

January 10, 2022

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 2021 Site Inspection and Certification Letter Report
FONF Expansion/Sabre Park BCP Site No. C932162

Dear Mr. May:

Atlas ATC Engineering Inc. (Atlas), 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. In accordance with the New York State Department of Environmental Conservation (NYSDEC) approval of the Annual 2020 Site Inspection and Certification Letter, dated November 22, 2021, this letter represents the Annual 2021 Site Inspection and Certification Letter Report. The next Periodic Review Report is scheduled to be submitted to the NYSDEC in the 1st Quarter of 2025.

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 areas, 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 3/4 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 3/4 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 Atlas, and the date of the inspection was September 28, 2021.

During the site inspection, Mr. Strum was escorted by Joe Schultz, with 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 1/4-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 non-operational at the time of the inspection on September 28th. At 6 PM on September 28, 2021, the maintenance manager notified Mr. Strum, with Atlas, that the system was operational.

On November 19, 2021, Jeff Strum, with Atlas, re-inspected the active SSDS at the Secure Self Storage Building. The active SSDS blower was observed to be operating properly with no unusual or excessive noise. No air leaks were observed in accessible air conveyance piping and fittings. In addition, communication beneath the building floor was demonstrated by measured negative pressures readings ranging from 0.002 to 0.012 inches water. However, the blower alarm was observed not to be functioning properly.

Inspection Checklists are present in Attachment A, and Inspection Photographic Log is present in Attachment B.

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, except for the non-operational alarm at the Secure Self Storage SSDS. The maintenance manager for the Secure Self Storage was notified of the deficiency.

NEXT INSPECTION

The next Site Management inspection will be performed in September 2022.

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@oneatlas.com.

Sincerely,
ATC Group Services LLC



Jed Myers
Senior Project Manager
Direct Line: 631-451-0617
Email: jed.myers@oneatlas.com



Chris Tomasello
Environmental Division Manager
Direct Line: 516-861-5033
Email: Chris.tomasello@atcgs.com

Attachments: Inspection Checklists
Inspection Photographs, September 28, 2021

ATTACHMENT A
INSPECTION CHECKLISTS

SIDE WIDE INSPECTION CHECKLIST

Site Name: FONF/Sabre Park BCP Location: Niagara Falls, NY Project Number: Z214JMMC08

Inspector Name: Jeff Strum Date: September 28, 2021 Weather Conditions: Sunny, 60s °F

Reason for Inspection (i.e., routine, maintenance, severe condition, etc.): Routine: 2021 Annual Inspection

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

Inspection Items		Y	N	NA	Normal Situation	Remarks
General						
1	What are the current site conditions?	--	--	--	--	Good, Normal site operations as a shopping center.
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 (commercial) 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	
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	
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	NA if N to 8/ Y if Y to 8	

*** If the answer to any of the above questions indicate non-compliance with 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 PASSIVE SSD SYSTEM INSPECTION CHECKLIST

Site Name: FONF/Sabre Park BCP Location: Niagara Falls, NY Project Number: Z214JMMC08

Inspector Name: Jeff Strum Date: September 28, 2021 Weather Conditions: Sunny 60s°F

Reason for Inspection (i.e., routine, maintenance, severe condition, etc.): Annual Inspection 2021

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

	General Inspection	Y	N	NA	Normal Situation	Remarks
Records						
1	Is the Operations and Maintenance Plan readily available on-site?	X			Y	
2	Based on site records, when was the last inspection, maintenance or repair event?				exceed minimum schedule	9/28/2020
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 construction activity within the past certification year (including 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 4, is there documentation that the Site Management Plan, HASP, and CAMP for the site was/is being followed?			X	NA if N to 4/ Y if Y to 4	
6	If Yes to number 4, is there documentation that all breaches in the floor slab have been sealed, with vapor barrier repaired?			X	NA if N to 4/ Y if Y to 4	
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	
9	Are the passive SSD exhaust fans active at the time of inspection?	X			Y	



