



Periodic Review Report

**Reporting Period June 14, 2020 to
June 14, 2025**

2250 Factory Outlet Boulevard Site
BCP Site No. C932127
Niagara Falls, New York

June 2025

Prepared for:

NF-3rd Associates, LLC (Benderson)
570 Delaware Avenue
Buffalo, NY 14202

Prepared by:

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

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1. Introduction

Roux Environmental Engineering & Geology, D.P.C. (Roux) ¹ has prepared this Periodic Review Report (PRR) on behalf of Benderson Development Company, LLC (Benderson) to summarize the post-remedial status of New York State Department of Environmental Conservation (NYSDEC) Brownfield Cleanup Program (BCP) Site No. C932127 (Site Owner NF-3rd Associates, LLC).

This PRR has been prepared for the 2250 Factory Outlet Boulevard Site (Site or BCP Site) in accordance with NYSDEC DER-10 Technical Guidance for Site Investigation and Remediation (May 2010). Appendix A includes the completed NYSDEC Institutional and Engineering Controls Certification Form. This PRR and the associated inspection form have been completed for the June 14, 2020 to June 14, 2025 reporting period.

1.1 Background

Grossman's Building Supply developed the property in the early 1970s. Prior to that time, the Site was reportedly undeveloped. The approximate 39,000 square foot vacant concrete block building (slab-on-grade) formerly located on the western portion of the property was demolished in January 2007 (see Figure 2). The Site is bounded by Interstate 190 to the west, a car dealership to the north, Military Road to the northeast, Factory Outlet Boulevard to the southeast, and an automobile oil and lube facility to the south.

Environmental site investigations conducted at the Site between 2004 and 2006 revealed the presence of chromium-impacted soil/fill requiring remediation. On December 29, 2006, a Brownfield Cleanup Agreement (BCA) was executed by Benderson Development Company, LLC and NYSDEC. The BCA was modified on June 6, 2007 to substitute NF-3rd Associates, LLC as the Volunteer under the BCA in place of Benderson Development Company, LLC.

Remedial efforts under the BCP began in December 2006 with the Remedial Investigation (RI). Based on the findings of the RI, it was determined that an IRM would be necessary to address chromium-impacted soil/fill. The IRM was initiated in February 2007 and included excavation and off-site disposal of approximately 1,569 tons of hazardous chromium-impacted soil/fill and approximately 5,359 tons of non-hazardous chromium impacted soil/fill. After IRM excavation activities were completed, all excavation areas were backfilled and graded to pre-existing conditions prior to redevelopment. The IRM was successful in removing all known chromium-impacted soil/fill on-site, and remedial activities were completed in June 2007. The RI/AAR/IRM report and SMP for the Site were approved by NYSDEC in November 2007. The Certificate of Completion (COC) was issued for the Site on December 14, 2007.

1.2 Site Description

The 2250 Factory Outlet Boulevard Site (Niagara County Tax Map No. 145.20-1-1) is an approximate 5-acre parcel with an approximate 1.81-acre portion of the greater 5-acre parcel subject to the BCA and this PRR (see Figures 1 and 2). The greater parcel was redeveloped as a Niagara Frontier Transportation Authority (NFTA) bus terminal with associated offices and a surface lot parking.

¹ Formerly Benchmark Civil/Environmental Engineering & Geology, PLLC (Benchmark) and TurnKey Environmental Restoration, LLC (TurnKey).

1.3 Compliance and Recommendations

At the time of the Site inspections (May 13, 2021; May 27, 2022; June 2, 2023; June 13, 2024; and May 16, 2025), the Site was fully compliant with the Site Management Plan (SMP). No modification to the current SMP is recommended.

2. Remedy Performance

The Site inspections included an annual walk-over of the entire BCP Site to visually observe, document, and confirm the following:

- Groundwater is not being used in any capacity.
- Land use is commercial or industrial in nature.
- There are no intrusive activities occurring on the Site.
- The Site is maintained and compliant with the SMP requirements.

Appendix A includes the completed NYSDEC Institutional and Engineering Controls (IC/EC) Certification form. Appendix B includes photographs taken during the annual inspections on May 13, 2021; May 27, 2022; June 2, 2023; June 13, 2024; and May 16, 2025 to document Site use.

3. Site Management Plan

The SMP prepared for the Site was approved by NYSDEC in November 2007. The SMP includes an Operation, Monitoring and Maintenance (OM&M) Plan, a Soil/Fill Management Plan, and a copy of the Environmental Easement. A brief description of the components of the SMP is presented below.

3.1 Annual Inspection and Certification Program

The annual inspection and certification program outlines the requirements for the Site, which are to certify and attest that the IC/ECs employed at the Site are unchanged from the previous certification. The annual certification primarily consists of an annual Site inspection to complete the auto-generated NYSDEC IC/EC Certification Form. The Site inspection is conducted to verify that the IC/ECs:

- Are in place and effective.
- That nothing has occurred that would impair the ability of the controls to protect the public health and environment.
- That nothing has occurred that would constitute a violation or failure to comply with any operation and maintenance plan for such controls.
- Access is available to the Site to evaluate continued maintenance of such controls.

