Periodic Review Report

Reporting Period: April 28, 2022 to April 28, 2025

Silos at Elk Street Site
Site No. C915309
50 Elk Street
Buffalo, New York

May 2025

Prepared for:

Silos at Elk Street, LLC
50 Elk Street
Buffalo, New York 14210

Prepared by:

Roux Environmental Engineering and Geology, D.P.C.
2558 Hamburg Turnpike, Suite 300
Buffalo, NY 14218

4412.0004B000/R

Table of Contents

Tables

Figures

Appendices

1. Introduction

Roux Environmental Engineering and Geology, D.P.C. (Roux) has prepared this Periodic Review Report (PRR) on behalf of Silos at Elk Street, LLC to summarize the post-remedial status of New York State Department of Environmental Conservation (NYSDEC or the Department) Brownfield Cleanup Program (BCP) Site No. C915309 located in the City of Buffalo, Erie County, New York (see Figure 1).

This PRR and associated Institutional and Engineering Control (IC/EC) Certification Form (see Appendix A) have been prepared for the April 28, 2022 to April 28, 2025 reporting period in accordance with the NYSDEC DER-10 Technical Guidance for Site Investigation and Remediation (Ref. 1). This PRR has been based on the information contained within the December 2017 Site Management Plan (SMP; Ref. 2).

1.1 Site Background

The Site is located at 50 Elk Street in the City of Buffalo, Erie County, New York and identified as Section 122.42, Block 2, and Lot 63.11 on the City of Buffalo Tax Map. The 1.9-acre BCP property is bounded by Elk Street and Van Rensselaer Streets to the west; Fulton Street to the north; Elk Street to the south; and a former railroad corridor and vacant property to the east (see Figure 2).

The Site was vacant since the 1980s and historically used as a malting operation with coal areas, a kiln, and grain elevators/silos since about 1899. The Site is improved with a multi-story former industrial building converted into commercial space and adjacent asphalt parking lot. The northern portion of the Site remains undeveloped with the potential plan to construct residential buildings.

During the annual PRR Site Inspection conducted on April 13, 2023, it was explained by the Site Owner that two residential apartments are located on the third floor of the existing on-site commercial structure. Since the building was within the designated commercial use area, a request to reclassify the building footprint for restricted-residential use was submitted. The NYSDEC approved the reclassification of the on-site structure on September 27, 2023. Appendix B includes a copy of the August 7, 2023 Request for Building Reclassification letter, 60-Day Advance Notification Change of Use (COU) form, NYSDEC acknowledgement and letter accepting of the COU form, and revised 2024 Environmental Easement.

As part of the building reclassification, the NYSDEC requested that the SMP be updated. Appendix C includes the March 2025 SMP Errata Sheet that was submitted and approved by the NYSDEC.

1.2 Compliance

No violations of the SMP or associated IC/EC requirements were identified during the monitoring period. Minor repairs to the grass cover system were required following the snow melt. These repairs were completed in the spring of each year.

2. Site Overview

Silos at Elk Street, LLC entered into a Brownfield Cleanup Agreement (BCA) with the NYSDEC in February 2017 to investigate and remediate the 1.9-acre Site. The Site was investigated and remediated under the NYSDEC BCP in accordance with the approved February 2017 Remedial Investigation (RI) Work Plan (Ref. 3), June 2017 Remedial Investigation/Alternatives Analysis (RI/AA) Report (Ref. 4), and July 2017 Interim Remedial Measures (IRM) Work Plan (Ref. 5) prepared by Benchmark-TurnKey. The Site was remediated in 2017 to Part 375 restricted-residential and commercial soil cleanup objectives (RRSCOs and CSCOs) as described in the December 2017 Final Engineering Report (FER; Ref. 6). The remedy included in-situ stabilization of lead-impacted (hazardous) soil/fill and excavation and off-site disposal of arsenic- and lead-impacted soil/fill exceeding restricted-residential and commercial SCOs. The Site received a Certificate of Completion (COC) from NYSDEC on December 28, 2017.

2.1 Site Conditions

2.1.1 Post-COC Redevelopment Activities

On-site utility work was completed after submitting the FER. On December 27 and 28, 2017, Tom Greenauer Development, Inc. (Greenauer) was on-site completing trenching starting at the road (Elk Street) and extending along the eastern side of the building. Trenching was conducted to install a gas line for National Fuel. Spoils generated during the trenching work were staged on-site. Cover soil at the east end of the northern parking area was pulled back and the spoils placed on existing geofabric. Once work was complete, geofabric was placed over the spoils pile the edges were tied into surrounding geofabric. Cover soil that was pulled back was regraded over this area. National Grid was on-site February 6, 2018 to install utility poles along the northern boundary of the parking lot. Spoils generated during the auguring process were placed on and covered with poly sheeting. These spoils were placed beneath cover during the work conducted in May 2018. Greenauer was on-site May 21-24 and May 29-31, 2018 to install the sanitary sewer line, trench for electrical conduit to the building, install parking lot light posts and complete cover system repair. Work was completed within the commercial green space northeast of the building and north of the parking lot. The May 2019 PRR includes photographs depicting the redevelopment work. Cover materials were cleared within the limits of the work areas of the prior to excavation. Demarcation fabric was pulled back in the work areas and spoils regraded beneath. New demarcation fabric was replaced in the work area and edges were tied into existing demarcation fabric. New subgrade and final grade elevation survey shots were taken by Greenauer's surveyor and revised cover thicknesses are included on Figure 3. Benchmark was on-site during these redevelopment activities. Field notes and air monitoring results are included in the May 2019 PRR. Final redevelopment of the Site included pouring concrete sidewalks along the northern, southern, and western sides of the building (previously 12-inches of stone cover). Figure 2 shows the current cover system layout and details.

On June 7, 2023, the four remaining groundwater monitoring wells identified as MW-2 through MW-5 were decommissioned in accordance with NYSDEC Commissioner's Policy CP-43: Groundwater Monitoring Well Decommissioning Policy. Appendix C includes a letter dated June 19, 2023, detailing the groundwater monitoring well decommissioning activities.

On April 23, 2024, excavation work associated with the installation of underground electrical conduit and a 290 square-foot concrete pad was conducted east of the on-site building. The area that was excavated was supposed to be approximately five inches into the cover soil; however, due to grade changes, the contractor dug approximately eight inches into the material below the demarcation layer. The Site Owner stopped the

contractor from digging and contacted Roux. The material that was excavated was stockpiled and covered with poly sheeting. Roux collected waste characterization samples of the soil for proper off-site disposal. Appendix D includes the 60-Day Advanced Notification and the NYSDEC acknowledgement, the stone import request, NYSDEC approval for 1 inch ROC, stone tickets, the disposal approval and disposal tickets for the stockpiled soil, and the CAMP monitoring data that was collected during the loading of the soil for proper off-site disposal.

In 2024, EV stations were added along the northern wall of the building (see Figure 2). No intrusive work was required for installation.

2.1.2 Site Cover System

The Site cover system was inspected on April 13, 2023, April 26, 2024, and April 14, 2025, by Ms. Lori Riker, P.E. No evidence of erosion was observed on the soil covered areas and a good stand of grass was present across the Site except for several small bare areas located adjacent to Site sidewalks and asphalt cover northeast and west of the building caused by snow plowing. These areas were raked and re-seeded in the spring of each year. Asphalt cover was intact, concrete sidewalks/curbs were in good condition, and crushed stone cover on the eastern side of the building was in good condition. Future Site inspections will continue to monitor the integrity of the asphalt, concrete, crushed stone, and vegetated cover systems.

2.2 Remedial Program Chronology

Prior to entry into the BCP in 2017, a Phase I Environmental Site Assessment (ESA) and Limited Phase II Environmental Site Investigation (ESI) by Benchmark Environmental Engineering and Science, PLLC (Benchmark) were completed for the Site. Upon entry into the BCP, a Remedial Investigation (RI) was performed in early 2017 and subsequent Interim Remedial Measures (IRMs) completed from August through September 2017.

2.2.1 Remedial Investigation

In 2016, a Limited Phase II Investigation (June) followed by a Supplemental Phase II Test Pit Investigation (July 2016) were completed by Benchmark. In 2017, a Remedial Investigation (RI) was performed by Benchmark to characterize the nature and extent of soil and groundwater contamination at the Site. SMP Figure 2 shows the historic and RI sample locations. The field activities conducted by Benchmark during the 2016 investigations and 2017 RI included:

- Collection of surface soil samples from the blackish fine area identified in the Phase I ESA. Samples were analyzed for target compound list (TCL) semi-volatile organic compounds (SVOCs) and tentatively identified compounds (TICs), Resource Conservation and Recovery Act (RCRA) metals, and total organic carbon (TOC).

- Collection of soil samples from borings and test pit locations across unpaved, vegetated areas of the Site. Samples were analyzed for total lead, toxicity characteristic leaching procedure (TCLP) lead, TCL volatile organic compounds (VOCs), TCL SVOCs and TICs, total analyte list (TAL) metals, total cyanide, polychlorinated biphenyls (PCBs), pesticides, and herbicides.

- Collection of a water sample from a test pit location during the Phase II. The water sample was analyzed for TCL plus NYSDEC CP-51 VOCs.

- Installation of monitoring wells at five soil boring locations. Groundwater samples were collected at the five monitoring wells and analyzed for TCL, CP-51 and TICs for VOCs and SVOCs, TCL PCBs, herbicides, pesticides, TAL metals and total cyanide.

The results of the RI are presented in the RI Report (Ref. 4) prepared by Benchmark. The Site investigations revealed various types of industrial/urban type fill including cindery ash/fill intermingled with sandy lean clay, sandy silt, organic soil mixed with various fill materials including ash, cinders, glass, concrete, brick fragments, coal pieces, wood fragments, and asphalt present in the upper layer across the Site. The Site had visually exposed black cindery fill along the north side of the existing building and in the former loading dock area located west of the silos underneath the metal awning. The fill was underlain by olive gray to reddish brown, moist, medium plasticity Lean Clay and was identified from 2 to 5.5 feet below ground surface (fbgs).

RI results were consistent with the initial findings of the Phase II Investigations. RI soil/fill sample results exceeded RRSCOs for certain polycyclic aromatic hydrocarbons (PAHs), which are products of incomplete combustion typically found in ash, cinders, and asphalt materials such as pavement; however, total PAHs (plus TICs) for these locations did not exceed the CP-51 soil guidance level for total PAHs of 500 parts per million (ppm). Select metals detected in soil/fill at concentrations above RRSCOs at one or more locations include arsenic, cadmium, copper, chromium, lead, manganese, and mercury; arsenic, copper, lead, and mercury concentrations exceeded CSCOs. Lead exceeded the TCLP regulatory limit at three locations (TP-30A, TP-31A, and BLACK SAND).

The parameters of concern in Site soils were SVOCs (specifically PAHs) and metals (specifically arsenic, lead, and mercury). Two areas of concern were identified and remediated in accordance with the 2017 IRM Work Plan described in Section 2.2.2.

Groundwater concentrations exceeded NYSDEC Class GA groundwater quality standards and guidance values (GWQS/GVs) for two SVOCs (benzo(a)anthracene and benzo(b)fluoranthene) and several metals (iron, magnesium, and sodium). Due to the depth of contamination and planned soil IRM activities, groundwater was determined not to be an environmental concern.

2.2.2 Remedial Action

The property was remediated in accordance with the July 2017 IRM Work Plan. Two areas of concern (AOC-1 and AOC-2) were stabilized in-situ with Portland cement to render the lead-impacted soil/fill non-hazardous. These areas as well as non-hazardous lead-impacted soil/fill (AOC-3 and ACO-4) and arsenic-impacted soil/fill (AOC-5) were excavated from the commercial use area, for a total of approximately 299 cubic yards. Approximately 30 cubic yards of non-hazardous lead-impacted soil/fill (AOC-6 and TP-20 area) were excavated from the restricted-residential use area. Excavation activities were conducted between August 7 and 29, 2017. The impacted soil/fill was transported off-site to the Chaffee Landfill in August and September 2017.

Backfilling of IRM excavations was not required as they were generally shallow (i.e., less than two feet deep). Redevelopment activities (e.g., storm water controls, utility trenches, parking area construction) generated excess cut materials that were beneficially reused to backfill IRM excavations and re-grade the Site. Soil from the restricted-residential use portion was used on the commercial use portion of the Site.

A cover system was required to allow for commercial and restricted-residential use of the Site, preventing human exposure to remaining contamination. The cover system consists of hardscape (asphalt and concrete,

building), 12 inches of crushed stone, and 12 inches of vegetated cover on the commercial use portion and 24 inches of vegetated cover on the restricted-residential use portion of the Site. The asphalt cover includes a 12-inch base of crushed stone overlain by 3 inches of blacktop material. The cover system was placed over a demarcation layer of Geotextile fabric to distinguish it from the industrial/urban fill or clean fill used to establish the required grade. All fill material brought to the Site met the requirements for restricted-residential use as set forth in 6NYCRR Part 375-6.7(d).

Figure 2 shows the cover system across the Site. Groundwater monitoring well MW-1 was decommissioned October 31, 2017 during remedial activities. Groundwater monitoring wells MW-2 through MW-5 were decommissioned June 7, 2023.

Institutional and engineering controls (IC/ECs) have been incorporated into the Site remedy to control exposure to remaining contamination to ensure protection of public health and the environment. A Site Management Plan (SMP) was prepared to manage remaining contamination and addresses the means for implementing the IC/ECs that are required by the Environmental Easement for the Site.

3. Site Management Plan

The December 2017 SMP provides for long-term management of remaining contamination and includes requirements for IC/ECs, maintenance, and reporting. Appendix C includes the March 17, 2025 SMP Errata Sheet that was approved by NYSDEC.

3.1 IC/EC Compliance

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

3.1.1 Institutional Controls (ICs) Requirements

The Site is subject to the following ICs:

- Compliance with Department-approved SMP.
- The property may be used for restricted-residential use (northern portion) and commercial use (southern portion) as defined by Part 375-1.8(g), although land use is subject to local zoning laws.
- The use of groundwater underlying the property as a source of potable or process water is prohibited without necessary water quality treatment as determined by the NYSDOH or County DOH.
- Data and information pertinent to Site management must be reported at the frequency and in the manner defined in the SMP.
- All future activities that will disturb remaining contaminated material must be conducted in accordance with the SMP.
- Operation, maintenance, monitoring, inspection, and reporting of any mechanical or physical component of the remedy shall be performed as defined in the SMP.
- Vegetable gardens and farming on the Site are prohibited.
- Access to the Site must be provided to agents, employees, or other representatives of the State of New York with reasonable prior notice to the property owner to assure compliance with the restrictions identified by the Environmental Easement.

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

3.1.2 Engineering Controls (ECs) Requirements

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

Commercial Use Portion:

- Vegetated Cover: Minimum 12 inches of soil, between the parking lot and Elk Street and between the parking lot and the restricted-residential/commercial use boundary.
- New Crushed Stone Cover: Minimum 8 inches along the northern, east side of the building placed on existing asphalt and 12 inches in the chamber located approximately midway along the east side of the building.
- Existing Asphalt Cover: Minimum 3 inches of blacktop along and southeast of the building.

- New Asphalt Cover: Minimum 3 inches of blacktop over a minimum 12 inches of crushed stone for paved parking areas.
- New Concrete Cover: Minimum 4 inches (standard) or 6 inches (heavy duty) of concrete over 12 inches of crushed stone.

Restricted-Residential Use Portion:

- Vegetated Cover: Minimum of 24 inches of soil between the restricted-residential/commercial use boundary and Fulton Street to the north.
- Concrete Cover: Minimum 4 inches (standard) or 6 inches (heavy duty) of concrete over 12 inches of crushed stone (existing building).

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

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

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

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

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

3.1.3 Site Inspection & IC/EC Compliance

On April 13, 2023, April 26, 2024, and April 14, 2025, Roux's Certifying Professional Engineer performed a Site visit and assessment. During the visits, the Site covered by this PRR was found to be compliant with the IC/EC requirements. Appendix A includes the completed and P.E.-certified IC/EC Form for the Site. Appendix F includes photographic logs of Site conditions at the time of the 2023, 2024, and 2025 inspections.

3.2 Monitoring and Sampling Plan Compliance

The Monitoring and Sampling Plan presented in the SMP describes the measures for evaluating the performance and effectiveness of the remedy to reduce or mitigate contamination at the Site, the soil cover system, and all affected site media presented below. Table 1 summarizes the schedule of inspections and reporting:

Table 1: Inspection & Reporting Schedule

Monitoring Program	Frequency*	Matrix	Analysis
Cover System	Annual Inspection and submittal of a Site Inspection Report	N/A	Visual only
Period Review Report	Triennially, after submittal of the initial PRR	N/A	N/A

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

3.2.1 Cover System Monitoring

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

- Hardscape Cover Monitoring: A summary of the key maintenance concerns and the respective corrective actions is provided below:
    - *Half inch or greater cracks or potholes exposing the sub-base will be sealed or repaired to restore the hardscape cover.*
    - *Vegetation will be removed, and the associated impact, hole, or crack will be sealed or repaired to restore the asphalt cover.*
    - *Vegetative Soil Cover Monitoring: A summary of the key maintenance concerns and the respective corrective actions is provided below:*
    - *Areas where erosion problems (i.e., rills or gullies) are observed will be repaired by re-grading the localized area, adding the required fill material and/or topsoil, and reseeding/replanting as necessary.*
    - *If burrowing animals are observed breaching the soil cover, as evidenced by exposed fill material, they will be eradicated by a licensed exterminator.*

Based on the Site inspections performed on April 13, 2023, April 26, 2024, and April 14, 2025, the asphalt and vegetative soil cover systems at the Site were compliant with the IC/EC requirements. No evidence of erosion was observed on the soil covered areas and a good stand of grass was present across the Site except for several small bare areas located adjacent to Site sidewalks and asphalt cover northeast and west of the building caused by snow plowing. These areas were raked and re-seeded in the spring of each year.

3.3 O&M Compliance

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

4. Conclusions and Recommendations

Based on our observation during the April 13, 2023, April 26, 2024, and April 14, 2025 Site inspections, the Site covered by this PRR is fully compliant with the IC/EC requirements. Roux recommends continuing with annual Site inspections and triennial reporting.

5. Declaration/Limitation

Roux Environmental Engineering and Geology, D.P.C. personnel conducted the annual site inspection for BCP Site No. C915309 in Buffalo, New York, according to generally accepted practices. This report complied with the scope of work provided to Silos at Elk Street, LLC. by Roux Environmental Engineering and Geology, D.P.C.

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

6. References

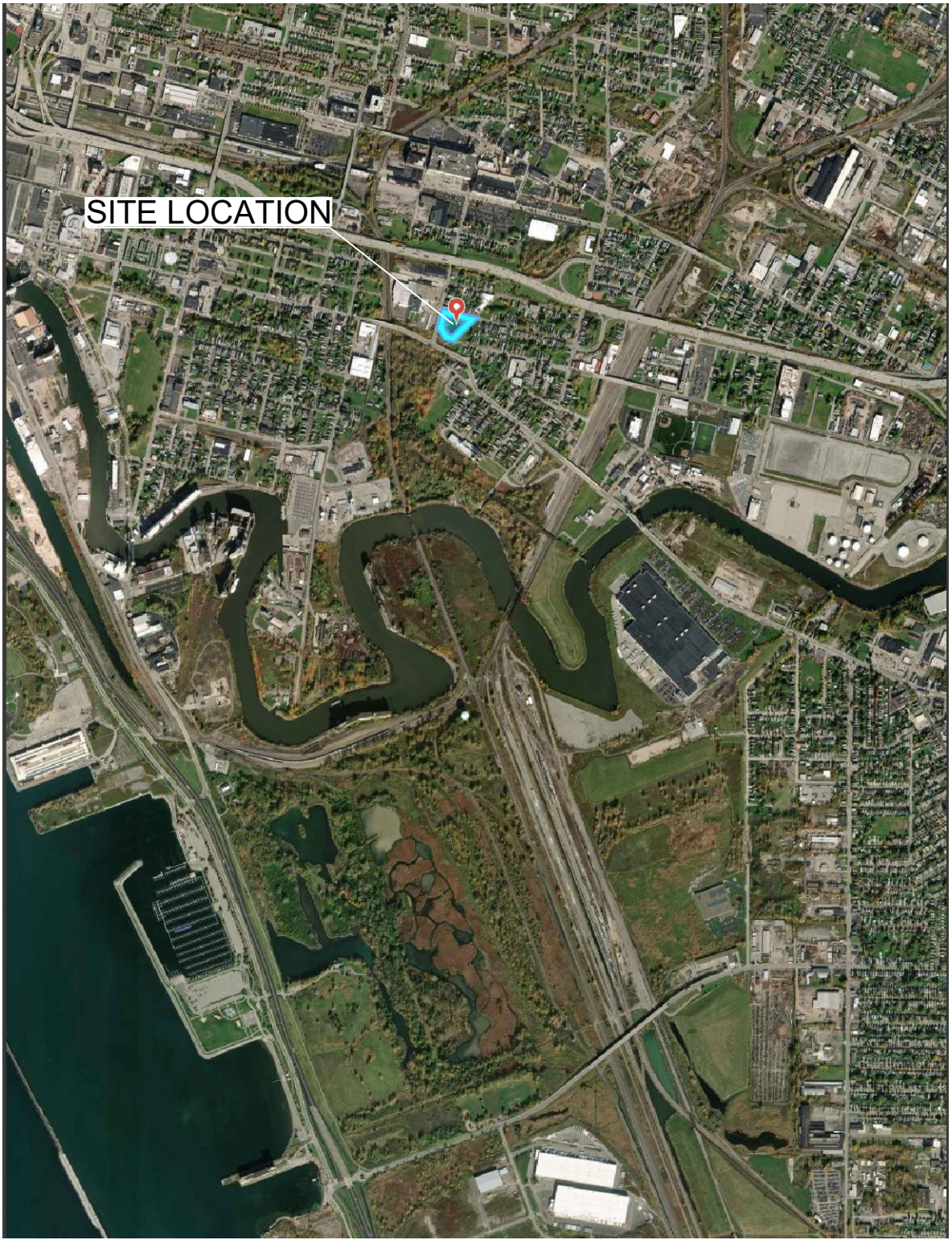
1. New York State Department of Environmental Conservation. *DER-10/Technical Guidance for Site Investigation and Remediation.* May 2010.
2. Benchmark Environmental Engineering and Science, PLLC. *Site Management Plan, Silos at Elk Street Site, BCP Site No. C915309, Buffalo, New York.* December 2017.
3. Benchmark Environmental Engineering and Science, PLLC. *Remedial Investigation Work Plan, Silos at Elk Street Site, BCP Site No. C915309, Buffalo, New York.* February 2017.
4. Benchmark Environmental Engineering and Science, PLLC. *Remedial Investigation/Alternatives Analysis (RI/AA) Report, 50 Elk Street, Buffalo, New York.* June 2017.
5. Benchmark Environmental Engineering and Science, PLLC. *Interim Remedial Measures Work Plan, Silos at Elk Street Site, BCP Site No. C915309, Buffalo, New York.* July 2017.
6. Benchmark Environmental Engineering and Science, PLLC in association with TurnKey Environmental Restoration, LLC. *Final Engineering Report, Silos at Elk Street Site, BCP Site No. C915309, Buffalo, New York.* December 2017.

TABLES

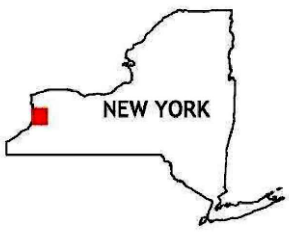
1. Monitoring/Inspection Schedule (included in text)

FIGURES

1. Site Location and Vicinity Map
2. Cover System Layout and Details
3. November 2018 Cover Repair Thickness Verification



2000’ 0 2000’



QUADRANGLE LOCATION

N

Title:

SITE LOCATION & VICINITY MAP
PERIODIC REVIEW REPORT

SILOS AT ELK STREET SITE (BCP Site No. C915309)
BUFFALO, NEW YORK

Prepared for:

SILOS AT ELK STREET, LLC

ROUX

Compiled by: JJY	Date: 5/13/2025	FIGURE
Prepared by: JJY	Scale: AS SHOWN	1
Project Mgr: LER	Project: 4412.0004B000	
File: FIGURE 1; SITE LOCATION & VICINITY MAP.DWG		

F:\CAD\BENCHMARK\YOUNG AND WRIGHT ARCHITECTURAL\SILOS AT ELK STREET\08 - PRR\FIGURE 1; SITE LOCATION & VICINITY MAP.DWG CCLARK

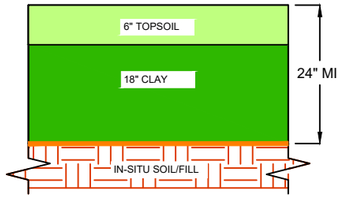
LEGEND:

- PROPERTY & BCP BOUNDARY (± 1.90 ACRES)
- EXISTING BUILDING (± 0.28 ACRES)
- EXISTING CONCRETE SLAB
- DEMARCATION LAYER
- UTILITY - POLE
- UTILITY - HYDRANT
- RAILROAD TRACKS
- MW-2 — RI MONITORING WELL (4)
- BOUNDARY BETWEEN RESTRICTED-RESIDENTIAL USE AND COMMERCIAL USE

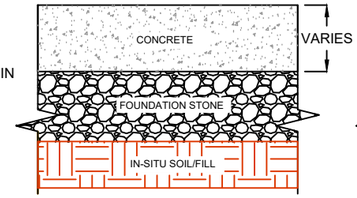
N

50' 0 50'

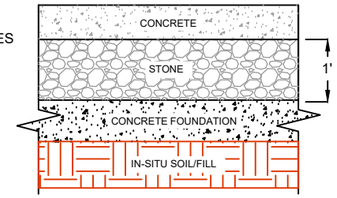
RESTRICTED-RESIDENTIAL COVER SYSTEM DETAIL A
NTS



RESTRICTED-RESIDENTIAL BUILDING COVER SYSTEM DETAIL H
NTS



RESTRICTED-RESIDENTIAL BUILDING COVER SYSTEM DETAIL H1
NTS



RESTRICTED-RESIDENTIAL BUILDING COVER SYSTEM DETAIL H2
NTS

COMMERCIAL AREA COVER SYSTEM DETAIL B
NTS

COMMERCIAL AREA COVER SYSTEM DETAIL C
NTS

COMMERCIAL AREA COVER SYSTEM DETAIL D
NTS

COMMERCIAL AREA COVER SYSTEM DETAIL E
NTS

COMMERCIAL AREA STONE OVER EXISTING ASPHALT COVER SYSTEM DETAIL F
NTS

RESTRICTED-RESIDENTIAL TIE-IN DETAIL
NTS

COMMERCIAL TIE-IN DETAIL
NTS

RESTRICTED-RESIDENTIAL TO COMMERCIAL TIE-IN DETAIL
NTS

COMMERCIAL AREA EXISTING ASPHALT COVER SYSTEM DETAIL G
NTS

Title:

COVER SYSTEM LAYOUT AND DETAILS
PERIODIC REVIEW REPORT

SILOS AT ELK STREET SITE (BCP Site No. C915309)
BUFFALO, NEW YORK

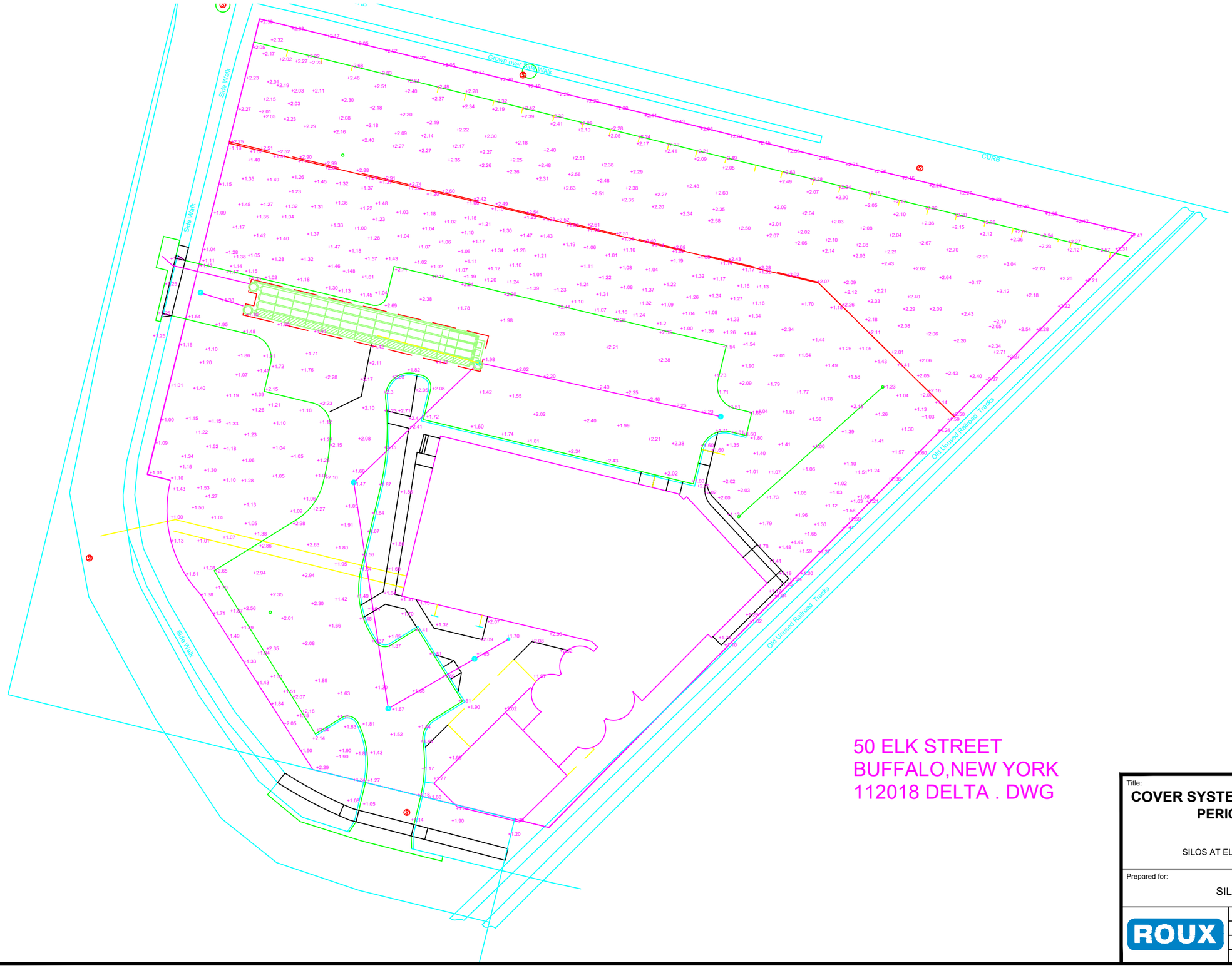
Prepared for:
SILOS AT ELK STREET, LLC

ROUX

Compiled by: CMC	Date: MAY 2025
Prepared by: CMC/CNK/JJY	Scale: AS SHOWN
Project Mgr: LER	Project: 4412.0004B000
File: FIGURE 2; COVER SYSTEM LAYOUT AND DETAILS.DWG	

FIGURE 2

F:\CAD\BENCHMARK\YOUNG AND WRIGHT ARCHITECTURAL\SILOS AT ELK STREET\08 - PRR\FIGURE 2; COVER SYSTEM LAYOUT AND DETAILS.DWG



50 ELK STREET
BUFFALO,NEW YORK
112018 DELTA . DWG

N

20' 0 20'

Title:
COVER SYSTEM THICKNESS VERIFICATION
PERIODIC REVIEW REPORT

SILOS AT ELK STREET SITE (BCP Site No. C915309)
BUFFALO, NEW YORK

Prepared for:
SILOS AT ELK STREET, LLC

ROUX

Compiled by: JJY	Date: MAY 2025	FIGURE
Prepared by: JJY	Scale: AS SHOWN	3
Project Mgr: LER	Project: 4412.0004B000	
File: FIGURE 3; COVER SYSTEM THICKNESS VERIFICATION_REV NOV. 2018.DWG		

F:\CAD\BENCHMARK\YOUNG AND WRIGHT ARCHITECTURAL\SILOS AT ELK STREET\08 - PRR\FIGURE 3; COVER SYSTEM THICKNESS VERIFICATION_REV NOV. 2018.DWG JYAEGER

APPENDICES

A. IC/EC Certification Form and Annual Inspection Forms

B. Building Reclassification Documentation

C. 2025 SMP Errata

D. Groundwater Monitoring Well Decommissioning

E. 2024 Concrete Pad and Cooler Installation

F. Site Photographic Logs

APPENDIX A

IC/EC Certification Form

Enclosure 2
NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Site Management Periodic Review Report Notice
Institutional and Engineering Controls Certification Form

Site Details **Box 1**

Site No. **C915309**

Site Name Silos at Elk Street Site

Site Address: 50 Elk Street Zip Code: 14210
City/Town: Buffalo
County: Erie
Site Acreage: 1.900

Reporting Period: April 28, 2022 to April 28, 2025

	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?	☑	☐
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. C915309 **Box 3**

Description of Institutional Controls

Parcel	Owner	Institutional Control
122.42-2-63.11	Silos at Elk Street, LLC	Ground Water Use Restriction Landuse Restriction Site Management Plan IC/EC Plan Soil Management Plan Monitoring Plan

Groundwater use is prohibited
Landuse is restricted to Restricted Residential or Commercial in specific designated areas
Adherence to Site Management Plan
Implementation of an IC/EC Plan

Box 4

Description of Engineering Controls

Parcel	Engineering Control
122.42-2-63.11	Cover System

Cover System per 6NYCRR Part 375-6.7(d)

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. C915309

Box 6

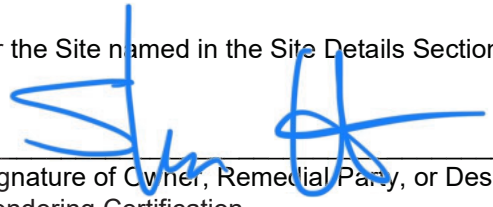
SITE OWNER OR DESIGNATED REPRESENTATIVE SIGNATURE

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 Shawn Wright, AIA (print name) at 50 Elk Street, Buffalo, NY 14210 (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

5.19.25
Date

EC CERTIFICATIONS
SITE NO. C915309

Box 7

Qualified Environmental Professional Signature

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

I Lori E. Riker, P.E. (print name) at Roux Environmental Engineering and Geology, D.P.C. 2558 Hamburg Turnpike, Suite 300, Buffalo, NY 14218 (print business address),

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

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

Stamp (Required for PE)

5/19/25 — Date

APPENDIX B

Building Reclassification Documentation

August 7, 2023

Ms. Megan Kuczka
Environmental Program Specialist – 1
NYSDEC Region 9 – Division of Environmental Remediation
700 Delaware Avenue
Buffalo, New York 14209

Re: Silos at Elk Street Site, BCP Site No. C915309
Request for Building Reclassification

Dear Ms. Kuczka:

Roux Environmental Engineering and Geology, D.P.C. (Roux) has prepared this letter on behalf of the BCP Applicant, Silos at Elk Street, LLC, to request reclassification of the existing building footprint from commercial to restricted-residential use. Silos at Elk Street, LLC was accepted into the BCP as a "Volunteer," and signed a Brownfield Cleanup Agreement (BCA) with NYSDEC on February 14, 2017 (BCP Site No.C915309). The Site was remediated and received its Certificate of Completion (COC) on December 28, 2017.

Background

The New York State Department of Environmental Conservation (NYSDEC) participated in the annual Periodic Review Report (PRR) Site inspection required by the Site Management Plan (SMP) on April 13, 2023. Observed during the inspection was a sign on the north side of the building indicating "Lofts at the Silos." Mr. Shawn Wright, Managing Member, explained the existing building houses two residential apartments on the 3rd floor. The upper floor residential units satisfied the requirement of the City of Buffalo tax incentive for converting non-residential property to a mix of residential and commercial uses. Since the building is within the designated commercial use area, which may be used for commercial and industrial uses but not restricted-residential use, Benchmark Civil/Environmental Engineering & Geology, PLLC (Benchmark)[1] contacted NYSDEC on April 18 to ask if an administrative approach exists to reclassifying the building footprint for restricted-residential use considering Site contamination was generally limited to arsenic and lead in soil/fill. In response, NYSDEC requested a letter detailing why the building footprint can switch use categories and acknowledging the Environmental Easement and SMP will require updating accordingly. The request was submitted on May 5, 2023 and reviewed by NYSDEC staff and in-house counsel as well as the New York State Department of Health (NYSDOH). On July 26, 2023, Mr. Wright received a letter from NYSDEC requesting additional information, which is included herein.

Justification for Building Reclassification

The BCP Site is comprised of an approximate 1.9-acre parcel located at 50 Elk Street in the City of Buffalo, New York (see Figure 1). The Site was historically used as a malting operation with some

[1] Acquired by Roux Inc. on July 14, 2023.

inactive production-related equipment and piping remaining on-site. The 2017 remedial investigation (RI) revealed soil/fill impacted by polyaromatic hydrocarbons (PAHs), arsenic, and lead. Volatile organic compounds (VOCs) were not detected in surface, near-surface or subsurface soil/fill above restricted-residential soil cleanup objectives (SCOs) and no PID measurements were recorded above background concentration (i.e., 0.0 ppm). VOCs were not detected in groundwater above NYSDEC Class GA groundwater cleanup standards/ guidance values. As such, a soil vapor assessment was not required.

