

December 2, 2015

Ms. Amy Fisk
Niagara County Department of Economic Development
6311 Inducon Corporate Drive
Sanborn, New York 14132

**RE: Phase I Environmental Site Assessment
4185 Military Road, Niagara, New York
LaBella Project No. 2151439**

Dear Ms. Fisk:

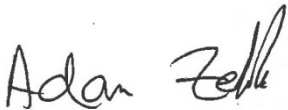
Attached, please find two hard copies and four pdf's on CD of the Final Report for the Environmental Site Assessment at the above referenced facility. Please note the following:

1. The Final Report includes available information received to date.
2. Please review the report and contact us with any questions and comments you may have.

Feel free to contact us at your convenience at 716-551-6281.

Sincerely,

LABELLA ASSOCIATES, D.P.C.



Adam Zebrowski
Project Manager
Environmental Professional

AKZ/KEB/cm

Attachments

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Phase I Environmental Site Assessment

Location:

4185 Military Road
Niagara, New York

Prepared for:

Ms. Amy Fisk
Niagara County Department of Economic Development
6311 Inducon Corporate Drive
Sanborn, New York 14132

LaBella Project No. 2151439

December 2, 2015

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LaBella Associates, D.P.C. (LaBella) has been contracted by Niagara County Department of Economic Development to perform an All Appropriate Inquiry (AAI) Phase I Environmental Site Assessment (ESA) report for 4185 Military Road, Town of Niagara, Niagara County, New York 14304, hereinafter referred to as the “Site”.

The findings of this report are based upon a preliminary assessment of the condition of the Site within the Scope of Work and objective described below as of the date of our site observations and documentation review. This assessment was prepared according to the American Society for Testing and Materials (ASTM) Standard Practice E1527-13 to satisfy the due diligence requirements set for Niagara County Department of Economic Development. The information contained in this report is considered privileged and confidential and is intended solely for the use of Niagara County Department of Economic Development as it applies to the Site.

1.0 EXECUTIVE SUMMARY

The Site consists of 4.10 acres of land located east of Military Road developed with one 2-story 24,272 square foot school building (Site Building) constructed in 1940. The exterior portion of the Site is dominated by vacant land to the east; however, an asphalt covered parking area is located proximate the south of the Site Building. Reportedly, the Site Building has been vacant for over 10 years and is in a state of disrepair. The adjacent properties consist of commercial use and undeveloped land to the north, residential use to the west, and undeveloped land to the east and south.

Based on the results of this assessment, the following Recognized Environmental Conditions (RECs) have been identified associated with the Site at this time.

SECTION # 5.1 & 6.2 – 6,000-Gallon Underground Storage Tank

One suspect vent pipe and a large asphalt patch was observed proximate the southeast exterior of the Site Building. According to New York State Department of Environmental Conservation (NYSDEC) records, one 6,000-gallon fuel oil underground storage tank (UST) was installed at the Site in 1950 and closed-removed in 1987. As no other tank closure documentation was obtained within the scope of this assessment (i.e. tank closure report, confirmatory soil sampling results, etc.), the status of the 6,000-gallon fuel oil UST and subsurface conditions proximate the 6,000-gallon fuel oil UST cannot be confirmed.

SECTION # 5.4 & 7.0 – Asbestos

Based on the Pre-demolition Asbestos Inspection report completed in June 2015, asbestos containing building materials were identified within the Site Building. The interior of the Site Building is in poor condition, and it is likely that asbestos containing materials have been released to floor surfaces within the Site Building. An asbestos abatement proposal dated August 10, 2015 estimated an asbestos abatement cost of \$473,000 for the Site Building.

2.0 INTRODUCTION

2.1 Purpose

This investigation was requested to identify, to the extent feasible, RECs in connection with the Site, including the identification of conditions indicative of releases and threatened releases of hazardous

substances on, or in the vicinity of the Site. The AAI Phase I ESA report was conducted in general conformance with the Scope and Limitations of ASTM Standard Practice E1527-13.

The term, Recognized Environmental Condition (REC), is defined by ASTM as the presence or likely presence of any hazardous substances (as currently defined by the Comprehensive Environmental Response Compensation and Liability Act (CERCLA) including pollutants and contaminants) or petroleum products (excluded from the definition of hazardous substance and controlled substances; or the presence of petroleum products as defined by the Resource Conservation and Recovery Act, the Oil Pollution Act of 1990, and the Clean Water Act) in, on, or at a property due to release to the environment, under conditions indicative of a release to the environment, or under conditions that pose a material threat of a future release to the environment.

The term is not intended to include “de minimis” conditions, which are defined as a condition that generally does not present a threat to human health or the environment and that generally would not be the subject of an enforcement action if brought to the attention of appropriate governmental agencies. Conditions determined to be de minimis conditions are neither Recognized Environmental Conditions nor Controlled Recognized Environmental Conditions.

The term “data gap” means lack or inability to obtain information required by the standards and practices as defined in ASTM Standard Practice E1527-13 despite good faith efforts by the Environmental Professional and Environmental Analyst.

The performance of ASTM Standard Practice E1527-13 is intended to reduce, but not eliminate, uncertainty regarding the potential for RECs and the potential liability for contamination to be present in connection with the Site recognizing reasonable limits of time and cost. It is also intended to add protection from CERCLA liability for innocent landowner defense, bona fide prospective purchaser, contiguous property owners and grants who meet certain statutory requirements.

The objective of this AAI Phase I ESA was to determine, using our professional judgment, by means of the Scope of Work hereafter described.

1. A general description of the Site.
2. The current and historical usage of the Site and adjoining properties.
3. Whether RECs exist or have the potential to exist at the Site.
4. Whether site conditions suggest further evaluation based on the presence or probable presence of such RECs.
5. Provide information which may assist the client in evaluating the fair market value of the Site.

2.2 Subsurface Risks/Unanticipated Hazardous Materials

This work for this report has been performed in accordance with generally accepted environmental engineering practices for this region. The conclusion and recommendations of this report are based upon our opinion and judgment, and are dependent upon LaBella’s knowledge, information supplied by the present owner and managers of the Site, and data and information solicited from governmental agencies. LaBella makes no other warranty or representation, either expressed or implied, nor is one intended to be included as part of its services, proposals, contracts, or reports.

In addition, LaBella cannot provide guarantees, certifications, or warranties that the property is or is not free of environmental impairment without a subsurface investigation involving drilling, vapor analysis, laboratory soil analysis, groundwater monitoring well installation, and laboratory groundwater analysis.

Even with such a program, the data and samples from any given soil boring or monitoring well will indicate conditions that apply only at that particular location, and such conditions may not necessarily apply to the general Site as a whole.

2.3 Scope of Work

The major components of an AAI Phase I ESA report include a visual inspection of the Site and adjoining properties; interviews and review of documents from past and present owners, occupants, managers, representatives and neighbors to the extent necessary; interviews with tribal and local government agency representatives; review of tribal, local and state records relative to the Site; and a review of tribal, local, state and federal standard environmental record sources relative to the Site. The findings and conclusions presented in this report are based on information gathered and limitations set forth in this report.

The Scope of Work performed in this assessment is limited to the areas described as follows:

1. Interview with the Owner Representative, Ms. Danielle Wink, to evaluate the Site for the potential for environmental contamination to be present at the Site. Ms. Wink has reportedly been associated with the Site for approximately one year.
2. Interviews with and/or record reviews of each of the following to obtain information directly regarding environmental concerns at or in the immediate vicinity of the Site, which is available directly by file or through general knowledge of the individual being interviewed. Information sources include:
 - a. United States Environmental Protection Agency (USEPA)
 - b. New York State Department of Environmental Conservation (NYSDEC), Region 9; Division of Solid and Hazardous Waste, Division of Water, Legal Division
 - c. Town of Niagara Fire Marshall/Chief, Code Enforcement Officer, Building Inspector, Assessor, Clerk
 - d. New York State Department of Health (NYSDOH)
 - e. Niagara County Health Department (NCDOH)
3. Review of the following federal, state, and local environmental records and databases to aid in the identification of conditions at or related to the Site and property, adjacent to or in the immediate vicinity of the Site, including:
 - a. USEPA National Priority List (NPL) – 1.0 mile
 - b. USEPA Delisted NPL – 0.5 mile
 - c. USEPA Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS) and Archived (No Further Remedial Action Planned – NFRAP) CERCLIS Sites – 0.5 mile
 - d. USEPA Resource Conservation and Recovery Act (RCRA) Corrective Action Sites (CORRACTS) Treatment, Storage, and Disposal Facility Listing (TSD) – 1.0 mile
 - e. USEPA RCRA non-CORRACTS TSD – 0.5 mile
 - f. USEPA RCRA Large and Small Quantity Generator Listing – Site and adjoining properties
 - g. National Response Center Emergency Response and Notification System Listing (ERNS) – Site only
 - h. Federal, state, and local Institutional Controls/Engineering Controls and Land Use Restrictions - Site only

- i. NYSDEC Registry of Inactive Hazardous Waste Disposal Sites (IHWDS) (state equivalent of NPL Sites) – 1.0 mile
 - j. NYSDEC Registry of Brownfield Cleanup Program Sites (BCP) and Voluntary Cleanup Program Sites (VCP) – 0.5 miles
 - k. NYSDEC Hazardous Substance Waste Disposal Site Inventory (state equivalent of CERCLIS Sites) – 0.5 mile
 - l. NYSDEC Part 360 Permitted Solid Waste Disposal Facilities – 0.5 mile
 - m. Local Inventory of Waste Disposal Sites – 0.5 mile
 - n. NYSDEC Listing of Registered Petroleum Bulk Storage Facilities (PBS), Chemical Bulk Storage Facilities (CBS), and Major Oil Storage Facilities (MOSF) – Site and adjoining properties
 - o. NYSDEC Listing of Active Spills and Leaking Storage Tanks – 0.5 miles
 - p. United States Geological Survey (USGS) Topographic Quadrangle Map Niagara Falls, New York
 - q. United States Department of Agriculture (USDA) Niagara County Soil Survey obtained from the Natural Resource Conservation Service (NRCS) website
 - r. Property survey map
 - s. Previous Environmental Reports
 - t. Sanborn fire insurance maps
 - u. Aerial photographs of the area
 - v. Local plat maps
 - w. Local street directories
4. Site visit on November 13, 2015 by Ms. Katherine Bauer of LaBella to photograph the Site and to visually identify areas of concern as defined in the agreement.
 5. Completion of LaBella's AAI Phase I ESA Site Reconnaissance Report.

2.4 Significant Assumptions

As a result of the unavailability or lack of receipt of information the following assumptions were made in order to complete the Scope of Work in the time frame desired by Niagara County Department of Economic Development.

- Groundwater flow direction in the vicinity of the Site was estimated based on review of area topographic maps. Determination of site-specific groundwater flow direction typically requires installing at least three groundwater monitoring wells, surveying the wells, and collecting groundwater elevation data (refer to Section 3.2).

As stated in the Agreement, Niagara County Department of Economic Development acknowledges this assumption and hereby agrees to release and hold LaBella harmless from any liability arising from or relating to any conclusions made or not made based on this assumption.

2.5 Limitations and Exceptions of Assessment

ASTM Standard Practice E1527-13 expressly recognized the fact that no ESA can wholly eliminate uncertainty regarding the potential for RECs in connection with a property. LaBella's work is intended to reduce, but not eliminate, uncertainty regarding the potential for RECs in connection with the Site, and its Scope of Work reflects a recognition of the reasonable limits of time and cost.

The work for this report has been performed in accordance with generally accepted environmental engineering practices for this region. The conclusion and recommendations of this report are based upon LaBella's opinion and judgment, and are necessarily dependent on information supplied by the individuals, entities, and agencies described in Section 2.3. LaBella makes no other warranty or representation, either expressed or implied, nor is one intended to be included as part of its services, proposals, contracts, or reports.

The actual presence of radon, lead-based paint, lead in drinking water, mold-related issues, electromagnetic frequencies, asbestos-containing building materials, wetlands, cultural and historic resources, ecological resources, and endangered species are not included in the Scope of Work of this assessment. Additionally, regulatory compliance, industrial hygiene, health and safety, and indoor air quality are not included in the Scope of Work of this assessment.

It is further noted that due to post 9/11 terrorist related concerns, the NYSDEC has limited the availability of petroleum bulk storage, chemical bulk storage, and major oil storage facility details, and detailed spill information to the public. However, LaBella does have access to the addresses of current PBS, CBS, and MOSF locations accessed from the database from the NYSDEC website. In addition, this information can usually be acquired by a FOIL to the regulating agency to attempt to obtain this relevant and reasonably ascertainable environmental information for AAI Phase I ESA reports. If this information is not obtainable then it will be discussed as a data gap in Section 8.2.1.

The site visit was limited to visual observations of accessible areas only. No attempt was made to observe conditions in spaces not generally accessible, including but not limited to:

1. Crawlspace
2. Attics and roofs
3. Pipe chases or plenums
4. Spaces concealed by walls, floors, or ceilings
5. Materials concealed by paneling, carpeting, or wallpaper

The site visit was also limited to visual observations within the perimeter of the Site and other accessible areas only. Visual observations were limited at the time of the site visit due to size and structure conditions. The south portion of the Site Building was only entered briefly to obtain interior observations due to safety concerns. The Site Building is generally in poor condition and does not have operational interior lighting. Areas of the Site that were inaccessible were left to the judgment and discretion of the Environmental Analyst conducting the site visit.

2.6 Special Terms and Conditions

Niagara County Department of Economic Development and LaBella have agreed that the Scope of Work described in Section 2.3, and the Limitations and Exceptions described in Section 2.5 above, are acceptable to you and that to the fullest extent permitted by law, LaBella shall not be liable to you for limiting its investigation to the Scope of Work described. Based on the engagement and Scope of Work agreed upon, our evaluation of the Site is as presented herein.

2.7 User Reliance

Niagara County Department of Economic Development may rely upon the findings of this report and should be aware of the agreed upon Scope of Work and the limitations associated with this Scope of Work.

3.0 SITE DESCRIPTION

The Site consists of 4.10 acres of land located east of Military Road developed with one 2-story 24,272 square foot school building (Site Building) constructed in 1940. The exterior portion of the Site is dominated by vacant land to the east; however, an asphalt covered parking area is located proximate the south of the Site Building. Reportedly, the Site Building has been vacant for over 10 years and is in a state of disrepair. The adjacent properties consist of commercial use and undeveloped land to the north, residential use to the west, and undeveloped land to the east and south.

3.1 Site Location and Legal Description

The Site is addressed as 4185 Military Road, Town of Niagara, Niagara County, New York 14304 and is comprised of one tax parcel. Property boundaries for the purpose of this assessment were obtained from the Landmax Data Systems, Inc. website. A map depicting the tax parcel that comprises the Site is located in the Figures and Photographs Appendix of this report. This information is outlined in the table below.

	Tax Account Number	Property Use Code	Acreage
Tax Parcel	131.14-2-17	612 - School	4.10

3.2 Site and Vicinity Characteristics

The Site is located within a rural area. According to the 7.5-minute Niagara Falls, New York quadrangle USGS Map, the Site consists of slightly sloping land to the southeast. According to the USGS map, the nearest water body is an intermittent stream located approximately 1,055 feet southeast of the Site. According to the USDA Niagara County Soil Survey obtained from the Natural Resource Conservation Service (NRCS) website, soils at the Site consist mainly of Odessa silty clay loam, 0 to 2 percent slopes. The Odessa series consists of very deep, somewhat poorly drained soils formed in clayey lacustrine deposits. These soils are in moderately low areas on lake plains. Permeability is moderately slow in the surface layer and slow or very slow in the subsoil and substratum.

3.3 Present Ownership and Use

The Site is currently owned by 4185 Military Road Inc. The Site is an unoccupied former school. The Site has reportedly been unoccupied for at least 10 years.

3.4 Site Improvements

3.4.1 Structures and Improvements

The Site is improved with one of structure as detailed in the table below.

	Structure #1
Square Footage	24,272
Foundation Type	Partial basement
Number of Stories	Two
Construction Date	1940
Reported Current Use	Vacant school
Hereinafter referred to as	Site Building

3.4.2 Roads

The Site is bordered by Military Road to the west.

3.4.3 Current Site Utilities

Structure	Site Building
Heating/Cooling Source	Disconnected
Potable Water Source	Municipal
Sanitary Wastewater Disposal	Municipal
Non-Sanitary Wastewater Disposal	Municipal

3.4.4 Current Use of the Adjoining Properties

The Site is bordered by the following properties.

Direction	Occupant
North	Undeveloped land, Tops Markets
East	Undeveloped land
South	Undeveloped land
West	Residential

4.0 USER PROVIDED INFORMATION

In accordance with the ASTM E1527-13, a “User” is defined as the party seeking to complete an environmental site assessment of the property. If the user is aware of any specialized knowledge or experience that is material to RECs in connection with the Site, it is the user's responsibility to communicate any information based on such specialized knowledge or experience to the environmental professional. The User Questionnaire was completed by Ms. Amy Fisk of the Niagara County Department of Economic Development. A copy of the User Questionnaire is included in Appendix 7.

4.1 Title Records

According to the ASTM Standard Practice E1527-13, “the user should either engage a title company or title professional to undertake a review of reasonably ascertainable land title records and lien records for environmental liens or activity and use limitations currently recorded against or relating to the property or to negotiate such an engagement of a title company or title professional as an addition to the Scope of Work to be performed by the Environmental Professional.”

ASTM Standard Practice E1527-13 User Questionnaire Question	Reported by User
Are land title records available for review?	The User reported land title records are not available for review.

4.2 Environmental Liens or Activity and Use Limitations

ASTM Standard Practice E1527-13 User Questionnaire Question	Reported by User
Did a search of <i>recorded land title records</i> identify any environmental liens filed or recorded against the <i>property</i> under federal, tribal, state or local law?	The User did not report any environmental liens associated with the Site; however, LaBella retained Environmental Data Resources Inc. (EDR) to conduct an environmental lien search for the Site. Refer to Section 5.5.4 for additional information.
Did a search of <i>recorded land title records</i> identify any AULs, such as <i>engineering controls</i> , land use restrictions or <i>institutional controls</i> that are in place at the <i>property</i> and/or have been filed or recorded against the <i>property</i> under federal, tribal, state or local law?	The User did not report any AULs associated with the Site; however, LaBella retained Environmental Data Resources Inc. (EDR) to conduct an AUL search for the Site. Refer to Section 5.5.4 for additional information.

4.3 Specialized Knowledge

ASTM Standard Practice E1527-13 User Questionnaire Question	Reported by User
Does the <i>User</i> of this <i>ESA</i> have any specialized knowledge or experience related to the <i>property</i> or nearby properties? For example, is the <i>User</i> involved in the same line of business as the current or former <i>occupants</i> of the <i>property</i> or an <i>adjoining property</i> so that the <i>User</i> would have specialized knowledge of the chemicals and processes used by this type of business?	The User does not have any specialized knowledge or experiences related to the property or nearby properties.

4.4 Commonly Known or Reasonably Ascertainable Information

ASTM Standard Practice E1527-13 User Questionnaire Question	Reported by User
Is the <i>User</i> aware of commonly known or <i>reasonably ascertainable</i> information about the <i>property</i> that would help identify conditions indicative of releases or threatened releases?	The User is aware that the Site was formerly used as a school.
Based on the <i>User's</i> knowledge and experience related to the <i>property</i> are there any <i>obvious</i> indicators that point to the presence or likely presence of releases at the <i>property</i> ?	Based on the User's knowledge and experiences related to the Site, the User of this <i>ESA</i> is not aware of obvious indicators that point to the presence or likely presence of contamination at the Site.

4.5 Valuation Reduction for Environmental Issues

ASTM Standard Practice E1527-13 User Questionnaire Question	Reported by User
Does the purchase price being paid for the <i>property</i> reasonably reflect the fair market value of the <i>property</i> ?	The User did not report a lower purchase price.
If the <i>User</i> concluded that there is a difference, has the <i>User</i> considered whether the lower purchase price is because contamination is known or believed to be present at the <i>property</i> ?	The User did not report a lower purchase price.

4.6 Reason for Performing Phase I ESA

According to ASTM 1527-13, either the User shall make known to the environmental professional the reason why the User wants to have the Phase I ESA preformed or, if the User does not identify the purpose of the Phase I ESA, the environmental professional shall assume the purpose is to qualify for the Landowner Liability Protections under the Brownfields Amendments. The User reported the Phase I ESA was to determine environmental conditions prior to property redevelopment.

5.0 STANDARD ENVIRONMENTAL RECORD SOURCES – FEDERAL AND STATE

Federal, state, and local environmental records were reviewed as a part of this assessment, in accordance with ASTM 1527-13 standard. Listings identified within the standard search radius outlined in ASTM 1527-13 are detailed in their respective sections below. Each listing identified was reviewed by LaBella and evaluated. Copies of the regulatory records documentation are included in Appendix 1.

5.1 Site Listings

Regulatory listings were identified associated with the Site. Copies of the listings are included in Appendix 1. The listings are summarized in the table below.

Listing	Identification #
State Listed Registered PBS Facility	NYSDEC PBS Registration #9-073725
State Listed Closed Spill Site	Spill # 0175146 (closed)

The following table summarizes the NYSDEC PBS Facility Information listing associated with the Site.

Tank No.	Location	Capacity (gallons)	Product Stored	Tank Type	Secondary Containment	Date Installed	Status
015	Underground	6,000	#2 fuel oil	Steel/Carbon Steel/Iron	None	August 1, 1950	Closed-Removed

NYSDEC Spill #0175146 (closed)

According to the closed NYSDEC Spill Report Form #0175146, dated June 13, 2001, last updated June 19, 2001, a truck hit the curb and ripped the saddle tank releasing approximately five gallons of diesel fuel into the parking lot. The fire department cleaned the release and the spill was assigned a closed status on June 19, 2001.

Based on the records reviewed, one 6,000-gallon fuel oil underground storage tank (UST) was installed at the Site in 1950 and closed-removed in 1987. As no other tank closure documentation was obtained

within the scope of this assessment (i.e. tank closure report, confirmatory soil sampling results, etc.), the status of the 6,000-gallon fuel oil UST and subsurface conditions proximate the 6,000-gallon fuel oil UST cannot be confirmed. There is an apparent REC associated with the 6,000-gallon fuel oil UST at this time. Refer to Section 6.2 for additional information.

5.2 Adjoining Property Listings

No regulatory listings were identified associated with properties adjoining the Site.

5.3 ASTM Standard Regulatory Database Listings

5.3.1 USEPA National Priority List (last updated November 10, 2015))

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name – Federal Identification # (Address)
0	1.0 mile	No listings	No listings

5.3.2 USEPA Delisted National Priority List (last updated November 10, 2015)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name – Federal Identification # (Address)
0	0.50 mile	No listings	No listings

5.3.3 USEPA CERCLIS (last updated September 22, 2013)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name – Federal Identification # (Address)
0	0.50 mile	No listings	No listings

5.3.4 USEPA CERCLIS NFRAP (last updated September 22, 2013)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name – Federal Identification # (Address)
0	0.50 mile	No listings	No listings

5.3.5 USEPA RCRA CORRACTS (last updated September 22, 2013)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name – Federal Identification # (Address)
0	1.0 mile	No listings	No listings

5.3.6 RCRA Treatment, Storage, and Disposal Facilities – non-CORRACTS (last updated September 22, 2013)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name – Federal Identification # (Address)
0	0.50 mile	No listings	No listings

5.3.7 USEPA RCRA Generators (last updated September 22, 2013)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name – Federal Identification # - SQG/LQG (Address)
0	Site and Adjoining Properties	No listings	No listings

5.3.8 National Response Center ERNS (last updated November 9, 2015)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name – Federal Identification # (Address)
0	Site only	No listings	No listings

5.3.9 Federal Listed Sites with Institutional and/or Engineering Controls (last updated January 25, 2007)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name – Federal Identification # (Address)
0	Site only	No listings	No listings

5.3.10 State Listed Facilities with Institutional and/or Engineering Controls (updated bi-weekly)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name – State Identification # (Address)
0	Site only	No listings	No listings

5.3.11 State Listed Inactive Hazardous Waste Disposal Facilities (updated bi-weekly)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name – State Identification # (Address)
5	1.0 mile	1	Niagara Town Landfill – 932089 (Lockport Road)
		2	New Road – 932083 (New Road North of Porter Road)
		3	Forest Glen Subdivision – 932097 (Service Road)
		4	Niagara Highway Garage – 932163 (7105 Lockport Road)
		5	Vanadium Corporation of America – 932001 (4400 Lockport Road)

Detailed Summary

Reference Number	Approximate Distance from Site (feet) – Direction	Groundwater Flow – Towards/Away From the Site	REC (Yes/No)	Additional Information/ Rationale
1	2,050 – Southwest	Southwest – Away from the Site	No	The listing does not appear to represent a REC to the Site based on the apparent flow of groundwater to the southwest and away from the Site and the distance of this facility from the Site.
2	4,650 – South Southwest	Southwest – Away from the Site	No	The listing does not appear to represent a REC to the Site based on the apparent flow of groundwater to the southwest and away from the Site and the distance of this facility from the Site.
3	4,900 - South	South – Away from the Site	No	The listing does not appear to represent a REC to the Site based on the apparent flow of groundwater to the south and away from the Site and the distance of this facility from the Site.
4	4,220 – Southeast	South – Away from the Site	No	The listing does not appear to represent a REC to the Site based on the apparent flow of groundwater to the south and away from the Site and the distance of this facility from the Site.
5	4,300 - West	Southwest – Away from the Site	No	The listing does not appear to represent a REC to the Site based on the apparent flow of groundwater to the southwest and away from the Site and the distance of this facility from the Site.

Copies of the listings are included in Appendix 1.

5.3.12 State Listed Voluntary Cleanup Program Facilities (updated bi-weekly)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name – Federal Identification # (Address)
0	0.50 mile	No listings	No listings

5.3.13 State Listed Brownfield Cleanup Program Facilities (updated bi-weekly)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name – Federal Identification # (Address)
0	0.50 mile	No listings	No listings

5.3.14 State Listed Hazardous Substance Disposal Facilities (last updated 1998)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name – Federal Identification # (Address)
0	0.50 mile	No listings	No listings

5.3.15 State Listed Part 360 Solid Waste Disposal Facilities (last updated February 2006)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name – Federal Identification # (Address)
0	0.50 mile	No listings	No listings

5.3.16 Local Inventory of Solid Waste Disposal Locations

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name – Niagara County Identification # (Address)
0	0.50 mile	No listings	No listings

5.3.17 NYSDEC Major Oil Storage Facilities (updated nightly)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name: Address – MOS Identification #
0	Site and adjoining properties only	No listings	No listings

5.3.18 NYSDEC Chemical Bulk Storage Facilities (updated nightly)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name: Address – CBS Identification #
0	Site and adjoining properties only	No listings	No listings

5.3.19 NYSDEC Petroleum Bulk Storage Facilities (updated nightly)

Listing Summary

Number of Listed Sites	Search Radius	Reference Number	Facility Name: Address – PBS Identification #
1	Site and adjoining properties only	1	Military Road Elementary School: 4185 Military Road – #9-073725

Detailed Listings

Reference Number	Distance from Site (feet) – Direction	Overburden Groundwater Flow Direction	REC (Yes/No)	Additional Information and/or Rationale
1	Site	Site	Yes	Refer to Section 5.1

A copy of the NYSDEC PBS Facility Information Report is included in Appendix 1.

5.3.20 NYSDEC Active and Closed/Inactive Spill Listings (updated bi-weekly)

Listing Summary

Number of Listed Sites	Search Radius	Listing Number	Facility Name: Address – Spill # (status)
0 active 1 closed/inactive	Active listings: 0.50 mile Closed/inactive listings: Site and adjoining properties only	1	Former LaSalle High School - #0175146 (closed)

Detailed Summary

Reference Number	Approximate Distance from Site (feet) – Direction	Overburden Groundwater Flow Direction	REC (Yes/No)	Additional Information and/or Rationale
1	Site	Site	No	Refer to Section 5.1

A copy of the listing is included in Appendix 1.

5.3.21 Assessment of the Potential for Soil Vapor Intrusion

Vapor intrusion is the entry of volatile organic compounds (VOCs) to indoor air from underlying contamination in soil and groundwater. Based on the results of this assessment, no information was obtained suggesting the presence of a soil vapor intrusion concern at the Site at this time. However, should subsurface impact be encountered in the future, the potential for soil vapor intrusion should be evaluated at that time.

5.4 Additional Environmental Record Sources

5.4.1 Review of Previous Environmental Reports

LaBella reviewed a Pre-demolition Asbestos Inspection report prepared by Aurora Environmental LLC dated June 5, 2015. A copy of the Pre-demolition Asbestos Inspection report is included in Appendix 8. Based on the contents of the report, Aurora Environmental LLC completed an asbestos survey of the Site Building which included sampling and analysis of pipe insulation, mud fitting insulation, floor tile, ceiling tile, and plaster. Asbestos was confirmed present in 17 of the 44 building materials sampled. Materials confirmed to contain asbestos are summarized below.

Non-friable

- 128 square feet of mastic behind waterproof Masonite
- 14,640 square feet of black vapor barrier
- 9,025 square feet of 9x9 floor tile and associated mastic
- 1,500 square feet 12x12 floor tile and mastic
- 100 square feet of caulk
- 1,100 square feet of flashing/flashing cement

Friable

- 345 linear feet of mudded joint fittings
- 24 linear feet of Mag pipe insulation
- 650 linear feet of air cell pipe insulation
- Two square feet of chimney patch at duct
- 40 square feet internal boiler components

In addition, Labella reviewed an asbestos abatement proposal prepared by Empire Building Diagnostics dated August 10, 2015. Empire Building Diagnostics proposed a fee of \$473,000.00 to abate the asbestos within the Site Building. A copy of the proposal is included in Appendix 8.

5.5 Historical Use Information on the Property and Adjoining Properties

LaBella attempted to review reasonably ascertainable and readily available standard sources of historical information as defined by the ASTM Standard Practice E1527-13 in order to identify all obvious usages of the Site back to the first developed use or 1940, whichever is earlier (i.e., the historical research objective according to ASTM). Uses of the properties adjoining the Site are identified in this report only to the extent that this information is revealed in the course of researching the Site itself and were determined at the discretion of the Environmental Analyst. As such, LaBella reviewed only as many of these sources as necessary to achieve the historical research objective. It should be noted that the lack of availability of reasonably ascertainable and readily available standard ASTM required sources have the potential to affect the findings of this assessment and can impact the ability of the Environmental Professional or Analyst to identify recognized environmental conditions and may result in a data failure

(defined in Section 8.2.1 of this report). A data failure may represent a significant data gap. Data failures and data gaps are identified, defined, and evaluated for their significance in Section 8.2 of this report.

Standard historical sources LaBella attempted to review are outlined in the table below.

Section	Historical Source	Date(s)	Source/Comments
5.5.1	Sanborn Fire Insurance Maps	Not applicable	Sanborn map coverage does not appear to include the Site and surrounding area.
5.5.2	Aerial Photographs	1958, 1966, 1977, 1990, 1995, 2002, 2009, 2015	Niagara SWCD and Google Earth
5.5.3	Property Tax Files	Not applicable	Town of Niagara
5.5.4	Recorded Land Title Records	Not applicable	EDR
5.5.5	Historical Plat Maps	1875, 1949	USGS and Erie County Buffalo Public Library
5.5.6	Local Street Directories	1961, 1966, 1971, 1976, 1982, 1988, 1993, 1998, 2003, 2009	Erie County Buffalo Public Library
5.5.7	Building Department Records	Not applicable	Town of Niagara

5.5.1 Sanborn Fire Insurance Maps

Sanborn fire insurance maps do not appear to provide coverage of the Site and surrounding properties. A copy of the “No Coverage” letter obtained from Environmental Data Resources Inc. is included in Appendix 3.

5.5.2 Aerial Photography

The table below outlines observations obtained from the review of aerial photographs.

Date	Observations
1958	Site: Site Building North: Undeveloped land, residential dwelling South: Undeveloped land East: Undeveloped land, agricultural land West: Residential dwellings
1966, 1977	Site: Site Building North: Undeveloped land South: Undeveloped land East: Undeveloped land, agricultural land West: Residential dwellings
1990, 1995	Site: Site Building North: Undeveloped land, commercial building South: Undeveloped land, agricultural land East: Undeveloped land, agricultural land West: Residential dwellings
2002, 2009, 2015	Site: Site Building North: Undeveloped land, commercial building South: Undeveloped land East: Undeveloped land, agricultural land West: Residential dwellings

Copies of the aerial photographs are included in Appendix 3.

5.5.3 Property Tax files

A FOIL request was submitted to the Town of Niagara Town Clerk on October 29, 2015. LaBella reviewed the town records for the Site on November 6, 2015 at the Town of Niagara's offices. Information obtained from the review of the Town of Niagara records includes the following.

- Tax ID #: 131.14-2-17
- Property Class: 612 – School
- Lot size: 4.10 acres
- Construction date: 1940
- All Public Utilities
- Two letters of building code violation and one declaration of unsafe vacant structure and public nuisance

5.5.4 Recorded Land Title Records

Review of the available deed information obtained from EDR indicated the Site has been historically owned by Henery H. Pletcher et al, the North End Land Company, the Niagara, Lockport and Ontario Power Company and the Trustees of School District No. 3, Town of Niagara, Niagara County, New York. The Site is currently owned by Farkas Brothers Builders, Inc. and David Home Builders, Inc. No environmental liens or activity use limitations were identified by EDR. The environmental lien search is included in Appendix 2.

5.5.5 Historical Atlases

1875 Historical Atlas

The Site is a portion of a larger parcel owned by a private individual. No buildings are depicted on-site. Apparent residential dwellings are depicted to the north and south of the Site along Military Road.

1949 Historical Topographic Map

The map depicts 'School No.3' on-site. No buildings are depicted to the west or south of the Site. The north, east and a portion of the south adjacent properties are not depicted on the map.

Copies of the plat maps are included in Appendix 2.

5.5.6 Local Street Directories

Listings identified associated with the Site in the street directories are detailed in the table below.

Year	Historic Use
1961, 1966, 1971, 1976	Site: Unlisted North: Unlisted South: Unlisted East: Unlisted West: Unlisted
1982, 1988, 1993	Site: Military Road Elementary School (Site Building) North: Tops Supermarket South: Unlisted East: Unlisted West: Private residents

1998, 2003	Site: Unlisted North: Tops Supermarket South: Unlisted East: Unlisted West: Private residents
2009	Site: Unlisted North: Tops Supermarket, Coinstar South: Unlisted East: Unlisted West: Private residents

Copies of the street directories are included in Appendix 2.

5.5.7 Building Department Records

A FOIL request was submitted to the Town of Niagara on October 29, 2015. LaBella reviewed the town records for the Site on November 6, 2015 at the Town of Niagara's offices. Refer to Section 5.5.3 for information obtained from the building department. A copy of the FOIL request is included in Appendix 6.

5.5.8 Summary of Historical Information

Based on the historical records reviewed, it appears that the Site consisted of undeveloped land in at least 1875. The Site Building was constructed by at least 1940 and utilized as a school until at least 1993. The Site Building has reportedly been unoccupied for at least 10 years (refer to Section 7.1). The adjacent properties appear to have been undeveloped between 1875 and 1949. The south adjacent property was undeveloped between at least 1949 and 1958 and appears to have been utilized as a power authority right-of-way from at least 1966 until present. The west adjacent property was developed by at least 1958 and appears to have been utilized residentially until present. The north adjacent property appears to have a residential dwelling in at least 1958. The land appears undeveloped until 1982 when Tops Supermarket was constructed. The north adjacent property has been utilized commercially from at least 1982 until present. The east adjacent property appears to have been utilized agriculturally from at least 1958 until present.

6.0 SITE RECONNAISSANCE

Conducted by: Ms. Katherine Bauer
Date of site visit: November 13, 2015
Interviewee: Ms. Danielle Wink

A copy of the interview record is included as Appendix 5. Representative photographs from the site visit are included in the Figures and Photographs section of this report. Site visit limitations are outlined in Section 2.5 above.

6.1 Interior Observations

The site visit was limited to visual observations within the perimeter of the Site and other accessible areas only. The south portion of the Site Building was only entered briefly to obtain interior observations due to safety concerns. The Site Building is generally in poor condition and does not have operational interior

lighting. As such, the interior observations summarized below are based on the limited observations collected from the south interior of the Site Building only.

6.1.1 Historical Usage

The interior of the Site Building appeared consistent with a former school.

6.1.2 Hazardous Substances and Petroleum Products in Connection with Identified Usages

No apparent hazardous substances or petroleum products were observed within the Site Building at the time of the site visit.

6.1.3 Storage Tanks

No apparent storage tanks were observed within the Site Building at the time of the site visit.

6.1.4 Odors

Noted	Additional Information
No	No apparent strong, pungent, or noxious odors were noted in the interior of the Site Building at the time of the site visit.

6.1.5 Pools of Liquid(s)

Observed	Additional Information
No	No apparent pools, sumps, or standing water containing liquids likely to be hazardous substances or petroleum products were observed in the interior of the Site Building at the time of the site visit.

6.1.6 Unidentified Substance Containers

No apparent unidentified substance containers were observed within the Site Building at the time of the site visit.

6.1.7 Heating and Cooling

Fuel Source	Additional Information
No fuel source	Reportedly natural gas was formerly utilized as a fuel source for heating the Site Building and heating oil was utilized prior to conversion of the Site Building systems to natural gas (refer to Section 5.1 for additional details).

6.1.8 Stains and Corrosion

Observed	Additional Information
No	No apparent staining was observed in the interior of the Site Building at the time of the site visit.

6.1.9 Drains and Sumps

Observed - Type	Additional Information
No	No apparent drains or sumps were observed within the Site Building at the time of the site visit.

6.1.10 Polychlorinated Bi-phenyls (PCBs) Containing Equipment

No apparent electrical or hydraulic equipment potentially containing PCBs were observed in the interior portion of the Site Building at the time of the site visit.

6.1.11 Elevators and Lifts

No apparent lifts or elevators were observed at the time of the site visit.

6.2 Exterior Observations

6.2.1 Historical Usage

A sign depicting 'Military Road School' was observed on the south exterior of the Site Building at the time of the site visit.

