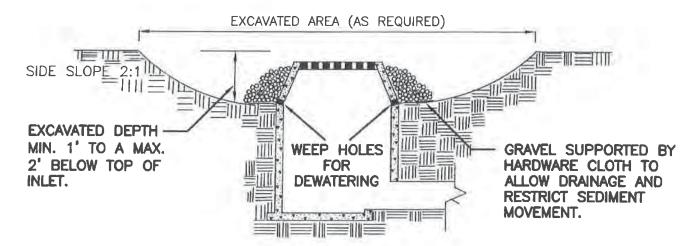
CONTRACTOR SHALL INSPECT AND MAINTAIN SILT SOCK AS NEEDED DURING THE DURATION OF CONSTRUCTION PROJECT.

CONTRACTOR SHALL REMOVE SEDIMENT COLLECTED AT THE BASE OF THE SILT SOCK WHEN IT HAS REACHED \$\frac{1}{2}\) OF THE EXPOSED HEIGHT OF THE SILT SOCK. ALTERNATIVELY, RATHER THAN CREATE A SOIL DISTURBING ACTIVITY, THE ENGINEER MAY CALL FOR ADDITIONAL SILT SOCK TO BE ADDED AT AREAS OF HIGH SEDIMENTATION, PLACED IMMEDIATELY ON TOP OF THE EXISTING SEDIMENT LADEN SILT SOCK.

SILT SOCK SHALL BE OVERLAPPED 12" AT JOINTS AND STAKED ON EACH SIDE OF THE SOCK AT A 45° ANGLE

SILT SOCK DETAIL

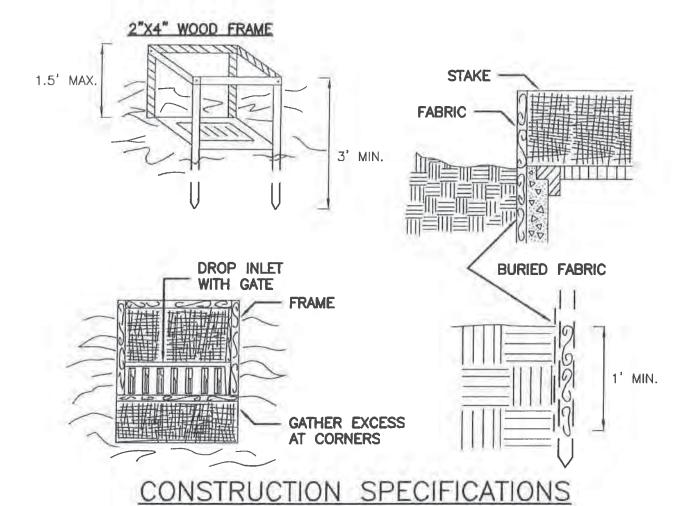




- 1. CLEAR THE AREA OF ALL DEBRIS THAT WILL HINDER EXCAVATION.
- 2. GRADE APPROACH TO THE INLET UNIFORMLY AROUND THE BASIN.
- 3. WEEP HOLES SHALL BE PROTECTED BY GRAVEL.
- 4. UPON STABILIZATION OF CONTRIBUTING DRAINAGE AREA, SEAL WEEP HOLES, FILL BASIN WITH STABLE SOIL TO FINAL GRADE, COMPACT IT PROPERLY AND STABILIZE WITH PERMANENT SEEDING.

MAXIMUM DRAINAGE AREA 1 ACRE

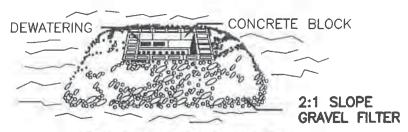
INLET PROTECTION DETAIL 1



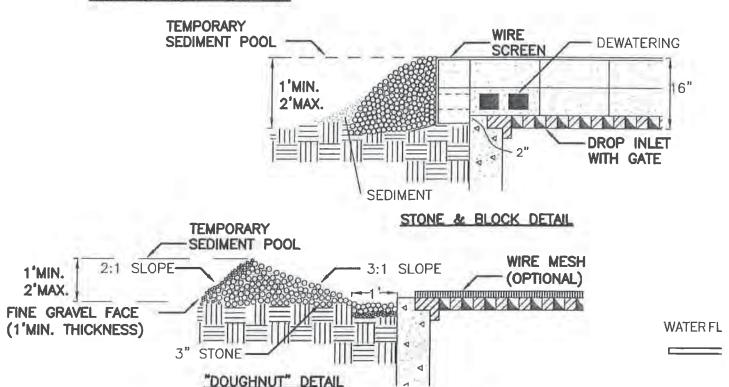
- 1. FILTER FABRIC SHALL HAVE AN EOS OF 40-85. BURLAP MAY BE USED FOR SHORT TERM APPLICATIONS.
- 2. CUT FABRIC FROM A CONTINUOUS ROLL TO ELIMINATE JOINTS. IF JOINTS ARE NEEDED THEY WILL BE OVERLAPPED TO THE NEXT STAKE.
- 3. STAKE MATERIALS WILL BE STANDARD 2" \times 4" WOOD OR EQUIVALENT. METAL WITH A MINIMUM LENGTH OF 3 FEET.
- 4. SPACE STAKES EVENLY AROUND INLET 3 FEET APART AND DRIVE A MINIMUM 18 INCHES DEEP. SPANS GREATER THAN 3 FEET MAY BE BRIDGED WITH THE USE OF WIRE MESH BEHIND THE FILTER FABRIC FOR SUPPORT.
- 5. FABRIC SHALL BE EMBEDDED 1 FOOT MINIMUM BELOW GROUND AND BACKFILLED. IT SHALL BE SECURELY FASTENED TO THE STAKES AND FRAME.
- 6. A 2" \times 4" WOOD FRAME SHALL BE COMPLETED AROUND THE CREST OF THE FABRIC FOR OVER FLOW STABILITY.

MAXIMUN DRAINAGE AREA 1 ACRE

INLET PROTECTION DETAIL 2



STONE & BLOCK PLAN VIEW



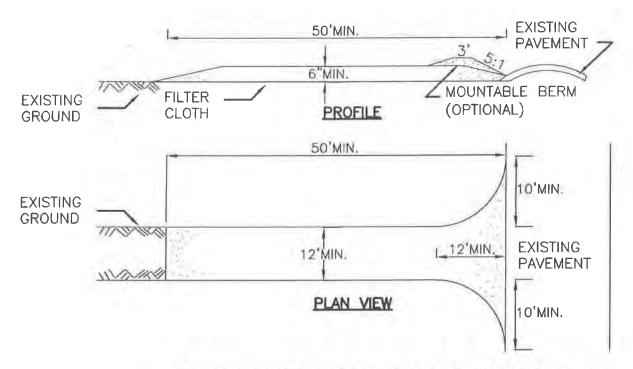
CONSTRUCTION SPECIFICATIONS

W

- 1. LAY ONE BLOCK ON EACH SIDE OF THE STRUCTURE ON ITS SIDE FOR DEWATERING. FOUNDATION SHALL BE 2 INCHES MINIMUM BELOW REST OF INLET AND BLOCKS SHALL BE PLACED AGAINST INLET FOR SUPPORT.
- 2. HARDWARE CLOTH OR 1/2" WIRE MESH SHALL BE PLACED OVER BLOCK OPENINGS TO SUPPORT STONE.
- 3. USE CLEAN STONE OR GRAVEL 1/2-3/4 INCH IN DIAMETER PLACED 2 INCHES BELOW TOP OF THE BLOCK ON A 2:1 SLOPE OR FLATTER.
- 4. FOR STONE STRUCTURES ONLY, A 1 FOOT THICK LAYER OF THE FILTER STONE WILL BE PLACED AGAINST THE 3 INCH STONE AS SHOWN ON THE DRAWINGS.

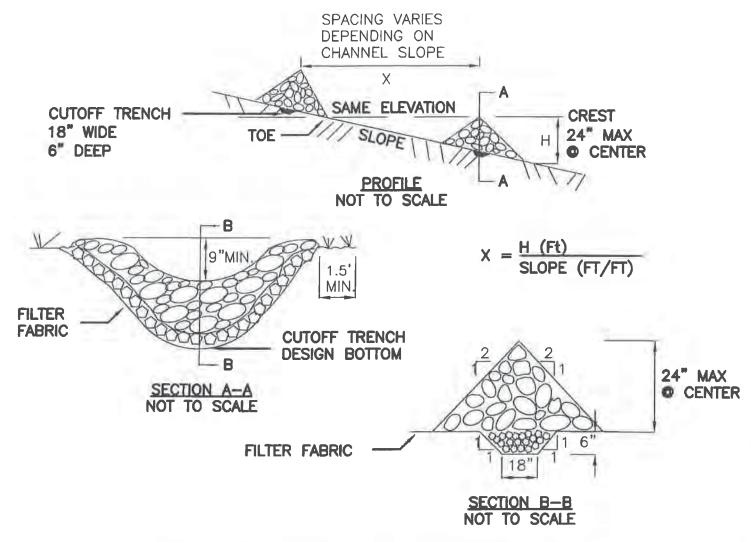
MAXIMUM DRAINAGE AREA 1 ACRE

INLET PROTECTION DETAIL 3 NOT TO SCALE



- 1. STONE SIZE USE 2" STONE, OR RECLAIMED OR RECYCLED CONCRETE EQUIVALENT,
- 2. LENGTH NOT LESS THAN 50 FEET (EXCEPT ON A SINGLE RESIDENCE LOT WHERE A 30 FOOT MINIMUM LENGTH WOULD APPLY).
- 3. THICKNESS NOT LESS THAN SIX (6) INCHES.
- 4. WIDTH TWELVE (12) FOOT MINIMUM, BUT NOT LESS THAN THE FULL WIDTH AT POINTS WHERE INGRESS OR EGRESS OCCURS. TWENTY-FOUR (24) FOOT IF SINGLE ENTRANCE TO SITE.
- 5. FILTER CLOTH WILL BE PLACED OVER THE ENTIRE AREA PRIOR TO PLACING OF STONE.
- 6. SURFACE WATER ALL SURFACE WATER FLOWING OR DIVERTED TOWARD CON— STRUCTION ENTRANCES SHALL BE PIPED ACROSS THE ENTRANCE. IF PIPING IS IMPRACTICAL. A MOUNTABLE BERM WITH 5:1 SLOPES WILL BE PERMITTED.
- 7. MAINTENANCE THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION WHICH WILL PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO PUBLIC RIGHTS—OF—WAY, ALL SEDIMENT SPILLED, DROPPED, WASHED OR TRACTED ONTO PUBLIC RIGHTS—OF—WAY MUST BE REMOVED IMMEDIATELY.
- 8. WHEN WASHING IS REQUIRED, IT SHALL BE DONE ON A AREA STABILIZED WITH STONE AND WHICH DRAINS INTO AN APPROVED SEDIMENT TRAPPING DEVICE.
- 9. PERIODIC INSPECTION AND NEEDED MAINTENANCE SHALL BE PROVIDED AFTER EACH RAIN.

STABILIZED CONSTRUCTION ENTRANCE DETAIL



- 1. STONE WILL BE PLACED ON A FILTER FABRIC FOUNDATION TO THE LINES, GRADES AND LOCATIONS SHOWN IN THE PLAN.
 - 2. SET SPACING OF CHECK DAMS TO ASSUME THAT THE ELEVATIONS OF THE CREST OF THE DOWNSTREAM DAM IS AT THE SAME ELEVATION OF THE TOE OF THE UPSTREAM DAM.
- 3. EXTEND THE STONE A MINIMUM OF 1.5 FEET BEYOND THE DITCH BANKS TO PREVENT CUTTING AROUND THE DAM.
- 4. PROTECT THE CHANNEL DOWNSTREAM OF THE LOWEST CHECK DAM FROM SCOUR AND EROSION WITH STONE OR LINER AS APPROPRIATE.
- 5. ENSURE THAT CHANNEL APPURTENANCES SUCH AS CULVERT ENTRANCES BELOW CHECK DAMS ARE NOT SUBJECT TO DAMAGE OR BLOCKAGE FROM DISPLACED STONE.

 MAXIMUM DRAINAGE AREA 2 ACRES.

STONE CHECK DAM DETAIL NOT TO SCALE

Appendix I

NYSDEC Stormwater Management Inspection Lists

Appendix F: Construction Inspection Checklists

Stormwater/Wetland Pond Construction Inspection Checklist

Storing (wood), () Colonia I on a Co		inspection encomist
Project: Location: Site Status:		
Date:		
Time:		
Inspector:		
LONSTRUCTION SECUENCE	SATISFACTORY/ UNSATISFACTORY	COMMENTS
Pre-Construction/Materials and Equipment		
Pre-construction meeting		
Pipe and appurtenances on-site prior to construction		

CONSTRUCTION SECUENCE	SATISFACTORY/ Unsatisfactory	COMMENTS
2. Subgrade Preparation		
Area beneath embankment stripped of all vegetation, topsoil, and organic matter		
3. Pipe Spillway Installation		
Method of installation detailed on plans		
A. Bed preparation		
Installation trench excavated with specified side slopes		
Stable, uniform, dry subgrade of relatively impervious material (If subgrade is wet, contractor shall have defined steps before proceeding with installation)		
Invert at proper elevation and grade		
B. Pipe placement		
Metal / plastic pipe		
Watertight connectors and gaskets properly installed		
Anti-seep collars properly spaced and having watertight connections to pipe		
Backfill placed and tamped by hand under "haunches" of pipe		
4. Remaining backfill placed in max. 8 inch lifts using small power tamping equipment until 2 feet cover over pipe is reached		

CONSTRUCTION SEQUENCE	SATISFACTORY/ UNSATISFACTORY	COMMENTS
3. Pipe Spillway Installation		
Concrete pipe		
Pipe set on blocks or concrete slab for pouring of low cradle		
Pipe installed with rubber gasket joints with no spalling in gasket interface area		
Excavation for lower half of anti-seep collar(s) with reinforcing steel set		
Entire area where anti-seep collar(s) will come in contact with pipe coated with mastic or other approved waterproof sealant.		
5. Low cradle and bottom half of anti-seep collar installed as monolithic pour and of an approved mix		
Upper half of anti-seep collar(s) formed with reinforcing steel set		
7. Concrete for collar of an approved mix and vibrated into place (protected from freezing while curing, if necessary)		
Forms stripped and collar inspected for honeycomb prior to backfilling. Parge if necessary.		
C. Backfilling		
Fill placed in maximum 8 inch lifts		
Backfill taken minimum 2 feet above top of anti- seep collar elevation before traversing with heavy equipment		

CONSTRUCTION SEQUENCE		SATISFACTORY/ Unsatisfactory	COMMENTS
4.	Riser / Outlet Structure Installation		
Ris	ser located within embankment		
Α.	Metal riser		
	Riser base excavated or formed on stable subgrade to design dimensions		
	Set on blocks to design elevations and plumbed		
	Reinforcing bars placed at right angles and projecting into sides of riser		
	Concrete poured so as to fill inside of riser to invert of barrel		
В.	Pre-cast concrete structure		
	Dry and stable subgrade		
	Riser base set to design elevation		
	If more than one section, no spalling in gasket interface area; gasket or approved caulking material placed securely		
	Watertight and structurally sound collar or gasket joint where structure connects to pipe spillway		
C.	Poured concrete structure		
	Footing excavated or formed on stable subgrade, to design dimensions with reinforcing steel set		
	Structure formed to design dimensions, with reinforcing steel set as per plan		
	Concrete of an approved mix and vibrated into place (protected from freezing while curing, if necessary)		
	Forms stripped & inspected for "honeycomb" prior to backfilling; parge if necessary		

CONSTRUCTION SEQUENCE	Satisfactory/ Unsatisfactory	COMMENTS
5. Embankment Construction		
Fill material		
Compaction		
Embankment		
Fill placed in specified lifts and compacted with appropriate equipment		
Constructed to design cross-section, side slopes and top width		
Constructed to design elevation plus allowance for settlement		
6. Impounded Area Construction		
Excavated / graded to design contours and side slopes		
Inlet pipes have adequate outfall protection		
Forebay(s)		
Pond benches		
7. Earth Emergency Spillway Construction		
Spillway located in cut or structurally stabilized with riprap, gabions, concrete, etc.		
Excavated to proper cross-section, side slopes and bottom width		
Entrance channel, crest, and exit channel constructed to design grades and elevations		

CONSTRUCTION SEQUENCE	SATISFACTORY / Unsatisfactory	COMMENTS
8. Outlet Protection		
A. End section		
Securely in place and properly backfilled		
B. Endwall		
Footing excavated or formed on stable subgrade, to design dimensions and reinforcing steel set, if specified		
Endwall formed to design dimensions with reinforcing steel set as per plan		
Concrete of an approved mix and vibrated into place (protected from freezing, if necessary)		
Forms stripped and structure inspected for "honeycomb" prior to backfilling; parge if necessary		
C. Riprap apron / channel		
Apron / channel excavated to design cross- section with proper transition to existing ground		
Filter fabric in place		
Stone sized as per plan and uniformly place at the thickness specified		
9. Vegetative Stabilization		
Approved seed mixture or sod		
Proper surface preparation and required soil amendments		
Excelsior mat or other stabilization, as per plan		

CONSTRUCTION SEQUENCE	SATISFACTORY/	COMMENTS
10. Miscellaneous	Unsatisfactory	
Drain for ponds having a permanent pool		
Trash rack / anti-vortex device secured to outlet structure		
Trash protection for low flow pipes, orifices, etc.		
Fencing (when required)		
Access road		
Set aside for clean-out maintenance		
11. Stormwater Wetlands	•	
Adequate water balance		
Variety of depth zones present		
Approved pondscaping plan in place Reinforcement budget for additional plantings		
Plants and materials ordered 6 months prior to construction		
Construction planned to allow for adequate planting and establishment of plant community (April-June planting window)		
Wetland buffer area preserved to maximum extent possible		
Comments:		

Actions to be Taken:					

Bioretention Construction Inspection Checklist

Project: Location: Site Status:			
Date:			
Time:			
Inspector:			

CONSTRUCTION SEQUENCE	SATISFACTORY/ UNSATISFACTORY	COMMENTS
1. Pre-Construction		
Pre-construction meeting		
Runoff diverted		
Facility area cleared		
If designed as exfilter, soil testing for permeability		
Facility location staked out		
2. Excavation		
Size and location		
Lateral slopes completely level		
If designed as exfilter, ensure that excavation does not compact susoils.		
Longitudinal slopes within design range		

CONSTRUCTION SEQUENCE	SATISFACTORY / UNSATISFACTORY	COMMENTS
3. Structural Components		
Stone diaphragm installed correctly		
Outlets installed correctly		
Underdrain		
Pretreatment devices installed		
Soil bed composition and texture		
4. Vegetation		
Complies with planting specs		
Topsoil adequate in composition and placement		
Adequate erosion control measures in place		
5. Final Inspection		
Dimensions		
Proper stone diaphragm		
Proper outlet		
Soil/ filter bed permeability testing		
Effective stand of vegetation and stabilization		
Construction generated sediments removed		
Contributing watershed stabilized before flow is diverted to the practice		

Comments:			
Actions to be Taken	1:		

Stormwater Pond/Wetland Operation, Maintenance and Management Inspection Checklist

Maintenance Item	Satisfactory/ Unsatisfactory	Comments		
Embankment and emergency spillway (Annual, After Major Storms)				
1. Vegetation and ground cover adequate				
2. Embankment erosion				
3. Animal burrows				
4. Unauthorized planting				
5. Cracking, bulging, or sliding of dam				
a. Upstream face				
b. Downstream face				
c. At or beyond toe				
downstream				
upstream				
d. Emergency spillway				
6.Pond, toe & chimney drains clear and functioning				
7.Seeps/leaks on downstream face				
8. Slope protection or riprap failure				
9. Vertical/horizontal alignment of top of dam "As-Built"				

Maintenance Item	Satisfactory/ Unsatisfactory	Comments
10. Emergency spillway clear of obstructions and debris		
11. Other (specify)		
2. Riser and principal spillway (Annual)		
Type: Reinforced concrete Corrugated pipe Masonry 1. Low flow orifice obstructed		
Low flow trash rack. a. Debris removal necessary		
b. Corrosion control		
Weir trash rack maintenance a. Debris removal necessary		
b. corrosion control		
4. Excessive sediment accumulation insider riser		
Concrete/masonry condition riser and barrels a. cracks or displacement		
b. Minor spalling (<1")		
c. Major spalling (rebars exposed)		
d. Joint failures		
e. Water tightness		
6. Metal pipe condition		
7. Control valve a. Operational/exercised		
b. Chained and locked		
Pond drain valve a. Operational/exercised		
b. Chained and locked		
9. Outfall channels functioning		
10. Other (specify)		

Maintenance Item	Satisfactory/ Unsatisfactory	Comments
3. Permanent Pool (Wet Ponds) (mon	thly)	
Undesirable vegetative growth		
2. Floating or floatable debris removal required		
3. Visible pollution		
4. Shoreline problem		
5. Other (specify)		
4. Sediment Forebays		
1.Sedimentation noted		
2. Sediment cleanout when depth < 50% design depth		
5. Dry Pond Areas		
1. Vegetation adequate		
2. Undesirable vegetative growth		
3. Undesirable woody vegetation		
4. Low flow channels clear of obstructions		
5. Standing water or wet spots		
6. Sediment and / or trash accumulation		
7. Other (specify)		
6. Condition of Outfalls (Annual, After Major Storm	ns)	
1. Riprap failures		
2. Slope erosion		
3. Storm drain pipes		
4.Endwalls / Headwalls		
5. Other (specify)		
7. Other (Monthly)		
1. Encroachment on pond, wetland or easement area		

Maintenance Item	Satisfactory/ Unsatisfactory	Comments
2. Complaints from residents		
3.Aesthetics a. Grass growing required		
b. Graffiti removal needed		
c. Other (specify)		
4. Conditions of maintenance access routes.		
5. Signs of hydrocarbon build-up		
6. Any public hazards (specify)		
8. Wetland Vegetation (Annual)		
Vegetation healthy and growing Wetland maintaining 50% surface area coverage of wetland plants after the second growing season. (If unsatisfactory, reinforcement plantings needed)		
Dominant wetland plants: Survival of desired wetland plant species Distribution according to landscaping plan?		
3. Evidence of invasive species		
Maintenance of adequate water depths for desired wetland plant species		
5. Harvesting of emergent plantings needed		
6. Have sediment accumulations reduced pool volume significantly or are plants "choked" with sediment		
7. Eutrophication level of the wetland.		
8. Other (specify)		
Comments:		

Actions to be Taken:			

Project:

Bioretention Operation, Maintenance and Management Inspection Checklist

Location: Site Status:		
Date:		
Time:		
Inspector:		
MAINTENANCE ITEM	SATISFACTORY / UNSATISFACTORY	COMMENTS
1. Debris Cleanout (Monthly)	
Bioretention and contributing areas clean of debris		
No dumping of yard wastes into practice		
Litter (branches, etc.) have been removed		
2. Vegetation (Monthly)		
Plant height not less than design water depth		
Fertilized per specifications		
Plant composition according to approved plans		
No placement of inappropriate plants		
Grass height not greater than 6 inches		
No evidence of erosion		
3. Check Dams/Energy Dissipaters/S	Sumps (Annual, Afte	er Major Storms)
No evidence of sediment buildup		

MAINTENANCE ITEM	SATISFACTORY / UNSATISFACTORY	COMMENTS		
Sumps should not be more than 50% full of sediment				
No evidence of erosion at downstream toe of drop structure				
4. Dewatering (Monthly)				
Dewaters between storms				
No evidence of standing water				
5. Sediment Deposition (Annu	al)			
Swale clean of sediments				
Sediments should not be > 20% of swale design depth				
6. Outlet/Overflow Spillway (Annua	6. Outlet/Overflow Spillway (Annual, After Major Storms)			
Good condition, no need for repair				
No evidence of erosion				
No evidence of any blockages				
7. Integrity of Filter Bed (Annual)				
Filter bed has not been blocked or filled inappropriately				

Comments:			
Actions to be Taken:			
-			

Appendix J

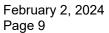
Stormwater Management Facility Inspection Procedures

STORMWATER CONTROL FACILITY MAINTENANCE AGREEMENT

Stormwater Management Facility Inspection Procedures

Post Construction Operation & Maintenance:

- 1. On a quarterly basis, perform the following:
 - a. Inspect catch basins, manholes and storm piping for debris and accumulation of sediment.
 - b. Remove and properly dispose of any collected debris from structures.
 - c. Flush storm sewers with water, if necessary, to remove accumulated sediment.
 - d. Check all rip rap stone for erosion and re-stone, if necessary, to prevent further erosion.
 - e. Inspect grass and landscaped areas for un-vegetated areas or areas with less than 80% healthy stand of grass and reseed and mulch as necessary. Water areas daily if reseeded between July and August.
- 2. Maintain all lawn areas by regular mowing, including the grass slopes of the detention basins. Any eroded areas shall be re-graded, seeded and mulched immediately.
- 3. Inspect detention basins for debris and sediment accumulation two times per year (spring and fall). Debris and sediment accumulation should be removed from the basin every five to six years or with sediment buildup over 6" in depth. Remove and properly dispose of any collected debris and sediment.
- 4. The bioretention area shall be maintained as required in the NYSDEC Stormwater Management Design Manual and as a component of the property landscaping and shall be maintained on a regular basis. Sediment must be removed when accumulation depth exceeds on inch. Any erosion of the bioretention berm must be repaired as soon as possible to prevent diversion around the bioretention area.



ERIE COUNTY ACKNOWLEDGMENT

From: <u>Hood, John</u>

To: <u>Eric Warren; Benderson, Jeffrey; "DarataJr, Rob"</u>

Cc: <u>Thomas Forbes</u>

Subject: Re: 2 Steelworkers Way, Lackawanna/ECWA Water Main Tap Info

Date: Friday, February 2, 2024 9:34:23 AM

Attachments: <u>image005.png</u>

image006.png image007.png image008.png image009.png image010.ipg image011.png image012.png image013.png

This message originated outside your organization. Please use caution!



Hey Eric,

Thanks for the heads-up on the upcoming work and we understand that the work will be done as per the SMP. Please keep me posted so I can keep Megan from NYSDEC apprised of the progress.

Take care,

John

John

From: Eric Warren <ewarren@rouxinc.com>

Sent: Wednesday, January 31, 2024 4:52:27 PM

To: Hood, John < John. Hood@erie.gov>; Benderson, Jeffrey < jbenderson@Uniland.com>; 'DarataJr,

Rob' <rdaratajr@Uniland.com>

Cc: Thomas Forbes <tforbes@rouxinc.com>

Subject: 2 Steelworkers Way, Lackawanna/ECWA Water Main Tap Info

You don't often get email from ewarren@rouxinc.com. Learn why this is important

[Caution: this email is not from an Erie County employee: attachments or links may not be safe.]

Hi John – nice speaking with you on the phone earlier concerning the proposed water tap work for our NYSDEC BCP 2 Steelworkers Way project. As discussed, Erie County Water Authority (ECWA) contractor (Kandey Company) will be completing post COC excavation work on 2 Steelworkers Way property to complete a tap onto the County's main water line that is located in the middle of Hamburg Turnpike (Route 5). This work involves excavating down approximately 15 feet deep on the southeast side of the property and then tunneling under the County's Bethlehem Shoreline Trail Site, (NYSDEC Site I-12, BCP No. 915197L) including the County bike path into Route 5 to complete the water tap. To be able to complete such a large excavation area to successfully tunnel and complete the water tap, excavation work will continue to the east off 2 Steelworkers Way property and onto the County property. **Please see the figure attached** to show exact location of the excavation area (shown in dotted lines). As previously discussed, the off site excavation work into the County's property will be approximately 15' in length and approximately 15' wide and will not

include the excavation through the bike path. Per the existing Soil Management Plan, Roux will be submitting an Excavation Work Plan (EWP) for DEC review and approval from Andrew Zwack and Megan Kuczka. Please note your confirmation, that you understand that all work will be completed on the County's property will be in accordance with NYSBCP requirements with Roux providing environmental oversight and will recertify the backfill and restoration work is compliant with the SMP, is required.

Here is the wording in the EWP pertaining to offsite excavation and backfilling/restoration scopes of work, please review and let me know if you have any questions.

For excavation work that will be completed offsite in the Bethlehem Shoreline Trail Site (NYSDEC Site I-12, BCP No. 915197L), the clean topsoil cover will be carefully removed down to the demarcation layer and placed in a stockpile near the excavation for later use for restoration of the cap. All subgrade soil material below the demarcation layer that will be excavated down to 15' deep will be directly loaded out into dump trucks and hauled to and disposed of at Allied Waste Niagara Falls Landfill via existing waste profile # 4215238714. After the excavation is completed down to the required grade, using an underground burrowing machine, the new water line will be installed and tapped into the ECWA main water line which is located within the limits of Hamburg Turnpike (NYS Route 5) that runs in a north/south orientation and is located east of the Site. Once the Site's new water line is installed and tapped into the ECWA main line, backfilling will commence with previously DEC approved stone. Approved No. 1 stone will be placed around the water line to protect it, approved No. 2 ROC stone will be placed and compacted all the way up to minus 1' below grade level. At this point new demarcation fabric will be laid out in the area to easily identify the Site subgrade from the cover system material which will be comprised of an orange 3/4-inch plastic industrial netting material. Then the existing topsoil from the stockpile will be placed back down in a layer at least 12" thick and then re-seeded for new grass growth.

At the completion of the above-described work, all restoration work completed onsite (Site II-11 BCP No. C915198K) and offsite (Site I-12 BCP No. C915197L) will be recertified that approved cap material was installed correctly measuring at least 12" thick by Roux per the requirements of the SMP.

A Qualified Environmental Professional (QEP), or person under their supervision, will monitor all intrusive work, excavation and load-out of all excavated material. The QEP will investigate the presence of utilities and easements on the Site and determine whether they pose a risk or impediment to the planned work under this EWP. Locations where vehicles enter or exit the Site shall be inspected daily for evidence of off-site soil tracking. The QEP will be responsible for ensuring that all egress points for truck and equipment transport from the Site are clean of dirt and other materials derived from the Site during intrusive excavation activities. If truck tires will be in contact with gross amounts of impacted materials and/or ground conditions result in mud carryout on vehicles a truck wash will be operated on-site. Truck wash waters will be collected and disposed off-site in an appropriate manner. Cleaning of adjacent streets will be performed as needed to maintain a clean condition with respect to Site-derived materials.

Please let me know if you have any questions concerning the work described above. Thank you in advance for your timely reply as time is of the essence to get this work started.

Eric Warren | Senior Scientist II

2558 Hamburg Turnpike, Suite 300, Buffalo, NY 14218

Main: 716-856-0599 | Mobile: 716-462-0490

Email: ewarren@rouxinc.com | Website: www.rouxinc.com | Website: www.rouxinc.co





A Please consider the environment before printing this email.

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From: Hood, John < John. Hood@erie.gov>

Sent: Wednesday, November 30, 2022 11:42 AM

To: Eric Warren <ewarren@bm-tk.com>; Benderson, Jeffrey <jbenderson@Uniland.com>; 'DarataJr, Rob' <rdaratajr@Uniland.com>

Cc: Rountree, Mark < Mark.Rountree@erie.gov>; Tom H. Forbes < TForbes@bm-tk.com>

Subject: RE: Dona8 certification

Hi Eric,

Thanks very much. I'll take a look and report back if any questions. Best wishes and good good luck with your other projects.