As shown on Figure 2, the northern approximately 0.49 acres were remediated for Track 4 restricted-residential use and the remaining 1.41 acres were remediated for Track 4 commercial use. The existing 12,298 square foot (0.28-acre) building is located within the commercial use area. Interior assessment of the existing building in 2017 did not reveal any potential environmental issues and remediation was not required within the building footprint. It is also unlikely that the building was originally constructed over fill materials due to settlement concerns. Since soil/fill and groundwater were not impacted by VOCs, soil vapor intrusion is not of concern for the existing or future buildings. Following extensive building restoration, the cover system was installed including hardscape at least 4 inches thick placed outside the building footprint (see Figure 3). The primary occupant of the building is Young + Wright Architectural. Commercial and residential occupants of the building do not use the commercial vegetated cover system areas for recreation; seating is available outside on the concrete between the silos and the south entrance to the building.

Silos at Elk Street, LLC is requesting approval from NYSDEC and NYSDOH to reclassify the building footprint to a Track 4 Restricted-Residential Area that allows for residential use with restrictions described at 6NYCRR Part 375-1.8(g)(2)(ii). The Applicant will not consider any space below the 3rd floor for residential occupancy. The Applicant is not seeking any additional BCP tax credits with approval of the less restrictive use designation.

Lease Agreements and Tenant Notifications

Attachment 1 includes a current copy of the lease agreements for building occupants of both commercial and restricted-residential use space. Attachment 2 includes a proposed single-page written notification that will be provided to current and future tenants. Once reviewed and approved by NYSDEC, this notice will be delivered to existing tenants. All signed notices will be provided to NYSDEC.

Environmental Easement

The January 2018 Environmental Easement will need to be revised to indicate:

a. Change of Use of the building footprint to allow restricted residential
b. No digging will be allowed within the one-foot cover system area; and
c. Current and future lessees of the apartments will be notified of the no-dig requirement and the NYSDEC will be provided with written proof of these notifications

We understand the NYSDEC will prepare an amendment to the existing Environmental Easement reflecting these changes and send it to Mr. Wright for execution.

If reclassification is approved, Roux will submit a Change of Use Form and update the December 2017 SMP.

Thank you in advance for your consideration. Please contact us with questions or if you require additional information.

Sincerely,

ROUX ENVIRONMENTAL ENGINEERING AND GEOLOGY, D.P.C.

Lori E. Riker, P.E.
Principal Engineer

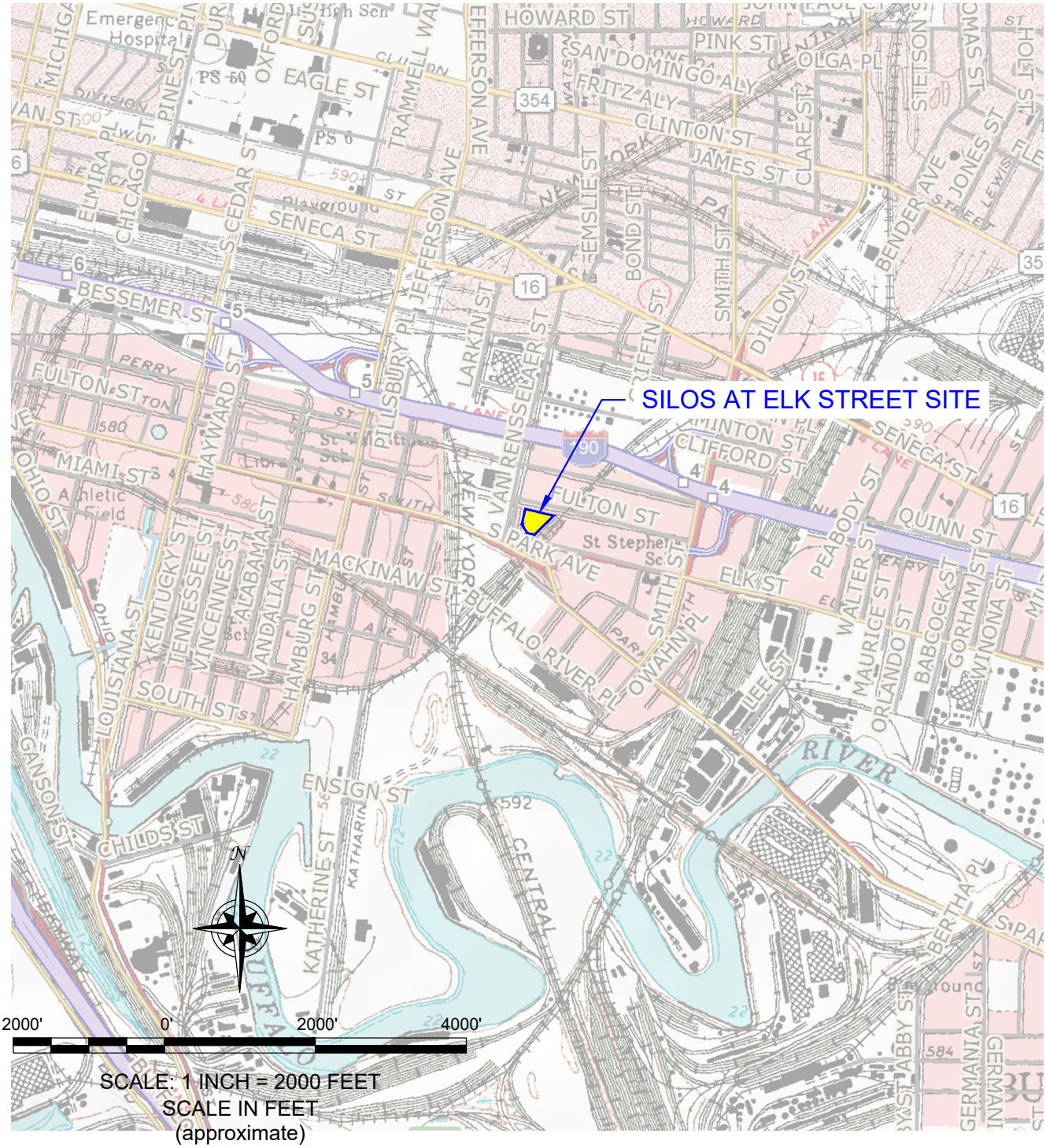
Thomas H. Forbes, P.E.
Vice President, Principal Engineer

Att.
ec: Andrea Caprio (NYSDEC)
Gregory Scholand, Esq. (NYSDEC)
Steven Berninger (NYSDOH)
Charlotte Bethoney (NYSDOH)
Shawn Wright (Brookfield Interest, LLC)

FIGURES

1. Site Location and Vicinity Map
2. Site Survey
3. Cover System Layout and Details

FIGURE 1



BENCHMARK

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

PROJECT NO.: 0381-020-001

DATE: MAY 2022

DRAFTED BY: CMC

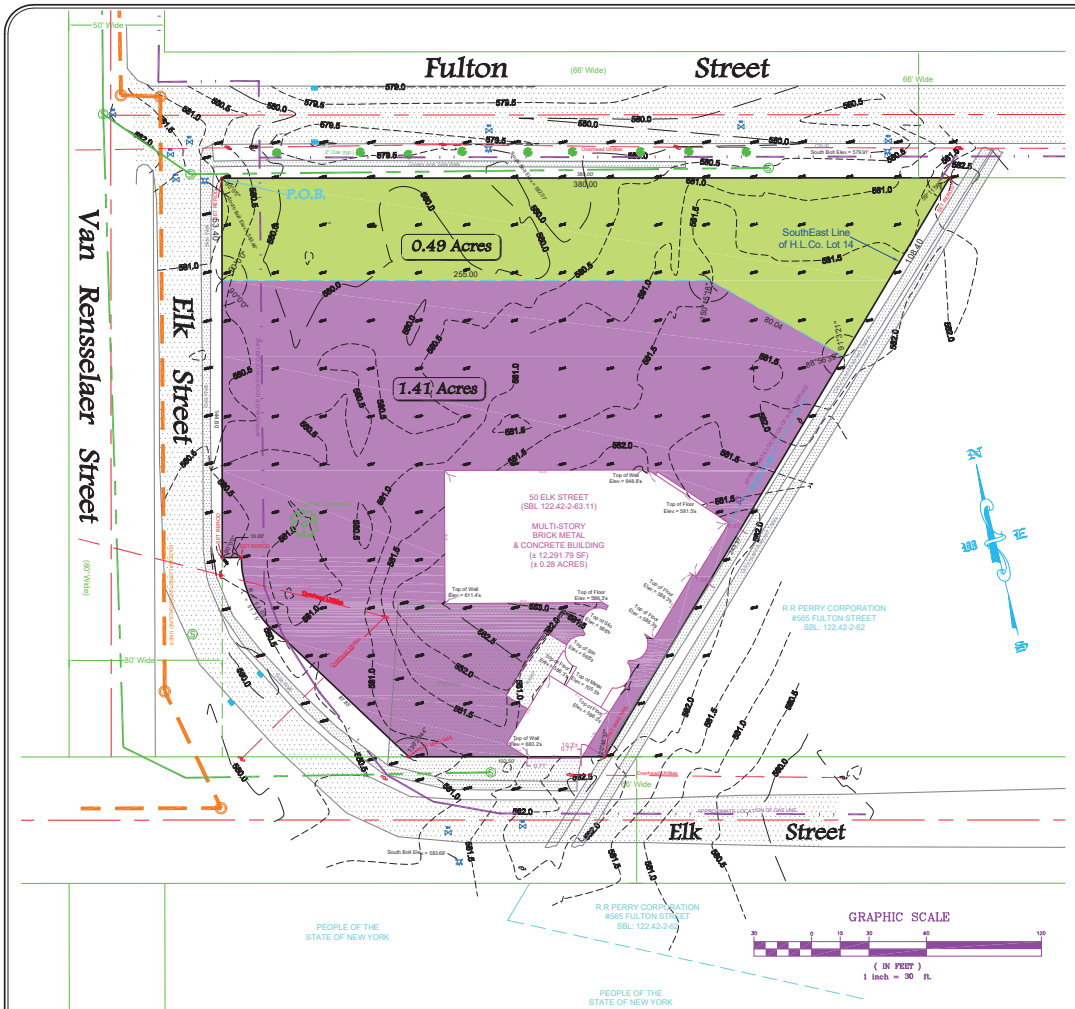
SITE LOCATION & VICINITY MAP

PERIODIC REVIEW REPORT

SILOS AT ELK STREET SITE
BUFFALO, NEW YORK

PREPARED FOR

SILOS AT ELK STREET, LLC



DEC Statement

"This property is subjsct to an environmental easement held by the New York State Department of Environmental Conservation pursuant to title36 of article 71 of the New York State Environmental Conservation Law. The engineering and institutional controls for this Easementare 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"

Miscellaneous Notes

MN1 Some features shown on this plat may be shown out of scale for clarity.

MN2 Dimensions on this plat are expressed in feet and decimal parts thereof unless otherwise noted. Bearings are referred to an assumed meridian and are used to denote angles only. Monuments were found at points where indicated.

MN3 **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.

Utility Notes

UN1 Certain easements and /or utility lines, may or may not be shown hereon, however **this shall not imply** that all easements or utilities affecting premises are shown.

UN2 No investigation has been made for subsurface utility lines, sewers, drains, conduits etc. Information shown is based upon surface indications of utilities specifically requested by client.

UN3 Before digging in this area, call Under Ground Services for field locations (request for ground markings) of underground utility lines.

Copyright Information

1 This Survey is Published in many different colors. Any Black and White reproduction is not a valid map from Freeman and Freeman Land Surveyors.

Legend of Symbols & Abbreviations

IP / RefRod
Power Pole
Light Pole
Traffic Signal Box
Gas Valve
Storm Inlet
Fire Hydrant
Water Valve
Sanitary Manhole
Tree
Sign

N. North
S. South
E. East
W. West
° Degrees
', or Min. Ft. or Min.
" In. or Sec.
Rec. Record
Meas. Measured
L. Liber
Pg. Page
Ex. Existing

Enc. Encroachment
R/W Right-of-way
℄ Centerline
Indicates Mutual Owner
N/F Now or Formerly
One Chain = 66.0 Ft.
One Meter = 3.2808333 Ft.
One Acre = 43,560.0 Sq.Ft.

Property Boundary
Line of Record
Edge of R.O.W.
Holland Land Co. Lot Line
Road Centerline
Chain Link Fence
National Grid Elec.
Sewer Line
Overhead Utilities
National Fuel Gas

Reference Data

RD1 Maps and notes from the Holland Land Company Survey.

RD2 Elevations are set to National Vertical Geodetic Datum (NVGD) 1988

Statement of Encroachments

A South face of Building Encroaches Into Right of Way approximately 0.71'

Proposed Overall Legal Description

DEED AND EASEMENT DESCRIPTION – 1.9 Acres

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 14, Township 11, Range 8 of the Holland Land Company's survey, bounded and described as follows:

Beginning at a point at the intersection of the West Bounds of Elk Street and the South Bounds of Fulton Street, said point being the POINT OF BEGINNING;
thence along the South Bounds of Fulton Street, a distance of 380.00 feet to the Southeasterly Line of Lot 14 said point also being the West Line of R.R. Perry Corporation;
thence turning an interior angle of 59-11'58" and along the Southeasterly Line of Lot 14 said point also being the West Line of R.R. Perry Corporation, a distance of 351.77 feet to the North Bounds of Elk Street;
thence turning an interior angle of 120-46'37", a distance of 102.50 feet;
thence turning an interior angle of 136-29'44", a distance of 87.83 feet to the point of curve of a non tangent curve to the right, of which the radius point lies N 32°56'28" E, a radial distance of 52.00 feet;
thence Northwesterly along the arc, through a central angle of 57°01'21", a distance of 51.75 feet;
thence Westerly, a distance of 10.00 feet;
thence turning an interior angle of 90-00'00", a distance of 198.00 feet to the POINT OF BEGINNING.

Containing 1.90 acres, more or less.

Survey

Being Part of
Lot 14 Township 11 Range 8
Holland Land Company Survey
City of Buffalo
Erie County, New York

Surveyor's Certification

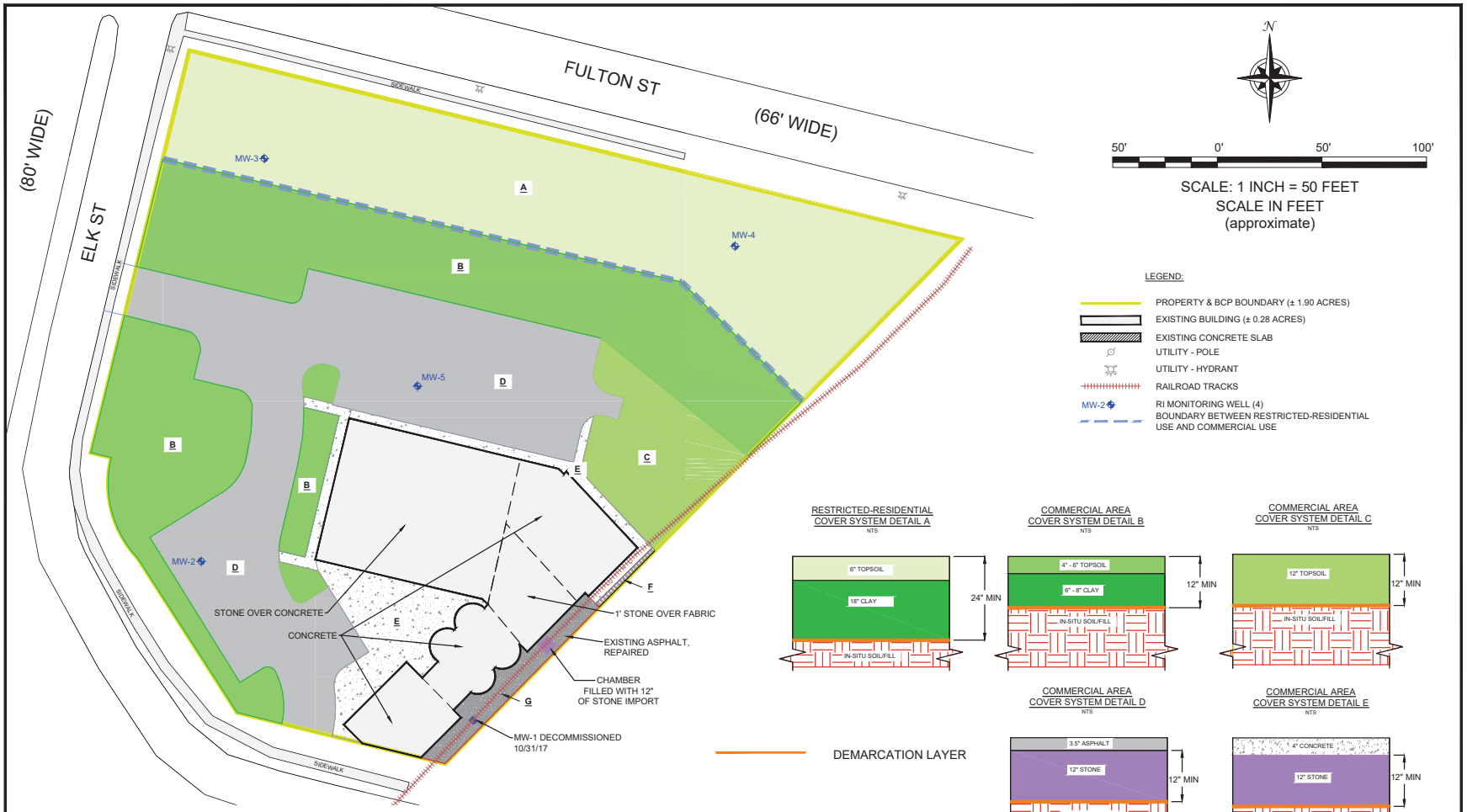
I hereby certify

that this survey was prepared in accordance with the current **Code of Practice for Land Surveyors** adopted by the **New York State Association of Professional Land Surveyors** and as amended by the **Niagara Frontier Land Surveyors Association.**

This certification does not extend to subsequent owners, mortgages, or insurers unless this survey has been re-surveyed for this purpose by the surveyors. This certification is void unless embossed with the undersigned **New York State Licensed Land Surveyors** seal. This certification is null and void if the fee for said certification is not paid.

Survey Prepared By:
Licensed Surveyor: David Scott Freeman
Licensed Land Surveyor No.: 050480
In the State of: New York
Date of Survey: April 1, 2016
Date of Revision: June 13, 2017
Date of Revision: July 27, 2017
Date of Last Revision: August 8, 2017
Drawing Scale: 1" = 30'
Freeman&Freeman Job No. 8309

Freeman and Freeman Land Surveyors
Resurveying the Holland Land Company for the 21st Century
10432 Crump Road - Glenwood, N.Y. 14069
Phone: (716) 592-7740 - Email: David@FreemanSurveyors.com

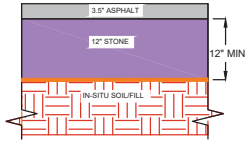


RESTRICTED-RESIDENTIAL COVER SYSTEM DETAIL A
NTS

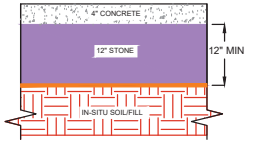
COMMERCIAL AREA COVER SYSTEM DETAIL B
NTS

COMMERCIAL AREA COVER SYSTEM DETAIL C
NTS

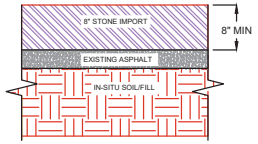
COMMERCIAL AREA COVER SYSTEM DETAIL D
NTS



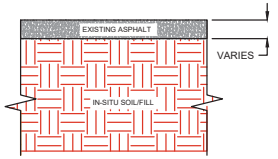
COMMERCIAL AREA COVER SYSTEM DETAIL E
NTS



STONE OVER EXISTING ASPHALT COVER SYSTEM DETAIL F
NTS

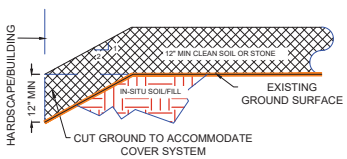


EXISTING ASPHALT COVER SYSTEM DETAIL G
NTS

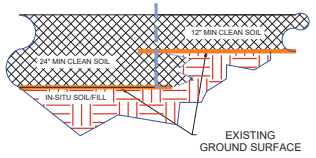


RESTRICTED-RESIDENTIAL TIE-IN DETAIL
NTS

COMMERCIAL TIE-IN DETAIL
NTS



RESTRICTED-RESIDENTIAL TO COMMERCIAL TIE-IN DETAIL
NTS



BENCHMARK

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

JOB NO.: 0381-020-001

COVER SYSTEM LAYOUT AND DETAILS

PERIODIC REVIEW REPORT

SILOS AT ELK STREET SITE
BUFFALO, NEW YORK

PREPARED FOR

SILOS AT ELK STREET, LLC

FIGURE 3

DATE: MAY 2022
DRAFTED BY: CMC

F:\CAD\Benchmark\Young and Wright Architectural\Silos at Elk Street\08 - PRR\Figure 2; Cover System Layout and Details.dwg, 6/9/2022 1:00:50 PM

ATTACHMENTS

1. Lease Agreements
2. Tenant Notification

ATTACHMENT 1

Lease Agreements
(submitted separately for tenants' privacy)

ATTACHMENT 2

Tenant Notification (blank form)

TENANT NOTIFICATION

As a condition of the Lease Agreement for 50 Elk Street, Suite ____, Buffalo, New York 14210 between Silos at Elk Street, LLC [Owner] and _____ [Tenant], no digging is allowed anywhere on the property for any reason. The property has been remediated through the New York State Brownfield Cleanup Program and is subject to an Environmental Easement held by the New York State Department of Environmental Conservation, which is recorded in the Erie County Clerk's office at Book of Deeds 11325, Page 3114. This easement is hereby incorporated by reference in the Lease Agreement between the Owner and Tenant.

Please indicate your receipt of this Notification and acceptance of these conditions by signing below:

_____

Tenant Signature

_____

Tenant Name (printed)

_____

Date Signed

_____

Owner Signature

_____

Date Signed

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

60-Day Advance Notification of Site Change of Use, Transfer of Certificate of Completion, and/or Ownership

Required by 6NYCRR Part 375-1.11(d) and 375-1.9(f)

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

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

I. Site Name: Silos at Elk Street Site **DEC Site ID No.** C915309

II. Contact Information of Person Submitting Notification:

Name: Shawn Wright

Address1: 50 Elk Street, Suite 200

Address2: Buffalo, NY 14210

Phone: (716) 842-1800 E-mail: shawnw@youngandwright.com

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

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

Proposed Date of Change (mm/dd/yyyy): Aug 7, 2023

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

Reclassification of the existing building footprint from commercial to restricted-residential use. NYSDEC and NYSDOH approved the Request for Building Reclassification on September 27, 2023. NYSDEC is revising the January 2018 Environmental Easement to allow restricted residential use of the on-site building (see Figure 1).

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

Reclassification of the existing building footprint from commercial to restricted-residential will have no affect on the Site's proposed, ongoing, or completed remedial program due to the following:
(1) Interior assessment of the existing building in 2017 did not reveal any potential environmental issues and remediation was not required within the building footprint. (2) Commercial and residential occupants of the building do not use the commercial vegetated cover system areas for recreation. (3) Current and future commercial and residential tenants must sign a written notice agreeing "no digging can occur anywhere on the property for any reason."

V. NA

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

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

Name: _____ _____
(Signature) (Date)

_____
(Print Name)

Address1: _____

Address2: _____

Phone: _____ E-mail: _____

VI. NA

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

☐ Prospective Owner ☐ Prospective Remedial Party ☐ Prospective Owner Representative

Name: _____

Address1: _____

Address2: _____

Phone: _____ E-mail: _____

Certifying Party Name: _____

Address1: _____

Address2: _____

Phone: _____ E-mail: _____

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

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

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

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

Name: _____ _____
(Signature) (Date)

_____
(Print Name)

Address1: _____

Address2: _____

Phone: _____ E-mail: _____

Continuation Sheet

☐ Prospective Owner/Holder ☐ Prospective Remedial Party ☐ Prospective Owner Representative

Name: ____________________

Address1: ____________________

Address2: ____________________

Phone: ____________ E-mail: ____________________

☐ Prospective Owner/Holder ☐ Prospective Remedial Party ☐ Prospective Owner Representative

Name: ____________________

Address1: ____________________

Address2: ____________________

Phone: ____________ E-mail: ____________________

☐ Prospective Owner/Holder ☐ Prospective Remedial Party ☐ Prospective Owner Representative

Name: ____________________

Address1: ____________________

Address2: ____________________

Phone: ____________ E-mail: ____________________

☐ Prospective Owner/Holder ☐ Prospective Remedial Party ☐ Prospective Owner Representative

Name: ____________________

Address1: ____________________

Address2: ____________________

Phone: ____________ E-mail: ____________________

☐ Prospective Owner/Holder ☐ Prospective Remedial Party ☐ Prospective Owner Representative

Name: ____________________

Address1: ____________________

Address2: ____________________

Phone: ____________ E-mail: ____________________

☐ Prospective Owner/Holder ☐ Prospective Remedial Party ☐ Prospective Owner Representative

Name: ____________________

Address1: ____________________

Address2: ____________________

Phone: ____________ E-mail: ____________________

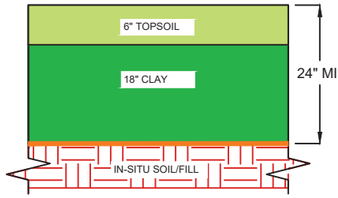
LEGEND:

- PROPERTY & BCP BOUNDARY (± 1.90 ACRES)
- EXISTING BUILDING (± 0.28 ACRES)
- EXISTING CONCRETE SLAB
- DEMARCATION LAYER
- UTILITY - POLE
- UTILITY - HYDRANT
- RAILROAD TRACKS
- MW-2 RI MONITORING WELL (4)
- BOUNDARY BETWEEN RESTRICTED-RESIDENTIAL USE AND COMMERCIAL USE

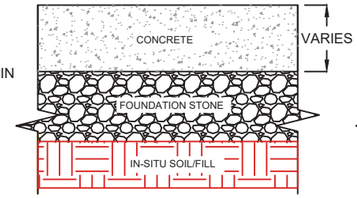
N

50' 0 50'

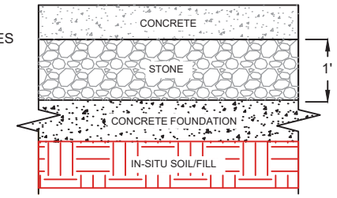
RESTRICTED-RESIDENTIAL COVER SYSTEM DETAIL A
NTS



RESTRICTED-RESIDENTIAL BUILDING COVER SYSTEM DETAIL H
NTS



RESTRICTED-RESIDENTIAL BUILDING COVER SYSTEM DETAIL H1
NTS



RESTRICTED-RESIDENTIAL BUILDING COVER SYSTEM DETAIL H2
NTS

COMMERCIAL AREA COVER SYSTEM DETAIL B
NTS

COMMERCIAL AREA COVER SYSTEM DETAIL C
NTS

COMMERCIAL AREA COVER SYSTEM DETAIL D
NTS

COMMERCIAL AREA COVER SYSTEM DETAIL E
NTS

COMMERCIAL AREA STONE OVER EXISTING ASPHALT COVER SYSTEM DETAIL F
NTS

RESTRICTED-RESIDENTIAL TIE-IN DETAIL
NTS

COMMERCIAL TIE-IN DETAIL
NTS

RESTRICTED-RESIDENTIAL TO COMMERCIAL TIE-IN DETAIL
NTS

COMMERCIAL AREA EXISTING ASPHALT COVER SYSTEM DETAIL G
NTS

Title:
COVER SYSTEM LAYOUT AND DETAILS

CHANGE OF USE NOTIFICATION

SILOS AT ELK STREET SITE
BUFFALO, NEW YORK

Prepared for:
SILOS AT ELK STREET, LLC

ROUX

Compiled by: CMC	Date: OCTOBER 2023
Prepared by: CMC	Scale: AS SHOWN
Project Mgr: LER	Project: B0381-023-002
File: FIGURE 1; COVER SYSTEM LAYOUT AND DETAILS.DWG	

FIGURE 1

F:\CAD\BENCHMARK\YOUNG AND WRIGHT ARCHITECTURAL\SILOS AT ELK STREET\CHANGE OF USE (COU)\FIGURE 1; COVER SYSTEM LAYOUT AND DETAILS.DWG

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Remediation
700 Delaware Avenue, Buffalo, NY 14209
P: (716) 851-7220| F: (716) 851-7226
www.dec.ny.gov

October 19, 2023

Shawn Wright
Brookfield Interest, LLC
50 Elk Street
Buffalo, NY 14210

Re: Change of Use Notification
Silos at Elk Street Site, C915309

Dear Shawn Wright:

This letter acknowledges receipt of your October 16, 2023 60-Day Advance Notification of Change of Use for the above referenced site in accordance with 6 NYCRR 375-1.11(d). As stated within the Departments September 27, 2023 correspondence, please submit a revised Site Management Plan by November 28, 2023. If you have any questions or need additional information, please contact me at 716-851-7220 or email: megan.kuczka@dec.ny.gov.

Sincerely,

Megan Kuczka
Environmental Program Specialist – 1

ec: Andrea Caprio – NYSDEC
Gregory Scholand – NYSDEC
Lori Riker – Roux Inc.
Tom Forbes – Roux Inc.

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Remediation
700 Delaware Avenue, Buffalo, NY 14209
P: (716) 851-7220| F: (716) 851-7226
www.dec.ny.gov

September 27, 2023

Shawn Wright
Brookfield Interest, LLC
50 Elk Street
Buffalo, NY 14210

Re: Site Management (SM) -
Request for Building Reclassification
Silos at Elk Street Site, Buffalo
Erie County, Site No.: **C915309**

Dear Shawn Wright (as representative of the Certifying Party):

The New York State Department of Environmental Conservation (NYSDEC) and the New York State Department of Health (NYSDOH) have reviewed and hereby approve your *Request for Building Reclassification* letter received August 7, 2023 and the amended Tenant Notification (Attachment 2) received September 26, 2023. The NYSDEC will proceed with revising the January 2018 Environmental Easement to allow restricted residential use of the onsite building. Please submit a Change of Use Form within the next 14 days documenting this change. Additionally, please submit a revised Site Management Plan to the NYSDEC within the next 60 days. If you have any questions, please contact me at 716-851-7220 or email: megan.kuczka@dec.ny.gov.

Sincerely,

Megan Kuczka
Environmental Program Specialist – 1

ec: Andrea Caprio – NYSDEC
Gregory Scholand – NYSDEC
Steven Berninger – NYSDOH
Charlotte Bethoney – NYSDOH
Lori Riker – Roux Inc.
Tom Forbes – Roux Inc.

Jeffrey C. Stravino
Partner
Direct Dial: 716.848.1394
JStravin@hodgsonruss.com

December 2, 2024

Cheryl A. Salem
Legal Assistant II, Office of General Counsel
New York State Department of Environmental Conservation
625 Broadway, 14th Floor
Albany, New York 12233-1500

Re: Environmental Easement Amendment Sept. 2024
Silos at Elk Street, LLC
50 Elk Street, Buffalo, County of Erie, New York
Site ID No.: C915309

Dear Ms. Salem:

I am enclosing an original of the Amendment to Environmental Easement executed by Shawn Wright, the authorized signatory for Silos at Elk Street, LLC concerning the above-referenced Site that is currently in the Brownfield Cleanup Program.

Thank you for your assistance.

Respectfully submitted,

Jeffrey C. Stravino

Enclosures

cc: Gregory Scholand, Esq., NYSDEC Region 9 (*via e-mail*)
Megan Kuczka, NYSDEC Region 9 (*via e-mail*)

AMENDMENT TO ENVIRONMENTAL EASEMENT

This Amendment to Environmental Easement is made as of this ____ day of _____ 20__, by and between The People of the State of New York, acting through their Commissioner of the Department of Environmental Conservation ("NYSDEC" or the "Department"), with its headquarters located at 625 Broadway, Albany, New York 12233, and Silos at Elk Street, LLC (the "Grantor"), having an office at 740 Seneca Street, Buffalo, New York 14210.

RECITALS

1. Grantor is the owner of real property located at the address of 50 Elk 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 County as tax map parcel number: Section 122.42, Block 2, Lot 63.11, being the same as that property conveyed to Grantor by deed dated September 20, 2016 and recorded in the Erie County Clerk's office in Liber 11303, Page 986.

2. The Department and Grantor entered into that certain Environmental Easement (the "Environmental Easement") dated as of January 22, 2018 and recorded in the Erie County Clerk's Office on February 7, 2018 in Liber 11325, Page 3114. Capitalized terms used herein without definition have the meanings ascribed to them in the Environmental Easement. The real property controlled by the Environmental Easement is defined therein as the "Controlled Property."

3. Pursuant to the Environmental Easement, Grantor granted to the Department rights and interests that run with the land in perpetuity in order to provide an effective and enforceable means of encouraging the reuse and redevelopment of the Controlled Property at a level that has been determined to be safe for certain uses while ensuring the performance of certain maintenance, monitoring and/or operation requirements, and to ensure the restriction of future uses of the land that are inconsistent with the stated purpose.

4. The Environmental Easement contains use restrictions that apply to the Controlled Property. This Amendment to Environmental Easement is made and recorded in order to modify the use restrictions applicable to the Controlled Property, because the Department has determined that, in addition to the uses currently allowed under the Environmental Easement, the building currently existing on the Controlled Property may be used for Restricted Residential as described in 6 NYCRR Part 375-1.8(g)(2)(ii), while the allowed uses on the remainder of the Controlled Property will remain unchanged.

5. Pursuant to Section 8 of the Environmental Easement, the Department is using this Amendment to Environmental Easement to amend the Environmental Easement in the manner prescribed by Article 9 of the Real Property Law.

AMENDMENT TO ENVIRONMENTAL EASEMENT

A. The above recitals are hereby incorporated into this Amendment to Environmental Easement.

B. The Department and Grantor agree that paragraph 2.A(1) of the Environmental Easement is hereby amended so that it reads as follows:

> **The portion of the Controlled Property identified in Schedule A as "Track 4 Commercial Area" may be used for 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), and the portion of the Controlled Property described in**

Schedule A as "Track 4 Restricted-Residential Area" may be used for Restricted Residential as described in 6 NYCRR Part 375-1.8(g)(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). In addition to the foregoing, and notwithstanding the contents of Schedule A hereof, the +/- 0.28-acre building that exists on the Controlled Property as of the date of this Environmental Easement may be used for Restricted Residential as described in 6 NYCRR Part 375-1.8(g)(ii).

The Department and Grantor further agree that paragraph 2.B of the Environmental Easement is hereby amended so that it reads as follows:

> The portion of the Controlled Property identified in Schedule A as "Track 4 Commercial Area" shall not be used for Residential or Restricted Residential purposes as defined in 6NYCRR 375-1.8(g)(2)(i) and (ii), the portion of the Controlled Property identified in Schedule A herein as "Track 4 Restricted-Residential Area" shall not be used for Residential purposes as defined in 6 NYCRR 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. Notwithstanding the foregoing sentence or the contents of Schedule A hereof, the +/- 0.28 acre building that exists on the Controlled Property as of the date of this Environmental Easement may be used for Restricted Residential as described in 6 NYCRR Part 375-1.8(g)(ii).

The purpose of these amendments to paragraphs 2.A(1) and 2.B of the Environmental Easement is to add Restricted Residential as an allowed use category for the existing on-site building, in addition to the already-allowed uses, while leaving the allowed use categories unchanged on the remainder of the Controlled Property.

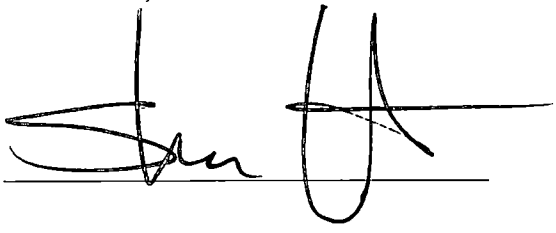
C. All other terms of the Environmental Easement shall remain in effect.

D. This Amendment to Environmental Easement inures to and binds the parties hereto and their respective successors and assigns.

E. This Amendment to Environmental Easement shall be governed by and interpreted in accordance with the laws of the State of New York.

IN WITNESS WHEREOF, Grantor has caused this Amendment to Environmental Easement to be signed in its name.

Silos at Elk Street, LLC:

By: 

Print Name: SHAWN WRIGHT

Title: PARTNER Date: 11/25/24

Grantor's Acknowledgment

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

On the 25th day of November in the year 20 24 before me, the undersigned, personally appeared Shawn Wright, 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.

Erin E. Galloway
Notary Public - State of New York

ERIN E. GALLOWAY
Notary Public in the State of New York
ERIE MONROE COUNTY
Commission Expires May 31, 2027

THIS AMENDMENT TO 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: _____
Andrew O. Guglielmi, Director
Division of Environmental Remediation

Grantee's Acknowledgment

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

On the _____ day of _____, in the year 20__, before me, the undersigned, personally appeared Andrew O. Guglielmi, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity as Designee of the Commissioner of the State of New York Department of Environmental Conservation, and that by his 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

APPENDIX C

2025 SMP Errata

March 17, 2025

Ms. Megan Kuczka
Environmental Program Specialist – 1
NYSDEC Region 9 – Division of Environmental Remediation
700 Delaware Avenue
Buffalo, New York 14209

Re: Silos at Elk Street Site, Buffalo, New York
BCP Site No. C915309
Site Management Plan Errata Sheet

Dear Ms. Kuczka:

Roux Environmental Engineering and Geology, D.P.C. (Roux) has prepared this Errata Sheet to document changes to the December 2017 Site Management Plan (SMP). Per the New York State Department of Environmental Conservation (NYSDEC) January 7, 2025 email, we are herein submitting an SMP Errata Sheet per DER-10 Section 6.3(a)5.iii to formalize the SMP changes. This Errata Sheet documents the change in use of the existing building from commercial to restricted-residential, the cover system changes following installation of an outdoor walk-in cooler, and decommissioning of the groundwater monitoring wells. The changes described herein supersede those in the December 2017 SMP. Once approved by NYSDEC, this Errata Sheet will be appended to the client's and document repository's copy of the December 2017 SMP and noted on the SMP cover page as Revision No. 1.