FONF PASSIVE SSD SYSTEM INSPECTION CHECKLIST

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

General Inspection	Y	N	NA	Normal Situation	Remarks
Records					
10	Are the SSD exhaust fans operating per design, free of obstructions, and spinning/rotating under the power of 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 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: Z214JMMC08

Inspector Name: Jeff Strum Date: September 28, 2021 Weather Conditions: Overcast 42°F

Reason for Inspection (i.e., routine, maintenance, severe condition, etc.): Annual Inspection 2021

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

General Inspection		Y	N	NA	Normal Situation	Remarks
Records						
1	Is the Operations and 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	9/28/2020
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	System was not operational during inspection on 9/28/21. Maintenance Manager reported system operational that day by 6 PM.
Alarm System						
4	Did 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 construction activity within the past certification year (including 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 4/ Y if Y to 4	
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 4/ Y if Y to 4	
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 passive SSD exhaust fans discharge points?		X		N	



SECURE STORAGE ACTIVE SSD SYSTEM INSPECTION CHECKLIST

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

General Inspection		Y	N	NA	Normal Situation	Remarks
Records						
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/H ₂ O (in/Hg)	Northeast Monitoring Point: 0.000 in. Hg Northwest Monitoring Point: 0.000 in. Hg Southeast Monitoring Point: 0.000 in. Hg Southwest Monitoring Point: 0.000 in. Hg
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

System was not operational at time of inspection. At 6.00 PM on 9/28/21 the maintenance manager at the facility called and stated the system is up and running.

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 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: Z214JMMC08

Inspector Name: Jeff Strum Date: November 19, 2021 Weather Conditions: Overcast 42°F

Reason for Inspection (i.e., routine, maintenance, severe condition, etc.): Annual Inspection 2021

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

General Inspection		Y	N	NA	Normal Situation	Remarks
Records						
1	Is the Operations and 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	9/28/2021
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	System was not operational during inspection on 9/28/21. Operational that same day by 6 PM.
Alarm System						
4	Did the alarm lights indicate that the system is operational?	X			Y	Site maintenance manager notified of the issue with the non-operational alarm
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 construction activity within the past certification year (including 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 4/ Y if Y to 4	
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 4/ Y if Y to 4	
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 passive SSD exhaust fans discharge points?		X		N	



SECURE STORAGE ACTIVE SSD SYSTEM INSPECTION CHECKLIST

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

General Inspection		Y	N	NA	Normal Situation	Remarks
Records						
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/H ₂ O (in/Hg)	Northeast Monitoring Point: 0.006 in. H ₂ O Northwest Monitoring Point: 0.005 in. H ₂ O Southeast Monitoring Point: 0.002 in. H ₂ O Southwest Monitoring Point: 0.012 in. H ₂ O
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

Maintenance manager at the facility notified of the issue with the non-operation alarm light.

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 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.



ATTACHMENT B

INSPECTION PHOTOGRAPHIC LOG
SEPTEMBER 28, 2021

Photo Log
FONF Mall & Secure Storage
Niagara Falls, NY
Annual Inspection – September 28, 2021



Photo 1: First vapor point in FONF Expansion hallway.

Photo Log
FONF Mall & Secure Storage
Niagara Falls, NY
Annual Inspection – September 28, 2021



Photo 2: Crack in concrete by service entrance 7 of FONF Expansion.

Photo Log
FONF Mall & Secure Storage
Niagara Falls, NY
Annual Inspection – September 28, 2021



Photo 3: Vapor point #2 within corridor near service entrance 7 of FONF Expansion.

Photo Log
FONF Mall & Secure Storage
Niagara Falls, NY
Annual Inspection – September 28, 2021



Photo 4: Vapor point #3 within FONF Expansion.

Photo Log
FONF Mall & Secure Storage
Niagara Falls, NY
Annual Inspection – September 28, 2021



Photo 5: Vapor point #4, within FONF Expansion, by 1893 FOB.