Take care, John

__

John Hood | Chief Environmental Compliance Specialist
Erie County | Environment & Planning
95 Franklin St., 1074 | Buffalo, NY 14202
P:+1(716)858-7897 | F:+1(716)858-6918
John.Hood@erie.gov | http://www.erie.gov

From: Eric Warren < ewarren@bm-tk.com Sent: Tuesday, November 29, 2022 4:58 PM

To: Hood, John < <u>John. Hood@erie.gov</u>>; Benderson, Jeffrey < <u>jbenderson@Uniland.com</u>>; 'DarataJr, Rob' < rdaratair@Uniland.com>

NYSDEC WASTEWATER DISCHARGE SPDES PERMIT EQUIVALENT

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Remediation, Region 9 700 Delaware Avenue, Buffalo, NY 14209 Phone: (716) 851-7070

www.dec.ny.gov

Tecumseh Phase II Business Park, Site II-11 Project Site Remediation

Wastewater Discharge SPDES Permit Equivalent

DRAINAGE BASIN: **01 / 01** DER Site No: C9-15-198K

Effective Date: 01/08/2024 Expiration Date: 01/07/2034

Modification Date(s):

Discharger Name and Address:

Renaissance 6, LLC ATTN: Michael Montante 100 Corporate Parkway, Suite 500 Amherst, NY 14226 (716) 834-5000 mmontante@uniland.com

is authorized to discharge from the facility described below:

Tecumseh Phase II Business Park, Site II-11 2303 Hamburg Turnpike, Lackawanna, NY 14218

From the following outfall(s):

Outfall #	Outfall Description	Location	Receiving Water	WIN *	Class
001	Treated Remediation Wastewater	42° 49' 19" N 78° 51' 11" W	Groundwater	-	GA

^{*} Water Index Number

Site Name: Tecumseh Phase II Business Park, Site II-11 DER Site ID#: C9-15-198K

Page 2 of 5 v1.4

EFFLUENT LIMITATIONS & MONITORING REQUIREMENTS

OUTFALL	DISCHARGE TYPE	LATITUDE/ LONGITUDE	RECEIVING WATER and CLASS	EFFECTIVE	EXPIRING
001	Treated Remediation Wastewater	42° 49' 19" N 78° 51' 11" W	Groundwater, Class GA	1/8/2024	1/7/2034

The discharges from the treatment facility shall be limited and monitored by the operator as specified below:

Outfall and Parameters		Monthly	Daily		Minimum Mo Requirem	_	
Outfall 001	CAS No.	Avg. Limits	Max Limits	Units	Measurement Frequency	Sample Type	FN
Flow	NA	Monitor	0.7	mgd	Continuous	Recorder	
pН	NA	-	6.5-8.5	SU	Monthly	Grab	1
Antimony, Total	07440-36-0	Monitor	3.0	μg/L	Monthly	Grab	1
Iron, Total	07439-89-6	Monitor	600	μg/L	Monthly	Grab	1
Magnesium, Total	07439-95-4	Monitor	35,000	μg/L	Monthly	Grab	1
Manganese, Total	07439-96-5	Monitor	600	μg/L	Monthly	Grab	1
Sodium, Total	07440-23-5	Monitor	20,000	μg/L	Monthly	Grab	1
Acetone	00067-64-1	Monitor	Monitor	μg/L	Monthly	Grab	1
Acenaphthene	00083-32-9	Monitor	Monitor	μg/L	Monthly	Grab	1
Acenaphthylene	00208-96-8	Monitor	Monitor	μg/L	Monthly	Grab	1
Benzene	00071-43-2	Monitor	Monitor	μg/L	Monthly	Grab	1
Benzo(a)pyrene	00050-32-8	Monitor	Non-detect	μg/L	Monthly	Grab	1
Benzo(b)fluoranthene	00205-99-2	Monitor	0.018	μg/L	Monthly	Grab	1
Benzo(ghi)perylene	00191-24-2	Monitor	Monitor	μg/L	Monthly	Grab	1
Benzo(k)fluoranthene	00207-08-9	Monitor	0.017	μg/L	Monthly	Grab	1
1,1'-Biphenyl	00092-52-4	Monitor	5.0	μg/L	Monthly	Grab	1
2,4-Dimethylphenol	00105-69-7	Monitor	1.0	μg/L	Monthly	Grab	1
Ethylbenzene	00100-41-4	Monitor	5.0	μg/L	Monthly	Grab	1
Fluoranthene	00206-44-0	Monitor	Monitor	μg/L	Monthly	Grab	1
Fluorene	00086-73-7	Monitor	Monitor	μg/L	Monthly	Grab	1
Indeno(1,2,3- cd)pyrene	00193-39-5	Monitor	0.043	μg/L	Monthly	Grab	1
Isopropylbenzene	00098-82-8	Monitor	5.0	μg/L	Monthly	Grab	1
2-Methylnaphthalene	00091-57-6	Monitor	Monitor	μg/L	Monthly	Grab	1
Naphthalene	00091-20-3	Monitor	10	μg/L	Monthly	Grab	1
Phenanthrene	00085-01-8	Monitor	Monitor	μg/L	Monthly	Grab	1

Site Name: Tecumseh Phase II Business Park, Site II-11

DER Site ID#: C9-15-198K

Page 3 of 5 v1.4

Outfall and Parameters		Monthly	Daily		Minimum Mo Requirem		
Outfall 001	CAS No.	Avg. Limits	Max Limits	Units	Measurement Frequency	Sample Type	FN
Pyrene	00129-00-0	Monitor	1.0	μg/L	Monthly	Grab	1
Tetrachloroethylene	00127-18-4	Monitor	Monitor	μg/L	Monthly	Grab	1
Toluene	00108-88-3	Monitor	5.0	μg/L	Monthly	Grab	1
Xylene, Ortho- (1,2-)	00095-47-6	Monitor	5.0	μg/L	Monthly	Grab	1
Xylene, Meta- (1,3-)	00108-38-3	Monitor	5.0	μg/L	Monthly	Grab	1
Xylene, Para- (1,4-)	00106-42-3	Monitor	5.0	μg/L	Monthly	Grab	1

Footnotes:

1. The measurement frequency of parameters listed on this page shall be Monthly following a period of 12 (twelve) consecutive weekly sampling events showing no exceedances of the stated discharge limitations. If discharge limitation of any parameter listed on this page exceeds the stated limit, the measurement frequency for all parameters listed on this page shall again be weekly, until a period of four consecutive sampling events showing no exceedances at which point monthly monitoring may resume.

	SCHEDULE OF ADDITIONAL SUBMITTALS	
Outfall	Required Action	Due Date
001	SHORT-TERM HIGH INTENSITY MONITORING PROGRAM The site discharger shall collect 8 samples representative of normal discharge conditions and treatment operations over 8 weeks for Perfluorooctanoic acid (PFOA) . The permittee shall use approved EPA analytical method with the lowest possible detection as promulgated under 40 CFR 136 for the determination of the concentrations of the parameters listed. The permittee shall submit a summary of the results to the parties listed under Additional Conditions. If any sample collected exceeds the Groundwater Effluent Limitations maximum allowable concentration of 6.7 ng/L, the site discharger will submit a request to modify their permit equivalent.	EDP + 3 months

Additional Conditions:

 Discharge is not authorized until such time as an engineering submission showing the method of treatment is approved by the Department. The discharge rate may not exceed the effective or design treatment system capacity. All monitoring data, engineering submissions and modification requests must be submitted to:

Andrew Zwack
Division of Environmental Remediation
NYSDEC, 700 Delaware Avenue, Buffalo, New York 14209,

Tel: 716-851- 7220

Email: andrew.zwack@dec.ny.gov

Site Name: Tecumseh Phase II Business Park, Site II-11

DER Site ID#: C9-15-198K

Page **4** of **5** v1.4

With a copy sent to:

Regional Water Engineer/Manager, Region 9 700 Delaware Avenue, Buffalo, New York 14209 Email: damianos.skaros@dec.ny.gov

2. Samples and measurements, to comply with the monitoring requirements specified above, must be taken from the effluent side of the final treatment unit prior to discharge to the receiving water body unless otherwise noted above.

Phone: (716) 851-7070

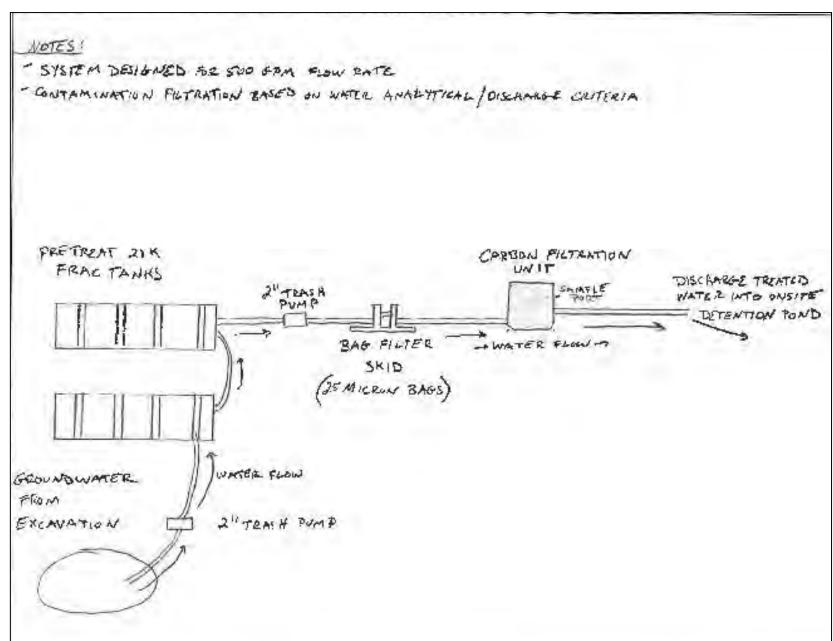
- Monitoring and analysis shall be conducted using sufficiently sensitive test procedures approved under 40 CFR Part 136 unless other test procedures have been specified in this permit.
- 4. Only site generated wastewater is authorized for treatment and discharge.
- 5. Authorization to discharge is valid only for the period noted above but may be renewed if appropriate. A request for renewal must be received 6 months prior to the expiration date to allow for a review of monitoring data and reassessment of monitoring requirements.
- 6. Both concentration (mg/l or μg/l) and mass loadings (lbs/day) must be reported to the Department for all parameters except flow and pH.
- 7. Any use of corrosion/scale inhibitors, biocidal-type compounds, or other water treatment chemicals used in the treatment process must be approved by the department prior to use.
- 8. This discharge and administration of this discharge must comply with the substantive requirements of 6NYCRR Part 750.

Site Name: Tecumseh Phase II Business Park, Site II-11

DER Site ID#: C9-15-198K

Page 5 of 5 v1.4

MONITORING LOCATIONS



NYSDEC IMPORT APPROVALS

From: Zwack, Andrew J (DEC)

To: <u>Eric Warren</u>

Cc: <u>Thomas Forbes</u>; <u>DarataJr</u>, <u>Rob</u>

Subject: RE: 2 Steelworkers Way, Site II-11 Upcoming work

Date: Thursday, June 27, 2024 7:20:35 AM

Attachments: <u>image006.jpg</u>

image007.png image008.png image009.png image010.png image011.png image012.png image013.png image014.png

This message originated outside your organization. Please use caution!

Eric,

Uniland can move forward with the electrical repairs. Please let me know when this work is scheduled. The limited amount of top soil from the Hamburg School capital improvement project may be used on-site without additional testing.

Andrew Zwack

Assistant Engineer, Division of Environmental Remediation

New York State Department of Environmental Conservation

700 Delaware Avenue, Buffalo, NY 14209

P: (716) 851-7220 | F: (716) 851-7226 | andrew.zwack@dec.ny.gov



From: Eric Warren <ewarren@rouxinc.com> Sent: Thursday, June 27, 2024 6:57 AM

To: Zwack, Andrew J (DEC) <Andrew.Zwack@dec.ny.gov>

Cc: Thomas Forbes <tforbes@rouxinc.com>; DarataJr, Rob <rdaratajr@Uniland.com>

Subject: RE: 2 Steelworkers Way, Site II-11 Upcoming work

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Hi Andrew – I will request a new sieve analysis from LaFarge and let you know.

As far as the topsoil goes, no new import analysis has been completed. I will discuss this with Uniland and let you know. In the meantime if they need to, can Uniland start on the repairs of the electrical conduits while I am obtaining the new sieve analysis?

SITE WORK PHOTO LOG

SITE PHOTOGRAPHS

Photo 1:



Photo 2:





Photo 4:



Photo 1: Installation of visual demarcation fabric and approved ROC stone (February 2024).

Completion of water line excavation with temporary approved ROC stone cover system (February Photo 2:

2024).

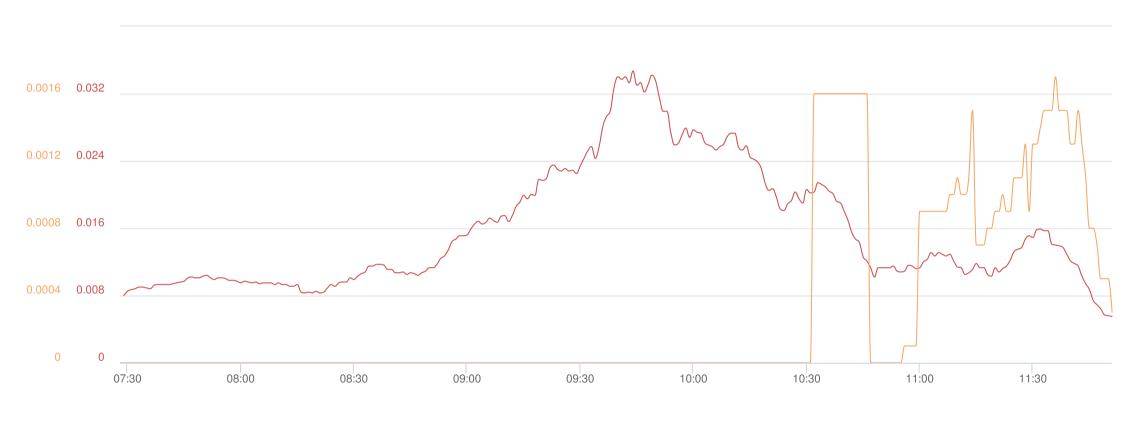
Approved topsoil cover placed on top of ROC stone and hydroseeded (July 2024). Photo 3:

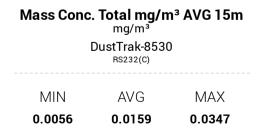
Photo 4: Restoration completed (July 2024).

Bethlehem Shoreline Trail Site 1-12 NYSDEC BCP Site No. 915197L Lackawanna, New YorK



Mon, 19th of Feb 2024, 0:00:00 - 14:46:12 (GMT-05:00) Eastern Time (US & Canada)





VOC ppm AVG 15m ppm
miniRAE 3000
RS232(A)

MIN AVG MAX
0 0.0003 0.0017

Name CAMP Station #6 S/N 0B389622

Description CAMP Station # 6

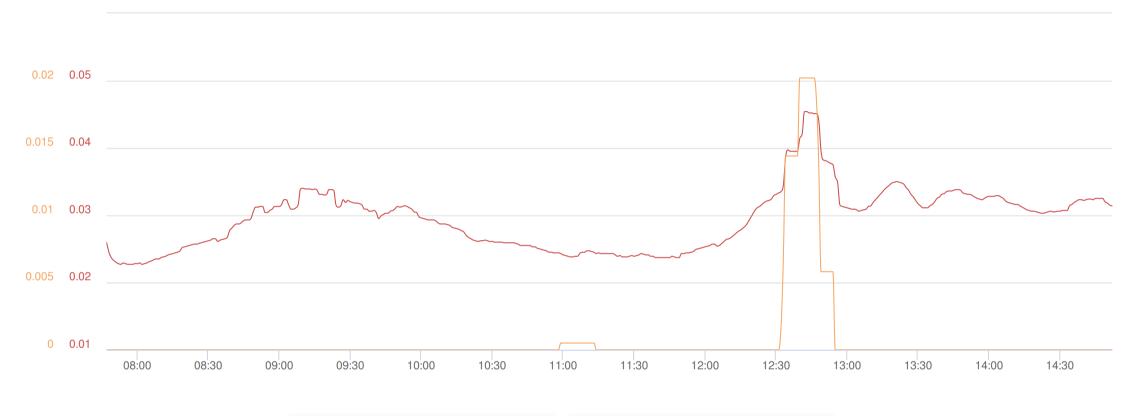
Replacement

Location 2470 Hamburg

Turnpike, Buffalo, NY 14218, USA

© Netronix 2024 (http://netronix.io/)

Thu, 22nd of Feb 2024, 7:00:00 - 17:00:00 (GMT-05:00) Eastern Time (US & Canada)







Name CAMP Station #6
S/N 0B389622

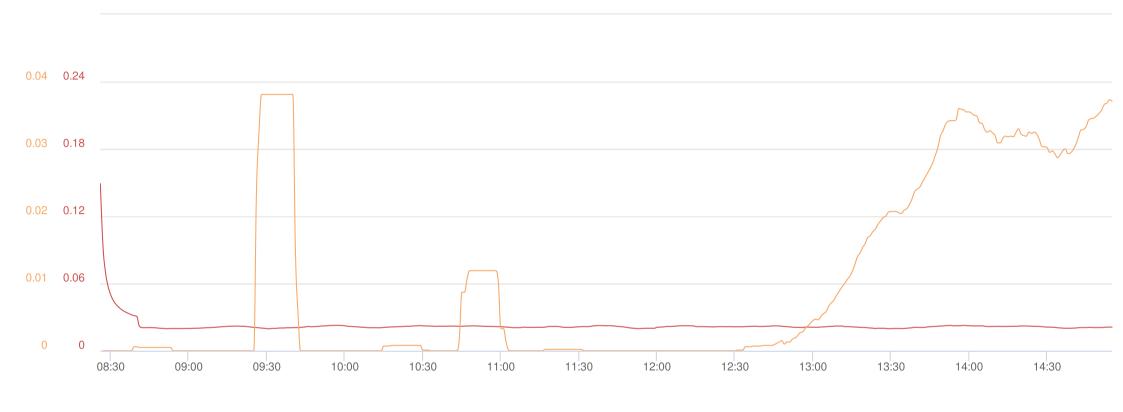
Description CAMP Station # 6
Replacement

Replacement Location 10 Dona St,

Lackawanna, NY 14218,

USA

Mon, 12th of Feb 2024, 7:00:00 - 17:00:00 (GMT-05:00) Eastern Time (US & Canada)



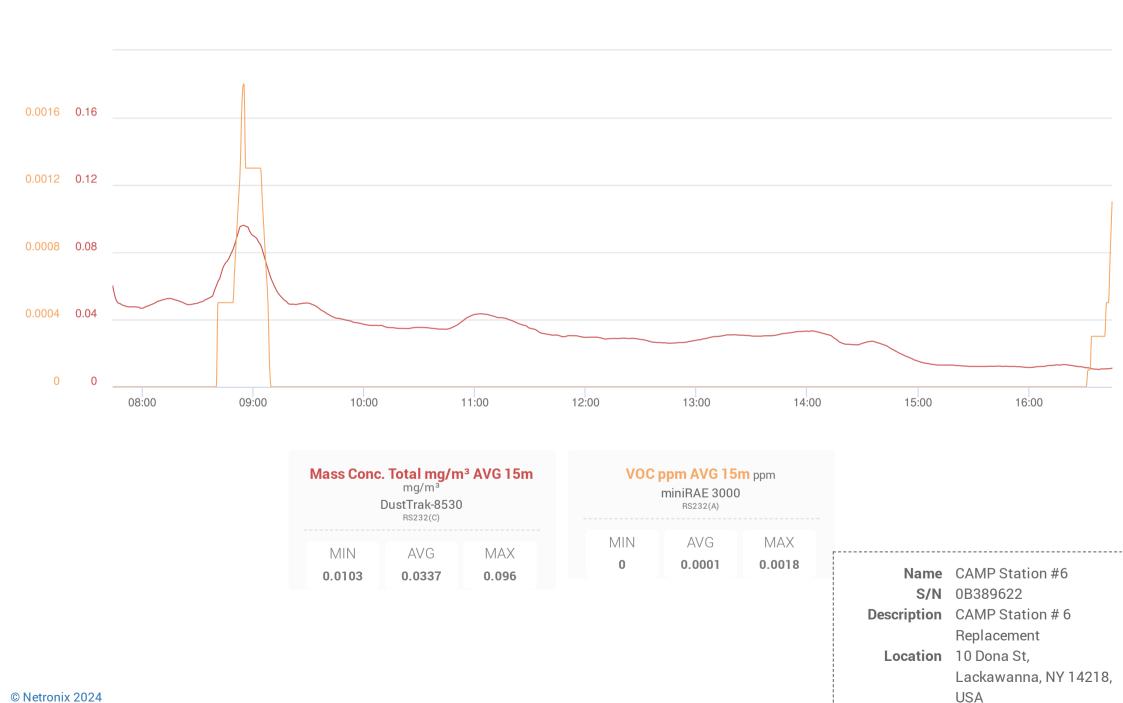


Name CAMP Station #6
S/N 0B389622

Description CAMP Station # 6
Replacement
Location 2470 Hamburg
Turnpike, Buffalo, NY

14218, USA

Tue, 13th of Feb 2024, 6:00:00 - 16:45:00 (GMT-05:00) Eastern Time (US & Canada)



Wed, 14th of Feb 2024, 6:00:00 - 17:00:00 (GMT-05:00) Eastern Time (US & Canada)







Name CAMP Station #6 S/N 0B389622

Description CAMP Station # 6

Replacement

Location 10 Dona St,

Lackawanna, NY 14218,

USA

Thu, 15th of Feb 2024, 6:00:00 – 16:45:00 (GMT-05:00) Eastern Time (US & Canada)







Name CAMP Station #6
S/N 0B389622

Description CAMP Station # 6

Replacement Location 10 Dona St,

Lackawanna, NY 14218,

USA

Fri, 16th of Feb 2024, 6:00:00 - 16:45:17 (GMT-05:00) Eastern Time (US & Canada)



0.0013

0.0052

0.0075

0

0

0.0002

Name CAMP Station #6
S/N 0B389622

Description CAMP Station # 6
Replacement
Location 10 Dona St,

Lackawanna, NY 14218, USA

	FALLS LANDFILL 716-2 gara Falls Blvd Nia	282-6381 ugara Falls, NY 14304	SITE 5B WEIGH	TICKET # 12592 MASTER	250	CELL		
CUSTOMER 2017 ZOLA P O ALDE Contract		INC	DATE/T VEHICL REFERI	2/12/24 E ZOLADZ356	aanie H. 3:08 pm 4	DATE/TIME OF 2/12 CONTAINER		3:08 pm
	SCALE IN GROSS WEIG TARE OUT TARE WEIG	TONS 18	.04			INBOU INVOI		
QTY. UNIT		DESCRIPTION		RATE	EXTENS	ION 1	TAX	TOTAL
0.00 Y 18.04 t	and all and ware	Origin:NY-ERIE 100%						

The undersigned individual signing this document on behalf of Customer acknowledges that he or she has read and understands the terms and conditions on the reverse side and that he or she has the authority to sign this document on behalf of the customer.

SIGNATURE

RS-F042UPR (04/19)

NET AMOUNT

TENDERED

CHANGE CHECK#



3191914

If waste is asbestos waste, complete Sections I, II, III and IV If waste is $\underline{\text{NOT}}$ asbestos waste, complete Sections I, II and III

a. Generator's US EPA ID Number	ator completes	b. Manifest Docu	ment Number		c. Page	1 of				
d. Generator's Name and Location: Renaissance 6, LLC 2 Steelworkers Way f. Phone: Lackawanna, NY 14216				nce 6, LLC orate Parkv	vay, Suit	te 500				
If owner of the generating facility differs	from the generate	or, provide:								
h. Owner's Name:	1		i. Owner's Phone No.:							
j. Waste Profile #	k, Exp. Date	I. Waste Ship Description	m. Containers n. Total No. Type Quantity			o. Unit Wt/Vol				
A. 4215238714	4 6/19/2026 Urban Fill				T	12yds	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,			
В.										
C.										
GENERATOR'S CERTIFICATION: I he state law, has been properly described, waste is a treatment residue of a previous been treated in accordance with the recommendation.	usly restricted haz	ckaged, and is in prop rardous waste subject	per condition for transport	ation according	g to applic	able regulations;				
Anthony Ralling		well			21	12/24				
p. Generator Authorized Agent Name (I		q. Signature letes lla-b and Transporter completes		r. Date						
201002 13600 b. Phone: Austin Lewis	4	# 35	6 9A.L	2/	121	211				
c. Driver Name (Print)		gnature		e. Date	12/	77				
III. DESTINATION (Gener a. Disposal Facility and Site Address:	ator complete									
Allied Waste Niagara Fab. 5600 Niagara Falls Blvd , 1	The second secon		nber d. Discrepancy Ind	dication Space	1:					
I hereby certify that the above named m	naterial has been a	accepted and to the b	est of my knowledge the	foregoing is tru	ue and acc	curate.				
e. Name of Authorized Agent (Print)		SH	achee	g. Date	-12	-24				
IV. ASBESTOS (Generato	r completes IV	a-f and Operator								
a. Operator's Name and Address:			c. Responsible Agency	Name and Add	dress:					
b. Phone:			d. Phone:							
e. Special Handling Instructions and Ad	ditional Information	no.								
f. ☐ Friable ☐ Non-Friable ☐ Bo	11.	2010								
f. Friable Non-Friable Bo OPERATOR'S CERTIFICATION: I here and are classified, packaged, marked a national governmental regulations.	by declare that the	Friable e contents of this con- led, and are in all res	% Non-Friable signment are fully and acc pects in proper condition to	curately descri for transport a	bed above ccording to	e by the proper sho applicable intern	ipping nan ational and			
1										
g. Operator's Name and Title (Print)	h, Sig	gnature		i. Date						
*Operator refers to the company which renovation operation or both	owns, leases, oper	rates, controls, or sup	ervises the facility being of	demolished or	renovated	, or the demolition	or			

5600 Niagara Falls Blvd Niagara Falls, NY 14304 EUSTOMER 201724 ZOLADZ CONSTRUCTION CO INC P O BOX 157 ALDEN, NY 14004	DATE/TIME IN		248	CELL	
Contract:4215238714 Generator:Renaissance 6, LLC	anie H. 3:01 pm	DATE/TIME OUT 2/12/2 CONTAINER	4 3:01 pm		
SCALE IN GROSS WEIGHT 73,060 NET TONS 22.03 TARE OUT TARE WEIGHT 29,000 NET WEIGHT 44,060		319191	6	INBOUND INVOICE	
20.00 YD Tracking QTY		RATE	EXTENSION		TOTAL
Have a nice day. Thank you for your business!					NET AMOUNT
					NET AMOUNT
The undersigned individual signing this document on behalf of Contract					TENDERED
The undersigned individual signing this document on behalf of Customer acknowledges that he or she has the authority to sign this document on behalf of the customer.			rms and condi	tions	CHANGE
F042UPR (04/19) SIGNATURE C	2				CHECK#



3191916

If waste is asbestos waste, complete Sections I, II, III and IV If waste is NOT asbestos waste, complete Sections I, II and III

a. Generator's US EPA ID Number	itor completes	la-r) b. Manifest Docu	ment Nijaska a						
		b. Marillest Docu	ment Number		c. Page	1 of			
d. Generator's Name and Location: Renaissance 6, LLC 2 Steelworkers Way f. Phone; Lackswanna, NY 14218				nce 6, LLC orate Parkv	ray, Sui	te 500			
If owner of the generating facility differs	from the generato	r, provide:							
h. Owner's Name:	1	Live	i. Owner's Phone No.:						
j. Waste Profile #	k. Exp. Date	I. Waste Ship Description	oping Name and	m. Con No.	Type	n. Total Quantity	o. Unit Wt/Vol		
A. 4215238714	6/19/2026	/19/2026 Urban Fill			T	12yds			
В.									
C.									
GENERATOR'S CERTIFICATION: I he state law, has been properly described, waste is a treatment residue of a previo been treated in accordance with the requirements.	usly restricted haze	kaged, and is in prop ardous waste subject	per condition for transport	ation according	to applic	able regulations;			
Arthony Raturs	(Turk.			211	2/24			
b. Generator Authorized Agent Name (F		q. Signature		r. Date					
II. TRANSPORTER (Gen a. Transporter's Name and Address:	erator complet	es Ila-b and Tra	nsporter completes	llc-e)					
b. Phone: Wirkole) Guerino	z Const.	#242 72. S.		9.4-2190	224				
c. Driver Name (Print)	d. Sig			e. Date	. ~]				
 III. DESTINATION (General Disposal Facility and Site Address: 	ator complete l				Illd-g)				
		c. US EPA Nur	nber d. Discrepancy In-	dication Space					
Allied Waste Niagara Fa 5600 Niagara Falls Blvd , N									
I hereby certify that the above named m	aterial has been a	ccepted and to the b	est of my knowledge the	foregoing is tru	e and acc	curate			
Stache			heo	1 2	-11	8-24			
e. Name of Authorized Agent (Print)	f. Sign		nee	g. Date	10	24			
IV. ASBESTOS (Generato	r completes IVa	a-f and Operator	complete IVg-i)						
a. Operator's Name and Address:			c. Responsible Agency	Name and Add	tress:				
L Dhann									
b. Phone: e. Special Handling Instructions and Ad-	ditional Information		d. Phone:						
f. ☐ Friable ☐ Non-Friable ☐ Bo	n. n. n.	- × . (v							
OPERATOR'S CERTIFICATION: I here and are classified, packaged, marked an national governmental regulations.	by declare that the	riable contents of this con ed, and are in all res	% Non-Friable signment are fully and ac pects in proper condition	curately descri for transport a	bed above coording to	e by the proper sh o applicable intern	ipping nam ational and		
g. Operator's Name and Title (Print)	h. Sigi	nature		i. Date					
*Operator refers to the company which or renovation operation or both	wns, leases, opera	ates, controls, or sup	ervises the facility being	demolished or	renovated	or the demolition	ne.		

