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2017 PERIODIC REVIEW REPORT 129 HOLDEN STREET REDEVELOPMENT BUFFALO, NEW YORK BROWNFIELD CLEANUP PROGRAM Site Number C915261

March 20, 2017

File No. 21.0056642.20



PREPARED FOR:

Highland Park Village LLC
Buffalo, New York

GZA GeoEnvironmental of New York

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VIA EMAIL

March 20, 2017
File No. 21.0056642.20

Mr. Jaspal Walia
New York State Department of Environmental Conservation
Division of Environmental Remediation
270 Michigan Avenue
Buffalo, New York 14203

Re: 2017 Periodic Review Report
129 Holden Street Redevelopment
Buffalo, New York
Brownfield Cleanup Program Site (Number C915261)

Dear Mr. Walia:

GZA GeoEnvironmental of New York (GZA) is pleased to submit this Periodic Review Report (PRR) on behalf of Highland Park Village LLC (Highland). Highland is the owner and operator of the 129 Holden Street Redevelopment Brownfield Cleanup Program (BCP) Site (No. 915261). This is the first PRR to be submitted for the Site for which a Certificate of Completion (COC) was issued by the New York State Department of Environmental Conservation (NYSDEC) on November 20, 2015. GZA prepared this PRR in general conformance with the guidelines provided to Highland by the NYSDEC in their reminder notice letter dated January 10, 2017.

If you have any questions or need additional information, please call Jim Richert at (716) 844-7048.

Sincerely,

GZA GEOENVIRONMENTAL OF NEW YORK

James Richert, C.P.G.
Senior Project Manager

Bart A. Klettke, P.E.
Principal

Cc: John Ciminelli (Highland Park Village LLC)
David Szymanski (NYSDEC Region 9)



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1.0 EXECUTIVE SUMMARY

1.1 BACKGROUND

The 129 Holden Street Redevelopment Site (Site) is located in the City of Buffalo, Erie County, New York (Figure 1). The 27.09-acre Site was used as a rock quarry by Buffalo Cement from the early 1900s until the mid-1950s and was filled and developed into the Central Park Shopping Plaza from 1958 to 2011. A Phase I Environmental Site Assessment (ESA) identified several Recognized Environmental Conditions (RECs) including the mixed soil/fill that was used to backfill the quarry as well as several former site uses including a dry cleaner and an auto repair shop. Phase II ESA and Remedial Investigations confirmed the presence of semi-volatile organic compounds (SVOCs) and metals in the soil/fill at concentrations greater than NYSDEC Part 375 Restricted Residential Soil Cleanup Objectives (RRSCOs). Considering that groundwater was not determined to be impacted and that the site contaminants of concern are not volatile, the focus of the Site remedy was to minimize the exposure risks of direct contact and/or inhalation with site contaminants in the soil/fill. The Remedial Action Objectives (RAOs) for the Site included:

- Addressing soils with contaminants above the RRSCOs in the upper 2 feet;
- Prevention of ingestion or direct contact with soil contaminants exceeding the RRSCOs;
- Implementation and maintenance of engineering and institutional controls as follows.

Institutional Controls Include:

- Property use may include restricted residential, restricted commercial, and restricted industrial uses;
- Groundwater may not be used without prior treatment and approval of the regulator;
- Access to the site must be provided to the State of New York;
- Buildings will be built on slabs only; no basements are allowed.

The Engineering Control is:

- Cover System: hardscape and imported clean soil (minimum of 24 inches) underlain by high visibility orange mesh demarcation layer.

The selected site remedy was straight-forward and included two primary components:

- removal and off-site disposal of “hot spot” soil/fill containing SVOCs and Metals above site-specific action levels;
- placement and maintenance of a site cover system.

The Site remedy was completed in the fall of 2015 and a Certificate of Completion (COC) of the BCP remedy was issued by NYSDEC to Highland on November 20, 2015.

1.2 EFFECTIVENESS OF THE REMEDIAL PROGRAM

The site cover system was confirmed to be in place, appears to be complete and in good condition. Therefore, the Site remedy continues to be effective at meeting the Site’s RAOs.



1.3 COMPLIANCE

GZA identified the Site areas to be in compliance of the SMP. The Institutional Controls and Engineering Controls (IC/ECs) remain in place and there are no active remedial systems requiring monitoring or operation and maintenance.

1.4 RECOMMENDATIONS

GZA and Highland Park Village LLC (Highland) recommend no changes to the SMP nor to the frequency of PRR submittals. Implementation of the SMP, including the Excavation Work Plan and maintenance of the Site cover system will continue as the Site is redeveloped for the planned and approved residential use.