Roux herein updates the following components of the NYSDEC-approved December 2017 SMP for the Silos at Elk Street Site:

Cover Page and List of Appendices

The attached revised cover page provides a log of this Revision #1. The updated list of appendices is attached.

Executive Summary

Institutional Controls: 1. The northern portion of the property and the building may be used for restricted-residential use while the remainder may be used for commercial and industrial use as described in 6NYCRR Part 375-1.8(g), although land is subject to local zoning laws;

Section 1.1 General

The following sentence is added to the end of the first paragraph:

An Amendment to the Environmental Easement was filed on December 23, 2024 and is included in Appendix A.

Section 1.3 Notifications

The address for the owner of the Site is revised to 50 Elk Street, Buffalo, NY 14210.

Table 1: Notifications (attached) is revised to provide updated NYSDEC contact information for notifications.

The following language is added after Table 1: Notifications:

As part of the environmental easement, current and future lessees of the apartments will be notified of the no-dig requirement and the NYSDEC will be provided with proof of these notifications. The no-dig requirement is discussed in Section 3.3.1 Cover System. A copy of the Tenant Notification is included as Appendix H.

Section 2.2.1 Land Use

Paragraph 1 is updated as follows:

The Site was vacant since the 1980s and historically used as a malting operation with coal areas, a kiln, and grain elevators/silos since about 1899 (Ref. 2). The Site was improved by converting a multi-story former industrial building into a Track 4 Restricted-Residential space with offices, commercial businesses, and two apartments with adjacent asphalt parking lots and driveways and maintained ornamental landscaping. The northern portion of the Site remains undeveloped with the potential plan to construct residential buildings.

Paragraph 3 is removed.

Section 2.6.2 Groundwater

The following language is added as Paragraph 2:

On June 7, 2023, the four remaining groundwater monitoring wells identified as MW-2 through MW-5 were decommissioned in accordance with NYSDEC Commissioner's Policy CP-43: Groundwater Monitoring Well Decommissioning Policy. Appendix G includes the Groundwater Monitoring Well Decommissioning Logs.

Section 3.2 Institutional Controls

Paragraph 1, Bullet 1 is revised as follows:

The property may be used for restricted-residential use (northern portion & existing building) and commercial use (southern portion) as defined by Part 375-1.8(g), although land use is subject to local zoning laws;

Section 3.3.1 Cover System

Paragraph 1, Sentence 2 is revised as follows:

This cover system is comprised of a minimum of 12 inches (commercial use area) and 24 inches (restricted-residential use area) of DER-10 compliant soil/stone material over demarcation layer, and hardscape elements of the redevelopment, including asphalt, concrete-covered sidewalks, concrete building slabs, and a concrete pad associated with an exterior walk-in cooler.

The following language is added as Paragraph 3:

On September 27, 2023, the NYSDEC approved the reclassification of the existing building footprint to a Track 4 Restricted-Residential Area with restrictions consisting of no digging allowed within the 12-inch soil cover system area, notifying future lessees of the apartments of the no-dig requirement, and providing NYSDEC with written proof of these notifications. On September 26, 2023, Tenant Notifications were provided to NYSDEC. A change in the Site use, including Restricted Residential development, may require evaluation of Site engineering controls including cover systems to ensure the use is protective of public health.

Section 7.2 Periodic Review Report

Sentences 1 and 2 are revised as follows:

The first Periodic Review Report (PRR) was submitted to the Department on May 28, 2019, which was 17 months after the Certificate of Completion was issued. After submittal of the initial PRR, subsequent PRRs have been submitted triennially (every third year) to the Department.

Figure 6

The attached revised Figure 6 depicts the reclassification of the existing building from commercial to restricted-residential use and updated cover system details.

Appendix A Environmental Easement

The Environmental Easement is revised to allow the existing building to be used for restricted-residential use and references the new address of the owner as 50 Elk Street, Buffalo, NY. An Amendment to the Environmental Easement was filed on December 23, 2024 and is included in Appendix A.

Appendix B Excavation Work Plan

Attached Table 1 is revised to provide updated NYSDEC contact information for notifications.

Appendix F Owner and Remedial Party Responsibilities

Section F-1, Owner/Remedial Party Address: Silos at Elk Street, LLC (BCP Site No. C915309), 50 Elk Street, Buffalo, New York, 14210.

Appendix G Groundwater Monitoring Well Decommissioning Logs

Appendix G is revised to contain the groundwater monitoring decommissioning logs.

Appendix H Tenant Notification

Appendix H contains the Tenant Notification for current and future lessees of the on-site apartments.

Appendix I Electronic Copy

Appendix I contains an electronic copy of the December 2017 SMP and this Errata Sheet.

Please contact me with questions or if you require additional information.

Sincerely,

ROUX ENVIRONMENTAL ENGINEERING AND GEOLOGY, D.P.C.

Lori E. Riker, P.E.
Principal Engineer

Att.

ec: Andrea Caprio (NYSDEC)
Gregory Scholand, Esq. (NYSDEC)
Steven Berninger (NYSDOH)
Charlotte Bethoney (NYSDOH)
Shawn Wright (Silos at Elk Street, LLC)
Thomas Forbes (Roux)

BROWNFIELD CLEANUP PROGRAM

SITE MANAGEMENT PLAN

SILOS AT ELK STREET SITE
BCP SITE NUMBER: C915309
BUFFALO, NEW YORK

December 2017
Revised March 2025

4412.0004B000

Prepared for:

Silos at Elk Street, LLC

December 2017 SMP Prepared by:

BENCHMARK
ENVIRONMENTAL
ENGINEERING &
SCIENCE, PLLC

March 2025 SMP Errata Sheet Prepared By:

ROUX

Revisions to Final Approved Site Management Plan:

Revision #	Submitted Date	Summary of Revision	DEC Approval Date
1	2/11/2025	Reclassification of existing building from commercial to restricted-residential, cover system modifications, and groundwater monitoring well decommissioning	
2	3/17/2025	Added sentence to Section 3.3.1	

SITE MANAGEMENT PLAN
SILOS AT ELK STREET SITE

Table of Contents

APPENDICES

SITE MANAGEMENT PLAN
SILOS AT ELK STREET SITE

Certification Statement

I, Lori E. Riker, P.E. of Roux Environmental Engineering and Geology, D.P.C. certify that I am currently a NYS registered professional engineer and that the March 2025 Errata Sheet and the December 2017 Site Management Plan (SMP) for the Silos at Elk Street Site (BCP Site No. C915309) were prepared in accordance with all applicable statutes and regulations and in substantial conformance with the DER Technical Guidance for Site Investigation and Remediation (DER-10).

DATE: 3/17/2025 STAMP:

FIGURE

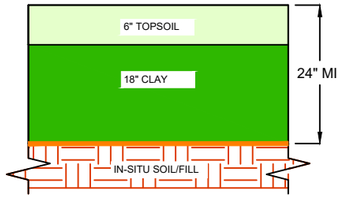
LEGEND:

- PROPERTY & BCP BOUNDARY (± 1.90 ACRES)
- EXISTING BUILDING (± 0.28 ACRES)
- EXISTING CONCRETE SLAB
- DEMARCATION LAYER
- UTILITY - POLE
- UTILITY - HYDRANT
- RAILROAD TRACKS
- MW-2 RI MONITORING WELL (4)
- BOUNDARY BETWEEN RESTRICTED-RESIDENTIAL USE AND COMMERCIAL USE

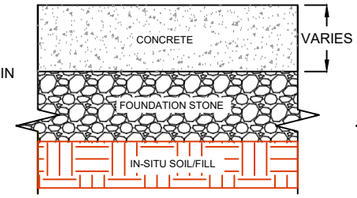
N

50' 0 50'

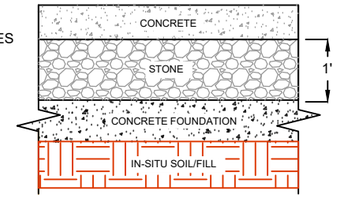
RESTRICTED-RESIDENTIAL COVER SYSTEM DETAIL A
NTS



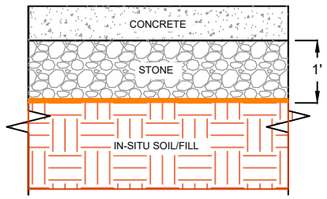
RESTRICTED-RESIDENTIAL BUILDING COVER SYSTEM DETAIL H
NTS



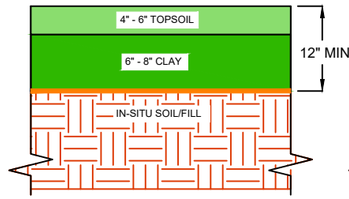
RESTRICTED-RESIDENTIAL BUILDING COVER SYSTEM DETAIL H1
NTS



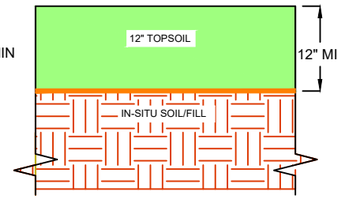
RESTRICTED-RESIDENTIAL BUILDING COVER SYSTEM DETAIL H2
NTS



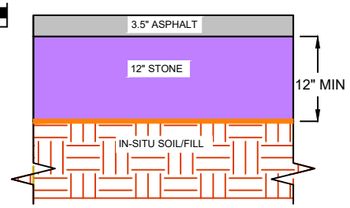
COMMERCIAL AREA COVER SYSTEM DETAIL B
NTS



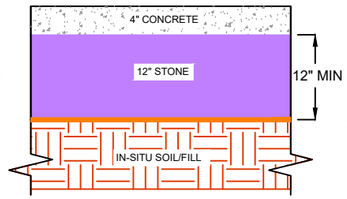
COMMERCIAL AREA COVER SYSTEM DETAIL C
NTS



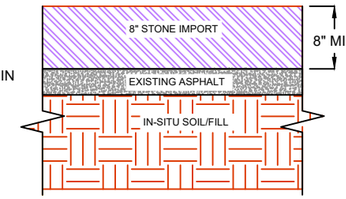
COMMERCIAL AREA COVER SYSTEM DETAIL D
NTS



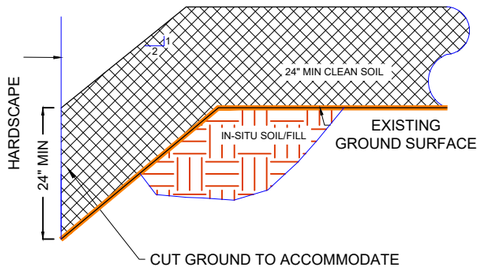
COMMERCIAL AREA COVER SYSTEM DETAIL E
NTS



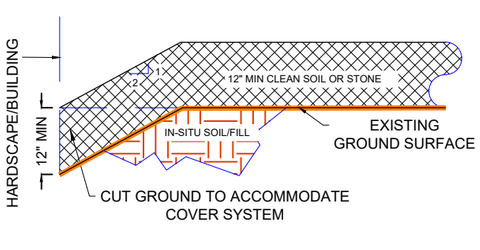
COMMERCIAL AREA STONE OVER EXISTING ASPHALT COVER SYSTEM DETAIL F
NTS



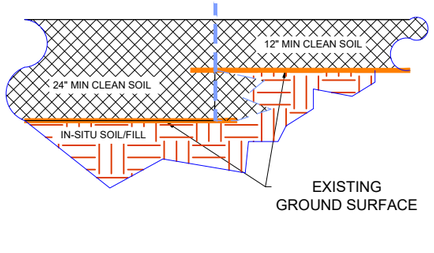
RESTRICTED-RESIDENTIAL TIE-IN DETAIL
NTS



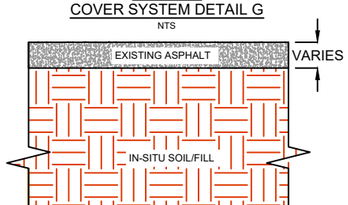
COMMERCIAL TIE-IN DETAIL
NTS



RESTRICTED-RESIDENTIAL TO COMMERCIAL TIE-IN DETAIL
NTS



COMMERCIAL AREA EXISTING ASPHALT COVER SYSTEM DETAIL G
NTS



Title: **COVER SYSTEM LAYOUT AND DETAILS**

SITE MANAGEMENT PLAN

SILOS AT ELK STREET SITE
BUFFALO, NEW YORK

Prepared for:
SILOS AT ELK STREET, LLC

ROUX

Compiled by: CMC	Date: JANUARY 2025	FIGURE
Prepared by: CMC/CNK	Scale: AS SHOWN	6
Project Mgr: LER	Project: B0381-023-002	
File: FIGURE 6; COVER SYSTEM LAYOUT AND DETAILS.DWG		

F:\CAD\BENCHMARK\YOUNG AND WRIGHT ARCHITECTURAL\SILOS AT ELK STREET\06 - SMP\2025 ERRATA\FIGURE 6; COVER SYSTEM LAYOUT AND DETAILS.DWG

TABLE

Table 1: Notifications*

Name	Contact Information
NYSDEC Project Manager Ms. Megan Kuczka	716-851-7220 Megan.Kuczka@dec.ny.gov
NYSDEC Regional Remediation Engineer Ms. Andrea Caprio, P.E.	716-851-7220 Andrea.Caprio@dec.ny.gov
NYSDEC Site Control Ms. Kelly Lewandowski, P.E.	518-402-9543 Kelly.Lewandowski@dec.ny.gov

* Note: Notifications are subject to change and will be updated as necessary.

APPENDIX A

ENVIRONMENTAL EASEMENT

MICHAEL P. KEARNS, ERIE COUNTY CLERK
REF:

DATE:12/23/2024
TIME:2:18:00 PM
RECEIPT: 24202569 - DUPLICATE -

HODGSON RUSS LLP BOX 74 - INTERNET
ACCOUNT #: 1915

DUPLICATE RECEIPT

ITEM - 01 MTP
RECD: 12/23/2024 2:20:38 PM
FILE: 2024222042 BK/PG D 11440/2952
Deed Sequence: TT2024010191
SILOS AT ELK STREET LLC
PEOPLE OF THE STATE OF NEW YORK (THE)

Recording Fees	60.50
TP584	10.00
Subtotal	70.50

TOTAL DUE	$70.50
PAID TOTAL	$70.50
PAID ESCROW	$70.50

REC BY: Sharon B
COUNTY RECORDER

box 74
JCS

County: Erie Site No: C 915309 Index: C915309-01-17

AMENDMENT TO ENVIRONMENTAL EASEMENT

This Amendment to Environmental Easement is made as of this 13th day of December 2024, by and between The People of the State of New York, acting through their Commissioner of the Department of Environmental Conservation ("NYSDEC" or the "Department"), with its headquarters located at 625 Broadway, Albany, New York 12233, and Silos at Elk Street, LLC (the "Grantor"), having an office at 740 Seneca Street, Buffalo, New York 14210.

RECITALS

1. Grantor is the owner of real property located at the address of 50 Elk 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 County as tax map parcel number: Section 122.42, Block 2, Lot 63.11, being the same as that property conveyed to Grantor by deed dated September 20, 2016 and recorded in the Erie County Clerk's office in Liber 11303, Page 986.

2. The Department and Grantor entered into that certain Environmental Easement (the "Environmental Easement") dated as of January 22, 2018 and recorded in the Erie County Clerk's Office on February 7, 2018 in Liber 11325, Page 3114. Capitalized terms used herein without definition have the meanings ascribed to them in the Environmental Easement. The real property controlled by the Environmental Easement is defined therein as the "Controlled Property."

3. Pursuant to the Environmental Easement, Grantor granted to the Department rights and interests that run with the land in perpetuity in order to provide an effective and enforceable means of encouraging the reuse and redevelopment of the Controlled Property at a level that has been determined to be safe for certain uses while ensuring the performance of certain maintenance, monitoring and/or operation requirements, and to ensure the restriction of future uses of the land that are inconsistent with the stated purpose.

4. The Environmental Easement contains use restrictions that apply to the Controlled Property. This Amendment to Environmental Easement is made and recorded in order to modify the use restrictions applicable to the Controlled Property, because the Department has determined that, in addition to the uses currently allowed under the Environmental Easement, the building currently existing on the Controlled Property may be used for Restricted Residential as described in 6 NYCRR Part 375-1.8(g)(2)(ii), while the allowed uses on the remainder of the Controlled Property will remain unchanged.

5. Pursuant to Section 8 of the Environmental Easement, the Department is using this Amendment to Environmental Easement to amend the Environmental Easement in the manner prescribed by Article 9 of the Real Property Law.

AMENDMENT TO ENVIRONMENTAL EASEMENT

A. The above recitals are hereby incorporated into this Amendment to Environmental Easement.

B. The Department and Grantor agree that paragraph 2.A(1) of the Environmental Easement is hereby amended so that it reads as follows:

The portion of the Controlled Property identified in Schedule A as "Track 4 Commercial Area" may be used for 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), and the portion of the Controlled Property described in

Schedule A as "Track 4 Restricted-Residential Area" may be used for Restricted Residential as described in 6 NYCRR Part 375-1.8(g)(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). In addition to the foregoing, and notwithstanding the contents of Schedule A hereof, the +/- 0.28-acre building that exists on the Controlled Property as of the date of this Environmental Easement may be used for Restricted Residential as described in 6 NYCRR Part 375-1.8(g)(ii).

The Department and Grantor further agree that paragraph 2.B of the Environmental Easement is hereby amended so that it reads as follows:

> The portion of the Controlled Property identified in Schedule A as "Track 4 Commercial Area" shall not be used for Residential or Restricted Residential purposes as defined in 6NYCRR 375-1.8(g)(2)(i) and (ii), the portion of the Controlled Property identified in Schedule A herein as "Track 4 Restricted-Residential Area" shall not be used for Residential purposes as defined in 6 NYCRR 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. Notwithstanding the foregoing sentence or the contents of Schedule A hereof, the +/- 0.28 acre building that exists on the Controlled Property as of the date of this Environmental Easement may be used for Restricted Residential as described in 6 NYCRR Part 375-1.8(g)(ii).

The purpose of these amendments to paragraphs 2.A(1) and 2.B of the Environmental Easement is to add Restricted Residential as an allowed use category for the existing on-site building, in addition to the already-allowed uses, while leaving the allowed use categories unchanged on the remainder of the Controlled Property.

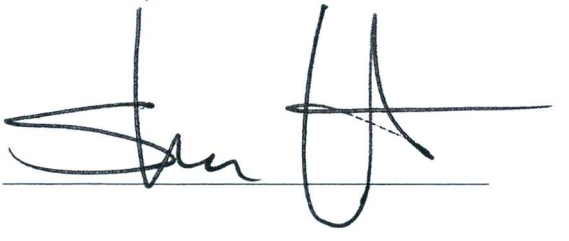
C. All other terms of the Environmental Easement shall remain in effect.

D. This Amendment to Environmental Easement inures to and binds the parties hereto and their respective successors and assigns.

E. This Amendment to Environmental Easement shall be governed by and interpreted in accordance with the laws of the State of New York.

IN WITNESS WHEREOF, Grantor has caused this Amendment to Environmental Easement to be signed in its name.

Silos at Elk Street, LLC:

By: 

Print Name: SHAWN WRIGHT

Title: PARTNER Date: 11/25/24

Grantor's Acknowledgment

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

On the 25th day of November in the year 20 24, before me, the undersigned, personally appeared Shawn Wright, 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

ERIN E. GALLOWAY
Notary Public in the State of New York
ERIE ~~MONROE~~ COUNTY
Commission Expires May 31, 2027

THIS AMENDMENT TO 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: _____
Andrew O. Guglielmi, Director
Division of Environmental Remediation

Grantee's Acknowledgment

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

On the 13th day of December, in the year 2024 before me, the undersigned, personally appeared Andrew O. Guglielmi, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity as Designee of the Commissioner of the State of New York Department of Environmental Conservation, and that by his 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

Cheryl A. Salem
Notary Public State of New York
Registration No. 01SA0002177
Qualified in Albany County
My Commission Expires March 3, 2027

TP-584.2 (10/96)

Recording Office Time Stamp

Real Estate Transfer Tax Return For Public Utility Companies' and Governmental Agencies' Easements and Licenses

This form may only be used by public utility companies regulated by the Public Service Commission and governmental agencies for the recording of easements and licenses where the consideration for the grant of such easement or license is $500.00 or less.

Name of grantee (public utility company or governmental agency)
New York State Department of Environmental Conservation

Federal employer identification number *(if applicable)* 14-6013200

Address of grantee
625 Broadway, Albany, New York, 12233

Name and telephone number of person to contact
Gregory Scholand, 716-851-7236

	Name(s) of Grantor Of Easement or License	Address of Property	Consideration Given For Easement or License
1.	Silos at Elk Street, LLC	50 Elk Street, Buffalo, NY	$0
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
12.			
13.			
14.			
15.			

If more than fifteen conveyances are to be recorded, attach a schedule of such other conveyances.

Signature of Grantee

I certify that the grantee is a public utility regulated by the Public Service Commission or is a governmental agency and the grantee of the easements and/or licenses above; that it is true to the best knowledge of the grantee that the granting of each such easement and/or license is exempt from Real Estate Transfer Tax imposed by Article 31 of the Tax Law by reason that each such conveyance is for a consideration of five hundred dollars or less and/or the conveyance is being made to a governmental agency.

New York State Department of Environmental Conservation
Name of grantee

Andrew Guglielmi
Signature of partner, officer of corporation, governmental official, etc.

Director of Environmental Remediation
Title

APPENDIX G

GROUNDWATER MONITORING WELL DECOMMISSIONING LOGS

BENCHMARK
ENVIRONMENTAL ENGINEERING & SCIENCE, PLLC

WELL ABANDONMENT/ DECOMMISSIONING LOG

PROJECT INFORMATION		WELL INFORMATION	
PROJECT/SITE NAME:	Silos @ Elk Street Site	WELL I.D.:	MW-2
Client:	Young + Wright	Stick-up (feet):	—
Project Job Number:		Screen Interval (fbgs):	12-22'
Date:	6/7/23	Drilling Company:	NA
Weather:	Overcast 60s	Drill Rig Type:	NA
Prepared by:	PWW	Drilling Company Personnel:	NA

DECOMMISSIONING PROCEDURES (per NYSDEC DER-10)

	YES	NO
Well visibile? (If not, provide directions below)	X	
Well I.D. visible?	X	
Well location matches site map? (If not, sketch actual location on back)	X	

Well I.D. as it appears on protective casing or well:

Surface seal present?	X	
Surface seal competenet? (If cracked, heaved, etc., describe below)	X	
Protective casing in good condition? (If damaged, describe below)	X	

Headspace reading (ppm) and instrument used: 0.0 PPM
Type of protective casing and height of stickup in feet (if applicable): flush mount road box
Protective casing material type: Steel
Measure protective casing inside diameter (inches): 8"

Lock present?		
Lock functional?		
Did you replace the lock?		
Is there evidence that the well is double cased? (If yes, describe below)		
Well measuring point visible?		

Measure depth to water from measuring point (feet):
Measure well depth from measuring point (feet):
Measure well diameter (inches): 2"
Well casing material: PVC
Physical condition of visible well casing: good
Attach I.D. marker (if well I.D. is confirmed) and identify marker type:
Proximity to underground or overhead utilities: N/A

Describe access to well: (Include accessibility to truck mounted rig, natural obstructions, overhead utilities, proximity to permenant structures, etc.); Add sketch of location on back, if necessary.
Accessible, parking lot

Describe well setting (for example, located in a field, in a playground, on pavement, in a garden, etc.) and assess the type of restoration required.
located in pavement in parking lot

Identify any nearby potential sources of contamination, if present (e.g., gas station, salt pile, etc.)
N/A

Remarks:

BENCHMARK
ENVIRONMENTAL
ENGINEERING &
SCIENCE, PLLC

WELL ABANDONMENT/ DECOMMISSIONING LOG

DECOMMISSIONING PROCEDURES (per NYSDEC DER-10) - continued

PROJECT/SITE NAME: Silos @ Elk Street Site

WELL I.D.: MW-2

Decommissioning Data (Fill in all that apply)

Overdrillling
- Interval Drilled: N/A
- Drilling Method(s)
- Borehole Diameter (in.)
- Temp. Casing Installed? (Y/N)
- Depth temp. casing installed
- Casing type/diam (in.)
- Method of Installation

Casing Pulling: N/A
- Method employed
- Casing retrieved (feet)
- Casing type/diam. (in.)

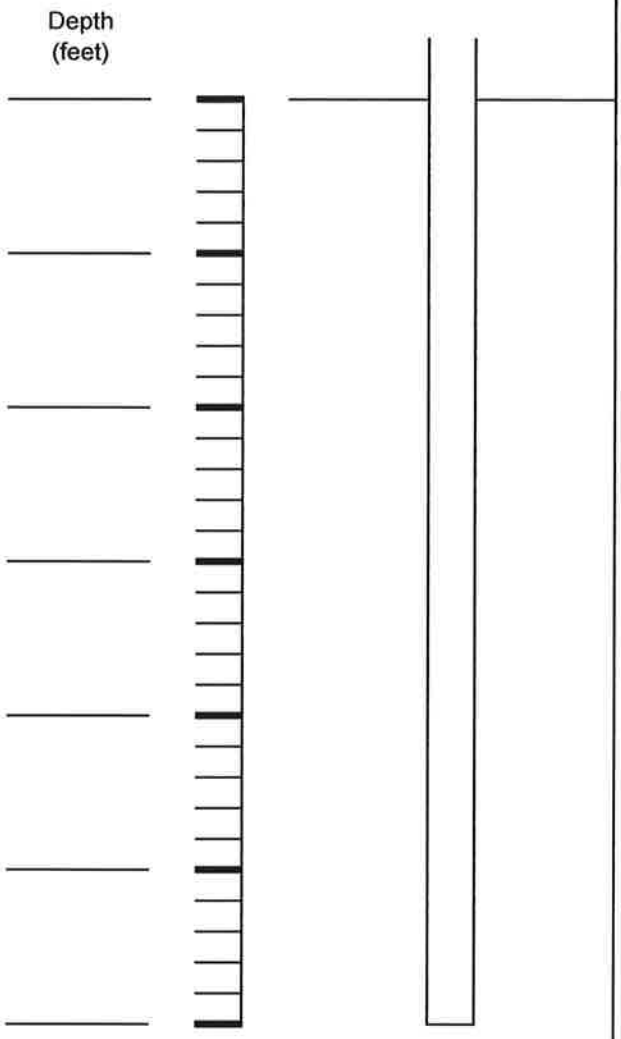
Casing Perforating: N/A
- Equipment used
- Number of perforaitons/foot
- Size of perforations
- Interval perforated

Grouting
- Interval grouted (fbgs): 4-22'
- No. of batches prepared: 1
- For each batch record:
  - Quantity of water used (gal.): ~7 gal
  - Quantity of cement used (lbs.): 94
  - Cement type: Portland
  - Quantity of bentonite used (lbs.): 5
  - Quantity of calcium chloride used (lbs.): N/A
  - Volume of grout prepared (gal.): ~8
  - Volume of grount used (gal.): ~8

Comments

well was decommissioned in-place

Well Schematic*



* Sketch in all relevant decommissioning data, including: interval overdrilled, interval grouted, casing left in hole, well stickup, etc.

Drilling Contractor:

Department Rep.:

BENCHMARK
ENVIRONMENTAL ENGINEERING & SCIENCE, PLLC

WELL ABANDONMENT/ DECOMMISSIONING LOG

PROJECT INFORMATION		WELL INFORMATION	
PROJECT/SITE NAME:	Silos @ Elk Street Site	WELL I.D.:	MW-3
Client:	Young + Wright Architectural	Stick-up (feet):	6"
Project Job Number:		Screen Interval (fbgs):	12-22'
Date:	6/7/23	Drilling Company:	NA
Weather:	Overcast 60's	Drill Rig Type:	NA
Prepared by:	PWW	Drilling Company Personnel:	NA

DECOMMISSIONING PROCEDURES (per NYSDEC DER-10)

	YES	NO
Well visibile? (If not, provide directions below)	✓	
Well I.D. visible?	✓	
Well location matches site map? (If not, sketch actual location on back)	✓	

Well I.D. as it appears on protective casing or well:

Surface seal present?	✓	
Surface seal competenet? (If cracked, heaved, etc., describe below)	✓	
Protective casing in good condition? (If damaged, describe below)	✓	

Headspace reading (ppm) and instrument used: 0.0
Type of protective casing and height of stickup in feet (if applicable): Processing Steel 6"
Protective casing material type:
Measure protective casing inside diameter (inches): 3"

Lock present?		✓
Lock functional?		✓
Did you replace the lock?		✓
Is there evidence that the well is double cased? (If yes, describe below)		✓
Well measuring point visible?	✓	

Measure depth to water from measuring point (feet):
Measure well depth from measuring point (feet):
Measure well diameter (inches): 2"
Well casing material: ~~2"~~ PVC
Physical condition of visible well casing: good
Attach I.D. marker (if well I.D. is confirmed) and identify marker type:
Proximity to underground or overhead utilities: N/A

Describe access to well: (Include accessibility to truck mounted rig, natural obstructions, overhead utilities, proximity to permenant structures, etc.); Add sketch of location on back, if necessary.
Accessible, in lawn along Fulton

Describe well setting (for example, located in a field, in a playground, on pavement, in a garden, etc.) and assess the type of restoration required.
grass area along Fulton

Identify any nearby potential sources of contamination, if present (e.g., gas station, salt pile, etc.)
None

Remarks:

BENCHMARK
ENVIRONMENTAL
ENGINEERING &
SCIENCE, PLLC

WELL ABANDONMENT/ DECOMMISSIONING LOG

DECOMMISSIONING PROCEDURES (per NYSDEC DER-10) - continued

PROJECT/SITE NAME: Silos @ Elk Street Site

WELL I.D.: MW-3

Decommissioning Data (Fill in all that apply)

Overdrillling
- Interval Drilled: NA
- Drilling Method(s)
- Borehole Diameter (in.)
- Temp. Casing Installed? (Y/N)
- Depth temp. casing installed
- Casing type/diam (in.)
- Method of Installation

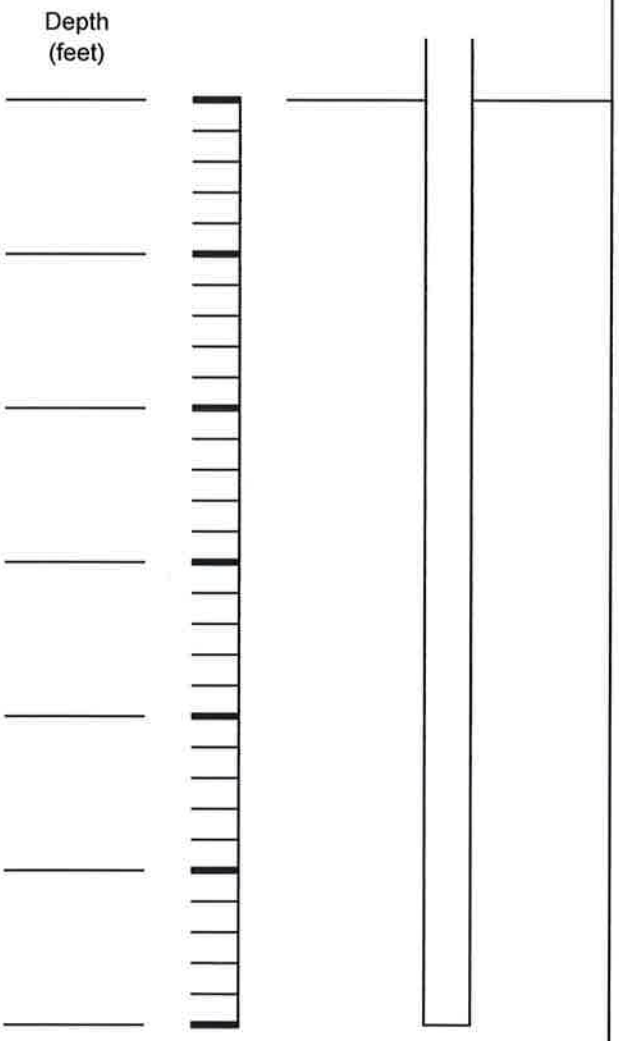
Casing Pulling: N/A
- Method employed
- Casing retrieved (feet)
- Casing type/diam. (in.)

Casing Perforating: N/A
- Equipment used
- Number of perforaitons/foot
- Size of perforations
- Interval perforated

Grouting
- Interval grouted (fbgs): 4'-22'
- No. of batches prepared: 1
- For each batch record:
  - Quantity of water used (gal.): ~7 gallons
  - Quantity of cement used (lbs.): 94 lbs
  - Cement type: ~~Portland~~ Portland + bentonite mix
  - Quantity of bentonite used (lbs.): 5 lbs
  - Quantity of calcium chloride used (lbs.): NA
  - Volume of grout prepared (gal.): ~8 gal
  - Volume of grount used (gal.): ~8 gal

Comments

Well Schematic*



* Sketch in all relevant decommissioning data, including: interval overdrilled, interval grouted, casing left in hole, well stickup, etc.

Drilling Contractor:

Department Rep.:

BENCHMARK
ENVIRONMENTAL
ENGINEERING &
SCIENCE, PLLC

WELL ABANDONMENT/ DECOMMISSIONING LOG

PROJECT INFORMATION		WELL INFORMATION	
PROJECT/SITE NAME:	Silos @ Elk Street Site	WELL I.D.:	MW-4
Client:	Young + Wright	Stick-up (feet):	6"
Project Job Number:		Screen Interval (fbgs):	12-22'
Date:	6/7/23	Drilling Company:	NA
Weather:	overcast 60's	Drill Rig Type:	NA
Prepared by:	PWW	Drilling Company Personnel:	NA

DECOMMISSIONING PROCEDURES (per NYSDEC DER-10)

	YES	NO
Well visibile? (If not, provide directions below)	X	
Well I.D. visible?	X	
Well location matches site map? (If not, sketch actual location on back)	X	

Well I.D. as it appears on protective casing or well:

Surface seal present?	X	
Surface seal competenet? (If cracked, heaved, etc., describe below)	X	
Protective casing in good condition? (If damaged, describe below)	X	

Headspace reading (ppm) and instrument used:	0.0 PPM
Type of protective casing and height of stickup in feet (if applicable):	Procasing 6"
Protective casing material type:	Steel
Measure protective casing inside diameter (inches):	3"

Lock present?		X
Lock functional?		X
Did you replace the lock?		X
Is there evidence that the well is double cased? (If yes, describe below)		X
Well measuring point visible?	X	

Measure depth to water from measuring point (feet):	
Measure well depth from measuring point (feet):	2"
Measure well diameter (inches):	PVC
Well casing material:	Good
Physical condition of visible well casing:	
Attach I.D. marker (if well I.D. is confirmed) and identify marker type:	NA
Proximity to underground or overhead utilities:	N/A

Describe access to well: (Include accessibility to truck mounted rig, natural obstructions, overhead utilities, proximity to permenant structures, etc.); Add sketch of location on back, if necessary.

Describe well setting (for example, located in a field, in a playground, on pavement, in a garden, etc.) and assess the type of restoration required.

Accessible, in lawn near fulton

Identify any nearby potential sources of contamination, if present (e.g., gas station, salt pile, etc.)

In lawn near fulter

Remarks:

BENCHMARK
ENVIRONMENTAL ENGINEERING & SCIENCE, PLLC

WELL ABANDONMENT/ DECOMMISSIONING LOG

DECOMMISSIONING PROCEDURES (per NYSDEC DER-10) - continued

PROJECT/SITE NAME: Silos @ Elk Street Site

WELL I.D.: MW-4

Decommissioning Data (Fill in all that apply)

Overdrillling
- Interval Drilled: N/A
- Drilling Method(s)
- Borehole Diameter (in.)
- Temp. Casing Installed? (Y/N)
- Depth temp. casing installed
- Casing type/diam (in.)
- Method of Installation

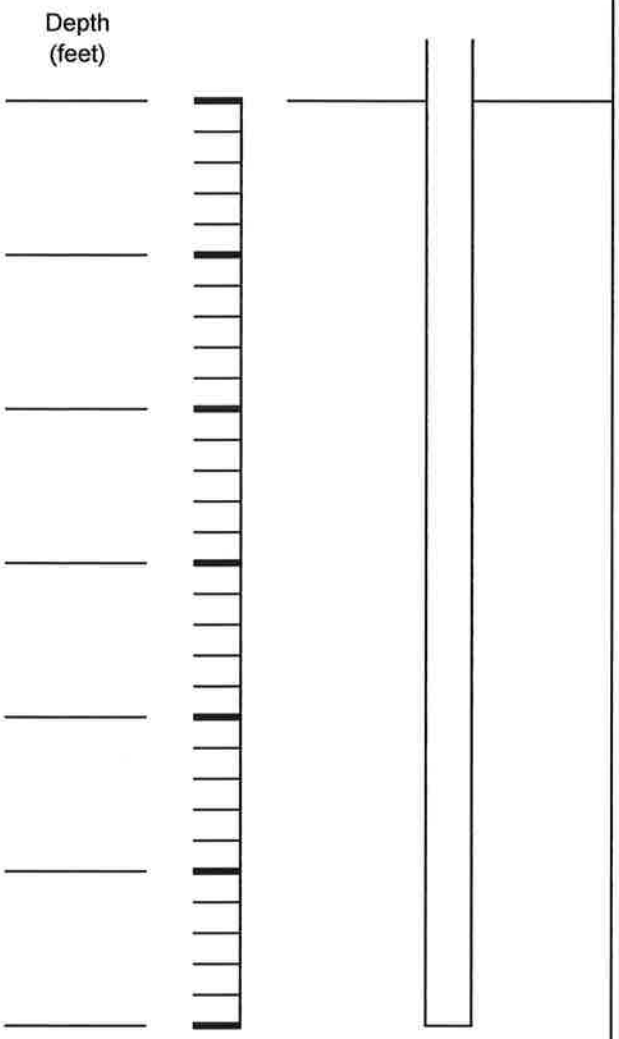
Casing Pulling
- Method employed: N/A
- Casing retrieved (feet)
- Casing type/diam. (in.)