NIAGARA	FALLS LANDFILL 716-282-	5381	SITE 5B	TICKET #	59245	CELL		
5600 Ni	agara Falls Blvd Niagara	Falls, NY 14304		MASTER	.53245	-		
JSTOMER 201			DATE/T	TME IN	m_S.	DATE/TIME	OUT	
	ADZ CONSTRUCTION CO INC	4		2/12/24	1:49 pm	111111111111111111111111111111111111111	12/24	1 10
PO	BOX 157		VEHICL	ZOL322	7.45 Pill	CONTAINER		1:49 pm
Contrac	EN, NY 14004 t:4215238714		REFER					
Generat	or:Renaissance 6, LLC		BILL OF	F LADING 319	1917			
	SCALE IN GROSS WEIGHT TARE OUT TARE WEIGHT		22.84 INBOUND 5,680 INVOICE					
QTY. UN		DESCRIPTION		RATE	EXTENS	ION	TAV	
4.55	'D Tracking QTY IN SW-CONT SOIL			MATE	EXTENS	ION	TAX	TOTAL
22.04	n SW-CONT SOIL	Origin:NY-ERIE 100%						
Haye a nic	e day. Thank you for your business!							
Have a nic	e day. Thank you for your business!							NET AMOUN
1								
The unde	rsigned individual signing this document	on behalf of Customer acknowledges that he ority to sign this document on behalf of the co	or she has read	d and understands	the terms and con	ditions		NET AMOUN TENDERED CHANGE



3191917

If waste is asbestos waste, complete Sections I, II, III and IV If waste is NOT asbestos waste, complete Sections I, II and III

a. Generator's US EPA ID Number	erator complete	b. Manifest Doc	ument Number		c. Page	1 of			
d. Generator's Name and Location: Renaissance 6, LLC 2 Steelworkers Way f. Phone: Lackawanna, NY 142				nce 6, LLC orate Parkv	/ay, Sui	te 500	Ī		
If owner of the generating facility diff	ers from the gener	ator, provide:							
h. Owner's Name:			i. Owner's Phone No.:						
j. Waste Profile #	k, Exp. Date		Waste Shipping Name and Description			m. Containers n. Total			
	100000	Description		No. Type		Quantity	Wt/Vol		
A. 4215238714	6/19/2026	Urban Fi	II .	1	T	12yds			
B.									
Č.									
GENERATOR'S CERTIFICATION: I state law, has been properly describ waste is a treatment residue of a prebeen treated in accordance with the	viously restricted h	ackageo, ano is in pri azardous waste subje	oper condition for transport	ation according	to applic	able regulations;			
Anthony Radun		wo	- /h_		2/16	2/24			
p. Generator Authorized Agent Name		q. Signature		r. Date					
II. TRANSPORTER (G a. Transporter's Name and Address:	enerator comp	letes Ila-b and Tr	ansporter completes	llc-e)					
b. Phone homas Gar c. Driver Name (Print)	~	#322 Demonstration Signature	13600 Rail	2/12	1 12¢				
III. DESTINATION (Gen		0	nation Site completes	e. Date					
a. Disposal Facility and Site Address		c. US EPA Nu							
Allied Waste Niagara	Falls Landell		a ziosispanoj ili	оповноп орасс					
5600 Miggana Falle Plad	The second secon		0						
D.						1			
I hereby certify that the above named	material has beer	accepted and to the	pest of my knowledge the	foregoing is tru	e and acc	rate.			
a Name of Authorized Association		7 90	3000	1	12	124			
e. Name of Authorized Agent (Print) IV. ASBESTOS (General		ignature	T	g. Date					
 ASBESTOS (General a. Operator's Name and Address: 	nor completes	Iva-i and Operato	0 /						
a. Operator s Name and Address.			c. Responsible Agency	Name and Add	lress:				
b. Phone:			d. Phone:						
e. Special Handling Instructions and	Additional Informat	ion:	.u. Filone.						
f. ☐ Friable ☐ Non-Friable ☐	Both	% Friable	% Non-Friable						
OPERATOR'S CERTIFICATION: I he and are classified, packaged, marked national governmental regulations.	ereby declare that t	he contents of this co	nsignment are fully and ac	curately descri for transport ac	bed above cording to	e by the proper shi o applicable intern	ipping nan ational and		
3									
g. Operator's Name and Title (Print)	h s	Signature		i. Date					
*Operator refers to the company which renovation operation or both	ch owns, leases, or	perates, controls, or su	pervises the facility being	demolished or	renovated	d, or the demolition	or		

NIAGA 5600	RA FA	LLS LANDFILL 716-282-6	381			TE 5B EIGHM	TICKET	12592	244	CELL		
5600 Niagara Falls Blvd Niagara Falls, NY 14304 STOMER 201724 ZOLADZ CONSTRUCTION CO INC P O BOX 157 ALDEN, NY 14004 Contract: 4215238714 Generator: Renaissance 6, LLC						ATE/TII	ME IN 2/1	Pam 5 2/24 LADZ356 319191	1:41 pm	DATE/TI	2/12/24	1:41 pm
	TA	ALE IN GROSS WEIGHT RE OUT TARE WEIGHT	76,680 28,000	NET TONS	24.34 48,680						NBOUND	
QTY. 0.00	YD		DESCR	IPTION				RATE	EXTENS	ION	TAX	TOTAL
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Have	affice da	ay. Thank you for your business!										NET AMOUN
	1											

CHANGE CHECK#

The undersigned individual signing this document on behalf of Customer acknowledges that he or she has read and understands the terms and conditions on the reverse side and that he or she has the authority to sign this document on behalf of the customer.

SIGNATURE

RS-F042UPR (04/19)



3191918

NON-HAZARDOUS SPECIAL WASIE C.

If waste is asbestos waste, complete Sections I, II, III and IV If waste is $\underline{\text{NOT}}$ asbestos waste, complete Sections I, II and III

 GENERATOR (General 	tor completes	la-r)					
a. Generator's US EPA ID Number		b. Manifest Docur	ment Number		c. Page	1 of	
d. Generator's Name and Location: Renaissance 6, LLC 2 Steelworkers Way f. Phone:Lackawanna, NY 14218				nce 6, LLC orate Park	vay, Suit	te 500	
If owner of the generating facility differs	from the generato	or, provide:					
h. Owner's Name:			i. Owner's Phone No.:				
j. Waste Profile #	k. Exp. Date	I. Waste Ship Description	oping Name and	M. Cor	Type	n. Total Quantity	o. Unit Wt/Vol
A. 4215238714	6/19/2026	Urban Fill		1	τ	12yds	
В.							
C.							
GENERATOR'S CERTIFICATION: I he state law, has been properly described, waste is a treatment residue of a previo been treated in accordance with the req	classified and pad usly restricted haz	ckaged, and is fiv prop zardous waste subject	per condition for transpor t to the Land Disposal R	rtation according	ng to applic ertify and v	cable regulations; varrant that the wa	AND, if this
Anthony Radus		and	/			2124	
p. Generator Authorized Agent Name (F		q. Signature			r. Date		
II. TRANSPORTER (Gen a. Transporter's Name and Address:	erator comple	tes Ila-b and Tra	insporter completes	llc-e)			
& Zoladz 130 b. Phoney Hustin Lewis	> /	fred the same of t	356 91	4-99	10	124	
c. Driver Name (Print)		gnature	e on 11	e. Date	,		
III. DESTINATION (Gener	ator complete		And the second s				
a. Disposal Facility and Site Address:		c. US EPA Nu	mber d. Discrepancy I	ndication Spa	ce:		
Allied Waste Niagara Fo	ells Landfill Ll	LC					
5600 Niagara Falls Blvd , 1	Niagara Falls N	Y					
b. I hereby certify that the above named n	natorial has been	accorded and o the h	nest of my knowledge the	e foregoing is	tue and a	Lurata /	
Thereby certify that the above hamed in	naterial rias been	POLICE	SER William Kilowiedge tile	2 Pilopolius	112/	24	
e. Name of Authorized Agent (Print)	f. Sig	gnature ()		g. Date			
IV. ASBESTOS (Generate	or completes IV	Va-f and Operato	r complete IVg-i)				
a. Operator's Name and Address:			c. Responsible Agence	y Name and A	ddress:		
b. Phone: e. Special Handling Instructions and Ad	Iditional Information	on:	d. Phone:				
s. Special Flationing Institutions and Ac	sanona moniau	PIL					
f. Friable Non-Friable Bo OPERATOR'S CERTIFICATION: I here and are classified, packaged, marked a national governmental regulations.	eby declare that th						
g. Operator's Name and Title (Print) *Operator refers to the company which		ignature erates, controls, or su	pervises the facility being	i. Date g demolished	or renovate	ed, or the demolition	on or
renovation operation or both							

5600 Niag	ALLS LANDFILL 716-282- ara Falls Blvd Niagar	6381 a Falls, NY 14304		SITE 5B WEIGHM	TICKET # 12592 ASTER	43	CELL	
20172 ZOLAD P O B ALDEN Contract:		*	-	DATE/TIM VEHICLE REFEREI BILL OF	2/12/24 E ZOL242	1:35 pm	DATE/TIME OUT 2/12/ CONTAINER	
	CALE IN GROSS WEIGHT ARE OUT TARE WEIGHT	82,580 NET TONS 29,000 NET WEIGHT	26. 53,5		023130		INBOUN	
QTY. UNIT		DESCRIPTION			RATE	EXTENS	ION TAX	TOTAL
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								TENDERED
	gned individual signing this document	t on behalf of Customer acknowledges t hority to sign this document on behalf o	hat he or	she has read	and understands the t	erms and con	ditions	CHANGE
The undersi		norty to sign this document on behalf of	of the cust	omer.	2			CHECK#



3191921

If waste is asbestos waste, complete Sections I, II, III and IV If waste is $\underline{\text{NOT}}$ asbestos waste, complete Sections I, II and III

a. Generator's US EPA ID Number	tor completes	b. Manifest Docur	ment Number		c. Page	1 of	
d. Generator's Name and Location: Renaissance 6, LLC 2 Steelworkers Way f. Phone:Lackawanna, NY 14218			e. Generator's Mailing A Renaissan 100 Corpo	nce 6, LLC prate Parkv	vay, Suit	te 500	
If owner of the generating facility differs		r, provide:	g. Phone: Amherst, (NY 14226			
h. Owner's Name:	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	, provides					
j. Waste Profile #	k. Exp. Date	I. Waste Shir	i. Owner's Phone No.: oping Name and	m, Con	tainers	n, Total	o Hait
~	I LOSOPON,	Description		No.	Туре	Quantity	o. Unit Wt/Vol
A. 4215238714	6/19/2026	Urban Fill		1	τ	12yds	
B.							
C.							
GENERATOR'S CERTIFICATION: I her state law, has been properly described, waste is a treatment residue of a previou been treated in accordance with the requ	usly restricted haz	kaged, and is in prop ardous waste subject	er condition for transportat	tion according	to applic	able regulations; A	
Anthony Rachins p. Generator Authorized Agent Name (P		MIL	gor a nozardous waste as	defined by 4	21	112124	
II. TRANSPORTER (Gene		q. Signature	LL MACAGINET AND STA		r. Date	1	
a. Transporter's Name and Address:			nsporter completes lic				
Zoladz Co		#242	isporter completes lic	9	24.4		
b. Phone: Nicholas Guerino c. Driver Name (Print)		#242	isporter completes lic	9	VA 4 2-24		
b. Phone: Nicholas Greenino c. Driver Name (Print) III. DESTINATION (General	anst, 7	#242 Massanature		2 1/2 e. Date			
b. Phone: Nicholas Guerino c. Driver Name (Print)	anst, 7	#242 Massanature	ation Site completes I	e. Date	2-24		
b. Phone: Dicholds Greening C. Driver Name (Print)	d. Signator complete I	#242 nature lla-c and Destina c. US EPA Num C	ation Site completes I	e. Date	2-24		
b. Phone: Colord Color	d. Signator complete I	#242 nature Illa-c and Destina c. US EPA Num	ation Site completes I	e. Date	2-24		
b. Phone: Dicholds Greening C. Driver Name (Print)	d. Signator complete I	#242 nature Illa-c and Destina c. US EPA Num	ation Site completes I	e. Date	2-24		
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b. Phone: C. Driver Name (Print) III. DESTINATION (General a. Disposal Facility and Site Address: Allied Waste Niagara Falls Blvd, N. I hereby certify that the above named made. e. Name of Authorized Agent (Print)	d. Signator complete I	nature Illa-c and Destina c. US EPA Num C ccepted and to the be	ation Site completes Inber d. Discrepancy Indi	e. Date	2-24		
b. Phone: Colored C	d. Signator complete I	nature Illa-c and Destina c. US EPA Num C ccepted and to the be	ation Site completes Inber d. Discrepancy Indi	e. Date Illd-g) ication Space pregoing is tru g. Date	e and acc		
b. Phone: C. Driver Name (Print) III. DESTINATION (General a. Disposal Facility and Site Address: Allied Waste Niagara Falls Blvd, No. 1 hereby certify that the above named mate. Name of Authorized Agent (Print) IV. ASBESTOS (Generator)	d. Signator complete I	nature Illa-c and Destina c. US EPA Num C ccepted and to the be	ation Site completes Inber d. Discrepancy Indinest of my knowledge the forcomplete IVg-i) c. Responsible Agency N	e. Date Illd-g) ication Space pregoing is tru g. Date	e and acc		
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b. Phone: C. Driver Name (Print) III. DESTINATION (General a. Disposal Facility and Site Address: Allied Waste Niagara Falls b. I hereby certify that the above named material and the Address of Authorized Agent (Print) IV. ASBESTOS (Generator a. Operator's Name and Address: b. Phone:	d. Signator complete I Ills Landfill LL Tiagana Falls NT aterial has been accompletes IVa it completes IVa ditional Information	nature Illa-c and Destina c. US EPA Num C cocepted and to the be ature a-f and Operator	ation Site completes Inber d. Discrepancy Indinest of my knowledge the force complete IVg-i) c. Responsible Agency N d. Phone:	e. Date Illd-g) ication Space pregoing is true g. Date	e and acc	yrate.	pping nam
b. Phone: C. Driver Name (Print) III. DESTINATION (General a. Disposal Facility and Site Address: Allied Waste Niagara Falls b. J600 Niagara Falls Blvd, N. I hereby certify that the above named mate. e. Name of Authorized Agent (Print) IV. ASBESTOS (Generator a. Operator's Name and Address: b. Phone: e. Special Handling Instructions and Address: Department of Non-Friable Bottoperator of the Special Handling Instructions and Address:	d. Signator complete I Ills Landfill LL Tiagana Falls NT aterial has been accompletes IVa it completes IVa ditional Information	nature Illa-c and Destina c. US EPA Num C cocepted and to the be ature a-f and Operator	ation Site completes Inber d. Discrepancy Indinest of my knowledge the force complete IVg-i) c. Responsible Agency N d. Phone:	e. Date Illd-g) ication Space pregoing is true g. Date	e and acc	yrate.	pping nam
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NIAGARA FA 5600 Niaga	LLS LANDFILL 716-282-0	5381 3 Falls NY 14304		SITE 5B WEIGH	TICKET	12592	235	CELL	
ZO1724 ZOLADZ P O BO	CONSTRUCTION CO INC X 157 NY 14004	2 Zalis, NI 14304		DATE/TI VEHICL REFERE	2/ E ZO	Pam 5 12/24 1 L322		DATE/TIME OF 2/12 CONTAINER	
Generator:	Renaissance 6, LLC			BILL OF	LADING	319192	0		
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-	you for your business!								NET AM
									TENDE
The undersig	ned individual signing this document e side and that he or she has the auth	on behalf of Customer acknowledges the cority to sign this document on behalf of	nat he or she the custom	er.			terms and con	ditions	CHAN
		SIGNI	ATURE	(h	cef)	H			CHEC



3191920

If waste is asbestos waste, complete Sections I, II, III and IV If waste is ${\tt NOT}$ asbestos waste, complete Sections I, II and III

a. Generator's US EPA ID Number		b. Manifest Doc	ument Number		c. Page	1 of	
d. Generator's Name and Location: Renaissance 6, LLC			e. Generator's Mailing	Address:			
2 Steelworkers Way				ance 6, LLC			
f. Phone:Lackawanna, NY 1421			100 Con	porate Parkv	vay, Sui	te 500	
If owner of the generating facility differ	ro from the account	100000	g. Phone: Amherst	NY 14226		-5 6,40	
	is from the generator,	, provide:					
h. Owner's Name:			i. Owner's Phone No.:				
j. Waste Profile #	k. Exp. Date	I. Waste Sh	ipping Name and	m. Con	lainere	n Talai	- 0.0
		Description		No.	Type	n. Total Quantity	o. Unit Wt/Vol
A. 4215238714	6/19/2026	Urban Fil	1	1	T	12yds	VVUVOI
В.							
C.							
OFNEDATOR	4						
GENERATOR'S CERTIFICATION: I h state law, has been properly described waste is a treatment residue of a previo been treated in accordance with the re-	ously restricted hazar equirements of 40 CFF		hat assignment for manapoli	lation according	I to applic	able regulations: A	licable ND, if this te has
Generalis Rayun	7	1000	ph.	11	2/1	2/24	
o. Generator Authorized Agent Name (Print) a	Signature	1		01	V/0x/	
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2010	nerator complete	s lla-b and Tra +322	nsporter completes 13 GOS Ro	lic-e)	r. Date	Alden U)	1400
2010 De Phone: Thomas Garlock	nerator complete	s lla-b and Tra +322 my the	nsporter completes 13 (ecs. Fc	lic-e) willowad	r. Date		1400
2. Phone: Thomas Carlock Driver Name (Print)	nerator complete	s lla-b and Tra +322 wy Hw	13600 Ro	ailRoad 2/12	r. Date		1400
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D. Phone: INOMAS CAPIOCA Diver Name (Print) II. DESTINATION (General Disposal Facility and Site Address: Allied Waste Niagara Facility	nerator complete	s lla-b and Tra	13 GOS Ro	2/12 e. Date Illd-g)	r. Date		1400
D. Phone: INOMAS CAPIOCA Diver Name (Print) II. DESTINATION (General Disposal Facility and Site Address: Allied Waste Niagara Facility	nerator complete	s lla-b and Tra	13 GOS Ro	2/12 e. Date Illd-g)	r. Date		1400
D. Phone: INOMAS CONTOCK Driver Name (Print) II. DESTINATION (General Disposal Facility and Site Address: Allied Waste Niagara Factoring Stock Niagara Falls Blvd., 1	nerator complete	s lla-b and Tra	ation Site completes	2/12 e. Date Illd-g) dication Space:	7. Date	Alden NY	1400
Driver Name (Print) DESTINATION (General Disposal Facility and Site Address: Allied Waste Niagara Factor S600 Niagara Falls Blvd., 1	nerator complete	s lla-b and Tra	ation Site completes	2/12 e. Date Illd-g) dication Space:	7. Date	Alden NY	1400
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Driver Name (Print) II. DESTINATION (General Disposal Facility and Site Address: Allied Waste Niagara Falls Blvd, 1 hereby certify that the above named management of Authorized Agent (Print) V. ASBESTOS (Generato Department) Operator's Name and Address: Phone: Special Handling Instructions and Address	d. Signal rator complete Illa d. Signal rator complete Illa alls Landfill LLC Niagara Falls NY material has been accompletes IVa-lational Information: th % Fria by declare that the conditional labeled/placarded.	ature a-c and Destin c. US EPA Nur epted and to the brure f and Operator able ontents of this cons and are in all resp	ation Site completes nber d. Discrepancy Inc. est of my knowledge the f complete IVg-i) c. Responsible Agency N d. Phone:	e. Date Illd-g) dication Space: oregoing is true g. Date Name and Address urately describ- or transport according to the contract of the	e and acd 12 1.	irate. 24	oing name

NIAGARA F	ALLS LANDFILL 716-282-	6381	SITE 5B	TICKET # 12592	24	CELL	
5600 Niag	ara Falls Blvd Niagar	a Falls, NY 14304		MASTER	.54		
USTOMER 20172		14304	DATE/TI	Pam S		DATE/TIME OUT	
	Z CONSTRUCTION CO INC	Y - Y		2/12/24 13	2:22 pm	2/12/24	12:22 pm
	OX 157		VEHICL	E ZOLADZ356	· ·	CONTAINER	TA.A.C PIII
	, NY 14004		REFERE				
	4215238714		BILL OF	LADING			
Generator	:Renaissance 6, LLC) BILL OF	319191	9		
	CALE IN GROSS WEIGHT ARE OUT TARE WEIGHT		3.83			INBOUND	
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3191919

If waste is asbestos waste, complete Sections I, II, III and IV If waste is $\underline{\text{NOT}}$ asbestos waste, complete Sections I, II and III

I. GENERATOR (General	itor completes l						
a. Generator's US EPA ID Number		b. Manifest Docu	ment Number		c. Page	1 of	
d. Generator's Name and Location: Renaissance 6, LLC 2 Steelworkers Way f. Phone: Lackawanna, NY 14218				ance 6, LLC porate Parky	vay, Sui	te 500	
If owner of the generating facility differs	from the generator,	provide:	gr. Hone, 7 string St	, 141 14220			
h. Owner's Name:			i. Owner's Phone No.:				
j. Waste Profile #	k. Exp. Date	I. Waste Ship Description	pping Name and	m. Con No.	tainers Type	n. Total Quantity	o. Unit Wt/Vol
A. 4215238714	6/19/2026	Urban Fill		1	τ	12yds	
В.							
C.							
GENERATOR'S CERTIFICATION: I her state law, has been properly described, waste is a treatment residue of a previou been treated in accordance with the requirements.	isly restricted hazar	edeus wasts in prop	ber condition for transpor	tation according	g to applic	able regulations; A	olicable AND, if this ste has
p. Generator Authorized Agent Name (P	5	MON		o delinica by H	1 64 1 1	2/24	
II. TRANSPORTER (General Address of Address		Signature			r. Date		
Lewis Austin lewis	railso	al # ?	356 9	A-40		<u> </u>	
c. Driver Name (Print)	d. Signa	ature		e. Date	12/6	200	
III. DESTINATION (General a. Disposal Facility and Site Address:	ator complete III	a-c and Destina					
		c. US EPA Nun	nber d. Discrepancy In	dication Space	¢		
Allied Waste Niagara Fal b. 5600 Niagara Falls Blvd , N	iagara Falls NY	1					
I hereby certify that the above named ma	aterial has been acc	epted and to the be	est of my knowledge the	foregoing is tru	e and acc	urate.	_
		PCXXC	DIL	2	112	124	
e. Name of Authorized Agent (Print)	f. Signat	ture U		g. Date			
IV. ASBESTOS (Generator	completes IVa-	f and Operator	complete IVg-i)				
a. Operator's Name and Address:			c. Responsible Agency	Name and Add	lress:		
b. Phone:			d. Phone:				
e. Special Handling Instructions and Add	itional Information:		a. i none.				
f. ☐ Friable ☐ Non-Friable ☐ Both	n % Fri	iabla	0/. 61 = 3.13				
OPERATOR'S CERTIFICATION: I hereb and are classified, packaged, marked and national governmental regulations.	v declare that the c	antante of this same	% Non-Friable signment are fully and accepts in proper condition in	curately descrit for transport ac	ed above cording to	by the proper ship applicable interna	pping name ational and
	- 11/10						
g. Operator's Name and Title (Print)	h. Signa	iture		i. Date			
*Operator refers to the company which over renovation operation or both	vns, leases, operate	es, controls, or supe	ervises the facility being of	demolished or r	enovated,	or the demolition	or

ZOLADZ CONSTRUCTION CO INC P O BOX 157 ALDEN, NY 14004 Contract:4215238714 Generator:Renaissance 6, LLC	2/12/2 EHICLE ZOL242 EFERENCE	2am S. 4 12:11 pm	DATE/TIME OUT 2/12/24 CONTAINER	12:11 pm
	.51	71161		
SCALE IN GROSS WEIGHT 77,440 NET TONS 24.22 TARE OUT TARE WEIGHT 29,000 NET WEIGHT 48,440			INBOUND	
QTY. UNIT DESCRIPTION	RA	TE EXTENSI	ION TAX	TOTAL
Have a nice day. Thank you for your business!				
Thank you for your business:				NET AMOUNT
			1	TENDERED
The undersigned individual signing this document on behalf of Customer acknowledges that he or she has on the reverse side and that he or she has the authority to sign this document on behalf of the customer,	as read and understan	ds the terms and con	ditions	CHANGE
	CE	-		CHECK#



3171161

If waste is asbestos waste, complete Sections I, II, III and IV If waste is <u>NOT</u> asbestos waste, complete Sections I, II and III

a. Generator's US EPA ID Number	ator completes I	b. Manifest Doc	umont Number				
		u, mannest Doc	ument Number		c. Page	1 of	
d. Generator's Name and Location: Renaissance 8, LLC 2 Steelworkers Way f. Phone: Lackawanna, NY 14218				ince 6, LLC iorate Parkv	vay, Sui	te 500	
If owner of the generating facility differs	from the generator	, provide:	.g. r tione; r dinie; 22	141 14220			
h. Owner's Name:			i, Owner's Phone No.:				
j. Waste Profile #	k. Exp. Date	I. Waste Sh Description	ipping Name and	m. Con No.	tainers Type	n. Total Quantity	o. Unit Wt/Vol
A. 4215238714	6/19/2026	Urban Fil	9	1	T	12yds	
8.							11
Ċ,							
GENERATOR'S CERTIFICATION: I he state law, has been properly described, waste is a treatment residue of a previous been treated in accordance with the recommendation.	pusly restricted haza quirements of 40 CF	rdous waste subject	oper condition for transport	ation according	g to applic	able regulations; A	licable ND, if the ste has
p. Generator Authorized Agent Name (F	Print) (q	. Signature	, , ,		100	/ alak	1
					r. Date	7 0.1 01	
a. Transporter's Name and Address:	nerator complete	es lla-b and Tra	ansporter completes PA-1		r. Date	7 577	
b. Phone: Dickolas Guar inc. C. Driver Name (Print)	nerator complete	242	9.A-1 =	199		7-24	
b. Phone: Dickolas Gyar'inc. C. Driver Name (Print) DESTINATION (Gener	nerator complete	es Ila-b and Tra	9A-1	199 E. Date	2-17	7-24	
b. Phone: Dicko las Gracino c. Driver Name (Print) III. DESTINATION (General Disposal Facility and Site Address: Allied Waste Niagara Falls Blvd, 1	d. Sign rator complete	es lla-b and Tra	nation Site completes	199 E. Date Illd-g) dication Space	2-17		
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		LLS LANDFILL 716-282-6 ca Falls Blvd Niagara		SITE 5B WEIGHMA	TICKET # 12592 STER	21	CELL		
USTOMER 2' Z' P A Contr	01724 OLADZ O BOX LDEN,	CONSTRUCTION CO INC	4		2/12/24 10:54 am			DATE/TIME OUT 2/12/24 10:54 am CONTAINER	
		ALE IN GROSS WEIGHT RE OUT TARE WEIGHT	72,460 NET TONS 28,800 NET WEIGHT	21.8				INBOUND	
QTY.	UNIT		DESCRIPTION			RATE	EXTENSIO	N TAX	TOTAL
Have a	a nice da	ay. Thank you for your business!						4	NET AMOUNT
Have :	a nice da	ay. Thank you for your business!	7 %						NET AMOUN
									NET AMOUNT
The	undersign	ay. Thank you for your business! ned individual signing this document e side and that he or she has the auth	on behalf of Customer asknowledges	s that he or	she has read	and understands the	terms and conc	litions	



3191891

If waste is asbestos waste, complete Sections I, II, III and IV If waste is ${\underline{\tt NOT}}$ asbestos waste, complete Sections I, II and III

		b. Manifest Docu	ment Number		c. Page	1 of		
d. Generate's Name and Societion: 2 Steelworkers Way Lackawanna, NY 14218 f owner of the generating facility differs from the generator, provide:			e, Generator's Mailing Address: Renaissance 6, LLC 100 Corporate Parkway, Suite 500 g. Phone: Amherst, NY 14226					
If owner of the generating facility differ	s from the generator	, provide:						
h. Owner's Name:	1	10000	i. Owner's Phone No.:					
j. Waste Profile #	k. Exp. Date	Waste Shipping Name and Description		m. Cor No.	tainers Type	n. Total Quantity	o. Unit Wt/Vol	
A. 4215238714	6/19/2026	Urban Fill		1	T	12yds		
В.								
C.								
p. Generator Authorized Agent Name II. TRANSPORTER (Ge a. Transporter's Name and Address:		q. Signature es lla-b and Tra	nsporter completes I	Ic.a)	r. Date	12,24		
b. Phone: C. Driver Name (Print) III. DESTINATION (General Disposal Facility and Site Address: Allied Waste Niagara F	d. Sign erator complete II Falls Landfill LL(la-c and Destina	ation Site completes	1A-44 e. Date Illd-g)	7	4		
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NIAGAR	RA FAI	LLS LANDFILL 716-282-6	381	SITE 5B	TICKET # 12592	220	CELL		
ISTOMER	niagar	ra Falls Blvd Niagara	Falls, NY 14304		MASTER Pam S				
ZC P	O BOX		2 , ,	VEHICL REFERE	IME IN 2/12/24 1: E ZOLADZ356		DATE/TIME OUT 2/12/24 CONTAINER	1 10:52 am	
ALDEN, NY 14004 Contract:4215238714 Generator:Renaissance 6, LLC		215238714		6.55.00	LADING 319189	2			
	TAF	ALE IN GROSS WEIGHT RE OUT TARE WEIGHT	00 000	.62 240			INBOUND		
	UNIT		DESCRIPTION		RATE	EXTENS	ION TAX	TOTAL	
0.00	YD tn	Tracking QTY SW-CONT SOIL	Origin:NY-ERIE 100%						

The undersigned individual signing this document on behalf of Customer acknowledges that he or she has read and understands the terms and conditions on the reverse side and that he or she has the authority to sign this document on behalf of the customer.