6.2.2 Hazardous Substances and Petroleum Products in Connection with Identified Usages

No apparent hazardous substances or petroleum products were observed on the exterior of the Site Building at the time of the site visit.

6.2.3 Storage Tanks

One suspect vent pipe and a large asphalt patch was observed proximate the southeast exterior of the Site Building. According to NYSDEC records, one 6,000-gallon fuel oil UST was installed at the Site in 1950 and closed-removed in 1987. As no other tank closure documentation was obtained within the scope of this assessment (i.e. tank closure report, confirmatory soil sampling results, etc.), the status of the 6,000-gallon fuel oil UST and subsurface conditions proximate the 6,000-gallon fuel oil UST cannot be confirmed. Refer to Section 5.1 for additional information.

6.2.4 Odors

Noted	Additional Information
No	No apparent strong, pungent, or noxious odors were noted on the exterior of the Site at the time of the site visit.

6.2.5 Pools of Liquid(s)

Observed	Additional Information
No	No apparent pools, sumps, or standing water containing liquids likely to be hazardous substances or petroleum products were noted on the exterior of the Site at the time of the site visit.

6.2.6 Unidentified Substance Containers

No apparent unidentified substance containers were observed on the exterior of the Site at the time of the site visit.

6.2.7 Pits, Ponds, or Lagoons

Observed on the Site – Type	Additional Information
No	No apparent pits, ponds, or lagoons were observed at the Site at the time of the site visit.

6.2.8 Stained Soil or Pavement

Observed on the Site - Type	Additional Information
No	No apparent stained soils or pavement were observed at the Site at the time of the site visit.

6.2.9 Stressed Vegetation

Observed on the Site	Additional Information
No	No apparent stressed vegetation was observed at the time of the site visit.

6.2.10 Solid Waste

Observed on the Site	Additional Information
No	No apparent solid waste disposal areas were observed at the time of the site visit.

6.2.11 Wastewater

Observed on the Site	Additional Information
No	Wastewater does not appear to be discharged on the Site.

6.2.12 Wells

Observed on the Site - Type	Additional Information
No	No apparent wells were observed on the Site at the time of the site visit or reported to be located on the Site.

6.2.13 Septic Systems

Observed on the Site	Additional Information
No	No apparent indications of on-Site septic systems or cesspools were observed on the Site at the time of the site visit.

6.2.14 Polychlorinated Bi-phenyls (PCBs) Containing Equipment

Equipment potentially containing PCBs was observed on the exterior portion of the Site at the time of the site visit. The equipment is detailed in the table below.

Type	Quantity	Location	Leaking
Pole mounted transformers	Three	West exterior of the Site proximate Military Road	No

The pole mount transformers did not appear to be leaking at the time of the site visit. Based on the condition of the transformers, there are no apparent RECs related to the presence of the transformers on the Site at this time.

7.0 INTERVIEWS

7.1 Owner Representative

LaBella interviewed Ms. Danielle Wink, Owner Representative, at the time of the site visit. Ms. Wink has reportedly been affiliated with the Site for approximately one year. Ms. Wink stated that to her knowledge the Site had always been utilized as a school. Additionally, the Site Building has been vacant

for at least 10 years and was known to contain asbestos. Ms. Wink was not aware of any environmental concerns affiliated with the Site. The notes from the interview are included in Appendix 5.

7.2 Local Government Officials

A FOIL request was submitted to the Town of Niagara on October 29, 2015. LaBella reviewed the town records for the Site on November 6, 2015 at the Town of Niagara's offices. Refer to Section 5.5.3 for information obtained from the Town of Niagara's Town Clerk. A copy of the FOIL request is included in Appendix 6.

7.3 Tribal Records

The closest territory to the Site is the Tuscarora Reservation, which is located approximately two miles northeast of the Site. In accordance with ASTM Standard Practice E1527-13, tribal records will only be reviewed if the subject Site falls on or within one mile of Native American Sovereign Territories. Therefore, tribal government representatives were not contacted as part of this AAI Phase I ESA report.

7.4 New York State Department of Environmental Conservation

A FOIL request was submitted to the NYSDEC on October 29, 2015. A response was received from the NYSDEC on November 17, 2015. According to the NYSDEC, one spill record and one PBS record was on file for the Site and are discussed in further detail in Section 5.1. A copy of the FOIL request is included in Appendix 6.

7.5 Niagara County Department of Health

A FOIL request was submitted to the NCDOH on November 16, 2015. A response was received from the NCDOH on November 24, 2015. According to the NCDOH only one spill record (NYSDEC # 0175146) was found associated with the Site (refer to Section 5.1). Copies of the FOIL request and response are included in Appendix 6.

8.0 FINDINGS, OPINIONS AND CONCLUSIONS

We have performed a Phase I ESA in conformance with the scope and limitations of ASTM Practice E 1527-13 for 4185 Military Road, Town of Niagara, Niagara County, New York 14304, the Site.

8.1 Findings

Any exceptions to, or deletions from, this practice are described in Section 2.5 of this report. Based on the results of this assessment, the following RECs have been identified associated with the Site at this time.

SECTION # 5.1 & 6.2 – 6,000-Gallon Underground Storage Tank

One suspect vent pipe and a large asphalt patch was observed proximate the southeast exterior of the Site Building. According to NYSDEC records, one 6,000-gallon fuel oil UST was installed at the Site in 1950 and closed-removed in 1987. As no other tank closure documentation was obtained within the scope of this assessment (i.e. tank closure report, confirmatory soil sampling results, etc.), the status of the 6,000-gallon fuel oil UST and subsurface conditions proximate the 6,000-gallon fuel oil UST cannot be confirmed.

SECTION # 5.4 & 7.0 – Asbestos

Based on the Pre-demolition Asbestos Inspection report completed in June 2015, asbestos containing building materials were identified within the Site Building. The interior of the Site Building is in poor condition, and it is likely that asbestos containing materials have been released to floor surfaces within the Site Building. An asbestos abatement proposal dated August 10, 2015 estimated an asbestos abatement cost of \$473,000 for the Site Building.

8.2 Data Failures and Data Gaps

8.2.1 Data Failures

ASTM 1527-13 defines a data failure as a failure to achieve the historical research objectives of AAI even after reviewing the standard historical sources that are reasonably ascertainable and likely to be useful. Specifically, the historical research objectives include identifying all obvious uses of the Site from the present, back to the Site's first developed use, or back to 1940, whichever is earlier. A data failure was not encountered within Scope of Work of this assessment.

8.2.2 Data Gaps

ASTM 1527-13 defines a data gap as a lack of or an inability to obtain information required by this practice despite *good faith* efforts by the *environmental professional* to gather such information. Data gaps may result from incompleteness in any of the activities required by this practice, including, but not limited to site reconnaissance, interviews, data failure, or lack of a User Questionnaire.

A data gap was encountered within the Scope of Work of this assessment associated with limited observations within the Site Building. The south portion of the Site Building was only entered briefly to obtain interior observations due to safety concerns. The Site Building is generally in poor condition and does not have operational interior lighting. As such, the interior observations summarized below are based on the limited observations collected from the south interior of the Site Building only. This data gap does not appear to be significant based on the review of available historical information and interviews.

8.3 Opinion of Findings

Based on the results of this assessment, LaBella recommends the following.

- Additional investigation should be completed to assess whether the 6,000-gallon fuel oil UST remains on-site and to determine the subsurface conditions proximate the 6,000-gallon fuel oil UST. Such may include, but not be limited to, completion of a geophysical survey, advancement of exploratory test pits, and collection of subsurface soil and groundwater samples for laboratory analysis. Should the 6,000-gallon fuel oil UST remain on-site, such should be closed or removed in accordance with NYSDEC regulations.
- It is LaBella's understanding that the Site Building is being considered for renovation. LaBella recommends that asbestos containing building materials be handled in accordance with local, state, and federal regulations.

9.0 DEVIATIONS

No deviations were made to the report, other than the Limitations and Exceptions as stated in Section 2.5.


10.0 ADDITIONAL SERVICES

No additional services were provided or agreed upon as part of this assessment.

11.0 SIGNATURES OF ENVIRONMENTAL PROFESSIONALS

We declare that, to our knowledge and belief, we meet the definition of Environmental Professional as defined in ASTM Standard Practice E1527-13 and §312.20 of 40 CFR §312. We have the specific qualifications based on education, training, and experience to assess a property of the nature, history, and setting at the subject property.

We have developed and performed the Scope of Work for this assessment in conformance with the standards, practices, and limitations set forth in ASTM Standard Practice E1527-13.



Adam Zebrowski
Environmental Professional
Project Manager

The following representatives of LaBella assisted in the completion of this report:



Katherine Bauer
Environmental Analyst

AKZ/KEB/cm

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12.0 QUALIFICATIONS OF ENVIRONMENTAL PROFESSIONALS

Gregory Senecal, CHMM | Director, Environmental Services (Environmental Professional)

As Director of Environmental Services, Greg is responsible for the direction of all environmental investigation related projects undertaken by the firm. Greg has more than 20 years of experience scoping, scheduling, and reviewing Phase I Environmental Site Assessments, Phase II Environmental Site Assessments, and remedial efforts undertaken by the firm.

Greg is a Certified Hazardous Materials Manager and has extensive experience in the field of Environmental Management relating to Phase I and Phase II Environmental Site Assessments, remediation, and environmental compliance evaluations. Mr. Senecal has conducted or supervised over 1,500 Phase I Environmental Site Assessments and over 600 Phase II Environmental Site Assessments during his time with LaBella.

PHASE I ESA TEAM

Benjamin Stracuzzi | Phase I ESA Program Manager

Ben is the Phase I ESA Program Manager for LaBella Associates responsible for the coordination and successful completion of Phase I Environmental Site Assessments. Working with financial institutions, attorneys and private developers, Ben provides efficient analysis and completion of environmental reports required for property transactions. The site assessments include evaluation of environmental liability associated with properties such as warehouses, gas stations, auto repair facilities, manufacturing facilities, farms, commercial properties, and residential homes.

Emily Gillen | Environmental Analyst (Environmental Professional)

Emily is an Environmental Analyst with seven years of experience conducting Phase I and Phase II Environmental Site Assessments and remedial projects. Current work includes soil and groundwater sampling, soil vapor analysis, petroleum storage tank removals, and review and evaluation of analytical groundwater monitoring data. From these experiences, she commands a solid understanding of both state and federal regulations.

Chris Kibler | Environmental Analyst (Environmental Professional)

Chris is an Environmental Analyst responsible for the coordination and successful completion of Phase I and II Environmental Site Assessments (ESAs). Working with financial institutions, attorneys, private developers and municipalities, he conducts ESAs in support of real estate transactions and brownfield redevelopment initiatives. Mr. Kibler's experience includes historical and regulatory records review; field sampling and data collection using a variety of techniques and equipment; the review and evaluation of field and laboratory analytical data; and the preparation of technical reports defining potential environmental liabilities and, if warranted, remedial options.

Michael Winderl, Jr. | Environmental Analyst

Michael is an Environmental Analyst responsible for preparing Phase I Environmental Site Assessments. His duties include regulatory records searches, site visits, interviews with property owners and municipal entities, and historical research for assessments completed in New York State.

Danielle Kaveney, EIT | Environmental Engineer

Danielle is an Environmental Engineer responsible for preparing Phase I Environmental Site Assessments. Working with financial institutions, attorneys and private developers, Danielle provides efficient analysis and completion of environmental reports required for property transactions.

Gabrielle Rinaldi | Environmental Analyst

Gabrielle is an Environmental Analyst and is responsible for the preparation of Phase I Environmental Site Assessments. The site assessments include evaluation of environmental liability associated with properties, and Gabrielle provides efficient analysis and completion of environmental reports for financial institutions, attorneys and private developers.

Andrew T. Benkelman | Environmental Engineer

Andy is an Environmental Engineer with over five years of experience performing Phase I and II Environmental Site Assessments, Remedial Investigations, Remedial Alternatives Analyses, remedial design and remedial construction oversight. His experience includes the planning and execution of field data collection programs, data management and evaluation, and technical report preparation.

Katherine Bauer | Environmental Analyst

Katherine is an Environmental Analyst responsible for the coordination and successful completion of Phase I Environmental Site Assessments. Working with financial institutions, attorneys and private developers, Katherine conducts regulatory records searches, site visits, interviews with property owners and municipal entities, and historical research for Phase I ESAs.

Megan Denner | Environmental Analyst

Megan is an Environmental Analyst responsible for preparing Phase I Environmental Site Assessments. Her duties include regulatory records searches, site visits, interviews with property owners and municipal entities, and historical research for Phase I ESAs.

Shelby Persons | Environmental Analyst

Shelby is an Environmental Analyst responsible for the coordination and successful completion of Phase I Environmental Site Assessments. Working with financial institutions, attorneys and private developers, Shelby conducts regulatory records searches, site visits, interviews with property owners and municipal entities, and historical research for Phase I ESAs.

PHASE II ESA TEAM

Dennis Porter, CHMM | Manager, Special Projects (Environmental Professional)

Dennis is the Phase II Environmental Site Assessment and Remediation Program Manager and is a Certified Hazardous Materials Manager. He has managed numerous Phase I and II Environmental Site Assessments, Remedial Investigations, Feasibility Studies, industrial hygiene studies, project monitoring and asbestos sampling surveys. Mr. Porter also has significant experience in Brownfield Redevelopment and completed numerous Site Redevelopment Projects under the NYSDEC's Brownfield Cleanup Program.

Robert Napieralski, CPG | Western NY Regional Manager (Environmental Professional)

Rob has more than 23 years of professional consulting experience for public and private sector clients involving a wide range of environmental, infrastructure and transportation projects. His background includes extensive experience with: environmental due diligence assessments, brownfield investigation, remediation and redevelopment, regulatory compliance and permitting, solid waste management facility permitting and monitoring, municipal infrastructure planning, design and construction, SEQRA/NEPA compliance and documentation, and Locally Administered, federally funded transportation projects. Responsibilities include project management, business development and client management.

Adam Zebrowski | Project Manager (Environmental Professional)

Adam is an Environmental Project Manager with seven years of experience managing numerous Phase I Environmental Site Assessments (ESA), Phase II Environmental Site Assessments, underground storage tank removal, soil and groundwater remediation projects, and vapor intrusion investigations. In addition, Adam has experience with construction services such as Plan Specification Reviews, Draw Inspections, and Property Condition Assessments.

Daniel Noll, PE | Remedial Design Engineer (Environmental Professional)

With more than 15 years of environmental engineering experience, Dan has served a variety of clients including developers, financial institutions, industrial clients, and municipalities. Dan has managed numerous Phase II Environmental Site Assessments and remediation projects such as groundwater monitoring programs, soil vapor investigations, test pit investigations, geo-probe investigations, underground storage tank removals, soil removals, bio-cell remediations, and in-situ groundwater remediation. Additionally, Dan has experience with the design and installation oversight of mitigation systems.

Jennifer Gillen, MS | Environmental Geologist

Jennifer primarily serves as Environmental Geologist responsible for performing Phase I Environmental Site Assessments and Transaction Screens. She has experience conducting Phase I ESA's throughout New York State, Massachusetts and Pennsylvania. These site assessments include assessment of environmental liability associated with properties such as warehouses, gas stations, auto repair facilities, colleges, universities, hospitals, manufacturing facilities, farms, commercial properties, and residential homes. Additionally, Jennifer has been involved in the planning and completion of numerous Phase II investigations and two Brownfield Opportunity Area Studies. From these experiences, she commands a solid understanding of both state and federal regulations and is proficient in GIS mapping.

David Engert, CHMM | Remediation and Construction Project Manager (Environmental Professional)

Dave has more than 15 years of experience as a Geologist and Project Manager. Dave has managed numerous Phase I and Phase II Environmental Site Assessments, soil and groundwater remediation projects, groundwater monitoring programs and vapor intrusion investigations for both public and private sector clients. Additionally, Dave has managed Brownfield projects through the New York State Brownfield Cleanup Program.

Steven Rife | Project Geologist

Steven is a Project Geologist with LaBella's Environmental Division and is primarily involved with field operations for Phase II Environmental Site Assessments. He has more than two years of geology experience in related field work including shallow overburden soil sampling, bedrock mapping, basic surveying, and well logging on deep natural gas wells. When in-house, he also assists with GIS mapping,

laboratory sample logistics, and report preparation.

Kyle Miller | Sr. Environmental Geologist (Environmental Professional)

Kyle is a Senior Environmental Geologist with over 17 years of experience conducting Phase I and Phase II Environmental Site Assessments, environmental investigations, and remedial projects. He has performed numerous site assessments for potential subsurface contamination including test pits, supervision of well installation and sampling, soil vapor analysis, petroleum storage tank removals, and review and evaluation of analytical groundwater monitoring wells.

Michael Pelychaty | Environmental Geologist (Environmental Professional)

Mike is an environmental geologist with over 16 years of experience in the field of Environmental Management relating to Phase I and Phase II Environmental Site Assessments, Remedial Investigations, Brownfield Remedial Investigations and Corrective Actions.

Ann Aquilina | Environmental Engineer, EIT

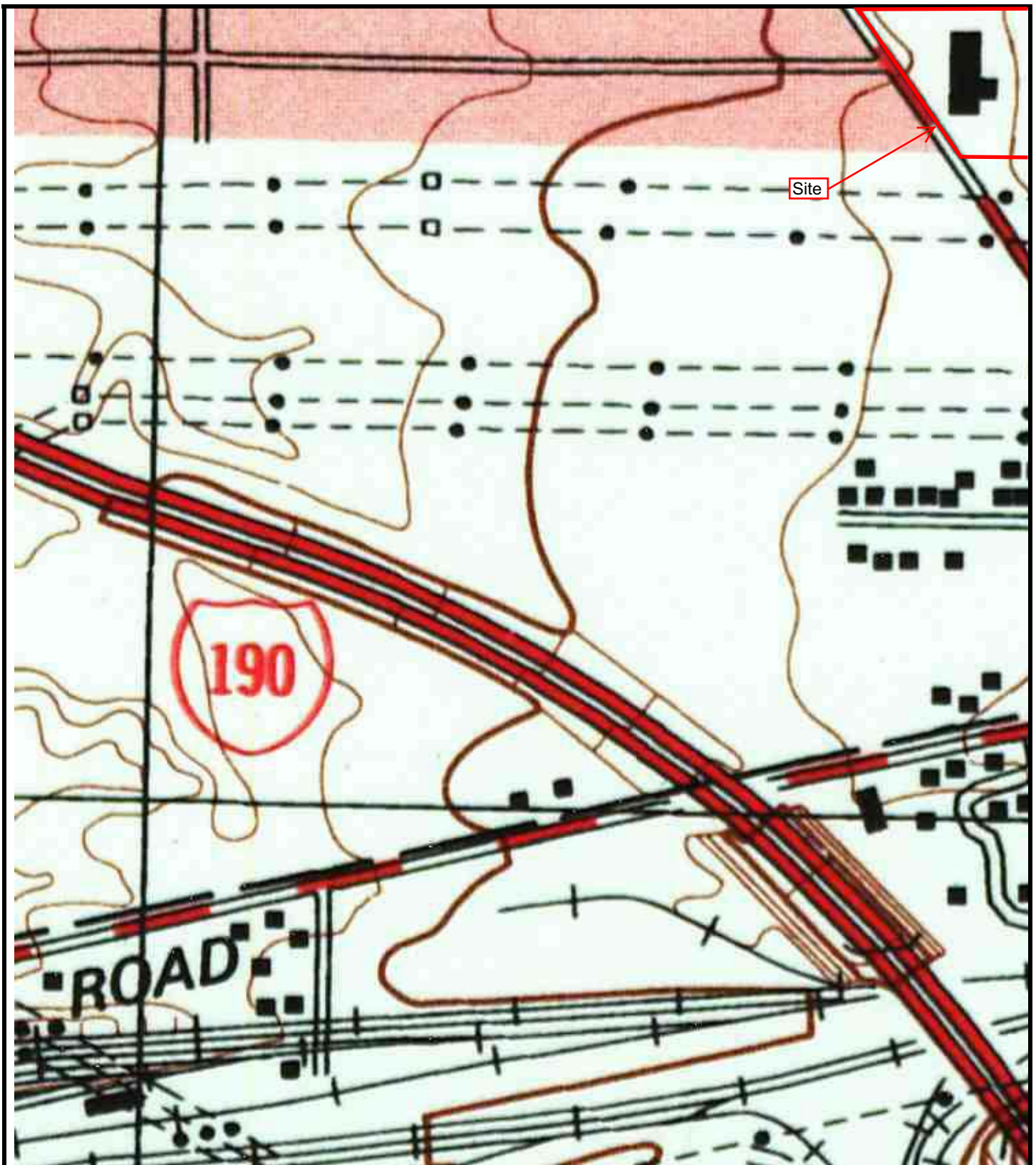
Ann is an Engineer in Training with over a year of environmental engineering experience. Project experience includes GIS data collection and data modeling, soil and groundwater sampling, Phase II Investigations and remediation projects.

Christie Sobol | Environmental Engineer

Christie is an Environmental Engineer responsible for the coordination and successful completion of Phase II Environmental Site Assessments (ESAs) and Sites in the NYSDEC Brownfield/Voluntary Cleanup Programs. Christie has also worked on several superfund sites, has completed numerous Phase II ESAs, and has experience with many Sites with chlorinated solvent impacts.

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FIGURES AND PHOTOGRAPHS



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▲
NOT TO SCALE

FIGURE 1 SITE LOCATION MAP

4185 Military Road
Niagara, New York

ABELLA

PROJECT NO. 2151439

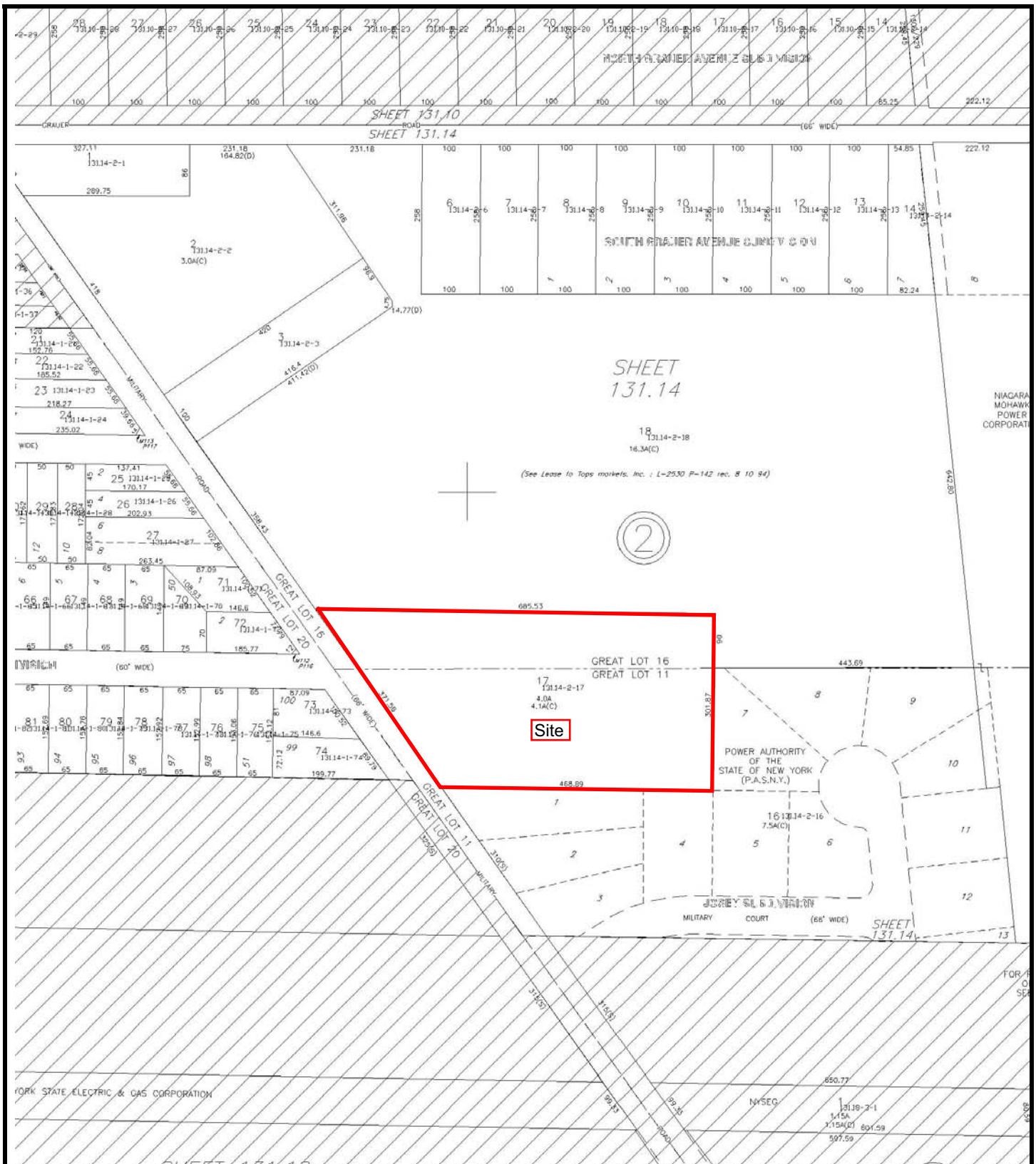


FIGURE 2 PROPERTY TAX MAP

4185 Military Road
Niagara, New York

ABELLA

PROJECT NO. 2151439



FIGURE 3 SITE SKETCH

4185 Military Road
Niagara, New York

ABELLA

PROJECT NO. 2151439



Site



North adjacent property



South adjacent property



East adjacent property



West adjacent property



North exterior of Site Building



South exterior of Site Building



East exterior of Site Building



West exterior of Site Building



Pole-mounted transformers



Storm water drain and tire



Fill port



Debris



Incinerator



Water heater



Water Heater



Fuel supplier to water heater



Typical hallway



Typical hallway



Typical classroom

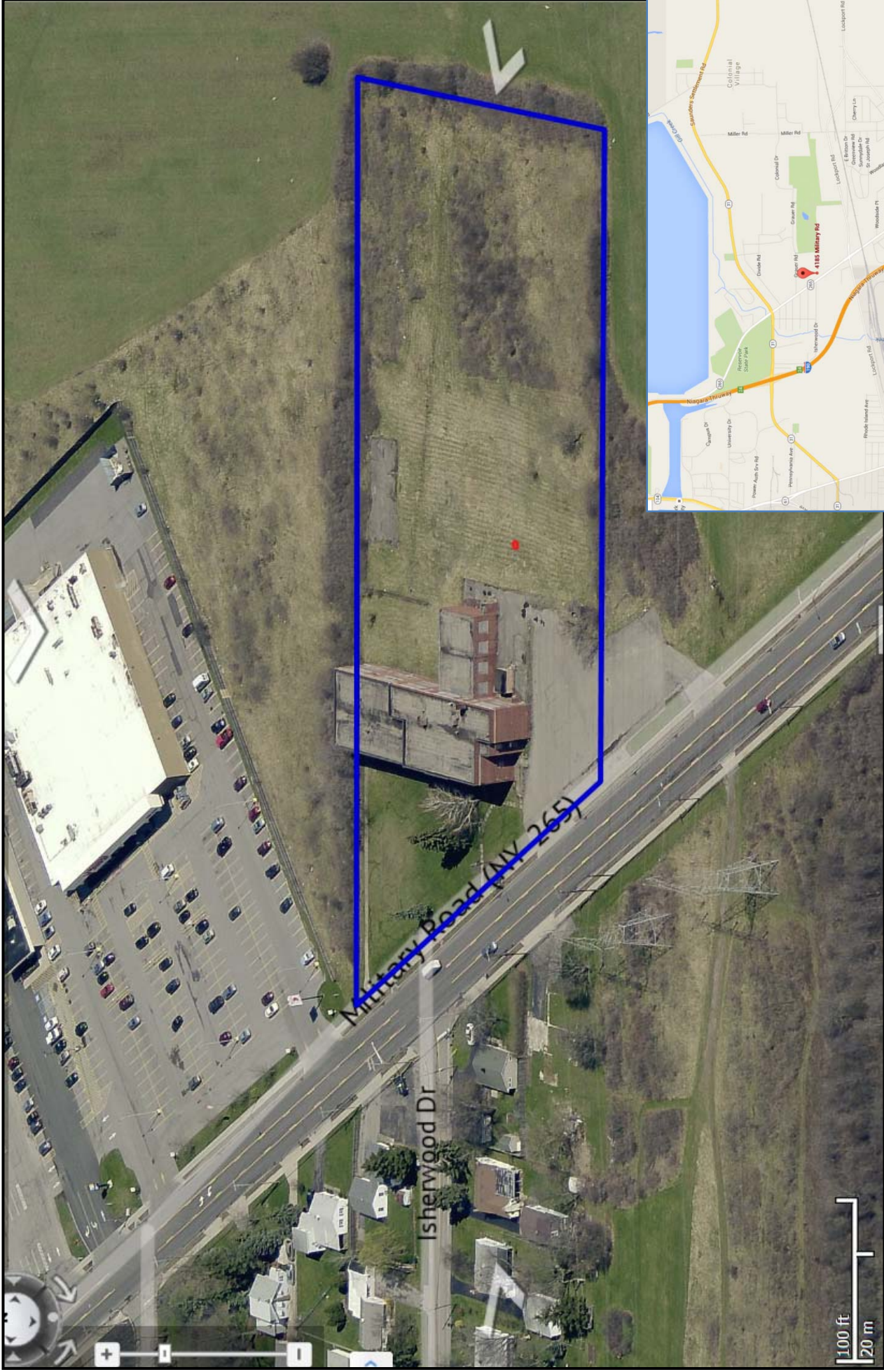


Typical classroom



Typical restroom

Former Military Road School, 4185 Military Road, Town of Niagara



APPENDIX 1

Regulatory Records

Records Checks:

Conducted by
Title
Signature:

Katherine Bauer
Environmental Analyst
Katherine Bauer

Date 11-12-15

Site Address
City/State/Zip
County
Tribal Region

4185 Military Road
Niagara, New York
Niagara

NYSDEC Region:
9

Listing	Search radius	Sites listed details attached
NPL http://www.epa.gov/superfund/sites/query/queryhtm/nplfin.htm	1.0 mile	0
Delisted NPL	0.5 mile	0
CERCLIS	0.5 mile	0
CERCLIS NFRAP http://cfpub.epa.gov/supercpad/cursites/srchsites.cfm	0.5 mile	0
RCRA TSD CORRACTS	1.0 mile	0
RCRA TSD Non -CORRACTS	0.5 mile	0
RCRA LQG Generator	Site & adj. prop.	0
RCRA SQG Generator	Site & adj. prop.	0
RCRA CESQG Generator www.epa.gov/enviro/html/rcris/rcris_query_java.html	Site & adj. prop.	0
Federal IC/EC Registry	Site	0
Federal listings are not currently available in a searchable database		
State IC/EC Registry	Site	
Sent FOIL Request to NYSDEC		
Received Response:		
ERNS	Site	
http://www.nrc.uscg.mil/foia.html		
IHWDS	1.0 mile	4
State Voluntary Cleanup Sites	0.5 mile	0
State Brownfield Sites http://www.dec.ny.gov/cfm/xtapps/derfoil/index.cfm	0.5 mile	0
Haz. Sub.	0.5 mile	0
NYSDEC Hazardous Substance Disposal Study		
Local Disposal Sites	0.5 mile	0
(from EMC, County Solid Waste Authority or equivalent)		
Sent FOIL Requests:		
Part 360 Permitted Landfills	0.5 mile	
www.dec.state.ny.us/website/dshw/sldwaste/index.htm		
NYSDEC Spills Internet Updates	0.5 mile	8
Send Request to NYSDEC for detailed Spill Report Forms		
Received Response:		
http://www.dec.ny.gov/cfm/xtapps/derfoil/index.cfm		
NYSDEC PBS Registration	Site & adj. prop.	1
NYSDEC CBS Registration	Site & adj. prop.	0
NYSDEC MOSF Registration	Site & adj. prop.	0
Sent FOIL Request to NYSDEC		
Received Response:		

Last updated:

<u>11-10-15</u>
22-Sep-13
22-Sep-13
22-Sep-13
10-16-15
10-16-15
10-16-15
10-16-15
10-16-15
25-Jan-07
Bi-weekly
Bi-weekly
Bi-weekly
Bi-weekly
1998
Feb-06
Weekly
2001
2001
2001

TRIBAL RECORDS

Sent FOIL Requests to Tribal Representative
Received Response:

Site is not located within a one mile radius of Tribal Lands.

Tuscarora Reservation is located 2.25 miles north east of the Site.



Department of
Environmental
Conservation

Environmental Site Remediation Database Search Details

Site Record

Administrative Information

Site Name: Niagara Town Landfill

Site Code: 932089

Program: State Superfund Program

Classification: N *

EPA ID Number:

Location

DEC Region: 9

Address: Lockport Road

City:Niagara **Zip:** 14304

County:Niagara

Latitude: 43.11974308

Longitude: -79.00858626

Site Type:

Estimated Size: 30 Acres

Site Owner(s) and Operator(s)

Current Owner Name: TOWN OF NIAGARA

Current Owner(s) Address: 7105 LOCKPORT RD.
NIAGARA,NY, 14304

Current Owner Name: Town of Niagara

Current Owner(s) Address: 7105 Lockport Road
Niagara,NY, 14304

Owner(s) during disposal: TOWN OF NIAGARA

Current On-Site Operator: Town of Niagara

Stated Operator(s) Address: 7105 Lockport Road
Niagara,NY 14304

Site Description

Location: The Niagara Town Landfill is a tract of approximately 30 acres, located along the north side of Lockport Road, just west of the Niagara Expressway (I-190). **Features:** Rights of

way for the Niagara Mohawk and for the Power Authority of the State of New York power lines are on the northwest and southwest sides and Gill Creek is the western Boundary. The right of way for the expressway is the northern boundary. Except for an adjacent residential property to the east, this site is located in an industrial area in the Town of Niagara; a marshalling yard for the Conrail System is located along the south side of Lockport Road. Domestic waste from the town was disposed at the site from the early 1950's through 1982. History: From 1977 through 1981, excess excavation spoils from the construction of the town's sanitary sewer system were placed on the site. Reportedly, the domestic waste was placed in a 6 to 8 acre area in the southern and western portions of the site, and part of the excess construction excavations were utilized as soil cover for the waste. The remainder of the excavations were stockpiled in the northern area. Remediation: The Town Board voted to permanently close the landfill in 1985, and in 1987, the landfill was closed and capped under provisions of NYCRR Part 360. There is no evidence indicating that hazardous waste disposal occurred on this site. No further action is required at this time and since no Hazardous Waste was documented to have been disposed at this site the site does not meet the regulatory requirements for inclusion on the Registry. The long term OM&M of the site is monitored by the Department DMM.

Contaminants of Concern (Including Materials Disposed)

Type of Waste	Quantity of Waste
UNKNOWN	UNKNOWN

Site Environmental Assessment

There are no environmental problems associated with the disposal of waste at this site.

Site Health Assessment

The potential for exposure to groundwater does not exist since there are no drinking water wells nearby and the residents are served by a public water supply. Access to the site is limited by fencing, but the fence does not completely surround the site. The waste disposal area has been covered, so the potential for exposure to on-site contaminants is minimal.

*** Class N Sites:** "DEC offers this information with the caution that the amount of information provided for Class N sites is highly variable, not necessarily based on any DEC investigation, sometimes of unknown origin, and sometimes is many years old. Due to the preliminary nature

of this information, significant conclusions or decisions should not be based solely upon this summary."

For more Information: [E-mail Us](#)

Refine This Search



Department of
Environmental
Conservation

Environmental Site Remediation Database Search Details

Site Record

Administrative Information

Site Name: New Road

Site Code: 932083

Program: State Superfund Program

Classification: N *

EPA ID Number:

Location

DEC Region: 9

Address: New Road North of Porter Road

City: Niagara Falls **Zip:**

County: Niagara

Latitude: 43.11129112

Longitude: -79.00426801

Site Type:

Estimated Size: 0 Acres

Site Owner(s) and Operator(s)

Current Owner Name: NIAGARA MOHAWK POWER CORPORATION

Current Owner(s) Address: 300 ERIE BOULEVARD WEST
SYRACUSE, NY, 13202

Current Owner Name: NYPA

Current Owner(s) Address: 300 ERIE BLVD. WEST
SYRACUSE, NY, 13202

Current Owner Name: NYPA

Current Owner(s) Address: 5777 LEWISTON ROAD
LEWISTON, NY, 14092

Owner(s) during disposal: NYPA

Current On-Site Operator: City of Niagara Falls

Stated Operator(s) Address: City Hall / 745 Main Street
Niagara Falls, NY 14305

Current On-Site Operator: NYPA

Stated Operator(s) Address: 123 Main Street
White Plains, NY 10601

Current On-Site Operator: NYPA

Stated Operator(s) Address: CITY BLDG. 745 MAIN STREET
NIAGARA FALLS,NY 14305

Current On-Site Operator: NYPA

Stated Operator(s) Address: 123 MAIN ST.
WHITE PLAINS,NY 10601

Site Description

The site was used by the City of Niagara Falls during the 1950's as a dump for non-combustibles and incinerator refuse. A fishkill in Gill Creek in 1954 or 1955 was attributed to the leachate from this site. PASNY used this site for disposal of rock spoils and clean fill from the power project excavations from 1958 to 1962. USGS collected water samples from each of three monitoring wells at the site. Results indicate the presence of an organic compound in the samples in low concentration. The groundwater standard for iron, lead, chromium, and phenol was also exceeded in the samples. A Phase I Investigation Report was completed in 1987 and the field work for the Phase II Investigation was completed in January 1991. The results of the Phase II Investigation indicates low levels of contamination typical of incinerator ash disposal but could not document the disposal of hazardous waste. The Phase II Report also recommends closure of the landfill under Part 360. No further action is required at this time and since no Hazardous Waste was documented to have been disposed at this site the site does not meet the regulatory requirements for inclusion on the Registry.

Site Environmental Assessment

There are no environmental problems associated with the disposal of hazardous waste. Closure of the landfill under Part 360 should address any problems caused by the landfill.

