
PERIODIC REVIEW REPORT
for the
132 DINGENS ST. SITE
(SITE NO. C915263)

132-136 DINGENS STREET
BUFFALO, NEW YORK

May 2019

B0365-019-001

Prepared for:

132 Dingens St, LLC
1 Babcock Street
Buffalo, New York 14210

Prepared By:



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PERIODIC REVIEW REPORT

132 Dingens St. Site
BCP Site No. C915263

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132 Dingens St. Site
BCP Site No. C915263

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1.0 INTRODUCTION

Benchmark Environmental Engineering and Science, PLLC (Benchmark) has prepared this Periodic Review Report (PRR) on behalf of 132 Dingens St, LLC to summarize the post-remedial status of New York State Department of Environmental Conservation (NYSDEC or the Department) Brownfield Cleanup Program (BCP) Site No. C915263 located in the City of Buffalo, Erie County, New York (see Figure 1).

This PRR and associated Institutional and Engineering Control (IC/EC) Certification Form (see Appendix A) have been prepared for the April 20, 2018 to April 20, 2019 reporting period in accordance with the NYSDEC DER-10 Technical Guidance for Site Investigation and Remediation (Ref. 1). This PRR has been based on the information contained within the October 2016 Site Management Plan (SMP; Ref. 2) and June 2018 PRR (Ref. 3) prepared by Iyer Environmental Group, PLLC (IEG). Benchmark was not involved with any investigation, remedial activities or reporting for this Site and did not confirm the information presented in the referenced reports.

1.1 Site Background

The Site is located at 132-136 Dingens Street in the City of Buffalo, Erie County, New York and identified as Section 112.19, Block 1, and Lot 14.11 on the City of Buffalo Tax Map. The irregular shaped approximate 13.22-acre Site is bordered by UPS ground terminal and Buffalo Games to the north; Dingens Street to the south; Niagara Tying Service to the east; and warehouses owned by Buffalo News and FPPF Chemical Company to the west.

The Site and its surrounding areas contained numerous rail lines and yards dating back to 1917; this area was built up to its current grade with various types of industrial/urban fill. Soils on the Site are mapped by the Soil Conservation Service as “Urban Land,” which can typically contain fill materials with little native soil conditions remaining. No sensitive ecological receptors were identified in or around the Site. Potable water is supplied from Lake Erie by the City of Buffalo; no drinking water wells are present on the Site.

The Site is zoned commercial/light industrial and consists of an 85,000 square-foot foundation (remaining from an old warehouse that burned down in 2010) and a recently improved two-story office building. Most of the remaining land area is covered with asphalt/concrete/stone with small areas of vegetation. 132 Dingens St, LLC leases the office building to Pinto Construction Services (Pinto CS) and a large portion of the paved area to Unicell for

temporarily parking of new vehicles. The northwestern portion of the property is leased to First Student Bus Services for employee parking.

1.2 Compliance

No violations of the SMP or associated IC/EC requirements were identified during the monitoring period.

2.0 SITE OVERVIEW

132 Dingens St, LLC entered into a Brownfield Cleanup Agreement (BCA) with the NYSDEC on June 12, 2012 to investigate and remediate the Site. The Site was investigated and remediated under the NYSDEC BCP in accordance with the approved June 2012 Work Plan for Remedial Investigation/Interim Remedial Action (Ref. 4), May 2015 Alternatives Analysis Report & Remedial Action Work Plan (RAWP; Ref. 5), and July 2015 RAWP Report (Ref. 6) prepared by IEG. The Site was remediated in 2016 to Part 375 commercial soil cleanup objectives (SCOs) as described in the October 2016 Final Engineering Report (Ref. 7). The remedy included excavation of soil/fill exceeding the site-specific SCOs for the parameters of concern. The Site received a Certificate of Completion (COC) from NYSDEC on December 20, 2016.

