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February 16, 2021

Mr. Glenn May, PG
Engineering Geologist II
New York State Department of Environmental Conservation
Region 9
270 Michigan Avenue
Buffalo, New York 14203-2999

Subject: Annual 2020 Site Inspection and Certification Letter Report
FONF Expansion/Sabre Park BCP Site No. C932162

Dear Mr. May:

ATC Group Services LLC, on behalf of Macerich Management Company, hereby submits this Site Management Inspection Report for the Fashion Outlet Niagara Falls (FONF) / Sabre Park Brownfield Cleanup Program (BCP), Site No. C932162, located at 1900 Military Road, Niagara County, Niagara Falls, New York 14304 (hereafter referred to as Site). The inspection was completed in accordance with the Revised Site Management Plan (SMP), dated January 2020, prepared by Langan Engineering.

ENGINEERING CONTROLS

Composite Cover System

Exposure to residual soil/fill is prevented by the construction of an engineered composite cover system that is constructed at the Site. The composite cover system is comprised of the following four items: (1) minimum 4-inch thick asphalt cap at parking areas, (2) concrete cap at building slabs and sidewalks, (3) minimum 1-foot thick clean imported topsoil cover at all landscaped area, and (4) combination of a minimum 6-inch thick clay cap and 1-foot thick clean imported topsoil cover at detention ponds.

Vapor Barrier System

Exposure to soil vapor is prevented by a Vapor Barrier System that has been built on the Site. The vapor barrier was installed beneath the Secure Self Storage building and FONF mall expansion building. This Vapor Barrier System was constructed on-Site and consisted of a 20-mil Stego Wrap Vapor Barrier, manufactured by Stego Industries LLC. The vapor barrier was installed underneath the building concrete slab-on-grade. All vapor barrier seams, penetrations, and repairs were sealed in accordance with the manufacturer's recommendations and

instructions. The proposed design/layout and oversight of the vapor barrier installation was performed by the consultant of record, Langan Engineering.

Sub-Slab Depressurization System

Exposure to soil vapor is prevented by a Sub-Slab Depressurization System (SSDS) that has been built on the Site. An active SSDS is present beneath the Secure Self Storage building and a passive SSDS is present beneath the FONF mall expansion.

The active SSDS at the Secure Self Storage building consists of a 24-inch diameter suction pit containing 1 to 1-1/4 inch coarse aggregate placed in a central location beneath the concrete slab and within the ¾ inch coarse aggregate subbase material. Vapors are conveyed via a 4-inch Schedule 40 PVC pipe to an Airtech regenerative blower, model 3BA1400-7AT06 producing a minimum of 75 cfm at 24-inches water column. The air exhaust extends to the roof line, a minimum of 25-feet from any air intake ports.

The passive SSDS at the FONF Expansion building consists of six (6) 24-inch diameter suction pits containing 1 to 1-1/4 inch coarse aggregate placed beneath the concrete slab and within the ¾ inch coarse aggregate subbase material. Vapors are conveyed via 4-inch Schedule 40 PVC piping to three (3) wind driven exhaust fans located on the roof.

INSTITUTIONAL CONTROLS

A series of Institutional Controls are required under the Remedial Action to assure permanent protection of public health by eliminating human exposure to residual materials remaining at the site. The Institutional Controls (ICs) for the Remedial Action are:

- Compliance with the Environmental Easements and this SMP by the Grantor and the Grantor's successors and assigns;
- All Engineering Controls (ECs) must be operated and maintained as specified in the SMP;
- All ECs on the Site must be inspected at a frequency and in a manner defined in the SMP.
- Sub-slab pressure field monitoring and other environmental or public health monitoring must be performed as defined in the SMP;
- Data and information pertinent to management of the Site must be reported at the frequency and in a manner defined in the SMP;
- On-site and off-site environmental monitoring devices must be protected and replaced as necessary to ensure the devices function in the manner specified in the SMP; and
- Institutional Controls identified in the Environmental Easements may not be discontinued without an amendment to or extinguishment of the Environmental Easements.

INSPECTION NARRATIVE

The site inspection was performed by Jeff Strum, with ATC Group Service LLC (ATC), and the date of the inspection was September 28, 2020.

During the site inspection, Mr. Strum was escorted by Jennifer Miller, Operations Manager, FONF and Mary Mendetta, with Secure Self Storage. ATC inspected the composite cover system including the asphalt parking area and landscape areas, which was found to be undisturbed with no evidence of prior excavation. The building concrete slab-on-grade and sidewalks were found to be intact with no evidence of physical damage or cracks equal to or greater than 1/8-inch in diameter.

ATC inspected the operation of both the passive SSDS at the FONF expansion and the active SSDS at the Secure Self Storage Building. The passive SSDS was found to be operating properly at the time of the inspection and free of any obstructions. In addition, no HVAC air intakes or supply registers were found within 25 feet of the exhaust vents. The active SSDS blower at the Secure Self Storage Building was observed to be operating properly with no unusual or excessive noise. No air leaks were observed in accessible air conveyance piping and fittings. Proper operation of the blower alarm was verified. In addition, communication beneath the building floor was demonstrated by measured negative pressures readings ranging from 0.010 to 0.033 inches water. However, per communication with the property owner of the Secure Self Storage, Jack Ruh, the SSDS was off-line from August 31, 2020 to September 21, 2020 due to a failure of the blower motor, which required replacement.