SIGNATURE_

RS-F042UPR (04/19)

NET AMOUNT

TENDERED

CHANGE

CHECK#



3191892

If waste is asbestos waste, complete Sections I, II, III and IV If waste is $\underline{\text{NOT}}$ asbestos waste, complete Sections I, II and III

Generator's US EPA ID Number b. Manifes			ment Number		c. Page 1 of		
d. Generator's Name and Location:			e. Generator's Mailing A	Address			
			2. Sansition of maining ?	1441035.			
Rénaissance 6, LLC			Renaissar	nce B. LLC			
f. Phone: 2 Steelworkers Way			g. Phone: 100 Corpo		av Suit	e 500	
If owner of sink generating fricility of the	ing from the generator,	provide:	Amherst,	NY 14226	, J, Ouii		
h. Owner's Name:			i. Owner's Phone No.:				
j. Waste Profile #	k, Exp. Date	I. Waste Shipping Name and		m. Containers n. Total o.			o. Unit
7.75		Description	FF 2	No.	Туре	Quantity	Wt/Vol
							1
A. 4215238714	6/19/2026	Urban Fill			-	30.00	
76 12 10 20 37 17	UITSIEUZU	Orban Fili		1	T	12yds	
В.							
Б.							
C.	Const.						
GENERATOR'S CERTIFICATION: I state law, has been properly describe	nereby certify that the	above named mate	erial is not a hazardous wa	aste as define	d by 40 Cl	FR 261 or any app	licable
waste is a treatment residue of a prev	iously restricted haza	rdous waste subier	t to the Land Disposal Re-	strictions I co	rtify and w	arrant that the wa	AND, if the
been treated in accordance with the r	equirements of 40 CF	R 268 and is no lor	iger a hazardous waste as	defined by 4	0 ĆFR 26	1.	
Kob DArada		(1)			2.	12.24	
o. Generator Authorized Agent Name	(Print)	Signature	r, Date			_	
II. TRANSPORTER (Ge	enerator complete	s lla-b and Tra	Secondonal service sy		T. Date		
a. Transporter's Name and Address:			insporter completes I	(c-e)			
7 Inda	# 2	</th <th>0.</th> <th></th> <th></th> <th></th> <th></th>	0.				
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ZolAdZ Austin lewis	# 2	56 Lugge	0.	499	12/	24	
ZolAdZ b. Phone: Austin lewis c. Driver Name (Print)	d Sign	56 Luc 12	94-	499 e. Date	12/	24	
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DESTINATION (General Print)	erator complete II	56 Luc 12	9A-	499 e. Date IIId-g)	12/0	24	
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DESTINATION (General Print)	erator complete II	ature la-c and Destin	9A-	499 e. Date IIId-g)	12/.	24	
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D. Phone: Au 5+111 Lew 3 C. Driver Name (Print) III. DESTINATION (General Disposal Facility and Site Address: Allied Waste Niagara	erator complete II Falls Landfill LL(ature la-c and Destin	pation Site completes mber d. Discrepancy Inc.	e. Date Illd-g) dication Space		24 curate.	
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D. Phone: Au SHM Jew 3 c. Driver Name (Print) III. DESTINATION (General Disposal Facility and Site Address: Allied Waste Niagara 1 b. I hereby certify Marrier above named e. Name of Authorized Agent (Print) IV. ASBESTOS (General	erator complete II Falls Landfill LL(Material has been ac	lature la-c and Destin	pation Site completes mber d. Discrepancy Inc. mest of my knowledge the for complete IVg-i)	e. Date Illd-g) dication Space foregoing is tru g. Date	ue and ac	24 curate. 724	
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Description of Authorized Agent (Print) IV. ASBESTOS (General Assertion) J. A. Sharp of Authorized Agent (Print) IV. ASBESTOS (General Assertion) J. Disposal Facility and Site Address: Allied Waste Niagara In the Address:	Falls Landfill LL(Material has been ac f. Signator completes IVa	ature la-c and Destin	pation Site completes mber d. Discrepancy Inc. mest of my knowledge the for complete IVg-i)	e. Date Illd-g) dication Space foregoing is tru g. Date	ue and ac	24 curgite: 124	
Description of Authorized Agent (Print) IV. ASBESTOS (General Assertion) J. A. Sharp of Authorized Agent (Print) IV. ASBESTOS (General Assertion) J. Disposal Facility and Site Address: Allied Waste Niagara In the Address:	Falls Landfill LL(Material has been ac f. Signator completes IVa	ature la-c and Destin	pation Site completes mber d. Discrepancy Inc. dest of my knowledge the for complete IVg-i) c. Responsible Agency I	e. Date Illd-g) dication Space foregoing is tru g. Date	ue and ac	24 curate. 724	
b. Phone: Aughty Jewi3 c. Driver Name (Print) III. DESTINATION (General Description of Authorized Agent (Print) IV. ASBESTOS (General Actions of Authorized Address: b. Phone: e. Special Handling Instructions and Actions of Authorized Agent (Print) b. Phone: e. Special Handling Instructions and Actions of Authorized Agent (Print)	Falls Landfill LLC Inditerial has been accompletes IVa	lature la-c and Destin	pation Site completes mber d. Discrepancy Incomplete IVg-i) c. Responsible Agency I d. Phone:	e. Date Illd-g) dication Space foregoing is tru g. Date	ue and ac	24 curate. 724	
De Phone: Aughty Jew 3 c. Driver Name (Print) III. DESTINATION (General Disposal Facility and Site Address: Allied Waste Niagara b. Thereby certify that the above named e. Name of Authorized Agent (Print) IV. ASBESTOS (General Agent Address: b. Phone: e. Special Handling Instructions and Address:	Falls Landfill LL(material has been ac f. Signator completes IVa	ature la-c and Destin c. US EPA Nu cepted and to the lature la-f and Operato	pation Site completes mber d. Discrepancy Incomplete IVg-i) c. Responsible Agency d. Phone:	e. Date Illd-g) dication Space foregoing is tru g. Date Name and Ad	dress:	124	
Description of Authorized Agent (Print) IV. ASBESTOS (General a, Operator's Name and Address: b. Phone: e. Name of Authorized Agent (Print) IV. ASBESTOS (General a, Operator's Name and Address: b. Phone: e. Special Handling Instructions and Address: Description of Prints of Prin	Falls Landfill LLC material has been ac f. Signator completes IVa Additional Information: Both % Freeby declare that the	riable	ration Site completes mber d. Discrepancy Inc. dest of my knowledge the form of the complete IVg-i) c. Responsible Agency I d. Phone:	e. Date lilid-g) dication Space foregoing is tru g. Date Name and Ad	dress:	a by the proper sh	ipping na
b. Phone: Au 5 / Jew 5 c. Driver Name (Print) III. DESTINATION (General Disposal Facility and Site Address: Allied Waste Niagara 1 b. I hereby certify high the above named e. Name of Authorized Agent (Print) IV. ASBESTOS (General Disposal Handling Instructions and Address: b. Phone: e. Special Handling Instructions and Address: OPERATOR'S CERTIFICATION: I he and are classified, packaged, marked	Falls Landfill LLC material has been ac f. Signator completes IVa Additional Information: Both % Freeby declare that the	riable	ration Site completes mber d. Discrepancy Inc. dest of my knowledge the form of the complete IVg-i) c. Responsible Agency I d. Phone:	e. Date lilid-g) dication Space foregoing is tru g. Date Name and Ad	dress:	a by the proper sh	ipping na
b. Phone: Au 5 / Leu 5 c. Driver Name (Print) III. DESTINATION (General Disposal Facility and Site Address: Allied Waste Niagara 1 b. I hereby certify harmer above named e. Name of Authorized Agent (Print) IV. ASBESTOS (General Disposal Handling Instructions and Address: b. Phone: e. Special Handling Instructions and Address: OPERATOR'S CERTIFICATION: I he and are classified, packaged, marked	Falls Landfill LLC material has been ac f. Signator completes IVa Additional Information: Both % Freeby declare that the	riable	ration Site completes mber d. Discrepancy Inc. dest of my knowledge the form of the complete IVg-i) c. Responsible Agency I d. Phone:	e. Date lilid-g) dication Space foregoing is tru g. Date Name and Ad	dress:	a by the proper sh	ipping na lational ar
b. Phone: Aughty Jew.3 c. Driver Name (Print) III. DESTINATION (Gen. a. Disposal Facility and Site Address: Allied Waste Niagara b. I hereby certify that the above named e. Name of Authorized Agent (Print) IV. ASBESTOS (General a. Operator's Name and Address: b. Phone: e. Special Handling Instructions and Address and Add	Falls Landfill LLC material has been ac f. Signator completes IVa Additional Information: Both % Freeby declare that the	riable contents of this cord, and are in all res	ration Site completes mber d. Discrepancy Inc. dest of my knowledge the form of the complete IVg-i) c. Responsible Agency I d. Phone:	e. Date lilid-g) dication Space foregoing is tru g. Date Name and Ad	dress:	a by the proper sh	ipping na ational ar

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3191893

If waste is asbestos waste, complete Sections I, II, III and IV If waste is ${\underline{\rm NOT}}$ asbestos waste, complete Sections I, II and III

I. GENERATOR (Generation of the control of the c	rator completes	s la-r)					
a. Generator's US EPA ID Number		b. Manifest Docu	ment Number		c. Page	1 of	
d. Generator's Name and Location:			e. Generator's Mailing	Address:			
Renaissance 6, LLC 2 Steelworkers Way f. Phone: Lackawanna, NY, 1424 If owner of the generating facility differ	8 from the generat	or, provide:	Renaissance 8, LLC g. Phone: 100 Corporate Parkway, Suite 500 Amherst, NY 14226				
h. Owner's Name:	3,55		Control But and				
j. Waste Profile #	k, Exp, Date	I. Waste Shi	i. Owner's Phone No.: pping Name and	m. Containers n. Total			o Heit
	-	Description	1,000	No.	Туре	Quantity	o. Unit Wt/Vol
A. 4215238714	6/19/2026	Urban Fill	,	1	T	†2yds	
В.				+1.4			
C.				114			
GENERATOR'S CERTIFICATION: I h state law, has been properly described waste is a treatment residue of a previ been treated in accordance with the re	ously restricted ha	ckageo, and is in prop zardous waste subject	G∃r condition for transpor	tation according	g to applic	cable regulations;	
p. Generator Authorized Agent Name ((Print)	q. Signature	ata		21	12,24	
II. TRANSPORTER (Ge			neporter completes	lle e)	r. Date	/	
b. Phone: SIAdZ Widoks Guarino c. Driver Name (Print)		242	<i>3</i>	9A-4	494	7	
III. DESTINATION (Gene		gnature	ation Cita complete	e. Date	- (
a. Disposal Facility and Site Address: Allied Waste Niagara F b. 5600 Niagara Falls Blvd , I hereby certify that the above named in	alls Landfill Li Niazara Falls N	c. US EPA Nur	mber d. Discrepancy Ir	ndication Space		curato	
		$\mathcal{D}(Y)$	Cott	21).4	
e. Name of Authorized Agent (Print)		nature		g. Date	1.4.1	LI	
IV. ASBESTOS (Generate	or completes IV	/a-f and Operator	complete IVg-i)	19 210			
a. Operator's Name and Address:			c. Responsible Agency	Name and Add	dress:		
b, Phone:	Con the control of th		d. Phone:				
e. Special Handling Instructions and Ad	dditional Informatio	n:					
f. ☐ Friable ☐ Non-Friable ☐ Bo	- 11-	F* 11					
f. Friable Non-Friable Be OPERATOR'S CERTIFICATION: I here and are classified, packaged, marked a national governmental regulations.	eby declare that the	Friable e contents of this con- ded, and are in all res	% Non-Friable signment are fully and ac pects in proper condition	ccurately descri for transport ac	bed above ccording to	by the proper shi applicable interna	ipping name ational and
g. Operator's Name and Title (Print)	h. Sig	gnature		i. Date			
*Operator refers to the company which renovation operation or both	owns, leases, ope	rates, controls, or sup	ervises the facility being	demolished or	renovated	, or the demolition	or

SITE TICKET # CELL 5B 1259309 WEIGHMASTER	NIAGARA FALLS LANDFILL 716-282-6381 5600 Niagara Falls Blvd Niagara Falls, NY 14304				
Pam S. DATE/TIME IN 2/13/24 10:47 am VEHICLE ZOLADZ 355 REFERENCE BILL OF LADING 3191896	201724 ZOLADZ CONSTRUCTION CO INC P O BOX 157 ALDEN, NY 14004 ract:4215238714 rator:Renaissance 6, LLC				
	SCALE IN GROSS WEIGHT 43,740 NET TONS TARE OUT TARE WEIGHT 27,800 NET WEIGHT				
RATE EXTENSION TAX TOTAL TE 100%	YD Tracking QTY tn SW-CONT SOIL Origin:NY-ERIE 100%				
NET AMOUNT TENDERED	a nice day. Thank you for your business!				
ment on behalf of the customer.	D (04/40)				
acknowledges that he or she has read and understands the terms and conditions ment on behalf of the customer.	D /0///00				



3191896

If waste is asbestos waste, complete Sections I, II, III and IV If waste is $\underline{\text{NOT}}$ asbestos waste, complete Sections I, II and III

 GENERATOR (Generat 	or completes	s la-r)							
a. Generator's US EPA ID Number		b. Manifest Docu	ment Number		c. Page	1 of			
d. Generator's Name and Location: Renaissance 6, LLC 2 Steelworkers Way f. Phone:Lackawanna, NY 14218			e. Generator's Mailing Address: Renaissance 6, LLC 100 Corporate Parkway, Suite 500 g. Phone: Amherst, NY 14226						
If owner of the generating facility differs for	om the general	tor, provide:	g. Frione. Amnerst,	NY 14228					
h. Owner's Name:			i Owner to Diversity						
j. Waste Profile #	k. Exp. Date	I. Waste Shi	i. Owner's Phone No.: pping Name and	l m Con	m. Containers n. Total		- 1129		
		Description	79	No.	Туре	Quantity	o. Unit Wt/Vol		
A. 4215238714	6/19/2026	Urban Fill		3.	T	12yds			
В.									
C.									
GENERATOR'S CERTIFICATION: I here state law, has been properly described, contact waste is a treatment residue of a previous been treated in accordance with the requirement.	by restricted ha	zardous wests aution	ber condition for transpor	tation according	g to applic	able regulations;	olicable AND, if this ste has		
HAThony Kallun	HATHORI Kalluns		not on			2/13/24			
p. Generator Authorized Agent Name (Pri		q. Signature				0/4/			
II. TRANSPORTER (Gene a. Transporter's Name and Address:	rator comple	etes Ila-b and Tra	nsporter completes	llc-e)					
Zoladz b. Phone:		355		91-499					
c. Driver Name (Print)	d Si	d. Signature		2-13-24					
III. DESTINATION (General			ation Site completes	e. Date					
a. Disposal Facility and Site Address:	and decere	c. US EPA Nun							
Allied Waste Niagara Fall b. 5600 Niagara Falls Blvd , Ni	agara Falls N	TY .							
I hereby certify that the above named mat	erial has been a	accepted any to the b	est of my knowledge the	foregoing is tru	e and acc	curate			
		PULLO		2/1		14			
e. Name of Authorized Agent (Print)	f, Sig	nature 0		g. Date					
IV. ASBESTOS (Generator	completes I\	Va-f and Operator	complete IVa-i)	1.g. Date					
a. Operator's Name and Address:			c. Responsible Agency	Name and Add	iress:				
b. Phone:			d. Phone:						
e. Special Handling Instructions and Addit	ional Informatio	on:							
f. ☐ Friable ☐ Non-Friable ☐ Both		(POLIN)	*****						
OPERATOR'S CERTIFICATION: I hereby and are classified, packaged, marked and national governmental regulations.	declare that the	Friable e contents of this cons ded, and are in all resp	% Non-Friable signment are fully and ac pects in proper condition	curately descri for transport ac	bed above coording to	by the proper ship applicable internate	pping name ational and		
g. Operator's Name and Title (Print)	h. Si	gnature		i. Date					
*Operator refers to the company which ow renovation operation or both	ns, leases, ope	erates, controls, or sup	ervises the facility being	demolished or	renovated	, or the demolition	or		

701 ADZ CONSTRUCTION CO THO	TE/TIME OUT 2/13/24 9:12 am NTAINER
Pam S. DATE/TIME IN Pam S. DATE/TIME IN 2/13/24 9:12 am Pam S. DATE/TIME IN 2/13/24 9:12 am Pam S. DATE/TIME IN DATE/TIME IN 2/13/24 9:12 am Pam S. DATE/TIME IN 2/13/24 PAM S. DATE/TIME IN	2/13/24 9:12 am
201724 ZOLADZ CONSTRUCTION CO INC P O BOX 157 ALDEN, NY 14004 Contract: 4215238714 DATEMIN	2/13/24 9:12 am
P O BOX 157 ALDEN, NY 14004 Contract: 4215238714	2/13/24 9:12 am NTAINER
P O BOX 157 ALDEN, NY 14004 Contract:4215238714 ZOL322 REFERENCE	
Contract: 4215238714	
5191693	
SCALE IN GROSS WEIGHT 54,780 NET TONS 12.99	INBOUND
TARE OUT TARE WEIGHT 28,800 NET WEIGHT 25,980	INVOICE
OTY. UNIT DESCRIPTION RATE EXTENSION	TAX TOTA
12.00 YD Tracking QTY	758 1018
12.99 tn SW-CONT SOIL Origin:NY-ERIE 100%	
Have a nice day. Thank you for your business!	
Thank you for your business.	NET AMOU
	TENDERE
The undersigned individual signing this document on behalf of Customer acknowledges that he or she has read and understands the terms and condition	2,000
on the reverse side and that he or she has the authority to sign this document on behalf of the customer.	ns CHANGE
S-F042UPR (04/19)	CHECK#
SIGNATURE /	
SIGNATURE / SIGNATURE	

KEPUBLIC SERVICES

NUN-HAZARDOUS SPECIAL WASTE & ASBESTOS MANIFEST

3191895

If waste is asbestos waste, complete Sections I, II, III and IV If waste is ${\tt NOT}$ asbestos waste, complete Sections I, II and III

I. GENERATOR (Ge	nerator completes	la-r)					
a. Generator's US EPA ID Number		b. Manifest Docu	ument Number		c. Page	1 of	
d. Generator's Name and Location. Renaissance 6, LLC 2 Steelworkers Way f. Phone:Lackawanna, NY 14 If owner of the generating facility di	218	provide	e. Generator's Mailing Address: Renaissance 6, LLC 100 Corporate Parkway, Suite 500 g. Phone: Amherst, NY 14226				
h. Owner's Name:	ners nom the generator	, provide:					
j. Waste Profile #	k. Exp. Date	i. Owner's Phone No.: I. Waste Shipping Name and			m. Containers n. Total		
	Exp. Duto	Description Name and		M. Cor No.	Type	n. Total Quantity	o. Unit WVVol
A. 4215238714	A. 4215238714 6/19/2026		Urban Fill		T	12yds	
В.							
C.							
	eviously restricted haza requirements of 40 CF	sdoug wasts at his	per condition for transpor	tation accordin	g to applic rtify and w 0 CFR 26	able regulations; A arrant that the wa	olicable AND, if this ste has
p. Generator Authorized Agent Nam		. Signature	2/13/24 r. Date			124	
II. TRÁNSPORTER (C a. Transporter's Name and Address	Senerator complete	es Ila-b and Tra	nsporter completes	Ilc-e)			
b. Phoge: Thowas Garlo c. Driver Name (Print)	Cl 1	Very hoke	Ald	Rail.	13/6	104 14	
III. DESTINATION (Ge	nerator complete II	la-c and Destina	ation Site completes	e, Date			
a. Disposal Facility and Site Address Allied Waste Niagara b. 5600 Niagara Falls Blw I hereby certify that the above name	s: Falls Landfill LLC I , Niagara Falls NY	c. US EPA Nun	d. Discrepancy Ir	dication Space		urate/	
e. Name of Authorized Agent (Print)		441	JUIT		1/13	3114	
IV. ASBESTOS (General	f. Signa	f and O	edecate name of	g. Date			
a. Operator's Name and Address:	ator completes IVa	-i and Operator	c. Responsible Agency	Name and Add	lress:		
b, Phone:			d Phone:				
e. Special Handling Instructions and	Additional Information:		d. Phone:				
. Friable Non-Friable DPERATOR'S CERTIFICATION: I hand are classified, packaged, marketational governmental regulations.	Both % Fr ereby declare that the c d and labeled/placarded	antinte of the	% Non-Friable signment are fully and ac pects in proper condition	curately descrit for transport ac	ned above	by the proper ship applicable interna	pping nam ational and
g. Operator's Name and Title (Print) 'Operator refers to the company which	h. Signa	ature	ontions the following	i. Date			
Operator refers to the company which renovation operation or both	a. omia, icases, operati	es, controls, or sup	ervises the facility being	demolished or r	enovated,	or the demolition	or

	ALLS LANDFILL 716-282-6 ara Falls Blvd Niagara		SITE TICKET 5B WEIGHMASTER	1259280 Pam S.	CELL			
ZOLAD POB ALDEN			DATE/TIME IN 2/1 VEHICLE ZOI REFERENCE	от /24 8:55 am				
	:Renaissance 6, LLC		BILL OF LADING	3191894				
	CALE IN GROSS WEIGHT ARE OUT TARE WEIGHT		12.30 INBOUND INVOICE					
QTY. UNIT		DESCRIPTION		RATE EXT	ENSION	TAX TOTAL		
Havé a nice	day. Thank you for your business	·				NET AMOUN		
						TENDERED		
4								
The under	igned individual signing this documen	t on behalf of Customer acknowledges that he thority to sign this document on behalf of the co	or she has read and und	erstands the terms an	d conditions	CHANGE		



3191894

If waste is asbestos waste, complete Sections I, II, III and IV If waste is ${\color{red} {\rm NOT}}$ asbestos waste, complete Sections I, II and III

I. GENERATOR (Gener	ator completes l	la-r)						
Generator's US EPA ID Number		b. Manifest Docur	ment Number	- 1	c. Page	1 of		
d. Generator's Name and Location: Renaissance 6, LLC			e. Generator's Mailing Renaissa	Address:				
2 Steelworkers Way			100 Corporate Parkway, Suite 500					
f. Phone: Lackawanna, NY 14216 If owner of the generating facility differs	from the generator	provide:	g. Phone: Amherst,	NY 14228	44.00	11.84		
	s from the generator	, provide.						
h. Owner's Name: i. Waste Profile #	Tr. F. B.	17.00	i. Owner's Phone No.;					
j. Waste i Tollie #	k. Exp. Date	e I. Waste Shipping Name and Description		M. Con	tainers Type	n. Total Quantity	o. Unit Wt/Vol	
A. 4215238714 6/19/2026		6 Urban Fill		1	T	12yds		
B.								
Ċ.								
GENERATOR'S CERTIFICATION: I he state law, has been properly described waste is a treatment residue of a previous been treated in accordance with the recommendation.	ously restricted haza	rdous wasta subject	er condition for transport	tation accordin	g to applic	able regulations;		
p. Generator Authorized Agent Name (5	hutte			2/13/24			
II. TRANSPORTER (Ger		q. Signature	erical research	al control	r. Date			
2 stad2 13600 (b. Phone: Austin lewis	airoad	# 243	94-799	1 50	1/3/	24		
c. Driver Name (Print)	d. Sign		2	e. Date	1)/	2/		
III. DESTINATION (Gener	rator complete II	la-c and Destina	ation Site completes	illd-g)				
a. Disposal Facility and Site Address: Allied Waste Niagara Falls b. 5600 Niagara Falls Blvd , 1 I hereby certify that the above named n	Niagara Falls NY	1				curate		
e News St. H. S. LA		TYSU		1	131-	14		
e. Name of Authorized Agent (Print) IV. ASBESTOS (Generato	f. Signa		483.10	g. Date				
The state of the s	or completes IVa	a-f and Operator						
a. Operator's Name and Address: b. Phone:			c. Responsible Agency d. Phone:	Name and Add	dress:			
e. Special Handling Instructions and Ad	ditional Information:		G. I. Hotte.					
FE FROM D NO STORES								
f. Friable Non-Friable Bo OPERATOR'S CERTIFICATION: I here and are classified, packaged, marked a national governmental regulations.	hy declare that the	riable contents of this cons d, and are in all resp	% Non-Friable ignment are fully and ac ects in proper condition	curately descri for transport ac	bed above ccording to	e by the proper shi o applicable intern	ipping name ational and	
g. Operator's Name and Title (Print)	h. Sign	ature		i. Date				
*Operator refers to the company which renovation operation or both	owns, leases, opera	tes, controls, or supe	ervises the facility being	demolished or	renovated	, or the demolition	or	

5600 Nia		LL 716-282-638 lvd Niagara B	31 Falls, NY 14304		SITE T	TICKET # 12594	122	CELL		
P O ALD Contrac	724 ADZ CONSTRUCT: BOX 157 EN, NY 14004 t:4215238714 or:Renaissanc				DATE/TIME VEHICLE REFERENC BILL OF LA	2/14/24 1 ZOLADZ341	1:55 am	CONTAINER		11:55 am
			33,900 NET TONS 28,200 NET WEIGHT	27.714				INBO INVO		
X 1.7(2)/4	YD Tracking tn SW-CONT S		DESCRIPTION Origin:NY-ERIE 100%			RATE	EXTENSION	ON	TAX	TOTAL
Have a ni	ce day. Thank you f	or your business!								NET AMOUNT

The undersigned individual signing this document on behalf of Customer acknowledges that he or she has read and understands the terms and conditions on the reverse side and that he or she has the authority to sign this document on behalf of the customer.

RS-F042UPR2 (12-20)

TENDERED

CHANGE CHECK#



3191913

If waste is asbestos waste, complete Sections I, II, III and IV If waste is $\underline{\text{NOT}}$ asbestos waste, complete Sections I, II and III

a. Generator's US EPA ID Number		b. M	Manifest Docum	nent Number		c. Page	1 of				
d. Generator's Name and Location Renaissance 6, LLC 2 Steelworkers Way f. Phone: Lackawanna, NY 14	, 1218			e. Generator's Mailing Address: Renaissance 6, LLC 100 Corporate Parkway, Suite 500 g. Phone: Amherst, NY 14226							
If owner of the generating facility d	iffers from the ger	nerator, provid	de:								
h. Owner's Name:	Tr	- T		i. Owner's Phone No.:							
j. Waste Profile #	k, Exp. D	Date	I. Waste Ship Description	ping Name and	m. Cont	Type	n. Total Quantity	o. Unit Wt/Vol			
A. 4215238714	6/19/20	026	Urban Fill		1	T	12yds				
В.											
C.											
GENERATOR'S CERTIFICATION state law, has been properly descrived by the state of a properly descrived in accordance with the state of t	ribed, classified ar previously restricte ne requirements of	nd packaged, ed hazardous	and is in proper waste subject and is no lang	er condition for transport to the Land Disnosal Re	ation according	g to applic	able regulations;	ANID If this			
p. Generator Authorized Agent Na					- 1	01/	1/4/				
		q Sign				r. Date					
II. TRANSPORTER (a. Transporter's Name and Address	Generator cor	mpletes lla	-b and Tran	sporter completes	llc-e)	r. Date					
a. Transporter's Name and Address Zoladz Truck b. Phone:	Generator cor	9A 4	-b and Tran 1 99	nsporter completes			/				
a. Transporter's Name and Addres Zoladz Truck b. Phone: Rudy Hauis c. Driver Name (Print)	Generator con	Plucy Ld. Signature	-b and Tran 199 Havy		2// e. Date	r. Date	/				
a. Transporter's Name and Address ZOIGCZ Truck b. Phone: RUTY HOURS c. Driver Name (Print) III. DESTINATION (G	Generator con	Purpletes IIa-	-b and Tran 199 Havy and Destina	ition Site completes	e. Date	14/24	/				
a. Transporter's Name and Address ZOIGCIZ Truck b. Phone: RUN Hawis c. Driver Name (Print) III. DESTINATION (Grant Disposal Facility and Site Address	Generator confidence of the company	Pludy L. Signature plete Illa-c a	-b and Tran 199 Havy	ation Site completes	e. Date	14/24	/				
b. Phone: RULY Hawis c. Driver Name (Print) III. DESTINATION (Grant Disposal Facility and Site Address Allied Waste Niagar 5600 Niagara Falls Bi	enerator composis: a Falls Landfind Niagara Fa	Purpletes lla Pu	Havi and Destina	ation Site completes	e. Date s Illd-g) dication Space	14/24					
b. Phone: RULY Hawis c. Driver Name (Print) III. DESTINATION (Grant Disposal Facility and Site Address Allied Waste Niagar 5600 Niagara Falls Bi	enerator composis: a Falls Landfind Niagara Fa	Pury L. d. Signature plete Illa-c a c. fill LLC plete Illa-c a c. filla-c a c. fill LLC plete Illa-c a c. filla-c a c. fill LLC plete Illa-c a c. fill LLC p	Havi and Destina	ation Site completes	e. Date s Illd-g) dication Space	14/24					
b. Phone: RULL Haws c. Driver Name (Print) III. DESTINATION (Gra. Disposal Facility and Site Addres Allied Waste Niagar 5600 Niagara Falls Bit hereby certify that the above nan	enerator composis: a Falls Landflood, Niagara Falls and material has t	Purpletes lla Pu	Havi and Destina	ation Site completes	e. Date i. IIId-g) dication Space	14/24					
b. Phone: RUTY Harris c. Driver Name (Print) III. DESTINATION (Gra. Disposal Facility and Site Addres Allied Waste Niagar 5600 Niagara Falls Bi I hereby certify that the above nan e. Name of Authorized Agent (Print)	enerator composis: a Falls Landflood, Niagara Falled material has to	Lucy L d. Signature plete Illa-c a c. fill LLC been accepter f. Signature	Havi and Destina US EPA Num	ation Site completes aber d. Discrepancy In est of my knowledge the	e. Date s Illd-g) dication Space	14/24					
b. Phone: RULL Harris c. Driver Name (Print) III. DESTINATION (G. a. Disposal Facility and Site Addres Allied Waste Niagar b. I hereby certify that the above nan e. Name of Authorized Agent (Print) IV. ASBESTOS (Gene	enerator composis: a Falls Landflood, Niagara Falled material has to	Lucy L d. Signature plete Illa-c a c. fill LLC been accepter f. Signature	Havi and Destina US EPA Num	ation Site completes aber d. Discrepancy In est of my knowledge the	e. Date i IIId-g) dication Space foregoing is tru	14/24 is and acc 4/24					
b. Phone: Ruth Harris c. Driver Name (Print) III. DESTINATION (G. a. Disposal Facility and Site Addres Allied Waste Niagar b. I hereby certify that the above nan e. Name of Authorized Agent (Print) IV. ASBESTOS (Gene	enerator composis: a Falls Landflood, Niagara Falled material has to	Lucy L d. Signature plete Illa-c a c. fill LLC been accepter f. Signature	Havi and Destina US EPA Num	ation Site completes ther d. Discrepancy In the set of my knowledge the Complete IVg-i)	e. Date i IIId-g) dication Space foregoing is tru	14/24 is and acc 4/24					
a. Transporter's Name and Address ZOIGCIZ TOUGH b. Phone: RUN Haws c. Driver Name (Print) III. DESTINATION (Grant and Site Address Allied Waste Niagar Secon Niagara Falls Blant and Site Address b. Name of Authorized Agent (Print and Site Address) e. Name of Authorized Agent (Print and Site Address) b. Phone:	enerator compenses: Ta Falls Landfined material has the compense of the compe	f. Signature been accepted f. Signature tes IVa-f an	Havi and Destina US EPA Num	ation Site completes ther d. Discrepancy In the set of my knowledge the Complete IVg-i)	e. Date i IIId-g) dication Space foregoing is tru	14/24 is and acc 4/24					
a. Transporter's Name and Address ZOIGCIZ TOUGH b. Phone: RULL HAWIS c. Driver Name (Print) III. DESTINATION (Gra. Disposal Facility and Site Address Allied Waste Niagar 5600 Niagara Falls Bl. I hereby certify that the above nan E. Name of Authorized Agent (Print) IV. ASBESTOS (General Operator's Name and Address: b. Phone:	enerator compenses: Ta Falls Landfined material has the compense of the compe	f. Signature been accepted f. Signature tes IVa-f an	Havi and Destina US EPA Num	ation Site completes aber d. Discrepancy In est of my knowledge the Complete IVg-i) c. Responsible Agency	e. Date i IIId-g) dication Space foregoing is tru	14/24 is and acc 4/24					
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USTOMER : : : : : : : : : : : : : : : : : : :	201724 ZOLADZ P O BO ALDEN, ract:4	CONSTRUCTION CO INC	*	*	DATE/TIM VEHICLE REFEREN BILL OF	2/14/24 ZOLADZ341 NCE	8:12 am	DATE/TIME (2/1) CONTAINER	4/24	8:12 am
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*										NET AMOUNT
The	undersign	ay. Thank you for your business! ned individual signing this document of a side and that he or she has the autho	on behalf of Customer acknowledges to ority to sign this document on behalf o	hat he or sh	ne has read	and understands the	terms and con	ditions		NET AMOUNT TENDERED CHANGE



3191897

If waste is asbestos waste, complete Sections I, II, III and IV If waste is ${\color{red} {\rm NOT}}$ asbestos waste, complete Sections I, II and III

GENERATOR (Generato	or completes								
a. Generator's US EPA ID Number		b. Manifest Docum	nent Number		c. Page	1 of			
d. Generator's Name and Location: Renaissance 6, LLC 2 Steelworkers Way f. Phone: Lackawanna, NY 14218			e. Generator's Mailing Address: Renaissance 6, LLC 100 Corporate Parkway, Suite 500 g. Phone: Amherst, NY 14226						
If owner of the generating facility differs from	om the generator	r, provide:							
h. Owner's Name:			i. Owner's Phone No.:						
j. Waste Profile #	k. Exp. Date	I. Waste Ship Description	ping Name and	m. Cont.	ainers Type	n. Total Quantity	o. Unit Wt/Vol		
A. 4215238714	6/19/2026	Urban Fill		1	Τ	†2yds	,,,,,,,		
В.		Bolog							
C.									
GENERATOR'S CERTIFICATION: I herel state law, has been properly described, clawaste is a treatment residue of a previous been treated in accordance with the requirement of the contract of th	ly restricted haza	kaged, and is in prop ardous waste subject	er condition for transporta	tion according	to applic	able regulations; A			
AMMany Katans		MAIN	~		211	4/24			
p. Generator Authorized Agent Name (Prin		q. Signature			r. Date	14			
II. TRANSPORTER (Gener a. Transporter's Name and Address:	ator complete	es Ila-b and Tran	sporter completes II	c-e)					
Loladz b. Phone: Rudy Harris	R	ur How		2/	14/2	y			
c. Driver Name (Print) III. DESTINATION (Generate	d. Sigr			e. Date					
a. Disposal Facility and Site Address:	or complete I								
	-0-75000	c. US EPA Num	ber d. Discrepancy Ind	ication Space:					
Allied Waste Niagara Falls b. 5600 Niagara Falls Blvd , Nia									
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		DAA	THE MIDWIEGGE BIE IC	n II	l l S	LL.			
e. Name of Authorized Agent (Print)	f. Sign.	ature			711				
IV. ASBESTOS (Generator of	completes IVa	a-f and Operator	complete (Va-i)	g. Date	_				
a. Operator's Name and Address:		7 200 9 8 8 8 8 8 8 8	c. Responsible Agency N	lame and Add	ress:				
b. Phone:			d Dhana						
e. Special Handling Instructions and Additi	onal Information		d. Phone:						
f. ☐ Friable ☐ Non-Friable ☐ Both									
f. ☐ Friable ☐ Non-Friable ☐ Both OPERATOR'S CERTIFICATION: I hereby and are classified, packaged, marked and national governmental regulations.	declare that the	riable contents of this cons ed, and are in all resp	% Non-Friable ignment are fully and acc ects in proper condition for	urately describ or transport ac	ed above cording to	by the proper shi applicable interna	pping name, ational and		
16.									
- 0									
g. Operator's Name and Title (Print) *Operator refers to the company which own repoyation operation or both	h. Sigr	nature		i. Date					

5600 Niaga	LLS LANDFILL 716-282-6 ra Falls Blvd Niagara			SITE 5B WEIGHM	TICKET # 12595	536	CELL		
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Have a nice d	fay. Thank you for your business!							NET AN	MOUNT

The undersigned individual signing this document on behalf of Customer acknowledges that he or she has read and understands the terms and conditions on the reverse side and that he or she has the authority to sign this document on behalf of the customer.

