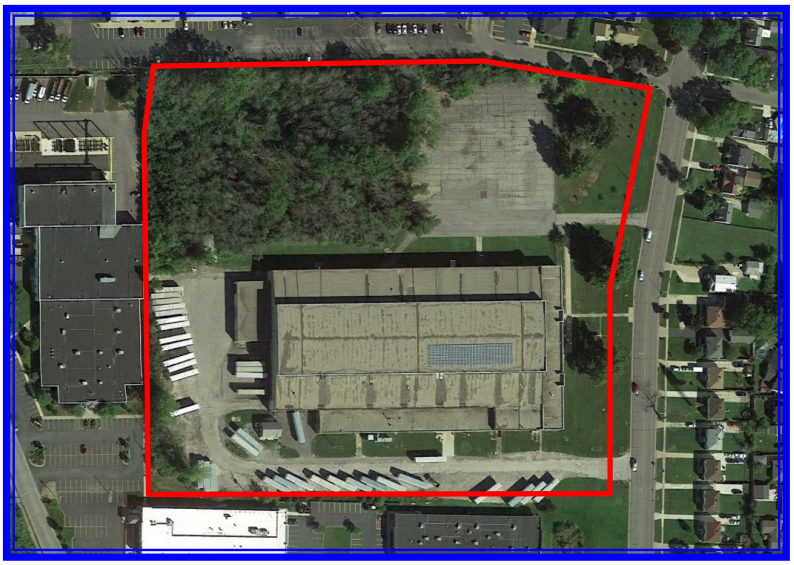
Brownfield Cleanup Program Application

2122 Colvin Boulevard Site
Tonawanda, New York

November 2021 T0594-021-001

Prepared For:

Midwest Storage Developers LLC



Prepared By:

TurnKey Environmental Restoration, LLC

In Association With:

Benchmark

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

BROWNFIELD CLEANUP PROGRAM APPLICATION
2122 Colvin Boulevard Site
Tonawanda, New York

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APPENDIX B: BCP Application Part B – Sections V-XI

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Previous Environmental Investigations (Provided Electronically on CD)

Subsurface Investigation, Greif Bros. Corporation Facility, 2122 Colvin Boulevard, Tonawanda, New York – Environmental Resources Management, April 1999.

Voluntary Remedial Investigation Report, Greif Bros. Facility, 2122 Colvin Boulevard, Town of Tonawanda, Erie County, New York – Environmental Resources Management, November 2001.

Data Gap Investigation Report, Greif Bros. Site, 2122 Colvin Boulevard, Town of Tonawanda, Erie County, New York – Environmental Resources Management – December 2003.

Vapor Intrusion Evaluation Report, Greif, Inc. Facility, Town of Tonawanda, Erie County, New York, NYSDEC Voluntary Cleanup Program #V00334-9 – Environmental Resources Management, November 2009.

Decision Document, Greif Bros. Site, Town of Tonawanda, Erie County New York, Site No. V-00334-9 – New York State Department of Environmental Conservation, January 2010, Revised September 2010.

Technical Memorandum: Proposed Change in Selected Remedy In The Former Varnish UST Area, Greif, Inc. Facility, Town Of Tonawanda, Erie County, New York, NYSDEC Voluntary Cleanup Program #V00334-9 – Environmental Resources Management, August 2010.

Former Varnish Line Tanks Decommissioning Report, Greif Facility-Tonawanda, New York, NYSDEC CBS Number 9-000150 – Environmental Resources Management, September 2010.

Site Management Plan, Greif, Inc. Facility, Town of Tonawanda, Erie County, New York, NYSDEC VCP Site Number V00334-9 – Environmental Resources Management, June 2016.

Final Engineering Report, Greif, Inc. Facility, Town of Tonawanda, Erie County, New York, NYSDEC Site Number V00334-9 – Environmental Resources Management, June 2017.

Phase I Environmental Site Assessment, 2122 Colvin Boulevard, Tonawanda, New York – Stantec Consulting Services, March 2021.

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NEW YORK STATE OF OPPORTUNITY | Department of Environmental Conservation

BROWNFIELD CLEANUP PROGRAM (BCP) APPLICATION FORM

DEC requires an application to request major changes to the description of the property set forth in a Brownfield Cleanup Agreement, or "*BCA*" (e.g., adding a significant amount of new property, or adding property that could affect an eligibility determination due to contamination levels or intended land use). Such application must be submitted and processed in the same manner as the original application, including the required public comment period. **Is this an application to amend an existing BCA?**

☐ **Yes** ☑ **No** **If yes, provide existing site number:** _____

PART A (note: application is separated into Parts A and B for DEC review purposes) ***BCP App Rev 12***

Section I. Requestor Information - See Instructions for Further Guidance

DEC USE ONLY
BCP SITE #: _____

NAME Midwest Storage Developers LLC

ADDRESS 323 Columbia Street, Suite 300

CITY/TOWN Lafayette, IN ZIP CODE 47901

PHONE (765) 491-1723 | FAX | E-MAIL d.hood73@hotmail.com

Is the requestor authorized to conduct business in New York State (NYS)? ☑ Yes ☐ No

- If the requestor is a Corporation, LLC, LLP or other entity requiring authorization from the NYS Department of State to conduct business in NYS, the requestor's name must appear, exactly as given above, in the NYS Department of State's Corporation & Business Entity Database. A print-out of entity information from the database must be submitted to the New York State Department of Environmental Conservation (DEC) with the application to document that the requestor is authorized to do business in NYS. **Please note:** If the requestor is an LLC, the members/owners names need to be provided on a separate attachment. See Appendix A; Section I

Do all individuals that will be certifying documents meet the requirements detailed below? ☑ Yes ☐ No

- Individuals that will be certifying BCP documents, as well as their employers, meet the requirements of Section 1.5 of *DER-10: Technical Guidance for Site Investigation and Remediation* and Article 145 of New York State Education Law. **Documents that are not properly certified will be not approved under the BCP**. See Appendix A; Section I

Section II. Project Description

1. What stage is the project starting at? ☑ Investigation ☐ Remediation

   NOTE: If the project is proposed to start at the remediation stage, a Remedial Investigation Report (RIR) at a minimum is required to be attached, resulting in a 30-day public comment period. If an Alternatives Analysis and Remedial Work Plan are also attached (see DER-10 / Technical Guidance for Site Investigation and Remediation for further guidance) then a 45-day public comment period is required.

2. If a final RIR is included, please verify it meets the requirements of Environmental Conservation Law (ECL) Article 27-1415(2): ☐ Yes ☑ No Not Applicable

3. Please attach a short description of the overall development project, including:
   - the date that the remedial program is to start; and See Appendix A; Section II
   - the date the Certificate of Completion is anticipated. See Figure 5

Section III. Property's Environmental History

All applications **must include** an Investigation Report (per ECL 27-1407(1)). The report must be sufficient to establish that the site requires remediation and contamination of environmental media on the site above applicable Standards, Criteria and Guidance (SCGs) based on the reasonably anticipated use of the property. To the extent that existing information/studies/reports are available to the requestor, please attach the following (***please submit the information requested in this section in electronic format only***):

1. **Reports:** an example of an Investigation Report is a Phase II Environmental Site Assessment report prepared in accordance with the latest American Society for Testing and Materials standard (ASTM E1903). **Please submit a separate electronic copy of each report in Portable Document Format (PDF). Please do not submit paper copies of supporting documents.**

2. SAMPLING DATA: INDICATE KNOWN CONTAMINANTS AND THE MEDIA WHICH ARE KNOWN TO HAVE BEEN AFFECTED. DATA SUMMARY TABLES SHOULD BE INCLUDED, WITH LABORATORY REPORTS REFERENCED AND ALSO INCLUDED.

Contaminant Category	Soil	Groundwater	Soil Gas
Petroleum			
Chlorinated Solvents	X	X	X
Other VOCs	X	X	
SVOCs	X	X	
Metals			
Pesticides			
PCBs			
Other*	X	X	

***Please describe:** LNAPL and DNAPL are present on-site in monitoring wells

3. FOR EACH IMPACTED MEDIUM INDICATED ABOVE, INCLUDE A SITE DRAWING INDICATING:

- **SAMPLE LOCATION**
- **DATE OF SAMPLING EVENT**
- **KEY CONTAMINANTS AND CONCENTRATION DETECTED**
- **FOR SOIL, HIGHLIGHT IF ABOVE REASONABLY ANTICIPATED USE**
- **FOR GROUNDWATER, HIGHLIGHT EXCEEDANCES OF 6NYCRR PART 703.5**
- **FOR SOIL GAS/ SOIL VAPOR/ INDOOR AIR, HIGHLIGHT IF ABOVE MITIGATE LEVELS ON THE NEW YORK STATE DEPARTMENT OF HEALTH MATRIX**

See Appendix A; Section III

See Figure 7, 8, 9A, 9B, and 10

THESE DRAWINGS ARE TO BE REPRESENTATIVE OF ALL DATA BEING RELIED UPON TO MAKE THE CASE THAT THE SITE IS IN NEED OF REMEDIATION UNDER THE BCP. DRAWINGS SHOULD NOT BE BIGGER THAN 11" X 17". THESE DRAWINGS SHOULD BE PREPARED IN ACCORDANCE WITH ANY GUIDANCE PROVIDED.

ARE THE REQUIRED MAPS INCLUDED WITH THE APPLICATION?*
(*answering No will result in an incomplete application)

☑ **Yes** ☐ **No**

4. INDICATE PAST LAND USES (CHECK ALL THAT APPLY):

☐ Coal Gas Manufacturing	☑ Manufacturing	☐ Agricultural Co-op	☐ Dry Cleaner
☐ Salvage Yard	☐ Bulk Plant	☐ Pipeline	☐ Service Station
☐ Landfill	☐ Tannery	☐ Electroplating	☐ Unknown

Other: manufacturing of fiber drums and metal lids & rims for fiber drums, railroad tracks

Section IV. Property Information - See Instructions for Further Guidance

PROPOSED SITE NAME 2122 Colvin Boulevard Site

ADDRESS/LOCATION 2122 Colvin Bouldevard

CITY/TOWN Tonawanda ZIP CODE 14150

MUNICIPALITY(IF MORE THAN ONE, LIST ALL): Town of Tonawanda

COUNTY Erie SITE SIZE (ACRES) 13.73

LATITUDE (degrees/minutes/seconds)	LONGITUDE (degrees/minutes/seconds)
42 ° 59 ‘ 44.13 “	78 ° 51 ‘ 15.12 “

Complete tax map information for all tax parcels included within the proposed site boundary. If a portion of any lot is proposed , please indicate as such by inserting “P/O” in front of the lot number in the appropriate box below, and only include the acreage for that portion of the tax parcel in the corresponding far right column.ATTACH REQUIRED MAPS PER THE APPLICATION INSTRUCTIONS.

Parcel Address	Section No.	Block No.	Lot No.	Acreage
2122 Colvin Boulevard	53.15	1	4.11	13.73

1. Do the proposed site boundaries correspond to tax map metes and bounds? ☑ Yes ☐ No
   If no, please attach an accurate map of the propsed site. See Appendix A; Section IV

2. Is the required property map attached to the application? ☑ Yes ☐ No
   (application will not be processed without map) See Figures 2, 3 & 4

3. Is the property within a designated Environmental Zone (En-zone) pursuant to Tax Law 21(b)(6)?
   (See DEC's website for more information) Yes ☐ No ☑

   If yes, identify census tract : _____

   Percentage of property in En-zone (check one): ☐ 0-49% ☐ 50-99% ☐ 100%

4. Is this application one of multiple applications for a large development project, where the development project spans more than 25 acres (see additional criteria in BCP application instructions)? ☐ Yes ☑ No

   If yes, identify name of properties (and site numbers if available) in related BCP applications:_____

5. Is the contamination from groundwater or soil vapor solely emanating from property other than the site subject to the present application? ☐ Yes ☑ No

6. Has the property previously been remediated pursuant to Titles 9, 13, or 14 of ECL Article 27, Title 5 of ECL Article 56, or Article 12 of Navigation Law? ☐ Yes ☑ No
   If yes, attach relevant supporting documentation.

7. Are there any lands under water? ☐ Yes ☑ No
   If yes, these lands should be clearly delineated on the site map.

Section IV. Property Information (continued)

8. Are there any easements or existing rights of way that would preclude remediation in these areas?
If yes, identify here and attach appropriate information. ☑ Yes ☐ No

See Appendix A; Section IV

Easement/Right-of-way Holder	Description
Greif, Inc.	A Deed Restriction was recorded on June 18, 2013 by Erie County and signed by Greif, Inc.

9. List of Permits issued by the DEC or USEPA Relating to the Proposed Site (type here or attach information)

Type	Issuing Agency	Description
-Spill No. 9008656, 9304022, 9402963, 9805100 -PBS No. 9-042587 -CBS No.9-000150	NYSDEC	See Appendix A, Section IV

10. Property Description and Environmental Assessment – **please refer to application instructions for the proper format of <u>each</u> narrative requested.**

See Appendix A; Section IV

Are the Property Description and Environmental Assessment narratives included in the **prescribed format**? ☑ Yes ☐ No

Note: Questions 11 through 13 only pertain to sites located within the five counties comprising New York City

11. Is the requestor seeking a determination that the site is eligible for tangible property tax credits? ☐ Yes ☐ No
If yes, requestor must answer questions on the supplement at the end of this form.

Not Applicable

12. Is the Requestor now, or will the Requestor in the future, seek a determination that the property is Upside Down? ☐ Yes ☐ No

Not Applicable

13. If you have answered *Yes* to Question 12, above, is an independent appraisal of the value of the property, as of the date of application, prepared under the hypothetical condition that the property is not contaminated, included with the application? ☐ Yes ☐ No

Not Applicable

NOTE: If a tangible property tax credit determination is not being requested in the application to participate in the BCP, the applicant may seek this determination at any time before issuance of a certificate of completion by using the BCP Amendment Application, <u>except</u> for sites seeking eligibility under the underutilized category.

If any changes to Section IV are required prior to application approval, a new page, initialed by each requestor, must be submitted.

Initials of each Requestor: _____ _____ _____ _____ _____ _____

BCP application - PART B (note: application is separated into Parts A and B for DEC review purposes)

Section V. Additional Requestor Information
See Instructions for Further Guidance

DEC USE ONLY
BCP SITE NAME: _____
BCP SITE #:_____

NAME OF REQUESTOR'S AUTHORIZED REPRESENTATIVE David Hood, Manager		
ADDRESS 323 Columbia Street, Suite 300		
CITY/TOWN Lafayette, IN		ZIP CODE 47901
PHONE (765) 491-1723	FAX	E-MAIL d.hood73@hotmail.com
NAME OF REQUESTOR'S CONSULTANT Benchmark Civil/Environmental Engineering & Geology, PLLC - Christopher Z. Boron, P.G.		
ADDRESS 2558 Hamburg Turnpike, Suite 300		
CITY/TOWN Buffalo		ZIP CODE 14218
PHONE (716) 856-0635	FAX	E-MAIL cboron@bm-tk.com
NAME OF REQUESTOR'S ATTORNEY Marc Romanowski, Esq.		
ADDRESS 1600 Liberty Building, 424 Main Street		
CITY/TOWN Buffalo		ZIP CODE 14202
PHONE (716) 854-3400	FAX (716) 332-0336	E-MAIL romanowski@ruppbaase.com

Section VI. Current Property Owner/Operator Information – if not a Requestor

CURRENT OWNER'S NAME Midwest Storage Developers LLC		OWNERSHIP START DATE: July 16, 2021
ADDRESS 323 Columbia Street, Suite 300		
CITY/TOWN Lafayette, IN		ZIP CODE 47901
PHONE (765) 491-1723	FAX	E-MAIL d.hood@hotmail.com
CURRENT OPERATOR'S NAME Vacant		
ADDRESS		
CITY/TOWN		ZIP CODE
PHONE	FAX	E-MAIL

PROVIDE A LIST OF PREVIOUS PROPERTY OWNERS AND OPERATORS WITH NAMES, LAST KNOWN ADDRESSES AND TELEPHONE NUMBERS AS AN ATTACHMENT. DESCRIBE REQUESTOR'S RELATIONSHIP, TO EACH PREVIOUS OWNER AND OPERATOR, INCLUDING ANY RELATIONSHIP BETWEEN REQUESTOR'S CORPORATE MEMBERS AND PREVIOUS OWNER AND OPERATOR. IF NO RELATIONSHIP, PUT "NONE".

See Appendix B; Section VI

IF REQUESTOR IS NOT THE CURRENT OWNER, DESCRIBE REQUESTOR'S RELATIONSHIP TO THE CURRENT OWNER, INCLUDING ANY RELATIONSHIP BETWEEN REQUESTOR'S CORPORATE MEMBERS AND THE CURRENT OWNER.

Section VII. Requestor Eligibility Information (Please refer to ECL § 27-1407) See Appendix B; Section VII

If answering "yes" to any of the following questions, please provide an explanation as an attachment.

1. Are any enforcement actions pending against the requestor regarding this site? ☐ Yes ☑ No
2. Is the requestor subject to an existing order for the investigation, removal or remediation of contamination at the site? ☐ Yes ☑ No
3. Is the requestor subject to an outstanding claim by the Spill Fund for this site? Any questions regarding whether a party is subject to a spill claim should be discussed with the Spill Fund Administrator. ☐ Yes ☑ No

Section VII. Requestor Eligibility Information (continued)

4. Has the requestor been determined in an administrative, civil or criminal proceeding to be in violation of i) any provision of the ECL Article 27; ii) any order or determination; iii) any regulation implementing Title 14; or iv) any similar statute, regulation of the state or federal government? If so, provide an explanation on a separate attachment. ☐ Yes ☑ No
5. Has the requestor previously been denied entry to the BCP? If so, include information relative to the application, such as name, address, DEC assigned site number, the reason for denial, and other relevant information. ☐ Yes ☑ No
6. Has the requestor been found in a civil proceeding to have committed a negligent or intentionally tortious act involving the handling, storing, treating, disposing or transporting of contaminants? ☐ Yes ☑ No
7. Has the requestor been convicted of a criminal offense i) involving the handling, storing, treating, disposing or transporting of contaminants; or ii) that involves a violent felony, fraud, bribery, perjury, theft, or offense against public administration (as that term is used in Article 195 of the Penal Law) under federal law or the laws of any state? ☐ Yes ☑ No
8. Has the requestor knowingly falsified statements or concealed material facts in any matter within the jurisdiction of DEC, or submitted a false statement or made use of or made a false statement in connection with any document or application submitted to DEC? ☐ Yes ☑ No
9. Is the requestor an individual or entity of the type set forth in ECL 27-1407.9 (f) that committed an act or failed to act, and such act or failure to act could be the basis for denial of a BCP application? ☐ Yes ☑ No
10. Was the requestor's participation in any remedial program under DEC's oversight terminated by DEC or by a court for failure to substantially comply with an agreement or order? ☐ Yes ☑ No
11. Are there any unregistered bulk storage tanks on-site which require registration? ☐ Yes ☑ No

THE REQUESTOR MUST CERTIFY THAT HE/SHE IS EITHER A PARTICIPANT OR VOLUNTEER IN ACCORDANCE WITH ECL 27-1405 (1) BY CHECKING ONE OF THE BOXES BELOW: See Appendix B; Section VII

☐ PARTICIPANT

A requestor who either 1) was the owner of the site at the time of the disposal of hazardous waste or discharge of petroleum or 2) is otherwise a person responsible for the contamination, unless the liability arises solely as a result of ownership, operation of, or involvement with the site subsequent to the disposal of hazardous waste or discharge of petroleum.

☑ VOLUNTEER

A requestor other than a participant, including a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site subsequent to the disposal of hazardous waste or discharge of petroleum.

NOTE: By checking this box, a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site certifies that he/she has exercised appropriate care with respect to the hazardous waste found at the facility by taking reasonable steps to: i) stop any continuing discharge; ii) prevent any threatened future release; iii) prevent or limit human, environmental, or natural resource exposure to any previously released hazardous waste.

If a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site, submit a statement describing why you should be considered a volunteer – be specific as to the appropriate care taken.

Section VII. Requestor Eligibility Information (continued)

Requestor Relationship to Property (check one):
☐ Previous Owner ☑ Current Owner ☐ Potential /Future Purchaser ☐ Other_____

If requestor is not the current site owner, **proof of site access sufficient to complete the remediation must be submitted**. Proof must show that the requestor will have access to the property before signing the BCA and throughout the BCP project, including the ability to place an easement on the site Is this proof attached?

☐ Yes ☐ No Not Applicable

Note: a purchase contract does not suffice as proof of access.

Section VIII. Property Eligibility Information - See Instructions for Further Guidance

1. Is / was the property, or any portion of the property, listed on the National Priorities List? If yes, please provide relevant information as an attachment. ☐ Yes ☑ No
2. Is / was the property, or any portion of the property, listed on the NYS Registry of Inactive Hazardous Waste Disposal Sites pursuant to ECL 27-1305? ☐ Yes ☑ No
   If yes, please provide: Site #_____ Class # _____
3. Is / was the property subject to a permit under ECL Article 27, Title 9, other than an Interim Status facility? ☐ Yes ☑ No
   If yes, please provide: Permit type:_____ EPA ID Number:_____
   Date permit issued:_____ Permit expiration date:_____
4. If the answer to question 2 or 3 above is yes, is the site owned by a volunteer as defined under ECL 27-1405(1)(b), or under contract to be transferred to a volunteer? Attach any information available to the requestor related to previous owners or operators of the facility or property and their financial viability, including any bankruptcy filing and corporate dissolution documentation. ☐ Yes ☐ No Not Applicable
5. Is the property subject to a cleanup order under Navigation Law Article 12 or ECL Article 17 Title 10? If yes, please provide: Order #_____ ☐ Yes ☑ No
6. Is the property subject to a state or federal enforcement action related to hazardous waste or petroleum? If yes, please provide explanation as an attachment. ☐ Yes ☑ No

Section IX. Contact List Information See Appendix B; Section XI

Former VCP Site (V00334), Classified as "Completed"

To be considered complete, the application must include the Brownfield Site Contact List in accordance with *DER-23 / Citizen Participation Handbook for Remedial Programs*. Please attach, at a minimum, the names and addresses of the following:

1. The chief executive officer and planning board chairperson of each county, city, town and village in which the property is located.
2. Residents, owners, and occupants of the property and properties adjacent to the property.
3. Local news media from which the community typically obtains information.
4. The public water supplier which services the area in which the property is located. See Figure 12
5. Any person who has requested to be placed on the contact list.
6. The administrator of any school or day care facility located on or near the property.
7. The location of a document repository for the project (e.g., local library). **If the site is located in a city with a population of one million or more, add the appropriate community board as an additional document repository**. In addition, attach a copy of an acknowledgement from each repository indicating that it agrees to act as the document repository for the site.

Section X. Land Use Factors

See Appendix B; Section X

1. What is the current municipal zoning designation for the site? PS-Performance Standards Use District (Majority) and B-Second Residential Use District

   What uses are allowed by the current zoning? (Check boxes, below)

   ☐ Residential ☑ Commercial ☑ Industrial

   See Figure 13

   If zoning change is imminent, please provide documentation from the appropriate zoning authority.

2. Current Use: ☐ Residential ☐ Commercial ☑ Industrial ☑ Vacant ☐ Recreational (check all that apply)

   Attach a summary of current business operations or uses, with an possible contaminant source areas. If operations or uses have cea

   Greif, Inc. ceased operations on December 18, 2020

3. Reasonably anticipated use Post Remediation: ☐ Residential ☑ Commercial ☐ Industrial (check all that apply) **Attach a statement detailing the specific proposed use.**

   If residential, does it qualify as single family housing? ☐ Yes ☐ No

   Not Applicable

4. Do current historical and/or recent development patterns support the proposed use?	☑ Yes ☐ No
5. Is the proposed use consistent with applicable zoning laws/maps? Briefly explain below, or attach additional information and documentation if necessary. See Appendix B, Section X.	☑ Yes ☐ No
6. Is the proposed use consistent with applicable comprehensive community master plans, local waterfront revitalization plans, or other adopted land use plans? Briefly explain below, or attach additional information and documentation if necessary. See Appendix B, Section X. The Project received a Performance Standards Use Permit from the Tonawanda Town Board on May 17, 2021 and Site Plan approval from the Tonawanda Planning Board on June 2, 2021. To create consistency of permitted uses the Applicant will be seeking to rezone the northern portion of the Site to the same PS-Performance Standards Use District as the majority of the Site.	☑ Yes ☐ No

XI. Statement of Certification and Signatures

(By a requestor other than an individual)

I hereby affirm that I am Manager (title) of Midwest Storage Developers LLC (entity); that I am authorized by that entity to make this application and execute the Brownfield Cleanup Agreement (BCA) and all subsequent amendments; that this application was prepared by me or under my supervision and direction. If this application is approved, I acknowledge and agree: (1) to execute a BCA within 60 days of the date of DEC's approval letter; (2) to the general terms and conditions set forth in the *DER-32, Brownfield Cleanup Program Applications and Agreements*; and (3) that in the event of a conflict between the general terms and conditions of participation and the terms contained in a site-specific BCA, the terms in the site-specific BCA shall control. Further, I hereby affirm that information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.

Date: 11/12/24 Signature: _____

Print Name: David Hood

SUBMITTAL INFORMATION:

- **Two (2)** copies, one paper copy of the application form with original signatures and table of contents, and one complete electronic copy in final, non-fillable Portable Document Format (PDF), must be sent to:
    - Chief, Site Control Section
    - New York State Department of Environmental Conservation
    - Division of Environmental Remediation
    - 625 Broadway
    - Albany, NY 12233-7020

PLEASE DO NOT SUBMIT PAPER COPIES OF SUPPORTING DOCUMENTS. Please provide a hard copy of ONLY the application form and a table of contents.

FOR DEC USE ONLY
BCP SITE T&A CODE:_____ **LEAD OFFICE:**_____

Supplemental Questions for Sites Seeking Tangible Property Credits in New York City ONLY. Sufficient information to demonstrate that the site meets one or more of the criteria identified in ECL 27 1407(1-a) must be submitted if requestor is seeking this determination.

BCP App Rev 12

Not Applicable

Property is in Bronx, Kings, New York, Queens, or Richmond counties. ☐ Yes ☐ No
Requestor seeks a determination that the site is eligible for the tangible property credit component of the brownfield redevelopment tax credit. ☐ Yes ☐ No
Please answer questions below and provide documentation necessary to support answers.
1. Is at least 50% of the site area located within an environmental zone pursuant to NYS Tax Law 21(b)(6)? Please see DEC's website for more information. ☐ Yes ☐ No
2. Is the property upside down or underutilized as defined below? Upside Down? ☐ Yes ☐ No Underutilized? ☐ Yes ☐ No **From ECL 27-1405(31):** "Upside down" shall mean a property where the projected and incurred cost of the investigation and remediation which is protective for the anticipated use of the property equals or exceeds seventy-five percent of its independent appraised value, as of the date of submission of the application for participation in the brownfield cleanup program, developed under the hypothetical condition that the property is not contaminated. **From 6 NYCRR 375-3.2(l) as of August 12, 2016:** (Please note: Eligibility determination for the underutilized category can only be made at the time of application) 375-3.2: (l) "Underutilized" means, as of the date of application, real property on which no more than fifty percent of the permissible floor area of the building or buildings is certified by the applicant to have been used under the applicable base zoning for at least three years prior to the application, which zoning has been in effect for at least three years; and (1) the proposed use is at least 75 percent for industrial uses; or (2) at which: (i) the proposed use is at least 75 percent for commercial or commercial and industrial uses; (ii) the proposed development could not take place without substantial government assistance, as certified by the municipality in which the site is located; and (iii) one or more of the following conditions exists, as certified by the applicant: (a) property tax payments have been in arrears for at least five years immediately prior to the application; (b) a building is presently condemned, or presently exhibits documented structural deficiencies, as certified by a professional engineer, which present a public health or safety hazard; or (c) there are no structures. "Substantial government assistance" shall mean a substantial loan, grant, land purchase subsidy, land purchase cost exemption or waiver, or tax credit, or some combination thereof, from a governmental entity.

Supplemental Questions for Sites Seeking Tangible Property Credits in New York City (continued)

3. If you are seeking a formal determination as to whether your project is eligible for Tangible Property Tax Credits based in whole or in part on its status as an affordable housing project (defined below), you must attach the regulatory agreement with the appropriate housing agency (typically, these would be with the *New York City Department of Housing, Preservation and Development*; *the New York State Housing Trust Fund Corporation*; the *New York State Department of Housing and Community Renewal*; or the *New York State Housing Finance Agency*, though other entities may be acceptable pending Department review). **Check appropriate box, below**:

☐ Project is an Affordable Housing Project - Regulatory Agreement Attached;

☐ Project is Planned as Affordable Housing, But Agreement is Not Yet Available* (*Checking this box will result in a "pending" status. The Regulatory Agreement will need to be provided to the Department and the Brownfield Cleanup Agreement will need to be amended prior to issuance of the CoC in order for a positive determination to be made.);

☐ This is Not an Affordable Housing Project.

From 6 NYCRR 375- 3.2(a) as of August 12, 2016:

(a) "Affordable housing project" means, for purposes of this part, title fourteen of article twenty seven of the environmental conservation law and section twenty-one of the tax law only, a project that is developed for residential use or mixed residential use that must include affordable residential rental units and/or affordable home ownership units.