Photo Log
FONF Mall & Secure Storage
Niagara Falls, NY
Annual Inspection – September 28, 2021



Photo 7: Vapor point #5 by Electrical Room and Service Entrance #4 of FONF Expansion.

Photo Log
FONF Mall & Secure Storage
Niagara Falls, NY
Annual Inspection – September 28, 2021



Photo 8: Passive Exhaust Fan #1 on roof of FONF Expansion, above Paint Room.

Photo Log
FONF Mall & Secure Storage
Niagara Falls, NY
Annual Inspection – September 28, 2021



Photo 9: Exhaust Fan #2 on roof of FONF Expansion, above Service Entrance #4 Paint Room.

Photo Log
FONF Mall & Secure Storage
Niagara Falls, NY
Annual Inspection – September 28, 2021



Photo 10: Exhaust Fan #3 on roof of FONF Expansion, above Beef Jerky Store.

Photo Log
FONF Mall & Secure Storage
Niagara Falls, NY
Annual Inspection – September 28, 2021



Photo 11: Exhaust Fan #4 on roof of FONF Expansion, across from H&M.

Photo Log
FONF Mall & Secure Storage
Niagara Falls, NY
Annual Inspection – September 28, 2021



Photo 12: Vapor Point #6 by service entrance #5 of FONF Expansion.

Photo Log
FONF Mall & Secure Storage
Niagara Falls, NY
Annual Inspection – September 28, 2021



Photo 13: Vapor Point #7 near service entrance #6 of FONF Expansion.

Photo Log
FONF Mall & Secure Storage
Niagara Falls, NY
Annual Inspection – September 28, 2021



Photo 14: SSD system at Secure Self Storage facility.

Photo Log
FONF Mall & Secure Storage
Niagara Falls, NY
Annual Inspection – September 28, 2021



Photo 15: Vent pipe for SSD System at Secure Self Storage.

Photo Log
FONF Mall & Secure Storage
Niagara Falls, NY
Annual Inspection – September 28, 2021



Photo 16: Close look at pump motor for Secure Self Storage SSD system.

Photo Log
FONF Mall & Secure Storage
Niagara Falls, NY
Annual Inspection – September 28, 2021



Photo 17: Piping for Secure Self Storage SSD System.

Photo Log
FONF Mall & Secure Storage
Niagara Falls, NY
Annual Inspection – September 28, 2021



Photo 18: Piping for Secure Self Storage SSD System.

Photo Log
FONF Mall & Secure Storage
Niagara Falls, NY
Annual Inspection – September 28, 2021



Photo 19: Electrical relay box for Secure Self Storage SSD System.

Photo Log
FONF Mall & Secure Storage
Niagara Falls, NY
Annual Inspection – September 28, 2021



Photo 20: View of SSD System enclosure at the Secure Self Storage building.

Photo Log
FONF Mall & Secure Storage
Niagara Falls, NY
Annual Inspection – September 28, 2021

