PERIODIC REVIEW REPORT

DECEMBER 22, 2020 TO APRIL 22, 2022
31 TONAWANDA STREET

SITE # 915299
31 TONAWANDA STREET
150 TONAWANDA STREET
BUFFALO, NEW YORK 14207

Prepared for:

31 Tonawanda Street, LLC
124 Meadow Road
Orchard Park, NY 14127

Prepared by:

BRYDGES ENGINEERING
IN ENVIRONMENT AND ENERGY, DPC

960 Busti Avenue
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Buffalo, New York 14213

April 2022

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1.0 EXECUTIVE SUMMARY

BE3 Corp (BE3) has prepared this Periodic Review Report (PRR), on behalf of 31 Tonawanda Street, LLC. to summarize the post-remedial status of the New York State Department of Environmental Conservation (NYSDEC) Brownfield Cleanup Program (BCP) at 31 Tonawanda Street (Site). The Site encompasses both the 31 Tonawanda Street and 150 Tonawanda Street property addresses (see **Figure 1**). The BCP site number is C915299.

This PRR has been prepared in accordance with NYSDEC DER-10 *Technical Guidance for Site Investigation and Remediation* (May 2010) and the NYSDEC's Institutional and Engineering Controls (IC/EC) Certification Form has been completed for the Site and provided in **Appendix A**.

This PRR has also been completed per the requirements stipulated in the approved Site Management Plan (SMP) dated December 2020 and describes any post-remedial activities conducted on-site during the December 22, 2020 through April 22, 2022 reporting period.

1.1 SITE BACKGROUND

The 31 Tonawanda Street BCP Site includes two separate properties located in the City of Buffalo; 150 Tonawanda on the west side and 31 Tonawanda on the east side of Tonawanda Street. The Site boundaries and survey maps are provided in **Appendix B.**

31 Tonawanda Street

The 31 Tonawanda property is an approximately 1.83–acre property located adjacent to Scajaquada Creek on the southeast corner of Tonawanda and West Streets and contains an irregularly shaped, approximately 114,731 square feet, 1-3 story building. The property is bound by the Creek and the off ramp of the Scajaquada Expressway (State Highway 198) to the south and east; Tonawanda Street to the west and West Avenue to the north. The existing building complex was initially constructed in the early 1900's as Fedder Manufacturing Company. The Fedders complex had a history of using various chemicals, oils, solvents and other materials in their manufacturing process. The processes at the property included metal stamping, soldering, brazing, welding, painting, acid washing and degreasing.

150 Tonawanda Street

The 150 Tonawanda property is a 0.91-acre former railroad property located on the west side of Tonawanda Street just north of the former rail depot/freight house/office located at 68 Tonawanda Street. The 150 Tonawanda property has been associated with rail operations since the mid-late 1800's. By the late 1800's the property contained freight platforms and separate freight depots. As a freight depot, much of the raw and manufactured products that supported the surrounding industry and residential community were probably temporarily stored at this location. Materials where on/off loaded from freight trains on the western rail side of the property and off/on loaded to vehicles on the eastern Tonawanda Street side of the property. By 1916 the Freight house building was located on the adjacent southern parcel and rail tracts extended across the subject rail parcel.

1.2 COMPLIANCE/RECOMMENDATIONS

All elements of the IC/EC Plan of the SMP were in compliance for the reporting period December 22, 2020 through April 22, 2022, and no changes to the SMP are recommended at this time.

2.0 SITE OVERVIEW AND REMEDIATION

2.1 DESCRIPTION OF SELECTED FINAL REMEDY

The factors considered during the selection of the remedy are those listed in 6NYCRR 375-1.8. The elements of the selected remedy, as shown in **Figure 7 (150 Tonawanda) and Figure 8 (31 Tonawanda)**, are as follows:

Remedial Design A remedial design program was based upon the results of the Remedial Investigation (RI) (See **Figures 2 – 6** and **Tables 1 – 5 & 10**), and was implemented to provide the details necessary for the construction, operation, optimization, maintenance, and monitoring of the remedial program.

Green remediation principles and techniques were implemented to the extent feasible in the design, implementation, and site management of the remedy as per DER-31. The major green remediation components are as follows:

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

Additionally, to incorporate green remediation principles and techniques to the extent feasible in the future development at this site, any future on-site buildings will include, at a minimum, a 20-mil vapor barrier/waterproofing membrane on the foundation to improve efficiency as an element of construction.

150 Tonawanda Street Property – Remediation Summary

Excavation: No impacted soil was removed and disposed of offsite. Existing concrete slabs were broken up and hauled off site for recycling.

Cover System: Exposure to remaining contamination in soil/fill at the site is prevented by a soil and/or hardscape cover system placed over the site. This cover system is comprised of either a minimum of 24 inches of clean soil or minimum of 12 inches of asphalt pavement, concrete-covered sidewalks, and concrete building slabs (See **Figure 7**).

31 Tonawanda Street Property – Remediation Summary

Excavation: Completed excavation and off-site disposal of all soils that exceeded the restricted residential SCOs to 1-foot depth in areas where asphalt paving and concrete were installed, and 2-foot depth in areas where a clean soil cover was installed. In addition, petroleum impacted soils (hot spot) in an area East of the building was excavated and transported off-site for disposal (See **Figure 9**).

Backfill: Clean fill meeting the requirements of 6 NYCRR Part 375-6.7(d) was brought in to complete the backfilling of excavation areas and establish the design grades at the site. Any excavated material from the installation of buried utilities was disposed of off-site at an approved facility and backfilled with clean stone and/or other approved material as set forth in 6 NYCRR Part 375-6.7(d). The stream bank along the western edge of Scajaquada Creek was restored with clean backfill over an area of approximately 1,300 sf located from West Street south along the creek bank about 65 feet. **Figure 9** shows the location of the restoration area.

Cover System: Exposure to remaining contamination in soil/fill at the site is prevented by a soil and/or hardscape cover system placed over the site. This cover system is comprised of either a minimum of 24 inches of clean soil or minimum of 12 inches of asphalt pavement, concrete-covered sidewalks, and concrete building slabs (See **Figure 8**).

In-Situ Groundwater Treatment IRM: In-situ enhanced bioremediation was employed to treat chlorinated VOCs in overburden groundwater at the southeast corner of the property including beneath the crawl space of the on-site building. The biological breakdown of contaminants through anaerobic reductive dichlorination was enhanced by the injection of a soluble organic carbon substrate containing zero valent iron (See **IRM Groundwater Treatment System Figure 1**)

Vapor Mitigation: A Sub-Slab Depressurization System (SSDS) was installed beneath the basement and first floor of the building to mitigate vapors into the on-site building from soil and/or groundwater. Details of the SSDS and as-built installation figures are provided in **Appendix D.**

2.2 Nature and Extent of Contamination Remaining at Site

150 Tonawanda Street Property

Beneath the cover system (clean fill or hardscape) remains a certain amount of impacted soils consisting of primarily elevated concentrations of metals and SVOCs (PAHs) compounds that exceed Part 375-6.8 Restricted Residential SCOs. A geofabric demarcation layer has been place directly beneath the cover system to delineate the cover system from any remaining impacted soil.

Figures 10 provides soil sample results that exceed Restricted Residential SCOs of the remaining soil contamination at the property below the cover system after completion of remediation.

31 Tonawanda Street Property

Beneath the cover system (clean fill or hardscape) remains a certain amount of impacted soils consisting of primarily elevated concentrations of metals, SVOCs (PAHs) and VOC compounds that exceed Part 375-6.8 Restricted Residential SCOs. A geofabric demarcation layer has been place directly beneath the cover system to delineate the cover system from any remaining impacted soil.

Figures 11 provides soil sample results that exceed Restricted Residential SCOs of the remaining soil contamination at the property below the cover system after completion of remediation.

3.0 ENGINEERING AND INSTITUTIONAL CONTROLS

3.1 General

Since remaining contamination exists at the site, Institutional Controls (ICs) and Engineering Controls (ECs) are required to protect human health and the environment. The IC/EC Plan is one component of the SMP/EE and is subject to revision by the NYSDEC.

3.2 INSTITUTIONAL CONTROLS

A series of ICs is required by the SMP to: (1) implement, maintain and monitor Engineering Control systems; (2) prevent future exposure to remaining contamination; and, (3) limit the use and development of the site to restricted residential, commercial or industrial uses only. Adherence to these ICs on the site is required by the Environmental Easement and implemented under the SMP. ICs identified in the Environmental Easement may not be discontinued without an amendment to or extinguishment of the Environmental Easement. These ICs are:

- The property may be used for: to restricted residential, commercial or industrial use;

- -All ECs must be operated and maintained as specified in the SMP;

- All ECs must be inspected at a frequency and in a manner defined in the SMP;

- The use of groundwater underlying the property is prohibited without necessary water quality treatment as determined by the NYSDOH or the Erie County Department of Health to render it safe for use as drinking water or for industrial purposes, and the user must first notify and obtain written approval to do so from the Department;

- Data and information pertinent to site management must be reported at the frequency and in a manner as defined in the SMP;

- All future activities that will disturb remaining contaminated material must be conducted in accordance with the SMP;

- Monitoring to assess the performance and effectiveness of the remedy must be performed as defined in the SMP;

- Access to the site must be provided to agents, employees or other representatives of the State of New York with reasonable prior notice to the property owner to assure compliance with the restrictions identified by the Environmental Easement; and

- Vegetable gardens and farming on the site are prohibited.

The ICs identified are provided in the **Appendix B** - Environmental Easement and Boundary Survey Maps.

3.3 ENGINEERING CONTROLS

3.3.1 Cover System

Exposure to remaining contamination in soil/fill at the site is prevented by a soil cover system placed over the site. This cover system is comprised of a minimum of 2 feet of clean soil or approximately one foot, including base, of asphalt pavement, concrete covered sidewalks and concrete building slabs. **Figures 7 and 8** indicate the location of each cover system installed at the 150 Tonawanda and 31 Tonawanda

properties respectively. An Excavation Work Plan, which outlines the procedures required in the event the cover system and/or underlying residual contamination are disturbed, is provided in the SMP.

3.3.2 Sub-Slab Depressurization System (SSDS)

A SSDS was installed in the existing 31 Tonawanda building in accordance with the NYSDOH Soil Vapor Intrusion Guidance. As-built construction drawings of the system are provided in **Appendix D**

A soil vapor intrusion evaluation will be required for any new future buildings constructed on the site.

Monitoring and sampling the SSDS are not required by the SMP. However, annual inspections and routine maintenance of the system are required. During routine maintenance and/or inspections, the following activities are recommended:

- A visual inspection of the complete system (e.g., vent fan, piping, warning device or indicator, labeling on systems, soil vapor retarder integrity, etc.);
- Identification and repair of leaks per the NYSDOH Guidance; and,
- Inspection of the exhaust or discharge point to verify no air intakes have been located nearby.

4.0 SITE EVALUATION

4.1 Site Wide Inspection

A Site Wide Inspection was completed by BE3 on December 13, 2021. The results of the inspection are provided in BE3's Site Wide Inspection Forms in **Appendix C**. The inspection concluded that the Site was in compliance with all SMP IC/EC.

4.2 Cover Performance Summary

The cover system has not been disturbed since initially placement at either the 150 or 31 Tonawanda properties. The soil/grass cover areas and concrete/asphalt cover areas are well maintained and undisturbed. No excavations into the cover system have occurred since initial placement. For further details see the Site Wide Inspection Forms in **Appendix C**.

4.3 SSDS Performance Summary

As noted in Section 3.3.2, monitoring and sampling the SSDS are not required by the SMP. However, during the Site Wide Inspection a visual inspection of the SSDS was conducted and found to be in compliance with SMP requirements including; no identification and/or repair of leaks per the NYSDOH Guidance have been required and verification that no air intakes have been located nearby the system exhaust/discharge point.

5.0 CONCLUSIONS

All components of the SMP (IC/EC) were in compliance with SMP requirements during the reporting period as follows:

Cover System – The soil/grass cover areas and concrete/asphalt cover areas are well maintained and undisturbed. No excavations into the cover system have occurred since initial placement.

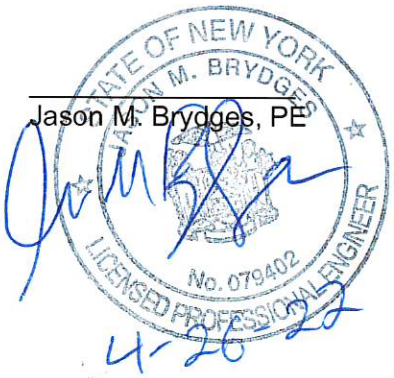
SSDS – The SSDS system was inspected during the Site Wide Inspection with no problems noted. There has been no changes or maintenance required to the system during the reporting period.

6.0 CERTIFICATION OF ENGINEERING AND INSTITUTIONAL CONTROLS

Below is the signed certification as required by section 7.2 of the SMP.

For each institutional or engineering control identified for the site, I certify that all of the following statements are true:

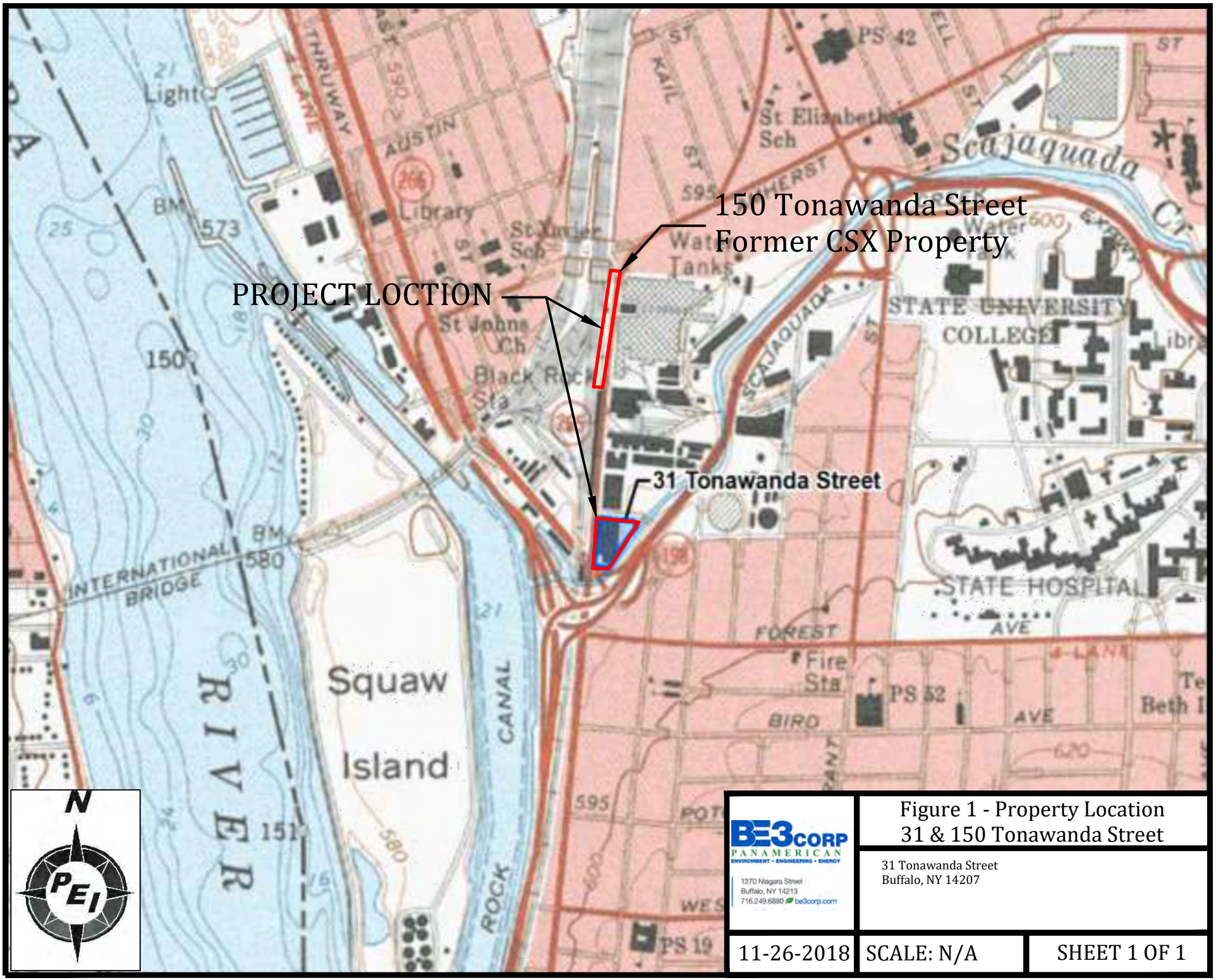
- The inspection of the site to confirm the effectiveness of the institutional and engineering controls required by the remedial program was performed under my direction;
- The institutional control and/or engineering control employed at this site is unchanged from the date the control was put in place, or last approved by the Department;
- Nothing has occurred that would impair the ability of the control to protect the public health and environment;
- Nothing has occurred that would constitute a violation or failure to comply with any site management plan for this control;
- 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;
- If a financial assurance mechanism is required under the oversight document for the site, the mechanism remains valid and sufficient for the intended purpose under the document;
- Use of the site is compliant with the environmental easement;
- The engineering control systems are performing as designed and are effective;
- 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 in this report is accurate and complete.
- I certify that all information and statements in this certification form 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, Jason M. Brydges, PE of BE3 Corp 960 Busti Avenue, Buffalo New York 14213, is certifying as Owner's Designated Site Representative for the site.



Jason M. Brydges, PE

SMP

FIGURES



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Buffalo, NY 14213
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Figure 1 - Property Location
31 & 150 Tonawanda Street

31 Tonawanda Street
Buffalo, NY 14207

11-26-2018	SCALE: N/A	SHEET 1 OF 1

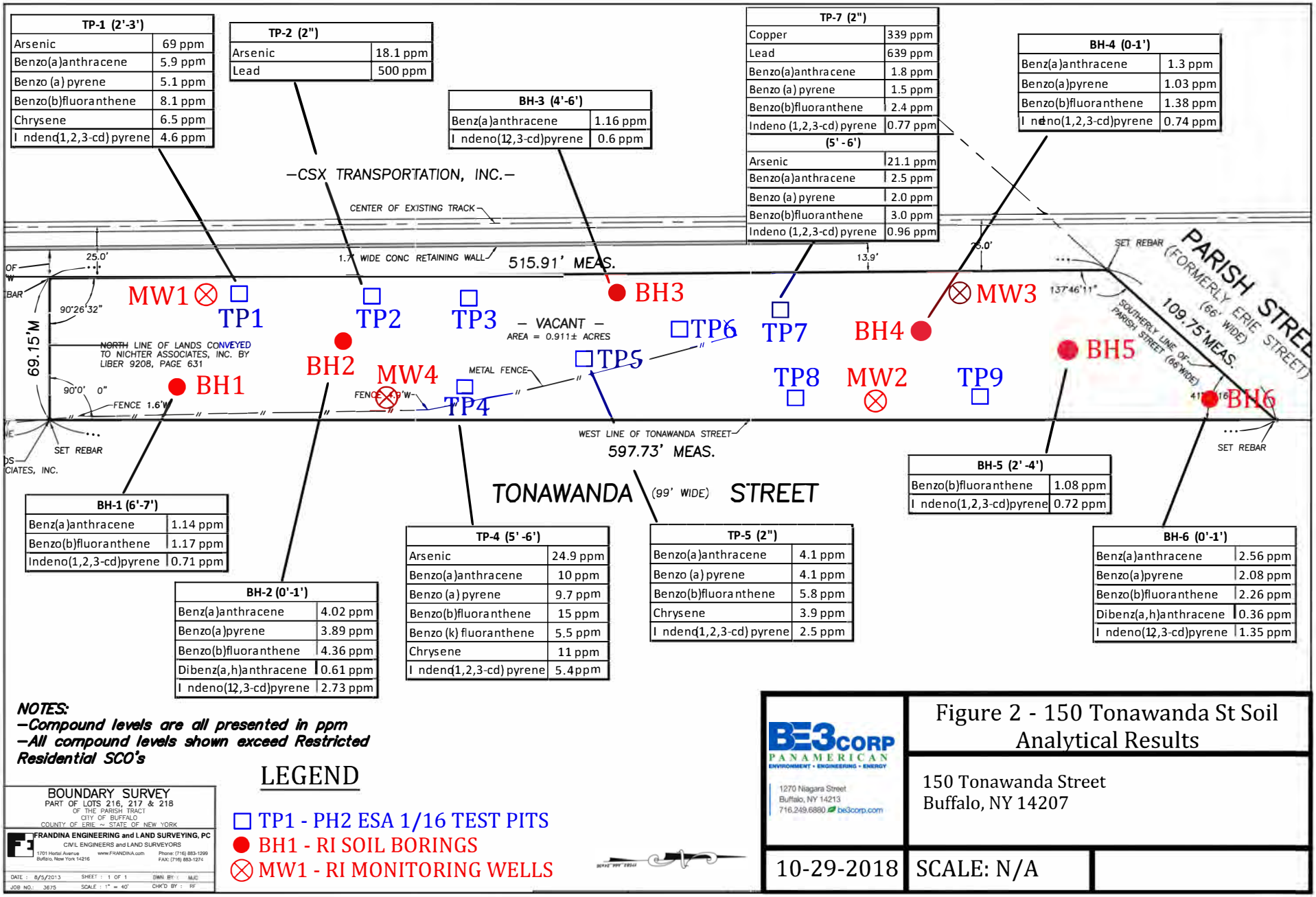
TP-1 (2'-3')
Arsenic 69 ppm
Benzo(a)anthracene 5.9 ppm
Benzo (a) pyrene 5.1 ppm
Benzo(b)fluoranthene 8.1 ppm
Chrysene 6.5 ppm
I ndeno(1,2,3-cd) pyrene 4.6 ppm
TP-2 (2")
Arsenic 18.1 ppm
Lead 500 ppm
BH-3 (4'-6')
Benz(a)anthracene 1.16 ppm
I ndeno(12,3-cd)pyrene 0.6 ppm
TP-7 (2")
Copper 339 ppm
Lead 639 ppm
Benzo(a)anthracene 1.8 ppm
Benzo (a) pyrene 1.5 ppm
Benzo(b)fluoranthene 2.4 ppm
Indeno (1,2,3-cd) pyrene 0.77 ppm
(5' - 6')
Arsenic 21.1 ppm
Benzo(a)anthracene 2.5 ppm
Benzo (a) pyrene 2.0 ppm
Benzo(b)fluoranthene 3.0 ppm
Indeno (1,2,3-cd) pyrene 0.96 ppm
BH-4 (0-1')
Benz(a)anthracene 1.3 ppm
Benzo(a)pyrene 1.03 ppm
Benzo(b)fluoranthene 1.38 ppm
I ndeno(1,2,3-cd)pyrene 0.74 ppm
—CSX TRANSPORTATION, INC.—
CENTER OF EXISTING TRACK
1.7' WIDE CONC RETAINING WALL
515.91' MEAS.
25.0'
13.9'
25.0'
SET REBAR
PARISH STREET (FORMERLY ERIE STREET) (66' WIDE)
137°46'11"
109.75' MEAS.
SOUTHERLY LINE OF PARISH STREET (66' WIDE)
90°26'32"
69.15'M
NORTH LINE OF LANDS CONVEYED TO NICHTER ASSOCIATES, INC. BY LIBER 9208, PAGE 631
90°0' 0"
FENCE 1.6'W
SET REBAR
CIATES, INC.
MW1
TP1
TP2
TP3
BH3
— VACANT —
AREA = 0.911± ACRES
TP6
TP7
MW3
BH4
BH5
BH6
BH2
MW4
METAL FENCE
TP5
TP8
MW2
TP9
BH1
TP4
WEST LINE OF TONAWANDA STREET
597.73' MEAS.
TONAWANDA (99' WIDE) STREET
BH-1 (6'-7')
Benz(a)anthracene 1.14 ppm
Benzo(b)fluoranthene 1.17 ppm
Indeno(1,2,3-cd)pyrene 0.71 ppm
BH-2 (0'-1')
Benz(a)anthracene 4.02 ppm
Benzo(a)pyrene 3.89 ppm
Benzo(b)fluoranthene 4.36 ppm
Dibenz(a,h)anthracene 0.61 ppm
I ndeno(12,3-cd)pyrene 2.73 ppm
TP-4 (5' -6')
Arsenic 24.9 ppm
Benzo(a)anthracene 10 ppm
Benzo (a) pyrene 9.7 ppm
Benzo(b)fluoranthene 15 ppm
Benzo (k) fluoranthene 5.5 ppm
Chrysene 11 ppm
I ndeno(1,2,3-cd) pyrene 5.4ppm
TP-5 (2")
Benzo(a)anthracene 4.1 ppm
Benzo (a) pyrene 4.1 ppm
Benzo(b)fluoranthene 5.8 ppm
Chrysene 3.9 ppm
I ndeno(1,2,3-cd) pyrene 2.5 ppm
BH-5 (2' -4')
Benzo(b)fluoranthene 1.08 ppm
I ndeno(1,2,3-cd)pyrene 0.72 ppm
BH-6 (0'-1')
Benz(a)anthracene 2.56 ppm
Benzo(a)pyrene 2.08 ppm
Benzo(b)fluoranthene 2.26 ppm
Dibenz(a,h)anthracene 0.36 ppm
I ndeno(12,3-cd)pyrene 1.35 ppm
NOTES:
—Compound levels are all presented in ppm
—All compound levels shown exceed Restricted Residential SCO's
LEGEND
TP1 - PH2 ESA 1/16 TEST PITS
BH1 - RI SOIL BORINGS
MW1 - RI MONITORING WELLS
BOUNDARY SURVEY
PART OF LOTS 216, 217 & 218
OF THE PARISH TRACT
CITY OF BUFFALO
COUNTY OF ERIE — STATE OF NEW YORK
FRANDINA ENGINEERING and LAND SURVEYING, PC
CIVIL ENGINEERS and LAND SURVEYORS
1701 Hertel Avenue Buffalo, New York 14216
www.FRANDINA.com
Phone: (716) 883-1299
FAX: (716) 883-1274
DATE : 8/5/2013 SHEET : 1 OF 1 DWN BY : MJC
JOB NO.: 3675 SCALE : 1" = 40' CHK'D BY : RF
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Figure 2 - 150 Tonawanda St Soil Analytical Results
150 Tonawanda Street
Buffalo, NY 14207
10-29-2018
SCALE: N/A