(1) Affordable residential rental projects under this subdivision must be subject to a federal, state, or local government housing agency's affordable housing program, or a local government's regulatory agreement or legally binding restriction, which defines (i) a percentage of the residential rental units in the affordable housing project to be dedicated to (ii) tenants at a defined maximum percentage of the area median income based on the occupants' households annual gross income.

(2) Affordable home ownership projects under this subdivision must be subject to a federal, state, or local government housing agency's affordable housing program, or a local government's regulatory agreement or legally binding restriction, which sets affordable units aside for home owners at a defined maximum percentage of the area median income.

(3) "Area median income" means, for purposes of this subdivision, the area median income for the primary metropolitan statistical area, or for the county if located outside a metropolitan statistical area, as determined by the United States department of housing and urban development, or its successor, for a family of four, as adjusted for family size.

BCP Application Summary (for DEC use only)

Site Name: 2122 Colvin Boulevard Site **Site Address:** 2122 Colvin Bouldevard
City: Tonawanda **County:** Erie **Zip:** 14150

Tax Block & Lot
Section (if applicable): 53.15 **Block:** 1 **Lot:** 4.11

Requestor Name: Midwest Storage Developers LLC **Requestor Address:** 323 Columbia Street, Suite 300
City: Lafayette, IN **Zip:** 47901 **Email:** d.hood@hotmail.com

Requestor's Representative (for billing purposes)
Name: David Hood, Manager **Address:** 323 Columbia Street, Suite 300
City: Lafayette, IN **Zip:** 47901 **Email:** d.hood@hotmail.com

Requestor's Attorney
Name: Marc Romanowski, Esq. **Address:** 1600 Liberty Building, 424 Main Street
City: Buffalo **Zip:** 14202 **Email:** romanowski@ruppbaase.com

Requestor's Consultant
Name: Benchmark Civil/Environmental Engineering & Geology, PLLC - Christopher Z. Beres **Address:** 2558 Hamburg Turnpike, Suite 300
City: Buffalo **Zip:** 14218 **Email:** cboron@bm-tk.com

Percentage claimed within an En-Zone: ☑ **0%** ☐ **<50%** ☐ **50-99%** ☐ **100%**

DER Determination: ☐ Agree ☐ Disagree

Requestor's Requested Status: ☑ **Volunteer** ☐ **Participant**

DER/OGC Determination: ☐ Agree ☐ Disagree
Notes:

For NYC Sites, is the Requestor Seeking Tangible Property Credits: ☐ Yes ☐ No

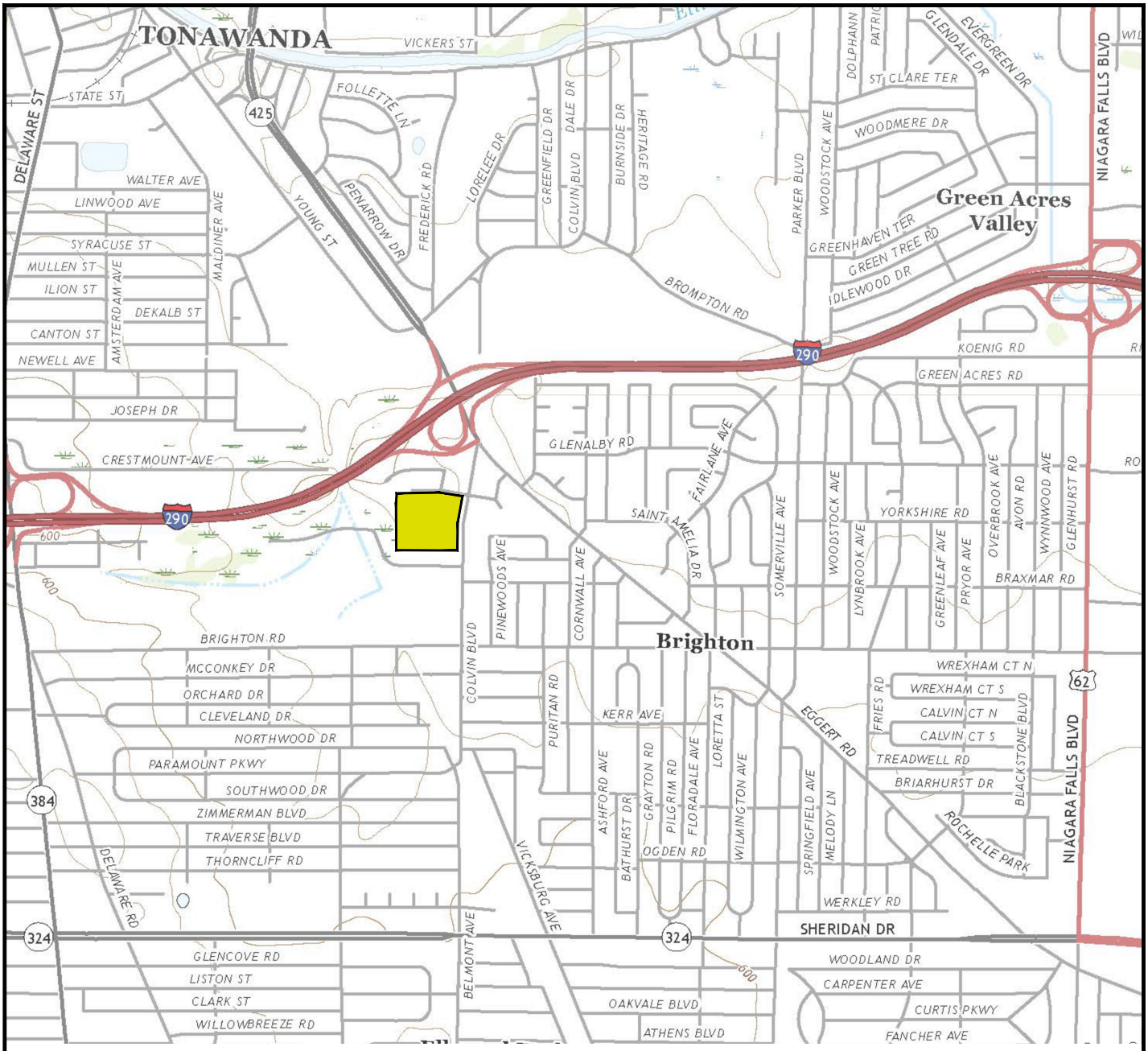
Does Requestor Claim Property is Upside Down: ☐ Yes ☐ No
DER/OGC Determination: ☐ Agree ☐ Disagree ☐ Undetermined
Notes:

Does Requestor Claim Property is Underutilized: ☐ Yes ☐ No
DER/OGC Determination: ☐ Agree ☐ Disagree ☐ Undetermined
Notes:

Does Requestor Claim Affordable Housing Status: ☐ Yes ☐ No ☐ Planned, No Contract
DER/OGC Determination: ☐ Agree ☐ Disagree ☐ Undetermined
Notes:

FIGURES

FIGURE 1



2,000' 0' 2,000' 4,000'

SCALE: 1 INCH = 2,000 FEET
SCALE IN FEET
(approximate)

N

BENCHMARK IN ASSOCIATION WITH TURNKEY ENVIRONMENTAL RESTORATION, LLC

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

PROJECT NO.: T0594-021-001

DATE: OCTOBER 2021

DRAFTED BY: CNK

SITE LOCATION AND VICNITY MAP

BROWNFIELD CLEANUP PROGRAM APPLICATION

2122 COLVIN BOULEVARD SITE
FORMER VCP SITE NO. V00334-9
TONAWANDA, NEW YORK

PREPARED FOR

MIDWEST STORAGE DEVELOPERS LLC

LEGEND:

BCP SITE BOUNDARY

PARCEL BOUNDARY

NOTES:
1. IMAGE TAKEN FROM GOOGLE EARTH 2018.
2. AREAS OF CONCERN TAKEN FROM ENVIRONMENT RESOURCES MANAGEMENT SITE MANAGEMENT PLAN (2014) FIGURE 1-2.

SHARON AVENUE

2122 COLVIN BOULEVARD
SBL NO. 53.15-1-4.11
13.73 ACRES

LONG TRUCK BAY

LOADING DOCKS

FIBER DRUM STORAGE AREA

FORMER VARNISH UST AREA

FORMER VARNISH PIT

SHORT TRUCK BAY

FORMER TREATMENT BUILDING

FLAMMABLES ROOM

BOILER ROOM

COLVIN WOODS PARKWAY

COLVIN BOULEVARD

FORMER DRUM STORAGE AREA (FDSA)

N

100' 0' 100' 200'

SCALE: 1 INCH = 100 FEET
SCALE IN FEET
(approximate)

DATE: OCTOBER 2021
DRAFTED BY: CNK

TURNKEY ENVIRONMENTAL RESTORATION, LLC
IN ASSOCIATION WITH
BENCHMARK
2558 HAMBURG TURNPIKE, SUITE 300, BUFFALO, NY 14218,
(716) 856-0599

JOB NO.: T0594-021-001

SITE PLAN (AERIAL)

BROWNFIELD CLEANUP PROGRAM APPLICATION

2122 COLVIN BOULEVARD SITE
FORMER VCP SITE NO. V00334-9
TONAWANDA, NEW YORK

PREPARED FOR
MIDWEST STORAGE DEVELOPERS LLC

FIGURE 2

F:\CAD\TurnKey\Box Builders\BCP Application\Figure 3: Tax Map.dwg, 10/12/2021 4:30:29 PM, DWG To PDF.pc3

LEGEND:

BCP SITE BOUNDARY

PARCEL BOUNDARY

053.11

TOWN OF TONAWANDA 3

472.39

495.97

6.3A(C)

4.122

300 200 188.87 (60' WIDE) 130 140

SHARON AVENUE

60

575.41

297.24

122.37

333(S)

053.15

2122 COLVIN BOULEVARD
SBL NO. 53.15-1-4.11
13.73 ACRES

13.78A(C)

4.11

612.61

368.44

(125' WIDE) COLVIN BOULEVARD

657.16

NIAGARA FRONTIER TRANSPORTATION AUTHORITY

COLVIN WOODS PARKWAY

235.15

553.92

788.77

470

2.12 A(C)

7

180

1.93 A(C)

8

180

100' 0' 100' 200'

SCALE: 1 INCH = 100 FEET
SCALE IN FEET
(approximate)

DATE: OCTOBER 2021
DRAFTED BY: CNK

TURNKEY ENVIRONMENTAL RESTORATION, LLC

IN ASSOCIATION WITH

BENCHMARK

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

JOB NO.: T0594-021-001

TAX MAP

BROWNFIELD CLEANUP PROGRAM APPLICATION

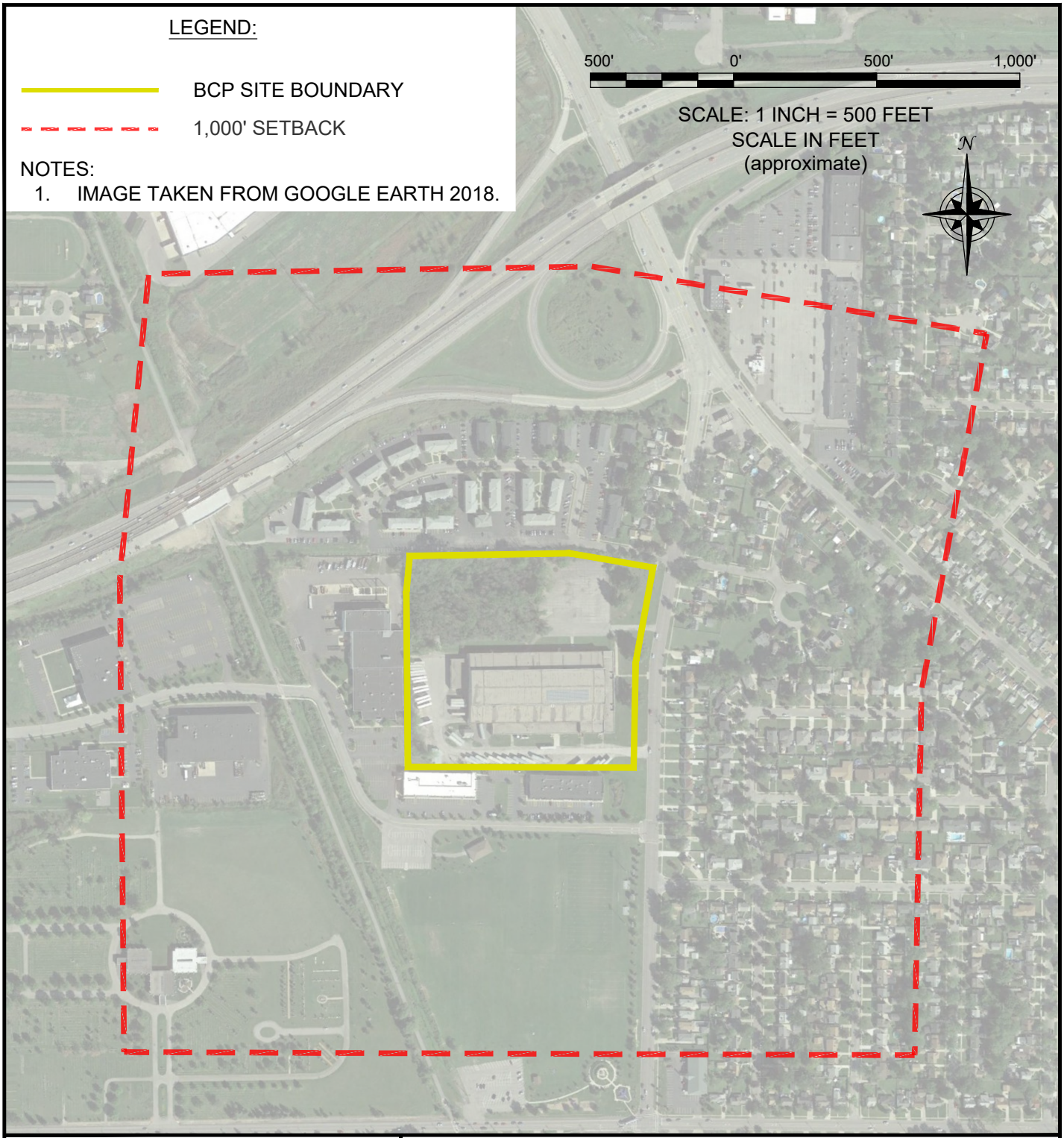
2122 COLVIN BOULEVARD SITE
FORMER VCP SITE NO. V00334-9
TONAWANDA, NEW YORK

PREPARED FOR

MIDWEST STORAGE DEVELOPERS LLC

FIGURE 3

FIGURE 4



PROPERTY BASE MAP (1,000' SETBACK)

BROWNFIELD CLEANUP PROGRAM APPLICATION

2122 COLVIN BOULEVARD SITE
FORMER VCP SITE NO. V00334-9
TONAWANDA, NEW YORK

PREPARED FOR

MIDWEST STORAGE DEVELOPERS LLC

BENCHMARK IN ASSOCIATION WITH TURNKEY ENVIRONMENTAL RESTORATION, LLC

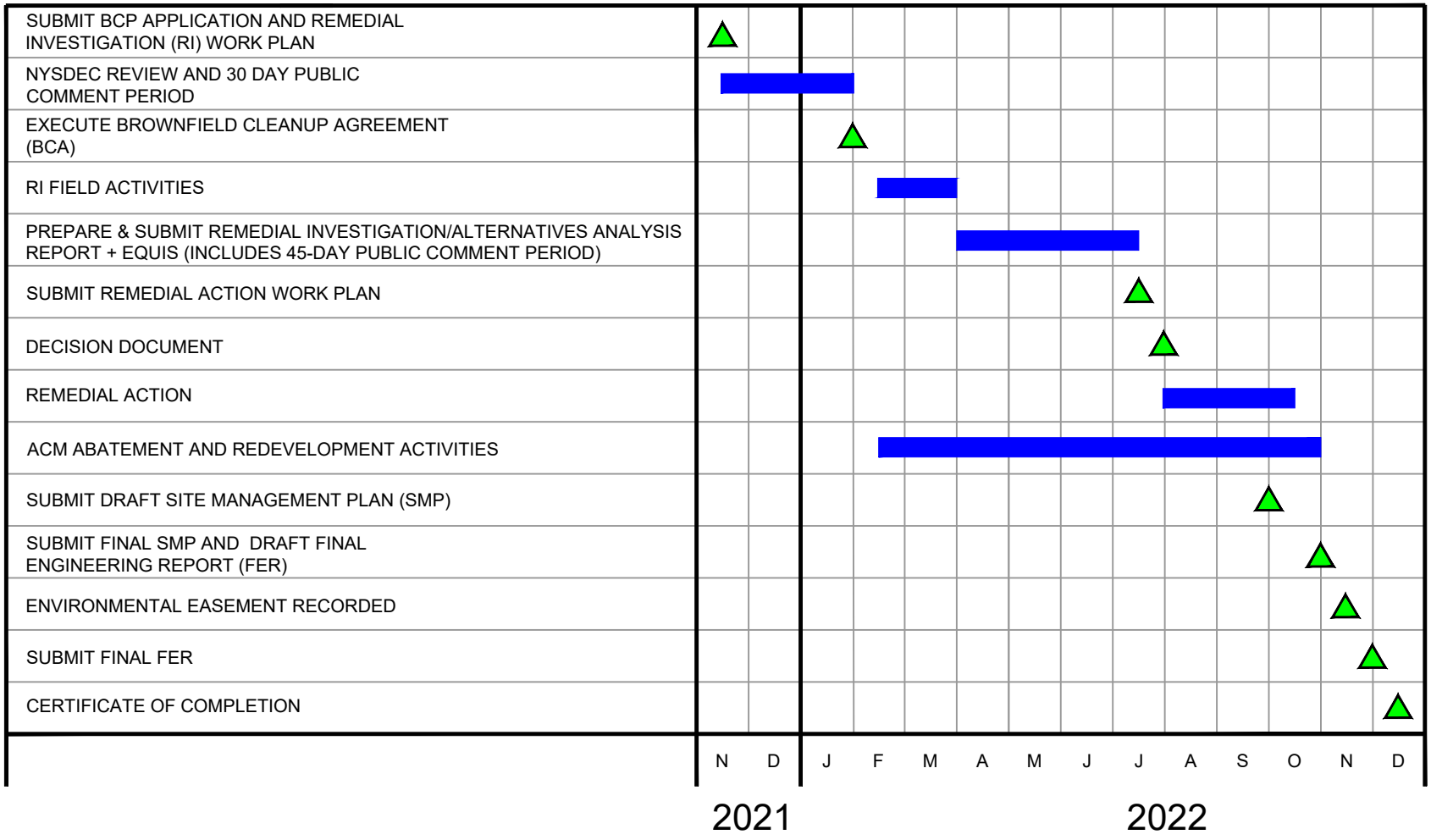
2558 HAMBURG TURNPIKE, SUITE 300, BUFFALO, NY 14218, (716) 856-0599

PROJECT NO.: T0594-021-001

DATE: OCTOBER 2021

DRAFTED BY: CNK

PROJECT TASKS:



BENCHMARK IN ASSOCIATION WITH TURNKEY ENVIRONMENTAL RESTORATION, LLC

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

PROJECT NO.: T0594-021-001

DATE: NOVEMBER 2021

DRAFTED BY: CNK

PRELIMINARY PROJECT SCHEDULE

BROWNFIELD CLEANUP PROGRAM APPLICATION

2122 COLVIN BOULEVARD SITE
FORMER VCPSITE NO. V00334-9
TONAWANDA, NEW YORK

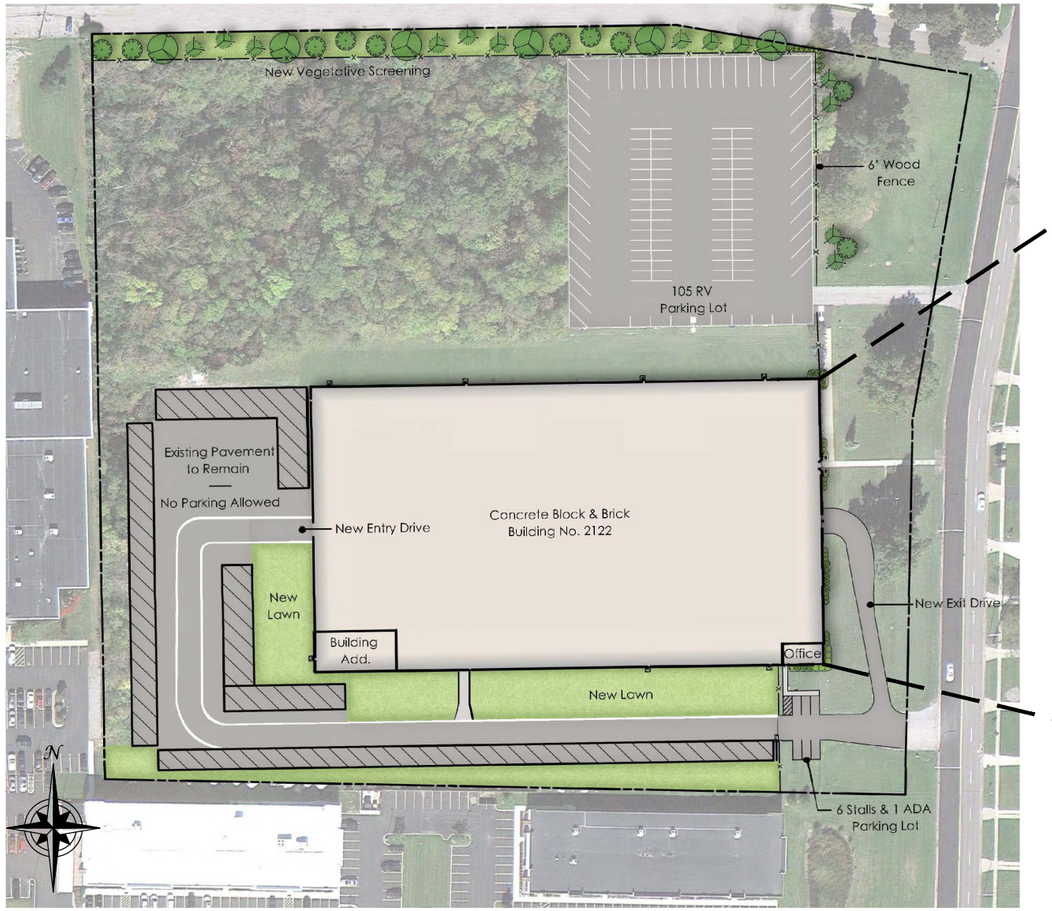
PREPARED FOR

MIDWEST STORAGE DEVELOPERS LLC

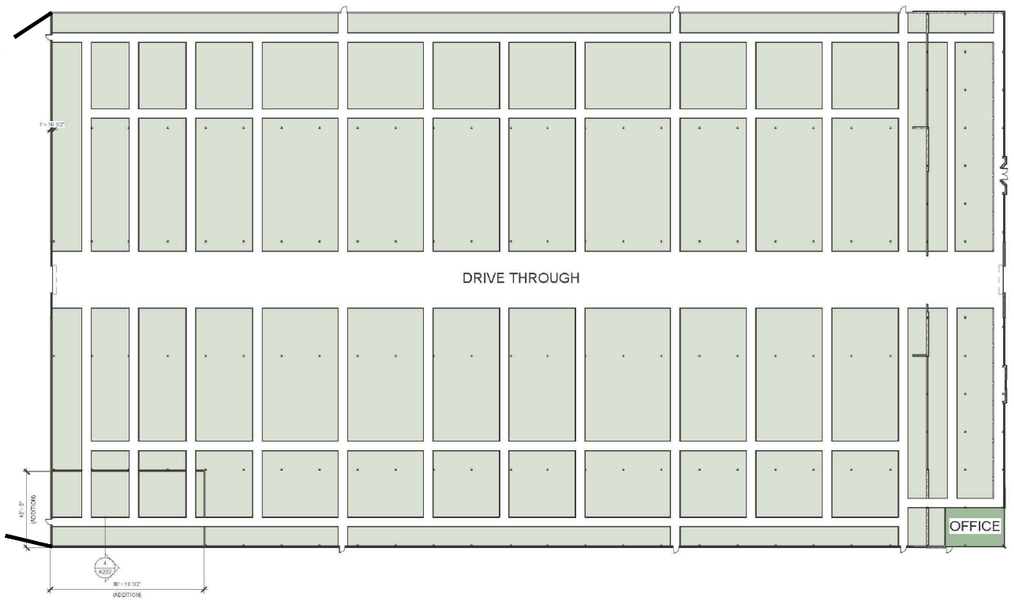
FIGURE 5

F:\CAD\TurnKey\Box Builders\BCP Application\Figure 6, Preliminary Site Rendering.dwg, 10/12/2021 12:26:22 PM, DWG To PDF.pc3

SITE PLAN
SCALE: 1 IN = 150 FT



BUILDING FLOOR PLAN
SCALE: 1 IN = 80 FT



DATE: OCTOBER 2021
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TURNKEY ENVIRONMENTAL RESTORATION, LLC
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BENCHMARK

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(716) 856-0599

JOB NO.: T0594-021-001

PRELIMINARY SITE RENDERING

BROWNFIELD CLEANUP PROGRAM APPLICATION

2122 COLVIN BOULEVARD SITE
FORMER VCP SITE NO. V00334-9
TONAWANDA, NEW YORK

PREPARED FOR

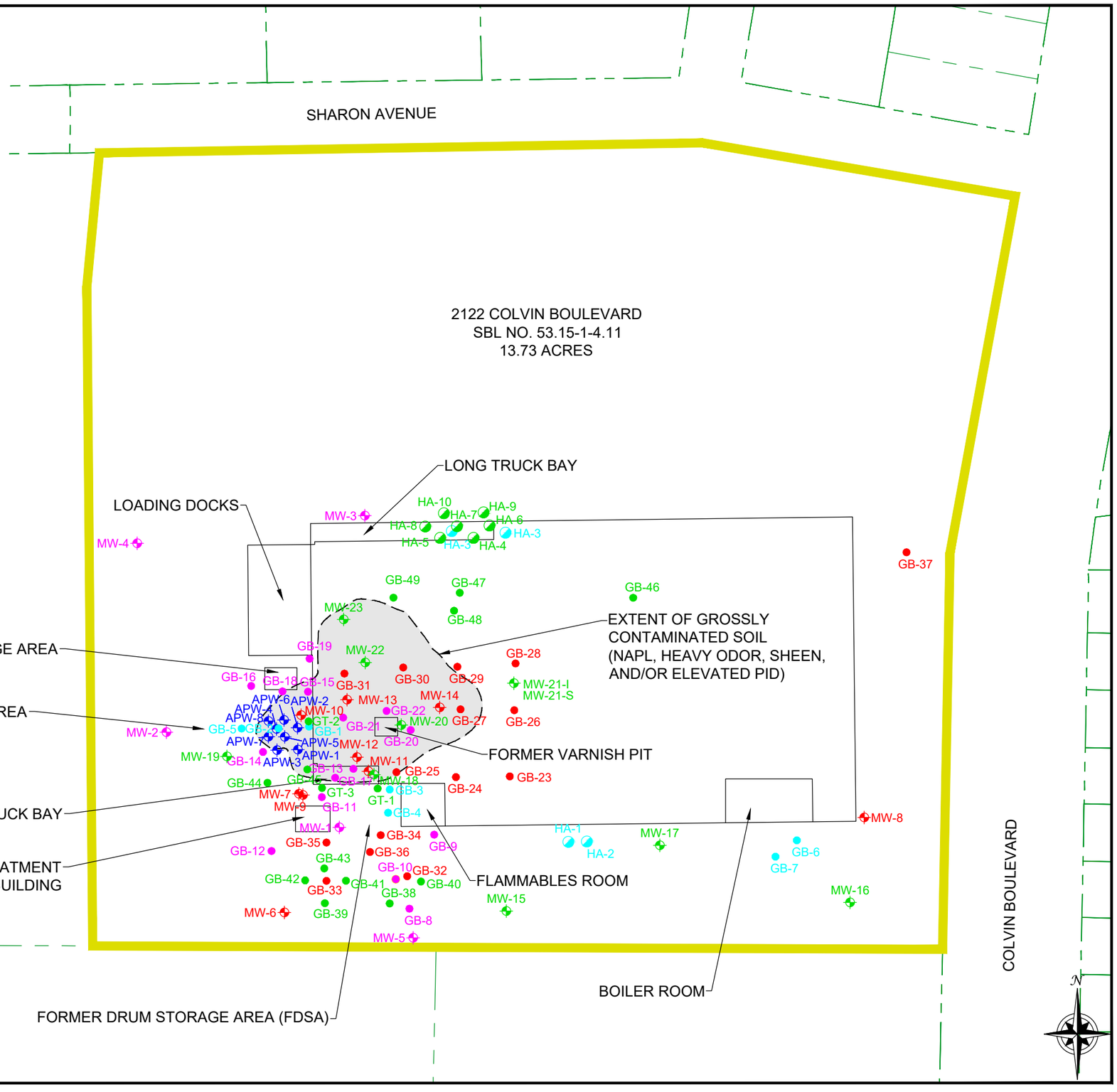
MIDWEST STORAGE DEVELOPERS LLC

FIGURE 6

LEGEND:

- BCP SITE BOUNDARY
- PARCEL BOUNDARY
- GB-1 PHASE II SOIL BORING
- HA-1 PHASE II HAND AUGER
- GB-8 PHASE III SOIL BORING
- MW-1 PHASE III MONITORING WELL
- GB-23 RI SOIL BORING
- MW-6 RI MONITORING WELL
- GB-38 DGI SOIL BORING
- GT-1 DGI GEOTECH BORING
- HA-4 DGI HAND AUGER
- MW-15 DGI MONITORING WELL
- APW-1 REMEDY CHANGE MONITORING WELL

NOTES:
1. IMAGE TAKEN FROM GOOGLE EARTH 2018.
2. ALL PREVIOUS INVESTIGATION LOCATIONS COLLECTED BY ENVIRONMENT RESOURCES MANAGEMENT (ERM).
3. AREAS OF CONCERN TAKEN FROM ERM SITE MANAGEMENT PLAN (2014) FIGURE 1-2.