2.0 **SITE OVERVIEW**

2.1 SITE LOCATION AND FEATURES

Highland entered into a Brownfield Cleanup Agreement (BCA) with the NYSDEC in February 2012 to investigate and remediate the 27.09-acre property located at 129 Holden Street, in the City of Buffalo, Erie County, New York (Figure 1). The Site (NYSDEC Site No. C915261) was remediated following Track 4 of the Brownfield Cleanup Program (BCP) for restricted residential use. The Site is being redeveloped into the Highland Village Park Community which will include residential living units/apartments.

The Site was used as a rock quarry by Buffalo Cement from the early 1900s until the mid-1950s. The quarry was later filled with mixed hard fill, levelled, and developed and used as a neighborhood shopping plaza, Central Park Plaza, from 1958 to 2011. As social and economic conditions of the neighborhood changed over time, businesses within the plaza struggled and eventually closed. Once purchased by Highland, and in preparation for site remediation and redevelopment, the site buildings and utilities were removed, leaving a flat, vacant site with formerly used slab-on-grade foundations and deteriorated asphalt parking lots.

Historical Site tenants of potential environmental concern included a photo mart, laundromats, an automatic car wash, a dry cleaner, an auto chop shop, and an automotive service shop. The Site was listed twice on the NY Spills database.

2.2 INVESTIGATION AND REMEDIAL HISTORY

Based on the information obtained as part of the Phase I ESA, historic site usage represented Recognized Environmental Concerns (RECs), and additional investigations were recommended.

GZA completed a Phase II ESA that identified semi-volatile organic compounds (SVOCs) and metals at concentrations above the Soil Cleanup Objectives (SCOs) for residential site use (RRSCOs).

GZA conducted a remedial investigation (RI) in 2012 and 2013 under the NYSDEC Brownfield Cleanup Program to better assess the extent and significance of the chemical impact identified during the Phase II ESA.

The RI confirmed that a significant amount of mixed fill materials had been placed at the Site after the quarry operations ceased in the early 1950s, prior to construction of the Central Park Plaza. Total depth of the



subsurface fills on-site ranged between approximately five feet below ground surface (ft. bgs) to greater than 19 ft. bgs. SVOCs and metals were detected in soil/fill samples at concentrations above the Part 375 SCOs for restricted residential site use (RRSCOs); however, specific sources of the SVOCs and metals contamination were not identified. No contaminants of concern were identified in the groundwater.

The Remedial Action Objectives (RAOs) for the Site, as presented in the RI/Alternatives Analysis Report were:

- Address soils with contaminants above the RRSCOs in the upper 2 feet;
- Prevent ingestion or direct contact with soil contaminants exceeding the RRSCOs;
- Institute and maintain engineering and institutional controls to assure the Site is not used in a manner inconsistent with the future anticipated use (restricted residential).

The selected site remedy included two primary components:

- removal and off-site disposal of “hot spots” of soil/fill containing SVOCs and Metals above site-specific action levels;
- placement of a site cover system, made up of either clean soil at a minimum of 2-feet thickness or hardscapes including paved roads, parking lots, sidewalks, or building slab foundations.

The Site remedy was completed in the fall of 2015 and a Certificate of Completion (COC) was issued by NYSDEC to Highland on November 20, 2015.

As part of the Site remedy, the entire Site was covered with a minimum of 2-feet of clean soil for eventual redevelopment as new residential housing. The site currently is undeveloped with one new street extension, Chalmers Avenue.

3.0 EVALUATION OF REMEDY PERFORMANCE, EFFECTIVENESS, AND PROTECTIVENESS

GZA performed a Site Inspection during the reporting period on February 14, 2017. A photo log is provided in Appendix A and a map showing the location and orientation of the Site photos is provided as Figure 2. The site cover system was observed to be providing complete coverage of the Site and appears to be in good condition. The Site remedy, therefore, continues to be effective at meeting the Site RAOs for protection of site users.

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

4.1 IC/EC REQUIREMENTS AND COMPLIANCE

IC/ECs for the site were determined by the NYSDEC and specified in the Decision Document (DD) issued by the NYSDEC on December 19, 2014. Those same IC/ECs were carried forward in the Environmental Easement (EE), issued by the NYSDEC on September 23, 2015 and later again included in the Site Management Plan (SMP) which was prepared by GZA and approved by the NYSDEC on October 16, 2015. Complete lists of the Site IC and ECs are provided in Sections 3.2 and 3.3 of the SMP. Summary lists of the ICs and ECs are provided as follows.



Summary of Site Institutional Controls:

- Property use may include restricted residential, restricted commercial, and restricted industrial uses;
- Groundwater may not be used without prior treatment and approval of the regulator;
- Access to the site must be provided to the State of New York;
- Buildings will be built on slabs only; no basements are allowed.