Casing Perforating
- Equipment used: N/A
- Number of perforaitons/foot
- Size of perforations
- Interval perforated

Grouting
- Interval grouted (fbgs): 4-22'
- No. of batches prepared: 1
- For each batch record:
  - Quantity of water used (gal.): ~ 7 gal
  - Quantity of cement used (lbs.): 94
  - Cement type: Portland
  - Quantity of bentonite used (lbs.): 5
  - Quantity of calcium chloride used (lbs.): —
  - Volume of grout prepared (gal.): ~ 8 gal
  - Volume of grount used (gal.): ~ 8 gal

Comments

Well Schematic*



* Sketch in all relevant decommissioning data, including: interval overdrilled, interval grouted, casing left in hole, well stickup, etc.

Drilling Contractor:

Department Rep.:

BENCHMARK
ENVIRONMENTAL
ENGINEERING &
SCIENCE, PLLC

WELL ABANDONMENT/ DECOMMISSIONING LOG

PROJECT INFORMATION		WELL INFORMATION	
PROJECT/SITE NAME:	Silos @ Elk Street Site	WELL I.D.:	MW-5
Client:	Young + Wright	Stick-up (feet):	—
Project Job Number:		Screen Interval (fbgs):	12-22'
Date:	6/7/23	Drilling Company:	—
Weather:	Overcast	Drill Rig Type:	—
Prepared by:	PWW	Drilling Company Personnel:	—

DECOMMISSIONING PROCEDURES (per NYSDEC DER-10)

	YES	NO
Well visibile? (If not, provide directions below)	X	
Well I.D. visible?	X	
Well location matches site map? (If not, sketch actual location on back)	X	

Well I.D. as it appears on protective casing or well:

Surface seal present?	X	
Surface seal competenet? (If cracked, heaved, etc., describe below)	X	
Protective casing in good condition? (If damaged, describe below)	X	

Headspace reading (ppm) and instrument used: 0.0 PPM

Type of protective casing and height of stickup in feet (if applicable): NA

Protective casing material type: Steel cover (flush Mount)

Measure protective casing inside diameter (inches): 8"

Lock present?		X
Lock functional?		X
Did you replace the lock?		X
Is there evidence that the well is double cased? (If yes, describe below)		X
Well measuring point visible?	X	

Measure depth to water from measuring point (feet):

Measure well depth from measuring point (feet):

Measure well diameter (inches):

Well casing material: 2" PVC

Physical condition of visible well casing: good

Attach I.D. marker (if well I.D. is confirmed) and identify marker type:

Proximity to underground or overhead utilities:

Describe access to well: (Include accessibility to truck mounted rig, natural obstructions, overhead utilities, proximity to permenant structures, etc.); Add sketch of location on back, if necessary.

Accessible. In parking lot near electrical charge station

Describe well setting (for example, located in a field, in a playground, on pavement, in a garden, etc.) and assess the type of restoration required.

located in pavement

Identify any nearby potential sources of contamination, if present (e.g., gas station, salt pile, etc.)

N/A

Remarks:

BENCHMARK
ENVIRONMENTAL
ENGINEERING &
SCIENCE, PLLC

WELL ABANDONMENT/ DECOMMISSIONING LOG

DECOMMISSIONING PROCEDURES (per NYSDEC DER-10) - continued

PROJECT/SITE NAME:

WELL I.D.:

Decommissioning Data (Fill in all that apply)

Overdrillling
- Interval Drilled: N/A
- Drilling Method(s)
- Borehole Diameter (in.)
- Temp. Casing Installed? (Y/N)
- Depth temp. casing installed
- Casing type/diam (in.)
- Method of Installation

Casing Pulling: N/A
- Method employed
- Casing retrieved (feet)
- Casing type/diam. (in.)

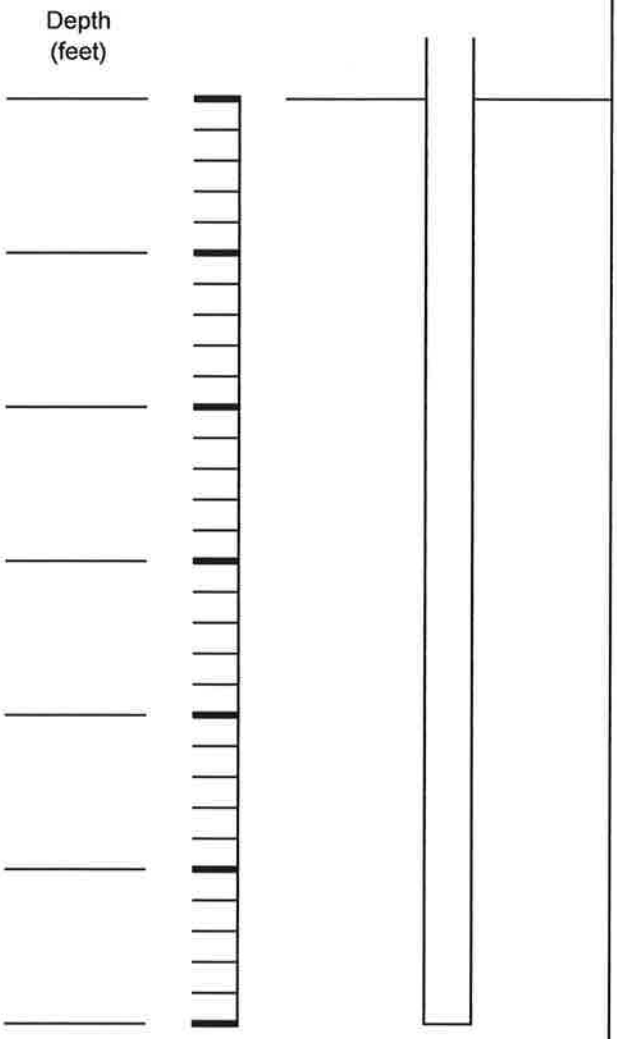
Casing Perforating: N/A
- Equipment used
- Number of perforaitons/foot
- Size of perforations
- Interval perforated

Grouting
- Interval grouted (fbgs): 4-22' fbgs
- No. of batches prepared: 1
- For each batch record:
  - Quantity of water used (gal.): ~7 gallons
  - Quantity of cement used (lbs.): 94
  - Cement type: Portland
  - Quantity of bentonite used (lbs.): 5 #
  - Quantity of calcium chloride used (lbs.): NA
  - Volume of grout prepared (gal.): ~8 gal
  - Volume of grount used (gal.): ~8 gal

Comments

Well was decommissioned in place

Well Schematic*



* Sketch in all relevant decommissioning data, including: interval overdrilled, interval grouted, casing left in hole, well stickup, etc.

Drilling Contractor:

Department Rep.:

APPENDIX H

TENANT NOTIFICATION

TENANT NOTIFICATION

As a condition of the Lease Agreement for 50 Elk Street, Suite ____, Buffalo, New York 14210 between Silos at Elk Street, LLC [Owner] and _____ [Tenant], no digging is allowed anywhere on the property for any reason. The property has been remediated through the New York State Brownfield Cleanup Program and is subject to an Environmental Easement held by the New York State Department of Environmental Conservation, which is recorded in the Erie County Clerk's office at Book of Deeds 11325, Page 3114. This easement is hereby incorporated by reference in the Lease Agreement between the Owner and Tenant.

Please indicate your receipt of this Notification and acceptance of these conditions by signing below:

_____

Tenant Signature

_____

Tenant Name (printed)

_____

Date Signed

_____

Owner Signature

_____

Date Signed

Department of Environmental Conservation

KATHY HOCHUL
Governor

AMANDA LEFTON
Acting Commissioner

March 17, 2025

Shawn Wright
Silos at Elk Street, LLC
50 Elk Street
Buffalo, New York 14210

Dear Shawn Wright (as representative of the Certifying Party):

Site Management (SM)
Site Management Plan Errata Sheet
Silos at Elk Street Site, Buffalo
Erie County, Site No.: **C915309**

The New York State Department of Environmental Conservation (NYSDEC) and the New York State Department of Health (NYSDOH) have reviewed and hereby approve your *Site Management Plan Errata Sheet* received March 17, 2025. If you have any questions, please contact me at 716-851-7220 or email: megan.kuczka@dec.ny.gov.

Sincerely,

Megan Kuczka

Megan Kuczka
Environmental Program Specialist 1

MK/sed

ec: Andrea Caprio, P.E., Regional Haz. Waste Remediation Engineer, NYSDEC Reg. 9
Gregory Scholand, Esq., Assistant Regional Attorney, NYSDEC Region 9
Sara Bogardus, Public Health Specialist II, NYSDOH Albany
Steven Berninger, Public Health Specialist, NYSDOH Albany
Lori Riker, Roux Inc.
Tom Forbes, Roux Inc.

APPENDIX D

Groundwater Monitoring Well Decommissioning

June 19, 2023

Mr. Shawn P. Wright, AIA
Silos at Elk Street LLC
%Young + Wright Architectural
50 Elk Street
Buffalo, New York 14210

Re: Silos at Elk Street Site
BCP Site No. C915309
Groundwater Monitoring Well Decommissioning

Dear Mr. Wright:

Benchmark Civil/Environmental Engineering & Geology, PLLC (Benchmark) personnel were on-site June 7, 2023 to decommissioning the four remaining groundwater monitoring wells as requested by the New York State Department of Environmental Conservation (NYSDEC) in its letter dated June 21, 2022. Monitoring wells MW-2 through MW-5 were decommissioned per NYSDEC Commission's Policy CP-43: Groundwater Monitoring Well Decommissioning Policy.

The headspace of all four wells was measured with a photoionization detector (PID) and all readings were 0.0 parts per million (ppm) indicating no impacts by volatile organics in these areas. Monitoring wells MW-3 and MW-4 were in the grass area on the northern portion of the property. The 3-inch diameter protective steel casing extended 6 inches above ground surface. This casing as well as the 2-inch diameter PVC well casing were cut to approximately 1 foot below ground surface (fbgs). One-inch diameter tremie piping was lowered into the wells and a mix of Portland cement, bentonite, and water was poured into the tremie piping as it was slowly removed to grout the wells in-place. Topsoil was placed in the holes to grade and grass seed was mixed into the top layer. Monitoring wells MW-2 and MW-5 were installed in and flush with the asphalt. The concrete road boxes were left in place as they are approximately 8-12 inches thick and would have required significant effort and additional equipment for removal. The road box steel cover and well J-plug were removed and the 2-inch diameter PVC well casing was cut to the bottom of the concrete road box. One-inch diameter tremie piping was lowered into the wells and a mix of Portland cement, bentonite, and water was poured into the tremie piping as it was slowly removed to grout the wells in-place. Grout was also poured to grade to fill the void in the road boxes and the steel covers

2558 Hamburg Turnpike, Suite 300 | Buffalo, NY 14218
phone: (716) 856-0599 | fax: (716) 856-0583

were reinstalled. We understand a paving company subsequently sealed the asphalt parking lot.

Attachment 1 provides the decommissioning logs. Attachment 2 includes photographs of the decommissioning and cover system restoration. Benchmark provided these logs to Ms. Megan Kuczka, the NYSDEC Project Manager, via email on June 15; Ms. Kuczka indicated she had no comments. A summary of the work along with the well decommissioning logs and photographs will be included with the next Periodic Review Report due May 28, 2025.

Please contact me with questions or if you require additional information.

Sincerely,
Benchmark Civil/Environmental Engineering & Geology, PLLC

Lori E. Riker, P.E.
Sr. Project Manager

Att.
ec: Tom Forbes (Benchmark)

ATTACHMENT 1

DECOMMISSIONING LOGS

BENCHMARK

BENCHMARK
ENVIRONMENTAL ENGINEERING & SCIENCE, PLLC

WELL ABANDONMENT/ DECOMMISSIONING LOG

PROJECT INFORMATION		WELL INFORMATION	
PROJECT/SITE NAME:	Silos @ Elk Street Site	WELL I.D.:	MW-2
Client:	Young + Wright	Stick-up (feet):	—
Project Job Number:		Screen Interval (fbgs):	12-22'
Date:	6/7/23	Drilling Company:	NA
Weather:	Overcast 60s	Drill Rig Type:	NA
Prepared by:	PWW	Drilling Company Personnel:	NA

DECOMMISSIONING PROCEDURES (per NYSDEC DER-10)

	YES	NO
Well visibile? (If not, provide directions below)	X	
Well I.D. visible?	X	
Well location matches site map? (If not, sketch actual location on back)	X	

Well I.D. as it appears on protective casing or well:

Surface seal present?	X	
Surface seal competenet? (If cracked, heaved, etc., describe below)	X	
Protective casing in good condition? (If damaged, describe below)	X	

Headspace reading (ppm) and instrument used: 0.0 PPM
Type of protective casing and height of stickup in feet (if applicable): flush mount road box
Protective casing material type: Steel
Measure protective casing inside diameter (inches): 8"

Lock present?		
Lock functional?		
Did you replace the lock?		
Is there evidence that the well is double cased? (If yes, describe below)		
Well measuring point visible?		

Measure depth to water from measuring point (feet):
Measure well depth from measuring point (feet):
Measure well diameter (inches): 2"
Well casing material: PVC
Physical condition of visible well casing: good
Attach I.D. marker (if well I.D. is confirmed) and identify marker type:
Proximity to underground or overhead utilities: N/A

Describe access to well: (Include accessibility to truck mounted rig, natural obstructions, overhead utilities, proximity to permenant structures, etc.); Add sketch of location on back, if necessary.
Accessible, parking lot

Describe well setting (for example, located in a field, in a playground, on pavement, in a garden, etc.) and assess the type of restoration required.
located in pavement in parking lot

Identify any nearby potential sources of contamination, if present (e.g., gas station, salt pile, etc.)
N/A

Remarks:

BENCHMARK
ENVIRONMENTAL
ENGINEERING &
SCIENCE, PLLC

WELL ABANDONMENT/ DECOMMISSIONING LOG

DECOMMISSIONING PROCEDURES (per NYSDEC DER-10) - continued

PROJECT/SITE NAME: Silos @ Elk Street Site

WELL I.D.: MW-2

Decommissioning Data (Fill in all that apply)

Overdrillling
- Interval Drilled: N/A
- Drilling Method(s)
- Borehole Diameter (in.)
- Temp. Casing Installed? (Y/N)
- Depth temp. casing installed
- Casing type/diam (in.)
- Method of Installation

Casing Pulling: N/A
- Method employed
- Casing retrieved (feet)
- Casing type/diam. (in.)

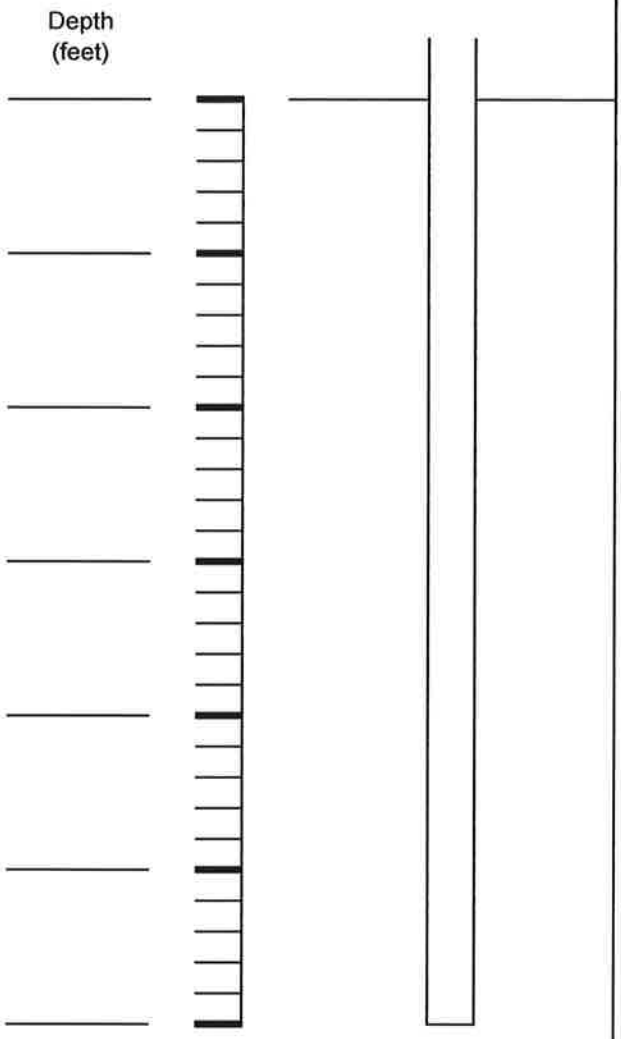
Casing Perforating: N/A
- Equipment used
- Number of perforaitons/foot
- Size of perforations
- Interval perforated

Grouting
- Interval grouted (fbgs): 4-22'
- No. of batches prepared: 1
- For each batch record:
  - Quantity of water used (gal.): ~7 gal
  - Quantity of cement used (lbs.): 94
  - Cement type: Portland
  - Quantity of bentonite used (lbs.): 5
  - Quantity of calcium chloride used (lbs.): N/A
  - Volume of grout prepared (gal.): ~8
  - Volume of grount used (gal.): ~8

Comments

well was decommissioned in-place

Well Schematic*



* Sketch in all relevant decommissioning data, including: interval overdrilled, interval grouted, casing left in hole, well stickup, etc.

Drilling Contractor:

Department Rep.:

BENCHMARK
ENVIRONMENTAL ENGINEERING & SCIENCE, PLLC

WELL ABANDONMENT/ DECOMMISSIONING LOG

PROJECT INFORMATION		WELL INFORMATION	
PROJECT/SITE NAME:	Silos @ Elk Street Site	WELL I.D.:	MW-3
Client:	Young + Wright Architectural	Stick-up (feet):	6"
Project Job Number:		Screen Interval (fbgs):	12-22'
Date:	6/7/23	Drilling Company:	NA
Weather:	Overcast 60's	Drill Rig Type:	NA
Prepared by:	PWW	Drilling Company Personnel:	NA

DECOMMISSIONING PROCEDURES (per NYSDEC DER-10)

	YES	NO
Well visibile? (If not, provide directions below)	✓	
Well I.D. visible?	✓	
Well location matches site map? (If not, sketch actual location on back)	✓	

Well I.D. as it appears on protective casing or well:

Surface seal present?	✓	
Surface seal competenet? (If cracked, heaved, etc., describe below)	✓	
Protective casing in good condition? (If damaged, describe below)	✓	

Headspace reading (ppm) and instrument used: 0.0
Type of protective casing and height of stickup in feet (if applicable): Processing Steel 6"
Protective casing material type:
Measure protective casing inside diameter (inches): 3"

Lock present?		✓
Lock functional?		✓
Did you replace the lock?		✓
Is there evidence that the well is double cased? (If yes, describe below)		✓
Well measuring point visible?	✓	

Measure depth to water from measuring point (feet):
Measure well depth from measuring point (feet):
Measure well diameter (inches): 2"
Well casing material: ~~2"~~ PVC
Physical condition of visible well casing: good
Attach I.D. marker (if well I.D. is confirmed) and identify marker type:
Proximity to underground or overhead utilities: N/A

Describe access to well: (Include accessibility to truck mounted rig, natural obstructions, overhead utilities, proximity to permenant structures, etc.); Add sketch of location on back, if necessary.
Accessible, in lawn along Fulton

Describe well setting (for example, located in a field, in a playground, on pavement, in a garden, etc.) and assess the type of restoration required.
grass area along Fulton

Identify any nearby potential sources of contamination, if present (e.g., gas station, salt pile, etc.)
None

Remarks:

BENCHMARK
ENVIRONMENTAL
ENGINEERING &
SCIENCE, PLLC

WELL ABANDONMENT/ DECOMMISSIONING LOG

DECOMMISSIONING PROCEDURES (per NYSDEC DER-10) - continued

PROJECT/SITE NAME: Silos @ Elk Street Site

WELL I.D.: MW-3

Decommissioning Data (Fill in all that apply)

Overdrillling
- Interval Drilled: NA
- Drilling Method(s)
- Borehole Diameter (in.)
- Temp. Casing Installed? (Y/N)
- Depth temp. casing installed
- Casing type/diam (in.)
- Method of Installation

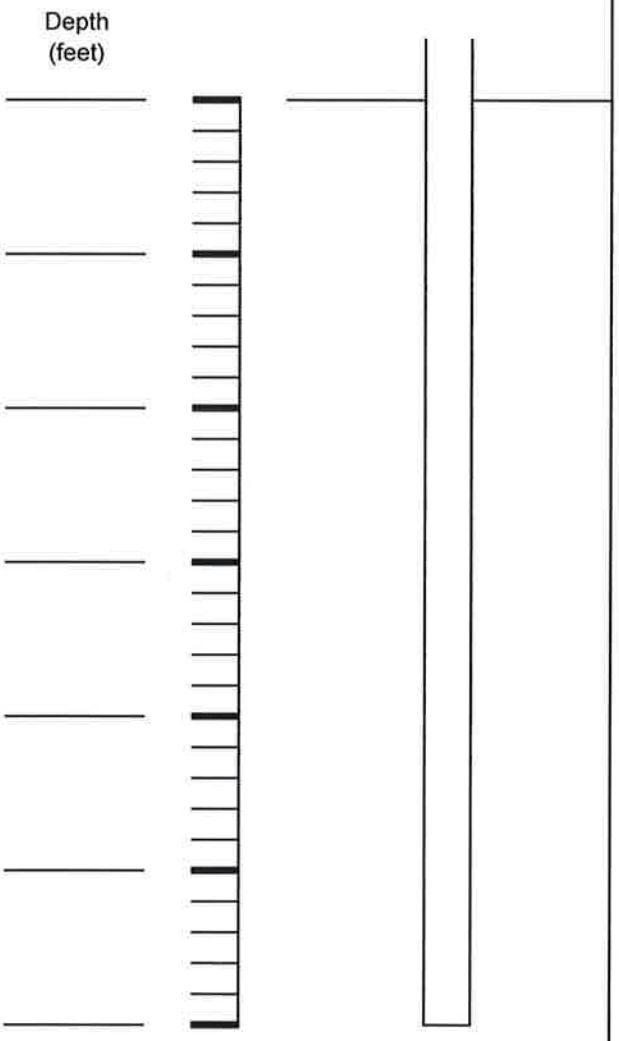
Casing Pulling: N/A
- Method employed
- Casing retrieved (feet)
- Casing type/diam. (in.)

Casing Perforating: N/A
- Equipment used
- Number of perforaitons/foot
- Size of perforations
- Interval perforated

Grouting
- Interval grouted (fbgs): 4'-22'
- No. of batches prepared: 1
- For each batch record:
  - Quantity of water used (gal.): ~7 gallons
  - Quantity of cement used (lbs.): 94 lbs
  - Cement type: ~~Portland~~ Portland + bentonite mix
  - Quantity of bentonite used (lbs.): 5 lbs
  - Quantity of calcium chloride used (lbs.): NA
  - Volume of grout prepared (gal.): ~8 gal
  - Volume of grount used (gal.): ~8 gal

Comments

Well Schematic*



* Sketch in all relevant decommissioning data, including: interval overdrilled, interval grouted, casing left in hole, well stickup, etc.

Drilling Contractor:

Department Rep.:

BENCHMARK
ENVIRONMENTAL
ENGINEERING &
SCIENCE, PLLC

WELL ABANDONMENT/ DECOMMISSIONING LOG

PROJECT INFORMATION		WELL INFORMATION	
PROJECT/SITE NAME:	Silos @ Elk Street Site	WELL I.D.:	MW-4
Client:	Young + Wright	Stick-up (feet):	6"
Project Job Number:		Screen Interval (fbgs):	12-22'
Date:	6/7/23	Drilling Company:	NA
Weather:	overcast 60's	Drill Rig Type:	NA
Prepared by:	PWW	Drilling Company Personnel:	NA

DECOMMISSIONING PROCEDURES (per NYSDEC DER-10)

	YES	NO
Well visibile? (If not, provide directions below)	X	
Well I.D. visible?	X	
Well location matches site map? (If not, sketch actual location on back)	X	

Well I.D. as it appears on protective casing or well:

Surface seal present?	X	
Surface seal competenet? (If cracked, heaved, etc., describe below)	X	
Protective casing in good condition? (If damaged, describe below)	X	

Headspace reading (ppm) and instrument used:	0.0 PPM
Type of protective casing and height of stickup in feet (if applicable):	Procasing 6"
Protective casing material type:	Steel
Measure protective casing inside diameter (inches):	3"

Lock present?		X
Lock functional?		X
Did you replace the lock?		X
Is there evidence that the well is double cased? (If yes, describe below)		X
Well measuring point visible?	X	

Measure depth to water from measuring point (feet):	
Measure well depth from measuring point (feet):	2"
Measure well diameter (inches):	PVC
Well casing material:	Good
Physical condition of visible well casing:	
Attach I.D. marker (if well I.D. is confirmed) and identify marker type:	NA
Proximity to underground or overhead utilities:	N/A

Describe access to well: (Include accessibility to truck mounted rig, natural obstructions, overhead utilities, proximity to permenant structures, etc.); Add sketch of location on back, if necessary.

Describe well setting (for example, located in a field, in a playground, on pavement, in a garden, etc.) and assess the type of restoration required.

Accessible, in lawn near fulton

Identify any nearby potential sources of contamination, if present (e.g., gas station, salt pile, etc.)

In lawn near fulter

Remarks:

BENCHMARK
ENVIRONMENTAL ENGINEERING & SCIENCE, PLLC

WELL ABANDONMENT/ DECOMMISSIONING LOG

DECOMMISSIONING PROCEDURES (per NYSDEC DER-10) - continued

PROJECT/SITE NAME: Silos @ Elk Street Site

WELL I.D.: MW-4

Decommissioning Data (Fill in all that apply)

Overdrillling
- Interval Drilled: N/A
- Drilling Method(s)
- Borehole Diameter (in.)
- Temp. Casing Installed? (Y/N)
- Depth temp. casing installed
- Casing type/diam (in.)
- Method of Installation

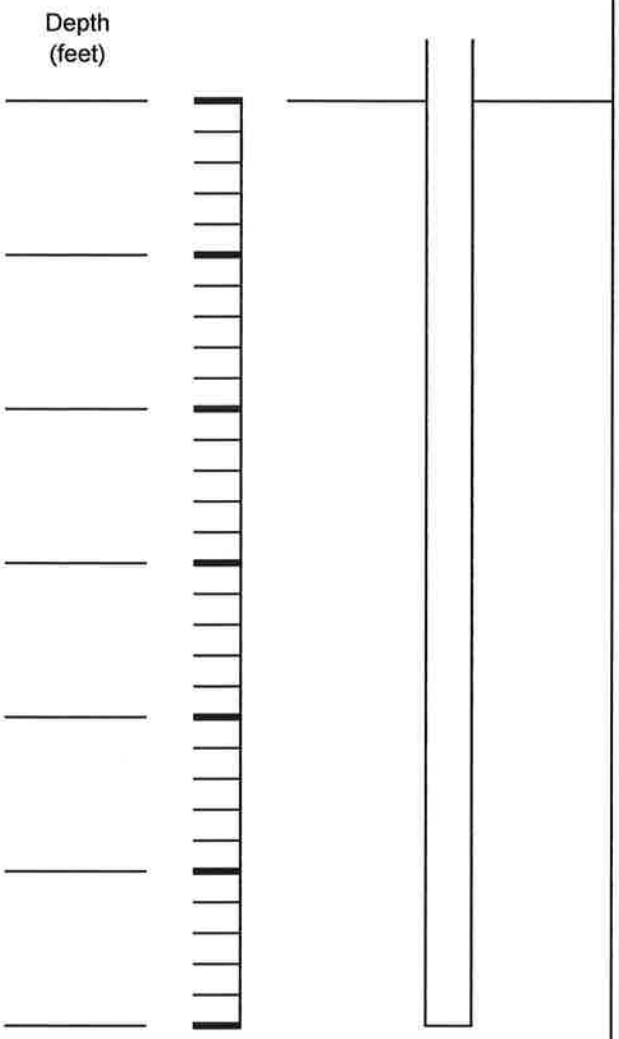
Casing Pulling
- Method employed: N/A
- Casing retrieved (feet)
- Casing type/diam. (in.)

Casing Perforating
- Equipment used: N/A
- Number of perforaitons/foot
- Size of perforations
- Interval perforated

Grouting
- Interval grouted (fbgs): 4-22'
- No. of batches prepared: 1
- For each batch record:
  - Quantity of water used (gal.): ~ 7 gal
  - Quantity of cement used (lbs.): 94
  - Cement type: Portland
  - Quantity of bentonite used (lbs.): 5
  - Quantity of calcium chloride used (lbs.): —
  - Volume of grout prepared (gal.): ~ 8 gal
  - Volume of grount used (gal.): ~ 8 gal

Comments

Well Schematic*



* Sketch in all relevant decommissioning data, including: interval overdrilled, interval grouted, casing left in hole, well stickup, etc.

Drilling Contractor:

Department Rep.:

BENCHMARK
ENVIRONMENTAL
ENGINEERING &
SCIENCE, PLLC

WELL ABANDONMENT/ DECOMMISSIONING LOG

PROJECT INFORMATION		WELL INFORMATION	
PROJECT/SITE NAME:	Silos @ Elk Street Site	WELL I.D.:	MW-5
Client:	Young + Wright	Stick-up (feet):	—
Project Job Number:		Screen Interval (fbgs):	12-22'
Date:	6/7/23	Drilling Company:	—
Weather:	Overcast	Drill Rig Type:	—
Prepared by:	PWW	Drilling Company Personnel:	—

DECOMMISSIONING PROCEDURES (per NYSDEC DER-10)

	YES	NO
Well visibile? (If not, provide directions below)	X	
Well I.D. visible?	X	
Well location matches site map? (If not, sketch actual location on back)	X	

Well I.D. as it appears on protective casing or well:

Surface seal present?	X	
Surface seal competenet? (If cracked, heaved, etc., describe below)	X	
Protective casing in good condition? (If damaged, describe below)	X	

Headspace reading (ppm) and instrument used: 0.0 PPM

Type of protective casing and height of stickup in feet (if applicable): NA

Protective casing material type: Steel cover (flush Mount)

Measure protective casing inside diameter (inches): 8"

Lock present?		X
Lock functional?		X
Did you replace the lock?		X
Is there evidence that the well is double cased? (If yes, describe below)		X
Well measuring point visible?	X	

Measure depth to water from measuring point (feet):

Measure well depth from measuring point (feet):

Measure well diameter (inches):

Well casing material: 2" PVC

Physical condition of visible well casing: good

Attach I.D. marker (if well I.D. is confirmed) and identify marker type:

Proximity to underground or overhead utilities:

Describe access to well: (Include accessibility to truck mounted rig, natural obstructions, overhead utilities, proximity to permenant structures, etc.); Add sketch of location on back, if necessary.

Accessible. In parking lot near electrical charge station

Describe well setting (for example, located in a field, in a playground, on pavement, in a garden, etc.) and assess the type of restoration required.

located in pavement

Identify any nearby potential sources of contamination, if present (e.g., gas station, salt pile, etc.)

N/A

Remarks:

BENCHMARK
ENVIRONMENTAL
ENGINEERING &
SCIENCE, PLLC

WELL ABANDONMENT/ DECOMMISSIONING LOG

DECOMMISSIONING PROCEDURES (per NYSDEC DER-10) - continued

PROJECT/SITE NAME:

WELL I.D.:

Decommissioning Data (Fill in all that apply)

Overdrillling
- Interval Drilled: N/A
- Drilling Method(s)
- Borehole Diameter (in.)
- Temp. Casing Installed? (Y/N)
- Depth temp. casing installed
- Casing type/diam (in.)
- Method of Installation

Casing Pulling: N/A
- Method employed
- Casing retrieved (feet)
- Casing type/diam. (in.)

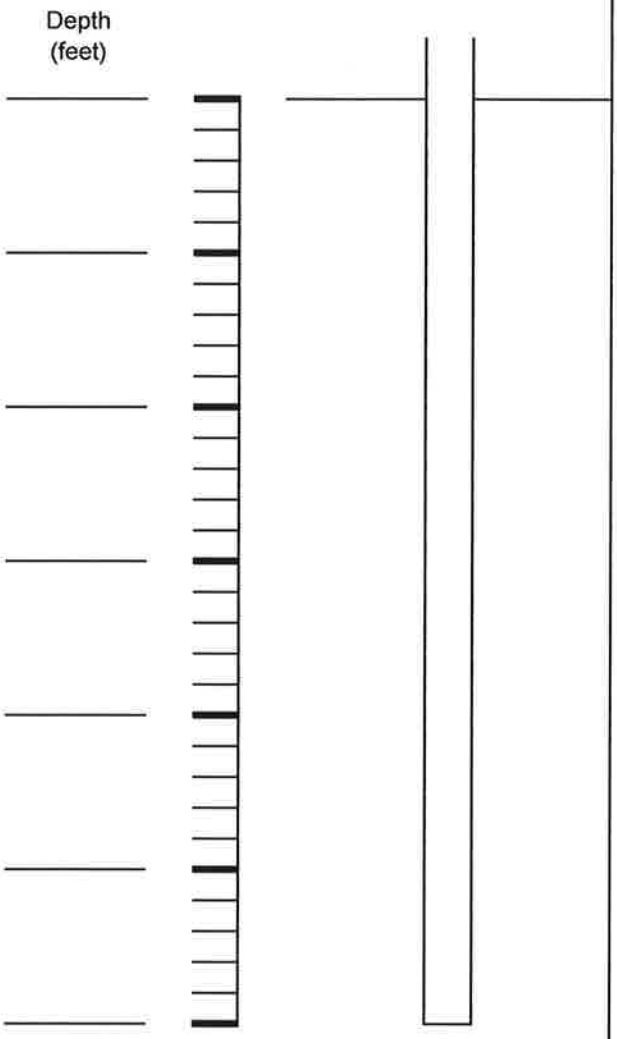
Casing Perforating: N/A
- Equipment used
- Number of perforaitons/foot
- Size of perforations
- Interval perforated

Grouting
- Interval grouted (fbgs): 4-22' fbgs
- No. of batches prepared: 1
- For each batch record:
  - Quantity of water used (gal.): ~7 gallons
  - Quantity of cement used (lbs.): 94
  - Cement type: Portland
  - Quantity of bentonite used (lbs.): 5 #
  - Quantity of calcium chloride used (lbs.): NA
  - Volume of grout prepared (gal.): ~8 gal
  - Volume of grount used (gal.): ~8 gal

Comments

Well was decommissioned in place

Well Schematic*



* Sketch in all relevant decommissioning data, including: interval overdrilled, interval grouted, casing left in hole, well stickup, etc.

Drilling Contractor:

Department Rep.:

ATTACHMENT 2

PHOTOGRAPHIC LOG

BENCHMARK

SITE PHOTOGRAPHS

Photo 1:

Photo 2:

Photo 3:

Photo 4:

Groundwater Monitoring Well Decommissioning (6/7/23)

Photo 1: MW-3: Removed section of PVC riser, tremie piped bentonite and cement grout to seal well, repaired lawn.

Photo 2: MW-4: Removed section of PVC riser, tremie piped bentonite and cement grout to seal well.

Photo 3: MW-4: Repaired lawn and seeded.

Photo 4: MW-5: Removed road box cover and J-plug

SITE PHOTOGRAPHS

Photo 5:

Photo 6:

Groundwater Monitoring Well Decommissioning (6/7/23)

Photo 5: MW-2: Cut down riser below road box, tremie piped bentonite and concrete grout to seal well

Photo 6: MW-2: Sealed entire road box

APPENDIX E

2024 Concrete Pad and Cooler Installation

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

60-Day Advance Notification of Site Change of Use, Transfer of Certificate of Completion, and/or Ownership

Required by 6NYCRR Part 375-1.11(d) and 375-1.9(f)

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

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

I. Site Name: Silos at Elk Street Site **DEC Site ID No.** C915309

II. Contact Information of Person Submitting Notification:

Name: Shawn Wright, AIA

Address1: 50 Elk Street

Address2: Buffalo, NY 14210

Phone: 716-609-3645 E-mail: shawnw@youngandwright.com

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

☐ Change in Ownership or Change in Remedial Party(ies)

☐ Transfer of Certificate of Completion (CoC)

☑ Other (e.g., any physical alteration or other change of use)

Proposed Date of Change (mm/dd/yyyy): Apr 15, 2024

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

Installation of an underground electrical conduit and a 290-square-foot concrete pad to support a 13' by 16' ~~walk-in cooler for use by the brewery tenant (see attached drawing). The concrete pad will be placed in the~~ Commercial Cover System Detail C area that consists of 12" of topsoil over a demarcation layer. The area ~~will be excavated 5" into the cover soil. The conduit will be placed approx. 4" deep through System Detail E~~ that consists of 4" of concrete over 12" of stone. No native material will be disturbed.

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

~~An import request for the stone will be submitted to NYSDEC for approval. Following installation of the~~ concrete pad, any disturbed areas will be restored with bagged, commercially available topsoil and seed. A Site Management Plan (SMP) Errata Sheet will be submitted to NYSDEC with an updated cover system ~~drawing.~~

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

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

Name: _____ _____
(Signature) (Date)

_____
(Print Name)

Address1: _____

Address2: _____

Phone: _____ E-mail: _____

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

☐ Prospective Owner ☐ Prospective Remedial Party ☐ Prospective Owner Representative

Name: _____

Address1: _____

Address2: _____

Phone: _____ E-mail: _____

Certifying Party Name: _____

Address1: _____

Address2: _____

Phone: _____ E-mail: _____

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

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

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

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

Name: _____ _____

(Signature) (Date)

_____

(Print Name)

Address1: _____

Address2: _____

Phone: _____ E-mail: _____

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Remediation, Region 9
700 Delaware Avenue, Buffalo, NY 14209
P: (716) 851-7220 | F: (716) 851-7226
www.dec.ny.gov

March 25, 2024

Shawn Wright
Brookfield Interest, LLC
50 Elk Street
Buffalo, New York 14210

Dear Shawn Wright:

Change of Use Notification
Silos at Elk Street Site, C915309

This letter acknowledges receipt of your March 22, 2024, 60-Day Advance Notification of Change of Use for the above referenced site in accordance with 6 NYCRR 375-1.11(d). Please note the cover system changes within the next Periodic Review Report. If you have any questions or need additional information, please contact me at 716-851-7220 or email: megan.kuczka@dec.ny.gov.

Sincerely,

Megan Kuczka
Environmental Program Specialist – 1

MK/slr

ec: Andrea Caprio, NYSDEC
Aaron Crane, Brookfield Interest, LLC
Lori Riker, Roux Inc.

NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Request to Import/Reuse Fill or Soil

This form is based on the information required by DER-10, Section 5.4(e) and 6NYCRR Part 360.13. Use of this form is not a substitute for reading the applicable regulations and Technical Guidance document.

SECTION 1 – SITE BACKGROUND

The allowable site use is: Commercial or Industrial Use

Have Ecological Resources been identified? no

Is this soil originating from the site? no

How many cubic yards of soil will be imported/reused? 0-50

If greater than 1000 cubic yards will be imported, enter volume to be imported:

SECTION 2 – MATERIAL OTHER THAN SOIL

Is the material to be imported gravel, rock or stone? yes

Does it contain less than 10%, by weight, material that passes a size 100 sieve? yes

Is this virgin material from a permitted mine or quarry? yes

Is this material recycled concrete or brick from a DEC registered processing facility? no

SECTION 3 - SAMPLING

Provide a brief description of the number and type of samples collected in the space below:

No samples required as the 1" ROC supplied by Holcim Aggregates and Asphalt from the Lockport Quarry meets the exemption criteria (less than 10 percent passing No. 100 Sieve). See attached documentation from Holcim Aggregates and Asphalt with sieve analysis.

Example Text: 5 discrete samples were collected and analyzed for VOCs. 2 composite samples were collected and analyzed for SVOCs, Inorganics & PCBs/Pesticides.

If the material meets requirements of DER-10 section 5.4(e)5 (other material), no chemical testing needed.

SECTION 3 CONT'D - SAMPLING

Provide a brief written summary of the sampling results or attach evaluation tables (compare to DER-10, Appendix 5):

As previously indicated, no sampling required as the 1" ROC supplied by Holcim Aggregates and Asphalt from the Lockport Quarry meets the exemption criteria (less than 10 percent passing No. 100 Sieve). See attached documentation.

Example Text: Arsenic was detected up to 17 ppm in 1 (of 5) samples; the allowable level is 16 ppm.

If Ecological Resources have been identified use the "If Ecological Resources are Present" column in Appendix 5.

SECTION 4 – SOURCE OF FILL

Name of person providing fill and relationship to the source:

Holcim Aggregates and Asphalt - No Relationship

Location where fill was obtained:

400 Hinman Road, Lockport, New York 14094

Identification of any state or local approvals as a fill source:

NYSDOT Approved Source (Source Number 2985)

If no approvals are available, provide a brief history of the use of the property that is the fill source:

Provide a list of supporting documentation included with this request:

1" ROC sieve analysis (5/2/24)

The information provided on this form is accurate and complete.

Lori E. Riker, P.E. Digitally signed by Lori E. Riker, P.E. Date: 2024.05.02 10:37:01 -04'00'

Signature

5/2/2024

Date

Lori E. Riker

Print Name

Roux Environmental Engineering and Geology, D.P.C.

Firm

05/02/2024

David Youngblood
400 Hinman Rd.
Lockport, NY 14094
571-752-1111 (cell)

Nathan Dan Concrete LLC
474 Payne Ave
North Tonawanda, NY 14120

RE: Silos @ Elk Street

To Whom It May Concern:

This letter is to confirm that the crushed stone provided out of our Lockport NY quarry to the above stated project/customer is virgin material, and is from an approved DEC source. Our DEC permit number is 9-2999-00002/00015. Our quarry is compiled of dolomitic limestone, and contains no hazardous or deleterious materials. It is free from any known contaminates or additives

Please feel free to contact me at the number above with any questions and I would be happy to assist in any way possible. Thank you.

Regards,

David Youngblood
Quality Control Manager
Holcim Aggregates and Asphalt

HOLCIM

David Youngblood
400 Hinman Rd.
Lockport, NY 14094
571-752-1111 (cell)
david.youngblood@holcim.com

5/2/24

Nathan Dan Concrete

Att:
Re: Silo @ Elk Street
Email:

To whom it may concern:

This is to certify that the material being supplied to the above project is being shipped from an approved source of the NYSDOT. Below is a gradation for 1" ROC.

Location: Lockport Source No. 2985
Material Type: 1" ROC

Sieve Size	Weight	% Ret	% Pass	Spec
1"	0.0	0.0	100.0	95-100
1/2"	1608.0	16.2	83.8	
1/4"	2193.6	22.1	61.7	30-100
1/8"	1836.3	18.5	43.2	
#20	1975.2	19.9	23.3	
#40	506.2	5.1	18.2	0-50
#80	833.8	8.4	9.8	0-10
#100	833.8	1.1	8.7	0-10
#200	297.8	3.0	5.7	0-20
pan	565.8	5.7		
Total	9925.7			

Sincerely,

David Youngblood
Quality Control Manager
Holcim Aggregates and Asphalt

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Remediation, Region 9
700 Delaware Avenue, Buffalo, NY 14209
P: (716) 851-7220 | F: (716) 851-7275
www.dec.ny.gov

May 3, 2024

Lori Riker
Roux Inc.
2558 Hamburg Turnpike
Suite 300
Buffalo, New York 14218

Dear Lori Riker:

Site Management (SM)
Import Request
Silos at Elk Street
Buffalo, Erie County, Site No.: **C915309**

The Department has reviewed your request dated May 2, 2024 to import approximately 50 cubic yards of 1" ROC from Holcim Aggregates and Asphalt. Based on the information provided, the request is hereby approved.

The proposed fill material meets the requirements for material other than soil (i.e., gravel, rock, stone, recycled concrete or recycled brick) as specified in section 5.4(e)5 of DER-10. Therefore, this material may be placed below the demarcation barrier or above the demarcation layer as part of final site cover.

Testing in accordance with DER-10 and approval by the Department is required for any additional material imported from this source.

If you have any questions, please contact me at 716-851-7220 or email: megan.kuczka@dec.ny.gov.

Sincerely,

Megan Kuczka
Environmental Program Specialist – 1

MK/ds

ec: Shawn Wright, Brookfield Interest, LLC
Aaron Crane, Brookfield Interest, LLC

HOLCIM LOCKPORT QUARRY 716-439-1300

3301 400 Hinman Rd

Scale: 2 Weighmaster: Kimberly S

RECEIVED:

Ticket: 128786526 5/8/2024 7:28:05AM

Customer: 56445 TRANSIT REDI MIX INC

Order: 400929489 2024 Various - Transit Redi Mix Inc

PER NEIL BOPP

P.O.: Pickup

Dispatch 0

Truck: NATHANDANC License 53016NI

Hauler: 4000000 CUSTOMER VEHICLE

Zone: ZONE0 Max GVW 40,000

Product: 7229 1" ROC

	Pounds	Alt
Gross:	27720	12574
Tare:	16040	7276
Net:	11680	5298

Quantity: 5.84 Ton

Today: 5.84 Ton

Loads: 1

Cash Sale	Price	Amount
Material:		
Other:		
Tax:		
Total:		

HOLCIM LOCKPORT QUARRY 716-439-1300

3301 400 Hinman Rd

Scale: 2 Weighmaster: Kimberly S

RECEIVED:

Ticket: 128786526 5/8/2024 7:28:05AM

Customer: 56445 TRANSIT REDI MIX INC

Order: 400929489 2024 Various - Transit Redi Mix Inc

PER NEIL BOPP

P.O.: Pickup

Dispatch 0

Truck: NATHANDANC License 53016NI

Hauler: 4000000 CUSTOMER VEHICLE

Zone: ZONE0 Max GVW 40,000

Product: 7229 1" ROC

	Pounds	Alt
Gross:	27720	12574
Tare:	16040	7276
Net:	11680	5298

Quantity: 5.84 Ton

Today: 5.84 Ton

Loads: 1

Cash Sale	Price	Amount
Material:		
Other:		
Tax:		

47-19-7 (10/86) - Text 12 (E-Reproduction)

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
DIVISION OF SOLID AND HAZARDOUS WASTE • BUREAU OF HAZARDOUS WASTE OPERATIONS
50 WOLF ROAD, ALBANY, NEW YORK 12233-4017

APPLICATION FOR TREATMENT OR DISPOSAL OF AN INDUSTRIAL WASTE STREAM

SEE APPLICATION INSTRUCTIONS ON REVERSE SIDE

FOR STATE USE ONLY		
SITE NO. 32S11	APPLICATION NO.	DATE RECEIVED
DEPARTMENT ACTION ☐ Approved ☐ Disapproved		DATE

1. NAME OF PROJECT/FACILITY	2. COUNTY	3. SITE NUMBER
Allied Niagara Falls Landfill	Niagara	32S11
4. NAME OF OWNER	**5. ADDRESS (Street, City, State, Zip Code)**	**6. TELEPHONE NO.**
Allied Waste Systems	5600 Niagara Falls Blvd., Niagara Falls, New York 14304-0354	(716) 285-3344
7. NAME OF OPERATOR	**8. ADDRESS (Street, City, State, Zip Code)**	**9. TELEPHONE NO.**
Allied Waste Systems	Same as Section 5 above	(716) 285-3344

10. METHOD OF TREATMENT OR DISPOSAL

Sanitary Landfill
Disposal Code D90

11. COMPANY GENERATING WASTE	12. ADDRESS OF FACILITY GENERATING WASTE (Street, City, State, Zip Code)	
Silos at Elk Street, LLC	50 Elk Street, Buffalo, NY, 14203	
13. REPRESENTATIVE OF WASTE GENERATOR	**14. MAILING ADDRESS OF REPRESENTATIVE**	**15. TELEPHONE NO.**
Shawn Wright	50 Elk Street, Buffalo, NY, 14203	716-842-1800

16. DESCRIPTION OF PROCESS PRODUCING WASTE

Excess soil/fill generated from redevelopment work at Brownfield Cleanup Program Site No. C915309.

17. EXPECTED ANNUAL WASTE PRODUCTION	18. WASTE HAULED IN
10 Tons/Year _____ Gallons/Year	☐ Drums ☐ Bulk Tank ☐ Roll-Off Container ☒ Other Dump truck

19. WASTE COMPOSITION 19a. Average Percent Solids	19b. PHYSICAL STATE	19c. pH Range
>99	☐ Liquid ☐ Slurry ☐ Sludge ☒ Solid ☐ Contained Gas	_____ to _____

19. COMPONENTS	CONCENTRATION (Dry Weight) Upper	Lower	Typical	UNIT (Check One) Wt.%	PPM
1) Top Soil	80	90		☒	☐
2) Urban Soil/Fill	10	20		☒	☐
3)				☐	☐
4)				☐	☐

20. IS AN ANALYSIS OF WASTE ATTACHED?	21. WAS A TCLP TEST CONDUCTED ON THE WASTE?	22. MATERIAL IS:
☒ Yes ☐ No	☒ Yes ☐ No If "Yes", attach results SW 5/2/2024	☐ Hazardous ☒ Non-Hazardous

23. DETAIL ALL HAZARD AND NUISANCE PROBLEMS ASSOCIATED WITH THE WASTES. List necessary safety, handling, treatment, and disposal precautions.

Material is primarily topsoil, meeting NYSDEC BCP import requirements, and the remaining portion of waste is typical urban soil/fill. Attached analysis includes waste characterization collected during the remedial investigation and import topsoil sampling, both completed in 2017. The soil cover on-site has remained intact with no spills or other potential contamination.

24. WHERE WAS MATERIAL DISPOSED OF PREVIOUSLY?

Modern, Chaffee Landfill

25. NAME OF WASTE TRANSPORTER	26. ADDRESS (Street, City, State, Zip Code)	27. NYSDEC PERMIT NO.	28. TELEPHONE NO.
Roux Associates	*2558 Hamburg Turnpike, Lackawanna, NY, 14218*		716-859-0599

29. CERTIFICATION

I hereby affirm under penalty of perjury that information provided on this form and attached statements and exhibits is true to the best of my knowledge and belief. False statements made herein are punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.

a. SIGNATURE AND TITLE OF REPRESENTATIVE OF WASTE GENERATOR	DATE 5/1/24
b. SIGNATURE AND TITLE OF REPRESENTATIVE OF TREATMENT OR DISPOSAL FACILITY	DATE

ANALYTICAL REPORT

Lab Number:	L1726064
Client:	Benchmark & Turnkey Companies 2558 Hamburg Turnpike Suite 300 Buffalo, NY 14218
ATTN:	Tom Forbes
Phone:	(716) 856-0599
Project Name:	SILOS AT ELK ST.-WASTE CHAR.
Project Number:	0381-017-006
Report Date:	07/31/17

Certifications & Approvals: MA (M-MA086), NH NELAP (2064), NJ NELAP (MA935), CT (PH-0574), IL (200077), ME (MA00086), MD (348), NY (11148), NC (25700/666), PA (68-03671), RI (LAO00065), TX (T104704476), VT (VT-0935), VA (460195), USDA (Permit #P330-14-00197).

Eight Walkup Drive, Westborough, MA 01581-1019
508-898-9220 (Fax) 508-898-9193 800-624-9220 - www.alphalab.com

Project Name: SILOS AT ELK ST.-WASTE CHAR.
Project Number: 0381-017-006

Lab Number: L1726064
Report Date: 07/31/17

Alpha Sample ID	Client ID	Matrix	Sample Location	Collection Date/Time	Receive Date
L1726064-01	TP-20 1-1.5'	SOIL	ELK ST. - BUFFALO, NY	07/27/17 14:15	07/27/17
L1726064-02	TP-21 0-1'	SOIL	ELK ST. - BUFFALO, NY	07/27/17 14:00	07/27/17
L1726064-03	TP-29A 1-1.5'	SOIL	ELK ST. - BUFFALO, NY	07/27/17 14:30	07/27/17
L1726064-04	TP-24A 1-1.5'	SOIL	ELK ST. - BUFFALO, NY	07/27/17 14:45	07/27/17
L1726064-05	SB-2 0-1'	SOIL	ELK ST. - BUFFALO, NY	07/27/17 15:00	07/27/17

Project Name:	SILOS AT ELK ST.-WASTE CHAR.	**Lab Number:**	L1726064
Project Number:	0381-017-006	**Report Date:**	07/31/17

Case Narrative

The samples were received in accordance with the Chain of Custody and no significant deviations were encountered during the preparation or analysis unless otherwise noted. Sample Receipt, Container Information, and the Chain of Custody are located at the back of the report.

Results contained within this report relate only to the samples submitted under this Alpha Lab Number and meet NELAP requirements for all NELAP accredited parameters unless otherwise noted in the following narrative. The data presented in this report is organized by parameter (i.e. VOC, SVOC, etc.). Sample specific Quality Control data (i.e. Surrogate Spike Recovery) is reported at the end of the target analyte list for each individual sample, followed by the Laboratory Batch Quality Control at the end of each parameter. Tentatively Identified Compounds (TICs), if requested, are reported for compounds identified to be present and are not part of the method/program Target Compound List, even if only a subset of the TCL are being reported. If a sample was re-analyzed or re-extracted due to a required quality control corrective action and if both sets of data are reported, the Laboratory ID of the re-analysis or re-extraction is designated with an "R" or "RE", respectively. When multiple Batch Quality Control elements are reported (e.g. more than one LCS), the associated samples for each element are noted in the grey shaded header line of each data table. Any Laboratory Batch, Sample Specific % recovery or RPD value that is outside the listed Acceptance Criteria is bolded in the report. All specific QC information is also incorporated in the Data Usability format of our Data Merger tool where it can be reviewed along with any associated usability implications. Soil/sediments, solids and tissues are reported on a dry weight basis unless otherwise noted. Definitions of all data qualifiers and acronyms used in this report are provided in the Glossary located at the back of the report.

In reference to questions H (CAM) or 4 (RCP) when "NO" is checked, the performance criteria for CAM and RCP methods allow for some quality control failures to occur and still be within method compliance. In these instances the specific failure is not narrated but noted in the associated QC table. The information is also incorporated in the Data Usability format of our Data Merger tool where it can be reviewed along with any associated usability implications.

Please see the associated ADEx data file for a comparison of laboratory reporting limits that were achieved with the regulatory Numerical Standards requested on the Chain of Custody.

HOLD POLICY

For samples submitted on hold, Alpha's policy is to hold samples (with the exception of Air canisters) free of charge for 21 calendar days from the date the project is completed. After 21 calendar days, we will dispose of all samples submitted including those put on hold unless you have contacted your Client Service Representative and made arrangements for Alpha to continue to hold the samples. Air canisters will be disposed after 3 business days from the date the project is completed.

Please contact Client Services at 800-624-9220 with any questions.

Project Name:	SILOS AT ELK ST.-WASTE CHAR.	**Lab Number:**	L1726064
Project Number:	0381-017-006	**Report Date:**	07/31/17

Case Narrative (continued)

Report Submission

All non-detect (ND) or estimated concentrations (J-qualified) have been quantitated to the limit noted in the MDL column.

I, the undersigned, attest under the pains and penalties of perjury that, to the best of my knowledge and belief and based upon my personal inquiry of those responsible for providing the information contained in this analytical report, such information is accurate and complete. This certificate of analysis is not complete unless this page accompanies any and all pages of this report.

Authorized Signature: Kelly Stenstrom

Title: Technical Director/Representative Date: 07/31/17

ORGANICS

VOLATILES

Project Name: SILOS AT ELK ST.-WASTE CHAR. **Lab Number:** L1726064

Project Number: 0381-017-006 **Report Date:** 07/31/17

SAMPLE RESULTS

Lab ID: L1726064-01
Client ID: TP-20 1-1.5'
Sample Location: ELK ST. - BUFFALO, NY

Date Collected: 07/27/17 14:15
Date Received: 07/27/17
Field Prep: Not Specified

Matrix: Soil
Analytical Method: 1,8260C
Analytical Date: 07/31/17 08:14
Analyst: MM
Percent Solids: 86%
TCLP/SPLP Ext. Date: 07/28/17 08:15

Parameter	Result	Qualifier	Units	RL	MDL	Dilution Factor
TCLP Volatiles by EPA 1311 - Westborough Lab						
Chloroform	ND		ug/l	7.5	1.6	10
Carbon tetrachloride	ND		ug/l	5.0	1.3	10
Tetrachloroethene	ND		ug/l	5.0	1.8	10
Chlorobenzene	ND		ug/l	5.0	1.8	10
1,2-Dichloroethane	ND		ug/l	5.0	1.3	10
Benzene	ND		ug/l	5.0	1.6	10
Vinyl chloride	ND		ug/l	10	0.71	10
1,1-Dichloroethene	ND		ug/l	5.0	1.7	10
Trichloroethene	ND		ug/l	5.0	1.8	10
1,4-Dichlorobenzene	ND		ug/l	25	1.9	10
2-Butanone	ND		ug/l	50	19.	10

Surrogate	% Recovery	Qualifier	Acceptance Criteria
1,2-Dichloroethane-d4	112		70-130
Toluene-d8	102		70-130
4-Bromofluorobenzene	98		70-130
dibromofluoromethane	110		70-130

Project Name: SILOS AT ELK ST.-WASTE CHAR. **Lab Number:** L1726064

Project Number: 0381-017-006 **Report Date:** 07/31/17

SAMPLE RESULTS

Lab ID: L1726064-02
Client ID: TP-21 0-1'
Sample Location: ELK ST. - BUFFALO, NY

Date Collected: 07/27/17 14:00
Date Received: 07/27/17
Field Prep: Not Specified

Matrix: Soil
Analytical Method: 1,8260C
Analytical Date: 07/31/17 08:39
Analyst: MM
Percent Solids: 79%
TCLP/SPLP Ext. Date: 07/28/17 08:15

Parameter	Result	Qualifier	Units	RL	MDL	Dilution Factor
TCLP Volatiles by EPA 1311 - Westborough Lab						
Chloroform	ND		ug/l	7.5	1.6	10
Carbon tetrachloride	ND		ug/l	5.0	1.3	10
Tetrachloroethene	ND		ug/l	5.0	1.8	10
Chlorobenzene	ND		ug/l	5.0	1.8	10
1,2-Dichloroethane	ND		ug/l	5.0	1.3	10
Benzene	ND		ug/l	5.0	1.6	10
Vinyl chloride	ND		ug/l	10	0.71	10
1,1-Dichloroethene	ND		ug/l	5.0	1.7	10
Trichloroethene	ND		ug/l	5.0	1.8	10
1,4-Dichlorobenzene	ND		ug/l	25	1.9	10
2-Butanone	ND		ug/l	50	19.	10

Surrogate	% Recovery	Qualifier	Acceptance Criteria
1,2-Dichloroethane-d4	109		70-130
Toluene-d8	98		70-130
4-Bromofluorobenzene	102		70-130
dibromofluoromethane	111		70-130

Project Name: SILOS AT ELK ST.-WASTE CHAR. **Lab Number:** L1726064

Project Number: 0381-017-006 **Report Date:** 07/31/17

SAMPLE RESULTS

Lab ID: L1726064-03
Client ID: TP-29A 1-1.5'
Sample Location: ELK ST. - BUFFALO, NY

Date Collected: 07/27/17 14:30
Date Received: 07/27/17
Field Prep: Not Specified

Matrix: Soil
Analytical Method: 1,8260C
Analytical Date: 07/31/17 09:05
Analyst: MM
Percent Solids: 81%
TCLP/SPLP Ext. Date: 07/28/17 08:15

Parameter	Result	Qualifier	Units	RL	MDL	Dilution Factor
TCLP Volatiles by EPA 1311 - Westborough Lab						
Chloroform	ND		ug/l	7.5	1.6	10
Carbon tetrachloride	ND		ug/l	5.0	1.3	10
Tetrachloroethene	ND		ug/l	5.0	1.8	10
Chlorobenzene	ND		ug/l	5.0	1.8	10
1,2-Dichloroethane	ND		ug/l	5.0	1.3	10
Benzene	ND		ug/l	5.0	1.6	10
Vinyl chloride	ND		ug/l	10	0.71	10
1,1-Dichloroethene	ND		ug/l	5.0	1.7	10
Trichloroethene	ND		ug/l	5.0	1.8	10
1,4-Dichlorobenzene	ND		ug/l	25	1.9	10
2-Butanone	ND		ug/l	50	19.	10

Surrogate	% Recovery	Qualifier	Acceptance Criteria
1,2-Dichloroethane-d4	108		70-130
Toluene-d8	102		70-130
4-Bromofluorobenzene	99		70-130
dibromofluoromethane	113		70-130

Project Name: SILOS AT ELK ST.-WASTE CHAR. **Lab Number:** L1726064

Project Number: 0381-017-006 **Report Date:** 07/31/17

SAMPLE RESULTS

Lab ID: L1726064-04
Client ID: TP-24A 1-1.5'
Sample Location: ELK ST. - BUFFALO, NY

Date Collected: 07/27/17 14:45
Date Received: 07/27/17
Field Prep: Not Specified

Matrix: Soil
Analytical Method: 1,8260C
Analytical Date: 07/31/17 09:30
Analyst: MM
Percent Solids: 84%
TCLP/SPLP Ext. Date: 07/28/17 08:15

Parameter	Result	Qualifier	Units	RL	MDL	Dilution Factor
TCLP Volatiles by EPA 1311 - Westborough Lab						
Chloroform	ND		ug/l	7.5	1.6	10
Carbon tetrachloride	ND		ug/l	5.0	1.3	10
Tetrachloroethene	ND		ug/l	5.0	1.8	10
Chlorobenzene	ND		ug/l	5.0	1.8	10
1,2-Dichloroethane	ND		ug/l	5.0	1.3	10
Benzene	ND		ug/l	5.0	1.6	10
Vinyl chloride	ND		ug/l	10	0.71	10
1,1-Dichloroethene	ND		ug/l	5.0	1.7	10
Trichloroethene	ND		ug/l	5.0	1.8	10
1,4-Dichlorobenzene	ND		ug/l	25	1.9	10
2-Butanone	ND		ug/l	50	19.	10

Surrogate	% Recovery	Qualifier	Acceptance Criteria
1,2-Dichloroethane-d4	112		70-130
Toluene-d8	103		70-130
4-Bromofluorobenzene	98		70-130
dibromofluoromethane	103		70-130

Project Name: SILOS AT ELK ST.-WASTE CHAR. **Lab Number:** L1726064

Project Number: 0381-017-006 **Report Date:** 07/31/17

SAMPLE RESULTS

Lab ID: L1726064-05
Client ID: SB-2 0-1'
Sample Location: ELK ST. - BUFFALO, NY

Date Collected: 07/27/17 15:00
Date Received: 07/27/17
Field Prep: Not Specified

Matrix: Soil
Analytical Method: 1,8260C
Analytical Date: 07/31/17 09:55
Analyst: MM
Percent Solids: 86%
TCLP/SPLP Ext. Date: 07/28/17 08:15

Parameter	Result	Qualifier	Units	RL	MDL	Dilution Factor
TCLP Volatiles by EPA 1311 - Westborough Lab						
Chloroform	ND		ug/l	7.5	1.6	10
Carbon tetrachloride	ND		ug/l	5.0	1.3	10
Tetrachloroethene	ND		ug/l	5.0	1.8	10
Chlorobenzene	ND		ug/l	5.0	1.8	10
1,2-Dichloroethane	ND		ug/l	5.0	1.3	10
Benzene	ND		ug/l	5.0	1.6	10
Vinyl chloride	ND		ug/l	10	0.71	10
1,1-Dichloroethene	ND		ug/l	5.0	1.7	10
Trichloroethene	ND		ug/l	5.0	1.8	10
1,4-Dichlorobenzene	ND		ug/l	25	1.9	10
2-Butanone	ND		ug/l	50	19.	10

Surrogate	% Recovery	Qualifier	Acceptance Criteria
1,2-Dichloroethane-d4	115		70-130
Toluene-d8	100		70-130
4-Bromofluorobenzene	99		70-130
dibromofluoromethane	113		70-130

Project Name: SILOS AT ELK ST.-WASTE CHAR.
Project Number: 0381-017-006
Lab Number: L1726064
Report Date: 07/31/17

Method Blank Analysis
Batch Quality Control

Analytical Method: 1,8260C
Analytical Date: 07/31/17 07:48
Analyst: MM
TCLP/SPLP Extraction Date: 07/28/17 08:15
Extraction Date: 07/28/17 08:15

Parameter	Result	Qualifier	Units	RL	MDL
TCLP Volatiles by EPA 1311 - Westborough Lab for sample(s): 01-05 Batch: WG1027326-5					
Chloroform	ND		ug/l	7.5	1.6
Carbon tetrachloride	ND		ug/l	5.0	1.3
Tetrachloroethene	ND		ug/l	5.0	1.8
Chlorobenzene	ND		ug/l	5.0	1.8
1,2-Dichloroethane	ND		ug/l	5.0	1.3
Benzene	ND		ug/l	5.0	1.6
Vinyl chloride	ND		ug/l	10	0.71
1,1-Dichloroethene	ND		ug/l	5.0	1.7
Trichloroethene	ND		ug/l	5.0	1.8
1,4-Dichlorobenzene	ND		ug/l	25	1.9
2-Butanone	ND		ug/l	50	19.

Surrogate	%Recovery	Qualifier	Acceptance Criteria
1,2-Dichloroethane-d4	117		70-130
Toluene-d8	101		70-130
4-Bromofluorobenzene	99		70-130
dibromofluoromethane	110		70-130

Lab Control Sample Analysis

Batch Quality Control

Project Name: SILOS AT ELK ST.-WASTE CHAR.

Project Number: 0381-017-006

Lab Number: L1726064

Report Date: 07/31/17

Parameter	LCS %Recovery	Qual	LCSD %Recovery	Qual	%Recovery Limits	RPD	Qual	RPD Limits
TCLP Volatiles by EPA 1311 - Westborough Lab Associated sample(s): 01-05 Batch: WG1027326-3 WG1027326-4								
Chloroform	110		110		70-130	0		20
Carbon tetrachloride	120		110		63-132	9		20
Tetrachloroethene	120		120		70-130	0		20
Chlorobenzene	98		97		75-130	1		25
1,2-Dichloroethane	110		100		70-130	10		20
Benzene	100		98		70-130	2		25
Vinyl chloride	81		78		55-140	4		20
1,1-Dichloroethene	86		100		61-145	15		25
Trichloroethene	110		110		70-130	0		25
1,4-Dichlorobenzene	100		100		70-130	0		20
2-Butanone	89		96		63-138	8		20

Surrogate	LCS %Recovery	Qual	LCSD %Recovery	Qual	Acceptance Criteria
1,2-Dichloroethane-d4	103		101		70-130
Toluene-d8	99		101		70-130
4-Bromofluorobenzene	89		95		70-130
dibromofluoromethane	107		101		70-130

SEMIVOLATILES

Project Name: SILOS AT ELK ST.-WASTE CHAR.
Lab Number: L1726064
Project Number: 0381-017-006
Report Date: 07/31/17

SAMPLE RESULTS

Lab ID: L1726064-01
Client ID: TP-20 1-1.5'
Sample Location: ELK ST. - BUFFALO, NY

Matrix: Soil
Analytical Method: 1,8270D
Analytical Date: 07/29/17 21:23
Analyst: KR
Percent Solids: 86%
TCLP/SPLP Ext. Date: 07/28/17 04:59

Date Collected: 07/27/17 14:15
Date Received: 07/27/17
Field Prep: Not Specified
Extraction Method: EPA 3510C
Extraction Date: 07/29/17 01:42

Parameter	Result	Qualifier	Units	RL	MDL	Dilution Factor
TCLP Semivolatiles by EPA 1311 - Westborough Lab						
Hexachlorobenzene	ND		ug/l	10	2.9	1
2,4-Dinitrotoluene	ND		ug/l	25	4.2	1
Hexachlorobutadiene	ND		ug/l	10	3.6	1
Hexachloroethane	ND		ug/l	10	3.4	1
Nitrobenzene	ND		ug/l	10	3.8	1
2,4,6-Trichlorophenol	ND		ug/l	25	3.4	1
Pentachlorophenol	ND		ug/l	50	17.	1
2-Methylphenol	ND		ug/l	25	5.1	1
3-Methylphenol/4-Methylphenol	ND		ug/l	25	5.6	1
2,4,5-Trichlorophenol	ND		ug/l	25	3.6	1
Pyridine	ND		ug/l	18	9.4	1

Surrogate	% Recovery	Qualifier	Acceptance Criteria
2-Fluorophenol	81		21-120
Phenol-d6	82		10-120
Nitrobenzene-d5	93		23-120
2-Fluorobiphenyl	85		15-120
2,4,6-Tribromophenol	117		10-120
4-Terphenyl-d14	98		33-120

Project Name: SILOS AT ELK ST.-WASTE CHAR.
Lab Number: L1726064
Project Number: 0381-017-006
Report Date: 07/31/17

SAMPLE RESULTS

Lab ID: L1726064-02
Client ID: TP-21 0-1'
Sample Location: ELK ST. - BUFFALO, NY

Matrix: Soil
Analytical Method: 1,8270D
Analytical Date: 07/29/17 21:48
Analyst: KR
Percent Solids: 79%
TCLP/SPLP Ext. Date: 07/28/17 04:59

Date Collected: 07/27/17 14:00
Date Received: 07/27/17
Field Prep: Not Specified
Extraction Method: EPA 3510C
Extraction Date: 07/29/17 01:42

Parameter	Result	Qualifier	Units	RL	MDL	Dilution Factor
TCLP Semivolatiles by EPA 1311 - Westborough Lab						
Hexachlorobenzene	ND		ug/l	10	2.9	1
2,4-Dinitrotoluene	ND		ug/l	25	4.2	1
Hexachlorobutadiene	ND		ug/l	10	3.6	1
Hexachloroethane	ND		ug/l	10	3.4	1
Nitrobenzene	ND		ug/l	10	3.8	1
2,4,6-Trichlorophenol	ND		ug/l	25	3.4	1
Pentachlorophenol	ND		ug/l	50	17.	1
2-Methylphenol	ND		ug/l	25	5.1	1
3-Methylphenol/4-Methylphenol	ND		ug/l	25	5.6	1
2,4,5-Trichlorophenol	ND		ug/l	25	3.6	1
Pyridine	ND		ug/l	18	9.4	1

Surrogate	% Recovery	Qualifier	Acceptance Criteria
2-Fluorophenol	87		21-120
Phenol-d6	88		10-120
Nitrobenzene-d5	92		23-120
2-Fluorobiphenyl	107		15-120
2,4,6-Tribromophenol	**137**	Q	10-120
4-Terphenyl-d14	113		33-120

Project Name: SILOS AT ELK ST.-WASTE CHAR.
Lab Number: L1726064
Project Number: 0381-017-006
Report Date: 07/31/17

SAMPLE RESULTS

Lab ID: L1726064-03
Client ID: TP-29A 1-1.5'
Sample Location: ELK ST. - BUFFALO, NY

Matrix: Soil
Analytical Method: 1,8270D
Analytical Date: 07/29/17 22:14
Analyst: KR
Percent Solids: 81%
TCLP/SPLP Ext. Date: 07/28/17 04:59

Date Collected: 07/27/17 14:30
Date Received: 07/27/17
Field Prep: Not Specified
Extraction Method: EPA 3510C
Extraction Date: 07/29/17 01:42

Parameter	Result	Qualifier	Units	RL	MDL	Dilution Factor
TCLP Semivolatiles by EPA 1311 - Westborough Lab						
Hexachlorobenzene	ND		ug/l	10	2.9	1
2,4-Dinitrotoluene	ND		ug/l	25	4.2	1
Hexachlorobutadiene	ND		ug/l	10	3.6	1
Hexachloroethane	ND		ug/l	10	3.4	1
Nitrobenzene	ND		ug/l	10	3.8	1
2,4,6-Trichlorophenol	ND		ug/l	25	3.4	1
Pentachlorophenol	ND		ug/l	50	17.	1
2-Methylphenol	ND		ug/l	25	5.1	1
3-Methylphenol/4-Methylphenol	ND		ug/l	25	5.6	1
2,4,5-Trichlorophenol	ND		ug/l	25	3.6	1
Pyridine	ND		ug/l	18	9.4	1

Surrogate	% Recovery	Qualifier	Acceptance Criteria
2-Fluorophenol	77		21-120
Phenol-d6	78		10-120
Nitrobenzene-d5	87		23-120
2-Fluorobiphenyl	86		15-120
2,4,6-Tribromophenol	**128**	Q	10-120
4-Terphenyl-d14	102		33-120

Project Name: SILOS AT ELK ST.-WASTE CHAR.
Lab Number: L1726064
Project Number: 0381-017-006
Report Date: 07/31/17

SAMPLE RESULTS

Lab ID: L1726064-04
Client ID: TP-24A 1-1.5'
Sample Location: ELK ST. - BUFFALO, NY

Matrix: Soil
Analytical Method: 1,8270D
Analytical Date: 07/29/17 22:40
Analyst: KR
Percent Solids: 84%
TCLP/SPLP Ext. Date: 07/28/17 04:59

Date Collected: 07/27/17 14:45
Date Received: 07/27/17
Field Prep: Not Specified
Extraction Method: EPA 3510C
Extraction Date: 07/29/17 01:42

Parameter	Result	Qualifier	Units	RL	MDL	Dilution Factor
TCLP Semivolatiles by EPA 1311 - Westborough Lab						
Hexachlorobenzene	ND		ug/l	10	2.9	1
2,4-Dinitrotoluene	ND		ug/l	25	4.2	1
Hexachlorobutadiene	ND		ug/l	10	3.6	1
Hexachloroethane	ND		ug/l	10	3.4	1
Nitrobenzene	ND		ug/l	10	3.8	1
2,4,6-Trichlorophenol	ND		ug/l	25	3.4	1
Pentachlorophenol	ND		ug/l	50	17.	1
2-Methylphenol	ND		ug/l	25	5.1	1
3-Methylphenol/4-Methylphenol	ND		ug/l	25	5.6	1
2,4,5-Trichlorophenol	ND		ug/l	25	3.6	1
Pyridine	ND		ug/l	18	9.4	1

Surrogate	% Recovery	Qualifier	Acceptance Criteria
2-Fluorophenol	91		21-120
Phenol-d6	89		10-120
Nitrobenzene-d5	99		23-120
2-Fluorobiphenyl	106		15-120
2,4,6-Tribromophenol	**146**	Q	10-120
4-Terphenyl-d14	118		33-120

Project Name: SILOS AT ELK ST.-WASTE CHAR.
Lab Number: L1726064
Project Number: 0381-017-006
Report Date: 07/31/17

SAMPLE RESULTS

Lab ID: L1726064-05
Client ID: SB-2 0-1'
Sample Location: ELK ST. - BUFFALO, NY

Matrix: Soil
Analytical Method: 1,8270D
Analytical Date: 07/29/17 23:06
Analyst: KR
Percent Solids: 86%
TCLP/SPLP Ext. Date: 07/28/17 04:59

Date Collected: 07/27/17 15:00
Date Received: 07/27/17
Field Prep: Not Specified
Extraction Method: EPA 3510C
Extraction Date: 07/29/17 01:42

Parameter	Result	Qualifier	Units	RL	MDL	Dilution Factor
TCLP Semivolatiles by EPA 1311 - Westborough Lab						
Hexachlorobenzene	ND		ug/l	10	2.9	1
2,4-Dinitrotoluene	ND		ug/l	25	4.2	1
Hexachlorobutadiene	ND		ug/l	10	3.6	1
Hexachloroethane	ND		ug/l	10	3.4	1
Nitrobenzene	ND		ug/l	10	3.8	1
2,4,6-Trichlorophenol	ND		ug/l	25	3.4	1
Pentachlorophenol	ND		ug/l	50	17.	1
2-Methylphenol	ND		ug/l	25	5.1	1
3-Methylphenol/4-Methylphenol	ND		ug/l	25	5.6	1
2,4,5-Trichlorophenol	ND		ug/l	25	3.6	1
Pyridine	ND		ug/l	18	9.4	1

Surrogate	% Recovery	Qualifier	Acceptance Criteria
2-Fluorophenol	85		21-120
Phenol-d6	87		10-120
Nitrobenzene-d5	88		23-120
2-Fluorobiphenyl	92		15-120
2,4,6-Tribromophenol	117		10-120
4-Terphenyl-d14	99		33-120

Project Name: SILOS AT ELK ST.-WASTE CHAR.
Project Number: 0381-017-006
Lab Number: L1726064
Report Date: 07/31/17

Method Blank Analysis
Batch Quality Control

Analytical Method: 1,8270D
Analytical Date: 07/29/17 18:24
Analyst: KR
TCLP/SPLP Extraction Date: 07/28/17 04:59

Extraction Method: EPA 3510C
Extraction Date: 07/29/17 01:42

Parameter	Result	Qualifier	Units	RL	MDL
TCLP Semivolatiles by EPA 1311 - Westborough Lab for sample(s): 01-05 Batch: WG1026951-1					
Hexachlorobenzene	ND		ug/l	10	2.9
2,4-Dinitrotoluene	ND		ug/l	25	4.2
Hexachlorobutadiene	ND		ug/l	10	3.6
Hexachloroethane	ND		ug/l	10	3.4
Nitrobenzene	ND		ug/l	10	3.8
2,4,6-Trichlorophenol	ND		ug/l	25	3.4
Pentachlorophenol	ND		ug/l	50	17.
2-Methylphenol	ND		ug/l	25	5.1
3-Methylphenol/4-Methylphenol	ND		ug/l	25	5.6
2,4,5-Trichlorophenol	ND		ug/l	25	3.6
Pyridine	ND		ug/l	18	9.4

Surrogate	%Recovery	Qualifier	Acceptance Criteria
2-Fluorophenol	85		21-120
Phenol-d6	84		10-120
Nitrobenzene-d5	101		23-120
2-Fluorobiphenyl	100		15-120
2,4,6-Tribromophenol	117		10-120
4-Terphenyl-d14	106		33-120

Lab Control Sample Analysis
Batch Quality Control

Project Name: SILOS AT ELK ST.-WASTE CHAR.
Project Number: 0381-017-006

Lab Number: L1726064
Report Date: 07/31/17

Parameter	LCS %Recovery	Qual	LCSD %Recovery	Qual	%Recovery Limits	RPD	Qual	RPD Limits
TCLP Semivolatiles by EPA 1311 - Westborough Lab Associated sample(s): 01-05 Batch: WG1026951-2 WG1026951-3								
Hexachlorobenzene	100		107		40-140	7		30
2,4-Dinitrotoluene	99		105		40-132	6		30
Hexachlorobutadiene	79		83		28-111	5		30
Hexachloroethane	67		71		21-105	6		30
Nitrobenzene	85		88		40-140	3		30
2,4,6-Trichlorophenol	98		105		30-130	7		30
Pentachlorophenol	**112**	Q	**119**	Q	9-103	6		30
2-Methylphenol	86		87		30-130	1		30
3-Methylphenol/4-Methylphenol	89		90		30-130	1		30
2,4,5-Trichlorophenol	100		103		30-130	3		30
Pyridine	37		36		10-66	3		30

Surrogate	LCS %Recovery	Qual	LCSD %Recovery	Qual	Acceptance Criteria
2-Fluorophenol	78		81		21-120
Phenol-d6	80		84		10-120
Nitrobenzene-d5	89		92		23-120
2-Fluorobiphenyl	89		95		15-120
2,4,6-Tribromophenol	109		118		10-120
4-Terphenyl-d14	94		97		33-120

PCBS

Project Name: SILOS AT ELK ST.-WASTE CHAR.
Lab Number: L1726064
Project Number: 0381-017-006
Report Date: 07/31/17

SAMPLE RESULTS

Lab ID: L1726064-01
Client ID: TP-20 1-1.5'
Sample Location: ELK ST. - BUFFALO, NY

Matrix: Soil
Analytical Method: 1,8082A
Analytical Date: 07/29/17 01:32
Analyst: JA
Percent Solids: 86%

Date Collected: 07/27/17 14:15
Date Received: 07/27/17
Field Prep: Not Specified
Extraction Method: EPA 3546
Extraction Date: 07/28/17 05:17
Cleanup Method: EPA 3665A
Cleanup Date: 07/28/17
Cleanup Method: EPA 3660B
Cleanup Date: 07/28/17

Parameter	Result	Qualifier	Units	RL	MDL	Dilution Factor	Column
Polychlorinated Biphenyls by GC - Westborough Lab							
Aroclor 1016	ND		ug/kg	37.0	4.20	1	A
Aroclor 1221	ND		ug/kg	37.0	5.63	1	A
Aroclor 1232	ND		ug/kg	37.0	3.64	1	A
Aroclor 1242	ND		ug/kg	37.0	4.53	1	A
Aroclor 1248	ND		ug/kg	37.0	4.15	1	A
Aroclor 1254	ND		ug/kg	37.0	3.02	1	A
Aroclor 1260	7.39	J	ug/kg	37.0	3.86	1	B
Aroclor 1262	ND		ug/kg	37.0	3.04	1	A
Aroclor 1268	10.2	J	ug/kg	37.0	2.62	1	B
PCBs, Total	17.6	J	ug/kg	37.0	2.62	1	B

Surrogate	% Recovery	Qualifier	Acceptance Criteria	Column
2,4,5,6-Tetrachloro-m-xylene	72		30-150	A
Decachlorobiphenyl	72		30-150	A
2,4,5,6-Tetrachloro-m-xylene	68		30-150	B
Decachlorobiphenyl	108		30-150	B

Project Name: SILOS AT ELK ST.-WASTE CHAR. **Lab Number:** L1726064

Project Number: 0381-017-006 **Report Date:** 07/31/17

SAMPLE RESULTS

Lab ID: L1726064-02
Client ID: TP-21 0-1'
Sample Location: ELK ST. - BUFFALO, NY

Matrix: Soil
Analytical Method: 1,8082A
Analytical Date: 07/29/17 00:26
Analyst: JA
Percent Solids: 79%

Date Collected: 07/27/17 14:00
Date Received: 07/27/17
Field Prep: Not Specified
Extraction Method: EPA 3546
Extraction Date: 07/28/17 05:17
Cleanup Method: EPA 3665A
Cleanup Date: 07/28/17
Cleanup Method: EPA 3660B
Cleanup Date: 07/28/17

Parameter	Result	Qualifier	Units	RL	MDL	Dilution Factor	Column
Polychlorinated Biphenyls by GC - Westborough Lab							
Aroclor 1016	ND		ug/kg	41.4	4.69	1	A
Aroclor 1221	ND		ug/kg	41.4	6.30	1	A
Aroclor 1232	ND		ug/kg	41.4	4.07	1	A
Aroclor 1242	ND		ug/kg	41.4	5.07	1	A
Aroclor 1248	ND		ug/kg	41.4	4.64	1	A
Aroclor 1254	40.2	J	ug/kg	41.4	3.38	1	B
Aroclor 1260	25.6	J	ug/kg	41.4	4.32	1	B
Aroclor 1262	ND		ug/kg	41.4	3.40	1	A
Aroclor 1268	13.7	J	ug/kg	41.4	2.93	1	B
PCBs, Total	79.5	J	ug/kg	41.4	2.93	1	B

Surrogate	% Recovery	Qualifier	Acceptance Criteria	Column
2,4,5,6-Tetrachloro-m-xylene	76		30-150	A
Decachlorobiphenyl	70		30-150	A
2,4,5,6-Tetrachloro-m-xylene	75		30-150	B
Decachlorobiphenyl	92		30-150	B

Project Name: SILOS AT ELK ST.-WASTE CHAR.
Lab Number: L1726064
Project Number: 0381-017-006
Report Date: 07/31/17

SAMPLE RESULTS

Lab ID: L1726064-03
Client ID: TP-29A 1-1.5'
Sample Location: ELK ST. - BUFFALO, NY

Matrix: Soil
Analytical Method: 1,8082A
Analytical Date: 07/29/17 00:42
Analyst: JA
Percent Solids: 81%

Date Collected: 07/27/17 14:30
Date Received: 07/27/17
Field Prep: Not Specified
Extraction Method: EPA 3546
Extraction Date: 07/28/17 05:17
Cleanup Method: EPA 3665A
Cleanup Date: 07/28/17
Cleanup Method: EPA 3660B
Cleanup Date: 07/28/17

Parameter	Result	Qualifier	Units	RL	MDL	Dilution Factor	Column
Polychlorinated Biphenyls by GC - Westborough Lab							
Aroclor 1016	ND		ug/kg	39.8	4.51	1	A
Aroclor 1221	ND		ug/kg	39.8	6.05	1	A
Aroclor 1232	ND		ug/kg	39.8	3.91	1	A
Aroclor 1242	ND		ug/kg	39.8	4.87	1	A
Aroclor 1248	ND		ug/kg	39.8	4.46	1	A
Aroclor 1254	ND		ug/kg	39.8	3.25	1	A
Aroclor 1260	45.6	P	ug/kg	39.8	4.15	1	B
Aroclor 1262	ND		ug/kg	39.8	3.27	1	A
Aroclor 1268	83.2		ug/kg	39.8	2.82	1	B
PCBs, Total	129		ug/kg	39.8	2.82	1	B

Surrogate	% Recovery	Qualifier	Acceptance Criteria	Column
2,4,5,6-Tetrachloro-m-xylene	74		30-150	A
Decachlorobiphenyl	71		30-150	A
2,4,5,6-Tetrachloro-m-xylene	71		30-150	B
Decachlorobiphenyl	94		30-150	B

Project Name: SILOS AT ELK ST.-WASTE CHAR.
Lab Number: L1726064
Project Number: 0381-017-006
Report Date: 07/31/17

SAMPLE RESULTS

Lab ID: L1726064-04
Client ID: TP-24A 1-1.5'
Sample Location: ELK ST. - BUFFALO, NY

Matrix: Soil
Analytical Method: 1,8082A
Analytical Date: 07/29/17 00:59
Analyst: JA
Percent Solids: 84%

Date Collected: 07/27/17 14:45
Date Received: 07/27/17
Field Prep: Not Specified
Extraction Method: EPA 3546
Extraction Date: 07/28/17 05:17
Cleanup Method: EPA 3665A
Cleanup Date: 07/28/17
Cleanup Method: EPA 3660B
Cleanup Date: 07/28/17

Parameter	Result	Qualifier	Units	RL	MDL	Dilution Factor	Column
Polychlorinated Biphenyls by GC - Westborough Lab							
Aroclor 1016	ND		ug/kg	39.2	4.44	1	A
Aroclor 1221	ND		ug/kg	39.2	5.96	1	A
Aroclor 1232	ND		ug/kg	39.2	3.85	1	A
Aroclor 1242	ND		ug/kg	39.2	4.79	1	A
Aroclor 1248	ND		ug/kg	39.2	4.40	1	A
Aroclor 1254	ND		ug/kg	39.2	3.20	1	A
Aroclor 1260	19.6	J	ug/kg	39.2	4.09	1	B
Aroclor 1262	ND		ug/kg	39.2	3.22	1	A
Aroclor 1268	22.6	J	ug/kg	39.2	2.77	1	B
PCBs, Total	42.2	J	ug/kg	39.2	2.77	1	B

Surrogate	% Recovery	Qualifier	Acceptance Criteria	Column
2,4,5,6-Tetrachloro-m-xylene	79		30-150	A
Decachlorobiphenyl	72		30-150	A
2,4,5,6-Tetrachloro-m-xylene	78		30-150	B
Decachlorobiphenyl	104		30-150	B

Project Name: SILOS AT ELK ST.-WASTE CHAR.
Lab Number: L1726064
Project Number: 0381-017-006
Report Date: 07/31/17

SAMPLE RESULTS

Lab ID: L1726064-05
Client ID: SB-2 0-1'
Sample Location: ELK ST. - BUFFALO, NY

Matrix: Soil
Analytical Method: 1,8082A
Analytical Date: 07/29/17 01:16
Analyst: JA
Percent Solids: 86%

Date Collected: 07/27/17 15:00
Date Received: 07/27/17
Field Prep: Not Specified
Extraction Method: EPA 3546
Extraction Date: 07/28/17 05:17
Cleanup Method: EPA 3665A
Cleanup Date: 07/28/17
Cleanup Method: EPA 3660B
Cleanup Date: 07/28/17

Parameter	Result	Qualifier	Units	RL	MDL	Dilution Factor	Column
Polychlorinated Biphenyls by GC - Westborough Lab							
Aroclor 1016	ND		ug/kg	38.7	4.39	1	A
Aroclor 1221	ND		ug/kg	38.7	5.89	1	A
Aroclor 1232	ND		ug/kg	38.7	3.81	1	A
Aroclor 1242	ND		ug/kg	38.7	4.74	1	A
Aroclor 1248	ND		ug/kg	38.7	4.34	1	A
Aroclor 1254	ND		ug/kg	38.7	3.16	1	A
Aroclor 1260	12.8	J	ug/kg	38.7	4.04	1	B
Aroclor 1262	ND		ug/kg	38.7	3.18	1	A
Aroclor 1268	15.6	J	ug/kg	38.7	2.74	1	B
PCBs, Total	28.4	J	ug/kg	38.7	2.74	1	B

Surrogate	% Recovery	Qualifier	Acceptance Criteria	Column
2,4,5,6-Tetrachloro-m-xylene	80		30-150	A
Decachlorobiphenyl	70		30-150	A
2,4,5,6-Tetrachloro-m-xylene	75		30-150	B
Decachlorobiphenyl	95		30-150	B

Project Name: SILOS AT ELK ST.-WASTE CHAR.
Project Number: 0381-017-006
Lab Number: L1726064
Report Date: 07/31/17

Method Blank Analysis
Batch Quality Control

Analytical Method: 1,8082A
Analytical Date: 07/28/17 10:34
Analyst: JA

Extraction Method: EPA 3546
Extraction Date: 07/27/17 21:40
Cleanup Method: EPA 3665A
Cleanup Date: 07/28/17
Cleanup Method: EPA 3660B
Cleanup Date: 07/28/17

Parameter	Result	Qualifier	Units	RL	MDL	Column
Polychlorinated Biphenyls by GC - Westborough Lab for sample(s): 01-05 Batch: WG1026527-1						
Aroclor 1016	ND		ug/kg	31.6	3.59	A
Aroclor 1221	ND		ug/kg	31.6	4.82	A
Aroclor 1232	ND		ug/kg	31.6	3.11	A
Aroclor 1242	ND		ug/kg	31.6	3.87	A
Aroclor 1248	ND		ug/kg	31.6	3.55	A
Aroclor 1254	ND		ug/kg	31.6	2.58	A
Aroclor 1260	ND		ug/kg	31.6	3.30	A
Aroclor 1262	ND		ug/kg	31.6	2.60	A
Aroclor 1268	ND		ug/kg	31.6	2.24	A
PCBs, Total	ND		ug/kg	31.6	2.24	A

Surrogate	%Recovery	Qualifier	Acceptance Criteria	Column
2,4,5,6-Tetrachloro-m-xylene	84		30-150	A
Decachlorobiphenyl	68		30-150	A
2,4,5,6-Tetrachloro-m-xylene	86		30-150	B
Decachlorobiphenyl	69		30-150	B

Lab Control Sample Analysis

Batch Quality Control

Project Name: SILOS AT ELK ST.-WASTE CHAR.

Project Number: 0381-017-006

Lab Number: L1726064

Report Date: 07/31/17

Parameter	LCS %Recovery	Qual	LCSD %Recovery	Qual	%Recovery Limits	RPD	Qual	RPD Limits	Column
Polychlorinated Biphenyls by GC - Westborough Lab Associated sample(s): 01-05 Batch: WG1026527-2 WG1026527-3									
Aroclor 1016	87		78		40-140	11		50	A
Aroclor 1260	83		74		40-140	11		50	A

Surrogate	LCS %Recovery	Qual	LCSD %Recovery	Qual	Acceptance Criteria	Column
2,4,5,6-Tetrachloro-m-xylene	96		88		30-150	A
Decachlorobiphenyl	79		74		30-150	A
2,4,5,6-Tetrachloro-m-xylene	96		88		30-150	B
Decachlorobiphenyl	80		74		30-150	B

METALS

Project Name: SILOS AT ELK ST.-WASTE CHAR.
Lab Number: L1726064
Project Number: 0381-017-006
Report Date: 07/31/17

SAMPLE RESULTS

Lab ID: L1726064-01
Client ID: TP-20 1-1.5'
Sample Location: ELK ST. - BUFFALO, NY
Matrix: Soil
Percent Solids: 86%

Date Collected: 07/27/17 14:15
Date Received: 07/27/17
Field Prep: Not Specified
TCLP/SPLP Ext. Date: 07/28/17 04:59

Parameter	Result	Qualifier	Units	RL	MDL	Dilution Factor	Date Prepared	Date Analyzed	Prep Method	Analytical Method	Analyst
TCLP Metals by EPA 1311 - Mansfield Lab											
Arsenic, TCLP	ND		mg/l	1.00	0.019	1	07/31/17 09:10	07/31/17 13:15	EPA 3015	1,6010C	PS
Barium, TCLP	0.543		mg/l	0.500	0.021	1	07/31/17 09:10	07/31/17 13:15	EPA 3015	1,6010C	PS
Cadmium, TCLP	ND		mg/l	0.100	0.010	1	07/31/17 09:10	07/31/17 13:15	EPA 3015	1,6010C	PS
Chromium, TCLP	ND		mg/l	0.200	0.021	1	07/31/17 09:10	07/31/17 13:15	EPA 3015	1,6010C	PS
Mercury, TCLP	ND		mg/l	0.0010	0.0003	1	07/29/17 10:40	07/29/17 14:25	EPA 7470A	1,7470A	MG
Selenium, TCLP	0.079	J	mg/l	0.500	0.035	1	07/31/17 09:10	07/31/17 13:15	EPA 3015	1,6010C	PS
Silver, TCLP	ND		mg/l	0.100	0.028	1	07/31/17 09:10	07/31/17 13:15	EPA 3015	1,6010C	PS

Project Name: SILOS AT ELK ST.-WASTE CHAR. **Lab Number:** L1726064

Project Number: 0381-017-006 **Report Date:** 07/31/17

SAMPLE RESULTS

Lab ID: L1726064-02 Date Collected: 07/27/17 14:00

Client ID: TP-21 0-1' Date Received: 07/27/17

Sample Location: ELK ST. - BUFFALO, NY Field Prep: Not Specified

Matrix: Soil TCLP/SPLP Ext. Date: 07/28/17 04:59

Percent Solids: 79%

Parameter	Result	Qualifier	Units	RL	MDL	Dilution Factor	Date Prepared	Date Analyzed	Prep Method	Analytical Method	Analyst
TCLP Metals by EPA 1311 - Mansfield Lab											
Arsenic, TCLP	ND		mg/l	1.00	0.019	1	07/31/17 09:10	07/31/17 13:20	EPA 3015	1,6010C	PS
Barium, TCLP	0.446	J	mg/l	0.500	0.021	1	07/31/17 09:10	07/31/17 13:20	EPA 3015	1,6010C	PS
Cadmium, TCLP	ND		mg/l	0.100	0.010	1	07/31/17 09:10	07/31/17 13:20	EPA 3015	1,6010C	PS
Chromium, TCLP	ND		mg/l	0.200	0.021	1	07/31/17 09:10	07/31/17 13:20	EPA 3015	1,6010C	PS
Mercury, TCLP	ND		mg/l	0.0010	0.0003	1	07/29/17 10:40	07/29/17 14:36	EPA 7470A	1,7470A	MG
Selenium, TCLP	0.058	J	mg/l	0.500	0.035	1	07/31/17 09:10	07/31/17 13:20	EPA 3015	1,6010C	PS
Silver, TCLP	ND		mg/l	0.100	0.028	1	07/31/17 09:10	07/31/17 13:20	EPA 3015	1,6010C	PS

Project Name: SILOS AT ELK ST.-WASTE CHAR. **Lab Number:** L1726064

Project Number: 0381-017-006 **Report Date:** 07/31/17

SAMPLE RESULTS

Lab ID: L1726064-03 Date Collected: 07/27/17 14:30

Client ID: TP-29A 1-1.5' Date Received: 07/27/17

Sample Location: ELK ST. - BUFFALO, NY Field Prep: Not Specified

Matrix: Soil TCLP/SPLP Ext. Date: 07/28/17 04:59

Percent Solids: 81%

Parameter	Result	Qualifier	Units	RL	MDL	Dilution Factor	Date Prepared	Date Analyzed	Prep Method	Analytical Method	Analyst
TCLP Metals by EPA 1311 - Mansfield Lab											
Arsenic, TCLP	0.026	J	mg/l	1.00	0.019	1	07/31/17 09:10	07/31/17 13:24	EPA 3015	1,6010C	PS
Barium, TCLP	1.04		mg/l	0.500	0.021	1	07/31/17 09:10	07/31/17 13:24	EPA 3015	1,6010C	PS
Cadmium, TCLP	ND		mg/l	0.100	0.010	1	07/31/17 09:10	07/31/17 13:24	EPA 3015	1,6010C	PS
Chromium, TCLP	ND		mg/l	0.200	0.021	1	07/31/17 09:10	07/31/17 13:24	EPA 3015	1,6010C	PS
Mercury, TCLP	ND		mg/l	0.0010	0.0003	1	07/29/17 10:40	07/29/17 14:37	EPA 7470A	1,7470A	MG
Selenium, TCLP	0.063	J	mg/l	0.500	0.035	1	07/31/17 09:10	07/31/17 13:24	EPA 3015	1,6010C	PS
Silver, TCLP	ND		mg/l	0.100	0.028	1	07/31/17 09:10	07/31/17 13:24	EPA 3015	1,6010C	PS

Project Name: SILOS AT ELK ST.-WASTE CHAR. **Lab Number:** L1726064

Project Number: 0381-017-006 **Report Date:** 07/31/17

SAMPLE RESULTS

Lab ID: L1726064-04 Date Collected: 07/27/17 14:45

Client ID: TP-24A 1-1.5' Date Received: 07/27/17

Sample Location: ELK ST. - BUFFALO, NY Field Prep: Not Specified

Matrix: Soil TCLP/SPLP Ext. Date: 07/28/17 04:59

Percent Solids: 84%

Parameter	Result	Qualifier	Units	RL	MDL	Dilution Factor	Date Prepared	Date Analyzed	Prep Method	Analytical Method	Analyst
TCLP Metals by EPA 1311 - Mansfield Lab											
Arsenic, TCLP	ND		mg/l	1.00	0.019	1	07/31/17 09:10	07/31/17 13:28	EPA 3015	1,6010C	PS
Barium, TCLP	0.922		mg/l	0.500	0.021	1	07/31/17 09:10	07/31/17 13:28	EPA 3015	1,6010C	PS
Cadmium, TCLP	ND		mg/l	0.100	0.010	1	07/31/17 09:10	07/31/17 13:28	EPA 3015	1,6010C	PS
Chromium, TCLP	ND		mg/l	0.200	0.021	1	07/31/17 09:10	07/31/17 13:28	EPA 3015	1,6010C	PS
Mercury, TCLP	ND		mg/l	0.0010	0.0003	1	07/29/17 10:40	07/29/17 14:39	EPA 7470A	1,7470A	MG
Selenium, TCLP	0.042	J	mg/l	0.500	0.035	1	07/31/17 09:10	07/31/17 13:28	EPA 3015	1,6010C	PS
Silver, TCLP	ND		mg/l	0.100	0.028	1	07/31/17 09:10	07/31/17 13:28	EPA 3015	1,6010C	PS

Project Name: SILOS AT ELK ST.-WASTE CHAR.
Lab Number: L1726064
Project Number: 0381-017-006
Report Date: 07/31/17

SAMPLE RESULTS

Lab ID: L1726064-05
Client ID: SB-2 0-1'
Sample Location: ELK ST. - BUFFALO, NY
Matrix: Soil
Percent Solids: 86%

Date Collected: 07/27/17 15:00
Date Received: 07/27/17
Field Prep: Not Specified
TCLP/SPLP Ext. Date: 07/28/17 04:59

Parameter	Result	Qualifier	Units	RL	MDL	Dilution Factor	Date Prepared	Date Analyzed	Prep Method	Analytical Method	Analyst
TCLP Metals by EPA 1311 - Mansfield Lab											
Arsenic, TCLP	0.025	J	mg/l	1.00	0.019	1	07/31/17 09:10	07/31/17 13:32	EPA 3015	1,6010C	PS
Barium, TCLP	0.088	J	mg/l	0.500	0.021	1	07/31/17 09:10	07/31/17 13:32	EPA 3015	1,6010C	PS
Cadmium, TCLP	ND		mg/l	0.100	0.010	1	07/31/17 09:10	07/31/17 13:32	EPA 3015	1,6010C	PS
Chromium, TCLP	ND		mg/l	0.200	0.021	1	07/31/17 09:10	07/31/17 13:32	EPA 3015	1,6010C	PS
Mercury, TCLP	ND		mg/l	0.0010	0.0003	1	07/29/17 10:40	07/29/17 14:41	EPA 7470A	1,7470A	MG
Selenium, TCLP	0.066	J	mg/l	0.500	0.035	1	07/31/17 09:10	07/31/17 13:32	EPA 3015	1,6010C	PS
Silver, TCLP	ND		mg/l	0.100	0.028	1	07/31/17 09:10	07/31/17 13:32	EPA 3015	1,6010C	PS

Project Name: SILOS AT ELK ST.-WASTE CHAR. **Lab Number:** L1726064

Project Number: 0381-017-006 **Report Date:** 07/31/17

Method Blank Analysis
Batch Quality Control

Parameter	Result	Qualifier	Units	RL	MDL	Dilution Factor	Date Prepared	Date Analyzed	Analytical Method	Analyst
TCLP Metals by EPA 1311 - Mansfield Lab for sample(s): 01-05 Batch: WG1027019-1										
Mercury, TCLP	ND		mg/l	0.0010	0.0003	1	07/29/17 10:40	07/29/17 14:22	1,7470A	MG

Prep Information

Digestion Method: EPA 7470A

TCLP/SPLP Extraction Date: 07/28/17 04:59

Parameter	Result	Qualifier	Units	RL	MDL	Dilution Factor	Date Prepared	Date Analyzed	Analytical Method	Analyst
TCLP Metals by EPA 1311 - Mansfield Lab for sample(s): 01-05 Batch: WG1027287-1										
Arsenic, TCLP	ND		mg/l	1.00	0.019	1	07/31/17 09:10	07/31/17 12:09	1,6010C	PS
Barium, TCLP	ND		mg/l	0.500	0.021	1	07/31/17 09:10	07/31/17 12:09	1,6010C	PS
Cadmium, TCLP	ND		mg/l	0.100	0.010	1	07/31/17 09:10	07/31/17 12:09	1,6010C	PS
Chromium, TCLP	ND		mg/l	0.200	0.021	1	07/31/17 09:10	07/31/17 12:09	1,6010C	PS
Selenium, TCLP	0.085	J	mg/l	0.500	0.035	1	07/31/17 09:10	07/31/17 12:09	1,6010C	PS
Silver, TCLP	ND		mg/l	0.100	0.028	1	07/31/17 09:10	07/31/17 12:09	1,6010C	PS

Prep Information

Digestion Method: EPA 3015

TCLP/SPLP Extraction Date: 07/28/17 04:59

Lab Control Sample Analysis

Batch Quality Control

Project Name: SILOS AT ELK ST.-WASTE CHAR.

Project Number: 0381-017-006

Lab Number: L1726064

Report Date: 07/31/17

Parameter	LCS %Recovery	Qual	LCSD %Recovery	Qual	%Recovery Limits	RPD	Qual	RPD Limits
TCLP Metals by EPA 1311 - Mansfield Lab Associated sample(s): 01-05 Batch: WG1027019-2								
Mercury, TCLP	84		-		80-120	-		
TCLP Metals by EPA 1311 - Mansfield Lab Associated sample(s): 01-05 Batch: WG1027287-2								
Arsenic, TCLP	118		-		75-125	-		20
Barium, TCLP	104		-		75-125	-		20
Cadmium, TCLP	113		-		75-125	-		20
Chromium, TCLP	108		-		75-125	-		20
Selenium, TCLP	112		-		75-125	-		20
Silver, TCLP	104		-		75-125	-		20

Matrix Spike Analysis
Batch Quality Control

Project Name: SILOS AT ELK ST.-WASTE CHAR.
Project Number: 0381-017-006

Lab Number: L1726064
Report Date: 07/31/17

Parameter	Native Sample	MS Added	MS Found	MS %Recovery	Qual	MSD Found	MSD %Recovery	Qual	Recovery Limits	RPD	Qual	RPD Limits
TCLP Metals by EPA 1311 - Mansfield Lab Associated sample(s): 01-05 QC Batch ID: WG1027019-3 QC Sample: L1726064-01 Client ID: TP-20 1-1.5'												
Mercury, TCLP	ND	0.025	0.0232	93		-	-		80-120	-		20
TCLP Metals by EPA 1311 - Mansfield Lab Associated sample(s): 01-05 QC Batch ID: WG1027287-3 QC Sample: L1726063-01 Client ID: MS Sample												
Arsenic, TCLP	ND	1.2	1.34	112		-	-		75-125	-		20
Barium, TCLP	0.577	20	21.2	103		-	-		75-125	-		20
Cadmium, TCLP	ND	0.51	0.566	111		-	-		75-125	-		20
Chromium, TCLP	ND	2	2.10	105		-	-		75-125	-		20
Selenium, TCLP	0.056J	1.2	1.36	113		-	-		75-125	-		20
Silver, TCLP	ND	0.5	0.514	103		-	-		75-125	-		20

Lab Duplicate Analysis
Batch Quality Control

Project Name: SILOS AT ELK ST.-WASTE CHAR.
Project Number: 0381-017-006

Lab Number: L1726064
Report Date: 07/31/17

Parameter	Native Sample	Duplicate Sample	Units	RPD	Qual	RPD Limits
TCLP Metals by EPA 1311 - Mansfield Lab Associated sample(s): 01-05 QC Batch ID: WG1027019-4 QC Sample: L1726064-01 Client ID: TP-20 1-1.5'						
Mercury, TCLP	ND	ND	mg/l	NC		20

INORGANICS
&
MISCELLANEOUS

Project Name: SILOS AT ELK ST.-WASTE CHAR.
Project Number: 0381-017-006
Lab Number: L1726064
Report Date: 07/31/17

SAMPLE RESULTS

Lab ID: L1726064-01
Client ID: TP-20 1-1.5'
Sample Location: ELK ST. - BUFFALO, NY
Matrix: Soil
Date Collected: 07/27/17 14:15
Date Received: 07/27/17
Field Prep: Not Specified

Test Material Information

Source of Material: Unknown
Description of Material: Non-Metallic - Damp Soil
Particle Size: Medium
Preliminary Burning Time (sec): 120

Parameter	Result	Date Analyzed	Analytical Method	Analyst
Ignitability of Solids - Westborough Lab				
Ignitability	NI	07/28/17 16:39	1,1030	JC

Project Name: SILOS AT ELK ST.-WASTE CHAR.
Project Number: 0381-017-006
Lab Number: L1726064
Report Date: 07/31/17

SAMPLE RESULTS

Lab ID: L1726064-02
Client ID: TP-21 0-1'
Sample Location: ELK ST. - BUFFALO, NY
Matrix: Soil

Date Collected: 07/27/17 14:00
Date Received: 07/27/17
Field Prep: Not Specified

Test Material Information

Source of Material:	Unknown
Description of Material:	Non-Metallic - Damp Soil
Particle Size:	Medium
Preliminary Burning Time (sec):	120

Parameter	Result	Date Analyzed	Analytical Method	Analyst
Ignitability of Solids - Westborough Lab				
Ignitability	NI	07/28/17 16:39	1,1030	JC

Project Name:	SILOS AT ELK ST.-WASTE CHAR.	**Lab Number:**	L1726064
Project Number:	0381-017-006	**Report Date:**	07/31/17

SAMPLE RESULTS

Lab ID:	L1726064-03	Date Collected:	07/27/17 14:30
Client ID:	TP-29A 1-1.5'	Date Received:	07/27/17
Sample Location:	ELK ST. - BUFFALO, NY	Field Prep:	Not Specified
Matrix:	Soil		

Test Material Information

Source of Material:	Unknown
Description of Material:	Non-Metallic - Damp Clay
Particle Size:	Medium
Preliminary Burning Time (sec):	120

Parameter	Result	Date Analyzed	Analytical Method	Analyst
Ignitability of Solids - Westborough Lab				
Ignitability	NI	07/28/17 16:39	1,1030	JC

Project Name: SILOS AT ELK ST.-WASTE CHAR.
Project Number: 0381-017-006
Lab Number: L1726064
Report Date: 07/31/17

SAMPLE RESULTS

Lab ID: L1726064-04
Client ID: TP-24A 1-1.5'
Sample Location: ELK ST. - BUFFALO, NY
Matrix: Soil
Date Collected: 07/27/17 14:45
Date Received: 07/27/17
Field Prep: Not Specified

Test Material Information

Source of Material:	Unknown
Description of Material:	Non-Metallic - Damp Soil
Particle Size:	Medium
Preliminary Burning Time (sec):	120

Parameter	Result	Date Analyzed	Analytical Method	Analyst
Ignitability of Solids - Westborough Lab				
Ignitability	NI	07/28/17 16:39	1,1030	JC

Project Name: SILOS AT ELK ST.-WASTE CHAR.
Project Number: 0381-017-006
Lab Number: L1726064
Report Date: 07/31/17

SAMPLE RESULTS

Lab ID: L1726064-05
Client ID: SB-2 0-1'
Sample Location: ELK ST. - BUFFALO, NY
Matrix: Soil

Date Collected: 07/27/17 15:00
Date Received: 07/27/17
Field Prep: Not Specified

Test Material Information

Source of Material: Unknown
Description of Material: Non-Metallic - Damp Soil
Particle Size: Medium
Preliminary Burning Time (sec): 120

Parameter	Result	Date Analyzed	Analytical Method	Analyst
Ignitability of Solids - Westborough Lab				
Ignitability	NI	07/28/17 16:39	1,1030	JC

Project Name: SILOS AT ELK ST.-WASTE CHAR.
Project Number: 0381-017-006
Lab Number: L1726064
Report Date: 07/31/17

SAMPLE RESULTS

Lab ID: L1726064-01
Client ID: TP-20 1-1.5'
Sample Location: ELK ST. - BUFFALO, NY
Matrix: Soil
Date Collected: 07/27/17 14:15
Date Received: 07/27/17
Field Prep: Not Specified

Parameter	Result	Qualifier	Units	RL	MDL	Dilution Factor	Date Prepared	Date Analyzed	Analytical Method	Analyst
General Chemistry - Westborough Lab										
Solids, Total	86.4		%	0.100	NA	1	-	07/28/17 03:42	121,2540G	DM
pH (H)	8.0		SU	-	NA	1	-	07/28/17 11:05	1,9045D	JT

Project Name: SILOS AT ELK ST.-WASTE CHAR.
Project Number: 0381-017-006
Lab Number: L1726064
Report Date: 07/31/17

SAMPLE RESULTS

Lab ID: L1726064-02
Client ID: TP-21 0-1'
Sample Location: ELK ST. - BUFFALO, NY
Matrix: Soil

Date Collected: 07/27/17 14:00
Date Received: 07/27/17
Field Prep: Not Specified

Parameter	Result	Qualifier	Units	RL	MDL	Dilution Factor	Date Prepared	Date Analyzed	Analytical Method	Analyst
General Chemistry - Westborough Lab										
Solids, Total	79.0		%	0.100	NA	1	-	07/28/17 03:42	121,2540G	DM
pH (H)	9.4		SU	-	NA	1	-	07/28/17 11:05	1,9045D	JT

Project Name: SILOS AT ELK ST.-WASTE CHAR.
Project Number: 0381-017-006
Lab Number: L1726064
Report Date: 07/31/17

SAMPLE RESULTS

Lab ID: L1726064-03
Client ID: TP-29A 1-1.5'
Sample Location: ELK ST. - BUFFALO, NY
Matrix: Soil
Date Collected: 07/27/17 14:30
Date Received: 07/27/17
Field Prep: Not Specified

Parameter	Result	Qualifier	Units	RL	MDL	Dilution Factor	Date Prepared	Date Analyzed	Analytical Method	Analyst
General Chemistry - Westborough Lab										
Solids, Total	81.4		%	0.100	NA	1	-	07/28/17 03:42	121,2540G	DM
pH (H)	8.2		SU	-	NA	1	-	07/28/17 11:05	1,9045D	JT

Project Name: SILOS AT ELK ST.-WASTE CHAR.
Project Number: 0381-017-006
Lab Number: L1726064
Report Date: 07/31/17

SAMPLE RESULTS

Lab ID: L1726064-04
Client ID: TP-24A 1-1.5'
Sample Location: ELK ST. - BUFFALO, NY
Matrix: Soil
Date Collected: 07/27/17 14:45
Date Received: 07/27/17
Field Prep: Not Specified

Parameter	Result	Qualifier	Units	RL	MDL	Dilution Factor	Date Prepared	Date Analyzed	Analytical Method	Analyst
General Chemistry - Westborough Lab										
Solids, Total	83.7		%	0.100	NA	1	-	07/28/17 03:42	121,2540G	DM
pH (H)	8.0		SU	-	NA	1	-	07/28/17 11:05	1,9045D	JT

Project Name: SILOS AT ELK ST.-WASTE CHAR.
Project Number: 0381-017-006
Lab Number: L1726064
Report Date: 07/31/17

SAMPLE RESULTS

Lab ID: L1726064-05
Client ID: SB-2 0-1'
Sample Location: ELK ST. - BUFFALO, NY
Matrix: Soil
Date Collected: 07/27/17 15:00
Date Received: 07/27/17
Field Prep: Not Specified

Parameter	Result	Qualifier	Units	RL	MDL	Dilution Factor	Date Prepared	Date Analyzed	Analytical Method	Analyst
General Chemistry - Westborough Lab										
Solids, Total	85.9		%	0.100	NA	1	-	07/28/17 03:42	121,2540G	DM
pH (H)	6.0		SU	-	NA	1	-	07/28/17 11:05	1,9045D	JT

Lab Control Sample Analysis

Batch Quality Control

Project Name: SILOS AT ELK ST.-WASTE CHAR.

Project Number: 0381-017-006

Lab Number: L1726064

Report Date: 07/31/17

Parameter	LCS %Recovery	Qual	LCSD %Recovery	Qual	%Recovery Limits	RPD	Qual	RPD Limits
General Chemistry - Westborough Lab Associated sample(s): 01-05 Batch: WG1026689-1								
pH	100		-		99-101	-		

Lab Duplicate Analysis
Batch Quality Control

Project Name: SILOS AT ELK ST.-WASTE CHAR.
Project Number: 0381-017-006

Lab Number: L1726064
Report Date: 07/31/17

Parameter	Native Sample	Duplicate Sample	Units	RPD	Qual	RPD Limits
General Chemistry - Westborough Lab Associated sample(s): 01-05 QC Batch ID: WG1026584-1 QC Sample: L1725897-01 Client ID: DUP Sample						
Solids, Total	88.0	85.9	%	2		20
General Chemistry - Westborough Lab Associated sample(s): 01-05 QC Batch ID: WG1026689-2 QC Sample: L1725910-02 Client ID: DUP Sample						
pH	8.1	5.5	SU	**38**	Q	5

Project Name: SILOS AT ELK ST.-WASTE CHAR.
Project Number: 0381-017-006

Lab Number: L1726064
Report Date: 07/31/17

Sample Receipt and Container Information

Were project specific reporting limits specified? YES

Cooler Information

Cooler	Custody Seal
A	Absent

Container Information

Container ID	Container Type	Cooler	Initial pH	Final pH	Temp deg C	Pres	Seal	Frozen Date/Time	Analysis(*)
L1726064-01A	Vial Large Septa unpreserved (4oz)	A	NA		2.1	Y	Absent		TCLP-EXT-ZHE(14)
L1726064-01B	Glass 250ml/8oz unpreserved	A	NA		2.1	Y	Absent		IGNIT-1030(14),TS(7),PH-9045(1)
L1726064-01C	Glass 250ml/8oz unpreserved	A	NA		2.1	Y	Absent		NYTCL-8082(14)
L1726064-01S	Vial unpreserved Extracts	A	NA		2.1	Y	Absent		TCLP-VOA(14)
L1726064-01T	Vial unpreserved Extracts	A	NA		2.1	Y	Absent		TCLP-VOA(14)
L1726064-01W	Amber 1000ml unpreserved Extracts	A	NA		2.1	Y	Absent		TCLP-8270(14)
L1726064-01X	Plastic 120ml HNO3 preserved Extracts	A	NA		2.1	Y	Absent		CD-CI(180),AS-CI(180),BA-CI(180),HG-C(28),CR-CI(180),SE-CI(180),AG-CI(180)
L1726064-01X9	Tumble Vessel	A	NA		2.1	Y	Absent		-
L1726064-02A	Vial Large Septa unpreserved (4oz)	A	NA		2.1	Y	Absent		TCLP-EXT-ZHE(14)
L1726064-02B	Glass 250ml/8oz unpreserved	A	NA		2.1	Y	Absent		IGNIT-1030(14),TS(7),PH-9045(1)
L1726064-02C	Glass 250ml/8oz unpreserved	A	NA		2.1	Y	Absent		NYTCL-8082(14)
L1726064-02S	Vial unpreserved Extracts	A	NA		2.1	Y	Absent		TCLP-VOA(14)
L1726064-02T	Vial unpreserved Extracts	A	NA		2.1	Y	Absent		TCLP-VOA(14)
L1726064-02W	Amber 1000ml unpreserved Extracts	A	NA		2.1	Y	Absent		TCLP-8270(14)
L1726064-02X	Plastic 120ml HNO3 preserved Extracts	A	NA		2.1	Y	Absent		CD-CI(180),AS-CI(180),BA-CI(180),HG-C(28),CR-CI(180),SE-CI(180),AG-CI(180)
L1726064-02X9	Tumble Vessel	A	NA		2.1	Y	Absent		-
L1726064-03A	Vial Large Septa unpreserved (4oz)	A	NA		2.1	Y	Absent		TCLP-EXT-ZHE(14)
L1726064-03B	Glass 250ml/8oz unpreserved	A	NA		2.1	Y	Absent		IGNIT-1030(14),TS(7),PH-9045(1)
L1726064-03C	Glass 250ml/8oz unpreserved	A	NA		2.1	Y	Absent		NYTCL-8082(14)
L1726064-03S	Vial unpreserved Extracts	A	NA		2.1	Y	Absent		TCLP-VOA(14)
L1726064-03T	Vial unpreserved Extracts	A	NA		2.1	Y	Absent		TCLP-VOA(14)
L1726064-03W	Amber 1000ml unpreserved Extracts	A	NA		2.1	Y	Absent		TCLP-8270(14)

*Values in parentheses indicate holding time in days

Project Name: SILOS AT ELK ST.-WASTE CHAR.
Project Number: 0381-017-006

Lab Number: L1726064
Report Date: 07/31/17

Container Information

Container ID	Container Type	Cooler	Initial pH	Final pH	Temp deg C	Pres	Seal	Frozen Date/Time	Analysis(*)
L1726064-03X	Plastic 120ml HNO3 preserved Extracts	A	NA		2.1	Y	Absent		CD-CI(180),AS-CI(180),BA-CI(180),HG-C(28),CR-CI(180),SE-CI(180),AG-CI(180)
L1726064-03X9	Tumble Vessel	A	NA		2.1	Y	Absent		-
L1726064-04A	Vial Large Septa unpreserved (4oz)	A	NA		2.1	Y	Absent		TCLP-EXT-ZHE(14)
L1726064-04B	Glass 250ml/8oz unpreserved	A	NA		2.1	Y	Absent		IGNIT-1030(14),TS(7),PH-9045(1)
L1726064-04C	Glass 250ml/8oz unpreserved	A	NA		2.1	Y	Absent		NYTCL-8082(14)
L1726064-04S	Vial unpreserved Extracts	A	NA		2.1	Y	Absent		TCLP-VOA(14)
L1726064-04T	Vial unpreserved Extracts	A	NA		2.1	Y	Absent		TCLP-VOA(14)
L1726064-04W	Amber 1000ml unpreserved Extracts	A	NA		2.1	Y	Absent		TCLP-8270(14)
L1726064-04X	Plastic 120ml HNO3 preserved Extracts	A	NA		2.1	Y	Absent		CD-CI(180),AS-CI(180),BA-CI(180),HG-C(28),CR-CI(180),SE-CI(180),AG-CI(180)
L1726064-04X9	Tumble Vessel	A	NA		2.1	Y	Absent		-
L1726064-05A	Vial Large Septa unpreserved (4oz)	A	NA		2.1	Y	Absent		TCLP-EXT-ZHE(14)
L1726064-05B	Glass 250ml/8oz unpreserved	A	NA		2.1	Y	Absent		IGNIT-1030(14),TS(7),PH-9045(1)
L1726064-05C	Glass 250ml/8oz unpreserved	A	NA		2.1	Y	Absent		NYTCL-8082(14)
L1726064-05S	Vial unpreserved Extracts	A	NA		2.1	Y	Absent		TCLP-VOA(14)
L1726064-05T	Vial unpreserved Extracts	A	NA		2.1	Y	Absent		TCLP-VOA(14)
L1726064-05W	Amber 1000ml unpreserved Extracts	A	NA		2.1	Y	Absent		TCLP-8270(14)
L1726064-05X	Plastic 120ml HNO3 preserved Extracts	A	NA		2.1	Y	Absent		CD-CI(180),AS-CI(180),BA-CI(180),HG-C(28),CR-CI(180),SE-CI(180),AG-CI(180)
L1726064-05X9	Tumble Vessel	A	NA		2.1	Y	Absent		-

*Values in parentheses indicate holding time in days

Project Name:	SILOS AT ELK ST.-WASTE CHAR.	**Lab Number:**	L1726064
Project Number:	0381-017-006	**Report Date:**	07/31/17

GLOSSARY

Acronyms

EDL	- Estimated Detection Limit: This value represents the level to which target analyte concentrations are reported as estimated values, when those target analyte concentrations are quantified below the reporting limit (RL). The EDL includes any adjustments from dilutions, concentrations or moisture content, where applicable. The use of EDLs is specific to the analysis of PAHs using Solid-Phase Microextraction (SPME).
EPA	- Environmental Protection Agency.
LCS	- Laboratory Control Sample: A sample matrix, free from the analytes of interest, spiked with verified known amounts of analytes or a material containing known and verified amounts of analytes.
LCSD	- Laboratory Control Sample Duplicate: Refer to LCS.
LFB	- Laboratory Fortified Blank: A sample matrix, free from the analytes of interest, spiked with verified known amounts of analytes or a material containing known and verified amounts of analytes.
MDL	- Method Detection Limit: This value represents the level to which target analyte concentrations are reported as estimated values, when those target analyte concentrations are quantified below the reporting limit (RL). The MDL includes any adjustments from dilutions, concentrations or moisture content, where applicable.
MS	- Matrix Spike Sample: A sample prepared by adding a known mass of target analyte to a specified amount of matrix sample for which an independent estimate of target analyte concentration is available.
MSD	- Matrix Spike Sample Duplicate: Refer to MS.
NA	- Not Applicable.
NC	- Not Calculated: Term is utilized when one or more of the results utilized in the calculation are non-detect at the parameter's reporting unit.
NDPA/DPA	- N-Nitrosodiphenylamine/Diphenylamine.
NI	- Not Ignitable.
NP	- Non-Plastic: Term is utilized for the analysis of Atterberg Limits in soil.
RL	- Reporting Limit: The value at which an instrument can accurately measure an analyte at a specific concentration. The RL includes any adjustments from dilutions, concentrations or moisture content, where applicable.
RPD	- Relative Percent Difference: The results from matrix and/or matrix spike duplicates are primarily designed to assess the precision of analytical results in a given matrix and are expressed as relative percent difference (RPD). Values which are less than five times the reporting limit for any individual parameter are evaluated by utilizing the absolute difference between the values; although the RPD value will be provided in the report.
SRM	- Standard Reference Material: A reference sample of a known or certified value that is of the same or similar matrix as the associated field samples.
STLP	- Semi-dynamic Tank Leaching Procedure per EPA Method 1315.
TIC	- Tentatively Identified Compound: A compound that has been identified to be present and is not part of the target compound list (TCL) for the method and/or program. All TICs are qualitatively identified and reported as estimated concentrations.

Footnotes

1	- The reference for this analyte should be considered modified since this analyte is absent from the target analyte list of the original method.

Terms

Analytical Method: Both the document from which the method originates and the analytical reference method. (Example: EPA 8260B is shown as 1,8260B.) The codes for the reference method documents are provided in the References section of the Addendum.

Final pH: As it pertains to Sample Receipt & Container Information section of the report, Final pH reflects pH of container determined after adjustment at the laboratory, if applicable. If no adjustment required, value reflects Initial pH.

Frozen Date/Time: With respect to Volatile Organics in soil, Frozen Date/Time reflects the date/time at which associated Reagent Water-preserved vials were initially frozen. Note: If frozen date/time is beyond 48 hours from sample collection, value will be reflected in 'bold'.

Initial pH: As it pertains to Sample Receipt & Container Information section of the report, Initial pH reflects pH of container determined upon receipt, if applicable.

Total: With respect to Organic analyses, a 'Total' result is defined as the summation of results for individual isomers or Aroclors. If a 'Total' result is requested, the results of its individual components will also be reported. This is applicable to 'Total' results for methods 8260, 8081 and 8082.

Data Qualifiers

A	- Spectra identified as "Aldol Condensation Product".
B	- The analyte was detected above the reporting limit in the associated method blank. Flag only applies to associated field samples that have detectable concentrations of the analyte at less than ten times (10x) the concentration found in the blank. For MCP-related

Report Format: DU Report with 'J' Qualifiers

Project Name:	SILOS AT ELK ST.-WASTE CHAR.	**Lab Number:**	L1726064
Project Number:	0381-017-006	**Report Date:**	07/31/17

Data Qualifiers

projects, flag only applies to associated field samples that have detectable concentrations of the analyte at less than ten times (10x) the concentration found in the blank. For DOD-related projects, flag only applies to associated field samples that have detectable concentrations of the analyte at less than ten times (10x) the concentration found in the blank AND the analyte was detected above one-half the reporting limit (or above the reporting limit for common lab contaminants) in the associated method blank. For NJ-Air-related projects, flag only applies to associated field samples that have detectable concentrations of the analyte above the reporting limit. For NJ-related projects (excluding Air), flag only applies to associated field samples that have detectable concentrations of the analyte, which was detected above the reporting limit in the associated method blank or above five times the reporting limit for common lab contaminants (Phthalates, Acetone, Methylene Chloride, 2-Butanone).

C - Co-elution: The target analyte co-elutes with a known lab standard (i.e. surrogate, internal standards, etc.) for co-extracted analyses.

D - Concentration of analyte was quantified from diluted analysis. Flag only applies to field samples that have detectable concentrations of the analyte.

E - Concentration of analyte exceeds the range of the calibration curve and/or linear range of the instrument.

G - The concentration may be biased high due to matrix interferences (i.e, co-elution) with non-target compound(s). The result should be considered estimated.

H - The analysis of pH was performed beyond the regulatory-required holding time of 15 minutes from the time of sample collection.

I - The lower value for the two columns has been reported due to obvious interference.

M - Reporting Limit (RL) exceeds the MCP CAM Reporting Limit for this analyte.

NJ - Presumptive evidence of compound. This represents an estimated concentration for Tentatively Identified Compounds (TICs), where the identification is based on a mass spectral library search.

P - The RPD between the results for the two columns exceeds the method-specified criteria.

Q - The quality control sample exceeds the associated acceptance criteria. For DOD-related projects, LCS and/or Continuing Calibration Standard exceedences are also qualified on all associated sample results. Note: This flag is not applicable for matrix spike recoveries when the sample concentration is greater than 4x the spike added or for batch duplicate RPD when the sample concentrations are less than 5x the RL. (Metals only.)

R - Analytical results are from sample re-analysis.

RE - Analytical results are from sample re-extraction.

S - Analytical results are from modified screening analysis.

J - Estimated value. The Target analyte concentration is below the quantitation limit (RL), but above the Method Detection Limit (MDL) or Estimated Detection Limit (EDL) for SPME-related analyses. This represents an estimated concentration for Tentatively Identified Compounds (TICs).

ND - Not detected at the method detection limit (MDL) for the sample, or estimated detection limit (EDL) for SPME-related analyses.

Report Format: DU Report with 'J' Qualifiers

Project Name:	SILOS AT ELK ST.-WASTE CHAR.	**Lab Number:**	L1726064
Project Number:	0381-017-006	**Report Date:**	07/31/17

REFERENCES

1 Test Methods for Evaluating Solid Waste: Physical/Chemical Methods. EPA SW-846. Third Edition. Updates I - IV, 2007.

121 Standard Methods for the Examination of Water and Wastewater. APHA-AWWA-WEF. Standard Methods Online.

LIMITATION OF LIABILITIES

Alpha Analytical performs services with reasonable care and diligence normal to the analytical testing laboratory industry. In the event of an error, the sole and exclusive responsibility of Alpha Analytical shall be to re-perform the work at it's own expense. In no event shall Alpha Analytical be held liable for any incidental, consequential or special damages, including but not limited to, damages in any way connected with the use of, interpretation of, information or analysis provided by Alpha Analytical.

We strongly urge our clients to comply with EPA protocol regarding sample volume, preservation, cooling, containers, sampling procedures, holding time and splitting of samples in the field.

Certification Information

The following analytes are not included in our Primary NELAP Scope of Accreditation:

Westborough Facility
EPA 624: m/p-xylene, o-xylene
EPA 8260C: NPW: 1,2,4,5-Tetramethylbenzene; 4-Ethyltoluene, Azobenzene; SCM: Iodomethane (methyl iodide), Methyl methacrylate, 1,2,4,5-Tetramethylbenzene; 4-Ethyltoluene.
EPA 8270D: NPW: Dimethylnaphthalene,1,4-Diphenylhydrazine; SCM: Dimethylnaphthalene,1,4-Diphenylhydrazine.
EPA 300: DW: Bromide
EPA 6860: NPW and SCM: Perchlorate
EPA 9010: NPW and SCM: Amenable Cyanide Distillation
EPA 9012B: NPW: Total Cyanide
EPA 9050A: NPW: Specific Conductance
SM3500: NPW: Ferrous Iron
SM4500: NPW: Amenable Cyanide, Dissolved Oxygen; SCM: Total Phosphorus, TKN, NO2, NO3.
SM5310C: DW: Dissolved Organic Carbon

Mansfield Facility
SM 2540D: TSS
EPA 3005A NPW
EPA 8082A: NPW: PCB: 1, 5, 31, 87,101, 110, 141, 151, 153, 180, 183, 187.
EPA TO-15: Halothane, 2,4,4-Trimethyl-2-pentene, 2,4,4-Trimethyl-1-pentene, Thiophene, 2-Methylthiophene, 3-Methylthiophene, 2-Ethylthiophene, 1,2,3-Trimethylbenzene, Indan, Indene, 1,2,4,5-Tetramethylbenzene, Benzothiophene, 1-Methylnaphthalene.
Biological Tissue Matrix: EPA 3050B

The following analytes are included in our Massachusetts DEP Scope of Accreditation

Westborough Facility:

Drinking Water
EPA 300.0: Nitrate-N, Fluoride, Sulfate; **EPA 353.2**: Nitrate-N, Nitrite-N; **SM4500NO3-F**: Nitrate-N, Nitrite-N; **SM4500F-C, SM4500CN-CE, EPA 180.1, SM2130B, SM4500Cl-D, SM2320B, SM2540C, SM4500H-B**
EPA 332: Perchlorate; **EPA 524.2:** THMs and VOCs; **EPA 504.1:** EDB, DBCP.
Microbiology: **SM9215B; SM9223-P/A, SM9223B-Colilert-QT,SM9222D**.

Non-Potable Water
SM4500H,B, EPA 120.1, SM2510B, SM2540C, SM2320B, SM4500CL-E, SM4500F-BC, SM4500NH3-BH, **EPA 350.1**: Ammonia-N, **LACHAT 10-107-06-1-B**: Ammonia-N, **SM4500NO3-F, EPA 353.2**: Nitrate-N**, EPA 351.1, SM4500P-E, SM4500P-B, E, SM4500SO4-E, SM5220D, EPA 410.4, SM5210B, SM5310C, SM4500CL-D, EPA 1664, EPA 420.1, SM4500-CN-CE, SM2540D.**
EPA 624: Volatile Halocarbons & Aromatics,
EPA 608: Chlordane, Toxaphene, Aldrin, alpha-BHC, beta-BHC, gamma-BHC, delta-BHC, Dieldrin, DDD, DDE, DDT, Endosulfan I, Endosulfan II, Endosulfan sulfate, Endrin, Endrin Aldehyde, Heptachlor, Heptachlor Epoxide, PCBs
EPA 625: SVOC (Acid/Base/Neutral Extractables), **EPA 600/4-81-045**: PCB-Oil.
Microbiology: **SM9223B-Colilert-QT; Enterolert-QT, SM9221E.**

Mansfield Facility:

Drinking Water
EPA 200.7: Ba, Be, Cd, Cr, Cu, Ni, Na, Ca. **EPA 200.8:** Sb, As, Ba, Be, Cd, Cr, Cu, Pb, Ni, Se, TL. **EPA 245.1** Hg.

Non-Potable Water
EPA 200.7: Al, Sb, As, Be, Cd, Ca, Cr, Co, Cu, Fe, Pb, Mg, Mn, Mo, Ni, K, Se, Ag, Na, Sr, TL, Ti, V, Zn.
EPA 200.8: Al, Sb, As, Be, Cd, Cr, Cu, Pb, Mn, Ni, Se, Ag, TL, Zn.
EPA 245.1 Hg.
SM2340B

For a complete listing of analytes and methods, please contact your Alpha Project Manager.

NEW YORK CHAIN OF CUSTODY

ALPHA ANALYTICAL

Westborough, MA 01581
8 Walkup Dr.
TEL: 508-898-9220
FAX: 508-898-9193

Mansfield, MA 02048
320 Forbes Blvd
TEL: 508-822-9300
FAX: 508-822-3288

Service Centers
Mahwah, NJ 07430: 35 Whitney Rd, Suite 5
Albany, NY 12205: 14 Walker Way
Tonawanda, NY 14150: 275 Cooper Ave, Suite 105

Page 1 of 1

Date Rec'd in Lab: 7/28/17

ALPHA Job #: L1726064

Client Information
Client: Benchmark Env Eng
Address: 2558 Hamburg Turnpike, Buffalo, NY
Phone: 716-856-0599
Fax:
Email: tfabes@benchmarkees.com

Project Information
Project Name: SILOS AT ELK ST - Waste Characterization
Project Location: ELK ST - BUFFALO NY
Project #: 0381-017-006
(Use Project name as Project #) ☐
Project Manager: Tom Fabes
ALPHAQuote #:

Turn-Around Time
Standard ☐
Rush (only if pre approved) ☑
Due Date:
# of Days: 2

Deliverables
☐ ASP-A ☐ ASP-B
☐ EQuIS (1 File) ☐ EQuIS (4 File)
☐ Other

Regulatory Requirement
☐ NY TOGS ☐ NY Part 375
☐ AWQ Standards ☐ NY CP-51
☐ NY Restricted Use ☐ Other
☐ NY Unrestricted Use
☐ NYC Sewer Discharge

Billing Information
☐ Same as Client Info
PO #

Disposal Site Information
Please identify below location of applicable disposal facilities.
Disposal Facility:
☐ NJ ☐ NY
☐ Other:

These samples have been previously analyzed by Alpha ☐

Other project specific requirements/comments:

Please specify Metals or TAL.

ANALYSIS

Sample Filtration
☐ Done
☐ Lab to do
Preservation
☐ Lab to do
(Please Specify below)

ALPHA Lab ID (Lab Use Only)	Sample ID	Collection Date	Collection Time	Sample Matrix	Sampler's Initials	TCLP VOCs	TCLP SVOCs	TCLP metals Excluding Pb	PCB, Ignitability, Corrosivity	Total Bottle	Sample Specific Comments
26064 01	TP-20 1-1.5'	7/27/17	1415	SOIL	RLC/CG	X	X	X	X		
-02	TP-21 0-1'		1400			X	X	X	X		TCLP metals (Excluding Pb)
-03	TP-29A 1-1.5'		1430			X	X	X	X		
-04	TP-24A 1-1.5'		1447			X	X	X	X		
-05	SB-2 0-1'		1500			X	X	X	X		

Container Type: A A A A
Preservative: A A A A

Preservative Code:
A = None
B = HCl
C = HNO_3
D = H_2SO_4
E = NaOH
F = MeOH
G = $NaHSO_4$
H = $Na_2S_2O_3$
K/E = Zn Ac/NaOH
O = Other

Container Code
P = Plastic
A = Amber Glass
V = Vial
G = Glass
B = Bacteria Cup
C = Cube
O = Other
E = Encore
D = BOD Bottle

Westboro: Certification No: MA935
Mansfield: Certification No: MA015

Relinquished By:	Date/Time	Received By:	Date/Time
	7/27/17 1600	Audrey Tilley AAL	7/27/17 16:30
Audrey Tilley AAL	7/28/17 16:35		7/28/17 0100

Please print clearly, legibly and completely. Samples can not be logged in and turnaround time clock will not start until any ambiguities are resolved. BY EXECUTING THIS COC, THE CLIENT HAS READ AND AGREES TO BE BOUND BY ALPHA'S TERMS & CONDITIONS. (See reverse side.)

Form No: 01-25 HC (rev. 30-Sept-2013)

ANALYTICAL REPORT

Lab Number:	L1726063
Client:	Benchmark & Turnkey Companies 2558 Hamburg Turnpike Suite 300 Buffalo, NY 14218
ATTN:	Tom Forbes
Phone:	(716) 856-0599
Project Name:	SILOS AT ELK ST.-WASTE CHAR.
Project Number:	0381-017-006
Report Date:	07/31/17

Certifications & Approvals: MA (M-MA086), NH NELAP (2064), NJ NELAP (MA935), CT (PH-0574), IL (200077), ME (MA00086), MD (348), NY (11148), NC (25700/666), PA (68-03671), RI (LAO00065), TX (T104704476), VT (VT-0935), VA (460195), USDA (Permit #P330-14-00197).

Eight Walkup Drive, Westborough, MA 01581-1019
508-898-9220 (Fax) 508-898-9193 800-624-9220 - www.alphalab.com

Project Name: SILOS AT ELK ST.-WASTE CHAR.
Project Number: 0381-017-006

Lab Number: L1726063
Report Date: 07/31/17

Alpha Sample ID	Client ID	Matrix	Sample Location	Collection Date/Time	Receive Date
L1726063-01	TP-20 1-1.5'	SOIL	ELK ST. - BUFFALO, NY	07/27/17 14:15	07/27/17
L1726063-02	TP-21 0-1'	SOIL	ELK ST. - BUFFALO, NY	07/27/17 14:00	07/27/17
L1726063-03	TP-29A 1-1.5'	SOIL	ELK ST. - BUFFALO, NY	07/27/17 14:30	07/27/17
L1726063-04	TP-24A 1-1.5'	SOIL	ELK ST. - BUFFALO, NY	07/27/17 14:45	07/27/17
L1726063-05	SB-2 0-1'	SOIL	ELK ST. - BUFFALO, NY	07/27/17 15:00	07/27/17

Project Name:	SILOS AT ELK ST.-WASTE CHAR.	**Lab Number:**	L1726063
Project Number:	0381-017-006	**Report Date:**	07/31/17

Case Narrative

The samples were received in accordance with the Chain of Custody and no significant deviations were encountered during the preparation or analysis unless otherwise noted. Sample Receipt, Container Information, and the Chain of Custody are located at the back of the report.

Results contained within this report relate only to the samples submitted under this Alpha Lab Number and meet NELAP requirements for all NELAP accredited parameters unless otherwise noted in the following narrative. The data presented in this report is organized by parameter (i.e. VOC, SVOC, etc.). Sample specific Quality Control data (i.e. Surrogate Spike Recovery) is reported at the end of the target analyte list for each individual sample, followed by the Laboratory Batch Quality Control at the end of each parameter. Tentatively Identified Compounds (TICs), if requested, are reported for compounds identified to be present and are not part of the method/program Target Compound List, even if only a subset of the TCL are being reported. If a sample was re-analyzed or re-extracted due to a required quality control corrective action and if both sets of data are reported, the Laboratory ID of the re-analysis or re-extraction is designated with an "R" or "RE", respectively. When multiple Batch Quality Control elements are reported (e.g. more than one LCS), the associated samples for each element are noted in the grey shaded header line of each data table. Any Laboratory Batch, Sample Specific % recovery or RPD value that is outside the listed Acceptance Criteria is bolded in the report. All specific QC information is also incorporated in the Data Usability format of our Data Merger tool where it can be reviewed along with any associated usability implications. Soil/sediments, solids and tissues are reported on a dry weight basis unless otherwise noted. Definitions of all data qualifiers and acronyms used in this report are provided in the Glossary located at the back of the report.

In reference to questions H (CAM) or 4 (RCP) when "NO" is checked, the performance criteria for CAM and RCP methods allow for some quality control failures to occur and still be within method compliance. In these instances the specific failure is not narrated but noted in the associated QC table. The information is also incorporated in the Data Usability format of our Data Merger tool where it can be reviewed along with any associated usability implications.

Please see the associated ADEx data file for a comparison of laboratory reporting limits that were achieved with the regulatory Numerical Standards requested on the Chain of Custody.

HOLD POLICY

For samples submitted on hold, Alpha's policy is to hold samples (with the exception of Air canisters) free of charge for 21 calendar days from the date the project is completed. After 21 calendar days, we will dispose of all samples submitted including those put on hold unless you have contacted your Client Service Representative and made arrangements for Alpha to continue to hold the samples. Air canisters will be disposed after 3 business days from the date the project is completed.

Please contact Client Services at 800-624-9220 with any questions.

Project Name:	SILOS AT ELK ST.-WASTE CHAR.	**Lab Number:**	L1726063
Project Number:	0381-017-006	**Report Date:**	07/31/17

Case Narrative (continued)

Report Submission

All non-detect (ND) or estimated concentrations (J-qualified) have been quantitated to the limit noted in the MDL column.

I, the undersigned, attest under the pains and penalties of perjury that, to the best of my knowledge and belief and based upon my personal inquiry of those responsible for providing the information contained in this analytical report, such information is accurate and complete. This certificate of analysis is not complete unless this page accompanies any and all pages of this report.

Authorized Signature: Kelly Stenstrom

Title: Technical Director/Representative Date: 07/31/17

METALS

Project Name: SILOS AT ELK ST.-WASTE CHAR.
Lab Number: L1726063
Project Number: 0381-017-006
Report Date: 07/31/17

SAMPLE RESULTS

Lab ID: L1726063-01
Client ID: TP-20 1-1.5'
Sample Location: ELK ST. - BUFFALO, NY
Matrix: Soil

Date Collected: 07/27/17 14:15
Date Received: 07/27/17
Field Prep: Not Specified
TCLP/SPLP Ext. Date: 07/28/17 04:59

Parameter	Result	Qualifier	Units	RL	MDL	Dilution Factor	Date Prepared	Date Analyzed	Prep Method	Analytical Method	Analyst
TCLP Metals by EPA 1311 - Mansfield Lab											
Lead, TCLP	0.064	J	mg/l	0.500	0.027	1	07/31/17 09:10	07/31/17 12:18	EPA 3015	1,6010C	PS

Project Name: SILOS AT ELK ST.-WASTE CHAR.
Lab Number: L1726063
Project Number: 0381-017-006
Report Date: 07/31/17

SAMPLE RESULTS

Lab ID: L1726063-02
Client ID: TP-21 0-1'
Sample Location: ELK ST. - BUFFALO, NY
Matrix: Soil

Date Collected: 07/27/17 14:00
Date Received: 07/27/17
Field Prep: Not Specified
TCLP/SPLP Ext. Date: 07/28/17 04:59

Parameter	Result	Qualifier	Units	RL	MDL	Dilution Factor	Date Prepared	Date Analyzed	Prep Method	Analytical Method	Analyst
TCLP Metals by EPA 1311 - Mansfield Lab											
Lead, TCLP	ND		mg/l	0.500	0.027	1	07/31/17 09:10	07/31/17 12:59	EPA 3015	1,6010C	PS

Project Name: SILOS AT ELK ST.-WASTE CHAR.
Lab Number: L1726063
Project Number: 0381-017-006
Report Date: 07/31/17

SAMPLE RESULTS

Lab ID: L1726063-03
Client ID: TP-29A 1-1.5'
Sample Location: ELK ST. - BUFFALO, NY
Matrix: Soil
Date Collected: 07/27/17 14:30
Date Received: 07/27/17
Field Prep: Not Specified
TCLP/SPLP Ext. Date: 07/28/17 04:59

Parameter	Result	Qualifier	Units	RL	MDL	Dilution Factor	Date Prepared	Date Analyzed	Prep Method	Analytical Method	Analyst
TCLP Metals by EPA 1311 - Mansfield Lab											
Lead, TCLP	ND		mg/l	0.500	0.027	1	07/31/17 09:10	07/31/17 13:03	EPA 3015	1,6010C	PS

Project Name: SILOS AT ELK ST.-WASTE CHAR.
Lab Number: L1726063
Project Number: 0381-017-006
Report Date: 07/31/17

SAMPLE RESULTS

Lab ID: L1726063-04
Client ID: TP-24A 1-1.5'
Sample Location: ELK ST. - BUFFALO, NY
Matrix: Soil
Date Collected: 07/27/17 14:45
Date Received: 07/27/17
Field Prep: Not Specified
TCLP/SPLP Ext. Date: 07/28/17 04:59

Parameter	Result	Qualifier	Units	RL	MDL	Dilution Factor	Date Prepared	Date Analyzed	Prep Method	Analytical Method	Analyst
TCLP Metals by EPA 1311 - Mansfield Lab											
Lead, TCLP	0.670		mg/l	0.500	0.027	1	07/31/17 09:10	07/31/17 13:07	EPA 3015	1,6010C	PS

Project Name: SILOS AT ELK ST.-WASTE CHAR.
Lab Number: L1726063
Project Number: 0381-017-006
Report Date: 07/31/17

SAMPLE RESULTS

Lab ID: L1726063-05
Client ID: SB-2 0-1'
Sample Location: ELK ST. - BUFFALO, NY
Matrix: Soil

Date Collected: 07/27/17 15:00
Date Received: 07/27/17
Field Prep: Not Specified
TCLP/SPLP Ext. Date: 07/28/17 04:59

Parameter	Result	Qualifier	Units	RL	MDL	Dilution Factor	Date Prepared	Date Analyzed	Prep Method	Analytical Method	Analyst
TCLP Metals by EPA 1311 - Mansfield Lab											
Lead, TCLP	ND		mg/l	0.500	0.027	1	07/31/17 09:10	07/31/17 13:11	EPA 3015	1,6010C	PS

Project Name: SILOS AT ELK ST.-WASTE CHAR.
Project Number: 0381-017-006
Lab Number: L1726063
Report Date: 07/31/17

Method Blank Analysis
Batch Quality Control

Parameter	Result	Qualifier	Units	RL	MDL	Dilution Factor	Date Prepared	Date Analyzed	Analytical Method	Analyst
TCLP Metals by EPA 1311 - Mansfield Lab for sample(s): 01-05 Batch: WG1027287-1										
Lead, TCLP	ND		mg/l	0.500	0.027	1	07/31/17 09:10	07/31/17 12:09	1,6010C	PS

Prep Information

Digestion Method: EPA 3015
TCLP/SPLP Extraction Date: 07/28/17 04:59

Lab Control Sample Analysis

Batch Quality Control

Project Name: SILOS AT ELK ST.-WASTE CHAR.

Project Number: 0381-017-006

Lab Number: L1726063

Report Date: 07/31/17

Parameter	LCS %Recovery	Qual	LCSD %Recovery	Qual	%Recovery Limits	RPD	Qual	RPD Limits
TCLP Metals by EPA 1311 - Mansfield Lab Associated sample(s): 01-05 Batch: WG1027287-2								
Lead, TCLP	101		-		75-125	-		20

Matrix Spike Analysis
Batch Quality Control

Project Name: SILOS AT ELK ST.-WASTE CHAR.
Project Number: 0381-017-006

Lab Number: L1726063
Report Date: 07/31/17

Parameter	Native Sample	MS Added	MS Found	MS %Recovery	Qual	MSD Found	MSD %Recovery	Qual	Recovery Limits	RPD	Qual	RPD Limits
TCLP Metals by EPA 1311 - Mansfield Lab Associated sample(s): 01-05 QC Batch ID: WG1027287-3 QC Sample: L1726063-01 Client ID: TP-20 1-1.5'												
Lead, TCLP	0.064J	5.1	5.11	100		-	-		75-125	-		20

Lab Duplicate Analysis
Batch Quality Control

Project Name: SILOS AT ELK ST.-WASTE CHAR.
Project Number: 0381-017-006

Lab Number: L1726063
Report Date: 07/31/17

Parameter	Native Sample	Duplicate Sample	Units	RPD	Qual	RPD Limits
TCLP Metals by EPA 1311 - Mansfield Lab Associated sample(s): 01-05 QC Batch ID: WG1027287-4 QC Sample: L1726063-01 Client ID: TP-20 1-1.5'						
Lead, TCLP	0.064J	0.059J	mg/l	NC		20

Project Name: SILOS AT ELK ST.-WASTE CHAR.
Project Number: 0381-017-006

Lab Number: L1726063
Report Date: 07/31/17

Sample Receipt and Container Information

Were project specific reporting limits specified? YES

Cooler Information

Cooler	Custody Seal
A	Absent

Container Information

Container ID	Container Type	Cooler	Initial pH	Final pH	Temp deg C	Pres	Seal	Frozen Date/Time	Analysis(*)
L1726063-01A	Vial Large Septa unpreserved (4oz)	A	NA		2.1	Y	Absent		-
L1726063-01X	Plastic 120ml HNO3 preserved Extracts	A	NA		2.1	Y	Absent		PB-CI(180)
L1726063-01X9	Tumble Vessel	A	NA		2.1	Y	Absent		-
L1726063-02A	Vial Large Septa unpreserved (4oz)	A	NA		2.1	Y	Absent		-
L1726063-02X	Plastic 120ml HNO3 preserved Extracts	A	NA		2.1	Y	Absent		PB-CI(180)
L1726063-02X9	Tumble Vessel	A	NA		2.1	Y	Absent		-
L1726063-03A	Vial Large Septa unpreserved (4oz)	A	NA		2.1	Y	Absent		-
L1726063-03X	Plastic 120ml HNO3 preserved Extracts	A	NA		2.1	Y	Absent		PB-CI(180)
L1726063-03X9	Tumble Vessel	A	NA		2.1	Y	Absent		-
L1726063-04A	Vial Large Septa unpreserved (4oz)	A	NA		2.1	Y	Absent		-
L1726063-04X	Plastic 120ml HNO3 preserved Extracts	A	NA		2.1	Y	Absent		PB-CI(180)
L1726063-04X9	Tumble Vessel	A	NA		2.1	Y	Absent		-
L1726063-05A	Vial Large Septa unpreserved (4oz)	A	NA		2.1	Y	Absent		-
L1726063-05X	Plastic 120ml HNO3 preserved Extracts	A	NA		2.1	Y	Absent		PB-CI(180)
L1726063-05X9	Tumble Vessel	A	NA		2.1	Y	Absent		-

*Values in parentheses indicate holding time in days

Project Name:	SILOS AT ELK ST.-WASTE CHAR.	**Lab Number:**	L1726063
Project Number:	0381-017-006	**Report Date:**	07/31/17

GLOSSARY

Acronyms

EDL	- Estimated Detection Limit: This value represents the level to which target analyte concentrations are reported as estimated values, when those target analyte concentrations are quantified below the reporting limit (RL). The EDL includes any adjustments from dilutions, concentrations or moisture content, where applicable. The use of EDLs is specific to the analysis of PAHs using Solid-Phase Microextraction (SPME).
EPA	- Environmental Protection Agency.
LCS	- Laboratory Control Sample: A sample matrix, free from the analytes of interest, spiked with verified known amounts of analytes or a material containing known and verified amounts of analytes.
LCSD	- Laboratory Control Sample Duplicate: Refer to LCS.
LFB	- Laboratory Fortified Blank: A sample matrix, free from the analytes of interest, spiked with verified known amounts of analytes or a material containing known and verified amounts of analytes.
MDL	- Method Detection Limit: This value represents the level to which target analyte concentrations are reported as estimated values, when those target analyte concentrations are quantified below the reporting limit (RL). The MDL includes any adjustments from dilutions, concentrations or moisture content, where applicable.
MS	- Matrix Spike Sample: A sample prepared by adding a known mass of target analyte to a specified amount of matrix sample for which an independent estimate of target analyte concentration is available.
MSD	- Matrix Spike Sample Duplicate: Refer to MS.
NA	- Not Applicable.
NC	- Not Calculated: Term is utilized when one or more of the results utilized in the calculation are non-detect at the parameter's reporting unit.
NDPA/DPA	- N-Nitrosodiphenylamine/Diphenylamine.
NI	- Not Ignitable.
NP	- Non-Plastic: Term is utilized for the analysis of Atterberg Limits in soil.
RL	- Reporting Limit: The value at which an instrument can accurately measure an analyte at a specific concentration. The RL includes any adjustments from dilutions, concentrations or moisture content, where applicable.
RPD	- Relative Percent Difference: The results from matrix and/or matrix spike duplicates are primarily designed to assess the precision of analytical results in a given matrix and are expressed as relative percent difference (RPD). Values which are less than five times the reporting limit for any individual parameter are evaluated by utilizing the absolute difference between the values; although the RPD value will be provided in the report.
SRM	- Standard Reference Material: A reference sample of a known or certified value that is of the same or similar matrix as the associated field samples.
STLP	- Semi-dynamic Tank Leaching Procedure per EPA Method 1315.
TIC	- Tentatively Identified Compound: A compound that has been identified to be present and is not part of the target compound list (TCL) for the method and/or program. All TICs are qualitatively identified and reported as estimated concentrations.

Footnotes

1	- The reference for this analyte should be considered modified since this analyte is absent from the target analyte list of the original method.

Terms

Analytical Method: Both the document from which the method originates and the analytical reference method. (Example: EPA 8260B is shown as 1,8260B.) The codes for the reference method documents are provided in the References section of the Addendum.

Final pH: As it pertains to Sample Receipt & Container Information section of the report, Final pH reflects pH of container determined after adjustment at the laboratory, if applicable. If no adjustment required, value reflects Initial pH.

Frozen Date/Time: With respect to Volatile Organics in soil, Frozen Date/Time reflects the date/time at which associated Reagent Water-preserved vials were initially frozen. Note: If frozen date/time is beyond 48 hours from sample collection, value will be reflected in 'bold'.

Initial pH: As it pertains to Sample Receipt & Container Information section of the report, Initial pH reflects pH of container determined upon receipt, if applicable.

Total: With respect to Organic analyses, a 'Total' result is defined as the summation of results for individual isomers or Aroclors. If a 'Total' result is requested, the results of its individual components will also be reported. This is applicable to 'Total' results for methods 8260, 8081 and 8082.

Data Qualifiers

A	- Spectra identified as "Aldol Condensation Product".
B	- The analyte was detected above the reporting limit in the associated method blank. Flag only applies to associated field samples that have detectable concentrations of the analyte at less than ten times (10x) the concentration found in the blank. For MCP-related

Report Format: DU Report with 'J' Qualifiers

Project Name:	SILOS AT ELK ST.-WASTE CHAR.	**Lab Number:**	L1726063
Project Number:	0381-017-006	**Report Date:**	07/31/17

Data Qualifiers

projects, flag only applies to associated field samples that have detectable concentrations of the analyte at less than ten times (10x) the concentration found in the blank. For DOD-related projects, flag only applies to associated field samples that have detectable concentrations of the analyte at less than ten times (10x) the concentration found in the blank AND the analyte was detected above one-half the reporting limit (or above the reporting limit for common lab contaminants) in the associated method blank. For NJ-Air-related projects, flag only applies to associated field samples that have detectable concentrations of the analyte above the reporting limit. For NJ-related projects (excluding Air), flag only applies to associated field samples that have detectable concentrations of the analyte, which was detected above the reporting limit in the associated method blank or above five times the reporting limit for common lab contaminants (Phthalates, Acetone, Methylene Chloride, 2-Butanone).

C - Co-elution: The target analyte co-elutes with a known lab standard (i.e. surrogate, internal standards, etc.) for co-extracted analyses.

D - Concentration of analyte was quantified from diluted analysis. Flag only applies to field samples that have detectable concentrations of the analyte.

E - Concentration of analyte exceeds the range of the calibration curve and/or linear range of the instrument.

G - The concentration may be biased high due to matrix interferences (i.e, co-elution) with non-target compound(s). The result should be considered estimated.

H - The analysis of pH was performed beyond the regulatory-required holding time of 15 minutes from the time of sample collection.

I - The lower value for the two columns has been reported due to obvious interference.

M - Reporting Limit (RL) exceeds the MCP CAM Reporting Limit for this analyte.

NJ - Presumptive evidence of compound. This represents an estimated concentration for Tentatively Identified Compounds (TICs), where the identification is based on a mass spectral library search.

P - The RPD between the results for the two columns exceeds the method-specified criteria.

Q - The quality control sample exceeds the associated acceptance criteria. For DOD-related projects, LCS and/or Continuing Calibration Standard exceedences are also qualified on all associated sample results. Note: This flag is not applicable for matrix spike recoveries when the sample concentration is greater than 4x the spike added or for batch duplicate RPD when the sample concentrations are less than 5x the RL. (Metals only.)

R - Analytical results are from sample re-analysis.

RE - Analytical results are from sample re-extraction.

S - Analytical results are from modified screening analysis.

J - Estimated value. The Target analyte concentration is below the quantitation limit (RL), but above the Method Detection Limit (MDL) or Estimated Detection Limit (EDL) for SPME-related analyses. This represents an estimated concentration for Tentatively Identified Compounds (TICs).

ND - Not detected at the method detection limit (MDL) for the sample, or estimated detection limit (EDL) for SPME-related analyses.

Report Format: DU Report with 'J' Qualifiers

Project Name:	SILOS AT ELK ST.-WASTE CHAR.	**Lab Number:**	L1726063
Project Number:	0381-017-006	**Report Date:**	07/31/17

REFERENCES

1 Test Methods for Evaluating Solid Waste: Physical/Chemical Methods. EPA SW-846. Third Edition. Updates I - IV, 2007.

LIMITATION OF LIABILITIES

Alpha Analytical performs services with reasonable care and diligence normal to the analytical testing laboratory industry. In the event of an error, the sole and exclusive responsibility of Alpha Analytical shall be to re-perform the work at it's own expense. In no event shall Alpha Analytical be held liable for any incidental, consequential or special damages, including but not limited to, damages in any way connected with the use of, interpretation of, information or analysis provided by Alpha Analytical.

We strongly urge our clients to comply with EPA protocol regarding sample volume, preservation, cooling, containers, sampling procedures, holding time and splitting of samples in the field.

Certification Information

The following analytes are not included in our Primary NELAP Scope of Accreditation:

Westborough Facility
EPA 624: m/p-xylene, o-xylene
EPA 8260C: NPW: 1,2,4,5-Tetramethylbenzene; 4-Ethyltoluene, Azobenzene; SCM: Iodomethane (methyl iodide), Methyl methacrylate, 1,2,4,5-Tetramethylbenzene; 4-Ethyltoluene.
EPA 8270D: NPW: Dimethylnaphthalene,1,4-Diphenylhydrazine; SCM: Dimethylnaphthalene,1,4-Diphenylhydrazine.
EPA 300: DW: Bromide
EPA 6860: NPW and SCM: Perchlorate
EPA 9010: NPW and SCM: Amenable Cyanide Distillation
EPA 9012B: NPW: Total Cyanide
EPA 9050A: NPW: Specific Conductance
SM3500: NPW: Ferrous Iron
SM4500: NPW: Amenable Cyanide, Dissolved Oxygen; SCM: Total Phosphorus, TKN, NO2, NO3.
SM5310C: DW: Dissolved Organic Carbon

Mansfield Facility
SM 2540D: TSS
EPA 3005A NPW
EPA 8082A: NPW: PCB: 1, 5, 31, 87,101, 110, 141, 151, 153, 180, 183, 187.
EPA TO-15: Halothane, 2,4,4-Trimethyl-2-pentene, 2,4,4-Trimethyl-1-pentene, Thiophene, 2-Methylthiophene, 3-Methylthiophene, 2-Ethylthiophene, 1,2,3-Trimethylbenzene, Indan, Indene, 1,2,4,5-Tetramethylbenzene, Benzothiophene, 1-Methylnaphthalene.
Biological Tissue Matrix: EPA 3050B

The following analytes are included in our Massachusetts DEP Scope of Accreditation

Westborough Facility:

Drinking Water
EPA 300.0: Nitrate-N, Fluoride, Sulfate; **EPA 353.2**: Nitrate-N, Nitrite-N; **SM4500NO3-F**: Nitrate-N, Nitrite-N; **SM4500F-C, SM4500CN-CE, EPA 180.1, SM2130B, SM4500Cl-D, SM2320B, SM2540C, SM4500H-B**
EPA 332: Perchlorate; **EPA 524.2:** THMs and VOCs; **EPA 504.1:** EDB, DBCP.
Microbiology: **SM9215B; SM9223-P/A, SM9223B-Colilert-QT,SM9222D**.

Non-Potable Water
SM4500H,B, EPA 120.1, SM2510B, SM2540C, SM2320B, SM4500CL-E, SM4500F-BC, SM4500NH3-BH, **EPA 350.1**: Ammonia-N, **LACHAT 10-107-06-1-B**: Ammonia-N, **SM4500NO3-F, EPA 353.2**: Nitrate-N**, EPA 351.1, SM4500P-E, SM4500P-B, E, SM4500SO4-E, SM5220D, EPA 410.4, SM5210B, SM5310C, SM4500CL-D, EPA 1664, EPA 420.1, SM4500-CN-CE, SM2540D.**
EPA 624: Volatile Halocarbons & Aromatics,
EPA 608: Chlordane, Toxaphene, Aldrin, alpha-BHC, beta-BHC, gamma-BHC, delta-BHC, Dieldrin, DDD, DDE, DDT, Endosulfan I, Endosulfan II, Endosulfan sulfate, Endrin, Endrin Aldehyde, Heptachlor, Heptachlor Epoxide, PCBs
EPA 625: SVOC (Acid/Base/Neutral Extractables), **EPA 600/4-81-045**: PCB-Oil.
Microbiology: **SM9223B-Colilert-QT; Enterolert-QT, SM9221E.**

Mansfield Facility:

Drinking Water
EPA 200.7: Ba, Be, Cd, Cr, Cu, Ni, Na, Ca. **EPA 200.8:** Sb, As, Ba, Be, Cd, Cr, Cu, Pb, Ni, Se, TL. **EPA 245.1** Hg.

Non-Potable Water
EPA 200.7: Al, Sb, As, Be, Cd, Ca, Cr, Co, Cu, Fe, Pb, Mg, Mn, Mo, Ni, K, Se, Ag, Na, Sr, TL, Ti, V, Zn.
EPA 200.8: Al, Sb, As, Be, Cd, Cr, Cu, Pb, Mn, Ni, Se, Ag, TL, Zn.
EPA 245.1 Hg.
SM2340B

For a complete listing of analytes and methods, please contact your Alpha Project Manager.

NEW YORK CHAIN OF CUSTODY

ALPHA ANALYTICAL

Westborough, MA 01581
8 Walkup Dr.
TEL: 508-898-9220
FAX: 508-898-9193

Mansfield, MA 02048
320 Forbes Blvd
TEL: 508-822-9300
FAX: 508-822-3288

Service Centers
Mahwah, NJ 07430: 35 Whitney Rd, Suite 5
Albany, NY 12205: 14 Walker Way
Tonawanda, NY 14150: 275 Cooper Ave, Suite 105

Page 1 of 1

Date Rec'd in Lab 7/28/17

ALPHA Job # L1726063

Client Information
Client: Benchmark Env Eng
Address: 2558 Hamburg Tpke, Buffalo NY
Phone: 716 828 0549
Fax:
Email: tforbes@benchmarkeng.com

Project Information
Project Name: SILOS AT ELK ST MASK CHARACTERIZATION
Project Location: ELK ST BUFFALO, NY
Project #: D3811-017-006
(Use Project name as Project #) ☐
Project Manager: TOM FORBES
ALPHAQuote #:

Turn-Around Time
Standard ☐ Due Date:
Rush (only if pre approved) ☑ # of Days: 7

Deliverables
☐ ASP-A ☐ ASP-B
☐ EQuIS (1 File) ☐ EQuIS (4 File)
☐ Other

Billing Information
☐ Same as Client Info
PO #

Regulatory Requirement
☐ NY TOGS ☐ NY Part 375
☐ AWQ Standards ☐ NY CP-51
☐ NY Restricted Use ☐ Other
☐ NY Unrestricted Use
☐ NYC Sewer Discharge

Disposal Site Information
Please identify below location of applicable disposal facilities.
Disposal Facility:
☐ NJ ☐ NY
☐ Other:

These samples have been previously analyzed by Alpha ☐

Other project specific requirements/comments:

Please specify Metals or TAL.

ANALYSIS
TCLP PD

Sample Filtration
☐ Done
☐ Lab to do
Preservation
☐ Lab to do
(Please Specify below)

ALPHA Lab ID (Lab Use Only)	Sample ID	Collection Date	Collection Time	Sample Matrix	Sampler's Initials	Sample Specific Comments	Total Bottle
26063-01	TP-20 1-1.5'	7/27/17	1415	SOIL	RLD/KD		V
-02	TP-21 0-1'		1400				V
-03	TP29A 1-1.5'		1430				V
-04	TP-24A 1-1.5'		1445				V
-05	SB-2 0-1'		1100				V

Container Type: A
Preservative: A

Preservative Code:
A = None
B = HCl
C = HNO_3
D = H_2SO_4
E = NaOH
F = MeOH
G = $NaHSO_4$
H = $Na_2S_2O_3$
K/E = Zn Ac/NaOH
O = Other

Container Code
P = Plastic
A = Amber Glass
V = Vial
G = Glass
B = Bacteria Cup
C = Cube
O = Other
E = Encore
D = BOD Bottle

Westboro: Certification No: MA935
Mansfield: Certification No: MA015

Relinquished By:	Date/Time	Received By:	Date/Time
	7/27/17 1600	Audrey Tilley AAL	7/27/17 16:30
Audrey Tilley AAL	7/27/17 16:35		7/28/17

Please print clearly, legibly and completely. Samples can not be logged in and turnaround time clock will not start until any ambiguities are resolved. BY EXECUTING THIS COC, THE CLIENT HAS READ AND AGREES TO BE BOUND BY ALPHA'S TERMS & CONDITIONS. (See reverse side.)

Form No: 01-25 HC (rev. 30-Sept-2013)

REPUBLIC SERVICES, INC.

NON-HAZARDOUS SPECIAL WASTE & ASBESTOS MANIFEST

If waste is asbestos waste, complete Sections I, II, III and IV
If waste is NOT asbestos waste, complete Sections I, II and III

I. GENERATOR (Generator completes Ia-r)

a. Generator's US EPA ID Number	b. Manifest Document Number 6672-01	c. Page 1 of

d. Generator's Name and Location:	e. Generator's Mailing Address:
Silos at Elk Street LLC 50 Elk Street Buffalo, NY 14203 f. Phone:716 842-1800	SAME g. Phone:
If owner of the generating facility differs from the generator, provide: h. Owner's Name:	i. Owner's Phone No.:

j. Waste Profile #	k. Exp. Date	l. Waste Shipping Name and Description	m. Containers No.	m. Containers Type	n. Total Quantity	o. Unit Wt/Vol
4215 24 6672	5/03/2025	NON HAZ SOIL FILL	1	T	12	Yds

GENERATOR'S CERTIFICATION: I hereby certify that the above named material is not a hazardous waste as defined by 40 CFR 261 or any applicable state law, has been properly described, classified and packaged, and is in proper condition for transportation according to applicable regulations; AND, if this waste is a treatment residue of a previously restricted hazardous waste subject to the Land Disposal Restrictions. I certify and warrant that the waste has been treated in accordance with the requirements of 40 CFR 268 and is no longer a hazardous waste as defined by 40 CFR 261.

p. Generator Authorized Agent Name (Print)	q. Signature	r. Date
Charlotte Clark Authorized Agent for Silos at Elk St. LLC	Charlotte Clark	6/4/2024

II. TRANSPORTER (Generator completes IIa-b and Transporter completes IIc-e)

a. Transporter's Name and Address:
Roux TA-1655

b. Phone:

c. Driver Name (Print)	d. Signature	e. Date
Michael Lohisse		6/4/24

III. DESTINATION (Generator complete IIIa-c and Destination Site completes IIId-g)

a. Disposal Facility and Site Address:	c. US EPA Number	d. Discrepancy Indication Space:
Allied Waste Niagara Falls Landfill 5600 Niagara Falls Blvd, Niagara Falls NY 14304 b. Phone: 716-282-6381		

I herby certify that the above named material has been accepted and to the best of my knowledge the foregoing is true and accurate.

e. Name of Authorized Agent (Print)	f. Signature	g. Date
Scott	Pam Scott	6/04/24

IV. ASBESTOS (Generator completes IVa-f and Operator complete IVg-i)

a. Operator's Name and Address:	c. Responsible Agency Name and Address:
b. Phone:	d. Phone:

e. Special Handling Instructions and Additional Information:

f. ☐ Friable ☐ Non-Friable ☐ Both % Friable % Non-Friable

OPERATOR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked and labeled and are in all respects in proper condition for transport by highway according to applicable international and national governmental regulations.

g. Operator's Name and Title (Print)	h. Signature	i. Date

*Operator refers to the company which owns, leases, operates, controls, or supervises the facility being demolished or renovated, or the demolition or renovation operation or both

Roux Associates, Inc.
2558 Hamburg Turnpike, Suite 300
Buffalo, NY 14218
Main: 716-856-0599
Fax: 716-856-0583
www.rouxinc.com

ROUX

No. 051

Date: 6/4/24

Customer: SO EIK

Job: 4412.0005 BASO

Truck # T1 Driver Michael

LOAD LOCATION

DUMP LOCATION Republic Landfill

MATERIAL 1A: Dirty Dirt

REMARKS

Job Start

Job Finish

Travel Time

❑ Lunch ☑ No Lunch

Total

LD #	TICKET #	WEIGHT	WAIT-TIME JOB IN - OUT	WAIT-TIME PLANT IN - OUT
1	1268957	15.10	—	—
2			—	—
3			—	—
4			—	—
5			—	—
6			—	—
7			—	—
8			—	—
9			—	—
10			—	—
11			—	—
12			—	—
13			—	—
14			—	—
15			—	—

Customer Signature:

OUR RESPONSIBILITY ENDS AT THE CURB

White = ROUX Yellow = Job Pink = Trucker

SITE **NIAGARA FALLS LANDFILL 716-282-6381**
5600 Niagara Falls Blvd -Niagara Falls, NY 14304

CUSTOMER 392139
ROUX ENVIRONMENTAL ENGINEERING & GEOLOGY
2558 HAMBURG TURNPIKE
BUFFALO, NY 14218
Contract:4215246672
Generator:Silos at Elk Street LLC

SITE 5B	TICKET # 1268957	CELL	
WEIGHMASTER	Pam S.		
DATE/TIME IN	6/4/24 9:12 am	DATE/TIME OUT	6/4/24 9:35 am
VEHICLE	ROUX	CONTAINER	
REFERENCE			
BILL OF LADING	N/A		

SCALE IN GROSS WEIGHT 55,680 NET TONS 15.10
SCALE OUT TARE WEIGHT 25,480 NET WEIGHT 30,200

INBOUND
INVOICE

QTY.	UNIT	DESCRIPTION	RATE	EXTENSION	TAX	TOTAL
12.00	YD	Tracking QTY				
15.10	tn	SW-CONT SOIL Origin:NY-ERIE 100%				

Have a nice day. Thank you for your business!

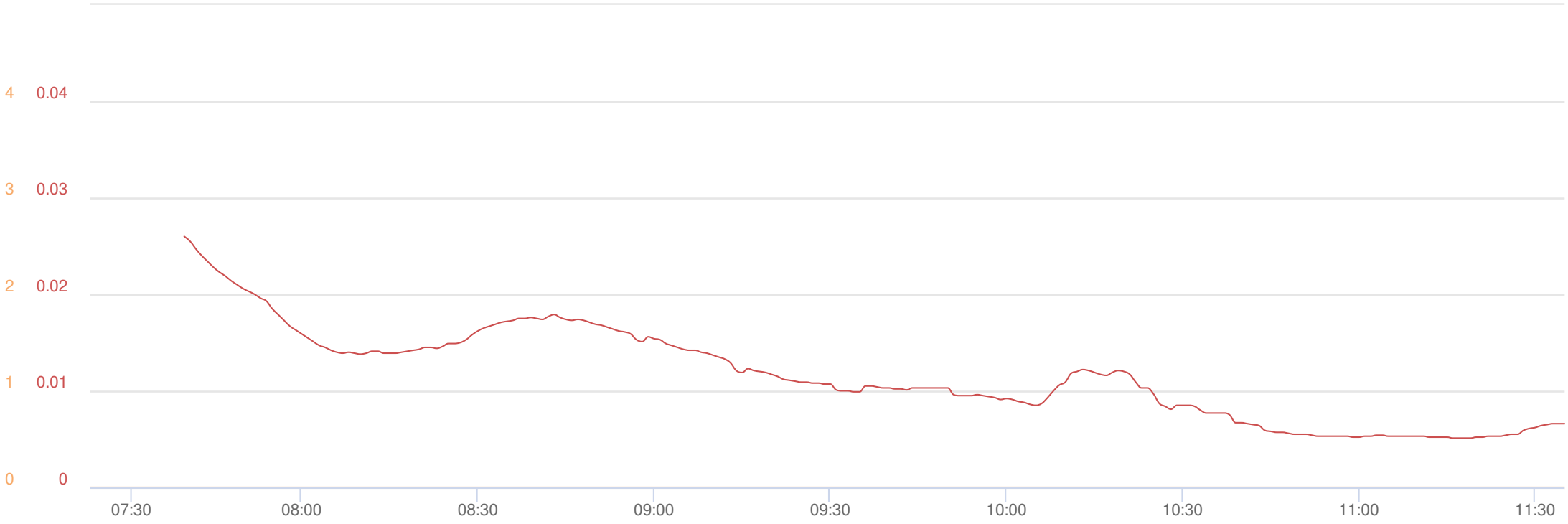
NET AMOUNT
TENDERED
CHANGE
CHECK#

The undersigned individual signing this document on behalf of Customer acknowledges that he or she has read and understands the terms and conditions on the reverse side and that he or she has the authority to sign this document on behalf of the customer.

RS-F042UPR2 (12-20)

SIGNATURE _____

Wed, 8th of May 2024, 7:00:00 – 14:00:00
(GMT-05:00) Eastern Time (US & Canada)



Mass Conc. Total mg/m³ AVG 15m
mg/m³
DustTrak-8530
RS232(C)

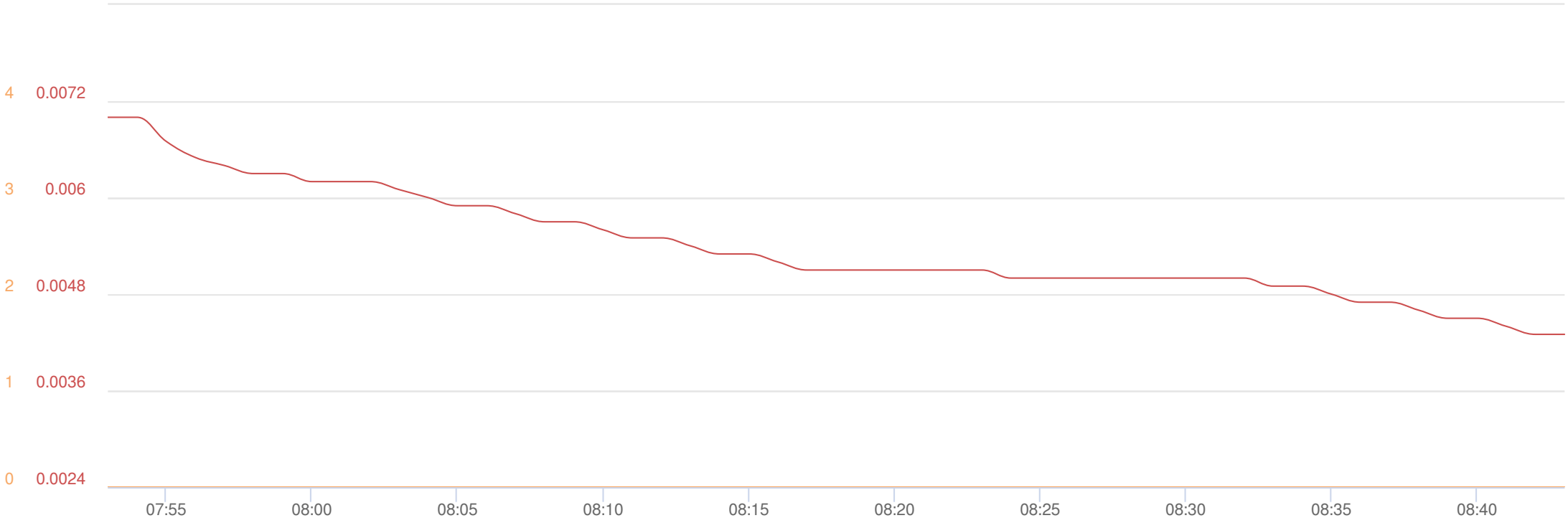
MIN	AVG	MAX
0.0051	0.0116	0.026

VOC ppm AVG 15m ppm
miniRAE 3000
RS232(A)

MIN	AVG	MAX
0	0	0

Name	CAMP #8
S/N	0B174131
Description	CAMP Station #8
Location	160 Washburn St, Lockport, NY 14094, USA

Tue, 4th of Jun 2024, 7:00:00 – 10:00:00
(GMT-05:00) Eastern Time (US & Canada)



Mass Conc. Total (AVG 15m) mg/m³
DustTrak-8530
RS232(C)

MIN	AVG	MAX
0.0043	0.0054	0.007

VOC ppm AVG 15m ppm
miniRAE 3000
RS232(A)

MIN	AVG	MAX
0	0	0

Name	CAMP Station #5
S/N	0B236251
Description	CAMP Station #5
Location	28 Embassy Square, Tonawanda, NY 14150, USA

APPENDIX F

Site Photographic Log

SITE PHOTOGRAPHS

Photo 1:

Photo 2:

Photo 3:

Photo 4:

TRACK 4 COMMERCIAL AREA (April 13, 2023)

Photo 1: Asphalt parking and greenspace cover areas (looking east)

Photo 2: Asphalt parking and greenspace cover along southwest property boundary (looking northeast)

Photo 3: Asphalt parking and greenspace cover areas (looking northeast)

Photo 4: Asphalt and greenspace cover along the south property boundary (looking northwest)

SITE PHOTOGRAPHS

Photo 5:

Photo 6:

Photo 7:

Photo 8:

TRACK 4 COMMERCIAL AREA (April 13, 2023)

Photo 5: Stone and hardscape cover along the eastern property boundary (looking southwest)

Photo 6: Hardscape and vegetative cover along northeast side of the building (looking southwest)

Photo 7: Asphalt parking lot cover area north of building (looking west))

Photo 8: Asphalt cover and grass cover requiring repair along northwest side of building (looking southwest)

SITE PHOTOGRAPHS

Photo 9:

Photo 10:

Photo 11:

Photo 12:

TRACK 4 RESTRICTED-RESIDENTIAL AREA (April 13, 2023)

Photo 9: Vegetative cover showing restricted-residential area on left and commercial area on right (looking east)

Photo 10: Vegetative cover on undeveloped restricted-residential area (looking south)

Photo 11: View of vegetative cover from the northeast corner of the site (looking southwest)

Photo 12: Vegetative cover showing restricted-residential area on right and commercial area on left (looking west)

SITE PHOTOGRAPHS

Photo 1:

Photo 2:

Photo 3:

Photo 4:

TRACK 4 COMMERCIAL AREA (April 26, 2024)

Photo 1: Asphalt parking and greenspace cover areas (looking east)

Photo 2: Asphalt parking and greenspace cover along southwest property boundary (looking northeast)

Photo 3: Asphalt parking and greenspace cover areas (looking northeast)

Photo 4: Asphalt and greenspace cover along the south property boundary (looking northwest)

SITE PHOTOGRAPHS

Photo 5:

Photo 6:

Photo 7:

Photo 8:

TRACK 4 COMMERCIAL AREA (April 26, 2024)

Photo 5: Stone and hardscape cover along the eastern property boundary (looking southwest)

Photo 6: Hardscape and vegetative cover along northeast side of the building (looking southwest)

Photo 7: Asphalt parking lot cover area north of building (looking west))

Photo 8: Asphalt cover and grass cover requiring repair along northwest side of building (looking southwest)

SITE PHOTOGRAPHS

Photo 9:

Photo 10:

Photo 11:

Photo 12:

TRACK 4 RESTRICTED-RESIDENTIAL AREA (April 26, 2024)

Photo 9: Vegetative cover showing restricted-residential area on left and commercial area on right (looking east)

Photo 10: Vegetative cover on undeveloped restricted-residential area (looking south)

Photo 11: View of vegetative cover from the northeast corner of the site (looking southwest)

Photo 12: Vegetative cover showing restricted-residential area on right and commercial area on left (looking west)

SITE PHOTOGRAPHS

Photo 13:

Photo 14:

Photo 15:

CONCRETE PAD AND COOLER INSTALLATION WORK (April 26, 2024)

Photo 13: View of the excavation for the concrete pad and cooler installation.

Photo 14: Excavated soil/fill covered with poly sheeting pending proper disposal.

Photo 15: View of the concrete pad for cooler.

SITE PHOTOGRAPHS

Photo 1:

Photo 2:

Photo 3:

Photo 4:

TRACK 4 COMMERCIAL AREA (April 14, 2025)

Photo 1: Asphalt parking and greenspace cover areas (looking east)

Photo 2: Asphalt parking and greenspace cover along southwest property boundary (looking northeast)

Photo 3: Asphalt parking and greenspace cover areas (looking northeast)

Photo 4: Asphalt and greenspace cover along the south property boundary (looking northwest)

SITE PHOTOGRAPHS

Photo 5:

Photo 6:

Photo 7:

Photo 8:

TRACK 4 COMMERCIAL AREA (April 14, 2025)

Photo 5: Stone and hardscape cover along the eastern property boundary (looking southwest)

Photo 6: Hardscape and vegetative cover along northeast side of the building (looking southwest)

Photo 7: Asphalt parking lot cover area north of building (looking west)

Photo 8: Asphalt cover and grass cover requiring repair along northwest side of building (looking southwest)

SITE PHOTOGRAPHS

Photo 9:

Photo 10:

Photo 11:

Photo 12:

TRACK 4 COMMERCIAL AREA (April 14, 2025)

Photo 9: View of cooler and concrete pad constructed in June 2024

Photo 10: View of cooler and concrete pad constructed in June 2024

Photo 11: View of cooler and concrete pad constructed in June 2024

Photo 12: View of electric vehicle (EV) charging station installed in 2024

SITE PHOTOGRAPHS

Photo 13:

Photo 14:

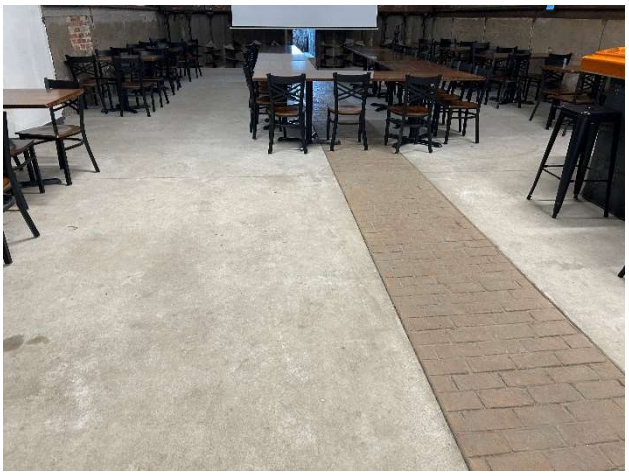


Photo 15:

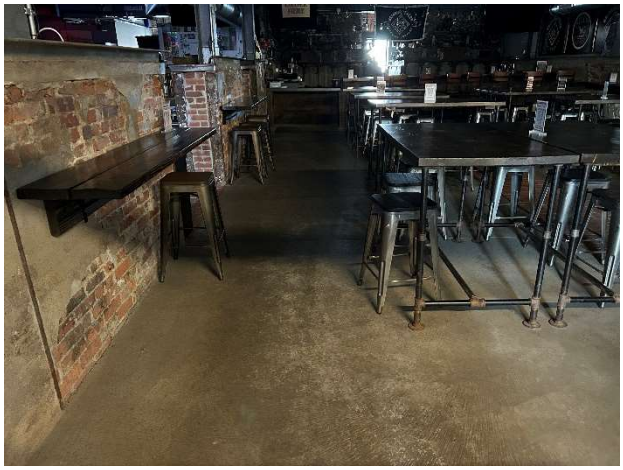


Photo 16:

TRACK 4 COMMERCIAL AREA (April 14, 2025)

Photo 13: View showing brewery concrete floor cover

Photo 14: View showing brewery concrete floor cover

Photo 15: View showing brewery concrete floor cover

Photo 16: View showing concrete pad for brewery equipment installed in 2024

SITE PHOTOGRAPHS

Photo 17:

Photo 18:

Photo 19:

Photo 20:

TRACK 4 RESTRICTED-RESIDENTIAL AREA (April 14, 2025)

Photo 17: Vegetative cover showing restricted-residential area on left and commercial area on right (looking east)

Photo 18: Vegetative cover on undeveloped restricted-residential area (looking south)

Photo 19: View of vegetative cover from the northeast corner of the site (looking southwest)

Photo 20: Vegetative cover showing restricted-residential area on right and commercial area on left (looking west)

SITE PHOTOGRAPHS

Photo 21:

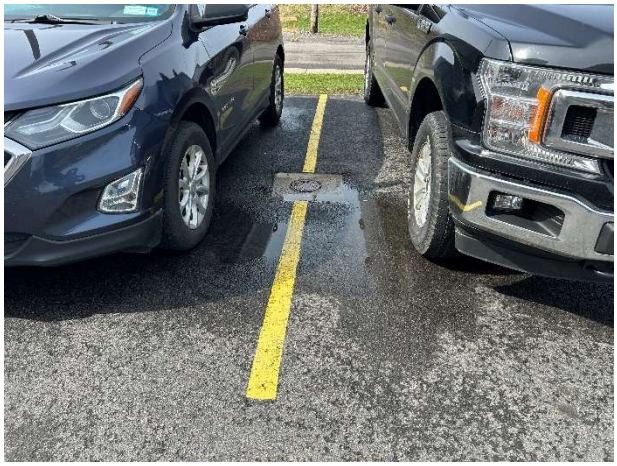


Photo 22:

DECOMMISSIONED MOITORING WELLS (April 14, 2025)

Photo 21: View of well MW-2 in asphalt parking lot cover area, decommissioned in 2023

Photo 22: View of well MW-5 in asphalt parking lot cover area, decommissioned in 2023