Site Health Assessment

Signs are posted around the site, restricting access, however no physical barriers are erected. Scavenger dumping has taken place. Besides scavenger dumping, there are no exposed wastes evident. Several contaminants have been detected from analysis of ground water samples. There are no known users of this ground water in the area. The site does not appear to pose an imminent public health threat.

* **Class N Sites:** "DEC offers this information with the caution that the amount of information provided for Class N sites is highly variable, not necessarily based on any DEC investigation,

sometimes of unknown origin, and sometimes is many years old. Due to the preliminary nature of this information, significant conclusions or decisions should not be based solely upon this summary."

For more Information: [E-mail Us](#)

Refine This Search



**Department of
Environmental
Conservation**

Environmental Site Remediation Database Search Details

Site Record

Administrative Information

Site Name: Forest Glen Subdivision

Site Code: 932097

Program: State Superfund Program

Classification: 04

EPA ID Number:

Location

DEC Region: 9

Address: Service Road

City: Niagara Falls **Zip:** 14304

County: Niagara

Latitude: 43.11055447

Longitude: -78.99807059

Site Type: DUMP

Estimated Size: 39 Acres

Site Owner(s) and Operator(s)

Current Owner Name: New Path International Holdings

Current Owner(s) Address: 2900 Service Road
Niagara Falls, NY, 14304

Current Owner Name: Cherokee Investment Partners

Current Owner(s) Address: 702 Oberlin Road
Raleigh, NC, 27605

Current Owner Name: Niagara county Center for Economic Development

Current Owner(s) Address: 6311 Inducon Corporate Drive
Sanborn, NY, 14132-9099

Hazardous Waste Disposal Period

From: unknown **To:** 1970s

Site Description

Site Location: The site is located in both the Town of Niagara and the City of Niagara Falls, Niagara County approximately 0.5 miles north of Porter road. The Expressway Village mobile home subdivision is adjacent to the Site's southern boundary. The highway I-190 is adjacent to the site and is to the north and to the east of the site.

Site Features: The 39-acre Site is divided by East Gill Creek, a narrow, low-flowing creek. South of Gill Creek is the now vacant 15-acre Forest Glen Subdivision, consisting of 51 mobile homes and two permanent residences. Access to the Subdivision is through Edgewood Drive. The southern portion of the Site includes the Edgewood Drive Wooded Lots, which are two 3-acre undeveloped wooded lots located to the north and south of Edgewood Drive. The northern portion of the Site consists of the 18-acre parcel referred to as the Northern Aspect, which includes a 15-acre undeveloped triangle of land which is bordered on the west by a berm, approximately 11 feet in height. The 1.5-acre Wooded Wetland is on the eastern side of the Northern Aspect.

Current Zoning/Uses: The Site is currently zoned as commercial/light industrial.

Histroical Use (s): During the 1970's, the low areas of the site, including a former creek bed, were filled with unknown materials. Limited soil sampling, performed by the Niagara County Health Department, indicated the presence of phenolic compounds, phenol formaldehyde type resin and polyvinylchloride resins in some samples. Between 1987 and 1989, EPA investigated this site and found it be contaminated with various organic chemicals in high concentrations. Lead and mercury were also found at elevated levels. The site was placed on the National Priorities List (NPL). The EPA prepared a Focused Feasibility Study in 1989. EPA recommended permanent relocation of residents in this subdivision, based on the Agency for Toxic Substances and Disease Registry (ATSDR) health advisory. The relocation of 150 residents was completed in late 1992. On June 30, 1992 Special Notice was served to the PRP's for the Remedial Investigation/Feasibility Study (RI/FS). All parties refused to sign a Consent Order; therefore the RI/FS was funded by the USEPA. The RI/FS began in November 1994 and the field investigation phase was completed in 1995. The Record of Decision (ROD) for the soil remediation was completed in March 1998 which included the consolidation and capping of the contaminated soils. In early 1999, the site's zoning was changed from residential to industrial/commercial. Because of this change, EPA has changed the soil remedy to in-place capping of contaminated soils. The ROD for groundwater remediation was completed in September 1999. The ROD called for pump and treatment of on-site contaminated groundwater and natural attenuation of off-site contaminated groundwater. This ROD also included a ROD amendment to amend the soil remedy to in-place capping of the contaminated soils. A Remedial Design/Remedial Action (RD/RA) consent order was signed in September 2000 between the PRP and the EPA. Remedial action for the soil remedy began in August 2002 and was completed in 2003. As part of the remedial action a commercial/office building was constructed on top of the capped area. The site was reclassified to class 4 in NYS

registry of inactive hazardous waste sites. Long term operation, monitoring and maintenance are in progress. Geology and Hydrogeology: The geology of the region consists predominantly of compact and generally impermeable lodgement till and glacial lacustrine clay common to the Niagara Escarpment. The resulting topography is generally flat and poorly drained because of the impermeability of the glacial lacustrine clay and glacial till. The regional overburden consists of glaciolacustrine deposits (clay) and clay till deposits overlying the Lockport Dolomite bedrock. The Lockport Dolomite is a karst formation, generally 150 feet of dolostone overlying 120 feet of limestones and shales, including the impermeable Rochester Shale, below which is limestone and sandstone, overlying the Queenstown Shale. The bedrock beneath the Site and throughout the region dips gently to the south at 29 feet per mile. The Lockport Dolomite is the major water-producing formation of the area. The hydrogeology is defined by three hydrostratigraphic zones: perched overburden water, shallow bedrock and deep bedrock. The overburden extends approximately from zero to 20 feet below ground surface (BGS). Because of the low permeability of the overburden clay and till, perched ground-water conditions were encountered at the Site. The shallow bedrock zone extends from 16 to 28 feet BGS. Ground water in this zone flows both vertically and horizontally through an interconnecting system of closely-spaced joints and bedding plane fractures. The deep bedrock zone is encountered at depths of 40 to 45 feet BGS. There is a zone of competent dolostone between the shallow and deep bedrock zones.

Contaminants of Concern (Including Materials Disposed)

Type of Waste	Quantity of Waste
trichloroethene (TCE)	UNKNOWN
benzo(a)pyrene	UNKNOWN

Site Environmental Assessment

The review of historical aerial photographs indicates that the site was originally a forested wetland, which was impacted by local construction projects and the subsequent dumping of industrial wastes from the 1950s through 1970s. In 1973, the land was developed into the mobile home subdivision. The sale of the properties to individual landowners began in 1979. Evidence of past waste disposal was apparent during the installation of utilities which took place as early as 1973. There is also a history of reports indicating that residents encountered waste on their properties. Samples collected by the Niagara County Health Department (NCHD) in 1980 indicated that this waste material included a phenolic resin. In 1987, EPA conducted an initial site investigation at the request of NYSDEC and NCHD. Analytical results of four soil samples which were collected from the northern portion of the Subdivision indicated

that volatile and semivolatile organic chemicals, including polycyclic aromatic hydrocarbons (PAHs) and heavy metals, were present at the site at varying concentrations. An expanded site investigation was conducted in 1988 and 1989 to better characterize the contamination. Based on the results from this investigation, on July 21, 1989, the Agency for Toxic Substances and Disease Registry (ATSDR) issued a Preliminary Health Assessment for the Forest Glen Subdivision which stated that the site posed a significant threat to public health because of possible contact with contaminated soils and wastes and advised that immediate action be taken to relocate residents of the Subdivision, beginning with the most contaminated areas. ATSDR also issued a Public Health Advisory recommending that (1) EPA consider placing the site on the National Priorities List (NPL) and (2) actions be immediately taken to relocate the residents of the mobile home park. Based on ATSDR's Public Health Advisory, the site was added to the NPL in November 1989. In December 1989, EPA issued a ROD calling for permanent resident relocation. FEMA completed the permanent relocation of the residents in 1992. EPA conducted a Remedial Investigation/ Feasibility Study (RI/FS) at the site from 1994 to 1996. A Record of Decision for OU2 (soils) was issued in March 1998 selecting a remedy consisting of soil excavation, consolidation and capping, which was based, in part, on the existing residential zoning of the portion of the site. A supplemental ground-water investigation was performed in 1997 and the Ground-Water Feasibility Study was conducted in 1998. Fill was encountered in soil borings and test pits in the northwest section of the Northern Aspect, in all berm samples, in some borings in the Edgewood Drive Wooded Lots and in the northern and central section of the Subdivision. This fill varies in composition and appearance in different parts of the site, but it generally includes black-stained material which is attributed to past dumping activities. Contaminants detected in site soils include several semi-volatile organic, PAHs and volatile organic compounds including aniline; phenothiazine; perylene; benzo(a)pyrene; chrysene; benzo(a)anthracene; benzo(b)fluoranthene; benzo(k)fluoranthene; pyrene and phenol. Heavy metals, including arsenic, cadmium, mercury and lead, were also detected in surface soil. The primary contaminant of concern at the site is Benzo(a)pyrene, a semi-volatile organic compound. Based on the results of the investigation, the primary contaminant of concern at the site was determined to be Benzo(a)pyrene, a semi-volatile compound which was predominantly present in soil samples. Based on the RI, the total volume of contaminated soil and sediments at the site that exceed soil cleanup objectives is estimated at 285,200 cy. Ground water flows both vertically and horizontally through an interconnected system of closely spaced joints and bedding-plane fractures. Two rounds of sampling during the RI indicated that the ground water is contaminated with volatile organic compounds (VOCs) and inorganics. Site soil contamination appears to have migrated vertically to the underlying ground water. Volatile organic compounds were found in the ground water in exceedance of the standards were vinyl

chloride; 1,1-dichloroethane; trichloroethene; 1,2-dichloroethene and 1, 1, 1 trichloroethane. The inorganic compounds detected were chromium; iron; lead; manganese; and nickel. The inorganic compounds were detected in both rounds of sampling, however, only chromium, nickel and lead exceeded federal drinking-water standards. In early 1999, the site's zoning was changed from residential to industrial/commercial. Because of this change, EPA has changed the soil remedy to in-place capping of contaminated soils. The ROD for groundwater remediation completed in 1999 called for pump and treatment of on-site contaminated groundwater and natural attenuation of off-site contaminated groundwater. This ROD also included a ROD amendment to amend the soil remedy to in-place capping of the contaminated soils. A Remedial Design/Remedial Action (RD/RA) consent order was signed in September 2000 between the PRP and the EPA. Remedial action for the soil remedy began in August 2002 and was completed in 2003. As part of the remedial action a commercial/office building was constructed on top of the capped area. Long term operation, monitoring and maintenance are underway.

Site Health Assessment

The site is fully remediated, with long term groundwater monitoring underway. The area is served by public water, so exposures to site related contaminants is unlikely.

For more Information: [E-mail Us](#)

Refine This Search



Department of
Environmental
Conservation

Environmental Site Remediation Database Search Details

Site Record

Administrative Information

Site Name: Niagara Highway Garage

Site Code: 932163

Program: State Superfund Program

Classification: P *

EPA ID Number:

Location

DEC Region: 9

Address: 7105 Lockport Road

City: Niagara Falls **Zip:** 14305

County: Niagara

Latitude: 43.121033333

Longitude: -78.98365

Site Type:

Estimated Size: 0.5 Acres

Site Owner(s) and Operator(s)

Current Owner Name: Town of Niagara

Current Owner(s) Address: 7105 Lockport Rd
Niagara Falls, NY, 14305

Site Description

Location: "The Niagara Highway Garage Site is located in an rural area at 7105 Lockport Road in the town of Niagara, Niagara County. The site is approximately 0.70 miles east of the intersection of Military Road and Lockport Road. **Site Features:** The main site features consists of a material storage area for stone, pipe and other construction materials that are used by the Town of Niagaras Highway Department. The site sits at the rear of the property, behind the Highway Garage Building and it is bounded to the south by an active rail line. Drainage is provided by surface water ditches in the vicinity of the yard. Current Zoning and

Land Use: The site is currently active, and is zoned for municipal use. The surrounding parcels are currently used for a combination of commercial, residential, and agricultural uses. The nearest residential area is located adjacent to the Town Hall building approximately 450 feet west of the site. There is also additional housing located directly south of the site on the other side of the rail tracks. **Past Use of the Site:** During recent construction activities on the site, an odor in the rear (south) of the Town Garage property was noted. In response the Town Engineer (Clark Patterson Lee) installed five test pits that were dug along the south side of their facility. Four of the five test pits encountered between 8 and 12 inches of road subbase stone overlying one to two feet of fill materials. The fill contained slag, bricks and other construction-related debris, intermixed with a white filter-cake like material with a significant chemical odor observed. Samples were collected of the fill material and it was analyzed for TAL Metals, TCL Volatiles and TCL Semi-Volatiles, including tentatively identified compounds. The analysis also detected elevated several tentatively identified compounds (TICS) in the BHC family. There is no knowledge or documentation of pesticides or other waste materials disposed of in this area by either the Town or others. A determination of the extent of the waste, including further analysis of the material was performed. In July 2014 the Department initiated a Site Characterization Study to determine the nature and extent of the contamination on site. The results of that study indicated the presence of the white filter cake like material that is very high in BHC contamination. Analytical results found total BHC's ranging from 72 ug/kg to 6,700,000 ug/kg with Lindane ranging from ND to 6,100,000 ug/kg. It is estimated that up to 1700 cy of the filter cake material is present. The DEC R9 OGC staff has sent information requests to the Town of Niagara as property owner and to DuPont, Olin and Oxidant Chemical Company seeking information regarding past disposal activities at the site. In the spring of 2015 the Department placed a cover over the identified waste extent consisting of a demarcation layer and 6" of 2" ROC stone. The Department also requested that the Town limit activities in the yard to prevent disturbance of the cover. **Site Geology and Hydrogeology:** Fill material containing varying degrees of gravel, silt, clay & sand and debris was generally observed from 0.5 to 3 feet below grade. The white amorphous material was found in the fill zone and was observed to have a strong chemical odor. Below the fill area is a brown to dark brown, hard clay, silty clay and/or clayey silt ranging from 0.5 to 8' below ground surface. Below the clay is a glacial till ranging from 4-10' below ground surface. Bedrock was found to range from 6.5 to 10' below ground surface.

Contaminants of Concern (Including Materials Disposed)

Type of Waste	Quantity of Waste
benzene	UNKNOWN

beta-BHC	UNKNOWN
delta-BHC	UNKNOWN
1,2-dichlorobenzene	UNKNOWN
1,4-dichlorobenzene	UNKNOWN
lindane	UNKNOWN
alpha-BHC	UNKNOWN

Site Environmental Assessment

The sample results provided by the Town of Niagara indicated low levels of Tri, Di & Tetrachlorobenzenes (<10 ppm ea.) in the subsurface fill material, the analysis also detected elevated tentatively identified compounds (TICS) in the BHC family. These compounds included Cyclohexane, Hexachlorocyclohexane and Lindane at a total estimated concentration of 1585 ppm with the majority being lindane at an estimated concentration of 1330 ppm. This value exceeds the Part 375 commercial use SCO of 9.2 ppm or the Ecological Protection value of 6 ppm. The Department conducted a site characterization investigation that identified a white amorphous material with a strong chemical odor with extremely high levels of pesticide contamination. Total BHC concentrations ranged from 72 to 6,700,000 ug/kg and Lindane ranging from ND to 6,100,000 ug/kg. Other site related contaminant identified were total VOCs ranging from ND to 182,700 ug/kg and SVOCs ranging from 79 to 263,900 ug/kg. Local groundwater contamination was detected for total BHCs ranging from ND to 1462 ug/l and Lindane ranging from ND to 1000 ug/l.

Site Health Assessment

The site is fenced and the gate is locked, which restricts public access. Although surface soil is not impacted by site-related contamination, persons who enter the site could contact contaminants in the soil by digging into the subsurface contaminated material. Contaminated groundwater at the site is not used for drinking or other purposes and the site is served by a public water supply that obtains water from a different source not affected by this contamination.

*** Class P Sites:** "DEC offers this information with the caution that it should not be used to form conclusions about site contamination beyond what is implied by the classification of this site, namely, that there is a potential for concern about site contamination. Information regarding a Class P site (potential Registry site) is by definition preliminary in nature and unverified because the DEC's investigation of the site is not yet complete. Due to the preliminary nature of this information, significant conclusions or decisions should not be based solely upon this summary."



Department of
Environmental
Conservation

Environmental Site Remediation Database Search Details

Site Record

Administrative Information

Site Name: Vanadium Corporation of America

Site Code: 932001

Program: State Superfund Program

Classification: 02

EPA ID Number:

Location

DEC Region: 9

Address: 4400 Lockport Road

City: Niagara **Zip:** 14305

County: Niagara

Latitude: 43.124263433

Longitude: -79.021394875

Site Type: LANDFILL

Estimated Size: 88 Acres

Site Owner(s) and Operator(s)

Current Owner Name: Niagara Mohawk Power Corp. d/d/a/National Grid

Current Owner(s) Address: 175 E. Old Country Road
Hicksville, NY, 11801

Current Owner Name: New York Power Authority - OU #3

Current Owner(s) Address: 123 Main Street
White Plains, NY, 10601-3170

Current Owner Name: New York Power Authority

Current Owner(s) Address: 125 Main St.
White Plains, NY, 10601-3170

Owner(s) during disposal: Cyprus Minerals (Phelps Dodge Corp.) OU#3

Hazardous Waste Disposal Period

From: unknown **To:** unknown

Site Description

Location: The Vanadium Corporation site is located in the industrialized urban area of the Town of Niagara. This 88 acre site was once part of a larger site that included the SKW Site 932001C and the Airco Properties Site 932001B and is bounded on the north by an automobile depot and vacant property; on the west by Witmer Road (Route 31); on the east by Interstate 190; and on the south by vacant land and industrial facilities. Site Features: The main site features are a large area of elevated ground surface which represents the disposal location of site wastes. There are no buildings associated with the site however water transfer units (conduits) are located beneath the NYPA property. These conduits transfer water from the Upper Niagara River, located to the south, to the NYPA reservoir. Numerous high voltage electrical transmission towers are located on the Site and overhead electrical transmission lines cross the Site. The Vanadium site is also near the Union Carbide site #932035 and the Carborundum Global site #932036, inactive hazardous waste disposal sites. The nearest water bodies are the Lower Niagara River, located approximately 1.4 miles west of the property; the New York Power Authority (NYPA) reservoir, located approximately 0.8 miles north of the property; and Gill Creek, located approximately 1,000 feet east of the Site. Current Zoning/Uses: Current zoning is industrial and there are no active industrial operations on the property. Historical Uses: From 1920 to 1964, the site was owned by the Vanadium Corporation of America (Vanadium). The extent of land originally owned by Vanadium is not fully known. However, it is estimated that Vanadium originally owned 150 acres. The size of the Vanadium site (consisting of Operable Units 1, 2, and 3) is estimated to be approximately 150 acres. During that time, portions of the site were used to dispose of an estimated 594,000 tons of wood, brick, ash, lime slag (calcium hydroxide), ferrochromium silicon slag, and ferrochromium silicon dust (ABB, 1993). The NYPA purchased property from Vanadium in 1959 for construction of the Niagara Power Project. A portion of this property was subsequently sold to Niagara Mohawk (aka National Grid). The property owned by NYPA and NiMo also contained waste piles deposited by Vanadium. These waste piles reportedly contained calcium hydroxide, ferromanganese slag, ferrochromium slag, and ferrochromium dust (E.C. Jordan Co., 1991b). Airco purchased 62 acres of the Vanadium property in 1964. Although Airco owned the site, an affiliated company, Airco Carbon (subsequently called Carbon/Graphite Group), operated the site and disposed of wastes similar to those disposed by Vanadium. Rusted and crushed 55-gallon containers and scrap metal were also observed on and around waste piles on both the Airco and NiMo/NYPA properties. Approximately 5,000 tons per year of baghouse dust containing ferrochromium silicon dust were disposed of by Airco at the Vanadium site from 1971, when the bag house was installed, to shortly after 1984. Over that 14-year period, it is estimated that approximately 70,000 tons of this waste was generated and disposed of on site. The waste was reportedly disposed of on the property. Airco discontinued generating ferrochromium silicon wastes in 1984. SKW Metals and Alloys,

Inc (SKW), a predecessor of CCMA, purchased the western 37 acres of the Airco property in 1979. In 1980, SKW commenced operation of a solid waste disposal facility, consisting of two landfill cells. The facility was designed for the disposal of ferrochromium silicon baghouse dust and ferrosilicon baghouse dust wastes. The landfill is no longer in use, and was closed, graded, and seeded in accordance with NYSDEC regulations before October 1992. At the SKW plant, the production of ferrochromium alloy materials was discontinued in 1981/1982. The former Vanadium site is currently owned by four separate companies; CCMA, Airco, NYPA, and NiMo. The Vanadium Corporation of America is no longer a viable corporation. As of 1988, Cyprus-Foote Mineral Company acquired the interests of the Vanadium Corporation of America (NYSDEC, 1997). A record of Decision (ROD) was issued in March 2006. The ROD requires: OU#1 - No Further Action OU#2 - No Further Action and OU#3 - waste consolidation and capping, site management plan, Environmental Easement and Periodic certification with long term monitoring. The Remedial Design for OU3 was approved with comments in July 2010. Final RA design report submitted November 2010 and a RA Order was signed in March 2011 to implement the remedy for this site. The remedial action to implement the remedy was begun in the late summer of 2013 and was completed in 2014. Final reports are currently being developed. Due to the separate ownership, remedial actions and long term OM&M requirements associated with each of the operable units, these OUs were reassigned site numbers as shown below so that they could be certified to be performing as designed. Operable Unit #1 (Site #932001C) is a 9.76 acre landfill on the western portion of the site that is currently owned by CC Metals and Alloys Inc (formerly SKW Metals and Alloys Inc.) SKW purchased the property from Airco in 1979. SKW constructed a two cell Part 360 landfill on OU#1 to dispose of waste generated by the SKW facility. SKW generated waste similar to the waste generated by the Vanadium Corporation of America. The SKW property was historically the manufacturing area of the former Vanadium facility. As a result no significant waste disposal occurred on OU#1 outside of the landfill cells. Investigations on OU#1 indicated evidence of building rubble from the former manufacturing facility. An Interim Remedial Measure (IRM) was performed to install a soil cover and to control surface storm water runoff from OU#1. The IRM was completed in 1998. Investigations to assess the extent and significance of contamination found on OU#1 were conducted during the Preliminary Site Assessment (PSA) and the implementation of the IRM. Operable Unit #2 (Site #932001B) is a 25 acre landfill that is currently owned by Airco Properties, Inc. In 1964, the parent corporation to Airco Properties, Inc., The Air Reduction Company, purchased the remaining 62 acres of the former Vanadium site and subsequently sold the western 37 acres to SKW(OU#1). Wastes similar to the Vanadium wastes were generated and disposed onsite. Investigations to assess the extent and significance of contamination found on OU#2 were conducted during the PSA. In 2000, Airco Properties Inc. performed an IRM closure of the landfill that required the

consolidating and shaping of the existing waste, placement of a 6" soil bedding layer, installation of 40 mil LLDPE liner, installation of a high density polyethylene drainage net-geotextile geocomposite, placement of 12" of barrier protection and 6" of topsoil and seed. A groundwater collection and treatment system was constructed in 2003 to address a groundwater seep discovered in the southwest corner of OU#2. An OM&M Plan is in effect for OU#2. Operable Unit # 3 (Site #932001), consists of approximately 88 acres of the eastern portion of the Vanadium site. The NYPA purchased the property from the Vanadium Corporation of America in 1959 for the construction of the Niagara Power Project and the associated underground conduits. A portion of this property was subsequently sold to the Niagara Mohawk Power Corporation. Site Geology/Hydrology: The geologic structure beneath OU#3 consists of four units and includes, in descending order: fill material, glaciolacustrine deposits, glacial till, and bedrock. Fill - Fill material overlies much of the Site. Where encountered, the thickness of the fill material generally ranges from 1 to 21 feet. The predominant fill material consists of whitish gray slag; cinders; and whitish gray, fine-grained, lime-like material. In most areas, the slag is covered by soil fill. In other areas, the slag is present at the ground surface. Glaciolacustrine Deposits - The glaciolacustrine deposits consist of laminated silty clays, clayey silts, sandy silts, and silty sands. The thickness of this unit generally ranges from 2 to 26 feet. Glacial Till - The glacial till unit consists of a dense heterogeneous mixture of clay, silt, sand, gravel, and Dolostone rock fragments; but is predominantly silt and clay. The thickness of this unit ranges from 1 to 7 feet. Bedrock - The bedrock immediately underlying the glacial till is the dolostone of the Eramosa Formation of the Middle Silurian Lockport Group. The Eramosa Formation beneath the Site is nearly flat-lying but contains erosional features evidenced by variations in thickness of the glacial deposits. The Eramosa Formation is described as dolostone/limestone that is weathered to dense, and thin to massively bedded. In the vicinity of the Site, the depth to the top of the Eramosa Formation dolostone generally ranges from 7 to 32 feet below ground surface (bgs). Vertical fractures and weathered horizontal bedding planes were observed in previous investigations in the upper 45 feet of bedrock in the eastern portion of the Site. The hydrogeologic structure beneath the Site consists of four units and includes, in descending order: shallow hydrogeologic zone consisting of perched groundwater present in the fill material and the upper portion of the glaciolacustrine deposit; intermediate hydrogeologic zone consisting of the deeper portion of the glaciolacustrine deposit and characterized as a confining unit; a deep hydrogeologic zone consisting of the glacial till and the fragment-rich contact zone between the till and the weathered bedrock surface; and the upper bedrock hydrogeologic zone. There are no current users of groundwater at the Site. Regionally, groundwater yields from overburden deposits are too low for domestic or industrial purposes. The bedrock has the capability to produce high yields; however, the bedrock groundwater is

typically very hard and highly mineralized and is not used as a drinking water source in the area.

Site Environmental Assessment

The presence of hazardous waste has been documented and significant threat has been determined. pH values in groundwater wells and surface water exceed 12.5. Exceedences for groundwater standards were noted for vinylchloride, trichloroethene, phenol, chromium, manganese, hexavalent chromium, cyanide, magnesium, sodium and zinc. IRMs completed for OU-1 and OU-2 have eliminated the significant threats from these areas. OU-3 RA design approved, RA order near completion. Anticipate RA start in Spring 2011.

Site Health Assessment

The site is not fenced and persons who enter the site could contact contaminants in the soil by walking on the soil, digging or otherwise disturbing the soil. People are not expected to come into direct contact with contaminated groundwater unless they dig below the ground surface.

For more Information: [E-mail Us](#)

Refine This Search



Department of
Environmental
Conservation

Bulk Storage Database Search Details

Facility Information

Site No.: 9-073725

Status: Unregulated/Closed

Expiration Date: 03/24/1992

Site Type: PBS

Site Name: MILITARY ROAD ELEMENTARY SCHOOL

Address: 4185 MILITARY RD

Locality: NIAGARA FALLS

State: NY

Zipcode: 14304

County: Niagara

Owner(s) Information

Facility Owner: NIAGARA WHEATFIELD CENTRAL SCH

2794 SAUNDERS SETTLEMENT RD . SANBORN , NY. 14132-0309

Mail Contact: NIAGARA WHEATFIELD CENTRAL SCH

2794 SAUNDERS SETTLEMENT RD . SANBORN , NY. 14132-0309

Tank Information

1 Tanks Found

Tank No	Tank Location	Status	Capacity (Gal.)
015	Underground	Closed - Removed	6000

Refine This Search



Department of
Environmental
Conservation

Bulk Storage Database Search Details

Tank Information

Site No: 9-073725

Site Name: MILITARY ROAD ELEMENTARY SCHOOL

Tank No: 015

Tank Location: Underground

Tank Status: Closed - Removed

Tank Install Date: 08/01/1950

Tank Closed Date: 08/01/1987

Tank Capacity: 6000 gal.

Product Stored: #2 fuel oil (on-site consumption)

Percentage: 100%

Tank Type: 01 - Steel/Carbon Steel/Iron

Tank Internal Protection: None

Tank External Protection: None

Tank Secondary Containment: None

Tank Leak Detection: None

Overfill: Product Level Gauge (A/G)

Spill Prevention: None

Dispenser: Suction Dispenser

Pipe Location: No Piping

Pipe Type: Steel/Carbon Steel/Iron

Pipe External Protection: None

Piping Secondary Containment: None

Piping Leak Detection: None

Tank Next Test Due:

Tank Last Test:

Tank Test Method: Testing Not Required

[Refine This Search](#)

[Return To Facility](#)

Military Road Elementary School

4185 Military Rd, Niagara Falls, NY 14304

Tanks & Spills Details for Military Road Elementary School

ID # 9-073725

Type: UST/AST

Site/Program Type: PBS

Status: UNREGULATED/CLOSED

Expiration Date: 3/24/1992

Tank related leaks and spills are caused by mismanaged or poorly designed underground and aboveground storage tanks and containers designed to hold a variety of potential pollutants. They may pose a risk to human health and/or the environment.

Tank Types AST - Above Ground Storage Tank

UST - Underground Storage Tank

LAST - Leaking Aboveground Storage Tank

LUST - Leaking Underground Storage Tank

Categories SITE - Potentially Hazardous Site

SPILL- Potentially Hazardous Spill



NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Petroleum Bulk Storage Program
Facility Information Report

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<u>Site Information</u>		<u>Tax Map Information</u>		<u>Site Owner Information</u>		<u>Mail Correspondent Information</u>	
MILITARY ROAD ELEMENTARY		Borough/Section:		NIAGARA WHEATFIELD CENTRAL SCH		NIAGARA WHEATFIELD CENTRAL SCH	
4185 MILITARY RD		Block:		2794 SAUNDERS SETTLEMENT RD		2794 SAUNDERS SETTLEMENT RD	
NIAGARA FALLS, NY 14304		Lot:		SANBORN, NY 14132-0309		SANBORN, NY 14132-0309	

Site Phone: (716) 297-0336	Owner Type : Local Government	ATTN: ARMAND ROY
Town: Niagara Falls (c)		(716) 731-7308
Class B (On-Site) Operator: KATHY BRIGGS	Authorized Representative:	
Class A (Primary) Operator:	Emergency Phone: (716) 731-7308	
Emergency Contact: ARMAND ROY		

Site Status : Unregulated/Closed				Reg Expires : 03/24/1992				Cert Printed: 03/24/1987				Total Active Tanks : 0				Last Inspected:							
Site Type: School				Cert Issued: 11/19/1986				Total Active Capacity : 0				Inspected By:											
<u>(2)</u> Tank No	<u>(3)</u> Tank Loc	<u>(4)</u> Status	<u>(5)</u> Date Install	<u>(5)</u> Date Closed	<u>(6)</u> Capacity (gals)	<u>(7)</u> Product	<u>(8)</u> Tank Type	<u>(9)</u> Tank IP	<u>(10)</u> Tank EP	<u>(11)</u> Tank SC	<u>(12)</u> Tank LD	<u>(13)</u> Tank OP	<u>(14)</u> Tank SP	<u>(15)</u> Tank Disp	<u>(16)</u> Pipe Loc	<u>(17)</u> Pipe Type	<u>(18)</u> Pipe EP	<u>(19)</u> Pipe SC	<u>(20)</u> Pipe LD	<u>(21)</u> UDC	<u>Last</u> Test Date	<u>Tank</u> Owner	
015	5	3	08/01/1950	08/01/1987	6,000	0001	01	00	00	00	00	04	02	00	00	01	00	00	00	00	00		

(See Reverse Side or Last Page for Code Keys)



PBS # :
9-073725

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Petroleum Bulk Storage Program
Facility Information Report

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PETROLEUM BULK STORAGE APPLICATION - SECTION B - TANK INFORMATION - CODE KEYS

Action (1)

1. Initial Listing
2. Add Tank
3. Close/Remove Tank
4. Information Correction
5. Recondition/Repair/Reline Tank

Tank Location (3)

1. Aboveground-contact w/soil
2. Aboveground-contact w/impervious barrier
3. Aboveground on saddles, legs, stilts, rack or cradle
4. Aboveground with 10% or more below ground
5. Underground
6. Aboveground in Subterranean Vault w/access for inspections

Status (4)

1. In-service
2. Temporarily out-of-service
3. Closed-Removed
4. Closed- In Place
5. Tank converted to Non-Regulated use

Products Stored (7)

Heating Oils: On-Site

Consumption

- 0001. #2 Fuel Oil
- 0002. #4 Fuel Oil
- 0259. #5 Fuel Oil
- 0003. #6 Fuel Oil
- 0012. Kerosene
- 0591. Clarified Oil
- 2711. Biodiesel (Heating)
- 2642. Used Oil (Heating)

Heating Oils: Resale/

Redistribution

- 2718. #2 Fuel Oil
- 2719. #4 Fuel Oil
- 2720. #5 Fuel Oil
- 2721. #6 Fuel Oil
- 2722. Kerosene
- 2723. Clarified Oil
- 2724. Biodiesel (Heating)

Internal Protection (9)

- 00. None
- 01. Epoxy Liner
- 02. Rubber Liner
- 03. Fiberglass Liner (FRP)
- 04. Glass Liner
- 99. Other-Please list:*

External Protection (10/18)

- 00. None
- 01. Painted/Asphalt Coating
- 02. Original Sacrificial Anode
- 03. Original Impressed Current
- 04. Fiberglass
- 05. Jacketed
- 06. Wrapped (Piping)
- 07. Retrofitted Sacrificial Anode
- 08. Retrofitted Impressed Current
- 09. Urethane
- 99. Other-Please list:*

Oils Used as Building Materials

- 2626. Asphaltic Emulsions
- 0748. Form Oil

Petroleum Spirits

- 0014. White/Mineral Spirits
- 1731. Naptha

Mineral/Insulating Oils

- 0020. Insulating Oil (e.g., Transformer, Cable Oil)
- 2630. Mineral Oil

Waste/Used/Other Oils

- 0022 Waste/Used Oil
- 9999. Other-Please list:*

Crude Oil

- 0006. Crude Oil
- 0701. Crude Oil Fractions

Tank Type (8)

- 01. Steel/Carbon Steel/Iron
- 02. Galvanized Steel Alloy
- 03. Stainless Steel Alloy
- 04. Fiberglass Coated Steel
- 05. Steel Tank in Concrete
- 06. Fiberglass Reinforced Plastic (FRP)
- 07. Plastic
- 08. Equivalent Technology
- 09. Concrete
- 10. Urethane Clad Steel
- 99. Other-Please list:*

Overfill Protection (13)

- 00. None
- 01. Float Vent Valve
- 02. High Level Alarm
- 03. Automatic Shut-Off
- 04. Product Level Gauge (Aboveground Only)
- 05. Vent Whistle
- 99. Other-Please list:*

Spill Prevention (14)

- 00. None
- 01. Catch Basin
- 99. Other-Please list:*

Pumping/Dispensing Method (15)

- 00. None
- 01. Interstitial Electronic Monitoring
- 02. Interstitial Manual Monitoring
- 03. Vapor Well
- 04. Groundwater Well
- 07. Pressurized Piping Leak Detector
- 09. Exempt Suction Piping
- 99. Other-Please list:*

Tank Secondary Containment (11)

- 00. None
- 01. Diking (Aboveground Only)
- 02. Vault (w/access)
- 03. Vault (w/o access)
- 04. Double-Walled (Underground Only)
- 05. Synthetic Liner
- 06. Remote Impounding Area
- 07. Excavation Liner
- 09. Modified Double-Walled (Aboveground Only)
- 10. Impervious Underlayment (Aboveground Only)**
- 11. Double Bottom (Aboveground Only)**
- 12. Double-Walled (Aboveground Only)

Tank Leak Detection (12)

- 00. None
- 01. Interstitial Electronic Monitoring
- 02. Interstitial Manual Monitoring
- 03. Vapor Well
- 04. Groundwater Well
- 05. In-Tank System (Auto Tank Gauge)
- 06. Impervious Barrier/Concrete Pad (Aboveground Only)
- 99. Other-Please list:*

Piping Secondary Containment (19)

- 00. None
- 01. Diking (Aboveground Only)
- 02. Vault (w/access)
- 04. Double-Walled (Underground Only)
- 06. Remote Impounding Area
- 07. Trench Liner
- 12. Double-Walled (Aboveground Only)

Pipe Leak Detection (20)

- 00. None
- 01. Interstitial Electronic Monitoring
- 02. Interstitial Manual Monitoring
- 03. Vapor Well
- 04. Groundwater Well
- 07. Pressurized Piping Leak Detector
- 09. Exempt Suction Piping
- 99. Other-Please list:*

Under Dispenser Containment (UDC) (21)

Check Box if Present

* If other, please list on a separate sheet including tank number,

** Each of these codes must be combined with code 01 or 06 to meet compliance requirements.



NYSDEC SPILL REPORT FORM



DEC REGION: 9 SPILL NUMBER: 0175146
SPILL NAME: FORMER LASALLE HIGH SCHOO DEC LEAD: SACALAND

CALLER NAME: TED SHAW NOTIFIER'S NAME: _____
CLR'S AGENCY: NYSDOT NOTIFIER'S AGENCY: _____
CALLER'S PHONE: (716) 297-1033 NOTIFIER'S PHONE: _____

SPILL DATE: 06/13/2001 SPILL TIME: 9:45 am DISPATCHER: _____
CALL RECEIVED DATE: 06/13/2001 RECEIVED TIME: 9:54 am _____

SPILL LOCATION

PLACE: FORMER LASALLE HIGH SCHOO COUNTY: Niagara
STREET: 4185 MILITARY ROAD TOWN/CITY: Niagara Falls (c)
COMMUNITY: NIAGARA FALLS
CONTACT: RAY STILLWELL - DRIVER CONTACT PHONE: _____

CONT. FACTOR: Traffic Accident SPILL REPORTED BY: Local Agency
FACILITY TYPE: Commercial Vehicle WATERBODY: _____

CALLER REMARKS:

TRUCK RIPPED SADDLE TANK SPILLING FUEL INTO PARKING LOT

MATERIAL	CLASS	SPILLED	RECOVERED	RESOURCES AFFECTED
diesel	Petroleum	5.00 G	5.00 G	Soil,

POTENTIAL SPILLERS

COMPANY	ADDRESS	CONTACT
TRUCK & REPAIR COMPANY	248 TWO MILE CREEK ROAD TONAWANDA NY	KIRK MALDINER
		(716) 871-1299

Tank No.	Tank Size	Material	Cause	Source	Test Method	Leak Rate	Gross Failure
----------	-----------	----------	-------	--------	-------------	-----------	---------------

DEC REMARKS:

Prior to Sept, 2004 data translation this spill Lead_DEC Field was "SAC"

6/13/01:SAC TELECON TED SHAW, MR. SHAW WENT OUT TO LOOK AT THE SPILL AND FOUND APPROXIMATELY 5 GALLONS WAS SPILLED, SOMEONE FROM THE FIRE DEPT. WAS FOLLOWING THE DRIVER AND NOTIFIED HIM OF THE PROBLEM, HE PULLED OVER AND PLUGGED THE HOLE WITH HIS FINGER UNTIL A CONTRACTOR COULD BE CALLED TO PLUG THE TANK, THE FIRE DEPT. APPLIED THE ABSORBENTS ON THE SPILL TO THE PAVEMENT.