TONAWANDA STREET

PROPERTY LINE

BH-1 ● ○ 31-MW-1 BH-2 ● 310' ● BH-3 ○ 31-MW-2 ● BH-4

HIGH BAY SLAB ON GRADE

● BH-10

102'

WEST AVENUE

31 TONAWANDA STREET BUILDING

271'

● C-3 ● C-4 ● C-2 ● C-1

CRAWL SPACE

BH-1 BH5-4S BH5-3S BH5-2S BH5-1S 31-MW-3 BH5-1N BH5-2N BH5-3N ● BH-5

FULL BASEMENT

● BH-2 292' ● BH-6 ● BH-7 ● BH-3S ○ 31-MW-4 ● BH-8 ● BH-4 ● BH-5 ● BH-9 ● BH-6 ○ 31-MW-5

SCAJAQUADA CREEK

88'

C-3 (6'-8')	
Trichloroethene	1630 ppm

C-4 (6'-8')	
Trichloroethene	244 ppm

C-1 (8'-12')	
1,1-Dichloroethane	31.5 ppm
1,1,1 -Trichloroethane	670 ppm

BH-1 (0-3')	
Benzo(a)pyrene	6.37 ppm
Benzo(k)fluoranthene	5.41 ppm
Benzo(b)fluoranthene	6.76 ppm
Benzo(k)fluoranthene	5.41 ppm
Chrysene	8.83 ppm
Dibenz(a,h)anthracene	1.56 ppm
Indeno(1,2,3-cd)pyrene	4.89 ppm
(13.5' 15')	
Benz(a)anthracene	1.45 ppm
cis-1,2-Dichloroethene	152 ppm
Vinyl chloride	30.7 ppm

BH-5 (9'-12')	
Copper	911 ppm
cis-1,2-Dichloroethene	880 ppm
Benzo(b)fluoranthene	5.7 ppm
Chrysene	7.74 ppm
Trichloroethene	6960 ppm

BH 5-3N (11'-12')	
Benzo(a)anthracene	48.9 ppm
Benzo (a) pyrene	47.4 ppm
Benzo(b)fluoranthene	24.2 ppm
Benzo (k) fluoranthene	25.3 ppm
Chrysene	53.2 ppm
Indeno (1,2,3-cd) pyrene	16.6 ppm
Phenanthrene	142 ppm
Pyrene	137 ppm

BH-3S (12'-13.5')	
Benz(a)anthracene	2.58 ppm
Benzo(a)pyrene	1.68 ppm
Benzo(b)fluoranthene	1.14 ppm
Indeno(1,2,3-cd)pyrene	0.83 ppm

BH-4 (0-1')	
Benz(a)anthracene	5.7 ppm
Benzo(a)pyrene	4.87 ppm
Benzo(b)fluoranthene	5.02 ppm
Chrysene	5.93 ppm
Dibenz(a,h)anthracene	1.06 ppm
Indeno(1,2,3-cd)pyrene	3.51 ppm

BH 7 ((9'-12')	
Copper	747 ppm

BH-8 ((5'-8')	
Chromium	202 ppm
Copper	9550 ppm
Manganese	7780 ppm

BH-5 (0-2')	
Benz(a)anthracene	1.08 ppm
Benzo(b)fluoranthene	1.04 ppm
Indeno(1,2,3-cd)pyrene	0.77 ppm
(4'-6')	
Indeno(1,2,3-cd)pyrene	0.51 ppm
Ethylbenzene	168 ppm
m,p-Xylene	595 ppm
1,2,4-Trimethylbenzene	91.4

BH-6 (4' -6')	
Copper	1480 ppm
Total Mercury	1.34 ppm

LEGEND

RI PROGRAM:

- ● SOIL BORINGS BH-1
- ○ MONITORING WELLS MW-1

ESA PROGRAM

- ● SOIL BORINGS BH-1 APRIL 2014
- ● SOIL BORINGS BH-5-1S SEPT 2014
- ● SOIL BORINGS C-1 MARCH 2015

NOTES:
—Compound levels are all presented in ppm
—All compound levels shown exceed Restricted Residential SCO's

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Figure 3:
31 Tonawanda St Soil Analytical Results

31 Tonawanda Street
Buffalo, NY 14207

11-15-2018 | SCALE: N/A

LEGEND

- SOIL BORINGS FEBRUARY 2019
- GW SAMPLE FEB. 2019
- SOIL BORINGS MARCH 2015
- GWT - GW INJECTION POINT
- MONITORING WELL FROM RI
- NEW MLV MONITORING REMEDIATION

TONAWANDA STREET

SBH-3 GW	
1,1,1 - Trichloroethene	51.1 ppb
1,1 Dichloroethene	42 ppb
cis-1,2 Dichloroethene	369 ppb
Trichloroethene	194 ppb
Vinylchloride	147 ppb

SBH-4 (8')	
Trichloroethene	1660 ppm
SBH-4 (10')	
cis-1,2 Dichloroethene	1970 ppm
Trichloroethene	7340 ppm

C-3 (6'-8')	
Trichloroethene	1630 ppm

C-4 (6'-8')	
Trichloroethene	224 ppm

C-1 (8'-12')	
1,1 Dichloroethene	31.5 ppm
1,1,1 - Trichloroethene	670 ppm

31-MW-3	
1,1,1 - Trichloroethane	667 ppm
1,1 Dichloroethane	246 ppm
cis-1,2 Dichloroethene	221 ppm
Trichloroethene	474 ppm
Vinylchloride	4.02 ppm

31 TONAWANDA STREET BUILDING

WEST AVENUE

SBH-1
SBH-2
SBH-3
SBH-4
SBH-5
SBH-6
SBH-7
SBH-8
C-1
C-2
C-3
C-4
NEW MW
MW-3

CRAWL SPACE AREA

29 IPs (5' SPACING)
HEXAGINAL GRID

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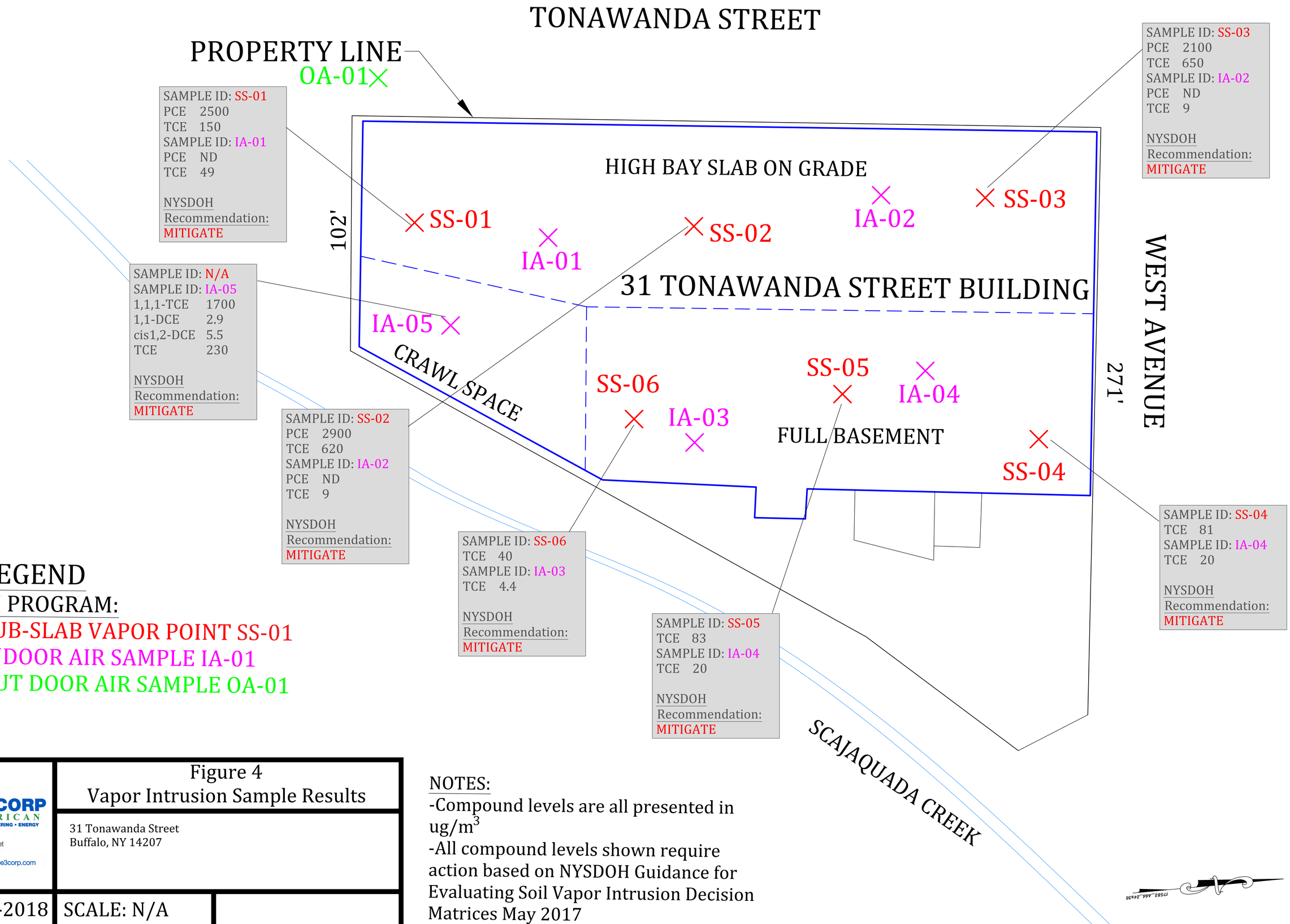
Figure 3A: 2019 Crawlspace Investigation & GWT

31 Tonawanda Street
Buffalo, NY 14207

08-06-2019 | SCALE: N/A | SHEET 1 OF 1

NOTE:

1) SBH-3 GW SAMPLE RESULTS SHOWN ON FIGURE 6
2) ALL SOIL COMPOUND LEVELS SHOWN EXCEED PART 375 RESTRICTED RESIDENTIAL VALUES



LEGEND

RI PROGRAM:

× SUB-SLAB VAPOR POINT SS-01

× INDOOR AIR SAMPLE IA-01

× OUT DOOR AIR SAMPLE OA-01

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Figure 4
Vapor Intrusion Sample Results

31 Tonawanda Street
Buffalo, NY 14207

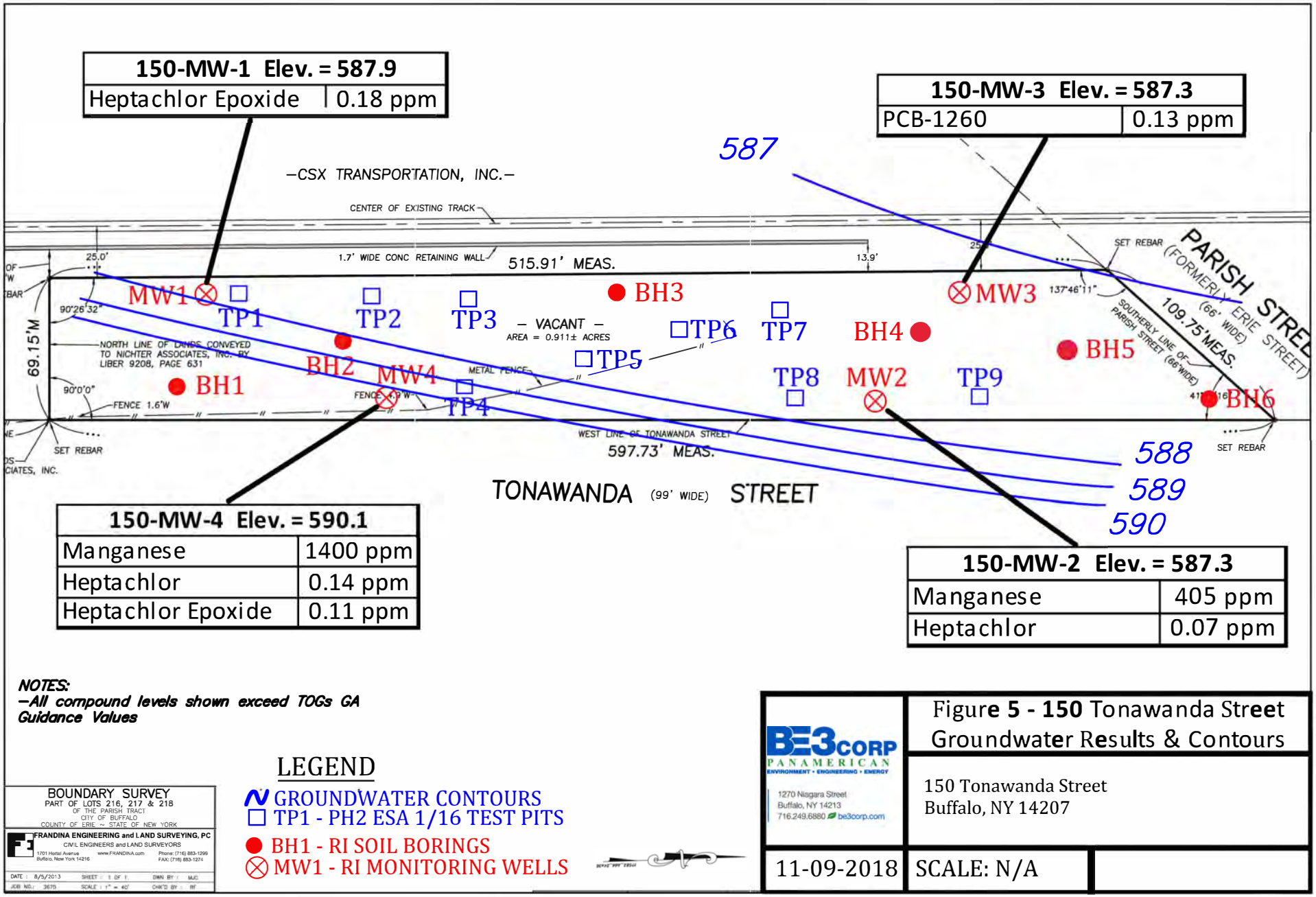
11-26-2018

SCALE: N/A

NOTES:

-Compound levels are all presented in ug/m^3

-All compound levels shown require action based on NYSDOH Guidance for Evaluating Soil Vapor Intrusion Decision Matrices May 2017



NOTES:
—All compound levels shown exceed TOGs GA Guidance Values

LEGEND

- GROUNDWATER CONTOURS
- TP1 - PH2 ESA 1/16 TEST PITS
- BH1 - RI SOIL BORINGS
- MW1 - RI MONITORING WELLS

BOUNDARY SURVEY
PART OF LOTS 216, 217 & 218
OF THE PARISH TRACT
CITY OF BUFFALO
COUNTY OF ERIE — STATE OF NEW YORK
FRANDINA ENGINEERING and LAND SURVEYING, PC
CIVIL ENGINEERS and LAND SURVEYORS
1701 Hertel Avenue Buffalo, New York 14216 www.FRANDINA.com Phone: (716) 883-1299 FAX: (716) 883-1274
DATE : 8/5/2013 SHEET : 1 OF 1 DWN BY : MJC
JOB NO.: 3675 SCALE : 1" = 40' CHK'D BY : RF

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Figure **5 - 150** Tonawanda Street
Groundwater Results & Contours

150 Tonawanda Street
Buffalo, NY 14207

11-09-2018

SCALE: N/A

Notes:
—All compund levels shown exceed TOGS GA Guidance Values or NYSDEC emergent chemical guidance values

31-MW-1 Elev. = 572.9	
PCB-1260	1.81 ppb

31-MW-2 Elev. = 576.9	
Manganese	547 ppb
PCB-1260	1.22 ppb

SBH-3 GW	
1,1,1-Trichloroethane	51.1 ppb
1,1-Dichloroethane	42 ppb
cis-1,2-Dichloroethene	369 ppb
Trichloroethene	194 ppb
Vinyl chloride	147 ppb

31-MW-3 Elev. = 572.1	
1,1,1-Trichloroethane	188800 ppb
1,1-Dichloroethane	75700 ppb
1,1-Dichloroethene	2510 ppb
cis-1,2-Dichloroethene	37500 ppb
Vinyl chloride	5080 ppb
1,4-Dioxane	5020ppb
PFOA	0.0148ppb
PFOS	0.01 ppb

31-MW-4 Elev. = 572.5	
cis-1,2-Dichloroethene	5.26 ppb
1,4-Dioxane	9.78 ppb
PFOA	0.0192 ppb
PFOS	0.0313 ppb

31-MW-5 Elev. = 569.8	
Dieldrin	0.07 ppb
Heptachlor	0.1 ppb
Heptachlor Epoxide	0.16 ppb
1,4-Dioxane	49.4 ppb

TONAWANDA STREET

WEST AVENUE

31 TONAWANDA STREET BUILDING

SCAJAQUADA CREEK

31-MW-1

31-MW-2

SBH-3

31-MW-3

31-MW-4

31-MW-5

572 573 574 575 576 577

570 571 572 573 574 575 576

102'

271'

292'

88'

LEGEND

RI PROGRAM:

- GW SAMPLE FROM SBH-3 - FEB 2019
- MONITORING WELLS MW-1
- GROUNDWATER CONTOURS

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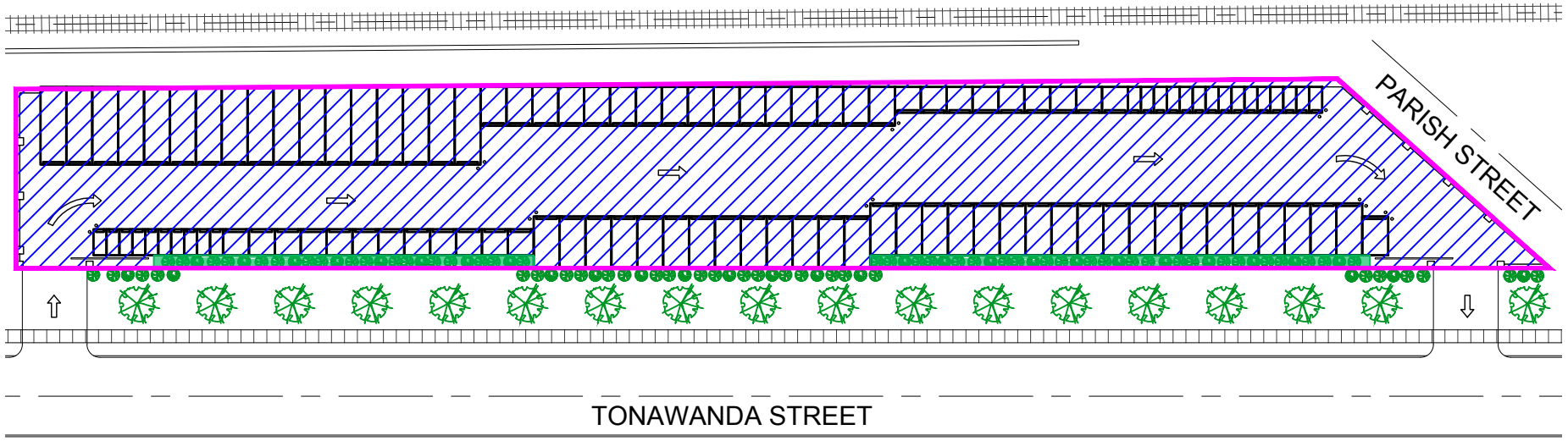
Figure 6: 31 Tonawanda Street Groundwater Results & Contours