Summary of Site Engineering Controls:

- Cover System: hardscape and imported clean soil (minimum of 24 inches) underlain by high visibility orange mesh demarcation layer.

Limited on-Site activity has occurred since completion of the Site remedy in the fall of 2015. The only change of site conditions since issuance of the COC is the construction of the Chalmers Avenue extension and related street scape amenities (e.g. young trees, light poles) and buried utilities.

Based on observations made during the Site inspection, discussions with Highland, and surveyed elevations and thicknesses of the cover system at the new Chalmers Avenue extension (See Figure 3) the Site owner is complying with the IC/ECs. The Site remains undeveloped and inactive. The Site cover system is in place and functioning as intended. No building structures are present on Site and Site groundwater is not being used. Although not a required EC, a perimeter chain-link fence with locked gates restricts access to the Site and no one currently uses the site.

4.2 IC/EC CERTIFICATION

The Site-specific IC/EC Certification Form, for reporting period of November 20, 2015 to February 18, 2017, was provided to Highland as an attachment to the January 10, 2017 Reminder Notice letter sent by the NYSDEC. This form has been completed by Highland as Site owner and Certified by GZA as Qualified Environmental Professional (QEP). The completed IC/EC Certification Form for this reporting period is provided in Appendix D of this PRR.

5.0 PRR CONCLUSIONS AND RECOMMENDATIONS

5.1 PRR CONCLUSIONS

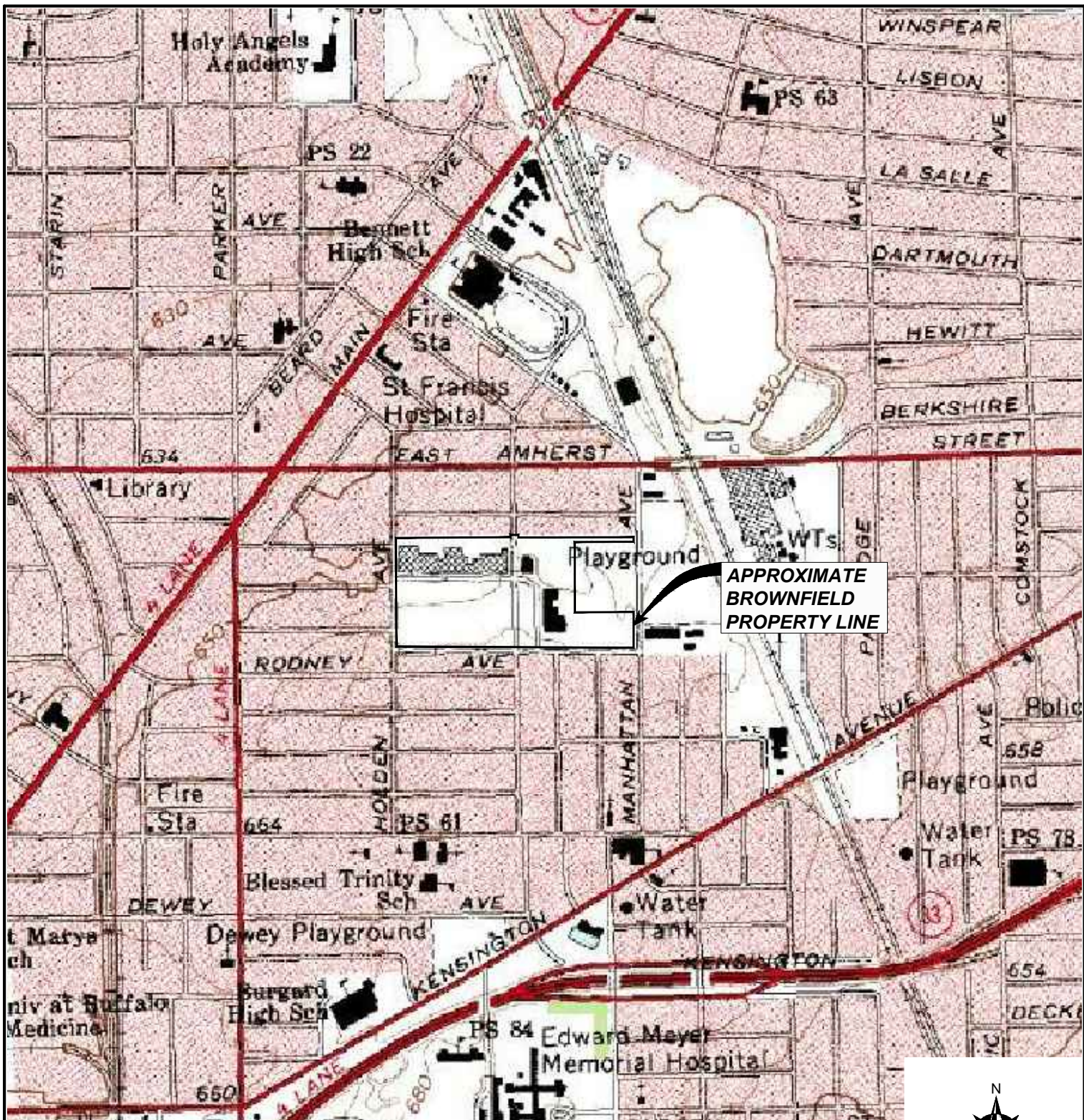
GZA identified the Site areas to be in compliance of the SMP. The IC/ECs remain in place and are performing as intended. There are no active remedial systems requiring operation, monitoring, or maintenance.