2.1 Existing Conditions

2.1.1 Building Improvements

As outlined in the June 20, 2018 Memorandum prepared and submitted to NYSDEC by IEG, Pinto CS planned to move its corporate offices from 1 Babcock Street to the concrete block garage/building on the 132 Dingens St. Site. In preparation for the move, 132 Dingens St, LLC requested Department approval to fill the approximate 41' by 12' by 14' deep concrete basement/tunnel within the footprint of the building as it was not needed and would improve the structural integrity of the building. Following Department approval on June 22, 2018, 132 Dingens St, LLC (with assistance from Pinto CS) performed the following in June and July 2018:

- Removed the non-load bearing concrete wall and size-reduced it for use as backfill in the basement.
- Installed a concrete plug in the tunnel at the edge of the building.
- Filled the basement with flowable fill consisting of Portland cement and fly ash procured from LaFarge's Tonawanda, NY facility.
- Capped the filled basement with a concrete slab to within six feet of the first floor elevation.

On October 8, 2018, IEG submitted a memorandum to update the Department on the pending move of the Pinto CS corporate office to the 132 Dingens Street Site. On October

10, 2018, Mr. Jaspal Walia confirmed via email that a formal Notification of Site Change of Use form was not required. Following completion of the basement work, 132 Dingens St, LLC made improvements to the interior and exterior of the building including sealing the concrete floor in the office and placing asphalt patching around the outside of the building to eliminate sloping. Pinto CS began occupying the building on November 16, 2018.

2.1.2 Site Cover System

In the spring 2018, 132 Dingens St, LLC regraded the stone cover following minor mounding due to snow plowing activities.

The Site cover system was inspected on April 17, 2019 by Ms. Lori Riker, P.E. No evidence of erosion or breaches were observed on the soil covered areas and a good stand of grass was present across the cover except for areas along the fence line; vegetation is absent due to spraying to control the invasive species of Japanese knotweed. If allowed to grow on the Site, the Japanese knotweed would breach the impervious cover systems. Although the asphalt cover was adequate, potholes and cracking from winter conditions were observed. Existing concrete appeared in good condition. The crushed stone cover was in good condition. 132 Dingens St, LLC is in the process of regrading some crushed stone areas to level out the minor mounding from snow plowing activities and repairing potholes. Future site inspections will continue to monitor the integrity of the asphalt, concrete, crushed stone, and vegetated cover systems.

2.2 Remedial Program Chronology

Prior to entry into the BCP in 2012, Phase I Environmental Site Assessments (ESAs) by Acres International (1997; Ref. 8) and Kay Ver Group (2004; Ref. 9), and Phase II ESAs by Baron Associates (2004; Ref. 10) and IEG (2011; Ref. 11 and 2012; Ref. 12) were completed for the Site.

2.2.1 Remedial Investigation

In 2012 and 2013, a Supplemental Phase II ESA and Remedial Investigation (RI) were performed by IEG to characterize the nature and extent of soil and groundwater contamination at the Site. SMP Figure 2C shows the Phase II ESAs and RI sample locations.

The field activities conducted by IEG during the 2011 Phase II ESA, 2012 Supplement Phase II ESA, and 2012/2013 RI included:

- Collection of soil samples from test pit locations across unpaved, vegetated areas of the Site.
- Collection of soil samples from soil borings.
- Installation of monitoring wells at eight soil boring locations.
- Analysis of soil samples from test pits and borings for volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs), polychlorinated biphenyls (PCBs), pesticides, total cyanides, toxicity characteristic leaching procedure (TCLP) lead, and landfill parameters.
- Collection of two rounds of groundwater sample at eight monitoring wells and analysis for VOCs, SVOCs, PCBs, pesticides, metals and total cyanide.
- Collection and analysis of chemical drum and transformer oil samples for disposal.
- Pump out and sampling of water accumulated in an underground tunnel connecting the pump-house and the old warehouse building

The results of the RI are presented in the RI Report (Ref. 13) prepared by IEG. The Site investigations revealed various types of industrial/urban type fill that was used to elevate the ground surface to its present grade on and around the Site. The fill included randomly deposited heterogeneous materials, construction debris (bricks, concrete and wood), trash (rubbish, glass, paper and scrap metal), oil soaked materials and sludge. The fill was underlain by various types of natural soil (clay, silt, sand and gravel). The thickness of the fill ranged from four feet along the southeastern boundary to 20 feet along the northern boundary.

