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GEOTECHNICAL
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WATER
CONSTRUCTION MANAGEMENT

GZA GeoEnvironmental of NY
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Buffalo, NY 14202
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June 3, 2022, Revised July 11, 2022
File No. 03.0033579.15

Ms. Megan Kuczka
Environmental Program Specialist 1
Division of Environmental Remediation
New York State Department of Environmental Conservation, Region 9
270 Michigan Avenue
Buffalo, New York 14203-2915

Re: Site Management Periodic Review Report and IC/EC Certification Submittal
Certifying Period: May 5, 2021 through May 5, 2022
Tecumseh Redevelopment Site (Site No. C915205)
Lackawanna, New York

Dear Ms. Kuczka:

GZA GeoEnvironmental, Inc. (GZA) is pleased to submit this Site Management Periodic Review Report and Institutional Controls/Engineering Controls (IC/EC) Certification Submittal (PRR) to the New York State Department of Environmental Conservation (NYSDEC), for the Steel Winds I portion of the Tecumseh Redevelopment Site (Site No. C915205), located in Lackawanna, New York. This letter report has been prepared on behalf of the Site operator, Niagara Wind Power, LLC (NWP), an affiliate of Brookfield Renewables, and has been prepared in general accordance with NYSDEC's March 22, 2022 letter to NWP and NYSDEC's DER-10 *Technical Guidance for Site Investigation and Remediation*, dated May 23, 2010. This letter report is subject to the Limitations provided in **Attachment A**.

EXECUTIVE SUMMARY AND SITE OVERVIEW

Tecumseh Redevelopment, Inc. (Tecumseh) owns approximately 1,100 acres of land at 1951 Hamburg Turnpike, as shown on **Figure 1**. The property was formerly used for the production of steel, coke and related products by Bethlehem Steel Corporation (BSC). Steel production on the Tecumseh property was discontinued in 1983 and the coke ovens ceased activity in 2000. Tecumseh acquired the property, along with other BSC assets, out of bankruptcy in 2003.

In September 2006, BQ Energy entered into a long-term lease agreement with Tecumseh to construct and operate wind turbines and supporting power generation equipment and infrastructure on an approximately 29-acre parcel of the Tecumseh property, referred to as the Steel Winds Site. BQ Energy and the NYSDEC also entered into a Brownfield Cleanup Agreement for the Steel Winds Site. The Site is wholly contained within the Slag Fill Area (SFA) Zones 3 and 4 of the Tecumseh property bordered by Lake Erie to the west, Smoke Creek to the south, and former industrial lands of BSC to the north and east, as shown on **Figure 2**. A Site Plan is provided as **Figure 3**. NWP currently operates the eight wind turbines installed at the Site.

The Brownfield Cleanup Program (BCP) was successful in achieving the remedial objectives for the Steel Winds Site. The Site Management Plan (SMP) and Final Engineering Report (FER) were approved by NYSDEC in December 2007. NYSDEC issued a Certificate of Completion (COC) for the Site on December 18, 2007.

The remedial activities conducted at the Site include:

- Excavation and off-site disposal of impacted slag fill from the eight wind turbine foundations and interconnecting utility trenches;
- In-situ enhanced biodegradation of residual volatile organic compounds (VOCs), including benzene, toluene, total xylenes, and naphthalene, using oxygen release compound (ORC®) socks within the saturated soil and groundwater in the vicinity of WT-01 and associated monitoring; and,
- Completion of a soil cover system.

The IC/EC (i.e., a soil cap and land use restrictions) are in general compliance with the SMP. GZA made Site observations during recent turbine foundation retrofit work completed between October 2020 and January 2021. Notification of these construction activities was provided to NYSDEC via email on September 4, 2020. These work activities (required as part of planned repowering of the eight turbines) included excavation of an approximate 12-foot radial area around each of the eight turbine pedestals, down to the top of the respective concrete foundations (a depth of approximately 4 to 5 feet). Based on our observations, GZA determined the excavation work was completed within soil backfill that was previously placed during initial turbine construction; and therefore, did not impact or disturb the existing cap system or underlying fill material at the Site. All work areas were observed to be restored to preconstruction conditions. A summary letter report documenting site observations made during the repowering work was prepared and submitted via email to NYSDEC on February 1, 2021. Additionally, no significant areas of soil erosion, rutting and/or thin vegetation were observed during GZA's site observations during the certifying period. No evidence of animal burrow holes was observed. Repairs/maintenance to isolated areas of thin vegetation, vehicle ruts and/or erosion to the soil cap, if identified, are typically repaired as part of routine maintenance.

RECENT PROGRAM MODIFICATIONS

BQ Energy submitted a 60-day advance notice of change of use to NYSDEC on November 2, 2020. Specifically, the change of use was for a change of ownership and transfer of the Site Certificate of Completion (COC). The change of ownership was recorded with the Erie County, New York clerk's office on January 13, 2021 with BQ Energy transferring ownership to NWP and identified Ms. Lily Henning of NWP as the primary Site contact. Since issuance of date of transfer, Jonathan Kirby and Cris Basden of Brookfield Renewable have become the primary contacts for NWP.