Site inspections were performed on May 13, 2021; May 27, 2022; June 2, 2023; June 13, 2024; and May 16, 2025. At the time of the inspections, the property was being used as an NFTA bus terminal and associated offices, with surface parking, paved walkways, and landscaped areas. No observable indications of intrusive activities were noted during the Site inspections. The facility uses municipal water supply, and no observable use of groundwater was noted during the Site inspections.

Appendix A includes the completed IC/EC Certification Form. Appendix B includes photographs taken during the Site inspections.

3.2 Soil/Fill Management Plan

A Soil/Fill Management Plan (SFMP) was included in the approved-SMP. The SFMP provides guidelines for the management of soil and fill material during any future intrusive activities.

According to Benderson Development Company, LLC, no intrusive activities requiring management of on-site soil/fill or the placement of backfill materials occurred during the reporting period.

3.3 Institutional Control Requirements and Compliance

As detailed in the Environmental Easement, the following institutional controls (ICs) need to be maintained as a requirement of the BCA for the Site.

- Groundwater-Use Restriction: Groundwater use for potable and non-potable purposes is prohibited.
- Land-Use Restriction: The controlled property may be used for commercial and/or industrial use.
- Implementation of the SMP including the SFMP.

4. Conclusions and Recommendations

At the time of the Site inspections in May 2021, May 2022, June 2023, June 2024, and May 2025, the Site was in full compliance with the SMP.

The Site has been fully compliant with the SMP since issuance of the COC in 2007. There are no current plans for additional on-site development; however, if intrusive activities are planned at the Site prior to the next PRR, Benderson Development Company, LLC will submit requisite work plans to NYSDEC. Annual Site inspections will be performed and completion of the PRR, as required by the SMP, will continue every five years with the next PRR due July 14, 2030.

5. Declaration/Limitation

Roux Environmental Engineering & Geology, D.P.C. personnel conducted the annual Site inspection for BCP Site No. C932127 in Niagara Falls, New York according to generally accepted practices. This report complied with the scope of work provided to Benderson Development Company, LLC by Roux Environmental Engineering & Geology, D.P.C.

This report has been prepared for the exclusive use of Benderson Development Company, LLC. The contents of this report are limited to information available at the time of the site inspection. The findings herein may be relied upon only at the discretion of Benderson Development Company, LLC. Use of or reliance upon this report or its findings by any other person or entity is prohibited without written permission of Roux Environmental Engineering & Geology, D.P.C.

FIGURES

1. Site Location and Vicinity Map
2. Site Plan

\\SRVBNYAFS1\BUFFALOSHARED\CAD\BENCHMARK\BENDERSON\2250 FACTORY OUTLET BOULEVARD\PERIODIC REVIEW REPORT\2025\FIGURE 2: SITE PLAN.DWG JYAEGER