31 Tonawanda Street
Buffalo, NY 14207

08-06-2019 | SCALE: N/A | SHEET 1 OF 1

LEGEND

- SITE BOUNDARY
- HARDSCAPE - REMOVE TOP 1' OF SOIL AND REPLACE w/ HARDSCAPE (4" ASPHALT OVER 8" CLEAN STONE)
- LANDSCAPE - REMOVE TOP 2' OF SOIL AND REPLACE w/ 2' CLEAN FILL



N

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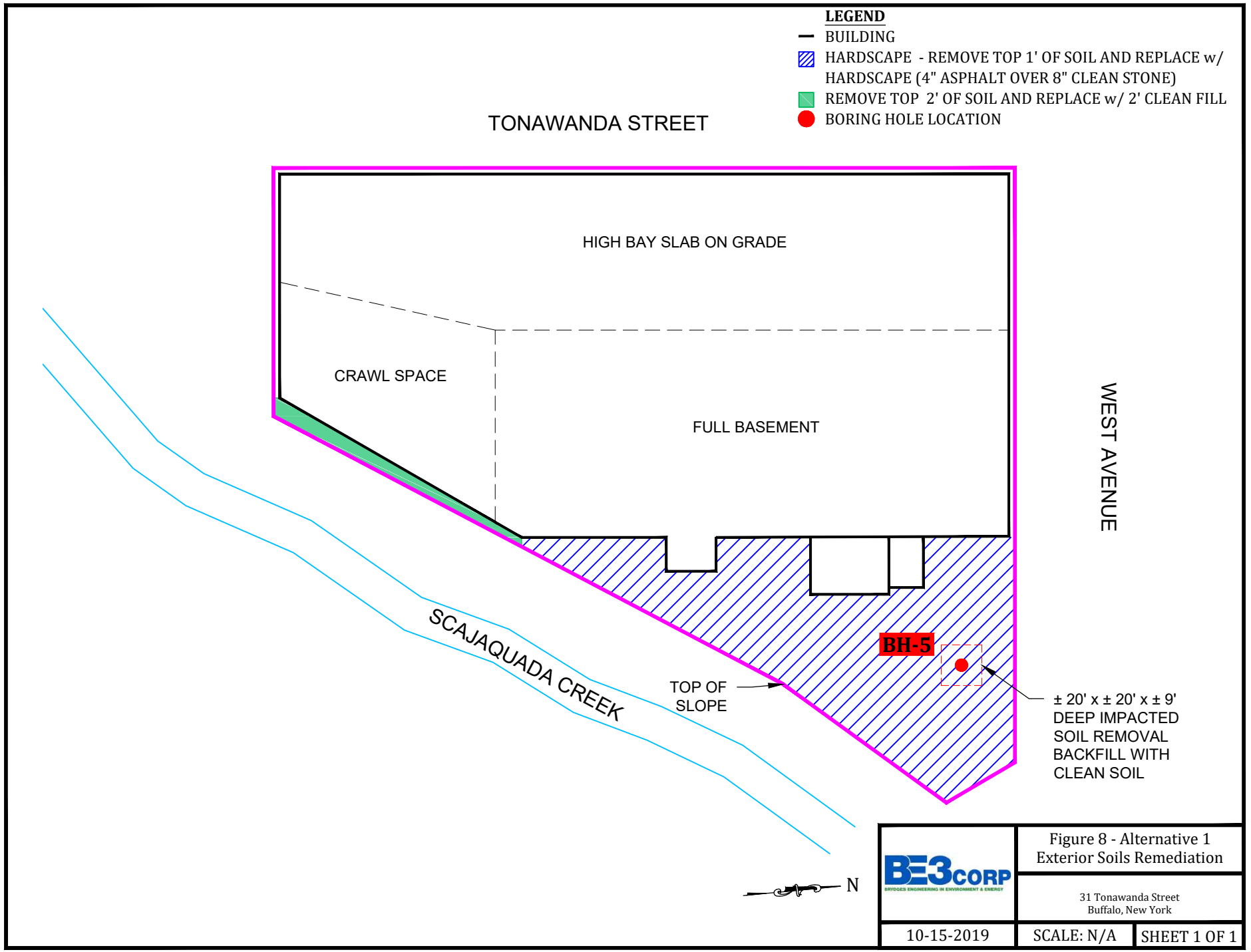
Figure 7
Alternative 1

Exterior Self Storage
150 Tonawanda Street
Buffalo, New York

10-15-2019 | SCALE: N/A | SHEET 1 OF 1


LEGEND
BUILDING
HARDSCAPE - REMOVE TOP 1' OF SOIL AND REPLACE w/ HARDSCAPE (4" ASPHALT OVER 8" CLEAN STONE)
REMOVE TOP 2' OF SOIL AND REPLACE w/ 2' CLEAN FILL
BORING HOLE LOCATION
TONAWANDA STREET
HIGH BAY SLAB ON GRADE
CRAWL SPACE
FULL BASEMENT
WEST AVENUE
SCAJAQUADA CREEK
TOP OF SLOPE
BH-5
± 20' x ± 20' x ± 9' DEEP IMPACTED SOIL REMOVAL BACKFILL WITH CLEAN SOIL
N
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BRYDGES ENGINEERING IN ENVIRONMENT & ENERGY
Figure 8 - Alternative 1
Exterior Soils Remediation
31 Tonawanda Street
Buffalo, New York
10-15-2019
SCALE: N/A
SHEET 1 OF 1

AS-BUILT

FIGURES

BRYDGES ENGINEERING

TONAWANDA STREET

HIGH BAY SLAB ON GRADE

CRAWL SPACE

FULL BASEMENT

WEST AVENUE

FENCE

SW SWW SMWW WMS

SB STAINED CLAY DEPTH = ±6'

SMB STAINED CLAY DEPTH = ±8'

NMB TRENCH DEPTH = ±10'

NWS

SEW

SWEW

BH-5

31-MW-5

FOUNDATION DEPTH = ±6'

EMS NB NS

ASPHALT DEPTH = ±10'

NES

FENCE

SIDEWALK

STREAM BANK RESTORATION

SCAJAQUADA CREEK

HOT SPOT E□CAVATION LIMITS

TOP OF SLOPE

WEST AVENUE

SCAJAQUADA CREEK

HOT SPOT E□CAVATION

BH-5

STREAM BANK RESTORATION

TOP OF SLOPE

HOT SPOT E□CAVATION

LEGEND

- SITE BOUNDARY
- BUILDING
- HARDSCAPE - REMOVE TOP 1' OF SOIL AND REPLACE w/ HARDSCAPE (4" ASPHALT OVER 8" CLEAN STONE), EXCEPT AT HOT SPOT EXCAVATION (SEE ENLARGED AREA)
- REMOVE TOP 2' OF SOIL AND REPLACE w/ 2' CLEAN FILL
- BH-# BORING HOLE LOCATION
- SWW CONFIRMATION SAMPLE LOCATION

N

Note: See FER Appendix J for details of stream bank restoration

BE3CORP BRIDGES ENGINEERING IN ENVIRONMENT & ENERGY

Figure 9 - 31 Tonawanda Hot Spot Impacted Soil Excavation

31 Tonawanda Street
Buffalo, New York

Revisions

09-22-2020 | SCALE: N/A | SHEET 1 OF 1

LEGEND

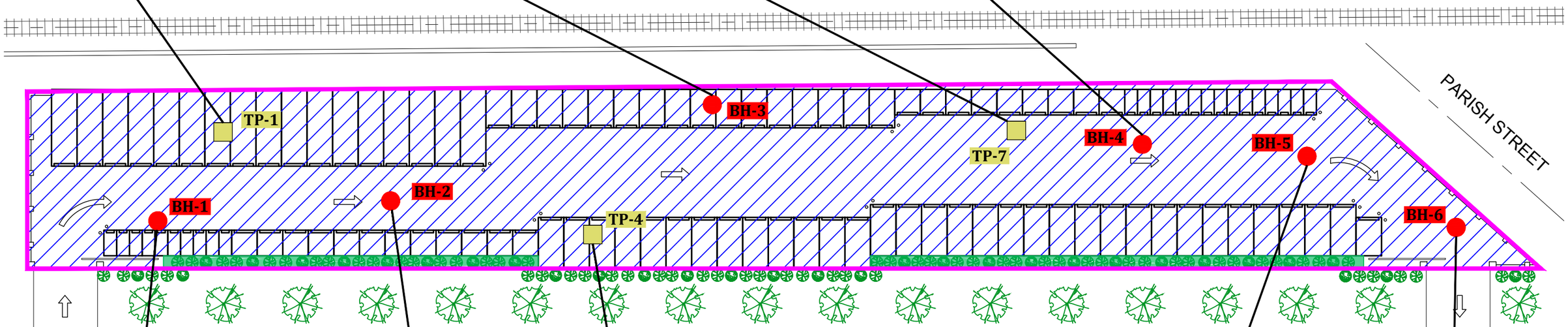
- SITE BOUNDARY
- HARDSCAPE - REMOVE TOP 1' OF SOIL AND REPLACE w/ HARDSCAPE (4" ASPHALT OVER 8" CLEAN STONE)
- LANDSCAPE - REMOVE TOP 2' OF SOIL AND REPLACE w/ 2' CLEAN FILL
- BH-# RI SOIL BORINGS
- TP-# PH2 ESA 1/16 TEST PITS

TP-1 (2'-3')	
Arsenic	69 ppm
Benz(a)anthracene	5.9 ppm
Benzo(a)pyrene	5.1 ppm
Benzo(b)fluoranthene	8.1 ppm
Chrysene	6.5 ppm
Indeno(1,2,3-cd)pyrene	4.6 ppm

BH-3 (4'-6')	
Benz(a)anthracene	1.16 ppm
Indeno(1,2,3-cd)pyrene	0.6 ppm

TP-7 (5'-6')	
Arsenic	21.1 ppm
Benz(a)anthracene	2.5 ppm
Benzo(a)pyrene	2.0 ppm
Benzo(b)fluoranthene	3.0 ppm
Indeno(1,2,3-cd)pyrene	0.96 ppm

BH-4 (0'-1')	
Benz(a)anthracene	1.3 ppm
Benzo(a)pyrene	1.03 ppm
Benzo(b)fluoranthene	1.38 ppm
Indeno(1,2,3-cd)pyrene	0.74 ppm



BH-1 (6'-7')	
Benz(a)anthracene	1.14 ppm
Benzo(b)fluoranthene	1.17 ppm
Indeno(1,2,3-cd)pyrene	0.71 ppm

BH-2 (0'-1')	
Benz(a)anthracene	4.02 ppm
Benzo(a)pyrene	3.89 ppm
Benzo(b)fluoranthene	4.36 ppm
Dibenz(a,h)anthracene	0.61 ppm
Indeno(1,2,3-cd)pyrene	2.73 ppm

TP-4 (5'-6')	
Arsenic	24.9 ppm
Benz(a)anthracene	10 ppm
Benzo(a)pyrene	9.7 ppm
Benzo(b)fluoranthene	15 ppm
Benzo(k)fluoranthene	5.5 ppm
Chrysene	11 ppm
Indeno(1,2,3-cd)pyrene	5.4 ppm

BH-5 (2'-4')	
Benzo(b)fluoranthene	1.08 ppm
Indeno(1,2,3-cd)pyrene	0.72 ppm

BH-6 (0'-1')	
Benz(a)anthracene	2.56 ppm
Benzo(a)pyrene	2.08 ppm
Benzo(b)fluoranthene	2.26 ppm
Dibenz(a,h)anthracene	0.36 ppm
Indeno(1,2,3-cd)pyrene	1.35 ppm

N

Notes:
-Compound levels are all presented in ppm.
-All compound levels shown exceed Restricted Residential SCOs.

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Figure 10-Remaining Contamination Results Exceeding RR SCOs

150 Tonawanda Street
Buffalo, New York

Revisions

09-22-2020 | SCALE: N/A | SHEET 1 OF 1

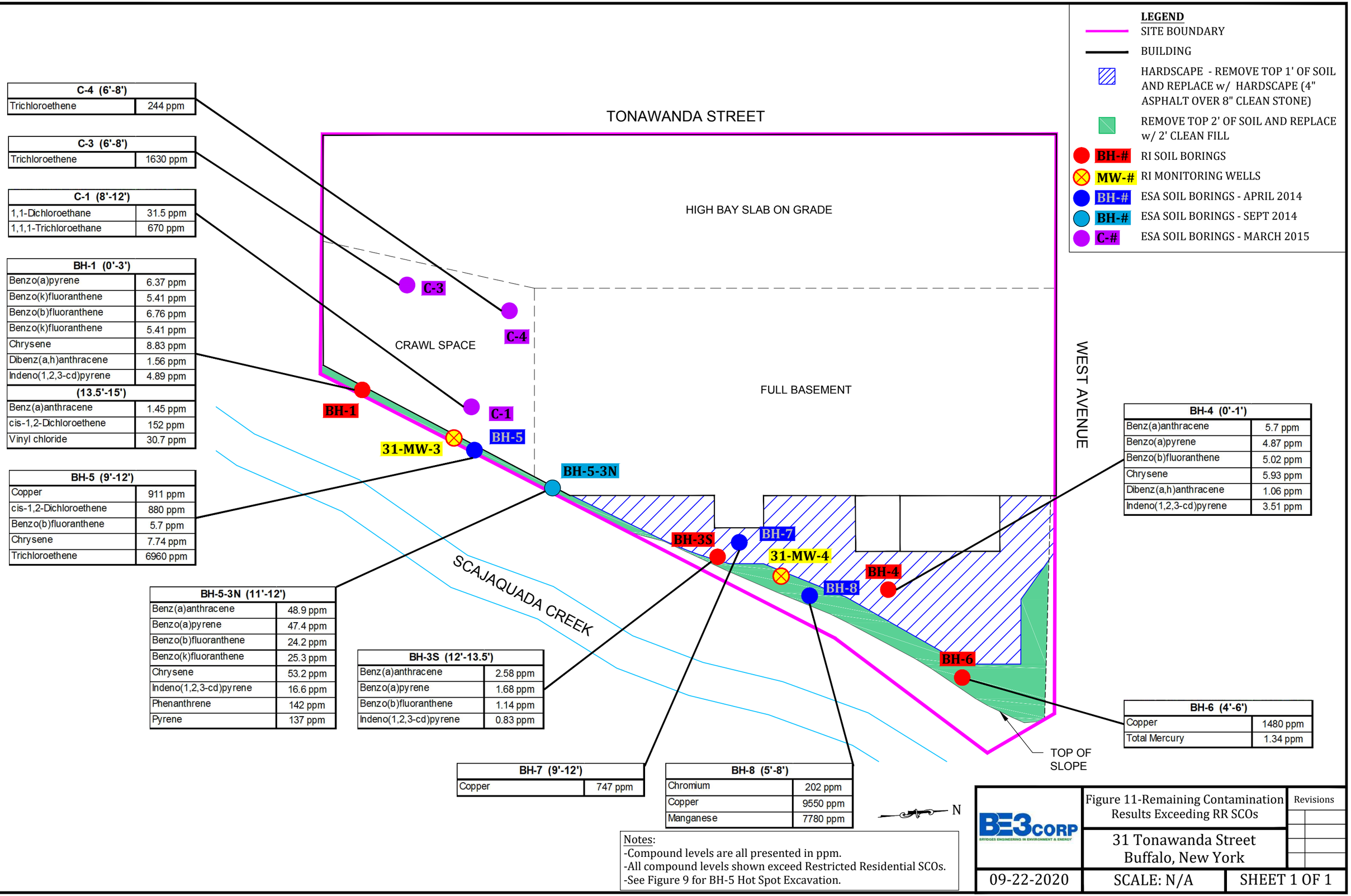
LEGEND
SITE BOUNDARY
BUILDING
HARDSCAPE - REMOVE TOP 1' OF SOIL AND REPLACE w/ HARDSCAPE (4" ASPHALT OVER 8" CLEAN STONE)
REMOVE TOP 2' OF SOIL AND REPLACE w/ 2' CLEAN FILL
BH-# RI SOIL BORINGS
MW-# RI MONITORING WELLS
BH-# ESA SOIL BORINGS - APRIL 2014
BH-# ESA SOIL BORINGS - SEPT 2014
C-# ESA SOIL BORINGS - MARCH 2015
TONAWANDA STREET
HIGH BAY SLAB ON GRADE
CRAWL SPACE
FULL BASEMENT
WEST AVENUE
SCAJAQUADA CREEK
TOP OF SLOPE
C-3
C-4
C-1
BH-1
BH-5
31-MW-3
BH-5-3N
BH-3S
BH-7
31-MW-4
BH-8
BH-4
BH-6
N
C-4 (6'-8')
Trichloroethene 244 ppm
C-3 (6'-8')
Trichloroethene 1630 ppm
C-1 (8'-12')
1,1-Dichloroethane 31.5 ppm
1,1,1-Trichloroethane 670 ppm
BH-1 (0'-3')
Benzo(a)pyrene 6.37 ppm
Benzo(k)fluoranthene 5.41 ppm
Benzo(b)fluoranthene 6.76 ppm
Benzo(k)fluoranthene 5.41 ppm
Chrysene 8.83 ppm
Dibenz(a,h)anthracene 1.56 ppm
Indeno(1,2,3-cd)pyrene 4.89 ppm
(13.5'-15')
Benz(a)anthracene 1.45 ppm
cis-1,2-Dichloroethene 152 ppm
Vinyl chloride 30.7 ppm
BH-5 (9'-12')
Copper 911 ppm
cis-1,2-Dichloroethene 880 ppm
Benzo(b)fluoranthene 5.7 ppm
Chrysene 7.74 ppm
Trichloroethene 6960 ppm
BH-5-3N (11'-12')
Benz(a)anthracene 48.9 ppm
Benzo(a)pyrene 47.4 ppm
Benzo(b)fluoranthene 24.2 ppm
Benzo(k)fluoranthene 25.3 ppm
Chrysene 53.2 ppm
Indeno(1,2,3-cd)pyrene 16.6 ppm
Phenanthrene 142 ppm
Pyrene 137 ppm
BH-3S (12'-13.5')
Benz(a)anthracene 2.58 ppm
Benzo(a)pyrene 1.68 ppm
Benzo(b)fluoranthene 1.14 ppm
Indeno(1,2,3-cd)pyrene 0.83 ppm
BH-7 (9'-12')
Copper 747 ppm
BH-8 (5'-8')
Chromium 202 ppm
Copper 9550 ppm
Manganese 7780 ppm
BH-4 (0'-1')
Benz(a)anthracene 5.7 ppm
Benzo(a)pyrene 4.87 ppm
Benzo(b)fluoranthene 5.02 ppm
Chrysene 5.93 ppm
Dibenz(a,h)anthracene 1.06 ppm
Indeno(1,2,3-cd)pyrene 3.51 ppm
BH-6 (4'-6')
Copper 1480 ppm
Total Mercury 1.34 ppm
Notes:
-Compound levels are all presented in ppm.
-All compound levels shown exceed Restricted Residential SCOs.
-See Figure 9 for BH-5 Hot Spot Excavation.
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Figure 11-Remaining Contamination Results Exceeding RR SCOs
31 Tonawanda Street
Buffalo, New York
Revisions
09-22-2020
SCALE: N/A
SHEET 1 OF 1

IRM – GROUNDWATER TREATMENT SYSTEM

FIGURE

TONAWANDA STREET

31 TONAWANDA STREET

WEST AVENUE

B-1
B-2R
B-3R
B-20
B-24
B-10
B-14
B-15
B-22
B-11
B-4
B-9R
B-16
B-5
B-8R
B-12
B-17
B-23
B-7
B-21
B-25
B-6
B-19
B-13
B-18
MW-3

CRAWL SPACE

SCAJAQUADA CREEK

27 IPs (5' SPACING) HEXAGONAL GRID

MW-4

INJECTION POINTS

N

LEGEND

- B-# GROUND WATER INJECTION POINT
- B-#R REFUSAL - NO INJECTION
- MW-# MONITORING WELL

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Figure 1 - Ground Water Treatment System - As-Built