SIGNATURE _

RS-F042UPR2 (12-20)

TENDERED

CHANGE CHECK#



3191898

If waste is asbestos waste, complete Sections I, II, III and IV If waste is ${\underline{\rm NOT}}$ asbestos waste, complete Sections I, II and III

a. Generator's US EPA ID Number	or completes	la-r) b. Manifest Docur	ment Number		c, Page	1 of					
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d. Generator's Name and Location: Renaissance 6, LLC 2 Steelworkers Way f. Phone:Lackawanna, NY 14218			e. Generator's Mailing Address: Renaissance 6, LLC 100 Corporate Parkway, Suite 500								
If owner of the generating facility differs for	rom the generato	r. provide:	g. Phone: Amherst, NY 14226								
h. Owner's Name:	A CONTRACTOR	TO PARTIE S									
j. Waste Profile #	k. Exp. Date	I Waste Shir	i. Owner's Phone No.:	m. Con	toiness	T . T					
5 C. L. S. S. L. S. L.	W. Exp. Dute	Description	iping Name and	No.	Type	n. Total Quantity	o. Unit Wt/Vol				
A. 4215238714	6/19/2026	Urban Fill		1	7	12yds	1,0 7 0.				
B.											
C.											
GENERATOR'S CERTIFICATION: I here state law, has been properly described, c waste is a treatment residue of a previous been treated in accordance with the requi	sly restricted haza	ardous waste subject	to the Land Dispessed De	tation according	g to applic	cable regulations; A					
Anthony Radins		att.	7			15/24					
p. Generator Authorized Agent Name (Pri		q. Signature			r. Date	.5/0					
II. TRANSPORTER (Gene	rator complete	es Ila-b and Tran	nsporter completes	llc-e)							
Transporter's Name and Address:											
Zoladz Col		#339									
b. Phone: 13600 RacIRO	ad Aldi	enny 14m	01/								
MARY LANGWORTHY c. Driver Name (Print)	4	Jani La 11+	xil		2.13	5.24					
	d. Sign	nature)		e. Date							
a. Disposal Facility and Site Address:	tor complete ii	c. US EPA Num									
			nber d. Discrepancy In	dication Space	:						
Allied Waste Niagara Fall											
b. 5600 Niagara Falls Blvd , Ni											
I hereby certify that the above named mal	terial has been ac	ccepted and to the be	est of my knowledge the	foregoing is tru	e and acc	curate.					
2 Hachee		SHa	chae	2	-15	24					
e. Name of Authorized Agent (Print)	f. Signa	ature	1	g. Date		0					
IV. ASBESTOS (Generator	completes IVa	a-f and Operator	complete IVg-i)								
Operator's Name and Address:			c. Responsible Agency	Name and Add	Iress:						
b. Phone:			Diam's								
Special Handling Instructions and Addit	tional Information:		d. Phone:								
f. ☐ Friable ☐ Non-Friable ☐ Both	0/. E	Friable	9/ Neo Frieble								
OPERATOR'S CERTIFICATION: I hereby and are classified, packaged, marked and national governmental regulations.	v declare that the	contents of this cone	% Non-Friable signment are fully and ac pects in proper condition	curately descrit for transport ac	bed above cording to	by the proper ship applicable intern	ipping name ational and				
g. Operator's Name and Title (Print)	h. Sign	nature		i. Date							
*Operator refers to the company which ow renovation operation or both	ins, leases, opera	ates, controls, or supe	ervises the facility being	demolished or	renovated	, or the demolition	or				

		LLS LANDFILL 716-282-6			SITE 5B WEIGHMA	TICKET # 12595 ASTER	575	CELL		
USTOMER 2 Z P A Conti	01724 OLADZ O BOX LDEN,	CONSTRUCTION CO INC			VEHICLE REFEREN BILL OF L	2/16/24 1 ZOLADZ338 ICE	1:00 am	200	IME OUT 2/16/24 NER	-11:00 am
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12.00 18.18	YD tn	Tracking QTY SW-CONT SOIL	Origin:NY-ERIE 100%			RATE	EXTENS	ION	TAX	TOTAL
Have	a nice da	ay. Thank you for your business!								NET AMOUNT

The undersigned individual signing this document on behalf of Customer acknowledges that he or she has read and understands the terms and conditions on the reverse side and that he or she has the authority to sign this document on behalf of the customer.

SIGNATURE_

RS-F042UPR2 (12-20)

TENDERED

CHANGE CHECK#



3191912

If waste is asbestos waste, complete Sections I, II, III and IV If waste is $\underline{\text{NOT}}$ asbestos waste, complete Sections I, II and III

a. Generator's US EPA ID Number	ator complete	s la-r) b. Manifest Docu	ment Number		c. Page	1 of						
		Paramata, vista	713.1(3.53)(3.64)		o. r age	. 01						
d. Generator's Name and Location: Renaissance 6, LLC 2 Steelworkers Way f. Phone: Lackawanna, NY 14218	3		e. Generator's Mailing Address: Renaissance 6, LLC 100 Corporate Parkway, Suite 500 g. Phone: Amherst, NY 14228									
If owner of the generating facility differs	s from the genera	tor, provide;	9. Friends, Cyriller St., 19 7 - 14220									
h. Owner's Name:	Name;			i. Owner's Phone No.:								
j. Waste Profile #	k. Exp. Date	I. Waste Ship	pping Name and	m. Con	tainers	n. Total	o. Unit					
		Description		No.	Type	Quantity	Wt/Vol					
A. 4215238714	6/19/2026	Urban Fill		1	Τ	12yds						
B.												
C,												
GENERATOR'S CERTIFICATION: I h state law, has been properly described waste is a treatment residue of a previous been treated in accordance, with the re-	ously restricted ha	ackaged, and is in prop grandous waste subject	er condition for transport	ation according	g to applic	able regulations; A						
Anthony Raduns		auti	11		2//	16171						
p. Generator Authorized Agent Name (Print)	q. Signature		5	r. Date	0101	_					
II. TRANSPORTER (Ge a. Transporter's Name and Address:	nerator comple	etes Ila-b and Tra	nsporter completes	lc-e)	37,0000							
20(A)2						,						
C. Driver Name (Print)	2	Tutt in	ly		2/1	6/24						
III. DESTINATION (Gene		ignature	ation Cita completes	e. Date		V I -IV						
a. Disposal Facility and Site Address:	ator complete	c. US EPA Nun										
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		11.41										
b. 5600 Niagara Falls Blvd ,												
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e. Name of Authorized Agent (Pfint)		ghature		g. Date								
IV. ASBESTOS (Generate	or completes l'	Va-f and Operator										
Operator's Name and Address:			c. Responsible Agency	Name and Add	dress:							
b. Phone:			d. Phone:									
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f. ☐ Friable ☐ Non-Friable ☐ Bo OPERATOR'S CERTIFICATION: I here and are classified, packaged, marked a national governmental regulations.	eby declare that the	6 Friable ne contents of this control ded, and are in all res	% Non-Friable signment are fully and accepts in proper condition	curately descri for transport a	bed above ccording to	e by the proper shi o applicable intern	ipping nan ational and					
g. Operator's Name and Title (Print)	h. S	ignature	212500000000000000000000000000000000000	i. Date								
*Operator refers to the company which renovation operation or both	owns, leases, ope	erates, controls, or sup	ervises the facility being i	demolished or	renovated	I, or the demolition	or					

Appendix 3

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CHRISTOPHER L. JACOBS, ERIE COUNTY CLERK
       REF:
       DATE:7/15/2014
      TIME:9:11:34 AM
      RECEIPT: 14107868
      BOX 29
      ACCOUNT #: 0
      ITEM - 01 785
RECD: 7/15/2014 9:21:59 AM
     FILE: 2014137589 BK/PG D 11266/5436
Deed Sequence: IT2013021925
TECUMSEH REDEVELOPMENT INC
NEW YORK STATE DEPT OF ENVIRONMENTAL CONSERV
        Recording Fees
                                                      90.00
        TP584
                                                 10.00
     Subtotal
                              100.00
    ITEM - 02 785
RECD: 7/15/2014 9:21:59 AM
    FILE: 2014137590 BK/PG D 11266/5446
    Deed Sequence: TT2013021926
TECUMSEH REDEVELOPMENT INC
NEW YORK STATE DEPT OF ENVIRONMENTAL CONSERV
      Recording Fees
                                                    85.00
      TP584
                                                10.00
   Subtotal
                              95.00
  ITEM - 03 785
RECD: 7/15/2014 9:21:59 AM
FILE: 2014137591 BK/PG D 11266/5455
   Deed Sequence: TT2013021927
   TECUMSEH REDEVELOPMENT INC
  NEW YORK STATE DEPT OF ENVIRONMENTAL CONSERV
   ATION
     Recording Fees
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  Subtotal
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 ITEM - 04 785
RECD: 7/15/2014 9:21:59 AM
 FILE: 2014137592 BK/PG D 11266/5467
Deed Sequence: TT2013021928
 TECUMSEH REDEVELOPMENT INC
NEW YORK STATE DEPT OF ENVIRONMENTAL CONSERV
    Recording Fees
                                                105.00
    TP584
                                             10.00
 Subtotal
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   TOTAL DUE
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   PAID TOTAL
PAID CHECK
                                   $420.00
                                   $420.00
   Check #6438:
                                    420.00
REC BY: Donna
COUNTY RECORDER
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County: Erie Site Nos: C915197, C915197B, C915197C, C915197D, C915197E,

C915197F, C915197G, C915197H, C915197I, C915197J, and C915917K

C915197F, C915197G, C915197H, C915197I, C915197J, and C915917K
Brownfield Cleanup Agreement Number: B9-0696-05-06(A)

CENVIRONMENTAL EASEMENT GRANTED PURSUANT TO ARTICLE 71, TITLE 36

OF THE NEW YORK STATE ENVIRONMENTAL CONTENTS OF THE NEW YORK STATE O OF THE NEW YORK STATE ENVIRONMENTAL CONSERVATION LAW

ERIE C County of Summit, State of Ohio (the "Grantor"), and The People of the State of New York (the "Grantee."), acting through their Commissioner of the Department of Environmental Conservation (the "Commissioner", or "NYSDEC" or "Department" as the context requires) with its headquarters located at 625 Broadway, Albany, New York 12233,

WHEREAS, the Legislature of the State of New York has declared that it is in the public interest to encourage the remediation of abandoned and likely contaminated properties ("sites") that threaten the health and vitality of the communities they burden while at the same time ensuring the protection of public health and the environment; and

WHEREAS, the Legislature of the State of New York has declared that it is in the public interest to establish within the Department a statutory environmental remediation program that includes the use of Environmental Easements as an enforceable means of ensuring the performance of operation, maintenance, and/or monitoring requirements and the restriction of future uses of the land, when an environmental remediation project leaves residual contamination at levels that have been determined to be safe for a specific use, but not all uses, or which includes engineered structures that must be maintained or protected against damage to perform properly and be effective, or which requires groundwater use or soil management restrictions; and

WHEREAS, the Legislature of the State of New York has declared that Environmental Easement shall mean an interest in real property, created under and subject to the provisions of Article 71, Title 36 of the New York State Environmental Conservation Law ("ECL") which contains a use restriction and/or a prohibition on the use of land in a manner inconsistent with engineering controls which are intended to ensure the long term effectiveness of a site remedial program or eliminate potential exposure pathways to hazardous waste or petroleum; and

WHEREAS, Grantor, is the owner of real property located at the address of 2303 Hamburg Turnpike in the City of Lackawanna, County of Erie and State of New York, known and designated on the tax map of the County Clerk of Erie as tax map parcel numbers: Section 141.11 Block 1 Lot 50, being a portion of that certain plot, piece or parcel of land conveyed to Grantor by deed dated May 6, 2003 and recorded in the Erie County Clerk's Office in Liber 11040 and Page 8953. The property subject to this Environmental Easement (the "Controlled Property") comprises approximately 102.49 +/- acres, and is hereinafter more fully described in the Land Title Survey, which includes parcels recognized under Brownfield Cleanup Agreement Amendments dated August 22, 2012 ("Sites"), dated September 14, 2012, field survey completed June 12, 2012 and prepared by Wendel, which will be attached to the Site Management Plan. The Controlled Property description is set forth in and attached hereto as Schedule A; and

WHEREAS, the Department accepts this Environmental Easement in order to ensure the protection of public health and the environment and to achieve the requirements for remediation established for the Controlled Property until such time as this Environmental Easement is extinguished pursuant to ECL Article 71, Title 36; and

NOW THEREFORE, in consideration of the mutual covenants contained herein and the terms and conditions of Brownfield Cleanup Agreement Index Number: B9-0696-05-06(A), Grantor conveys to Grantee a permanent Environmental Easement pursuant to ECL Article 71, Title 36 in, on, over, under, and upon the Controlled Property as more fully described herein ("Environmental Easement").

- 1. <u>Purposes</u>. Grantor and Grantee acknowledge that the Purposes of this Environmental Easement are: to convey to Grantee real property rights and interests that will run with the land in perpetuity in order to provide an effective and enforceable means of encouraging the reuse and redevelopment of this Controlled Property at a level that has been determined to be safe for a specific use while ensuring the performance of operation, maintenance, and/or monitoring requirements; and to ensure the restriction of future uses of the land that are inconsistent with the above-stated purpose.
- 2. <u>Institutional and Engineering Controls</u>. The controls and requirements listed in the Department approved Site Management Plan ("SMP") including any and all Department approved amendments to the SMP are incorporated into and made part of this Environmental Easement. These controls and requirements apply to the use of the Controlled Property, run with the land, are binding on the Grantor and the Grantor's successors and assigns, and are enforceable in law or equity against any owner of the Controlled Property, any lessees and any person using the Controlled Property.
 - A. (1) The Controlled Property may be used for:

Commercial as described in 6 NYCRR Part 375-1.8(g)(2)(iii) and Industrial as described in 6 NYCRR Part 375-1.8(g)(2)(iv)

- (2) All Engineering Controls must be operated and maintained as specified in the Site Management Plan (SMP);
- (3) All Engineering Controls must be inspected at a frequency and in a manner defined in the SMP;
- (4) The use of groundwater underlying the property is prohibited without necessary water quality treatment_as determined by the NYSDOH or the Erie County Department of Health to render it safe for use as drinking water or for industrial purposes, and the user must first notify and obtain written approval to do so from the Department;
- (5) Groundwater and other environmental or public health monitoring must be performed as defined in the SMP;
- (6) Data and information pertinent to Site Management of the Controlled Property must be reported at the frequency and in a manner defined in the SMP;
- (7) All future activities on the property that will disturb remaining contaminated material must be conducted in accordance with the SMP;

- (8) Monitoring to assess the performance and effectiveness of the remedy must be performed as defined in the SMP;
- (9) Operation, maintenance, monitoring, inspection, and reporting of any mechanical or physical components of the remedy shall be performed as defined in the SMP;
- (10) Access to the site must be provided to agents, employees or other representatives of the State of New York with reasonable prior notice to the property owner to assure compliance with the restrictions identified by this Environmental Easement.
- B. The Controlled Property shall not be used for Residential or Restricted Residential purposes as defined in 6NYCRR 375-1.8(g)(2)(i) and (ii), and the above-stated engineering controls may not be discontinued without an amendment or extinguishment of this Environmental Easement.
- C. The SMP describes obligations that the Grantor assumes on behalf of Grantor, its successors and assigns. The Grantor's assumption of the obligations contained in the SMP which may include sampling, monitoring, and/or operating a treatment system, and providing certified reports to the NYSDEC, is and remains a fundamental element of the Department's determination that the Controlled Property is safe for a specific use, but not all uses. The SMP may be modified in accordance with the Department's statutory and regulatory authority. The Grantor and all successors and assigns, assume the burden of complying with the SMP and obtaining an up-to-date version of the SMP from:

Site Control Section
Division of Environmental Remediation
NYSDEC
625 Broadway
Albany, New York 12233
Phone: (518) 402-9553

- D. Grantor must provide all persons who acquire any interest in the Controlled Property a true and complete copy of the SMP that the Department approves for the Controlled Property and all Department-approved amendments to that SMP.
- E. Grantor covenants and agrees that until such time as the Environmental Easement is extinguished in accordance with the requirements of ECL Article 71, Title 36 of the ECL, the property deed and all subsequent instruments of conveyance relating to the Controlled Property shall state in at least fifteen-point bold-faced type:

This property is subject to an Environmental Easement held by the New York State Department of Environmental Conservation pursuant to Title 36 of Article 71 of the Environmental Conservation Law.

F. Grantor covenants and agrees that this Environmental Easement shall be incorporated in full or by reference in any leases, licenses, or other instruments granting a right to [10/12]

County: Erie Site Nos: C915197, C915197B, C915197C, C915197D, C915197E, C915197F, C915197G, C915197H, C915197I, C915197J, and C915917K Brownfield Cleanup Agreement Number: B9-0696-05-06(A)

use the Controlled Property.

- G. Grantor covenants and agrees that it shall, at such time as NYSDEC may require, submit to NYSDEC a written statement by an expert the NYSDEC may find acceptable certifying under penalty of perjury, in such form and manner as the Department may require, that:
- (1) the inspection of the site to confirm the effectiveness of the institutional and engineering controls required by the remedial program was performed under the direction of the individual set forth at 6 NYCRR Part 375-1.8(h)(3).
 - (2) the institutional controls and/or engineering controls employed at such site:
 - (i) are in-place;
- (ii) are unchanged from the previous certification, or that any identified changes to the controls employed were approved by the NYSDEC and that all controls are in the Department-approved format; and
- (iii) that nothing has occurred that would impair the ability of such control to protect the public health and environment;
- (3) the owner will continue to allow access to such real property to evaluate the continued maintenance of such controls;
- (4) nothing has occurred that would constitute a violation or failure to comply with any site management plan for such controls;
- (5 the report and all attachments were prepared under the direction of, and reviewed by, the party making the certification;
- (6) to the best of his/her knowledge and belief, the work and conclusions described in this certification are in accordance with the requirements of the site remedial program, and generally accepted engineering practices; and
 - (7) the information presented is accurate and complete.
- 3. Right to Enter and Inspect. Grantee, its agents, employees, or other representatives of the State may enter and inspect the Controlled Property in a reasonable manner and at reasonable times to assure compliance with the above-stated restrictions.
- 4. <u>Reserved Grantor's Rights</u>. Grantor reserves for itself, its assigns, representatives, and successors in interest with respect to the Property, all rights as fee owner of the Property, including:
- A. Use of the Controlled Property for all purposes not inconsistent with, or limited by the terms of this Environmental Easement;
- B. The right to give, sell, assign, or otherwise transfer part or all of the underlying fee interest to the Controlled Property, subject and subordinate to this Environmental Easement;

5. <u>Enforcement</u>

A. This Environmental Easement is enforceable in law or equity in perpetuity by Grantor, Grantee, or any affected local government, as defined in ECL Section 71-3603, against the owner of the Property, any lessees, and any person using the land. Enforcement shall not be defeated because of any subsequent adverse possession, laches, estoppel, or waiver. It is not a defense in any action to enforce this Environmental Easement that: it is not appurtenant to an interest in real property; it is not of a character that has been recognized traditionally at common law; it imposes a negative burden; it imposes affirmative obligations upon the owner of any [10/12]

County: Erie Site Nos: C915197, C915197B, C915197C, C915197D, C915197E, C915197F, C915197G, C915197H, C915197I, C915197J, and C915917K Brownfield Cleanup Agreement Number: B9-0696-05-06(A)

interest in the burdened property; the benefit does not touch or concern real property; there is no privity of estate or of contract; or it imposes an unreasonable restraint on alienation.

- B. If any person violates this Environmental Easement, the Grantee may revoke the Certificate of Completion with respect to the Site within the Controlled Property on or about which the violation pertains.
- C. Grantee shall notify Grantor of a breach or suspected breach of any of the terms of this Environmental Easement. Such notice shall set forth how Grantor can cure such breach or suspected breach and give Grantor a reasonable amount of time from the date of receipt of notice in which to cure. At the expiration of such period of time to cure, or any extensions granted by Grantee, the Grantee shall notify Grantor of any failure to adequately cure the breach or suspected breach, and Grantee may take any other appropriate action reasonably necessary to remedy any breach of this Environmental Easement, including the commencement of any proceedings in accordance with applicable law.
- D. The failure of Grantee to enforce any of the terms contained herein shall not be deemed a waiver of any such term nor bar any enforcement rights.
- 6. <u>Notice</u>. Whenever notice to the Grantee (other than the annual certification) or approval from the Grantee is required, the Party providing such notice or seeking such approval shall identify the Controlled Property by referencing the following information:

County, NYSDEC Site Number, NYSDEC Brownfield Cleanup Agreement, State Assistance Contract or Order Number, and the County tax map number or the Liber and Page or computerized system identification number.

Parties shall address correspondence to: Site Numbers: C915197, C915197B, C915197C, C915197D, C915197E, C915197F, C915197G, C915197H, C915197I, C915197J, and C915917K

Office of General Counsel NYSDEC 625 Broadway

Albany New York 12233-5500

With a copy to:

Site Control Section
Division of Environmental Remediation
NYSDEC
625 Broadway
Albany, NY 12233

All notices and correspondence shall be delivered by hand, by registered mail or by Certified mail and return receipt requested. The Parties may provide for other means of receiving and communicating notices and responses to requests for approval.

7. <u>Recordation</u>. Grantor shall record this instrument, within thirty (30) days of execution of this instrument by the Commissioner or her/his authorized representative in the office of the recording officer for the county or counties where the Property is situated in the manner prescribed by Article 9 of the Real Property Law.

[10/12]

County: Erie Site Nos: C915197, C915197B, C915197C, C915197D, C915197E, C915197F, C915197G, C915197H, C915197I, C915197J, and C915917K Brownfield Cleanup Agreement Number: B9-0696-05-06(A)

- Amendment. Any amendment to this Environmental Easement may only be executed by 8. the Commissioner of the New York State Department of Environmental Conservation or the Commissioner's Designee, and filed with the office of the recording officer for the county or counties where the Property is situated in the manner prescribed by Article 9 of the Real Property Law.
- Extinguishment. This Environmental Easement may be extinguished only by a release by 9. the Commissioner of the New York State Department of Environmental Conservation, or the Commissioner's Designee, and filed with the office of the recording officer for the county or counties where the Property is situated in the manner prescribed by Article 9 of the Real Property Law.
- Joint Obligation. If there are two or more parties identified as Grantor herein, the 10. obligations imposed by this instrument upon them shall be joint and several.

IN WITNESS WHEREOF, Grantor has caused this instrument to be signed in its name.

By: Juth 1. May

Grantor: Tecumseh Redevelopment Inc.

Print Name: Keith A. Nagel

Title: VP. ENUIR AFFAIRS Date: May 29, 2014

Grantor's Acknowledgment

Ohio STATE OF NEW YORK COUNTY OF Summet) ss:

On the 39th day of Macj, in the year 2014, before me, the undersigned, personally appeared Kerth A. Nagel personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument,

Notary Public - State of New York Chic Commission Expires · Not. 6, 2017

Environmental Easement Page 6

County: Erie Site Nos: C915197, C915197B, C915197C, C915197D, C915197E, C915197F, C915197G, C915197H, C915197I, C915197J, and C915917K Brownfield Cleanup Agreement Number: B9-0696-05-06(A)

THIS ENVIRONMENTAL EASEMENT IS HEREBY ACCEPTED BY THE PEOPLE OF THE STATE OF NEW YORK, Acting By and Through the Department of Environmental Conservation as Designee of the Commissioner,

By:

Robert W. Schick, Director

Division of Environmental Remediation

Grantee's Acknowledgment

STATE OF NEW YORK

) ss:

COUNTY OF ALBANY

On the day of upe, in the year 2014, before me, the undersigned, personally appeared Robert W. Schick, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name is (are) subscribed to the within instrument and acknowledged to me that he/she/ executed the same in his/her/ capacity as Designee of the Commissioner of the State of New York Department of Environmental Conservation, and that by his/her/ signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public State of New York

David J. Chiusano Notary Public, State of New York No. 01CH5032146

Qualified in Schenectady County Commission Expires August 22, 20

SCHEDULE "A" PROPERTY DESCRIPTION

ALL THAT TRACT OF PARCEL OF LAND, SITUATE IN THE CITY OF LACKAWANNA, COUNTY OF ERIE, STATE OF NEW YORK, BEING PART OF LOTS 20, 21, 22, 23, 24, & 25 OF THE OGDEN GORE TRACT AND PART OF LOT 36 OF THE BUFFALO CREEK RESERVATION, TOWNSHIP 10, RANGE 8 OF THE HOLLAND LAND COMPANY'S SURVEY AND MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WESTERLY HIGHWAY BOUNDARY OF HAMBURG TURNPIKE, (ALSO KNOWN AS STATE ROUTE NO. 5) AND THE SOUTHERLY LINE OF LANDS CONVEYED TO GATEWAY TRADE CENTER, INC. BY DEED RECORDED IN THE ERIE COUNTY CLERK'S OFFICE IN LIBER 10886 OF DEEDS AT PAGE 1064, SAID POINT BEING S 19°-27'-46" E, A DISTANCE OF 547.89 FEET FROM THE INTERSECTION OF THE WESTERLY HIGHWAY BOUNDARY OF HAMBURG TURNPIKE AND THE NORTHERLY LINE OF THE CITY OF LACKAWANNA (ALSO BEING THE SOUTHERLY LINE OF THE CITY OF BUFFALO);

THENCE S 19°-33'-00" E ALONG THE WESTERLY HIGHWAY BOUNDARY OF HAMBURG TURNPIKE A DISTANCE OF 279.01 FEET;

THENCE ALONG THE WESTERLY HIGHWAY BOUNDARY OF THE HAMBURG TURNPIKE ARTERIAL HIGHWAY MAP NUMBER 303, PARCEL 303, S 16°-04'-57" E, A DISTANCE 482.30 FEET TO AN ANGLE POINT IN SAID LINE;

THENCE CONTINUING ALONG THE SAID WESTERLY HIGHWAY BOUNDARY MAP NUMBER 303, PARCEL 303, S 18°-29'-00" E, A DISTANCE OF 30.00 FEET TO A POINT:

THENCE ALONG THE WESTERLY HIGHWAY BOUNDARY OF HAMBURG TURNPIKE AS APPROPRIATED BY THE NEW YORK STATE DEPARTMENT OF PUBLIC WORKS AS SHOWN ON MAP NO. 40 – R2, PARCEL NO. 44 RECORDED IN THE ERIE COUNTY CLERK'S OFFICE IN LIBER 5650 OF DEEDS AT PAGE 388, THE FOLLOWING 18 COURSES AND DISTANCES:

```
1. S 18°-28'-38" E, A DISTANCE OF 355.00 FEET;
2. S 71°-39'-20" W, A DISTANCE OF 2.00 FEET;
3. S 18°-28'-44" E, A DISTANCE OF 223.00 FEET;
4. S 22°-17'-43" E, A DISTANCE OF 150.35 FEET;
5. S 18°-28'-39" E, A DISTANCE OF 512.00 FEET;
6. S 16°-37'-53" E, A DISTANCE OF 260.12 FEET;
7. S 18°-22'-18" E, A DISTANCE OF 793.00 FEET;
8. S 71°-35'-29" W, A DISTANCE OF 4.00 FEET;
9. S 18°-01'-20" E, A DISTANCE OF 132.00 FEET;
10. N 71°-35'-29" E, A DISTANCE OF 4.67 FEET;
11. S 18°-17'-48" E, A DISTANCE OF 4.67 FEET;
12. S 71°-35'-29" W, A DISTANCE OF 4.86 FEET;
13. S 18°-01'-20" E, A DISTANCE OF 4.86 FEET;
14. N 71°-35'-29" E, A DISTANCE OF 9.80 FEET;
170/12]
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County: Erie Site Nos: C915197, C915197B, C915197C, C915197D, C915197E, C915197F, C915197G, C915197H, C915197I, C915197J, and C915917K Brownfield Cleanup Agreement Number: B9-0696-05-06(A)

15. S 18°-24'-31" E, A DISTANCE OF 159.00 FEET;

16. S 71°-35'-29" W, A DISTANCE OF 3.89 FEET;

17. S 18°-22'-14" E, A DISTANCE OF 180.00 FEET;

18. S 20°-44'-09" E, A DISTANCE OF 8.40 FEET TO A POINT IN THE NORTH LINE OF BUSINESS PARK, PHASE II PARCEL B, AS SHOWN ON A MAP PREPARED BY WENDEL DUCHSCHERER, PROJECT #411107, DATED JUNE, 2012

THENCE ALONG THE NORTH LINE OF SAID BUSINESS PARK, PHASE II, PARCEL B, S 71°-31'-33" W, A DISTANCE OF 1251.00 FEET TO A POINT IN THE EAST LINE OF BCP SITE NUMBER C915218;

THENCE CONTINUING ALONG SAID LINE, N 18°-22'-06" W, A DISTANCE OF 2030.00 FEET TO A POINT;

THENCE CONTINUING ALONG SAID LINE, N 09°-40'-30" E, A DISTANCE OF 106.50 FEET TO A POINT;

THENCE CONTINUING ALONG SAID LINE, N 18°-23'-42" W A DISTANCE OF 1051.55 FEET TO A POINT;

THENCE ALONG THE NORTH LINE OF BCP SITE NUMBER C915218, N 71°-00'-00" W, A DISTANCE OF 143.38 FEET TO A POINT IN THE EAST LINE OF SAID LANDS CONVEYED TO GATEWAY TRADE CENTER, INC.;

THENCE CONTINUING NORTHERLY AND EASTERLY ALONG SAID LANDS CONVEYED TO GATEWAY TRADE CENTER, INC. THE FOLLOWING 2 COURSES AND DISTANCES:

1. N 18°-29'-44" W, A DISTANCE OF 199.75 FEET TO A POINT; 2. N 71°-42'-08" E, A DISTANCE OF 519.24 FEET TO A POINT IN THE SOUTH LINE OF LANDS CONVEYED TO GATEWAY TRADE CENTER, INC. BY DEED RECORDED IN THE ERIE COUNTY CLERK'S OFFICE IN LIBER 10886 OF DEEDS AT PAGE 1115;

THENCE CONTINUING EASTERLY AND NORTHERLY ALONG SAID LANDS CONVEYED TO GATEWAY TRADE CENTER, INC. THE FOLLOWING 5 COURSES AND DISTANCES:

- 1. N 71°-42'-08" E, A DISTANCE OF 50.00 FEET TO A POINT
- 2. N 18°-22'-31" W, A DISTANCE OF 314.71 FEET TO A POINT;
- 3. N 71°-12'-22" E, A DISTANCE OF 386.47 FEET TO A POINT;
- 4. N 18°-17'-53" W, A DISTANCE OF 70.00 FEET TO A POINT;
- 5. N 71°-12'-22" E, A DISTANCE OF 400.00 FEET TO THE POINT

OF BEGINNING. CONTAINING 102.49 ACRES OF LAND, MORE OR LESS.



Combined Real Estate Transfer Tax Return, Credit Line Mortgage Certificate, and Certification of Exemption from the Payment of Estimated Personal Income Tax

O TD 504 1 1						
Schedule A Infor	structions for Form	TP-584, before completing	this form. Print or typ	oe.		
Schedule A – Infor Grantor/Transferor	Mama ff:					
		t, first, middle initial) (check i	f more than one grantor)		Soci	al security number
☐ Individual	Tecumseh Redev Mailing address	elopment, Inc.				
★ Corporation ★ C	_	nn Davida e e			Soci	al security number
☐ Partnership	4020 Kinross Lake					
☐ Estate/Trust	Richfield	State		ZIP code	Fede	eral EIN
☐ Single member LLC		OH		44286		01-0649791
Other	Single member's har	ne if grantor is a single memb	er LLC (see instructions)		Singl	e member EIN or SSN
Grantee/Transferee	Name (if individual, last	first middle initial) (check if tale of New York, acting thro	more than one grantee)		Socie	al security number
☐ Individual	L.Commissioner of th	ne Department of Environme	ugh their		3001	a security number
☐ Corporation	ivialing address		mar.Conservation	·	Socia	al security number
☐ Partnership	625 Broadway				00016	ar security number
☐ Estate/Trust	City	State		ZIP code	Fede	ral EIN
☐ Single member LLC	Albany	NY		12233	. 555	14-6013200
★ Other	Single member's nam	ne if grantee is a single memb	er LLC (see instructions)		Single	e member EIN or SSN
			•		J	- Monibal Eli4 di GOI4
Location and description	of property convey	yed			<u>. </u>	
Tax map designation -	SWIS code	Street address	· · · · · · · · · · · · · · · · · · ·	City town an		<u> </u>
Section, block & lot (include dots and dashes)	(six digits)			City, town, or	village	County
(include dots and dashes)			· 			
141.11-1-50		2303 Hamburg Turnpike		Lookawanaa		
	140900		•	Lackawanna		Erie
Type of property conveye	d (check applicable b	ox)				
1 🔲 One- to three-family	y house 5	○ Commercial/Industrial	Data of a	_		25
2 Residential coopera		Apartment building	Date of conveyar	•		e of real property
3 🔲 Residential condom		Office building	06 21	1 211721		which is residential
4 D Vacant land	8	Other	month day	year re		ty0%
(0)					(se	e instructions)
Condition of conveyance	(check all that apply)	f. Conveyance which	consists of a	I. Option ass		
a. Conveyance of fee i	interest	mere change of ige	ntity or form of	i. — Option ass	ignment (or surrender
		ownership or organ	zation <i>(attach</i>			
 Acquisition of a control 	Iling interest (state	Form TP-584.1, Schedu	ile F)	n. Leasehold	assignme	ent or surrenger
percentage acquired_	•	g. Conveyance for whi	ch credit for tay	n. 🗆 Leasehold		
		previously paid will I	oe claimed (attach	. La Leaseriolo	gram	
:. 🔲 Transfer of a control	ling interest (state	Form TP-584.1, Scheo	lule G)	. Conveyanc	a of an a	-
percentage transferr	ed%)	h. Conveyance of coope	rative anartment/s)	. Li Conveyanc	e or an ea	asement
	•	,		. 🗵 Conveyanc	a far whia	
. Conveyance to coop	perative housing	i. Syndication	۲	from transfe	er tax clai	med (complete
corporation		•		Schedule B	, Part III)	·····= (oom,broto
_		j. Conveyance of air ri	ahts or a	Conveyance	of prop	mandra amanadha a a dalada.
. Conveyance pursuar	nt to or in lieu of	development rights	y q	and partly o	utside th	erty partly within e state
foreclosure or enforce	ement of security i	k. 🗌 Contract assignmen	t r			
interest (attach Form TF	'-584.1, Schedule E)			. X Other (descri	Envir	to divorce or separation onmental Easement Pursuan
or recording officer's use	Amount received		Date received		Transaction	L Art. 71 Title 36 on number
	Schedule B., Part I	\$		•		
	Schedule B., Part I					
	I .		1			

	Schedule B - Real estate transfer tax return (Tax Law, Article 31)				
	Part I – Computation of tax due				
	1 Enter amount of consideration for the conveyance (if you are claiming a total exemption from tax, check the	_	γ		_,
	exemption claimed box, enter consideration and proceed to Part III)	1.			
	2 Continuing lien deduction (see instructions if property is taken subject to mortgage or lien)	1.	<u> </u>		0 00
	3 Taxable consideration (subtract line 2 from line 1)	2.		(0 00
	3 Taxable consideration (subtract line 2 from line 1)	3.		(0 00
	4 Tax: \$2 for each \$500, or fractional part thereof, of consideration on line 3	4.			
	To tak provided to tak provided by palu (see instructions and attach Form TD 594.1. Cohodula Co	5.			2
	6 Total tax due* (subtract line 5 from line 4)	6.			00
	Book IV Commental of the second				
	Part II – Computation of additional tax due on the conveyance of residential real property for \$1 million or more				
	Mark arready of consideration for conveyance (from Part 1 line 1)	1.			00
	2 Taxable consideration (multiply line 1 by the percentage of the premises which is residential real property as shown in Cabadala Al	1 ~ 1			+
	3 Total additional transfer tax due* (multiply line 2 by 1% (.01))	3.			00
		<u> </u>			100
ı	Part III – Explanation of exemption claimed on Part I, line 1 (check any boxes that apply)				
	The conveyance of real property is exempt from the real estate transfer tax for the following reason:				
ä	a. Conveyance is to the United Nations, the United States of America, the state of New York, and account to the		- 1*4* -		
	and a second and additional for all A Dublic Collobation inclinding a briblic corporation areas a second as a second and a second as a sec				
	compact with another state or Canada)	agre	ement or		X
	,			. а	
b	o. Conveyance is to secure a debt or other obligation				
				. b	ш
С	c. Conveyance is without additional consideration to confirm, correct, modify, or supplement a prior conveyance				
				С	Ш
d	 Conveyance of real property is without consideration and not in connection with a sale, including conveyances realty as bona fide gifts 				
	realty as bona fide gifts	conv	eying		
		••••••	••••••	d	\times
е	. Conveyance is given in connection with a tax sale	•			$\overline{}$
		•••••	••••••	е	
f.	Conveyance is a more change of identity or farm of				
•	Conveyance is a mere change of identity or form of ownership or organization where there is no change in bene	ficial			
	ownership. (This exemption cannot be claimed for a conveyance to a cooperative housing corporation of real properties of the cooperative dwelling or dwelling or dwelling.)	oper	ty		
	comprising the cooperative dwelling or dwellings.) Attach Form TP-584.1, Schedule F			f	
a	Conveyance consists of dood of position				
9.	Conveyance consists of deed of partition			g	
٠,,	Conveyance is given pursuant to the federal Bankruptcy Act		••••••	h	
١.	Conveyance consists of the execution of a contract to sell real property, without the use or occupancy of such p	rope	rty, or		_
	the granting of an option to purchase real property, without the use or occupancy of such property		••••••	i	
i					
ŀ	Conveyance of an option or contract to purchase real property with the use or occupancy of such property when	e the	•		
	obtained is less than \$200,000 and such property was used solely by the grantor as the grantor's personal.		ence		
	and consists of a one-, two-, or three-family house, an individual residential condominium unit, or the sale of ste	ماء			
	are a cooperative riousing corporation in connection with the grant or transfer of a proprietary less shold according				
	individual residential cooperative apartment			i	
				, '	
<.	Conveyance is not a conveyance within the meaning of Tax Law, Article 31, section 1401(e) (attach documents				
	supporting such claim)			_k [

*The total tax (from Part I, line 6 and Part II, line 3 above) is due within 15 days from the date conveyance. Please make check(s) payable to the county clerk where the recording is to take place. If the recording is to take place in the New York City boroughs of Manhattan, Bronx, Brooklyn, or Queens, make check(s) payable to the **NYC Department of Finance**. If a recording is not required, send this return and your check(s) made payable to the **NYS Department of Taxation and Finance**, directly to the NYS Tax Department, RETT Return Processing, PO Box 5045, Albany NY 12205-5045.

Schedule C - Credit Line Mortgage Certificate (Tax Law, Article 11)
Complete the following only if the interest being transferred is a fee simple interest. ! (we) certify that: (check the appropriate box)
1. X The real property being sold or transferred is not subject to an outstanding credit line mortgage.
2. The real property being sold or transferred is subject to an outstanding credit line mortgage. However, an exemption from the tax is claimed for the following reason: The transfer of real property is a transfer of a fee simple interest to a person or persons who held a fee simple interest in the
real property (whether as a joint tenant, a tenant in common or otherwise) immediately before the transfer.
The transfer of real property is (A) to a person or persons related by blood, marriage or adoption to the original obligor or to one or more of the original obligors or (B) to a person or entity where 50% or more of the beneficial interest in such real property after the transfer is held by the transferor or such related person or persons (as in the case of a transfer to a trustee for the benefit of a minor or the transfer to a trust for the benefit of the transferor).
The transfer of real property is a transfer to a trustee in bankruptcy, a receiver, assignee, or other officer of a court.
The maximum principal amount secured by the credit line mortgage is \$3,000,000 or more, and the real property being sold or transferred is not principally improved nor will it be improved by a one- to six-family owner-occupied residence or dwelling.
Please note: for purposes of determining whether the maximum principal amount secured is \$3,000,000 or more as described above, the amounts secured by two or more credit line mortgages may be aggregated under certain circumstances. See TSB-M-96(6)-R for more information regarding these aggregation requirements.
Other (attach detailed explanation).
3. The real property being transferred is presently subject to an outstanding credit line mortgage. However, no tax is due for the following reason:
A certificate of discharge of the credit line mortgage is being offered at the time of recording the deed.
A check has been drawn payable for transmission to the credit line mortgagee or his agent for the balance due, and a satisfaction of such mortgage will be recorded as soon as it is available.
The real property being transferred is subject to an outstanding credit line mortgage recorded in
is being paid herewith. (Make check payable to county clerk where deed will be recorded or, if the recording is to take place in New York Clty but not in Richmond County, make check payable to the NYC Department of Finance.)
Signature (both the grantor(s) and grantee(s) must sign)
The undersigned certify that the above information contained in schedules A, B, and C, including any return, certification, schedule, or attachment, is to the best of his/her knowledge, true and complete, and authorize the person(s) submitting such form on their behalf to eccive a copy for purposes of recording the deed or other instrument effecting the conveyance. Tecumseh Redevelopment, Inc. New York State Department of Environmental Conservation
Vice President of Environmental Affairs and Real Estate By: Grantee signature Grantee
Grantor signature Title Grantee signature Title
Cominders Did you complete all of the may find information in Schools A. D. and CO. Annual variable and A. D. and

Reminder: Did you complete all of the required information in Schedules A, B, and C? Are you required to complete Schedule D? If you checked e, f, or g in Schedule A, did you complete Form TP-584.1? Have you attached your check(s) made payable to the county clerk where recording will take place or, if the recording is in the New York City boroughs of Manhattan, Bronx, Brooklyn, or Queens, to the NYC Department of Finance? If no recording is required, send your check(s), made payable to the Department of Taxation and Finance, directly to the NYS Tax Department, RETT Return Processing, PO Box 5045, Albany NY 12205-5045.

Page 4 of 4 TP-584 (4/13)		
Schedule D - Certification of exemption	I from the payment of estimated pares	nal income tax (Tax Law, Article 22, section 663)
Complete the following only if a fee simple	e interest or a cooperative unit is being t	ransferred by an individual or estate or trust.
If the property is being conveyed by a refe under Exemptions for nonresident transfe	eree nursuant to a forceles	g, proceed to Part II, and check the second box
Part I - New York State residents	in the second of the section,	
resident transferor/seller must sign in the spa schedules as necessary to accommodate all	ace provided. If more space is needed, plea I resident transferors/sellers.	P-584 (or an attachment to Form TP-584), you must perative unit is a resident of New York State, each se photocopy this Schedule D and submit as many
Certification of resident transferor(s)/s		
sale or transfer of this real property or coope	r transfer of the real property or cooperative s not required to pay estimated personal inc rative unit.	unit, the transferor(s)/seller(s) as signed below was come tax under Tax Law, section 663(a) upon the
Signature	Print full name	Date
Signature	Print full name	Date
Signature	Print full name	Date
Signature	Print full name	Date
check the box of the appropriate exemption be transferor(s)/seller(s) is not required to pay estit transferor/seller who qualifies under one of the photocopy this Schedule D and submit as mar If none of these exemption statements apply.	ed as a transferor/seller in Schedule A of Foll income tax because one of the exemption elow. If any one of the exemptions below arimated personal income tax to New York State exemptions below must sign in the space my schedules as necessary to accommodate to the space of the s	orm TP-584 (or an attachment to Form TP-584) s below applies under Tax Law, section 663(c), oplies to the transferor(s)/seller(s), that ate under Tax Law, section 663. Each nonresident
personal income tax, on page 1 of Form TP-58 Exemption for nonresident transferor(s)	P\$=1.	m. For more information, see Payment of estimated
section 663 due to one of the following exempt	tions:	unit, the transferor(s)/seller(s) (grantor) of this real ay estimated personal income tax under Tax Law,
, which was the same of the same was the sam	Date	Date
□☐ The transferor/seller is a mortgagor of the properties of the properties. The transferor/seller is a mortgagor of the properties of the properties.	conveying the mortgaged property to a mor	rtgagee in foreclosure, or in lieu of foreclosure with
The transferor or transferee is an age New York, the Federal National Mort Mortgage Association, or a private m	yaye Association, the Federal Home I can t	nerica, an agency or authority of the state of Mortgage Corporation, the Government National

Print full name

Print full name

Print full name

Print full name

Date

Date

Date

Date

Signature

Signature

Signature

Signature