6/13/01:SAC TELECON KIRK MALDINER - OWNER OF TRUCK & REPAIR COMPANY, CROSSOVER WAS RIPPED WHEN THE DRIVER HIT A NEW CURB, THE DRIVER REALIZED HE HAD A PROBLEM AND GOT OUT OF THE TRUCK AND USED HIS THUMB TO PLUG THE LEAK, HE ALSO HAD HIS CELL PHONE WITH HIM SO HE CALLED BACK TO THE SHOP FOR ASSISTANCE, AT THE SAME TIME THE FIRE DEPT. WAS DRIVING BY AND HAD



NYSDEC SPILL REPORT FORM



DEC REGION: 9 **SPILL NUMBER:** 0175146
SPILL NAME: FORMER LASALLE HIGH SCHOO **DEC LEAD:** SACALAND

ABSORBENTS WHICH THEY PLACED ON THE SPILL, THEY WERE ABLE TO CONTAIN THE SPILL TO PAVEMENT, POINT DEDICATED SERVICES OF TROY, NEW YORK OWNED THE TRAILER, THEY WERE ABLE TO SWEEP UP THE SPEEDI-DRY AND PLUG THE TANK TO TRANSPORT IT BACK TO THERE SHOP THEY WILL DISPOSE OF THE SPEEDI-DRY WHICH WILL BE ABOUT ONE BAG OF MATERIAL WITH THERE REGULAR WASTE PICKUP WHICH IS WHERE THEY NORMALLY PLACE THEIR SPEEDI-DRY.

6/19/01:SAC TELECON DAVE DRUST, HE INSPECTED SITE AND CHECKED THE 3 ENTRANCE WAYS BUT COULD NOT IDENTIFY THE SPILL AREA, NO FURTHER WORK REQUIRED.

PIN

T & A

COST CENTER

CLASS: C3 **CLOSE DATE:** 06/19/2001 **MEETS STANDARDS:** True

APPENDIX 2

Historical Information

2151439 4185 Military

4185 Military Road

Niagara Falls, NY 14305

Inquiry Number: 4458464.1

November 05, 2015

Certified Sanborn® Map Report



6 Armstrong Road, 4th Floor
Shelton, Connecticut 06484
Toll Free: 800.352.0050
www.edrnet.com

Certified Sanborn® Map Report

11/05/15

Site Name:

2151439 4185 Military
4185 Military Road
Niagara Falls, NY 14305

Client Name:

La Bella Associates, PC
300 State Street
Rochester, NY 14614

EDR Inquiry # 4458464.1

Contact: Katherine Bauer



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The Sanborn Library is continually enhanced with newly identified map archives. This report accesses all maps in the collection as of the day this report was generated.

Certified Sanborn Results:

Site Name: 2151439 4185 Military
Address: 4185 Military Road
City, State, Zip: Niagara Falls, NY 14305
Cross Street:
P.O. # NA
Project: 2151439 4185 Military Road
Certification # 71E2-48EB-9632



Sanborn® Library search results
Certification # 71E2-48EB-9632

UNMAPPED PROPERTY

This report certifies that the complete holdings of the Sanborn Library, LLC collection have been searched based on client supplied target property information, and fire insurance maps covering the target property were not found.

The Sanborn Library includes more than 1.2 million fire insurance maps from Sanborn, Bromley, Perris & Browne, Hopkins, Barlow and others which track historical property usage in approximately 12,000 American cities and towns. Collections searched:

- ☒ Library of Congress
- ☒ University Publications of America
- ☒ EDR Private Collection

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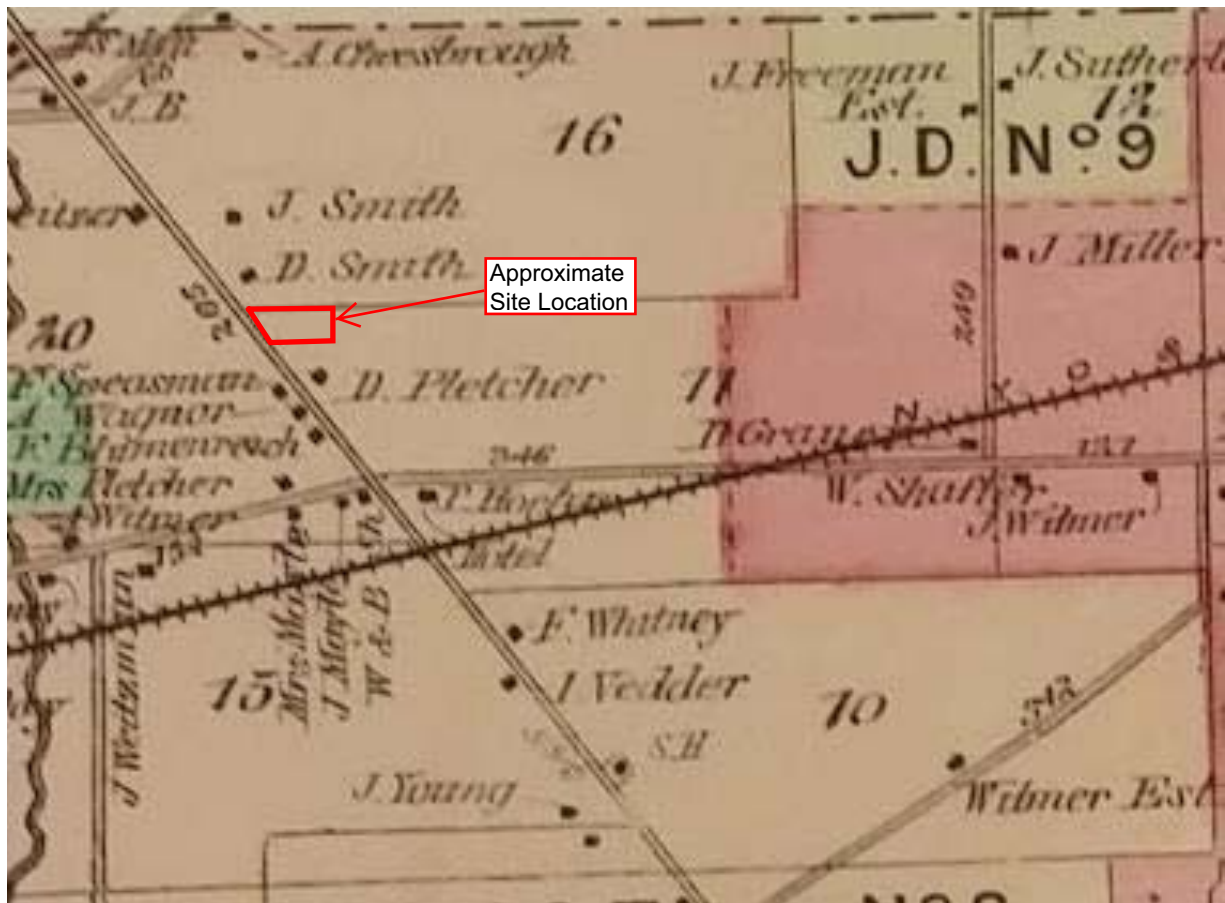
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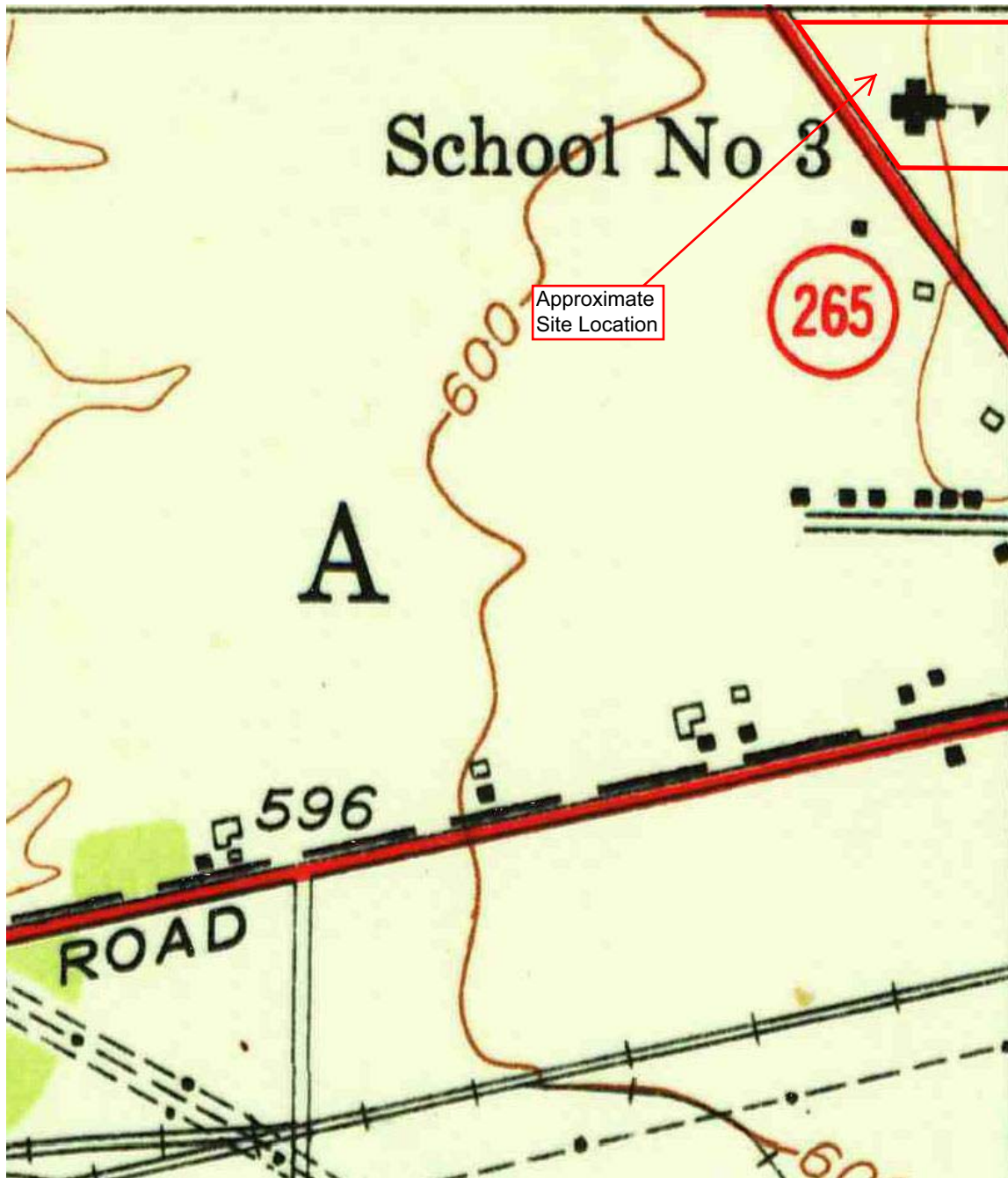
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1875 Historical Atlas





1949 Historical Topographic Map



SALES CO.
CHAIN SAWS
QUIK — FOR
E AND STEEL

WEAVER — Auto Lifts
Factory Parts Warehouse

Phone 284-5484 - 731-3636

239

3628 J A K Auto Sales 297-7800

MILWAUKEE
THE POLYMER

1976

9002 Safarian Reuben K © 283-4347
9007 Safarian Lawrence A © 283-4166
9009 Wagner George © 283-3917
Rear* Tuzack Geo © 283-3927
9012 Robinson Leonard F © 283-8290
9018 Carter Beatrice M Mrs © 283-8230
© 283-9052 © 283-3430

1982

**NIAGARA
STONE**

Bituminous
Concrete
For Road
Construction
Driveways
Parking Lots
Etc.
Tel.
297-3031

875
Quarry Rd.
Niagara Falls,
N.Y. 14204

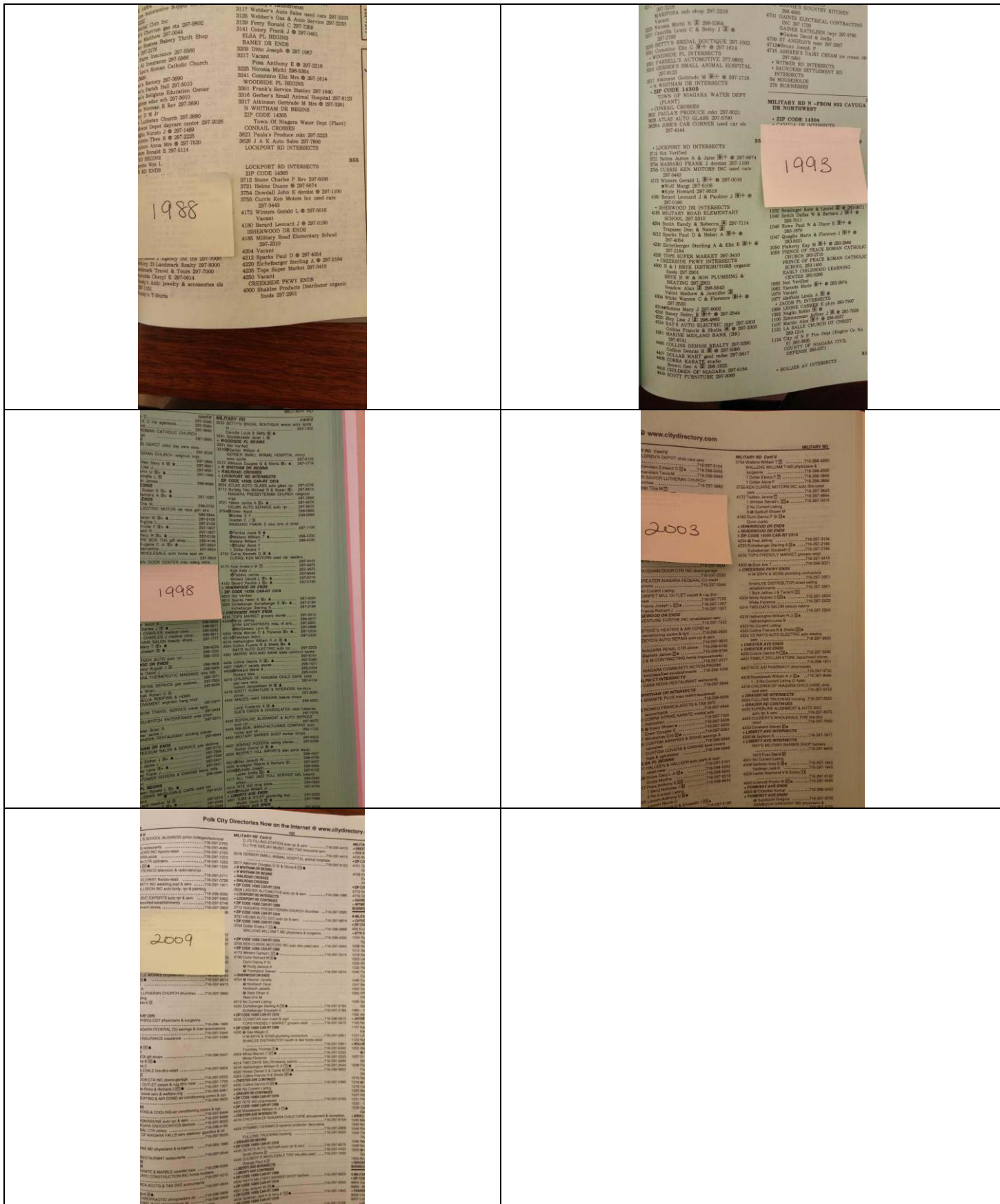
**WIZARD
METHOD
Inc.**

Industrial
Remediation
Techniques
Trucks
Tel.
297-3031

Fireman's
Fire-Automotive
Fidelity
MAILING ADDRESS
ONE MARINE MIDLAND CENTER, BUFFALO, N.Y.

MILITARY RD TWIN—Conrad
3721 Helen Bonner Ave. R 297-1583
3754 Bonnie Davis Rd. R denton 297-1844
Dowdell John E denton 297-1100
3758 Currie Ken Moore Inc denton 297-1443
4172 Winters Gerald L R 297-0016
Hummel Kenneth E 297-7549
4190 Country Circle
Barrett Leonard J real estate 297-1190
SHIRKWOOD H D
4190 Market Dr Elmwood 297-2310
4204 W
Casella Louis J R 297-3509
4212 Spinks Park D R 297-4044
200 Kuhnberger Sterling A R
4230 Top Super Max 297-9410
4250 Vance
CREEDSIDE PICKY ENDS
4300 Brakins Products Distributor organize
foods 297-2001
4304 Henry W R 297-2028
4304 West Warren C R 297-2553
4314 Mary's Dog Grooming 297-5002
Honey Harry R 297-2553
4314 Mary's Dog Grooming 297-5002
4320 Hayes Helen R Mrs R 297-2544
4320 West Franklin R R 297-2544
4324 Ray's Auto Electric sales repair 297-5300
Cotton Products R R 297-2545
CHESTER AV ENDS
4321 Marine Midland Bank R (297-8741)
4400 Vance
4400 Eliza-Hill Pharmacy 297-0662
4400 Vance
4400 Creative Learning Montessori Pre Sch
4400 Vance
GRADER RD BEGINS
4419 Elmwood 297-2600
Tullius Mark R 297-5641
4424 Marine Midland Sales & Service add
297-4601
4425 R H Belling Co 297-2621
4425 R H Belling Co & new 297-2122
4425 Pure Water Systems
4425 Marine Midland Sales & Service 297-4601

ABELLA



Phase I Environmental Site Assessment
4185 Military Road
Niagara, New York

2151439 4185 Military

4185 Military Road
Niagara Falls, NY 14305

Inquiry Number: 4458464.3
November 19, 2015

The EDR Environmental LienSearch™



6 Armstrong Road,
Fourth Floor
Shelton, CT 06484
800.352.0050
www.edrnet.com

EDR Environmental LienSearch™ Report

The EDR Environmental LienSearch Report provides results from a search of available current land title records for environmental cleanup liens and other activity and use limitations, such as engineering controls and institutional controls.

A network of professional, trained researchers, following established procedures, uses client supplied address information to:

- search for parcel information and/or legal description;
- search for ownership information;
- research official land title documents recorded at jurisdictional agencies such as recorders' offices, registries of deeds, county clerks' offices, etc.;
- access a copy of the deed;
- search for environmental encumbering instrument(s) associated with the deed;
- provide a copy of any environmental encumbrance(s) based upon a review of key words in the instrument(s) (title, parties involved, and description); and
- provide a copy of the deed or cite documents reviewed.

Thank you for your business.
Please contact EDR at 1-800-352-0050
with any questions or comments.

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EDR Environmental LienSearch™ Report

TARGET PROPERTY INFORMATION

ADDRESS

2151439 4185 MILITARY
4185 MILITARY ROAD
NIAGARA FALLS, NY 14305

RESEARCH SOURCE

Source : Assessor
Niagara County, New York

PROPERTY INFORMATION

Deed 1:

Type of Deed:	Warranty
Title is vested in:	4185 Military Road, Inc.
Deed Dated:	March 4, 2003
Deed Recorded:	March 4, 2003
Book:	3229
Page:	520

Legal Description: Attached as Deed Exhibit

Legal Current Owner: 4185 Military Road, Inc.

Property Identifiers: 131.14-2-17

ENVIRONMENTAL LIEN

Environmental Lien: Found ☐ Not Found ☒

OTHER ACTIVITY AND USE LIMITATIONS (AULs)

Other AUL's: Found ☐ Not Found ☒

EDR Environmental LienSearch™ Report

DEED EXHIBIT

**DO NOT DETACH - THIS IS PAGE 1 OF
RECORDED DOCUMENT**

LIBER 3229 PAGE 520

NIAGARA COUNTY CLERK RECORDING PAGE

OFFICE OF THE CLERK COUNTY OF NIAGARA

WAYNE F. JAGOW, COUNTY CLERK

County Courthouse, 175 Hawley Street, P.O. Box 461, Lockport, NY 14095

Phone (716) 439-7027

Fax (716) 439-7066

INSTRUMENT DATE March 4, 2003

DOCUMENT TYPE Warranty Deed

Parties: (Print Names In Full)

1st Part Farkas Bros. Builders and David Home Builders

2nd Part 4185 Military Road, Inc.

Town/City Town of Niagara

Return To:

Brick, Brick & Elmer

(box)

THIS SPACE RESERVED FOR COUNTY CLERK

MORTGAGE# _____

MORTGAGE AMOUNT

\$ _____

() One/two family () Other

[] Check if to be apportioned

DOCUMENT # 1001932
BOOK 3229 **PAGE** 520 *Deed*
NUMBER OF PAGES 4
RECORDED 03/04/2003 02:59:33 P.M.
RECEIPT # 5489
PAID - COUNTY CLERK
WAYNE F. JAGOW

RECORDING TAX RECEIPT

BASIC \$ _____

ADDITIONAL \$ _____

SPECIAL \$ _____

TOTAL \$ _____

State of New York} ss

County of Niagara}

I do hereby certify that I have

Received on the within Mortgage, being

the amount of the Recording Tax

Imposed thereon & paid at recording.

Dated _____, 20____

Mortgage Tax Clerk of Niagara County

4423
**REAL ESTATE TRANSFER
TAX**

\$ 280.00

34102

NIAGARA COUNTY

CORPORATION WARRANTY DEED WITH LIEN COVENANT

THIS INDENTURE, made the 4th day of March, 2003 ³⁶
~~December, 2002~~

FARKAS BROS. BUILDERS, INC.
 65 Ayrault Drive, Amherst, New York 14228
 and

DAVID HOME BUILDERS, INC.
 P.O. Box 327, Tonawanda, New York 14151,

Grantor(s), and

4185 Military Road ³⁶
~~VANDERBILT PROPERTIES, INC.~~
 P.O. Box 327
 Tonawanda, New York 14151,

Grantee(s).

WITNESSETH, that the said Grantor(s), in consideration of One and More Dollars (\$1.00 and more), lawful money of the United States, paid by the Grantee(s), do(es) hereby grant and release unto the Grantee(s), its heirs and assigns forever.

SEE SCHEDULE "A" ATTACHED HERETO

TOGETHER with the appurtenances and all the estate and rights of the Grantor(s) in and to the said premises.

TO HAVE AND TO HOLD, the above granted premises unto the said Grantee(s).

AND the said Grantor(s) do(es) covenant with said Grantee(s) as follows:

FIRST: That the Grantee(s) shall quietly enjoy the said premises.

SECOND: That the Grantor(s) will forever WARRANT the title to said premises.

THIRD: Subject to the trust fund provisions of section thirteen of the lien law.

FOURTH: This conveyance is not of all or substantially all of the property of the Grantor and is made in the regular course of business actually conducted by the Grantor.

IN WITNESS WHEREOF, the Grantor(s) have hereunto set their hand(s) and seal(s) the day and year first above written.

FARKAS BROS. BUILDERS, INC.

by:

Jack Farkas
 JACK FARKAS, PRESIDENT

DAVID HOME BUILDERS, INC.


by:

David Stapleton
 DAVID STAPLETON,
 PRESIDENT

STATE OF NEW YORK)
) ss.:
 COUNTY OF ERIE)

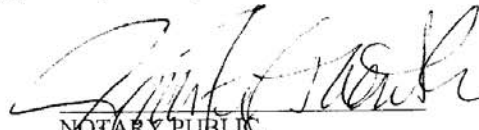
On the 30th day of December, 2002, before me, the undersigned, a notary public in and for said state, personally appeared JACK FARKAS, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that they (he) (she) executed the same in (his) (her) their capacity, and that by their (his)(her) signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual acted, executed the instrument.

SEYMOUR M. MASHUEL
 Notary Public, State of New York
 Qualified in Erie County
 My Commission Expires March 30, 2006
2/5/06


 NOTARY PUBLIC

STATE OF NEW YORK)
) ss.:
 COUNTY OF ERIE)

On the 14th day of March, 2003, before me, the undersigned, a notary public in and for said state, personally appeared DAVID STAPLETON, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that they (he) (she) executed the same in (his) (her) their capacity, and that by their (his)(her) signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual acted, executed the instrument.


 NOTARY PUBLIC

RETURN TO:

JENNIFER GUENTHER
 NOTARY PUBLIC STATE OF NEW YORK
 QUALIFIED IN NIAGARA COUNTY
 My Commission Expires June 24, 2006

PARCEL "A":

1. ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Niagara, County of Niagara, State of New York, being a part of Lot No. 16, Township 13, Range 9 of the Holland Land Company's Purchase, more particularly described as follows:

BEGINNING at the point of intersection of the south line of Lot No. 16 with the easterly boundary line of Military Road; thence easterly along said lot line 620.94 feet to a point; thence northerly at right angles to said lot line 90 feet to a point; thence westerly at right angles on a line parallel to the south line of said Lot No. 16, 685.53 feet to a point in the easterly boundary line of Military Road; thence southeasterly along said easterly boundary line of Military Road 110.78 feet to a point, containing an area of 1.35 acres.

PARCEL "B":

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Niagara, County of Niagara, and State of New York, being a part of Lot No. 11, Township 13, Range 9 of the Holland Land Company's Purchase and a part of premises heretofore conveyed to North End Land Company by Henry H. Pletcher, et al by deeds dated June 30 1905, and June 29, 1906, recorded in Niagara County Clerk's Office in Libers 307 and 322 of Deeds at pages 380 and 368 respectively, said parcel hereby conveyed being more particularly described as follows:

BEGINNING at the point of intersection of the north line of said Lot No. 11 with the northeasterly limit of Military Road; thence easterly along said lot line, making an angle of $54^{\circ} 20' 4''$, to southeast with Military Road, 401.16 feet; thence southerly at right angles 121.87 feet; thence westerly at right angles on a line parallel to the aforesaid lot line, 313.70 feet to the northeasterly line of Military Road; thence northwesterly along said road line 150 feet to the point of beginning, containing 1 acre of land.

PARCEL "C":

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Niagara, County of Niagara, State of New York, being a part of Lot No. 11, Township 13, Range 9 of the Holland Land Company's Purchase and a part of premises heretofore conveyed to North End Land Company by Henry H. Pletcher et al, by Deeds dated June 30, 1905, and June 29, 1906, recorded in Niagara County Clerk's Office in Libers 307 and 322 of Deeds at pages 380 and 368 respectively, said parcel hereby conveyed being more particularly described as follows:

BEGINNING at a point in the easterly boundary line of Military Road, where same is intersected by the southerly boundary line of parcel of land conveyed by Niagara, Lockport and Ontario Power Company to Trustees of School District No. 3, Town of Niagara, Niagara County, New York, by deed dated November 15, 1929 recorded in Niagara County Clerk's Office in Liber 549 at page 66; thence from said point of beginning easterly along the southerly boundary of premises conveyed as aforesaid 313.70 feet to the southeast corner of premises so conveyed; thence northerly along the easterly boundary of premises conveyed as aforesaid, 121.87 feet to a point in the north line of said Lot No. 11, said point being at the northeast corner of premises conveyed as aforesaid; thence easterly along the north line of said Lot No. 11, 219.78 feet to a point; thence southerly at right angles to said lot line 211.87 feet to a point; thence westerly at right angles on a line parallel to the north line of said Lot No. 11, 468.89 feet to a point in the easterly boundary line of Military Road; thence northwesterly along said easterly boundary line of Military Road 110.78 feet to the point of beginning, containing 1.65 acres of land.

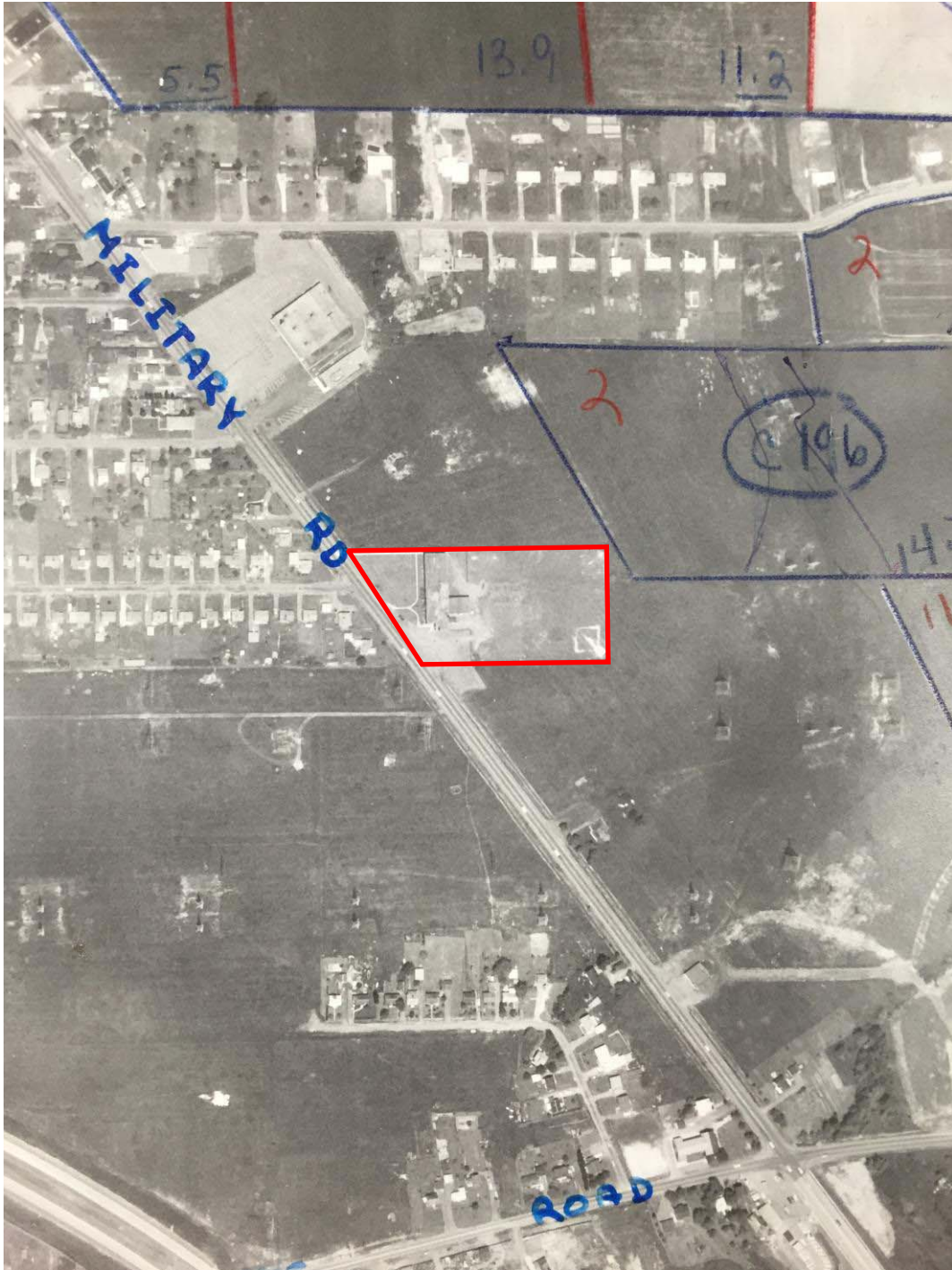
APPENDIX 3

Aerial Photographs



1958 Aerial





1966 Aerial





1977 Aerial





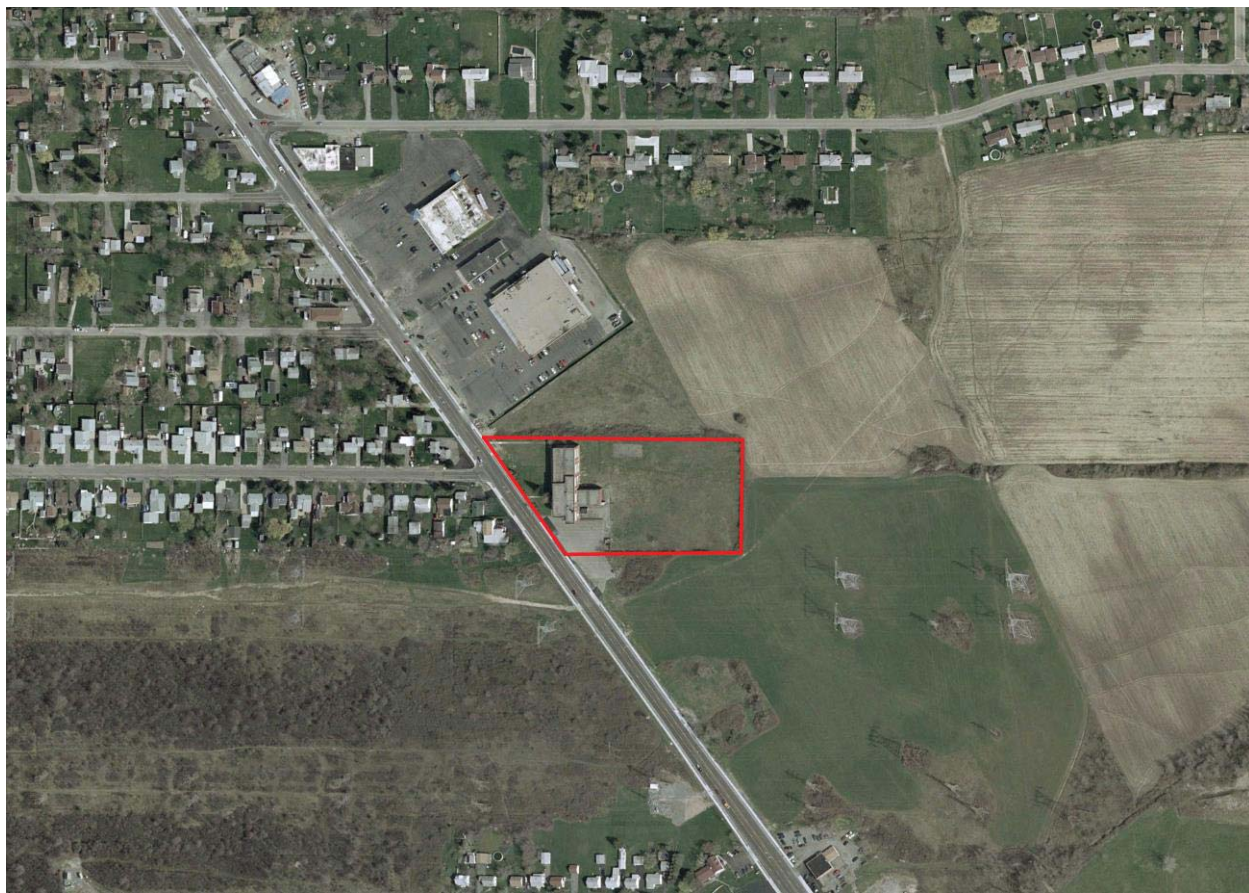
1990 Aerial





1995 Aerial





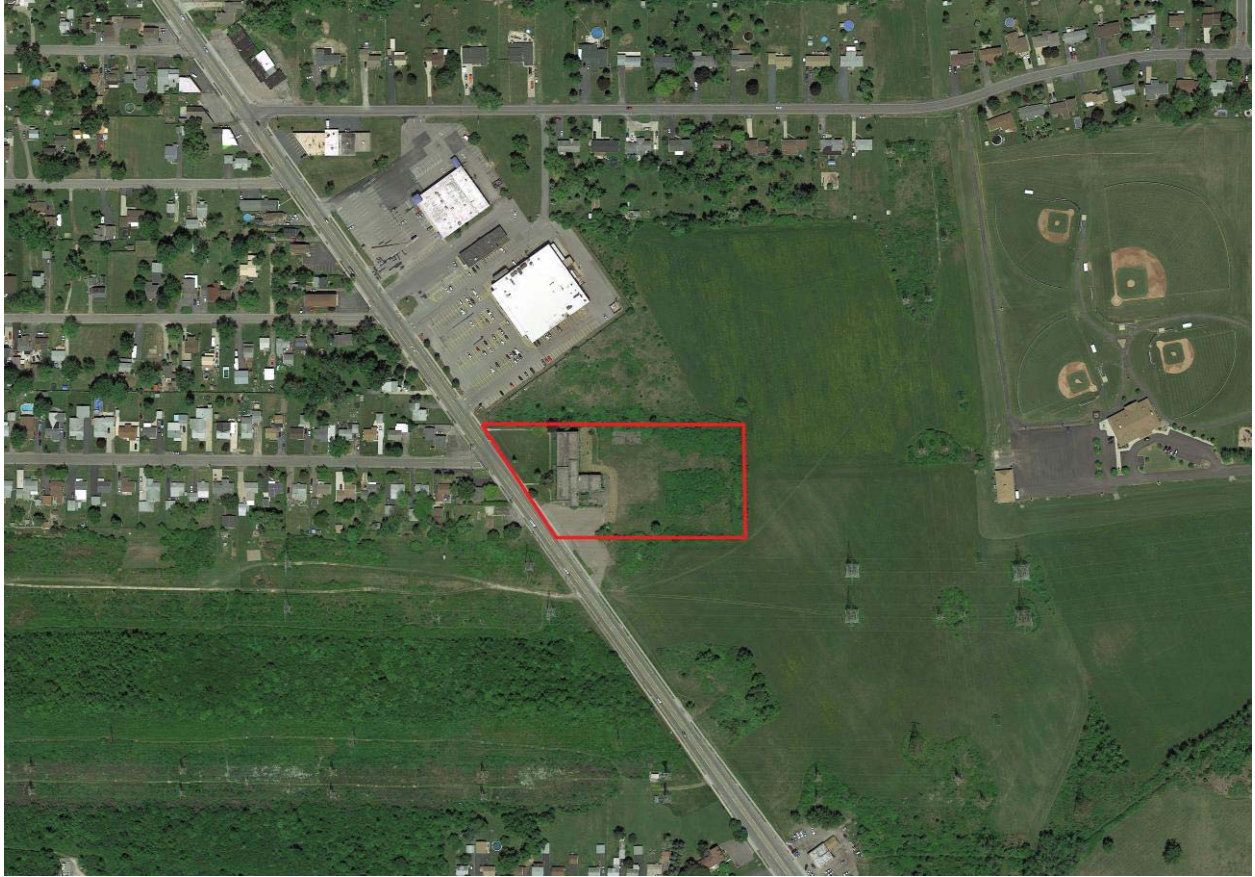
2002 Aerial





2009 Aerial





2015 Aerial



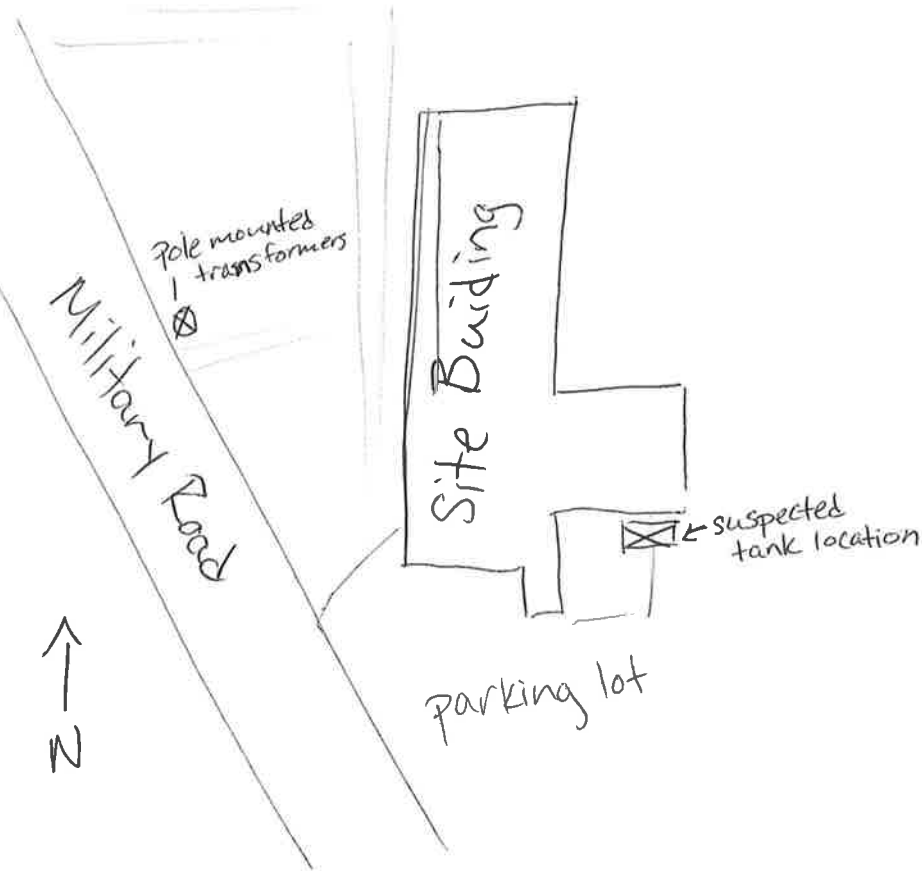
APPENDIX 4

Site Reconnaissance Worksheet

Site Reconnaissance Worksheet

Project #	2151439
Address	4185 Military Road
Date of Site Inspection	11-13-2015
# of Structures	one
Usage at Time of Site Inspection	vacant school
Nature of Area (circle one)	<u>Rural</u> Urban Suburban
Topography (If Sloping - Note Direction)	

Site Sketch (label north):



Adjacent Properties and Address:

North	vacant land / Tops grocery store
East	vacant land
South	vacant land / power authority
West	residential



Site Reconnaissance Worksheet (cont.)