Based on a review of analytical test results from the six (6) semi-annual WT-1 vicinity groundwater monitoring wells, the findings of recent sampling events have generally exhibited no significant change in their respective concentrations when compared with historical data collected during previous sampling events. Based on this observation, GZA recommends that the semi-annual WT-1 vicinity groundwater monitoring be modified to annual groundwater monitoring beginning in 2022. The modified sampling is proposed to be conducted simultaneously with the current annual groundwater monitoring program in September of each year. PRR evaluations should continue to be conducted on an annual basis, and GZA believes that the requirements for discontinuing site management have not yet been met.

SITE MANAGEMENT PLAN

A SMP was prepared for the Site and approved by NYSDEC in December 2007. The SMP includes an Operation, Monitoring, and Maintenance (OM&M) Plan, a Soil/Fill Management Plan (SFMP), and Environmental Easements. The OM&M Plan consists of three major components: 1) the Site-wide LTGWM Plan and WT-01 Vicinity monitoring; 2) a WT-01 Vicinity ORC Monitoring and Maintenance Plan; and 3) the Annual Inspection & Certification Program. A brief description of the components of the SMP is presented below.

Groundwater Monitoring OM&M Plan

As a requirement of the SMP, LTGWM is being performed at nine (9) wells across the Site. The following semi-annual and annual groundwater reports have been prepared by GZA and submitted to NYSDEC in accordance with the SMP since our previous 2021 PRR submission.

- "September 2021 Annual/Semi-Annual Groundwater Monitoring Report, Niagara Wind Power, LLC, Steel Winds I Facility (Site No. C915205), Lackawanna, New York" prepared by GZA GeoEnvironmental of New York for Niagara Wind Power, LLC, dated, November 10, 2021, Revised December 8, 2021.

- "2022 Semi-Annual Groundwater Monitoring Report, Niagara Wind Power, LLC, Steel Winds I Facility (Site No. C915205), Lackawanna, New York" prepared by GZA GeoEnvironmental of New York for Niagara Wind Power, LLC, dated, June 2022.

The two monitoring reports listed above have previously been provided under separate cover and submitted electronically to NYSDEC. GZA is currently scheduled to conduct the next annual/semi-annual sampling event consisting of the nine (9) LTGWM wells and the six (6) WT-01 vicinity wells in September 2022.

As discussed in GZA's May 9, 2012 letter, six wells in the WT-01 vicinity (BCP-ORP-1, MWN-01, MWN-01B, WT1-02, WT1-04 and replacement well WT1-05) will be sampled on a semi-annual basis for the following compounds:

- STARS list VOCs via EPA Method 8260B; and
- Base-Neutral semi-volatile organic compounds via EPA Method 8270C.

No changes are recommended for the currently implemented LTGWM Plan for the nine Site monitoring wells sampled annually. As noted above, recent semi-annual WT-1 vicinity groundwater monitoring has not shown significant change in the respective monitoring well concentrations when compared with historical data collected during previous sampling events.

As described in the May 9, 2012 letter, remedial alternatives have not yet been selected or implemented for the various Solid Waste Management Units (SMUs) which make up the former Bethlehem Steel Site (i.e., the Tecumseh Redevelopment property). Assessing the relative contaminant contribution from the Steel Winds Site is difficult. As such, GZA had previously proposed that the semi-annual groundwater monitoring in the WT-01 vicinity continue until these remedies have been selected, implemented and their effectiveness evaluated. However, since this has not yet occurred, and since there has been no significant changes in groundwater contaminant concentrations, GZA recommended that the semi-annual groundwater monitoring be modified to

annual groundwater monitoring beginning in 2022. However, this request was denied by NYSDEC due to "remediation on the RCRA portion of the Site proposed to begin in the near future, consistently elevated concentrations in the onsite wells, and proximity to Lake Erie."

On September 30, 2013, GZA submitted a Technical Impracticability Waiver Supplemental Field Studies Work Plan for the Site, detailing sampling, laboratory analysis, data evaluation and reporting to be conducted in support of a Technical Impracticability Waiver request for the Site. This Work Plan was approved by NYSDEC on February 24, 2014. The Work Plan was implemented in the summer 2014 and a Technical Impracticability Waiver Application was submitted to NYSDEC on November 5, 2014. In the application GZA evaluated five potential remedies for the WT-01 AOC using criteria described in DEC's DER-10 (Technical Guidance for Site Investigation and Remediation, dated May 3, 2010) and EPA's "Guidance for Evaluating the Technical Impracticability of Ground-Water Restoration", dated September 1993.

- Monitored Natural Attenuation (MNA);
- Air Sparge/biosparge with a contingency enhanced denitrification system;
- Reactive Barrier (Air-sparge/biosparge curtain using a continuous stone trench with a contingency enhanced denitrification injection system);
- In-situ Chemical Oxidation (ISCO); and
- Hydrodynamic Groundwater Containment (HGC).