On May 28, 2020, Charter Communications uncovered a damaged communication cable located approximated 90 feet from the southwest corner of the original FONF Site building, within the existing asphalt pavement. The area was excavated approximately 2 feet by 4 feet by 30 inches below ground surface (bgs) to uncover the broken cable. The cable was repaired and a new vault was installed over the repaired line. The area surrounding the vault was backfilled with a portion of the excavation spoils and the surfaced capped with 4-inches of asphalt. A SMP Excavation Work Plan Implementation Report, dated July 17, 2020, was submitted to the Department in accordance with the SMP.

Inspection Checklists are present in Attachment A.

This report will be included with the Periodic Review Report to be submitted to the Department in the 1st Quarter of 2025.

DEVIATIONS IN PERFORMANCE OF ENGINEERING AND INSTITUTIONAL CONTROLS

No deviations in the performance of the engineering and institutional controls were identified.

NEXT INSPECTION

The next Site Management inspection will be performed in September 2021.

CERTIFICATION

I, Jed Myers certify the following:

- I am a Qualified Environmental Professional;
- I oversaw and prepared this Site Inspection and Certification Letter Report;
- Engineering Controls or Institutional Controls employed at the Site continue to be in place and perform as designed and continue to be protective of human health and the environment;
- Activities on the Site that have disturbed residual soil/fill material have been in accordance with the Soil/Materials Management Plan in the SMP;
- Nothing has occurred on the Site that impairs the ability of Engineering Controls or Institutional Controls to protect public health and the environment;
- Compliance with the Site Management Plan has been maintained;
- Vegetable gardening and farming in residual soils has been prevented;
- Groundwater underlying the Site is not being utilized without treatment rendering it safe for the intended purpose has been prevented; and
- The Site has not been used for a higher level of use other than the commercial and industrial use addressed by the long term IC/ECs included in the SMP.

If you have any questions or need any additional information, please do not hesitate to contact me at 631-451-0617 or email at jed.myers@atcgsc.om.

Sincerely,
ATC Group Services LLC

Jed A. Myers, PhD, PG
Senior Project Manager

ATTACHEMENT A

INPSECTION CHECKLISTS

SITE WIDE INSPECTION CHECKLIST

Site Name: FONF/Sabra Park BCP Location: Niagara Falls, NY Project Number: 2214JMMC02

Inspector Name: Jess Strum Date: 9/28/2020 Weather Conditions: 69°F, Sunny

Reason for Inspection (i.e., routine, severe condition, etc.): _____ Annual Inspection 2020 Annual Inspection

Check one of the following: **Y:** Yes **N:** No **NA:** Not Applicable

		Y	N	NA	Normal Situation	Remarks
	General					
1	What are the current site conditions?	--	--	--	X --	
2	Are all applicable site records (e.g., documentation of construction activity, most current easement, etc.) complete and up to date?	X			Y	
	Easement					
3	Has site use (commerical) remained the same?	X			Y	
4	Does it appear that all environmental easement restrictions have been followed?	X			Y	
	Impermeable Cap					
5	Are there any indications of a breach in the capping system at the time of this inspection?		X		N	
6	Are there any cracks in the building slabs?		X		N	small <1/8" only
7	Are there any cracks in the building walls?		X		N	
8	Is there any construction activity, or indication of any construction activity within the past certification year (including any tenant improvements), that included the breaching of the capping system, on-site at the time of this inspection?	X			N	Utility communication cable repair at FONF Building
9	If YES to number 8, is there documentation that the Soil Management Plan, HASP, and CAMP for the site was/is being followed?	X			--	Excavation Implementation report dated 7/17/2020

*** **If the answer to any of the above questions indicate non-compliance with any IC/ECs for the site, additional remarks must be provided and, where applicable, documentation attached to this checklist detailing additional inspection and repair activities.**

Additional remarks _____

Minimum Inspection Schedule: Site-wide inspections will be conducted annually, per certification year, at a minimum. Additional inspections will also be conducted at times of severe condition events. All inspection events will utilize this checklist.