Petroleum Product Storage and/or Usage

Yes _____

No X

(Note: Type, Quantity, Usage, Disposal Receipts)

possible UST

Hazardous Substances Storage and/or Usage

Yes _____

No X

(Note: Type, Quantity, Usage, Disposal Receipts)

Unidentified Substances or Containers

Yes _____

No X

(Note: Type and Quantity)

Strong, Pungent, or Noxious Odors

Yes _____

No X

(Note: Type and Source)

Parts Washers

Yes _____

No X

(Note: Type – Self-contained or Not, Location, Waste Disposal Receipts)



Site Reconnaissance Worksheet (cont.)

Pools of Liquid Likely to Contain Hazardous Substances

Yes ☐

No ☒

Or Petroleum Products

(Note: Location, Potential Product/Hazardous Substance(s), Source)

Stains or Corrosion

Yes ☐

No ☒

(Note: Location, Potential Product/Hazardous Substance(s), Source)

Floor Drains

Yes ☐

No ☒

(Note: Location, Discharge Location, Type of Wastewater Discharged to Drain, Associated Oil/Water Separator)

no floor drains found in areas surveyed
likely presence in other locations

Sumps

Yes ☐

No ☒

(Note: Location, Discharge Location, Type of Wastewater Discharged to Sump)

Equipment Potentially Containing Polychlorinated Bi-phenyls

Yes ☒

No ☐

(Note: Location, Type – Pad/Pole Mounted, PCB-containing, Owner, Condition)

3 pole mounted transformers
proximate west of site building and
east of Military Road



Site Reconnaissance Worksheet (cont.)

Elevators

Yes ☐

No ☒

(Note: Location, Hydraulic/Mechanical/Electric, Underground Components, Location of Reservoir)

no elevator in portions surveyed
possible in other locations

Lifts

Yes ☐

No ☒

(Note: Location, Hydraulic/Mechanical/Electric, Underground Components, Location of Reservoir)

Lift Scars

Yes ☐

No ☒

(Note: Location, Former Hydraulic/Mechanical/Electric, Underground Components, Location of Reservoir)

Stained Soil

Yes ☐

No ☒

(Note: Location, Apparent Type of Staining, Source)

Stained Pavement

Yes ☐

No ☒

(Note: Location, Apparent Type of Staining, Source)

Stressed Vegetation

Yes ☐

No ☒

(Note: Location, Source)



Site Reconnaissance Worksheet (cont.)

Evidence of Solid Waste Disposal and/or Filling

Yes _____

No X

(e.g., mounding, piles, ect.)

(Note: Location, Contents, Staining, Odors)

Storm Drains

Yes X

No _____

(Note: Location, Associated with Wastewater Treatment or Disposal, Discharge Location, Staining, Odors)

proximate east of site building

Ditches

Yes _____

No X

(Note: Location, Associated with Wastewater Treatment or Disposal, Discharge Location, Staining, Odors)

Underground Injection Well/Dry Well

Yes _____

No X

(Note: Location, Associated with Wastewater Treatment or Disposal, Type of Wastewater Discharged To)

Septic Systems

Yes _____

No X

(Note: Location, Direction of Leach Lines, Type of Wastewater Discharged)

Monitoring Wells

Yes _____

No X

(Note: Location, Purpose, Analytical Data Available)

Site Reconnaissance Worksheet (cont.)

Potable Water Wells

Yes

No X

(Note: Location and Analytical Data Available)

Indicators of Historical Usages (e.g., signs, equipment, ect.)

Yes ✓

No

(Note: Item and Indication of Usage Type)

sign on south exterior of site building
"Military Road School"

Limitations:

☐ None

☐ Overgrown vegetation

☐ Topography

☐ Snow

☒ Size

☒ Access (Note Inaccessible Structures:

Additional Notes:

interior of site building has portions that
were deemed unsafe to enter by environmental analyst



Site Reconnaissance Worksheet (cont.) – Aboveground Storage Tanks

Aboveground Storage Tanks

Yes _____

No X

Note: Location, capacity, contents, usage, in-service (yes/no), fill port location, vent pipe location, leaks/stains/spills in vicinity, storage conditions – under asphalt, vaulted, under grassy area, fuel pumps)

#	Capacity	Contents	Location	Storage Conditions	Usage

Notes:



Site Reconnaissance Worksheet (cont.) – Underground Storage Tanks

Evidence of Underground Storage Tanks

Yes X No

(i.e., vent pipes, fill ports, pumps, fill port covers)

(Note: Location, Type of Evidence, capacity, contents, usage, in-service (yes/no), fill port location, vent pipe location, leaks/stains/spills in vicinity, storage conditions – under asphalt, vaulted, under grassy area, fuel pumps)

fillport located proximate the southeast of
Site building proximate the boiler room
suspected UST under asphalt

Evidence of the Potential Removal/Closure of

Yes X No

Underground Storage Tanks (e.g., patches in pavement, piping, ect.)

(Note: Location, Type of Evidence, leaks/stains/spills in vicinity)

patch in asphalt in suspected UST location
DEC documentation of closure

APPENDIX 5

Site Representative Interview



LaBella Associates, D.P.C.

300 Pearl Street, Suite 130

Buffalo, New York 14202

Phone: (716) 551-6281

FAX: (716) 551-6282

PHASE I ESA INTERVIEW

Project No. 2151439 Date of Interview: 11-13-2015 Conducted by: Katherine Bauer

Address: 4185 Military Road

Interviewee: Danielle Wink How long affiliated with Site: 1

Title/Position/Relationship to Site ☐ Owner ☒ Owner Representative ☐ Former Owner ☐ Occupant
☐ Former Occupant ☐ Neighbor ☐ Purchaser ☐ Seller ☐ Real estate agent
☐ Property Manager ☐ Other (explain):

Additional Contacts: _____

1. What is the purpose of this assessment? ☐ Selling the property ☐ Purchasing the property ☒ Construction loan
☐ Re-financing the property ☐ Other (explain):

2. Do you have a PROPERTY SURVEY MAP or OTHER MAPPING of the Site available?
☐ No ☐ Yes ☒ Unknown (if Yes, please provide if possible)

3. Number of building(s): _____ Total sq. ft. of building(s): _____
Acreage of Site: _____ ☒ Unknown ☐ NA

4. What is the CURRENT USE(S) of the Site and DATES, if known? ☐ Unknown

Vacant

5. What are the PAST USE(S) of the Site and DATES of occupancy, if known? ☐ Unknown
Use _____ Dates of Usage _____

School

6. Have any buildings been BURNED or DEMOLISHED on the Site? ☒ No ☐ Yes ☐ Unknown
Explain:

Was the Debris:

Burned on Site ☐ No ☐ Yes ☐ Unknown

Removed from Site ☐ No ☐ Yes ☐ Unknown

Explain:

Buried on Site ☐ No ☐ Yes ☐ Unknown

7. Is the SITE or any ADJOINING PROPERTY CURRENTLY or PREVIOUSLY utilized as any of the following?
Dry Cleaning Facility ☒ No ☐ Yes ☐ Unknown ☐ Site ☐ Adjoining Property to the _____
Dates and Explain:

X-ray or Film Developing ☒ No ☐ Yes ☐ Unknown ☐ Site ☐ Adjoining Property to the _____
Dates and Explain:

Is there a Metal Recovery System in Place? ☐ No ☐ Yes ☐ Unknown

Explain:

Car Repair Shop: ☒ No ☐ Yes ☐ Unknown ☐ Site ☐ Adjoining Property to the _____
Dates and Explain:

Paint/Body Shop: ☒ No ☐ Yes ☐ Unknown ☐ Site ☐ Adjoining Property to the _____
Dates and Explain:

Gasoline Station: ☒ No ☐ Yes ☐ Unknown ☐ Site ☐ Adjoining Property to the _____
Dates and Explain:

Industrial Property: ☒ No ☐ Yes ☐ Unknown ☐ Site ☐ Adjoining Property to the _____
Dates and Explain:

8. What are the CURRENT and PREVIOUS USE(S) of the ADJOINING PROPERTIES?
Direction Current Use/Occupant Past Uses/Occupant
North:
South:
East:
West:

9. Is SANITARY WASTE WATER CURRENTLY or was PREVIOUSLY Generated and how is/was it Disposed of?
☐ No ☐ Yes ☒ Unknown Discharge Point: ☒ Public System ☐ Private System ☐ Unknown
☐ Other (explain):

Is NON-SANITARY WASTE WATER CURRENTLY or was PREVIOUSLY Generated and how is/was it Disposed of?
☐ No ☐ Yes ☒ Unknown Discharge Point: ☒ Public System ☐ Private System ☐ Unknown
☐ Other (explain):

Are any of the following CURRENTLY or PREVIOUSLY located at the Site?

SEPTIC TANK: ☒ No ☐ Yes ☐ Unknown Location:

Dates of Usage:

LEACHFIELD: ☒ No ☐ Yes ☐ Unknown Location:

Dates of Usage:

INJECTION WELL: ☒ No ☐ Yes ☐ Unknown Location:

Dates of Usage:

DRY WELL: ☒ No ☐ Yes ☐ Unknown Location:

Dates of Usage:

Are any of the following CURRENTLY or PREVIOUSLY located at the Site?

FLOOR DRAINS: ☐ No ☐ Yes ☒ Unknown Location:

Discharge Point:

TRENCH DRAINS: ☒ No ☐ Yes ☐ Unknown Location:

Discharge Point:

SUMP PUMPS: ☐ No ☐ Yes ☒ Unknown Location:

Discharge Point:

STORM DRAINS: ☐ No ☒ Yes ☐ Unknown Location:

Discharge Point:

OTHER: ☐ No ☐ Yes ☐ Unknown Location:

Discharge Point:

Are any FLOOR DRAINS, TRENCH DRAINS, or SUMPS connected to an OIL/WATER SEPERATOR?

☒ No ☐ Yes ☐ Unknown ☐ NA Location:

Dates of Usage:

10. Is the Site serviced with PUBLIC or PRIVATE WATER SYSTEMS and DATES of Connection, if known?

Type Date of Connection/Usage
☒ Public ☒ Unknown
☐ Well ☐ NA

Are there, or were there ever any OBSERVATION or MONITORING WELLS located on-Site?

☐ No ☐ Yes ☒ Unknown

☐ NA

Location:

Purpose:

Dates of Usage/Installation:

11. Are ANY of the FOLLOWING located ON or ADJACENT TO the SITE? (Choose all that apply):

Type:	Location:	Type:	Location:
<input type="checkbox"/> Surface water		<input type="checkbox"/> Pits	
<input type="checkbox"/> Ponds		<input type="checkbox"/> Lagoons	
<input type="checkbox"/> Creek		<input type="checkbox"/> Drainage Ditch	
<input type="checkbox"/> Rivers		<input type="checkbox"/> Lakes	
<input type="checkbox"/> Unknown		<input checked="" type="checkbox"/> No	

12. What type of heating does this property CURRENTLY or PREVIOUSLY have, if any?
Choose all that apply and identify the associated building(s) and dates of connection if applicable.

Type	Date(s) of Connection/Usage	Type	Date(s) of Connection/Usage
<input checked="" type="checkbox"/> Natural Gas		<input checked="" type="checkbox"/> Oil	
<input type="checkbox"/> Propane		<input type="checkbox"/> Radiant	
<input type="checkbox"/> Coal		<input type="checkbox"/> Hot Water	
<input type="checkbox"/> Not Heated		<input type="checkbox"/> Unknown	
<input type="checkbox"/> Other (explain)			

If oil: How is was the oil stored ☐ above ground storage tank ☒ underground storage tank (see Question 20)
Location:

13. Who Supplies ELECTRIC SERVICE to the Site?

☐ RG&E ☐ National Grid ☐ NYSEG ☐ Unknown ☒ NA
☐ Other:

14. What is the nature of SOLID WASTE Generated at the Site and Disposed of from the Site (including hazardous)?
Type of Waste? How is it stored? Who collects the waste?

N/A

15. To the best of your knowledge, have you ever GENERATED or TRANSPORTED HAZARDOUS WASTE from the Site?
☒ No ☐ Yes ☐ Unknown (if Yes, please provide Manifests)
Explain:

16. Do you TREAT or DISPOSE of any WASTE MATERIALS on-Site? (i.e., land filling, neutralization, incineration)
☒ No ☐ Yes ☐ Unknown
Explain:

17. Has any OTHER ENTITY ever been allowed to DUMP, STORE, DISPOSE, TRANSPORT, BURY, INCINERATE, OR LANDFILL any materials at the Site? ☒ No ☐ Yes ☐ Unknown
Who? What? When? Location:

18. Has FILL DIRT been brought onto the Site from an UNKNOWN ORIGIN OR CONTAMINATED SITE?
☒ No ☐ Yes ☐ Unknown
Explain:

19. Are there areas of the Site in which the any of the following were or are located? ☐ Unknown ☒ No
Type: Location: Type: Location:
☐ Gravel ☐ Debris
☐ Construction Materials ☐ Tree/Brush
☐ Other (explain):

20. Are there CURRENTLY or PREVIOUSLY any ABOVE (AST) or UNDERGROUND (UST) STORAGE TANKS located at the Site?
☒ No ☒ Yes ☐ Unknown Are they REGISTERED with the NYSDEC? ☐ No ☒ Yes ☐ Unknown
Tank Type (AST/UST) Capacity (Gallons) Product Installation Date Removal/Closure Date

UST

Are there any LEAK DETECTION DEVICES in place? ☐No ☐Yes ☐Unknown

Explain:

Have any TANKS been: ☐Unknown ☐No

Date(s):

☒REMOVED from the Site

Explain:

☐CLOSED in place at the Site

Explain:

Is DOCUMENTATION Available? ☒No ☐Yes ☐Unknown Please provide copy.

Has any CONTAMINATION been identified or REMEDIATION been required at the Site; related to CURRENT OR PRIOR TANKS? ☐No ☐Yes ☒Unknown

Explain:

21. What type of CHEMICALS are CURRENTLY or have PREVIOUSLY been STORED or UTILIZED on Site?
Type: Usage: Storage Container: Disposal Method:

Are MSDS sheets readily available for these chemicals? ☐No ☐Yes ☐Unknown (if Yes, please provide copies)

22. Have there been any SPILLS, UNPERMITTED DISCHARGES, or RELEASES of HAZARDOUS or CONTAMINATED MATERIALS or PETROLEUM PRODUCTS at or in the vicinity of the Site? ☒No ☐Yes ☐Unknown
What? When? Location:

23. Are you AWARE if the SITE is listed as any of the following –Check all that Apply: ☒No
(please provide information for ‘yes’ responses)

Regulatory Listing:

Explain:

- ☐National Priority or Delisted Priority List
☐CERLCIS Site
☐CERCLIS NFRAP Site
☐RCRA Generator Facility
☐RCRA Treatment/Storage/Disposal Facility
☐State or Local Landfill
☐National Response Site
☐NYSDEC Spill Site
☐Hazardous Waste Disposal Site
☐Brownfield or Voluntary Cleanup Site
☐Institutional or Environmental Control Site
☐Hazardous Substance Site

24. To the best of your knowledge, do you have any FEDERAL, STATE, or LOCAL PERMITS for the following?

☒None

☐Air Emissions

☐SPDES (waste water discharge)

Explain:

25. Has the Site ever been the subject of an ENFORCEMENT ACTION by any FEDERAL, STATE, or LOCAL agency regarding ENVIRONMENTAL ISSUES? ☐No ☐Yes ☒Unknown

Explain and provide DATES and any Documentation:

26. Is the Site presently under any FEDERAL, STATE, or LOCAL CONSENT ORDERS, DECREES, or CAUSE of ACTION?
☐ No ☐ Yes ☒ Unknown
Explain and provide DATES and any Documentation:
27. Are you aware of any ENVIRONMENTAL LIENS on the Site? ☒ No ☐ Yes ☐ Unknown
Explain:
28. Are you aware of any LAND USE or ACTIVITY LIMITATIONS that are in place on the Site or have been FILED or RECORDED in a registry? ☐ No ☐ Yes ☒ Unknown
Explain:
29. Are you aware of any KNOWLEDGE or INDICATORS related to the Site that point to the PRESENCE or LIKELY PRESENCE of CONTAMINATION? ☐ No ☐ Yes ☒ Unknown
Explain:
30. Are you aware if the PURCHASE PRICE of this Site reasonably reflects the fair market value of the property?
☐ No ☐ Yes ☒ Unknown ☐ NA (Site is not being sold at this time)
Explain:
31. Has there ever been PREVIOUS Phase I Environmental Site Assessments or environmental audits performed for the Site?
☒ No ☐ Yes ☐ Unknown (if Yes, please provide copies if possible)
If yes, by Whom? _____ Date? _____
Concerns identified: ☐ No ☐ Yes ☐ Unknown
Explain:
32. Is the ABSTRACT OF TITLE for the Site available? ☐ No ☐ Yes ☒ Unknown
(If Yes, please provide if possible or provide name and contact information for attorney that may have report)
33. Do you have any additional information or specialized knowledge or experience regarding the Site?
☒ No ☐ Yes ☐ Unknown
Explain:

APPENDIX 6

Local Government Records

Bauer, Katherine

From: Bauer, Katherine
Sent: Thursday, October 29, 2015 9:50 AM
To: efoia@uscg.mil
Subject: FOIL request for 4185 Military Road, Niagara Falls NY

Sir or Ma'am:

Please accept this e-mail as a formal FOIL request for the below listed address:

Owner: 4185 Military Road Inc.
Address: 4185 Military Road, Niagara Falls, New York
Tax ID #131.14-2-17
LaBella Project No. 2151439

Thank you,

Katherine Bauer

Environmental Analyst

Direct: 716-710-3035 | kbauer@LaBellaPC.com

LABELLA ASSOCIATES, D.P.C.

Olympic Towers, 300 Pearl St., Ste. 130, Buffalo, NY 14202

Office: 716-551-6281

labellapc.com

Relationships. Resources. Results.



National Response Center

Our Response Communications Today Helps Better The Environment Tomorrow

1(800)424-8802

November 9, 2015
FOIA #2016-CG-00270

Labella Associates
Attn: Katherine Bauer
300 Pearl Street
Buffalo, NY 14202

Dear Ms. Bauer:

This letter is the response to your October 29, 2015 Freedom of Information Act (FOIA) request addressed to the U. S. Coast Guard. We have conducted a comprehensive search of the NRC files and found no records or reports on the following property; 4185 Military Road, Niagara Falls, New York. Your request was received in this office on November 08, 2015.

You have the right to appeal this determination that no records exist within the NRC database that would be responsive to your request. Should you wish to do so, you must send your appeal and a copy of this letter, within 60 days of the date of this letter, to:

Commandant (CG-611)
U.S. Coast Guard
Attn: FOIA/PA Officer
2703 Martin Luther King Ave. STOP 7907
Washington DC 20593-7907

Following the procedures outlined in the DHS FOIA regulations at 6 C.F.R. § 5.9. Your envelope and letter should be marked "FOIA Appeal." Copies of the FOIA and DHS regulations are available at www.dhs.gov/foia.

Provisions of the FOIA allow us to recover part of the cost of complying with your request. In this instance, because the cost is below the \$14 minimum, there is no charge.

If you need to contact our office concerning this request, please call 1-800-424-8802 and refer to FOIA Control Number 2016-CG-00270.

Sincerely,

T. R. Carnegie
FOIA Officer
National Response Center

November 16, 2015

Records Access Officer
Niagara County Department of Health
Shaw Building, Mountview Campus
5467 Upper Mountain Road
Lockport, NY 14094

Re: Foil Request
Address: 4185 Military Road, Town of Niagara, New York
Tax ID #131.14-2-17
LaBella Project No. 2151439

Dear Sir or Madam:

Please accept this letter as a formal request to the NCDOH for review/copies of department records for the above referenced property.

- | | |
|--|--|
| ✓ Assessment Records (i.e. property cards) | ✓ Records of Environmental Concerns, issues, or violations |
| ✓ Building and Code Enforcement Records (anything relating to storage tanks and/or hazardous substances) | ✓ Records of leaks or spills |
| ✓ Fire Safety and Prevention Records | ✓ Records of Fires at the Site |
| ✓ Records of soil or groundwater contamination/cleanup or on-Site remediation | ✓ Waste Disposal Records |

Please contact me at (716) 710-3035 or kbauer@labellapc.com with any questions or if you require additional information.

Thank you for your assistance in this matter.

Respectfully submitted,

LABELLA ASSOCIATES, D.P.C.



Katherine Bauer
Environmental Analyst

October 29, 2015

New York State Department of Environmental Conservation
270 Michigan Avenue
Buffalo, New York 14203-2999

Re: Foil Request
Owner: 4185 Military Road Inc.
Address: 4185 Military Road, Niagara Falls, New York
Tax ID #131.14-2-17
LaBella Project No. 2151439

Dear Sir or Madam:

Please accept this letter as a formal request for inspection records from the following NYSDEC Departments for review/copies for the above referenced property, if available.

- | | |
|---|--|
| ✓ Environmental Enforcement | ✓ Air |
| ✓ Environmental Permits (Not general construction permits) | ✓ Law Enforcement/Investigations |
| ✓ Environmental Remediation | ✓ Legal |
| ✓ Hazardous Materials | ✓ Water – including septic system installation, SPEDES permits and stormwater database information |
| ✓ Solid Materials | ✓ Spills/Petroleum Bulk Storage |
| ✓ Land Use Restrictions including Institutional and/or Engineering Controls | ✓ Brownfields Cleanup Program or Voluntary Cleanup Program |

Please contact me at (716) 710-3035 or kbauer@labellapc.com with any questions or if additional information is required.

Respectfully submitted,

LABELLA ASSOCIATES, D.P.C.



Katherine Bauer
Environmental Analyst

Olympic Towers, 300 Pearl Street, Suite 325 | Buffalo, NY 14202 | p 716.551.6281 | f 716.551.6282 | www.labellapc.com

October 29, 2015

Ms. Sylvia Virtuoso, Town Clerk
Town of Hamburg
6100 South Park Avenue
Hamburg, New York 14075

Re: FOIL Request
Owner: 4185 Military Road Inc.
Address: 4185 Military Road, Niagara, New York
Tax ID #131.14-2-17
LaBella Project No. 2151439

Dear Ms. Virtuoso:

Please accept this letter as our formal FOIL request to the following Town of Niagara for review/copies of department records for the above referenced property, if available.

- | | |
|-------------------------------|---|
| ✓ Assessment Records | ✓ Records of Environmental Concerns, issues, or violations |
| ✓ Building Inspection Records | ✓ Records of Tank installation, permits, removals, or closures |
| ✓ Fire Marshal Records | ✓ Records of Fires at the Site |
| ✓ Code Enforcement Records | ✓ Records of leaks or spills |
| ✓ Solid Materials | ✓ Records of soil or groundwater contamination/cleanup or on-Site remediation |
| ✓ Waste Disposal Records | |

Please call me at (716) 710-3035 or email me at kbauer@labellapc.com with any questions or if you require additional information.

Thank you for your assistance in this matter.

Respectfully submitted,
LABELLA ASSOCIATES, D.P.C.



Katherine Bauer
Environmental Analyst

NEW YORK STATE
DIVISION OF EQUALIZATION AND ASSESSMENT
COMMERCIAL PROPERTY RECORD CARD

SWIS 293000 TAX MAP NUMBER 131.14-2-17
CD
OWNER 4185 Military Rd, Inc. PROP CLASS 612 HC N
LOCATION NO. 4185 LOCATION MILITARY ROAD SCHOOL DIST 293001
SALE PRICE SALE DATE LOT SIZE 4.10 Acres

T/V-

SWIS/SBL/CD

293000 131.14-2-17

CARD NO.

1 OF 1

AUDIT CONTROL CODES
ACTIVITY
N = NONE
M = MEASURED ONLY
L = LISTED

ENTRY
1 = INTERIOR INSPECTION
2 = INTERIOR REFUSAL
3 = TOTAL REFUSAL
4 = ESTIMATE
5 = NO ENTRY

SOURCE
1 = OWNER
2 = RELATIVE
3 = TENANT
4 = OTHER
5 = NOAA
6 = ASSESSOR DATA

SALES INFORMATION CODES

SALE TYPE
1 = LAND ONLY
2 = BLDG ONLY
3 = LAND & BLDG

SITE INFORMATION SECTION

NEIGHBORHOOD CODE

ZONING CODE

SEWER 1 NONE 2 PRIVATE 3 COMM/PUBLIC

WATER 1 NONE 2 PRIVATE 3 COMM/PUBLIC

UTILITIES 1 NONE 2 GAS 3 ELECTRIC 4 GAS & ELECTRIC

OVERALL DESIRABILITY 1 POOR 2 FAIR 3 NORMAL 4 GOOD 5 EXCEL

OVERALL CONDITION 1 POOR 2 FAIR 3 NORMAL 4 GOOD 5 EXCEL

OVERALL EFFECTIVE YEAR BUILT

OVERALL GRADE A EXCEL 8 GOOD C AVERAGE D ECONOMY E MINIMUM

VAL Dist 03

ROUTE 22000

SALE
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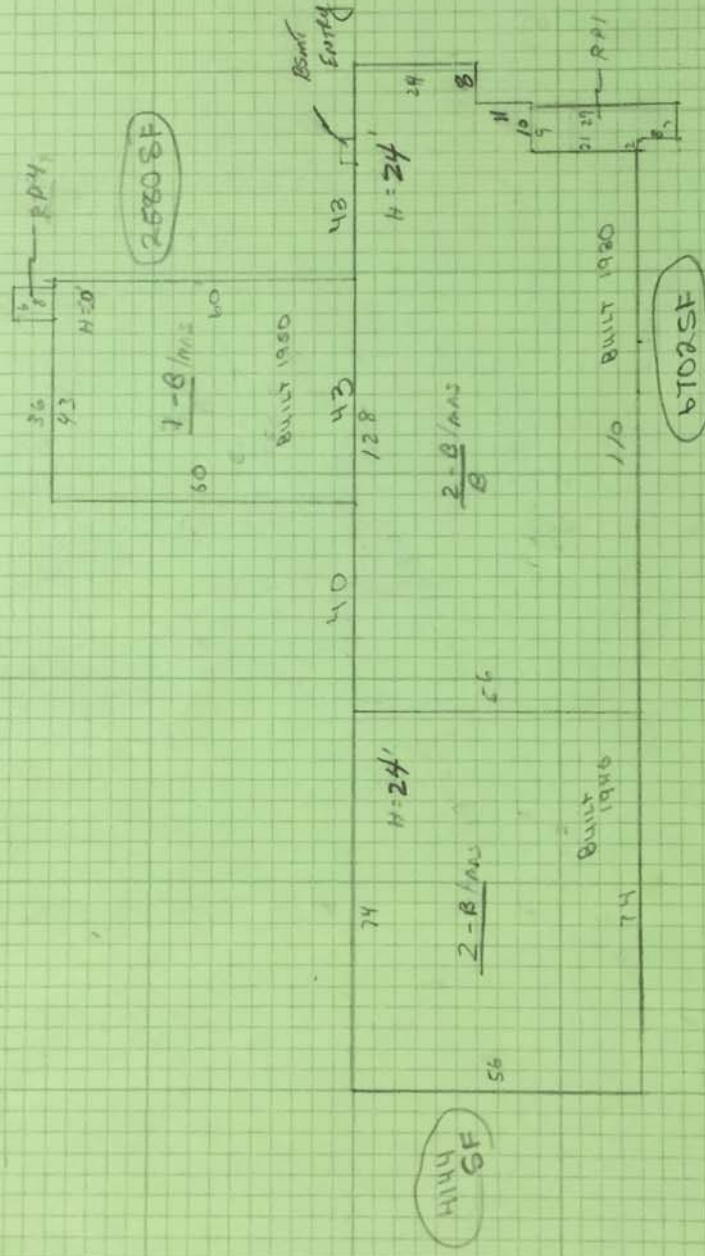
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13.14-2-17

1000



1144 - PERIM
6 PERIM = 516

1" = 40'

Parcel
44
DEPTH
LAST

131.14-2-17

MILITARY ROAD SCHOOL

TAX MAP NUMBER
T-NIAGARA

ASSESSING UNIT

MAILING ADDRESS

COORDINATE 38863-113866 E OF SIDE

MILITARY ROAD
ROAD/STREET 141-W

07-NW

WATER DISTRICT

041-L

LIGHT

SEWER

103-S2

081-SA

FIRE DISTRICT
SANITATION

OWNERS NAME	ADDRESS	LIBER	PAGE	DATE
Farkas Bros. Builders, Inc. & David Home Builders	175,000	2681	222	9-26-96
4185 Military Rd. Inc		3229	520	3/4/03

4.1

HP

AREA IN ACRES OR DIMENSIONS

11-16

DEED RECORDED IN LIBER

131.14

SUBDIVISION NAME MILITARY ROAD

13

MAP BOOK

LOT

9

PREVIOUS PARCEL IDENT: YEAR

310920

73 PAGE 802 LINE

256

TOWN OF NIAGARA
COUNTY OF NIAGARA, STATE OF NEW YORK
7105 LOCKPORT RD.
NIAGARA FALLS, NY 14305-3598
PHONE (716) 297-2150 Ext.127

DATE OF NOTICE

June 22, 2015

4185 Military Road, Inc.
PO Box 945
Hamburg, NY 14078

Re: ▪ Overgrown Grass/Weeds and Trees (along sides and rear of building to include fence areas)

▪ **Unsecured Building** (roof missing rear entrance)

▪ **Litter: debris** (bottles and cans)

4185 Military Road

Tax Map No. 131.14-2-17

Town of Niagara

To Whom it May Concern:

A recent inspection of your area revealed the following violations on the above referenced property.

- **Overgrown Grass/Weeds and Trees**; a violation of Town of Niagara Code Chapter 178, §178-15
- **Unsecured Building**; a violation of Town of Niagara Code Chapter 122, §122-7, and the Property Maintenance of New York State Chapter 3, §301.3
- **Litter: debris**; a violation of Town of Niagara Code Chapter 178, §178-12

You are required to correct the violation of overgrown grass/weeds and litter within ten (10) days of the date of this notice. You are to secure your building immediately.

Failure to comply will result in the Town of Niagara taking any and all action within the law to assure compliance.

You are strongly encouraged to correct this problem within the time prescribed and notify this office when you are in compliance with the law.

Your cooperation in this matter will be appreciated. If you have any questions, please contact me.

Respectfully,



Charles E. Haseley

• Building Inspector

7/6/15
Haseley
and pick up

213

TOWN OF NIAGARA
COUNTY OF NIAGARA, STATE OF NEW YORK
7105 LOCKPORT RD.
NIAGARA FALLS, NY 14305-3598
PHONE (716) 297-2150 Extension 127

DATE OF NOTICE

June 24, 2015

4185 Military Road Inc.
PO Box 945
Hamburg, NY 14078

Re: • Unsecured Building
4185 Military Road
Tax Map No. 131.14-2-17
Town of Niagara

To Whom It May Concern:

A recent inspection of the area revealed the following violation on the above referenced property.
(See attached sheets)

- **Unsecured Building**; violation of the Fire Code of New York State §311.2.1, Town of Niagara Code Chapter 122, §122-2 (7), the Property Maintenance Code of New York State §301-3, and Town of Niagara Zoning Ordinance §245-50 B (6)

You are required to correct this violation immediately.

Failure to comply with the above will result in the Town taking any and all actions within the law to assure compliance.

Your cooperation in this matter will be appreciated. If you have any questions, please contact this office.

