NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

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October 7, 2015

Mr. Samuel Savarino
500 Seneca Street, LLC
95 Perry Street
Buffalo, New York 14203

RE: 500 Seneca Street Site
Site ID No. C915273, Buffalo (C), Erie County
Remedial Work Plan & Decision Document

Dear Mr. Savarino:

The New York State Department of Environmental Conservation (Department) and the New York State Department of Health (NYSDOH) have reviewed the Remedial Work Plan (RWP) for the 500 Seneca Street Site dated April 2015, and prepared by Benchmark on behalf of 500 Seneca Street, LLC. The RWP is hereby approved. Please ensure that a copy of the approved RWP is placed in the document repository. The draft plan should be removed.

Enclosed is a copy of the Department's Decision Document for the site. The remedy is to be implemented in accordance with this Decision Document. Please ensure that a copy of the Decision Document is placed in the document repository.

Please contact the Department's Project Manager, Maurice Moore, at 716-851-7220 or maurice.moore@dec.ny.gov at your earliest convenience to discuss next steps. Please recall the Department requires a seven (7) day notice prior to the start of field work.

Sincerely,

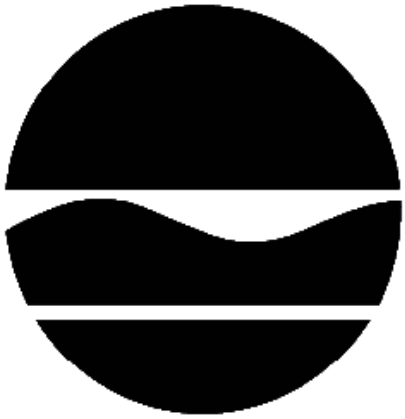
Michael J. Cruden, P.E.
Director
Remedial Bureau E
Division of Environmental Remediation

Enclosure

ec: Robert Schick/Michael Ryan, DER
Chad Staniszewski/Maurice Moore/Jennifer Dougherty, Region 9
Krista Anders/Charlotte Bethoney/Bridget Boyd, NYSDOH
Thomas Forbes, Benchmark
Craig Slater, Esq.

DECISION DOCUMENT

500 Seneca Street Site
Brownfield Cleanup Program
Buffalo, Erie County
Site No. C915273
October 2015



Prepared by
Division of Environmental Remediation
New York State Department of Environmental Conservation

DECLARATION STATEMENT - DECISION DOCUMENT

500 Seneca Street Site
Brownfield Cleanup Program
Buffalo, Erie County
Site No. C915273
October 2015

Statement of Purpose and Basis

This document presents the remedy for the 500 Seneca Street Site site, a brownfield cleanup site. The remedial program was chosen in accordance with the New York State Environmental Conservation Law and Title 6 of the Official Compilation of Codes, Rules and Regulations of the State of New York (6 NYCRR) Part 375.

This decision is based on the Administrative Record of the New York State Department of Environmental Conservation (the Department) for the 500 Seneca Street Site site and the public's input to the proposed remedy presented by the Department.

Description of Selected Remedy

The elements of the selected remedy are as follows:

1. A remedial program has been implemented to provide the details necessary for the construction, operation, optimization, maintenance, and monitoring of the remedial program. Green remediation principles and techniques have been implemented to the extent feasible in the design, implementation, and site management of the remedy as per DER-31. The major green remediation components are as follows;

- Considering the environmental impacts of treatment technologies and remedy stewardship over the long term;
- Reducing direct and indirect greenhouse gases and other emissions;
- Increasing energy efficiency and minimizing use of non-renewable energy;
- Conserving and efficiently managing resources and materials;
- Reducing waste, increasing recycling and increasing reuse of materials which would otherwise be considered a waste;
- Fostering green and healthy communities and working landscapes which balance ecological, economic and social goals; and
- Integrating the remedy with the end use where possible and encouraging green and sustainable re-development.

2. A site cover currently exists and will be maintained to allow for restricted residential use of the site. Any site redevelopment will maintain the existing site cover, which consists either of the structures such as buildings, pavement, sidewalks or soil where the upper two feet of exposed surface soil meets the applicable soil cleanup objectives (SCOs) for restricted residential use. Any

fill material brought to the site will meet the requirements for the identified site use as set forth in 6NYCRR part 375-6.7(d).

3. Removal of potential environmental impacts including:
- sediment on the floor of the previously flooded basement and mechanical room;
- PCB containing water within the blower sump; and
- any other miscellaneous universal wastes, such as, fluorescent light tubes, unused paints, cleaning supplies, greases and oils in various size and type of containers remain, that if left unaddressed, could impact the environment.