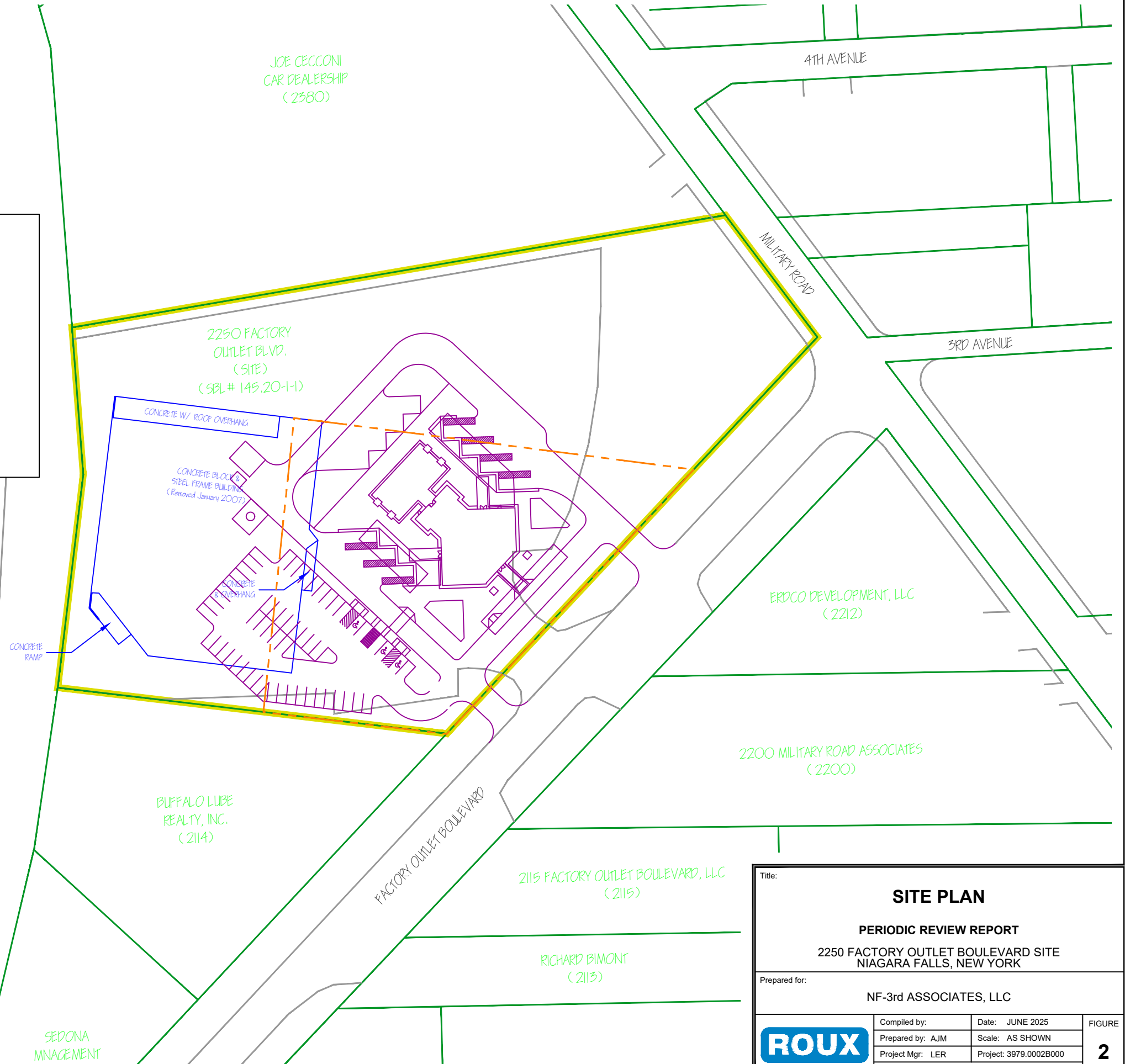



LEGEND:

- PROPERTY BOUNDARY
- PARCEL BOUNDARY
- - - BCP SITE BOUNDARY (~1.81 ACRES)
- FORMER BUILDING



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



Title:			
SITE PLAN			
PERIODIC REVIEW REPORT			
2250 FACTORY OUTLET BOULEVARD SITE NIAGARA FALLS, NEW YORK			
Prepared for:			
NF-3rd ASSOCIATES, LLC			
	Compiled by:	Date: JUNE 2025	FIGURE 2
	Prepared by: AJM	Scale: AS SHOWN	
	Project Mgr: LER	Project: 3979.0002B000	
	File: FIGURE 2; SITE PLAN.DWG		

- A. Institutional & Engineering Controls
Certification Form
- B. Site Photographic Logs

Institutional & Engineering Controls Certification Form



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



Site Details

Box 1

Site No. **C932127**

Site Name 2250 Factory Outlet Boulevard Site

Site Address: 2250 Factory Outlet Boulevard Zip Code: 14304

City/Town: Niagara Falls

County: Niagara

Site Acreage: 1.810

Reporting Period: June 14, 2020 to June 14, 2025

YES NO

1. Is the information above correct?

☒ ☐

If NO, include handwritten above or on a separate sheet.

2. Has some or all of the site property been sold, subdivided, merged, or undergone a tax map amendment during this Reporting Period?

☐ ☒

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

☐ ☒

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

☐ ☒

If you answered YES to questions 2 thru 4, include documentation or evidence that documentation has been previously submitted with this certification form.

5. Is the site currently undergoing development?

☐ ☒

Box 2

YES NO

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

☒ ☐

7. Are all ICs in place and functioning as designed?

☒ ☐

**IF THE ANSWER TO EITHER QUESTION 6 OR 7 IS NO, sign and date below and
DO NOT COMPLETE THE REST OF THIS FORM. Otherwise continue.**

A Corrective Measures Work Plan must be submitted along with this form to address these issues.

Signature of Owner, Remedial Party or Designated Representative

Date

Box 2A

YES NO

8. Has any new information revealed that assumptions made in the Qualitative Exposure Assessment regarding offsite contamination are no longer valid?

☐☒

If you answered YES to question 8, include documentation or evidence that documentation has been previously submitted with this certification form.

9. Are the assumptions in the Qualitative Exposure Assessment still valid?
(The Qualitative Exposure Assessment must be certified every five years)

☒☐

If you answered NO to question 9, the Periodic Review Report must include an updated Qualitative Exposure Assessment based on the new assumptions.

SITE NO. C932127**Box 3****Description of Institutional Controls**

Parcel**145.20-1-1**Owner

NF-3rd. Associates, LLC

Institutional Control

Ground Water Use Restriction
Landuse Restriction
Site Management Plan

The following controls apply to the use of the Controlled Property, run with the land, are binding on the Grantor and the Grantor's successors and assigns, and are enforceable in law or equity against any owner of the Controlled Property, any lessees, and any person using the Controlled Property:

A. The Controlled Property may be used for restricted commercial and/or industrial use as long as the following long term engineering controls are employed:

(l) Soils and fill materials encountered during any construction or development activity must be handled in accordance with provisions of the Site Management Plan. Prior notification and prior approval of NYSDEC is required in accordance with the Site Management Plan for this Controlled Property. Excavated soil must be managed, characterized, and properly disposed in accordance with NYSDEC regulations and directives.