DATE: OCTOBER 2021
DRAFTED BY: CNK

TURNKEY ENVIRONMENTAL RESTORATION, LLC
IN ASSOCIATION WITH
BENCHMARK
2558 HAMBURG TURNPIKE, SUITE 300, BUFFALO, NY 14218,
(716) 856-0599
JOB NO.: T0594-021-001

PREVIOUS INVESTIGATION LOCATIONS AND AREAS OF CONCERN

BROWNFIELD CLEANUP PROGRAM APPLICATION

2122 COLVIN BOULEVARD SITE
FORMER VCP SITE NO. V00334-9
TONAWANDA, NEW YORK

PREPARED FOR
MIDWEST STORAGE DEVELOPERS LLC

FIGURE 7

F:\CAD\TurnKey\Box Builders\BCP Application\Figure 8; IRM Locations.dwg, 10/12/2021 4:56:56 PM, DWG To PDF.pc3

LEGEND:

BCP SITE BOUNDARY

PARCEL BOUNDARY

IRM EXCAVATION AREA

NOTES:

1. IMAGE TAKEN FROM GOOGLE EARTH 2018.
2. AREAS OF CONCERN TAKEN FROM ENVIRONMENT RESOURCES MANAGEMENT SITE MANAGEMENT PLAN (2014) FIGURE 1-2.

CON-08
CON-11
CON-07
CON-03
CON-09
CON-01
CON-02
CON-10
CON-04
CON-06
CON-12
CON-05

FORMER VARNISH UST AREA

FORMER VARNISH PIT (DNAPL REMOVAL)

CELL-NORTH
CELL-BOTTOM
CELL-EAST
CELL-WEST
CELL-SOUTH
TP-01
CELL-WESTWALL
SC-FLOOR
SC-PIPE
SC-EASTWALL
GB-10 WESTWALL
GB-10 EASTWALL
GB-10 SOUTHWALL

FORMER DRUM STORAGE AREA (FDSA)

FORMER TREATMENT BUILDING (DNAPL REMOVAL)

50' 0' 50' 100'

SCALE: 1 INCH = 50 FEET
SCALE IN FEET
(approximate)

N

DATE: OCTOBER 2021
DRAFTED BY: CNK

TURNKEY ENVIRONMENTAL RESTORATION, LLC
IN ASSOCIATION WITH
BENCHMARK

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

JOB NO.: T0594-021-001

IRM LOCATIONS

BROWNFIELD CLEANUP PROGRAM APPLICATION

2122 COLVIN BOULEVARD SITE
FORMER VCP SITE NO. V00334-9
TONAWANDA, NEW YORK

PREPARED FOR

MIDWEST STORAGE DEVELOPERS LLC

FIGURE 8

F:\CAD\TurnKeyBox Builders\BCP Application\Figure 9A Remaining Soil Exceedances Over PGWSCOs and CSCOs.dwg, 11/2/2021 12:59:49 PM, DWG To PDF.pc3

LEGEND:

- BCP SITE BOUNDARY
- PARCEL BOUNDARY
- GB-1 ● PHASE II SOIL BORING
- HA-1 ◔ PHASE II HAND AUGER
- GB-8 ● PHASE III SOIL BORING
- MW-1 ⊕ PHASE III MONITORING WELL
- GB-23 ● RI SOIL BORING
- MW-6 ⊕ RI MONITORING WELL
- GB-38 ● DGI SOIL BORING
- GT-1 ● DGI GEOTECH BORING
- HA-4 ◔ DGI HAND AUGER
- MW-15 ⊕ DGI MONITORING WELL
- APW-1 ⊕ REMEDY CHANGE MONITORING WELL
- CON-04 ⊠ CONFIRMATION SAMPLE
- EXCEEDS PROTECTION OF GROUNDWATER SCOs
- EXCEEDS COMMERCIAL SCOs

NOTES:

1. PREVIOUS INVESTIGATION LOCATIONS COLLECTED BY ENVIRONMENTAL RESOURCES MANAGEMENT (ERM).
2. RESULTS COMPARED TO 6 NYCRR PART 375 SOIL CLEANUP OBJECTIVES (SCOs).

APW-2 (15-17 FT)	1/20/2010
PARAMETER	MG/KG
ACETONE	0.12
ETHYLBENZENE	18
TOTAL XYLENES	62

APW-5 (9-11 FT)	1/21/2010
PARAMETER	MG/KG
ETHYLLBENZENE	9.3
1,2,4-TRIMETHYLBENZENE	12
TOTAL XYLENES	26

GB-21 (8-9 FT)	11/19/1998
PARAMETER	MG/KG
1,1,1-TCA	0.75
TCE	2.3

APW-6 (9-11 FT)	1/21/2010
PARAMETER	MG/KG
ETHYLBENZENE	18
1,2,4-TRIMETHYLBENZENE	14
TOTAL XYLENES	49
APW-6 (15-17 FT)	1/21/2010
PARAMETER	MG/KG
ETHYLBENZENE	6.8
TOTAL XYLENES	12

GB-1 (14-16 FT)	6/9/1998
PARAMETER	MG/KG
ETHYLBENZENE	12
1,2,4-TRIMETHYLBENZENE	13
TOTAL XYLENES	51
BENZO(A)ANTHRACENE	2.8
BENZO(A)PYRENE	2.4
BENZO(B)FLUORANTHENE	3
CHRYSENE	2.6

GT-1 (2-4 FT)	11/6/2002
PARAMETER	MG/KG
2-BUTANONE	0.63
CIS-1,2-DCE	0.73
ETHYLBENZENE	46
TOLUENE	380
TCE	3.2
TOTAL XYLENES	280

CON-05 (6.5-7 FT)	5/25/2011
PARAMETER	MG/KG
1,1,1-TCA	0.75
CIS-1,2-DCE	0.52
TCE	1.2

CON-06 (6.5-7 FT)	5/25/2011
PARAMETER	MG/KG
ETHYLBENZENE	1.3
METHYLENE CHLORIDE	0.067
TOTAL XYLENES	5.1

CON-12 (6.8-7.2 FT)	5/25/2011
PARAMETER	MG/KG
1,2,4-TRIMETHYLBENZENE	840
1,3,5-TRIMETHYLBENZENE	620
ETHYLBENZENE	930
N-PROPYLBENZENE	290
TOLUENE	12
TOTAL XYLENES	4400

CON-04 (8.5-9 FT)	5/25/2011
PARAMETER	MG/KG
METHYLENE CHLORIDE	0.057
TOTAL XYLENES	2.2

HA-08 (1-3 IN)	10/29/2002
PARAMETER	MG/KG
BENZO(A)ANTHRACENE	15
BENZO(A)PYRENE	15
BENZO(B)FLUORANTHENE	17
BENZO(K)FLUORANTHENE	7.8
CHRYSENE	14
DIBENZO(A,H)ANTHRACENE	2.9
INDENO(1,2,3-CD)PYRENE	6.8

GB-31 (6-7 FT)	8/22/2001
PARAMETER	MG/KG
1,1,1-TCA	8.6
TCE	18
TOTAL XYLENES	0.79

APW-8 (15-17 FT)	1/21/2010
PARAMETER	MG/KG
ACETONE	0.64

GB-49 (15-16 FT)	11/16/2002
PARAMETER	MG/KG
1,1-DCA	0.76
TCE	3.5

GB-15 (14-15 FT)	11/18/1998
PARAMETER	MG/KG
TOTAL XYLENES	2.8

GB-45 (12-14 FT)	11/1/2002
PARAMETER	MG/KG
2-BUTANONE	0.33
TCE	8.9

GB-14 (13-14 FT)	11/19/1998
PARAMETER	MG/KG
1,1-DCA	2.6
1,1,1-TCA	16

GB-17 (1-2 FT)	11/19/1998
PARAMETER	MG/KG
ETHYLBENZENE	1.4
1,1,1-TCA	9.5
1,2,4-TRIMETHYLBENZENE	10
TOTAL XYLENES	6.4
GB-17 (4-5 FT)	11/19/1998
PARAMETER	MG/KG
1,1,1-TCA	0.99
TCE	0.52

CELL-BOTTOM	11/21/2005
PARAMETER	MG/KG
CIS-1,2-DCE	0.56
TCE	8.5

GB-4 (10-12 FT)	6/9/1998
PARAMETER	MG/KG
ETHYLBENZENE	2.5
TOTAL XYLENES	13

HA-3 (0-6 IN)	1998
PARAMETER	MG/KG
BENZO(A)ANTHRACENE	2.9
BENZO(A)PYRENE	2.9
BENZO(B)FLUORANTHENE	3.5
BENZO(K)FLUORANTHENE	1.9
CHRYSENE	3

APW-1 (9-11 FT)	1/20/2010
PARAMETER	MG/KG
1,1-DCE	4
1,1,1-TCA	12

GB-22 (10-11 FT)	11/19/1998
PARAMETER	MG/KG
ACETONE	7.3
1,1-DCA	2.9
1,2-DCA	0.24
1,1-DCE	0.650
1,2-DCE (TOTAL)	0.240
1,1,1-TCA	55
TCE	63
TOTAL XYLENES	0.480
GB-22 (15-16 FT)	11/19/1998
PARAMETER	MG/KG
ACETONE	3.1
1,1,1-TCA	2.7
TCE	3.4

CELL-SOUTH	11/16/2005
PARAMETER	MG/KG
CIS-1,2-DCE	0.34
1,1,1-TCA	0.92
TCE	42

HA-07 (1-3 IN)	10/29/2002
PARAMETER	MG/KG
BENZO(A)ANTHRACENE	16
BENZO(A)PYRENE	15
BENZO(B)FLUORANTHENE	17
BENZO(K)FLUORANTHENE	9
CHRYSENE	16
DIBENZO(A,H)ANTHRACENE	2.4
INDENO(1,2,3-CD)PYRENE	5.7

GB-30 (8-9 FT)	8/21/2001
PARAMETER	MG/KG
ACETONE	4.3
2-BUTANONE	1.8
1,1-DEA	0.59
1,2-DCA	0.18
1,1-DCE	5.8
1,2-DCE (TOTAL)	0.75
1,1,1-TCA	1.4
TCE	6.4

GB-27 (0-1 FT)	8/17/2001
PARAMETER	MG/KG
1,1-DCA	0.31
1,1-DCE	0.820
METHYLENE CHLORIDE	0.170
1,1,1-TCA	5
TCE	19

MW-23 (9-10 FT)	11/16/2002
PARAMETER	MG/KG
1,1-DCA	0.46
1,1-DCE	3.5
1,1,1-TCA	11
TCE	53

GB-24 (16 FT)	8/22/2001
PARAMETER	MG/KG
ACETONE	0.067

GB-25 (9-10 FT FT)	8/23/2001
PARAMETER	MG/KG
1,2-DCE (TOTAL)	0.26
TCE	0.59

GB-33 (3 FT)	8/15/2001
PARAMETER	MG/KG
BENZO(A)ANTHRACENE	1.1
CHRYSENE	1.2

GB-39 (13-14 FT)	11/1/2002
PARAMETER	MG/KG
BENZO(A)ANTHRACENE	1.3
DIBENZO(A,H)ANTHRACENE	1.3

TP-01 (6-7 FT)	10/14/2005
PARAMETER	MG/KG
CIS-1,2-DCE	2.1
TCE	12

CELL-EAST	11/16/2005
PARAMETER	MG/KG
CIS-1,2-DCE	0.8
TCE	14

CELL-NORTH	11/16/2005
PARAMETER	MG/KG
CIS-1,2-DCE	1.6

HA-06 (1-3 IN)	10/29/2002
PARAMETER	MG/KG
BENZO(A)ANTHRACENE	3.2
BENZO(A)PYRENE	3
BENZO(B)FLUORANTHENE	2.5
BENZO(K)FLUORANTHENE	3
CHRYSENE	3

HA-04 (1-3 IN)	10/29/2002
PARAMETER	MG/KG
BENZO(A)ANTHRACENE	22
BENZO(A)PYRENE	21
BENZO(B)FLUORANTHENE	27
BENZO(K)FLUORANTHENE	13
CHRYSENE	22
DIBENZO(A,H)ANTHRACENE	2.6
INDENO(1,2,3-CD)PYRENE	6.4
HA-04 (5-6 FT)	10/29/2002
PARAMETER	MG/KG
BENZO(A)ANTHRACENE	1.6
BENZO(A)PYRENE	1.4
CHRYSENE	1.6

MW-20 (13-14 FT)	10/31/2002
PARAMETER	MG/KG
1,1-DCA	4.3
1,1-DCE	11
1,1,1-TCA	250
TCE	500
TOTAL XYLENES	7.6
MW-20 (24-26 FT)	11/12/2002
PARAMETER	MG/KG
1,1-DCA	0.53
1,1,1-TCA	1
TCE	0.65

GB-20 (11-12 FT)	11/19/1998
PARAMETER	MG/KG
1,1,1-TCA	41
TCE	84
TOTAL XYLENES	4.1
GB-20 (15-16 FT)	11/19/1998
PARAMETER	MG/KG
ACETONE	1.1
1,1-DCE	0.35
2-BUTANONE	0.25
1,1,1-TCA	3.2
TCE	20

GB-10 (14-15 FT)	11/19/1998
PARAMETER	MG/KG
1,2-DCE (TOTAL)	1.3
ETHYLBENZENE	2.7
PCE	3.3
TOLUENE	2.6
TCE	210
1,2,4-TRIMETHYLBENZENE	11
TOTAL XYLENES	22
BENZO(A)PYRENE	1.1
CHRYSENE	1.4

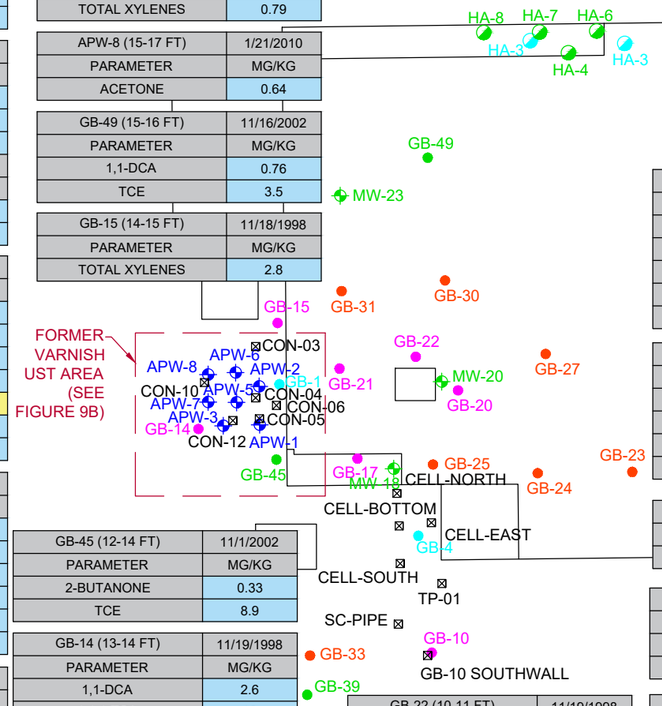
GB-10 SOUTHWALL	12/12/2005
PARAMETER	MG/KG
CIS-1,2-DCE	4.5
TCE	13

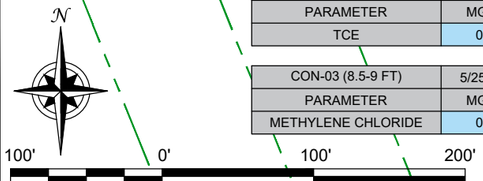
SC-PIPE	12/12/2005
PARAMETER	MG/KG
ACETONE	0.1

APW-3 (9-11 FT)	1/20/2010
PARAMETER	MG/KG
1,1-DCA	0.32
1,1-DCE	1.6
1,1,1-TCA	5.8
APW-3 (15-17 FT)	1/20/2010
PARAMETER	MG/KG
1,1-DCA	14

MW-18 (2-4 FT)	10/30/2002
PARAMETER	MG/KG
TCE	0.64

CON-03 (8.5-9 FT)	5/25/2011
PARAMETER	MG/KG
METHYLENE CHLORIDE	0.06





SCALE: 1 INCH = 100 FEET
SCALE IN FEET
(approximate)

DATE: REMAINING SOIL EXCEEDANCES
DRAFTED BY: CNK

TURNKEY ENVIRONMENTAL RESTORATION, LLC

IN ASSOCIATION WITH

BENCHMARK

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

JOB NO.: T0594-021-001

SOIL INVESTIGATION LOCATIONS OVER PGWSCOs AND CSCOs

BROWNFIELD CLEANUP PROGRAM APPLICATION

2122 COLVIN BOULEVARD SITE
FORMER VCP SITE NO. V00334-9
TONAWANDA, NEW YORK

PREPARED FOR

MIDWEST STORAGE DEVELOPERS LLC

FIGURE 9A

F:\CAD\TurnKey\Box Builders\BCP Application\Figure 9B Remaining Soil Exceedances Over PGWSCOs and CSCOs (Former Varnish UST ARea).dwg, 11/2/2021 1:03:52 PM, DWG To PDF.pc3

LEGEND:

- BCP SITE BOUNDARY
- PARCEL BOUNDARY
- GB-1 PHASE II SOIL BORING
- GB-8 PHASE III SOIL BORING
- GB-38 DGI SOIL BORING
- APW-1 REMEDY CHANGE MONITORING WELL
- CON-04 CONFIRMATION SAMPLE
- EXCEEDS PROTECTION OF GROUNDWATER SCOs
- EXCEEDS COMMERCIAL SCOs

NOTES:

1. PREVIOUS INVESTIGATION LOCATIONS COLLECTED BY ENVIRONMENTAL RESOURCES MANAGEMENT (ERM).
2. RESULTS COMPARED TO 6 NYCRR PART 375 SOIL CLEANUP OBJECTIVES (SCOs).

FORMER VARNISH UST AREA

CON-03 ⊠
APW-6
APW-8
GB-1
APW-2
APW-7
APW-5
CON-04 ⊠
CON-06 ⊠
CON-12 ⊠
CON-05 ⊠
APW-3
GB-14
APW-1
GB-45

APW-6 (9-11 FT)	1/21/2010
PARAMETER	MG/KG
ETHYLBENZENE	18
1,2,4-TRIMETHYLBENZENE	14
TOTAL XYLENES	49
APW-6 (15-17 FT)	1/21/2010
PARAMETER	MG/KG
ETHYLBENZENE	6.8
TOTAL XYLENES	12

CON-03 (8.5-9 FT)	5/25/2011
PARAMETER	MG/KG
METHYLENE CHLORIDE	0.06

APW-2 (15-17 FT)	1/20/2010
PARAMETER	MG/KG
ACETONE	0.12
ETHYLBENZENE	18
TOTAL XYLENES	62

GB-1 (14-16 FT)	6/9/1998
PARAMETER	MG/KG
ETHYLBENZENE	12
1,2,4-TRIMETHYLBENZENE	13
TOTAL XYLENES	51
BENZO(A)ANTHRACENE	2.8
BENZO(A)PYRENE	2.4
BENZO(B)FLUORANTHENE	3
CHRYSENE	2.6

CON-04 (8.5-9 FT)	5/25/2011
PARAMETER	MG/KG
METHYLENE CHLORIDE	0.057
TOTAL XYLENES	2.2

CON-06 (6.5-7 FT)	5/25/2011
PARAMETER	MG/KG
ETHYLBENZENE	1.3
METHYLENE CHLORIDE	0.067
TOTAL XYLENES	5.1

APW-8 (15-17 FT)	1/21/2010
PARAMETER	MG/KG
ACETONE	0.64

APW-5 (9-11 FT)	1/21/2010
PARAMETER	MG/KG
ETHYLLBENZENE	9.3
1,2,4-TRIMETHYLBENZENE	12
TOTAL XYLENES	26

CON-05 (6.5-7 FT)	5/25/2011
PARAMETER	MG/KG
1,1,1-TCA	0.75
CIS-1,2-DCE	0.52
TCE	1.2

APW-1 (9-11 FT)	1/20/2010
PARAMETER	MG/KG
1,1-DCE	4
1,1,1-TCA	12

GB-14 (13-14 FT)	11/19/1998
PARAMETER	MG/KG
1,1-DCA	2.6
1,1,1-TCA	16

GB-45 (12-14 FT)	11/1/2002
PARAMETER	MG/KG
2-BUTANONE	0.33
TCE	8.9

APW-3 (9-11 FT)	1/20/2010
PARAMETER	MG/KG
1,1-DCA	0.32
1,1-DCE	1.6
1,1,1-TCA	5.8
APW-3 (15-17 FT)	1/20/2010
PARAMETER	MG/KG
1,1-DCA	14

CON-12 (6.8-7.2 FT)	5/25/2011
PARAMETER	MG/KG
1,2,4-TRIMETHYLBENZENE	840
1,3,5-TRIMETHYLBENZENE	620
ETHYLBENZENE	930
N-PROPYLBENZENE	290
TOLUENE	12
TOTAL XYLENES	4400

30' 0' 30' 60'

SCALE: 1 INCH = 30 FEET
SCALE IN FEET
(approximate)

DATE: OCTOBER 2021
DRAFTED BY: CNK

N

TURNKEY ENVIRONMENTAL RESTORATION, LLC
IN ASSOCIATION WITH
BENCHMARK

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

JOB NO.: T0594-021-001

SOIL INVESTIGATION LOCATIONS OVER PWSCOs AND CSCOs (FORMER VARNISH UST AREA)

BROWNFIELD CLEANUP PROGRAM APPLICATION

2122 COLVIN BOULEVARD SITE
FORMER VCP SITE NO. V00334-9
TONAWANDA, NEW YORK

PREPARED FOR

MIDWEST STORAGE DEVELOPERS LLC

FIGURE 9B

LEGEND:

- BCP SITE BOUNDARY
- PARCEL BOUNDARY
- MW-12 SHALLOW MONITORING WELL
- MW-1 INTERMEDIATE MONITORING WEI
- MW-9 DEEP MONITORING WELL
- EXCEEDS GWQS/GV

NOTES:

1. IMAGE TAKEN FROM GOOGLE EARTH 2018.
2. PREVIOUS INVESTIGATION LOCATIONS COLLECTED BY ENVIRONMENTAL RESOURCES MANAGEMENT (ERM).
3. RESULTS COMPARED TO TOGS 1.1.1 GROUNDWATER QUALITY STANDARDS/GUIDANCE VALUES.

MW-3	1998	9/12/2001	11/19/2013
PARAMETER	UG/L	UG/L	UG/L
TOTAL CVOCs	ND	ND	ND
IRON	--	4500	--
TOTAL MAGNESIUM	--	136000	--
TOTAL SODIUM	--	93400	--

MW-22	12/12/2002	9/29/2020
PARAMETER	UG/L	UG/L
1,1-DCA	40	37
1,1-DCE	7	1.5
1,2-DCE	ND	18
TCE	78	6.8
TOTAL CVOCs	445	82.0

MW-4	1998	12/11/2002
PARAMETER	UG/L	UG/L
TOTAL CVOCs	ND	ND

MW-27	11/19/2013	9/28/2020
PARAMETER	UG/L	UG/L
1,1-DCA	21	33
TCE	2.9	6.4
TOTAL CVOCs	27	47.5

MW-13	9/12/2001	9/29/2020
PARAMETER	UG/L	UG/L
BENZENE	1.2	ND
CHLOROFORM	36	ND
1,1-DCA	4300	4000
1,2-DCA	110	41
1,1-DCE	4900	3800
CIS-1,2-DCE	ND	4500
1,2-DCE	3000	ND
METHYLENE CHLORIDE	19	ND
1,1,1-TCA	19000	6600
1,1,2-TCA	4.2	ND
TCE	21000	26000
VC	17	98
TOTAL CVOCs	52351	49539
TOTAL IRON	350	--
TOTAL MAGNESIUM	228000	--
TOTAL MANGANESE	500	--
TOTAL SODIUM	58000	--

MW-2	1998	12/11/2002
PARAMETER	UG/L	UG/L
TOTAL CVOCs	ND	ND

MW-26	11/19/2013	9/28/2020
PARAMETER	UG/L	UG/L
1,1-DCA	2	8.1
TOTAL CVOCs	4.9	8.58

MW-19	12/11/2002	9/28/2020
PARAMETER	UG/L	UG/L
TOTAL CVOCs	ND	ND

APW-3	2/16/2010	9/28/2020
PARAMETER	UG/L	UG/L
CHLOROETHANE	9	ND
1,1-DCA	12000	800
1,2-DCA	2.8	1.3
1,1-DCE	51	660
CIS-1,2-DCE	ND	16
1,1,1-TCA	350	1400
VC	5	30
TOTAL CVOCs	12,420	2,923

VMP-6	11/18/2013
PARAMETER	UG/L
BENZENE	5.4
ETHYLBENZENE	1600
TCE	5.7
1,2,4-TRIMETHYLBENZENE	140
O-XYLENE	320
P/M-XYLENE	1900
TOTAL CVOCs	5.7

RW-5	11/18/2013
PARAMETER	UG/L
ACETONE	5300
1,1-DCA	20000
1,1-DCE	35000
CIS-1,2-DCE	120000
1,1,1-TCA	150000
TCE	940
VC	1600
TOTAL CVOCs	327540

MW-20	12/12/2002	9/29/2020
PARAMETER	UG/L	UG/L
1,1-DCA	820	15000
1,1-DCE	350	8800
TCE	6600	150000
1,1,1-TCA	30000	660000
TOTAL CVOCs	37770	833800

MW-14	9/12/2001	9/29/2020
PARAMETER	UG/L	UG/L
1,1-DCA	1500	1900
1,1-DCE	410	880
1,2-DCE (TOTAL	40	760
1,1,1-TCA	150	ND
TCE	14000	25000
VC	2.8	ND
TOTAL XYLENES	16	ND
TOTAL CVOCs	16104	29300

MW-21S	11/18/2013
PARAMETER	UG/L
TCE	33
TOTAL CVOCs	33

MW-21I	12/12/2002	11/18/2013
PARAMETER	UG/L	UG/L
TCE	6	84
TOTAL CVOCs	16	84.6

MW-12	9/12/2001	9/29/2020
PARAMETER	UG/L	UG/L
1,1-DCA	580	710
1,2-DCA	2.6	2.1
1,1-DCE	70	180
CIS-1,2-DCE	ND	850
TRANS-1,2-DCE	ND	25
1,2-DCE (TOTAL)	540	ND
1,1,1-TCA	78	69
TCE	52	150
VC	55	71
TOTAL XYLENES	ND	ND
TOTAL CVOCs	1382	2937

MW-18	12/11/2002	10/27/2020
PARAMETER	UG/L	UG/L
1,1-DCA	11	24
1,1-DCE	18	3.2
1,1,1-TCA	170	28
TCE	16	2.4
TOTAL CVOCs	219	63.9

MW-17	12/11/2002
PARAMETER	UG/L
TOTAL CVOCs	1

MW-8	9/12/2001	12/11/2002
PARAMETER	UG/L	UG/L
TOTAL CVOCs	ND	ND
TOTAL IRON	1100	--
TOTAL MAGNESIUM	147000	--
TOTAL SODIUM	370000	--

MW-15	12/11/2002
PARAMETER	UG/L
2-BUTANONE	76
TOTAL CVOCs	ND

MW-16	12/11/2002
PARAMETER	UG/L
TOTAL CVOCs	ND

MW-1	1998	11/19/2013
PARAMETER	UG/L	UG/L
TOTAL CVOCs	ND	ND

MW-6	9/12/2001	12/11/2002
PARAMETER	UG/L	UG/L
TOTAL CVOCs	ND	1

MW-5	1998	12/11/2002
PARAMETER	UG/L	UG/L
TOTAL CVOCs	ND	ND

MW-9	9/12/2001	12/11/2002
PARAMETER	UG/L	UG/L
TOTAL CVOCs	2.1	ND

MW-7	9/12/2001	12/11/2002
PARAMETER	UG/L	UG/L
TOTAL CVOCs	ND	ND
TOTAL IRON	1500	--
TOTAL MAGNESIUM	91900	--
TOTAL SODIUM	140000	--

MW-24	11/19/2013	9/28/2020
PARAMETER	UG/L	UG/L
BENZENE	17	2.6
1,1-DCA	7.1	2.6
CIS-1,2-DCE	2600	240
TCE	1700	360
VC	730	83
TOTAL CVOCs	5030	930