Additionally, we conducted an environmental evaluation of the specific WT-01 AOC. The study included an evaluation of the potential impact of groundwater discharges to adjacent water bodies and benthic invertebrates, a regional groundwater mass flux and contaminant mass loading evaluation, as well as an ecological risk assessment. The study concluded that:

- Previously implemented IC/ECs voluntarily implemented at the Steel Winds Site under the Brownfield Cleanup Program (BCP), including a soil cap and offsite disposal of displaced soil and activity and use limitations, have effectively mitigated potential risks to human health.

- The Fish and Wildlife Resource Impact Analysis (FWRIA)[1] prepared by GZA identified PAHs in sediment, and certain VOCs in pore water within Smoke Creek, at concentrations that may potentially be harmful to exposed aquatic/benthic organisms. Inputs from sources other than the WT-01 pore water likely contributed to the concentrations of PAHs and VOCs measured. Furthermore, comparisons of sediment and pore water data to screening levels likely resulted in a conservative assessment because of the limited number of PAHs reported, and suspended particulates in the pore water samples. For this reason, GZA recommended additional sampling to evaluate the relative contribution from other sources, and to collect data more representative of potential bioavailability and risk to ecological receptors.

[1] Note that an information request was submitted to the New York Natural Heritage (NYSNH) Program, as the DEC ERM indicated that rare species habitat is present in Lake Erie adjacent to the Site. The results were not available in time to be reported with the November 5, 2014 TI Waiver Application. The results of that inquiry were subsequently reported to DEC in a letter dated January 28, 2015. They substantiated the findings presented in the TI Waiver Application and confirmed the need for a limited supplemental ecological evaluation.

As noted, GZA recommended, and in April 2015 NYSDEC personnel approved, additional surface water and sediment sampling and analysis from Smoke Creek and Lake Erie to further evaluate potential impacts to ecological receptors. The field work was completed in August and September of 2015 and a Supplement TI Waiver Report was submitted to NYSDEC on April 24, 2018.

Based on this additional evaluation, it is GZA's opinion that active remediation is not warranted or feasible, would not result in significant benefit to the environment relative to the cost, and is technically impracticable.

Engineered and Institutional Controls

An engineered control (EC) consisting of a soil cover system has been installed at the Site. Maintenance of the 12-inch soil and vegetated cover system is being performed in compliance with the SMP.

The Steel Winds Site is subject to the following institutional controls (ICs):

- Groundwater-Use Restriction – the use of groundwater for potable and non-potable purposes is prohibited;
- Land-Use Restriction - the controlled property may be used for commercial and/or industrial use;
- Implementation of the SMP including the OM&M Plan and SFMP.

The SFMP provides guidelines for the management of soil and fill material during any intrusive actives. As part of a planned repowering of the Steel Winds turbines, NWP completed tower foundation retrofits between October 2020 and January 2021. During this work, GZA made Site observations which included excavation of an approximate 12-foot radial area around each of the eight turbine pedestals, down to the top of the respective concrete foundations (a depth of approximately 4 to 5 feet). Based on our observations, GZA determined the excavation work was completed within soil backfill that was previously placed during initial turbine construction. All work areas were observed to be restored to preconstruction conditions. Additionally, as part of this foundation retrofit work, no material was imported to or exported from the Site and CAMP data was not collected as Site waste material was never encountered. A Post-Construction Closure report documenting site observations made during the repowering work was prepared and submitted via email to NYSDEC on February 1, 2021. This report recommended that the construction laydown area be reseeded to reestablish grass cover. As this area is anticipated to be similarly used during on-going turbine repowering work, the reseeding of this area was anticipated to be done at the completion of this work, currently estimated for the summer of 2022. At the time of this report, crews were observed at the Site reducing former turbine blades into smaller pieces for eventual removal from the Site. All work was being conducted above the ground surface. Remaining areas of the repowering work that may require reseeding will be completed after repowering demobilization from the Site.

Other than the foundation retrofit work, no other intrusive activities requiring management of on-Site soil or fill material, or the placement of backfill materials (beyond that required for minor cap repairs described in previous years report), are known to have occurred during the current monitoring period.

Annual Inspection and Certification Program

As a requirement of the SMP and in accordance with NYSDEC DER-10, this PRR is to provide the information necessary to document the basis for the IC/EC certification. The certification primarily consists of an annual Site inspection to complete NYSDEC's IC/EC Certification Form in order to confirm that:

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

A Site visit of the property was conducted by GZA on multiple occasions throughout the certifying period (May 5, 2021 through May 5, 2022), and the IC/EC Certification Form has been signed by an engineer who meets the requirements of a Qualified Environmental Professional (QEP) and is a Professional Engineer registered in the State of New York. At the time of the inspections, the Site was typically observed in compliance with the IC/ECs. Limited surface damage (limited shallow vehicle rutting and thin vegetation coverage) to the vegetated cover system in the vicinity of WT-01 through WT-08 was noted during the site visits. The limited surface damage was likely the result of occasional vehicular traffic on the cap during wet conditions. In general, the LTGWM network was noted to be in good condition. As part of routine maintenance, the minor grading and vegetative cover repairs will be conducted by NWP as needed as part of the ongoing Site O&M work.

Remaining repowering equipment and materials were observed staged on the ground surface with no disturbance to the cover system.