31 Tonawanda Street
Buffalo, New York 14207

Revisions

05-29-2020 | SCALE: N/A | SHEET 1 OF 1

TABLES

TABLE 1

150 TONAWANDA STREET - RI SOIL BORING SAMPLE ANALYTICAL RESULTS SUMMARY

Contaminants	Sample Identification						Date Sampled: 8/15/18			PART 375 Soil Cleanup Objectives		
	BH-1 (6-7')	BH-2 (0 -1') Surface	BH-2 (8 -10') Native	BH-3 (4 - 6')	BH-4 (0 -1') Surface	BH-4 (2.8 -4') Native	BH-5 (2 - 4')	BH-6 (0-1') Surface	BH-6 (5.5 -8') Native	Unrestricted Use	Residential	Restricted Residential
METALS												
Arsenic	8.17	4.23	5.18	6.92	**15.10**	3.38	3.96 J	6.37	3.51	13	16	16
Barium	116	96.8	119.0	107.0	82.3	129.0	64.2	68.9	94.6	350	350	400
Beryllium	0.877	0.703	0.840	0.990	0.670	1.090	0.580	0.580	0.960	7.2	14	72
Cadmium	0.361	0.541	0.401	0.960	1.11	0.380	0.54 J	0.670	0.380	2.5	2.5	4.3
Chromium	20.6	15.8	20.9	**33.9**	14.5	25.9	24.7 J	11.2	23.9	30	36	180
Copper	28.3	22.9	21.0	**96.5**	**141.0**	18.7	**54.2 J**	30.3	19.1	50	270	270
Lead	36.6	27.7	12.0	**119.0**	**271.0**	12.5	23.1 J	**134.0**	8.2	63	400	400
Manganese	325	197	395	479	477	329	1560 J	680	366	1600	2,000	2,000
Total Mercury	0.042	**0.36**	0.03	0.13	**0.24**	0.04	0.05	**0.32**	0.02	0.18	0.81	0.81
Nickel	21.4	17.3	22.3	27.3	21.7	27.3	20 J	9.42	23.4	30	140	310
Selenium	ND	ND	ND	ND	1.1	ND	ND	ND	ND	3.9	36	180
Silver	0.487	0.84	1.26	1.79	**2.98**	1.69	1.98	1.09	1.37	2	36	180
Tot Cyanide	ND	ND	ND	ND	ND	ND	ND	ND	ND	27	27	27
Zinc	**115**	78.7	61.3	**144**	**199**	73.1 J	71.3	**128**	60.1	109	2200	10,000
PCBs												
PCB-1254	ND	ND	ND	ND	ND	ND	ND	**0.14 J**	ND	0.1	1	1
PCB-1260	0.021 J	0.04 J	ND	0.04 J	ND	ND	ND	ND	ND	0.1	1	1
PESTICIDES												
4,4-DDT	**0.005**	ND	ND	ND	ND	ND	ND	**0.032**	ND	0.0033	1.7	7.9
4,4-DDE	ND	**0.005 J**	ND	ND	ND	ND	ND	0.009 J	ND	0.0033	1.8	8.9
4,4-DDD	ND	ND	ND	ND	ND	ND	ND	**0.01 J**	ND	0.0033	2.6	13
beta-BHC	ND	ND	ND	ND	ND	ND	ND	0.007 J	ND	0.036	0.072	0.36
Delta-BHC	ND	ND	ND	ND	0.004	ND	ND	0.004	ND	0.04	100	100
Endosulfan Sulfate	0.002 J	0.003 J	ND	0.005 J	ND	ND	ND	0.007 J	ND	2.4	4.8	24
Endrin	0.004 J	ND	ND	0.004 J	ND	ND	ND	0.01 J	ND	0.014	2.2	11
Endrin Ketone	0.004	ND	ND	ND	0.008 J	ND	ND	0.014	ND	NA	NA	NA
Dieldrin	ND	0.002 J	ND	ND	ND	ND	ND	**0.009 J**	ND	0.005	0.039	0.2
Aldin	ND	ND	ND	ND	ND	ND	ND	**0.01 J**	ND	0.005	0.019	0.097
Heptachlor	ND	ND	ND	ND	ND	ND	ND	ND	ND	0.042	0.42	2.1
SEMIVOLATILE ORGANIC COMPOUNDS												
Acenaphthene	0.311 J	0.4	ND	0.177 J	0.93	ND	ND	0.36	ND	20	100	100
Acenapthylene	ND	ND	ND	ND	ND	ND	ND	0.32	ND	100	100	100
Anthracene	0.389	1.22	ND	0.566	0.67	ND	ND	0.97	ND	100	100	100
Benz(a)anthracene	**1.140**	**4.02**	0.185 J	**1.16**	**1.3**	ND	0.393	**2.56**	ND	1	1	1
Benzo(a)pyrene	0.981	**3.89**	ND	0.89	**1.03**	ND	0.355	**2.08**	ND	1	1	1
Benzo(b)fluoranthene	**1.170**	**4.36**	ND	0.865	**1.38**	ND	**1.08**	**2.26**	ND	1	1	1
Benzo(g,h,i)perylene	0.732	2.93	ND	0.589	0.708	ND	0.73	1.34	ND	100	100	100
Benzo(k)fluoranthene	0.735	**2.28**	ND	0.779	**1.01**	ND	0.321	**1.4**	ND	0.8	1	3.9
Chrysene	**1.240**	4.32	0.216 J	**1.19**	**1.45**	ND	0.773	**2.56**	ND	1	1	3.9
Dibenz(a,h)anthracene	0.209 J	**0.61**	ND	0.202 J	0.266 J	ND	0.255 J	**0.36**	ND	0.33	0.33	0.33
Fluoranthene	2.34	9.02	0.303	2.48	1.76	ND	0.642	5.85	ND	100	100	100
Fluorene	ND	0.38	ND	0.25 J	ND	ND	ND	0.326	ND	30	100	100
Naphthalene	0.281 J	0.18	ND	0.182 J	1.19	ND	ND	0.34	ND	12	100	100
Indeno(1,2,3-cd)pyrene	**0.705**	**2.73**	ND	**0.601**	**0.736**	ND	**0.715**	**1.35**	ND	0.5	0.5	0.5
Phenanthrene	1.440	4.79	0.42	1.94	1.23	ND	0.247 J	3.92	ND	100	100	100
Pyrene	1.890	7.61	0.33 J	1.97	1.52	ND	0.499	5.02	ND	100	100	100
TICs	21 J	20.2 J	ND	5.0 J	28.9 J	4.1 J	4.7 J	19.7 J	ND	NA	NA	NA
Volatile Organic Compounds												
Acetone	ND	NA	ND	0.013 J	NA	0.04	ND	NA	ND	0.05	100	100
cis-1,2-Dichloroethene	0.004 J	NA	ND	ND	NA	ND	ND	NA	ND	0.25	59	100
m,p-Xylene	0.005 J	NA	ND	ND	NA	ND	ND	NA	ND	0.26	100	100
Toluene	0.006 J	NA	ND	ND	NA	ND	ND	NA	ND	0.7	100	100
TICs	ND	NA	ND	ND	NA	ND	ND	NA	ND	NA	NA	NA

ND - Non-Detect NA - Not Applicable All Data is Validated J - The analyte was positively identified; the associated numerical value is the approximate concentration of the analyte in the sample.

>/= to Residential/Restricted-Residential SCO and Unrestricted Use SCO

>Unrestricted Use SCO but <Residential/Restricted-Residential SCO

>Unrestricted Use & Residential SCO but <Restricted-Residential SCO

All values in ppm

TABLE 2

31 TONAWANDA STREET - RI SOIL BORING SAMPLE ANALYTICAL RESULTS SUMMARY

Contaminants	Sample Identification						Date Sampled: 8/16/18				PART 375 Soil Cleanup Objectives		
	BH-1 (0-3')	BH-1 (13.5 -15')	BH-2 (19- 20') Native	BH-3S (12 -13.5')	BH-4 (0 -1') Surface	BH-4 (11.5 - 12')	BH-5 (0-2') Surface	BH-5 (4 - 6')	BD-6 (0 - 2') Surface	BH-6 (4 - 6')	Unrestricted Use	Residential	Restricted Residential
METALS													
Arsenic	3.9	4.21	1.33	6.61	7.18	11.5	7.45	4.16	6.01	8.96	13	16	16
Barium	20.8	74.2	26.4	102	158	93.9	180	61.8	88.6	269	350	350	400
Beryllium	0.058	0.52	0.138	0.544	0.556	0.59	0.499	0.134	0.476	0.394	7.2	14	72
Cadmium	0.509	0.68	0.361	0.997	1.18	0.72	1.23	1.61	0.805	**2.55**	2.5	2.5	4.3
Chromium	9.9	16	6.5	21.6	17.9	13.9	18.2	7.14	18.4	28.1	30	36	180
Copper	**121**	28.2	14	**150**	**66.8**	29.8	**102**	**141**	**34.4**	**1480**	50	270	270
Lead	59.5	**68.3**	7.19	**120**	**249**	46.3	**309**	**190**	**134**	**346**	63	400	400
Manganese	198	221	306	238	624	213	516	246	438	175	1600	2,000	2,000
Total Mercury	0.08	**0.46**	0.01	**0.56**	**0.69**	**0.38**	**0.43**	**0.21**	0.13 J	**1.34**	0.18	0.81	0.81
Nickel	6.94	20.3	8.08	19.2	15.7	40.9	16.3	9.83	14.1	16.3	30	140	310
Selenium	0.337	0.731	0.411	1.22	1.12	0.746	0.888	0.697	0.576 J	1.16	3.9	36	180
Silver	0.168	0.266	ND	0.628	0.395	ND	0.546	0.171	0.21 J	0.58	2	36	180
Zinc	**119**	85.9	83.5	**219**	**248**	**950**	**286**	**1180**	**155**	**1350**	109	2200	10,000
Cyanide	0.0004 J	ND	ND	ND	ND	0.71 J	ND	0.001 J	ND	ND	27	27	27
PCBs													
PCB-1254	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	0.1	1	1
PCB-1260	0.035 J	ND	ND	ND	ND	ND	ND	0.068 J	ND	ND	0.1	1	1
PESTICIDES													
4,4-DDT	**0.033 J**	ND	ND	ND	ND	ND	ND	**0.006**	**0.005**	0.003 J	0.0033	1.7	7.9
4,4-DDE	ND	ND	ND	ND	ND	ND	ND	ND	**0.004 J**	ND	0.0033	1.8	8.9
4,4-DDD	ND	ND	ND	0.005 J	ND	ND	ND	**0.005 J**	**0.004 J**	ND	0.0033	2.6	13
alpha-BHC	ND	ND	ND	ND	ND	ND	ND	ND	ND	0.002 J	0.02	0.097	0.48
beta-BHC	**0.24**	ND	ND	ND	ND	ND	ND	ND	ND	ND	0.036	0.072	0.36
Endosulfan 11	ND	ND	ND	ND	ND	ND	ND	0.004 J	ND	ND	2.4	4.8	24
Endosulfan Sulfate	0.076 J	ND	ND	ND	ND	ND	0.002 J	ND	ND	0.007 J	2.4	4.8	24
Endrin	**0.019 J**	ND	ND	ND	ND	ND	ND	ND	ND	ND	0.014	2.2	11
Endrin Ketone	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	NA	NA	NA
Dieldrin	**0.112 J**	ND	ND	ND	ND	ND	**0.005 J**	0.002 J	ND	ND	0.005	0.039	0.2
SEMIVOLATILE ORGANIC COMPOUNDS													
Acenaphthene	1.2 J	ND	0.438	1.46 J	1.23	ND	ND	ND	ND	ND	20	100	100
Acenapthylene	ND	ND	0.31	0.595 J	0.398 J	ND	ND	ND	ND	ND	100	100	100
Anthracene	2.25	0.73 J	ND	1.76 J	2.8	ND	0.303 J	0.229 J	ND	ND	100	100	100
Benz(a)anthracene	**7.17**	**1.45 J**	ND	**2.58 J**	**5.7**	ND	**1.08**	0.756 J	0.588	0.28 J	1	1	1
Benzo(a)pyrene	**6.37**	0.908 J	ND	**1.68 J**	**4.87**	ND	0.997	0.669 J	0.541	0.24 J	1	1	1
Benzo(b)fluoranthene	**6.76**	0.663 J	ND	**1.14 J**	**5.02**	ND	**1.04**	0.656 J	0.627	0.35 J	1	1	1
Benzo(g,h,i)perylene	4.25	0.354 J	ND	0.908 J	2.98	ND	0.682	0.536 J	0.384	0.22 J	100	100	100
Benzo(k)fluoranthene	**5.41**	0.762 J	ND	**1.02 J**	3.03	ND	0.702	0.482 J	0.399	0.22 J	0.8	1	3.9
Chrysene	**8.83**	**1.3 J**	ND	**2.88 J**	**5.93**	0.27 J	**1.18**	0.841 J	0.689	0.409 J	1	1	3.9
Dibenz(a,h)anthracene	**1.56 J**	ND	ND	ND	**1.06**	ND	0.246 J	ND	ND	ND	0.33	0.33	0.33
Fluoranthene	18.8	2.29 J	ND	4.36 J	13.5	0.478	2.32	1.45 J	1.2	0.498 J	100	100	100
Fluorene	1.06 J	0.283 J	0.23 J	1.14 J	1.18	ND	ND	0.35 J	ND	ND	30	100	100
Indeno(1,2,3-cd)pyrene	**4.89**	0.458 J	ND	**0.829 J**	**3.51**	ND	**0.765**	**0.507 J**	0.423	0.21 J	0.5	0.5	0.5
Naphthalene	0.88 J	ND	2.7	0.701 J	0.44 J	0.38 J	ND	**46 J**	ND	0.212 J	12	100	100
Phenanthrene	15.1	1.4 J	0.58	5.11 J	10.6	0.587	1.19	1.4 J	0.56	0.58	100	100	100
Pyrene	16	2 J	ND	7.75 J	11.4	0.427 J	1.99	1.3 J	1.0	0.49	100	100	100
TICs	33.4 J	18.5 J	4 J	47.1 J	26.4 J	24.6 J	3 J	178 J	8.8 J	48 J	NA	NA	NA
VOLATILE ORGANIC COMPOUNDS													
Acetone	ND	ND	ND	**0.25 J**	NA	**0.062**	NA	ND	NA	**0.38 J**	0.05	100	100
Toluene	ND	ND	ND	0.015	NA	ND	NA	**8.06**	NA	0.219 J	0.7	100	100
1,1,1-Trichloroethane	0.007	ND	ND	ND	NA	ND	NA	ND	NA	0.101 J	0.68	100	100
1,1-Dichloroethane	ND	ND	ND	ND	NA	ND	NA	ND	NA	0.192 J	0.27	19	26
1,1-Dichloroethene	ND	ND	ND	ND	NA	ND	NA	ND	NA	0.007 J	0.33	100	100
1,2-Dichloroethane	ND	ND	ND	ND	NA	ND	NA	ND	NA	0.014	0.02	2.3	3.1
Benzene	ND	ND	**0.082 J**	ND	NA	ND	NA	ND	NA	0.007 J	0.06	2.9	4.8
cis-1,2-Dichloroethene	0.004 J	**152.0**	**0.36**	0.004 J	NA	ND	NA	ND	NA	**0.417 J**	0.25	59	100
Ethylbenzene	ND	ND	0.18	0.005 J	NA	ND	NA	**168**	NA	0.051 J	1	30	41
m,p-Xylene	ND	ND	ND	0.017 J	NA	0.005 J	NA	**595**	NA	0.172 J	0.26	100	100
Methylene chloride	ND	ND	ND	0.018 J	NA	ND	NA	ND	NA	0.02 J	0.05	51	100
n-Propylbenzene	ND	ND	ND	ND	NA	ND	NA	**11.5**	NA	0.01 J	3.9	100	100
sec-Butylbenzene	ND	ND	ND	ND	NA	ND	NA	8.5	NA	0.007 J	11	100	100
Tetrachloroethene	ND	ND	ND	ND	NA	ND	NA	ND	NA	0.019 J	1.3	5.5	19
Trichloroethene	0.206	ND	ND	ND	NA	ND	NA	ND	NA	0.16 J	0.47	10	21
trans-1,2-Dichloroethene	ND	**2.3 J**	ND	ND	NA	ND	NA	ND	NA	ND	0.19	100	100
Vinyl chloride	ND	**30.7**	0.2	ND	NA	ND	NA	ND	NA	**0.086 J**	0.02	0.21	0.9
1,2,4-Trimethylbenzene	ND	ND	ND	0.008 J	NA	ND	NA	**91.4**	NA	0.097 J	3.6	47	52
1,3,5- Trimethylbenzene	ND	ND	ND	0.006 J	NA	ND	NA	**44.3**	NA	0.041 J	8.4	47	52
TICs	0.09 J	ND	0.35 J	1.16 J	NA	6.91 J	NA	1790 J	NA	18.1 J	NA	NA	NA

ND - Non-Detect NA - Not Applicable All Data is Validated J - The analyte was positively identified; the associated numerical value is the approximate concentration of the analyte in the sample.

>/= to Residential/Restricted-Residential SCO and Unrestricted Use SCO All values in ppm

>Unrestricted Use SCO but <Residential/Restricted-Residential SCO

>Unrestricted Use & Residential SCO but <Restricted-Residential SCO

Table 3
31 Tonawanda Street Building
Sub Slab Vapor Ambient Air Analytical Results
EPA Air Method Toxic Organics -15 (TO-15)

	Sample Identification												NYSDOH Minimum Action Levels[a]	
Sample Date	**8/21/18**	**8/21/18**	**8/21/18**	**8/21/18**	**8/21/18**	**8/21/18**	**8/21/18**	**8/21/18**	**8/21/18**	**8/21/18**	**8/21/18**	**8/21/18**		
TO-15 Contaminants	**IA-01 Indoor**	**SS-01 Sub Slab**	**IA-02 Indoor**	**SS-02 Sub Slab**	**SS-03 Sub Slab**	**IA-03 Indoor**	**SS-06 Sub Slab**	**IA-04 Indoor**	**SS-04 Sub Slab**	**SS-05 Sub Slab**	**IA-05 (1) Indoor**	**OA-01 Outdoor**	**Sub Slab Vapor Concentration**	**Indoor Air Concentration**
VOLATILE ORGANIC COMPOUNDS[b]														
1,1,1-Trichloroethane	2.8	78 J	9.2	350 J	290 J	5	68 J	34	59	16	1700	ND	100	3
1,1-Dichloroethene	ND	ND	ND	ND	ND	ND	ND	ND	8.2	ND	2.9	ND	6	0.2
1,2,4-Trimethylbenzene	1.4	9.9 J	2.4	9.3 J	8.6 J	1.4	2.5 J	1.4	5.5 J	4.7 J	7.3 J	0.69		
1,3,5-Trimethylbenzene	ND	3.4	0.88	3.3 J	3 J	0.59	0.79 J	ND	2.7 J	2.1 J	3.4 J	ND		
1,4-Dichlorobenzene	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND		
2,2,4-Trimethylpentane	0.61	0.79	1.4	1.8	3.5 J	1.7	1.4	0.89	0.51	1.7	0.51	ND		
4-Ethyltoluene	ND	2.5 J	ND	2.4 J	2.2 J	ND	ND	ND	1.4 J	1.1 J	1.8 J	ND		
Acetone	19	910	17	1200 J	140 J	12	140	17	170	49	77	20		
Benzene	1.6	4.8 J	2.3	4.6 J	ND	1.7	2 J	0.93	4.6	1.6	0.99	0.54		
Carbon disulfide	ND	17	ND	18 J	31 J	ND	2.7	ND	27	1.3	ND	ND		
Carbon tetrachloride	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	6	0.2
Chloroethane	ND	ND	ND	ND	ND	0.68	0.34	0.7	7.7	ND	0.63	ND		
Chloroform	ND	1.3	ND	1.8 J	1.9 J	ND	ND	ND	2.4	ND	1.4	ND		
Chloromethane	0.89	0.35	0.81	0.54 J	0.62 J	ND	0.6	ND	1.7	ND	2.1	0.66		
cis-1,2-Dichloroethene	ND	ND	ND	0.79 J	ND	ND	0.71	ND	0.75	ND	5.5	ND	6	0.2
Cyclohexane	0.62	280	0.79	390 J	560 J	0.45	65	ND	68	9.6	1.4	ND		
Ethyl acetate	0.43	7.4	ND	5.3 J	11 J	ND	2.5	ND	3.9	1.5	5	ND		
Ethylbenzene	0.91	11 J	2.3	7.9 J	8.2 J	1.7	2.3 J	0.78	1.1 J	1.3 J	0.82 J	ND		
Freon 11	9.6	4.5	4.3	3.5 J	2.4 J	2.3	1.6	1.8	2	2.2	1.7	1.1		
Freon 113	ND	ND	ND	ND	J	ND	ND	ND	ND	ND	ND	ND		
Freon 12	1.9	2	2.1	2.4 J	J	2.3	2	2	ND	1.8	1.9	1.9		
Heptane	1.3	72 J	2	39 J	J	1.8	7.4 J	1.3	23	4.7 J	3.6 J	0.57		
Hexane	5	89	6.6	150 J	510	3.7	19	2.2	41	16	2.5	0.7		
Isopropyl alcohol	19	51 J	6.1	650 J	J	2.7	16 J	3.1	19	13 J	25 J	6.6		
m&p-Xylene	3	22 J	8.4	17 J	J	6.5	5.3 J	2.7	2.7 J	4 J	1.9 J	0.61		
Methyl Ethyl Ketone	2.4	69	2.9	110 J	J	1.9	14	1.4	10	3.1	6.4	1.1		
Methylene chloride	ND	3.5	0.63	2.6 J	J	ND	1.3	0.69	3.4	1.6	4.7	ND	100	3
o-Xylene	1.3	7.6 J	2.6	5.8 J	J	2	1.9 J	1.1	1.1 J	1.4 J	0.91 J	ND		
Tetrachloroethylene	ND	2500 J	ND	2900 J	2100 J	ND	390 J	ND	3.9 J	2.1 J	1 J	ND	100	3
Toluene	57	430 J	38	640 J	790 J	15	63 J	7.9	59 J	24 J	21 J	3.2		
Trichloroethene	49	150 J	9	620 J	650 J	4.4	40 J	20	81	83	230	1.3	6	0.2
Vinyl chloride	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	6	0.2

Results and Action levels are presented in micrograms per meters cubed (ug/m^3). All data has been validated

N/A - Not Applicable ND - Non-detect (1) - Sample from Sub Floor Crawlspace

J - Analyte positively identified; the associated numerical value is approximate concentration of the analyte in the sample.

[a]New York State Department of Health (NYSDOH), Guidance for Evaluating Soil Vapor Intrusion in the State of New York, October 2006 and subsequent updates (select matrix coumpounds).

[b]Compounds with detected concentrations

NYSDOH Guidance for Evaluating Soil Vapor Intrusion in the State of New York, May 2017 Decision Matrices Notes:

NO FURTHER ACTION:

Given that the compound was not detected in the indoor air sample and that the concentration detected in the sub -slab vapor sample is not expected to significantly affect indoor air quality, no additional actions are needed to address human exposures

IDENTIFY SOURCE(S) AND RESAMPLE OR MITIGATE:

The concentration detected in the indoor air sample is likely due to indoor and/or outdoor sources rather than soil vapor int rusion given the concentration detected in the sub-slab vapor sample.
Therefore, steps should be taken to identify potential source(s) and to reduce exposures accordingly (e.g., by keeping containers capped or by storing VOC-containing products in places where people do not spend much time, such as a garage or shed).
Resampling may be recommended to demonstrate the effectiveness of actions taken to reduce exposures.