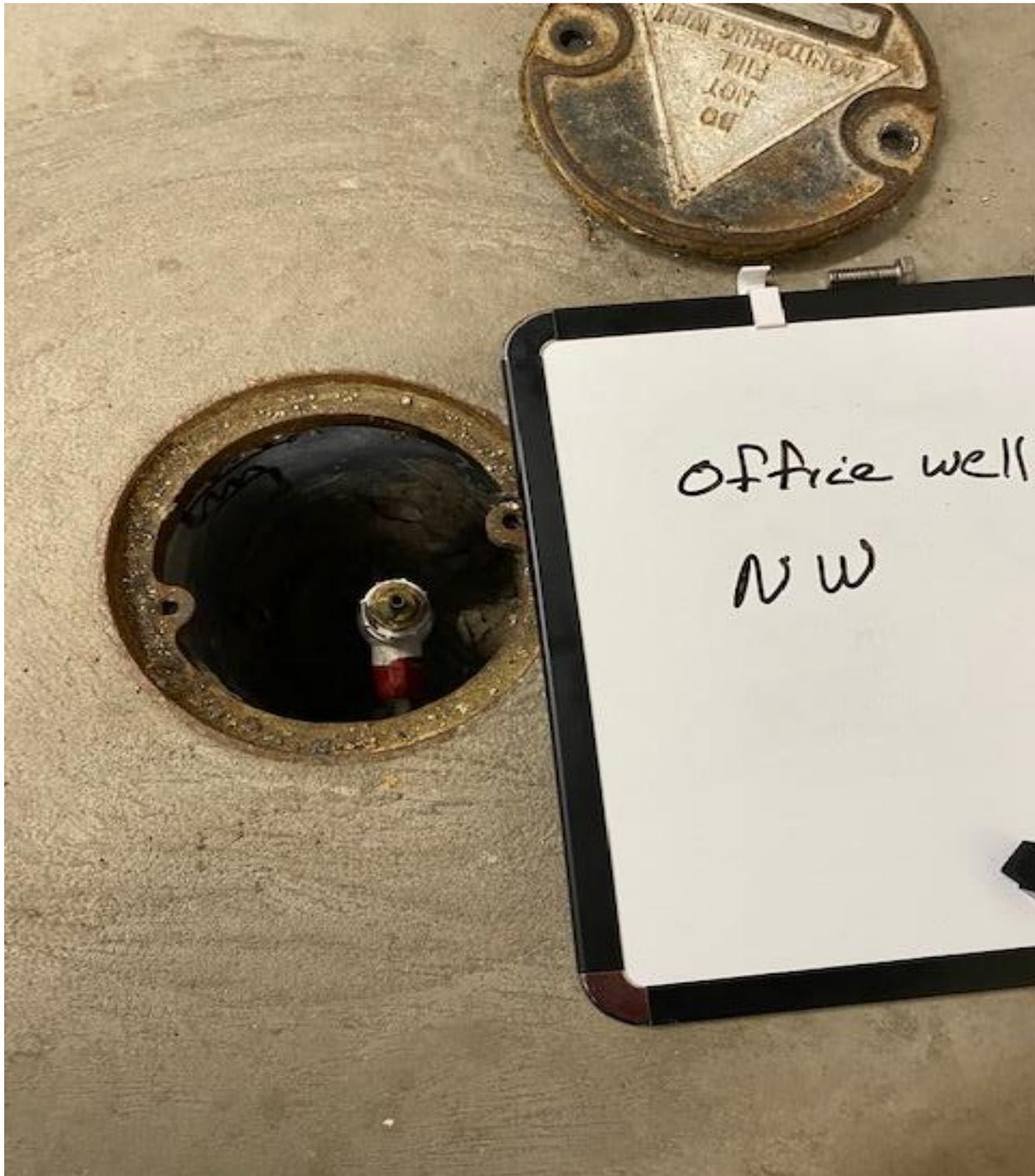


Photo 21: Northwest vapor sampling point in office of the Secure Self Storage building.

Photo Log
FONF Mall & Secure Storage
Niagara Falls, NY
Annual Inspection – September 28, 2021



Photo 22: Northeast vapor sampling point in Secure Self Storage building.

Photo Log
FONF Mall & Secure Storage
Niagara Falls, NY
Annual Inspection – September 28, 2021