The completed IC/EC Certification Form is included in **Attachment B**. A photographic log of the Site inspection observations is included in **Attachment C** and the GZA's foundation improvement construction notification to NYSDEC.

CONCLUSIONS AND RECOMMENDATIONS

Conclusions and recommendations are as follows:

- At the time of the Site inspections, the Site was in compliance with the IC/ECs including: groundwater monitoring, maintenance of the cover system, land-use restrictions, groundwater-use restrictions, and soil/fill management plan.

- Minor surface and vegetative cover damage was noted in the vicinity of WT-01 through WT-08. The cover system damages are addressed, when necessary, as part of regular O&M work to be completed by NWP as part of routine maintenance this summer. Grass mowing and routine cover system maintenance will be continued to maintain the Site cover system in good condition.

- Site-wide LTGWM and WT-01 vicinity groundwater monitoring will be continued. In accordance with the SMP, the next semi-annual WT-01 and LTGWM event is scheduled for September 2022.

- The groundwater remedy for the WT-01 Vicinity has been re-evaluated as described above.

- No modifications to the SMP are recommended at this time. PRR evaluations should continue to be conducted on an annual basis and GZA believes that the requirements for discontinuing site management have not yet been met.

We trust this letter report addresses your requirements. If you need any additional information, please feel free to contact Daniel Troy at 716-570-6673 or Ed Summerly at (401) 421-4140 or via email at daniel.troy@gza.com or edward.summerly@gza.com.

Sincerely,

GZA GEOENVIRONMENTAL, INC.

Richard A. Carlone, P.E.
Senior Project Manager

Daniel J. Troy, P.E.
Consultant/Reviewer

Edward A. Summerly, P.G.
District Office Manager / Principal

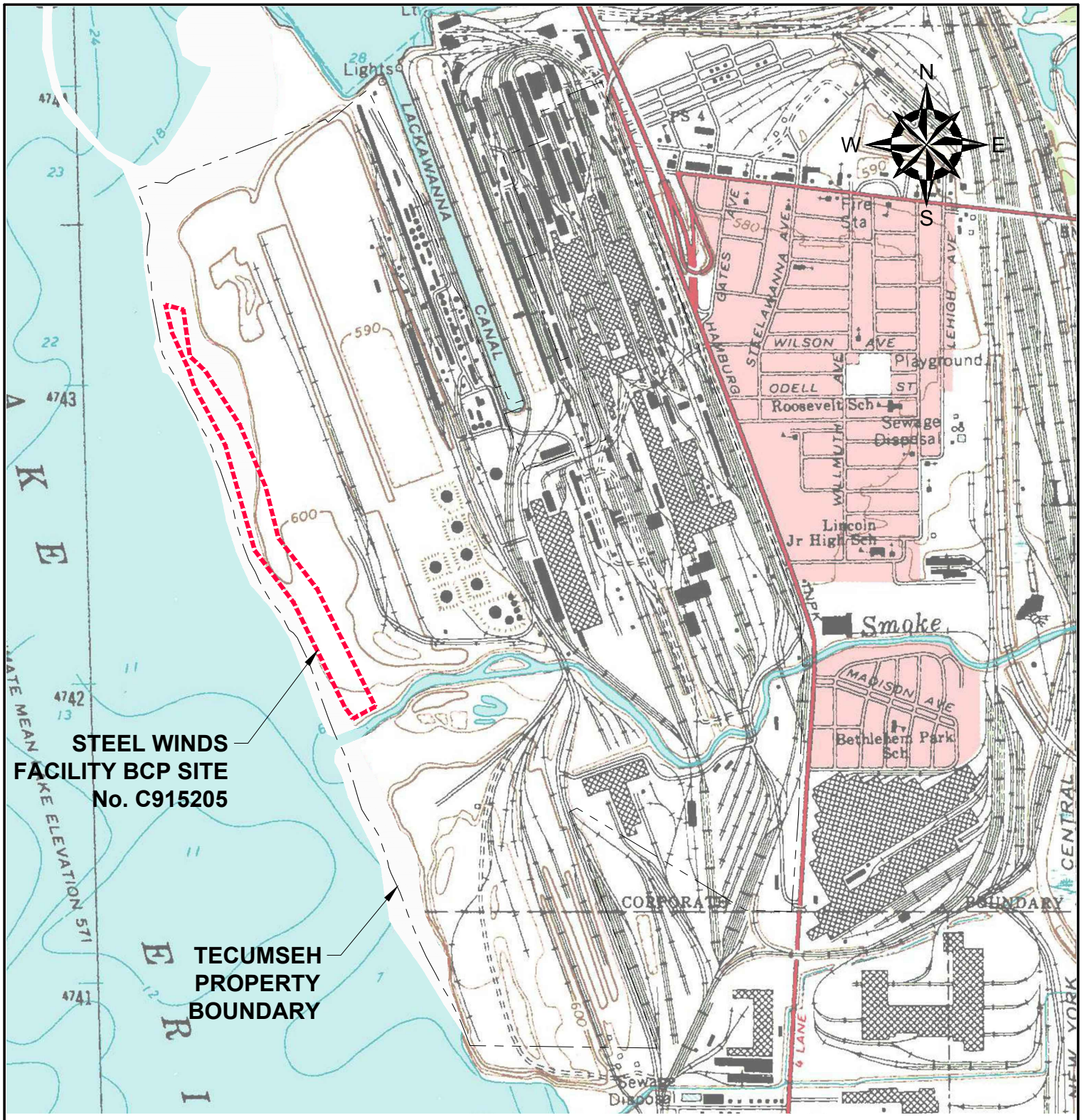
RAC/EAS:blm

Attachments: Figures 1 through 3
Attachment A - Limitations
Attachment B - Institutional and Engineering Controls Form
Attachment C - Site Photographs