5.2 PRR RECOMMENDATIONS

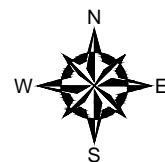
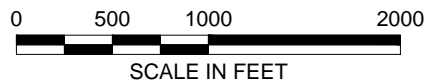
GZA and Highland recommend no changes to the SMP nor to the frequency of PRR submittals at this time. Implementation of the SMP, including the Excavation Work Plan and maintenance of the Site cover system will continue as the Site is redeveloped for the planned and approved residential use.



FIGURES



NOTE:
BASE MAP ADAPTED FROM U.S.G.S.
TOPOGRAPHIC MAPS DOWNLOADED
FROM TERRASERVER.MICROSOFT.COM



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PREPARED BY:
 GZA GeoEnvironmental of N.Y.
Engineers and Scientists
535 WASHINGTON STREET 11th FLOOR
BUFFALO, NEW YORK 14203
(716) 685-2300

PREPARED FOR:
LPCiminelli
INCORPORATED

PROJ MGR: TB
DESIGNED BY: TB

REVIEWED BY: JJR
DRAWN BY: DEW

CHECKED BY: BAK
SCALE: AS SHOWN

DATE
MARCH 2017

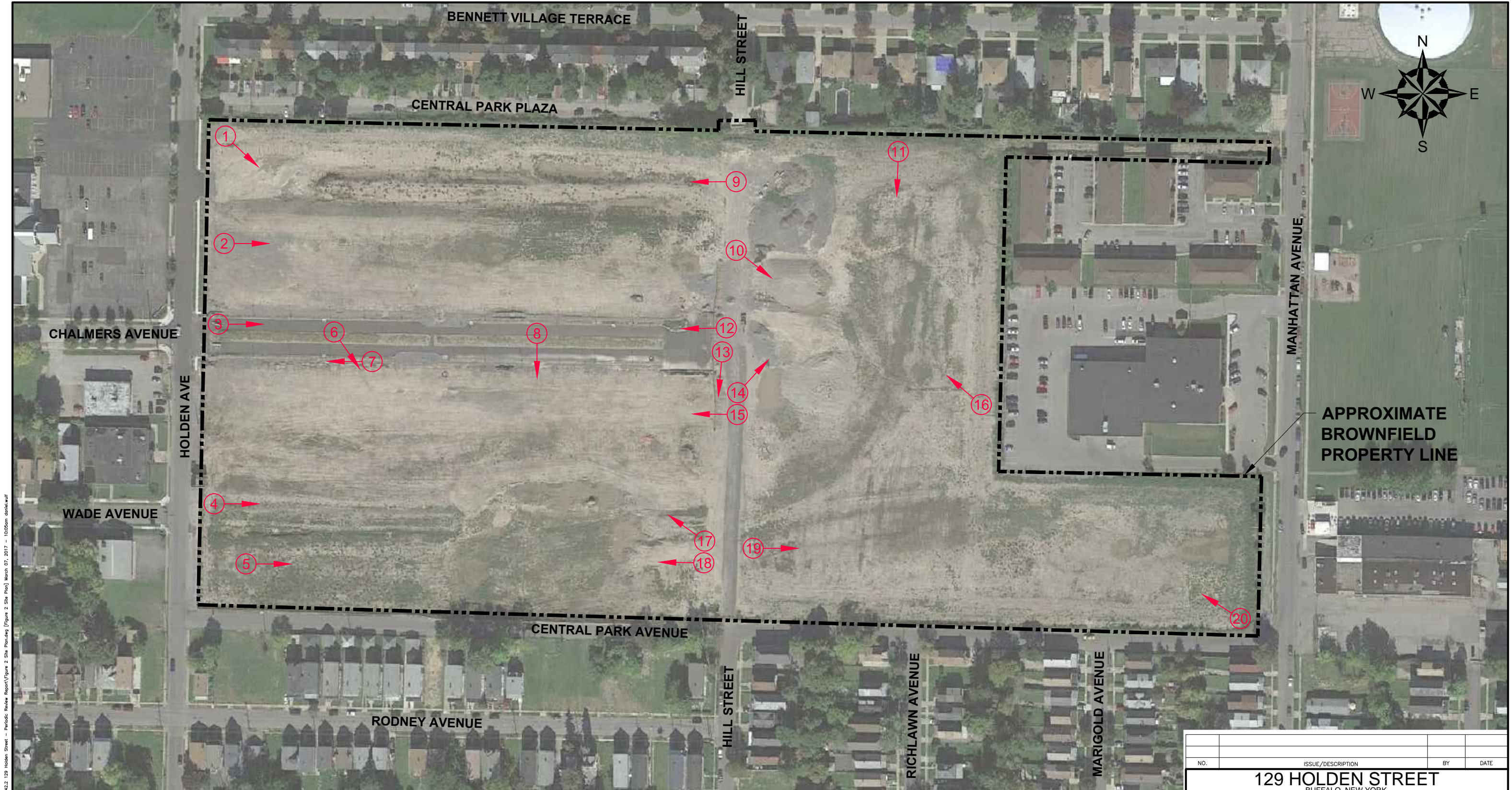
PROJECT NO.
21.0056642.20

REVISION NO.

129 HOLDEN STREET
BUFFALO, NEW YORK
BROWNFIELD CLEANUP PROGRAM
C915261
PERIODIC REVIEW REPORT
LOCUS PLAN

FIGURE

1



©2017 - GZA GeoEnvironmental of N.Y. GZA-101-PROJECTS/56600/56642.2 129 Holden Street - Periodic Review Report/129 Holden Street - Figure 2 Site Plan.dwg [Figure 2 Site Plan] March 07, 2017 - 10:05am daniel.will

NOTES:

1. BASE MAP ADAPTED FROM A 2016 AERIAL PHOTO DOWNLOADED FROM GOOGLE EARTH PRO AND FIELD OBSERVATIONS.
2. THE SIZE AND LOCATION OF EXISTING SITE FEATURES SHOULD BE CONSIDERED APPROXIMATE.


LEGEND:



APPROXIMATE LOCATION AND ORIENTATION OF INSPECTION PHOTOGRAPHS (SEE APPENDIX A)



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NO.	ISSUE/DESCRIPTION			BY	DATE
129 HOLDEN STREET BUFFALO, NEW YORK BROWNFIELD CLEANUP PROGRAM C915261					
PERIODIC REVIEW REPORT PHOTOGRAPH ORIENTATION MAP					
PREPARED BY:  GZA GeoEnvironmental of N.Y. Engineers and Scientists 536 WASHINGTON STREET 11th FLOOR BUFFALO, NEW YORK 14203 (716) 685-2300			PREPARED FOR: LPCiminelli INCORPORATED		
PROJ MGR:	TB	REVIEWED BY:	JJR	CHECKED BY:	BAK
DESIGNED BY:	TB	DRAWN BY:	DEW	SCALE:	AS SHOWN
DATE	PROJECT NO.		REVISION NO.		
MARCH 2017	21.0056642.20				
FIGURE					2

PREPARED FOR



LP CIMINELLI
2421 MAIN ST.
BUFFALO, NY 14214
ERIE COUNTY

BCP SITE # C915261
129 HOLDEN STREET
CITY OF BUFFALO
COUNTY OF ERIE
STATE OF NEW YORK

RECORD DRAWING



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Wendel WD Architecture, Engineering, Surveying and
Landscape Architecture P.C.

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NO.	REVISIONS	DATE
BY		

DWG. TITLE	
------------	--

FIGURE 3 :