```
CHRISTOPHER L. JACOBS, ERIE COUNTY CLERK
       REF:
       DATE:7/15/2014
      TIME:9:11:34 AM
      RECEIPT: 14107868
      BOX 29
      ACCOUNT #: 0
      ITEM - 01 785
RECD: 7/15/2014 9:21:59 AM
     FILE: 2014137589 BK/PG D 11266/5436
Deed Sequence: IT2013021925
TECUMSEH REDEVELOPMENT INC
NEW YORK STATE DEPT OF ENVIRONMENTAL CONSERV
        Recording Fees
                                                      90.00
        TP584
                                                 10.00
     Subtotal
                              100.00
    ITEM - 02 785
RECD: 7/15/2014 9:21:59 AM
    FILE: 2014137590 BK/PG D 11266/5446
    Deed Sequence: TT2013021926
TECUMSEH REDEVELOPMENT INC
NEW YORK STATE DEPT OF ENVIRONMENTAL CONSERV
      Recording Fees
                                                    85.00
      TP584
                                                10.00
   Subtotal
                              95.00
  ITEM - 03 785
RECD: 7/15/2014 9:21:59 AM
FILE: 2014137591 BK/PG D 11266/5455
   Deed Sequence: TT2013021927
   TECUMSEH REDEVELOPMENT INC
  NEW YORK STATE DEPT OF ENVIRONMENTAL CONSERV
   ATION
     Recording Fees
                                                 100.00
     TP584
                                              10.00
  Subtotal
                           110.00
 ITEM - 04 785
RECD: 7/15/2014 9:21:59 AM
 FILE: 2014137592 BK/PG D 11266/5467
Deed Sequence: TT2013021928
 TECUMSEH REDEVELOPMENT INC
NEW YORK STATE DEPT OF ENVIRONMENTAL CONSERV
    Recording Fees
                                                105.00
    TP584
                                             10.00
 Subtotal
                          115.00
   TOTAL DUE
                                   $420.00
   PAID TOTAL
PAID CHECK
                                   $420.00
                                   $420.00
   Check #6438:
                                    420.00
REC BY: Donna
COUNTY RECORDER
```

Brownfield Cleanup Agreement Number: B9-0696-05-06(B)

POPULATION OF THE NEW YORK STATE ENVIRONMENTAL CONSERVATION LAW

THIS INDENTURE made this Z/W day of John , 2014 between Owner(s) Tecumseh Redevelopment Inc., having an office at 4020 Kinross Lakes Parkway, County of Summit, State of Ohio (the "Grantor"), and The People of the State of New York (the "Grantee."), acting through their Commissioner of the Department of Environmental Conservation (the "Commissioner", or "NYSDEC" or "Department" as the context requires) with its headquarters located at 625 Broadway, Albany, New York 12233,

WHEREAS, the Legislature of the State of New York has declared that it is in the public interest to encourage the remediation of abandoned and likely contaminated properties ("sites") that threaten the health and vitality of the communities they burden while at the same time ensuring the protection of public health and the environment; and

WHEREAS, the Legislature of the State of New York has declared that it is in the public interest to establish within the Department a statutory environmental remediation program that includes the use of Environmental Easements as an enforceable means of ensuring the performance of operation, maintenance, and/or monitoring requirements and the restriction of future uses of the land, when an environmental remediation project leaves residual contamination at levels that have been determined to be safe for a specific use, but not all uses, or which includes engineered structures that must be maintained or protected against damage to perform properly and be effective, or which requires groundwater use or soil management restrictions; and

WHEREAS, the Legislature of the State of New York has declared that Environmental Easement shall mean an interest in real property, created under and subject to the provisions of Article 71, Title 36 of the New York State Environmental Conservation Law ("ECL") which contains a use restriction and/or a prohibition on the use of land in a manner inconsistent with engineering controls which are intended to ensure the long term effectiveness of a site remedial program or eliminate potential exposure pathways to hazardous waste or petroleum; and

WHEREAS, Grantor, is the owner of real property located at the address of 2303 Hamburg Turnpike in the City of Lackawanna, County of Erie and State of New York, known and designated on the tax map of the County Clerk of Erie as tax map parcel numbers: Section 141.11 Block 1 Lot 50, being a portion of that certain plot, piece or parcel of land conveyed to Grantor by deed dated May 6, 2003 and recorded in the Erie County Clerk's Office in Liber 11040 and Page 8953. The property subject to this Environmental Easement (the "Controlled Property") comprises approximately 141.25 +/- acres, and is hereinafter more fully described in the Land Title Survey, which includes parcels recognized under Brownfield Cleanup Agreement Amendments dated August 22, 2012 ("Sites"), dated September 14, 2012, field survey completed June 12, 2012 and prepared by Wendel, which will be attached to the Site Management Plan. The Controlled Property description is set forth in and attached hereto as Schedule A; and

WHEREAS, the Department accepts this Environmental Easement in order to ensure the protection of public health and the environment and to achieve the requirements for remediation established for the Controlled Property until such time as this Environmental Easement is extinguished pursuant to ECL Article 71, Title 36; and [10/12]

Brownfield Cleanup Agreement Number: B9-0696-05-06(B)

NOW THEREFORE, in consideration of the mutual covenants contained herein and the terms and conditions of Brownfield Cleanup Agreement Index Number: B9-0696-05-06(B), Grantor conveys to Grantee a permanent Environmental Easement pursuant to ECL Article 71, Title 36 in, on, over, under, and upon the Controlled Property as more fully described herein ("Environmental Easement").

- 1. <u>Purposes</u>. Grantor and Grantee acknowledge that the Purposes of this Environmental Easement are: to convey to Grantee real property rights and interests that will run with the land in perpetuity in order to provide an effective and enforceable means of encouraging the reuse and redevelopment of this Controlled Property at a level that has been determined to be safe for a specific use while ensuring the performance of operation, maintenance, and/or monitoring requirements; and to ensure the restriction of future uses of the land that are inconsistent with the above-stated purpose.
- 2. <u>Institutional and Engineering Controls</u>. The controls and requirements listed in the Department approved Site Management Plan ("SMP") including any and all Department approved amendments to the SMP are incorporated into and made part of this Environmental Easement. These controls and requirements apply to the use of the Controlled Property, run with the land, are binding on the Grantor and the Grantor's successors and assigns, and are enforceable in law or equity against any owner of the Controlled Property, any lessees and any person using the Controlled Property.
 - A. (1) The Controlled Property may be used for:

Commercial as described in 6 NYCRR Part 375-1.8(g)(2)(iii) and Industrial as described in 6 NYCRR Part 375-1.8(g)(2)(iv)

- (2) All Engineering Controls must be operated and maintained as specified in the Site Management Plan (SMP);
- (3) All Engineering Controls must be inspected at a frequency and in a manner defined in the SMP;
- (4) The use of groundwater underlying the property is prohibited without necessary water quality treatment_as determined by the NYSDOH or the Erie County Department of Health to render it safe for use as drinking water or for industrial purposes, and the user must first notify and obtain written approval to do so from the Department;
- (5) Groundwater and other environmental or public health monitoring must be performed as defined in the SMP;
- (6) Data and information pertinent to Site Management of the Controlled Property must be reported at the frequency and in a manner defined in the SMP;
- (7) All future activities on the property that will disturb remaining contaminated material must be conducted in accordance with the SMP;

County: Erie Site Nos: C915198, C915198B, C915198C, C915198D, C915198E, C915198F, C915198G, C915198H, C915198I, C915198J, C915198K, and C915198L

Brownfield Cleanup Agreement Number: B9-0696-05-06(B)

- (8) Monitoring to assess the performance and effectiveness of the remedy must be performed as defined in the SMP;
- (9) Operation, maintenance, monitoring, inspection, and reporting of any mechanical or physical components of the remedy shall be performed as defined in the SMP;
- (10) Access to the site must be provided to agents, employees or other representatives of the State of New York with reasonable prior notice to the property owner to assure compliance with the restrictions identified by this Environmental Easement.
- B. The Controlled Property shall not be used for Residential or Restricted Residential purposes as defined in 6NYCRR 375-1.8(g)(2)(i) and (ii), and the above-stated engineering controls may not be discontinued without an amendment or extinguishment of this Environmental Easement.
- C. The SMP describes obligations that the Grantor assumes on behalf of Grantor, its successors and assigns. The Grantor's assumption of the obligations contained in the SMP which may include sampling, monitoring, and/or operating a treatment system, and providing certified reports to the NYSDEC, is and remains a fundamental element of the Department's determination that the Controlled Property is safe for a specific use, but not all uses. The SMP may be modified in accordance with the Department's statutory and regulatory authority. The Grantor and all successors and assigns, assume the burden of complying with the SMP and obtaining an up-to-date version of the SMP from:

Site Control Section
Division of Environmental Remediation
NYSDEC
625 Broadway
Albany, New York 12233
Phone: (518) 402-9553

- D. Grantor must provide all persons who acquire any interest in the Controlled Property a true and complete copy of the SMP that the Department approves for the Controlled Property and all Department-approved amendments to that SMP.
- E. Grantor covenants and agrees that until such time as the Environmental Easement is extinguished in accordance with the requirements of ECL Article 71, Title 36 of the ECL, the property deed and all subsequent instruments of conveyance relating to the Controlled Property shall state in at least fifteen-point bold-faced type:

This property is subject to an Environmental Easement held by the New York State Department of Environmental Conservation pursuant to Title 36 of Article 71 of the Environmental Conservation Law.

Brownfield Cleanup Agreement Number: B9-0696-05-06(B)

- F. Grantor covenants and agrees that this Environmental Easement shall be incorporated in full or by reference in any leases, licenses, or other instruments granting a right to use the Controlled Property.
- G. Grantor covenants and agrees that it shall, at such time as NYSDEC may require, submit to NYSDEC a written statement by an expert the NYSDEC may find acceptable certifying under penalty of perjury, in such form and manner as the Department may require, that:
- (1) the inspection of the site to confirm the effectiveness of the institutional and engineering controls required by the remedial program was performed under the direction of the individual set forth at 6 NYCRR Part 375-1.8(h)(3).
 - (2) the institutional controls and/or engineering controls employed at such site:
 - (i) are in-place;
- (ii) are unchanged from the previous certification, or that any identified changes to the controls employed were approved by the NYSDEC and that all controls are in the Department-approved format; and
- (iii) that nothing has occurred that would impair the ability of such control to protect the public health and environment;
- (3) the owner will continue to allow access to such real property to evaluate the continued maintenance of such controls;
- (4) nothing has occurred that would constitute a violation or failure to comply with any site management plan for such controls;
- (5 the report and all attachments were prepared under the direction of, and reviewed by, the party making the certification;
- (6) to the best of his/her knowledge and belief, the work and conclusions described in this certification are in accordance with the requirements of the site remedial program, and generally accepted engineering practices; and
 - (7) the information presented is accurate and complete.
- 3. <u>Right to Enter and Inspect</u>. Grantee, its agents, employees, or other representatives of the State may enter and inspect the Controlled Property in a reasonable manner and at reasonable times to assure compliance with the above-stated restrictions.
- 4. <u>Reserved Grantor's Rights</u>. Grantor reserves for itself, its assigns, representatives, and successors in interest with respect to the Property, all rights as fee owner of the Property, including:
- A. Use of the Controlled Property for all purposes not inconsistent with, or limited by the terms of this Environmental Easement;
- B. The right to give, sell, assign, or otherwise transfer part or all of the underlying fee interest to the Controlled Property, subject and subordinate to this Environmental Easement;

5. <u>Enforcement</u>

A. This Environmental Easement is enforceable in law or equity in perpetuity by Grantor, Grantee, or any affected local government, as defined in ECL Section 71-3603, against the owner of the Property, any lessees, and any person using the land. Enforcement shall not be defeated because of any subsequent adverse possession, laches, estoppel, or waiver. It is not a [10/12]

Brownfield Cleanup Agreement Number: B9-0696-05-06(B)

defense in any action to enforce this Environmental Easement that: it is not appurtenant to an interest in real property; it is not of a character that has been recognized traditionally at common law; it imposes a negative burden; it imposes affirmative obligations upon the owner of any interest in the burdened property; the benefit does not touch or concern real property; there is no privity of estate or of contract; or it imposes an unreasonable restraint on alienation.

- B. If any person violates this Environmental Easement, the Grantee may revoke the Certificate of Completion with respect to the Site within the Controlled Property on or about which the violation pertains.
- C. Grantee shall notify Grantor of a breach or suspected breach of any of the terms of this Environmental Easement. Such notice shall set forth how Grantor can cure such breach or suspected breach and give Grantor a reasonable amount of time from the date of receipt of notice in which to cure. At the expiration of such period of time to cure, or any extensions granted by Grantee, the Grantee shall notify Grantor of any failure to adequately cure the breach or suspected breach, and Grantee may take any other appropriate action reasonably necessary to remedy any breach of this Environmental Easement, including the commencement of any proceedings in accordance with applicable law.
- D. The failure of Grantee to enforce any of the terms contained herein shall not be deemed a waiver of any such term nor bar any enforcement rights.
- 6. <u>Notice</u>. Whenever notice to the Grantee (other than the annual certification) or approval from the Grantee is required, the Party providing such notice or seeking such approval shall identify the Controlled Property by referencing the following information:

County, NYSDEC Site Number, NYSDEC Brownfield Cleanup Agreement, State Assistance Contract or Order Number, and the County tax map number or the Liber and Page or computerized system identification number.

Parties shall address correspondence to: Site Numbers: C915198, C915198B, C915198C, C915198D, C915198E, C915198F, C915198G, C915198H, C915198I, C915198J, C915198K, and C915198L

Office of General Counsel NYSDEC 625 Broadway Albany New York 12233-5500

With a copy to:

Site Control Section
Division of Environmental Remediation
NYSDEC
625 Broadway
Albany, NY 12233

All notices and correspondence shall be delivered by hand, by registered mail or by Certified mail and return receipt requested. The Parties may provide for other means of receiving and communicating notices and responses to requests for approval.

Brownfield Cleanup Agreement Number: B9-0696-05-06(B)

- 7. Recordation. Grantor shall record this instrument, within thirty (30) days of execution of this instrument by the Commissioner or her/his authorized representative in the office of the recording officer for the county or counties where the Property is situated in the manner prescribed by Article 9 of the Real Property Law.
- 8. <u>Amendment</u>. Any amendment to this Environmental Easement may only be executed by the Commissioner of the New York State Department of Environmental Conservation or the Commissioner's Designee, and filed with the office of the recording officer for the county or counties where the Property is situated in the manner prescribed by Article 9 of the Real Property Law.
- 9. <u>Extinguishment.</u> This Environmental Easement may be extinguished only by a release by the Commissioner of the New York State Department of Environmental Conservation, or the Commissioner's Designee, and filed with the office of the recording officer for the county or counties where the Property is situated in the manner prescribed by Article 9 of the Real Property Law.
- 10. <u>Joint Obligation</u>. If there are two or more parties identified as Grantor herein, the obligations imposed by this instrument upon them shall be joint and several.

IN WITNESS WHEREOF, Grantor has caused this instrument to be signed in its name.

Grantor: Tecumseh Redevelopment Inc.

By: Zuth L. March

Print Name: Keith A. Nagel

Title: VP - ENDIR AFFAIRS Date: May 29, 2019
REAL ESTATE

[10/12]

Brownfield Cleanup Agreement Number: B9-0696-05-06(B)

Grantor's Acknowledgment
Chio
STATE OF NEW YORK)
COUNTY OF Sumult) ss:
On the
Justin & Sick
Notary Public - State of New York
Commission expires: Nov. 6, 2017
Nov. 6,2017

County: Erie Site Nos: C915198, C915198B, C915198C, C915198D, C915198E, C915198F, C915198G, C915198H, C915198I, C915198J, C915198K, and C915198L

Brownfield Cleanup Agreement Number: B9-0696-05-06(B)

THIS ENVIRONMENTAL EASEMENT IS HEREBY ACCEPTED BY THE PEOPLE OF THE STATE OF NEW YORK, Acting By and Through the Department of Environmental Conservation as Designee of the Commissioner,

By:

Robert W. Schick, Director

Division of Environmental Remediation

Grantee's Acknowledgment

STATE OF NEW YORK)
) ss
COUNTY OF ALBANY)

On the day of une, in the year 2011, before me, the undersigned, personally appeared Robert W. Schick, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name is (are) subscribed to the within instrument and acknowledged to me that he/she/ executed the same in his/her/ capacity as Designer of the Commissioner of the State of New York Department of Environmental Conservation, and that dyhis/her/ signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Puble - State of New York

David J. Chiusano
Notary Public, State of New York
No. 01CH5032146

Qualified in Schenectady County Commission Expires August 22, 20

Brownfield Cleanup Agreement Number: B9-0696-05-06(B)

SCHEDULE "A" PROPERTY DESCRIPTION

PARCEL A

ALL THAT TRACT OR PARCEL OF LAND situate in the City of Lackawanna, County of Erie and State of New York, being part of Lot 15 of the Ogden Gore Tract and part of Lot 23, Township 10, Range 8 of the Buffalo Creek Reservation, described as follows:

Beginning at the intersection of the westerly highway boundary of the Hamburg Turnpike (also known as State Route No. 5) as appropriated by the New York State Department of Public Works as shown on Map No. 1, Parcel 1 and recorded in the Erie County Clerk's Office in Liber 5650 of Deeds at Page 404 and the municipal boundary line between the City of Lackawanna (to the north) and the Town of Hamburg (to the south), said point also being along the northerly boundary of lands conveyed to the South Buffalo Railway company by deed recorded in the Erie County Clerk's Office in Liber 10119 of Deeds at Page 131; running thence N 86°-32'-54" W along the northerly line of said South Buffalo Railway Company's land, a distance of 507.02 feet to an angle point therein; Thence N 56°-55'-40" W, and continuing along said South Buffalo Railway Company's land a distance of 386.48 feet to a point; thence N 03°-25'-27" W, a distance of 1,284.41 feet to a point of curvature of a tangent curve; thence along a curve to the left having a radius of 518.00 feet, an arc length of 168.84 feet to a point approximately 25 feet south from the existing southerly top of high bank of Smokes Creek; thence easterly and northerly approximately 25 feet south from the existing southerly top of the high bank of Smokes Creek the following 6 courses and distances;

- 1. Thence N 80°-39'-39" E, a distance of 37.52 feet to a point;
- 2. Thence N 44°-31'-00" E, a distance of 261.86 feet to a point;
- 3. Thence N 71°-51'-20" E, a distance of 455.12 feet to a point;
- 4. Thence N 20°-01'-37" E, a distance of 360.67 feet to a point;
- 5. Thence N 03°-49'-42" E, a distance of 217.94 feet to a point;
- 6. Thence N 72°-45'-22" E, a distance of 373.92 feet to a point on the westerly highway boundary of the Hamburg Turnpike as acquired by the New York State Department of Transportation under S. H. No. FAC 49-10 Map 305, Parcel 306 and recorded in the Erie County Clerk's Office in Liber 10960 of Deeds at page 2028; thence southerly along said westerly highway boundary the following 19 courses and distances;
- 1. Thence S 03°-16'-37" W, a distance of 188.27 feet to a point;
- 2. Thence S 03°-54'-17" W, a distance of 687.46 feet to the point of curvature of a tangent curve;
- 3. Thence along a curve to the right having a radius of 8,149.13 feet, an arc length of 144.86 feet to a point;
- 4. Thence S 04°-55'-24" W, a distance of 35.83 feet to a point;
- 5. Thence S 85°-04'-36" W, a distance of 9.84 feet to a point;
- 6. Thence S 05°-13'-45" W, a distance of 200.60 feet to a point;
- 7. Thence S 05°-20'-02" W, a distance of 110.00 feet to a point;
- 8. Thence S 00°-45'-26" W, a distance of 110.27 feet to a point;
- 9. Thence S 05°-20'-02" W, a distance of 220.00 feet to a point;
- 10. Thence S 05°-01'-28" W, a distance of 365.00 feet to a point;
- 11. Thence S 85°-13'-34" E, a distance of 5.00 feet to a point;

[10/12]

Brownfield Cleanup Agreement Number: B9-0696-05-06(B)

- 12. Thence S 04°-17'-11" W, a distance of 67.00 feet to a point;
- 13. Thence S 06°-15'-26" W, a distance of 248.08 feet to a point;
- 14. Thence S 03°-29'-18" W, a distance of 52.01 feet to a point;
- 15. Thence S 05°-06'-49" W, a distance of 133.00 feet to a point;
- 16. Thence S 85°-13'-34" W, a distance of 1.00 feet to a point;
- 17. Thence S 05°-06'-49" W, a distance of 45.00 feet to a point;
- 18. Thence S 85°-13'-34" W, a distance of 7.00 feet to a point;
- 19. Thence S 05°-06'-49" W, a distance of 90.00 feet to the point of beginning, containing 47.18 acres of land more or less.

Being part of the piece or parcel of land in a bargain and sale deed dated 5/06/2003 and recorded 5/22/2003 in Liber 11040 of Deeds at page 8953 in the Erie County Clerk's Office. This parcel of land is part of the overall deed.

PARCEL B

ALL THAT TRACT OR PARCEL OF LAND situated in the City of Lackawanna, County of Erie and State of New York, being part of lots 18, 20 and 21 of the Ogden Gore Tract and part of Lot 24, Township 10, Range 8 of the Buffalo Creek Reservation, bounded and described as follows:

Commencing at the intersection of the westerly highway boundary of the Hamburg Turnpike (also known as State Route No. 5) as appropriated by the New York State Department of Public Works as shown on Map No. 1, Parcel 1 and recorded in the Erie County Clerk's Office in Liber 5650 of Deeds at page 404 and the municipal boundary line between the City of Lackawanna (to the north) and the Town of Hamburg (to the south). Said point also being along the northerly boundary of lands conveyed to the South Buffalo Railway Company by deed recorded in the Erie County Clerk's Office in Liber 10119 of Deeds at page 131; thence N 86°-32'-54" W along said municipal boundary line and the northerly line of said South Buffalo Railway Company's land, a distance of 507.02 feet to a point; thence N 56°-55'-40" W and continuing along said South Buffalo Railway Company's land, a distance of 386.48 feet to a point; thence N 03°-25'-27" W, a distance of 1,284.41 feet to a point of curvature of a tangent curve; thence along a curve to the left having a radius of 518.00 feet, an arc length of 168.84 feet to a point approximately 25 feet south from the existing southerly top of the high bank of Smokes Creek; thence N 30°-20'-56" E, crossing Smokes Creek, a distance of 395.96 feet to a point approximately 25 feet north from the existing northerly top of high bank of Smokes Creek and the principal point of beginning; thence N 18°-20'-36" W, a distance of 3,292.99 feet to a point; thence S 71°-34'-47" W, a distance of 93.00 feet to a point; thence N 18°-20'-36" W, a distance of 214.85 feet to a point on the southerly line of lands conveyed to Gateway Trade Center Inc. By deed recorded in the Erie County Clerk's Office in Liber 10886 of Deeds at page 1064; thence N 71°-41'-32" E, and along the southerly line of lands so conveyed to Gateway Trade Center, Inc. by deed aforesaid, a distance of 28.04 feet to a southeast corner thereof; thence N 71°-11'-53" E, a distance of 86.73 feet to a point; thence N 71°-31'-33" E, a distance of 1,251.00 feet to a point on the westerly highway boundary of Hamburg Turnpike as appropriated by the New York State Department of Public works as shown on Map No. 40-R2, Parcel 44 and recorded in the Erie County Clerk's Office in Liber 5650 of Deeds at page 388; thence southerly along the westerly highway boundary of the Hamburg Turnpike the following 4 courses and distances:

- 20. Thence S 20°-45'-14" E, a distance of 129.67 feet to a point;
- 21. Thence S 22°-43'-04" E, a distance of 272.45 feet to a point; [10/12]

Brownfield Cleanup Agreement Number: B9-0696-05-06(B)

- Thence S 18°-25'-27" E, a distance of 1,965.57 feet to the point of curvature of a 22. non-tangent curve:
- Thence along a curve to the right, having a radius of 3,226.70 feet, an arc length of 677.61 23. feet to a point which is approximately 25 feet north from the existing northerly top of high bank of Smokes Creek;

Thence westerly and southerly, approximately 25 feet north from the existing northerly top of the high bank of Smokes Creek the following 5 courses and distances;

- 24. Thence S 75°-24'-22" W, a distance of 420.71 feet to a point;
- 25. Thence S 52°-31'-09" W, a distance of 145.07 feet to a point;
- Thence S 00°-25'-31" W, a distance of 225.66 feet to a point; 26.
- 27. Thence S 14°-36'-37" W, a distance of 317.80 feet to a point;
- Thence S 74°-29'-02" W, a distance of 360.63 feet to the principal point of beginning, 28. containing 95.42 acres of land, more or less.

Being part of the piece or parcel of land in a bargain and sale deed dated 5/06/2003 and recorded 5/22/2003 in Liber 11040 of Deeds at page 8953 in the Erie County Clerk's Office. This parcel of land is part of the overall deed.

SUBSTATIONS EXCEPTED OUT OF EASEMENT AREA

Substation 10A

Commencing at the principal point of beginning of the Environmental Easement Business Park Phase II, Parcel "B";

Thence N 18°-50'-22" W, a distance of 457.40 feet to the point of beginning;

Thence N 18°-24'-23" W, a distance of 225.00 feet to a point;

Thence N 71°-35'-37" E, a distance of 188.17 feet to a point;

Thence S 18°-24'-23" E, a distance of 225.00 feet to a point;

Thence S 71°-35'-37" W, a distance of 188.17 feet to the point of beginning.

Containing 0.97 Acres of land, more or less.

Substation 11A

Commencing at the northwest corner of the Environmental Easement Parcel "B";

Thence S 33°-30'-30" E, a distance of 558.31 feet to the point of beginning;

Thence N 71°-48'-41" E, a distance of 112.00 feet to a point;

Thence S 20°-04'-28" E, a distance of 146.00 feet to a point;

Thence S 71°-48'-41" W, a distance of 112.00 feet to a point;

Thence N 20°-04'-28" W, a distance of 146.00 feet to the point of beginning.

Containing 0.38 Acres of land, more or less.

New York State Department of Taxation and Finance



Combined Real Estate Transfer Tax Return, Credit Line Mortgage Certificate, and Certification of Exemption from the Payment of Estimated Personal Income Tax

Recording office time stamp

See Form TP-584-1, Ins	structions for Form	TP-584, before completing	45.7			
Schedule A - Infor	mation relating to	O CONVEYANCE	this form. Print or type	e		
Grantor/Transferor	Name (if individual, las	t, first, middle initial) (check i	f marn than and marked			
☐ Individual	Tecumseh Redev	elopment. Inc.	r more man one grantor)		Soci	ial security number
■ Corporation	Mailing address					
☐ Partnership	4020 Kinross Lake	es Parkwav			Soci	al security number
☐ Estate/Trust	City	State		ZIP code	End	eral EIN
☐ Single member LLC	Richfield	ОН		44286	1, 606	01-0649791
☐ Other	Single member's nar	ne if grantor is a single memb	er LLC (see instructions)	77200	Sing	le member EIN or SSN
					59	io member Elia of 2214
Grantee/Transferee	Name (if individual, last	first, middle ipitial) (check if ale of New York, acting thro	more than one grantee)		Soci	al security number
☐ Individual	Lommissioner of th	e Department of Environme	ntal Conservation		000.	ar doodinty right ber
☐ Corporation	ivialling address		THE CHISCIVATION	· · · · · · · · · · · · · · · · · · ·	Socia	al security number
☐ Partnership	625 Broadway					,
☐ Estate/Trust	City	State		ZIP code	Fede	ral EIN
☐ Single member LLC	Albany	NY NY		12233	1	14-6013200
Other ■	Single member's nam	ne if grantee is a single memb	er LLC (see instructions)		Singl	e member EIN or SSN
	10					
Location and description	of property convey	/ed				
Tax map designation -	SWIS code	Street address		City, town, or vi	illage	County
Section, block & lot (include dots and dashes)	(six digits)			Oity, town, or v	maye	County
		 				
141.11-1-50		2303 Hamburg Turnpike		Lackawanna		Erie
	140900					
Type of property conveye		ox)				
1 U One- to three-family	y house 5	Commercial/Industrial	Date of conveyand	ce Pe	rcentad	e of real property
2 Residential coopera		Apartment building	404 10 4			which is residential
3 Residential condom	ninium 7	Office building	06 26	1 2014 1	l proper	_
4 LJ Vacant land	8	Other	month day	year		ee instructions)
Condition of conveyance	<u> </u>					
Condition of conveyance		f. Conveyance which	consists of a	. \square Option assig	ınment -	or surrender
a. Conveyance of fee i	interest	mere change of idea ownership or organi	nuty or form of			
h		Form TP-584.1, Schedu	ization (attach ule F) M	. Leasehold a	ssianme	ent or surrender
b. Acquisition of a contro	•				•	
percentage acquired_	%)	g. Conveyance for whi	ch credit for tax n.	. 🗆 Leasehold g	rant	
c. Transfer of a control	lima lataurat ()	previously paid will I Form TP-584.1, Sched	De Claimed (attach Iule G)			
	· · · · · · · · · · · · · · · · · · ·		0.	☐ Conveyance	of an ea	asement
percentage transferr	red%)	h. \square Conveyance of coope	• • •			
d. Conveyance to coor	D. ☑ Conveyance for which exemption from transfer tax claimed (complete					ch exemption
corporation	orative riousing	i. Syndication		Schedule B,	tax clai	med (complete
		i 🗆 Comunication of the t			•	
e. 🛘 Conveyance pursuar	j. Conveyance of air rights or q. Conveyance of property partly within development rights and partly outside the state					
foreclosure or enforcement of sociality at the						
interest (attach Form TP-584.1, Schedule E) K. Contract assignment r. Conveyance pursuant to divorce or separation Environmental Easement Pursuant s. X Other (describe) to ECL Art. 71 Title 36						
For recording officer's use	Amount received		Date received	M Other (describ	e) to EC	I. Art. 71 Title 36 on number
	Schedule B., Part I	¢			ransacti	on number
	Schedule B., Part I					

	Schedule B – Real estate transfer tax return (Tax Law, Article 31)				
	Part I - Computation of tax due				
	1 Enter amount of consideration for the conveyance (if you are claiming a total exemption from tax, check the exemption claimed box, enter consideration and proceed to Part III)		· · · · · · · · · · · · · · · · · · ·		
	2 Continuing tien deduction (see instructions if property is taken subject to mortgage or lien)	2.			00
	axable consideration (subtract line 2 from line 1)				00
	14x. 42 101 each 4500, or fractional part thereof, of consideration on line 2				
	5 Amount of credit claimed for tax previously paid (see instructions and attach Form TP-584.1, Schedule G)				
		6.		0	00
F	Part II – Computation of additional tax due on the conveyance of residential real property for \$1 million or more				
	- 1.13 amount of consideration for conveyance from part I, line 1)	1.	···		00
	- Taxable deliated attent (multiply line) by the percentage of the premises which is residential real property on shown in O-bard 1. At				100
	3 Total additional transfer tax due* (multiply line 2 by 1% (.01))	3.		0	00
F	Part III – Explanation of exemption claimed on Part I, line 1 (check any boxes that apply)				
•	he conveyance of real property is exempt from the real estate transfer tax for the following reason:				
а	Conveyance is to the United Nations, the United States of America, the state of New York, or any of their instru agencies, or political subdivisions (or any public corporation, including a public corporation created pursuant to compact with another state or Canada)				\boxtimes
b	. Conveyance is to secure a debt or other obligation		***************************************	b	
	Conveyance is without additional consideration to confirm, correct, modify, or supplement a prior conveyance				
	Conveyance of real property is without consideration and not in connection with a sale includior				<u> </u>
	realty as bona fide gifts				X
e.	Conveyance is given in connection with a tax sale	••••••	••••••	е	
f.	Conveyance is a mere change of identity or form of ownership or organization where there is no change in beneficially conversely.	ficial			
	Townstone (This exemption calliot be claimed for a conveyance to a cooperative benefits as a second of the conveyance to a cooperative benefits as a second of the cooperative benefit benefits as a second of the cooperative benefits as a second of	_	y		
	comprising the cooperative dwelling or dwellings.) Attach Form TP-584.1, Schedule F				
g.	Conveyance consists of deed of partition			~	
					Ш
Π,	Conveyance is given pursuant to the federal Bankruptcy Act		••••••	h	
i.	Conveyance consists of the execution of a contract to sell real property, without the use or occupancy of such paths the granting of an option to purchase real property, without the use or occupancy of such property				
			•••••	ı	Ш
•	Conveyance of an option or contract to purchase real property with the use or occupancy of such property where	e the			
	be reliable to the respective and such property was used solely by the grantor as the grantor's necessary	!	nce		
	and deficite of a one-, two-, or three-larnily house, an individual residential condominium unit, or the cale of the	.1.			
	in a cooperative nousing corporation in connection with the grant or transfer of a proprietary loss should assert and			,	_
	individual residential cooperative apartment	••••••	•••••	jl	
	Conveyance is not a conveyance within the meaning of Tax Law, Article 31, section 1401(e) (attach documents				
٠	supporting such claim)	•••••		k [

*The total tax (from Part I, line 6 and Part II, line 3 above) is due within 15 days from the date conveyance. Please make check(s) payable to the county clerk where the recording is to take place. If the recording is to take place in the New York City boroughs of Manhattan, Bronx, Brooklyn, or Queens, make check(s) payable to the **NYC Department of Finance**. If a recording is not required, send this return and your check(s) made payable to the **NYS Department of Taxation and Finance**, directly to the NYS Tax Department, RETT Return Processing, PO Box 5045, Albany NY 12205-5045.

Schedule C — Credit Line Mort	gage Certificate (Tax Law, Article) 11)	
Complete the following only if the i I (we) certify that: (check the appropri	nterest being transferred is a fee s ate box)	imple interest.	
1. X The real property being sold of	r transferred is not subject to an outs	standing credit line mortgage.	
2. The real property being sold o	r transferred is subject to an outstan	ding credit line mortgage. However, an e	exemption from the tax
The transfer of real proper real property (whether as a	ty is a transfer of a fee simple interes a joint tenant, a tenant in common or	t to a person or persons who held a fee otherwise) immediately before the trans	simple interest in the fer.
to one or more of the origin property after the transfer	nal obligors or (B) to a person or entit	d by blood, marriage or adoption to the ty where 50% or more of the beneficial i ed person or persons (as in the case of the transferor).	nterest in such real
The transfer of real propert	y is a transfer to a trustee in bankrup	otcy, a receiver, assignee, or other office	r of a court.
The maximum principal am or transferred is not princip	nount secured by the credit line mort cally improved nor will it be improved	gage is \$3,000,000 or more, and the real by a one- to six-family owner-occupled	I property being sold I residence or dwelling.
above, the amounts secure	of determining whether the maximured by two or more credit line mortgage formation regarding these aggregation	n principal amount secured is \$3,000,00 ges may be aggregated under certain cir on requirements.	00 or more as described cumstances. See
Other (attach detailed expla	nation).		
following reason:		nding credit line mortgage. However, no ered at the time of recording the deed.	tax is due for the
satisfaction of such mortga	ayable for transmission to the credit in ge will be recorded as soon as it is a	ine mortgagee or his agent for the balar vailable.	nce due, and a
4. The real property being transfer	red is subject to an outstanding cred	tit line mortgage recorded in	
by the mortgage is	No exemption from	The maximum principal amount of debratax is claimed and the tax of	
is being paid herewith. (Make cl New York City but not in Richm	heck payable to county clerk where cond County, make check payable to	deed will be recorded or, if the recording the NYC Department of Finance.)	is to take place in
Signature (both the grantor(s) and	d grantee(s) must sign)		
The undersigned certify that the above attachment, is to the best of his/her kno receive a copy for purposes of recordin Tecumseh Redevelopment, Inc.	owledge, true and complete, and aut g the deed or other instrument effec	A, B, and C, including any return, certific horize the person(s) submitting such for ting the conveyance.	m on their behalf to
	Vice President of Environmental	w York State Department of Environmental	Conservation - 1
Grantor signature	Affairs and Real Estate By	Grantee signature	Brean Chif
Grantor signature	Title	Grantee signature	Title
Reminder: Did you complete all of the	required information in Schedules A,	<u> </u>	

Reminder: Did you complete all of the required information in Schedules A, B, and C? Are you required to complete Schedule D? If you checked *e*, *f*, or *g* in Schedule A, dld you complete Form TP-584.1? Have you attached your check(s) made payable to the county clerk where recording will take place or, if the recording is in the New York City boroughs of Manhattan, Bronx, Brooklyn, or Queens, to the *NYC Department of Finance*? If no recording is required, send your check(s), made payable to the *Department of Taxation and Finance*, directly to the NYS Tax Department, RETT Return Processing, PO Box 5045, Albany NY 12205-5045.

Schedule D - Certification of exemption from the payment of estimated personal income tax (Tax Law, Article 22, section 663)

Complete the following only if a fee simple interest or a cooperative unit is being transferred by an individual or estate or trust.

If the property is being conveyed by a referee pursuant to a foreclosure proceeding, proceed to Part II, and check the second box under Exemptions for nonresident transferor(s)/seller(s) and sign at bottom.

Part I - New York State residents

If you are a New York State resident transferor(s)/seller(s) listed in Schedule A of Form TP-584 (or an attachment to Form TP-584), you must sign the certification below. If one or more transferors/sellers of the real property or cooperative unit is a resident of New York State, each resident transferor/seller must sign in the space provided. If more space is needed, please photocopy this Schedule D and submit as many schedules as necessary to accommodate all resident transferors/sellers.

Certification of resident transferor(s)/seller(s)

This is to certify that at the time of the sale or transfer of the real property or cooperative unit, the transferor(s)/seller(s) as signed below was a resident of New York State, and therefore is not required to pay estimated personal income tax under Tax Law, section 663(a) upon the sale or transfer of this real property or cooperative unit.

Print full name	Date
Print full name	Date
Print full name	Date
Print full name	Date
	Print full name Print full name

Note: A resident of New York State may still be required to pay estimated tax under Tax Law, section 685(c), but not as a condition of recording a deed.

Part II - Nonresidents of New York State

If you are a nonresident of New York State listed as a transferor/seller in Schedule A of Form TP-584 (or an attachment to Form TP-584) but are not required to pay estimated personal income tax because one of the exemptions below applies under Tax Law, section 663(c), check the box of the appropriate exemption below. If any one of the exemptions below applies to the transferor(s)/seller(s), that transferor(s)/seller(s) is not required to pay estimated personal income tax to New York State under Tax Law, section 663. **Each** nonresident transferor/seller who qualifies under one of the exemptions below must sign in the space provided. If more space is needed, please photocopy this Schedule D and submit as many schedules as necessary to accommodate all nonresident transferors/sellers.

If none of these exemption statements apply, you must complete Form IT-2663, Nonresident Real Property Estimated Income Tax Payment Form, or Form IT-2664, Nonresident Cooperative Unit Estimated Income Tax Payment Form. For more information, see Payment of estimated personal income tax, on page 1 of Form TP-584-I.

Exemption for nonresident transferor(s)/seller(s)

This is to certify that at the time of the sale or transfer of the real property or cooperative unit, the transferor(s)/seller(s) (grantor) of this real property or cooperative unit was a nonresident of New York State, but is not required to pay estimated personal income tax under Tax Law, section 663 due to one of the following exemptions:

The real property or cooperative unit being sold or transferred qua (within the meaning of Internal Revenue Code, section 121) from	lifies in tota	l as the transfe to	eror's/seller's principal residend _ (see instructions).	се
The transferor/seller is a mortgagor conveying the mortgaged proposed no additional consideration.	perty to a mo	ortgagee in foi	reclosure, or in lieu of foreclosu	ure with
The transferor or transferee is an agency or authority of the United New York, the Federal National Mortgage Association, the Federal Mortgage Association, or a private mortgage insurance company.	Home Loan	merica, an age n Mortgage Co	ency or authority of the state o rporation, the Government Na	f tional

Signature	Print full name	Date
Signature	Print full name	Date
Signature	Print full name	Date
Signature	Print full name	Date

PERMANENT EASEMENT AGREEMENT

THIS PERMANENT EASEMENT AGREEMENT (this "Agreement") is made as of this day of _________, 2022 (the "Effective Date") by and between the COUNTY OF ERIE, with offices at 95 Franklin Street, Buffalo, New York, hereinafter referred to as the "County and/or the "Grantor", and BLD VII, LLC, now known as Renaissance 8, LLC, its successors and assigns with an address of University Corporate Centre, 100 Corporate Pkwy, Suite 500, Amherst, NY 14226-1295 (hereinafter referred to as the "Grantee" or "BLD VII," the definition of "BLD VII" or "Grantee" shall include BLD VII now known as Renaissance 8, LLC, and its successors and assigns, as well as its employees, agents, contractors, subcontractors, engineers and invitees) (the County and BLD VII are collectively referred to herein as the "Parties" and individually as a "Party").