The bulk of the contamination appeared to be limited to the industrial fill material, while the underlying natural soil (clay, silt) appeared to be minimally impacted. The highest levels of soil contamination exceeding SCOs for commercial and industrial use were observed in vegetated areas along the northern property boundary and eastern section. Elevated levels were also found in the old underground storage tank (UST) area just northeast of the warehouse foundation. Relatively lower levels of contamination were found in the paved areas surrounding the warehouse foundation, and even lower along the southeastern property boundary.

As indicated on SMP Table 2, the parameters of concern in Site soils were SVOCs, PCBs and metals (specifically arsenic, lead and mercury). No petroleum compounds of

significance were found in any of the soil samples, even in the paved area northeast of the old warehouse foundation where the petroleum USTs were located. Since VOCs, pesticides and cyanide were only found at trace levels in soil and groundwater, they were not considered contaminants of concern for this Site.

Based on the results of two rounds of sampling, Site groundwater did not appear to be adversely impacted. Unfiltered groundwater samples from eight overburden monitoring wells straddling the fill materials were found to have low levels of contaminants consistent with the carryover of fine solids from the formation. Filtered groundwater samples from the first round and unfiltered samples from the second round had only trace levels of SVOCs and metals.

2.2.2 Remedial Action

The Site was remediated in accordance with the July 2015 RAWP. A total of 2,033 cubic yards of contaminated soil/industrial fill was excavated and disposed off-site at a permitted solid waste facility. Some of this excavated soil was treated on-site with cement to stabilize its lead content before disposal as non-hazardous waste.

Site-specific excavation objectives (proposed excavation threshold limits) were established for arsenic (79 ppm), lead (5,000 ppm), mercury (5.7 ppm), and SVOCs (total PAHs; 500 ppm). PCBs were remediated to meet the Part 375 commercial SCO of 1 ppm. A total of 11,782 cubic yards of clean off-site fill meeting the requirements of 6NYCRR Part 375-6.7(d) was imported for use as backfill for the excavations. The Site was re-graded to accommodate installation of a cover system. Geotextile fabric was placed beneath the cover system materials to distinguish them from the underlying industrial/urban fill or clean fill that was used to establish the required grade.

A cover system was required to allow for commercial use of the Site, preventing human exposure to remaining contamination. The cover system consists of asphalt, concrete, gravel, floor slab, building foundation, and soil cover in areas where the upper one foot of exposed surface soil exceeded the applicable SCOs. The soil and crushed stone cover systems have a minimum thickness of one foot, meeting the SCOs for cover material as set forth in 6NYCRR Part 375-6.7(d) for commercial use. The asphalt cover includes a 2-inch base of crushed stone overlain by 4 inches of blacktop material. The cover system was placed over a demarcation layer of Geotextile fabric to distinguish it from the industrial/urban fill or clean fill used to establish the required grade. All fill material brought to the Site met the requirements for

commercial use as set forth in 6NYCRR Part 375-6.7(d). Figure 2 shows the cover system across the Site. All groundwater monitoring wells were decommissioned during remedial activities.

Institutional and engineering controls (IC/ECs) have been incorporated into the Site remedy to control exposure to remaining contamination to ensure protection of public health and the environment. An Environmental Easement granted May 2, 2016, and recorded with the Erie County Clerk, requires compliance with the SMP and all IC/ECs placed on the Site.

3.0 SITE MANAGEMENT PLAN

The October 2016 SMP provides for long-term management of remaining contamination and includes requirements for IC/ECs, maintenance and reporting.

3.1 IC/EC Compliance

Because remaining contaminated soil/fill exists at the Site, IC/ECs are required to protect human health and the environment.

3.1.1 Institutional Controls (ICs) Requirements

The Site is subject to the following ICs:

- Compliance with Department-approved SMP.
- The use of groundwater underlying the property as a source of potable or process water is prohibited without necessary water quality treatment as determined by the NYSDOH or County DOH.
- Data and information pertinent to Site management must be reported at the frequency and in the manner defined in the SMP.
- All future activities that will disturb remaining contaminated material must be conducted in accordance with the SMP.
- Operation, maintenance, monitoring, inspection, and reporting of any mechanical or physical component of the remedy shall be performed as defined in the SMP.
- Vegetable gardens and farming on the Site are prohibited.
- 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 Easement.