Respectfully,

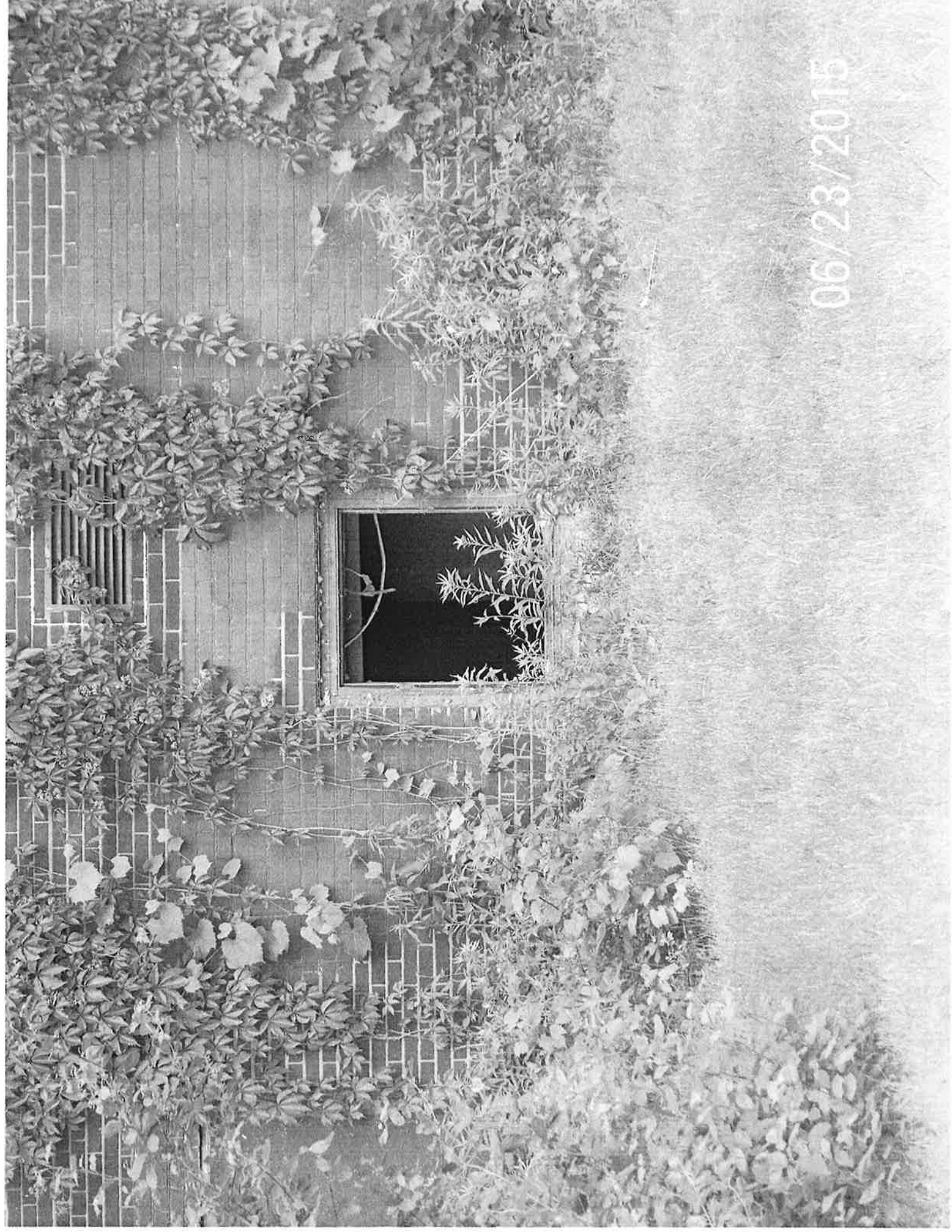


Jeffrey M. Stahlman
Assistant Building Inspector
Town of Niagara

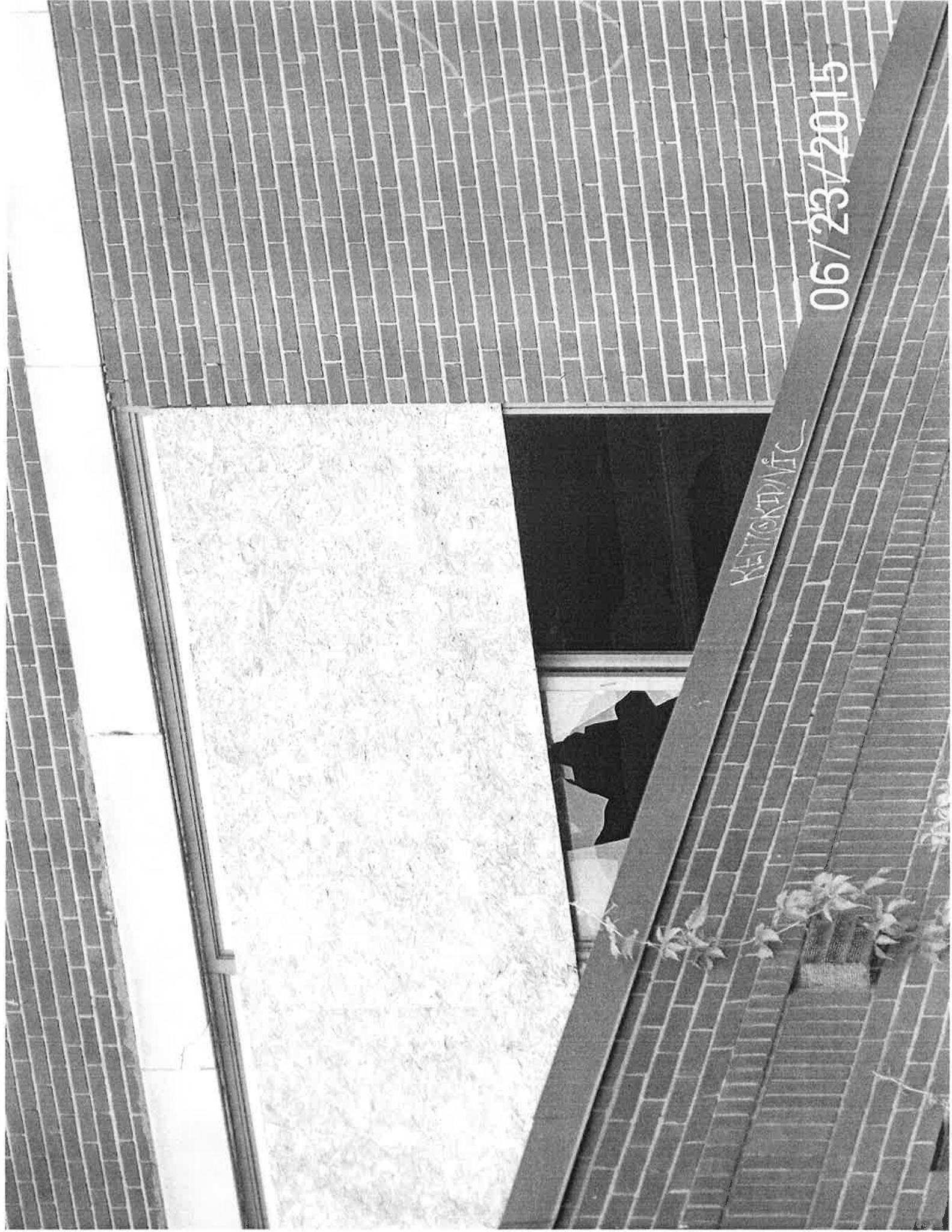
6/6/15
Full compliance

JMS/ks

Enc.



06/23/2015



KENTON/VC

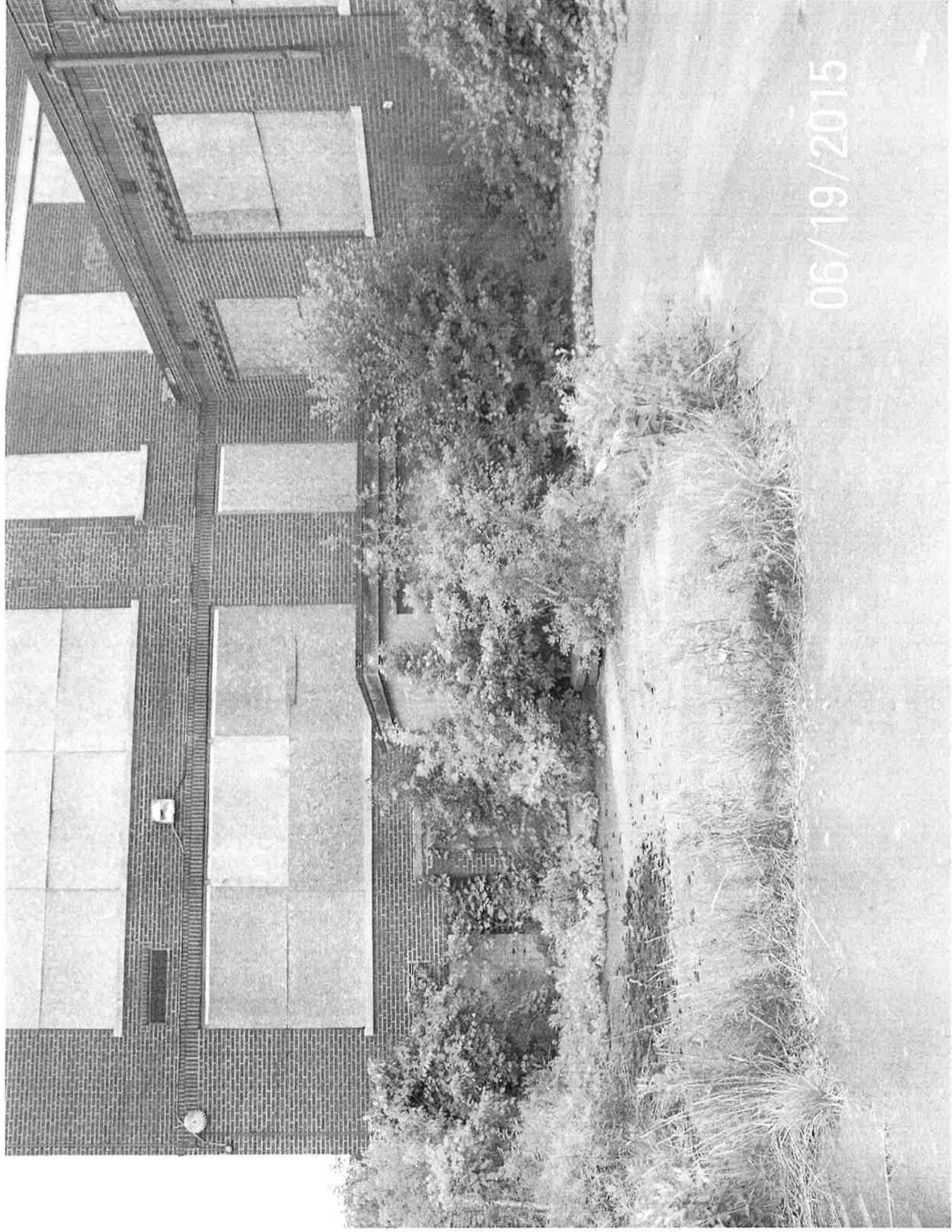
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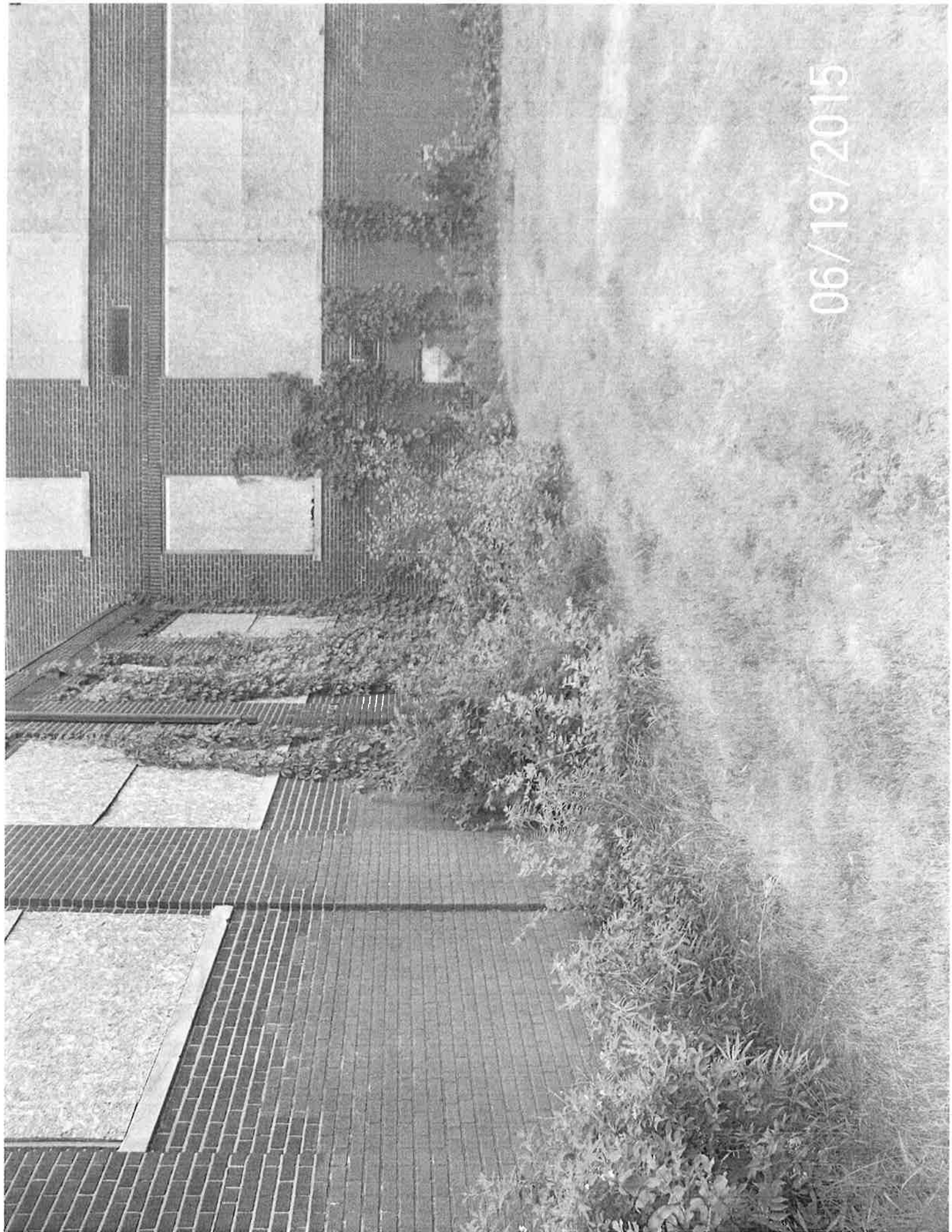


06/19/2015





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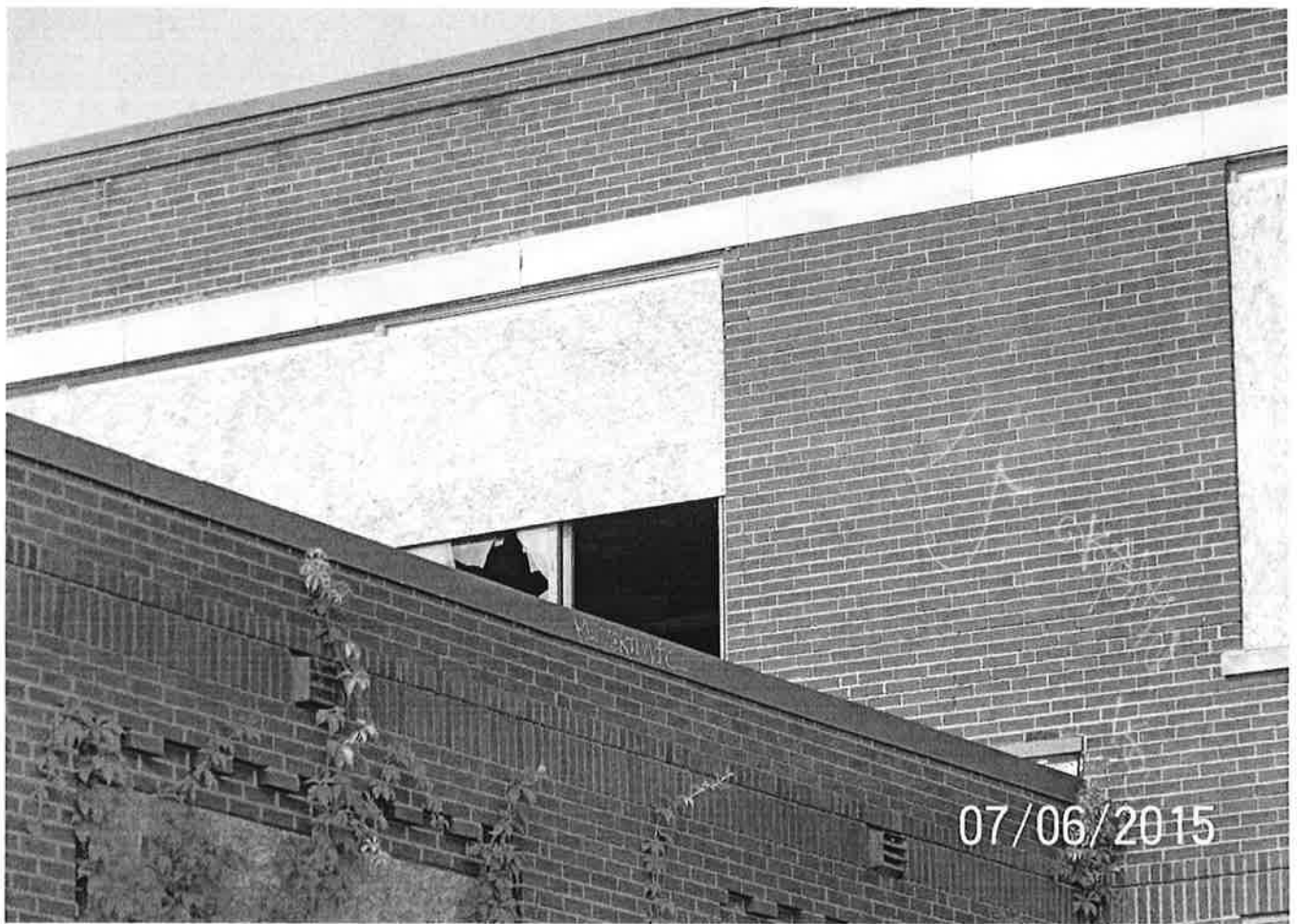


06/19/2015











TOWN OF NIAGARA
COUNTY OF NIAGARA, STATE OF NEW YORK
NIAGARA FALLS, N.Y.

7105 LOCKPORT ROAD
NIAGARA FALLS, NY 14305



PHONE: (716) 297-2150
FAX: (716) 297-9262
www.townofniagara.com

August 16, 2011

Supervisor Steven C. Richards
Town Board Members

Re: Notice of Non-Compliance

Gentlemen:

I am writing you today as required by Town of Niagara Chapter 121, Sub §121-5 (E), that the owners of 4185 Military Road (the former Military Road school) has failed to comply with an order to demolish notice for 4185 Military Road.

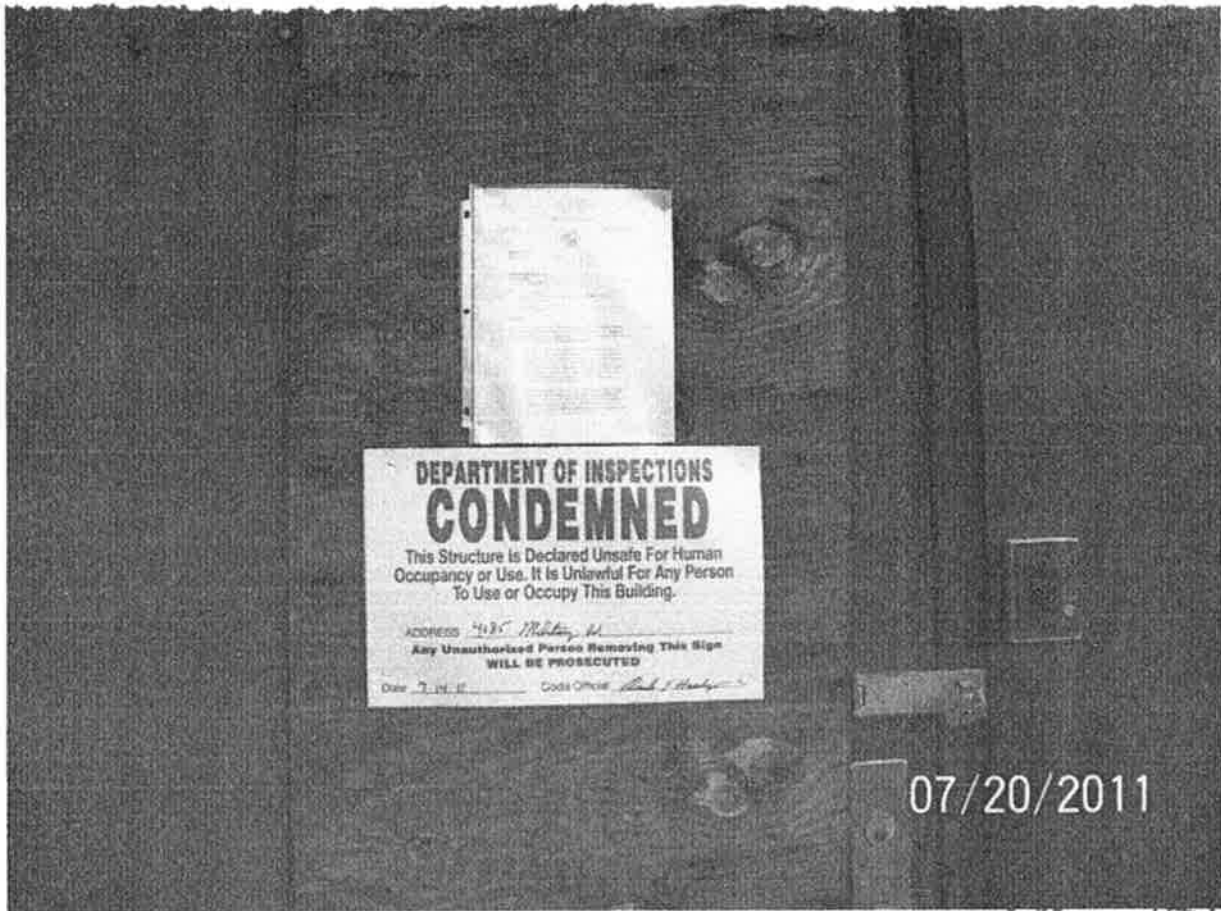
The notice was sent July 14th and effectively gave the owners 30 days to complete the demolition. To date the only contact was an in-office meeting with an agent of the owners, Greg Marian, requesting clarification of terms of notice. Physically the only work performed on site consisted of mowing and grubbing a portion of the property, a condition that was identified and contributed to the unsafe status of the building.

Existing are all conditions that make this structure unsafe.

As always should you desire any additional information or have any questions pertaining to this matter, please contact me.

Respectfully,

Charles E. Haseley
Building Inspector



4185 Military Rd

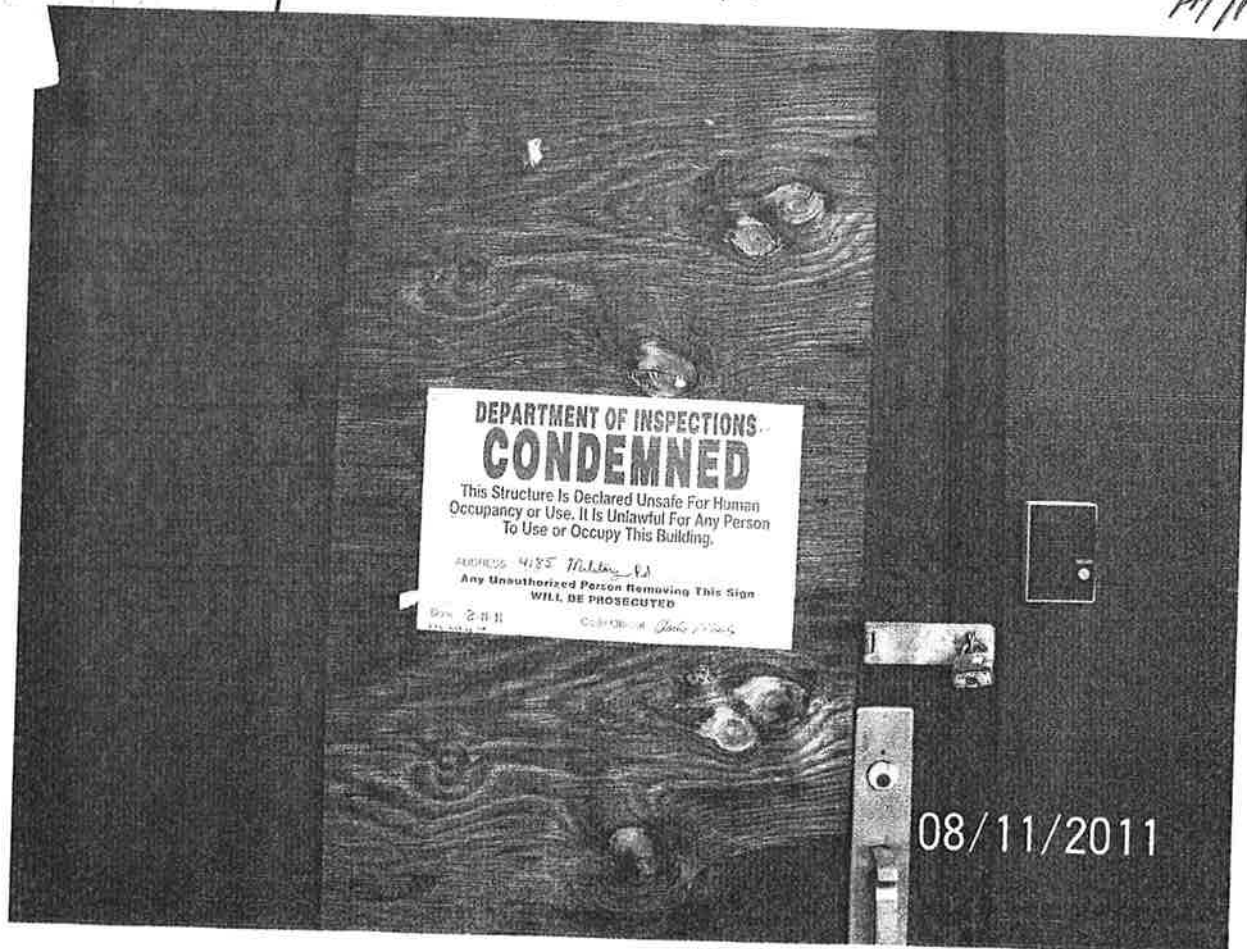
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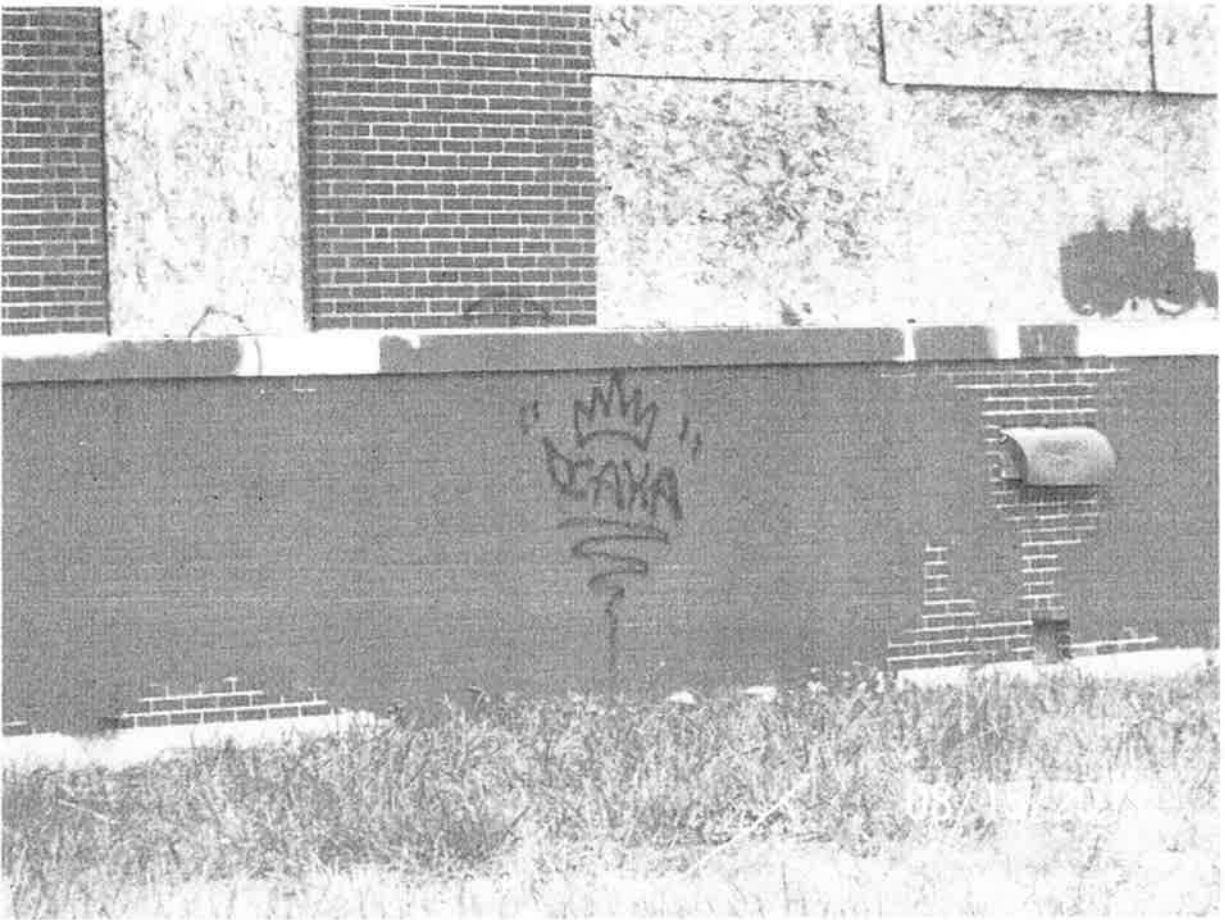
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4185 Military Rd

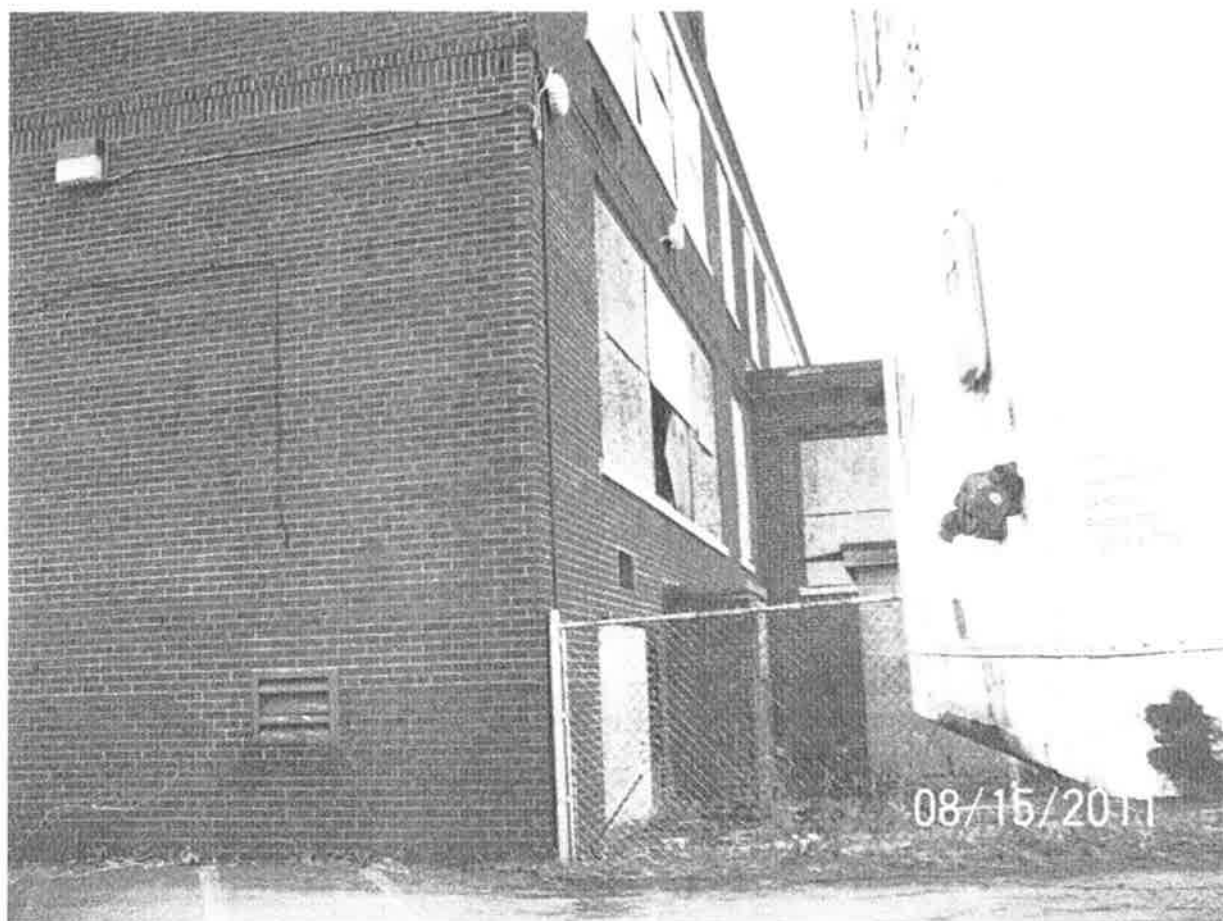
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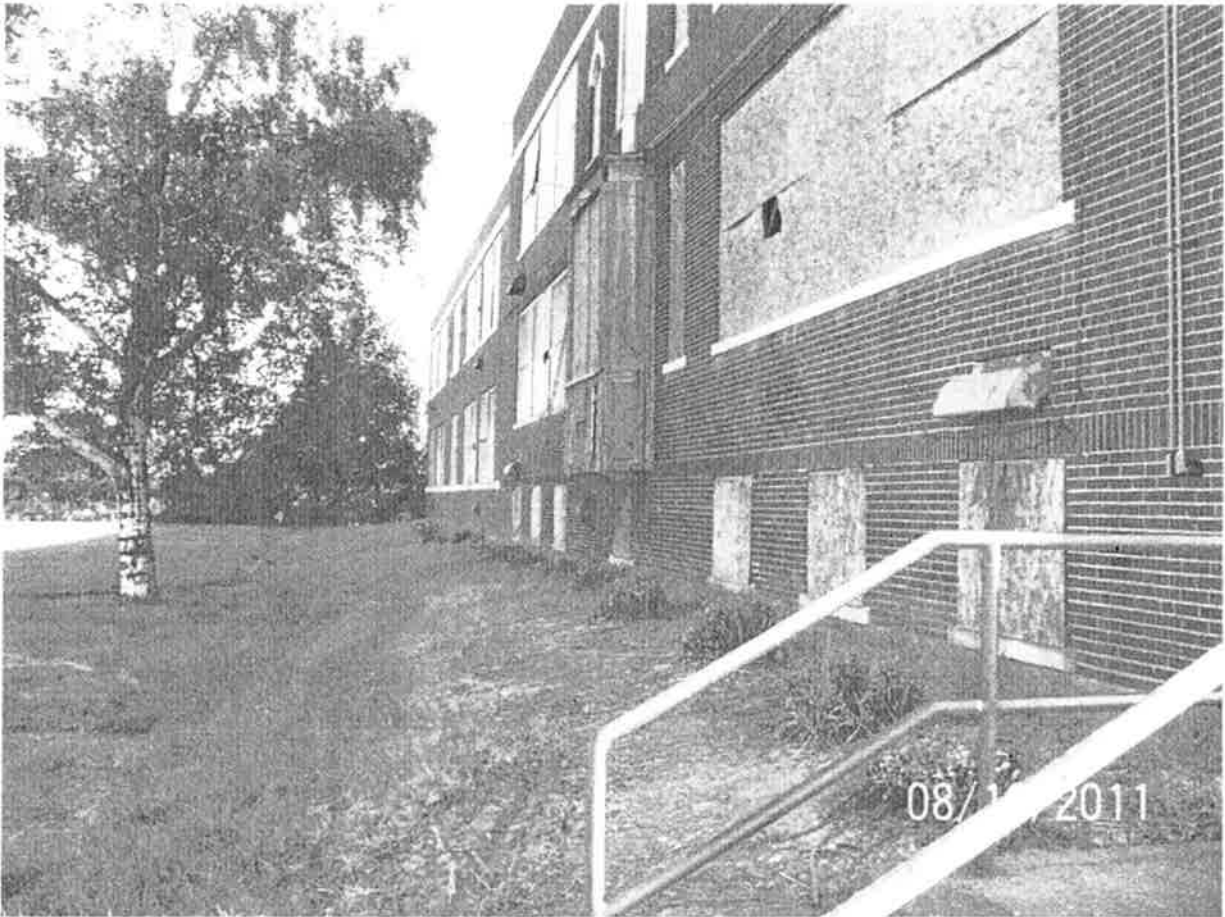


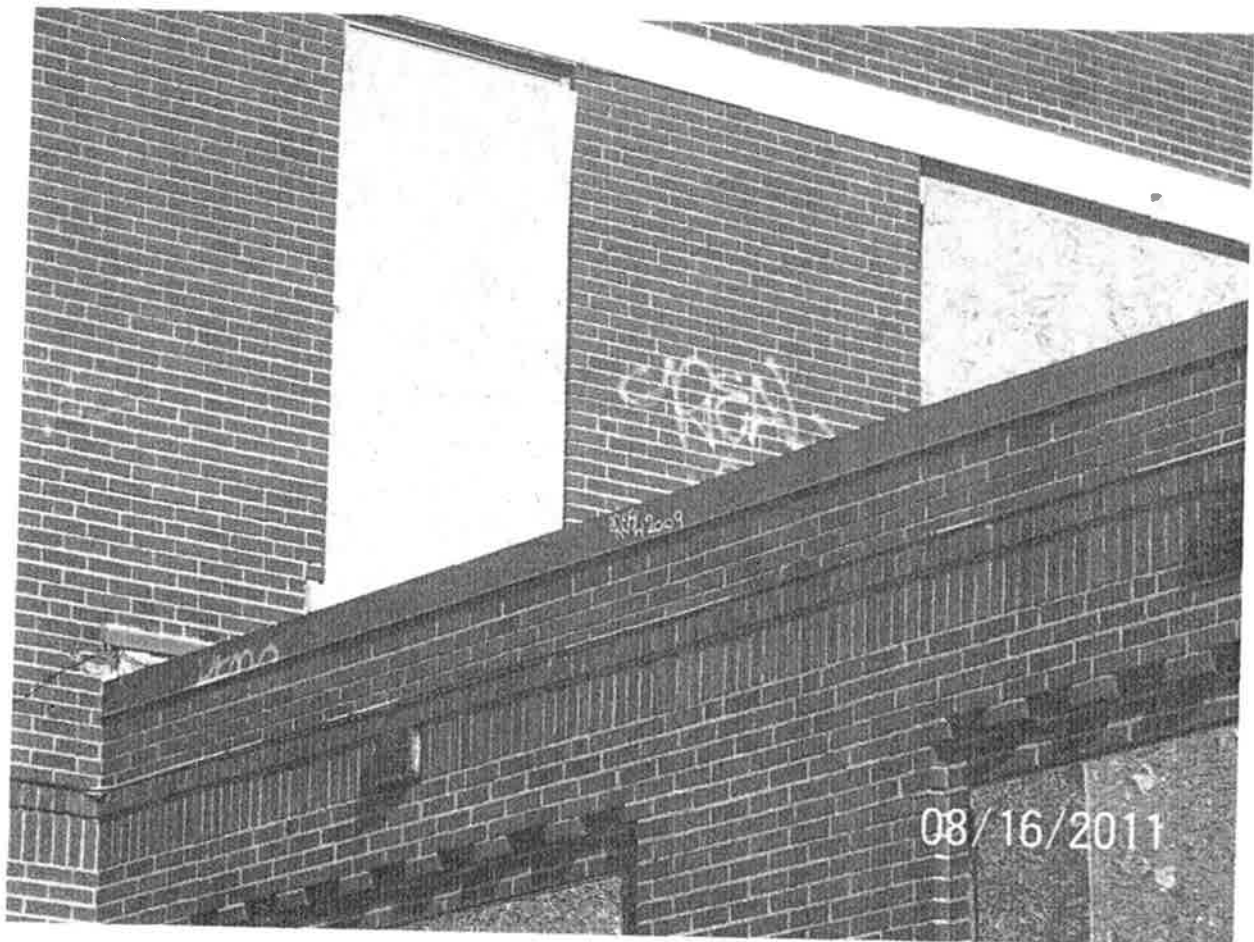
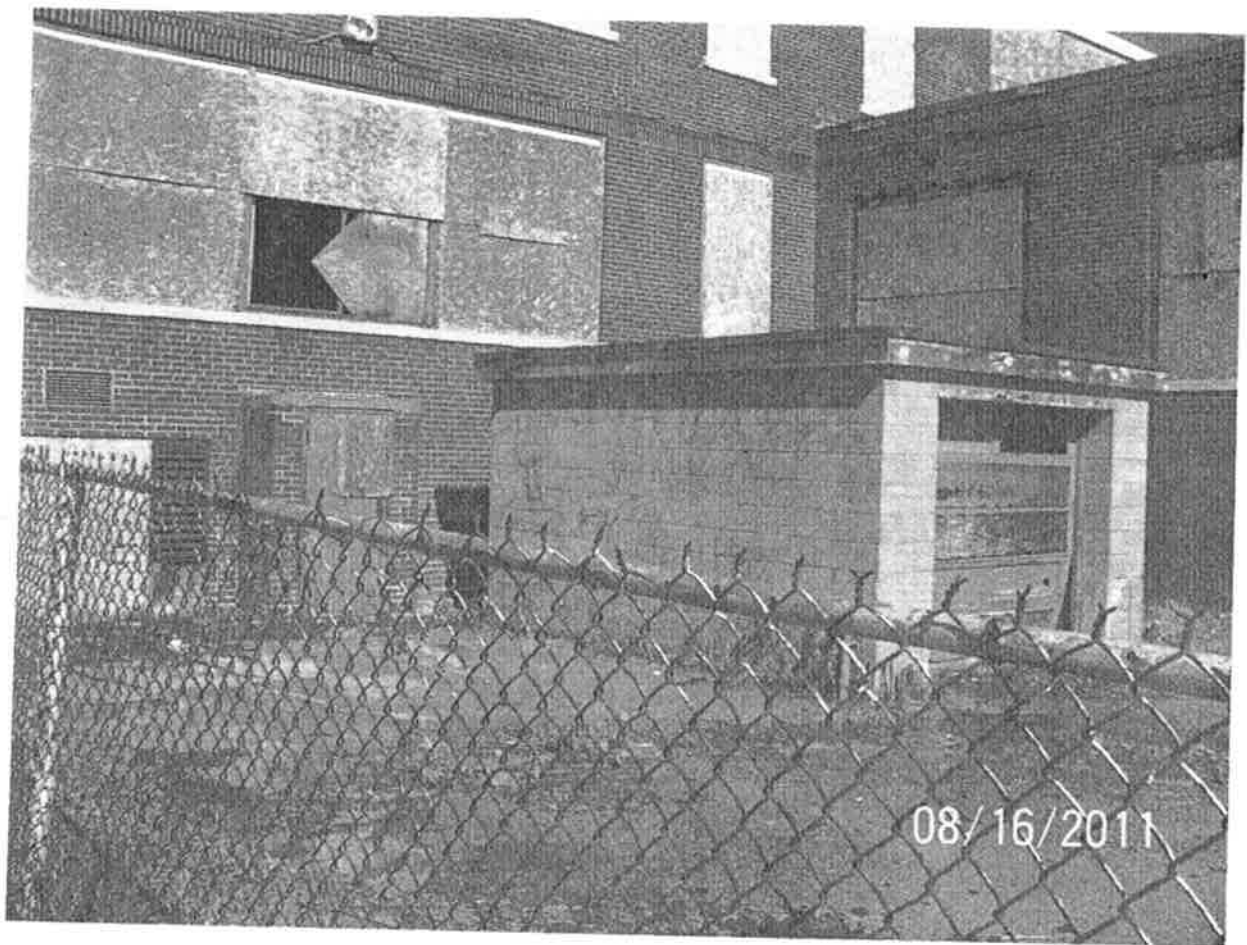














Town of Niagara
7105 Lockport Road
Niagara Falls, NY 14305
(716) 297-2150

387

Department of Inspections

Building Inspector
Charles E. Haseley

Assistant Building Inspector
Jeffrey M. Stahlman



Date of Notice
July 14, 2011

4185 Military Road, Inc.
PO Box 945
Hamburg, NY 14078

RE: Order to Demolish
Declaration of Unsafe Vacant Structure and Public Nuisance
4185 Military Road
Tax Map No. 131.14-2-17
Town of Niagara

Dear Sirs:

The structure known as 4185 Military Road is hereby declared an unsafe structure. This action has been taken for the following existing building defects/State and local violations as defined in Town of Niagara Code Chapter 121, §121-1 that make 4185 Military Road unsafe.