RECITALS:

WHEREAS, the County is the owner of certain 6.96 acre parcel of real property situated in the City of Lackawanna, County of Erie and State of New York, which currently bears SBL #141.11-1-48.132 real property, and is more particularly described in deed recorded in the Erie County Clerk's Office in Liber 11353 of Deeds on Page 8397, and serves the public as a bike path (the "Bike Path Property"); and

WHEREAS, BLD VII is in the process of developing a certain 10.26 acre parcel on the property commonly, and hereinafter known "8 Dona Street" (which currently bears SBL # 141.11-1-6) acquired by BLD VII, by virtue of a Deed recorded at Liber 11388, page 7767 in the books of deeds maintained in the Clerk's Office of Erie County New York; and

WHEREAS, BLD VII seeks a permanent easement under a portion of the Bike Path Property for the purpose of establishing, installing, constructing, maintaining, repairing, removing, replacing, operating, inspecting (collectively, the "Work"), in, under, through and across the Bike Path Property, which will receive potential overflow from a storm water infiltration basin being developed at 8 Dona Street to manage storm water at 8 Dona Street in accordance with a municipally approved Storm Water Protection Plan (SWPP); and

WHEREAS, BLD VII has been made aware that the Bike Path Property has been improved in accordance with the New York State Brownfield Cleanup Program (the "BCP"), and its use and development is restricted by an Environmental Easement, and a certain Soils Management Plan (SMP) on file with New York State Department of Environment Region 9 under BCP parcel identification number I-12-BCP-915197L.

Now Therefore, in consideration of the mutual promises contained herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties hereto agree as follows:

- 1. <u>Incorporation of Recitals</u>. The recitals set forth above are incorporated and restated herein as material terms of this Agreement; and
- 2. Grant of Permanent Easement. The County hereby grants to BLD VII a non-exclusive fifteen (15) foot wide permanent easement, centered on the proposed pipeline, over, under and across the portion of the Bike Path Property, at the location identified on the drawing attached hereto as Exhibit A and laying within the area described on the attached Exhibit B (collectively referred to herein as the "Easement Premises") (collectively referred to herein as the "Easement Premises") solely for the purpose of entering the Easement Premises: (a) to perform the Work; (b) to establish, install, construct, maintain, repair, remove, replace and operate a storm sewer and related appurtenances within the Easement Premises at BLD VII's sole cost and expense and with due care to connect to the existing public stormwater line in the Hamburg Turnpike, also known as State Route 5, right of way and (c) to have unimpaired ingress, egress and access to and from the Easement Area as is necessary and/or convenient to the exercise of the rights granted herein (the "Easement"); and
- 3. Compliance with BCP and Soils Management Plan. The Grantee shall strictly comply with all aspects of the SMP governing the site, and BLD VII further expressly acknowledges and agrees this Agreement is expressly subject to that certain Environmental Easement affecting that portion of the Easement Premises as more particularly described in said Environmental Easement as New York State Brownfield Cleanup Program Site No. I-12-BCP-915197L, held by the New York State Department of Environmental Conservation and recorded in the Erie County Clerk's Office on July 14, 2014 in Liber 11266 of Deeds at page 5436 and in Liber 11266 of Deeds at page 5455 (the "Environmental Easement"), and Grantor and Grantee hereby covenant and agree that the Easement Premises shall be utilized in accordance with the terms, conditions and requirements of said Environmental Easement.

The Parties further acknowledge, covenant, and agree that until such time as said Environmental Easement is extinguished in accordance with the requirements of New York State Environmental Conservation Law Article 71, Title 36, this Agreement and all subsequent instruments of conveyance related to the Easement Premises shall state in at least fifteen-point bold face type:

This property is subject to an Environmental Easement held by the New York State Department of Environmental Conservation pursuant to Title 36 of Article 71 of the Environmental Conservation Law; and

- 4. <u>Method of Crossing Bike Path</u>. The Work that takes place under the existent asphalt bike path, on the Bike Path Property shall be pushed under the existing improvement so as not to damage the bike path; and
- 5. Notification of Commencement of Work. At lease thirty days (unless a shorter period agreed to by the County in writing) prior to the commencement of any work involving any disruption of soils at the site, BLD VII shall notify the Erie County Department of Environment and Planning, and the Department of Remediation of Region 9 of the New York State Department of Environmental Conservation; and

- 6. Proof of Insurance Prior to Commencement of any Work. At lease thirty days (unless a shorter period agreed to by the County in writing) prior to commencement of any work, on any occasion, at the Bike Path Property, BLD VII, and any of its contractor's or agents entering the site, shall provide proof of adequate insurance in amounts and form deemed adequate to the Erie County Attorney' Office; and
- days (unless a shorter period agreed to by the County in writing) prior to the commencement of any work at the Site, BLD VII shall be responsible for providing to the County work plans for contemplated work, and proof of obtaining all required approvals from any applicable federal, state, or local authorities, and shall provide the County Department of Environment and Planning proof of obtaining a permit to discharge into the storm sewer underlaying New York State Route 5. The Work shall contain the date for completion of the work, and the plans for protecting any excavations with fencing, and the date for completion of site restoration. Work shall not proceed until plans are approved by County Parks Department; and
- 8. <u>Cost; Restoration</u>. BLD VII shall be responsible for one hundred percent (100%) of all costs and expenses associated with the Work and the performance of its obligations hereunder. Within 14 days of completion of the Work, or other entry into the Easement Premises, unless said time period is extended in writing by the County, BLD VII agrees, at BLD VII's sole cost and expense, and with due diligence, to promptly restore the Easement Premises, the Property and all improvements located on the Property to good condition and state of repair (and to at least as good of a condition which existed immediately prior to the exercise of any of the rights granted herein); and
- 9. <u>Certification of Compliance with BCP</u>; Within thirty (30) days of completion of any work activities authorized in whole or in part on the Bike Path Property the Grantee shall have a Qualified Environmental Professional (as that term is defined at 6 NYCRR 375-1.2) certify to the County that all work was performed, and the site was restored in accordance with the SMP for the Bike Path Property; and
- 10. Ownership of the Improvements. BLD VII hereby agrees and acknowledges that any improvements constructed by BLD VII (i) are the sole property of BLD VII; (ii) shall be BLD VII's sole responsibility to operate, maintain, repair, remove and replace; (iii) shall be under the BLD VII's exclusive control and supervision at all times; and (iv) shall be used by the BLD VII solely for the benefit of 8 Dona Street; and
- Indemnification. BLD VII hereby assumes any and all risks associated with the Work. BLD VII shall indemnify, defend and hold the County harmless from and against any and all liabilities, losses, expenses (including reasonable attorneys' fees), causes of action, damages, claims, suits, judgments and actions to persons or property arising out of, or alleged to arise out of (i) the Work; (ii) the exercise of BLD VII's rights hereunder; or (iii) BLD VII's access or use of the Bike Path Property for the Easement; and

- 12. <u>Duration; Successors and Assigns</u>. This Agreement shall run with the land and shall bind and inure to the benefit of the Parties hereto and their respective successors and assigns; and
- 13. Entire Agreement. This Agreement and the exhibits attached hereto constitute the sole and complete agreement and understanding of the Parties hereto with respect to the rights granted herein and supersede all prior written or oral agreements and understandings with respect to the rights granted herein; and
- 14. <u>Severability</u>. In the event any provision of this Agreement is held to be invalid, illegal or unenforceable for any reason or in any respect, such invalidity, illegality or unenforceability will in no event affect, prejudice or disturb the validity of the remainder of this Agreement, which will be and remain in full force and effect, enforceable in accordance with its terms; and
- 15. <u>Governing Law</u>. This Agreement shall be governed by and construed in accordance with the laws of the State of New York, without regard to conflicts of law principles; and
- 16. <u>Modifications</u>. This Agreement shall not be modified or changed except in a writing in recordable form executed by the County, or future public entity who has assumed ownership of the Improvements described herein, and the then-current owner(s) of the Property burdened by the terms of this Agreement which are desired to be so modified or changed; and
- 17. <u>Notices</u>. Any notice, demand, request or other communication required or permitted under this Agreement shall be in writing and shall be deemed to have been properly given if delivered personally, or sent by United States registered or certified mail, return receipt requested, postage prepaid, or by a nationally recognized overnight courier service to the applicable Party at its respective address as set forth below.

If to the County to:

Erie County Department of Environment and Planning 95 Franklin Street, 10th Floor Buffalo NY 14202 Attn: Commissioner

With a copy to:

Erie County Attorney 95 Franklin Street, Rm. 1634 Buffalo, NY 14202

If to BLD VII to:

University Corporate Centre 100 Corporate Pkwy | Suite 500 Amherst, NY 14226-1295 Attn: Michael J. Montante, President With a copy to:

Uniland Development Company 100 Corporate Parkway, Suite 500 Amherst, NY 14226-1295

Attn: Counsel

Either Party hereto by written notice to the other may change the address or the persons to whom notices or copies thereof will be directed.

- 18. <u>Headings</u>. The headings of the paragraphs contained herein are intended for reference purposes only and shall not be used to interpret the agreements contained herein or the rights granted hereby.
- 19. **Exhibits**. All exhibits referred to herein and attached hereto shall be deemed part of this Agreement.
- 20. <u>Ratification</u>. The County confirms, ratifies and accepts all of the terms and conditions of this Agreement by its execution hereof.
- 21. <u>Counterparts</u>. This Agreement may be executed in multiple counterparts, each of which shall be deemed an original and all of which together shall constitute but one and the same instrument.

[The remainder of this page is intentionally left blank and signature pages follow.]

SIGNATURE PAGE TO PERMANENT EASEMENT AGREEMENT

IN WITNESS WHEREOF, the Parties have executed and delivered this Agreement as of the Effective Date.

BY: 71 Junt 6/10/22

NAME: Mania Julya

TITLE: Dsp-f Co-by Execolor

STATE OF NEW YORK)
COUNTY OF ERIE) ss.:

On the day of day of in the year 2022 before me, the undersigned, a Notary Public in and for said State, personally appeared Maria Why to, 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/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

JOYCE L CWIKLINSKI
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01CW6304081
Qualified in Erie County
My Commission Expires MAY 19, 2026

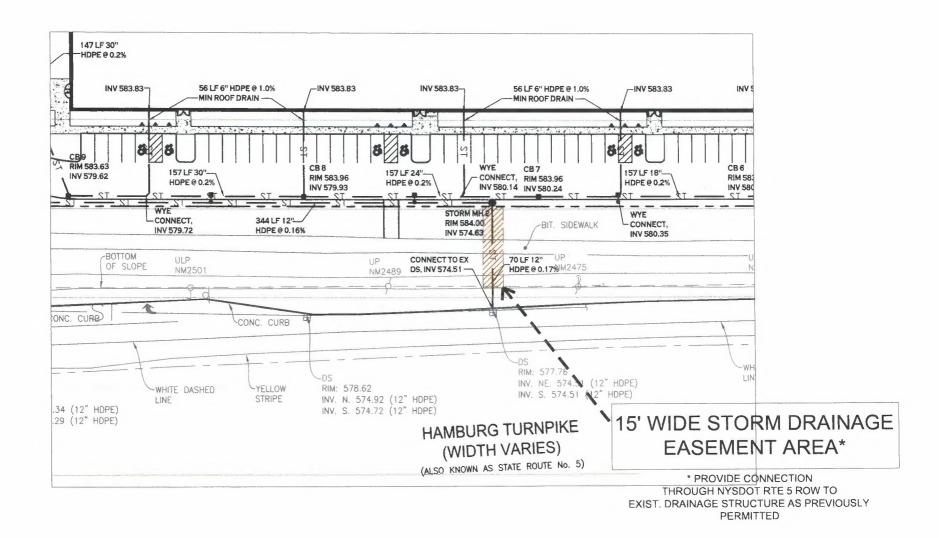
NOTARY PUBLIC

SIGNATURE PAGE TO PERMANENT EASEMENT AGREEMENT

BLD VII, LLC, now known as Renaissance 8, LLC

iname:	Michael J. Miontante
Title:	Authorized Person
State of New York)	
County of Erie) ss.:	
On the 31 day of My Notary Public in and for said State, personally to me or proved to me on the basis of satisfacto subscribed to the within instrument and acknow his/her capacity, and that by his/her signature o upon behalf of which the individual acted, execution	vledged to me that he/she executed the same in in the instrument, the individual, or the person

EXHIBIT A DRAWING OF THE EASEMENT PREMISES



8 Dona Street | Renaissance Commerce Park | Lackawanna, New York



EXHIBIT B

DESCRIPTION OF THE PROPERTY OF THE COUNTY OF ERIE

Schedule B-1 to Declaration <u>Description of Premises</u>

Parcel A:

ALL THAT TRACT OR PARCEL OF LAND situate in the City of Lackawanna, County of Erie, State of New York being part of Lots 24 and 36, Township 10, Range 8 of the Buffalo Creek Reservation (so-called) and part of Lots 20, 21 and 24 of the Ogden Gore Tract, bounded and described as follows:

BEGINNING at a point on westerly boundary of the Hamburg Turnpike, New York State Route 5 at its intersection with the southerly line of Parcel II-8, also known as BCP Site No. C915198H as shown on a Map entitled Lands to be conveyed to Buffalo and Erie County Industrial Land Development Corporation, prepared by Wendel Engineers, P.C., Project No. 411110 date May 3, 2017;

THENCE through the lands of Tecumseh Redevelopment Inc., the following eight (8) courses and distances:

- 1) S-71°-00'-00"-W along the centerline of said easement and the south line of said Parcel II-8 a distance of 49.87 feet;
- 2) N-18°-27-18"-W, a distance of 331.83 feet;
- 3) N-18°-25-54"-W, a distance of 1013.10 feet;
- 4) N-20°-11-07"-W, a distance of 1036.08 feet;
- 5) N-17°-56-46"-W, a distance of 1751.28 feet;
- 6) N-18°-59-27"-W, a distance of 902.93 feet;
- 7) N-16°-10-22"-W, a distance of 184.31 feet to the northerly line of Parcel I-8, also known as BCP Site No. C915197H as shown on a Map entitled Lands to be conveyed to Buffalo and Erie County Industrial Land Development Corporation, prepared by Wendel Engineers, P.C., Project No. 411110 date May 3, 2017;
- 8) N-71°-00'-00"E a distance of 50.05 feet to a point on the first mentioned westerly boundary of the Hamburg Turnpike, New York State Route 5;

THENCE along said westerly boundary the following twenty three (23) courses and distances:

- 1) S-16°-04'-57"-E a distance of 186.30 feet;
- 2) S-18°-29'-00"-E a distance of 30.00 feet;
- 3) S-18°-28'-38"-E a distance of 355.00 feet;
- 4) S-71°-39'-20"-W a distance of 2.00 feet;
- 5) S-18°-28'-44"-E a distance of 223.00 feet;
- 6) S-22°-17'-43"-E a distance of 150.35 feet;
- 7) S-18°-28'-39"-E a distance of 512.00 feet;
- 8) S-16°-37'-53"-E a distance of 260.12 feet;
- 9) S-18°-22'-18"-E a distance of 793.00 feet;
- 10) S-71°-35'-29"-W a distance of 4.00 feet;
- 11) S-18°-01'-20"-E a distance of 132.00 feet;
- 12) N-71°-35'-29"-E a distance of 4.67 feet;
- 13) S-18°-17'-48"-E a distance of 38.00 feet;
- 14) S-71°-35'-29"-W a distance of 4.86 feet;

- 15) S-18°-01'-20"-E a distance of 160.00 feet;
- 16) N-71°-35'-29"-E a distance of 9.80 feet;
- 17) S-18°-24'-31"-E a distance of 159.00 feet;
- 18) S-71°-35'-29"-W a distance of 3.89 feet;
- 19) S-18°-22'-14"-E a distance of 180.00 feet;
- 20) S-20°-44'-09"-E a distance of 8.40 feet;
- 21) S-20°-45'-14"-E a distance of 129.67 feet;
- 22) S-22°-43'-04"-E a distance of 272.45 feet;
- 23) S-18°-25'-27"-E a distance of 1631.09 feet to the POINT OR PLACE OF BEGINNING.

Parcel B:

ALL THAT TRACT OR PARCEL OF LAND situate in the City of Lackawanna, County of Erie, State of New York being part of Lot 36, Township 10, Range 8 of the Buffalo Creek Reservation, bounded and described as follows:

BEGINNING at a point on westerly boundary line of the Hamburg Turnpike, New York State Route 5 at its intersection with the southerly line of Parcel I-11, also known as BCP Site No. C915197K, and which line is also the northerly line of Parcel I-8, also known as BCP Site No. C915197H, as shown on a Map entitled Lands to be conveyed to Buffalo and Erie County Industrial Land Development Corporation, prepared by Wendel Engineers, P.C., Project No. 411110 date May 3, 2017;

THENCE, the following three (3) courses and distances:

- 1) S-71°-00'-00"-W along the south of said Parcel I-II a distance of 50.05 feet to a point;
- 2) N-16°-10-22"-W, a distance of 298.51 feet to a point:
- 3) N-19°-21-42"-W, a distance of 276.67 feet to a point on the southerly line of property conveyed to Gateway Trade Center, Inc. by deed recorded at Liber 10886 of Deeds at page 1115, which line is also the northerly line of Parcel I-11;

THENCE N 70° 59' 36" E along said north line of Parcel I-11, a distance of 49.95 feet to point of the first mentioned westerly boundary line of the Hamburg Turnpike, New York State Route 5:

THENCE along said westerly boundary line of the Hamburg Turnpike the following two (2) courses and distances:

- 1) S-19°-33'-00"-E a distance of 279.01 feet;
- 2) S-16°-04'-57"-E a distance of 296.01 feet to the POINT OR PLACE OF BEGINNING.



Department of Taxation and Finance

Combined Real Estate Transfer Tax Return, Credit Line Mortgage Certificate, and Certification of Exemption from the Payment of Estimated Personal Income Tax

Recording office time stamp

See Form TP-584-L Inst	ructions for Form TE	2-584, before completing th	is form. Print or type	9			
Schedule A - Inform			io roini, r mic or typ	<u> </u>			
Grantor/Transferor			if more than one grantor	-)	Socia	Security number (SSN)	
☐ Individual	Name (if individual, last, first, middle initial) (mark an X if more than one grantor) Social Security number (SSN) County of Erie						
☐ Corporation	0.4 - 111 1.1	/ - / -	, , ,		SSN		
☐ Partnership	95 FAA.	nkla St, B	Lato NY	14707			
Estate/Trust	City	State		ZIP code	Emplo	yer Identification Number (EIN)	
	Bodhala	Oldio		Zii oodo	Linpio	yor raonamadaan raamaa (Enty	
☐ Single member LLC ☐ Multi-member LLC		e if grantor is a single member	11C (see instructions)		Single	e member EIN or SSN	
	Single member s nam	ie ii grantor is a single member	LLO (see msaucaons)		Omigic	S MOMBOL ENVOLOGIV	
✓ Other Grantee/Transferee	Nama (if individual last	first, middle initial) (mark an X	if mare then one eventer	-1	SSN		
	Renaissance 8, LL	· · · · · · · · · · · · · · · · · · ·	ii more man one grantes	=)	SSIN		
☐ Individual	Mailing address	C INA BLD VII, LLC			SSN		
Corporation	•	augu Cuita E00			33N		
Partnership	100 Corporate Park			715			
Estate/Trust	City	State		ZIP code	EIN		
Single member LLC	Amherst	NY		14226		06-1743757	
☐ Multi-member LLC		e if grantee is a single membe	r LLC (see instructions)		Single	e member EIN or SSN	
Other	Uniland Ventures, L					84-3980012	
Location and description		ed					
Tax map designation – Section, block & lot (include dots and dashes)	SWIS code (six digits)	Street address		City, town, or vill	age	County	
141.15-1-6	140900	8 Dona Street		Lackawanna		Erie	
 One- to three-famil Residential cooper Residential condor Vacant land Commercial/indust 	ative 7 ninium 8	☐ Apartment building ☐ Office building ☐ Four-family dwelling ☐ Other	Date of conveys	Percentage of real property conveyed which is residential real property0% (see instructions)			
Condition of conveyance (mark an X in all that apply) a. Conveyance of fee	interest	f. Conveyance which of mere change of iden ownership or organiz Form TP-584.1, Schedu	tity or form of zation <i>(attach</i>	□ Option assignment or surrender □ Leasehold assignment or surrender			
 Acquisition of a contribution percentage acquired 	,	g. Conveyance for which previously paid will be Form TP-584.1, Sched	e claimed (attach	O. E. Conveyance of an easement			
c. Transfer of a contro percentage transfer	*	h. Conveyance of cooper	rative apartment(s)				
d. Conveyance to coo corporation	perative housing	i. Syndication					
 Conveyance pursua foreclosure or enfor interest (attach Form) 	cement of security	 j. Conveyance of air rig development rights k. Contract assignment 		r. Conveyance pursuant to divorce or sepa		t to divorce or separation	
s. Other (describe)							
For recording officer's use	Amount received Schedule B, Part Schedule B, Part		Date received		Transac	tion number	
		- Ψ	1				

P	art 1 - Computation of tax due			
	1 Enter amount of consideration for the conveyance (if you are claiming a total exemption from tax, mark an X in the			
	Exemption claimed box, enter consideration and proceed to Part 3)	1.		0
	2 Continuing lien deduction (see instructions if property is taken subject to mortgage or lien)	2.		0
	3 Taxable consideration (subtract line 2 from line 1)	3. 4.		0
	4 Tax: \$2 for each \$500, or fractional part thereof, of consideration on line 3	5.		+
	6 Total tax due* (subtract line 5 from line 4)	6.		-
	o total tax due (subtract line 5 nom line 4)	0.		
Р	art 2 - Computation of additional tax due on the conveyance of residential real property for \$1 million or more			
	1 Enter amount of consideration for conveyance (from Part 1, line 1)	1.		
	2 Taxable consideration (multiply line 1 by the percentage of the premises which is residential real property, as shown in Schedule A)	2.		
	3 Total additional transfer tax due* (multiply line 2 by 1% (.01))			
TI	art 3 – Explanation of exemption claimed on Part 1, line 1 (mark an X in all boxes that apply) ne conveyance of real property is exempt from the real estate transfer tax for the following reason: Conveyance is to the United Nations, the United States of America, New York State, or any of their instrumental or political subdivisions (or any public corporation, including a public corporation created pursuant to agreement with another state or Canada)	or compa	ct	
).	Conveyance is to secure a debt or other obligation	, . ,	b	
).	Conveyance is without additional consideration to confirm, correct, modify, or supplement a prior conveyance		с	
d.	Conveyance of real property is without consideration and not in connection with a sale, including conveyances of realty as bona fide gifts		d	>
≥.	Conveyance is given in connection with a tax sale		e	
	Conveyance is a mere change of identity or form of ownership or organization where there is no change in bene ownership. (This exemption cannot be claimed for a conveyance to a cooperative housing corporation of real procomprising the cooperative dwelling or dwellings.) Attach Form TP-584.1, Schedule F	operty	f	
J.	Conveyance consists of deed of partition		g	
١.	Conveyance is given pursuant to the federal Bankruptcy Act		h	
	Conveyance consists of the execution of a contract to sell real property, without the use or occupancy of such property the granting of an option to purchase real property, without the use or occupancy of such property			
	Conveyance of an option or contract to purchase real property with the use or occupancy of such property where consideration is less than \$200,000 and such property was used solely by the grantor as the grantor's personal and consists of a one-, two-, or three-family house, an individual residential condominium unit, or the sale of stoci in a cooperative housing corporation in connection with the grant or transfer of a proprietary leasehold covering individual residential cooperative apartment.	residence ck an	j	
	Conveyance is not a conveyance within the meaning of Tax Law, Article 31, § 1401(e) (attach documents supporting such claim)			_

^{*} The total tax (from Part 1, line 6 and Part 2, line 3 above) is due within 15 days from the date of conveyance. Make check(s) payable to the county clerk where the recording is to take place. For conveyances of real property within New York City, use Form TP-584-NYC. If a recording is not required, send this return and your check(s) made payable to the NYS Department of Taxation and Finance, directly to the NYS Tax Department, RETT Return Processing, PO Box 5045, Albany NY 12205-0045. If not using U.S. Mail, see Publication 55, Designated Private Delivery Services.

following reason: a A certificate of discharge of the credit line mortgage is being offered at the time of recording the deed. b A check has been drawn payable for transmission to the credit line mortgagee or mortgagee's agent for the balance due, and a satisfaction of such mortgage will be recorded as soon as it is available. 4. The real property being transferred is subject to an outstanding credit line mortgage recorded in	Schedule C – Credit Line Mortgage Certificate (Tax Law Article 11)
2. The real property being sold or transferred is subject to an outstanding credit line mortgage. However, an exemption from the tax is claimed for the following reason: a The transfer of real property is a transfer of a fee simple interest to a person or persons who held a fee simple interest in the real property (whether as a joint tenant, a tenant in common or otherwise) immediately before the transfer. b The transfer of real property is (A) to a person or persons related by blood, marriage or adoption to the original obligor or to one or more of the original obligors or (B) to a person or entity where 50% or more of the beneficial interest in such real property after the transfer is held by the transfer or such related person or persons (as in the case of a transfer to a trustee for the benefit of a minor or the transfer to a truste for the benefit of the transfer or). c The transfer of real property is a transfer to a trustee in bankruptcy, a receiver, assignee, or other officer of a court. d The maximum principal amount secured by the credit line mortgage is \$3 million or more, and the real property being sold or transferred is not principally improved nor will it be improved by a one- to six-family owner-occupied residence or dwelling. Note: for purposes of determining whether the maximum principal amount secured is \$3 million or more as described above, the amounts secured by two or more credit line mortgages may be aggregated under certain circumstances. See TSB-M-96(6)-R for more information regarding these aggregation requirements. e Other (attach detailed explanation). 3. The real property being transferred is presently subject to an outstanding credit line mortgage. However, no tax is due for the following reason: a A certificate of discharge of the credit line mortgage is being offered at the time of recording the deed. b A check has been drawn payable for transmission to the credit line mortgage or mortgage's agent for the balance due, and a satisfaction of such mortgage will be recorded	
is claimed for the following reason: a	1. X The real property being sold or transferred is not subject to an outstanding credit line mortgage.
real property (whether as a joint tenant, a tenant in common or otherwise) immediately before the transfer. b	
to one or more of the original obligors or (B) to a person or entity where 50% or more of the beneficial interest in such real property after the transfer is held by the transferor or such related person or persons (as in the case of a transfer to a trustee for the benefit of a minor or the transfer to a trust for the benefit of the transferor). c	a The transfer of real property is a transfer of a fee simple interest to a person or persons who held a fee simple interest in the real property (whether as a joint tenant, a tenant in common or otherwise) immediately before the transfer.
d The maximum principal amount secured by the credit line mortgage is \$3 million or more, and the real property being sold or transferred is not principally improved nor will it be improved by a one- to six-family owner-occupied residence or dwelling. Note: for purposes of determining whether the maximum principal amount secured is \$3 million or more as described above, the amounts secured by two or more credit line mortgages may be aggregated under certain circumstances. See TSB-M-96(6)-R for more information regarding these aggregation requirements. e Other (attach detailed explanation). The real property being transferred is presently subject to an outstanding credit line mortgage. However, no tax is due for the following reason: a A certificate of discharge of the credit line mortgage is being offered at the time of recording the deed. b A check has been drawn payable for transmission to the credit line mortgage or mortgagee's agent for the balance due, and a satisfaction of such mortgage will be recorded as soon as it is available. The real property being transferred is subject to an outstanding credit line mortgage recorded in (insert liber and page or reel or other identification of the mortgage). The maximum principal amount of debt or obligation secured by the mortgage is	to one or more of the original obligors or (B) to a person or entity where 50% or more of the beneficial interest in such real property after the transfer is held by the transferor or such related person or persons (as in the case of a transfer to a trustee for
Note: for purposes of determining whether the maximum principal amount secured is \$3 million or more as described above, the amounts secured by two or more credit line mortgages may be aggregated under certain circumstances. See TSB-M-96(6)-R for more information regarding these aggregation requirements. e Other (attach detailed explanation). The real property being transferred is presently subject to an outstanding credit line mortgage. However, no tax is due for the following reason: a A certificate of discharge of the credit line mortgage is being offered at the time of recording the deed. b A check has been drawn payable for transmission to the credit line mortgagee or mortgagee's agent for the balance due, and a satisfaction of such mortgage will be recorded as soon as it is available. 4. The real property being transferred is subject to an outstanding credit line mortgage recorded in (insert liber and page or reel or other identification of the mortgage). The maximum principal amount of debt or obligation secured by the mortgage is	c The transfer of real property is a transfer to a trustee in bankruptcy, a receiver, assignee, or other officer of a court.
amounts secured by two or more credit line mortgages may be aggregated under certain circumstances. See TSB-M-96(6)-R for more information regarding these aggregation requirements. e Other (attach detailed explanation). The real property being transferred is presently subject to an outstanding credit line mortgage. However, no tax is due for the following reason: a A certificate of discharge of the credit line mortgage is being offered at the time of recording the deed. b A check has been drawn payable for transmission to the credit line mortgage or mortgagee's agent for the balance due, and a satisfaction of such mortgage will be recorded as soon as it is available. The real property being transferred is subject to an outstanding credit line mortgage recorded in (insert liber and page or ere or or deri incompage). The maximum principal amount of debt or obligation secured by the mortgage is	
The real property being transferred is presently subject to an outstanding credit line mortgage. However, no tax is due for the following reason: a A certificate of discharge of the credit line mortgage is being offered at the time of recording the deed. b A check has been drawn payable for transmission to the credit line mortgagee or mortgagee's agent for the balance due, and a satisfaction of such mortgage will be recorded as soon as it is available. 4. The real property being transferred is subject to an outstanding credit line mortgage recorded in (insert liber and page or reel or other identification of the mortgage). The maximum principal amount of debt or obligation secured by the mortgage is	amounts secured by two or more credit line mortgages may be aggregated under certain circumstances. See TSB-M-96(6)-R for
following reason: a A certificate of discharge of the credit line mortgage is being offered at the time of recording the deed. b A check has been drawn payable for transmission to the credit line mortgagee or mortgagee's agent for the balance due, and a satisfaction of such mortgage will be recorded as soon as it is available. 4. The real property being transferred is subject to an outstanding credit line mortgage recorded in	e Other (attach detailed explanation).
b A check has been drawn payable for transmission to the credit line mortgagee or mortgagee's agent for the balance due, and a satisfaction of such mortgage will be recorded as soon as it is available. 4. The real property being transferred is subject to an outstanding credit line mortgage recorded in	
satisfaction of such mortgage will be recorded as soon as it is available. 4. The real property being transferred is subject to an outstanding credit line mortgage recorded in	a A certificate of discharge of the credit line mortgage is being offered at the time of recording the deed.
(insert liber and page or reel or other identification of the mortgage). The maximum principal amount of debt or obligation secured by the mortgage is No exemption from tax is claimed and the tax of is being paid herewith. (Make check payable to county clerk where deed will be recorded.) Signature (both the grantors and grantees must sign) The undersigned certify that the above information contained in Schedules A, B, and C, including any return, certification, schedule, or attachment, is to the best of their knowledge, true and complete, and authorize the person(s) submitting such form on their behalf to receive a copy for purposes of recording the deed or other instrument effecting the conveyance County of Erie Renaissance 8, LLC fka BLD VII, LLC By: Authorized Agent	
The undersigned certify that the above information contained in Schedules A, B, and C, including any return, certification, schedule, or attachment, is to the best of their knowledge, true and complete, and authorize the person(s) submitting such form on their behalf to receive a copy for purposes of recording the deed or other instrument effecting the conveyance County of Erie Renaissance 8, LLC fka BLD VII, LLC By: By: By: Authorized Agent	(insert liber and page or reel or other identification of the mortgage). The maximum principal amount of debt or obligation secured by the mortgage is No exemption from tax is claimed and the tax of
attachment, is to the best of their knowledge, true and complete, and authorize the person(s) submitting such form on their behalf to receive a copy for purposes of recording the deed or other instrument effecting the conveyance County of Erie Renaissance 8, LLC fka BLD VII, LLC By: By: By: Authorized Agent	Signature (both the grantors and grantees must sign)
ν	By: On Toto Confession By: Much f. Fest Authorized Agent
Grantor signature Title Grantee signature Title	

Reminder: Did you complete all of the required information in Schedules A, B, and C? Are you required to complete Schedule D? If you marked e, f, or g in Schedule A, did you complete Form TP-584.1? Have you attached your check(s) made payable to the county clerk where recording will take place? If no recording is required, send this return and your check(s), made payable to the NYS Department of Taxation and Finance, directly to the NYS Tax Department, RETT Return Processing, PO Box 5045, Albany NY 12205-0045. If not using U.S. Mail, see Publication 55, Designated Private Delivery Services.

Schedule D - Certification of exemption from the payment of estimated personal income tax (Tax Law, Article 22, § 663)

Complete the following only if a fee simple interest or a cooperative unit is being transferred by an individual or estate or trust.

If the property is being conveyed by a referee pursuant to a foreclosure proceeding, proceed to Part 2, mark an X in the second box under Exemption for nonresident transferors/sellers, and sign at bottom.

Part 1 - New York State residents

If you are a New York State resident transferor/seller listed in Form TP-584, Schedule A (or an attachment to Form TP-584), you must sign the certification below. If one or more transferor/seller of the real property or cooperative unit is a resident of New York State, **each** resident transferor/seller must sign in the space provided. If more space is needed, photocopy this Schedule D and submit as many schedules as necessary to accommodate all resident transferors/sellers.

Certification of resident transferors/sellers

This is to certify that at the time of the sale or transfer of the real property or cooperative unit, the transferor/seller as signed below was a resident of New York State, and therefore is not required to pay estimated personal income tax under Tax Law § 663(a) upon the sale or transfer of this real property or cooperative unit.

Signature	Print full name	Date
Signature	Print full name	Date
Signature	Print full name	Date
Signature	Print full name	Date

Note: A resident of New York State may still be required to pay estimated tax under Tax Law § 685(c), but not as a condition of recording a deed.

Part 2 - Nonresidents of New York State

If you are a nonresident of New York State listed as a transferor/seller in Form TP-584, Schedule A (or an attachment to Form TP-584) but are not required to pay estimated personal income tax because one of the exemptions below applies under Tax Law § 663(c), mark an X in the box of the appropriate exemption below. If any one of the exemptions below applies to the transferor/seller, that transferor/seller is not required to pay estimated personal income tax to New York State under Tax Law § 663. Each nonresident transferor/seller who qualifies under one of the exemptions below must sign in the space provided. If more space is needed, photocopy this Schedule D and submit as many schedules as necessary to accommodate all nonresident transferors/sellers.

If none of these exemption statements apply, you must complete Form IT-2663, Nonresident Real Property Estimated Income Tax Payment Form, or Form IT-2664, Nonresident Cooperative Unit Estimated Income Tax Payment Form. For more information, see Payment of estimated personal income tax, on Form TP-584-I, page 1.

Exemption for nonresident transferors/sellers

This is to certify that at the time of the sale or transfer of the real property or cooperative unit, the transferor/seller (grantor) of this real property or cooperative unit was a nonresident of New York State, but is not required to pay estimated personal income tax under Tax Law § 663 due to one of the following exemptions:

due	to one of the following exemptions:
	The real property or cooperative unit being sold or transferred qualifies in total as the transferor's/seller's principal residence
	(within the meaning of Internal Revenue Code, section 121) from to (see instructions).
	The transferor/seller is a mortgagor conveying the mortgaged property to a mortgagee in foreclosure, or in lieu of foreclosure with no additional consideration.
	The transferor or transferee is an agency or authority of the United States of America, an agency or authority of New York State, the Federal National Mortgage Association, the Federal Home Loan Mortgage Corporation, the Government National Mortgage Association, or a private mortgage insurance company.

Signature	Print full name	Date
Signature	Print full name	Date
Signature	Print full name	Date
Signature	Print full name	Date

Appendix 4



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



Sit	e No. C915		Site Details		Box 1	
Sit	e Name Bethlehe	m Shoreline Trail				
Cit Co	e Address: 2303 H y/Town: Lackawar unty:Erie e Acreage: 6.690		Zip Code: 14218			
Re	porting Period: Jur	ne 08, 2023 to August	13, 2024			
					YES	NO
1.	Is the information	above correct?			X	
	If NO, include har	ndwritten above or on	a separate sheet.			
2.		f the site property bee ent during this Reporti	n sold, subdivided, merged, or ing Period?	undergone a		X
3.	Has there been at (see 6NYCRR 37	, ,	e site during this Reporting Per	riod		X
4.	-	, state, and/or local pe erty during this Reporti	rmits (e.g., building, discharge) ing Period?	been issued		X
			thru 4, include documentation usly submitted with this certiful.			
5.	Is the site currentl	ly undergoing develop	ment?			X
					Box 2	
					YES	NO
6.	Is the current site Commercial and I		e use(s) listed below?		X	
7.	Are all ICs in place	e and functioning as d	lesigned?	X		
	IF THE ANSWER TO EITHER QUESTION 6 OR 7 IS NO, sign and date below and DO NOT COMPLETE THE REST OF THIS FORM. Otherwise continue.					
Α (Corrective Measure	s Work Plan must be	submitted along with this form	n to address t	hese iss	ues.
Sig	nature of Owner, Re	emedial Party or Desigr	nated Representative	Date		

				Box 2	A	
_				YES	NO	
8.	Has any new information revealed that assumptions made in the Qualitative Exposure Assessment regarding offsite contamination are no longer valid?			X		
		uestion 8, include documentation or e een previously submitted with this co				
 Are the assumptions in the Qualitative Exposure Assessment still valid? (The Qualitative Exposure Assessment must be certified every five years) 			X			
	If you answered NO to question 9, the Periodic Review Report must include an updated Qualitative Exposure Assessment based on the new assumptions.					
SITE	NO. C915197L			Вох	3	
[Description of Institutional	Controls				
Parce	· · · · · · · · · · · · · · · · · · ·		Institutional Contro	<u>l</u>		
141.1′	141.11-1-48.132 Erie County Dept. Env. & Planning		IC/EC Plan Ground Water Use Restriction Soil Management Plan Landuse Restriction Site Management Plan		tion	
Institutional Control Description:						
Restr Prohi Allow	rence to Site Management P iction to commercial re-use bition of groundwater use ance for Departmental acces ires a Periodic Review and F	ss				
				Вох	(4	
	Description of Engineering	Controls				
Parce		Engineering Control				
141.1	1-1-48.132	Cover System				
Engine	eering Control Description:	,				

Site Cover

Box	5
-----	---

	Periodic Review Report (PRR) Certification Statements			
1.	I certify by checking "YES" below that:			
a) the Periodic Review report and all attachments were prepared under the direction reviewed by, the party making the Engineering Control certification;b) to the best of my knowledge and belief, the work and conclusions described in this are in accordance with the requirements of the site remedial program, and generally an engineering control of the site remedial program.				
				engineering practices; and the information presented is accurate and compete. YES NO
	X			
2.	For each Engineering control listed in Box 4, I certify by checking "YES" below that all of the following statements are true:			
	(a) The Engineering Control(s) employed at this site is unchanged since the date that the Control was put in-place, or was last approved by the Department;			
(b) nothing has occurred that would impair the ability of such Control, to protect public the environment;				
	(c) access to the site will continue to be provided to the Department, to evaluate the remedy, including access to evaluate the continued maintenance of this Control;			
	(d) nothing has occurred that would constitute a violation or failure to comply with the Site Management Plan for this Control; and			
(e) if a financial assurance mechanism is required by the oversight document for the site, the mechanism remains valid and sufficient for its intended purpose established in the document.				
	YES NO			
	\mathbf{X}			
	IF THE ANSWER TO QUESTION 2 IS NO, sign and date below and DO NOT COMPLETE THE REST OF THIS FORM. Otherwise continue.			
	A Corrective Measures Work Plan must be submitted along with this form to address these issues.			
	Signature of Owner, Remedial Party or Designated Representative Date			

IC CERTIFICATIONS SITE NO. C915197L

Box 6

SITE OWNER OR DESIGNATED REPRESENTATIVE SIGNATURE

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

_I John Hood	at 95 Franklin St, Buffalo, NY
print name	print business address
am certifying as Owner Represent	ative(Owner or Remedial Party
for the Site named in the Site Details	Section of this form.
JANEDY	14 Aug 24
Signature of Owner, Remedial Party Rendering Certification	or Designated Representative Date

EC CERTIFICATIONS

Box 7

Qualified Environmental Professional Signature

I certify that all information in Boxes 4 and 5 are true. I understand that a false statement made herein is punishable as a Class "A" misdemeanor, pursuant to Section 210.45 of the Penal Law.

_I John Hood	at 95 Franklin Street, Buffalo, NY	
print name	print business address	
am certifying as a Qualified Er	ronmental Professional for the County of Erie	
	(Owner or Remedial Party)	
10		
James,	14 Aug 24	
Signature of Qualified Environ the Owner or Remedial Party,	•	
the Owner of Remedial Party,	endering Certification (Nequiled for PE)	