ICs identified in the Environmental Easement may not be discontinued without an amendment to or extinguishment of the Environmental Easement.

3.1.2 Engineering Controls (ECs) Requirements

A cover system has been installed at the Site to prevent exposure to remaining contamination above the commercial SCOs in soil/fill. The cover system consists of the following:

- Existing Soil Cover: Minimum 12 inches of soil, mostly along the sidewalks near the front entrance (Dingens St.).
- New Crushed Stone Cover: Mostly along the property boundary and eastern portion of the Site.
- New and Existing Asphalt Cover: Minimum 4 inches of blacktop over a minimum 2 inches of crushed stone for paved parking areas.
- Existing Concrete Cover: 4 to 8 inches of concrete over 2 to 4 inches of crushed stone, including the warehouse foundation and building.

The cover system was placed over a demarcation layer of Geotextile fabric to distinguish it from the industrial/urban fill or clean fill used to establish the required grade.

The Excavation Work Plan (EWP), included as Appendix C of the SMP, outlines the procedures required to be implemented in the event the cover system is breached, penetrated or temporarily removed, and any underlying remaining contamination is disturbed. All material excavated and removed from the Site will be treated as contaminated and transported/discharged off-site in accordance with all local, State (including 6NYCRR Part 360) and Federal regulations. Any new excavations will be properly backfilled with clean, pre-tested off-site fill, cover material, and geotextile layers to delineate between existing on-site materials, clean fill and cover material.

Procedures for the inspection of the cover systems are provided in the Inspection and Maintenance Plan included as Section 4.0 of the SMP. Any work conducted pursuant to the EWP must also be conducted in accordance with the procedures defined in the Site Health and Safety Plan (HASP) and associated Community Air Monitoring Plan (CAMP) included as Appendix H of the SMP.

The elements of the Engineering Control for the Site include the following:

- The cover systems described above.
- The EWP that details provisions for management of future excavations in areas of remaining contamination.
- Provisions in the Environmental Easement (SMP Appendix E) regarding land use and groundwater use restrictions.
- Provisions for the management and inspection of the identified ECs.
- Maintaining Site access controls and Department notifications.
- Periodic review and certification of the IC/ECs.

3.1.3 Site Inspection & IC/EC Compliance

On April 17, 2019, Benchmark’s Certifying Professional Engineer performed a Site visit and assessment. During this visit, the Site covered by this PRR was found to be compliant with the IC/EC requirements. Appendix A includes the completed and P.E.-certified IC/EC Form for the Site. Appendix B includes a photographic log of Site conditions at the time of the inspection.

3.2 Monitoring Plan Compliance

The Monitoring Plan presented in the SMP describes the measures for evaluating the performance and effectiveness of the remedy to reduce or mitigate contamination at the Site, the soil cover system, and all affected site media presented below. Table 1 summarizes the required monitoring program, which is limited to cover system inspections.

Table 1: Monitoring/Inspection Schedule

Monitoring Program	Frequency*	Matrix	Analysis
Cover System	Annual Inspection; and following severe storms events	N/A	Visual only

* The frequency of events will be conducted as specified in the SMP until otherwise approved by NYSDEC and NYSDOH.

3.2.1 Cover System Monitoring

In accordance with the SMP, the cover system must be maintained and replaced in the event it is breached as described in the EWP (SMP Appendix C). The cover will be inspected on an annual basis and following severe storm events. If frequent areas of distress are noted, they will be repaired based on the following conditions.