cc: Cristovian Basden, Brookfield Renewable
Scott Rotman, Brookfield Renewable
Jonathan Kirby, Brookfield Renewable

J:\Other Offices\03 Projects - Providence, RI\03.0033579.15 Steel Winds 2022\2022 PRR

FIGURES



NOTE:
BASE MAP ADAPTED FROM A 1965
U.S.G.S. TOPOGRAPHIC MAPS
DOWNLOADED FROM http://store.usgs.gov

0 750 150 3000
SCALE IN FEET

NO.	ISSUE/DESCRIPTION	BY	DATE

PREPARED BY:
GZA GeoEnvironmental of N.Y.
Engineers and Scientists
300 PEARL STREET SUITE 700
BUFFALO, NEW YORK 14202
(716) 685-2300

PREPARED FOR:
NIAGARA WIND POWER, LLC

STEEL WINDS I FACILITY
ROUTE 5
LACKAWANNA, NEW YORK

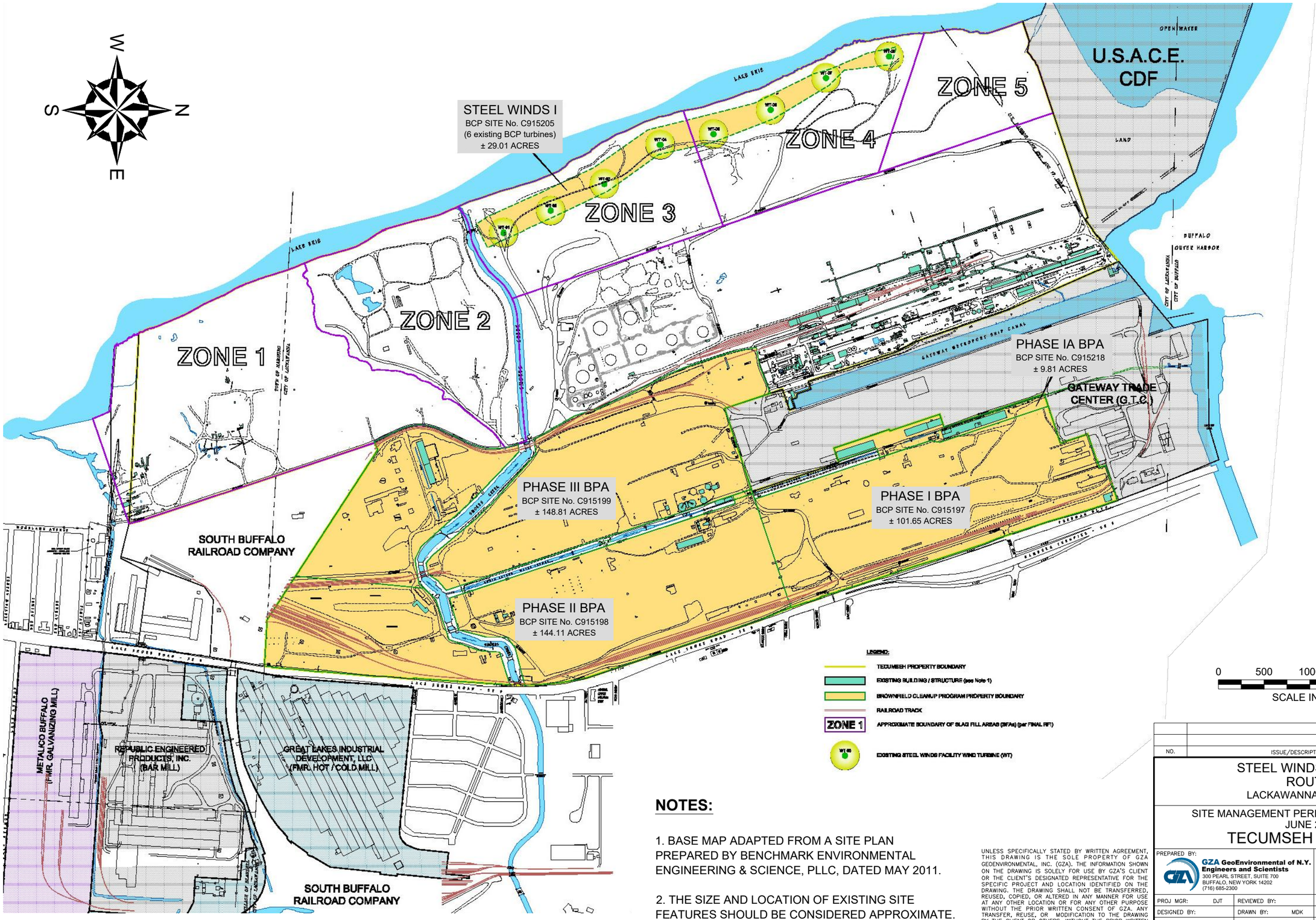
SITE MANAGEMENT PERIODIC REVIEW REPORT
JUNE 2022