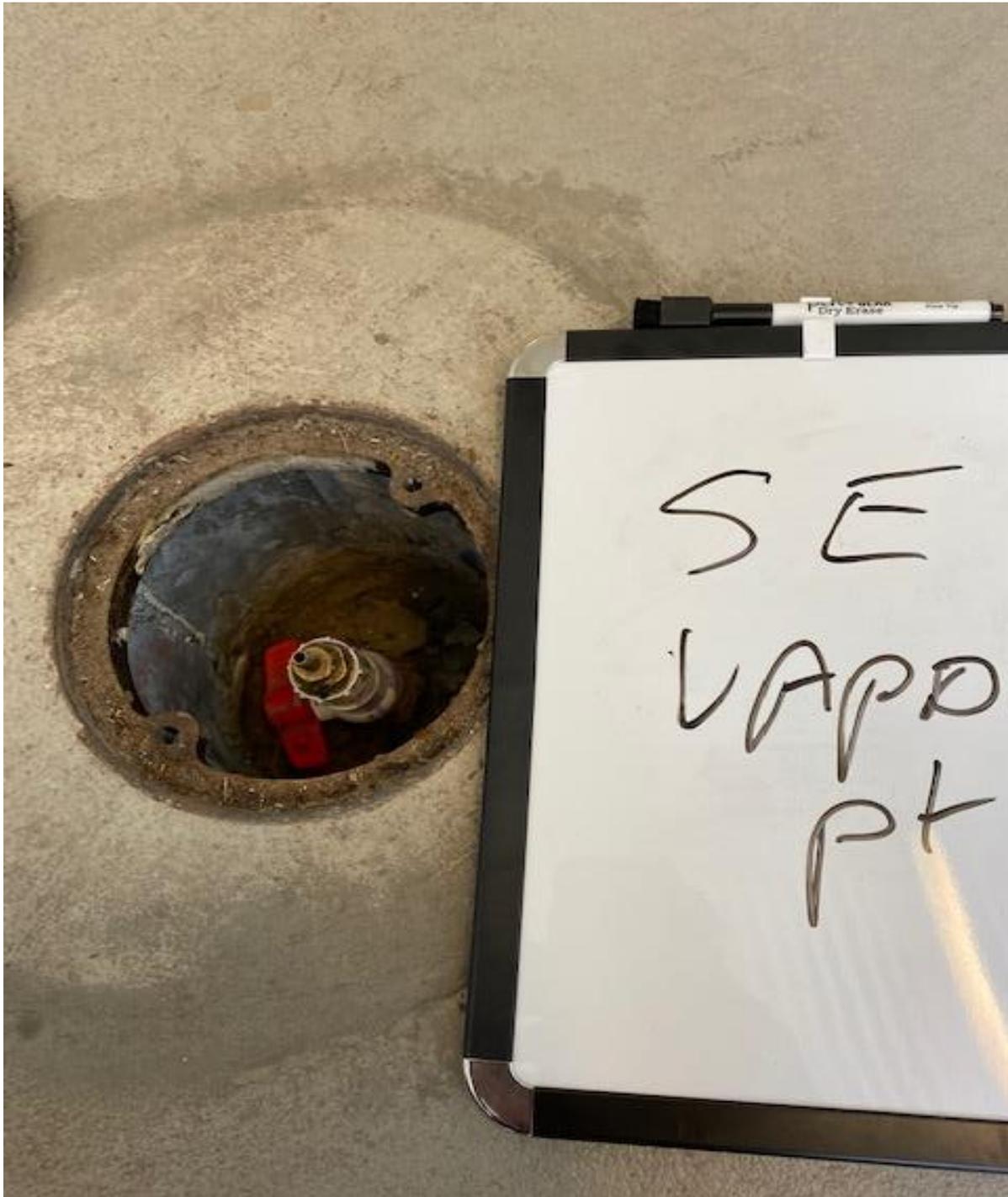


Photo 23: Southeast vapor sampling point in the Secure Self Storage building.