MW-25	11/19/2013	9/28/2020
PARAMETER	UG/L	UG/L
CIS-1,2-DCE	5.3	4.7
VC	15	6.1
TOTAL CVOCs	23.4	18.9

MW-3, MW-4, MW-23, MW-27, MW-22, MW-21-S, MW-21-I, MW-13, MW-14, MW-26, MW-2, VMP-06, RW-05, MW-20, APW-3, MW-19, MW-12, MW-11, MW-18, MW-25, MW-7, MW-9, MW-1, MW-8, MW-17, MW-24, MW-16, MW-15, MW-6, MW-5

100' 0' 100' 200'

SCALE: 1 INCH = 100 FEET
SCALE IN FEET
(approximate)

N

DATE: OCTOBER 2021
DRAFTED BY: CNK

TURNKEY ENVIRONMENTAL RESTORATION, LLC
IN ASSOCIATION WITH
BENCHMARK
2558 HAMBURG TURNPIKE, SUITE 300, BUFFALO, NY 14218,
(716) 856-0599
JOB NO.: T0594-021-001

REMAINING GROUNDWATER EXCEEDANCES OVER GROUNDWATER QUALITY STANDARDS

BROWNFIELD CLEANUP PROGRAM APPLICATION

2122 COLVIN BOULEVARD SITE
FORMER VCP SITE NO. V00334-9
TONAWANDA, NEW YORK

PREPARED FOR

MIDWEST STORAGE DEVELOPERS LLC

FIGURE 10

Legend

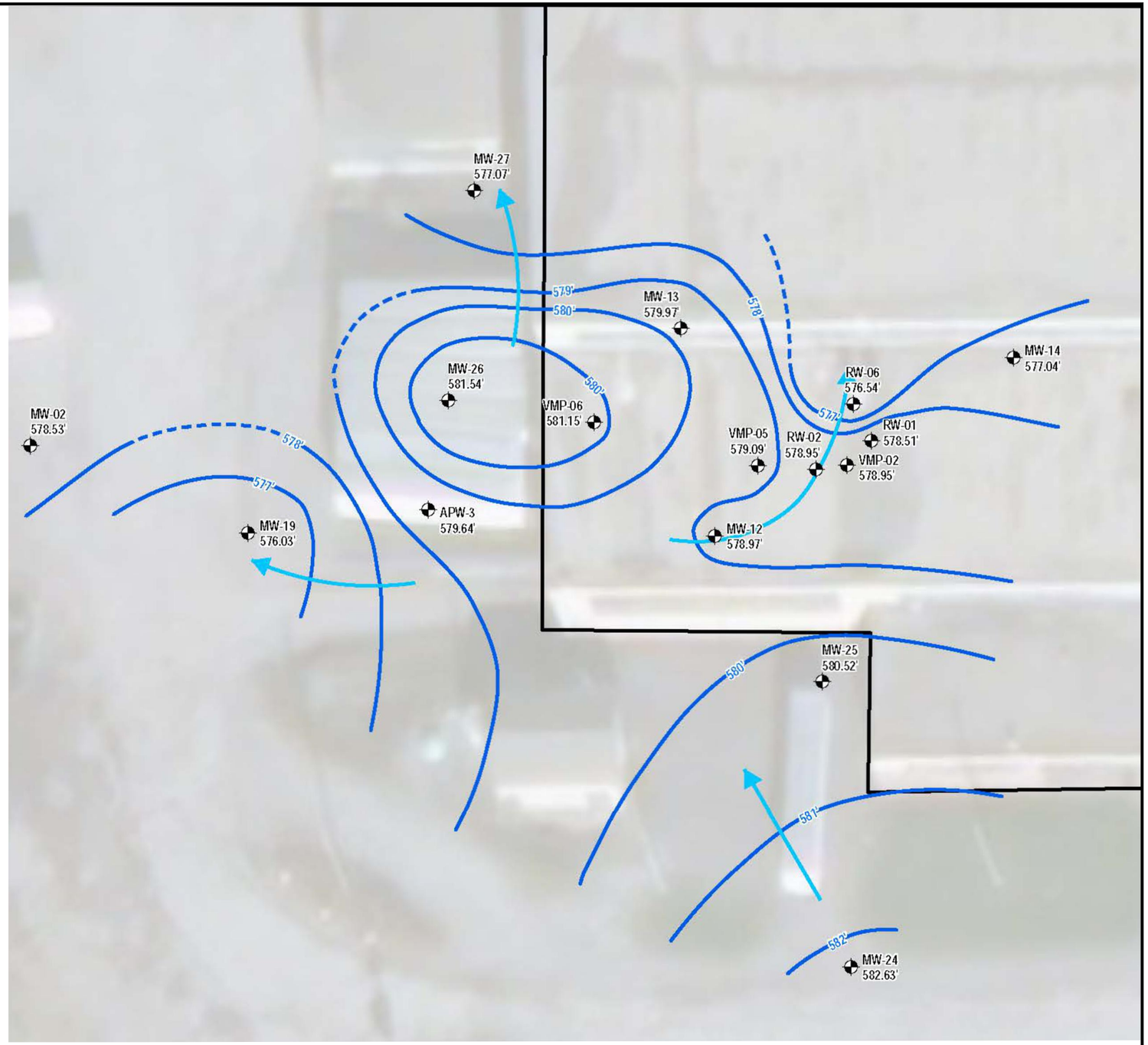
- Monitoring Well Location
- 572.45' Groundwater Elevation (ft)
- Shallow Groundwater Contour
- Shallow Groundwater Contour (Inferred)
- Estimated Direction of Groundwater Flow
- Building Outline

NOTES:

1. Groundwater elevation is measured in feet from the elevation of top of casing.
2. Measurements were collected on 9/29/2020.
3. Estimated extent of groundwater countours was modeled using topo-to-raster methods in ArcGIS 10.4.

Shallow Groundwater Contour Map
29 September 2020
Sonoco Products Company
Tonowanda, NY
NYSDEC VCP Site No. V00334-9

ERM



N

30' 0' 30' 60'

SCALE: 1 INCH = 30 FEET
SCALE IN FEET
(approximate)

IMAGE TAKEN FROM ENVIRONMENTAL RESOURCES MANAGEMENT (ERM) AUGUST 2021 *PERIOD REVIEW REPORT* PREPARED FOR SONOCO PRODUCTS COMPANY, PER NYSDEC REQUIREMENTS AS A PART OF THE VCP (V00334-9).

DATE: OCTOBER 2021
DRAFTED BY: CNK

TurnKey Environmental Restoration, LLC
In association with
Benchmark

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

JOB NO.: T0594-021-001

SHALLOW GROUNDWATER ISOPOTENTIAL MAP

BROWNFIELD CLEANUP PROGRAM APPLICATION

2122 COLVIN BOULEVARD SITE
FORMER VCP SITE NO. V00334-9
TONAWANDA, NEW YORK

PREPARED FOR

MIDWEST STORAGE DEVELOPERS LLC

FIGURE 11A

Legend

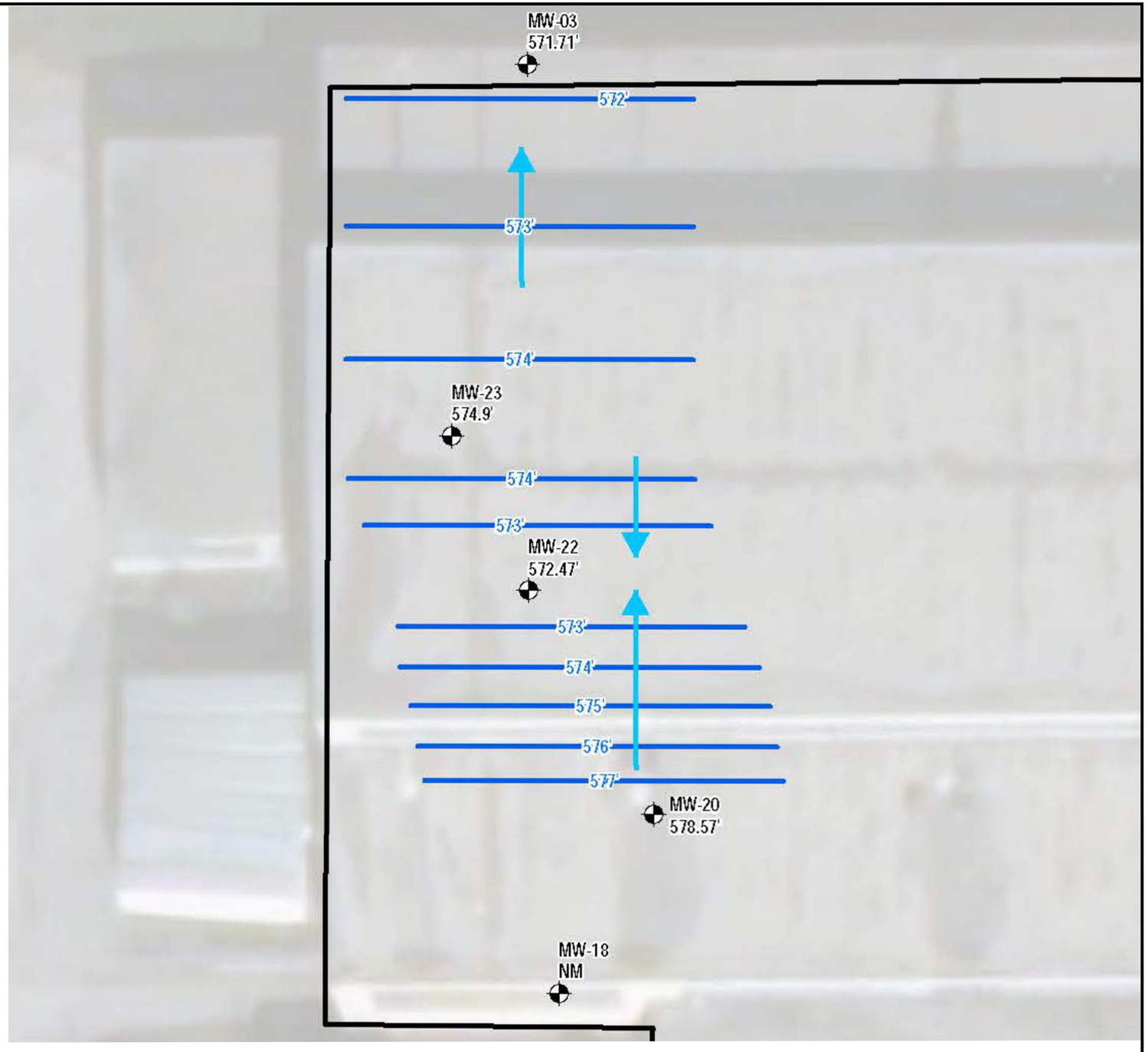
- Monitoring Well Location
- 572.45' Groundwater Elevation (ft)
- Intermediate Groundwater Contour
- Estimated Direction of Groundwater Flow
- Building Outline

NOTES:

1. Groundwater elevation is measured in feet (ft) from the elevation of top of casing.
2. Measurements were collected on 9/29/2020.
3. NM = not measured
4. Estimated extent of groundwater countours was modeled using topo-to-raster methods in ArcGIS 10.4.

Intermediate Groundwater Contour Map
29 September 2020
Sonoco Products Company
Tonowanda, NY
NYSDEC VCP Site No. V00334-9

ERM



N

30' 0' 30' 60'

SCALE: 1 INCH = 30 FEET
SCALE IN FEET
(approximate)

IMAGE TAKEN FROM ENVIRONMENTAL RESOURCES MANAGEMENT (ERM) AUGUST 2021 *PERIOD REVIEW REPORT* PREPARED FOR SONOCO PRODUCTS COMPANY, PER NYSDEC REQUIREMENTS AS A PART OF THE VCP (V00334-9).

DATE: OCTOBER 2021
DRAFTED BY: CNK

TurnKey Environmental Restoration, LLC
In association with
Benchmark

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

JOB NO.: T0594-021-001

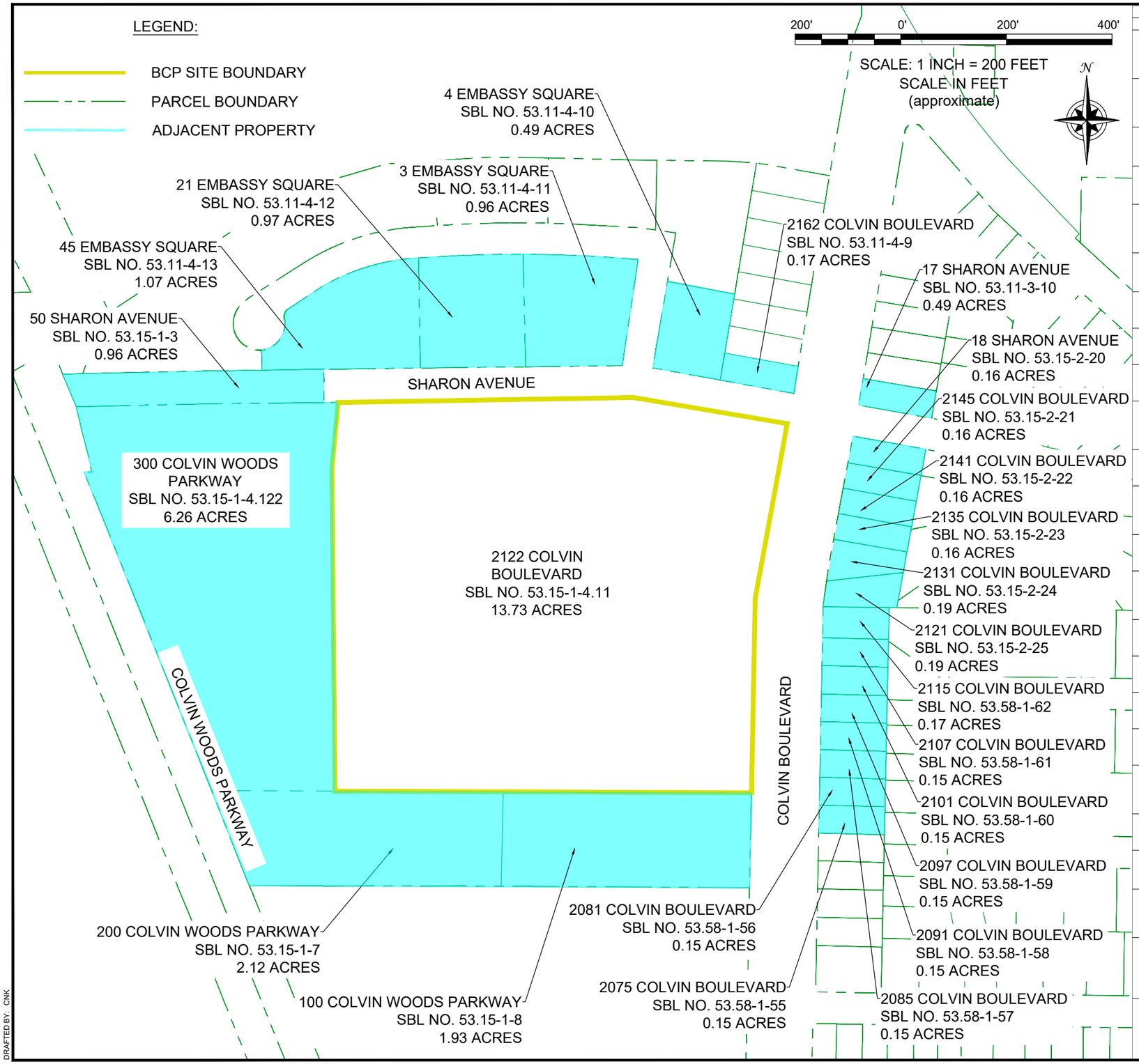
INTERMEDIATE GROUNDWATER ISOPOTENTIAL MAP

BROWNFIELD CLEANUP PROGRAM APPLICATION

2122 COLVIN BOULEVARD SITE
FORMER VCP SITE NO. V00334-9
TONAWANDA, NEW YORK

PREPARED FOR
MIDWEST STORAGE DEVELOPERS LLC

FIGURE 11B



Adjacent Property Address			Property Owner Mailing Address
No.	Street	Property Use	
50	Sharon Avenue	Sewage treatment and water pollution control	Town of Tonawanda 2919 Delaware Avenue Kenmore, NY 14217
45	Embassy Square	Apartments	Indus Embassy Associates NY Limited Partnership 3375 Brighton Hentrietta Townline Rochester, NY 14623
21	Embassy Square	Apartments	Embassy Square Apartments LLC 230 North Street Buffalo, NY 14201
3	Embassy Square	Apartments	Embassy Square Apartments LLC 230 North Street Buffalo, NY 14201
4	Embassy Square	Apartments	Indus Embassy Associates NY Limited Partnership 3375 Brighton Hentrietta Townline Rochester, NY 14623
2162	Colvin Boulevard	One family year-round residence	Larry P. Lade and Carolyn H. Lade 2162 Colvin Boulevard Tonawanda, NY 14150
17	Sharon Avenue	One family year-round residence	Donna Mundie 17 Sharon Avenue Tonawanda, NY 14150
18	Sharon Avenue	One family year-round residence	Diane Chmielewski 18 Sharon Avenue Tonawanda, NY 14150
2145	Colvin Boulevard	One family year-round residence	Coleen E. Graham 2145 Colvin Boulevard Tonawanda, NY 14150
2141	Colvin Boulevard	One family year-round residence	Richard C. Herman and Anne L. Herman 2141 Colvin Boulevard Tonawanda, NY 14150
2135	Colvin Boulevard	One family year-round residence	Tricia Graham 2135 Colvin Boulevard Tonawanda, NY 14150
2131	Colvin Boulevard	Sewage treatment and water pollution control	Town of Tonawanda 2919 Delaware Avenue Kenmore, NY 14217
2121	Colvin Boulevard	Two family year-round residence	David T. Fix and Donna K. Fix 2121 Colvin Boulevard Tonawanda, NY 14150
2115	Colvin Boulevard	Two family year-round residence	Aleksandr Zhilevich and Lyudmila Zhilevich 6825 Bear Ridge Road Lockport, NY 14094
2107	Colvin Boulevard	Two family year-round residence	Anita Hoch 2107 Colvin Boulevard Tonawanda, NY 14150
2101	Colvin Boulevard	Two family year-round residence	Aaron J. Beauregard 74 Wellingwood Drive East Amherst, NY 14051
2097	Colvin Boulevard	Two family year-round residence	DRNR Properties LLC 46 Graystone Lane Orchard Park, NY 14127
2091	Colvin Boulevard	Two family year-round residence	DRNR Properties LLC 46 Graystone Lane Orchard Park, NY 14127
2085	Colvin Boulevard	Two family year-round residence	Francis J. Gaglione Jr. and Laura A. Gaglione 677 Mill Street Williamsville, NY 14221
2081	Colvin Boulevard	Two family year-round residence	Li Fang Tseng 383 Alberta Street Amherst, NY 14226
2075	Colvin Boulevard	Two family year-round residence	Miroslava Tomic and Danka Tomic 2075 Colvin Boulevard Tonawanda, NY 14150
100	Colvin Woods Parkway	Office Building	I-290 Colvin Associates LLC C/O Ciminelli Real Estate Corp. 50 Fountain Plaza, Suite 500 Buffalo, NY 14202
200	Colvin Woods Parkway	Office Building	Blue Angels Properties LLC a NY Limited Liability Co. C/O C/O John W. Danforth Co. 300 Colvin Woods Parkway Tonawanda, NY 14150
300	Colvin Woods Parkway	Manufacturing and Processing	Blue Angels Properties LLC a NY Limited Liability Co. C/O C/O John W. Danforth Co. 300 Colvin Woods Parkway Tonawanda, NY 14150

TURNKEY ENVIRONMENTAL RESTORATION, LLC
IN ASSOCIATION WITH
BENCHMARK
2558 HAMBURG TURNPIKE, SUITE 300, BUFFALO, NY 14218,
(716) 856-0599

JOB NO.: T0594-021-001

ADJACENT PROPERTY OWNERS

BROWNFIELD CLEANUP PROGRAM APPLICATION
2122 COLVIN BOULEVARD SITE
FORMER VCP SITE NO. V00334-9
TONAWANDA, NEW YORK
PREPARED FOR
MIDWEST STORAGE DEVELOPERS LLC

FIGURE 12

DATE: OCTOBER 2021
DRAFTED BY: CNK

FIGURE 13

LEGEND:

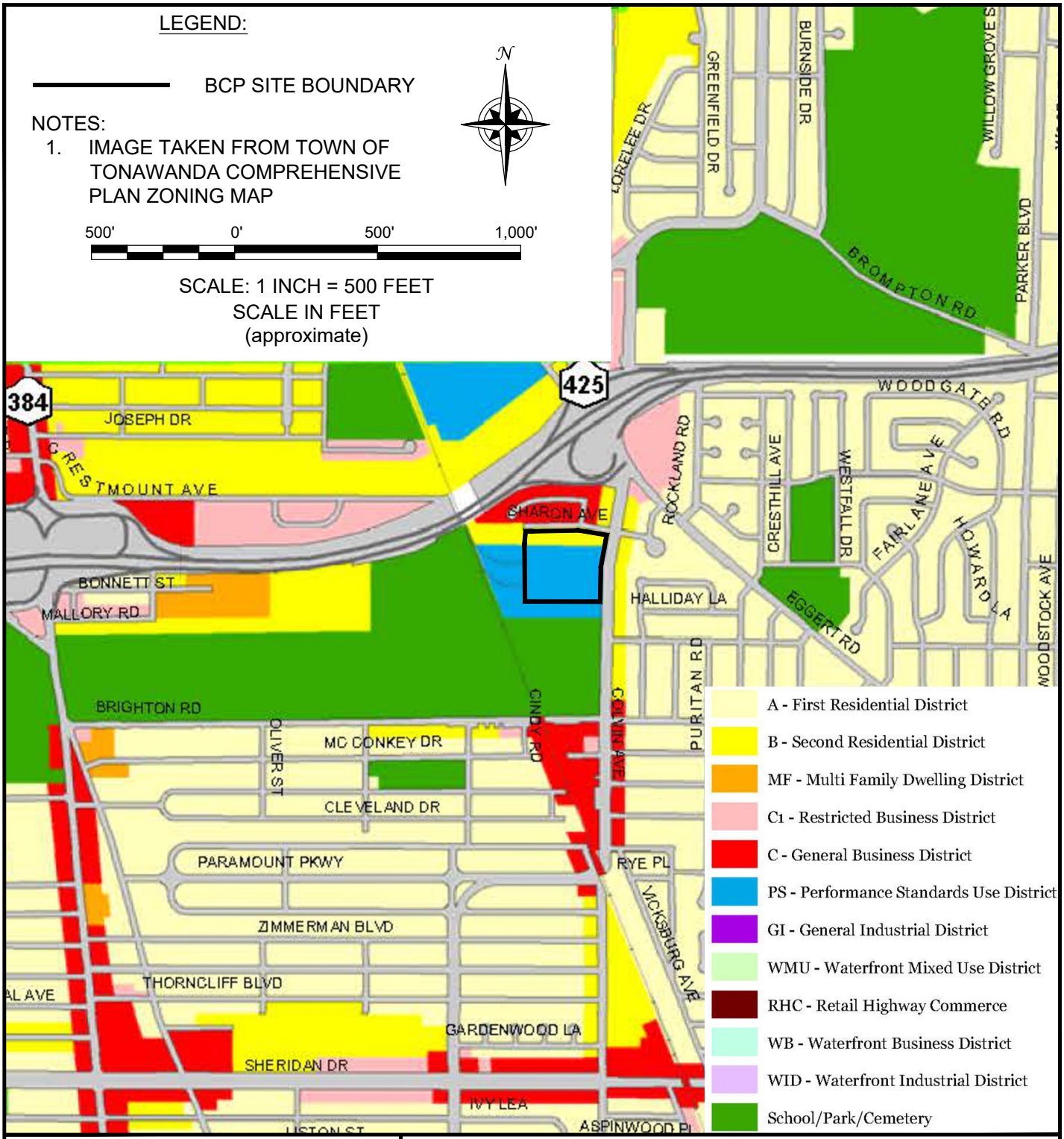
BCP SITE BOUNDARY

NOTES:

1. IMAGE TAKEN FROM TOWN OF TONAWANDA COMPREHENSIVE PLAN ZONING MAP

500' 0' 500' 1,000'

SCALE: 1 INCH = 500 FEET
SCALE IN FEET
(approximate)



ZONING MAP

BROWNFIELD CLEANUP PROGRAM APPLICATION

2122 COLVIN BOULEVARD SITE
FORMER VCP SITE NO. V00334-9
TONAWANDA, NEW YORK

PREPARED FOR

MIDWEST STORAGE DEVELOPERS LLC

BENCHMARK IN ASSOCIATION WITH TURNKEY ENVIRONMENTAL RESTORATION, LLC

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

PROJECT NO.: T0594-021-001

DATE: OCTOBER 2021

DRAFTED BY: CNK

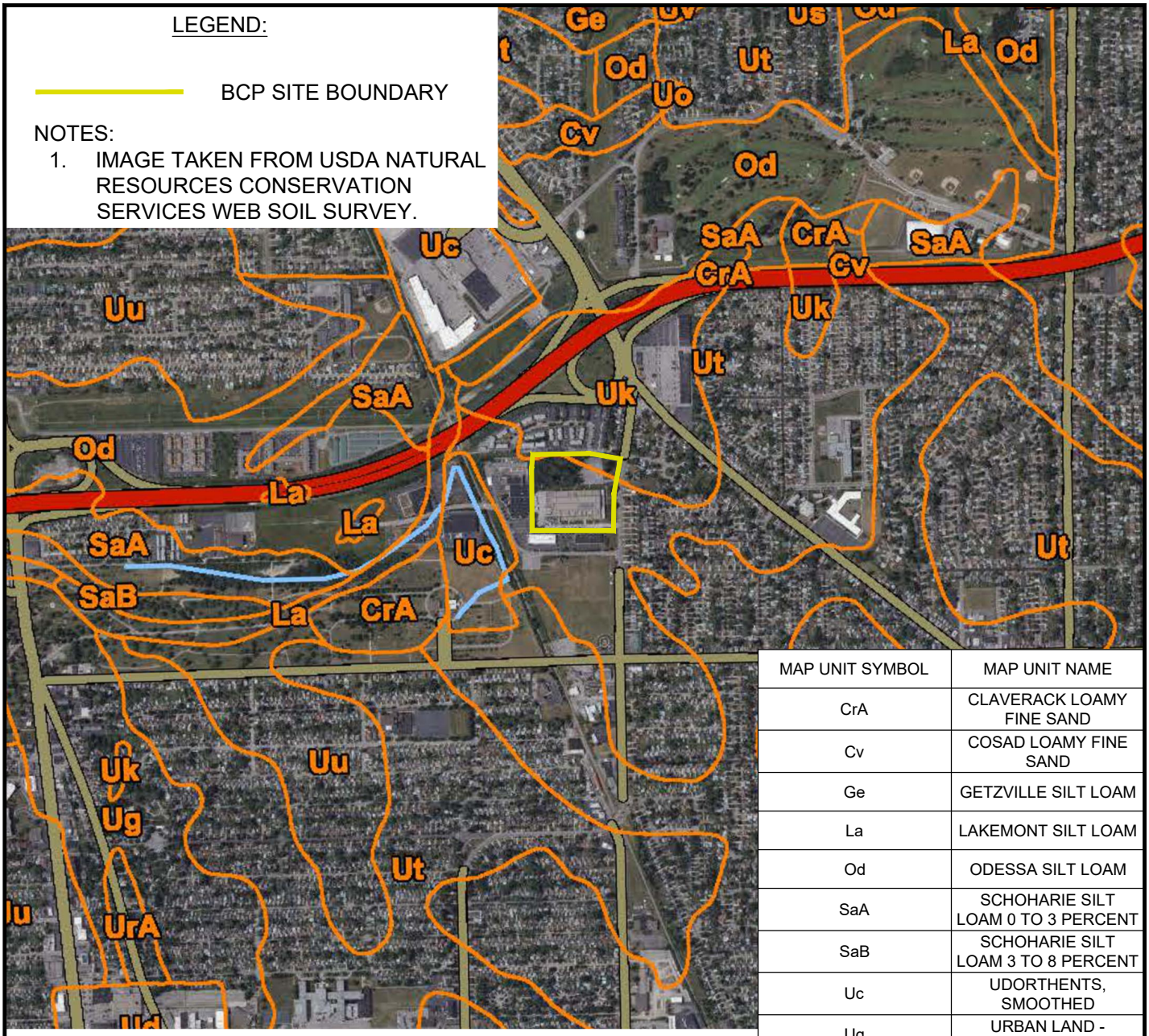
FIGURE 14

LEGEND:

BCP SITE BOUNDARY

NOTES:

1. IMAGE TAKEN FROM USDA NATURAL RESOURCES CONSERVATION SERVICES WEB SOIL SURVEY.



MAP UNIT SYMBOL	MAP UNIT NAME
CrA	CLAVERACK LOAMY FINE SAND
Cv	COSAD LOAMY FINE SAND
Ge	GETZVILLE SILT LOAM
La	LAKEMONT SILT LOAM
Od	ODESSA SILT LOAM
SaA	SCHOHARIE SILT LOAM 0 TO 3 PERCENT
SaB	SCHOHARIE SILT LOAM 3 TO 8 PERCENT
Uc	UDORTHENTS, SMOOTHED
Ug	URBAN LAND - CAYUGA COMPLEX
Uk	URBAN LAND - CLAVERACK COMPLEX
UrA	URBAN LAND - LIMA COMPLEX
Ut	URBAN LAND - ODESSA COMPLEX
Uu	URBAN LAND - SCHOHARIE COMPLEX

1,500' 0' 1,500' 3,000'

SCALE: 1 INCH = 1,500 FEET
SCALE IN FEET
(approximate)

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BENCHMARK IN ASSOCIATION WITH TURNKEY ENVIRONMENTAL RESTORATION, LLC

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

PROJECT NO.: T0594-021-001

DATE: OCTOBER 2021

DRAFTED BY: CNK

USDA SOIL TYPE MAP

BROWNFIELD CLEANUP PROGRAM APPLICATION

2122 COLVIN BOULEVARD SITE
FORMER VCP SITE NO. V00334-9
TONAWANDA, NEW YORK

PREPARED FOR

MIDWEST STORAGE DEVELOPERS LLC

TABLES

TABLE 1
SOIL DATA SUMMARY TABLE
BROWNFIELD CLEANUP PROGRAM APPLICATION
2122 COLVIN AVENUE SITE
TONAWANDA, NEW YORK

PARAMETER[1]	Protection of Groundwater SCOs [2]	Commercial Use SCOs[3] (mg/kg)	Number of Detections Exceeding PGWSCOs	Number of Detections Exceeding CSCOs	Maximum Detection (mg/kg)	Depth (fbgs)
Volatile Organic Compounds (SVOCs) - mg/Kg[4]						
1,1-Dichloroethane	0.27	240	10	0	14	0 to 17
1,1-Dichloroethene	0.33	500	8	0	11	0 to 16
1,2-Dichloroethane	0.02	30	2	0	0.24	8 to 10
cis-1,2-Dichloroethene	0.25	500	8	0	4.5	2 to 7
Total 1,2-Dichloroethene	0.19	500	4	0	1.3	8 to 15
1,1,1-Trichloroethane	0.68	500	18	0	55	0 to 16
1,2,4-Trimethylbenzene	3.6	190	5	1	840	1 to 16
1,3,5-Trimethylbenzene	8.4	190	0	1	620	6.8 to 7.2
2-Butanone	0.12	500	4	0	1.8	2 to 16
Acetone	0.05	500	8	0	7.3	8 to 17
Ethylbenzene	1	390	10	1	930	1 to 17
Methylene chloride	0.05	500	4	0	0.17	0 to 9
n-Propylbenzene	3.9	500	1	0	290	6.8 to 7.2
Tetrachloroethene	1.3	150	1	0	3.3	14 to 15
Trichloroethene	0.47	200	22	2	500	0 to 16
Toluene	0.7	500	3	0	380	2 to 15
Total Xylenes	1.6	500	16	1	4,400	1 to 17
Semi-Volatile Organic Compounds (SVOCs)						
Benzo(a)anthracene	1	5.6	6	3	22	0 to 16
Benzo(a)pyrene	22	1	0	7	15	0 to 16
Benzo(b)fluoranthene	1.7	5.6	3	3	27	0 to 16
Benzo(k)fluoranthene	1.7	56	5	0	13	0 to 0.25
Chrysene	1	56	9	0	22	0 to 16
Dibenzo (a,h)anthracene	1,000	0.56	1	3	2.9	0.1 to 14
Indeno(1,2,3-cd)pyrene	8.2	5.6	0	3	6.8	0.1 to 0.25

Notes:

1. Only those parameters detected exceeding PGWSCOs and CSCOs are presented in this table.
2. Values per 6NYCRR Part 375 Protection of Groundwater Soil Cleanup Objectives (PGWSCOs) and Commercical Use Soil Cleanup Objectives (CSCOs), Table 375-6.8(b).

TABLE 2
GROUNDWATER DATA SUMMARY TABLE
BROWNFIELD CLEANUP PROGRAM APPLICATION
2122 COLVIN AVENUE SITE
TONAWANDA, NEW YORK

PARAMETER[1]	Groundwater Quality Standards/ Guidance Values (ug/L)	Number of Detections Exceeding GWQS/GV	Maximum Detection (ug/L)
Volatile Organic Compounds (SVOCs) - ug/L			
1,1-Dichloroethane	5	10	20,000
1,1-Dichloroethene	5	6	35,000
1,2-Dichloroethane	0.6	4	41
cis-1,2-Dichloroethene	5	5	120,000
trans-1,2-Dichloroethene	5	1	25
Total 1,2-Dichloroethene	5	1	760
1,1,1-Trichloroethane	5	6	660,000
1,2,4-Trimethylbenzene	5	1	140
2-Butanone	50	1	76
Acetone	50	1	5,300
Benzene	1	2	5
Ethylbenzene	5	1	1,600
Trichloroethene	5	11	150,000
o-Xylene	5	1	320
pm/-Xylene	5	1	1,900
Vinyl chloride	2	6	1,600
Total Metals - ug/L			
Iron	300	4	4,500
Magnesium	35,000	4	228,000
Manganese	300	1	500
Sodium	20,000	4	370,000

Notes:

1. Only those parameters detected exceeding GWQS/GVs are presented in this table.
2. Values per TOGS 1.1.1 Groundwater Quality Standards/Guidance Vaues (GWQS/GV).

APPENDIX A

BCP APPLICATION PART A – SECTIONS I - IV

APPENDIX A
BCP Application – Part A
Section I – Section IV
2122 Colvin Boulevard Site

SECTION I – REQUESTOR INFORMATION

Requestor Midwest Storage Developers LLC, an Indiana limited liability company, is authorized to conduct business in New York State. A copy of the New York State Corporation and Business Entity Database printout for Midwest Storage Developers LLC is attached as Exhibit A1.

Exhibit A2 is the Signature Consent which identifies David Hood as authorized member of Midwest Storage Developers LLC, as authorized person to execute document or agreements necessary under the Brownfield Cleanup Program (BCP).

Benchmark Civil/Environmental Engineering and Geology, PLLC (Benchmark), a registered NYS engineering firm, and licensed NYS Professional Engineer (PE) will be acting as the Engineer of Record for this BCP project.

SECTION II – PROJECT DESCRIPTION

The Project, 2122 Colvin Boulevard Site (hereinafter, the "Site"), will result in the remediation, redevelopment, and reuse of an idle, environmentally impacted Site, consisting of one (1) vacant parcel, located on Colvin Boulevard between Colvin Woods Parkway and Sharon Avenue in the Town of Tonawanda, New York (see Figures 1 through 4).

Midwest Storage Developers LLC, acting as a Volunteer, is willing to complete additional investigation and remediate the Site under the NYS BCP and is submitting this BCP Application for eligibility acceptance into the program.

Midwest Storage Developers LLC has prepared a Remedial Investigation (RI) Work Plan for concurrent submittal with the BCP Application and is prepared to complete a Remedial Investigation upon acceptance into the BCP.

A preliminary project schedule is shown on Figure 5.

APPENDIX A
BCP Application – Part A
Section I – Section IV
2122 Colvin Boulevard Site

The Volunteer plans to redevelop the entire ±13.73-acre Site by utilizing the existing building and constructing additional outbuildings. The Existing building will be redeveloped with interior drive-through storage units and the outbuildings will be constructed for exterior storage units. A preliminary project rendering of the development is included as Figure 6.

SECTION III – PROPERTY'S ENVIRONMENTAL HISTORY

A summary of the previous environmental investigation findings completed for the Site are provided below.

Subsurface Investigation, Greif Bros. Corporation Facility, 2122 Colvin Boulevard, Tonawanda, New York (April 1999, Environmental Resources Management)

Environmental Resources Management (ERM) completed a Subsurface Investigation report in April 1999, summarizing Phase II and Phase III sampling completed in April 1998 and November/December 1998, respectively. The Phase II consisted of the advancement of seven (7) soil borings (GB-1 through GB-7) and three (3) shallow soil borings using a hand auger (HA-1 through HA-3). Three soil borings were converted into temporary groundwater wells (GB-2 through GB-4) and soil and groundwater samples were collected for laboratory analysis. The results of the Phase II are summarized below:

- Volatile organic compounds (VOCs) were detected in soil above method detection levels (MDLs) in 5 of the 6 sample locations. VOCs including ethylbenzene, 1,2,4-trimethylbenzene, toluene, and xylenes were detected at concentrations exceeding 6 NYCRR Part 375, Commercial Soil Cleanup Objectives SCOs (CSCOs) and/or Protection of Groundwater SCOs (PGWSCOs) at four (4) locations, GB-1 (14-16 ft), GB-2 (12-16 ft), GB-3 (8-9 ft), and GB-4 (10-12 ft).
- The highest concentration of VOCs in soil were observed at GB-2 (12 to 16 ft), which was advanced in the former varnish underground storage tank (UST) area.
- Semi-volatile organic compounds (SVOCs) detected in soil above MDLs at 4 of the 6 sample locations. SVOCs including benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, benzo(k)fluoranthene, chrysene, indeno(1,2,3-cd) pyrene, and

naphthalene were detected exceeding CSCOs and/or PGWSCOs at three (3) locations, GB-1 (14-16 ft), GB-2 (12-16 ft), and HA-3 (0-6 in).

- VOCs, including chlorinated VOCs (cVOCs) were detected in groundwater above MDLs at the three (3) temporary monitoring well locations. VOCs including acetone, benzene, chloroethane, 1,1-Dichloroethane (1,1-DCA), 1,2-Dichloroethene (1,2-DCE), ethylbenzene, 1,1,1-Trichloroethane (1,1,1-TCA), toluene, vinyl chloride (VC), and xylenes were detected above TOGS 1.1.1 Groundwater Quality Standards/Guidance Values (GWQS/GV) at GB-2, GB-3, and GB-4.

The Phase III consisted of the advancement of twenty (20) soil borings (GB-8 through GB-22 and MW-1 through MW-5). Five (5) soil borings were converted into permanent groundwater wells (MW-1 through MW-5) and one (1) soil boring was converted into a temporary monitoring well (GB-20). Soil and groundwater samples were collected for laboratory analysis. The results of the Phase II are summarized below:

- VOCs were detected in soil above MDLs in 13 of the 24 sample locations. VOCs including acetone, 2-butanone, 1,1,-DCA, 1,1-Dichloroethene (1,1-DCE), 1,2-DCE, ethylbenzene, tetrachloroethene (PCE), toluene, trichloroethene (TCE), 1,1,1-TCA, 1,2,4-trimethlybenene, and xylenes were detected at concentrations exceeding CSCOs and/or PGWSCOs at eleven (11) samples from the following locations, GB-10 (1-2 ft), GB-10 (14-15 ft), GB-14 (13-14 ft), GB-15 (14-15 ft), GB-17 (1 -2 ft), GB-17 (4-5 ft), GB-20 (11-12 ft), GB-20 (15-16 ft), GB-21 (8-9 ft), GB-22 (10-11 ft), and GB-22 (15-16 ft).
- The highest concentration of VOCs in soil were observed at GB-10 (1-2 ft), which was advanced proximate to the former drum storage area (FDSA).
- SVOCs, specifically polycyclic aromatic hydrocarbons (PAHs), were detected in soil above MDLs at 4 of the 8 sample locations. SVOCs including benzo(a)pyrene, benzo(b)fluoranthene, and chrysene, were detected exceeding USCOs, CSCOs, and/or PGWSCOs at one (1) location, GB-10 (7-8 ft).
- VOCs were detected in groundwater above MDLs at the one (1) temporary monitoring well location. Acetone, chloroform, 1,1-DCA, 1,2-Dichloroethane (1,2-

DCA), 1,1-DCE, 1,2-DCE, ethylbenzene, 4-methyl-2-pentanone, PCE, toluene, 1,1,1-TCA, 1,1,2-Trichloroethane, TCE, VC, and xylenes were detected above GWQS/GV at GB-20. VOCs were non-detect at the five (5) permanent monitoring well locations (MW-1 through MW-5).

The Phase II and Phase III identified significant VOC concentrations in the soil and groundwater in the southwestern portion of the Site including the former varnish pit area, the former varnish UST storage area, and the FDSA. Primary contaminants of concern (COCs) include 1,1,1-TCA, TCE, and xylenes. In addition, elevated SVOCs were identified in the long truck bay (along a former railroad spur) and south of the FDSA.

Voluntary Remedial Investigation Report (November 2001, ERM)

ERM completed a Remedial Investigation (RI) in November 2001 at the Site in accordance with the NYSDEC-approved Remedial Investigation Work Plan (ERM, June 2000). The RI consisted of a soil vapor survey, installation and sampling of soil borings, installation and sampling of monitoring wells, and water sampling within a concrete vault. The soil vapor survey included a total of 28 samples: fifteen (15) samples in a grid formation in the FDSA (SV-A, SV-B, SV-C, and SV-D series), four (4) samples along the fire protection main south of the building (SV-E series), six (6) samples along the fire protection main north of the building (SV-G series), and three (3) samples along a three-inch sanitary line beneath the building floor that leads from the varnish pit to the northeast portion of the building (SV-F series). The soil boring investigation consisted of the advancement of fifteen (15) soil borings, including nine (9) borings in the area of the former varnish pit (GB-23 through GB-31), five (5) borings in FDSA (GB-32 through GB-36), and one (1) boring adjacent to the sanitary line east of the building, due to VOC concentrations observed in the soil vapor sample SV-F3 (GB-37). Nine (9) additional monitoring wells were installed including three (3) shallow fill/overburden wells (MW-12, MW-13, and MW-14), three (3) intermediate overburden wells (MW-6, MW-7, and MW-8), and three (3) deep wells (MW-9, MW-10, and MW-11). A water sample was also collected from a concrete vault located proximate to MW-1 (CV-1). Results of the RI are summarized below:

- The geology of the Site is described in the RI as follows, starting at ground surface:
    - Fill – brown to gray and black sand, vitreous slab-like gravel or limestone-like gravel, and ash-like material with lesser amounts of silt or silty clay, 2-12 ft thick (shallow water bearing unit);
    - Silty Clay/Clay – orange-brown to red-brown clay and silt, locally mottled gray, with occasional, apparently discontinuous lenses of silt or sand, 10-32 ft thick (confining unit);
    - Silty Sand – dark reddish-brown silt and sand, 6-18 ft thick (intermediate water bearing unit);
    - Silty Clay – dark yellowish-brown silty clay with apparently discontinuous lenses of silt or silty sand, 18-40 ft thick (confining unit);
    - Sand – dark grayish-brown sand, typically silty, locally gravelly, 12 to 24 ft thick (deep unit); and
    - Dolostone Bedrock – hard, micritic dolostone with lesser amounts of nodular anhydride.
- Ash/vitreous gravel fill was encountered in multiple soil borings located within the building footprint (MW-13, GB-17, and GB-20 through GB-31).
- Elevated photoionization detector (PID) readings were detected across the Site at concentrations between 0.2 parts per million (ppm) (GB-16) and greater than 2,000 ppm (MW-13, GB-17, GB-30, GB-31, and GB-34). Elevated PID readings were noted throughout the entire depth interval for soil borings located in the vicinity of the varnish pit. Odors were also observed across the site, sometimes but not always associated with elevated PID readings. ERM suggested this may be the result of ionization potentials of the VOCs being greater than the ionization potentials of the PID lamps used for screening purposes (10.2 to 10.8 eV).
- Non-aqueous phase liquid (NAPL) was detected at three (3) locations, GB-13, GB-17, and GB-34.
- Dense NAPL (DNAPL) was observed during the construction of MW-20 (in the area of the former varnish pit).

- Seventeen (17) VOCs were detected in soil vapor samples collected throughout the Site including cVOCs, VOCs associated with petroleum, and, and VOCs associated with varnish (TCE, 1,2-DCE, 1,1,1-TCA, benzene, toluene, ethylbenzene, and xylenes). Results indicate the former drum storage are a source area for elevated concentrations of VOC in soil vapor.
- Soil Results are summarized as follows:
    - VOCs including acetone, 2-butanone, 1,1-DCA, 1,2-DCA, 1,1-DCE, 1,2-DCE, methylene chloride, TCA, TCE, VC, and/or xylenes were detected in the sixteen (16) sample locations above method detection limits. VOCs exceeded PGWSCOs at seven (7) locations: GB-24 (16 ft), GB-25 (9-10 ft), GB-27 (0-1 ft), GB-30 (8-9 ft), GB-31 (6-7 ft), GB-34 (3 ft), and GB-36 (5 ft).
    - SVOCs were detected above MDLs at four (4) of the seven (7) sample locations. SVOCs, specifically PAHs, including benzo(a)anthracene and and chrysene were detected exceeding their PGWSCOs at GB-33 (3 ft).
- Groundwater results are summarized as follows:
    - VOCs were detected above MDLs in 5 of the 14 monitoring wells sampled. VOCs including benzene, chloroform, 1,1-DCA, 1,2-DCA, 1,1-DCE, 1,2-DCE, methylene chloride, 1,1,1-TCA, 1,1,2-TCA, TCE, VC, and xylenes exceeded GWQS/GV at three (3) monitoring well locations: MW-12, MW-13, and MW-14. All three locations were screened in the shallow water bearing unit.
    - SVOCs were detected in 4 of the 9 sampled monitoring wells. No SVOCs were detected exceeding GWQS/GV.
    - Metals were detected in the 5 sampled monitoring wells. Metals including iron, magnesium, manganese, and/or sodium were detected exceeding GWQS/GV at MW-3, MW-7, MW-8, and MW-13.
    - The shallow water bearing unit is apparently low in dissolved oxygen (1.1 to 3.86 mg/L) and generally flows to the east.

  - The intermediate water bearing unit is apparently low in dissolved oxygen (0.29 to 1.16 mg/L) and generally flows toward the northeast, although there is considerable local variability.
  - The deep water bearing unit is apparently low in dissolved oxygen (0.32 to 3.31 mg/L) and generally flows toward the south.

- Soil vapor results are summarized as follows:
  - Seventeen (17) VOCs were detected in soil vapor samples collected across the Site. High concentrations of VOCs were detected in the FDSA, suggesting this is a potential source area.
  - Elevated concentrations of cVOCs including 1,1-DCA, 1,2-DCA, 1,1-DCE, cis-1,2-DCE, trans-1,2-DCE, 1,1,1-TCA, and TCE, were detected in the area surrounding the FDSA (SV-B3, SV-B4, SV-C3, SV-D3, and SV-D4) and the former varnish pit (SV-F1 and SV-F2).
  - Elevated concentrations of petroleum VOCs including benzene, ethylbenzene, toluene, and xylenes were detected in the area surrounding the FDSA (SV-D2 and SV-D3).
- VOCs including chloroethane, 1,2-DCA, ethylbenzene, styrene, toluene, VC, and xylenes and metals including iron and mercury were detected in CV-1 above GWQS.

Significant VOC concentrations were observed in the soil proximate to the former varnish UST area, the FDSA, the short truck bay area, and the varnish pit area and significant SVOC concentrations were observed in the soil proximate to the long truck bay area, the former varnish UST area, east of the varnish pit, and along the north side of the asphalt roadway south of the building (GB-10/GB-33). VOCs were observed in the groundwater above their respective GWQS/GV in the shallow water-bearing unit.

Data Gap Investigation Report (ERM, December 2003)

ERM completed a Data Gap Investigation (DGI) Report in December 2003 at the Site in accordance with the NYSDEC-approved Voluntary Remedial Investigation Report (ERM, November 2001). The DGI consisted of installation and sampling of soil borings, and

installation and sampling of monitoring wells to supplement data collected during previous investigations. Additional soil sampling was completed to estimate the extent of contamination surrounding the varnish pit, the short truck bay area, the long truck bay area, and the former varnish UST area and to collect geotechnical data in the former varnish UST area and FDSA. Additional groundwater sampling was completed to estimate the extent of contamination in the shallow and intermediate water bearing units surrounding the former varnish pit, the former varnish UST area, the short truck bay area, and the FDSA. The soil boring investigation consisted of the advancement of twenty-eight (28) soil borings, including eleven (11) interior borings (HA-4,through HA-8, MW-18, and MW-20 through MW-23) and seventeen (17) exterior borings (HA-9, HA-10, GB-38 through GB-45, GT-1 through GT-3, MW-15 through MW-17, and MW-19). Ten (10) additional monitoring wells were installed including six (6) shallow fill/overburden wells (MW-15, MW-16, MW-17, MW-19, MW-21S, and MW-23) and four (4) intermediate overburden wells (MW-18, MW-20, MW-21I, and MW-22). New and existing monitoring wells were sampled for VOCs. Results of the DGI are summarized below:

- Ash/vitreous gravel fill was encountered in multiple soil borings (GB-45 through GB-49, GT-1 through GT-3, HA-04 through HA-08, MW-15, MW-18 through MW-21, and MW-23).
- Elevated PID readings were detected across the Site at concentrations between 0.1 ppm (GB-48) and 14,900 ppm (GT-1). Odors were also observed across the site, sometimes but not always associated with elevated PID readings.
- NAPL was detected at two (2) locations, GT-1 and MW-20.
- Soil Results are summarized as follows:
    - VOCs were detected in the fourteen (14) sample locations above MDLs. VOCs including 2-butanone, 1,1-DCA, 1,1-DCE, 1,2-DCE, ethylbenzene, 1,1,1-TCA, TCE, toluene, and/or xylenes exceeded PGWSCOs and/or CSCOs at six (6) locations: GB-45 (12-14 ft), GB-49 (15-16 ft), GT-1 (2-4 ft), MW-18 (2-4 ft), MW-20 (13-14 ft), MW-20 (24-26 ft), and MW-23 (9-10 ft).
    - SVOCs were detected above MDLs at 22 of the 30 sample locations. SVOCs, specifically PAHs, including benzo(a)anthracene, benzo(a) pyrene,

benzo(b)fluoranthene, benzo(k)fluoranthene, chrysene, dibenzo(a,h)anthracene, and indeno(1,2,3-cd)pyrene were detected exceeding PGWSCOs and/or CSCOs at six (6) sample locations: GB-39 (13-14 ft), HA-04 (1-3 ft), HA-04 (5-6 ft), HA-06 (1-3 ft), HA-07 (1-3 ft), and HA-08 (1-3 ft).

- Groundwater results are summarized as follows:
  - VOCs were detected above MDLs in 14 of the 22 monitoring wells sampled. VOCs including 2-butanone, chloroethane, 1,1-DCA, 1,2-DCA, 1,1-DCE, 1,2-DCE, 1,1,1-TCA, TCE, and VC, exceeded GWQS/GV at ten (10) monitoring well locations including four (4) shallow overburden wells (MW-12, MW-13 MW-14, MW-15) and four (4) intermediate overburden wells (MW-18, MW-20, MW-21I, and MW-22).
  - During the RI, elevated VOCs were only observed in the shallow water-bearing unit. However, the DGI confirmed that elevated VOCs are also present in the intermediate water-bearing unit. No elevated VOC concentrations were observed in the deep water-bearing unit during the Phase III, RI, or DGI.
  - SVOCs were detected the seven (7) sampled monitoring wells. No SVOCs were detected exceeding GWQS/GV.

Vapor Intrusion Evaluation Report (ERM, November 2009)

ERM submitted a Vapor Intrusion Evaluation Report in November 2009 to summarize activities completed pursuant to the 2007 Work Plan for Vapor Intrusion Evaluation, and an additional evaluation completed pursuant to comments received by the NYSDEC in December 2008. The initial evaluation consisted of six (6) soil vapor points around the perimeter of the property boundary (SV-01 through SV-06), with the exception of SV-04 and SV-05, which were installed between the north side of the building and the wet, wooded area located north of the building. In addition, four (4) sub-slab vapor/indoor air points (SSV-07/IA-07 through SSV-10/IA-10) were installed inside the building, one in each quadrant. An outdoor air sample was collected upwind during the sampling. Per the NYSDEC'S December 2008 comments, two (2) additional soil vapor probes were installed

in the wet, wooded area north of the building (SV-07 and SV-08). However, due to soil conditions and the presence of shallow groundwater, the samples could not be collected. Temporary groundwater wells (TW-02 and TW-03) were installed in place of SV-07 and SV-08, however TW-02 was dry and therefore could not be sampled. The results of the evaluation are as follows:

- Fourteen (14) VOCs were detected at soil vapor samples SV-01, SV-04, SV-05, and SV-06. VOCs including 1,1,1-TCA, acetone, and/or TCE were detected at SV-01, SV-04, SV-05, and SV-06 at concentrations significantly greater than the outdoor ambient air samples.
- SSV/IA samples indicated that an SSD system was required in the on-Site building. This was determined by comparing SSV/IA sample results to NYSDOH Decision matrices as summarized below:
    - SSV-07/IA-07: Mitigation required for TCE and 1,1,1-TCA
    - SSV-08/IA-08: Mitigation required for TCE and 1,1,1-TCA
    - SSV-09/IA-09: Monitoring/mitigation required for TCE and 1,1,1-TCA
    - SSV-10/IA-10: Monitoring/mitigation required for TCE
- There were no VOCs detected in the groundwater at TW-03. The absence of VOCs in groundwater, odors, or elevated PID readings at this location suggest VOCs have not migrated into the northern portion of the Site.

Decision Document (NYSDEC, January 2010, Revised September 2010)

A Decision Document (DD) was issued for the Site by the NYSDEC in January 2010, summarizing the Site Remedy. The remedy is based on the results of the Final Focused Feasibility Study (ERM, May 2009) and fully described in the Remedial Action Work Plan (ERM, October 2009):

1. *In-Situ* thermal treatment of former Varnish UST soil,
2. Preparation and Implementation of a Site Management Plan including an environmental easement to restrict site use to commercial,
3. Sub-Slab depressurization of building,
4. Low Vacuum enhancement of DNAPL recovery,

5. Monitored Natural Attenuation of groundwater, and
6. IRMs of the former drum storage area, DNAPL and Varnish Pit removal (completed at the time the DD was issued).

A revised DD was issued for the Site by the NYSDEC in September 2010. The revised DD focused on **Item 1 (*in-situ* thermal treatment of former Varnish UST soil)**. Additional investigation in the area of the former Varnish UST area identified contamination was shallower and VOC concentrations were lower than previously indicated. Therefore, the remedy for this area was changed in accordance with the Technical Memorandum: Proposed Change in Selected Remedy in the Former Vanish UST Area (ERM, August 2010) to:
Excavation with off-site disposal at an approved disposal facility.

Technical Memorandum: Proposed Change in Selected Remedy in the Former Vanish UST Area (ERM, August 2010)

ERM completed additional sampling of soil and groundwater in the former varnish UST area in accordance with the remedy *in-situ* thermal treatment of the soil, as discussed above. Eight (8) soil borings were advanced in this area and converted into remediation wells (APW-1 through APW-8) to be used for *in-situ* thermal treatment. Soil samples were collected from the soil borings and groundwater samples were collected from the newly installed remediation wells and existing wells MW-12, MW-13, MW-19, MW-23, RW-5, VMP-5, and VMP-6. Results of the additional investigation are summarized below:

- The highest concentration of xylene was detected at APW-4 (0.005 mg/kg at 14-17 ft) in the same location of GB-2, where elevated xylenes were detected in the Phase II (2,900 mg/kg at 12-16 ft). ERM noted that the xylene concentration was several orders of magnitude less in the sample collected in 2010, as compared to the Phase II sample. ERM explained this may have been due to biodegradation, soil heterogeneity, and/or sample collection, labeling and/or laboratory analytical or reporting error. Therefore, ERM concluded that elevated xylene concentrations in the former varnish UST area are limited to 4-8 fbgs.

- ERM proposed the completion of excavation to 3 fbgs in the former varnish UST area in place of *in-situ* thermal treatment. This change was accepted by the NYSDEC as discussed above.
- Groundwater sampling confirmed that the primary COC in the former varnish UST area is xylenes, whereas the primary COCs beneath the building are 1,1,1-TCA and TCE.

Former Varnish Line Tanks Decommissioning Report (ERM, September 2010)

Two (2) 1,000-gallons aboveground storage tanks (ASTs) were identified in a vault beneath the varnish line oven. These tanks were listed under the NSYDEC Chemical Bulk Storage (CBS) system, CBS No. 9-000150 and were previously closed in place in 2002 along with a 4,000-gallon tank that was previously closed and removed in 1995. An additional 750-gallon single-walled steel AST was identified during decommissioning activities. Decommissioning activities including draining of existing liquid from piping, disconnecting piping, removal of liquid piping from tank, plugging tank openings, confirming the atmospheres of the tanks were free of hazardous vapors, and removal of solids from the tanks. The tanks were removed and cut up for recycling. Solid and liquid waste removed from the ASTs was determined to be hazardous and was appropriately disposed at the Veoila ES Technical Solutions Facility located in Middlesex, New Jersey (USEPA ID Number NJD002454544).

Site Management Plan (ERM, June 2016)/Final Engineering Report (ERM, June 2017)

The Site Management Plan (SMP) was accepted by the NYSDEC in June 2016 and the Final Engineering Report (FER) was approved by the NYSDEC in June 2017. A final summary of remedial areas and activities is included below:

Summary of Areas and Contaminants of Concern:

- Previous investigations identified several areas of concern where elevated VOCs were observed in the soil, as listed below:
    - Former Varnish UST Area/proximate GB-14
    - Former Drum Storage Area (FDSA)/proximate GB-10
    - Short Truck Bay Area

  - Varnish Pit Area
- Previous investigations also identified several areas of concern where elevated SVOCs were observed in the soil, as listed below:
  - Long Truck Bay Area (railroad spurs)
  - Former Varnish UST Area
  - East of Varnish Pit/proximate GB-27
  - Proximate to GB-10 and GB-33, north of the southern access road
- Three (3) saturated zones exist at the Site, as listed below:
  - Shallow overburden (perched on uppermost fill unit)
  - Intermediate overburden (silty sand beneath the upper silty clay unit)
  - Deep overburden (silty sand on top of bedrock)
- VOCs were detected in shallow groundwater collected during the Phase II, Phase III, and RI and VOCs and DNAPL were observed in intermediate groundwater in the former varnish pit area during the DGI.
- The primary sources of VOCs in groundwater likely include the varnish pit, the former varnish UST area, and the FDSA
- Off-site migration of VOCs has not been observed at the Site.

Summary of Remedial Actions:

Remedial activities were completed in accordance with the Interim Remedial Measure (IRM) Work Plan (June 2004), DNAPL Recovery IRM Pilot Test Report (May 2005), Remedial Action Work Plan (October 2009), and Technical Memorandum: Proposed Change in Selected Remedy in the Former Varnish UST Area (August 2010). Remedial Actions are discussed below:

- Excavation of contaminated soils (grossly impacted soils and soils exceeding CSCOs) was completed in the former varnish UST area and the FDSA, as summarized below:
  - Former Varnish UST Area
    - 642.82 tons of grossly impacted soil was excavated and disposed at a RCRA Subtitle D disposal facility;

- 550 gallons of groundwater was removed during the excavation and disposed at a hazardous waste transportation, storage, and disposal facility (TDSF);
- 1,935 lbs of an oxygen releasing compound (Klozur CR) was mixed into a slurry and spread across the bottom of the excavation to reduce xylene and 1,1,1-TCA concentrations; and
- Confirmation samples were collected, and the excavation was backfilled with NYSDEC-approved soil/fill.

  - FDSA
    - 1760.82 tons of grossly impacted soil was excavated and disposed off-site as hazardous and solid waste at RCRA Subtitle C disposal facility;
    - 5.99 tons of non-hazardous solid surficial & vegetated debris was excavated and disposed at a RCRA Subtitle D disposal facility;
    - 14,575 gallons of groundwater was removed during the excavation and disposed at a TDSF; and
    - Confirmations samples were collected, and the excavation was backfilled with NYSDEC-approved soil/fill.

- DNAPL and light NAPL (LNAPL) was recovered from the groundwater in the area of the former varnish pit and at MW-23, respectively, as summarized below:
  - Vicinity of former Varnish Pit
    - DNAPL was removed via pumping to the extent feasible from August 2005 to May 2008. Five (5) DNAPL recovery wells (RW-01 through RW-05) and six (6) DNAPL vapor monitoring wells (VMP-01 through VMP-06) were installed at the Site. 1,481 gallons of DNAPL and 8,674 gallons of aqueous phase liquid were recovered and disposed as hazardous waste.
    - The varnish pit was abandoned and backfilled in 2009 by Greif to provide room for their operations. 124 gallons DNAPL and 876 gallons aqueous phase liquid was disposed. An additional recovery well (RW-6) was installed for monitoring and recovery and three additional

suction points were installed and connected to the SSD system to enhance protection against vapor intrusion in this area.

- MW-23
  - LNAPL was detected and MW-23 and is routinely recovered and stored in a 55-gallon drum and disposed as hazardous waste as needed.

- An active SSD system was installed in the building to address elevated concentrations of TCE and 1,1,1-TCA in the sub-slab vapor. The SSD system consists of 15 suction pits/points. Each suction pit/point has its own sample/vacuum monitoring port with the exception of the three (3) suction points at the varnish pit (a single monitoring port was installed for the three suction points). The SSD system was completed in 2009 and upgraded in January 2013.
- A cover system was installed on portions of the Site. The cover system consists of clean soil cover, gravel backfill, and asphalt pavement over the FDSA, clean soil cover and gravel backfill over the former varnish UST area, and the concrete building slab.
- ERM indicated that monitoring natural attenuation (MNA) will continue until residual groundwater concentrations are consistently below NYSDEC standards or are asymptotic, and that additional source removal, treatment, and control measures would be done if concentrations became asymptotic at an unacceptable level.

<u>Phase I Environmental Site Assessment (March 2021, Stantec Consulting Services)</u>

Stantec Consulting Services (Stantec) completed a Phase I Environmental Site Assessment (ESA) at the subject property in March 2021. Stantec identified the following recognized environmental concerns (RECs):

- PBS No. 9042587: Two (2) 10,000-gallon fuel oil USTs were closed in place in 1987.
- Spill No. 9304022: One (1) 500-gallon gasoline UST was discovered in June 1993. The tank was removed in July 1993 and petroleum impacts were identified at the bottom of the excavation. Analytical samples were collected from the soil in August 1993. Remediation was not requested by NYSDEC due to industrial use of property,

and presence of heavy clay. The Spill was closed September 1993 however the former tank location is not identified.

- Two (2) hydraulic dock levels were observed in the long-and short-truck bays and three (3) dock levels were observed in western loading dock portion of building. Stantec noted that there is potential for the levels to have PCB-containing hydraulic oil.
- A square vault with a metal cover was observed in the concrete floor of the flammable storage room. Standing water was observed within vault. Stantec noted that the nature of vault and discharge location are unknown.

Phase II Environmental Site Assessment (April 2021, Stantec)

Stantec completed a Phase II ESA in April 2021 to further investigate the location of USTs (PBS No. 9042587) in the area proximate to the boiler room. The assessment consisted of a ground penetrating radar (GPR) survey to locate the USTs, the advancement of five (5) soil borings, the installation of five (5) temporary monitoring wells (SB/MW-1 through SB/MW-5), and analysis of soil and groundwater samples. The results of the Phase II are as follows:

- The GPR survey was not able to locate USTs due to the presence of clay soil.
- A concrete vault with metal covers was observed south of the boiler room at 2 fbgs. Sand, a large chunk of concrete, and rebar was noted within the vault. Two (2) metal pipes sticking out of the vault with mounting brackets were suspected as tank vent pipes.
- A 2-inch well of unknown origin was observed east of concrete vault, possibly related to the closure of the USTs.
- VOCs and SVOCs were not detected above MDLs in soil samples.
- Two (2) VOCs (toluene and ethylbenzene) were detected above MDLs in groundwater samples, but below GWQS/GV.

A floor drain investigation was also completed to assess the condition of a vault identified within the flammable room and other vaults and floor drains. Results are summarized below:

- Water and sediment were observed at the bottom of a vault in the former flammable room.
- A hole in the sodium silicate supply line may have caused impacts to surrounding soil.
- Oily sediment was identified in one (1) of the floor drains in the boiler room.

Periodic Review Report (August 2021, ERM)

ERM most recently completed a Periodic Review report (PRR) in August 2021. The PRR indicated that the cover system integrity remains intact. In addition, the PRR noted that the SSDS continues to perform as intended and vacuum readings remain within an acceptable range, as compared to startup. Soil vapor samples were collected at VAC-09 and analyzed for VOCs. Indoor air levels were low at VAC-09, but significant concentrations of 1,1,1-TCA, 1,1-DCA, 1,1-DCE, and TCE were observed in the sub-slab soil vapor samples. This is consistent with concentrations observed during the 2019 and 2020 PRR as summarized below:

- 1,1,1-TCA: 10,500 ug/m^3 (December 2018), 12,200 ug/m^3 (January 2020), 16,400 ug/m^3 (March 2021)
- 1,1-DCA: 1,210 ug/m^3 (December 2018), 1,220 ug/m^3 (January 2020), 1,810 ug/m^3 (March 2021)
- 1,1-DCE: 1,280 ug/m^3 (December 2018), 1,180 ug/m^3 (January 2020), 1,530 ug/m^3 (March 2021)
- TCE: 2,550 ug/m^3 (December 2018), 6,770 ug/m^3 (January 2020), 12,600 ug/m^3 (March 2021)

Groundwater data collected September 28 and 29, 2020 indicates VOCs remain above GWQS/GV, with the highest concentrations in the area of the former varnish pit. Additionally, LNAPL and DNAPL is still present in measurable quantities at MW-20, MW-23, and RW-6. Greif, Inc. ceased operations on December 18, 2020. A change of use form was submitted to NYSDEC December 28, 2020. The property was sold to Midwest Storage Developers on July 16, 2021, and a change of use form reflecting this change in ownership was submitted July 9, 2021.

Previous Investigation locations are shown on Figure 7. IRM locations are shown on Figure 8. Remaining soil analytical results are summarized on Table 1 and Figures 9A and 9B. Initial and most recent groundwater analytical results available are summarized on Table 2 and Figure 10. Groundwater isopotential maps based on data collected during the most recent PRR are included as Figures 11A and 11B.

Previous Investigation reports are included separately on the attached CD.

SECTION IV – PROPERTY INFORMATION

Parcel Description

The 2122 Colvin Boulevard Site, subject to this BCP application, is located in a highly developed residential, commercial, and industrial area in the Town of Tonawanda, Erie County, New York (see Figures 1 and 2). The ±13.73-acre Site consists of one (1) parcel located at 2122 Colvin Boulevard (SBL No. 53.15-1-4.11).

The Erie County tax parcel detail reports for the Site is provided for reference in Exhibit A3. Note that the parcel detail report includes the former owner, Greif Containers Inc, as the system has yet to be updated. The Change of Use form reflecting new ownership is provided as Exhibit A4. A revised tax parcel detail report with the new owner listed (Midwest Storage Developers LLC as of July 16, 2021) will be submitted once it is updated on the Erie County tax map.

According to NYSDEC Environmental Zone (EN-Zone) mapping, the Site is not located within an EN-Zone area.

Easements and Permits

Midwest Storage Developers LLC is not aware of any formal enforcement action, civil, judicial or administrative enforcement cases in connection with the subject property. Utilities are located in the rights-of-way along Colvin Boulevard, Colvin Woods Parkway,

and Sharon Avenue. The Site is supplied with municipal sanitary sewer, electric, natural-gas, and public potable water.

The Site was formerly NYSDEC Voluntary Cleanup Program (VCP) Site No. V00334 under the name "Greif Bros. Corporation."

The Site was also identified in the NYS Department of Environmental Conservation (NYSDEC) Spill and NYSDEC Petroleum Bulk Storage (PBS)/Chemical Bulk Storage (CBS) databases, as summarized below:

- Spill No. 9008656 was recorded November 7, 1990, due to the release of 155 gallons of varnish to the soil. The spill was closed by the NYSDEC April 30, 1991.
- Spill No. 9304022 was recorded due to a 500-gallon gasoline tank discovered June 28, 1993, along with impacts to the underlying soil. Remediation was not requested by the NYSDEC, and the spill was closed September 1, 1993.
- Spill No. 9402963 was recorded May 26, 1994, due to the release of an unknown volume of waste oil/used oil to the soil. The spill was closed by the NYSDEC June 29, 1994. Spill No. 9805100
- Spill No. 9805100 was recorded July 23, 1998, due to the release of an unknown volume of varnish to the soil. The spill was closed by the NYSDEC June 11, 1999.
- PBS No. 9-042587 describes two 10,000-gallon fuel oil underground storage tanks (USTs) that were closed in place in 1987.
- CBS No. 9-000150 describes one (1) 4,000-gallon UST that was closed and removed August 1, 1995, and two 1,000-gallon aboveground storage tanks (AST) that were closed in place October 3, 2002. During a previous investigation, an additional 750-gallon AST was also observed in this area as discussed in Section III. The additional tank was closed and removed in 2010 and is not included in this listing.

<u>Location</u>

The Site is located on Colvin Boulevard between Colvin Woods Parkway and Sharon Avenue in a highly developed, mixed-use residential commercial, and industrial area of the

Town of Tonawanda, Erie County, New York. The Site is bordered by Sharon Avenue and residential and commercial (Apartments) properties to the north; industrial and public services properties to the west; commercial properties to the south; and Colvin Boulevard and residential and public services properties to the east. Adjacent property owners are identified on Figure 12.

Site Features

The Site is improved with one (1) approximately 140,000 square foot vacant building constructed in 1948 for drum and metal lid and rim manufacturing. A second, smaller, prefabricated building was constructed to house the former Treatment system. The remaining area is covered by asphalt pavement, concrete, and vegetated areas. The northwest portion of the Site is covered with dense vegetation.

Zoning and Land Use

The project area is planned as commercial redevelopment, consistent with the Town of Tonawanda zoning assigned to the Site (see Figure 13). The current zoning for the Site is PS-Performance Standards Use District (flexible zoning allowing for commercial and industrial uses) for the majority of the Site and B-Second Residential District (allows residential and public service uses) for the remaining northern area of the Site. The Performance Standards zoning requires the issuance of a permit due to its unrestrictive nature. The Project received a Performance Standards Use Permit from the Tonawanda Town Board on May 17, 2021 and Site Plan approval from the Tonawanda Planning Board on June 2, 2021. See Exhibit A5. To create consistency of permitted uses the Applicant will be seeking to rezone this northern portion of the Site to the same PS-Performance Standards Use District as the majority of the Site. This will allow a single cleanup target for the entire Site.

The Site is currently vacant.

The surrounding parcels are currently used as follows:

- north – Sharon Avenue, residential, commercial;
- south – commercial;
- east – Colvin Boulevard, residential, public services; and
- west – industrial, public services.

Planned reuse of the Site as a commercial development is consistent with the Town of Tonawanda zoning for the area and was approved by the Tonawanda Town Board.

Past Use of the Site

The Site was historically used for industrial use, specifically fiber drum manufacturing. The Site was used by the Continental Fiber Drum and Continental Can Company for the manufacture of fiber drums and metals lids and rims between 1948 and 1985. The Site was acquired by Sonoco Products Company (Sonoco) Industrial Container Division in 1985, and drum and metal lid manufacturing continued. The manufacturing of the metal lids and rims and associated varnishing and degreasing processes was discontinued in 1995. Greif Brothers Corporation (now known as Greif, Inc.) purchased Sonoco's fiber and plastic drums operations in 1998, which included the acquisition of the subject site. The Site continued to be used for drum manufacturing, equipment maintenance, and administrative activities until December 2020 when drum manufacturing ceased, and the Site became vacant.

Previous investigations complete pursuant to the VCP identified soil impacted by VOCs and SVOCs exceeding PGWSCOs and CSCOs, groundwater impacted by VOCs exceeding GWQS/GV, and soil vapor impacted by VOCs at concentrations significantly higher than outdoor/indoor concentrations. Impacts to the soil and groundwater are the result of the Site's history as a fiber drum and metal rim manufacturer. SVOC impacts in the long truck bay area may also be due to the presence of a railroad spur into the facility. Five (5) areas of concern were identified during the VCP, the former varnish pit, the former varnish UST area, the FDSA, the long truck bay area, and the short truck bay area. Remedial actions including excavation in the former varnish UST area and the FDSA and NAPL recovery

from the former varnish pit area and MW-23, were completed at the Site to address the impacts observed during previous investigations. However, significant impacts to the soil, groundwater, and soil vapor remain, suggesting further remediation is required.

Previous investigation reports have been provided electronically to the Department, as requested.

Site Geology and Hydrogeology

The Site is located within the Lake Erie-Niagara River major drainage basin, which is typified by little topographic relief that gently slopes westward towards Lake Erie and the Niagara River, except in the immediate vicinity of major drainage ways. According to the United States Department of Agriculture (USDA) Web soil survey, Site soils are characterized as Urban Land-Odessa Complex (Ut) and Urban Land-Claverack Complex (Uk). Soils characterized as urban land (Ud) are covered by asphalt, concrete, buildings, or other impervious structures, typical of an urban environment. The Urban Land-Odessa Complex is described as gently sloping areas of urban land and silty/clayey, somewhat poorly drained Odessa soils. The Urban Land-Claverack complex is described as gently sloping areas of urban land and sandy/clayey, moderately well drained Claverack soils (Figure 14).

The subsurface conditions of the Site consist of fill over layers of varying thickness of lacustrine sand, silt, and clay. Bedrock was identified as the Syracuse Formation of the Salina Group, which was formed in the Upper Silurian and typically consists of shale, dolostone, and anhydride. Bedrock was encountered at 73.5 to 80 fbgs. The geology of the Site is summarized below:

- Fill (2-12 ft thick) – brown to gray and black sand, vitreous slab-like gravel or limestone-like gravel, and ash-like material with lesser amounts of silt or silty clay (shallow water bearing unit);
- Silty Clay/Clay (10-32 ft thick) – orange-brown to red-brown clay and silt, locally mottled gray, with occasional, apparently discontinuous lenses of silt or sand (confining unit);

- Silty Sand (6-18 ft thick) – dark reddish-brown silt and sand (intermediate water bearing unit);
- Silty Clay (18-40 ft thick) – dark yellowish-brown silty clay with apparently discontinuous lenses of silt or silty sand (confining unit);
- Sand (12-24 ft thick) – dark grayish-brown sand, typically silty, locally gravelly, (deep water bearing unit); and
- Dolostone Bedrock – hard, micritic dolostone with lesser amounts of nodular anhydride.

Regional groundwater is expected to flow northerly toward Ellicott and Tonawanda Creeks and westerly toward the Niagara River. Groundwater level monitoring was completed in August 2021 and the contour maps of the shallow and intermediate groundwater flow are shown on Figures 11A and 11B. Groundwater in the shallow water bearing zone generally flows northerly, with some local flow toward the west. Groundwater in the intermediate water bearing zone also generally flows northerly but some localized water flows toward the south.

Environmental Assessment Narrative

The past use of the Site as a fiber drum and metal lid and rim manufacturer and the presence of a former railroad spur has impacted the Site. Figures 9A, 9B, and 10 summarize the environmental impacts identified in the previous investigations that remain on-site after the completion of remediation activities. Remaining contamination includes elevated concentrations of VOCs and SVOCs in soil exceeding their respective PGWSCOs and/or CSCOs and elevated concentrations of VOCs in groundwater exceeding their respective GWQS/GV. Recent groundwater monitoring results (October 2020) indicated cVOC concentrations as high as 833,800 ug/L in the vicinity of the former varnish pit and DNAPL and LNAPL still accumulated at RW-6 and MW-23, respectively. Additionally, due to the elevated VOCs present in the soil and groundwater and presence of NAPL, soil vapor is also impacted.

APPENDIX A
BCP Application – Part A
Section I – Section IV
2122 Colvin Boulevard Site

Soil:

Based on the proposed reuse of the Site (commercial use) and presence of significant groundwater contamination, the PGWSCOS and CSCOs are the applicable SCOs for the Site, and are the comparative criteria used below. Elevated PID measurements were detected at many soil investigation locations. The highest readings in remaining soil include >2,000 ppm at locations proximate to the varnish pit (MW-13 (2-2.5 ft, 7-7.5 ft), GB-30 (9-11 ft), MW-20 (20.5-22 ft), and MW-22 (5.5-6 ft)), >2,000 ppm at locations in the short truck bay area (GB-17 (3.5-5.5 ft) and MW-18 (2-2.5 ft)), and 700 ppm in the FDSA (GB-10 (14-15 ft)). Significant odors were noted at some but not all locations with elevated PID readings. NAPL was detected in the remaining soil at GB-13, GB-17, and MW-20. Remaining soil exceedances over PGWSCOs/CSCOs are summarized below.

Volatile Organic Compounds

VOCs were detected above MDLs in remaining soil samples analyzed for VOCs. VOCs were detected above their respective Part 375 PGWSCOs and/or CSCOs at 42 sample locations, GB-1 (14-16 ft), GB-4 (10-12 ft), GB-10 (14-15 ft), GB-14 (13-14 ft), GB-15 (14-15 ft), GB-17 (1-2 ft), GB-17 (4-5 ft), GB-20 (11-12 ft), GB-20 (15-16 ft), GB-21 (8-9 ft), GB-22 (10-11 ft), GB-24 (16 ft), GB-25 (9-10 ft), GB-27 (0-1 ft), GB-30 (8-9 ft), GB-31 (6-7 ft), GB-45 (12-14 ft), GB-49 (15-16 ft), MW-18 (2-4 ft), MW-20 (13-14 ft), MW-20 (24-26 ft), MW-23 (9-10 ft), GT-1 (2-4 ft), APW-1 (9-11 ft), APW-2 (15-17 ft), APW-3 (9-11 ft), APW-3 (15-17 ft), APW-5 (9-11 ft), APW-6 (9-11 ft), APW-8 (15-17 ft), CON-03 (8.5-9 ft), CON-04 (8.5-9 FT), CON-05 (6.5-7 ft), CON-06 (6.5-7 ft), CON-12 (6.8-7.2 ft), CELL-BOTTOM, CELL-SOUTH, CELL-EAST, CELL NORTH, TP-01 (6-7 ft), GB-10 SOUTHWALL, and SC-PIPE.

Generally, soil underlying the former varnish pit, the short truck bay area, and the FDSA are impacted by cVOCs, including primarily 1,1,1-TCA and TCE, as well as 1,1-DCE, 1,1-DCE, 1,2-DCA, 1,2-DCE, methylene chloride, PCE, and TCE. The highest cVOC concentrations were observed at MW-20 (TCE, 500 mg/kg), located immediately adjacent to the former varnish pit and GB-10 (TCE, 210 mg/kg), located in the FDSA. An excavation was

completed in the FDSA as part of the IRM, to depths of 5 to 7 fbgs. However, contamination remains underling the extent of the excavation. The soil underlying the former varnish UST area is generally impacted by petroleum VOCs including primarily total xylenes, as well as ethylbenzene and toluene. The highest petroleum VOC concentration was observed at CON-12 (total xylenes, 4,400 mg/kg). An excavation was also completed in the former varnish UST area as a part of the IRM to depths of 6 to 9 fbgs. However, as with the FDSA, contamination remains underlying the extent of the excavation.

- 1,1-DCA exceeded its PGWSCO at ten (10) sample locations, GB-14 (2.6 mg/kg), GB-22 (2.9 mg/kg), GB-27 (0.31 mg/kg), GB-30 (0.59 mg/kg), GB-49 (0.76 mg/kg), MW-20 13-14 ft (4.3 mg/kg), MW-20 24-26 ft (0.53 mg/kg), MW-23 (0.46 mg/kg), APW-3 9-11 ft (0.32 mg/kg), and APW-3 15-17 ft (14 mg/kg).
- 1,1-DCE exceeded its PGWSCO at eight (8) sample locations, GB-20 (0.35 mg/kg), GB-22 (0.65 mg/kg), GB-27 (0.82 mg/kg), GB-30 (5.8 mg/kg), MW-20 (11 mg/kg), MW-23 (3.5 mg/kg), APW-1 (4 mg/kg), and APW-3 (1.6 mg/kg).
- 1,2-DCA exceeded its PGWSCO at two (2) sample locations, GB-22 (0.24 mg/kg) and GB-30 (0.18 mg/kg).
- Cis-1,2-DCE exceeded its PGWSCO at eight (8) sample locations, GT-1 (0.73 mg/kg), CON-05 (0.52 mg/kg), CELL-BOTTOM (0.56 mg/kg), CELL-SOUTH (0.34 mg/kg), CELL-EAST (0.8 mg/kg), CELL-NORTH (1.6 mg/kg), TP-01 (2.1 mg/kg), and GB-10 SOUTHWALL (4.5 mg/kg)
- Total 1,2-DCE exceeded its PGWSCO (used trans-1,2-DCE limit) at four (4) sample locations, GB-10 (1.3 mg/kg), GB-22 (0.24 mg/kg), GB-25 (0.26 mg/kg) and GB-30 (0.75 mg/kg).
- 1,1,1-TCA exceeded its PGWSCO at 18 sample locations, GB-15 (16 mg/kg), GB-17 1-2 ft (9.5 mg/kg), GB-17 4-5 ft (0.99 mg/kg), GB-20 11-12 ft (41 mg/kg), GB-20 15-16 ft (3.2 mg/kg), GB-21 (0.75 mg/kg), GB-22 10-11 ft (55 mg/kg), GB-22 15-16 ft (2.7 mg/kg), GB-27 (5 mg/kg), GB-30 (1.4 mg/kg), GB-31 (8.6 mg/kg), MW-20 13-14 ft (250 mg/kg), MW-20 24-26 ft (1 mg/kg), MW-23 (11 mg/kg), APW-1 (12 mg/kg), APW-3 (5.8 mg/kg), CON-05 (0.75 mg/kg), and CELL-SOUTH (0.92 mg/kg).
- 1,2,4-Trimethylbenzene exceeded its PGWSCO at five (5) sample locations, GB-1 (13 mg/kg), GB-10 (11 mg/kg), GB-17 (10 mg/kg), APW-5 (12 mg/kg), and APW-6 (14 mg/kg), and its CSCO at one (1) sample location, CON-12 (840 mg/kg).
- 1,3,5-Trimethylbenzene exceeded its CSCO at one (1) sample location, CON-12 (620 mg/kg)

- 2-Butanone exceeded its PGWSCO at four (4) sample locations, GB-20 (0.25 mg/kg), GB-30 (1.8 mg/kg), GB-45 (0.33 mg/kg), GT-1 (0.63 mg/kg).
- Acetone exceeded its PGWSCO at eight (8) sample locations, GB-20 (1.1 mg/kg), GB-22 10-11 ft (7.3 mg/kg), GB-22 15-16 ft (3.1 mg/kg), GB-24 (0.067 mg/kg), GB-30 (4.3 mg/kg), APW-2 (0.12 mg/kg), APW-8 (0.64 mg/kg), and SC-PIPE (0.1 mg/kg).
- Ethylbenzene exceeded its PGWSCO at ten (10) sample locations, GB-1 (12 mg/kg), GB-4 (2.5 mg/kg), GB-10 (2.7 mg/kg), GB-17 (1.4 mg/kg), GT-1 (46 mg/kg), APW-2 (18 mg/kg), APW-5 (9.3 mg/kg), APW-6 9-11 ft (18 mg/kg), APW-6 15-17 ft (6.8 mg/kg), and CON-06 (1.3 mg/kg), and its CSCO at one (1) sample location, CON-12 (930 mg/kg).
- Methylene chloride exceeded its PGWSCO at four (4) sample locations, GB-27 (0.17 mg/kg), CON-03 (0.06 mg/kg), CON-04 (0.057 mg/kg), and CON-06 (0.067 mg/kg).
- N-propylbenzene exceeded its PGWSCO at one (1) sample location, CON-12 (290 mg/kg).
- PCE exceeded its PGWSCO at one (1) sample location, GB-10 (3.3 mg/kg).
- TCE exceeded its PGWSCO at 22 sample locations, GB-17 (0.52 mg/kg), GB-20 11-12 ft (84 mg/kg), GB-20 15-16 (20 mg/kg), GB-21 (2.3 mg/kg), GB-22 10-11 ft (63 mg/kg), GB-22 15-16 ft (3.4 mg/kg), GB-25 (0.59 mg/kg), GB-27 (19 mg/kg), GB-30 (6.4 mg/kg), GB-31 (18 mg/kg), GB-45 (8.9 mg/kg), GB-49 (3.5 mg/kg), MW-18 (0.64 mg/kg), MW-20 24-46 ft (0.65 mg/kg), MW-23 (53 mg/kg), GT-1 (3.2 mg/kg), CON-05 (1.2 mg/kg), CELL-BOTTOM (8.5 mg/kg), CELL-SOUTH (42 mg/kg), CELL-EAST (14 mg/kg), TP-01 (12 mg/kg), and GB-10 SOUTHWALL (13 mg/kg), and its CSCO at two (2) sample locations, GB-10 (210 mg/kg) and MW-20 13-15 ft (500 mg/kg).
- Toluene exceeded its PGWSCO at three (3) sample locations, GB-10 (2.6 mg/kg), GT-1 (380 mg/kg), and CON-12 (12 mg/kg).
- Total Xylenes exceeded its PGWSCO at 16 sample locations, GB-1 (51 mg/kg), GB-4 (13 mg/kg), GB-10 (22 mg/kg), GB-15 (2.8 mg/kg), GB-17 (6.4 mg/kg), GB-20 (4.1 mg/kg), GB-22 (0.48 mg/kg), GB-31 (0.79 mg/kg), MW-20 (7.6 mg/kg), GT-1 (280 mg/kg), APW-2 (62 mg/kg), APW-5 (26 mg/kg), APW-6 9-11 ft (49 mg/kg), APW-6 15-17 ft (12 mg/kg), CON-04 (2.2 mg/kg), and CON-06 (5.1 mg/kg), and its CSCO at one (1) sample location, CON-12 (4400 mg/kg).

Semi-Volatile Organic Compounds

SVOCs were detected above MDLs in remaining soil samples analyzed for SVOCs. SVOCs, specifically PAHs, were detected above their respective Part 375 PGWSCOs and/or CSCOs

at ten (10) investigation locations, GB-1 (14-16 ft), GB-10 (14-15 ft), GB-33 (3 ft), GB-39 (13-14 ft), HA-3 (0-6 in), HA-04 (1-3 in), HA-04 (5-6 ft), HA-06 (1-3 in), HA-07 (1-3 in), and HA-08 (1-3 in). The highest concentrations of PAHs were observed in the shallow hand auger samples (HA-3 through HA-08), collected in the long truck bay area along the former railroad spur. The highest concentrations were observed at HA-08 (benzo(b)fluoranthene, 17 mg/kg) and HA-07 (benzo(b)fluoranthene, 17 mg/kg). SVOC exceedances were also observed at GB-33, GB-39, and GB-10, north of the southern access road.

- Benzo(a)anthracene exceeded its PGWSCO at six (6) sample locations, GB-1 (2.8 mg/kg), GB-33 (1.1 mg/kg), GB-39 (1.3 mg/kg), HA-3 (2.9 mg/kg), HA-04 5-6 ft (1.6 mg/kg), and HA-06 (3.2 mg/kg), and its CSCO at three (3) sample locations, HA-04 1-3 in (22 mg/kg), HA-07 (16 mg/kg), and HA-08 (15 mg/kg).
- Benzo(a)pyrene exceeded its CSCO at seven (7) sample locations, GB-1 (2.4 mg/kg), GB-10 (1.1 mg/kg), HA-3 (2.9 mg/kg), HA-04 1-3 in (1.6 mg/kg), HA-04 5-6 ft (1.4 mg/kg), HA-06 (3 mg/kg), HA-07 (15 mg/kg), and HA-08 (15 mg/kg).
- Benzo(b)fluoranthene exceeded its PGWSCO at three (3) sample locations, GB-1 (3 mg/kg), HA-3 (3.5 mg/kg), and HA-06 (2.5 mg/kg), and its CSCO at three (3) sample locations, HA-04 (27 mg/kg), HA-07 (17 mg/kg), and HA-08 (17 mg/kg).
- Benzo(k)fluoranthene exceeded its PGWSCO at five (5) sample locations, HA-3 (1.9 mg/kg), HA-04 (13 mg/kg), HA-06 (3 mg/kg), HA-07 (9 mg/kg), and HA-08 (7.8 mg/kg).
- Chrysene exceeded its PGWSCO at nine (9) sample locations, GB-1 (2.6 mg/kg), GB-10 (1.4 mg/kg), GB-33 (1.2 mg/kg), HA-3 (3 mg/kg), HA-04 1-3 in (22 mg/kg), HA-04 5-6 ft (1.6 mg/kg), HA-06 (3 mg/kg), HA-07 (16 mg/kg), and HA-08 (14 mg/kg).
- Dibenzo(a,h)anthracene exceeded its PGWSCO at one (1) sample location, GB-39 (1.3 mg/kg), and its CSCO at three (3) sample locations, HA-04 (2.6 mg/kg), HA-07 (2.4 mg/kg), and HA-08 (2.9 mg/kg).
- Indeno(1,2,3-cd)pyrene exceeded its CSCO at three (3) sample locations, HA-04 (6.4 mg/kg), HA-07 (5.7 mg/kg), and HA-08 (6.8 mg/kg).

Groundwater:

Groundwater monitoring has been completed numerous times between well installation and September 2020. The initial sampling and most recent sampling of each parameter at each well has been presented on Figure 10 to observe the change in groundwater impacts through

time. Significant concentrations of cVOCs continue to exist in the site groundwater, particularly in the former varnish pit area. In addition, DNAPL remains at RW-6 and LNAPL remains at MW-23, suggesting further groundwater remediation is warranted. Remaining groundwater exceedances over GWQS/GV are summarized below.

Volatile Organic Compounds

VOCs were detected above MDLs in groundwater samples analyzed for VOCs. VOCs were detected above their respective GWQS/GV at 16 investigation locations during the most recent sampling event, MW-12, MW-13, MW-14, MW-15, MW-18, MW-20, MW-21S, MW-21I, MW-22, MW-24, MW-25, MW-26, MW-27, APW-3, VMP-6, and RW-5. Values listed below represent the most recent sampling event for each individual parameter. The highest concentration of total cVOCs were observed in the area of the former varnish pit including MW-20 (833,800 ug/L), MW-12 (2,937 ug/L), MW-13 (49,359 ug/L), MW-14 (29,300 ug/L), and RW-5 (327,540 ug/L). MW-20 and RW-5 are intermediate overburden wells and MW-12 through MW-14 are shallow overburden wells, indicating cVOCs sourced from the former varnish pit have impacted both upper groundwater layers.

- 1,1-DCA exceeded its GWQS/GV at ten (10) locations, MW-12 (710 ug/L), MW-13 (4,000 ug/L), MW-14 (1,900 ug/L), MW-18 (24 ug/L), MW-20 (15,000 ug/L), MW-22 (37 ug/L), MW-26 (8.1 ug/L), MW-27 (33 ug/L), APW-3 (800 ug/L), and RW-5 (20,000 ug/L).
- 1,1-DCE exceeded its GWQS/GV at six (6) locations, MW-12 (180 ug/L), MW-13 (3,800 ug/L), MW-14 (880 ug/L), MW-20 (8,800 ug/L), APW-3 (660 ug/L), and RW-5 (35,000 ug/L).
- 1,2-DCA exceeded its GWQS/GV at four (4) locations, MW-12 (2.1 ug/L), MW-13 (41 ug/L), MW-22 (18 ug/L), and APW-3 (1.3 ug/L).
- Cis-1,2-DCE exceeded its GWQS/GV at four (4) locations, MW-12 (850 ug/L), MW-24 (240 ug/L), APW-3 (16 ug/L), and RW-5 (120,000 ug/L).
- Trans-1,2-DCE exceeded its GWQS/GV at one (1) location, MW-12 (25 ug/L).
- Total 1,2-DCE exceeded its GWQS/GV at one (1) location, MW-14 (760 ug/L).
- 1,1,1-TCA exceeded its GWQS/GV at six (6) locations, MW-12 (69 ug/L), MW-13 (6,600 ug/L), MW-18 (28 ug/L), MW-20 (660,000 ug/L), APW-3 (1,400 ug/L), and RW-5 (150,000 ug/L).
- Cis-1,2-DCE exceeded its GWQS/GV at one (1) location, MW-13 (4,500 ug/L).

- 1,2,4-Trimethylbenzene exceeded its GWQS/GV at one (1) location, VMP-6 (140 ug/L).
- 2-Butanone exceeded its GWQS/GV at one (1) location, MW-15 (76 ug/L).
- Acetone exceeded its GWQS/GV at one (1) location, RW-5 (5,300 ug/L).
- Benzene exceeded its GWQS/GV at two (2) locations, MW-24 (2.6 ug/L) and VMP-6 (5.4 ug/L).
- Ethylbenzene exceeded its GWQS/GV at one (1) location, VMP-6 (1,600 ug/L).
- o-Xylene exceeded its GWQS/GV at one (1) location, VMP-6 (320 ug/L).
- p/m-Xylene exceeded its GWQS/GV at one (1) location, VMP-6 (1,900 ug/L).
- TCE exceeded its GWQS/GV at eleven (11) locations, MW-12 (150 ug/L), MW-13 (26,000 ug/L), MW-14 (25,000 ug/L), MW-20 (150,000 ug/L), MW-21S (33 ug/L), MW-21I (84 ug/L), MW-22 (6.8 ug/L), MW-24 (360 ug/L), MW-27 (6.4 ug/L), VMP-6 (5.7 ug/L), and RW-5 (940 ug/L).
- VC exceeded its GWQS/GV at six (6) locations, MW-12 (ug/L), MW-13 (98 ug/L), MW-24 (83 ug/L), MW-24 (6.1 ug/L), APW-3 (30 ug/L), and RW-5 (1,600 ug/L).

Metals

Metals were detected above MDLs in groundwater samples analyzed for metals. Metals were detected above their respective GWQS/GV at four (4) investigation locations during the most recent sampling event, MW-3, MW-7, MW-8, and MW-13. Values listed below represent the most recent sampling event for each individual parameter.

- Total iron exceeded its GWQS/GV at four (4) locations, MW-3 (4,500 ug/L), MW-7 (1,500 ug/L), MW-8 (1,100 ug/L), and MW-13 (350 ug/L).
- Total magnesium exceeded its GWQS/GV at four (4) locations, MW-3 (136,000 ug/L), MW-7 (91,900 ug/L), MW-8 (147,000 ug/L), and MW-13 (228,000 ug/L).
- Total manganese exceeded its GWQS/GV at one (1) location, MW-13 (500 ug/L).
- Total sodium exceeded its GWQS/GV at four (4) locations, MW-3 (93,400 ug/L), MW-7 (140,000 ug/L), MW-8 (370,000 ug/L), and MW-13 (58,000 ug/L).

Soil Vapor:

Soil vapor samples collected under and surrounding the building during previous investigations indicate that VOCs continue to impact soil vapor across at the Site. Potential source areas include the FDSA, where cVOCs and petroleum VOCs were observed at elevated concentration in soil vapor samples, and the former varnish pit, where cVOCs were observed at elevated concentrations in soil vapor samples. An SSDS was installed in the

building to address soil vapor intrusion and continues to operate effectively. However, although the SSDS is effectively running in the building, elevated concentrations of cVOCs remain in the sub-slab vapor as summarized below:

- 1,1,1-TCA was detected at elevated concentrations as summarized in the 2019, 2020, and 2021 PRR reports. Detected concentrations include 10,500 ug/m^3 (December 2018), 12,200 ug/m^3 (January 2020), 16,400 ug/m^3 (March 2021)
- 1,1-DCA was detected at elevated concentrations as summarized in the 2019, 2020, and 2021 PRR reports. Detected concentrations include 1,210 ug/m^3 (December 2018), 1,220 ug/m^3 (January 2020), 1,810 ug/m^3 (March 2021)
- 1,1-DCE was detected at elevated concentrations as summarized in the 2019, 2020, and 2021 PRR reports. Detected concentrations include 1,280 ug/m^3 (December 2018), 1,180 ug/m^3 (January 2020), 1,530 ug/m^3 (March 2021)
- TCE was detected at elevated concentrations as summarized in the 2019, 2020, and 2021 PRR reports. Detected concentrations include 2,550 ug/m^3 (December 2018), 6,770 ug/m^3 (January 2020), 12,600 ug/m^3 (March 2021)

These elevated concentrations of 1,1,1-TCA, 1,1-DCA, 1,1-DCE, and TCE indicate that the source likely remains and continues to present a risk to human health and the environment.

Previous investigation reports have been provided electronically to the Department as requested.

EXHIBIT A1

Department of State
Division of Corporations

Entity Information

Return to Results | Return to Search

Entity Details

ENTITY NAME:
MIDWEST STORAGE DEVELOPERS LLC

DOS ID:
6266101

FOREIGN LEGAL NAME:
MIDWEST STORAGE DEVELOPERS LLC

FICTITIOUS NAME:
MIDWEST STORAGE DEVELOPERS LLC

ENTITY TYPE:
FOREIGN LIMITED LIABILITY COMPANY

DURATION DATE/LATEST DATE OF DISSOLUTION:

SECTIONOF LAW:
LIMITED LIABILITY COMPANY - 802 LIMITED LIABILITY COMPANY
LAW - LIMITED LIABILITY COMPANY LAW

ENTITY STATUS:
Active

DATE OF INITIAL DOS FILING:
08/24/2021

REASON FOR STATUS:

EFFECTIVE DATE INITIAL FILING:
08/24/2021

INACTIVE DATE:

FOREIGN FORMATION DATE:
06/10/2021

STATEMENT STATUS:
CURRENT

COUNTY:
Erie

NEXT STATEMENT DUE DATE:

JURISDICTION:
Indiana, United States

NFP CATEGORY:

ENTITY DISPLAY | NAME HISTORY | FILING HISTORY | MERGER HISTORY | ASSUMED NAME HISTORY

Service of Process Name and Address

Name: GUTWEIN RAS LLC

Address: 250 MAIN STREET, SUITE 590, LAFAYETTE, IN, United States, 47901

Chief Executive Officer's Name and Address

Name:

Address:

Principal Executive Office Name and Address

Name:

Address:

Registered Agent Name and Address

Name:

Address:

Entity Primary Location Name and Address

Name:

Address:

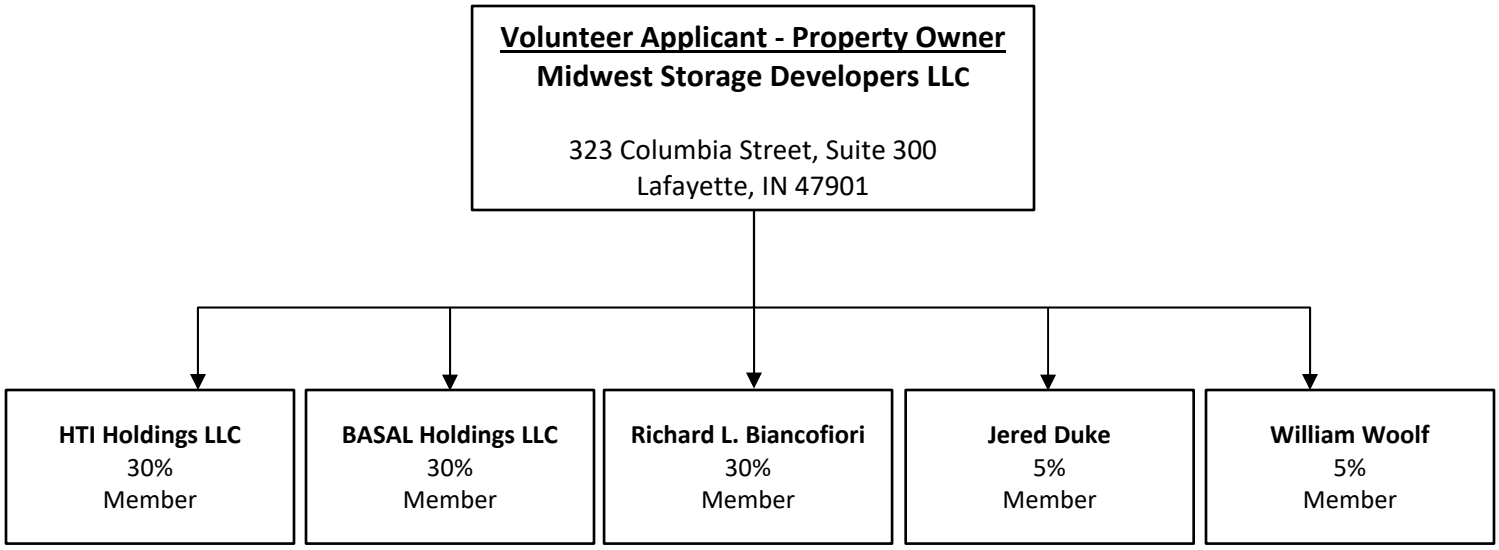
Farmcorpflag

Is The Entity A Farm Corporation: No

Stock Information

Share Value	Number Of Shares	Value Per Share

MIDWEST STORAGE DEVELOPERS LLC



UNANIMOUS WRITTEN CONSENT TO RESOLUTIONS
BY THE ORGANIZER AND THE INITIAL MEMBERS
OF
MIDWEST STORAGE DEVELOPERS LLC

(IN LIEU OF ORGANIZATIONAL MEETING)

The undersigned, being the Organizer and the initial Members of Midwest Storage Developers LLC ("Company"), do hereby authorize and take the following Company actions, without a formal meeting, effective June 10, 2021:

Resolution No. 1.

RESOLVED that the Articles of Organization of Midwest Storage Developers LLC filed in the Office of the Indiana Secretary of State by the Organizer are approved.

RESOLVED FURTHER that the returned document copy of the Articles of Organization together with the Certificate of Organization will be placed in the minute book of the Company.

Resolution No. 2.

RESOLVED that the Operating Agreement as signed by the initial Members of the Company will be inserted in the minute book of the Company.

Resolution No. 3.

RESOLVED that David Hood is hereby elected as the General Manager of the Company to be responsible for the day-to-day operations of the Company pursuant to the terms and conditions of the Operating Agreement until the first annual meeting of the Members of the Company or until his/her successor is duly elected.

Resolution No. 4.

David Hood is hereby elected as the tax Partnership Representative pursuant to the terms of the Operating Agreement.

Resolution No. 5.

RESOLVED that the General Manager is authorized and directed for and on behalf of the Company to issue one million (1,000,000)

Units to the Members named below for their respective contribution to the capital of the Company:

Certificate No.	Member's Name	% Own	No. of Units	Contribution
n/a	HTI Holdings LLC	30%	300,000	Per Company Records
n/a	BASAL Holdings LLC	30%	300,000	Per Company Records
n/a	Richard L. Biancofiori	30%	300,00	Per Company Records
n/a	William Woolf	5%	50,000	Per Company Records
n/a	Jered Duke	5%	50,000	Per Company Records

Resolution No. 6.

RESOLVED that the General Manager is authorized to (1) designate one or more banks as a depository for the funds of the Company; (2) open and maintain one or more checking accounts in the Company's name with said bank or banks; (3) execute standard banking resolutions on behalf of the Company reflecting this action of the Company's Members.

The undersigned shall cause this written authorization to be filed in the Company's minute book.

[signature page to follow]

Name	Signature
HTI Holdings LLC, Member	DocuSigned by: By: _____ C49866A072C44DA... David Hood, General Manager
BASAL Holdings LLC, Member	DocuSigned by: By: _____ A87DF878E571477... Andrew L. Beery, General Manager
Richard L. Biancofiori, Member	DocuSigned by: _____ 0D4C1508C6E442D...
William Woolf, Member	DocuSigned by: William Woolf 9A86409C9A41461...
Jered Duke, Member	DocuSigned by: Jered Duke 9E93FAC726924DE...
Christopher D. Shelmon, Organizer	DocuSigned by: _____ 11890FACC95243D...

EXHIBIT A2

2122 COLVIN BOULEVARD, TONAWANDA, NY 14150

AUTHORIZATION FOR MIDWEST STORAGE DEVELOPERS LLC TO PARTICIPATE IN THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION BROWNFIELD CLEANUP PROGRAM

THE UNDERSIGNED, David Hood, in his capacity as General Manager of Midwest Storage Developers LLC (hereinafter "Midwest Storage") transferee of 2122 Colvin Boulevard in Tonawanda, New York (Tax parcel ID No. 53.15-1-4.11), Tonawanda, New York, encompassing 15.27 acres in Tonawanda, NY (the "Site");

DOES HEREBY CERTIFY that Midwest Storage Developers LLC resolved:

That David Hood is hereby authorized to execute documentation for Midwest Storage's participation in the New York State Department of Environmental Conservation Brownfield Cleanup Program for the Site.

IN WITNESS WHEREOF, the undersigned has hereto affixed the hand and seal of Midwest Storage Developers LLC this 12TH day of November 2021.

David Hood
Title: General Manager
Midwest Storage Developers LLC

Sworn to before me this
12TH day of November 2021.

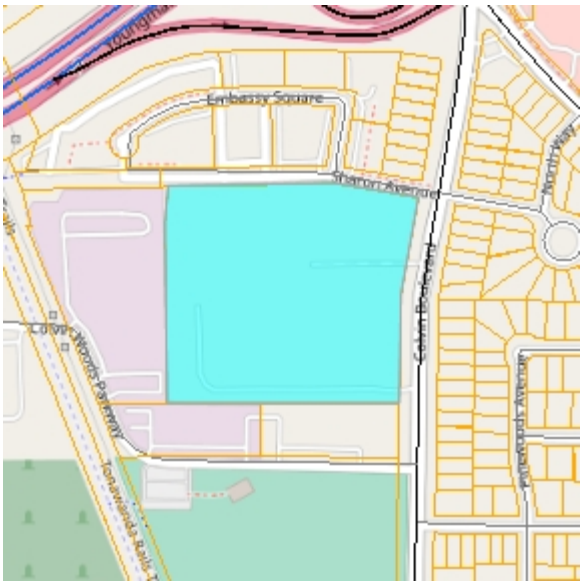
Courtney M. Neal
Notary Public

STATE OF INDIANA NOTARY SEAL
COURTNEY MARIE NEAL
Notary Public, State of Indiana
Tippecanoe County
Commission # 684471
My Commission Expires
May 01, 2024

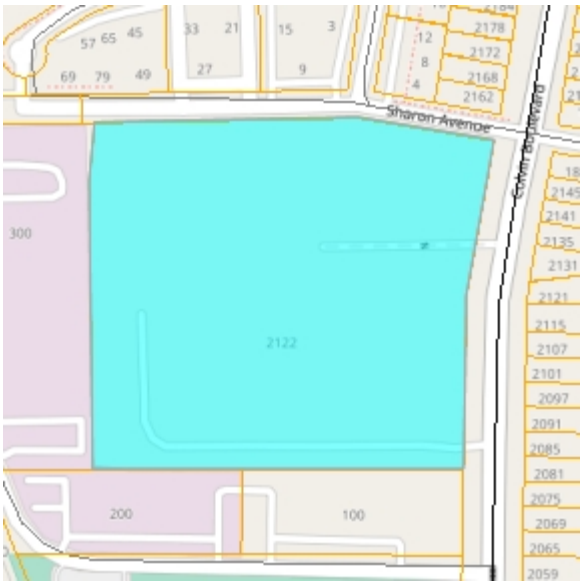
Erie County On-Line Mapping System
Parcel Detail Report

EXHIBIT A3

Report generated:
10/13/2021 11:23:07 AM



Parcel Overview Map



Parcel Detail Map

PIN: 146489053150000100411O

SBL: 53.15-1-4.11

Address: 2122 COLVIN BLVD

Owner 1: GREIF CONTAINERS INC

Owner 2:

Mailing Address: 425 WINTER RD

City/Zip: DELAWARE OH 43015

Municipality: Tonawanda

Property Class: 710

Class Description: C - Manufacture

Front: 715.24

Depth: 0

Deed Roll: 1

Deed Book: 11092

Deed Page: 6180

Deed Date:

Acreage: 13.7280744

Total Assessment: $1,251,200

Land Assessment: $220,500

County Taxes: $1,251,200

Town Taxes: $0

School Taxes: $0

Village Taxes: $0

School District: KENMORE-TONAWANDA UNION FREE SCHOOL

Year Built: 0

Sqft Living Area: 0

Condition: 0

Heating: 0

Basement: 0

Fireplace: 0

Beds: 0

Baths: 0

EXHIBIT A4

425 Winter Road
Delaware, OH 43015
www.greif.com

August 9, 2021

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

RE: DEC Site ID No. V00334; 2122 Colvin Boulevard, Tonawanda, NY

To whom it may concern,

This letter shall serve as the required notification that ownership of DEC Site ID No. V00334 located at 2122 Colvin Boulevard, Tonawanda, Erie County, New York was transferred from Greif Packaging LLC (successor-in-interest to Greif, Inc) to Midwest Storage Developers, LLC on July 16, 2021 by a deed recorded in Book 11384, Page 860 in the Clerk's Office of Erie County, New York.

Contact information for new owner is:

David Hood, Manager, Midwest Storage Developers, LLC
323 Columbia St., Suite 300
Lafayette, IN 47901
(765) 491-1723
d.hood@hotmail.com

Thank you,

Gregory M. Layer

EXHIBIT A5

kenmore, new york 14217 • 14 municipal building • 877-8800

town of tonawanda
planning board

AT A REGULAR MEETING OF THE TOWN OF TONAWANDA PLANNING BOARD HELD ON JUNE 2, 2021 AT 7:00 PM IN THE TOWN BOARD COUNCIL CHAMBERS, MUNICIPAL BUILDING, KENMORE NEW YORK THERE WERE:

PRESENT:	**Kenneth Swanekamp**	**Chairman**
	Robert Morris	
	Fred Kubus	**Secretary**
	Mark Rountree	
	Fred Frank	**Vice Chairman**
	Denis Uminski	

Absent: **Joseph Frandina**

Also Present: Lawrence Hoffman, Senior Code Enforcement Officer, Matthew Sutton, Town Engineer, Randy Pekarski, Town Engineer, Michael Kooshoian, Town Attorney, James Hartz, Director Planning and Development, John Bargnesi, Councilman

1. Approval of Minutes May 5, 2021

2. Town Board and Zoning Board of Appeals Actions

3. Site Plan Review

a. 1692-1752 Sheridan Drive (former Bon Ton site) Site Plan amendment, SEQR Determination (action)

b. 1692-1752 Sheridan Drive (former Bon Ton site) Site Plan amendment, Site Plan (action)

c. 1980 Niagara Falls Blvd. – Northtown Automotive Companies, Use of former Roadhouse Grill for automobile storage, Site Plan (action)

e. 2122 Colvin Blvd – Conversion of former Greif Containers building to Life Storage, Site Plan (action)

f. Verizon 5G small cell on Niagara Falls Blvd., Site Plan (action)

4. **Preliminary Site Plan Review**
   a. **3500 River Road – PeroxyChem Water Intake and Pump station (discussion)**
   b. **113, 115 and 125 Grand Island Blvd – amended Site Plan Review for Commercial Building (discussion)**
   c. **380, 400, 408 416 Vulcan Street – Partial demolition, re-use of industrial buildings (discussion)**

5. **Preliminary Site Plan Review and Performance Standards Permit**
   a. **1110 Military Road – Warehousing (discussion)**

6. **Other items**
   a. **2375 Sheridan Drive, Royal Car Wash – residential impact**
   b. **Townwide Rezoning Project**

Approval of Minutes May 5, 2021

Mr. Uminski moved that the minutes of the Planning Board meeting 5/5/21 be approved as typed and presented.

Seconded by Mr. Morris

Carried Six (6) Ayes and No (0) Nays

Town Board and Zoning Board of Appeals Actions

None pending that require Planning Board action.

Site Plan Review & SEQR Determination
1692-1752 Sheridan Drive (former Bon Ton site) Site Plan amendment
Applicant: Dave Zuppelli - Engineer – Benderson Development

At the May 6, 2020 meeting the Board members approved the site plan application for the construction of 2 retail/food buildings and re-use of former Bon Ton main building.

At the May 5, 2021 meeting the applicant submitted a revised site plan to remove the proposed 8,465 sf building closest to the former Bon Ton building and maintain that area as parking associated with the re-use of the former Bon Ton building as medical offices and increase green space on the overall site.

The Board tabled their decision pending a revised landscape plan and SEQR review.

The applicant submitted a revised landscape plan.

Motion: Approve the Application of Benderson Development Co./Sherdel-A LLC for Review of an Amended Site Plan for the Re-Use of the Former Bon Ton Main Building Located at 1692 Sheridan Drive.

WHEREAS, by Resolution dated May 6, 2020, the Planning Board approved the site plan application of Benderson Development Co./Sherdel-A LLC for the re-use of the former Bon Ton main building located at 1692 Sheridan Drive; and

WHEREAS, Benderson Development Co./Sherdel-A LLC has submitted an application for review of an amended site plan, which will now include only one out building with additional parking and increased landscaping at the site; and

WHEREAS, Mr. Kubus moved that the Planning Board concurs with the recommendation of the SEQR Committee that the revised site plan is consistent with the prior negative declaration issued by the Planning Board, which motion was seconded by Mr. Frank and carried by all; and

WHEREAS, the Planning Board on June 2, 2021 held a public hearing on the Site Plan application; and

WHEREAS, the Planning Board reviewed the plans and specifications for the proposed project; and

WHEREAS, the Site Plan was referred to the Town's various review agencies for comments; and

WHEREAS, the Planning Board made its findings in accordance with §27-11B (4) of the Town Code; and

BE IT FURTHER RESOLVED, that the Planning Board, in accordance with §27-10 of the Town Code, hereby **Approves** said Site Plan dated 3/23/20; with revisions dated 5/13/21; and

BE IT FURTHER RESOLVED, that the Planning Board shall file said determination with the Town Clerk pursuant to §27-11B(7); and

BE IT FURTHER RESOLVED, that the Planning Board Chairman is authorized to execute any necessary documents in connection with this determination

RESULT:	ADOPTED (UNANIMOUS)
MOVER:	Robert Morris
SECONDER:	Fred Kubus
AYES:	Kenneth Swanekamp, Mark Rountree, Denis Uminski, Fred Frank

I do certify that I have compared the foregoing with the original minute of the regular meeting of the Planning Board held on June 2, 2021 and that the foregoing is a true and correct transcript from said original minutes and the whole thereof, and that the resolutions duly adopted by said Planning Board are on file in the Town Clerk's Office.


Kenneth Swanekamp, Chairman
Town of Tonawanda, NY

Site Plan Review

1980 Niagara Falls Blvd. – Northtown Automotive Companies, Use of former Roadhouse Grill for automobile storage

At the April 7, 2021 meeting the Board conducted a preliminary review of the site plan application and recommended approval to issue a Special Use Permit for automobile storage located at 1980 Niagara Falls Blvd.

The Planning Board tabled site plan approval pending Town Board approval of the Special Use Permit.

The Town Board passed a resolution to issue a Special Use permit at the May 17, 2021 meeting.

Note: The applicant is required to return to the Town prior to the use of the building.

MOTION: Approve the Site Plan Application of Northtown Automotive Companies, for Automobile Storage located at 1980 Niagara Falls Blvd and Authorize the Chairman to Execute any Necessary Documents in Connection Therewith.

WHEREAS, by Resolution 2021-385 dated May 17, 2021, the Town Board issued a Negative Declaration in accordance with 6 NYCRR, Part 617.

WHEREAS, by Resolution 2021-386 dated May 17, 2021 the Town Board issued a Special Use Permit for Automobile storage: and

WHEREAS, Richard Pieri has applied to the Town of Tonawanda Planning Board for Site Plan review for 1980 Niagara Falls Blvd; and

WHEREAS, the Planning Board on June 2, 2021 held a public hearing on the Site Plan application; and

WHEREAS, the Planning Board reviewed the plans and specifications for the proposed project; and

WHEREAS, the Site Plan was referred to the Town's various review agencies for comments; and

WHEREAS, the Planning Board made its findings in accordance with §27-11B (4) of the Town Code; and

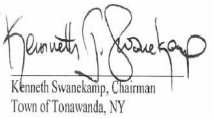
BE IT FURTHER RESOLVED, that the Planning Board, in accordance with §27-10 of the Town Code, hereby **Approves** said Site Plan dated 3/15/21; and

BE IT FURTHER RESOLVED, that the Planning Board shall file said determination with the Town Clerk pursuant to §27-11B(7); and

BE IT FURTHER RESOLVED, that the Planning Board Chairman is authorized to execute any necessary documents in connection with this determination.

RESULT:	ADOPTED (UNANIMOUS)
MOVER:	Denis Uminski
SECONDER:	Robert Morris
AYES:	Kenneth Swanekamp, Fred Frank, Fred Kubus, Mark Rountree

I do certify that I have compared the foregoing with the original minutes of the regular meeting of the Planning Board held on June 2, 2021 and that the foregoing is a true and correct transcript from said original minutes and the whole thereof, and that the resolutions duly adopted by said Planning Board are on file in the Town Clerk's Office.



Site Plan Review

2122 Colvin Blvd – Conversion of former Greif Containers building to Life Storage

Applicants: Marc Romanowski – Attorney

Amanda Phetteplace – Stantec

At the April 7 and May 5, 2021 meeting the Board conducted a preliminary review of the site plan application and recommended approval to issue a Performance Standards Use Permit for Life Storage located at 2122 Colvin Blvd.

The Town Board passed a resolution to issue a Performance Standards Use Permit at the May 17, 2021 meeting.

Revised drawings were submitted showing fencing, landscaping and potential additional phases. This includes the gravel parking areas along the south entrance road which will not be usable for parking and if not approved for additional storage phases within one year will be landscaped and grassed.

MOTION: Approve the Site Plan Application of Storage Capital Partners LLC & Boxes Storage Developers LLC operating as Life Storage located at 2122 Colvin Blvd and Authorize the Chairman to Execute any Necessary Documents in Connection Therewith.

WHEREAS, by Resolution 2021-393 dated May 17, 2021, the Town Board issued a Negative Declaration in accordance with 6 NYCRR, Part 617.

WHEREAS, by Resolution 2021- 392 dated May 17, 2021, the Town Board issued a Performance Standards Use Permit for Life Storage: and

WHEREAS, Marc Romanowski on behalf of Storage Capital Partners LLC & Boxes Storage Developers LLC has applied to the Town of Tonawanda Planning Board for Site Plan review for 2122 Colvin Blvd; and

WHEREAS, the Planning Board on June 2, 2021 held a public hearing on the Site Plan application; and

WHEREAS, the Planning Board reviewed the plans and specifications for the proposed project; and

WHEREAS, the Site Plan was referred to the Town's various review agencies for comments; and

WHEREAS, the Planning Board made its findings in accordance with §27-11B (4) of the Town Code; and

BE IT FURTHER RESOLVED, that the Planning Board, in accordance with §27-10 of the Town Code, hereby **Approves** said Site Plan dated 5/11/21; and

BE IT FURTHER RESOLVED, that the Planning Board shall file said determination with the Town Clerk pursuant to §27-11B(7); and

BE IT FURTHER RESOLVED, that the Planning Board Chairman is authorized to execute any necessary documents in connection with this determination.

RESULT:	ADOPTED (UNANIMOUS)
MOVER:	Robert Morris
SECONDER:	Fred Frank
AYES:	Kenneth Swanekamp, Fred Kubus, Denis Uminski, Mark Rountree

I do certify that I have compared the foregoing with the original minutes of the regular meeting of the Planning Board held on June 2, 2021 and that the foregoing is a true and correct transcript from said original minutes and the whole thereof, and that the resolutions duly adopted by said Planning Board are on file in the Town Clerk's Office.

Kenneth Swanekamp, Chairman
Town of Tonawanda, NY

Site Plan Review

Verizon 5G small cell on Niagara Falls Blvd., Site Plan

At the May 5, 2021 meeting the Board held a discussion on the proposed installation of a 5G small cell located on Niagara Falls Blvd. .

The Town is looking to establish a license agreement and design standards.

Town attorney, Michael Kooshian, stated that a copy of the draft master license agreement has been distributed for review.

Mr. Kubus moved to table this item.

Seconded by Mr. Morris

Carried Six (6) Aye and No (0) Nays

Preliminary Site Plan Review

3500 River Road – PeroxyChem Water Intake and Pump station

Applicant: David Barnes – Project Engineer

Alan Wuebker – Plant Manager

At the July 1, 2020 meeting the Board conducted a preliminary review of the site plan application for a water intake and pump station located at 3500 River Road.

The Board tabled their decision pending SEQR determination by the DEC, variance for the setback and a revised site plan application.

The DEC issued a negative declaration April 30, 2021.

The SEQR Committee recommended the Planning Board issue a negative declaration at its May 12, 2021 meeting.

Mr. Barnes gave a brief summary on the proposed project stating that the environmental regulations for cooling water have changed, which will require the need to upgrade their facilities. All permits and certifications from the Army Corps of Engineers and the DEC are in place.

Final site plan approval will be granted at the July 7, 2021 meeting.

Preliminary Site Plan Review

113, 115 and 125 Grand Island Blvd – amended Site Plan Review for Commercial Building

Applicant: Anthony Pandolfe – Carmina Wood Morris DPC

At the March 4, 2020 meeting the Board granted site plan approval for the construction of a two-story multi-use building.

A revised site plan was submitted for the construction of a single story mixed use building.

Motion: Approve the Application of RC Jordan Properties LLC, for Review of an Amended Site Plan for a Single Story Mixed Use Building located at 113, 115 & 125 Grand Island Blvd.

WHEREAS, by Resolution dated March 4, 2020 the Planning Board approved the site plan application of RC Jordan Properties LLC for the construction of a two-story mixed use building located at 113, 115 &125 Grand Island Blvd.

WHEREAS, RC Jordan Properties LLC has submitted an application for review of an amended site plan, which will now be constructed as a single story mixed use building; and

WHEREAS, Mr. Kubus moved that the revised site plan will have no additional impact on the environment and therefore is consistent with the negative declaration previously issued for this project, which motion was seconded by Mr. Morris and carried by all; and

WHEREAS, the Planning Board on June 2, 2021 held a public hearing on the Site Plan application; and

WHEREAS, the Planning Board reviewed the plans and specifications for the proposed project; and

WHEREAS, the Site Plan was referred to the Town's various review agencies for comments; and

WHEREAS, the Planning Board made its findings in accordance with §27-11B (4) of the Town Code; and

BE IT FURTHER RESOLVED, that the Planning Board, in accordance with §27-10 of the Town Code, hereby **Approves** said Revised Site Plan dated 2/19/20; with revisions dated5/6/21; and

BE IT FURTHER RESOLVED, that the Planning Board shall file said determination with the Town Clerk pursuant to §27-11B(7); and

BE IT FURTHER RESOLVED, that the Planning Board Chairman is authorized to execute any necessary documents in connection with this determination.

RESULT:	ADOPTED
MOVER:	Fred Kubus
SECONDER:	Denis Uminski
AYES:	Kenneth Swanekamp, Robert Morris, Fred Frank, Mark Rountree

I do certify that I have compared the foregoing with the original minutes of the regular meeting of the Planning Board held on June 2, 2021 and that the foregoing is a true and correct transcript from said original minutes and the whole thereof, and that the resolutions duly adopted by said Planning Board are on file in the Town Clerk's Office.

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Preliminary Site Plan Review
380, 400, 408 416 Vulcan Street – Partial demolition, re-use of industrial buildings
Applicants: Dave Clare - Austin Development
Kevin Stocker - Attorney

The Board members held a discussion with the applicants on the proposed re-use of the industrial buildings.

The Board tabled their decision pending a phase one site plan application.

Seconded by Mr. Frandina

Carried Six (6) Ayes and No (0) Nays

Preliminary site Plan Review and Performance Standards Permit
1110 Military Road – Warehousing

At the January 6, 2021 meeting the Board members held a discussion with the applicant on the proposed warehouse located at 1110 Military Road.

The Board tabled their decision pending a layout of the building, a list of materials stored in the building and sprinkler reports.

The Chairman reported that he received an email from the applicant stating that the fire reports are being prepared.

To date no reports have been received.

Other items

2375 Sheridan Drive, Royal Car Wash – residential impact - Matthew Sutton stated that the sound study expert is under contract and the testing will be take place in June.

Townwide Rezoning Project – James Hartz reported that a meeting was held with the consultants. They are exploring ways to simplify the code for better usability.

Meeting adjourned 8:00 PM

Respectfully submitted,

Fred Kubus/jd
Secretary

APPENDIX B

BCP APPLICATION PART B – SECTIONS V - XI

SECTION VI – CURRENT PROPERTY OWNER/OPERATOR INFORMATION

SECTION VII – REQUESTOR ELIGIBILITY

SECTION IX – CONTACT LIST

SECTION X – LAND USE FACTORS

EXHIBIT B1 – DOCUMENT REPOSITORY CONFIRMATION

APPENDIX B

BCP Application – Part B

Section V – Section X

2122 Colvin Boulevard Site

SECTION VI – CURRENT PROPERTY OWNER/OPERATOR INFORMATION

Reasonable attempts were made to attain complete information regarding current and previous site owners and operators. Information for the previous and current owners/operators are provided in the table below, as available.

Parcel Address	Use	Approx. Date(s)	Relationship to Applicant
2122 Colvin Boulevard			
Current Owner/Operator			
Midwest Storage Developers LLC 323 Columbia Street, Suite 300 Lafayette, IN 47901 David Hood Phone: (765) 491-1723 Email: d.hood@hotmail.com	Vacant	July 16, 2021 to Present	Applicant
Previous Owners/Operators			
Greif Containers Inc. 425 Winter Road Delaware, Ohio 43015	Industrial/ Vacant	March 22, 2005 to July 15, 2021	None – No Relationship
Greif Bros Corporation 425 Winter Road Delaware, Ohio 43015	Industrial	December 24, 1984 to March 22, 2005	None – No Relationship
Sonoco Products Company 1 North Second Street Hartsville, SC 29550	Industrial	1984 to 1998	None – No Relationship
Continental Fiber Drum and Continental Can Company	Industrial	1948 to 1984	None – No Relationship

SECTION VII – REQUESTOR ELIGIBILITY INFORMATION

The Applicant, Midwest Storage Developers LLC, qualifies as a "Volunteer" in accordance with NY ECL 27-1405(1)(b) and 6NYCRR 375-3.2(b)(2). Previous Site activities have contaminated the site soil, groundwater, and soil vapor, which are attributable to its former use as a fiber drum/metal lid manufacturer and a former railroad spur in the long truck bay area, as documented in previous investigation reports. Applicant's liability for the parcel addressed ay 2122 Colvin Boulevard will arise solely from taking title to the property

(ownership) after the contaminants had already been released and/or placed at the Site. Prior to ownership the Applicant had no relationship with the entities which owned or operated the Site at the time of such disposal or discharge. The Applicant recently purchased the Site on July 16, 2021. Therefore, Midwest Storage Developers LLC is entitled to Volunteer status under NY ECL27-1405(1)(b).

The Site was previously enrolled in the former New York State Voluntary Cleanup Program (VCP), Site No. V-00334. Pursuant to the case of *Town of Brookhaven vs. Metropolitan Transportation Authority*, No. Index No. 2015-04273 (Sup Ct.-Suffolk Cty), the VCP has been deemed *ultra vires* and the program was subsequently terminated by the NYSDEC. Because of this, the Site remains eligible for entry into the BCP and remains eligible for both site preparation and tangible property credits. As demonstrated in Appendix A, Section IV, Environmental Assessment Narrative, soil, groundwater, and soil vapor contamination exists at the Site. VOCs and SVOCs in soil exceed their respective PGWSCOs and/or CSCOs and elevated concentrations of VOCs in groundwater exceeding their respective GWQS/GV. Recent groundwater monitoring results (October 2020) indicated cVOC concentrations as high as 833,800 ug/L in the vicinity of the former varnish pit and DNAPL and LNAPL still accumulated in wells. Additionally, due to the elevated VOCs present in the soil and groundwater and presence of NAPL, soil vapor is also impacted.

SECTION IX – CONTACT LIST INFORMATION

Site Contact List

The following is the contact list for the subject property. Each contact will be sent fact sheets throughout the project's duration.

APPENDIX B

BCP Application – Part B

Section V – Section X

2122 Colvin Boulevard Site

Erie County Contacts:

Honorable Mark Poloncarz
Erie County Executive
95 Franklin Street
Buffalo, NY 14202

Erie County Legislator Kevin R. Hardwick
District 4
92 Franklin Street, 4th Floor
Buffalo, NY 14202

Commissioner Daniel Castle.
Erie Co. Environment & Planning
95 Franklin Street, 10th Floor
Buffalo, NY 14202

Mr. John Hood
Erie Co. Environment & Planning
95 Franklin Street, 10th Floor
Buffalo, NY 14202

Mr. Robert M. Graber
Erie County Legislature Clerk
92 Franklin Street
Buffalo, NY 14202

Mr. John Cappellino
ECIDA
95 Perry Street
Buffalo, NY 14203

Commissioner Gale Burstein, MD
Erie County Health Department
95 Franklin Street, Room 931
Buffalo, NY 14202

Commissioner Daniel Neaverth, Jr.
Erie County Local Emergency
45 Elm Street
Buffalo, NY 14203

Town of Tonawanda Contacts:

Joseph H. Emminger, Supervisor
Town of Tonawanda
2919 Delaware Ave #14
Buffalo, NY 14217

John Bargnesi, Jr.
Counsilman/Deputy Supervisor
2919 Delaware Ave #14
Buffalo, NY 14217

Kenneth Swanekamp, Chairman
Town of Tonawanda
Planning Board
2919 Delaware Ave #14
Buffalo, NY 14217

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Section V – Section X
2122 Colvin Boulevard Site

Supplier of Potable Water:

Town of Tonawanda Water/Sewer
Maintenance Department
525 Belmont Avenue
Buffalo, NY 14223

Local News Media:

Buffalo News
ATTN: Ms. Aaron Besecker
1 News Plaza
Buffalo, NY 14240

WIVB - Ch. 4
ATTN: Ms. Lisa Fullone
2077 Elmwood Avenue
Buffalo, NY 14207

WJYE
ATTN: Environmental News Desk
1700 Rand Building
Buffalo, NY 14203

WBEN News Radio 930
Entercom Radio of Buffalo
500 Corporate Pkwy, Suite 200
Buffalo, NY 14226

WGRZ TV - Ch. 2
ATTN: Ms. Maria Sisti
259 Delaware Avenue
Buffalo, NY 14202

WKBW News Channel 7
ATTN: Ms. Melanie Pritchard
7 Broadcast Plaza
Buffalo, NY 14202

Business First
ATTN: Anne Marie Franczyk
465 Main Street
Buffalo, NY 14203-1793

WNED, Environmental News Desk
ATTN: Mr. Michael Desmond
P.O. Box 1263, Horizons Plaza
Buffalo, NY 14240

Nearby Schools:

Rev. Sebastian Pierro, Pastor
St. Amelia School
2999 Eggert Road
Tonawanda, NY 14150

Patrick Heyden, Principal
Kenmore East Senior High School
350 Fries Road
Tonawanda, NY 14150

APPENDIX B

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Section V – Section X

2122 Colvin Boulevard Site

Mary Holzerland, Principal
Cardinal O'Hara High School
39 O'Hara Road
Tonawanda, NY 14150

Robert Ross, Principal
Mullen Elementary School
130 Syracuse Street
Tonawanda, NY 14150

David King, Principal
Thomas A. Edison Elementary
236 Grayton Road
Tonawanda, NY 14150

Michael J. Huff, Principal
Herbert Hoover Middle School
199 Thorncliff Road
Buffalo, NY 14223

New Life Day Care
80 Luksin Drive
Tonawanda, NY 14150

First Class Nursery School
1530 Colvin Boulevard
Tonawanda, NY 14223

Document Repository

Ms. April Thompkins
Sr. Library Clerk
Buffalo & Erie County Public Library
1 Lafayette Square
Buffalo, NY 1420

John Gaff
Director
City of Tonawanda Public Library
333 Main Street
Tonawanda, NY 14150

APPENDIX B

BCP Application – Part B

Section V – Section X

2122 Colvin Boulevard Site

Adjacent Property Owners

Information for the residents, owners, and occupants of the properties adjacent to the Site are provided in the table below (see Figure 12).

Adjacent Property Address			Property Owner Mailing Address
No.	Street	Property Use	
50	Sharon Avenue	Sewage treatment and water pollution control	Town of Tonawanda 2919 Delaware Avenue Kenmore, NY 14217
45	Embassy Square	Apartments	Indus Embassy Associates NY Limited Partnership 3375 Brighton Henrietta Townline Rochester, NY 14623
21	Embassy Square	Apartments	Embassy Square Apartments LLC 230 North Street Buffalo, NY 14201
3	Embassy Square	Apartments	Embassy Square Apartments LLC 230 North Street Buffalo, NY 14201
4	Embassy Square	Apartments	Indus Embassy Associates NY Limited Partnership 3375 Brighton Henrietta Townline Rochester, NY 14623
2162	Colvin Boulevard	One family year-round residence	Larry P. Lade and Carolyn H. Lade 2162 Colvin Boulevard Tonawanda, NY 14150
17	Sharon Avenue	One family year-round residence	Donna Mundie 17 Sharon Avenue Tonawanda, NY 14150

18	Sharon Avenue	One family year-round residence	Diane Chmielewski 18 Sharon Avenue Tonawanda, NY 14150
2145	Colvin Boulevard	One family year-round residence	Coleen E. Graham 2145 Colvin Boulevard Tonawanda, NY 14150
2141	Colvin Boulevard	One family year-round residence	Richard C. Herman and Anne L. Herman 2141 Colvin Boulevard Tonawanda, NY 14150
2135	Colvin Boulevard	One family year-round residence	Tricia Graham 2135 Colvin Boulevard Tonawanda, NY 14150
2131	Colvin Boulevard	Sewage treatment and water pollution control	Town of Tonawanda 2919 Delaware Avenue Kenmore, NY 14217
2121	Colvin Boulevard	Two family year-round residence	David T. Fix and Donna K. Fix 2121 Colvin Boulevard Tonawanda, NY 14150
2115	Colvin Boulevard	Two family year-round residence	Aleksandr Zhilevich and Lyudmila Zhilevich 6825 Bear Ridge Road Lockport, NY 14094
2107	Colvin Boulevard	Two family year-round residence	Anita Hoch 2107 Colvin Boulevard Tonawanda, NY 14150
2101	Colvin Boulevard	Two family year-round residence	Aaron J. Beauregard 74 Wellingwood Drive East Amherst, NY 14051

APPENDIX B
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2122 Colvin Boulevard Site

2097	Colvin Boulevard	Two family year-round residence	DRNR Properties LLC 46 Graystone Lane Orchard Park, NY 14127
2091	Colvin Boulevard	Two family year-round residence	DRNR Properties LLC 46 Graystone Lane Orchard Park, NY 14127
2085	Colvin Boulevard	Two family year-round residence	Francis J. Gaglione Jr. and Laura A. Gaglione 677 Mill Street Williamsville, NY 14221
2081	Colvin Boulevard	Two family year-round residence	Li Fang Tseng 383 Alberta Street Amherst, NY 14226
2075	Colvin Boulevard	Two family year-round residence	Miroslava Tomic and Danka Tomic 2075 Colvin Boulevard Tonawanda, NY 14150
100	Colvin Woods Parkway	Office Building	I-290 Colvin Associates LLC C/O Ciminelli Real Estate Corp. 50 Fountain Plaza, Suite 500 Buffalo, NY 14202
200	Colvin Woods Parkway	Office Building	Blue Angels Properties LLC a NY Limited Liability Co. C/O C/O John W. Danforth Co. 300 Colvin Woods Parkway Tonawanda, NY 14150
300	Colvin Woods Parkway	Manufacturing and Processing	Blue Angels Properties LLC a NY Limited Liability Co. C/O C/O John W. Danforth Co. 300 Colvin Woods Parkway Tonawanda, NY 14150

APPENDIX B
BCP Application – Part B
Section V – Section X
2122 Colvin Boulevard Site

Document Repository

The Buffalo and Erie County Library for the City of Tonawanda has agreed to act as the document repository for the proposed BCP Site. A letter of acknowledgement from the repository is included in Exhibit B1.

SECTION X – LAND USE FACTORS

1 – Current Zoning

The project area is planned as commercial, consistent with the Town of Tonawanda zoning assigned to the Site (see Figure 13). The current zoning for the Site is PS-Performance Standards Use District (flexible zoning allowing for commercial and industrial uses). The Project received a Performance Standards Use Permit from the Tonawanda Town Board on May 17, 2021 and Site Plan approval from the Tonawanda Planning Board on June 2, 2021, which was included as Exhibit A5. To create consistency of permitted uses the Applicant will be seeking to rezone this northern portion of the Site to the same PS-Performance Standards Use District as the majority of the Site. This will allow a single cleanup target for the entire Site.

2 – Current Use

The Site is improved with one (1) vacant building constructed in 1948 for drum and metal lid and rim manufacturing. A second, smaller, prefabricated building was constructed to house the former Treatment system. The remaining area is covered by asphalt pavement, concrete, and vegetated areas. The northwest portion of the Site is covered with dense vegetation.

3, 4, 5 and 6 – Planned Future Use

The Volunteer plans to redevelop the ±13.73-acre Site as a self-storage facility. The existing building will be redeveloped with interior drive-through storage units and additional outbuildings will be constructed for exterior storage units. A preliminary project rendering of the development is included as Figure 6.

October 15, 2021

Ms. April Tompkins
Repository Documents
Buffalo & Erie County Public Library
1 Lafayette Square
Buffalo, NY 14203

Re: Document Repository for Brownfield Cleanup Program
2122 Colvin Boulevard Site
Tonawanda, New York

Dear Ms. Tompkins:

On behalf of our client, TurnKey Environmental Restoration, LLC in association with Benchmark Environmental Engineering & Science, PLLC would like to request the Buffalo & Erie County Public Library, City of Tonawanda Public Library to act as the document repository for the above-referenced Site. In the future, we will be sending various documents relating to the Site that should be made available for public review upon request.

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

Sincerely,
TurnKey Environmental Restoration, LLC

Chelsea Kanaley

Chelsea Kanaley
Geologist

File: T0594-021-001

From:	April Tompkins
To:	Chelsea N. Kanaley
Subject:	RE: Document Repository Request - 2122 Colvin Boulevard Site (Final Correction)
Date:	Friday, October 15, 2021 1:17:10 PM
Attachments:	Document Repository Request - 2122 Colvin Boulevard Site.pdf

Good afternoon Chelsea,

Per your request, this is to inform you that the Buffalo and Erie County Public Library will be the repository for all document(s) submitted by your company for the Brownfield Cleanup Program at the **2122 Colvin Boulevard Site**. These documents will be made available for public viewing at the **City of Tonawanda Public Library** and/or any other library of your choice. Please refer to our procedure below.

We prefer that you do not take and/or send documents to individual libraries. Please bring or send your document(s), and cover letter, to the Central Library and we will process according to our procedure and distribute to the location of your choice. **If you would like a confirmation that your document was received, you will need to include the request in your cover letter and provide an email address**.

Please keep the following in mind:

- Documents (including updates) for public viewing should be either brought in person (to my attention) to the Central Library's administrative reception desk located on the second floor or sent via mail carrier. Documents sent via e-mail will not be accepted. The mailing address is:

  Attention: April Tompkins
  Re: Repository Documents
  Buffalo and Erie County Public Library
  1 Lafayette Square
  Buffalo, NY 14203

- Documents are made available within three business days after receipt, excluding weekends and holidays. Documents for the Central/Downtown library are located on the first floor in the Information Services Department.

- If you would like the document(s) distributed at **libraries other than Central**, you will need to send or give us the appropriate quantity of copies with labels regarding their destination(s). We will distribution accordingly. We do not make copies for distribution.

- Documents that cannot be stapled, should be kept together spiral bound or in a ring binder. Please do not send 'loose' papers, especially if including a cd or flash drive.

- You have the choice regarding the format (hard copy print and / or disk) you wish to submit. If submitting in both formats, please be sure that they are titled/labeled accordingly. **If cd's**

or flash drives are included, please secure to the corresponding printed document(s) to prevent it from getting lost or separated. Although CD-ROMs cannot be used on public library computers, patrons may bring in their personal laptop to view the disc in-house. If optional, an alternative is the availability to go online using a provided link for patrons to read/print. Patrons are not allowed to take original repository documents out of the Library.

If you still have any questions/concerns, please feel free to contact me by replying to this e-mail or by phone at 716-858-7129. Thank you.

Regards,
April

From: Chelsea N. Kanaley <ckanaley@bm-tk.com>
Sent: Friday, October 15, 2021 11:25 AM
To: April Tompkins <tompkinsa@buffalolib.org>
Subject: Document Repository Request - 2122 Colvin Boulevard Site

Dear Ms. Tompkins,

Please see the attached document repository request for the Brownfield Cleanup Program.

Thank you,
Chelsea Kanaley

Chelsea N. Kanaley
Geologist
ckanaley@bm-tk.com

TurnKey Environmental Restoration, LLC
www.benchmarkturnkey.com
2558 Hamburg Turnpike, Suite 300, Buffalo, NY 14218
Phone: (716) 856-0635, *Mobile:* (716) 220-1093, *Facsimile:* (716) 856-0583

Strong Advocates | Effective Solutions | Integrated Implementation

PREVIOUS ENVIRONMENTAL INVESTIGATIONS (PROVIDED ELECTRONICALLY)

SUBSURFACE INVESTIGATION, GREIF BROS. CORPORATION FACILITY, 2122 COLVIN BOULEVARD, TONAWANDA, NEW YORK – ENVIRONMENTAL RESOURCES MANAGEMENT, APRIL 1999.

VOLUNTARY REMEDIAL INVESTIGATION REPORT, GREIF BROS. FACILITY, 2122 COLVIN BOULEVARD, TOWN OF TONAWANDA, ERIE COUNTY, NEW YORK – ENVIRONMENTAL RESOURCES MANAGEMENT, NOVEMBER 2001.

DATA GAP INVESTIGATION REPORT, GREIF BROS. SITE, 2122 COLVIN BOULEVARD, TOWN OF TONAWANDA, ERIE COUNTY, NEW YORK – ENVIRONMENTAL RESOURCES MANAGEMENT – DECEMBER 2003.

VAPOR INTRUSION EVALUATION REPORT, GREIF, INC. FACILITY, TOWN OF TONAWANDA, ERIE COUNTY, NEW YORK, NYSDEC VOLUNTARY CLEANUP PROGRAM #V00334-9 – ENVIRONMENTAL RESOURCES MANAGEMENT, NOVEMBER 2009.

DECISION DOCUMENT, GREIF BROS. SITE, TOWN OF TONAWANDA, ERIE COUNTY NEW YORK, SITE NO. V-00334-9 – NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION, JANUARY 2010, REVISED SEPTEMBER 2010.

TECHNICAL MEMORANDUM: PROPOSED CHANGE IN SELECTED REMEDY IN THE FORMER VARNISH UST AREA, GREIF, INC. FACILITY, TOWN OF TONAWANDA, ERIE COUNTY, NEW YORK, NYSDEC VOLUNTARY CLEANUP PROGRAM #V00334-9 – ENVIRONMENTAL RESOURCES MANAGEMENT, AUGUST 2010.

FORMER VARNISH LINE TANKS DECOMMISSIONING REPORT, GREIF FACILITY-TONAWANDA, NEW YORK, NYSDEC CBS NUMBER 9-000150 – ENVIRONMENTAL RESOURCES MANAGEMENT, SEPTEMBER 2010.

SITE MANAGEMENT PLAN, GREIF, INC. FACILITY, TOWN OF TONAWANDA, ERIE COUNTY, NEW YORK, NYSDEC VCP SITE NUMBER V00334-9 – ENVIRONMENTAL RESOURCES MANAGEMENT, JUNE 2016.

FINAL ENGINEERING REPORT, GREIF, INC. FACILITY, TOWN OF TONAWANDA, ERIE COUNTY, NEW YORK, NYSDEC SITE NUMBER V00334-9 – ENVIRONMENTAL RESOURCES MANAGEMENT, JUNE 2017.

PHASE I ENVIRONMENTAL SITE ASSESSMENT, 2122 COLVIN BOULEVARD, TONAWANDA, NEW YORK – STANTEC CONSULTING SERVICES, MARCH 2021.

PHASE II ENVIRONMENTAL SITE ASSESSMENT, 2122 COLVIN BOULEVARD, TONAWANDA, NEW YORK, NYSDEC VOLUNTARY CLEANUP PROGRAM SITE V00334 – STANTEC CONSULTING SERVICES, APRIL 2021.

PERIODIC REVIEW REPORT, GREIF, INC. FACILITY, 2122 COLVIN BOULEVARD TONAWANDA, NEW YORK, NYSDEC SITE NUMBER V00334 – ENVIRONMENTAL RESOURCES MANAGEMENT, AUGUST 2021.