MONITOR:

Monitoring, including sub-slab vapor, basement air, lowest occupied living space air, and outdoor air sampling, is needed to determine whether concen trations in the indoor air or sub-slab vapor have changed.
Monitoring may also be needed to determine whether existing building conditions (e.g., positive pressure heating, ventilation and air-conditioning systems) are maintaining the desired mitigation endpoint and to determine whether changes are needed.
The type and frequency of monitoring is determined on a site-specific and building-specific basis, taking into account applicable environmental data and building operating conditions.
Monitoring is an interim measure required to evaluate exposures related to soil vapor intrusion until contaminated environmental media are remediated.

MITIGATE:

Mitigation is needed to minimize current or potential exposures associated with soil vapor intrusion. The most common mitigation methods are sealing preferential pathways in conjunction with installing a sub-slab depressurization system, and changing the pressurization of the building in conjunction with monitoring. The type, or combination of types, of mitigation is determined on a building-specific basis, taking into account building construction and operating conditions.

TABLE 4
150 TONAWANDA STREET - RI GW SAMPLE ANALYTICAL RESULTS SUMMARY

Contaminants	Sample Identification			Date Sampled: 9/21/18	NYSDEC
	MW-1	MW-2	MW-3	MW-4	TOGS 1.1.1. GA (1)
METALS					
Arsenic	ND	ND	ND	ND	25
Barium	ND	ND	ND	ND	1000
Beryllium	ND	ND	ND	ND	3
Chromium	ND	ND	ND	ND	50
Copper	15 J	14.4 J	18 J	20 J	200
Cyanide	ND	ND	ND	ND	200
Manganese	196	**405**	258	**1400**	300
Nickel	ND	ND	ND	60	100
Total Mercury	ND	ND	ND	ND	0.7
Zinc	ND	ND	72	100	2000
Selenium	ND	ND	ND	ND	10
PCBs					
PCB 1254	ND	ND	0.065 J	ND	0.09
PCB-1260	ND	ND	**0.134 J**	ND	0.09
PESTICIDES					
Aldrin	ND	ND	ND	0.127 J	ND
alpha-BHC	ND	ND	ND	0.111	NA
beta-BHC	ND	ND	ND	ND	NA
Endrin	0.11 J	ND	ND	0.172	ND
Heptachlor	ND	**0.065**	ND	**0.141 J**	0.04
Heptachlor Epoxide	**0.178 J**	ND	ND	**0.11 J**	0.03
trans-Chlordane	0.056 J	ND	ND	ND	NA
SEMIVOLATILE ORGANIC COMPOUNDS					
SVOCs	ND	ND	ND	ND	NA
Volatile Organic Compounds					
Acetone	ND	ND	ND	0.006	50
Carbon disulfide	ND	1.44 J	ND	0.003	NA
TICs	ND	ND	ND	ND	NA
Field Parameters					
Turbidity (NTU)	1.0	6.4	18	19	NA
pH	6.97	6.71	6.84	6.2	NA
Dissolved Oxygen	1.98	0	1.32	0	NA
Temp (degrees C)	19.79	17.08	17.93	15.8	NA
Conductivity	2.11	2.23	3.03	4.15	NA

All values in ppb

N/A - Not Applicable ND - Non-detect All Data is Validated

(1) - TOGs 1.1.1 GA - Technical and Operational Guidance Series (1.1.1) Source of Drinking Water (Groundwater)

Exceeds TOGs Guidance Value

J - The analyte was positively identified; the associated numerical value is the approximate concentration of the analyte in the sample.

TABLE 5
31 TONAWANDA STREET - RI GW SAMPLE ANALYTICAL RESULTS SUMMARY

Contaminants	Sample Identification Date Sampled: 9/24/18					NYSDEC
	MW-1	MW-2	MW-3	MW-4	MW-5	TOGS 1.1.1. GA (1)
METALS						
Arsenic	ND	ND	ND	ND	0.02	25
Barium	0.05 J	ND	0.26	0.11	0.06 J	1000
Beryllium	ND	ND	ND	ND	ND	3
Chromium	ND	5.0 J	ND	ND	ND	50
Copper	ND	20.2	ND	0.01	0.01 J	200
Cyanide	ND	ND	ND	ND	ND	200
Lead	ND	6.2 J	ND	ND	ND	25
Manganese	7.23	**547**	0.62	0.65 J	1.15	300
Nickel	ND	ND	ND	ND	ND	100
Total Mercury	ND	ND	ND	ND	ND	0.7
Zinc	0.05 J	38.9 J	ND	0.97	ND	2000
Selenium	ND	ND	ND	ND	ND	10
PCBs						
PCB 1254	ND	ND	ND	ND	ND	0.09
PCB-1260	**1.81 J**	**1.22 J**	ND	ND	ND	0.09
PESTICIDES						
Aldrin	0.057 J	ND	ND	ND	0.12	ND
alpha-BHC	ND	ND	ND	ND	0.08 J	NA
beta-BHC	ND	ND	ND	ND	ND	NA
Dieldrin	ND	ND	ND	ND	**0.07 J**	0.004
Endrin	ND	ND	ND	ND	0.13 J	ND
Heptachlor	ND	ND	**0.104 J**	ND	**0.1 J**	0.04
Heptachlor Epoxide	ND	ND	ND	ND	**0.16 J**	0.03
trans-Chlordane	ND	ND	ND	ND	0.06 J	NA
SEMIVOLATILE ORGANIC COMPOUNDS						
Bis (2-ethylhexyl) phthalate	ND	ND	**49.2**	ND	ND	5
Volatile Organic Compounds						
Acetone	12.9 J	5.13 J	ND	5.94 J	17.5	50
1,1,1-Trichloroethane	ND	1.21 J	**188000 J**	ND	ND	5
1,1-Dichloroethane	ND	ND	**75700**	1.63 J	3.52	5
1,1-Dichloroethene	ND	ND	**2510 J**	ND	ND	5
cis-1,2-Dichloroethene	ND	2.1 J	**37500**	**5.26**	ND	5
1,2,4-Trimethylbenzene	ND	ND	ND	ND	3.03	5
1,3,5-Trimethylbenzene	ND	ND	ND	ND	1.15 J	5
1,4-Dioxane	ND	ND	ND	ND	**49.4**	0.35
Trichloroethene	ND	ND	ND	4.32	1.69 J	5
Vinyl chloride	ND	ND	**5080**	1.69 J	ND	2
Carbon disulfide	ND	3.45	ND	ND	ND	NA
TICs	ND	ND	ND	ND	518 J	NA
Field Parameters						
Turbidity (NTU)	69.4	10.2	2.3	13.2	17.3	NA
pH	6.81	6.95	6.28	6.98	6.64	NA
Dissolved Oxygen	0	0	0	0	0	NA
Temp (degrees C)	15.82	14.74	15.93	17.87	16.71	NA
Conductivity	3.65	8.44	1.47	1.12	2.75	NA

All values in ppb

N/A - Not Applicable ND - Non-detect All Data is Validated

(1) - TOGs 1.1.1 GA - Technical and Operational Guidance Series (1.1.1) Source of Drinking Water (Groundwater)

Exceeds TOGs Guidance Value

J - The analyte was positively identified; the associated numerical value is the approximate concentration of the analyte in the sample.

TABLE 10
31 TONAWANDA STREET - CRAWL SPACE SOIL BORING SAMPLE ANALYTICAL RESULTS SUMMARY

Contaminants	Sample Identification						Date Sampled: 2/4/19				PART 375 Soil Cleanup Objectives		
	SBH-1 (2-4')	SBH-1 (8')	SBH-1 (16')	SBH-3 (10 -11')	SBH-4 (8')	SBH-4 (10')	SBH-4 (12')	SBH-5 (4')	SBH-5 (8')	SBH-5 (12')	Unrestricted Use	Residential	Restricted Residential
VOLATILE ORGANIC COMPOUNDS													
Acetone	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	0.05	100	100
Toluene	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	0.7	100	100
1,1,1-Trichloroethane	ND	0.075	ND	0.29	**37 J**	ND	ND	0.18	**4.23**	**667**	0.68	100	100
1,1-Dichloroethane	ND	ND	ND	ND	ND	ND	ND	ND			0.27	19	26
1,1-Dichloroethene	ND	ND	ND	ND	ND	ND	ND	ND	0.079 J	**17.9**	0.33	100	100
1,2-Dichloroethane	ND	ND	ND	**0.075**	ND	ND	ND	**0.035 J**	**1.79**	**246**	0.02	2.3	3.1
Benzene	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	0.06	2.9	4.8
cis-1,2-Dichloroethene	ND	ND	0.012	**0.46**	**35.4 J**	**1970**	**1.29**	ND	**1.47**	**221**	0.25	59	100
Ethylbenzene	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	1	30	41
m,p-Xylene	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	0.26	100	100
Methylene chloride	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	0.05	51	100
n-Propylbenzene	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	3.9	100	100
sec-Butylbenzene	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	11	100	100
Tetrachloroethene	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	1.3	5.5	19
Trichloroethene	**3.26**	**2.56**	0.009	**3.89**	**1660**	**7340**	**0.72**	**3.65**	**11.5**	**474**	0.47	10	21
trans-1,2-Dichloroethene	ND	ND	ND	ND	ND	ND	0.03	ND	**0.19**	**7.12**	0.19	100	100
Vinyl chloride	ND	ND	**0.039**	ND	ND	ND	**0.034**	ND	ND	**4.02 J**	0.02	0.21	0.9
1,2,4-Trimethylbenzene	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	3.6	47	52
1,3,5- Trimethylbenzene	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	8.4	47	52

ND - Non-Detect NA - Not Applicable All Data is Validated J - The analyte was positively identified; the associated numerical value is the approximate concentration of the analyte in the sample.

>/= to Residential/Restricted-Residential SCO and Unrestricted Use SCO All values in ppm

>Unrestricted Use SCO but <Residential/Restricted-Residential SCO

>Unrestricted Use & Residential SCO but <Restricted-Residential SCO

APPENDIX A

NYSDEC SMP PRR 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. **C915299**

Site Name 31 Tonawanda Street

Site Address: 31 Tonawanda Street Zip Code: 14207
City/Town: Buffalo
County: Erie
Site Acreage: 2.740

Reporting Period: December 22, 2020 to April 22, 2022

	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? Restricted-Residential, Commercial, and Industrial	☒	☐
7. Are all ICs 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. C915299 **Box 3**

Description of Institutional Controls

Parcel	Owner	Institutional Control
88.42-2-4.21	31 Tonawanda Street, LLC	Landuse Restriction Site Management Plan IC/EC Plan Ground Water Use Restriction

An Environmental Easement was filed with the Erie County Clerk's Office on September 22, 2020. The Controlled Property may be used for restricted residential, commercial and industrial use as long as the following long-term institutional controls are employed: (1) all Engineering Controls must be operated and maintained as specified in the Site Management Plan (SMP); (2) all Engineering Controls must be inspected at a frequency and in a manner defined in the SMP; (3) the use of groundwater underlying the property is prohibited without necessary water quality treatment as determined by the NYSDOH or the Erie County Department of Health to render it safe for use as drinking water or for industrial purposes, and the user must first notify and obtain written approval to do so from the Department; (4) groundwater and other environmental or public health monitoring must be performed as defined in the SMP; (5) data and information pertinent to Site Management of the Controlled Property must be reported at the frequency and in a manner defined in the SMP; (6) all future activities on the property that will disturb remaining contaminated material must be conducted in accordance with the SMP; (7) monitoring to assess the performance and effectiveness of the remedy must be performed as defined in the SMP; (8) operation, maintenance, monitoring, inspection, and reporting of any mechanical or physical components of the remedy shall be performed as defined in the SMP; and (9) access to the site must be provided to agents, employees or other representatives of the State of New York with reasonable prior notice to the property owner to assure compliance with the restrictions identified by this Environmental Easement.

88.58-1-1	31 Tonawanda Street, LLC	O&M Plan Ground Water Use Restriction Landuse Restriction Site Management Plan IC/EC Plan

An Environmental Easement was filed with the Erie County Clerk's Office on September 22, 2020. The Controlled Property may be used for restricted residential, commercial and industrial use as long as the following long-term institutional controls are employed: (1) all Engineering Controls must be operated and maintained as specified in the Site Management Plan (SMP); (2) all Engineering Controls must be inspected at a frequency and in a manner defined in the SMP; (3) the use of groundwater underlying the property is prohibited without necessary water quality treatment as determined by the NYSDOH or the Erie County Department of Health to render it safe for use as drinking water or for industrial purposes, and the user must first notify and obtain written approval to do so from the Department; (4) groundwater and other environmental or public health monitoring must be performed as defined in the SMP; (5) data and information pertinent to Site Management of the Controlled Property must be reported at the frequency and in a manner defined in the SMP; (6) all future activities on the property that will disturb remaining contaminated material must be conducted in accordance with the SMP; (7) monitoring to assess the performance and effectiveness of the remedy must be performed as defined in the SMP; (8) operation, maintenance, monitoring, inspection, and reporting of any mechanical or physical components of the remedy shall be performed as defined in the SMP; and (9) access to the site must be provided to agents, employees or other representatives of the State of New York with reasonable prior notice to the property owner to assure compliance with the restrictions identified by this Environmental Easement.

Box 4

Description of Engineering Controls

Parcel	Engineering Control
88.42-2-4.21	Cover System

(1) A site cover currently exists and will be maintained to allow for restricted residential/commercial/industrial use of the site. Any site redevelopment will maintain the existing site cover, which consists of structures such as buildings, concrete sidewalks, asphalt parking lots, and clean soil covers.

88.58-1-1	Cover System

Parcel	Engineering Control
	Vapor Mitigation Monitoring Wells

(1) A site cover currently exists and will be maintained to allow for restricted residential/commercial/industrial use of the site. Any site redevelopment will maintain the existing site cover, which consists of structures such as buildings, concrete sidewalks, asphalt parking lots, and clean soil covers.

(2) A Sub-slab depressurization system exists in the on-site building. This system will continue to operate to prevent the migration of sub-slab soil vapor from soil and groundwater into the building.

Box 5

Periodic Review Report (PRR) Certification Statements

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

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

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

YES	NO
☒	☐

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

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

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

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

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

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

YES	NO
☒	☐

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. C915299

Box 6

SITE OWNER OR DESIGNATED REPRESENTATIVE SIGNATURE

I certify that all information and statements in Boxes 1,2, and 3 are true. I understand that a false statement made herein is punishable as a Class "A" misdemeanor, pursuant to Section 210.45 of the Penal Law.

I John F. Ruh (print name) at 124 Meadow Rd Orchard Park NY, 14127 (print business address)

am certifying as owner (Owner or Remedial Party)

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

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

4/26/2022
Date

EC CERTIFICATIONS

Box 7

Qualified Environmental Professional Signature

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

I Jason M. Brydges (print name) at BE3 Corp - 900 Busti Ave., Suite B-150 Buffalo, NY 14213 (print business address),

am certifying as a Qualified Environmental Professional for the Owner - 31 Tonawanda St, LLC (Owner or Remedial Party)

STATE OF NEW YORK
JASON M. BRYDGES
No. 079402
LICENSED PROFESSIONAL ENGINEER

4-26-22

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

Stamp (Required for PE)

Date

APPENDIX B

ENVIRONMENTAL EASEMENT AND SURVEY MAPS

BRYDGES ENGINEERING

MICHAEL P. KEARNS, ERIE COUNTY CLERK
REF:

DATE:9/8/2020
TIME:9:55:50 AM
RECEIPT: 20330004 - DUPLICATE -

SLATER LAW FIRM
ACCOUNT #: 0

DUPLICATE RECEIPT

ITEM - 01 785
RECD: 9/8/2020 10:21:15 AM
FILE: 2020148049 BK/PG D 11365/6056
Deed Sequence: TT2020002670
31 TONAWANDA STREET LLC
PEOPLE OF THE STATE OF NEW YORK (THE)

Recording Fees		95.00
TP584		10.00
Subtotal	105.00	

TOTAL DUE	
PAID TOTAL	$105.00
PAID CHECK	$105.00
Check #2548:	$105.00
	105.00

REC BY: Megan
COUNTY RECORDER

ERIE COUNTY CLERK'S OFFICE

County Clerk's Recording Page

Return to:
THE SLATER LAW FIRM
500 SENECA ST
SUITE 504
BUFFALO, NY 14204

Party 1:
31 TONAWANDA STREET LLC

Party 2:
PEOPLE OF THE STATE OF NEW YORK (THE)

Book Type: D Book: 11365 Page: 6056
Page Count: 11
Doc Type: EASEMENT/RTWY
Rec Date: 09/08/2020
Rec Time: 10:21:15 AM
Control #: 2020148049
UserID: Megan
Trans #: 20330004
Document Sequence Number
TT2020002670

Consideration Amount: 1.00

Recording Fees:

RECORDING	$75.00
COE CO $1 RET	$1.00
COE STATE $14.25 GEN	$14.25
COE STATE $4.75 RM	$4.75
TP584	$10.00

BASIC MT	$0.00
SONYMA MT	$0.00
ADDL MT/NFTA	$0.00
SP MT/M-RAIL	$0.00
NY STATE TT	$0.00
ROAD FUND TT	$0.00

Total: $105.00

STATE OF NEW YORK
ERIE COUNTY CLERK'S OFFICE

WARNING – THIS SHEET CONSTITUTES THE CLERK'S ENDORSEMENT REQUIRED BY SECTION 319&316-a (5) OF THE REAL PROPERTY LAW OF THE STATE OF NEW YORK. DO NOT DETACH. THIS IS NOT A BILL.

Michael P. Kearns
Erie County Clerk

ENVIRONMENTAL EASEMENT GRANTED PURSUANT TO ARTICLE 71, TITLE 36 OF THE NEW YORK STATE ENVIRONMENTAL CONSERVATION LAW

THIS INDENTURE made this 18th day of August, 2020 between Owner, 31 Tonawanda Street, LLC, having an office at 124 Meadow Road, Orchard Park, New York 14127, County of Erie, State of New York (the "Grantor"), and The People of the State of New York (the "Grantee"), acting through their Commissioner of the Department of Environmental Conservation (the "Commissioner", or "NYSDEC" or "Department" as the context requires) with its headquarters located at 625 Broadway, Albany, New York 12233,

WHEREAS, the Legislature of the State of New York has declared that it is in the public interest to encourage the remediation of abandoned and likely contaminated properties ("sites") that threaten the health and vitality of the communities they burden while at the same time ensuring the protection of public health and the environment; and

WHEREAS, the Legislature of the State of New York has declared that it is in the public interest to establish within the Department a statutory environmental remediation program that includes the use of Environmental Easements as an enforceable means of ensuring the performance of operation, maintenance, and/or monitoring requirements and the restriction of future uses of the land, when an environmental remediation project leaves residual contamination at levels that have been determined to be safe for a specific use, but not all uses, or which includes engineered structures that must be maintained or protected against damage to perform properly and be effective, or which requires groundwater use or soil management restrictions; and

WHEREAS, the Legislature of the State of New York has declared that Environmental Easement shall mean an interest in real property, created under and subject to the provisions of Article 71, Title 36 of the New York State Environmental Conservation Law ("ECL") which contains a use restriction and/or a prohibition on the use of land in a manner inconsistent with engineering controls which are intended to ensure the long term effectiveness of a site remedial program or eliminate potential exposure pathways to hazardous waste or petroleum; and

WHEREAS, Grantor, is the owner of real property located at the address of 31 Tonawanda Street in the City of Buffalo, County of Erie and State of New York, known and designated on the tax map of the County Clerk of Erie as tax map parcel number: Section 88.58 Block 1 Lot 1, being the same as that property conveyed to Grantor by deed dated June 2, 2014 and recorded in the Erie County Clerk's Office in Liber and Page 11264/6998. The property subject to this Environmental Easement (the "Controlled Property") comprises approximately 1.83 +/- acres, and is hereinafter more fully described in the Land Title Survey dated October 31, 2018 and last revised April 20, 2020 prepared by Daniel J. Regan, L.L.S. of WM Schutt Associates, which will be attached to the Site Management Plan. The Controlled Property description is set forth in and attached hereto as Schedule A; and

WHEREAS, Grantor, is the owner of real property located at the address of 150 Tonawanda Street in the City of Buffalo, County of Erie and State of New York, known and designated on the tax map of the County Clerk of Erie as tax map parcel number: Section 88.42

Block 2 Lot 4.21, being the same as that property conveyed to Grantor by deed dated May 8, 2017 and recorded in the Erie County Clerk's Office in Liber and Page 11313/64. The property subject to this Environmental Easement (the "Controlled Property") comprises approximately 0.91 +/- acres, and is hereinafter more fully described in the Land Title Survey dated October 31, 2018 and last revised April 20, 2020 prepared by Daniel J. Regan, L.L.S. of WM Schutt Associates, which will be attached to the Site Management Plan. The Controlled Property description is set forth in and attached hereto as Schedule B; and

WHEREAS, the Department accepts this Environmental Easement in order to ensure the protection of public health and the environment and to achieve the requirements for remediation established for the Controlled Property until such time as this Environmental Easement is extinguished pursuant to ECL Article 71, Title 36; and

NOW THEREFORE, in consideration of the mutual covenants contained herein and the terms and conditions of Brownfield Cleanup Agreement Index Number: C915299-08-17, Grantor conveys to Grantee a permanent Environmental Easement pursuant to ECL Article 71, Title 36 in, on, over, under, and upon the Controlled Property as more fully described herein ("Environmental Easement").

1. Purposes. Grantor and Grantee acknowledge that the Purposes of this Environmental Easement are: to convey to Grantee real property rights and interests that will run with the land in perpetuity in order to provide an effective and enforceable means of encouraging the reuse and redevelopment of this Controlled Property at a level that has been determined to be safe for a specific use while ensuring the performance of operation, maintenance, and/or monitoring requirements; and to ensure the restriction of future uses of the land that are inconsistent with the above-stated purpose.

2. Institutional and Engineering Controls. The controls and requirements listed in the Department approved Site Management Plan ("SMP") including any and all Department approved amendments to the SMP are incorporated into and made part of this Environmental Easement. These controls and requirements apply to the use of the Controlled Property, run with the land, are binding on the Grantor and the Grantor's successors and assigns, and are enforceable in law or equity against any owner of the Controlled Property, any lessees and any person using the Controlled Property.