4. Imposition of an institutional control in the form of an environmental easement for the controlled property which will:
- require the remedial party or site owner to complete and submit to the Department a periodic certification of institutional and engineering controls in accordance with Part 375-1.8 (h)(3);
- allow the use and development of the controlled property for restricted residential, or commercial, or industrial uses as defined by Part 375-1.8(g), although land use is subject to local zoning laws;
- restrict the use of groundwater as a source of potable or process water, without necessary water quality treatment as determined by the NYSDOH or County DOH; and
- require compliance with the Department approved Site Management Plan

5. A Site Management Plan is in place which includes the following:

a. an Institutional and Engineering Control Plan that identifies all use restrictions and engineering controls for the site and details the steps and media-specific requirements necessary to ensure the following institutional and/or engineering controls remain in place and effective:

Institutional Controls: The Environmental Easement discussed, in Paragraph 4 above, allowable use, restricted groundwater use, compliance with a SMP and periodic review reporting.

Engineering Controls: The site cover discussed in Paragraph 2.

This plan includes, but is not limited to:

- an Excavation Plan which details the provisions for management of future excavations in areas of remaining contamination;

- provisions for the management and inspection of the identified engineering controls;

- maintaining site access controls and Department notification; and

- the steps necessary for the periodic reviews and certification of the institutional and/or engineering controls.

b. a Monitoring Plan to assess the performance and effectiveness of the remedy. The plan includes,

but may not be limited to:

- monitoring the performance and effectiveness of the site cover;
- monitoring of groundwater to assess the performance and effectiveness of the remedy; and
- a schedule of monitoring and frequency of submittals to the Department.

Declaration

The remedy conforms with promulgated standards and criteria that are directly applicable, or that are relevant and appropriate and takes into consideration Department guidance, as appropriate. The remedy is protective of public health and the environment.

Michael J Cruden

Digitally signed by Michael J Cruden
DN: cn=Michael J Cruden, o=DER, ou=RBE, email=mjcruden@gw.dec.state.ny.us, c=US
Date: 2015.10.02 15:57:51 -04'00'

Date

Michael Cruden, Director
Remedial Bureau E

DECISION DOCUMENT

500 Seneca Street Site
Buffalo, Erie County
Site No. C915273
October 2015

SECTION 1: SUMMARY AND PURPOSE

The New York State Department of Environmental Conservation (the Department), in consultation with the New York State Department of Health (NYSDOH), has selected a remedy for the above referenced site. The disposal of contaminants at the site has resulted in threats to public health and the environment that would be addressed by the remedy. The disposal or release of contaminants at this site, as more fully described in this document, has contaminated various environmental media. Contaminants include hazardous waste and/or petroleum.

The New York State Brownfield Cleanup Program (BCP) is a voluntary program. The goal of the BCP is to enhance private-sector cleanups of brownfields and to reduce development pressure on "greenfields." A brownfield site is real property, the redevelopment or reuse of which may be complicated by the presence or potential presence of a contaminant.

The Department has issued this document in accordance with the requirements of New York State Environmental Conservation Law and 6 NYCRR Part 375. This document is a summary of the information that can be found in the site-related reports and documents.

SECTION 2: CITIZEN PARTICIPATION

The Department seeks input from the community on all remedies. A public comment period was held, during which the public was encouraged to submit comment on the proposed remedy. All comments on the remedy received during the comment period were considered by the Department in selecting a remedy for the site. Site-related reports and documents were made available for review by the public at the following document repositories:

Buffalo & Erie County Public Library
Attn: Ms. Mary Jean Jakubowski
1 Lafayette Square
Buffalo, NY 14203
Phone: 716-858-8900

New York State Department of Environmental Conservation
Attn: Maurice Moore
270 Michigan Avenue
Buffalo, NY 14203

Phone: 716-851-7220

Receive Site Citizen Participation Information By Email

Please note that the Department's Division of Environmental Remediation (DER) is "going paperless" relative to citizen participation information. The ultimate goal is to distribute citizen participation information about contaminated sites electronically by way of county email listservs. Information will be distributed for all sites that are being investigated and cleaned up in a particular county under the State Superfund Program, Environmental Restoration Program, Brownfield Cleanup Program, Voluntary Cleanup Program, and Resource Conservation and Recovery Act Program. We encourage the public to sign up for one or more county listservs at http://www.dec.ny.gov/chemical/61092.html

SECTION 3: SITE DESCRIPTION AND HISTORY

Location:
The 500 Seneca Street Site is located in an urban, mixed-use, commercial and residential area within the City of Buffalo. The approximately 1.87 acre site encompasses an entire block bordered by Seneca Street to the south, Myrtle Street to the north, Hamburg Street to the east and Spring Street to the west.