LOCUS PLAN

FIGURE
1

PROJ MGR: DJT	REVIEWED BY:	CHECKED BY:	DATE	PROJECT NO.	REVISION NO.
DESIGNED BY:	DRAWN BY: MDK	SCALE: AS SHOWN	JUNE 2022	03.0033579.15	

SHEET NO.
1 of 3



NOTES:

1. BASE MAP ADAPTED FROM A SITE PLAN PREPARED BY BENCHMARK ENVIRONMENTAL ENGINEERING & SCIENCE, PLLC, DATED MAY 2011.

2. THE SIZE AND LOCATION OF EXISTING SITE FEATURES SHOULD BE CONSIDERED APPROXIMATE.

NO.	ISSUE/DESCRIPTION	BY	DATE

STEEL WINDS I FACILITY
ROUTE 5
LACKAWANNA, NEW YORK

SITE MANAGEMENT PERIODIC REVIEW REPORT
JUNE 2022

TECUMSEH SITE PLAN

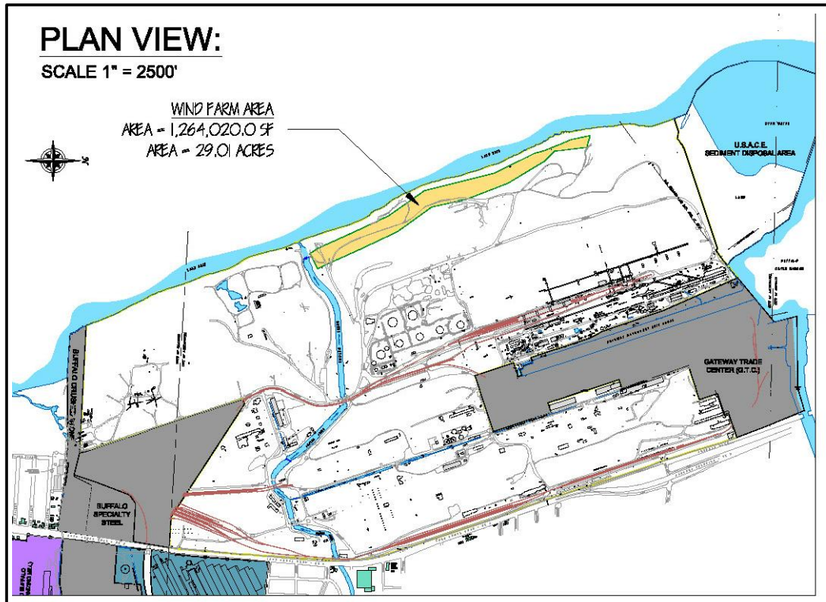
PREPARED BY:
GZA GeoEnvironmental of N.Y.
Engineers and Scientists
300 PEARL STREET, SUITE 700
BUFFALO, NEW YORK 14202
(716) 685-2300

PREPARED FOR:
NIAGARA WIND POWER, LLC

PROJ MGR: DJT	REVIEWED BY:	CHECKED BY:	FIGURE 2
DESIGNED BY:	DRAWN BY: MDK	SCALE: AS SHOWN	
DATE JUNE 2022	PROJECT NO. 03.0033579.15	REVISION NO.	SHEET NO. 2 of 3

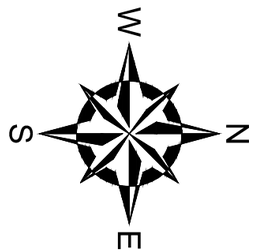
PLAN VIEW:

SCALE 1" = 2500'



LEGEND:

- TECUMSEH PROPERTY BOUNDARY
- EXISTING BUILDING / STRUCTURE
- RAILROAD TRACK
- STEEL WINDS FACILITY BCP SITE (SITE No. C915205)
- WT#1 — WIND TURBINE (WT) LOCATION (8)
- MWN-22B — EXISTING MONITORING WELL LOCATION
- MWN-01 — STEEL WINDS MONITORING WELL LOCATION
- WT1-01 — STEEL WINDS ORC WELL LOCATION



NOTES:

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2. THE SIZE AND LOCATION OF EXISTING SITE FEATURES SHOULD BE CONSIDERED APPROXIMATE.