A. (1) The Controlled Property may be used for:

Restricted Residential as described in 6 NYCRR Part 375-1.8(g)(2)(ii), Commercial as described in 6 NYCRR Part 375-1.8(g)(2)(iii) and Industrial as described in 6 NYCRR Part 375-1.8(g)(2)(iv)

(2) All Engineering Controls must be operated and maintained as specified in the Site Management Plan (SMP);

(3) All Engineering Controls must be inspected at a frequency and in a manner defined in the SMP;

(4) The use of groundwater underlying the property is prohibited without

necessary water quality treatment as determined by the NYSDOH or the Erie County Department of Health to render it safe for use as drinking water or for industrial purposes, and the user must first notify and obtain written approval to do so from the Department;

(5) Groundwater and other environmental or public health monitoring must be performed as defined in the SMP;

(6) Data and information pertinent to Site Management of the Controlled Property must be reported at the frequency and in a manner defined in the SMP;

(7) All future activities on the property that will disturb remaining contaminated material must be conducted in accordance with the SMP;

(8) Monitoring to assess the performance and effectiveness of the remedy must be performed as defined in the SMP;

(9) Operation, maintenance, monitoring, inspection, and reporting of any mechanical or physical components of the remedy shall be performed as defined in the SMP;

(10) Access to the site must be provided to agents, employees or other representatives of the State of New York with reasonable prior notice to the property owner to assure compliance with the restrictions identified by this Environmental Easement.

B. The Controlled Property shall not be used for Residential purposes as defined in 6NYCRR 375-1.8(g)(2)(i), and the above-stated engineering controls may not be discontinued without an amendment or extinguishment of this Environmental Easement.

C. The SMP describes obligations that the Grantor assumes on behalf of Grantor, its successors and assigns. The Grantor's assumption of the obligations contained in the SMP which may include sampling, monitoring, and/or operating a treatment system, and providing certified reports to the NYSDEC, is and remains a fundamental element of the Department's determination that the Controlled Property is safe for a specific use, but not all uses. The SMP may be modified in accordance with the Department's statutory and regulatory authority. The Grantor and all successors and assigns, assume the burden of complying with the SMP and obtaining an up-to-date version of the SMP from:

Site Control Section
Division of Environmental Remediation
NYSDEC
625 Broadway
Albany, New York 12233
Phone: (518) 402-9553

D. Grantor must provide all persons who acquire any interest in the Controlled Property a true and complete copy of the SMP that the Department approves for the Controlled Property and all Department-approved amendments to that SMP.

E. Grantor covenants and agrees that until such time as the Environmental Easement

is extinguished in accordance with the requirements of ECL Article 71, Title 36 of the ECL, the property deed and all subsequent instruments of conveyance relating to the Controlled Property shall state in at least fifteen-point bold-faced type:

This property is subject to an Environmental Easement held by the New York State Department of Environmental Conservation pursuant to Title 36 of Article 71 of the Environmental Conservation Law.

F. Grantor covenants and agrees that this Environmental Easement shall be incorporated in full or by reference in any leases, licenses, or other instruments granting a right to use the Controlled Property.

G. Grantor covenants and agrees that it shall, at such time as NYSDEC may require, submit to NYSDEC a written statement by an expert the NYSDEC may find acceptable certifying under penalty of perjury, in such form and manner as the Department may require, that:

(1) the inspection of the site to confirm the effectiveness of the institutional and engineering controls required by the remedial program was performed under the direction of the individual set forth at 6 NYCRR Part 375-1.8(h)(3).

(2) the institutional controls and/or engineering controls employed at such site:

(i) are in-place;

(ii) are unchanged from the previous certification, or that any identified changes to the controls employed were approved by the NYSDEC and that all controls are in the Department-approved format; and

(iii) that nothing has occurred that would impair the ability of such control to protect the public health and environment;

(3) the owner will continue to allow access to such real property to evaluate the continued maintenance of such controls;

(4) nothing has occurred that would constitute a violation or failure to comply with any site management plan for such controls;

(5) the report and all attachments were prepared under the direction of, and reviewed by, the party making the certification;

(6) to the best of his/her 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

(7) the information presented is accurate and complete.

3. Right to Enter and Inspect. Grantee, its agents, employees, or other representatives of the State may enter and inspect the Controlled Property in a reasonable manner and at reasonable times to assure compliance with the above-stated restrictions.

4. Reserved Grantor's Rights. Grantor reserves for itself, its assigns, representatives, and successors in interest with respect to the Property, all rights as fee owner of the Property, including:

A. Use of the Controlled Property for all purposes not inconsistent with, or limited by the terms of this Environmental Easement;

B. The right to give, sell, assign, or otherwise transfer part or all of the underlying fee interest to the Controlled Property, subject and subordinate to this Environmental Easement;

5. Enforcement

A. This Environmental Easement is enforceable in law or equity in perpetuity by Grantor, Grantee, or any affected local government, as defined in ECL Section 71-3603, against the owner of the Property, any lessees, and any person using the land. Enforcement shall not be defeated because of any subsequent adverse possession, laches, estoppel, or waiver. It is not a defense in any action to enforce this Environmental Easement that: it is not appurtenant to an interest in real property; it is not of a character that has been recognized traditionally at common law; it imposes a negative burden; it imposes affirmative obligations upon the owner of any interest in the burdened property; the benefit does not touch or concern real property; there is no privity of estate or of contract; or it imposes an unreasonable restraint on alienation.

B. If any person violates this Environmental Easement, the Grantee may revoke the Certificate of Completion with respect to the Controlled Property.

C. Grantee shall notify Grantor of a breach or suspected breach of any of the terms of this Environmental Easement. Such notice shall set forth how Grantor can cure such breach or suspected breach and give Grantor a reasonable amount of time from the date of receipt of notice in which to cure. At the expiration of such period of time to cure, or any extensions granted by Grantee, the Grantee shall notify Grantor of any failure to adequately cure the breach or suspected breach, and Grantee may take any other appropriate action reasonably necessary to remedy any breach of this Environmental Easement, including the commencement of any proceedings in accordance with applicable law.

D. The failure of Grantee to enforce any of the terms contained herein shall not be deemed a waiver of any such term nor bar any enforcement rights.

6. Notice. Whenever notice to the Grantee (other than the annual certification) or approval from the Grantee is required, the Party providing such notice or seeking such approval shall identify the Controlled Property by referencing the following information:

County, NYSDEC Site Number, NYSDEC Brownfield Cleanup Agreement, State Assistance Contract or Order Number, and the County tax map number or the Liber and Page or computerized system identification number.

Parties shall address correspondence to:

Site Number: C915299
Office of General Counsel
NYSDEC
625 Broadway
Albany New York 12233-5500

With a copy to:

Site Control Section
Division of Environmental Remediation
NYSDEC
625 Broadway
Albany, NY 12233

All notices and correspondence shall be delivered by hand, by registered mail or by Certified mail and return receipt requested. The Parties may provide for other means of receiving and communicating notices and responses to requests for approval.

7. Recordation. Grantor shall record this instrument, within thirty (30) days of execution of this instrument by the Commissioner or her/his authorized representative in the office of the recording officer for the county or counties where the Property is situated in the manner prescribed by Article 9 of the Real Property Law.

8. Amendment. Any amendment to this Environmental Easement may only be executed by the Commissioner of the New York State Department of Environmental Conservation or the Commissioner's Designee, and filed with the office of the recording officer for the county or counties where the Property is situated in the manner prescribed by Article 9 of the Real Property Law.

9. Extinguishment. This Environmental Easement may be extinguished only by a release by the Commissioner of the New York State Department of Environmental Conservation, or the Commissioner's Designee, and filed with the office of the recording officer for the county or counties where the Property is situated in the manner prescribed by Article 9 of the Real Property Law.

10. Joint Obligation. If there are two or more parties identified as Grantor herein, the obligations imposed by this instrument upon them shall be joint and several.

11. Consistency with the SMP. To the extent there is any conflict or inconsistency between the terms of this Environmental Easement and the SMP, regarding matters specifically addressed by the SMP, the terms of the SMP will control.

Remainder of Page Intentionally Left Blank

IN WITNESS WHEREOF, Grantor has caused this instrument to be signed in its name.

31 Tonawanda Street, LLC:

By: _____

Print Name: John F. Ruh

Title: Partner Date: 8/10/2020

Grantor's Acknowledgment

STATE OF NEW YORK)
) ss:
COUNTY OF)

On the 10th day of August, in the year 2020 before me, the undersigned, personally appeared John F. Ruh, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

_____
Notary Public - State of New York

JOHN M. SKRZYPCZYK
Notary Public, State of New York
Qualified in Erie County
My Commission Expires Oct. 6, 2022

THIS ENVIRONMENTAL EASEMENT IS HEREBY ACCEPTED BY THE PEOPLE OF THE STATE OF NEW YORK, Acting by and Through the Department of Environmental Conservation as Designee of the Commissioner,

By: _____
Michael J. Ryan, Director
Division of Environmental Remediation

Grantee's Acknowledgment

STATE OF NEW YORK)
) ss:
COUNTY OF ALBANY)

On the 18th day of August, in the year 2020, before me, the undersigned, personally appeared Michael J. Ryan, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name is (are) subscribed to the within instrument and acknowledged to me that he/she/ executed the same in his/her/ capacity as Designee of the Commissioner of the State of New York Department of Environmental Conservation, and that by his/her/ signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

_____
Notary Public - State of New York

Drew A. Wellette
Notary Public, State of New York
Qualified in Schenectady Co.
No. 01WE6089074
Commission Expires 03/17/ 2023

SCHEDULE "A" PROPERTY DESCRIPTION

LEGAL DESCRIPTION DEED AND ENVIRONMENTAL EASEMENT DESCRIPTION – 31 Tonawanda St

ALL THAT TRACT OR PARCEL OF LAND, SITUATE IN THE CITY OF BUFFALO, COUNTY OF ERIE AND STATE OF NEW YORK. BEING PART OF LOT NO. 270 OF THE PARISH TRACT, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE EASTERLY LINE OF TONAWANDA STREET AND THE SOUTHERLY LINE OF WEST AVENUE; THENCE EASTERLY ALONG SAID SOUTHERLY LINE OF WEST AVENUE, 290.68 FEET TO THE NORTHWEST CORNER OF THE FIRST DESCRIBED PARCEL OF LANDS CONVEYED TO THE CITY OF BUFFALO BY DEED RECORDED IN THE ERIE COUNTY CLERK'S OFFICE IN LIBER 4239 OF DEEDS AT PAGE 455; THENCE SOUTHEAST ALONG THE SOUTHWEST LINE OF SAID LIBER 4239 OF DEEDS AT PAGE 455, 39.32 FEET (DEED), 33.85 FEET (MEASURED) TO THE SOUTHEAST COMER OF SAID LIBER 4239 OF DEEDS AT PAGE 455, ALSO BEING THE NORTHWEST LINE OF LANDS ACQUIRED BY THE STATE OF NEW YORK FOR SCAJAQUADA CREEK ARTERIAL, AS SHOWN ON MAP NO. 61, PARCEL NO. 72; THENCE SOUTHWEST ALONG THE NORTHWEST LINE OF SCAJAQUADA CREEK ARTERIAL AT AN INTERIOR ANGLE OF 112° 53' 44" (DEED), 112°39'8" (MEASURED), 95.38 FEET TO AN ANGLE POINT; THENCE CONTINUING SOUTHWEST ALONG SAID NORTHWEST LINE OF SCAJAQUADA CREEK ARTERIAL AT AN EXTERIOR ANGLE OF 170° 52' 48" (DEED), 170°11'22" (MEASURED), 290.72 FEET (DEED), 290.32 FEET (MEASURED), TO THE NORTHERLY LINE OF LANDS ACQUIRED BY THE STATE OF NEW YORK FOR SCAJAQUADA CREEK ARTERIAL, MAP NO. 20 PARCEL NO. 24; THENCE WESTERLY ALONG SAID NORTHERLY LINE OF SAID MAP NO. 20 PARCEL NO. 24, 120.18 FEET TO THE EASTERLY LINE OF TONAWANDA STREET; THENCE NORTHERLY ALONG SAID EASTERLY LINE OF TONAWANDA STREET 367.90 FEET (DEED), 376.91 (MEASURED) TO THE POINT OR PLACE OF BEGINNING.

CONTAINING 79826.33 SQUARE FEET OR 1.83 ACRES OR LAND

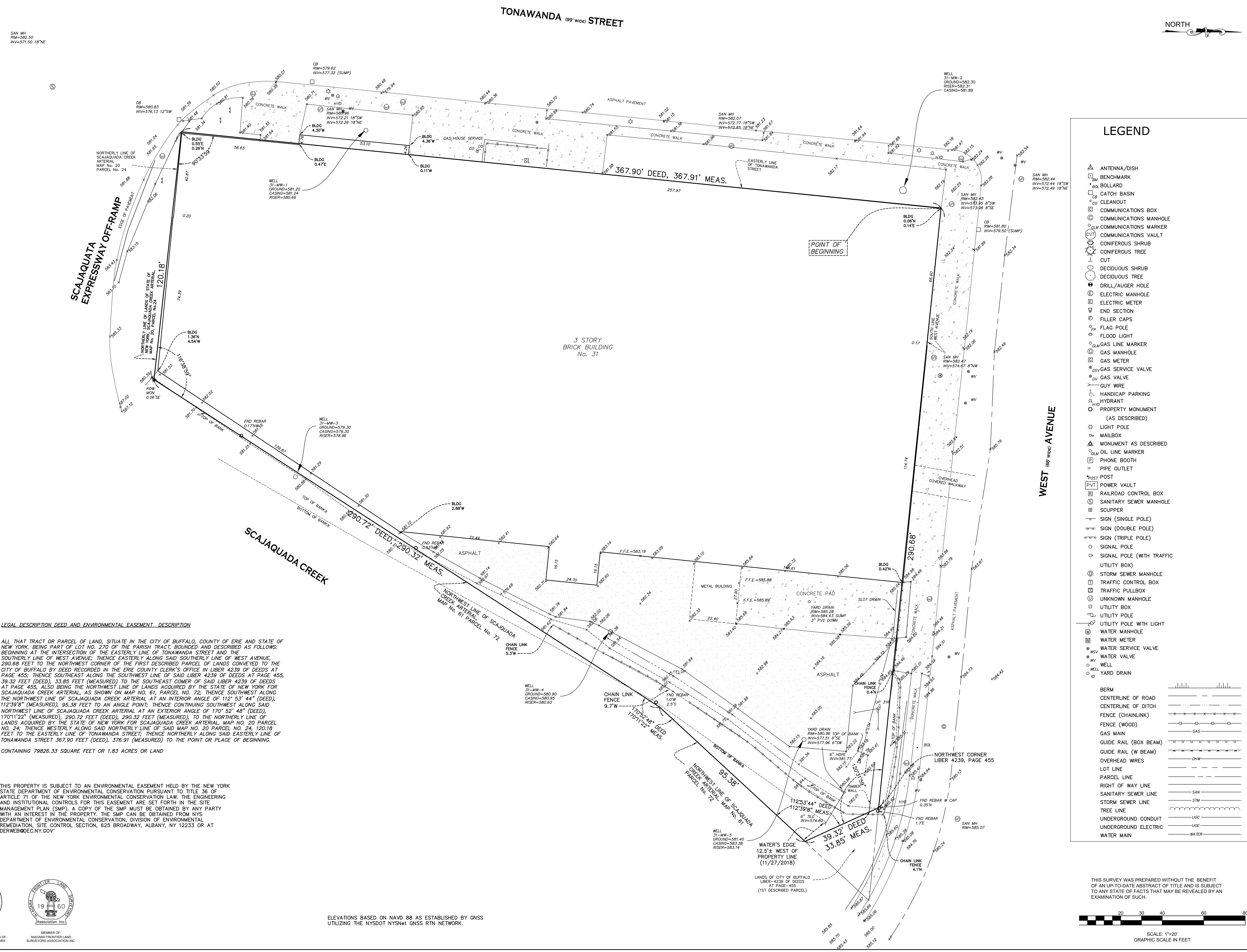
SCHEDULE "B" PROPERTY DESCRIPTION

DEED AND ENVIRONMENTAL EASEMENT DESCRIPTION – 150 Tonawanda St

ALL THAT TRACT OR PARCEL OF LAND SITUATE IN THE CITY OF BUFFALO, COUNTY OF ERIE AND STATE OF NEW YORK, BEING PART OF LOTS NOs. 216, 217 AND 218 OF THE PARISH TRACT DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE WESTERLY LINE OF TONAWANDA STREET, BEING 99.0 FEET WIDE, DISTANT NORTHEASTERLY 990.00 FEET FROM THE NORTHEASTERLY LINE OF DEARBORN STREET, BEING 66.0 FEET WIDE, SAID POINT BEING THE NORTHEAST CORNER OF LANDS CONVEYED TO NICHTER ASSOCIATES BY DEED RECORDED IN THE OFFICE OF THE COUNTY CLERK, ERIE COUNTY, NEW YORK IN LIBER 9208 OF DEEDS AT PAGE 631 ;
THENCE RUNNING NORTHWESTERLY ALONG THE NORTHERLY LINE OF SAID LANDS OF NICHTER ASSOCIATES, A DISTANCE OF 69.15 FEET TO THE EASTERLY LINE OF LANDS NOW OF FORMERLY OWNED BY CSX TRANSPORTATION, INC.;
THENCE NORTHEASTERLY ALONG SAID EASTERLY LINE, A DISTANCE OF 515.91 FEET TO THE SOUTHERLY LINE OF PARISH STREET (FORMERLY ERIE STREET);
THENCE NORTHEASTERLY ALONG SAID SOUTHERLY LINE, A DISTANCE OF 109.75 FEET TO ITS INTERSECTION WITH THE WESTERLY LINE OF TONAWANDA STREET;
THENCE SOUTHERLY ALONG THE WESTERLY LINE OF TONAWANDA STREET 597.73 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.91 ACRES OF LAND, MORE OR LESS.



LEGAL DESCRIPTION DEED AND ENVIRONMENTAL EASEMENT DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND, SITUATE IN THE CITY OF BUFFALO, COUNTY OF ERIE AND STATE OF NEW YORK. BEING PART OF LOT NO. 270 OF THE PARISH TRACT, BOUNDED AND DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE EASTERLY LINE OF TONAWANDA STREET AND THE SOUTHERLY LINE OF WEST AVENUE; THENCE EASTERLY ALONG SAID SOUTHERLY LINE OF WEST AVENUE, 290.68 FEET TO THE NORTHWEST CORNER OF THE FIRST DESCRIBED PARCEL OF LANDS CONVEYED TO THE CITY OF BUFFALO BY DEED RECORDED IN THE ERIE COUNTY CLERK'S OFFICE IN LIBER 4239 OF DEEDS AT PAGE 455; THENCE SOUTHEAST ALONG THE SOUTHWEST LINE OF SAID LIBER 4239 OF DEEDS AT PAGE 455, 39.32 FEET (DEED), 33.85 FEET (MEASURED) TO THE SOUTHEAST COMER OF SAID LIBER 4239 OF DEEDS AT PAGE 455, ALSO BEING THE NORTHWEST LINE OF LANDS ACQUIRED BY THE STATE OF NEW YORK FOR SCAJAQUADA CREEK ARTERIAL, AS SHOWN ON MAP NO. 61, PARCEL NO. 72; THENCE SOUTHWEST ALONG THE NORTHWEST LINE OF SCAJAQUADA CREEK ARTERIAL AT AN INTERIOR ANGLE OF 112° 53' 44" (DEED), 112°39'8" (MEASURED), 95.38 FEET TO AN ANGLE POINT; THENCE CONTINUING SOUTHWEST ALONG SAID NORTHWEST LINE OF SCAJAQUADA CREEK ARTERIAL AT AN EXTERIOR ANGLE OF 170° 52' 48" (DEED), 170°11'22" (MEASURED), 290.72 FEET (DEED), 290.32 FEET (MEASURED), TO THE NORTHERLY LINE OF LANDS ACQUIRED BY THE STATE OF NEW YORK FOR SCAJAQUADA CREEK ARTERIAL, MAP NO. 20 PARCEL NO. 24; THENCE WESTERLY ALONG SAID NORTHERLY LINE OF SAID MAP NO. 20 PARCEL NO. 24, 120.18 FEET TO THE EASTERLY LINE OF TONAWANDA STREET; THENCE NORTHERLY ALONG SAID EASTERLY LINE OF TONAWANDA STREET 367.90 FEET (DEED), 376.91 (MEASURED) TO THE POINT OR PLACE OF BEGINNING.

CONTAINING 79826.33 SQUARE FEET OR 1.83 ACRES OR LAND

THIS PROPERTY IS SUBJECT TO AN ENVIRONMENTAL EASEMENT HELD BY THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION PURSUANT TO TITLE 36 OF ARTICLE 71 OF THE NEW YORK ENVIRONMENTAL CONSERVATION LAW. THE ENGINEERING AND INSTITUTIONAL CONTROLS FOR THIS EASEMENT ARE SET FORTH IN THE SITE MANAGEMENT PLAN (SMP). A COPY OF THE SMP MUST BE OBTAINED BY ANY PARTY WITH AN INTEREST IN THE PROPERTY. THE SMP CAN BE OBTAINED FROM NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION, DIVISION OF ENVIRONMENTAL REMEDIATION, SITE CONTROL SECTION, 625 BROADWAY, ALBANY, NY 12233 OR AT DERWEB@DEC.NY.GOV"

MEMBER OF: NEW YORK STATE ASSOCIATION OF PROFESSIONAL LAND SURVEYORS

MEMBER OF: NIAGARA FRONTIER LAND SURVEYORS ASSOCIATION INC.

ELEVATIONS BASED ON NAVD 88 AS ESTABLISHED BY GNSS UTILIZING THE NYSDOT NYSNet GNSS RTN NETWORK.

THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF AN UP-TO-DATE ABSTRACT OF TITLE AND IS SUBJECT TO ANY STATE OF FACTS THAT MAY BE REVEALED BY AN EXAMINATION OF SUCH.