Site Features:
The site is comprised of a 328,000 square foot multi-story building with a small open lot on the western site of the parcel. The building was constructed beginning in 1901 with various additions and expansions. An open-air courtyard exists in the eastern portion of the building.

Current Zoning and Land Use:
The site is currently vacant commercial property, and is zoned M-1, light industrial district. The building is listed in the National Registry of Historic Places. The future use of the site is intended for restricted residential and commercial. The nearest residential parcel is less than 500 feet to the north.

Past Use of the Site:
The site originally housed the F.N. Burt Company, which utilized the property for box manufacturing from original building construction in the early 1900's until 1959. Between approximately 1968 and 1980, Wolkind Bros, Inc., a clothing rental company, utilized the property. Between 1986 and 2004, the site was used for manufacturing, warehousing and shipping operations. The site has been largely vacant and underutilized since manufacturing operations ceased in 2004.

Two underground storage tanks were removed from the open lot area in December 2007 under spill number 0751217. In addition to the tanks, approximately 45 tons of petroleum contaminated soil and 1,650 gallons of petroleum/water mixture was removed and disposed. Inaccessible petroleum impacted soil remained under a single story garage. The remaining impacts resulted in a closed-inactive status for the petroleum spill.

Site Geology and Hydrology:
The majority of the site is characterized by 6 inches of asphalt or concrete above 6 inches of gravel, with underlying fill soils comprised mostly of sand and brick from 4 to 4.5 feet below ground surface. Native soils are encountered about 4.5 feet below ground surface and generally consist of clayey silt with intermittent layers of silty sand and gravel. Bedrock consisting of Middle Devonian, Onondaga Shale was encountered about 13 feet below ground surface

Groundwater is encountered from 5 to 9 feet below ground surface. However when excavated to bedrock, little infiltration was noted, indicative of a perched condition. The site is located approximately 0.8 miles northeast of the Buffalo River and local site groundwater flows west-northwest with the upper horizon influenced by urban infrastructure.

A site location map is attached as Figure 1.

SECTION 4: LAND USE AND PHYSICAL SETTING

The Department may consider the current, intended, and reasonably anticipated future land use of the site and its surroundings when evaluating a remedy for soil remediation. For this site, alternatives that restrict the use of the site to restricted-residential use (which allows for commercial use and industrial use) as described in Part 375-1.8(g) were/was evaluated in addition to an alternative which would allow for unrestricted use of the site.

A comparison of the results of the Remedial Investigation (RI) to the appropriate standards, criteria and guidance values (SCGs) for the identified land use and the unrestricted use SCGs for the site contaminants is available in the RI Report.

SECTION 5: ENFORCEMENT STATUS

The Applicant under the Brownfield Cleanup Agreement is a Volunteer. The Applicant does not have an obligation to address off-site contamination. However, the Department has determined that this site does not pose a significant threat to public health or the environment; accordingly, no enforcement actions are necessary.

SECTION 6: SITE CONTAMINATION

6.1: Summary of the Remedial Investigation

A remedial investigation (RI) serves as the mechanism for collecting data to:

- characterize site conditions;
- determine the nature of the contamination; and
- assess risk to human health and the environment.

The RI is intended to identify the nature (or type) of contamination which may be present at a site and the extent of that contamination in the environment on the site, or leaving the site. The RI reports on data gathered to determine if the soil, groundwater, soil vapor, indoor air, surface water

or sediments may have been contaminated. Monitoring wells are installed to assess groundwater and soil borings or test pits are installed to sample soil and/or waste(s) identified. If other natural resources are present, such as surface water bodies or wetlands, the water and sediment may be sampled as well. Based on the presence of contaminants in soil and groundwater, soil vapor will also be sampled for the presence of contamination. Data collected in the RI influence the development of remedial alternatives. The RI report is available for review in the site document repository and the results are summarized in section 6.3.

The analytical data collected on this site includes data for:

- groundwater
- soil
- indoor air
- sub-slab vapor

6.1.1: Standards, Criteria, and Guidance (SCGs)

The remedy must conform to promulgated standards and criteria that are directly applicable or that are relevant and appropriate. The selection of a remedy must also take into consideration guidance, as appropriate. Standards, Criteria and Guidance are hereafter called SCGs.