0 175 350 700

SCALE IN FEET

NO.	ISSUE/DESCRIPTION	BY	DATE

STEEL WINDS I FACILITY
ROUTE 5
LACKAWANNA, NEW YORK

SITE MANAGEMENT PERIODIC REVIEW REPORT
JUNE 2022

STEEL WINDS SITE PLAN

PREPARED BY:
GZA GeoEnvironmental of N.Y.
Engineers and Scientists
300 PEARL STREET, SUITE 700
BUFFALO, NEW YORK 14202
(716) 885-2300

PREPARED FOR:
NIAGARA WIND POWER, LLC

PROJ MGR: DJT	REVIEWED BY:	CHECKED BY:	FIGURE 3
DESIGNED BY:	DRAWN BY: MDK	SCALE: AS SHOWN	
DATE JUNE 2022	PROJECT NO. 03.0033579.15	REVISION NO.	SHEET NO. 3 of 3

ATTACHMENT A

LIMITATIONS

GEOHYDROLOGICAL LIMITATIONS

Use of Report

1. GZA GeoEnvironmental, Inc. (GZA) prepared this report on behalf of, and for the exclusive use of our Client for the stated purpose(s) and location(s) identified in the Proposal for Services and/or Report. Use of this report, in whole or in part, at other locations, or for other purposes, may lead to inappropriate conclusions; and we do not accept any responsibility for the consequences of such use(s). Further, reliance by any party not expressly identified in the agreement, for any use, without our prior written permission, shall be at that party's sole risk, and without any liability to GZA.

Standard of Care

2. GZA's findings and conclusions are based on the work conducted as part of the Scope of Services set forth in the Proposal for Services and/or Report and reflect our professional judgment. These findings and conclusions must be considered not as scientific or engineering certainties, but rather as our professional opinions concerning the limited data gathered during the course of our work. Conditions other than described in this report may be found at the subject location(s).

3. GZA's services were performed using the degree of skill and care ordinarily exercised by qualified professionals performing the same type of services, at the same time, under similar conditions, at the same or a similar property. No warranty, expressed or implied, is made. Specifically, GZA does not and cannot represent that the Site contains no hazardous material, oil, or other latent condition beyond that observed by GZA during its study. Additionally, GZA makes no warranty that any response action or recommended action will achieve all of its objectives or that the findings of this study will be upheld by a local, state or federal agency.

4. In conducting our work, GZA relied upon certain information made available by public agencies, Client and/or others. GZA did not attempt to independently verify the accuracy or completeness of that information. Inconsistencies in this information which we have noted, if any, are discussed in the Report.

Subsurface Conditions

5. The generalized soil profile(s) provided in our Report are based on widely-spaced subsurface explorations and are intended only to convey trends in subsurface conditions. The boundaries between strata are approximate and idealized, and were based on our assessment of subsurface conditions. The composition of strata, and the transitions between strata, may be more variable and more complex than indicated. For more specific information on soil conditions at a specific location refer to the exploration logs. The nature and extent of variations between these explorations may not become evident until further exploration or construction. If variations or other latent conditions then become evident, it will be necessary to reevaluate the conclusions and recommendations of this report.

6. Water level readings have been made, as described in this Report, in and monitoring wells at the specified times and under the stated conditions. These data have been reviewed and interpretations have been made in this report. Fluctuations in the level of the groundwater however occur due to temporal or spatial variations in areal recharge rates, soil heterogeneities, the presence of subsurface utilities, and/or natural or artificially induced perturbations. The observed water table may be other than indicated in the Report.

Compliance with Codes and Regulations

7. We used reasonable care in identifying and interpreting applicable codes and regulations necessary to execute our scope of work. These codes and regulations are subject to various, and possibly contradictory, interpretations. Interpretations and compliance with codes and regulations by other parties is beyond our control.

Screening and Analytical Testing

8. GZA collected environmental samples at the locations identified in the Report. These samples were analyzed for the specific parameters identified in the report. Additional constituents, for which analyses were not conducted, may be present in soil, groundwater, surface water, sediment and/or air. Future Site activities and uses may result in a requirement for additional testing.

9. Our interpretation of field screening and laboratory data is presented in the Report. Unless otherwise noted, we relied upon the laboratory's QA/QC program to validate these data.

10. Variations in the types and concentrations of contaminants observed at a given location or time may occur due to release mechanisms, disposal practices, changes in flow paths, and/or the influence of various physical, chemical, biological or radiological processes. Subsequently observed concentrations may be other than indicated in the Report.

Interpretation of Data

11. Our opinions are based on available information as described in the Report, and on our professional judgment. Additional observations made over time, and/or space, may not support the opinions provided in the Report.

Additional Information

12. In the event that the Client or others authorized to use this report obtain additional information on environmental or hazardous waste issues at the Site not contained in this report, such information shall be brought to GZA's attention forthwith. GZA will evaluate such information and, on the basis of this evaluation, may modify the conclusions stated in this report.

Additional Services

13. GZA recommends that we be retained to provide services during any future investigations, design, implementation activities, construction, and/or property development/ redevelopment at the Site. This will allow us the opportunity to: i) observe conditions and compliance with our design concepts and opinions; ii) allow for changes in the event that conditions are other than anticipated; iii) provide modifications to our design; and iv) assess the consequences of changes in technologies and/or regulations.