DRAWING REVISIONS

ITEM	DATE	DESCRIPTION
1	11/27/2018	ADDED INVERT AND FOUND REBAR
2	04/20/2020	UPDATE SURVEY TO D.E.C. STANDARDS
3	10/22/2020	FINAL AS-BUILT TOPO

DESIGNED BY:
DRAWN BY: AJK/DJR
CHECKED BY: DJR
DATE: OCTOBER 31, 2018

WM SCHUTT ASSOCIATES
37 CENTRAL AVE.
LANCASTER, NY 14086-2143
PH. 716-683-5961
FAX 716-683-0169
WWW.WMSCHUTT.COM

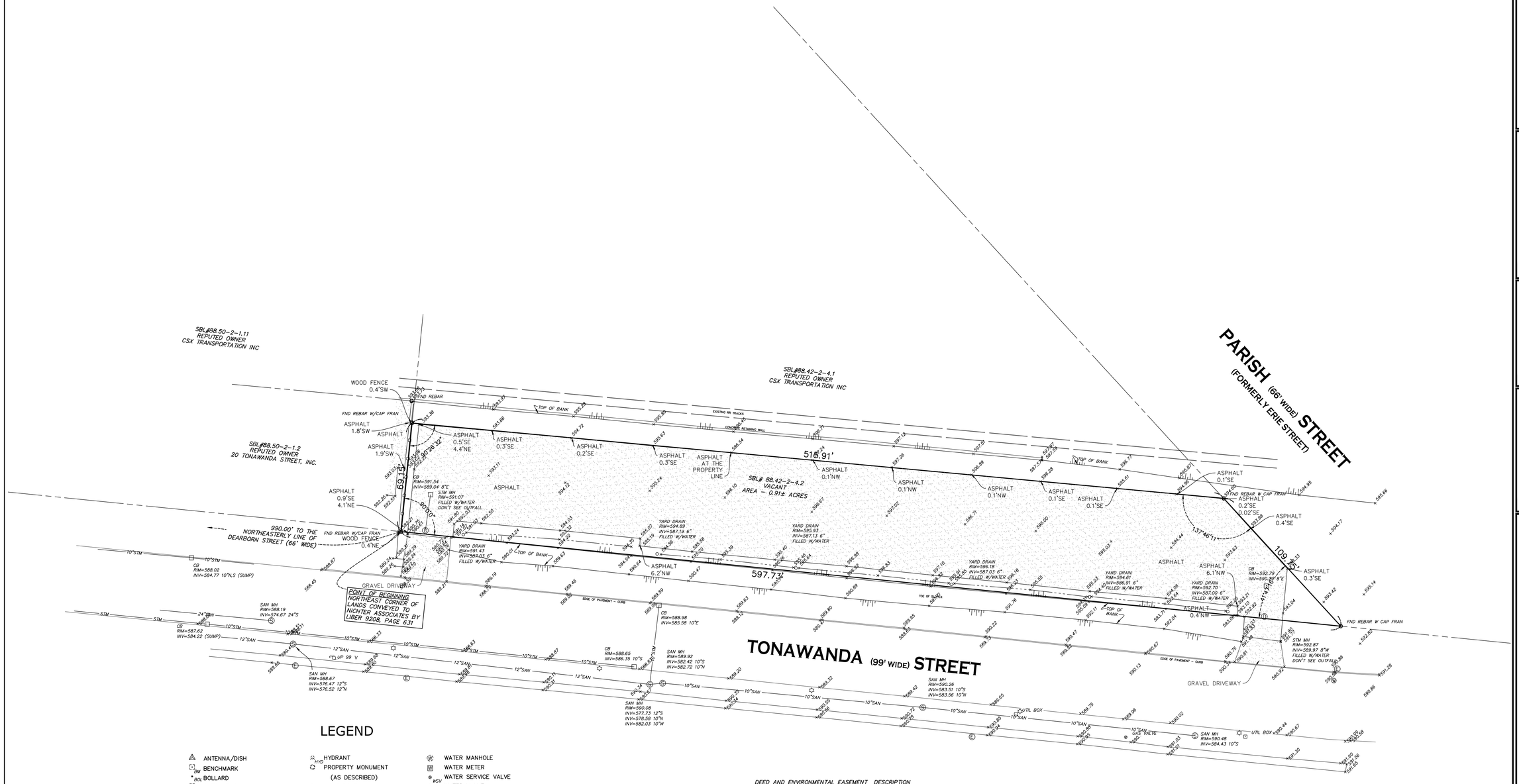
CITY OF BUFFALO
COUNTY OF ERIE, STATE OF NEW YORK
PART OF LOT 270, TOWNSHIP 11, RANGE 6
HOLLAND LAND COMPANY'S SURVEY

31 TONAWANDA STREET
BOUNDARY & TOPOGRAPHIC SURVEY

BT-1

DRAWING SCALE: 1"=20'

SURVEY FILE: D/18164-01
WSA PROJECT NO. 18164



LEGEND

- ANTENNA/DISH
- BM BENCHMARK
- BOL BOLLARD
- CB CATCH BASIN
- CO CLEANOUT
- COMMUNICATIONS BOX
- COMMUNICATIONS MANHOLE
- CM COMMUNICATIONS MARKER
- CVT COMMUNICATIONS VAULT
- CONIFEROUS SHRUB
- CONIFEROUS TREE
- CUT
- DECIDUOUS SHRUB
- DECIDUOUS TREE
- DRILL/AUGER HOLE
- E ELECTRIC MANHOLE
- ELECTRIC METER
- END SECTION
- F FILLER CAPS
- FP FLAG POLE
- FLOOD LIGHT
- GM GAS LINE MARKER
- G GAS MANHOLE
- GAS METER
- GV GAS VALVE
- GAS SERVICE VALVE
- GUY WIRE
- HANDICAP PARKING
- HYD HYDRANT
- PROPERTY MONUMENT (AS DESCRIBED)
- LIGHT POLE
- MB MAILBOX
- MONUMENT AS DESCRIBED
- OLM OIL LINE MARKER
- P PHONE BOOTH
- PIPE OUTLET
- POST POST
- PVT POWER VAULT
- RAILROAD CONTROL BOX
- S SANITARY SEWER MANHOLE
- SCUPPER
- SIGN (SINGLE POLE)
- SIGN (DOUBLE POLE)
- SIGN (TRIPLE POLE)
- SIGNAL POLE
- SIGNAL POLE (WITH TRAFFIC UTILITY BOX)
- STORM SEWER MANHOLE
- TRAFFIC CONTROL BOX
- TRAFFIC PULLBOX
- U UNKNOWN MANHOLE
- UTILITY BOX
- UTILITY POLE
- UTILITY POLE WITH LIGHT
- WM WATER MANHOLE
- W WATER METER
- WSV WATER SERVICE VALVE
- WV WATER VALVE
- WELL
- YD YARD DRAIN
- BERM
- CENTERLINE OF ROAD
- CENTERLINE OF DITCH
- FENCE (CHAINLINK)
- FENCE (WOOD)
- GAS MAIN
- GUIDE RAIL (BOX BEAM)
- GUIDE RAIL (W BEAM)
- OVERHEAD WIRES
- LOT LINE
- PARCEL LINE
- RIGHT OF WAY LINE
- SANITARY SEWER LINE
- STORM SEWER LINE
- TREE LINE
- UNDERGROUND CONDUIT
- UNDERGROUND ELECTRIC
- WATER MAIN

MEMBER OF NEW YORK STATE ASSOCIATION OF PROFESSIONAL LAND SURVEYORS

MEMBER OF NIAGARA FRONTIER LAND SURVEYORS ASSOCIATION INC.

DEED AND ENVIRONMENTAL EASEMENT DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND SITUATE IN THE CITY OF BUFFALO, COUNTY OF ERIE AND STATE OF NEW YORK, BEING PART OF LOTS NOs. 216, 217 AND 218 OF THE PARISH TRACT DESCRIBED AS FOLLOWS:
BEGINNING AT A POINT IN THE WESTERLY LINE OF TONAWANDA STREET, BEING 99.0 FEET WIDE, DISTANT NORTHEASTERLY 990.00 FEET FROM THE NORTHEASTERLY LINE OF DEARBORN STREET, BEING 66.0 FEET WIDE, SAID POINT BEING THE NORTHEAST CORNER OF LANDS CONVEYED TO NICHTER ASSOCIATES BY DEED RECORDED IN THE OFFICE OF THE COUNTY CLERK, ERIE COUNTY, NEW YORK IN LIBER 9208 OF DEEDS AT PAGE 631 ;
THENCE RUNNING NORTHWESTERLY ALONG THE NORTHERLY LINE OF SAID LANDS OF NICHTER ASSOCIATES, A DISTANCE OF 69.15 FEET TO THE EASTERLY LINE OF LANDS NOW OF FORMERLY OWNED BY CSX TRANSPORTATION, INC.;
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THENCE SOUTHERLY ALONG THE WESTERLY LINE OF TONAWANDA STREET 597.73 FEET TO THE POINT OF BEGINNING, CONTAINING 0.91 ACRES OF LAND, MORE OR LESS.

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ELEVATIONS BASED ON NAVD 88 AS ESTABLISHED BY GNSS UTILIZING THE NYSDOT NYSNet GNSS RTN NETWORK.

THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF AN UP-TO-DATE ABSTRACT OF TITLE AND IS SUBJECT TO ANY STATE OF FACTS THAT MAY BE REVEALED BY AN EXAMINATION OF SUCH.

0 30 45 60 90 120

SCALE: 1"=30'
GRAPHIC SCALE IN FEET

DRAWING REVISIONS

ITEM	DATE	DESCRIPTION
1	04/07/2020	UPDATE SURVEY TO D.E.C. STANDARDS
2	10/22/2020	FINAL AS-BUILT TOPO

DESIGNED BY:
DRAWN BY: AJK/DJR
CHECKED BY: DJR
DATE: OCTOBER 31, 2018

WARNING:
ALTERING THIS DOCUMENT IS IN VIOLATION OF THE LAW EXCEPTING AS PROVIDED IN SECTION 7209 SUBDIVISION 2 OF THE NEW YORK STATE EDUCATION LAW.

ONLY COPIES FROM THE ORIGINAL OF THIS MAP MARKED WITH AN ORIGINAL SIGNATURE AND EMBOSSED SEAL OF THE ORIGINAL OF THE LAND SURVEYOR SHALL BE CONSIDERED TO BE VALID COPIES

WM SCHUTT ASSOCIATES
37 CENTRAL AVE.
LANCASTER, NY 14086-2143
PH. 716-683-5961
FAX 716-683-0169
WWW.WMSCHUTT.COM

CITY OF BUFFALO
COUNTY OF ERIE, STATE OF NEW YORK
PART OF LOT(S) 216, 217 & 218, TOWNSHIP 11, RANGE 8
PARISH TRACT

150 TONAWANDA STREET
TOPOGRAPHIC SURVEY

TS-1

DRAWING SCALE: 1"=30'

SURVEY FILE: D/18164-01
WSA PROJECT NO. 18164

APPENDIX C

SITE WIDE INSPECTION FORMS
AND
SITE PHOTOS

BRYDGES ENGINEERING

BE3 Corp.
960 Busti Ave. Suite B-150
Buffalo, New York

SITE WIDE INSPECTION FORM

Date: 12/13/21

Site Name: 31 Tonawanda Street (31 & 150 Tonawanda Street)

Location: 31 Tonawanda Street, Buffalo, NY 14207 Site Inspection

General Site Conditions:
Property contains a newly renovated building, an asphalt parking lot and loading dock off of West Avenue on the east side of the building and has sections of grass & soil cover surrounding the asphalt parking lot. See attached site photos.

Weather Conditions: 45 degrees, Sunny

Compliance/Evaluation ICs and ECs:
Property is in compliance with the approved SMP ICs and ECs. The exterior asphalt, soil, and grass cover system was undisturbed and unchanged from previous inspection. The SSDS beneath the building was in compliance with the requirements of Section 5.2 – SSDS of the SMP Operation and Maintenance Plan.

Site management Activities (sampling, H & S Inspection, etc.):
All wells were visually examined and found to be in good condition. No sampling is required under the SMP.

Compliance with Permits and O & M Plan:
Site is in compliance with Section 5.0 – Operation and Maintenance Plan of the SMP.

Records Compliance:
Records are maintained. No issues have occurred during the year that have warranted any compliance or system reporting.

General Comments:
Property and compliance systems appear to be well maintained and functioning as required.

INSPECTOR'S NAME: Dalton Stack

SSDS-GENERAL EQUIPMENT MONITORING AND TESTING FORM

Date: 12/13/2021 - 31 Tonawanda Property

1-Name, company, and position of person(s) performing Monitoring activities:

BE3Corp – Mr. Dalton Stack

2-Completed a visual inspection of the SSDS system (e.g., vent fan, piping, pressure switches, autodialer, labeling on systems, vacuum monitoring points, etc.). Yes or No- For problems noted complete 6 below:

Yes –No problems

3-Identification of leaks or system malfunctions -Yes or No (if yes, complete 6 below):

No

4-Verified no air intakes have been located nearby SSDS exhaust or discharge points -Yes or No (if nearby air intakes are noted notify Building superintendent and complete 6 below):

Yes verified No air intakes nearby

5-The alarm system and pressure switches were tested during each monitoring event by disconnecting the tubing from each pressure switch and verified that an alarm is activated and the autodialer calls the correct phone - Yes or No – System problems-Complete 6 below:

Yes – No problems

6-Location/Maintenance Required of Any Problems or Incidents Noted Above (attached sketches, photos, maintenance forms as appropriate):

No problems or incidents recorded

BE3 Photolog

Date: 12/13/21

Facing south at entrance to parking lot and loading dock area located at 31 Tonawanda off West Avenue.

Facing east looking at cover system next to loading dock at 31 Tonawanda.

Facing south looking at asphalt cover system located east of the building at 31 Tonawanda.

Facing southwest looking at soil and grass cover system located east of the building at 31 Tonawanda.

BE3 Photolog

Date: 12/13/21

Facing north looking at asphalt cover system located east of the building at 31 Tonawanda.

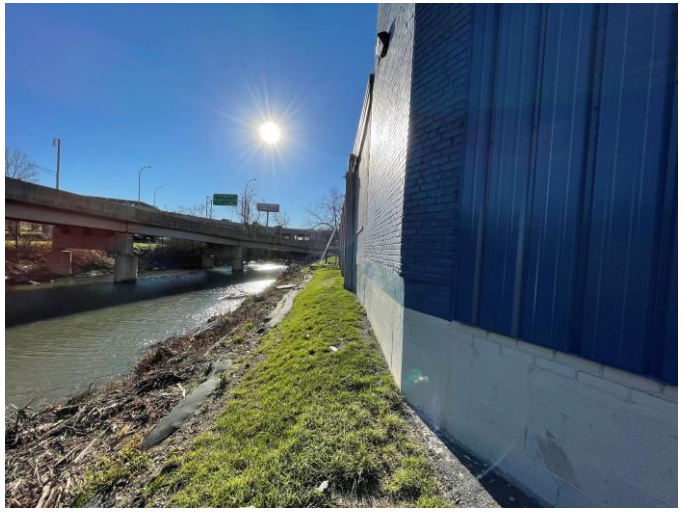
Facing south looking at asphalt cover system located east of the building at 31 Tonawanda.

Facing west looking at asphalt cover system located east of the building at 31 Tonawanda.

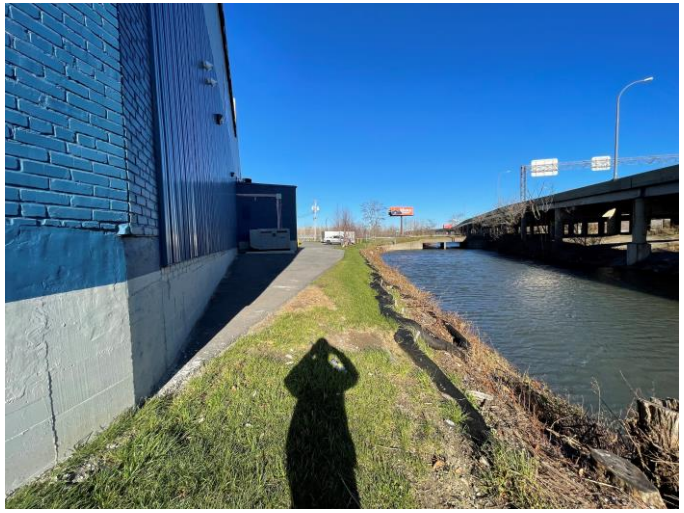
Facing north looking at soil and asphalt cover system located east of the building at 31 Tonawanda.

BE3 Photolog

Date: 12/13/21



Facing south looking at soil and grass cover system located east of the building at 31 Tonawanda.



Facing north looking at soil and grass cover system located east of the building at 31 Tonawanda.

View of vapor system control and fuse box.

BE3 Corp.
960 Busti Ave. Suite B-150
Buffalo, New York

SITE WIDE INSPECTION FORM

Date: 12/13/21

Site Name: 31 Tonawanda Street (31 & 150 Tonawanda Street)150 Tonawanda

Location: 150 Tonawanda Street, Buffalo, NY 14207 Site Inspection

General Site Conditions:
Property contains new self-storage units located on an asphalt drive thru area. It has sections of grass & soil cover surrounding the asphalt covered area. See attached site photos.

Weather Conditions: 45 degrees, Sunny

Compliance/Evaluation ICs and ECs:
Property is in compliance with all ICs and ECs. The exterior asphalt, soil, and grass cover system was undisturbed and unchanged from previous inspection.

Site management Activities (sampling, H & S Inspection, etc.):
No sampling was required per the SMP.

Compliance with Permits and O & M Plan:
Site is in compliance with Section 5.0 – Operation and Maintenance Plan of the SMP.

Records Compliance:
Records are maintained. No issues have occurred during the year that have warranted any compliance or system issues/reporting.

General Comments:
Property and compliance systems appear to be well maintained and functioning as required.

INSPECTOR'S NAME: Dalton Stack

BE3 Photolog

Date: 12/13/21

Facing northwest from driveway entrance to 150 Tonawanda off Tonawanda Street.

Facing west from driveway entrance to 150 Tonawanda off Tonawanda Street.

Facing east from the southwest corner of the 150 Tonawanda Street property.

Facing north from the southern half of the driveaway that leads through the self storage units.

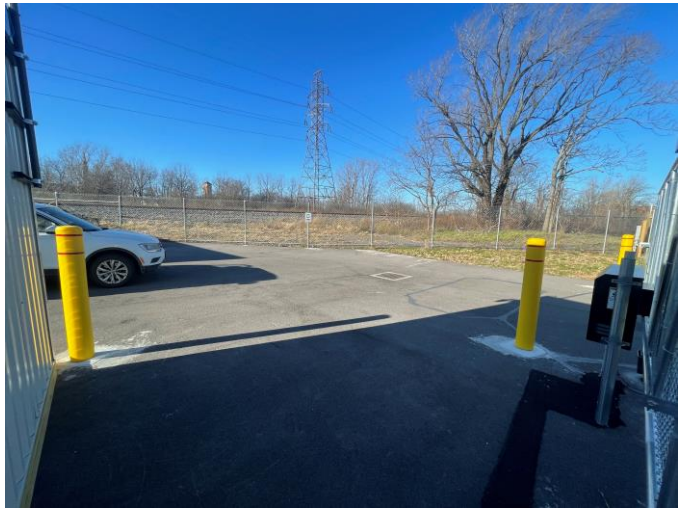
BE3 Photolog

Date: 12/13/21

Facing north from middle of driveaway that leads through the self storage units.

Facing south from middle of driveaway that leads through the self storage units.

Facing south from the northern half of the driveaway that leads through the self storage units.



Facing west from the driveway exit area at 150 Tonawanda off Tonawanda Street.

BE3 Photolog

Date: 12/13/21

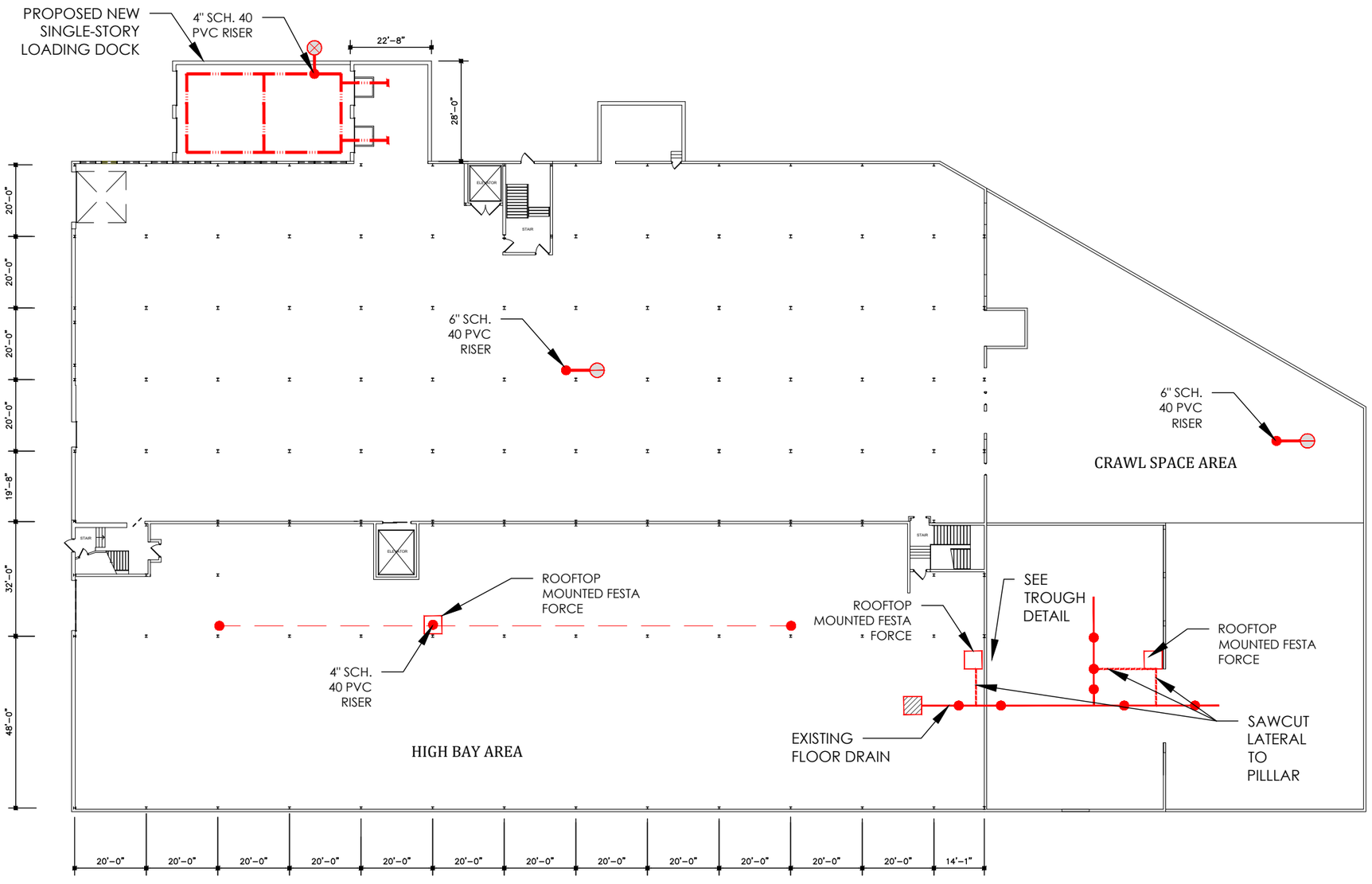
Facing south at grass area located at the northern point of the 150 Tonawanda property.