To determine whether the contaminants identified in various media are present at levels of concern, the data from the RI were compared to media-specific SCGs. The Department has developed SCGs for groundwater, surface water, sediments, and soil. The NYSDOH has developed SCGs for drinking water and soil vapor intrusion. For a full listing of all SCGs see: http://www.dec.ny.gov/regulations/61794.html

6.1.2: RI Results

The data have identified contaminants of concern. A "contaminant of concern" is a contaminant that is sufficiently present in frequency and concentration in the environment to require evaluation for remedial action. Not all contaminants identified on the property are contaminants of concern. The nature and extent of contamination and environmental media requiring action are summarized below. Additionally, the RI Report contains a full discussion of the data. The contaminant(s) of concern identified at this site is/are:

petroleum products	PCB aroclor 1016
trichloroethene (TCE)	arsenic
tetrachloroethene (PCE)	lead
barium	

The contaminant(s) of concern exceed the applicable SCGs for:

- groundwater
- soil

6.2: Interim Remedial Measures

An interim remedial measure (IRM) is conducted at a site when a source of contamination or exposure pathway can be effectively addressed before issuance of the Decision Document.

The following IRM(s) has/have been completed at this site based on conditions observed during the RI.

IRM - Soil Removal

An IRM, completed November 25, 2014, excavated approximately 385 tons of soil in the western lot area, addressing the material that could not be removed under Spill No. 0751217. The petroleum impacted soils were removed to approximately 8 feet below ground surface and laterally until soil cleanup objectives (SCOs) were met. Excavation of this material also removed the one arsenic result of 24.3 parts per million (ppm) that exceeded SCOs. Also included in this IRM was a separate area excavated to approximately 2 feet below ground surface that removed PAHs found in surface sample SS-3. Post IRM sampling results noted PAHs slightly above restricted residential SCOs remain in this area.

A site cover has been completed that includes asphalt and a small, two feet thick, area of soil cover meeting the SCOs for cover material as set forth in 6 NYCRR Part 375-6.7(d) for restricted residential use.

Chlorinated Solvent Soil Removal

A second IRM, completed in January 2014, included excavation of volatile organic compound (VOC) impacted soils in a loading dock area within the northern-central portion of the facility. The extent of excavation was limited due to structural concerns relating to building walls adjacent to the excavation however the excavation was completed to bedrock effectively removing VOCs to applicable site cleanup objectives.

The excavation was backfilled with approved backfill and concrete was re-poured over the excavation.

6.3: Summary of Environmental Assessment

This section summarizes the assessment of existing and potential future environmental impacts presented by the site. Environmental impacts may include existing and potential future exposure pathways to fish and wildlife receptors, wetlands, groundwater resources, and surface water. The RI report presents a detailed discussion of any existing and potential impacts from the site to fish and wildlife receptors.

Nature and Extent of Contamination:

Prior to Remediation:

500 Seneca Street is included on the National Registry of Historic Places. This designation limited alternatives for remediation.

Before implementation of the IRMs, data was collected for surface soil, sub-surface soil, groundwater and soil vapor and analyzed for metals, semi-volatile organic compounds (SVOCs), VOCs and polychlorinated biphenyls (PCBs). VOCs in soil vapor including TCE at 1.7 ug/m3 and PCE at 0.767 ug/m3 were detected in sub-slabs near the loading dock area. Indoor ambient air samples from three samples note TCE was not detected (ND) and PCE was detected in only 1 of 3 samples at 0.069 ug/m3. Cleanup objectives were exceeded for SVOCs, VOCs and metals in surface and sub-surface soils. No PCBs were detected in surface or sub-surface samples. Surface areas in a basement included mainly metals and the PCB, aroclor 1016. No off-site soil contamination was noted. Prior to implementation of a final remedy, IRMs were completed to allow for site restoration while addressing the most pressing environmental issues.

Post Interim Remedial Measures:

Surface soils: Surface soils in the western lot area exceeding commercial use soil cleanup objectives for SVOCs have been excavated to greater than two feet and backfilled with a soil cover meeting the SCOs for cover material as set forth in 6 NYCRR Part 375-6.7(d) for restricted residential use. The entire western lot area has been covered by an asphalt parking lot or two feet of soil cover meeting the SCOs for cover material stated above, placed over a demarcation barrier.