- Exterior vacant lot, to include court yard, playground area, parking lot area, dumpster enclosure has dried weeds, grasses, bushes, trees that is capable of being ignited and endangering property; a violation of the Fire Code of New York State Chapter 3, (general precautions against fire) 304 (combustible waste material) sub §304.1.1 (waste material) and §304.1.2 (vegetation unsafe) as defined by Town of Niagara Code Chapter 121, §121-1 (D), (I), (J);
- A window located to the rear, east side of the building is broken and has left the building unsecure, allowing for unauthorized entry; a violation of the Fire Code of New York State Chapter 3 (general precautions against fire) §311 (vacant premises), sub §311.2.1 (security), unsafe as defined by Town of Niagara Code Chapter 121, §121-1 (D), (E), (H), (I), (J);

- Fire alarm has been disabled prior to the building being removed of all combustible debris and materials, nor authorization by the authority having jurisdiction; a violation of the Fire Code of New York State Chapter 3 (general precautions against fire), §311 (vacant premises), sub §311.2.1 (fire protection) unsafe as defined by Town of Niagara Code Chapter 121, §121-1 (F), (G), (I), (J).
- Several exterior windows are broken. Shard's of glass are posed to fall; violation of the Property Maintenance Code of New York State Chapter 3, (general requirements) §304 (exterior structure), §304.13 and §304.13.1. Unsafe as defined by Town of Niagara Code Chapter 121, §121.1 (D), (E), (H), (I), (J)
- Interior staircase in need of repair (Fire Damage); a violation of the Property Maintenance Code of New York State Chapter 3 (general requirements), §305 (interior structure) sub §305.4. Unsafe as defined by Town of Niagara Code Chapter 121, §121-1 (D), (E), (G), (H), (I), (J).
- Exterior man doors and garage door in need of repair; a violation of the Property Maintenance Code Chapter 3, (general requirements), §304 (exterior structure) sub §304.2 (protective treatment). Unsafe as defined by Town of Niagara Code §121.1 (D), (E), (F), (G), (I), (J);
- The required emergency escape windows are not maintained; a violation of the Property Maintenance Code Chapter 7 (fire safety requirements), §702 (means of egress), sub §702.4 (emergency escape openings). Unsafe as defined by Town of Niagara Chapter 121, §121-1 (D), (E), (G), (I) (J);
- Required signage identifying fire department connection is not in place; a violation of the Fire Code of New York State Chapter 9 (fire protection systems), §912 (fire department connections), sub §912.2 (existing building). Unsafe as defined by Town of Niagara Code Chapter 121, §121-1 (D), (I), (J);
- Fire department connections obstructed by trees and bushes; a violation of the Fire Code of New York State Chapter 9 (fire protection systems), §912 (fire department connections), sub §912.3. Unsafe as defined by Town of Niagara Code Chapter 121, §121-1 (D), (I), (J);

- Storm drainage building gutters are in need of repair; a violation of the Property Maintenance Code of New York State Chapter 3 (general requirements), §304 (exterior structure), sub §304.7 (roofs and drainage). Unsafe as defined by Town of Niagara Code Chapter 121, §121-1 (J);
- Exterior brick joints in need of repointing in areas located under gutter termination; a violation of the Property Maintenance Code of New York State Chapter 3 (general requirements), §304 (exterior structures), sub §304.6 (exterior walls). Unsafe as defined by Town of Niagara Code Chapter 121, §121-1 (J);
- Roof over exterior east entrance is in need of repair; a violation of the Property Maintenance Code of New York State Chapter 3 (general requirements), §304 (structural members), sub §304.4 (structural members). Unsafe as defined by Town of Niagara Code Chapter 121, §121-1 (C), (D), (H), (I), (J);
- Front (west) of building has wooden addition that has been unprotected from the weather and has holes, missing boards, and not weather tight; a violation of the Property Maintenance Code of New York State Chapter 3 (general requirements), §304 (exterior structures), sub §304.6. Unsafe as defined by Town of Niagara Code Chapter 121, §121-1 (D), (H), (I), (J);
- Front (west) of building has metal lintels of several window spans that have become deteriorated to the point a visible sag of the brick work is evident with adjacent brick veneer cracking and separating out of mortar bed; a violation of the Property Maintenance Code of New York State Chapter 3 (general requirements), §304 (exterior structure), sub §304.4 (structural members). Unsafe as defined by Town of Niagara Code Chapter 121, §121-1 (H), (I), (J);
- East and west sides of structure have broken exterior light fixtures, and/or electrical conduit falling from walls; a violation of the Property Maintenance Code of New York State Chapter 6 (mechanical and electrical requirements), §604 (electrical fixtures), sub §604.3 (electrical system hazard). Unsafe as defined by Town of Niagara Code Chapter 121, §121-1 (D), (E), (H), (I), (J);
- East, west, and south of exterior walls contain graffiti; a violation of Town of Niagara Code Chapter 167, §167-3 (A). Unsafe as defined by Town of Niagara Code Chapter 121, §121-1 (J);

- South wall vent is missing cover; a violation of the Town of Niagara Zoning Ordinance Article XI (building property and maintenance), §245-50 (minimum standards), sub §245-50 B. (7). Unsafe as defined by Town of Niagara Code Chapter 121, §121-1 (J);
- Exterior yard and parking lot directly adjacent to structure has the following assortment of hazardous litter: numerous tires, combustible construction debris (tires, asphalt shingles, wood, and boards with exposed nails, broken glass); a violation of the Property Maintenance Code of New York State Chapter 3 (general requirements), §307 (rubbish and garbage), sub §307.1 (accumulation of rubbish or garbage);
- Plumbing system not maintained (no meter or supply); a violation of the Property Maintenance Code of New York State Chapter 5 (plumbing facilities and fixture requirements), §504 (plumbing systems and fixtures), sub §504.1 (general). Unsafe as defined by Town of Niagara Code Chapter 121, §121-1 (D), (E), (F), (I), (J);
- Structure has been allowed by the owner to continuously deteriorate to the aforementioned conditions. A building usage plan nor has a building permit been applied for to fix or repair these conditions, evidence of the numerous complaints lodged with the Town of Niagara police emergency responses to the property and violation letters sent to include emergency enclosures, this structure has been unattended for longer than five (5) years by the owner. Unsafe as defined per Town of Niagara Code Chapter 121, §121-1 (K).

4185 Military Road is hereby declared a public nuisance per Town of Niagara Code Chapter 121, §121-4 (declaration of public nuisance) and shall be demolished per Town of Niagara Code Chapter 121, §121-2 (building unsafe), §121-2 (standards for repair, vacation, or demolition), sub §121-2 (c).

A demolition permit shall be obtained from the Town of Niagara prior to commencement of work per Town of Niagara Code Chapter 121, §121-1 (D).

You are to demolish this unsafe structure within 30 days of the date of this notice as required by Town of Niagara Chapter 121, §121-5 (D).

Failure to comply with this order will result in the Town of Niagara taking any and all action within the law to gain compliance to include but not limited to those outlined in Chapter 121 of the Town of Niagara Code.

Should you or any of your agents have any questions pertaining to this matter, please do not hesitate to contact the undersigned.

Respectfully,



Charles E. Haseley
Building Inspector

9/9/11
Have it sound up all
windows & doors

Cc: Steven C. Richards, Supervisor
Town of Niagara Attorney

Tax ID 131.014-0002-017.00000	Owner 4185 MILITARY ROAD INC	Print Key 131.14-2-17	
Street Address 4185 MILITARY RD	Co Owner	Municipality Town of NIAGARA	SWIS CODE 293000
Mailing Address PO BOX 945 HAMBURG, NY 14078	Subdivision / Cross Street	Property Description SCHOOL Use Code 612	

Year Built 0	Heat	# of Bedrooms 0.0	Sq. Footage 24,272	# of Stories 2
House Type	Fuel	# of Baths 0.0	1st Floor SQFT 0	# Res. Units 0
Basement	Water PUBLIC		2nd Floor SQFT 0	# of Buildings 2
Exterior	Sewer PUBLIC	# of Fireplaces 0	Base SQFT 6,702	# of Garages 0
	Central Air			Story Height 12

Assessment	\$250,900	School	NI-WHEAT	North	1138696
Land Value	\$90,200	School Tax	\$1,879.00	East	1036987
Equalization Value 100%	\$181,800			Latitude	43.1244109
Account #	0	County Tax	\$1,347.00	Longitude	-79.000262

Improvements

Improvement Type	Dimensions	SQ. Feet	Year	Improvement Type	Dimensions	SQ. Feet	Year
# 1 GAR,1.0 DET	192 X 0	192	1960	# 3	0 X 0	0	
# 2	0 X 0	0		# 4	0 X 0	0	

Land Characteristics	Total Acres 4.10	Land SQ FT 178,596	Lot Size 0 X 0
-----------------------------	-------------------------	---------------------------	-----------------------

Primary 4.10	Secondary	Leased 4.10	Undeveloped	Wooded
Wetlands	Water Front	Residual	Tillabe	Pasture
Waste	Muck	Orchards	Vineyards	Rear

Sales History

Grantor	Sale Price	Sale Date	Deed Book	Deed Page	Deed Valid	Deed Type	ARMS Length
FARKAS BROS.	70,000	03/04/2003	3229	520			
FARKAS BROS	70,000	03/04/2003	3229	520	1		N

Notes

APPENDIX 7

User Interview

Olympic Towers, 300 Pearl Street, Suite 130 | Buffalo, NY 14202 | p 716.551.6281 | f 716.551.6282 | www.labellapc.com

USER QUESTIONNAIREProject No. _____ Date: 11/17/15
Site Name/ Address: Former Military Road School, Wheatfield, NY

In order to qualify for one of the *Landowner Liability Protections (LLPs)* offered by the Small Business Liability Relief and Brownfields Revitalization Act of 2001 (the "*Brownfields Amendments*"), the *user* must conduct the following inquiries required by 40 CFR 312.25, 312.28, 312.29, 312.30, and 312.31. These inquiries must be conducted by EPA Brownfield Assessment and Characterization grantees. The *user* should provide the following information to the *Environmental Professional*. Failure to conduct these inquiries could result in a determination that "*all appropriate inquiries*" is not complete.

User (Print Name): Amy E. FiskTitle: Senior PlannerSignature: Information regarding these questions was obtained from the following parties (if applicable): N/APurpose of this Assessment: ☐ Selling the *property* ☐ Purchasing the *property* ☐ Construction loan
☐ Re-financing the *property* ☒ Other (explain): Determine environmental conditions prior to property redevelopment**1. Title Records**

Land title records (or judicial records where appropriate, see Note 1 below) are filed under federal, tribal, state or local law and should be reviewed to identify environmental liens or activity and use limitations (AULs), if any, that are currently recorded or filed against the *property*. Are land title records available for review? ☒ No ☐ Yes (If yes, please provide.) ☐ Unknown

Note 1 – In certain jurisdictions, federal, tribal, state, or local statutes, or regulations specify that environmental liens and AULs be filed in judicial records rather than in land title records. In such cases, judicial records must be searched for environmental liens and AULs.

2. Environmental liens that are filed or recorded against the *property* (40 CFR 312.25)

Did a search of *recorded land title records* (or judicial records where appropriate, see Note 1 above) identify any environmental liens filed or recorded against the *property* under federal, tribal, state or local law?

☐ No ☐ Yes ☒ Unknown

Based on review of readily available information: _____

3. Activity and land use restrictions (AULs) that are in place on the *property* or that have been filed or recorded against the *property* (40 CFR 312.26(a)(1)(v) and (vi))

Did a search of *recorded land title records* (or judicial records where appropriate, see Note 1 above) identify any AULs, such as *engineering controls*, land use restrictions, or *institutional controls* that are in place at the *property* and/or have been filed or recorded against the *property* under federal, tribal, state, or local law?

☐ No ☐ Yes ☒ Unknown

Based on review of readily available information: _____

4. **Specialized knowledge or experience of the person seeking to qualify for the LLP (40 CFR 312.28)**
Do you have any specialized knowledge or experience related to the *property* or nearby properties? For example, are you involved in the same line of business as the current or former *occupants* of the *property* or and *adjoining property* so that you would have specialized knowledge of the chemicals and processes used by this type of business?
☒No ☐Yes ☐Unknown
Based on review of readily available information: _____

5. **Relationship of the purchase price to the fair market value of the *property* if it were not contaminated (40 CFR 312.29)**
Does the purchase price being paid for this *property* reasonably reflect the fair market value of the *property*?
☐No ☐Yes ☐Unknown ☒N/A- there is no transfer of ownership
If you conclude that there is a difference, have you considered whether the lower purchase price is because contamination is known or believed to be present at the *property*?
☐No ☐Yes ☐Unknown
Based on review of readily available information: _____

6. **Commonly known or *reasonably ascertainable* information about the *property* (40 CFR 312.30)**
Are you aware of any commonly known or *reasonably ascertainable* information about the *property* that could help the *Environmental Professional* to identify conditions indicative of releases or threatened releases? For example:
(a) Do you know of the past uses of the *property*?
☐No ☒Yes ☐Unknown
Based on review of readily available information: Site was formerly used as a school.

(b) Do you know of specific chemicals that are present or once were present at the *property*?
☒No ☐Yes ☐Unknown
Based on review of readily available information: _____

(c) Do you know of spills or other chemical releases that have taken place at the *property*?
☒No ☐Yes ☐Unknown
Based on review of readily available information: _____

(d) Do you know of any environmental cleanups that have taken place at the *property*?
☒No ☐Yes ☐Unknown
Based on review of readily available information: _____

7. **The degree of obviousness of the presence or likely presence of contamination at the *property*, and the ability to detect the contamination by appropriate investigation (40 CFR 312.31)**
Based on your knowledge and experience related to the *property*, are there any *obvious* indicators that point to the presence or likely presence of releases at that *property*?
☐No ☐Yes ☒Unknown
Based on review of readily available information: _____

APPENDIX 8

Previous Study



Aurora Environmental LLC

1850 Davis Road
West Falls NY 14170

June 5, 2015

Mr. Dave Tosetto
David Communities LLC
30 Carrollwood Court
Youngstown, NY 14174

**Re: Pre-demolition Asbestos Inspection
4185 Military Road
Niagara Falls, NY 14728**

Dear Mr. Tosetto:

Enclosed please find a copy of the Pre-Demolition Asbestos Inspection report for the above-referenced property.

Per New York State Asbestos Survey Requirements (12NYCRR Part 56-5.1g), it is required that this pre-demolition survey be sent to the local Asbestos Control Bureau district office. The Asbestos Control Bureau district office is located at 65 Court Street - Rm. 405, Buffalo, NY 14202. Aurora Environmental LLC has transmitted a copy to this office on your behalf. A copy will need to be provided to any local government entity charged with issuing a work permit. A copy of this survey shall also be kept on the construction site throughout the duration of the asbestos project.

If after reviewing this report you have any questions, or if we can be of assistance in any other way, please do not hesitate to call.

Sincerely,

John Pusztay

Aurora_Env@roadrunner.com
716-655-5800

Summary Tabulation

Pre-Demolition Asbestos Inspection

1. Introduction
2. Methodology
3. Executive summary
- 3A. Suspect asbestos-containing materials
- 3B. Asbestos-containing materials

Appendices

- A General conditions of inspection
- B Certifications and licenses
- C Laboratory reports and chains of custody
- D Asbestos sample floor plans

1 Introduction

Aurora Environmental LLC (Aurora) was retained by David Communities LLC to perform a Pre-Demolition Asbestos Inspection of 4185 Military Road, Niagara Falls, NY. The property is a former 3 story school building with an approximate 13,000 square foot footprint.

Although the report is a comprehensive analysis of the asbestos inspection work performed, it would be helpful to review all applicable federal, state and local rules, laws and regulations regarding the handling and treatment of asbestos containing building materials (ACBM). The following is a list of suggested reading and information sources relating to asbestos:

- * New York State Department of Labor Industrial Code Rule 56
- * National Emission Standard for Hazardous Air Pollutants (NESHAPS)
- * Occupational Safety and Health Administration
- * Environmental Protection Agency rule CFR 763.46 Asbestos Hazard Emergency Response Act

2 Methodology

All work performed by Aurora was conducted in accordance with applicable regulations including New York State Department of Labor standards 12 NYCRR Part 56, National Emission Standards for Hazardous Air Pollutants (NESHAPS), and Occupational Safety and Health Administration regulations. All Aurora personnel assigned to conduct inspections have completed the Environmental Protection Agency (EPA) required training and New York State Department of Labor Division of Safety and Health certification program.

Based on the homogeneous areas, samples of suspect materials were collected and transported to a NYS DOH ELAP accredited laboratory for analysis.

Samples were analyzed using Polarized Light Microscopy (PLM) in accordance with NYS DOH ELAP Item #198.1 or #198.6. For materials classified as non-friable organically bound materials (NOBs) that were analyzed as equal to or less than 1% asbestos by PLM, additional analysis was performed under Transmission Electron Microscopy (TEM) in accordance with NYS DOH ELAP Item #198.4. The results of this analysis confirmed whether or not a suspect material actually contained asbestos. The confirmed materials are listed in **SECTION 3 Executive Summary**.

3. Executive summary

The pre-demolition asbestos survey included identification, quantification, assessment for condition, sampling and analysis of suspect asbestos containing materials within 4185 Military Road Niagara Falls, NY.

The summary of all suspect materials are reported in **3A**. Confirmed or assumed asbestos containing materials are reported in **3B**. Copies of all laboratory analysis reports and chains of custody listing locations of sample collection are located in **Appendix C**.

3A. Suspect asbestos-containing materials

The inspection was conducted on May 12, and 14, 2015. The following materials were observed and assessed as part of this inspection:

HAN Number	Description
100A/B	Plaster skim/ base
101A/B	Drywall/ joint compound
102	Mastic behind waterproof Masonite
103	Black vapor barrier- exterior walls
104	Chalkboard mastic - slate
105AB	Carpeted wallcovering mastic
106	Ceramic tile mastic
107	Paneling mastic
108	Non-slate chalkboard and bulletin board mastic
200AB	Plastic skim / base
201	1 x 1 ceiling tile smooth mastic pucks
202	2 x 4 ceiling tile dot and fissure
204	2 x 2 ceiling tile dot and fissure
205	1 x 1 ceiling tile hole with mastic
206	Drywall and joint compound
300	Yellow carpet mastic
301	Asphalt sub floor
303	Terrazzo beige aggregate
304	Terrazzo gold aggregate
305	9 x 9 floor tile - tan with black streak
306	9 x 9 floor tile - green with cream streak
307	Black mastic of 9 x 9
308	9 x 9 floor tile - blue- light and dark
309	9 x 9 floor tile - red with white streak
310	Terrazzo - white and black
311	Terrazzo - red and black
312	Stair tread mastic
313	Base cove mastic- black
314	Terrazzo - grey and black
315	Vapor barrier under gym floor

316	12 x 12 floor tile - white and tan mottled and mastic
317	9 x9 floor tile - grey with blue and white stripe
318	Terrazzo- green and black
400	Mudded joint fittings
401	Mag pipe insulation
402	Air cell pipe insulation
500AB	Chimney patch at duct- white and grey
501	Incinerator cement liner
600	Cloth wire insulation
700	Caulk- gray
701	Perlite board
702	Flashing cement
703	Flashing
704	Built-up roof

3B. Asbestos-containing materials

Analysis of these materials under Polarized Light Microscopy, and where necessary Transmission Electron Microscopy revealed the following as asbestos containing materials (ACM). Copies of all laboratory analysis reports and chains of custody listing locations of sample collection are located in **Appendix C**:

HAN	Material	Location*	Quantity	Condition	Friability
102	Mastic behind waterproof Masonite	10, 39	128 SF	Intact	Non-friable
103	Black vapor barrier-exterior walls	Applied to interior surface of exterior walls, concealed behind plaster	14,640 SF	Intact	Non-friable
305 306 307 308 309 317	9X9 floor tile and associated mastic	B-4, B-5, B-6, B-7, B-8, B-9, B-10, B-12, B-13, B-14, B-15, 10, 12, 13, 16, 17, 27, 32, 33, 34	9025 SF	Damaged to Significantly damaged	Non-friable
316	12 x 12 floor tile - white and tan mottled and mastic	9, 11	1500 SF	Damaged	Non-friable
400	Mudded joint fittings**	B-1, B-2, B-3, B-4, B-6, B-9, B-11, B-14, 10, 12, 13, 16, 17, 19, 23	345 LF	Damaged	Friable
401	Mag pipe insulation	9	24 LF	Intact	Friable
402	Air cell pipe insulation	B-1, B-3, B-4, B-11, B-14, B-15, 12, 13, 16, 17	650 LF	Damaged to Significant Damage	Friable
500AB	Chimney patch at duct-white and grey	B-1	2 SF	Intact	Friable
502	Boiler – internal components**	B-1	40 SF	Intact	Friable
700	Caulk- gray	Windows, vents, and building joints	100 SF	Intact	Non-friable
702/703	Flashing/Fashing cement	Roof perimeter, curbs and penetrations	1100 SF	Intact	Non-friable

* Refer to Appendix D for enumeration of spaces

** Material was not analyzed and is assumed asbestos containing material

Appendix A General conditions of inspection

1. This inspection was limited to those areas presented to Aurora's personnel by client representatives. Aurora Environmental LLC neither accepts nor implies any liability for ACBM that may be present between walls, floors or interstitial areas not readily accessible to our personnel. No subterranean investigation was conducted as part of this inspection. Should additional suspect materials be discovered during demolition, these materials should immediately be assessed for asbestos content prior to disturbance.
2. The results of the laboratory analytical reports that may be contained herein are the product of the knowledge, experience and expertise of the laboratory retained to perform such services.
3. Aurora Environmental LLC neither accepts nor implies any liability for the implementation of the recommendations found within this report.
4. Aurora Environmental LLC cannot be held responsible or liable for the misrepresentation of fact, misstatements or withholding of relevant information of those parties interviewed during this inspection.
5. This report is based on the condition and contents present at the site on the day of the inspection.

Appendix B Certifications and licenses

New York State – Department of Labor

Division of Safety and Health
License and Certificate Unit
State Campus, Building 12
Albany, NY 12240

ASBESTOS HANDLING LICENSE

Aurora Environmental LLC

1850 Davis Road

West Falls, NY 14170

FILE NUMBER: 13-70444

LICENSE NUMBER: 70444

LICENSE CLASS: RESTRICTED

DATE OF ISSUE: 02/25/2015

EXPIRATION DATE: 02/28/2016

Duly Authorized Representative – John Pusztay:

This license has been issued in accordance with applicable provisions of Article 30 of the Labor Law of New York State and of the New York State Codes, Rules and Regulations (12 NYCRR Part 56). It is subject to suspension or revocation for a (1) serious violation of state, federal or local laws with regard to the conduct of an asbestos project, or (2) demonstrated lack of responsibility in the conduct of any job involving asbestos or asbestos material.

This license is valid only for the contractor named above and this license or a photocopy must be prominently displayed at the asbestos project worksite. This license verifies that all persons employed by the licensee on an asbestos project in New York State have been issued an Asbestos Certificate, appropriate for the type of work they perform, by the New York State Department of Labor.



Eileen M. Franko, Director
For the Commissioner of Labor



EYES BLU
HAIR BRO
HGT 6' 04"

IF FOUND RETURN TO:
NYSDEL - L&C UNIT
ROOM 161A BUILDING 12
STATE OFFICE CAMPUS
ALBANY NY 12240

STATE OF NEW YORK - DEPARTMENT OF LABOR
ASBESTOS CERTIFICATE

N.Y.S.



JOHN R PUSZTAY
CLASS(EXPIRES)

C ATEC(07/15) D INSP(07/15)
E MGPL(07/15) G SUPR(07/14)
H PM (07/15) I PD (07/15)

CERT# 92-19506
OMV# 205943614

MUST BE CARRIED ON ASBESTOS PROJECTS

STATE OF NEW YORK - DEPARTMENT OF LABOR
ASBESTOS CERTIFICATE



DEBRA L ALDERMAN
CLASS(EXPIRES)
C ATEC(10/15) D INSP(10/15)
H PM (10/15)

CERT# 14-07972
DMV# 151510625

MUST BE CARRIED ON ASBESTOS PROJECTS



EYES BLU
HAIR BLN
HGT 5' 02"

IF FOUND RETURN TO:
NYSOL - L&C UNIT
ROOM 161A BUILDING 12
STATE OFFICE CAMPUS
ALBANY NY 12240

STATE OF NEW YORK - DEPARTMENT OF LABOR
ASBESTOS CERTIFICATE



CRAIG S LIBGLID
CLASS(EXPIRES)
C ATEC(09/15) D INSP(09/15)
H PM (09/15)

CERT# 09-21321
DMV# 597486205

MUST BE CARRIED ON ASBESTOS PROJECTS

IF FOUND RETURN TO:

NYSDOL - L&C UNIT

ROOM 161A BUILDING 12

STATE OFFICE CAMPUS

ALBANY NY 12240

EYES BLK

HAIR BLK

HGT 5' 07"

01213 000307971 28



NEW YORK STATE DEPARTMENT OF HEALTH
WADSWORTH CENTER



Expires 12:01 AM April 01, 2016
Issued April 01, 2015

CERTIFICATE OF APPROVAL FOR LABORATORY SERVICE

Issued in accordance with and pursuant to section 502 Public Health Law of New York State

MS. RHONDA R. MCGEE
EMSL ANALYTICAL INC
490 ROWLEY ROAD
DEPEW, NY 14043

NY Lab Id No: 11606

*is hereby APPROVED as an Environmental Laboratory for the category
ENVIRONMENTAL ANALYSES SOLID AND HAZARDOUS WASTE
All approved subcategories and/or analytes are listed below:*

Miscellaneous

Asbestos in Friable Material	Item 198.1 of Manual EPA 600/M4/82/020
Asbestos in Non-Friable Material-PLM	Item 198.6 of Manual (NOB by PLM)
Asbestos in Non-Friable Material-TEM	Item 198.4 of Manual

Serial No.: 52441

Property of the New York State Department of Health. Certificates are valid only at the address shown, must be conspicuously posted, and are printed on secure paper. Continued accreditation depends on successful ongoing participation in the Program. Consumers are urged to call (518) 485-5570 to verify the laboratory's accreditation status.

Appendix C

Laboratory reports and chains of custody



Aurora Environmental LLC

1850 Davis Road, West Falls, NY 14170

716-655-5800

www.auroraenviro.com

141501921

Bulk Sample

Chain of Custody

Client Name/Contact: David Communities, L.L.C. / Danielle WinkClient Address 30 Cornwallwood CourtYoungstown, NY 14174

Site Address _____

Date 5/14/2015Job# AE-381Analysis Requested PLM / TEM# of Samples 10TAT 1 weekPage 1 of 1

Sample ID#			Description	Sample Location	Notes
Date	HAN	#			
5-14-15	700	1	Caulk - ^(DA) black-gray	Ext / Front Wall	
5-14-15	700	2	Caulk - ^(DA) black-gray	Window / So. Stair	
5-14-15	701	1	Perlite Board	Lower ^(DA) Roof	
5-14-15	701	2	Perlite Board	Upper Roof	
5-14-15	702	1	Flashing Cement	Lower Roof	
5-14-15	702	2	Flashing Cement	Upper Roof	
5-14-15	703	1	Flashing	Lower Roof	
5-14-15	703	2	Flashing	Upper Roof	
5-14-15	704	1	Built-Up Roof	Lower Roof	
5-14-15	704	2	Built-Up Roof	Upper Roof	

Notes and special instruction:

Deb Alderman

Sampled by: print

John Pucity

Relinquished by: print

SShera W.

Received by: print

Signature

Signature

Signature

5-14-15

Date

5-16-15

Date

5/16/15 10:15AM

Date



Aurora Environmental LLC

1850 Davis Road, West Falls, NY 14170

716-655-5800

www.auroraenviro.com

141501920

Bulk Sample

Chain of Custody

Client Name/Contact: David Communities, L.L.C. / Danielle WinkClient Address 30 Carrollwood Court,
Youngstown, NY 14174Site Address 4185 Military Rd., Niagara Falls, NY

5/12/2015

Date

AE381

Job#

PLM/TEM

Analysis Requested

74

of Samples

1 week

TAT

Page 1 of 5

Sample ID#			Description	Sample Location	Notes
Date	HAN	#			
5-12-15	100A	1	Wall plaster - Base	Rm 32	
5-12-15	100A	2	Wall plaster - Base	2 nd Fl. Hall	
5-12-15	100A	3	Wall plaster - Base	Rm 17	
5-12-15	100A	4	Wall plaster - Base	So. Stair Bsmnt	
5-12-15	200A	1	Ceiling plaster - Base	2 nd Fl. Hall	
5-12-15	200A	2	Ceiling plaster - Base	1 st Fl. Hall	
5-12-15	200A	3	Ceiling plaster - Base	Stage	
5-12-15	100B	1	Wall plaster - skim coat	Rm 32	
5-12-15	100B	2	Wall plaster - skim coat	2 nd Fl. Hall	
5-12-15	100B	3	Wall plaster - skim coat	Rm 17	
5-12-15	100B	4	Wall plaster - skim coat	So. Stair Bsmnt	
5-12-15	200B	1	Ceiling plaster - skim coat	2 nd Fl. Hall	
5-12-15	200B	2	Ceiling plaster - skim coat	1 st Fl. Hall	
5-12-15	200B	3	Ceiling plaster - skim coat	Stage	
5-12-15	101A	1	Dry wall	Rm 39	

Notes and special instruction:

Positive step by HAN#

100 + 260 Homogenous

Sampled by: print

Relinquished by: print

Received by: print

Signature

Signature

Signature

5-12-2015

Date

5-16-2015

Date

5/16/15 10:15AM

Date



Aurora Environmental LLC

1850 Davis Road, West Falls, NY 14170

716-655-5800

www.auroraenviro.com

141501920

Bulk Sample

Chain of Custody

Client Name/Contact: David Communities, L.L.C. / Danielle WinkClient Address 30 Carrollwood CourtYoungstown, NY 14174Site Address 4185 Military Rd. Niagara Falls, NY5-12-2015
DateAE-381
Job#PLM/TEM
Analysis Requested74
of Samples1 week
TAT

Page 2 of 5

Sample ID#			Description	Sample Location	Notes
Date	HAN	#			
5-12-15	101A	2	Org wall	Rm B-4	
5-12-15	101B	1	Joint compound	Rm B-4	
5-12-15	101B	2	Joint compound	Rm B-4	
5-12-15	102	1	Mastic behind ^{waterproof} masonite	Rm 39	N
5-12-15	102	2	Mastic behind ^{waterproof} masonite	Rm 10	↓
5-12-15	103	1	Black Vapor Barrier	Rm 26	
5-12-15	103	2	Black Vapor Barrier	Rm 16	
5-12-15	104	1	slate Chalkboard Mastic	Rm 37	
5-12-15	104	2	slate Chalkboard Mastic	Rm 40	
5-12-15	105A	1	Wall covering Carpeted Sound - Backer	Rm 25	
5-12-15	105B	1	Carpeted Wall covering - Mastic	Rm 25	
5-12-15	105A	2	Carpeted Wall covering - Backer	Rm 16	
5-12-15	105B	2	Carpeted Wall covering Mastic	Rm 16	
5-12-15	106	1	Ceramic tile Mastic	Rm 17	Bthrm
5-12-15	106	2	Ceramic tile Mastic	Rm B-9	Bthrm

Notes and special instruction:

Positive stop by HAN #

Deb Alderman

Sampled by: print

John Puszy

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Signature

Signature

5-12-2015

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Date

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sample
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SNS
5/15/15



Aurora Environmental LLC

1850 Davis Road, West Falls, NY 14170

716-655-5800

www.auroraenviro.com

141501920

Bulk Sample

Chain of Custody

Client Name/Contact: David Communities, L.L.C. / Danielle WinkClient Address 30 Carrollwood CourtYoungstown, NY 14174Site Address 4185 Military Rd., Niagara Falls, NY5/12/2015
DateAE-381
Job#PLM/TEM
Analysis Requested74
of Samples1 week
TAT

Page 3 of 5

Sample ID#			Description	Sample Location	Notes
Date	HAN	#			
5-12-15	107	1	Paneling Mastic	Rm B-10	
5-12-15	107	2	Paneling Mastic	Rm B-10	
5-12-15	108	1	Non-slate Chalkboard/ Bulletin Board Mastic	Rm 27	
5-12-15	108	2	Non-slate Chalkboard/ Bulletin Board Mastic	Rm 17	
5-12-15	201	1	1'x1' C.Tile/smooth-Mastic	2 nd Fl. Hall	
5-12-15	201	2	1'x1' C.Tile/smooth-Mastic	1 st Fl. Hall	
5-12-15	202	1	2'x4' C.Tile/Dot + Fissure	Rm 39	
5-12-15	202	2	2'x4' C.Tile/Dot + Fissure	Rm 39	
5-12-15	204	1	2'x2' C.Tile/Dot + Fissure	Rm B-5	
5-12-15	204	2	2'x2' C.Tile/Dot + Fissure	Rm B-5	
5-12-15	205A	1	1'x1' C.Tile/Notes	Gym	
5-12-15	205B	1	1'x1' C.Tile/Notes - Mastic	Gym	
5-12-15	205A	2	1'x1' C.Tile/Notes	Rm B-6	
5-12-15	205B	2	1'x1' C.Tile/Notes - Mastic	Rm B-6	
5-12-15	300	1	Yellow Carpet Mastic	2 nd Fl. Hall	

Notes and special instruction:

Positive stop by HAN #

Deb Alderman

Sampled by: print

Signature

5-12-2015

Date

John Puschy

Relinquished by: print

Signature

5-16-2015

Date

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Date



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Bulk Sample

Chain of Custody

Client Name/Contact: David Communities, L.L.C. / Danielle Wink
 Client Address 30 Carrollwood Court
Youngstown, NY 14174
 Site Address 4185 Military Rd., Niagara Falls, NY

5/12/2015 AE-381 PLM/TEM 74 1 week
 Date Job# Analysis Requested # of Samples TAT Page 4 of 5

Sample ID#			Description	Sample Location	Notes
Date	HAN	#			
5-12-15	300	2	Yellow Carpet Mastic	Rm 23	
5-12-15	301	1	Asphalt sub floor	Rm 38	
5-12-15	301	2	Asphalt sub floor	Rm 40	
5-12-15	304	1	Terrazo - Gold	Rm 39	F
5-12-15	314	2	Terrazo - Gray/Black	Rm 19	F
5-12-15	307	1	9x9 Fl. Tile Mastic	Rm 32	
5-12-15	307	2	9x9 Fl. Tile Mastic	Rm 27	
5-12-15	312	1	Stairtread Mastic	So. Stairs	
5-12-15	312	2	Stairtread Mastic	So. Stairs	
5-12-15	313	1	Cove Base - Black Mastic	So. Stair / 1st Fl.	
5-12-15	313	2	Cove Base - Black Mastic	Rm 18	
5-12-15	315	1	Vapor Barrier Gym Fl.	Gym	
5-12-15	315	2	Vapor Barrier Gym Fl.	Gym	
5-12-15	316	1	12'x12' Fl. Tile / white + Brown	Rm 9	
5-12-15	316	2	12'x12' Fl. Tile / white + Brown Mastic	Rm 9	

Notes and special instruction:

Positive Stop by HAN #

Deb Alderman
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John Pushty
 Relinquished by: print

SS15000 W1
 Received by: print

[Signature]
 Signature

[Signature]
 Signature

[Signature]
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5-12-2015
 Date

5-16-15
 Date

5/16/15 10:15AM
 Date



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141501920
Bulk Sample

Chain of Custody

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5/12/2015

Date

AE-381

Job#

PLM/TEM
Analysis Requested74
of Samples1 week
TAT

Page 5 of 5

Sample ID#			Description	Sample Location	Notes
Date	HAN	#			
5-12-15	400	1	Mud Elbow	Rm 22	F
5-12-15	400	2	Mud Elbow	Rm 23	
5-12-15	400	3	Mud Elbow	B-1	Boiler Rm
5-12-15	401	1	Mag. Pipe Insul.	Rm 9	
5-12-15	401	2	Mag. Pipe Insul.	Rm 9	
5-12-15	401	3	Mag. Pipe Insul.	Rm 9	
5-12-15	500A	1	Chimney Patch at Duct/white	Rm B-1	F
5-12-15	500A	2	Chimney Patch at Duct/white	Rm B-1	
5-12-15	500B	1	Chimney Patch at Duct/Grey	Rm B-1	
5-12-15	500B	2	Chimney Patch at Duct/Grey	Rm B-1	
5-12-15	501	1	Incinerator Liner	Rm B-1	
5-12-15	501	2	Incinerator Liner	Rm B-1	
5-14-15	600	1	Cloth wrapped wire	1 st Fl. Hall	
5-14-15	600	2	Cloth wrapped wire	1 st Fl. Hall	

Notes and special instruction:

Positive stop by HAN #

Deb Alderman

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John Pinsky

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S. Stend W.