FINAL GRADE ELEVATION
CONTOURS AND THICKNESS
OF CLEAN SOIL COVER
SYSTEM

DATE	3/17/2017
------	-----------

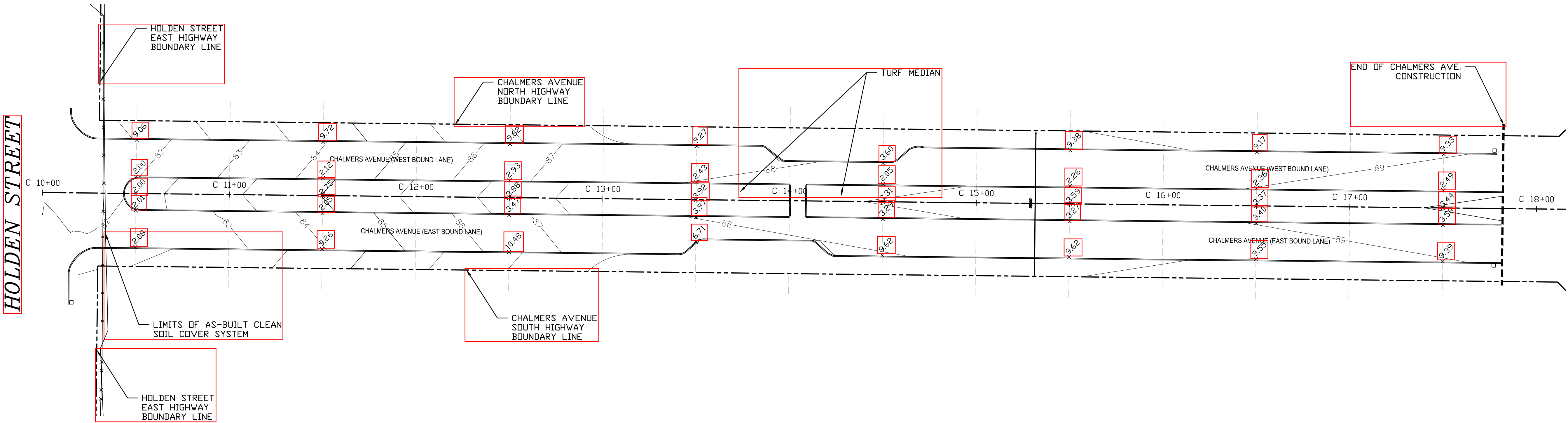
SCALE	1"=30'
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DRAWN	STD	CHK	CJS
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PROJ. No.	324720
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DWG. No.	
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SHT 1 OF 1





APPENDIX A PHOTOGRAPH LOG



Photo 1 – Northwest portion of Site looking southeast



Photo 2 – Northwest portion of Site looking east



Photo 3 – Chalmers Avenue Extension on western portion of Site looking east



Photo 4 – Southwest portion of Site looking east



Photo 5 – Southwest portion of Site looking east



Photo 6 – Drainage gully on southwest portion of Site south of Chalmers Avenue Extension looking southeast



Photo 7 – Drainage gully on southwest portion of Site along Chalmers Avenue Extension looking west



Photo 8 – Drainage gully on southwest Portion of Site along Chalmers Avenue Extension looking south



Photo 9 – Northwest portion of Site looking west



Photo 10 – Recycled asphalt pile on northeast portion of Site looking southeast



Photo 11 – Northeast portion of Site looking south



Photo 12 – Chalmers Avenue Extension looking west



Photo 13 – Drainage gully on south-central portion of Site along former Hill Street looking south



Photo 14 – Northeast portion of Site looking northeast



Photo 15 – Southwest portion of Site looking west



Photo 16 – Drainage gully on eastern portion of Site looking northwest



Photo 17 – Southwest portion of Site looking northwest



Photo 18 – Southwest portion of Site looking west



Photo 19 – Southeast portion of Site looking east



Photo 20 – Southeast portion of Site looking northwest



APPENDIX B SITE MANAGEMENT LOG

129 Holden Street Redevelopment

BCP Site No.: C915261

Site Management Form

SITE DETAILS	
Site No.: C915261	Site Name: 129 Holden Street Redevelopment
Site Address: 129 Holden Street, Buffalo, New York	
PERSON PERFORMING INSPECTION	
Name: Tom Bohlen	Email: Thomas.Bohlen@gza.com
Company: GZA	Phone Number: (716) 844-7050
Others Present: None	
INSPECTION DATE AND SITE CONDITIONS	
Inspection Date: February 14, 2017	Inspection Time: 1300 to 1400 hrs
Weather Conditions: Sunny ~35 degrees F., light winds.	
REASON FOR SITE INSPECTION	
Type of Inspection: <input checked="" type="checkbox"/> Annual Inspection <input type="checkbox"/> Routine Maintenance Inspection <input type="checkbox"/> Non-Routine Inspection	
Inspection after a Severe Condition that could effect Site control <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Describe severe condition triggering inspection: NA	
VERIFICATION OF SITE DETAILS	
Current Site Owner:	Highland Park Village LLC
Current Site Operator:	Highland Park Village LLC
Describe Current Site Use (check all that apply)	
<input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential <input checked="" type="checkbox"/> Other Site in development for residential	
Briefly describe observed site uses:	
<p>Site was inactive on the day of inspection and reportedly has been inactive since fall of 2016 when the construction of the Chalmers Ave extension and associated buried utilities were completed, see inspection photos. Remainder of site retains the soil cover system. Minor surface erosion noted but no significant damage to cover system observed.</p> <p>See attached City of Buffalo permit # 229004 for Right-of-Way Work.</p> <p>Note any additional pertinent information to Verification of Site Details (use additional pages if necessary).</p>	
DESCRIPTION OF ENGINEERING CONTROLS	
Are the Engineering Controls still in place: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If No, explain:	
Is the Site Management Plan still in place: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If No, explain:	
AREAS IN NEED OF REPAIR OR MAINTENANCE	
Area discussed in this section must be shown on a figure and have photographic documentation.	
None Observed	