Sub-surface soils: Sub-surface soils previously impacted with VOCs, SVOCs and metals have been addressed by the IRMs. As noted surface soil was excavated to two feet below the ground surface, however, low level PAHs including benzo(a)pyrene as high as 2.5 ppm remaining in the sub-surface continue to exceed the commercial and restricted residential SCOs of 1 ppm in 2 of 5 samples. Additionally, benzo(b)fluoranthene as high as 4.2 ppm exceeds restricted residential SCOs of 1 ppm in 3 of 5 samples. Indeno(1,2,3-cd)pyrene as high as 3.8 ppm continues to exceed restricted residential SCOs of 0.5 ppm in 2 of 5 samples and benzo(a)anthracene as high as 1.8 ppm continues to exceed restricted residential SCOs in 1 of 5 samples.

The IRM was effective in removing sub-surface soil impacts and addressed the petroleum related compounds remaining after the two UST removals completed under NYSDEC Spill No. 0751217. Post-remedial sampling indicated no petroleum related VOCs exceeding unrestricted use SCOs in the former UST area in any of the six samples analyzed. The IRM was also effective in removing metals contamination including, arsenic, lead and mercury. Post-remedial sampling noted no sample exceeding unrestricted SCOs for metals.

The IRM in the loading dock area within the facility was effective in removing chlorinated VOCs which were a potential source of soil vapor and groundwater contamination. Excavation was completed to bedrock and post-remedial sampling noted no sample exceeding restricted residential use SCOs. One sample, collected from the western wall of the excavation, did note remaining VOCs. Acetone remains at 0.85 ppm, exceeding the unrestricted SCO of 0.05 ppm. TCE at 0.52 ppm exceeds the unrestricted SCO of 0.47 ppm and PCE at 17 ppm exceeds the unrestricted SCO of 1.3 ppm.

The IRM removed VOC source material in the loading dock area to 17 ppm on the western wall of the excavation to less than the restricted residential soil cleanup objective of 19 ppm. Confirmatory samples from the other three walls were less than unrestricted SCOs. The depth of the excavation extended to bedrock. Removal of this source material minimizes the potential for soil vapor contamination.

Groundwater - Post-IRM groundwater samples were collected from 5 permanent groundwater monitoring wells, including a new well placed in the loading dock IRM excavation. Results indicate the IRM effectively removed potential source areas with all monitoring well results below the groundwater quality standards for VOCs.

Other environmental impacts and potential impacts remaining after the IRMs include low level polychlorinated biphenyls (PCBs) at 1.2 part per billion (ppb) exceeding groundwater standards of 0.09 ppb in a previously flooded basement sump in the floor beside a blower motor and one floor wipe sample collected near this motor had a PCB result of 2.9 ug/100 square centimeters. Additionally, a composite sample collected from remaining dirt on the floor notes SVOCs including indeno(1,2,3-cd)pyrene at 7.2 ppm, exceeding the commercial SCO of 5.6 ppm. Benzo(a)pyrene at 4.5 ppm and benzo(b)fluoranthene at 7.2 ppm also exceeded their respective commercial and restricted residential SCOs of 1 ppm. Metals contamination including, arsenic at 108 ppm exceeds commercial and restricted residential SCOs of 16 ppm, barium at 5,090 ppm exceeds the commercial and restricted SCO of 400 ppm and lead at 4,170 ppm exceeds the commercial SCO of 1,000 ppm and the restricted residential SCO of 400 ppm.

General housekeeping issues include fluorescent light tubes, other miscellaneous universal wastes, such as, unused paints, cleaning supplies, greases and oils in various size and type of containers remain, that if left unaddressed, could impact the environment.

6.4: Summary of Human Exposure Pathways

This human exposure assessment identifies ways in which people may be exposed to site-related contaminants. Chemicals can enter the body through three major pathways (breathing, touching or swallowing). This is referred to as *exposure*.

Direct contact with remaining contaminants in the soil is unlikely because the site is covered with a soil cover, buildings and pavement. People may contact contaminants in sediments on the basement floor of the on-site building. People are not drinking the contaminated groundwater because the area is served by a public water supply that is not affected by this contamination.

6.5: Summary of the Remediation Objectives

The objectives for the remedial program have been established through the remedy selection process stated in 6 NYCRR Part 375. The goal for the remedial program is to restore the site to pre-disposal conditions to the extent feasible. At a minimum, the remedy shall eliminate or mitigate all significant threats to public health and the environment presented by the contamination identified at the site through the proper application of scientific and engineering principles.

The remedial action objectives for this site are:

Groundwater

RAOs for Public Health Protection

- Prevent ingestion of groundwater with contaminant levels exceeding drinking water standards.
- Prevent contact with, or inhalation of volatiles, from contaminated groundwater.

RAOs for Environmental Protection

- Restore ground water aquifer to pre-disposal/pre-release conditions, to the extent practicable.
- Remove the source of ground or surface water contamination.

Soil

RAOs for Public Health Protection

- Prevent ingestion/direct contact with contaminated soil.
- Prevent inhalation of or exposure from contaminants volatilizing from contaminants in soil.

RAOs for Environmental Protection

- Prevent migration of contaminants that would result in groundwater or surface water contamination.

SECTION 7: ELEMENTS OF THE SELECTED REMEDY

The alternatives developed for the site and the evaluation of the remedial criteria are presented in the Alternative Analysis. The remedy is selected pursuant to the remedy selection criteria set forth in DER-10, Technical Guidance for Site Investigation and Remediation and 6 NYCRR Part 375.

The selected remedy is a Track 4: Restricted use with site-specific soil cleanup objectives remedy.

The selected remedy is referred to as the soil removal IRMs and housekeeping remedy.

The elements of the selected remedy, as shown in Figure 2, are as follows:

1. A remedial program has been implemented to provide the details necessary for the construction, operation, optimization, maintenance, and monitoring of the remedial program. Green remediation principles and techniques have been implemented to the extent feasible in the design, implementation, and site management of the remedy as per DER-31. The major green remediation components are as follows;

- Considering the environmental impacts of treatment technologies and remedy stewardship over the long term;
- Reducing direct and indirect greenhouse gases and other emissions;
- Increasing energy efficiency and minimizing use of non-renewable energy;
- Conserving and efficiently managing resources and materials;
- Reducing waste, increasing recycling and increasing reuse of materials which would otherwise be considered a waste;

• Fostering green and healthy communities and working landscapes which balance ecological, economic and social goals; and
• Integrating the remedy with the end use where possible and encouraging green and sustainable re-development.

2. A site cover currently exists and will be maintained to allow for restricted residential use of the site. Any site redevelopment will maintain the existing site cover, which consists either of the structures such as buildings, pavement, sidewalks or soil where the upper two feet of exposed surface soil meets the applicable soil cleanup objectives (SCOs) for restricted residential use. Any fill material brought to the site will meet the requirements for the identified site use as set forth in 6NYCRR part 375-6.7(d).

3. Removal of potential environmental impacts including:
• sediment on the floor of the previously flooded basement and mechanical room;
• PCB containing water within the blower sump; and
• any other miscellaneous universal wastes, such as, fluorescent light tubes, unused paints, cleaning supplies, greases and oils in various size and type of containers remain, that if left unaddressed, could impact the environment.

4. Imposition of an institutional control in the form of an environmental easement for the controlled property which will:
• require the remedial party or site owner to complete and submit to the Department a periodic certification of institutional and engineering controls in accordance with Part 375-1.8 (h)(3);
• allow the use and development of the controlled property for restricted residential, or commercial, or industrial uses as defined by Part 375-1.8(g), although land use is subject to local zoning laws;
• restrict the use of groundwater as a source of potable or process water, without necessary water quality treatment as determined by the NYSDOH or County DOH; and
• require compliance with the Department approved Site Management Plan

5. A Site Management Plan is in place which includes the following:

a. an Institutional and Engineering Control Plan that identifies all use restrictions and engineering controls for the site and details the steps and media-specific requirements necessary to ensure the following institutional and/or engineering controls remain in place and effective:

Institutional Controls: The Environmental Easement discussed, in Paragraph 4 above, allowable use, restricted groundwater use, compliance with a SMP and periodic review reporting.

Engineering Controls: The site cover discussed in Paragraph 2.

This plan includes, but is not limited to:

• an Excavation Plan which details the provisions for management of future excavations in areas of remaining contamination;

- provisions for the management and inspection of the identified engineering controls;

- maintaining site access controls and Department notification; and

- the steps necessary for the periodic reviews and certification of the institutional and/or engineering controls.

b. a Monitoring Plan to assess the performance and effectiveness of the remedy. The plan includes, but may not be limited to:

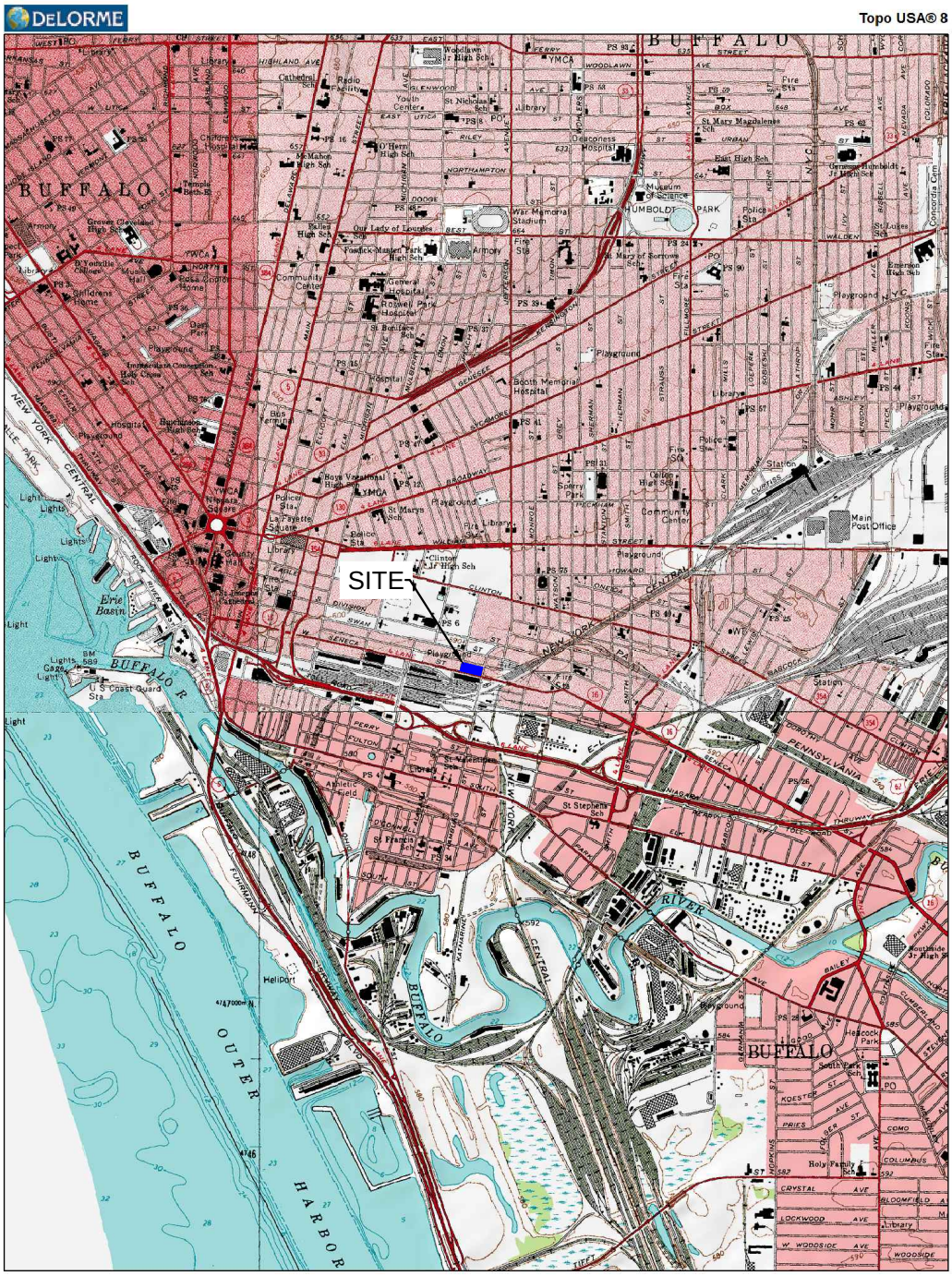
- monitoring the performance and effectiveness of the site cover;

- monitoring of groundwater to assess the performance and effectiveness of the remedy; and

- a schedule of monitoring and frequency of submittals to the Department.

F:\CAD\Benchmark\500 Seneca Street, LLC\RI-IRM-AA Report\Figure 1; Site Location and Vicinity Map.dwg

FIGURE 1



BENCHMARK ENVIRONMENTAL ENGINEERING & SCIENCE, PLLC

2558 HAMBURG TURNPIKE
SUITE 300
BUFFALO, NY 14218
(716) 856-0599

PROJECT NO.: 0270-012-001

DATE: APRIL 2015

DRAFTED BY: BLR

SITE LOCATION AND VICINITY MAP

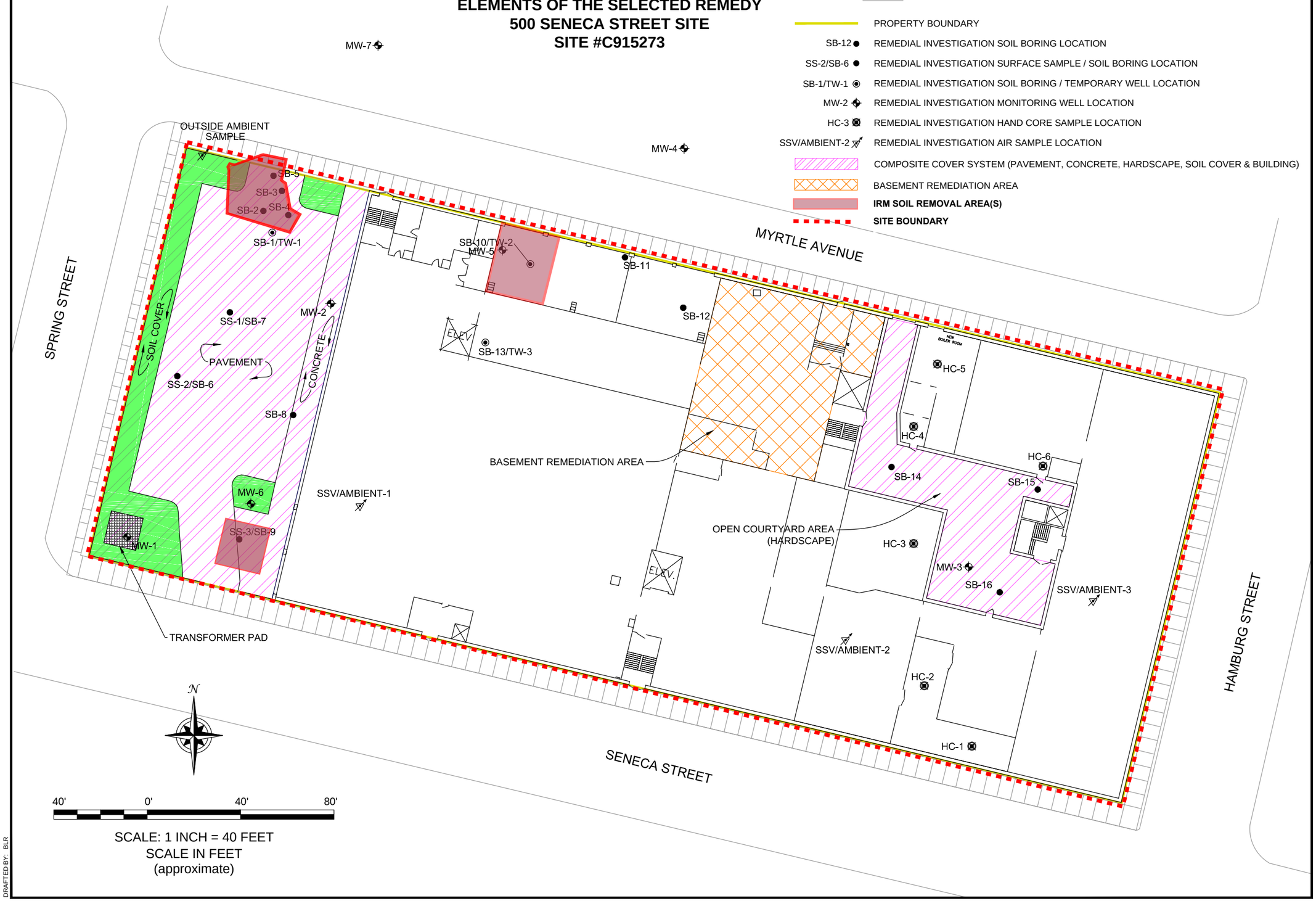
RI-IRM-AA REPORT

500 SENECA STREET SITE
BCP NO. C915273
BUFFALO, NEW YORK

PREPARED FOR

500 SENECA STREET, LLC

FIGURE 2
ELEMENTS OF THE SELECTED REMEDY
500 SENECA STREET SITE
SITE #C915273



DATE: APRIL 2015
DRAFTED BY: BLR

F:\CAD\Benchmark\500 Seneca Street, LLC\RI-IRM-AA Report\Figure 10; Option 2- RRSCO Track 4 Cleanup.dwg

ADAPTED FROM:

BENCHMARK ENVIRONMENTAL ENGINEERING & SCIENCE, PLLC
2558 HAMBURG TURNPIKE
SUITE 300
BUFFALO, NY 14218
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JOB NO.: 0270-012-001

ELEMENTS OF THE SELECTED REMEDY

500 SENECA STREET SITE
BCP NO. C915273
BUFFALO, NEW YORK

PREPARED FOR
500 SENECA STREET, LLC

FIGURE 2