MATRIX
ENVIRONMENTAL TECHNOLOGIES INC.
Remediation, Water Treatment and Environmental Engineering
716.662.0745 | www.matrixbiotech.com

May 20, 2025

Ms. Taylor Monnin
New York State Department of Environmental Conservation
Division of Environmental Remediation, Region 9
270 Michigan Avenue
Buffalo, New York 14203

Re: **Periodic Review Report; April 20, 2022 – April 20, 2025**
166 Chandler Street Site
NYSDEC Site No. C915320
166 Chandler Street
Buffalo, New York 14207

Dear Ms. Monnin:

In accordance with the Site Management Plan for NYSDEC Site Number C915320, and NYSDEC's March 4, 2025 letter to Mr. Rocco Termini regarding the preparation and submittal of a Site Management Periodic Review Report and IC/EC Certification, please find attached a Periodic Review Report that includes the appropriate certifications for the 2022-2025 reporting period.

If you have any questions or require further information, please contact us.

Sincerely,
Matrix Environmental Technologies Inc.

Mary M. Szustak
Project Manager

Enclosure

cc: R. Termini
J. Rothschild

Periodic Review Report

166 Chandler Street Site
166 Chandler Street
Buffalo, New York 14203

NYSDEC Site Number: C915320

METI Project #25-015

May 20, 2025

PREPARED FOR:

166 Chandler Holdings, LLC
391 Washington Street
Buffalo, NY 14203

PREPARED BY:

MATRIX
Environmental Technologies Inc.
PO Box 427
3730 California Road
Orchard Park, NY 14127

Mary M. Szustak
Project Manager

Christine M. Curtis, P.E.
Senior Engineer

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Certifications

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

- The inspection of the Site to confirm the effectiveness of the institutional and engineering controls required by the remedial program was performed under my direction;
- The institutional control and/or engineering control employed at this Site is unchanged from the date the control was put in place, or last approved by DER[1];
- Nothing has occurred that would impair the ability of the control to protect the public health and environment;
- Nothing has occurred that would constitute a violation or failure to comply with any Site Management Plan for this control;
- Access to the Site will continue to be provided to DER to evaluate the remedy, including access to evaluate the continued maintenance of this control;
- Use of the Site is compliant with the environmental easement;
- The engineering control systems are performing as designed and are effective;
- To the best of my knowledge and belief, the work and conclusions described in this certification are in accordance with the requirements of the Site remedial program and generally accepted engineering practices;
- No new information has come to the attention of the remedial party (Site owners), including groundwater monitoring data from wells located at the Site boundary, if any, to indicate that the assumptions made in the qualitative exposure assessment of off-Site contamination are no longer valid; and
- The information presented in this report is accurate and complete.

I certify that all information and statements in this certification form are true. I understand that a false statement made herein is punishable as a Class "A" misdemeanor, pursuant to Section 210.45 of the Penal Law. I, Christine Curtis, P.E., of Matrix Environmental Technologies Inc., 3730 California Road, Orchard Park, NY 14127, am certifying as Owner's/Remedial Party's Designated Site Representative.



Signature

May 20, 2025
Date

[1] "DER-10/Technical Guidance for Site Investigation and Remediation" prepared by New York State Department of Environmental Conservation (NYSDEC), dated May 3, 2020.

1.0 SITE OVERVIEW

1.1 Site Summary

The 166 Chandler Street Site ("Site") is an approximately 0.49-acre property located at 166 Chandler Street in the City of Buffalo, Erie County, New York. A Site location map is provided in **Figure 1**. The Site consists of a four-story, approximately 58,000-square foot building that covers the entirety of the parcel. Construction of the western portion of the building was completed in 2019 along with the historic preservation of the eastern portion of the building. The Site is zoned D-C Flex Commercial, which permits residential, retail & service, and light industrial uses. The neighborhood surrounding the Site primarily includes light industrial, commercial and residential properties.

A Brownfield Cleanup Agreement[2] (BCA) was executed on December 11, 2017 for the Site, identified as New York State Department of Environmental Conservation (NYSDEC) Site #C915320, under the Brownfield Cleanup Program (BCP). BCP Site boundaries are provided in **Figure 2**. A Track 2 (restricted use with generic soil cleanup objectives) cleanup was completed in 2018.

1.2 Site Remedial History

The Site building was originally constructed in 1907 as a dairy machine manufacturer. Additions to the building were constructed in 1909, 1919, 1927, and 1931. Other past occupants of the Site included several commercial operators, including Megowen Educator Food Co (food products), Lehon Co, Inc. (building materials), G&W Emerick Trading (beer distributor), Hamlin Chauncy (building materials), Eagle Picher Sales (merchandise brokers), Meyers Co. (wholesale chemical), Acceptance Warehouse Co., Curtis Training School, Aeronautical Manufacturing Corp (laboratory) and Chandler Industries, Inc. From 1948 to the 1990s, the Site was occupied by Barcalo Manufacturing, a furniture manufacturer, and subsequently by G&R Machinery and Equipment. Several fires occurred during the 1980s and 1990s, which resulted in the demolition of the western portion of the building. The historical eastern portion of the building was vacant for over 20 years prior to the start of remedial activities in 2016.

Remedial investigation (RI) and interim remedial measures (IRM) activities were completed in 2018 by Hazard Evaluations Inc. (HEI), in association with Wittman GeoSciences, PLLC (WGS) and Schenne & Associates (S&A), in accordance with the approved RI/IRM Work Plan[3]. A series of IRM work tasks were performed at the Site in order to address immediate on-Site concerns as

[2] Brownfield Site Cleanup Agreement - BCA Index No. C915320-07-17, between 166 Chandler Holdings, LLC and NYSDEC, executed December 11, 2017.
[3] "Remedial Investigation – Interim Remedial Measures – Alternative Analysis Report Work Plan, Brownfields Cleanup Program for 166 Chandler Holdings, LLC, 166 Chandler Street, Buffalo, New York, 14207, BCP # C915320", prepared by Wittman GeoSciences and Schenne & Associates, dated April 12, 2018.

detailed in the Remedial Investigation – Interim Remedial Measures – Alternative Analysis Report (RI/IRM/AA Report)[4]. A brief summary of IRM activities is described below:

- The entire western half of the Site was excavated beyond the property limits and BCP boundary line as depicted in **Figure 3**. Prior to excavation, the western half of the Site was a vacant lot comprised of fill overlaying urban fill and construction and demolition (C&D) debris from when the western portion of the building had been demolished into the basement foundation. Former exterior foundation walls were exposed and located along the northern, western, and southern property limits in addition to interior foundation walls found throughout the western portion of the Site. The bottom of the excavation extended into the native underlying silty clay soil, generally ranging in depth from 5-8' below grade (bg), except in areas where a solid concrete floor was encountered at 5-8' bg. The eastern excavation limit was defined by the western wall of the intact historical portion of the current 166 Chandler Street building. A total of 2,157 cubic yards (cy) or 3,235 tons of soil was removed from the western portion of the Site and disposed off-site at the Town of Tonawanda landfill.

  The excavations completed on the western half of the Site were completed to and beyond property limits to the north, south, and west. The eastern excavation limit extended to the western wall of the historical portion of the current Site building, exposing the building foundation along the entire length of the excavation. Therefore, no on-site sidewall confirmatory soil samples were collected. Eleven (11) bottom confirmatory samples were collected from underneath the concrete floor, or from the underlying native silty clay in the western lot area, including one bottom sample collected underneath the underground storage tank (UST) described below. No volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs), metals, polychlorinated biphenyls (PCBs), herbicides or pesticides were detected in the confirmation samples at concentrations above restricted residential use soil cleanup objectives (RRUSCOs) as detailed in 6NYCRR Part 375-6.8b. Confirmatory sample locations are illustrated on **Figure 3**.

- A historical UST was uncovered in the southwestern corner of the western vacant lot adjacent to Chandler Steet during excavation activities. The UST was severely deteriorated and was estimated to be approximately 300 gallons in size. No visual or olfactory evidence of impact was observed in the soil profile in the vicinity of the UST; however, due to the presence of the historical fill, excavation extended beyond the limits of the UST. Confirmatory soil samples were collected from the nearest west wall, south wall and bottom of the UST, while the eastern and northern walls were defined by former building foundation walls that were fully exposed. Confirmatory soil samples collected from the former UST area were below CP-51 soil cleanup levels (SCLs) and unrestricted use soil cleanup objectives (UUSCOs).

- Several SVOCs, including benzo(a)anthracene, benzo(a)pyrene, benzo(k)fluoranthene, and indeno(1,2,3-cd)pyrene, were detected at concentrations exceeding RRUSCOs in the

[4] "Remedial Investigation – Interim Remedial Measures – Alternative Analysis Report, Brownfield Cleanup Program for 166 Chandler Street Site, 166 Chandler Street, Buffalo, New York, 14207, BCP # C915320", prepared by Wittman GeoSciences, PLLC and Hazard Evaluations, Inc., dated December 4, 2018.

soil sample from MW102 (0-4'), located in the interior of the historic portion of the current Site building. ,. In order to address the SVOC impacts, the concrete floor was removed and an approximately 11-foot by 11-foot excavation was completed in the vicinity of MW102; however, the western and southern limits of the excavation were limited due to the presence of concrete foundations. Approximately 18 tons of soil was removed from the vicinity of MW102 and disposed off-site at the Town of Tonawanda landfill. Four sidewall samples and one bottom sample were collected from the excavation area. The analytical testing results did not identify SVOCs at concentrations exceeding UUSCOs in the confirmatory samples.

- An elevator shaft with an associated elevator pit was located in the northern portion of the historical part of the current Site building. The elevator had been unused for many years, and subsequently the shaft and pit had been filled with rainwater, groundwater, sediment, and miscellaneous debris. At the request of the disposal company for disposal characterization, a sediment sample was collected from the pit, and analyzed for VOCs, SVOCs, metal, and PCBs. A water sample was also collected and was analyzed for PCBs. Analytical results identified one VOC (1,4-dichlorobeneze) and metal (barium) at concentrations that were potentially hazardous. The disposal facility required further analysis for Toxicity Characteristic Leaching Procedure (TCLP) VOCs and TCLP Metals. The testing results revealed the sediment material was non-hazardous. A total of 1,698 gallons of sludge, impacted water, and wash water were subsequently removed from the elevator shaft and pit area. The concrete floors within the basement area of the historic building were removed in connection with Site development and disposed as non-hazardous soil. Soil samples collected on the south, west, and east sides of the elevator pit and did not identify VOCs or metals at concentrations exceeding UUSCOs.

A Certificate of Completion was issued on December 20, 2018[5].

1.3 Institutional Controls

Since remaining contamination exists at the Site, Institutional Controls (ICs) are required to protect human health and the environment. ICs at the Site include the following:

- The property may be used for restricted residential, commercial, and/or industrial uses;
- The use of groundwater underlying the property is prohibited without necessary water quality treatment as determined by the NYSDOH or the Erie County Department of Health to render it safe for use as drinking water or for industrial purposes, and the user must first notify and obtain written approval to do so from the Department;
- A provision for evaluation of the potential for soil vapor intrusion in the existing building and for any new buildings developed on the Site, including provisions for implementing actions recommended to address exposures related to soil vapor intrusion;
- Data and information pertinent to Site management must be reported at the frequency and

[5] "Certificate of Completion, 166 Chandler Street, Buffalo, Erie County, Site No.: C915320", issued by NYSDEC, dated December 20, 2018.

in a manner as defined in the Site Management Plan (SMP)[6];
- All future activities that will disturb remaining contaminated material must be conducted in accordance with the SMP;
- Access to the Site must be provided to agents, employees or other representatives of the State of New York with reasonable prior notice to the property owner to assure compliance with the restrictions identified by the Environmental Easement; and
- Vegetable gardens and farming on the Site are prohibited.

1.4 Engineering Controls

There are no engineering controls at the Site.

1.5 Monitoring and Sampling Requirements

The SMP describes the measures for evaluating the overall performance and effectiveness of the remedy. The Monitoring Plan includes the following:

- Site-wide inspections will be performed at a minimum of once per year as noted in SMP.
- Indoor air sampling will be completed for at least two consecutive heating seasons to evaluate the potential for soil vapor intrusion. Indoor air sampling was discontinued in June 2021 as reflected in the revised SMP dated February 2022.

2.0 SITE INSPECTION AND MONITORING RESULTS

2.1 Annual Site Inspections

Annual Site-wide inspections were completed on February 12, 2023 and February 8, 2024 by Environmental Advantage, Inc. (EA), the previous Site consultant. An annual Site-wide inspection was completed by METI on April 16, 2025. Copies of the Site-wide inspection reports with photos taken during the inspections are included in **Appendix A**. The following observations were noted during annual inspections:

- The building is developed into various commercial tenant spaces. The entire four story/one floor new portion of the building on the western half is occupied by Thin Man Brewery. The four floor historic portion of the building (eastern half) is developed into a restaurant space on the first floor, which is currently vacant; an event venue occupied by Riff City Social on the second floor; Salon in the City Suites, which features a number of move-in ready salon suites on the third floor and fourth floor; and a fitness gym (F45 Training), a marketing firm (Riveter Design), and a human resources firm (Wayforward Associates) on the fourth floor.

- The interior and exterior slabs appeared to be in excellent condition in all areas with no

[6] "Site Management Plan, NYSDEC Site Number: C915320, 166 Chandler Street, Erie County, Buffalo, New York", prepared by Wittman Geosciences, PLLC, Hazard Evaluations, Inc., and Schenne & Associates, dated December 2018, revised February 2022.

visible cracks or damage.

- The exterior of the building is in very good shape and well maintained.

2.2 Soil Vapor Intrusion Sampling

To evaluate the potential for soil vapor intrusion into the existing site building and new building addition, indoor air sampling was required to be completed for two consecutive heating seasons. Three consecutive air sampling events were completed on April 16, 2019, April 20, 2020, and February 18, 2021. The results of these investigations were detailed in the April 2020 Revised Periodic Review Report[7] and the April 2021 Revised Periodic Review Report[8]. Based on the results of these assessments, soil vapor intrusion did not appear to be a concern to the health and safety of the Site's occupants. As per the NYSDEC's June 23, 2021 letter[9] annual indoor air sampling was discontinued. The Site's SMP was revised in March 2022 to reflect this change in monitoring requirements. Historical indoor air analytical results tables and laboratory reports are included in previous PRRs. Should additional development or change in use of the Site occur in the future, further soil vapor intrusion evaluations may be necessary.

2.3 Certification Status

A completed Institutional and Engineering Controls Certification Form is presented in **Appendix B**. It should be noted that there are no Engineering Controls required for this BCP Site. Certification is provided based upon an evaluation of the information and data collected during the 2022 – 2025 reporting period as presented above.

3.0 CORRECTIVE ACTION WORK PLAN

No corrective actions have been identified at this time.

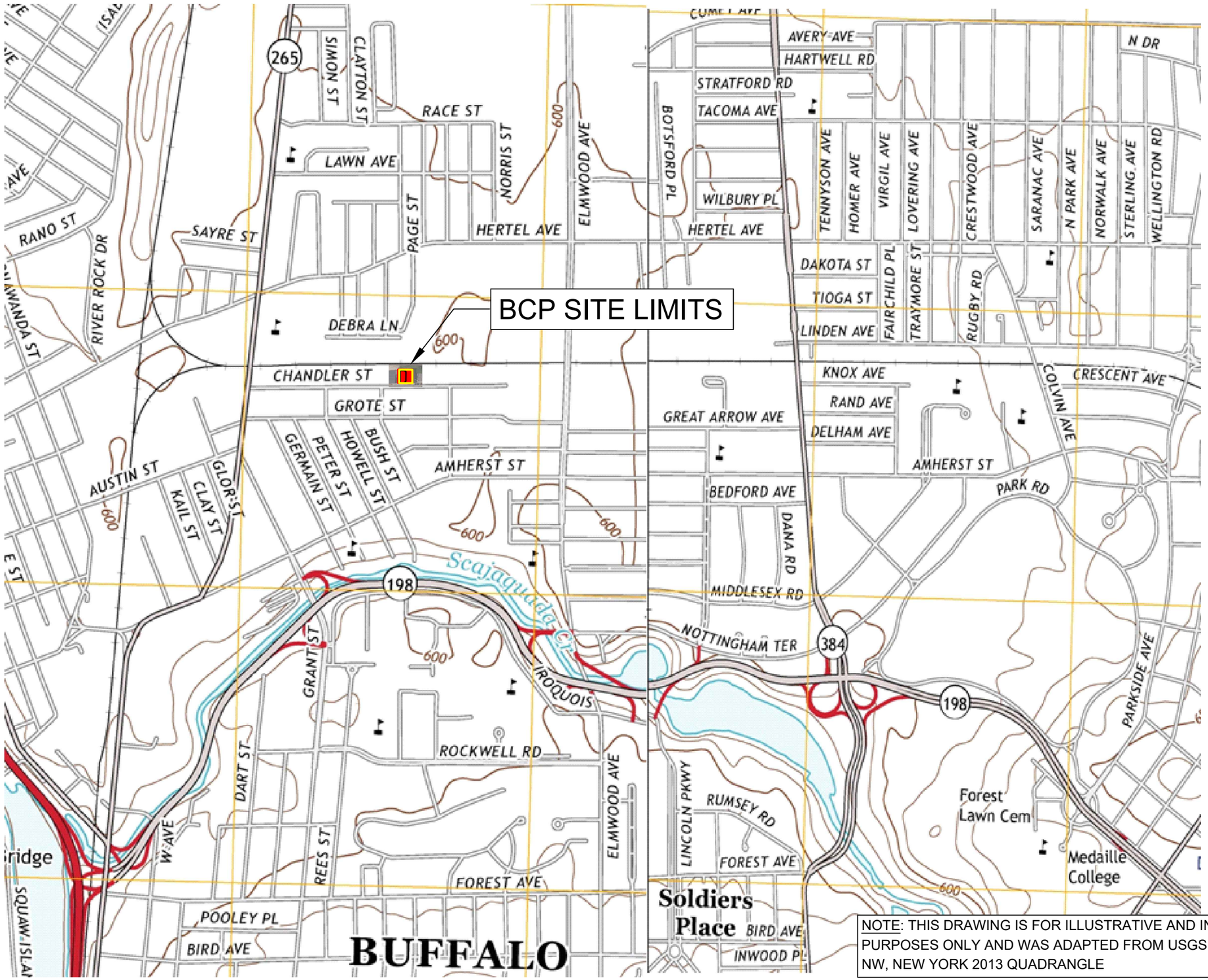
4.0 OVERALL PRR CONCLUSIONS AND RECOMMENDATIONS

All components of the Site Management Plan have been met during the reporting period, including Institutional Controls and Monitoring and Sampling Plan. Based on activities conducted at the Site during the reporting period, the Site remedy continues to be protective of public health and the environment. Annual Site inspections will continue with the next PRR to be provided in 2028. The frequency of PRR submittals will be reevaluated at that time.

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[7] "Periodic Review Report – April 2020 Revised; DEC Site #C915320, 166 Chandler Street Site, 166 Chandler Street, Buffalo, New York", prepared by Hazard Evaluations, Inc., dated August 17, 2020.
[8] "Periodic Review Report – April 2021 Revised; DEC Site #C915320, 166 Chandler Street Site, 166 Chandler Street, Buffalo, New York", prepared by Environmental Advantage, Inc., dated June 9, 2021.
[9] "Site Management (SM) – Periodic Review Report (PRR) Response Letter, 166 Chandler Street, Buffalo, Erie County, Site No.: C915320", issued by NYSDEC, dated June 23, 2021.

FIGURES



NOTE: THIS DRAWING IS FOR ILLUSTRATIVE AND INFORMATIONAL PURPOSES ONLY AND WAS ADAPTED FROM USGS, BUFFALO NE & NW, NEW YORK 2013 QUADRANGLE

PREPARED BY:

MATRIX ENVIRONMENTAL TECHNOLOGIES INC.

ORCHARD PARK - ROCHESTER - ITHACA
www.matrixbiotech.com

PREPARED FOR:

166 CHANDLER HOLDINGS, LLC
BUFFALO, NEW YORK

PROJECT NAME/LOCATION:

166 CHANDLER STREET
BUFFALO, NEW YORK

NYSDEC SITE NO. C915320

PROJECT NUMBER: 25-015

PROJECT MANAGER: MMS

DRAWN BY: CMC

REVIEWED BY: MMS

REVISION HISTORY

NUMBER	BY	DATE
0	CMC	5/16/25

N

1" = 1,100'
0 1,100

TITLE:

SITE LOCATION MAP

DATE:

FIGURE: 1



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NUMBER	BY	DATE
0	CMC	5/16/25

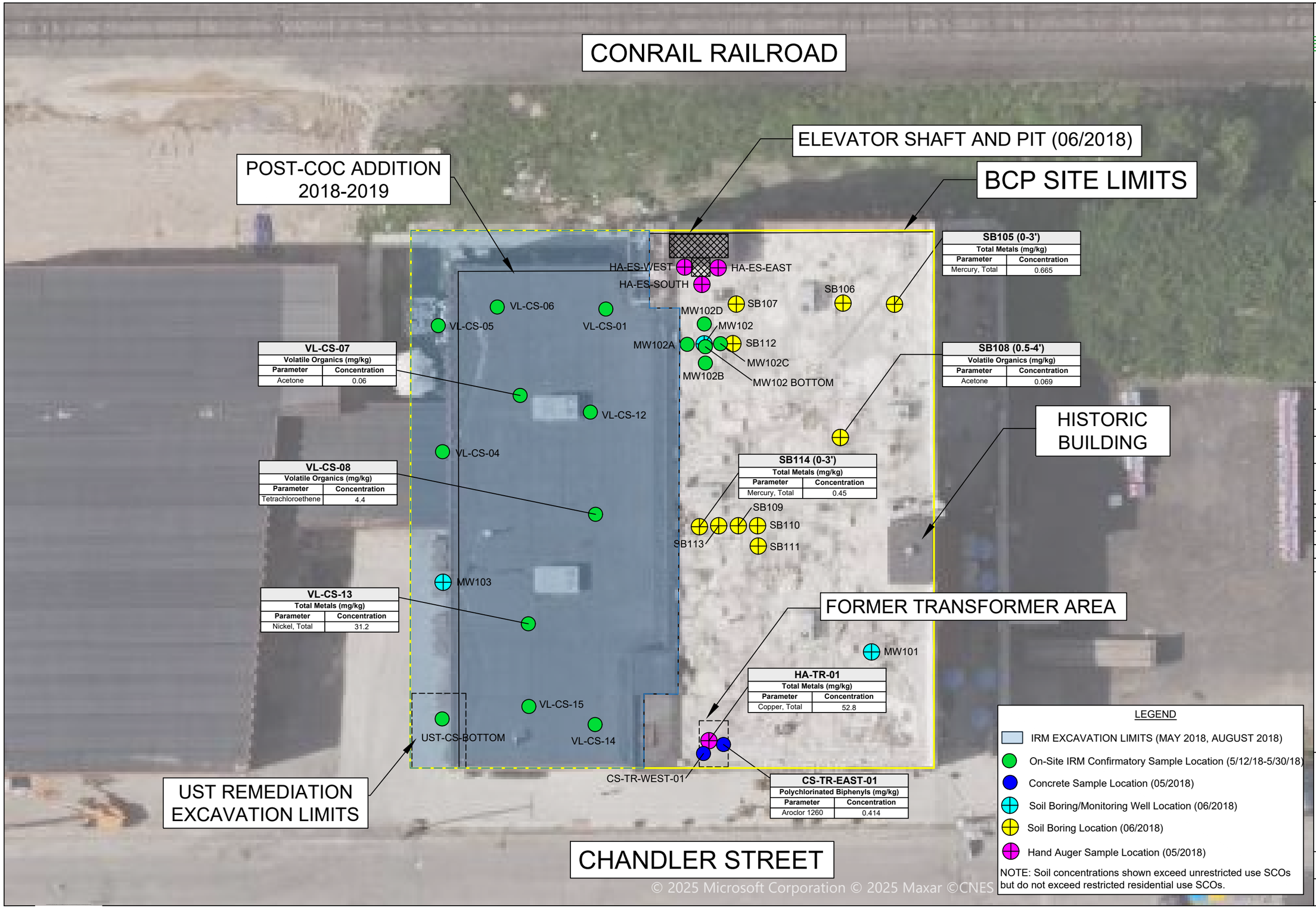
N

1" = 25'
0 25

TITLE: SITE LIMITS

DATE:

FIGURE: 2



VL-CS-07

Volatile Organics (mg/kg)	
Parameter	Concentration
Acetone	0.06

VL-CS-08

Volatile Organics (mg/kg)	
Parameter	Concentration
Tetrachloroethene	4.4

VL-CS-13

Total Metals (mg/kg)	
Parameter	Concentration
Nickel, Total	31.2

SB105 (0-3')

Total Metals (mg/kg)	
Parameter	Concentration
Mercury, Total	0.665

SB108 (0.5-4')

Volatile Organics (mg/kg)	
Parameter	Concentration
Acetone	0.069

SB114 (0-3')

Total Metals (mg/kg)	
Parameter	Concentration
Mercury, Total	0.45

HA-TR-01

Total Metals (mg/kg)	
Parameter	Concentration
Copper, Total	52.8

CS-TR-EAST-01

Polychlorinated Biphenyls (mg/kg)	
Parameter	Concentration
Aroclor 1260	0.414

LEGEND

- IRM EXCAVATION LIMITS (MAY 2018, AUGUST 2018)
- On-Site IRM Confirmatory Sample Location (5/12/18-5/30/18)
- Concrete Sample Location (05/2018)
- Soil Boring/Monitoring Well Location (06/2018)
- Soil Boring Location (06/2018)
- Hand Auger Sample Location (05/2018)

NOTE: Soil concentrations shown exceed unrestricted use SCOs but do not exceed restricted residential use SCOs.

PREPARED BY:

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166 CHANDLER HOLDINGS, LLC
BUFFALO, NEW YORK

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166 CHANDLER STREET
BUFFALO, NEW YORK

NYSDEC SITE NO. C915320

PROJECT NUMBER: 25-015

PROJECT MANAGER: MMS

DRAWN BY: CMC

REVIEWED BY: MMS

REVISION HISTORY

NUMBER	BY	DATE
0	CMC	5/16/25

N

1" = 25'
0 25

TITLE:

ON-SITE CONFIRMATORY SOIL SAMPLE LOCATIONS AND SOIL SAMPLES EXCEEDING UNRESTRICTED USE SOIL CLEANUP OBJECTIVES

DATE: AS NOTED

FIGURE: 3

APPENDIX A

Annual Site-Wide Inspection Forms

Site-Wide Inspection Form

Site: 166 Chandler Street Buffalo, NY Date: 2/12/2023

Inspector: Jason Kryszak Weather: 45ºF Cloudy

General site conditions at the time of the inspection: Active brewing operations in the western portion of the site and active restaurant operations in the east portion of the site.

Are site management activities being conducted including, where appropriate, confirmation sampling and a health and safety inspection? Yes.

Do the implemented institutional controls continue to be protective of human health and the environment? Yes.

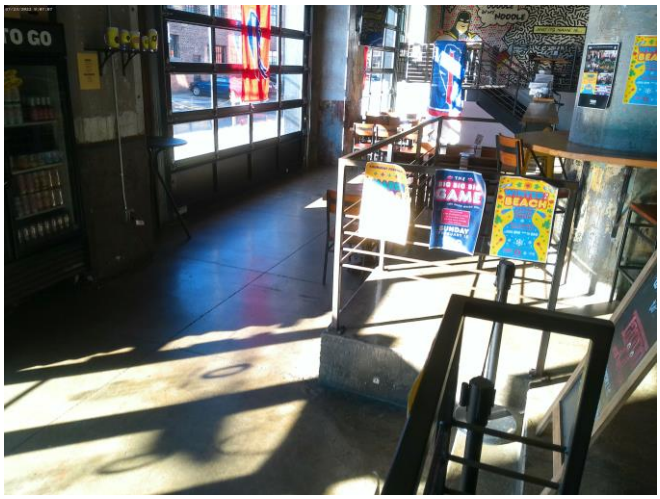
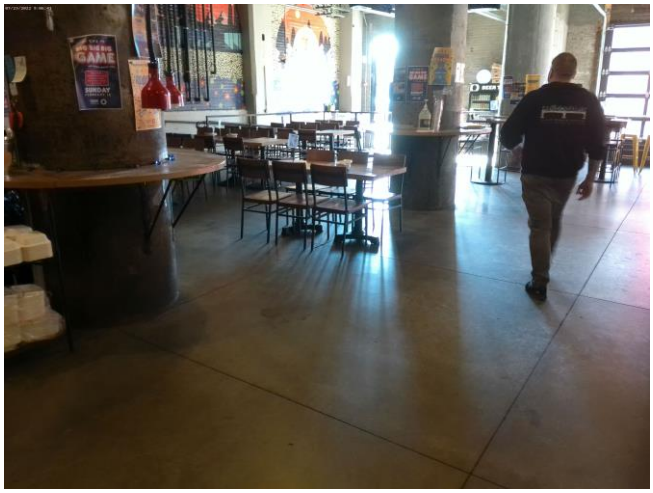
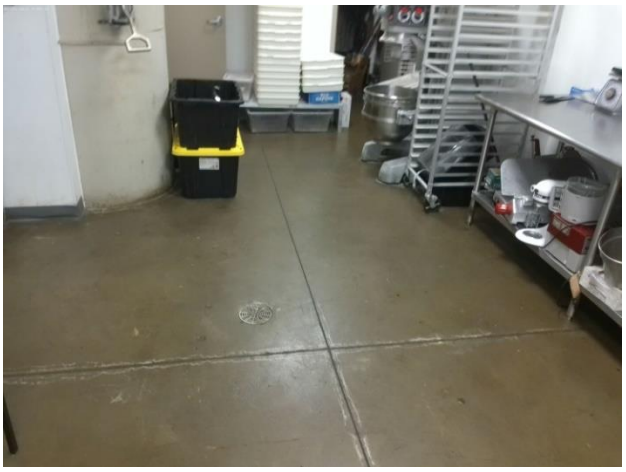
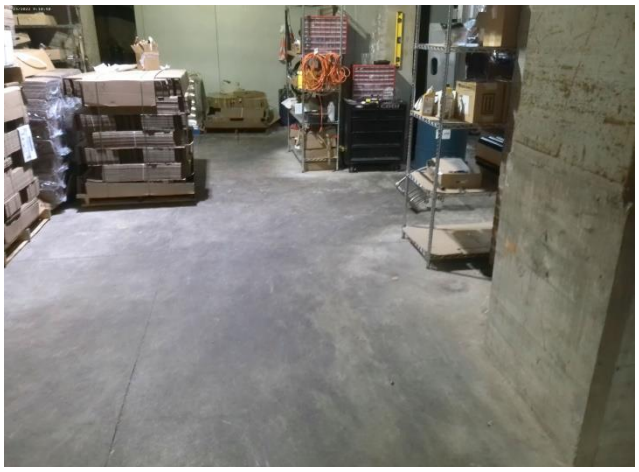
Is the site currently in compliance with requirements of the SMP and the Environmental Easement? Yes.

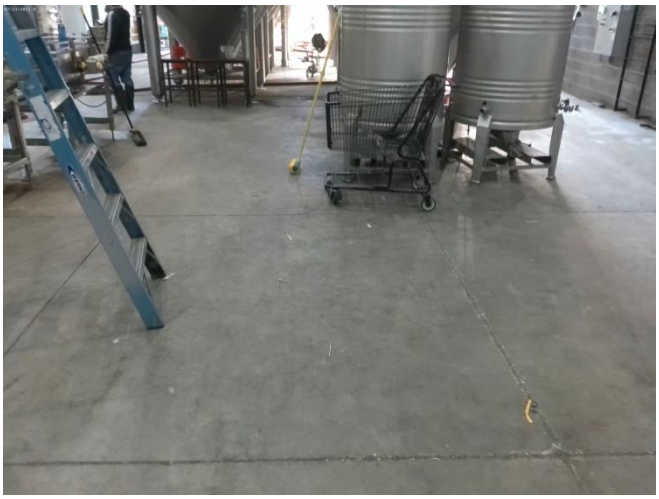
Are site records complete and up-to-date? Yes.

Deficiencies Observed / Corrective Actions Required: None.

Implemented Institutional Controls:

1. The property may only be used for restricted residential, commercial, and/or industrial use;
2. The use of groundwater is prohibited at the property;
3. Vegetable gardens and farming are prohibited at the property;
4. A provision for evaluation of the potential for soil vapor intrusion in the existing building and for any new buildings developed on the property, including provisions for implementing actions recommended to address exposures related to soil vapor intrusion;
5. Data and information pertinent to site management must be reported at the frequency and in a manner as defined in the SMP;
6. All activities that will disturb remaining contaminated material must be conducted in accordance with the SMP; and
7. 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.

			
1.	02/14/2023: Southeast interior looking west.	2.	02/14/2023: Eastern interior looking south.
			
3.	02/14/2023: Kitchen area in northern portion of restaurant.	4.	02/14/2023: Interior northern portion of the restaurant.
			
5.	02/14/2023: Northern portion of brewing area.	6.	02/14/2023: Southern interior looking west. Floor has minor surficial peeling

			
7.	02/14/2023: Central interior looking southwest. Floor has minor surficial peeling.	8.	02/14/2023: Central interior looking northwest. Floor has minor surficial peeling.
			
9.	02/14/2023: View of western concrete driveway looking north.	10.	02/14/2023: View of northern property line looking east.

Site-Wide Inspection Form

Site: 166 Chandler Street Buffalo, NY Date: 02/08/2024

Inspector: Collin Snyder Collin Snyder Weather: 40°Sunny

General site conditions at the time of the inspection: Active brewing operations in the western portion of the site and rebranding restaurant in the east portion of the site, not active at the time of inspection.

Are site management activities being conducted including, where appropriate, confirmation sampling and a health and safety inspection? Yes

Do the implemented institutional controls continue to be protective of human health and the environment? Yes

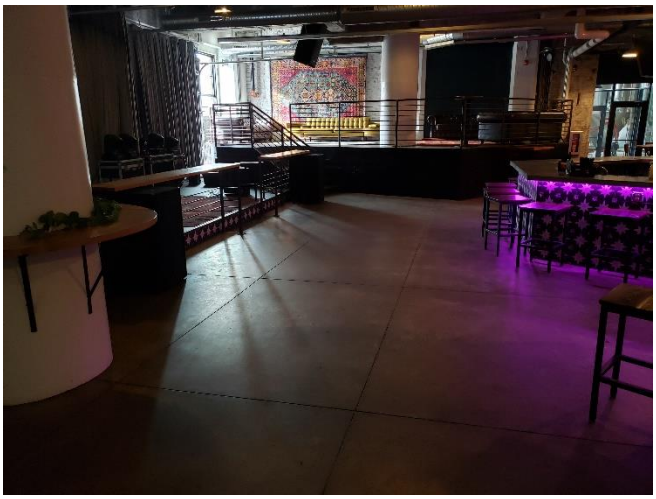
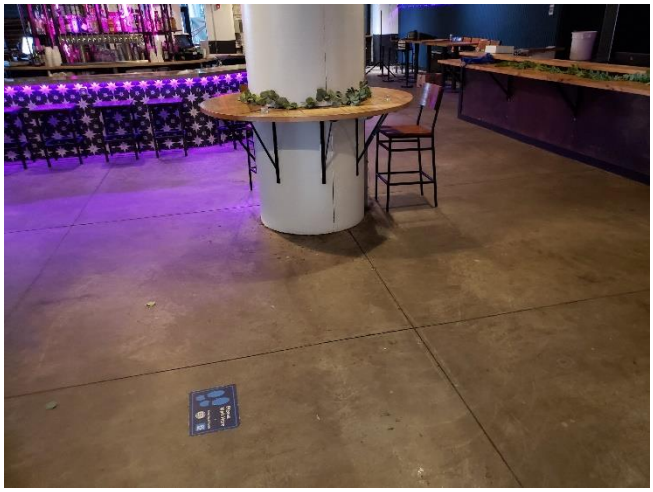
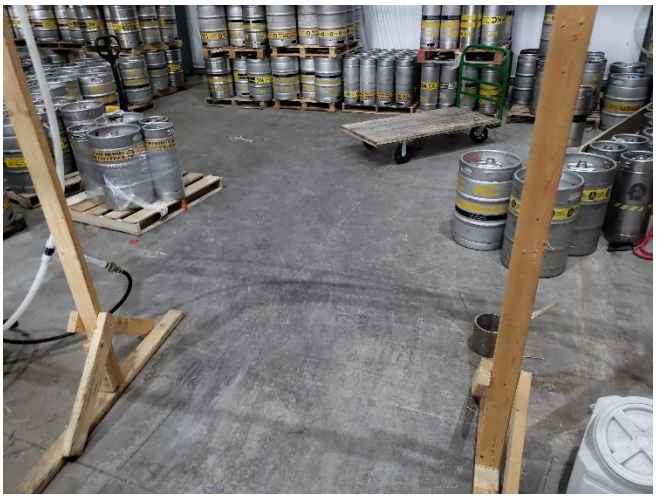
Is the site currently in compliance with requirements of the SMP and the Environmental Easement? Yes

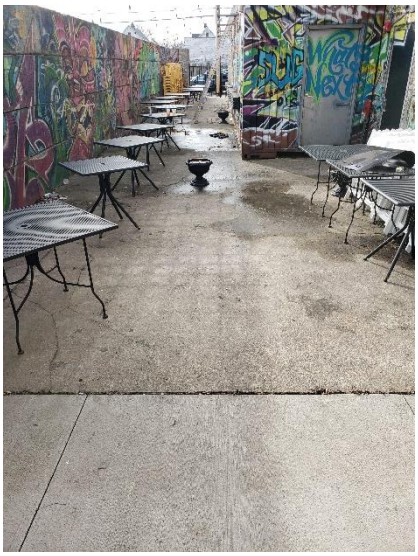
Are site records complete and up to date? Yes

Deficiencies Observed / Corrective Actions Required: None

Implemented Institutional Controls:

1. The property may only be used for restricted residential, commercial, and/or industrial use;
2. The use of groundwater is prohibited at the property;
3. Vegetable gardens and farming are prohibited at the property;
4. A provision for evaluation of the potential for soil vapor intrusion in the existing building and for any new buildings developed on the property, including provisions for implementing actions recommended to address exposures related to soil vapor intrusion;
5. Data and information pertinent to site management must be reported at the frequency and in a manner as defined in the SMP;
6. All activities that will disturb remaining contaminated material must be conducted in accordance with the SMP; and
7. 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.

			
1.	02/08/2024: Southeast interior looking west.	2.	02/08/2024: Northern interior looking west.
			
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5.	02/08/2024: Northern portion of brewing area.	6.	02/08/2024: Southern interior looking North. Floor has minor surficial peeling

			
7.	02/08/2024: Central interior looking southwest. Floor has minor surficial peeling.	8.	02/08/2024: Central interior looking northwest. Floor has minor surficial peeling.
			
9.	02/08/2024: View of eastern concrete pad looking south.	10.	02/08/2024: View of southern property line looking west.

Site-Wide Inspection Form

Site: 166 Chandler Street Buffalo, NY Date: April 16, 2025

Inspector: Mary M. Szustak Weather: 37 °F

General site conditions at the time of the inspection: Active brewing operations in the western portion of the site. Vacant restaurant commercial space on the ground level of the eastern (historical) portion of the site; floors 2 through 4 of the eastern (historical) portion of the site are occupied by various commercial tenants including an event venue (Riff City) on the 2nd floor, and Salon in the City (individual salon suites) on the 3rd and 4th floor. The 4th floor is also occupied by F45 Training (Fitness), Riveter Design (Marketing), and Wayforward Associates (Human Resources).

Are site management activities being conducted including, where appropriate, confirmation sampling and a health and safety inspection? Yes.

Do the implemented institutional controls continue to be protective of human health and the environment? Yes.

Is the site currently in compliance with requirements of the SMP and the Environmental Easement? Yes.

Are site records complete and up-to-date? Yes.

Deficiencies Observed / Corrective Actions Required: None.

Implemented Institutional Controls:

1. The property may only be used for restricted residential, commercial, and/or industrial use;
2. The use of groundwater is prohibited at the property;
3. Vegetable gardens and farming are prohibited at the property;
4. A provision for evaluation of the potential for soil vapor intrusion in the existing building and for any new buildings developed on the property, including provisions for implementing actions recommended to address exposures related to soil vapor intrusion;
5. Data and information pertinent to site management must be reported at the frequency and in a manner as defined in the SMP;
6. All activities that will disturb remaining contaminated material must be conducted in accordance with the SMP; and
7. 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.



1. 04/16/2025: View of the exterior of 166 Chandler Street building.



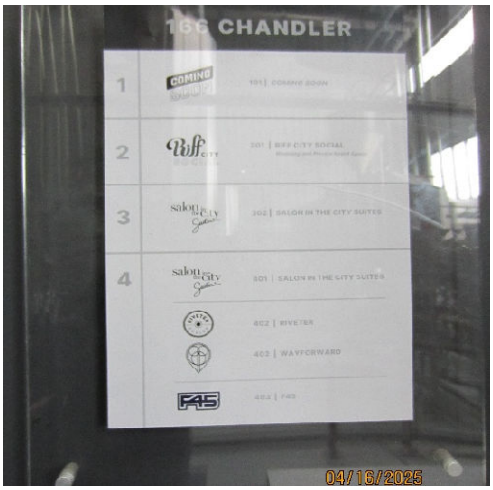
2. 04/16/2025: View of the exterior of 2019 addition of 166 Chandler Street building.



3. 04/16/2025: View of the exterior of historic portion of 166 Chandler Street building.



4. 04/16/2025: View of the exterior of 166 Chandler Street building listing some building tenants.



5. 04/16/2025: View of tenant directory in historic portion of 166 Chandler Street.



6. 04/16/2025: View of Thin Man Brewery brewing operations in 2019 addition of 166 Chandler Street.

			
7.	04/16/2025: View of Thin Man Brewery brewing operations in 2019 addition of 166 Chandler Street.	8.	04/16/2025: View of Thin Man Brewery brewing operations in 2019 addition of 166 Chandler Street.
			
9.	04/16/2025: View of Thin Man Brewery brewing operations in 2019 addition of 166 Chandler Street.	10.	04/16/2025: View of Thin Man Brewery brewing operations in 2019 addition of 166 Chandler Street.
			
11.	4/16/2025: View of vacant first floor space in historic 166 Chandler Street building.	12.	4/16/2025: View of vacant first floor space in historic 166 Chandler Street building.



13.	4/16/2025: View of vacant first floor space in historic 166 Chandler Street building.



14.	4/16/2025: View of vacant first floor space in historic 166 Chandler Street building.



15.	4/16/2025: View of vacant first floor space in historic 166 Chandler Street building.



16.	4/16/2025: View of vacant first floor space in historic 166 Chandler Street building.



17.	4/16/2025: View of vacant first floor space in historic 166 Chandler Street building.



18.	4/16/2025: View of decommissioned monitoring well in historic portion of 166 Chandler Street.

APPENDIX B

Institutional Controls/Engineering Controls 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. C915320

Site Name 166 Chandler Street

Site Address: 166 Chandler Street Zip Code: 14207
City/Town: Buffalo
County: Erie
Site Acreage: 0.490

Reporting Period: April 20, 2022 to April 20, 2025

	YES	NO
1. Is the information above correct?	X	☐
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?	☐	X
3. Has there been any change of use at the site during this Reporting Period (see 6NYCRR 375-1.11(d))?	☐	X
4. Have any federal, state, and/or local permits (e.g., building, discharge) been issued for or at the property during this Reporting Period?	☐	X
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?	☐	X

Box 2

	YES	NO
6. Is the current site use consistent with the use(s) listed below? Restricted-Residential, Commercial, and Industrial	X	☐
7. Are all ICs in place and functioning as designed?	X	☐

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. C915320 **Box 3**

Description of Institutional Controls

Parcel	Owner	Institutional Control
77.84-4-5	166 Chandler Holdings, LLC	Site Management Plan Ground Water Use Restriction Landuse Restriction Monitoring Plan IC/EC Plan

Box 4

Description of Engineering Controls

None Required

Not Applicable/No EC's

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
X	☐

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
X	☐

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. C915320

Box 6

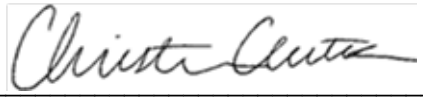
SITE OWNER OR DESIGNATED REPRESENTATIVE SIGNATURE

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 Christine Curtis (print name) at 3730 California Road, Orchard Park, New York 14127 (print business address),

am certifying as Designated Representative of Owner (Owner or Remedial Party)

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



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

05/20/2025
Date