The Grantor hereby acknowledges receipt of a copy of the NYSDEC-approved Site Management Plan, dated November 2007 ("SMP"). The SMP describes obligations that Grantor assumes on behalf of Grantor, its successors and assigns. The Grantor's assumption of the obligations contained in the SMP which may include sampling, monitoring and/or operating a treatment system on the Controlled Property, and providing certified reports to the NYSDEC, is and remains a fundamental element of the Department's determination that the Controlled Property is safe for a specific use, but not all uses. The Department may change the SMP for the Controlled Property from time to time on the basis of requests or information submitted by Grantor, and modifications in applicable statutes, regulations, guidance, or site conditions. The Department reserves a unilateral right to modify the SMP. The Grantor and all successors and assigns, assume the burden of complying with the SMP and obtaining an up-to-date version of the SMP from:

Regional Remediation Engineer
Region 9
NYS Department of Environmental Conservation
270 Michigan Avenue
Buffalo, New York 14203

or

Site Control Section
Division of Environmental Remediation
NYS Department of Environmental Conservation
625 Broadway
Albany, New York 12233

B. The Controlled Property may not be used for a higher level of use such as unrestricted or restricted residential use and the above-stated engineering controls may not be discontinued without an amendment or extinguishment of this Environmental Easement.

C. Grantor covenants and agrees that until such time as the Environmental Easement is extinguished in accordance with the requirements of Article 71, Title 36 of the ECL, the property deed and all subsequent instruments of conveyance dating to the Controlled property shall state in at least fifteen-point bold-faced type:

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

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

E. Grantor covenants and agrees that it shall annually, or such time as NYSDEC may allow, submit to NYSDEC a written statement by an expert the NYSDEC may find acceptable certifying under penalty of perjury that the controls employed at the Controlled Property are unchanged from the previous certification or that any changes to the controls employed at the Controlled Property were approved by the NYSDEC, and that nothing has occurred that would impair the ability of such control to protect the public health and environment or constitute a violation or failure to comply with any Site Management Plan for such controls

and giving access to such Controlled Property to evaluate continued maintenance of such controls.

Box 4

Description of Engineering Controls

None Required

Not Applicable/No EC's

Box 5

Periodic Review Report (PRR) Certification Statements

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

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

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

YES NO

☒ ☐

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

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

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

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

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

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

YES NO

☒ ☐

IF THE ANSWER TO QUESTION 2 IS NO, sign and date below and DO NOT COMPLETE THE REST OF THIS FORM. Otherwise continue.

A Corrective Measures Work Plan must be submitted along with this form to address these issues.

Signature of Owner, Remedial Party or Designated Representative

Date

IC CERTIFICATIONS
SITE NO. C932127

Box 6

SITE OWNER OR DESIGNATED REPRESENTATIVE SIGNATURE

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

I Adam Harris at 570 Delaware Ave, Buffalo, NY 14202,
print name print business address

am certifying as Owner (NF-3rd Associates, LLC) (Owner or Remedial Party)

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



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

06/14/2025

Date

**EC CERTIFICATIONS
SITE NO. C932127**

Box 7

Professional Engineer Signature

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

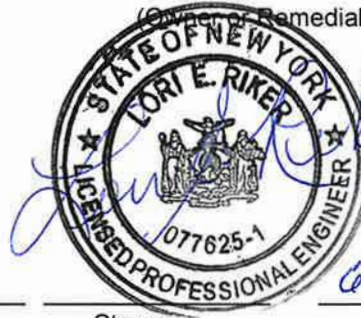
I Lori E. Riker, P.E. at Roux Environmental Engineering & Geology, D.P.C.
2558 Hamburg Turnpike, Suite 300, Buffalo, NY 14218
print name print business address

I am certifying as a Professional Engineer for the Owner

(Owner or Remedial Party)

Lori Riker

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



Stamp
(Required for PE)

Date

6/16/25

Site Photographic Logs

Periodic Review Report 2021 Annual Site Inspection

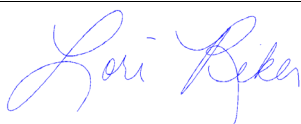
Property Name: 2250 Factory Outlet Boulevard Site	Project No.: 0105-020-001
Client: Benderson Development Company, LLC	
Property Address: 2250 Factory Outlet Boulevard, Niagara Falls, NY	
BCP Site No.: C932127	PRR Due Date: 7/14/25
Preparer's Name: Lori E. Riker, P.E.	Date/Time: 5/5/21 4:30 PM

CERTIFICATION

The results of this inspection were discussed with the Site Manager. Any corrective actions required have been identified and noted in this report, and a supplemental Corrective Action Form has been completed. Proper implementation of these corrective actions have been discussed with the Site Manager, agreed upon, and scheduled.

Preparer / Inspector: Lori E. Riker, P.E.	Date: 5/13/21
---	---------------

Signature:



Next Scheduled Site Inspection Date: May 2022

Property Access

- | | | | |
|--|------------------------------|--|---|
| 1. Is the access road in need of repair? | <input type="checkbox"/> yes | <input checked="" type="checkbox"/> no | <input type="checkbox"/> N/A |
| 2. Sufficient signage posted (No Trespassing)? | <input type="checkbox"/> yes | <input type="checkbox"/> no | <input checked="" type="checkbox"/> N/A |
| 3. Has there been any noted or reported trespassing? | <input type="checkbox"/> yes | <input checked="" type="checkbox"/> no | <input type="checkbox"/> N/A |

Please note any irregularities/ changes in site access and security: _____

Final Surface Cover / Vegetation - No Engineering Controls on Track 2 Site

The integrity of the vegetative soil cover or other surface coverage (e.g., asphalt, concrete) over the entire Site must be maintained. The following documents the condition of the above.