ATTACHMENT B

INSTITUTIONAL AND ENGINEERING CONTROLS FORM

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

Site Details **Box 1**

Site No. C915205

Site Name Tecumseh Redevelopment, Inc.-Steelwinds

Site Address: 1951 HAMBURG TURNPIKE Zip Code: 14218
City/Town: Lackawanna
County: Erie
Site Acreage: 29.050

Reporting Period: May 05, 2021 to May 05, 2022

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

Box 2

	YES	NO
6. Is the current site use consistent with the use(s) listed below? Commercial and Industrial	X	
7. Are all ICs in place and functioning as designed?	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.

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

Box 2A

	YES	NO
8. Has any new information revealed that assumptions made in the Qualitative Exposure Assessment regarding offsite contamination are no longer valid?	☐	☒

If you answered YES to question 8, include documentation or evidence that documentation has been previously submitted with this certification form.

9. Are the assumptions in the Qualitative Exposure Assessment still valid? (The Qualitative Exposure Assessment must be certified every five years)	☒	☐

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. C915205 **Box 3**

Description of Institutional Controls

Parcel	Owner	Institutional Control
141.11-1-1.111	Tecumseh Redevelopment, Inc.	Site Management Plan Ground Water Use Restriction Soil Management Plan Landuse Restriction

(i) Compliance with the Site Management Plan ("SMP") for the implemented remedy;

(ii) Maintenance of the 12 inch soil cover system and vegetation over the Site;

(iii) The groundwater beneath the Site cannot be used as a potable water source or for any other use without the prior written permission of the Department;

(iv) Groundwater monitoring as specified in the SMP;

(v) In the event that buildings are constructed, a Department approved evaluation of potential sub-slab vapor impacts will be required.

Box 4

Description of Engineering Controls

Parcel	Engineering Control
141.11-1-1.111	Cover System

Box 5

Periodic Review Report (PRR) Certification Statements

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

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

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

YES	NO
X	☐

2. For each Engineering control listed in Box 4, I certify by checking "YES" below that all of the following statements are true:

   (a) The Engineering Control(s) employed at this site is unchanged since the date that the Control was put in-place, or was last approved by the Department;

   (b) nothing has occurred that would impair the ability of such Control, to protect public health and the environment;

   (c) access to the site will continue to be provided to the Department, to evaluate the remedy, including access to evaluate the continued maintenance of this Control;

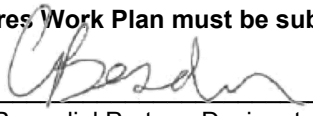
   (d) nothing has occurred that would constitute a violation or failure to comply with the Site Management Plan for this Control; and

   (e) if a financial assurance mechanism is required by the oversight document for the site, the mechanism remains valid and sufficient for its intended purpose established in the document.

YES	NO
X	☐

IF THE ANSWER TO QUESTION 2 IS NO, sign and date below and DO NOT COMPLETE THE REST OF THIS FORM. Otherwise continue.

A Corrective Measures Work Plan must be submitted along with this form to address these issues.



Signature of Owner, Remedial Party or Designated Representative

6/3/2022
Date

IC CERTIFICATIONS
SITE NO. C915205

Box 6

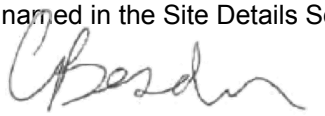
SITE OWNER OR DESIGNATED REPRESENTATIVE SIGNATURE

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 Cristovian Basden (print name) at 200 Liberty Street, New York, NY 10281 (print business address),

am certifying as Owner (Owner or Remedial Party)

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



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

6/3/2022
Date

EC CERTIFICATIONS

Box 7

Professional Engineer Signature

I certify that all information in Boxes 4 and 5 are true. I understand that a false statement made herein is punishable as a Class "A" misdemeanor, pursuant to Section 210.45 of the Penal Law.

I Daniel J. Troy, P.E. at GZA GeoEnvironmental of New York, 300 Pearl Street, Buffalo, New York, 14202,

print name — print business address

am certifying as a Professional Engineer for the Niagara Wind Power (Steel Winds I)

(Owner or Remedial Party)

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

Stamp (Required for PE)

6/3/2022
Date

APPENDIX C

SITE PHOTOGRAPHS

View of grassy cover system looking north.

View of gravel access road looking south toward Smoke Creek.

View of former turbine blades cut and stockpiled for removal.

View of cut and stockpiled former turbine blades on ground surface.

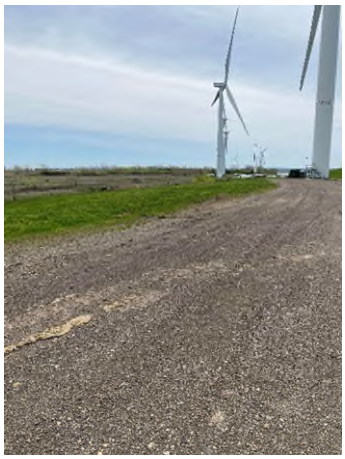
Typical view of grassy cover system looking south.

View of slight stressed grass cover in former construction staging area.

View of access road and grass cover in southern portion of the Site.

View of stockpiled former turbine blades.

View looking southerly along access road.



View looking southerly along access road.

Typical view of grass covered cap looking southwesterly.

Typical view of grass covered cap looking northwesterly.