FONF MALL PASSIVE SSD SYSTEM INSPECTION CHECKLIST

Site Name: FONF/Sabre Park BCP Location: Niagara Falls, NY Project Number: 32145mmC02

Inspector Name: Jeff Strum Date: 9/28/2020 Weather Conditions: Sunny, 69°F

Reason for Inspection (i.e., routine, maintenance, severe condition, etc.): 2020 Annual

Check one of the following: **Y:** Yes **N:** No **NA:** Not Applicable

		Y	N	NA	Normal Situation	Remarks
	Records					
1	Is the Operations & Maintenance Plan readily available on-site?	X			Y	
2	Based on site records, when was the last inspection, maintenance, or repair event?				Date not to exceed minimum schedule	9/12/2019 - Annual Inspection
3	Based on site records, was the system inoperational for any amount of time since the last inspection, maintenance, or repair event? For how long? Provide details.		X		N	
	General System					
4	Is there any construction activity, or indication of any construction activity within the past certification year (including any tenant improvements), that included the breaching of the floor slab, on-site at the time of this inspection?		X		N	
5	If YES to number 6, is there documentation that the Site Management Plan, HASP, and CAMP for the site was/is being followed?			X	NA if N to 6/ Y if Y to 6	
6	If YES to number 6, is there documentation that all breaches in the floor slab have been sealed, with vapor barrier repaired?			X	NA if N to 6/ Y if Y to 6	
7	Does all visible SSD piping appear intact and undamaged?	X			Y	
8	Have any intake points been constructed at the roof near (less than 10 feet) the passive SSD exhaust fans discharge points?		X		N	

FONF MALL PASSIVE SSD SYSTEM INSPECTION CHECKLIST

Check one of the following: **Y:** Yes **N:** No **NA:** Not Applicable

		Y	N	NA	Normal Situation	Remarks
	Passive SSD Exhaust Fans					
9	Are the passive SSD exhaust fans active at the time of inspection?	X			Y	
10	Are they operating per design, free of obstructions, and spinning/rotating under the power of the wind?	X			Y	
11	Are the passive SSD exhaust fans expelling air at the discharge points?	X			Y	

If the answer to any of the above questions indicate the SSD system is non-operational or malfunctioning, or that this EC is in non-compliance,additional remarks must be provided and, where applicable, documentation attached to this checklist detailing additional inspection and repair activities.

Additional remarks _____

Minimum Inspection Schedule: Inspection of blowers and other SSD equipment will be conducted on an annual basis to establish that the system is operational and performing within the design specifications. Unscheduled inspections and/or sampling may take place when a suspected failure of the SSD system has been reported or an emergency occurs that is deemed likely to affect the operation of the system. The minimum schedule may be revised, as necessary, following the first certification year. All inspection events will utilize this checklist.

SECURE STORAGE ACTIVE SSD SYSTEM INSPECTION CHECKLIST

Site Name: FONF/Sabre Park BCP Location: Niagara Falls, NY Project Number: 3214JMMC02

Inspector Name: Jess Straub Date: 9/28/2020 Weather Conditions: Sunny, 69°F

Reason for Inspection (i.e., routine, maintenance, severe condition, etc.): 2020 Annual Inspection

Check one of the following: **Y:** Yes **N:** No **NA:** Not Applicable

		Y	N	NA	Normal Situation	Remarks
	Records					
1	Is the Operations & Maintenance Plan readily available on-site?	X			Y	
2	Based on site records, when was the last inspection, maintenance, or repair event?				Date not to exceed minimum schedule	9/12/19 - Annual Inspection
3	Based on site records, was the system inoperational for any amount of time since the last inspection, maintenance, or repair event? For how long? Provide details.	X			N	
	Alarm System					
4	Do the alarm lights indicate that the system is operational?	X			Y	
5	Did manual tripping of alarm system indicate that the alarm is functional?	X			Y	
	General System					
6	Is there any construction activity, or indication of any construction activity within the past certification year (including any tenant improvements), that included the breaching of the floor slab, on-site at the time of this inspection?		X		N	
7	If YES to number 6, is there documentation that the Site Management Plan, HASP, and CAMP for the site was/is being followed?			X	NA if N to 6/ Y if Y to 6	
8	If YES to number 6, is there documentation that all breaches in the floor slab have been sealed, with vapor barrier repaired?			X	NA if N to 6/ Y if Y to 6	
9	Does all visible SSD piping appear intact and undamaged?	X			Y	
10	Have any intake points been constructed at the roof near (less than 10 feet) the SSD blower discharge point?		X		N	

SECURE STORAGE ACTIVE SSD SYSTEM INSPECTION CHECKLIST

Check one of the following: **Y:** Yes **N:** No **NA:** Not Applicable

		Y	N	NA	Normal Situation	Remarks
	SSD Blower Unit					
11	Is the SSD blower operational at the time of the inspection?	X			Y	
12	What are the micro-manometer readings at each monitoring point?				< 0 in/H20 (in/Hg)	Southwest Monitoring Point: 0.010" Northeast Monitoring Point: 0.013" Southeast Monitoring Point: 0.033"
13	Is the SSD blower expelling air at the discharge point?	X			Y	

If the answer to any of the above questions indicate the SSD system is non-operational or malfunctioning, or that this EC is in non-compliance,additional remarks must be provided and, where applicable, documentation attached to this checklist detailing additional inspection and repair activities.

Additional remarks _____

Minimum Inspection Schedule: Inspection of blowers and other SSD equipment will be conducted on an annual basis to establish that the system is operational and performing within the design specifications. Unscheduled inspections and/or sampling may take place when a suspected failure of the SSD system has been reported or an emergency occurs that is deemed likely to affect the operation of the system. The minimum schedule may be revised, as necessary, following the first certification year. All inspection events will utilize this checklist.