- | | | | |
|---|------------------------------|-----------------------------|---|
| 1. Final Cover is in Place and in good condition? | <input type="checkbox"/> yes | <input type="checkbox"/> no | <input checked="" type="checkbox"/> N/A |
|---|------------------------------|-----------------------------|---|

Cover consists of (mainly): _____

- | | | | |
|---|------------------------------|-----------------------------|---|
| 2. Evidence of erosion? | <input type="checkbox"/> yes | <input type="checkbox"/> no | <input checked="" type="checkbox"/> N/A |
| 3. Cracks visible in pavement? | <input type="checkbox"/> yes | <input type="checkbox"/> no | <input checked="" type="checkbox"/> N/A |
| 4. Evidence of distressed vegetation/turf? | <input type="checkbox"/> yes | <input type="checkbox"/> no | <input checked="" type="checkbox"/> N/A |
| 5. Evidence of unintended traffic and/or rutting? | <input type="checkbox"/> yes | <input type="checkbox"/> no | <input checked="" type="checkbox"/> N/A |
| 6. Evidence of uneven settlement and/or ponding? | <input type="checkbox"/> yes | <input type="checkbox"/> no | <input checked="" type="checkbox"/> N/A |

Periodic Review Report 2021 Annual Site Inspection

Final Surface Cover / Vegetation (continued)

7. Damage to any surface coverage? ☐ yes ☒ no ☐ N/A

If yes to any question above, please provide more information below.

Soil Vapor Extraction System (SVE)

Is the system(s) currently running? ☐ yes ☐ no ☒ N/A

Has regular maintenance and monitoring been documented and enclosed or referenced?
☐ yes ☐ no ☒ N/A

Active Sub-Slab Depressurization System (ASD)

Are there one or more ASD systems currently running at the Site? ☐ yes ☐ no ☒ N/A

System No. _____ Reading: _____

System No. _____ Reading: _____

Has regular maintenance and monitoring been documented and enclosed or referenced?
☐ yes ☐ no ☒ N/A

Groundwater Monitoring

Is there a plan in place and currently being followed? ☐ yes ☐ no ☒ N/A

Are the wells currently intact and operational? ☐ yes ☐ no ☒ N/A

When was the most recent sampling event report and submittal? Date: _____

When is the next projected sampling event? Date: _____

Periodic Review Report 2021 Annual Site Inspection

Property Use Changes / Site Development

Has some or all of the site property been sold, subdivided, merged, or undergone a tax map amendment during the reporting period? ☐ yes ☒ no ☐ N/A

Has the property usage changed, or site been redeveloped since the last inspection? ☐ yes ☒ no ☐ N/A

If yes, please list with date: _____

New Information

Has any new information been brought to the owner/engineer's attention regarding any and/or all engineering and institutional controls and their operation and effectiveness? ☐ yes ☒ no ☐ N/A

Comments: _____

Notes and Comments:

Please attach the following, if applicable:

1. Site sketch
 2. Photographs
 3. Monitoring and maintenance records
 4. Corrective Action Form
-

SITE PHOTOGRAPHS

Photo 1:



Photo 2:



Photo 3:



Photo 4:



Photo 1: Exterior Site condition (looking west)

Photo 2: Exterior Site conditions from front walkway (looking northeast)

Photo 3: Exterior Site conditions from front walkway - asphalt and concrete surfaces (looking northwest)

Photo 4: Exterior Site conditions from front walkway - asphalt, concrete, and landscaped areas (looking southwest)

SITE PHOTOGRAPHS

Photo 5:



Photo 6:



Photo 7:



Photo 8:



Photo 5: Exterior Site conditions – asphalt parking lot (looking southeast)

Photo 6: Exterior Site conditions – asphalt parking lot and vegetated area (looking northwest)

Photo 7: Exterior Site conditions – asphalt parking lot (looking northeast)

Photo 8: Exterior Site conditions – concrete surfaces from rear of building (looking west)

SITE PHOTOGRAPHS

Photo 9:



Photo 10:



Photo 11:



Photo 12:



Photo 9: Exterior Site condition from eastern Site entrance (looking west)

Photo 10: Exterior Site conditions from eastern Site entrance showing landscaping (looking north)

Photo 11: Exterior Site conditions from eastern side of building showing asphalt and concrete surfaces (looking southwest)

Photo 12: Exterior Site conditions from western side of building showing asphalt, concrete and landscaped areas (looking east)

SITE PHOTOGRAPHS

Photo 13:



Photo 14:



Photo 13: Exterior Site condition – rear of building (looking southeast)

Photo 14: Interior Site conditions



Periodic Review Report 2022 Annual Site Inspection

Property Name: 2250 Factory Outlet Boulevard Site Project No.: 0105-020-001
Client: Benderson Development Company, LLC
Property Address: 2250 Factory Outlet Boulevard, Niagara Falls, NY
BCP Site No.: C932127 PRR Due Date: 7/14/25
Preparer's Name: Lori E. Riker, P.E. Date/Time: 5/26/22 11:30 AM

CERTIFICATION

The results of this inspection were discussed with the Site Manager. Any corrective actions required have been identified and noted in this report, and a supplemental Corrective Action Form has been completed. Proper implementation of these corrective actions have been discussed with the Site Manager, agreed upon, and scheduled.

Preparer / Inspector: Lori E. Riker, P.E. **Date:** 5/27/22

Signature:

Next Scheduled Site Inspection Date: May 2023

Property Access

- | | | | |
|--|------------------------------|--|---|
| 1. Is the access road in need of repair? | <input type="checkbox"/> yes | <input checked="" type="checkbox"/> no | <input type="checkbox"/> N/A |
| 2. Sufficient signage posted (No Trespassing)? | <input type="checkbox"/> yes | <input type="checkbox"/> no | <input checked="" type="checkbox"/> N/A |
| 3. Has there been any noted or reported trespassing? | <input type="checkbox"/> yes | <input checked="" type="checkbox"/> no | <input type="checkbox"/> N/A |

Please note any irregularities/ changes in site access and security: _____

Final Surface Cover / Vegetation - No Engineering Controls on Track 2 Site

The integrity of the vegetative soil cover or other surface coverage (e.g., asphalt, concrete) over the entire Site must be maintained. The following documents the condition of the above.

- | | | | |
|---|------------------------------|-----------------------------|---|
| 1. Final Cover is in Place and in good condition? | <input type="checkbox"/> yes | <input type="checkbox"/> no | <input checked="" type="checkbox"/> N/A |
|---|------------------------------|-----------------------------|---|

Cover consists of (mainly): _____

- | | | | |
|---|------------------------------|-----------------------------|---|
| 2. Evidence of erosion? | <input type="checkbox"/> yes | <input type="checkbox"/> no | <input checked="" type="checkbox"/> N/A |
| 3. Cracks visible in pavement? | <input type="checkbox"/> yes | <input type="checkbox"/> no | <input checked="" type="checkbox"/> N/A |
| 4. Evidence of distressed vegetation/turf? | <input type="checkbox"/> yes | <input type="checkbox"/> no | <input checked="" type="checkbox"/> N/A |
| 5. Evidence of unintended traffic and/or rutting? | <input type="checkbox"/> yes | <input type="checkbox"/> no | <input checked="" type="checkbox"/> N/A |
| 6. Evidence of uneven settlement and/or ponding? | <input type="checkbox"/> yes | <input type="checkbox"/> no | <input checked="" type="checkbox"/> N/A |

Periodic Review Report 2022 Annual Site Inspection

Final Surface Cover / Vegetation (continued)

7. Damage to any surface coverage? ☐ yes ☐ no ☒ N/A

If yes to any question above, please provide more information below.

Soil Vapor Extraction System (SVE)

Is the system(s) currently running? ☐ yes ☐ no ☒ N/A

Has regular maintenance and monitoring been documented and enclosed or referenced?
☐ yes ☐ no ☒ N/A

Active Sub-Slab Depressurization System (ASD)

Are there one or more ASD systems currently running at the Site? ☐ yes ☐ no ☒ N/A

System No. _____ Reading: _____

System No. _____ Reading: _____

Has regular maintenance and monitoring been documented and enclosed or referenced?
☐ yes ☐ no ☒ N/A

Groundwater Monitoring

Is there a plan in place and currently being followed? ☐ yes ☐ no ☒ N/A

Are the wells currently intact and operational? ☐ yes ☐ no ☒ N/A

When was the most recent sampling event report and submittal? Date: _____

When is the next projected sampling event? Date: _____

Periodic Review Report 2022 Annual Site Inspection

Property Use Changes / Site Development

Has some or all of the site property been sold, subdivided, merged, or undergone a tax map amendment during the reporting period? ☐ yes ☒ no ☐ N/A

Has the property usage changed, or site been redeveloped since the last inspection? ☐ yes ☒ no ☐ N/A

If yes, please list with date: _____

New Information

Has any new information been brought to the owner/engineer's attention regarding any and/or all engineering and institutional controls and their operation and effectiveness? ☐ yes ☒ no ☐ N/A

Comments: _____

Notes and Comments:

Please attach the following, if applicable:

1. Site sketch
 2. Photographs
 3. Monitoring and maintenance records
 4. Corrective Action Form
-

SITE PHOTOGRAPHS

Photo 1:



Photo 2:



Photo 3:



Photo 4:



Photo 1: Exterior Site condition (looking north)

Photo 2: Exterior Site conditions from front walkway (looking northeast)

Photo 3: Exterior Site conditions from front walkway - asphalt and concrete surfaces (looking northwest)

Photo 4: Exterior Site conditions from front walkway - asphalt, concrete, and landscaped areas (looking southwest)

SITE PHOTOGRAPHS

Photo 5:



Photo 6:



Photo 7:



Photo 8:



Photo 5: Exterior Site conditions – asphalt parking lot (looking south)

Photo 6: Exterior Site conditions – asphalt parking lot and vegetated area (looking northwest)

Photo 7: Exterior Site conditions – asphalt parking lot (looking northeast)

Photo 8: Exterior Site conditions – concrete surfaces from rear of building (looking west)

SITE PHOTOGRAPHS

Photo 9:



Photo 10:



Photo 11:



Photo 12:



Photo 9: Exterior Site condition from eastern Site entrance (looking west)

Photo 10: Exterior Site conditions from eastern Site entrance showing landscaping (looking north)

Photo 11: Exterior Site conditions from eastern side of building showing asphalt and concrete surfaces (looking southwest)

Photo 12: Exterior Site conditions from western side of building showing asphalt, concrete and landscaped areas (looking east)

SITE PHOTOGRAPHS

Photo 13:



Photo 14:



Photo 13: Exterior Site condition – rear of building (looking southeast)

Photo 14: Interior Site conditions



Periodic Review Report 2023 Annual Site Inspection

Property Name: 2250 Factory Outlet Boulevard Site

Project No.: 0105-020-001

Client: Benderson Development Company, LLC

Property Address: 2250 Factory Outlet Boulevard, Niagara Falls, NY

BCP Site No.: C932127

PRR Due Date: 7/14/25

Preparer's Name: Lori E. Riker, P.E.

Date/Time: 6/2/23 3:00 PM

CERTIFICATION

The results of this inspection were discussed with the Site Manager. Any corrective actions required have been identified and noted in this report, and a supplemental Corrective Action Form has been completed. Proper implementation of these corrective actions have been discussed with the Site Manager, agreed upon, and scheduled.

Preparer / Inspector: Lori E. Riker, P.E.

Date: 6/2/23

Signature:

Next Scheduled Site Inspection Date: June 2024

Property Use Changes / Site Development

Has some or all of the site property been sold, subdivided, merged, or undergone a tax map amendment during the reporting period?

☐ yes

☒ no

☐ N/A

Has the property usage changed, or site been redeveloped since the last inspection?

☐ yes

☒ no

☐ N/A

If yes, please list with date:

New Information

Has any new information been brought to the owner/engineer's attention regarding any and/or all engineering and institutional controls and their operation and effectiveness?

☐ yes

☒ no

☐ N/A

Comments:

Periodic Review Report 2023 Annual Site Inspection

Notes and Comments:

Please attach the following, if applicable:

1. Site sketch
 2. Photographs
-
-

SITE PHOTOGRAPHS

Photo 1:



Photo 2:



Photo 3:



Photo 4:



Site Inspection (June 2, 2023)

- Photo 1: Exterior Site condition (looking north)
- Photo 2: Exterior Site conditions from front walkway (looking northeast)
- Photo 3: Exterior Site conditions from front walkway - asphalt and concrete surfaces (looking northwest)
- Photo 4: Exterior Site conditions from front walkway - asphalt, concrete, and landscaped areas (looking southwest)

SITE PHOTOGRAPHS

Photo 5:



Photo 6:



Photo 7:



Photo 8:



Site Inspection (June 2, 2023)

- Photo 5: Exterior Site conditions – asphalt parking lot (looking southeast)
- Photo 6: Exterior Site conditions – asphalt parking lot and vegetated area (looking northwest)
- Photo 7: Exterior Site conditions – asphalt parking lot (looking northeast)
- Photo 8: Exterior Site conditions – concrete surfaces from rear of building (looking west)

SITE PHOTOGRAPHS

Photo 9:



Photo 10:



Photo 11:



Photo 12:



Site Inspection (June 2, 2023)

- Photo 9: Exterior Site condition from eastern Site entrance (looking west)
- Photo 10: Exterior Site conditions from eastern Site entrance showing landscaping (looking north)
- Photo 11: Exterior Site conditions from eastern side of building showing asphalt and concrete surfaces (looking southwest)
- Photo 12: Exterior Site conditions from western side of building showing asphalt, concrete and landscaped areas (looking east)

SITE PHOTOGRAPHS

Photo 13:



Photo 14:



Site Inspection (June 2, 2023)

Photo 13: Exterior Site condition – rear of building (looking southeast)

Photo 14: Interior Site conditions



Periodic Review Report 2024 Annual Site Inspection

Property Name: 2250 Factory Outlet Boulevard Site

Project No.: 3979.0002B000

Client: Benderson Development Company, LLC

Property Address: 2250 Factory Outlet Boulevard, Niagara Falls, NY

BCP Site No.: C932127

PRR Due Date: 7/14/25

Preparer's Name: Charlotte Clark, E.I.T

Date/Time: 6/13/24 1:30 PM

CERTIFICATION

The results of this inspection were discussed with the Site Manager. Any corrective actions required have been identified and noted in this report, and a supplemental Corrective Action Form has been completed. Proper implementation of these corrective actions have been discussed with the Site Manager, agreed upon, and scheduled.

Preparer / Inspector: Charlotte Clark E.I.T

Date: 6/13/24

Signature:

Charlotte Clark

Next Scheduled Site Inspection Date: June 2025

Property Use Changes / Site Development

Has some or all of the site property been sold, subdivided, merged, or undergone a tax map amendment during the reporting period?

☐ yes

☒ no

☐ N/A

Has the property usage changed, or site been redeveloped since the last inspection?

☐ yes

☒ no

☐ N/A

If yes, please list with date:

New Information

Has any new information been brought to the owner/engineer's attention regarding any and/or all engineering and institutional controls and their operation and effectiveness?

☐ yes

☒ no

☐ N/A

Comments:



Periodic Review Report 2024 Annual Site Inspection

Notes and Comments:

Please attach the following, if applicable:

1. Site sketch
 2. Photographs
-
-

SITE PHOTOGRAPHS

Photo 1:



Photo 2:



Photo 3:



Photo 4:



Site Inspection (June 13, 2024)

- Photo 1: Exterior Site condition (looking northeast)
- Photo 2: Exterior Site conditions from front walkway (looking northeast)
- Photo 3: Exterior Site conditions from front walkway - asphalt and concrete surfaces (looking northwest)
- Photo 4: Exterior Site conditions from front walkway - asphalt, concrete, and landscaped areas (looking west)

SITE PHOTOGRAPHS

Photo 5:



Photo 6:



Photo 7:



Photo 8:



Site Inspection (June 13, 2024)

- Photo 5: Exterior Site conditions – asphalt parking lot and vegetated area (looking south)
- Photo 6: Exterior Site conditions – asphalt parking lot and vegetated area (looking southeast)
- Photo 7: Exterior Site conditions – asphalt parking lot (looking northeast)
- Photo 8: Exterior Site conditions – concrete surfaces from rear of building (looking west)

SITE PHOTOGRAPHS

Photo 9:



Photo 10:



Photo 11:



Photo 12:



Site Inspection (June 13, 2024)

- Photo 9: Exterior Site condition from eastern Site entrance (looking west)
- Photo 10: Exterior Site conditions from eastern Site entrance showing landscaping (looking northeast)
- Photo 11: Exterior Site conditions from eastern side of building showing asphalt and concrete surfaces (looking southwest)
- Photo 12: Exterior Site conditions from western side of building showing asphalt, concrete and landscaped areas (looking southeast)

SITE PHOTOGRAPHS

Photo 13:



Photo 14:



Site Inspection (June 13, 2024)

Photo 13: Exterior Site condition – rear of building (looking southeast)

Photo 14: Interior Site conditions



Periodic Review Report 2025 Annual Site Inspection

Property Name: 2250 Factory Outlet Boulevard Site Project No.: 3979.0002B000

Client: Benderson Development Company, LLC

Property Address: 2250 Factory Outlet Boulevard, Niagara Falls, NY

BCP Site No.: C932127

PRR Due Date: 7/14/25

Preparer's Name: Charlotte Clark, E.I.T

Date/Time: 5/16/25 3:10 PM

CERTIFICATION

The results of this inspection were discussed with the Site Manager. Any corrective actions required have been identified and noted in this report, and a supplemental Corrective Action Form has been completed. Proper implementation of these corrective actions have been discussed with the Site Manager, agreed upon, and scheduled.

Preparer / Inspector: Charlotte Clark E.I.T

Date: 5/16/25

Signature: *Charlotte Clark*

Next Scheduled Site Inspection Date: June 2026

Property Use Changes / Site Development

Has some or all of the site property been sold, subdivided, merged, or undergone a tax map amendment during the reporting period? ☐ yes ☒ no ☐ N/A

Has the property usage changed, or site been redeveloped since the last inspection?

☐ yes ☒ no ☐ N/A

If yes, please list with date:

New Information

Has any new information been brought to the owner/engineer's attention regarding any and/or all engineering and institutional controls and their operation and effectiveness?

☐ yes ☒ no ☐ N/A

Comments:



Periodic Review Report 2025 Annual Site Inspection

Notes and Comments:

Please attach the following, if applicable:

1. Site sketch
 2. Photographs
-
-

SITE PHOTOGRAPHS

Photo 1:



Photo 2:



Photo 3:



Photo 4:



Site Inspection (May 16, 2025)

- Photo 1: View of Site from southern corner along Factory Outlet Blvd (looking north)
- Photo 2: View of Site from southeastern edge along Factory Outlet Blvd (looking northeast)
- Photo 3: View of Site from southeastern edge along Factory Outlet Blvd (looking northwest)
- Photo 4: View of asphalt, concrete, and landscaped areas from southeastern edge along Factory Outlet Blvd (looking west)

SITE PHOTOGRAPHS

Photo 5:



Photo 6:



Photo 7:



Photo 8:



Site Inspection (May 16, 2025)

- Photo 5: View of asphalt parking lot and vegetated area (looking south)
- Photo 6: View of asphalt parking lot and vegetated area (looking southeast)
- Photo 7: View of asphalt parking lot and vegetated area from southern Site edge (looking northeast)
- Photo 8: View concrete surfaces from rear of the building in the center of the Site (looking west)

SITE PHOTOGRAPHS

Photo 9:



Photo 10:



Photo 11:



Photo 12:



Site Inspection (May 16, 2025)

- Photo 9: View of Site from eastern entrance (looking west)
- Photo 10: View of Site from eastern entrance of landscaped area (looking northeast)
- Photo 11: View from eastern side of building showing asphalt and concrete surfaces (looking southwest)
- Photo 12: View from western side of building showing asphalt, concrete and landscaped areas (looking southeast)

SITE PHOTOGRAPHS

Photo 13:



Photo 14:



Photo 15:



Photo 16:



Site Inspection (May 16, 2025)

- Photo 13: View from eastern side of building showing asphalt and concrete surfaces (looking southwest)
- Photo 14: View of rear of building (looking southeast)
- Photo 15: View of vegetated area northwest of building (looking west)
- Photo 16: View of vegetated area west of building (looking northwest)

SITE PHOTOGRAPHS

Photo 17:



Photo 18:



Photo 19:



Photo 20:



Site Inspection (May 16, 2025)

- Photo 17: View of asphalt parking lot and vegetated area (looking east)
- Photo 18: View of interior of on-site building
- Photo 19: View of interior of on-site building
- Photo 20: View of interior of on-site building