Received by: print

Signature

Signature

5-12-2015

Date

5-16-2015

Date

5/16/15 10:15AM

Date

**EMSL Analytical, Inc.**

490 Rowley Road, Depew, NY 14043

Phone/Fax: (716) 651-0030 / (716) 651-0394

<http://www.EMSL.com>buffalolab@emsl.com

EMSL Order: 141501920

CustomerID: AEVT25

CustomerPO:

ProjectID:

Attn: **John Pusztay**
Aurora Environmental LLC
1850 Davis Rd.
West Falls, NY 14170

Phone: (716) 982-3031
Fax:
Received: 05/16/15 10:15 AM
Analysis Date: 5/20/2015
Collected: 5/12/2015

Project: 4185 Military Rd. Niagara Falls, NY

Test Report: Asbestos Analysis of Bulk Materials by PLM via the NY State ELAP 198.1 Method

Sample	Description	Appearance	Non-Asbestos		Asbestos
			% Fibrous	% Non-Fibrous	% Type
5-12-15-100A-1 141501920-0001	rm 32 - wall plaster, base	Gray/White Non-Fibrous Heterogeneous		100.00% Non-fibrous (other)	None Detected
5-12-15-100A-2 141501920-0002	2nd fl hall - wall plaster, base	Gray/White Non-Fibrous Heterogeneous		100.00% Non-fibrous (other)	None Detected
5-12-15-100A-3 141501920-0003	rm 17 - wall plaster, base	Gray/White Non-Fibrous Heterogeneous		100.00% Non-fibrous (other)	None Detected
5-12-15-100A-4 141501920-0004	so. stair basement - wall plaster, base	Brown/White Non-Fibrous Heterogeneous		100.00% Non-fibrous (other)	None Detected
5-12-15-200A-1 141501920-0005	2nd fl hall - ceiling plaster, base	Gray/White Non-Fibrous Heterogeneous		100.00% Non-fibrous (other)	None Detected
5-12-15-200A-2 141501920-0006	1st fl hall - ceiling plaster, base	Gray/White Non-Fibrous Heterogeneous		100.00% Non-fibrous (other)	None Detected
5-12-15-200A-3 141501920-0007	stage - ceiling plaster, base	Gray Non-Fibrous Homogeneous		100.00% Non-fibrous (other)	None Detected

Analyst(s)

Shauna Strnad (31)

Rhonda McGee, Laboratory Manager
or other approved signatory

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Samples analyzed by EMSL Analytical, Inc. Depew, NY NYS ELAP 11606

Initial report from 05/20/2015 17:09:38

Test Report PLMPTC-7.25.0 Printed: 5/20/2015 5:09:38 PM

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Phone/Fax: (716) 651-0030 / (716) 651-0394

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Collected: 5/12/2015

Project: 4185 Military Rd. Niagara Falls, NY

Test Report: Asbestos Analysis of Bulk Materials by PLM via the NY State ELAP 198.1 Method

Sample	Description	Appearance	Non-Asbestos		Asbestos
			% Fibrous	% Non-Fibrous	% Type
5-12-15-100B-1 141501920-0008	rm 32 - wall plaster, skim	Gray Non-Fibrous Homogeneous		100.00% Non-fibrous (other)	None Detected
5-12-15-100B-2 141501920-0009	2nd fl hall - wall plaster, skim	Gray Non-Fibrous Homogeneous		100.00% Non-fibrous (other)	None Detected
5-12-15-100B-3 141501920-0010	rm 17 - wall plaster, skim	Gray Non-Fibrous Homogeneous		100.00% Non-fibrous (other)	None Detected
5-12-15-100B-4 141501920-0011	so. stair basement - wall plaster, skim	Brown Non-Fibrous Homogeneous		100.00% Non-fibrous (other)	None Detected
5-12-15-200B-1 141501920-0012	2nd fl hall - ceiling plaster, skim	Gray Non-Fibrous Homogeneous		100.00% Non-fibrous (other)	None Detected
5-12-15-200B-2 141501920-0013	1st fl hall - ceiling plaster, skim	Gray Non-Fibrous Homogeneous		100.00% Non-fibrous (other)	None Detected
5-12-15-200B-3 141501920-0014	stage - ceiling plaster, skim	Brown Non-Fibrous Homogeneous		100.00% Non-fibrous (other)	None Detected

Analyst(s)

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Received: 05/16/15 10:15 AM
Analysis Date: 5/20/2015
Collected: 5/12/2015

Project: 4185 Military Rd. Niagara Falls, NY

Test Report: Asbestos Analysis of Bulk Materials by PLM via the NY State ELAP 198.1 Method

Sample	Description	Appearance	Non-Asbestos		Asbestos
			% Fibrous	% Non-Fibrous	% Type
5-12-15-101A-1 141501920-0015	rm 39 - drywall	Brown/Gray Fibrous Homogeneous	4.00% Cellulose	96.00% Non-fibrous (other)	None Detected
5-12-15-101A-2 141501920-0016	rm B-4 - drywall	Tan Non-Fibrous Homogeneous		100.00% Non-fibrous (other)	None Detected
5-12-15-101B-1 141501920-0017	rm B-4 - joint compound	White/Blue Non-Fibrous Homogeneous		100.00% Non-fibrous (other)	None Detected
5-12-15-101B-2 141501920-0018	rm B-4 - joint compound	White/Blue Non-Fibrous Homogeneous		100.00% Non-fibrous (other)	None Detected
5-12-15-105A-1 141501920-0025	rm 25 - carpeted wall covering, backer	Brown/White Fibrous Homogeneous	75.00% Cellulose 25.00% Glass	0.00% Non-fibrous (other)	None Detected
5-12-15-105A-2 141501920-0027	rm 16 - carpeted wall covering, backer	Brown/White Fibrous Homogeneous	75.00% Cellulose 25.00% Glass	0.00% Non-fibrous (other)	None Detected
5-12-15-304-1 141501920-0049	rm 39 - terrazo, gold	Tan Non-Fibrous Homogeneous		100.00% Non-fibrous (other)	None Detected

Analyst(s)

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<http://www.EMSL.com>buffalolab@emsl.com

EMSL Order: 141501920

CustomerID: AEVT25

CustomerPO:

ProjectID:

Attn: **John Pusztay**
Aurora Environmental LLC
1850 Davis Rd.
West Falls, NY 14170

Phone: (716) 982-3031
Fax:
Received: 05/16/15 10:15 AM
Analysis Date: 5/20/2015
Collected: 5/12/2015

Project: 4185 Military Rd. Niagara Falls, NY

Test Report: Asbestos Analysis of Bulk Materials by PLM via the NY State ELAP 198.1 Method

Sample	Description	Appearance	Non-Asbestos		Asbestos
			% Fibrous	% Non-Fibrous	% Type
5-12-15-314-2 141501920-0050	rm 19 - terrazo grey/black	Gray/White Non-Fibrous Heterogeneous		100.00% Non-fibrous (other)	None Detected
5-12-15-400-1 141501920-0061	rm 22 - mud elbow	Gray Non-Fibrous Homogeneous		100.00% Non-fibrous (other)	None Detected
5-12-15-400-2 141501920-0062	rm 23 - mud elbow	Gray/White Non-Fibrous Homogeneous		100.00% Non-fibrous (other)	None Detected
5-12-15-400-3 141501920-0063	B-1 boiler rm - mud elbow	Gray/Tan Fibrous Homogeneous		42.90% Non-fibrous (other)	57.10% Chrysotile
5-12-15-401-1 141501920-0064	rm 9 - mag pipe insul	White Fibrous Homogeneous		69.20% Non-fibrous (other)	15.40% Amosite 15.40% Chrysotile 30.80% Total
5-12-15-401-2 141501920-0065	rm 9 - mag pipe insul				Positive Stop
5-12-15-401-3 141501920-0066	rm 9 - mag pipe insul				Positive Stop

Analyst(s)

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<http://www.EMSL.com>buffalolab@emsl.com

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Aurora Environmental LLC
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West Falls, NY 14170

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Analysis Date: 5/20/2015

Collected: 5/12/2015

Project: 4185 Military Rd. Niagara Falls, NY

Test Report: Asbestos Analysis of Bulk Materials by PLM via the NY State ELAP 198.1 Method

Sample	Description	Appearance	Non-Asbestos		Asbestos
			% Fibrous	% Non-Fibrous	% Type
5-12-15-500A-1 141501920-0067	rm B-1 - chimney patch at duct/white	Brown/White/Green Non-Fibrous Homogeneous		100.00% Non-fibrous (other)	None Detected
5-12-15-500A-2 141501920-0068	rm B-1 - chimney patch at duct/white	Brown/White/Green Non-Fibrous Homogeneous		100.00% Non-fibrous (other)	None Detected
5-12-15-500B-1 141501920-0069	rm B-1 - chimney patch at duct/grey	Gray Fibrous Homogeneous		71.40% Non-fibrous (other)	28.60% Chrysotile
5-12-15-500B-2 141501920-0070	rm B-1 - chimney patch at duct/grey				Positive Stop
5-12-15-501-1 141501920-0071	rm B-1 - incinerator liner	Brown/Gray Non-Fibrous Homogeneous		100.00% Non-fibrous (other)	None Detected
5-12-15-501-2 141501920-0072	rm B-1 - incinerator liner	Tan/Black Non-Fibrous Homogeneous		100.00% Non-fibrous (other)	None Detected

Analyst(s)

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Samples analyzed by EMSL Analytical, Inc. Depew, NY NYS ELAP 11606

Initial report from 05/20/2015 17:09:38

Test Report PLMPTC-7.25.0 Printed: 5/20/2015 5:09:38 PM

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Phone/Fax: (716) 651-0030 / (716) 651-0394

<http://www.EMSL.com>buffalolab@emsl.com

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CustomerID: AEVT25

CustomerPO:

ProjectID:

Attn: **John Pusztay**
Aurora Environmental LLC
1850 Davis Rd.
West Falls, NY 14170

Phone: (716) 982-3031
Fax:
Received: 05/16/15 10:15 AM
Analysis Date: 5/21/2015
Collected: 5/12/2015

Project: 4185 Military Rd. Niagara Falls, NY

Test Report: Asbestos Analysis of Non-Friable Organically Bound Materials by PLM
via the NY State ELAP 198.6 Method

SAMPLE ID	DESCRIPTION	APPEARANCE	MATRIX MATERIAL	% NON-ASBESTOS FIBERS	ASBESTOS TYPES
5-12-15-102-1 141501920-0019	rm 39 - mastic behind waterproof masonite	Brown/White Non-Fibrous Homogeneous	100% Other	None	Inconclusive: No Asbestos Detected
5-12-15-102-2 141501920-0020	rm 10 - mastic behind waterproof masonite	Brown/Tan/Blue Fibrous Homogeneous	96.0% Other	None	4.0% Chrysotile 4.0% Total
5-12-15-103-1 141501920-0021	rm 26 - black vapor barrier	Black Non-Fibrous Homogeneous	100% Other	None	Inconclusive: No Asbestos Detected
5-12-15-103-2 141501920-0022	rm 16 - black vapor barrier	Gray/Black Fibrous Homogeneous	83.6% Other	None	16.4% Chrysotile 16.4% Total
5-12-15-104-1 141501920-0023	rm 37 - slate chalkboard mastic	Gray/White Fibrous Homogeneous	100% Other	None	Inconclusive: No Asbestos Detected
5-12-15-104-2 141501920-0024	rm 40 - slate chalkboard mastic	Gray/White Fibrous Homogeneous	100% Other	None	Inconclusive: No Asbestos Detected
5-12-15-105B-1 141501920-0026	rm 25 - carpeted wall covering, mastic	Brown/White/Green Non-Fibrous Homogeneous	100% Other	None	Inconclusive: No Asbestos Detected

Analyst(s)

Shauna Strnad (39)

Rhonda McGee, Laboratory Manager
or other approved signatory

*Polarized Light Microscopy (PLM) is not consistently reliable in detecting asbestos in floor coverings and similar non-friable organically bound materials. Quantitative Transmission Electron Microscopy is currently the only method that can be used to determine if this material can be considered or treated as non-asbestos containing. The test results contained within this report meet the requirements of NELAC unless otherwise noted. EMSL maintains liability limited to cost of analysis. This report relates only to the samples reported above and may not be reproduced, except in full, without written approval by EMSL. The above test report relates only to the items tested. EMSL bears no responsibility for sample collection activities or analytical method limitations. Samples received in good condition unless otherwise noted.

Samples analyzed by EMSL Analytical, Inc. Depew, NY NYS ELAP 11606

Initial report from 05/21/2015 19:14:45

Test Report PLMNNOB-7.27.8 Printed: 5/21/2015 7:14:45 PM

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490 Rowley Road, Depew, NY 14043

Phone/Fax: (716) 651-0030 / (716) 651-0394

<http://www.EMSL.com>buffalolab@emsl.com

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West Falls, NY 14170

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Fax:
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Analysis Date: 5/21/2015
Collected: 5/12/2015

Project: 4185 Military Rd. Niagara Falls, NY

Test Report: Asbestos Analysis of Non-Friable Organically Bound Materials by PLM via the NY State ELAP 198.6 Method

SAMPLE ID	DESCRIPTION	APPEARANCE	MATRIX MATERIAL	% NON-ASBESTOS FIBERS	ASBESTOS TYPES
5-12-15-105B-2 141501920-0028	rm 16 - carpeted wall covering, mastic	Brown/White/Green Non-Fibrous Homogeneous	100% Other	None	Inconclusive: No Asbestos Detected
5-12-15-106-1 141501920-0029	rm 17 - ceramic tile mastic	White Non-Fibrous Homogeneous	100% Other	None	Inconclusive: No Asbestos Detected
5-12-15-106-2 141501920-0030	rm B-9 - ceramic tile mastic	White Fibrous Homogeneous	100% Other	None	Inconclusive : <1%Chrysotile Inconclusive - <4% Total
5-12-15-107-1 141501920-0031	rm B-10 - paneling mastic	Brown/White Non-Fibrous Homogeneous	100% Other	None	Inconclusive: No Asbestos Detected
5-12-15-107-2 141501920-0032	rm B-10 - paneling mastic	Brown/Tan Non-Fibrous Homogeneous	100% Other	None	Inconclusive: No Asbestos Detected
5-12-15-108-1 141501920-0033	rm 27 - non slate chalkboard/bulletin board mastic	Brown/Black Non-Fibrous Homogeneous	100% Other	None	Inconclusive: No Asbestos Detected
5-12-15-108-2 141501920-0034	rm 17 - non slate chalkboard/bulletin board mastic	Brown/Black Non-Fibrous Homogeneous	100% Other	None	Inconclusive: No Asbestos Detected
5-12-15-201-1 141501920-0035	2nd fl hall - 1'x1' c. tile/smooth mastic	Brown/Tan Non-Fibrous Homogeneous	100% Other	None	Inconclusive: No Asbestos Detected

Analyst(s)

Shauna Strnad (39)

Rhonda McGee, Laboratory Manager
or other approved signatory

*Polarized Light Microscopy (PLM) is not consistently reliable in detecting asbestos in floor coverings and similar non-friable organically bound materials. Quantitative Transmission Electron Microscopy is currently the only method that can be used to determine if this material can be considered or treated as non-asbestos containing. The test results contained within this report meet the requirements of NELAC unless otherwise noted. EMSL maintains liability limited to cost of analysis. This report relates only to the samples reported above and may not be reproduced, except in full, without written approval by EMSL. The above test report relates only to the items tested. EMSL bears no responsibility for sample collection activities or analytical method limitations. Samples received in good condition unless otherwise noted.

Samples analyzed by EMSL Analytical, Inc. Depew, NY NYS ELAP 11608

Initial report from 05/21/2015 19:14:45

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490 Rowley Road, Depew, NY 14043

Phone/Fax: (716) 651-0030 / (716) 651-0394

<http://www.EMSL.com>buffalolab@emsl.com

EMSL Order: 141501920
CustomerID: AEVT25
CustomerPO:
ProjectID:

Attn: **John Pusztay**
Aurora Environmental LLC
1850 Davis Rd.
West Falls, NY 14170

Phone: (716) 982-3031
Fax:
Received: 05/16/15 10:15 AM
Analysis Date: 5/21/2015
Collected: 5/12/2015

Project: 4185 Military Rd. Niagara Falls, NY

**Test Report: Asbestos Analysis of Non-Friable Organically Bound Materials by PLM
via the NY State ELAP 198.6 Method**

SAMPLE ID	DESCRIPTION	APPEARANCE	MATRIX MATERIAL	% NON-ASBESTOS FIBERS	ASBESTOS TYPES
5-12-15-201-2 141501920-0036	2nd fl hall - 1'x1' c. tile/smooth mastic	Brown/Tan Non-Fibrous Homogeneous	100% Other	None	Inconclusive: No Asbestos Detected
5-12-15-202-1 141501920-0037	rm 39 - 2'x4' c. tile/dot and fissure	Gray/White Fibrous Homogeneous	90.3% Other	9.7 Glass	Inconclusive: No Asbestos Detected
5-12-15-202-2 141501920-0038	rm 39 - 2'x4' c. tile/dot and fissure	Gray/White Fibrous Homogeneous	91.0% Other	9.0 Glass	Inconclusive: No Asbestos Detected
5-12-15-204-1 141501920-0039	rm B-5 - 2'x2' c. tile/dot and fissure	Brown/White Fibrous Homogeneous	93.0% Other	7.0 Glass	Inconclusive: No Asbestos Detected
5-12-15-204-2 141501920-0040	rm B-5 - 2'x2' c. tile/dot and fissure	Brown/White Fibrous Homogeneous	92.7% Other	7.3 Glass	Inconclusive: No Asbestos Detected
5-12-15-205A-1 141501920-0041	gym - 1'x1' c. tile/holes	Brown/White Non-Fibrous Homogeneous	100% Other	None	Inconclusive: No Asbestos Detected
5-12-15-205B-1 141501920-0042	gym - 1'x1' c. tile/holes, mastic	Brown Non-Fibrous Homogeneous	100% Other	None	Inconclusive: No Asbestos Detected
5-12-15-205A-2 141501920-0043	rm B-6 - 1'x1' c. tile/holes	Brown/White Non-Fibrous Homogeneous	100% Other	None	Inconclusive: No Asbestos Detected

Analyst(s)

Shauna Strnad (39)

Rhonda McGee, Laboratory Manager
or other approved signatory

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Samples analyzed by EMSL Analytical, Inc. Depew, NY NYS ELAP 11606

Initial report from 05/21/2015 19:14:45

Test Report PLMNYNOB-7.27.8 Printed: 5/21/2015 7:14:45 PM

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490 Rowley Road, Depew, NY 14043

Phone/Fax: (716) 651-0030 / (716) 651-0394

<http://www.EMSL.com>buffalolab@emsl.com

EMSL Order: 141501920

CustomerID: AEVT25

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ProjectID:

Attn: **John Pusztay**
Aurora Environmental LLC
1850 Davis Rd.
West Falls, NY 14170

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Fax:
Received: 05/16/15 10:15 AM
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Collected: 5/12/2015

Project: 4185 Military Rd. Niagara Falls, NY

Test Report: Asbestos Analysis of Non-Friable Organically Bound Materials by PLM
via the NY State ELAP 198.6 Method

SAMPLE ID	DESCRIPTION	APPEARANCE	MATRIX MATERIAL	% NON-ASBESTOS FIBERS	ASBESTOS TYPES
5-12-15-205B-2 141501920-0044	rm B-6 - 1'x1' c. tile/holes, mastic	Brown/Tan Non-Fibrous Homogeneous	100% Other	None	Inconclusive: No Asbestos Detected
5-12-15-300-1 141501920-0045	2nd fl hall - yellow carpet mastic	Tan/Yellow Non-Fibrous Homogeneous	100% Other	None	Inconclusive: No Asbestos Detected
5-12-15-300-2 141501920-0046	rm 23 - yellow carpet mastic	Brown/Yellow Non-Fibrous Homogeneous	100% Other	None	Inconclusive: No Asbestos Detected
5-12-15-301-1 141501920-0047	rm 38 - asphalt subfloor	Brown Non-Fibrous Homogeneous	100% Other	None	Inconclusive: No Asbestos Detected
5-12-15-301-2 141501920-0048	rm 40 - asphalt subfloor	Brown Non-Fibrous Homogeneous	100% Other	None	Inconclusive: No Asbestos Detected
5-12-15-307-1 141501920-0051	rm 32 - 9x9 floor tile mastic	Black Non-Fibrous Homogeneous	100% Other	None	Inconclusive: No Asbestos Detected
5-12-15-307-2 141501920-0052	rm 27 - 9x9 floor tile mastic	Tan/Black Fibrous Homogeneous	98.4% Other	None	1.6% Chrysotile 1.6% Total
5-12-15-312-1 141501920-0053	so stairs - stairstread mastic	Brown/Gray Non-Fibrous Homogeneous	100% Other	None	Inconclusive: No Asbestos Detected

Analyst(s)

Shauna Strnad (39)

Rhonda McGee, Laboratory Manager
or other approved signatory

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Samples analyzed by EMSL Analytical, Inc. Depew, NY NYS ELAP 11606

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Phone/Fax: (716) 651-0030 / (716) 651-0394

<http://www.EMSL.com>buffalolab@emsl.com

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Project: 4185 Military Rd. Niagara Falls, NY

**Test Report: Asbestos Analysis of Non-Friable Organically Bound Materials by PLM
via the NY State ELAP 198.6 Method**

SAMPLE ID	DESCRIPTION	APPEARANCE	MATRIX MATERIAL	% NON-ASBESTOS FIBERS	ASBESTOS TYPES
5-12-15-312-2 141501920-0054	so stairs - stair tread mastic	Brown Non-Fibrous Homogeneous	100% Other	None	Inconclusive: No Asbestos Detected
5-12-15-313-1 141501920-0055	so stairs/1st fl - cove base, black mastic	White/Black Non-Fibrous Homogeneous	100% Other	None	Inconclusive: No Asbestos Detected
5-12-15-313-2 141501920-0056	rm 18 - cove base, black mastic	Brown/Green Non-Fibrous Homogeneous	100% Other	None	Inconclusive: No Asbestos Detected
5-12-15-315-1 141501920-0057	gym - vapor barrier under gym fl	Brown Non-Fibrous Homogeneous	100% Other	None	Inconclusive: No Asbestos Detected
5-12-15-315-2 141501920-0058	gym - vapor barrier under gym fl	Brown Fibrous Homogeneous	100% Other	None	Inconclusive : <1%Chrysotile Inconclusive - <1% Total
5-12-15-316-1 141501920-0059	rm 9 - 12"x12' fl. tile/white and brown	Brown/Tan Fibrous Homogeneous	98.7% Other	None	1.3% Chrysotile 1.3% Total
5-12-15-316-2 141501920-0060	rm 9 - 12"x12' fl. tile/white and brown mastic				Positive Stop (Not Analyzed)
5-12-15-600-1 141501920-0073	1st fl hall - cloth wrapped wire	Brown Non-Fibrous Homogeneous	100% Other	None	Inconclusive: No Asbestos Detected

Analyst(s)

Shauna Strnad (39)

Rhonda McGee, Laboratory Manager
or other approved signatory

*Polarized Light Microscopy (PLM) is not consistently reliable in detecting asbestos in floor coverings and similar non-friable organically bound materials. Quantitative Transmission Electron Microscopy is currently the only method that can be used to determine if this material can be considered or treated as non-asbestos containing. The test results contained within this report meet the requirements of NELAC unless otherwise noted. EMSL maintains liability limited to cost of analysis. This report relates only to the samples reported above and may not be reproduced, except in full, without written approval by EMSL. The above test report relates only to the items tested. EMSL bears no responsibility for sample collection activities or analytical method limitations. Samples received in good condition unless otherwise noted.

Samples analyzed by EMSL Analytical, Inc. Depew, NY NYS ELAP 11606

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Test Report PLMNYNOB-7.27.8 Printed: 5/21/2015 7:14:45 PM

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Phone/Fax: (716) 651-0030 / (716) 651-0394

<http://www.EMSL.com>buffalolab@emsl.com

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Aurora Environmental LLC
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West Falls, NY 14170

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Test Report: Asbestos Analysis of Non-Friable Organically Bound Materials by PLM
via the NY State ELAP 198.6 Method

SAMPLE ID	DESCRIPTION	APPEARANCE	MATRIX MATERIAL	% NON-ASBESTOS FIBERS	ASBESTOS TYPES
5-12-15-600-2 141501920-0074	1st fl hall - cloth wrapped wire	Brown Non-Fibrous Homogeneous	100% Other	None	Inconclusive: No Asbestos Detected

Analyst(s)

Shauna Strnad (39)

Rhonda McGee, Laboratory Manager
or other approved signatory

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Phone/Fax: (716) 651-0030 / (716) 651-0394

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Aurora Environmental LLC
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West Falls, NY 14170

Phone: (716) 982-3031

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Received: 05/16/15 10:15 AM

Analysis Date: 5/22/2015

Collected: 5/12/2015

Project: 4185 Military Rd. Niagara Falls, NY

**Test Report: Asbestos Analysis of Non-Friable Organically Bound materials by
Transmission Electron Microscopy via NYS ELAP Method 198.4**

SAMPLE ID	DESCRIPTION	APPEARANCE	MATRIX MATERIAL	% NON-ASBESTOS FIBERS	ASBESTOS TYPES	% TOTAL ASBESTOS
5-12-15-102-1 141501920-0019	rm 39 - mastic behind waterproof masonite					
Not Analyzed						
5-12-15-102-2 141501920-0020	rm 10 - mastic behind waterproof masonite					
Not Analyzed						
5-12-15-103-1 141501920-0021	rm 26 - black vapor barrier					
Not Analyzed						
5-12-15-103-2 141501920-0022	rm 16 - black vapor barrier					
Not Analyzed						
5-12-15-104-1 141501920-0023	rm 37 - slate chalkboard mastic	Gray/White Non-Fibrous Homogeneous	100% Other	None	No Asbestos Detected	
5-12-15-104-2 141501920-0024	rm 40 - slate chalkboard mastic	Gray/White Non-Fibrous Homogeneous	100% Other	None	No Asbestos Detected	
5-12-15-105B-1 141501920-0026	rm 25 - carpeted wall covering, mastic	Brown/White/Green Non-Fibrous Homogeneous	100% Other	None	No Asbestos Detected	

Analyst(s)

Kelly Gallisdorfer (14)

Taron Williams (20)

Rhonda McGee, Laboratory Manager
or other approved signatory

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Samples analyzed by EMSL Analytical, Inc. Depew, NY NYS ELAP 11606

Report Amended: 05/23/2015 13:59:38 Replaces the Initial Report 05/22/2015 21:46:02. Reason Code: Data Entry-Results Changed

Test Report NY/TEMNOB-7.27.8 Printed: 5/23/2015 1:59:38 PM

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Phone/Fax (716) 651-0030 / (716) 651-0394

<http://www.EMSL.com>buffalolab@emsl.com

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Analysis Date: 5/22/2015

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Project: 4185 Military Rd. Niagara Falls, NY

**Test Report: Asbestos Analysis of Non-Friable Organically Bound materials by
Transmission Electron Microscopy via NYS ELAP Method 198.4**

SAMPLE ID	DESCRIPTION	APPEARANCE	MATRIX MATERIAL	% NON-ASBESTOS FIBERS	ASBESTOS TYPES	% TOTAL ASBESTOS
5-12-15-105B-2 141501920-0028	rm 16 - carpeted wall covering, mastic	Brown/White/Green Non-Fibrous Homogeneous	100% Other	None	No Asbestos Detected	
5-12-15-106-1 141501920-0029	rm 17 - ceramic tile mastic	White Non-Fibrous Homogeneous	100% Other	None	No Asbestos Detected	
5-12-15-106-2 141501920-0030	rm B-9 - ceramic tile mastic	White Non-Fibrous Homogeneous	100% Other	None	No Asbestos Detected	
5-12-15-107-1 141501920-0031	rm B-10 - paneling mastic	Brown/White Non-Fibrous Homogeneous	100% Other	None	No Asbestos Detected	
5-12-15-107-2 141501920-0032	rm B-10 - paneling mastic	Brown/Tan Non-Fibrous Homogeneous	100% Other	None	No Asbestos Detected	
5-12-15-108-1 141501920-0033	rm 27 - non slate chalkboard/bulletin board mastic	Brown/Black Non-Fibrous Homogeneous	100% Other	None	No Asbestos Detected	
5-12-15-108-2 141501920-0034	rm 17 - non slate chalkboard/bulletin board mastic	Brown/Black Non-Fibrous Homogeneous	100% Other	None	No Asbestos Detected	
5-12-15-201-1 141501920-0035	2nd fl hall - 1'x1' c. tile/smooth mastic	Brown/Tan Non-Fibrous Homogeneous	100% Other	None	No Asbestos Detected	

Analyst(s)

Kelly Gallisdorfer (14)

Taron Williams (20)

Rhonda McGee, Laboratory Manager
or other approved signatory

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Transmission Electron Microscopy via NYS ELAP Method 198.4**

SAMPLE ID	DESCRIPTION	APPEARANCE	MATRIX MATERIAL	% NON-ASBESTOS FIBERS	ASBESTOS TYPES	% TOTAL ASBESTOS
5-12-15-201-2 141501920-0036	2nd fl hall - 1'x1' c. tile/smooth mastic	Brown/Tan Non-Fibrous Homogeneous	100% Other	None	No Asbestos Detected	
5-12-15-202-1 141501920-0037	rm 39 - 2'x4' c. tile/dot and fissure	Gray/White Fibrous Homogeneous	100% Other	None	No Asbestos Detected	
5-12-15-202-2 141501920-0038	rm 39 - 2'x4' c. tile/dot and fissure	Gray/White Fibrous Homogeneous	100% Other	None	No Asbestos Detected	
5-12-15-204-1 141501920-0039	rm B-5 - 2'x2' c. tile/dot and fissure	Brown/White Fibrous Homogeneous	100% Other	None	No Asbestos Detected	
5-12-15-204-2 141501920-0040	rm B-5 - 2'x2' c. tile/dot and fissure	Brown/White Fibrous Homogeneous	100% Other	None	No Asbestos Detected	
5-12-15-205A-1 141501920-0041	gym - 1'x1' c. tile/holes	Brown/White Fibrous Homogeneous	100% Other	None	No Asbestos Detected	
5-12-15-205B-1 141501920-0042	gym - 1'x1' c. tile/holes, mastic	Brown Fibrous Homogeneous	100% Other	None	No Asbestos Detected	
5-12-15-205A-2 141501920-0043	rm B-6 - 1'x1' c. tile/holes	Brown/White Fibrous Homogeneous	100% Other	None	No Asbestos Detected	

Analyst(s)

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Taron Williams (20)

Rhonda McGee, Laboratory Manager
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**Test Report: Asbestos Analysis of Non-Friable Organically Bound materials by
Transmission Electron Microscopy via NYS ELAP Method 198.4**

SAMPLE ID	DESCRIPTION	APPEARANCE	MATRIX MATERIAL	% NON-ASBESTOS FIBERS	ASBESTOS TYPES	% TOTAL ASBESTOS
5-12-15-205B-2 141501920-0044	rm B-6 - 1'x1' c. tile/holes, mastic	Brown/Tan Fibrous Homogeneous	100% Other	None	No Asbestos Detected	
5-12-15-300-1 141501920-0045	2nd fl hall - yellow carpet mastic	Tan/Yellow Non-Fibrous Homogeneous	100% Other	None	No Asbestos Detected	
5-12-15-300-2 141501920-0046	rm 23 - yellow carpet mastic	Brown/Yellow Non-Fibrous Homogeneous	100% Other	None	No Asbestos Detected	
5-12-15-301-1 141501920-0047	rm 38 - asphalt subfloor	Brown Non-Fibrous Homogeneous	100% Other	None	No Asbestos Detected	
5-12-15-301-2 141501920-0048	rm 40 - asphalt subfloor	Brown Non-Fibrous Homogeneous	100% Other	None	No Asbestos Detected	
5-12-15-307-1 141501920-0051	rm 32 - 9x9 floor tile mastic	Black Non-Fibrous Homogeneous	100% Other	None	No Asbestos Detected	
5-12-15-307-2 141501920-0052	rm 27 - 9x9 floor tile mastic	Tan/Black Non-Fibrous Homogeneous	100% Other	None	No Asbestos Detected	
5-12-15-312-1 141501920-0053	so stairs - stair tread mastic	Brown/Gray Non-Fibrous Homogeneous	100% Other	None	No Asbestos Detected	

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SAMPLE ID	DESCRIPTION	APPEARANCE	MATRIX MATERIAL	% NON-ASBESTOS FIBERS	ASBESTOS TYPES	% TOTAL ASBESTOS
5-12-15-312-2 141501920-0054	so stairs - stairtread mastic	Brown Non-Fibrous Homogeneous	100% Other	None	No Asbestos Detected	
5-12-15-313-1 141501920-0055	so stairs/1st fl - cove base, black mastic	White/Black Non-Fibrous Homogeneous	100% Other	None	No Asbestos Detected	
5-12-15-313-2 141501920-0056	rm 18 - cove base, black mastic	Brown/Green Non-Fibrous Homogeneous	100% Other	None	No Asbestos Detected	
5-12-15-315-1 141501920-0057	gym - vapor barrier under gym fl	Brown Non-Fibrous Homogeneous	100% Other	None	No Asbestos Detected	
5-12-15-315-2 141501920-0058	gym - vapor barrier under gym fl	Brown Non-Fibrous Homogeneous	100% Other	None	No Asbestos Detected	
5-12-15-316-1 141501920-0059	rm 9 - 12'x12' fl. tile/white and brown					
Not Analyzed						
5-12-15-316-2 141501920-0060	rm 9 - 12'x12' fl tile/white and brown mastic					
Not Analyzed						
5-12-15-600-1 141501920-0073	1st fl hall - cloth wrapped wire	Brown Fibrous Homogeneous	100% Other	None	No Asbestos Detected	

Analyst(s)

Kelly Gallisdorfer (14)

Taron Williams (20)

Rhonda McGee, Laboratory Manager
or other approved signatory

This laboratory is not responsible for % asbestos in total sample when the residue only is submitted for analysis. The above report relates only to the items tested. This report may not be reproduced, except in full, without written approval by EMSL Analytical, Inc. Samples received in good condition unless otherwise noted.
Samples analyzed by EMSL Analytical, Inc. Depew, NY NYS ELAP 11606

Report Amended: 05/23/2015 13:59:38 Replaces the Initial Report 05/22/2015 21:46:02. Reason Code: Data Entry-Results Changed

Test Report NY/TEMNOB-7.27.8 Printed: 5/23/2015 1:59:38 PM

**EMSL Analytical, Inc.**

490 Rowley Road, Depew, NY 14043

Phone/Fax: (716) 651-0030 / (716) 651-0394

<http://www.EMSL.com>buffalolab@emsl.com

EMSL Order: 141501920

CustomerID: AEVT25

CustomerPO:

ProjectID:

Attn: **John Pusztay**
Aurora Environmental LLC
1850 Davis Rd.
West Falls, NY 14170

Phone: (716) 982-3031

Fax:

Received: 05/16/15 10:15 AM

Analysis Date: 5/22/2015

Collected: 5/12/2015

Project: 4185 Military Rd. