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# **Revised**

## **2020 PERIODIC REVIEW REPORT**

### **NORTHTOWN INC. SITE**

**3097 SHERIDAN DRIVE**  
**AMHERST, NEW YORK**  
**BCP Site Number C915292**

August 5, 2020  
File No. 21.0056687.32



**PREPARED FOR:**  
Northtown Property Owner L.L.C.  
33 Boylston Street  
Chestnut Hill, MA 02467

**GZA GeoEnvironmental of New York**  
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**VIA EMAIL**

August 5, 2020  
File No. 21.0056687.30

Steven Moeller  
New York State Department of Environmental Conservation  
Division of Environmental Remediation  
270 Michigan Avenue  
Buffalo, New York 14203  
email: [steven.moeller@dec.ny.gov](mailto:steven.moeller@dec.ny.gov)

Re: Revised 2020 Periodic Review Report  
Northtown Inc.  
3097 Sheridan Drive, Amherst, New York  
Brownfield Cleanup Program Site (Number C915292)

Dear Mr. Moeller:

GZA GeoEnvironmental of New York (GZA) submits this Revised Periodic Review Report (PRR) on behalf of Northtown Property Owner LLC (Northtown). Northtown is the owner and operator of the Northtown Inc. Brownfield Cleanup Program (BCP) Site (No. 915292). GZA prepared this Revised PRR which addresses Department comments which were provided in a letter dated June 26, 2020.

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

Sincerely,

GZA GEOENVIRONMENTAL OF NEW YORK

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

Bart A. Klettke, P.E.  
Principal

Cc: Stanley Radon (NYSDEC Region 9)  
Jeffrey Curley (Northtown)



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## 1.0 EXECUTIVE SUMMARY

### 1.1 BACKGROUND

The Northtown Inc. Brownfield Cleanup Program (BCP) Site (Site) is comprised of three Areas of Interest (AOIs) the combined total area of which is 1.424 acres within the approximately 19-acre former Northtown Plaza. The former plaza is located at 3097 Sheridan Drive in the Town of Amherst, Erie County, New York and is undergoing a major modernization transformation which includes demolition of existing buildings and construction of new buildings and related amenities. The AOIs of the BCP Site were remediated of fuel oil and chlorinated organic constituents in soil. However, the presence of buildings at the AOIs at the time limited the areal extents of site remediation. This resulted in placement of Institutional and Engineering Controls (IC/ECs), required by the New York State Department of Environmental Conservation (NYSDEC). The IC/ECs are intended to protect current and future Site users from exposure to contaminants that remain in the subsurface. The current ICs and ECs are summarized below:

#### **Institutional Controls Include:**

- Property use may include restricted commercial and restricted industrial use only
- Groundwater may not be used without prior treatment and approval of the regulator
- Compliance with the Site Management Plan is required; and
- Periodic certification of institutional and engineering controls is required.

#### **The Engineering Control is:**

- Operation of sub-slab depressurization (SSD) systems in Building 2 (when occupied) and tenant space No. 14 of (former) Building 3, (when occupied).

The Environmental Easement (EE), which includes greater specificity of the above ICs and EC, was signed by NYSDEC on September 15, 2016. Since issuance of the EE, the former on-Site plaza buildings have been demolished and removed and new buildings are currently under construction as Phase 2 of Site redevelopment proceeds with NYSDEC concurrence. The SMP will be amended as appropriate to reflect the Site changes after completion of Site redevelopment.

### 1.2 EFFECTIVENESS OF THE REMEDIAL PROGRAM

GZA is under contract to Northtown to assist with the implementation of the SMP during redevelopment and has been on Site observing and documenting earthwork, soil management, importation and disposal, and implements the Community Air Monitoring Plan (CAMP). Based upon our observations and the most recent PRR inspection conducted on April 7, 2020, the Site use continues as commercial. By implementation of the SMP and close communication with the NYSDEC Project Manager during construction, the Site remedy continues to be effective at meeting Site RAOs and the Institutional Controls and Engineering Control (ICs/EC) are meeting their objective. GZA identifies the Site as in compliance with the SMP.





### 1.3 RECOMMENDATIONS

GZA and Northtown recommend no changes to the frequency of Site inspections and PRR submittals. Implementation of the SMP will continue as the Site progresses through Phase 2 of redevelopment. Once Site redevelopment has been completed, GZA will submit a progress report of the work completed, relative to the SMP, along with supporting documentation. That progress report will also be attached to the 2021 PRR.

GZA and Northtown will also work with NYSDEC to amend the SMP as appropriate to reflect the changed Site conditions including areas that have undergone further soil remediation, removed buildings and new buildings that have SSD systems.

## 2.0 SITE OVERVIEW

### 2.1 SITE LOCATION BOUNDARIES AND FEATURES

The former Northtown Plaza is in the Town of Amherst, Erie County (**see Figure 1**) and is bounded as follows:

- Sheridan Drive to the north;
- Eggert Road to the south;
- commercial and residential properties to the east; and
- commercial properties to the west.

The BCP Site consists of three Areas of Interest (AOIs), collectively comprising 1.424 acres of the approximately 19-acre former Northtown Plaza (**see Figure 2**).

### 2.2 INVESTIGATION AND REMEDIAL HISTORY

In 2013, a Phase I Environmental Site Assessment (ESA) of the Northtown Plaza identified Recognized Environmental Concerns (RECs) including heating oil underground storage tanks (USTs) and hazardous waste generation related to the historic use of chlorinated solvents by an on-site dry-cleaning operation.

In 2014, a Phase II ESA was completed of the plaza to investigate the above RECs. The Phase II included sampling of subsurface soil, groundwater, indoor air, and sub-slab soil vapor. Environmental impacts were identified, including:

- impacted soil associated with the two abandoned heating oil underground storage tanks (USTs);
- soil impacted by tetrachloroethylene (PCE) associated with former dry-cleaning operations;
- Indoor air impacted by PCE above its respective air guidance value (AGV) in and adjacent to the dry cleaner.



### Brownfield Cleanup Program:

In 2014, Northtown Associates LLC (predecessors of Northtown Property Owner LLC), applied to NYSDEC for admittance into the voluntary BCP. In the BCP application, three areas of interest (AOIs) were identified based on findings from the Phase II. AOIs 1 and 2 are associated with former fuel oil tanks, one (AOI 1) at the southern exterior of former Building #4 and the other (AOI 2) at the western exterior of former Building 3. AOI 3 is associated with the former dry cleaner that occupied the southernmost tenant unit of former Building 3 (**See Figure 2**).

Once admitted into the BCP, Northtown completed two additional investigations in 2015 to delineate the vertical and lateral extent of chlorinated volatile organic compounds (CVOs) at concentrations above the commercial use soil cleanup objectives (SCOs) at AOI 3. After completion of the additional investigations and assessment of potential environmental risks, Remedial Action Objectives (RAOs) for each environmental media were defined.

The RAOs identified for the Site were:

#### Groundwater:

- Prevent ingestion of groundwater containing contaminant levels exceeding drinking water standards.
- Prevent contact with, or inhalation of, volatiles emanating from contaminated groundwater.
- Remove the source of ground or surface water contamination.

#### Soil:

- Prevent ingestion/direct contact with contaminated soil;
- Prevent inhalation of, or exposure to, contaminants volatilizing from contaminated soil;
- Prevent migration of contaminants that would result in groundwater or surface water contamination.

#### Soil Vapor:

- Mitigate impacts to public health resulting from existing, or the potential for, soil vapor intrusion into buildings at a site.

In 2015 and 2016, three Interim Remedial Measures (IRMs) were completed at the Site under the BCP, these IRMs included the following:

- Removal of the two USTs and associated petroleum-impacted soils within AOI 1 and AOI 2;
- Removal of solvent-impacted subsurface soil in areas exterior of the building at AOI 3; and
- Installation of SSD systems within tenant space No. 14 (the former dry-cleaner) of former Building 3 and within off-site Building 2 (former Total Automotive service facility).

The IRMs were successful in meeting the Remedial Action Objectives (RAOs) for the Site and NYSDEC accepted the Final Engineering Report by issuing a Certificate of Completion (COC) on December 15, 2016.

The site is currently undergoing significant changes as part of the second phase of redevelopment of the former plaza. A *15-Day Pre-Construction Notice* (GZA, August 6, 2019) and a *60-Day Advance Notification of Site Change*



of Use (GZA, September 4, 2019) were submitted and are attached in **Appendix E**. Most plaza buildings have been demolished and removed and new buildings are in various stages of construction. Thus, the two SSD systems installed and operated in 2016 are either gone (former Building 3) or are inactive because the building is no longer occupied (Building 2). New Buildings A and B are located partly within AOI 3 and each will have an SSD system installed as part of their construction. Details of these systems and other work completed that is relevant to the SMP will be reported to NYSDEC upon completion of Phase 2 redevelopment work.

### 3.0 EVALUATION OF REMEDY PERFORMANCE, EFFECTIVENESS, AND PROTECTIVENESS

On April 7, 2020, GZA performed a Site Inspection within the PRR reporting period of April 15, 2019 to April 15, 2020. The completed Site Management Form (**Appendix A**) shows the results of the site inspection. Conditions of the Site were also photo documented (**Appendix B**). The locations and orientations of the Site photos are illustrated on **Figure 2**.

As part of the on-going Phase 2 of Site redevelopment, remaining impacted soils have been disturbed and are being managed in accordance with the SMP and with NYSDEC approvals. The original Site buildings have been demolished and removed and Building 2 is unoccupied. The Site remedy, therefore, continues to be effective at meeting the Site RAOs for protection of current and intended future 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 NYSDEC and specified in the EE issued by NYSDEC on September 15, 2016. A summary list of the ICs and ECs for the BCP Site is provided as follows:

##### **Institutional Controls:**

- Property use may include restricted commercial and industrial uses only,
- Groundwater may not be used without prior treatment and approval of the regulators,
- Compliance with the Site Management Plan is required,
- Periodic certification of institutional and engineering controls is required.

##### **Engineering Control:**

- Operation of sub-slab depressurization systems in Building 2 (when occupied) and tenant space No. 14 of Building 3, (when occupied).

Since receipt of COC, the two tenant spaces in which SSD systems were installed have been either demolished and removed (Building 3 in which the dry cleaner was located) or has remained vacant (Total Automotive in Building 2). New buildings being built on AOI 3 (Buildings A and B) will include SSD systems, the design and monitoring of which have been approved by NYSDEC. Therefore, the EC for this Site remains in compliance with the EE. Several building permits were issued since the last PRR., for a list of these, see **Appendix C**.



The Site-specific IC/EC Certification Form, for reporting period of April 15, 2019 to April 15, 2020, was provided to Northtown as an attachment to the March 4, 2020 45-Day Reminder Notice letter sent by NYSDEC. This form has been completed by Northtown and Certified by GZA as QEP. The completed and certified IC/EC Certification Form for this reporting period is included in **Appendix D** of this PRR.

## 5.0 PRR CONCLUSIONS AND RECOMMENDATIONS

### 5.1 PRR CONCLUSIONS

The Site is undergoing significant changes as part of the Phase 2 Site redevelopment. The SMP is being implemented throughout the redevelopment with concurrence of the NYSDEC Project Manager. The Site use remains commercial and the EC remains in compliance with the SMP. The overall Site conditions, current Site use and redevelopment operations were observed by GZA to be following the SMP.

### 5.2 PRR RECOMMENDATIONS

GZA and Northtown recommend no changes to the annual frequency of site inspections and PRR submittals.

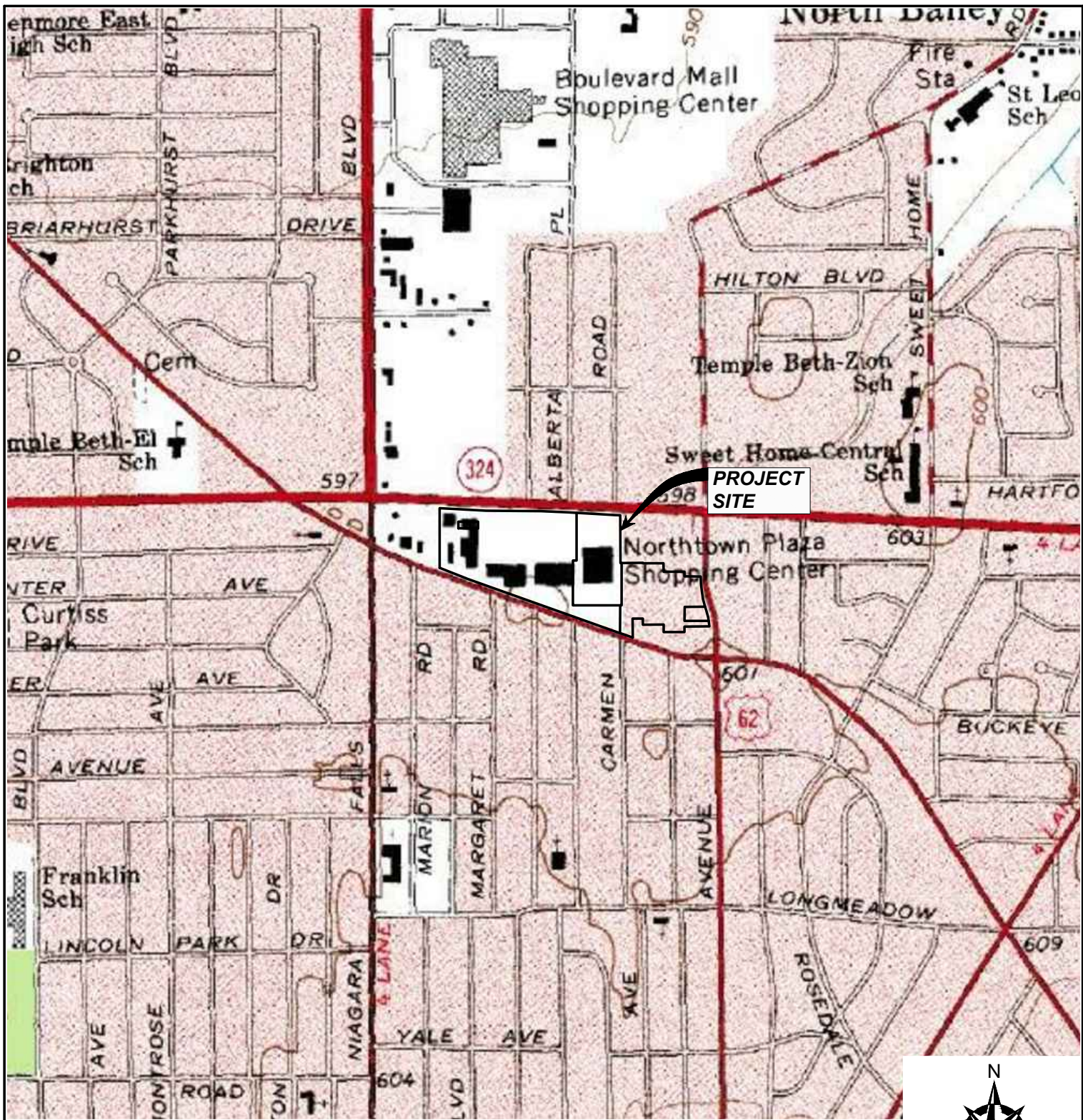
Once Site redevelopment has been completed, GZA will submit a progress report of the work completed relative to the SMP along with supporting documentation. That progress report will also be attached to the 2021 PRR.

GZA and Northtown will also work with NYSDEC to amend the SMP as appropriate to reflect the changed conditions of the Site including areas that have undergone further soil remediation and new buildings that have SSD systems and related monitoring.

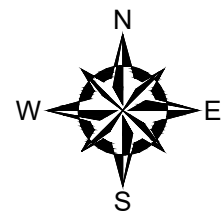
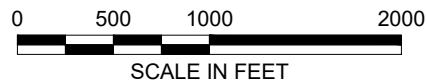


**FIGURES**





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



NO.		ISSUE/DESCRIPTION		BY	DATE
		NORTHTOWN INC. 3097 SHERIDAN DRIVE AMHERST, NEW YORK 14226		FIGURE  1	
		2020 PERIODIC REVIEW REPORT LOCUS PLAN		SHEET NO. 1 of 2	
PROJ MGR:	JR	REVIEWED BY:	BAK	CHECKED BY:	
DESIGNED BY:	MDK	DRAWN BY:	MDK	SCALE:	AS SHOWN
		DATE	APRIL 2020	PROJECT NO.	21.0056687.32
				REVISION NO.	

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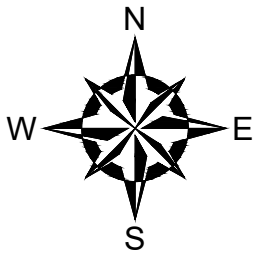
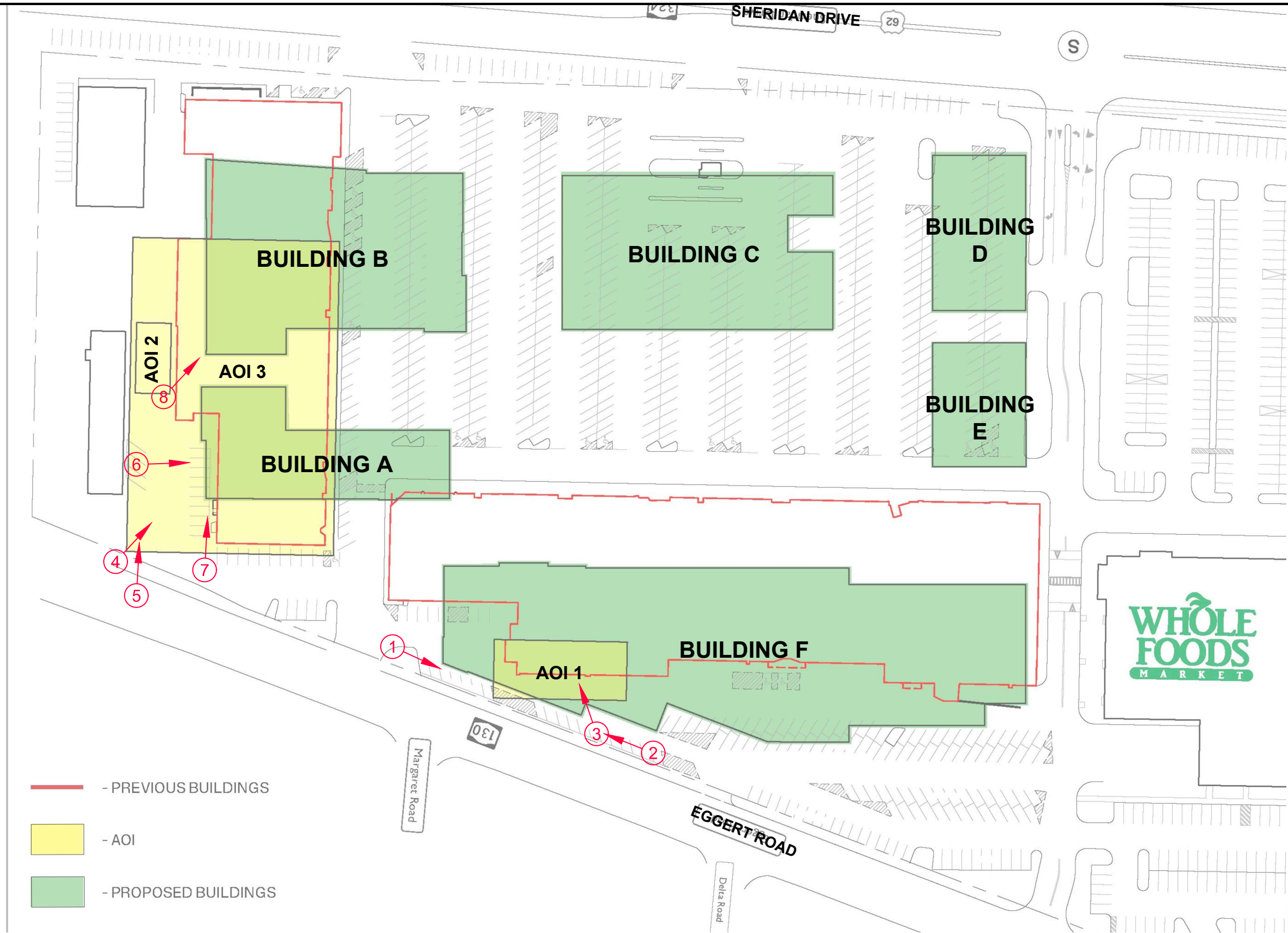
PREPARED BY:  
**GZA GeoEnvironmental of N.Y.  
Engineers and Scientists**  
BUFFALO, NEW YORK 14202  
(716) 685-2300

PREPARED FOR:  
**NORTHTOWN PROPERTY  
OWNER, LLC.**



© 2020 - GZA GeoEnvironmental of N.Y. G:\24-C\Users\michaelkress\Desktop\Northtown\Figure 2 Site Plan - 2020.dwg [Figure 2 Site Plan] April 29, 2020 - 6:10pm MichaelKress

33 Boylstr



- PREVIOUS BUILDINGS
- AOI
- PROPOSED BUILDINGS

**NOTES:**

1. BASE MAP ADAPTED FROM PDF DRAWING DATED 02.11.2020, PROVIDED TO GZA ELECTRONICALLY BY WS DEVELOPMENT.
2. THE SIZE AND LOCATION OF EXISTING SITE FEATURES SHOULD BE CONSIDERED APPROXIMATE.


**LEGEND:**



APPROXIMATE LOCATION AND ORIENTATION OF INSPECTION PHOTOGRAPHS TAKEN ON 04-07-2020

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NO.	ISSUE/DESCRIPTION		BY DATE
NORTHTOWN, INC			
3097 SHERIDAN DRIVE AMHERST, NEW YORK 14226			
2020 PERIODIC REVIEW REPORT PHOTOGRAPH ORIENTATION MAP			
PREPARED BY:  <b>GZA GeoEnvironmental of N.Y.</b> <b>Engineers and Scientists</b> 300 PEARL STREET, SUITE 700 BUFFALO, NEW YORK 14202 (716) 685-2300		PREPARED FOR:  NORTHTOWN PROPERTY OWNER, LLC	
PROJ MGR: JR	REVIEWED BY: BAK	CHECKED BY:	FIGURE
DESIGNED BY: JR	DRAWN BY: MDK	SCALE: AS SHOWN	2
DATE APRIL 2020	PROJECT NO. 21.0056687.32	REVISION NO.	
		2 OF 2	





**APPENDIX A**

**SITE INSPECTION FORM**

Northtown Inc.  
BCP Site No.: C915292  
Site Management Form

SITE DETAILS	
Site No.: C915292	Site Name: Northtown Inc.
Site Address: 3097 Sheridan Drive, Amherst, New York	
PERSON PERFORMING INSPECTION	
Name: Jim Richert	Email: james.richert@gza.com
Company: GZA GeoEnvironmental of New York	Phone Number: 716/844-7048
Others Present: N/A	
INSPECTION DATE AND SITE CONDITIONS	
Insepection Date: April 7, 2020	Inspection Time: 3:00 PM
Weather Conditions: Overcast, ESE Winds 15-25 MPH, 58 degrees F.	
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 controls <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Describe severe condition triggering inspection:  N/A	
VERIFICATION OF SITE DETAILS	
Current Site Owner: Northtown Property Owner LLC	
Current Site Operator: Northtown Property Owner LLC	
Describe Current Site Use ( <i>check all that apply</i> )	
<input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Residential <input type="checkbox"/> Other	
Briefly describe observed site uses: Site undergoing Phase 2 of Site redevelopment. Former Site Buildings removed, new buildings under construction See Photo Log. <i>Note any additional pertinent information to Verification of Site Details (use additional pages if necessary).</i>	
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.  N/A	
INTRUSIVE ACTIVITIES PERFORMED AT SITE DURING INSPECTION PERIOD	
Location: Site Wide and ongoing	Date: Began 10/30/19
Description of activities being performed:  Significant excavation and soil handling being conducted as part of the Phase 2 Site redevelopment. Work being conducted with QEP oversight, in compliance with the SMP, and with concurrence of the NYSDEC P	
Are Site records being properly generated and maintained: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Provide a summary of recordkeeping review and adeuacy:	
ADDITIONAL NOTES & COMMENTS	
Site owner demolished existing Site buildings and is in the process of building new buildings. Where these activities are taking place on the BCP Site, implementation of the Excavation Work Plan and other provisions of the Site Management Plan are being followed.	
INSPECTION CERTIFICATION	
I hereby certify that the information included in this report is complete and accurate to the best of my knowledge	
Inspector Signature: <u>Jim Richert</u>	Date: April 7, 2020



## **APPENDIX B**

### **PHOTO LOG**



## Photographic Log

<b>Client Name:</b> Northtown Property Owner LLC		<b>Site Location:</b> 3097 Sheridan Drive, Amherst, NY	<b>Project No.</b> 21.0056687.32
<b>Photo No.</b> 1	<b>Date:</b> 4-7-20		
<b>Direction Photo Taken:</b>  East			
<b>Description:</b>  AOI-1, south wall of Building F.			
<b>Photo No.</b> 2	<b>Date:</b> 4-7-20		
<b>Direction Photo Taken:</b>  Northwest			
<b>Description:</b>  Building F.			





## Photographic Log

<b>Photo No.</b> 3	<b>Date:</b> 4-7-20
<b>Direction Photo Taken:</b>  North	
<b>Description:</b>  Interior of Building F.	

A photograph showing the interior of a building under construction. The walls are made of grey concrete blocks. There are two large openings in the wall, one on the left and one on the right, looking out onto a construction site. The floor is covered in dirt and gravel. A green hose is visible on the floor near the left opening. In the background, through the right opening, a yellow crane and other construction equipment are visible on a dirt lot under an overcast sky. The foreground shows a rough, uneven ground surface with a concrete curb and some green rebar protruding from it.

<b>Photo No.</b> 4	<b>Date:</b> 4-7-20
<b>Direction Photo Taken:</b>  Northeast from SW corner of AO-I3.	
<b>Description:</b>  AOI-3 Foundations of Building A.	

A wide-angle photograph of a construction site under an overcast sky. The foreground is a flat, grey, gravelly surface with a long wooden plank lying horizontally. In the background, there are concrete foundation walls, construction equipment, and a cloudy sky.





## Photographic Log

<b>Photo No.</b> 5	<b>Date:</b> 4-7-20
<b>Direction Photo Taken:</b>  North, from SW corner of AOI-3.	
<b>Description:</b>  West side of AOI-3 Building B in background.	



<b>Photo No.</b> 6	<b>Date:</b> 4-7-20
<b>Direction Photo Taken:</b>  East	
<b>Description:</b>  Building A wall and pier foundations.	







## Photographic Log

<b>Photo No.</b> 7	<b>Date:</b> 4-7-20
<b>Direction Photo Taken:</b>  North	
<b>Description:</b>  Southwest corner of Building A foundation excavation, (flowable fill beneath water) Building B in background.	

A photograph of a construction site showing a large, muddy, U-shaped excavation pit. The pit is filled with murky water. The surrounding area is covered in gravel and debris. In the background, there are commercial buildings, including one with a "LA FITNESS" sign, and some construction equipment.

<b>Photo No.</b> 8	<b>Date:</b> 4-7-20
<b>Direction Photo Taken:</b>  North/Northeast	
<b>Description:</b>  Building B wall foundations.	

A photograph of a construction site showing the foundation for Building B. The foundation is a rectangular concrete wall with rebar protruding from the top. The area is surrounded by gravel and debris. In the foreground, there are large black and orange pipes and some construction materials. In the background, there are commercial buildings, including one with a 'LA FITNESS' sign, and some construction equipment.





**APPENDIX C**

**BUILDING PERMITS**

## APPENDIX C

### LIST OF BUILDING PERMITS ISSUED DURING REPORTING PERIOD APRIL 15, 2019 TO APRIL 15, 2020

#### NORTHTOWN INC., BCP SITE (# 915292), AMHERST, NEW YORK

Permit	No.	Agency	Issue Date
Private Improvement Permit Waterline	3052	Town Board	June 17, 2019
Private Improvement Permit Sanitary Sewer	3051	Town Board	June 17, 2019
Major Site Plan Review Amendment	SP-1983-52J	Planning Board	June 20, 2019
Demo Permit	BP-2019-3826	Town of Amherst	September 20, 2019
Demo Permit	BP-2019-3825	Town of Amherst	September 20, 2019
Demo Permit	BP-2019-3824	Town of Amherst	September 20, 2019
Highway Work Permit	1341	Erie County DPW	September 23, 2019
Highway Work Permit	1335	Erie County DPW	September 23, 2019
Highway Work Permit	1336	Erie County DPW	September 23, 2019
Site Work Permit	BP-2019-4001	Town of Amherst	October 2, 2019
Building Permit – F	BP-2019-4510A	Town of Amherst	December 18, 2019
Highway Work Permit	20190581750	NYS DOT	January 3, 2020
Building Permit – D	BP-2020-0089	Town of Amherst	January 9, 2020
Building Permit – A	BP-2020-0156	Town of Amherst	January 16, 2020
Building Permit – E	BP-2020-0314	Town of Amherst	February 3, 2020
Building Permit – B	BP-2020-0313	Town of Amherst	February 3, 2020



## **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.**            **C915292**

**Site Name** Northtown Inc.

Site Address: 3097 Sheridan Drive      Zip Code: 14226  
City/Town: Amherst  
County: Erie  
Site Acreage: 1.424

Reporting Period: April 15, 2019 to April 15, 2020

YES    NO

1. Is the information above correct? ☒    ☐

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? ☐    ☒

3. Has there been any change of use at the site during this Reporting Period (see 6NYCRR 375-1.11(d))? ☒    ☐

4. Have any federal, state, and/or local permits (e.g., building, discharge) been issued for or at the property during this Reporting Period? ☒    ☐

**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? ☒    ☐

**Box 2**

YES    NO

6. Is the current site use consistent with the use(s) listed below?  
Commercial and Industrial ☒    ☐

7. Are all ICs/ECs in place and functioning as designed? ☒    ☐

**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. C915292****Box 3****Description of Institutional Controls**ParcelOwnerInstitutional Control**Portion of 67.10-1-10**

Northtown Property Owner LLC

Monitoring Plan  
O&M Plan  
Ground Water Use Restriction  
Landuse Restriction  
Site Management Plan  
IC/EC Plan

Soil Management Plan

An Environmental Easement, filed with the Erie County Clerk's Office on October 12, 2016, imposes the following controls on the property:

1. The property may be used for Commercial and Industrial use and shall not be used for Residential or Restricted Residential purposes as described in 6NYCRR 375-1.8(g)(2).
2. The use of groundwater underlying the property is prohibited without necessary water quality treatment as determined by the New York State Department of Health or the Erie County Department of Health.
3. Compliance with the Department approved November 28, 2016 Site Management plan is required.
4. The remedial party or site owner must complete and submit to the Department a periodic certification of institutional and engineering controls in accordance with Part 375-1.8(h)(3).

**Box 4****Description of Engineering Controls**ParcelEngineering Control**Portion of 67.10-1-10**

Vapor Mitigation

1. Continued operation of the sub-slab depressurization systems installed in 2 tenant spaces.

**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. C915292

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 ERIC SMOOKLER at NORTHTOWN PROPERTY OWNER LLC,  
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.

*Eric Smookler*

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

July 7, 2020

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.

BART A. KLETTEKE at 300 PEARL STREET, SUITE 700, BUFFALO, NY 14202.  
print name print business address

am certifying as a Qualified Environmental Professional for the NORTHTOWN PROPERTY OWNER, LLC  
(Owner Remedial Party)



Bart A. Kletteke

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

Stamp  
(Required for PE)

July 8, 2020  
Date



## **APPENDIX E**

**15-DAY PRE-CONSTRUCTION NOTICE (GZA, August 6, 2019)**

**60-DAY ADVANCE NOTIFICATION OF SITE CHANGE OF USE (GZA, September 4, 2019)**



Known for excellence.  
Built on trust.

GEOTECHNICAL  
ENVIRONMENTAL  
ECOLOGICAL  
WATER  
CONSTRUCTION  
MANAGEMENT

GZA GeoEnvironmental of NY  
300 Pearl Street  
Suite 700  
Buffalo, NY 14202  
T: 716.685.2300  
F: 716.248.1472  
www.gza.com



## VIA EMAIL

August 6, 2019

Mr. Steven Moeller, P.G.  
NYSDEC Region 9  
Division of Environmental Remediation  
270 Michigan Avenue  
Buffalo, New York 14203  
email: [steven.moeller@dec.ny.gov](mailto:steven.moeller@dec.ny.gov)

Re: 15-Day Pre-Construction Notice  
Northtown Inc. Site (BCP Site C915292)  
3097 Sheridan Drive, Amherst, New York

GZA GeoEnvironmental of New York (GZA), on behalf of Northtown Property Owner LLC (Northtown), provides to the New York State Department of Environmental Conservation (the "NYSDEC") this 15-day notice of pending ground intrusive activity.

This notice has been prepared in accordance with the NYSDEC-approved Excavation Work Plan (the "EWP") of the Site Management Plan (the "SMP") for the Northtown Inc. Brownfield Cleanup Program (BCP) Site number C915292 (the "Site"). The SMP (with EWP) was approved by NYSDEC on December 8, 2016. A Certificate of Completion (the "COC") was issued by NYSDEC to Northtown on December 15, 2016. The COC certifies successful completion of Interim Remedial Measures (IRMs) which achieved the Remedial Action Objectives (RAOs) of the Site under the BCP 's Track 2 cleanup for commercial and/or industrial use.

### **Description of Work:**

Northtown is planning to initiate Phase 2 of the redevelopment of the former Northtown plaza, creating the region's first upscale, open-air retail destination, to be known as Station Twelve. Phase I was completed in 2017 and included construction of a large new building on property adjacent to Phase 2, that is now occupied by the area's first Whole Foods grocery store. Phase 2 of the redevelopment is scheduled to begin in the late summer of 2019 (mid to late August). This phase will include demolition of the remaining, now-vacant, retail buildings located west of the new Whole Foods, and the construction of six new retail buildings along with related roadways, parking, walkways, a courtyard, and landscaping. Renderings of the Phase 2 redevelopment are provided in **Attachment I**.

The Phase 2 project sits on approximately 14.2 acres of land, yet just 1.424 acres of the Phase 2 property is within the Site, thus most of the planned Phase 2 work is not subject to elements of the BCP. **Figure 1** provides a mapped overlay of the locations of both current and future plaza buildings. On that figure, current buildings are outlined in black, proposed Phase 2 plaza buildings are outlined in green, and the boundaries of the Site (AOIs 1, 2, and 3) are shown in yellow. As illustrated on **Figure 1**, only portions of the planned buildings A, B, and F are on the Site.



Disturbance of subsurface soils will be necessary during removal of existing building foundations and for the installation of new building foundations and utilities and achieving planned finished grade. The planned new buildings and the land around and beneath the buildings remain owned, operated, and controlled by Northtown. Implementation of the Site Management Plan (SMP) and preparation of notices and Periodic Review Reports (PRRs) for the 1.424-acre Site remain the responsibility of Northtown.

#### **Environmental Conditions Anticipated:**

The Site is made up of three Areas of Interest (AOIs). AOI 1 and AOI 2 are each former, separate locations of single steel underground storage tanks (UST) which had contained and leaked fuel oil into the subsurface soil. AOI 3 is a larger area of known and potential impacts from a former dry cleaner. Tetrachloroethylene (PCE) was found in subsurface soil and sub-slab soil vapor at the southernmost tenant unit (Unit 14) of the north/south oriented multi-tenant Building #3. AOI 3 includes this former dry cleaner space and seven adjacent units (units 7 through 13) of this building, see **Figures 2 and 7** of the SMP, attached. Vapor intrusion sampling (sub-slab and indoor air) conducted in all eight tenant spaces of AOI 3 confirmed that only the two most southerly tenant units (Units 13 and 14) had impacts from the former dry-cleaning operations.

All three AOIs were remediated in 2016 to the satisfaction of NYSDEC. IRM work included removal of both USTs and their related fuel-impacted soil at AOI 1 and AOI 2 as well as excavation and off-site disposal of a large volume of PCE-impacted soil exterior and behind the drycleaners at AOI 3. AOI 1 and AOI 2 were both remediated to unrestricted site use Soil Cleanup Objectives (SCOs).

A small volume of soil, estimated at approximately 0.5 cubic yards, with nuisance characteristics of petroleum impact was left in place at the northern extent of the excavation for AOI 1 due to its location relative to the building foundation. Sample results of this soil confirmed the absence of analytes at concentrations greater than unrestricted use SCOs, however, because of the presence of nuisance characteristics, this soil will be removed and properly handled and managed as part of the Phase 2 redevelopment work.

AOI 3 was remediated to restricted Commercial SCO levels. Soil containing low concentrations of VOCs (greater than unrestricted use SCOs) remains exterior (and west) of Building 3 and beneath the former dry-cleaners (Unit 14) portion of Building 3. **Figure 12** of the FER, (attached), illustrates in yellow the locations of soil borings that yielded samples containing constituents at concentrations greater than unrestricted SCOs (i.e. remaining contamination). **Tables 12 through 16** of the FER (attached), provide summaries of analytical results of characterization and confirmatory soil samples collected at each AOI. These data confirm that AOI 1 and AOI 2 were remediated to unrestricted use conditions whereas AOI 3 was remediated to restricted commercial use conditions.

Sub-slab depressurization systems were installed at two tenant spaces (Building 1 and space 14 of Building 3) within and near AOI 3, as shown on **Figure 7** of the SMP, attached. Note that the two SSD systems were installed prior to the excavation and off-site disposal of the presumed subsurface source of the PCE. Both tenant spaces and their respective buildings are now vacant and the SSDs therefore are shut off.

As specified in the SMP, the potential for vapor intrusion must be evaluated prior to development of new buildings (or re-occupancy of existing buildings) in AOI 3 and west of AOI 3 to the western boundary of parcel 67.10-1-10 as shown in blue hatch on **Figure 8** of the SMP (attached) and any potential impacts that are identified must be monitored and/or mitigated; and as stated in Section 4.4.1 of the SMP: *"Soil vapor intrusion sampling will be*



*performed prior to development of new buildings or re-occupancy of existing buildings in AOI 3 and west of AOI 3 to the western boundary of parcel 67.10-1-10, as noted on Figure 8, Sample types, number, and locations will be determined based on the specifics of the proposed building(s). Prior to SVI sampling, a SVI Sampling and Analysis Work Plan will be prepared and approved by the NYSDEC."*

The required SVI Sampling and Analysis Work Plan will be provided under separate cover.

### **Schedule of Intrusive Work:**

Intrusive work for Site redevelopment is scheduled to begin on or soon after August 21, 2019 and is projected to be completed in the fall of 2019.

### **Applicable Components of the EWP:**

#### *D-1 Notification*

This notification was prepared and provided to NYSDEC to satisfy the requirements of Section D-1.

#### *D-2 Soil Screening Methods*

Northtown will have a Qualified Environmental Professional (QEP) on Site during soil/fill disturbance activities to perform soil screening as required in Section D-2 of the EWP.

#### *D-3 Soil Staging Methods*

Stockpiles will be bermed, covered, maintained, inspected, and documented as provided in Section D-3 of the EWP.

#### *D-4 Materials Excavation and Load-Out*

A qualified environmental professional or person under their supervision will oversee all soil handling work and the excavation and load-out of all excavated material per Section D-4 of the EWP.

Loaded vehicles leaving the Site will be appropriately lined, tarped, securely covered, manifested, and placarded in accordance with appropriate Federal, State, local, and NYSDOT requirements (and other applicable transportation requirements). Locations where vehicles enter or exit the Site shall be inspected daily for evidence of off-site soil tracking. A truck wash will be operated on-site, as appropriate.

#### *D-5 Materials Transport Off-Site*

All transport of materials will be performed by licensed haulers in accordance with appropriate local, State, and Federal regulations, including 6 NYCRR Part 364. Haulers will be appropriately licensed and trucks properly placarded.



Further requirements, as outlined in Section D-5 of the EWP, relating to truck covers, liners, transport routes, idling, egress points, and queuing will be followed.

#### *D-6 Materials Disposal Off-Site*

All material excavated and removed from the Site will be treated as contaminated and regulated material and will be transported and disposed in accordance with all local, State (including 6NYCRR Part 360) and Federal regulations. If disposal of material from this Site is proposed for unregulated off-site disposal (i.e. clean soil removed for development purposes), a formal request with an associated plan will be made to the NYSDEC. Unregulated off-site management of materials from this Site will not occur without formal NYSDEC approval.

Proposed off-site disposal locations for excavated soils will be presented to NYSDEC for pre-approval. The request for approval will include estimated quantities and a breakdown by class of disposal facility if appropriate, i.e. hazardous waste disposal facility, solid waste landfill, petroleum treatment facility, C/D recycling facility, etc. per Section D-6 of the EWP.

Non-hazardous historic fill and contaminated soils taken from the Site will be handled, at minimum, as a Municipal Solid Waste per 6NYCRR Part 360-1.2. Material that does not meet Unrestricted SCOs is prohibited from being taken to a New York State recycling facility (6NYCRR Part 360-16 Registration Facility).

#### *D-7 Materials Reuse On-Site*

GZA's qualified environmental professional (QEP) will ensure that procedures defined for materials reuse in the SMP are followed and that unacceptable material does not remain on the property. Contaminated on-site material, including historic fill and contaminated soil, that is acceptable for reuse on the property will be placed below the demarcation layer or an impervious surface, and will not be reused within a cover soil layer, within landscaping berms, or as backfill for subsurface utility lines.

#### *D-8 Fluids Management (if applicable)*

Liquids to be removed from the Site, including but not limited to, excavation dewatering, decontamination waters and groundwater monitoring well purge and development waters, will be handled, transported and disposed in accordance with applicable local, State, and Federal regulations. Dewatering, purge and development fluids will not be recharged back to the land surface or subsurface of the Site, and will be managed off-site, unless prior approval is obtained from NYSDEC.

Discharge of water generated during large-scale construction activities to surface waters (i.e. a local pond, stream or river) will be performed under a SPDES permit.



#### *D-9 Backfill from Off-Site Sources*

Materials proposed for import onto the Site will be approved by the qualified environmental professional and will be in compliance with provisions in the SMP prior to receipt at the Site. A Request to Import/Reuse Fill or Soil form, which can be found at <http://www.dec.ny.gov/regulations/67386.html>, will be prepared and submitted to the NYSDEC project manager allowing a minimum of 5 business days for review.

Material from industrial sites, spill sites, or other environmental remediation sites or potentially contaminated sites will not be imported to the property.

Imported soils will meet the backfill and cover soil quality standards established in 6NYCRR 375-6.7(d). Based on an evaluation of the land use, protection of groundwater and protection of ecological resources criteria, the resulting soil quality standards are listed in Table 10. Soils that meet 'exempt' fill requirements under 6 NYCRR Part 360, but do not meet backfill or cover soil objectives for this property, will not be imported onto the Site without prior approval by NYSDEC. Solid waste will not be imported onto the property.

Trucks entering the Site with imported soils will be securely covered with tight fitting covers. Imported soils will be stockpiled separately from excavated materials and covered to prevent dust releases.

#### *D-10 Stormwater Pollution Prevention*

Stormwater pollution prevention measures as detailed in section D-10 of the EWP will be followed as appropriate during the Phase 2 redevelopment work.

#### *D-11 Excavation Contingency Plan*

If underground tanks or other previously unidentified contaminant sources are found during construction, excavation activities will be suspended until sufficient equipment is mobilized to address the condition as presented in Section D-11 of the EWP.

#### *D-12 Community Air Monitoring*

The location of air sampling stations will be selected based on the location of the work area relative to the nearest residential homes and generally prevailing wind conditions. These locations will be adjusted on a daily or more frequent basis based on actual wind directions to provide two monitoring stations. Because of the adjacent residential area to the south of the property, a fixed monitoring station will be located at the southern property perimeter, regardless of wind direction and a second station will be positioned daily a maximum of 100 feet downwind of the location at which soil is being disturbed.

#### *D-13 Odor Control Plan (if applicable)*

Odor control measures will be followed as necessary if nuisance odors are identified as a result of the redevelopment work, including:





- Limiting the time of excavation exposure;
- Covering of excavated soils; and
- Expedited removal of impacted soils.

Further measures and details of odor control measures are provided in Section D-13 of the EWP.

*D-14 Dust Control Plan* (if applicable)

As further described in Section D-14 of the EWP, dust management during on-site earthwork will include at a minimum the following, as necessary:

- Use, as needed, of a dedicated water-truck for wetting of roads, excavations, and stockpiles;
- Placement of gravel on roadways to minimize dust generation; and
- Limiting of area of on-site roads.

**Statement:**

The planned work discussed herein will be performed in compliance with the Site-specific EWP and Section 29 of the Code of Federal Regulations (CFR) 1910.120 (Occupational Safety and Health Administration).

**Contractor's Health and Safety Plan:**

A copy of the contractor (Thomann Asphalt Paving Corp.) Site-Specific Health and Safety Plan (HASP) is provided electronically as **Attachment IV**.

**Disposal Facility:**

If impacted soil/fill is encountered which requires off-site disposal, Northtown's contractor will select a NYSDEC-permitted facility and will notify the NYSDEC Project Manager, Mr. Steven Moeller, prior to offsite transport and disposal of the material.

**Source(s) of Backfill and Top Soil:**

Northtown's contractor, Thomann Asphalt Paving Corp., will obtain earth materials for use as pavement subbase and topsoil for lawn and landscaped areas proposed within the Site. The sources of these earth materials have not yet been selected by the contractor. Once they have been selected, Northtown will provide to the Department the names and locations of the sources as well as proof that the materials comply with the EWP.

We trust this notification meets your current needs. If you have questions, call Jim Richert at (716) 844-7048.

Sincerely,

GZA GEOENVIRONMENTAL OF NEW YORK

A handwritten signature in blue ink that reads 'Jim Richert'.

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

A handwritten signature in blue ink that reads 'Bart A. Klettke'.

Bart A. Klettke, P.E.  
Principal



Cc: Jeff Curley (Northtown)  
Melanie Carr (Northtown)  
Robert Shick (NYSDEC)  
Stan Radon (NYSDEC)  
Glenn May (NYSDEC)

## **LIST OF ATTACHMENTS:**

### **Attachment I – Renderings of Phase 2 Plaza Redevelopment and Site Civil Design Drawing**

#### **Attachment II – Pertinent Figures:**

- Figure 1: Overlay of Current and Planned Buildings and Site Boundaries
- Figure 2 of SMP: Site Location and Boundaries
- Figure 7 of SMP: Engineering Control Boundaries
- Figure 8 of SMP: Area Requiring Vapor Intrusion Assessment Prior to Occupancy
- Figure 12 of FER: Soil Sample Location Map

#### **Attachment III – Pertinent Tables:**

- Table 12 of FER: Analytical Summary of Remaining Soils
- Table 13 of FER: Subsurface Soils Remaining Above Unrestricted Levels – AOI -1
- Table 14 of FER: Subsurface Soils Remaining Above Unrestricted Levels – AOI -2
- Table 15 of FER: Subsurface Soils Remaining Above Unrestricted Levels – AOI -3 Exc.1
- Table 16 of FER: Subsurface Soils Remaining Above Unrestricted Levels – AOI -3 Exc. 2

### **Attachment IV – Contractor Health and Safety Plan**



## **ATTACHMENT I**

### **RENDERINGS OF PHASE 2 PLAZA REDEVELOPMENT and SITE CIVIL DESIGN DRAWING**

























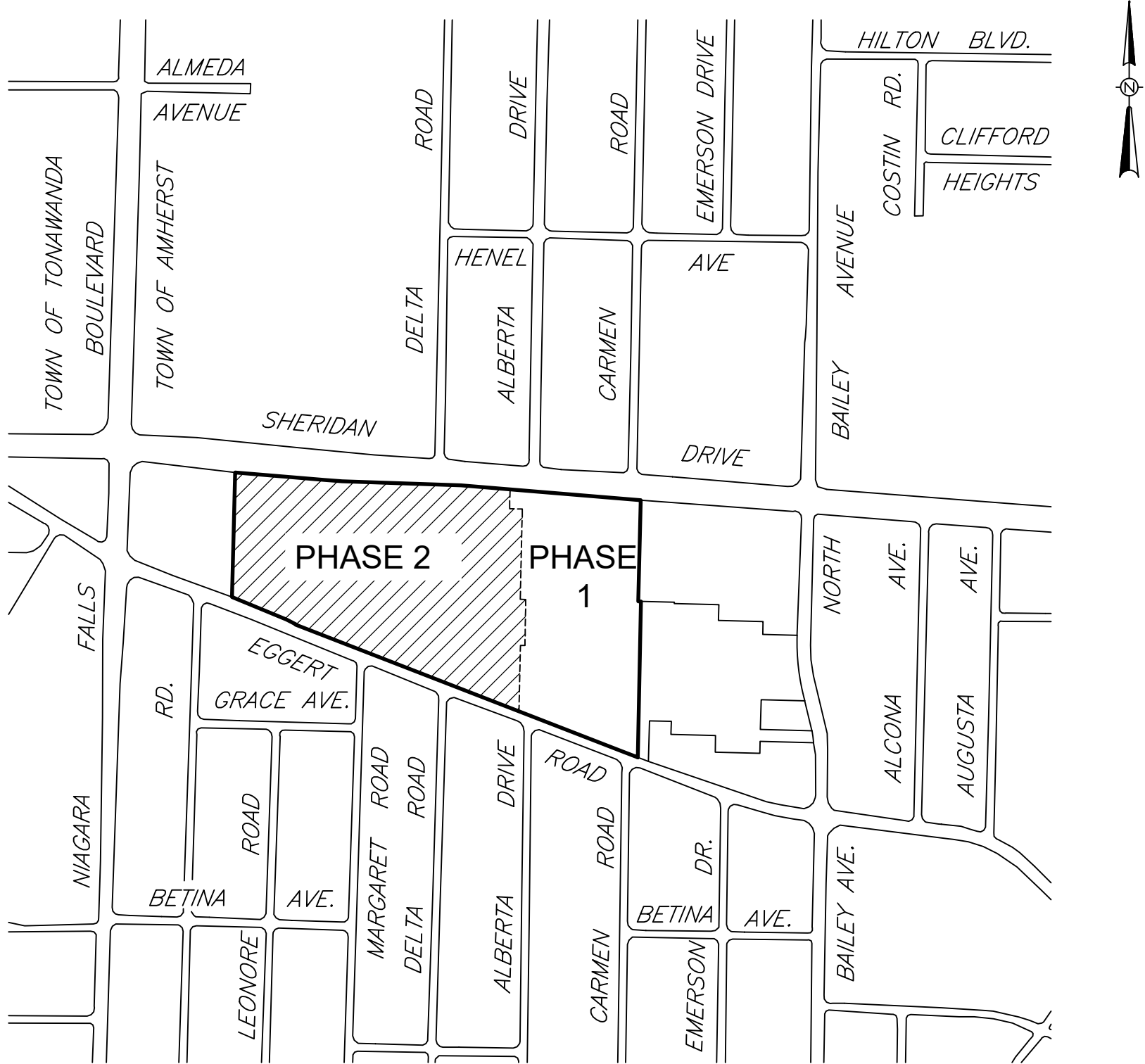






NORTHTOWN PLAZA REDEVELOPMENT PHASE 2  
3045 SHERIDAN DRIVE  
TOWN OF AMHERST  
ERIE COUNTY, NEW YORK  
ADDENDUM 1  
FEBRUARY 7, 2019

PROJECT NO. 174040



LOCATION MAP  
N.T.S.

APPROVALS

PLANNING BOARD CHAIRMAN	DATE
TOWN ENGINEER	DATE
FIRE MARSHALL	DATE
SUPERINTENDENT OF	DATE

INDEX OF DRAWINGS

DRAWING NO.	SHEET NO.	ISSUE DATE	REVISION DATE	DESCRIPTION
C-001	1 OF 27	8/17/18	2/7/19	COVER
C-002	2 OF 27	8/17/18	2/7/19	GENERAL NOTES
C-003	3 OF 27	8/17/18	2/7/19	GENERAL NOTES
C-100	4 OF 27	8/17/18	2/7/19	ALTA SURVEY
C-101	5 OF 27	8/17/18	2/7/19	OVERALL SITE PLAN
C-110	6 OF 27	8/17/18	2/7/19	EXISTING CONDITIONS AND DEMO PLAN 1
C-111	7 OF 27	8/17/18	2/7/19	EXISTING CONDITIONS AND DEMO PLAN 2
C-112	8 OF 27	8/17/18	2/7/19	EXISTING CONDITIONS AND DEMO PLAN 3
C-120	9 OF 27	8/17/18	2/7/19	SITE PLAN 1
C-121	10 OF 27	8/17/18	2/7/19	SITE PLAN 2
C-122	11 OF 27	8/17/18	2/7/19	SITE PLAN 3
C-130	12 OF 27	8/17/18	2/7/19	UTILITY PLAN 1
C-131	13 OF 27	8/17/18	2/7/19	UTILITY PLAN 2
C-132	14 OF 27	8/17/18	2/7/19	UTILITY PLAN 3
C-140	15 OF 27	8/17/18	2/7/19	GRADING, DRAINAGE AND E&S PLAN 1
C-141	16 OF 27	8/17/18	2/7/19	GRADING, DRAINAGE AND E&S PLAN 2
C-142	17 OF 27	8/17/18	2/7/19	GRADING, DRAINAGE AND E&S PLAN 3
C-500	18 OF 27	8/17/18	2/7/19	SITE DETAILS 1
C-501	19 OF 27	8/17/18	2/7/19	SITE DETAILS 2
C-502	20 OF 27	8/17/18	2/7/19	DRAINAGE DETAILS 1
C-503	21 OF 27	8/17/18	2/7/19	DRAINAGE DETAILS 2
C-504	22 OF 27	8/17/18	2/7/19	SANITARY DETAILS 1
C-505	23 OF 27	8/17/18	2/7/19	SANITARY DETAILS 2
C-506	24 OF 27	8/17/18	2/7/19	SANITARY DETAILS 3
C-507	25 OF 27	8/17/18	2/7/19	WATER DETAILS 1
C-508	26 OF 27	8/17/18	2/7/19	WATER DETAILS 2
C-509	27 OF 27	8/17/18	2/7/19	E&S CONTROL DETAILS

PREPARED BY



WWW.FISHERASSOC.COM



APPLICANT

Northtown Plaza Redevelopment, LLC.  
33 Boulevard Street, Suite 3000  
Cambridge, MA 02467  
Attn: Christopher  
Vice President, Development



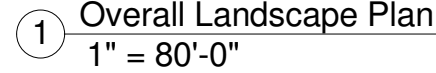
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## C

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## 2

3

NORTHTOWN PLAZA  
REDEVELOPMENT PHASE 2

E

NORTHTOWN PROPERTY OWNER LLC  
33 BOYLSTON STREET SUITE 3000  
CHESTNUT HILL, MA 02467

**REALM**  
COLLABORATIVE



B

MARK	DATE	DESCRIPTION
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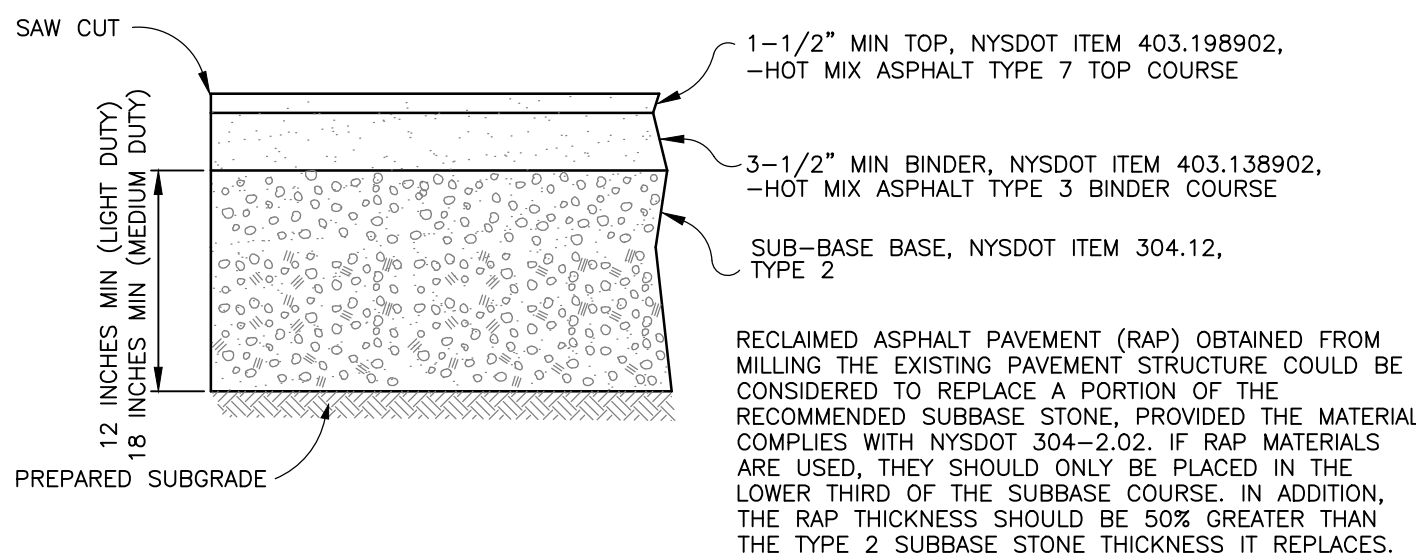
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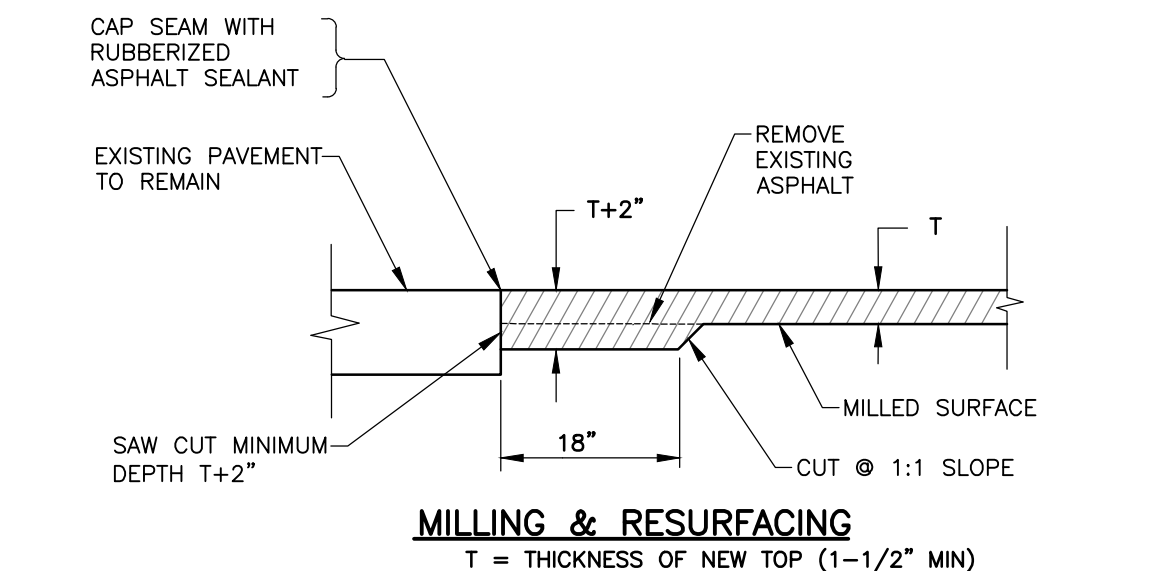
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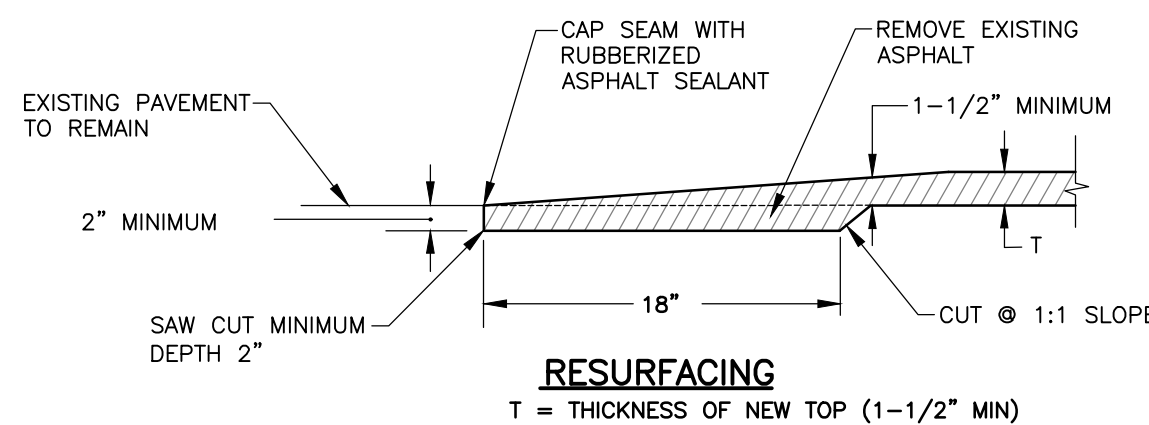
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DATE/TIME: 6/10/2019 11:06:42 AM  
USER: John Schmidt



**1 TYPICAL PAVEMENT SECTION**  
C-500 NO SCALE



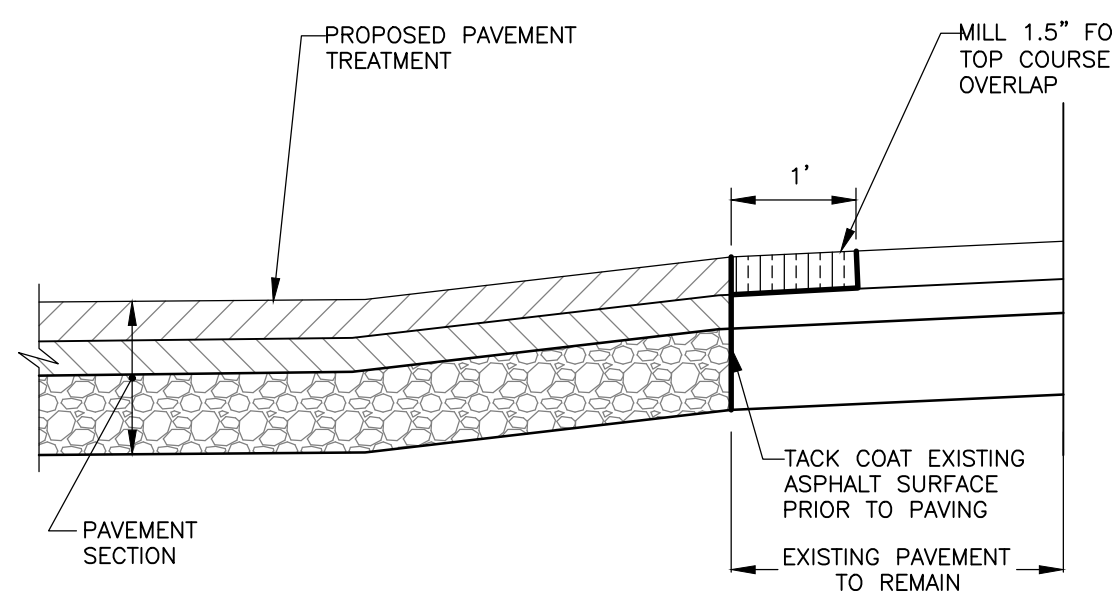
**MILLING & RESURFACING**  
T = THICKNESS OF NEW TOP (1-1/2" MIN)



NOTES:

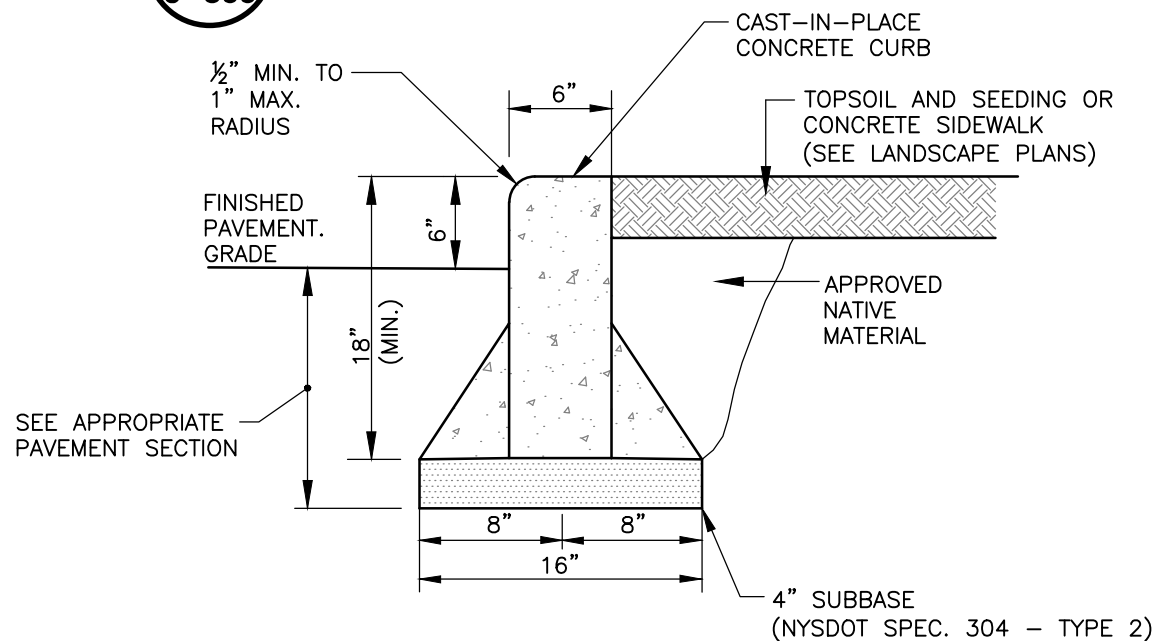
- ALL SEAMS BETWEEN EXISTING AND NEW ASPHALT SURFACES ARE TO BE SEALED WITH RUBBERIZED ASPHALT SEALANT.
- KEYS ARE TO BE CONSTRUCTED SAME DAY AS NEW ASPHALT TOP IS PLACED AND ARE NOT TO BE LEFT OPEN OVERNIGHT.

**2 PAVEMENT KEY DETAIL**  
C-500 NO SCALE



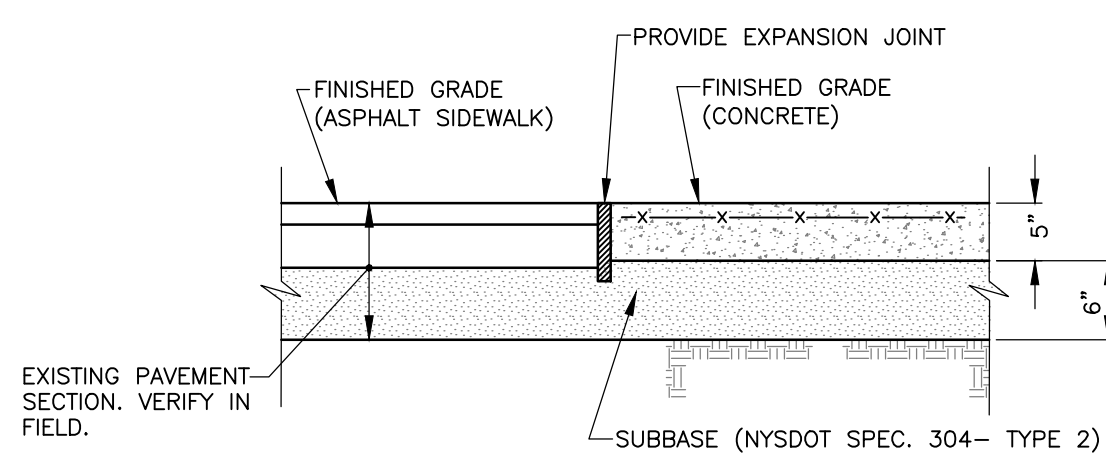
NOTE  
TACK COAT EXISTING ASPHALT SURFACES PRIOR TO PAVING ITEM# 407.0101 TO INCLUDE SUCCESSIVE ASPHALT PAVEMENT LIFTS.

**3 SHEAR STEP DETAIL**  
C-500 NO SCALE

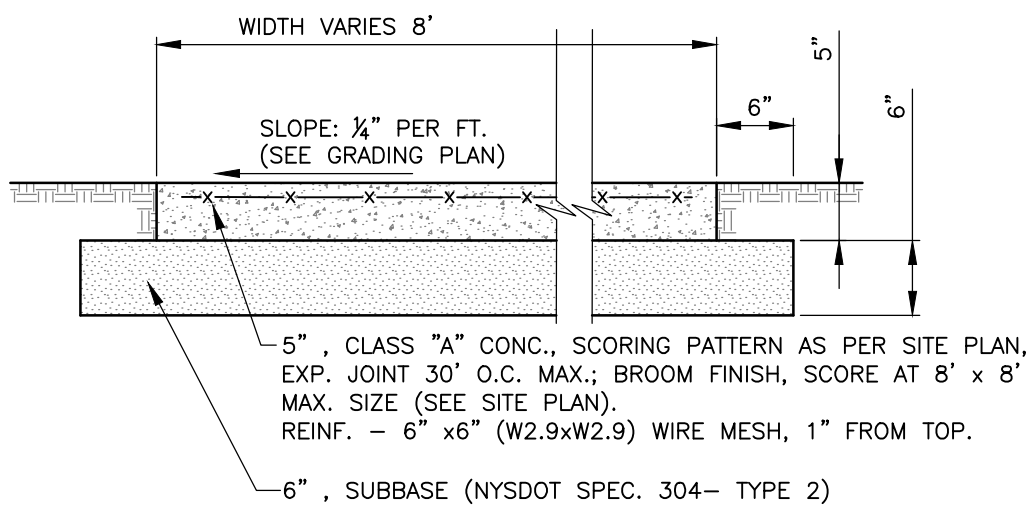


NOTE:  
CONCRETE DESIGN AIR CONTENT PER ASTM C 260 AND ON THE NYSDOT'S CURRENT APPROVED LIST; 6% BY VOLUME PLUS OR MINUS 1.5%.

**4 CONCRETE CURB DETAIL**  
C-500 NO SCALE



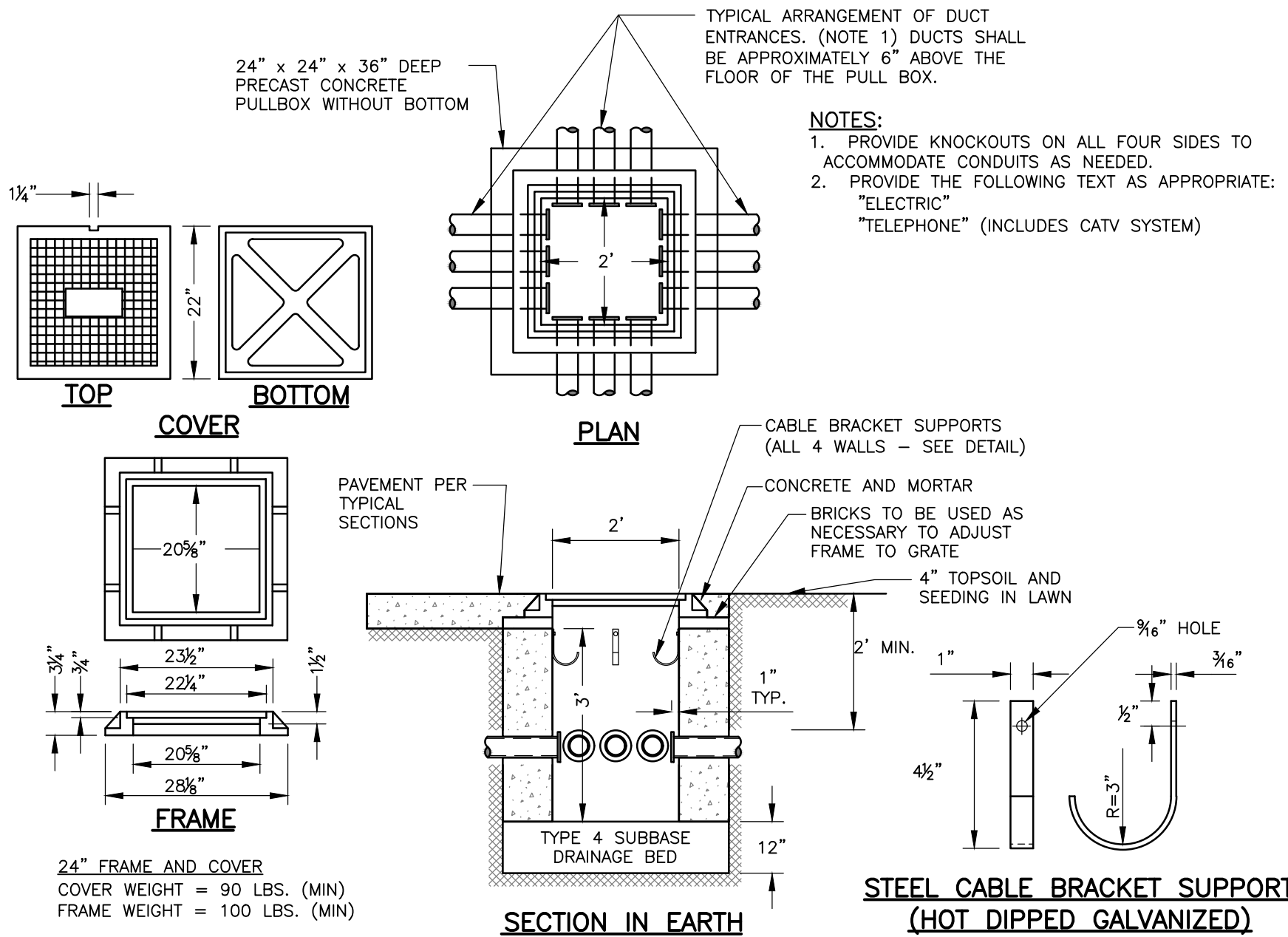
**SECTION AT ASPHALT/CONCRETE JOINT**



**SECTION AT LAWN AREA**

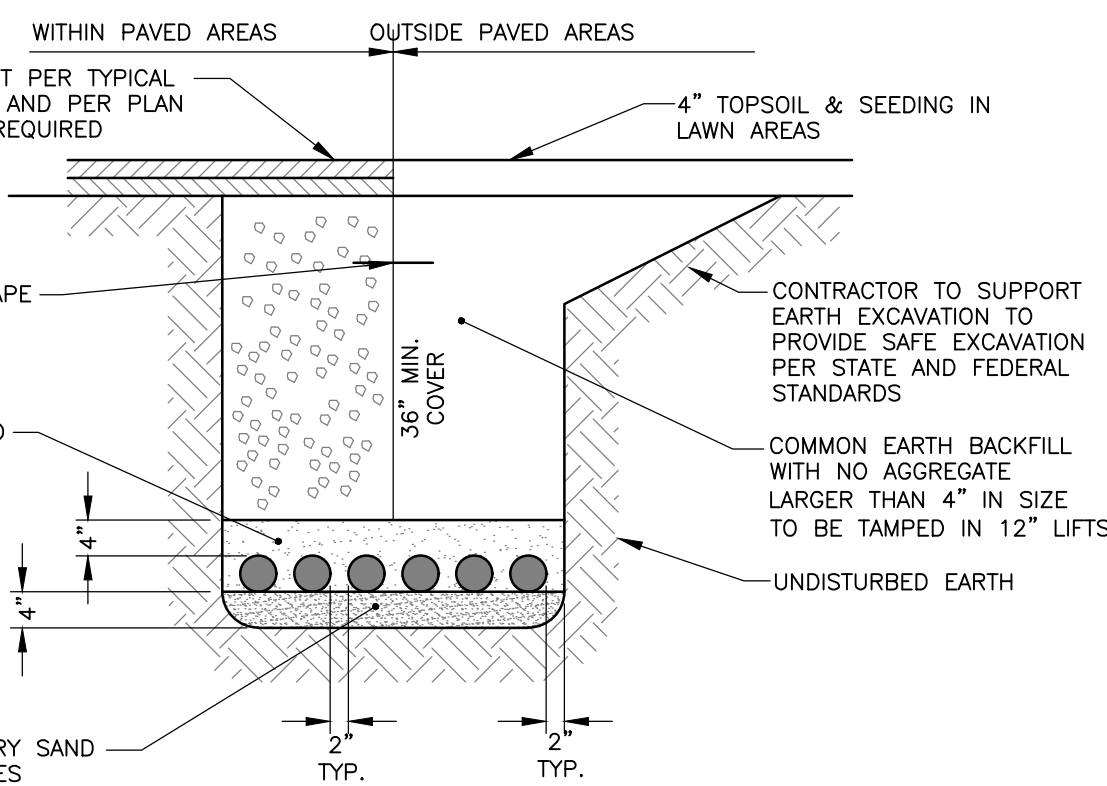
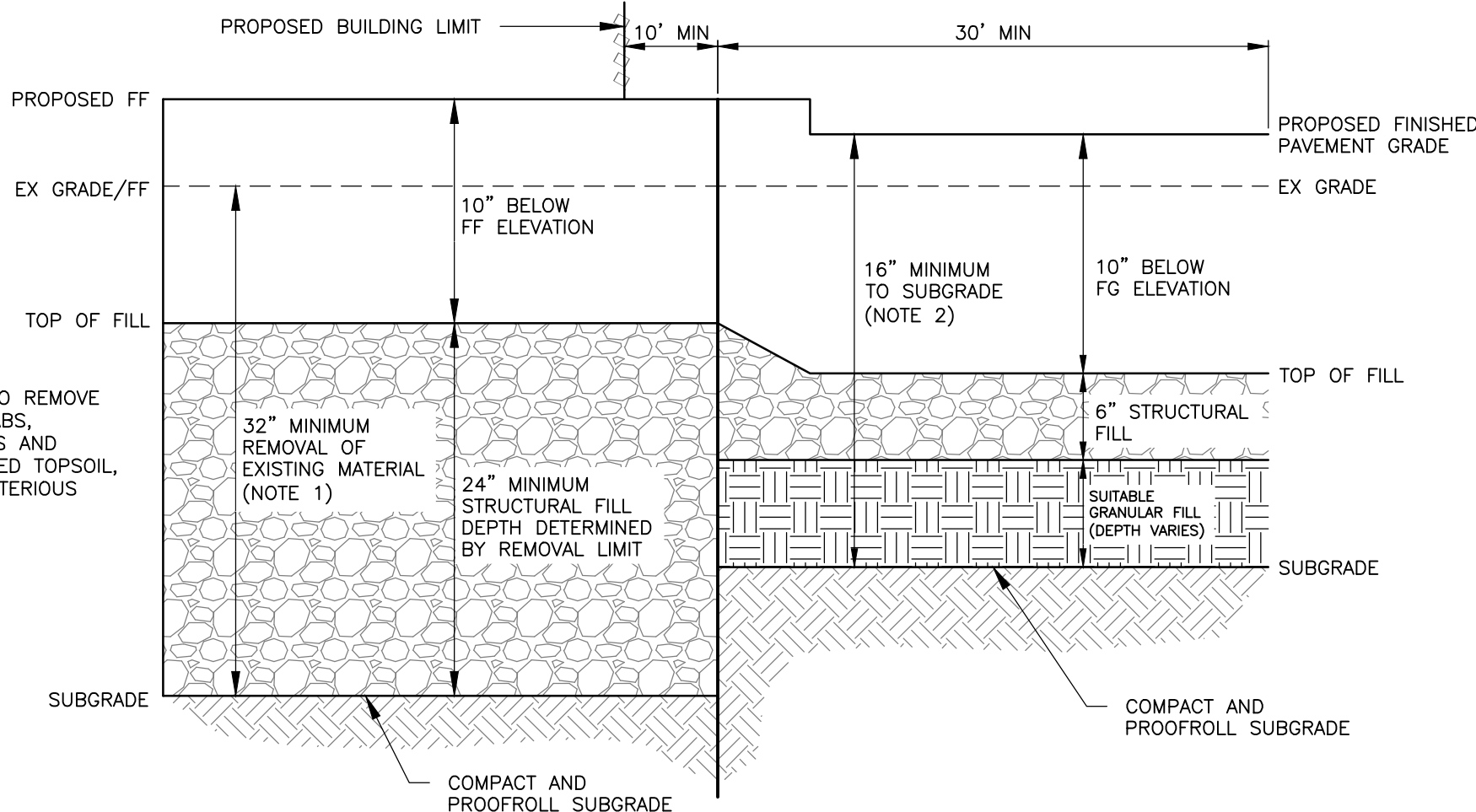
NOTE:  
CONCRETE DESIGN AIR CONTENT PER ASTM C 260 AND ON THE NYSDOT'S CURRENT APPROVED LIST; 6% BY VOLUME PLUS OR MINUS 1.5%.

**5 CONCRETE SIDEWALK SECTIONS**  
C-500 NO SCALE



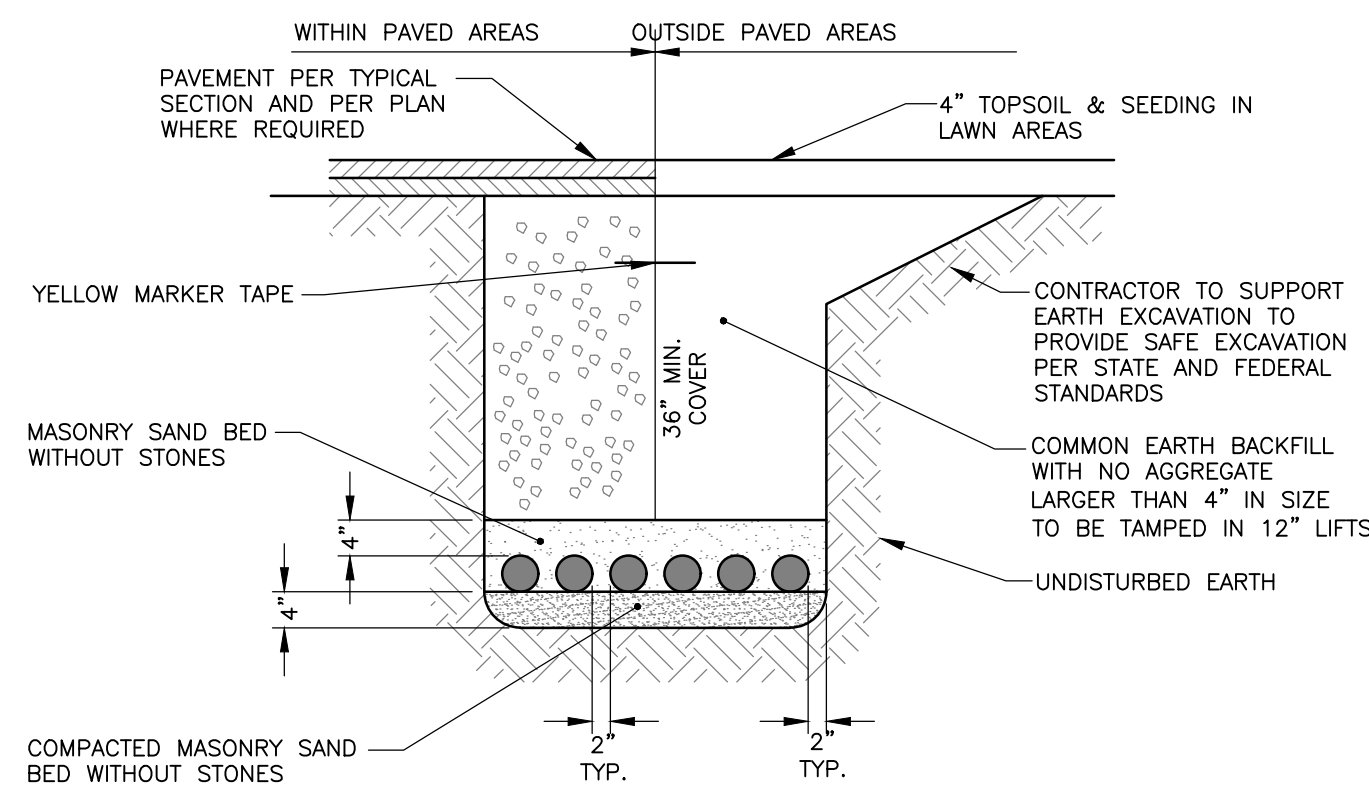
**SECTION IN EARTH**

**7 PULL BOX DETAILS**  
C-500 NO SCALE



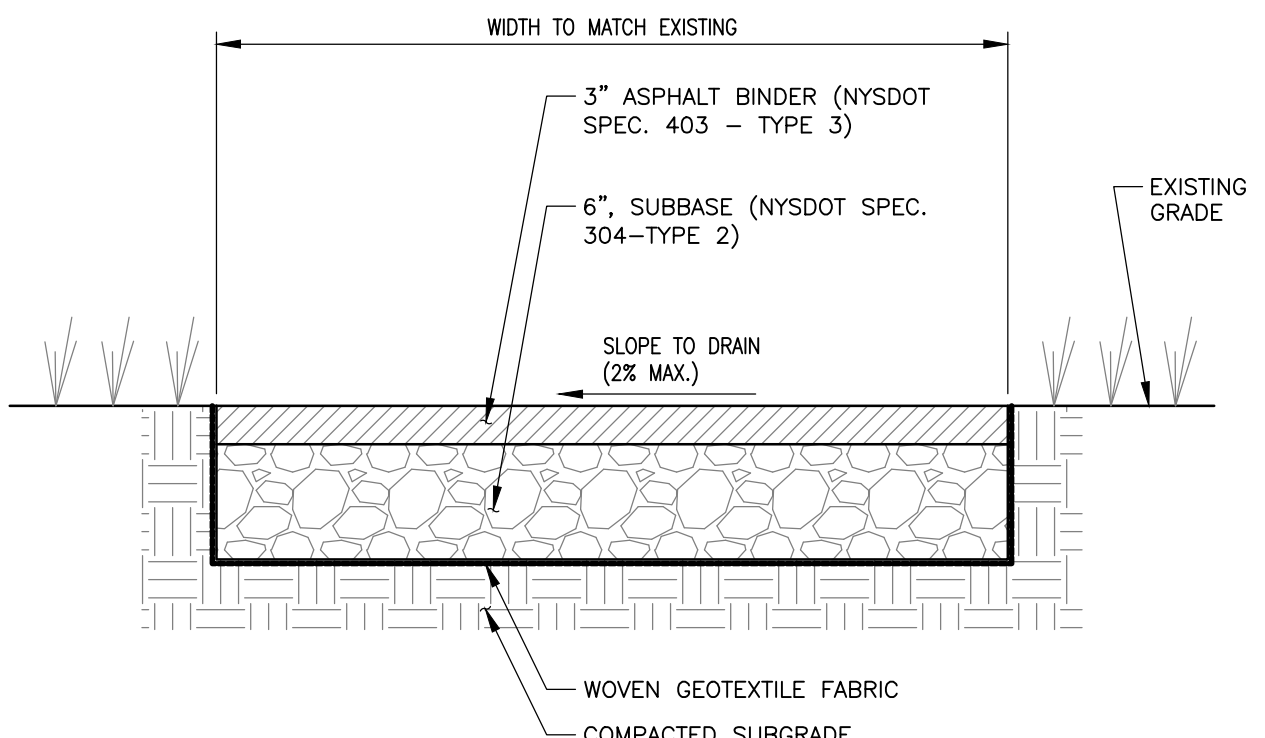
NOTE:  
CONCRETE DESIGN AIR CONTENT PER ASTM C 260 AND ON THE NYSDOT'S CURRENT APPROVED LIST; 6% BY VOLUME PLUS OR MINUS 1.5%.

**10 BASIC LIGHT POLE DETAIL**  
C-500 NO SCALE



- NOTES:
- ELECTRIC SERVICE CONDUITS SHALL BE CONCRETE ENCASED PER NATIONAL GRID SERVICE CONTRACT REQUIREMENTS.
  - ALL CONDUITS, TRENCHES, ENCASEMENTS, CONDUIT ARRANGEMENT, AND CONDUIT SPACING TO COMPLY WITH THE REQUIREMENTS OF THE UTILITY PROVIDER. THIS DETAIL IS THE MINIMUM REQUIREMENT IF THERE ARE NO OTHER REQUIREMENTS.

**11 UTILITY SERVICE TRENCH DETAIL**  
C-500 NO SCALE



ASPHALT WALKWAY NOTES:

- SURFACE OF WALKWAY SHALL BE SMOOTH AND GRADED TO DRAIN AWAY FROM PAVEMENT.
- SLOPES SHALL MEET ADA REQUIREMENTS.

**12 ASPHALT WALKWAY DETAIL**  
C-500 NO SCALE

FILL MATERIAL NOTES:

STRUCTURAL FILL:

STRUCTURAL FILL SHOULD CONSIST OF A CRUSHER RUN STONE, FREE OF CLAY, ORGANICS AND FRIABLE OR DELETERIOUS PARTICLES. AS A MINIMUM, THE CRUSHER RUN STONE SHOULD MEET THE REQUIREMENTS OF NYSDOT 304.12 - TYPE 2 SUBBASE.

SUITABLE GRANULAR FILL:

SUITABLE SOIL MATERIAL, WELL GRADED FROM COARSE TO FINE AND CLASSIFIED AS GW, GP, GM, SW, SP AND SM SOILS USING THE UNIFIED SOIL CLASSIFICATION SYSTEM (ASTM D-2487) AND HAVING NO MORE THAN 85 PERCENT BY WEIGHT MATERIAL PASSING THE NO. 200 SIEVE AND WHICH IS GENERALLY FREE OF PARTICLES GREATER THAN 6 INCHES. WILL BE ACCEPTABLE AS SUITABLE GRANULAR FILL. IT SHOULD BE FREE OF TOPSOIL, ASPHALT, CONCRETE RUBBLE, WOOD, DEBRIS, CLAY AND OTHER DELETERIOUS MATERIAL. SUITABLE GRANULAR FILL CAN BE USED AS FOUNDATION BACKFILL AND AS SUBGRADE FILL TO RAISE SITE GRADES BENEATH SLAB-ON-GRADE PAVEMENT CONSTRUCTION.

PLACEMENT AND COMPACTION REQUIREMENTS:

ALL CONTROLLED FILLED PLACED BENEATH FOUNDATIONS, SLAB ON GRADE AND PAVEMENT CONSTRUCTION AND BENEATH UTILITIES SHOULD BE COMPACTED TO A MINIMUM OF 95 PERCENT OF THE MAXIMUM DRY DENSITY AS MEASURED BY THE MODIFIED PROCTOR TEST (ASTM D1557). FILL PLACED IN NON-LOADED GRASS AREAS CAN BE COMPACTED TO A MINIMUM OF 90 PERCENT OF THE MAXIMUM DRY DENSITY (ASTM D1557).

PLACEMENT OF FILL SHOULD NOT EXCEED A MAXIMUM LOOSE LIFT THICKNESS OF 6 TO 9 INCHES WITH THE EXCEPTION OF SUBBASE COURSES BENEATH SLAB ON GRADE AND PAVEMENT CONSTRUCTION WHICH CAN BE PLACED IN A SINGLE LIFT NOT EXCEEDING 15 INCHES. THE LOOSE LIFT THICKNESS SHOULD BE REDUCED IN CONJUNCTION WITH THE COMPACTION EQUIPMENT USED SO THAT THE REQUIRED DENSITY IS ATTAINED.

ENGINEERED FILL SHOULD HAVE A MOISTURE CONTENT WITHIN TWO PERCENT OF THE OPTIMUM MOISTURE CONTENT PRIOR TO COMPACTION. SUBGRADES SHOULD BE PROPERLY DRAINED AND PROTECTED FROM MOISTURE AND FROST. PLACEMENT OF FILL ON FROZEN SUBGRADES IS NOT ACCEPTABLE.

PROJECT

NORTHTOWN PLAZA REDEVELOPMENT PHASE 2

3045 SHERIDAN DRIVE

TOWN OF AMHERST

ERIE COUNTY, NEW YORK

TITLE OF DRAWING

SITE DETAILS 1

DRAWING NO.

C-500

FA PROJECT NO.

174040

PROJECT MANAGER

T. LUCEY

DRAWN BY

☐ SCHMIDT

SCALE

----

STATE OF NEW YORK

THOMAS PATRICK LUCEY

071006

LICENSED PROFESSIONAL ENGINEER

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OBTAIN OR TO ATTEMPT TO OBTAIN  
ENGINEER OR LAND SURVEYOR'S SERVICES  
FROM AN OFFICE, IN THE FORM OF FEE-PAID  
AND/OR SALARY, OR TO ATTEMPT TO OBTAIN  
SUCH SERVICES, WITHOUT THE SPECIFIC  
PREVIOUS SIGNATURE AND THE SEAL OF SUCH  
OFFICE, OR TO ATTEMPT TO OBTAIN  
SUCH SERVICES WITHOUT THE SPECIFIC  
PREVIOUS SIGNATURE AND THE SEAL OF SUCH  
OFFICE.

7

REVISIONS PER TOWN OF AMHERST COMMENTS

6/11/19

US

5

REVISIONS FOR ECWA ECDPW

3/20/19

US

6

PERMIT APPLICATION

12/4/18

US

4

REVISIONS PER AGENCY COMMENTS

10/12/18

US

3

REVISIONS PER AGENCY COMMENTS

7/13/18

US

2

REVISIONS PER TRAFFIC COMMENTS

6/18/18

US

1

REVISIONS PER AGENCY COMMENTS

5/7/18

US

REV

DESCRIPTION

DATE

BY

SHEET 21 OF 30

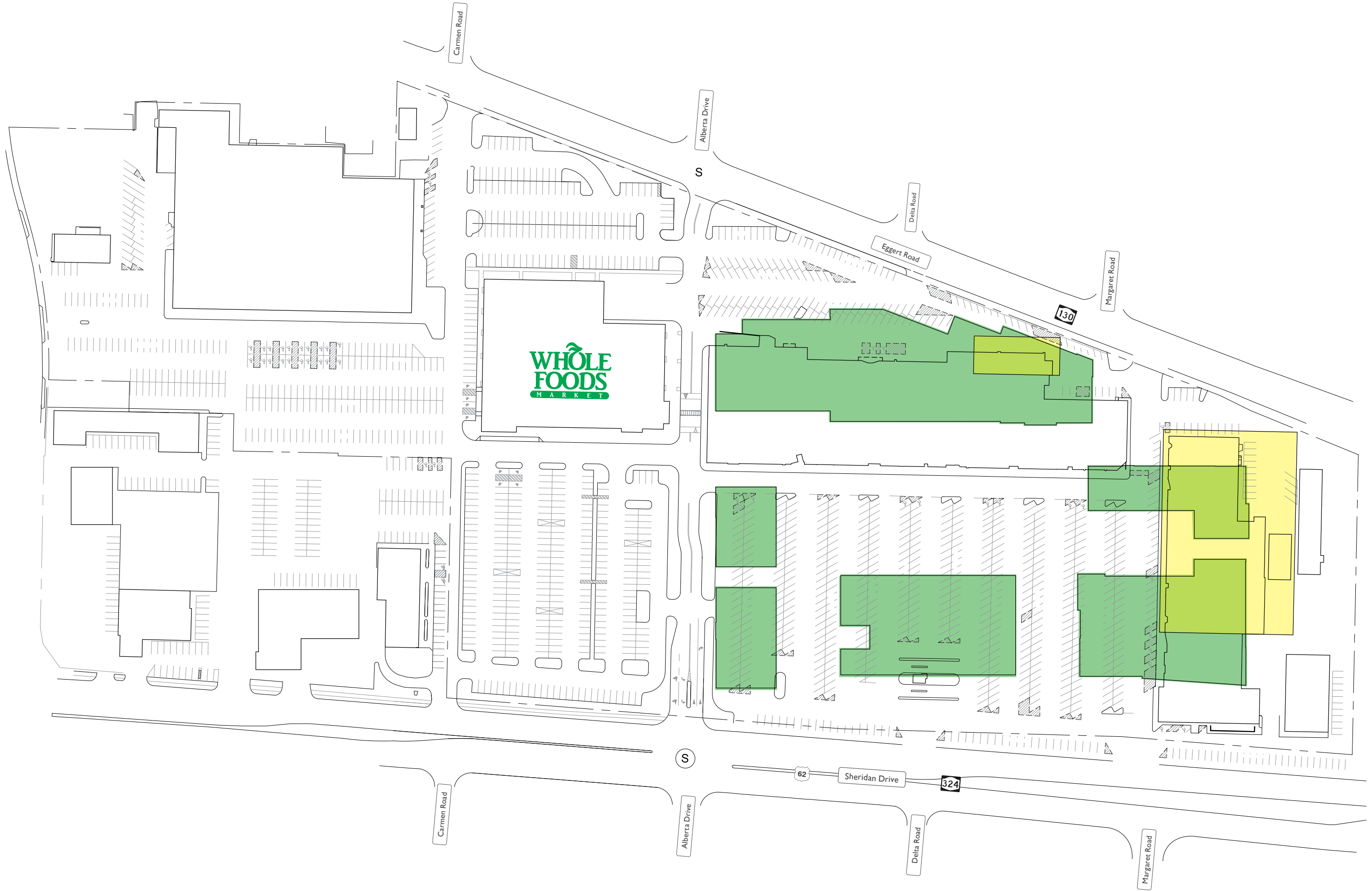




## **ATTACHMENT II**

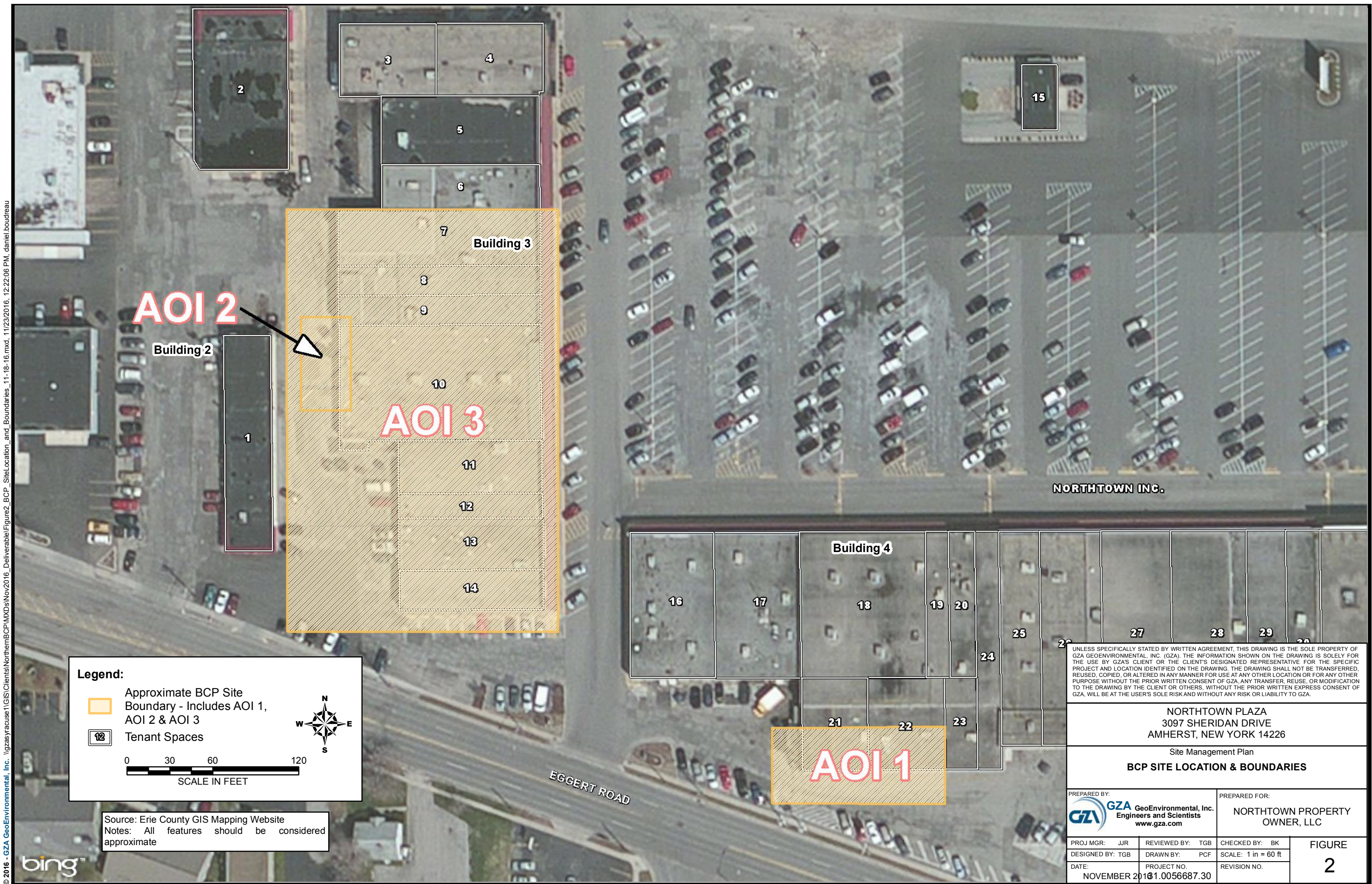
### **PERTINENT FIGURES**

- Figure 1: Overlay of Current and Planned Buildings and Site Boundaries
- Figure 2 of SMP: Site Location and Boundaries
- Figure 7 of SMP: Engineering Control Boundaries
- Figure 8 of SMP: Area Requiring Vapor Intrusion Assessment Prior to Occupancy
- Figure 12 of FER: Soil Sample Location Map





© 2016 - GZA GeoEnvironmental, Inc. \\gza\syracuse\GIS\Clients\Northtown\BCP\MXDs\Nov2016\_Deliverable\Figure2\_BCP\_SiteLocation\_and\_Boundaries\_11-18-16.mxd, 11/23/2016, 12:22:06 PM, daniel.boudreau



**Legend:**

- Approximate BCP Site Boundary - Includes AOI 1, AOI 2 & AOI 3
- Tenant Spaces

0 30 60 120  
SCALE IN FEET

Source: Erie County GIS Mapping Website  
Notes: All features should be considered approximate

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**NORTHTOWN PLAZA**  
3097 SHERIDAN DRIVE  
AMHERST, NEW YORK 14226

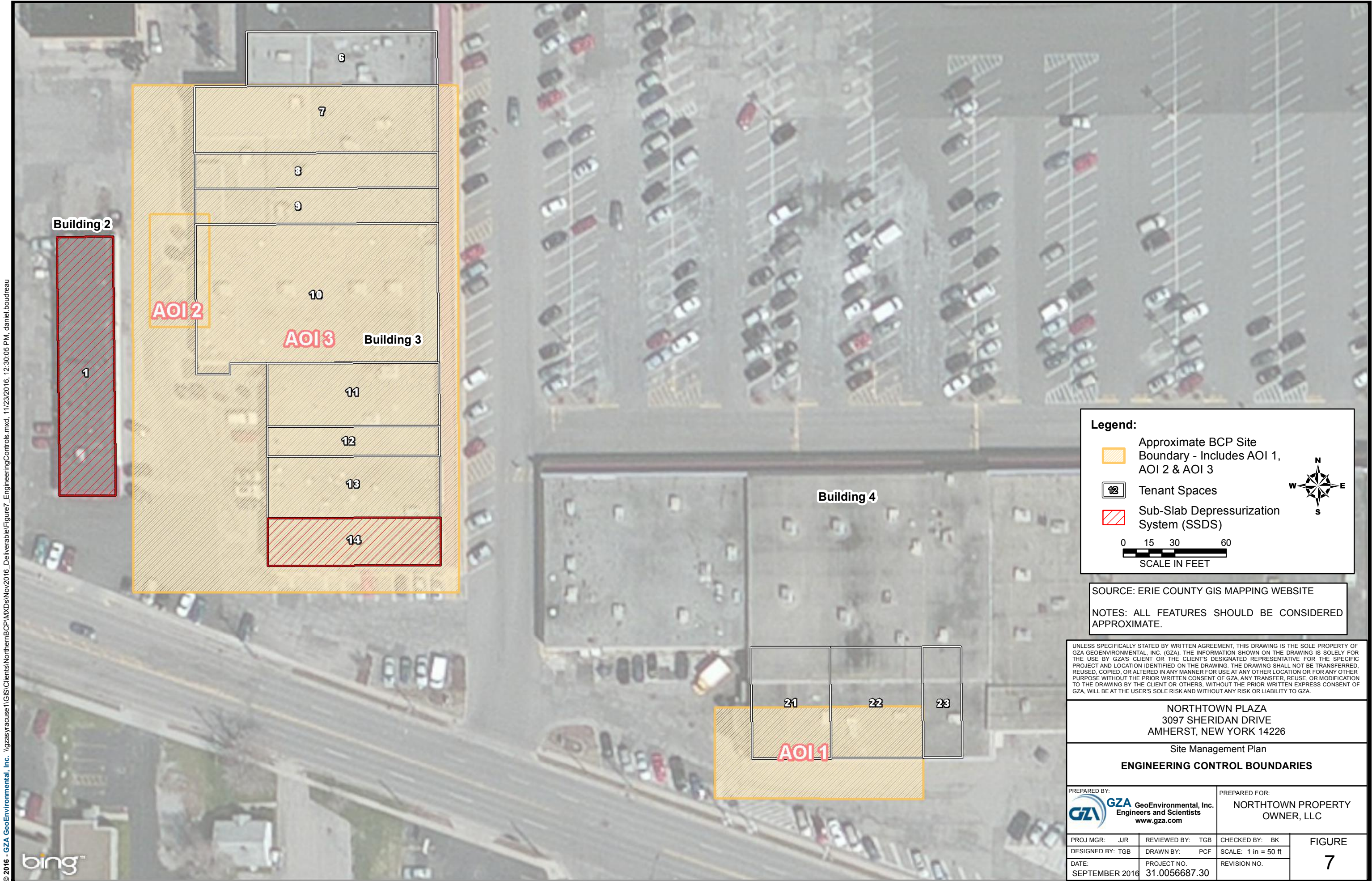
Site Management Plan  
**BCP SITE LOCATION & BOUNDARIES**

PREPARED BY: <b>GZA</b> GeoEnvironmental, Inc. Engineers and Scientists www.gza.com		PREPARED FOR: <b>NORTHTOWN PROPERTY OWNER, LLC</b>	
--	--	---	--

PROJ MGR: JJR	REVIEWED BY: TGB	CHECKED BY: BK	<b>FIGURE 2</b>
DESIGNED BY: TGB	DRAWN BY: PCF	SCALE: 1 in = 60 ft	
DATE: NOVEMBER 2016	PROJECT NO. 161.0056687.30	REVISION NO.	



© 2016 - GZA GeoEnvironmental, Inc. \\gza\yrcuse\1\GIS\Clients\NorthtownBCP\MXDs\Nov2016\_Deliverable\Figure7\_EngineeringControls.mxd, 11/23/2016, 12:30:05 PM, daniel.boudreau



**Legend:**

- Approximate BCP Site Boundary - Includes AOI 1, AOI 2 & AOI 3
- Tenant Spaces
- Sub-Slab Depressurization System (SSDS)

0 15 30 60  
SCALE IN FEET

N  
W E  
S

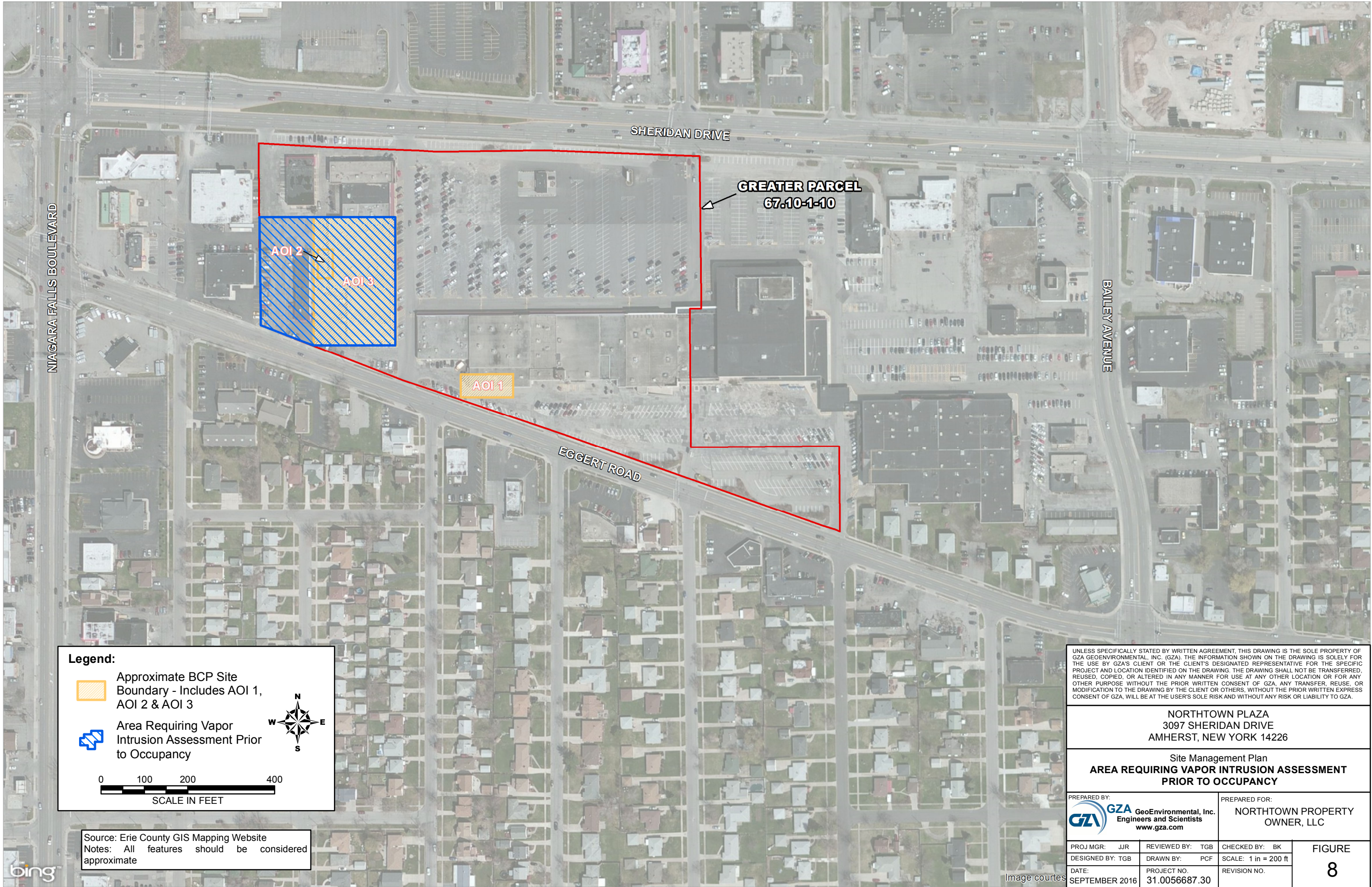
SOURCE: ERIE COUNTY GIS MAPPING WEBSITE

NOTES: ALL FEATURES SHOULD BE CONSIDERED APPROXIMATE.

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NORTHTOWN PLAZA 3097 SHERIDAN DRIVE AMHERST, NEW YORK 14226			
Site Management Plan <b>ENGINEERING CONTROL BOUNDARIES</b>			
PREPARED BY: <b>GZA</b> GeoEnvironmental, Inc. Engineers and Scientists www.gza.com		PREPARED FOR: NORTHTOWN PROPERTY OWNER, LLC	
PROJ MGR: JJR	REVIEWED BY: TGB	CHECKED BY: BK	FIGURE 7
DESIGNED BY: TGB	DRAWN BY: PCF	SCALE: 1 in = 50 ft	
DATE: SEPTEMBER 2016	PROJECT NO. 31.0056687.30	REVISION NO.	





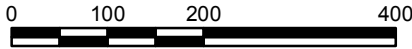
**Legend:**



Approximate BCP Site Boundary - Includes AOI 1, AOI 2 & AOI 3



Area Requiring Vapor Intrusion Assessment Prior to Occupancy



SCALE IN FEET



Source: Erie County GIS Mapping Website  
Notes: All features should be considered approximate

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NORTHTOWN PLAZA  
3097 SHERIDAN DRIVE  
AMHERST, NEW YORK 14226

Site Management Plan  
**AREA REQUIRING VAPOR INTRUSION ASSESSMENT  
PRIOR TO OCCUPANCY**

PREPARED BY:  
 **GZA** GeoEnvironmental, Inc.  
Engineers and Scientists  
[www.gza.com](http://www.gza.com)

PREPARED FOR:  
NORTHTOWN PROPERTY  
OWNER, LLC

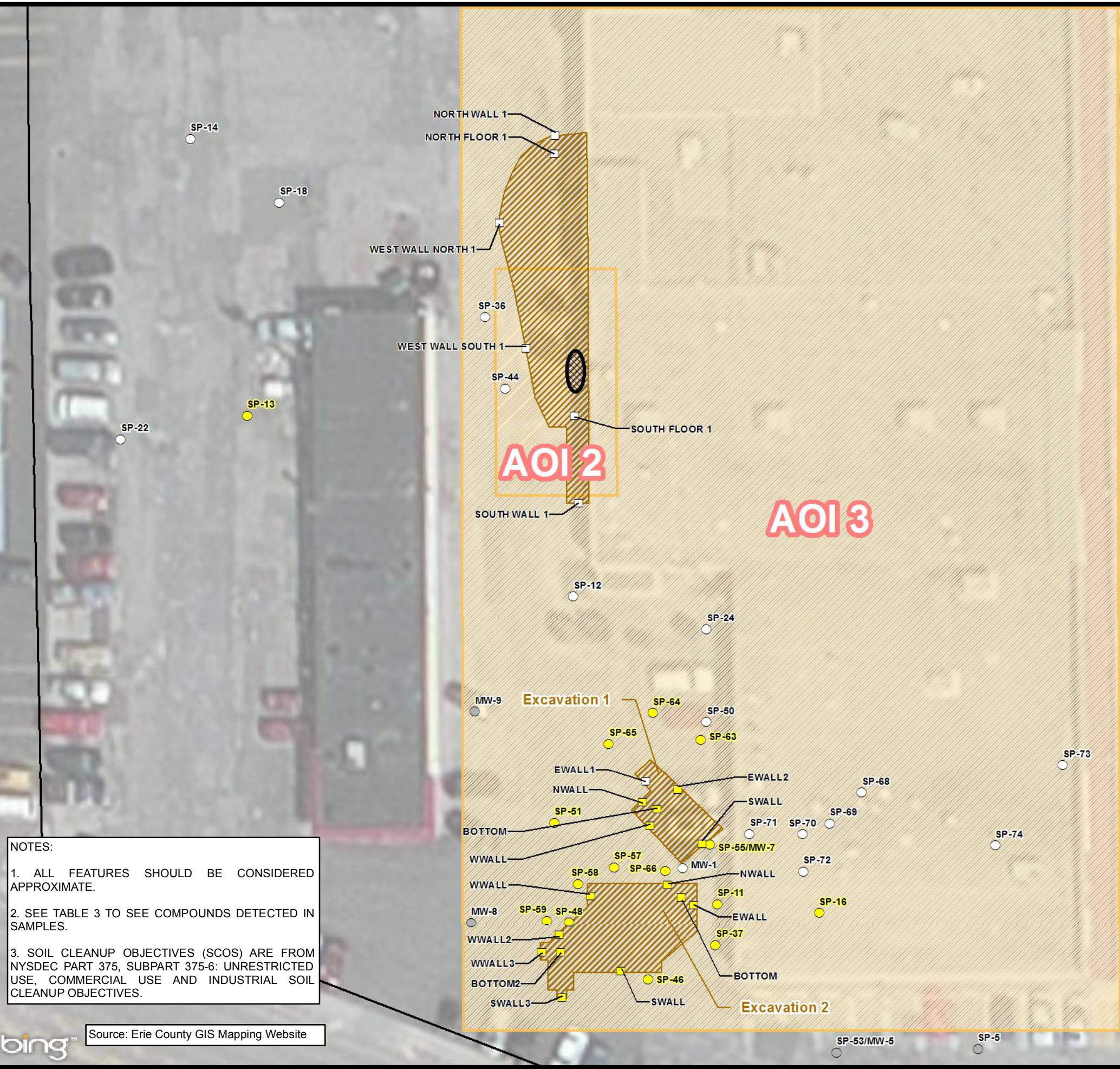
PROJ MGR: JJR  
DESIGNED BY: TGB  
DATE: SEPTEMBER 2016

REVIEWED BY: TGB  
DRAWN BY: PCF  
PROJECT NO. 31.0056687.30

CHECKED BY: BK  
SCALE: 1 in = 200 ft  
REVISION NO.

FIGURE  
**8**

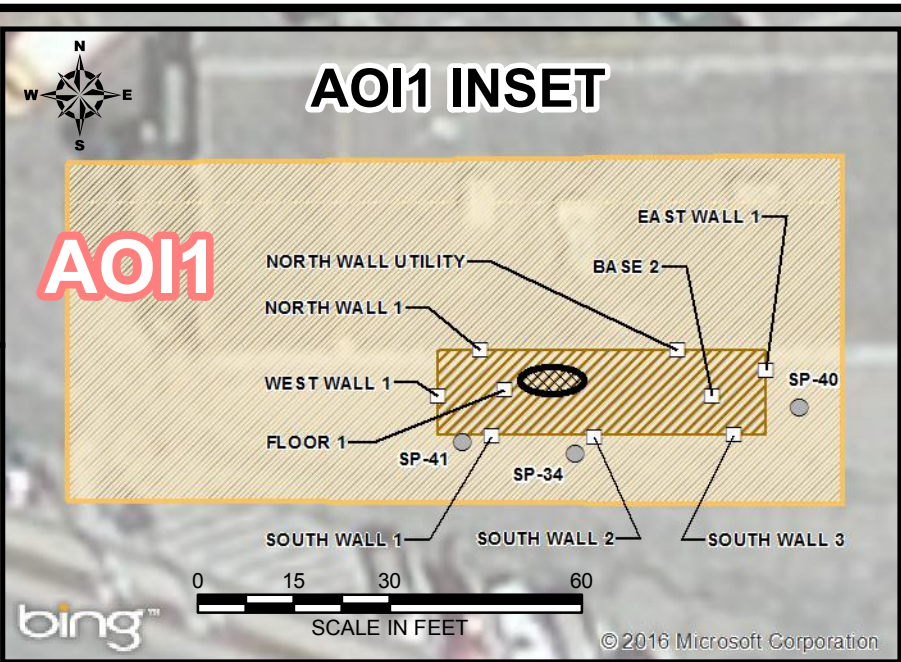




NOTES:

1. ALL FEATURES SHOULD BE CONSIDERED APPROXIMATE.
2. SEE TABLE 3 TO SEE COMPOUNDS DETECTED IN SAMPLES.
3. SOIL CLEANUP OBJECTIVES (SCOS) ARE FROM NYSDEC PART 375, SUBPART 375-6: UNRESTRICTED USE, COMMERCIAL USE AND INDUSTRIAL SOIL CLEANUP OBJECTIVES.

Source: Erie County GIS Mapping Website



**Legend:**

- Approximate BCP Site Boundary - Includes AOI 1, AOI 2 & AOI 3
- Approximate Site Boundary

**Confirmation Sample Locations**

- < Unrestricted Use SCOs
- > = Unrestricted Use SCOs

**Boring Locations**

- < Unrestricted Use SCOs
- > = Unrestricted Use SCOs
- No Field Evidence of Contamination Not Sampled

**UST Removal/Soil Excavation**

- Approximate UST Location
- Approximate Soil Excavation

SCALE IN FEET

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NORTHTOWN PLAZA 3097 SHERIDAN DRIVE AMHERST, NEW YORK 14226			
Final Engineering Report SOIL SAMPLE LOCATION MAP			
PREPARED BY: GZA GeoEnvironmental, Inc. Engineers and Scientists www.gza.com		PREPARED FOR: NORTHTOWN PROPERTY OWNER, LLC	
PROJ MGR: JJR	REVIEWED BY: TGB	CHECKED BY: BK	FIGURE 12
DESIGNED BY: TGB	DRAWN BY: PCF	SCALE: 1 in = 30 ft	
DATE: NOVEMBER 2016	PROJECT NO. 31.0056687.30	REVISION NO.	





## ATTACHMENT III

### PERTINENT TABLES

- Table 12 of FER: Analytical Summary of Remaining Soils
- Table 13 of FER: Subsurface Soils Remaining Above Unrestricted Levels – AOI -1
- Table 14 of FER: Subsurface Soils Remaining Above Unrestricted Levels – AOI -2
- Table 15 of FER: Subsurface Soils Remaining Above Unrestricted Levels – AOI -3 Exc.1
- Table 16 of FER: Subsurface Soils Remaining Above Unrestricted Levels – AOI -3 Exc. 2



TABLE 12  
Analytical Summary of Remaining Soils  
Final Engineering Report  
Northtown Plaza BCP Site No. C915292  
Amherst, New York

Parameter	Part 375 - Unrestricted Use SCOs	Part 375 - Commercial Use SCOs	SP-11 01/31/2014 7 ft bgs	SP-11 01/31/2014 10-12 ft	SP-16 01/30/2014 10-12 ft	SP-16 01/30/2014 12-14 ft	SP-36 05/09/2014 4 ft bgs	SP-37 05/09/2014 1 ft bgs	SP-37 05/09/2014 11.9 ft bgs	SP-44 05/09/2014 5 ft bgs	SP-46 05/12/2014 0-2 ft bgs	SP-46 05/12/2014 2-4 ft bgs	SP-48 05/12/2014 10-12 ft bgs	SP-51 05/12/2014 10/12/2016	SP-55 3/11/2015 10-11 ft	SP-57 3/11/2015 12-13 ft	SP-58 3/11/2015 11-12 ft	SP-59 3/11/2015 13-14 ft	SP-59 3/11/2015 20-21 ft
Volatile Organic Compounds - EPA Method 8260 TCL (ug/Kg)																			
2-Butanone	120	500,000	<	<	<	<	<	<	<	160	<	<	<	<	NT	NT	NT	NT	NT
1,2-Dichlorobenzene	1,100	500,000	<	<	<	<	<	<	<	<	<	<	<	<	NT	NT	NT	NT	NT
Acetone	50	500,000	<	<	<	<	96.4	<	<	564	<	<	<	<	NT	NT	NT	NT	NT
Benzene	60	44,000	<	<	<	<	<	<	<	<	<	<	<	<	NT	NT	NT	NT	NT
Toluene	700	500,000	<	<	<	<	<	<	<	<	<	<	<	<	NT	NT	NT	NT	NT
Ethylbenzene	1,000	390,000	<	<	<	<	<	<	<	<	<	<	<	<	NT	NT	NT	NT	NT
m&p-Xylene	260	500,000	<	<	<	<	<	<	<	<	<	<	<	<	NT	NT	NT	NT	NT
o-Xylene	260	500,000	<	<	<	<	<	<	<	<	<	<	<	<	NT	NT	NT	NT	NT
Isopropylbenzene	NV	NV	<	<	<	<	<	<	<	<	<	<	<	<	NT	NT	NT	NT	NT
Methylcyclohexane	NV	NV	<	<	<	<	<	<	<	<	<	<	<	<	NT	NT	NT	NT	NT
Tetrachloroethene	1,300	150,000	<	33,000	4,400	1,510	<	5,280	137,000	<	13,000	34 J	15,000	4,200	1,830	9,570	24,400	105,000	82,600
Trichloroethene	470	200,000	<	<	<	<	<	870	<	<	480	<	44 J	<	<	<	<	<	<
cis-1,2-Dichloroethene	250	500,000	<	<	<	<	<	343	<	<	110 J	<	160 J	<	<	<	<	<	<
Carbon disulfide	NV	NV	<	<	<	<	<	<	<	19.9	<	<	<	<	NT	NT	NT	NT	NT
Cyclohexane	NV	NV	<	<	<	<	<	<	<	<	<	<	<	<	NT	NT	NT	NT	NT
Total VOCs			<	33,000	4,400	1,510	96	6,493	137,000	744	<	<	<	<					
Semi-Volatile Organic Compounds - EPA Method 8270 STARS (ug/Kg)																			
Naphthalene	12,000	500,000	<	<	NT	NT	<	NT	NT	<	NT	NT	NT	NT	NT	NT	NT	NT	NT
Fluorene	30,000	500,000	<	<	NT	NT	<	NT	NT	<	NT	NT	NT	NT	NT	NT	NT	NT	NT
Phenanthrene	100,000	500,000	<	<	NT	NT	<	NT	NT	<	NT	NT	NT	NT	NT	NT	NT	NT	NT
Fluoranthene	100,000	500,000	<	<	NT	NT	<	NT	NT	<	NT	NT	NT	NT	NT	NT	NT	NT	NT
Pyrene	100,000	500,000	<	<	NT	NT	<	NT	NT	<	NT	NT	NT	NT	NT	NT	NT	NT	NT
Benzo [a] anthracene	1,000	5,600	<	<	NT	NT	<	NT	NT	<	NT	NT	NT	NT	NT	NT	NT	NT	NT
Chrysene	1,000	56,000	<	<	NT	NT	<	NT	NT	<	NT	NT	NT	NT	NT	NT	NT	NT	NT
Benzo [b] fluoranthene	1,000	5,600	<	<	NT	NT	<	NT	NT	<	NT	NT	NT	NT	NT	NT	NT	NT	NT
Benzo [a] pyrene	1,000	1,000	<	<	NT	NT	<	NT	NT	<	NT	NT	NT	NT	NT	NT	NT	NT	NT
Total SVOCs			<	<	NT	NT		NT	NT										
Polychlorinated Biphenyls - EPA Method 8082 (ug/Kg)																			
Total PCBs			<	<	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT

- Notes:
- Compounds detected in one or more samples are presented on this table. Refer to the laboratory reports for list of all compounds included in analysis.
  - Soil analytical testing completed by Paradigm Environmental Services, Inc., in Rochester, NY.
  - ug/kg = part per billion.
  - NV = no value. NT = not tested.
  - Yellow shading indicates value exceeds Unrestricted Use Soil Cleanup Objectives.
  - Orange shading indicates value exceeds Commerical Use Soil Cleanup Objectives.
  - Soil cleanup objectives (SCOs) are from NYSDEC Part 375, Subpart 375-6: Unrestricted Use, Commercial Use and Industrial Soil Cleanup Objectives.
  - < indicates compound not detected above method detection limits.
  - TCL = Target Compound List. STARS = NYSDEC Spill Technology and Remediation Series (STARS) Memo #1, Petroleum-Contaminated Soil Guidance Policy, New York State Department of Environmental Conservation, August 1992.
  - Detections of 2-butanone and Acetone attributed to laboratory contamination and not considered site contaminants.

TABLE 12  
Analytical Summary of Remaining Soils  
Final Engineering Report  
Northtown Plaza BCP Site No. C915292  
Amherst, New York

Parameter	Part 375 - Unrestricted Use SCOs	Part 375 - Commercial Use SCOs	SP-63 3/12/2015 8-9 ft	SP-64 3/12/2015 8-9 ft	SP-64 3/12/2015 21-22 ft	SP-65 3/12/2015 16-17 ft	SP-66 3/12/2015 12-13 ft	SP-67 3/12/2015 15-16 ft	SP-68 3/13/2015 7-8 ft	SP-68 3/13/2015 16-17 ft	SP-69 3/13/2015 12-13 ft	SP-70 3/13/2015 6-7 ft	SP-71 3/13/2015 3-4 ft	SP-72 3/13/2015 9-10 ft	FD-02 3/13/2015 9-10 ft	SP-73 3/13/2015 6-7 ft	SP-74 3/13/2015 5-6 ft	MW-8 4/22/2015 14 ft	MW-9 4/22/2015 8 ft
Volatile Organic Compounds - EPA Method 8260 TCL (ug/Kg)																			
2-Butanone	120	500,000	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT
1,2-Dichlorobenzene	1,100	500,000	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT
Acetone	50	500,000	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT
Benzene	60	44,000	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT
Toluene	700	500,000	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT
Ethylbenzene	1,000	390,000	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT
m&p-Xylene	260	500,000	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT
o-Xylene	260	500,000	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT
Isopropylbenzene	NV	NV	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT
Methylcyclohexane	NV	NV	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT
Tetrachloroethene	1,300	150,000	861	21,400	109,000	36,600	58,500	70,800	12	30	3 J	55	21	122	378	13	10	<	<
Trichloroethene	470	200,000	113,000	<	<	<	<	<	<	<	<	<	<	<	<	<	<	<	<
cis-1,2-Dichloroethene	250	500,000	32,400 J	<	<	<	<	<	<	<	<	<	<	<	<	<	<	<	<
Carbon disulfide	NV	NV	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT
Cyclohexane	NV	NV	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT
Total VOCs																			
Semi-Volatile Organic Compounds - EPA Method 8270 STARS																			
Naphthalene	12,000	500,000	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT
Fluorene	30,000	500,000	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT
Phenanthrene	100,000	500,000	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT
Fluoranthene	100,000	500,000	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT
Pyrene	100,000	500,000	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT
Benzo [a] anthracene	1,000	5,600	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT
Chrysene	1,000	56,000	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT
Benzo [b] fluoranthene	1,000	5,600	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT
Benzo [a] pyrene	1,000	1,000	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT
Total SVOCs																			
Polychlorinated Biphenyls - EPA Method 8082 (ug/Kg)																			
Total PCBs			NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT	NT

- Notes:
- Compounds detected in one or more samples are presented on this table. Refer to the laboratory reports for list of all compounds included in analysis.
  - Soil analytical testing completed by Paradigm Environmental Services, Inc., in Rochester, NY.
  - ug/kg = part per billion.
  - NV = no value. NT = not tested.
  - Yellow shading indicates value exceeds Unrestricted Use Soil Cleanup Objectives.
  - Orange shading indicates value exceeds Commerical Use Soil Cleanup Objectives.
  - Soil cleanup objectives (SCOs) are from NYSDEC Part 375, Subpart 375-6: Unrestricted Use, Commercial Use and Industrial Soil Cleanup Objectives.
  - < indicates compound not detected above method detection limits.
  - TCL = Target Compound List. STARS = NYSDEC Spill Technology and Remediation Series (STARS) Memo #1, Petroleum-Contaminated Soil Guidance Policy, New York State Department of Environmental Conservation, August 1992.
  - Detections of 2-butanone and Acetone attributed to laboratory contamination and not considered site contaminants.

**TABLE 13**  
Subsurface Soils Remaining Above Unrestricted Levels - AOI 1  
Final Engineering Report  
Northtown Inc. - BCP Site No. C915292  
Amherst, New York

Area of Interest Sample ID Sample Date	NYSDEC Part 375 Soil Criteria (mg/kg)		AOI 1									
	Unrestricted	Commercial	North Wall 1 12/8/2015	North Wall Utility 12/8/2015	Field Duplicate 01 12/8/2015	East Wall 1 12/8/2015	South Wall 1 12/8/2015	South Wall 2 12/8/2015	South Wall 3 12/8/2015	West Wall 1 12/8/2015	Floor 1 12/8/2015	Base 2 12/8/2015
<b>Volatile Organic Compounds - EPA Method 8260 (mg/Kg)</b>												
2-Butanone (MEK)	0.12	500	<0.0218	<0.492	<0.290	<0.0216	<0.0181	<0.0208	<0.0195	<0.0196	<0.0208	<0.0221
Acetone	0.05	500	<0.0218	<0.492	<0.290	<0.0216	<0.0181	<0.0208	<0.0195	<0.0196	<0.0208	<0.0221
Carbon disulfide	NV	NV	<0.00436	<0.0984	<0.0580	<0.00431	<0.00362	<0.00417	<0.00390	<0.00392	<0.00416	<0.00443
Ethylbenzene	1	390	<0.00436	0.260	0.242	<0.00431	<0.00362	<0.00417	<0.00390	<0.00392	0.00675	<0.00443
Isopropylbenzene	NV	NV	<0.00436	0.658	0.692	<0.00431	<0.00362	<0.00417	<0.00390	<0.00392	0.00378 J	<0.00443
Methyl tert-butyl Ether	0.93	500	<0.00436	<0.0984	<0.0580	<0.00431	<0.00362	<0.00417	<0.00390	<0.00392	<0.00416	<0.00443
Toluene	0.7	500	<0.00436	<0.0984	<0.0580	<0.00431	<0.00362	<0.00417	<0.00390	<0.00392	0.00386 J	<0.00443
<b>Semi-Volatile Organic Compounds - EPA Method 8270 (mg/Kg)</b>												
Acenaphthene	20	500	<0.313	0.664	0.546 M	<0.322	<0.318	<0.320	<0.324	<0.314	<0.318	<0.314
Benzo(a)anthracene	1	5.6	<0.313	<0.342	0.178 J	<0.322	<0.318	<0.320	<0.324	<0.314	<0.318	<0.314
Benzo(b)fluoranthene	1	5.6	<0.313	<0.342	0.165 J	<0.322	<0.318	<0.320	<0.324	<0.314	<0.318	<0.314
Chrysene	1	56	<0.313	<0.342	0.164 J	<0.322	<0.318	<0.320	<0.324	<0.314	<0.318	<0.314
Fluoranthene	100	500	<0.313	0.396	0.370	<0.322	<0.318	<0.320	<0.324	<0.314	<0.318	<0.314
Fluorene	30	500	<0.313	0.919	0.777	<0.322	<0.318	<0.320	<0.324	<0.314	<0.318	<0.314
Phenanthrene	100	500	<0.313	1.810	1.590	<0.322	<0.318	<0.320	<0.324	<0.314	<0.318	<0.314
Pyrene	100	500	<0.313	0.309 J	0.298 J	<0.322	<0.318	<0.320	<0.324	<0.314	<0.318	<0.314

Notes:

- Compounds detected in one or more samples are presented on this table. Refer to the laboratory reports for list of all compounds included in analysis.
- Soil analytical testing completed by Paradigm Environmental Services, Inc., in Rochester, NY.
- mg/kg = milligrams per kilogram (parts per million).
- J = Result estimated between the quantitation limit and half the quantitation limit.
- M = Matrix spike recoveries outside QC limits. Matrix bias indicated.
- NV = No Value.
- Soil cleanup objectives (SCOs) are from NYSDEC Part 375, Subpart 375-6; Commercial Use Soil Cleanup Objectives.
- < indicates compound not detected above method detection limits.
- Yellow shading indicates value is above the Soil Cleanup Objective for Unrestricted Site Use.
- Orange shading indicates value is above the Soil Cleanup Objective for Commercial Site Use.
- Field Duplicate 01 is associated with sample North Wall Utility (AOI 1).

**TABLE 14**  
Subsurface Soils Remaining Above Unrestricted Levels - AOI 2  
Final Engineering Report  
Northtown Inc. - BCP Site No. C915292  
Amherst, New York

Area of Interest Sample ID Sample Date	NYSDEC Part 375 Soil Criteria (mg/kg)		AOI 2						
	Unrestricted	Commercial	North Wall 1 12/10/2015	Field Duplicate 1 12/10/2015	South Wall 1 12/11/2015	West Wall North 1 12/11/2015	West Wall South 1 12/11/2015	North Floor 1 12/10/2015	South Floor 1 12/11/2015
<b>Volatile Organic Compounds - EPA Method 8260 (mg/Kg)</b>									
2-Butanone (MEK)	0.12	500	0.0212 J	0.0412	0.0130 J	0.105	0.0157 J	<0.0203	<0.0222
Acetone*	0.05	500	0.0729	0.149	0.0688	0.431	0.0525	<0.0203	<0.0222
Carbon disulfide	NV	NV	0.00855	0.00614	0.00439 J	0.00675	<0.00469	<0.00407	<0.00445
Ethylbenzene	1	390	<0.00579	<0.00576	<0.00480	<0.00513	<0.00469	<0.00407	<0.00445
Isopropylbenzene	NV	NV	<0.00579	<0.00576	<0.00480	<0.00513	0.00311 J	<0.00407	<0.00445
Methyl tert-butyl Ether	0.93	500	<0.00579	<0.00576	<0.00480	0.00298 J	<0.00469	<0.00407	<0.00445
Toluene	0.7	500	<0.00579	<0.00576	<0.00480	<0.00513	<0.00469	<0.00407	<0.00445
<b>Semi-Volatile Organic Compounds - EPA Method 8270 (mg/Kg)</b>									
Acenaphthene	20	500	<0.425	<0.422	<0.362	<0.392	<0.350	<0.314	<0.314
Benzo(a)anthracene	1	5.6	<0.425	<0.422	<0.362	<0.392	<0.350	<0.314	<0.314
Benzo(b)fluoranthene	1	5.6	<0.425	<0.422	<0.362	<0.392	<0.350	<0.314	<0.314
Chrysene	1	56	<0.425	<0.422	<0.362	<0.392	<0.350	<0.314	<0.314
Fluoranthene	100	500	<0.425	<0.422	<0.362	<0.392	<0.350	<0.314	<0.314
Fluorene	30	500	<0.425	<0.422	<0.362	<0.392	<0.350	<0.314	<0.314
Phenanthrene	100	500	<0.425	<0.422	<0.362	<0.392	<0.350	<0.314	<0.314
Pyrene	100	500	<0.425	<0.422	<0.362	<0.392	<0.350	<0.314	<0.314

Notes:

- Compounds detected in one or more samples are presented on this table. Refer to Appendix D for list of all compounds included in analysis.
- Soil analytical testing completed by Paradigm Environmental Services, Inc., in Rochester, NY.
- mg/kg = milligrams per kilogram (parts per million).
- J = Result estimated between the quantitation limit and half the quantitation limit.
- M = Matrix spike recoveries outside QC limits. Matrix bias indicated.
- NV = No Value.
- Soil cleanup objectives (SCOs) are from NYSDEC Part 375, Subpart 375-6: Commercial Use Soil Cleanup Objectives.
- < indicates compound not detected above method detection limits.
- Yellow shading indicates value is above the Soil Cleanup Objective for Unrestricted Site Use.
- Orange shading indicates value is above the Soil Cleanup Objective for Commercial Site Use.
- Field Duplicate 1 is associated with sample North Wall 1 (AOI 2).

\*Low detections of acetone considered laboratory contaminant

**TABLE 15**  
Subsurface Soils Remaining Above Unrestricted Levels - AOI 3, Excavation 1  
Final Engineering Report  
Northtown Inc. - BCP Site No. C915292  
Amherst, New York

Sample ID Sample Date Sample Depth	NYSDEC Part 375 Soil Criteria		NWALL 6/29/2016	BOTTOM 6/29/2016	EWALL1 6/29/2016	EWALL2 6/29/2016	TRIP BLANK 6/29/2016	WWALL 7/5/2016	SWALL 7/5/2016	Field Dup 7/5/2016	TRIP BLANK 7/5/2016
	Unrestricted	Commercial	10'	17'	12'	12'	NA	12'	12'	12'	NA
	Volatile Organic Compounds - EPA Method 8260 (mg/Kg)										
Chloromethane	NV	NV	0.046 J	0.150 J	0.0014 J	0.150 J	<	<0.030	<0.014	<0.017	<
cis-1,2-Dichloroethene	0.25	500	0.085	<0.040	0.035	0.077 J	<	1.1	0.024 J	0.720	<
Tetrachloroethene	1.3	150	2.1	65	0.310	48	<	49	41	15	0.00028 mg/L J
1,2,3-Trichlorobenzene	NV	NV	<0.0076	<0.042	<0.00042	0.057 J	<	<0.015	<0.0073	<0.0084	<
Trichloroethene	0.47	200	0.056	0.400	0.028	0.110 J	<	0.810	0.021 J	0.400	<

- Notes:
1. Compounds detected in one or more samples are presented on this table. Refer to laboratory reports for list of all compounds included in analysis.
  2. Soil analytical testing completed by Alpha Analytical Inc., in Westborough, MA.
  3. mg/kg = milligrams per kilogram (parts per million)
  4. NV = no value.
  5. Soil cleanup objectives (SCOs) are from NYSDEC Part 375, Subpart 375-6: Unrestricted Use, Commercial Use and Industrial Soil Cleanup Objectives.
  6. < indicates compound not detected above method detection limits.
  7. J = Estimated value.
  8. Yellow shading indicates value is above the Soil Cleanup Objective for Unrestricted Site Use.
  9. Orange shading indicates value is above the Soil Cleanup Objective for Commercial Site Use.



TABLE 16  
Subsurface Soils Remaining Above Unrestricted Levels - AOI 3, Excavation 2  
Final Engineering Report  
Northtown Inc. - BCP Site No. C915292  
Amherst, New York

EXCAVATION #2																			
Sample ID	NYSDEC Part 375		NWALL	WWALL1	BOTTOM1	TRIP BLANK	EWALL	Field Dup	TRIP BLANK	SWALL1	TRIP BLANK	WWALL2	TRIP BLANK	BOTTOM2	TRIP BLANK	WWALL3	TRIP BLANK	SWALL3	TRIP BLANK
Sample Date	Soil Criteria		7/5/2016	7/5/2016	7/5/2016	7/5/2016	7/7/2016	7/7/2016	7/7/2016	7/8/2016	7/8/2016	7/11/2016	7/11/2016	7/12/216	7/12/216	7/13/2016	7/13/2016	7/14/2016	7/14/2016
Sample Depth	Unrestricted	Commercial	10'	14'	15'	NA	14'	14'	NA	16'	NA	16'	NA	20'	NA	17'	NA	16'	NA
Volatile Organic Compounds - EPA Method 8260 (mg/Kg)																			
Chloromethane	NV	NV	<0.150	<0.031	<0.066	<	<0.016	<0.016	<	0.041 J	<	<0.078	<	<0.320	<	<0.016	<	<0.081	<
cis-1,2-Dichloroethene	0.25	500	0.140 J	0.460	0.310	<	0.020 J	0.024 J	<	0.072	<	0.071 J	<	2.3	<	0.020 J	<	1.600	<
Tetrachloroethene	1.3	150	66	68	60	0.00028 mg/L	3.5	9.4	<	34	<	62	<	100	<	10	<	58	<
Vinyl chloride	0.02	13	<0.061	<0.012	<0.026	<	<0.0066	<0.0066	<	<0.0058	<	<0.031	<	<0.130	<	<0.0066	<	0.190 J	<
Trichloroethene	0.47	200	0.270 J	0.460	0.400	<	<0.0070	<0.0070	<	0.280	<	0.100 J	<	1.2	<	<0.0070	<	0.710	<

- Notes:
- Compounds detected in one or more samples are presented on this table. Refer to the laboratory reports for list of all compound.
  - Soil analytical testing completed by Alpha Analytical Inc., in Westborough, MA.
  - mg/kg = milligrams per kilogram (parts per million)
  - NV = no value.
  - Soil cleanup objectives (SCOs) are from NYSDEC Part 375, Subpart 375-6: Unrestricted Use, Commercial Use and Industrial Soil Cleanup Objectives.
  - < indicates compound not detected above method detection limits.
  - J = Estimated value.
  - Yellow shading indicates value is above the Soil Cleanup Objective for Unrestricted Site Use.
  - Orange shading indicates value is above the Soil Cleanup Objective for Commercial Site Use.
  - \*\*\* This sample location was subsequently excavated due to the failure of the CSCO and replaced with confirmatory sample SWall 3.



## **ATTACHMENT IV**

### **CONTRACTOR HEALTH AND SAFETY PLAN**



**Site Specific Safety Manual**  
**Northtown Redevelopment**

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## **1. General Information:**

### **Thomann Asphalt Policy:**

Our company is guided by our safety and health policy. This policy is based upon the necessity to eliminate injuries, occupational illnesses and property damage, as well as to protect the public whenever and wherever the public comes into contact with the company's work.

All management and supervisory personnel are charged with the responsibility for planning safety into each work task and for preventing the occurrence of incidents and/or controlling conditions/actions that could lead to occupational injuries or illnesses. The ultimate success of a safety and health program depends upon the full cooperation of each individual employee. The management team is prepared to take the necessary actions to see that safety and health rules and practices are enforced, and to ensure that effective training programs are employed to the best of our ability.

Safety will never be sacrificed for production. Safety is an integral part of quality control, cost reduction and job efficiency. All supervisors will be held accountable for the safety performance of the employees under their supervision.

### **Objective:**

The objective of this document is to establish a plan for implementing the company safety program at the Northtown Redevelopment project. This plan is intended to minimize losses, meet regulatory compliance requirements and implement site safety regulations established by Thomann Asphalt with OSHA standards.

### **Site Information:**

**Northtown Redevelopment Project**

**3045 Sheridan Drive**

**Amherst, NY 14226**

### **Key Personnel:**

**Project Manager - Khlar Holthouse 716-818-4098 (First Aid & CPR Certified)**

**Safety Officer - Mike Turski 716-479-0498 (First Aid & CPR Certified)**



## **2. Project Specifics:**

### **Scope of Project:**

Mobilization on site, installation of erosion control measures, demolition and clearing of site for foundation work.

Site utility work will include the following storm and sanitary system, restoration of sub-grade, and pavement. Site restoration of area at existing building, including asphalt.

Demobilization

### **Site Surroundings:**

Care will be taken so as not to damage surrounding areas, outside of the contract boundary lines.

Special care will be taken, NOT to disrupt normal day to day facility operation, including pedestrian, and vehicular traffic controls.

## **3. Health and Safety Responsibilities:**

### **Project Manager-**

Coordinate pre-planning meetings for project safety. To ensure that Safety and Health issues are managed with the same priority as production and quality.

### **Superintendent-**

Promote accident prevention through constant communication and leading by example

Conduct weekly safety meetings.

Identify hazards and advise on proper and approved safety guards and PPE.

Aid in scheduling/coordinating pre-planning meetings for the project.

Require all subcontractors/employees to comply with health and safety regulations.

### **Safety Officer-**

Act as a resource to the company for safety issues.

Develop and maintain the safety training program.

Assist in project safety planning.

**Employees-**

Attend new hire orientation and complete safety/orientation checklists.

To work in a safe manner at all times and comply with all safety rules, procedures and requirements.

To report all accidents, near misses and unsafe conditions, no matter the severity.

Attend safety meetings.

**Subcontractors-**

To work in a safe manner at all times and comply with all safety rules, procedures and requirements.

To report all accidents, near misses and unsafe conditions, no matter the severity.

**Insurance Carrier:**

Our insurance carrier also performs regular inspections of selected work sites. Results of these inspections are then reviewed with the site supervisor and the safety officer and a written report of all deficiencies identified and corrective measures are implemented.

## **4. Safety Standards**

**Safety Meetings—**

Before project starts a site, safety meeting is held and attendance of all persons on site is mandatory. The meeting topics, discussion and attendees will be documented.

New Hire Orientation- Each new hire will be required to attend a new hire orientation prior to being assigned to work so they are aware of the job specifics and safety guidelines. Subcontractors shall orient each new individual who works onsite.

Drug and Alcohol Policy- All employees are subject to random drug testing. Alcohol or drugs are not to be consumed on premises before or during work hours. No smoking or tobacco is allowed on this project.

PPE- All person's onsite must wear appropriate attire which includes hard hat, eye protection, pants, shirts with a minimum of 4" sleeves, and work boots at all times. Other PPE including high visibility vest or shirt, gloves, and ear plugs shall be used as appropriate for the tasks being performed.

Housekeeping- Housekeeping is the responsibility of all subcontractors and personnel and must be done on a daily basis. Construction debris poses tripping hazards and fire potential so it is vital that all access and egress be maintained at all times.

Hazard Communication- Every container brought onsite must be properly labeled and each product shall have a corresponding MSDS sheet provided prior to use. MSDS sheets are saved digitally on Thomann's computer server and can be printed upon request.

## **5. Job Hazard Analysis:**

Below is a jobsite hazard analysis for the project team. The team established the tasks, discussed the hazards and determined how they would be prevented or controlled. This assessment is a good summary it is inclusive to this specific job.

Only competent persons shall be allowed to complete specific tasks. According to OSHA a "competent person is one who is capable of identifying existing and predictable hazards in the surroundings or working conditions which are unsanitary, hazardous, or dangerous to employees and who has authorization to take prompt correct measures to eliminate them."

### **Earthwork:**

Hazards Controls

Active Utility Lines Call UFPO and/or locator service, employees to take note of marked locations.

Atmospheric In case of lighting, please seek nearest shelter.

### **Excavation:**

Proper shoring and sloping at a ratio of 1.5:1.

Excavation areas taped/barricaded off.

Equipment shall have backup alarms, keep safe distance of 20ft from moving equipment, and keep eye contact with operator.

Water Control In case of flooding, or ground water entering an excavation, sump/trash pumps will be used to de-water.

Fire extinguishers readily available in each company vehicle

### **Site Utilities:**

Hazards Controls

Trenching - Proper shoring and sloping at a ratio of 1.5:1.

Excavation areas taped/barricaded off.

Depths will not exceed 4'.

Equipment shall have backup alarms keep safe distance of 20ft make eye contact with operator.

Utility Lines Call UFPO and order utilities marked prior to any work.

### **Concrete:**

Hazards Controls

Concrete Burns Wear gloves and safety glasses. In case of actual burns, use water from nearest spigot.

Rebar Impalement Cap all rebar.

Be aware of trucks, pumps, and wear eye protection.

Tripping Hazards Keep materials & debris picked up.

Drilling Dowels/ Fasteners Use drill with equipped with commercially available shroud and HEPA filtered dust collection system as outlined in Table 1 OSHA Crystalline Silica Standard.

### **Utilities:**

Permit Required Confined Space: (If applicable)

Open Manholes Protect with temp fencing

Continuous air monitoring throughout the course of confined space work

Notify facility of any confined space entries

## **6. Resources:**

### **Emergencies:**

Report all accidents to facility escorts, call 911.

### **Medical:**

Millard Fillmore Suburban Hospital, 2950 Elmwood Ave, Buffalo, NY 14221 716-568-3600

Medfirst Urgent Care 3980 Sheridan Dr, Buffalo, NY 14226 716-929-2800

First Aid Kit — located in all company vehicles.

**Fire:**

Fire Extinguishers — located in all company vehicles.

**Administration:**

Thomann Safety Manual — Located in company vehicles.

Blank Accident Forms — Located company vehicles

## **7. Traffic Control:**

**General Traffic Provisions:**

Any activity that changes sidewalks, affects pedestrian or vehicular traffic will require one or more of the following to be implemented.

Flagging will be utilized as needed.

Traffic control shall be set up and taken down as needed.

Channeling and barricading must be used to separate pedestrians from traffic.

Safe, clearly marked routes shall be maintained through or around the activity at all times.

**Emergency Numbers:**

**IN CASE OF EMERGENCY, ALWAYS CALL 911**

An emergency can strike at any moment and it is imperative that access and egress areas remain clear and marked in the event of an emergency.

## **8. Accident Reporting & Investigation:**

ALL accidents, incidents or “near-misses” must be properly reported and documented. Superintendent will fill out the appropriate incident paperwork and turned into within 24 hours.

## **9. Environmental Health and Safety:**

The Property is in the New York State Brownfield Cleanup Program (“BCP”) and is identified as Site C915292; however, remediation has been completed (classification code C). The contaminants of concern include tetrachloroethene (PCE), petroleum products, trichloroethene (TCE), and cis-1,2-dichloroethene associated with a former dry cleaner. Per the NYSDEC website, “Direct contact with contaminants in the soil is unlikely because the majority of the site is covered with buildings and pavement. Contaminated groundwater at the site is not used for drinking or other purposes and the site is served by a public water supply that obtains water from a different source not affected by this contamination. Volatile organic compounds in the groundwater or soil may move into the soil vapor (air spaces within the soil), which in turn may move into overlying buildings and affect the indoor air quality. This process, which is similar to the movement of radon gas from the subsurface into the indoor air of buildings, is referred to as soil vapor intrusion. Sub-slab depressurization systems (systems that ventilate/remove the air beneath the building) have been installed in one on-site tenant space and one off-site building to prevent the indoor air quality from being affected by the contamination in soil vapor beneath the buildings. Other tenant spaces in the on-site building have the potential for soil vapor intrusion to affect indoor air quality, however the tenant spaces are currently unoccupied. Therefore, inhalation of site-contaminants in indoor air of these vacant tenant spaces does not represent a current concern. Soil vapor intrusion concerns are limited to the on-site building and one off-site structure as indicated above.”

A site-specific Site Management Plan (“SMP”) was created for Site C915292 and includes an Excavation Work Plan (Appendix D) and Health and Safety Plan (Appendix H). Per the work plan, the NYSDEC is to be notified 15 days prior to the start of any activity that is anticipated to encounter remaining contamination. A copy of the excavation work plan and health and safety plan are attached for reference.





**60-Day Advance Notification of Site Change of Use, Transfer of  
Certificate of Completion, and/or Ownership**  
Required by 6NYCRR Part 375-1.11(d) and 375-1.9(f)

To be submitted at least 60 days prior to change of use to:

Chief, Site Control Section  
New York State Department of Environmental Conservation  
Division of Environmental Remediation, 625 Broadway  
Albany NY 12233-7020

**I. Site Name:** Northtown Inc. **DEC Site ID No.** C915292

**II. Contact Information of Person Submitting Notification:**

Name: Jeffrey C. Curley - Vice President, Development  
Address1: Northtown Property Owner LLC  
Address2: 33 Boylston Street, Chestnut Hill, MA 02467  
Phone: 617-646-3244 E-mail: Jeff.Curley@wsdevelopment.com

**III. Type of Change and Date:** Indicate the Type of Change(s) (check all that apply):

- ☐ Change in Ownership or Change in Remedial Party(ies)  
☐ Transfer of Certificate of Completion (CoC)  
☒ Other (e.g., any physical alteration or other change of use)

Proposed Date of Change (mm/dd/yyyy): Sep 23, 2019

**IV. Description:** Describe proposed change(s) indicated above and attach maps, drawings, and/or parcel information.

Second phase of planned site redevelopment as detailed in the (Attached) August 6, 2019 15-Day Notice of Pending Ground Intrusive Activity.

If "Other," the description must explain and advise the Department how such change may or may not affect the site's proposed, ongoing, or completed remedial program (attach additional sheets if needed).

Planned redevelopment work will be performed in accordance with the Site Management Plan, the Excavation Work Plan, and the Soil Vapor Intrusion Sampling and Analysis Plan. The Timing of work start relative to submittal of 60-Day Notice is acceptable to the NYSDEC Project Manager, Seven Moeller.

- V. Certification Statement:** Where the change of use results in a change in ownership or in responsibility for the proposed, ongoing, or completed remedial program for the site, the following certification must be completed (by owner or designated representative; see §375-1.11(d)(3)(i)):

I hereby certify that the prospective purchaser and/or remedial party has been provided a copy of any order, agreement, Site Management Plan, or State Assistance Contract regarding the Site's remedial program as well as a copy of all approved remedial work plans and reports.

Name: \_\_\_\_\_  
(Signature) \_\_\_\_\_ (Date) \_\_\_\_\_  
N/A  
\_\_\_\_\_  
(Print Name)

Address1: N/A  
Address2: \_\_\_\_\_  
Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_

- VI. Contact Information for New Owner, Remedial Party, or CoC Holder:** If the site will be sold or there will be a new remedial party, identify the prospective owner(s) or party(ies) along with contact information. If the site is subject to an Environmental Easement, Deed Restriction, or Site Management Plan requiring periodic certification of institutional controls/engineering controls (IC/ECs), indicate who will be the certifying party (attach additional sheets if needed).

☐ Prospective Owner ☐ Prospective Remedial Party ☐ Prospective Owner Representative

Name: N/A  
Address1: \_\_\_\_\_  
Address2: \_\_\_\_\_  
Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_

Certifying Party Name: N/A  
Address1: \_\_\_\_\_  
Address2: \_\_\_\_\_  
Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_

**VII. Agreement to Notify DEC after Transfer:** If Section VI applies, and all or part of the site will be sold, a letter to notify the DEC of the completion of the transfer must be provided. If the current owner is also the holder of the CoC for the site, the CoC should be transferred to the new owner using DEC's form found at <http://www.dec.ny.gov/chemical/54736.html>. This form has its own filing requirements (see 6NYCRR Part 375-1.9(f)).

Signing below indicates that these notices will be provided to the DEC within the specified time frames. If the sale of the site also includes the transfer of a CoC, the DEC agrees to accept the notice given in VII.3 below in satisfaction of the notice required by VII.1 below (which normally must be submitted within 15 days of the sale of the site).

Within 30 days of the sale of the site, I agree to submit to the DEC:

1. the name and contact information for the new owner(s) (see §375-1.11(d)(3)(ii));
2. the name and contact information for any owner representative; and
3. a notice of transfer using the DEC's form found at <http://www.dec.ny.gov/chemical/54736.html> (see §375-1.9(f)).

Name: \_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

N/A  
\_\_\_\_\_  
(Print Name)

Address1: N/A \_\_\_\_\_

Address2: \_\_\_\_\_

Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_



GZA GeoEnvironmental, Inc.