Photo Log
FONF Mall & Secure Storage
Niagara Falls, NY
Annual Inspection – September 28, 2021

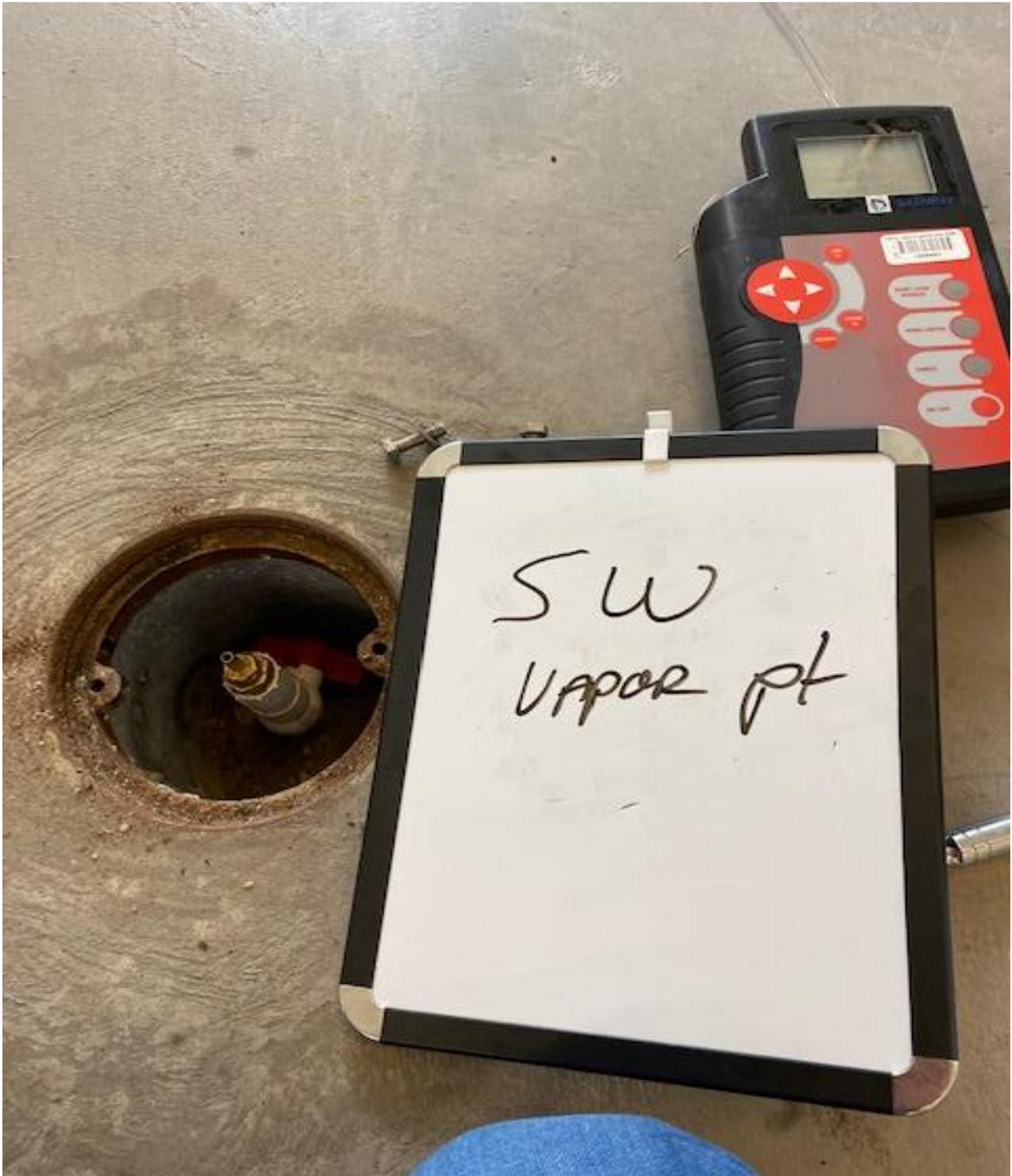


Photo 24: Southwest vapor sampling point in the Secure Self Storage building.

Photo Log
FONF Mall & Secure Storage
Niagara Falls, NY
Annual Inspection – September 28, 2021



Photo 25: Checked SSD System to determine if air was being discharged from top exhaust vent. Strong air flow was observed at this roof vent.