- Asphalt Cover Monitoring: A brief summary of the key maintenance concerns and the respective corrective actions is provided below:
 - *Half-inch or greater cracks or pot holes exposing the sub-base will be sealed or repaired to restore the asphalt cover.*
 - *Vegetation will be removed, and the associated impact, hole, or crack will be sealed or repaired to restore the asphalt cover.*

- Vegetative Soil Cover Monitoring: A brief summary of the key maintenance concerns and the respective corrective actions is provided below:
 - *Areas where erosion problems (i.e., rills or gullies) are observed will be repaired by re-grading the localized area, adding the required fill material and/ or topsoil, and reseeding/ replanting as necessary.*
 - *If burrowing animals are observed breaching the soil cover, as evidenced by exposed fill material, they will be eradicated by a licensed exterminator.*

Based on the Site inspection performed April 17, 2019, the asphalt and vegetative soil cover systems at the Site were compliant with the IC/EC requirements. Minor surface weathering (i.e., pot holes) of the asphalt cover, following winter freeze/thaw, were observed and vegetation was absent along portions of the fence line due to spraying for control of invasive species.

3.3 O&M Compliance

The Site remedy does not rely on any mechanical systems (e.g., sub-slab depressurization systems, groundwater pump and treat, or soil vapor extraction systems) to protect public health and the environment; therefore, an Operation and Maintenance (O&M) Plan is not required for the Site.

4.0 CONCLUSIONS

Based on our observation during the April 17, 2019 Site inspection, the Site covered by this PRR was fully compliant with the IC/EC requirements.

5.0 DECLARATION/LIMITATION

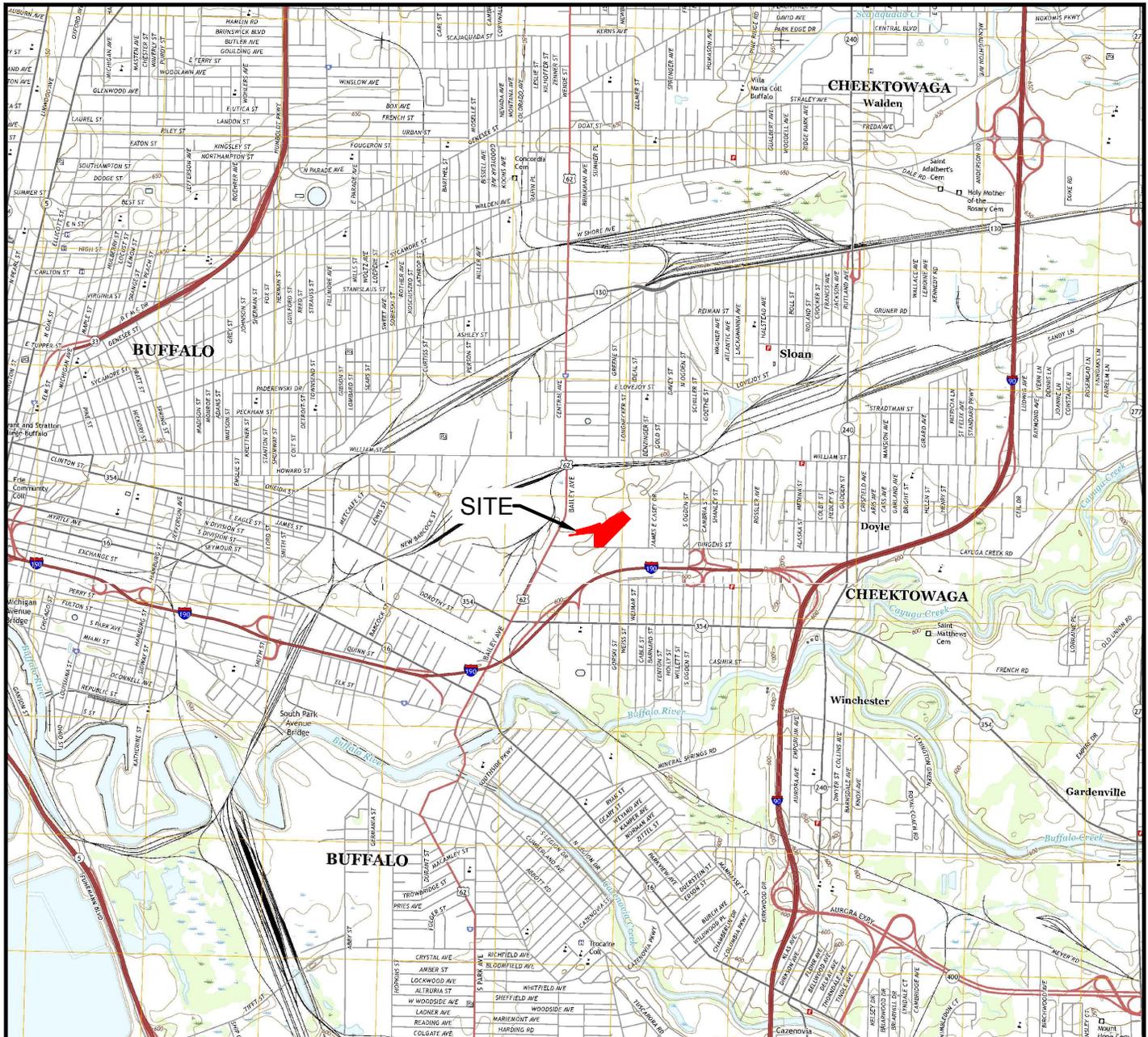
This report has been prepared for the exclusive use of 132 Dingens St, LLC. The contents of this report are limited to information available at the time of the Site inspection. Data provided by others as referenced herein is assumed to be accurate and reliable. The findings herein may be relied upon only at the discretion of 132 Dingens St, LLC. Use of or reliance upon this report or its findings by any other person or entity is prohibited without written permission of Benchmark Environmental Engineering and Science, PLLC.

6.0 REFERENCES

1. New York State Department of Environmental Conservation. *DER-10/Technical Guidance for Site Investigation and Remediation*. May 2010.
2. Iyer Environmental Group, PLLC. *Site Management Plan, 132 Dingens St. Site, Erie County, Buffalo, New York, BCP Site No. C915263*. July 2016; revised October 2016.
3. Iyer Environmental Group, PLLC. *Periodic Review Report and IC/EC Certification, 132 Dingens St. Site, Buffalo, New York, BCP Site No. C915263*. April 23, 2018.
4. Iyer Environmental Group, PLLC. *Work Plan for Remedial Investigation/Interim Remedial Action, 132 Dingens St. Site, Buffalo, New York*. June 2012.
5. Iyer Environmental Group, PLLC. *BCP Alternatives Analysis Report & Remedial Action Work Plan, 132 Dingens St. Site, Buffalo, New York, Site No. C915263*. Revised February and May 2015.
6. Iyer Environmental Group, PLLC. *Remedial Action Work Plan, 132 Dingens St. Site, Buffalo, New York, BCP Site No. C915263*. July 2015.
7. Iyer Environmental Group, PLLC. *Final Engineering Report, 132 Dingens St. Site, Buffalo, New York*. October 2016.
8. Acres International. *Phase I Environmental Site Assessment, 132 Dingens St. Site, Buffalo, New York*. 1997.
9. Kay Ver Group. *Phase I Environmental Site Assessment, 132 Dingens St. Site, Buffalo, New York*. 2004.
10. Baron Associates. *Phase II Environmental Site Assessment, 132 Dingens St. Site, Buffalo, New York*. 2004.
11. Iyer Environmental Group, PLLC. *Phase II Environmental Site Assessment, 132 Dingens St. Site, Buffalo, New York*. 2011.
12. Iyer Environmental Group, PLLC. *Supplemental Phase II Environmental Site Assessment, 132 Dingens St. Site, Buffalo, New York*. 2012.
13. Iyer Environmental Group, PLLC. *BCP Remedial Investigation Report, 132 Dingens St. Site, Buffalo, New York, BCP Site No. C915263*. January 2013.

FIGURES

FIGURE 1



Produced by the United States Geological Survey
 North American Datum of 1983 (NAD83)
 World Geodetic System of 1984 (WGS84). Projection and
 1 000-meter grid: Universal Transverse Mercator, Zone 17T
 10 000-foot ticks: New York Coordinate System of 1983 (west
 zone)



QUADRANGLE LOCATION

SITE LOCATION & VICINITY MAP

PERIODIC REVIEW REPORT
 132 DINGENS STREET SITE
 SITE NO. C915263
 BUFFALO, NEW YORK
 PREPARED FOR
 132 DINGENS ST, LLC



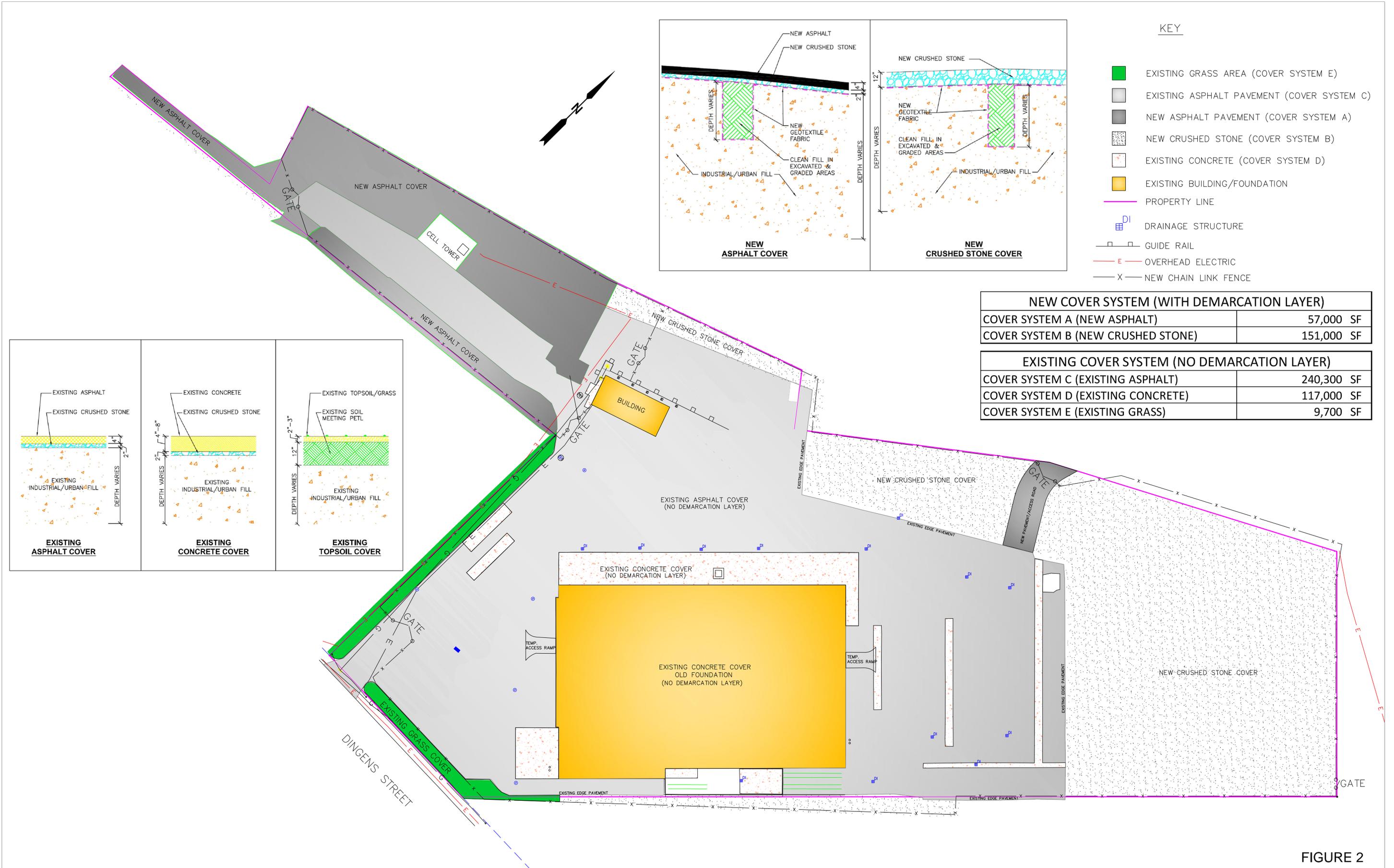
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PROJECT NO.: B0365-019-001

DATE: MAY 2019

DRAFTED BY: CCB

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132 DINGENS STREET SITE- FINAL ASBUILT

PINTO
CONSTRUCTION SERVICES INC.

Pinto Construction Services
1 Babcock Street, Buffalo, NY 14210-2250
Phone: (716) 825-6666
Fax: 716-825-6773

DATE: 10/05/16	DRAWING NAME: DIN-4X225 - 03
DRAWN BY: GM	SHEET NO. D-1
SCALE: 1"=50'	

FIGURE 2

APPENDIX A

SITE INSPECTION (IC/EC) 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.	C915263		
Site Name 132 Dingens St. Site			
Site Address: 132-136 Dingens Street		Zip Code: 14206	
City/Town: Buffalo			
County: Erie			
Site Acreage: 13.200			
Reporting Period: April 20, 2018 to April 20, 2019			
		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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>
		Box 2	
		YES	NO
6.	Is the current site use consistent with the use(s) listed below? 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

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. C915263

Box 3**Description of Institutional Controls**ParcelOwnerInstitutional Control

112.19-1-14.11

132 Dingens St, LLC

Ground Water Use Restriction
Soil Management Plan
Landuse Restriction
Site Management Plan
IC/EC Plan

1. Prohibition of groundwater use.
2. Land use restrictions.
3. Implementation of the Site Management Plan.

Box 4**Description of Engineering Controls**ParcelEngineering Control

112.19-1-14.11

Cover System

Maintenance of the Cover System.

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

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 James Panepinto at 132 Dingens St., Buffalo, NY 14206,
print name 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

05/13/2019
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 Lori E. Riker, P.E. at 2558 Hamburg Turnpike, Suite 300
Buffalo, NY 14218
print name print business address

I am certifying as a Qualified Environmental Professional for the Owner
(Owner or Remedial Party)



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

Stamp (Required for PE)

05/13/2019

Date

APPENDIX B

SITE PHOTOGRAPHIC LOG

SITE PHOTOGRAPHS

Photo 1:



Photo 2:



Photo 3:



Photo 4:



EASTERN END OF PROPERTY

Photo 1: Crushed stone cover and fence along eastern property boundary (looking northwest)

Photo 2: Crushed stone cover and fence along northern property boundary (looking west)

Photo 3: New pavement/access road at gate (looking south)

Photo 4: Transition from new crushed stone cover to existing asphalt and concrete covers (looking south)

SITE PHOTOGRAPHS

Photo 5:



Photo 6:



Photo 7:



Photo 8:



EAST-CENTRAL PORTION OF PROPERTY

Photo 5: New crushed stone cover and fence along southern property boundary (looking southwest)

Photo 6: Weathering of existing asphalt cover (looking southeast)

Photo 7: Existing concrete and asphalt cover and temporary access ramp to old foundation (looking southwest)

Photo 8: New crushed stone and existing asphalt/concrete cover (looking south)

SITE PHOTOGRAPHS

Photo 9:



Photo 10:



Photo 11:



Photo 11:



SOUTH-CENTRAL PORTION OF PROPERTY

Photo 9: Old concrete foundation; test hole to confirm structural integrity for future use (looking west)

Photo 10: Existing concrete & asphalt cover along southern property boundary (looking south from foundation)

Photo 11: Existing grass, concrete and asphalt covers along southern property boundary (looking northeast)

Photo 12: Existing asphalt cover (looking northeast from Dingens Street entrance)

SITE PHOTOGRAPHS

Photo 13:



Photo 14:



Photo 15:



Photo 16:



NORTH-CENTRAL PORTION OF PROPERTY

Photo 13: Renovated office building and existing asphalt cover (looking north)

Photo 14: New asphalt ramp at entrance to building (looking north)

Photo 15: New asphalt apron on eastern side of building (looking south)

Photo 16: New asphalt apron on western side of building (looking southeast)

SITE PHOTOGRAPHS

Photo 17:



Photo 18:



Photo 19:



Photo 20:



WESTERN END OF PROPERTY

Photo 17: New asphalt cover along northwestern property boundary (looking west)

Photo 18: New asphalt cover along western end of property (looking west)

Photo 19: New and existing asphalt cover along southwestern property boundary (looking east)

Photo 20: New and existing asphalt cover (looking east)