BE3CORP
BRYDGES ENGINEERING IN ENVIRONMENT & ENERGY

APPENDIX D

SSDS AS-BUILTS

BE3
BRYDGES ENGINEERING



FIRST FLOOR PLAN

LEGEND

- PERFORATED SCH. 40 PVC PIPING - SUB-SLAB
- SOLID SCH. 40 PVC PIPING - OVERHEAD
- FESTA FURY
- FEST FORCE
- FANTECH RN-3
- EXTRACTION POINT

N

ENVIROSAFE Inspections & Consulting

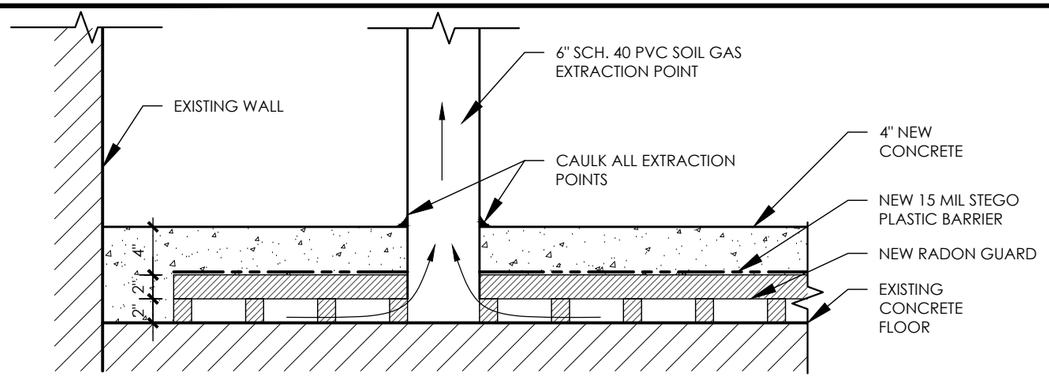
BE3CORP BRYDGES ENGINEERING IN ENVIRONMENT & ENERGY

As-Built Figure 1
SSDS - Basement/First Floor

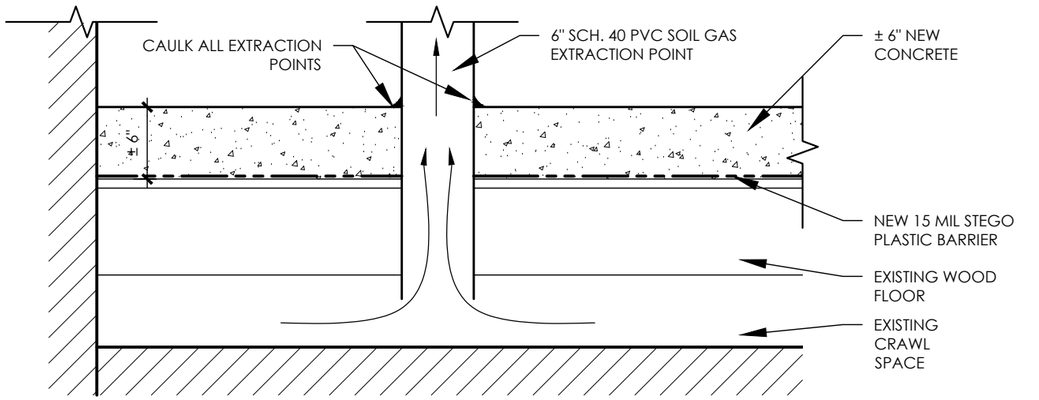
31 Tonawanda St. LLC
31 Tonawanda Street
Buffalo, New York 14207

Revisions

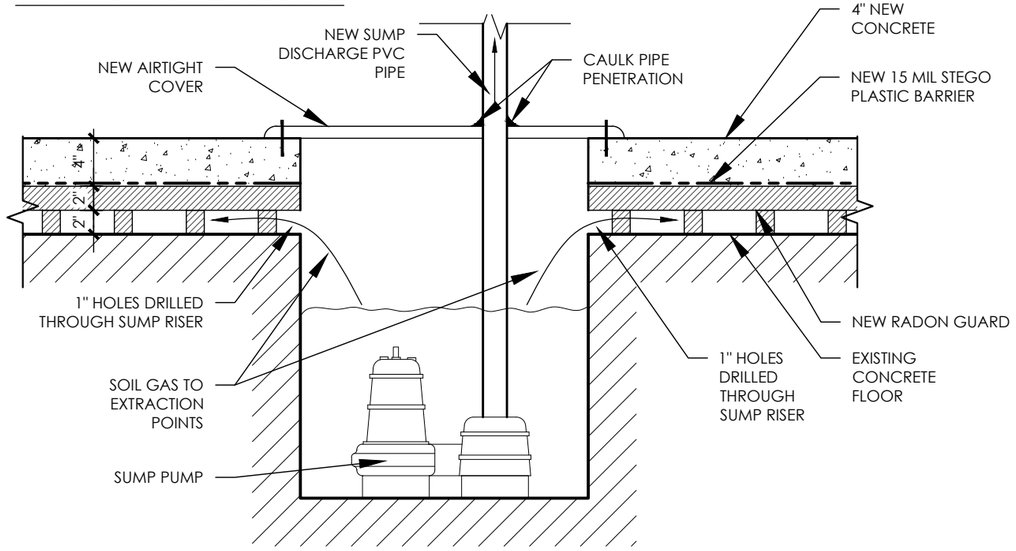
12-4-2020 | SCALE: N/A | SHEET 1 OF 1



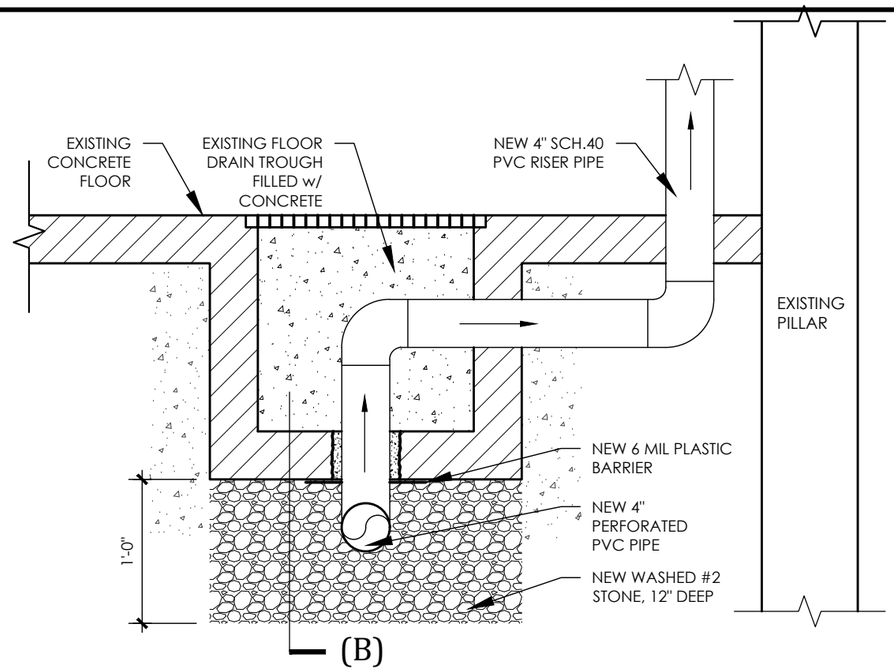
BASEMENT EXTRACTION POINT DETAIL



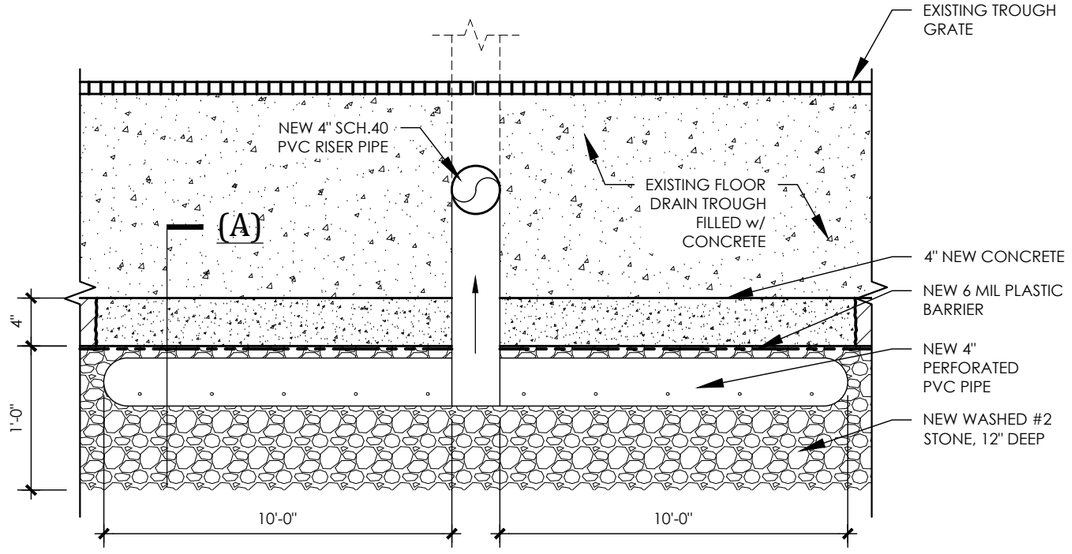
CRAWL SPACE DETAIL



TYPICAL SUMP PUMP DETAIL



TYPICAL TROUGH SECTION (A)



TYPICAL TROUGH SECTION (B)

NOTE:
SAW CUT CONCRETE FLOOR FROM TROUGH TO PILLAR TO INSTALL NEW 4" SCH. 40 PIPE FROM TROUGH TO RISER PIPE. JACKHAMMER MINIMUM 8' IN LENGTH OF THE BASE OF THE TROUGH WHERE EXTRACTION POINT IS LOCATED. REMOVE MINIMUM 1' IN DEPTH OF EXISTING SOIL AND REPLACE WITH NEW WASHED #2 STONE. THEN CAP WITH 4" OF NEW CONCRETE.

ENVIROSAFE
Inspections & Consulting

BE3CORP
ENGINEERING IN ENVIRONMENT & ENERGY

As-Built Figure 2
Radon Guard/Details

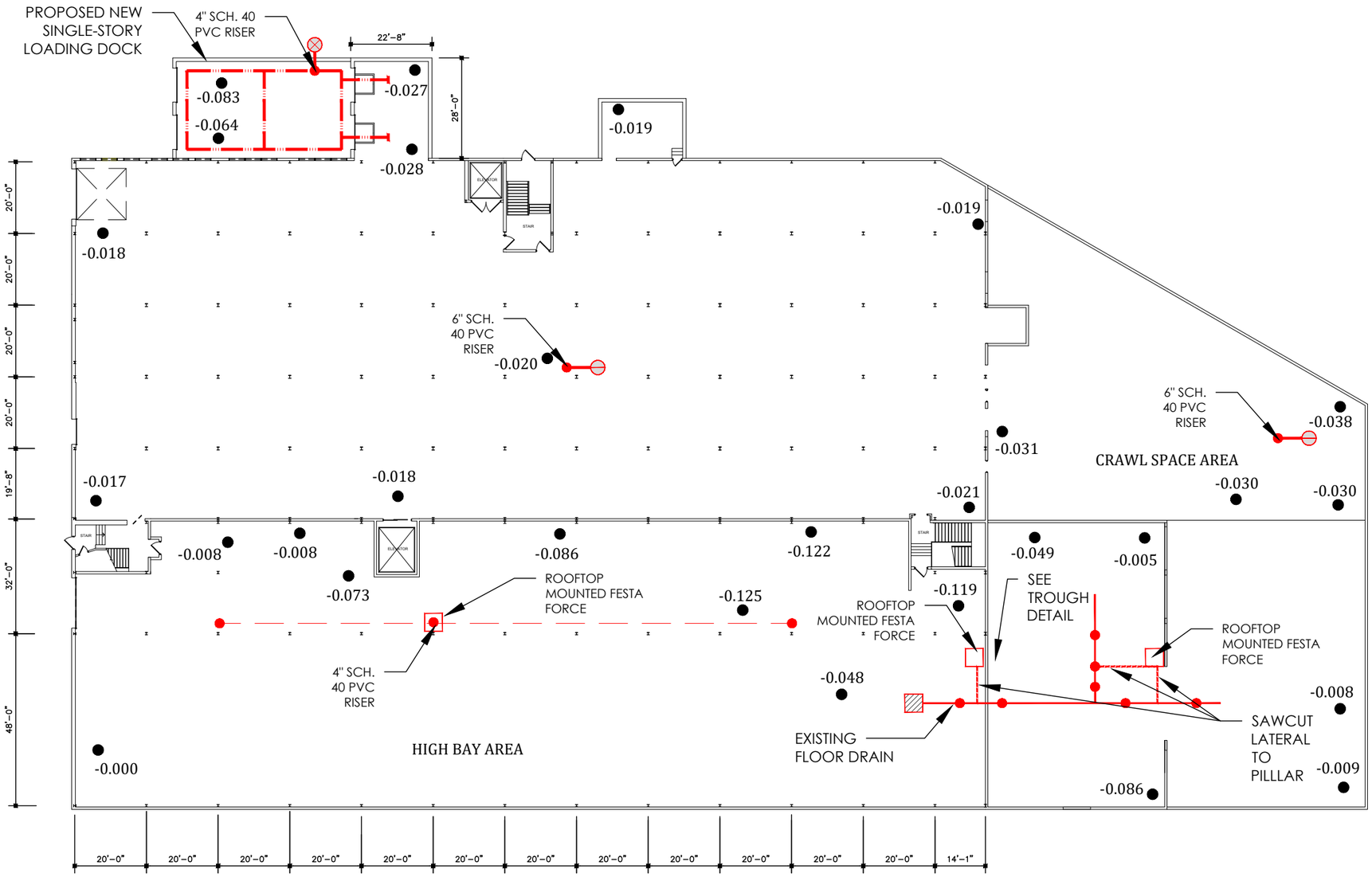
31 Tonawanda St. LLC
31 Tonawanda Street
Buffalo, New York 14207

Revisions

12-4-2020

SCALE: N/A

SHEET 1 OF 1



FIRST FLOOR PLAN

LEGEND

- PERFORATED SCH. 40 PVC PIPING - SUB-SLAB
- SOLID SCH. 40 PVC PIPING - OVERHEAD
- FESTA FURY
- FEST FORCE
- FANTECH RN-3
- EXTRACTION POINT
- -#.### POST-MITIGATION VACUUM READING (INCHES OF WATER COLUMN)

N

ENVIROSAFE Inspections & Consulting

BE3CORP BRYDGES ENGINEERING IN ENVIRONMENT & ENERGY

SSDS - Post-Mitigation Vacuum Readings

31 Tonawanda St. LLC
31 Tonawanda Street
Buffalo, New York 14207

Revisions

12-4-2020 | SCALE: N/A | SHEET 1 OF 1

RADON GUARD®

Structural under-slab insulation/ventilation panel

Radon Guard® is a patent-pending, structural under-slab insulation and ventilation panel system that provides for radon gas removal, insulation, and a capillary break. Radon Guard is a sub-slab depressurization insulation panel that provides radon gas movement between the ground and the soil-gas-retarder to a vent pipe.

Advantages.

- Provides for the extraction of radon gas from the sub-slab area to mitigate its entry into the building.
- Code compliant one-to-one replacement for gravel.
- Meets code requirements for radon mitigation.
- Structural under-slab insulation.
- Provides capillary break.
- Superior moisture resistance.
- No long-term R-value loss or thermal drift.
- No CFC, HCFC, HFC, or formaldehyde.

Strength/R-value

RADON GUARD	Load Capacity[1], psf	R-value	
		75°F[3]	40°F[4]
150	260	10	12
250	390	11	12

[1] Based on compressive strength @ 1% deformation. Each structure designed with Radon Guard must be reviewed by a qualified design professional.
[2] R-value units are °F·ft²·h/Btu.
[3] Recommended for design in WARM climates.
[4] Recommended for design in COLD climates.

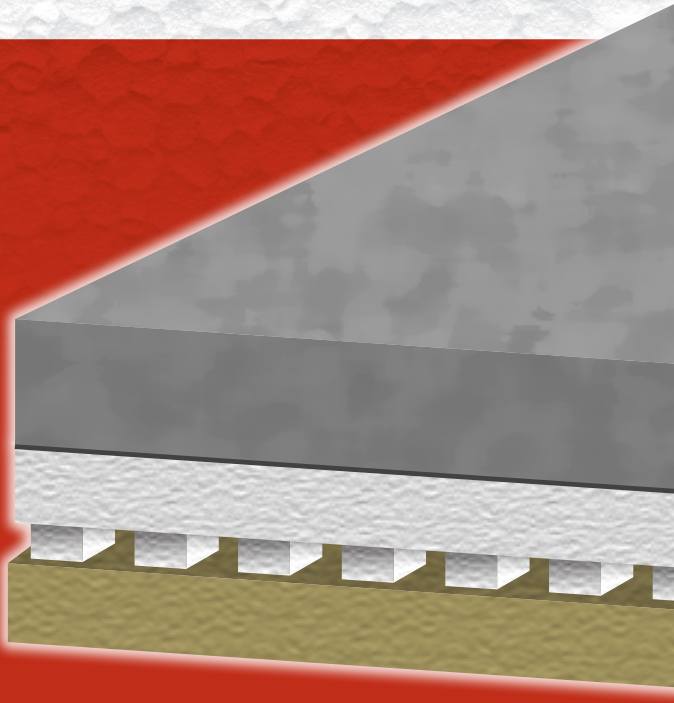
Proven to meet, or exceed, building codes.

Radon Guard is manufactured under an industry leading quality control program monitored by UL and further recognized in UL Evaluation Report UL ER11812-06.

Evaluation Report UL ER11812-06 confirms that Radon Guard is a code compliant replacement for a 4 inch thick layer of clean granular fill material as required by code.

Radon Guard meets ASTM C578, "Standard Specification for Rigid, Cellular Polystyrene Thermal Insulation" and ICC-ES AC461, "Acceptance Criteria for An Alternate Gas Permeable Layer of a Subslab Depressurization System for Radon Gas Control"

FOAM CONTROL®



CONTROL, NOT COMPROMISE.®

Foam face-off: Choosing Radon Guard over gravel.

- No shipping and delivery hassles
- Faster/easier installation
- Reliable strength properties
- Provides insulation to meet codes
- Meets ICC-ES AC461 requirements
- Provides a level and puncture resistant surface for placement of soil-gas-retarder
- Radon Guard with Perform Guard® TERMITE RESISTANT available to provide resistance to termites

What is radon and how does radon get into your building?

Radon is a gaseous radioactive element. It is an extremely toxic, colorless gas derived from the radioactive decay of radium. It comes from the natural decay of uranium that is found in nearly all soils. It typically moves up through the ground to the air above and into your building through cracks and other holes in the foundation. Your building traps radon inside where it can build up. Any building may have a radon problem. Radon Guard together with a soil-gas-retarder will ensure your new building is safe and free from harmful levels of radiation.

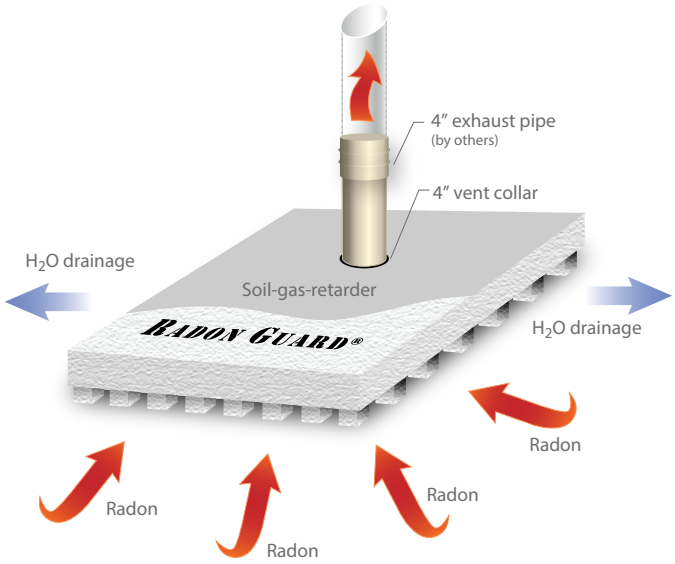
How does Radon Guard work?

The interconnected channels on the underside of the Radon Guard panel depressurize the sub-slab space to direct radon gases to the vent pipe.

Radon Guard with Perform Guard.

One of the most destructive forces anywhere is termites. Radon Guard can be manufactured with Perform Guard, a proven and safe additive, that effectively resists termites.

Perform Guard® TERMITE RESISTANT



Ready to take control? Start here.

If you're starting to wonder how Radon Guard can contribute to your next project, here's how to find out: Just contact your nearest Radon Guard supplier. They'll be happy to give you a design consultation, information about Radon Guard products, pricing, and the answers to all your questions. Contact a sales rep and download Radon Guard documentation at www.radon-guard.com

U.S. GREEN BUILDING COUNCIL MEMBER

ENERGY STAR PARTNER

AFM CORPORATION FOAM CONTROL

Radon Guard is manufactured in the USA by AFM Corporation licensees.

RD01-06/17

BE3 Photolog

Date: 3/2/20

1. Installing SSDS in High-Bay area of building

2. Staged SSDS materials

3. Installation of SSDS in High-Bay area

4. SSDS preparation

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Buffalo, NY 14213
716.249.6880 be3corp.com

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Date: 3/2-3/20

5. Installation of SSDS in High-Bay area

6. High-Bay area SSDS vertical piping

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7. SSDS completed trench and vertical piping

8. View of SSDS piping