129 Holden Street Redevelopment
BCP Site No.: C915261
Site Management Form

INTRUSIVE ACTIVITIES PERFORMED AT SITE DURING INSPECTION PERIOD

Location: Construction of Chalmers Ave extension and buried utilities Date: 2016 construction season.

Description of activities being performed:

see Verification of Site Details section above

Are Site records being properly generated and maintained: ☒ Yes ☐ No

Provide a summary of recordkeeping review and adequacy:

ADDITIONAL NOTES & COMMENTS

The Site redevelopment plan involves multiple phases of re-establishment of streets and utilities along with the planned residential structures. At this time, no structures are present on site. The first new street, Chalmers Ave, has been constructed along with associated sewers, water lines, and street lamps.

INSPECTION CERTIFICATION

I hereby certify that the information included in this report is complete and accurate to the best of my knowledge

Inspector Signature: Thomas Bohlen Date: February 14, 2017



APPENDIX C PERMITS



Byron W. Brown, Mayor

Department of Public Works
Division of Engineering

... Building a Better Buffalo

Right-of-Way Work Permit

Application/Permit No.: 229004

Location: HOLDEN-CHALMERS TO CENTRAL PARK PLAZA

Applicant: ANASTASI TRUCKING INC.

Issue Date: 10/13/2015

Issued By: MURPM

Expire Date:

Fees: \$46.00

License No.:

License Type:

Plans: No

Description of Work: 126 LF OF STORM SEWER, 2 MH'S, 4 CATCH BASINS, 100 LF OF WATERLINE, 430 LF OF SANITARY SEWER, 3 MH'S, 525 LF OF GRANITE CURBING AND WALK (EAST SIDE OF HOLDEN), MILL AND OVERLAY EAST SIDE OF HOLDEN, 4 LIGHT BASES AND MISCELLANEOUS SIGNAGE, TOPSOIL AND TREES.

This Permit Expires by Limitation

Work Begin: 10/13/2015

Extended to: 03/13/2017

Work Finish:

Remarks:

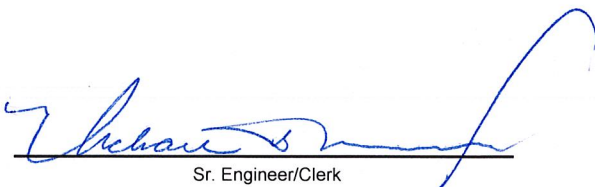
WORK RELATED TO NEW DEVELOPMENT AT CENTRAL PARK PLAZA SITE (HIGHLAND PARK). WORK ON HOLDEN TO UPGRADE WATER AND SEWER FOR FUTURE NEEDS. WORK TO BE INSPECTED BY GENERAL CONTRACTOR, LP CIMINELLI.

Contractor is responsible for contacting Dig Safely (formerly Underground Facilities Protective Organization (UFPO) @ 1-800-962-7962 as per New York State Code 753. City R.O.W. to be restored to original condition or better as per DPW specifications. All restoration work to be inspected by Engineering Inspector.

Subject to all laws, ordinances and requirements governing the same, permission is hereby given for the construction work mentioned. The work must be done expeditiously and within a reasonable time, causing as little inconvenience to the public as possible. Before starting work, contact representatives of the Buffalo Water Authority, Buffalo Sewer Authority, Traffic Signal Division, and Fire Alarm office for location of subterranean utilities. Furthermore, contact representatives of the telephone company, gas, electric, and power companies, cable television, and other private utilities for location of subterranean utilities. The city assumes no responsibility for the location of these underground installations. The issuance of this permit does not obligate the city nor does it constitute approval of any excavation which might interfere with these utilities.

If excavation is in the vicinity of city owned trees, contact the Parks Department, Forestry Division.

This permit furnishes no guarantee by the city as to the location of utility property underground or location of private or public service pipes, mains or services at the place where excavation is permitted.


Sr. Engineer/Clerk



City Engineer: Michael J. Finn, P.E.

**NOTE: THIS COPY TO BE RETAINED ON THE WORK SITE FROM
START TO FINISH TO BE SHOWN WHEN REQUESTED.**



APPENDIX D IC/EC CERTIFICATION 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.	C915261	
Site Name 129 Holden Street Redevelopment		
Site Address: 129 Holden Street Zip Code: 14214		
City/Town: Buffalo		
County: Erie		
Site Acreage: 27.1		
Reporting Period: November 20, 2015 to February 18, 2017		
		YES NO
1. Is the information above correct?		<input checked="" type="checkbox"/> <input type="checkbox"/>
If NO, include handwritten above or on a separate sheet.		
2. Has some or all of the site property been sold, subdivided, merged, or undergone a tax map amendment during this Reporting Period?		<input type="checkbox"/> <input checked="" type="checkbox"/>
3. Has there been any change of use at the site during this Reporting Period (see 6NYCRR 375-1.11(d))?		<input type="checkbox"/> <input checked="" type="checkbox"/>
4. Have any federal, state, and/or local permits (e.g., building, discharge) been issued for or at the property during this Reporting Period?		<input checked="" type="checkbox"/> <input type="checkbox"/>
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?		<input checked="" type="checkbox"/> <input type="checkbox"/>

Box 2		
		YES NO
6. Is the current site use consistent with the use(s) listed below? Restricted-Residential, Commercial, and Industrial		<input checked="" type="checkbox"/> <input type="checkbox"/>
7. Are all ICs/ECs in place and functioning as designed?		<input checked="" type="checkbox"/> <input type="checkbox"/>
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
<p>8. Has any new information revealed that assumptions made in the Qualitative Exposure Assessment regarding offsite contamination are no longer valid?</p>	<p>YES</p> <p><input type="checkbox"/></p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>
<p>If you answered YES to question 8, include documentation or evidence that documentation has been previously submitted with this certification form.</p>		
<p>9. Are the assumptions in the Qualitative Exposure Assessment still valid? (The Qualitative Exposure Assessment must be certified every five years)</p>	<p><input checked="" type="checkbox"/></p>	<p><input type="checkbox"/></p>
<p>If you answered NO to question 9, the Periodic Review Report must include an updated Qualitative Exposure Assessment based on the new assumptions.</p>		

SITE NO. C915261		Box 3
<p align="center">Description of Institutional Controls</p>		
<p><u>Parcel</u></p> <p>90.29-2-43.1</p>	<p><u>Owner</u></p> <p>Highland Park Village, LLC</p>	<p><u>Institutional Control</u></p> <p>Ground Water Use Restriction Soil Management Plan Landuse Restriction Site Management Plan</p>
<p>i) Prohibition of groundwater use. ii) Land use restrictions. iii) Implementation of the Site Management Plan</p>		

		Box 4
<p align="center">Description of Engineering Controls</p>		
<p><u>Parcel</u></p> <p>90.29-2-43.1</p>	<p><u>Engineering Control</u></p> <p>Cover System</p>	
<p>i) Maintenance of the Cover System.</p>		

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 certification;

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

YES NO



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

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

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

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

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

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

YES NO



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

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

Signature of Owner, Remedial Party or Designated Representative

Date

IC CERTIFICATIONS
SITE NO. C915261

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 Ciminelli at 2421 MAIN ST BUFFALO NY
print name print business address
am certifying as John Ciminelli V.P. Highland Park Village LLC (Owner or Remedial Party) 14214

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

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

3/17/17
Date

IC/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 BART A. KLETTE at 535 WASHINGTON STREET BUFFALO, NY 14203
print name print business address

am certifying as a Qualified Environmental Professional for the HIGHLAND PARK VILLAGE, LLC
(Owner or Remedial Party)

Bart A. Klette

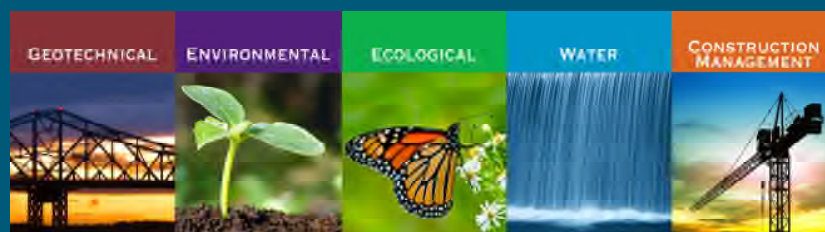
Signature of Qualified Environmental Professional, for
the Owner or Remedial Party, Rendering Certification



Stamp
(Required for PE)

3-17-17

Date



GZA GeoEnvironmental, Inc.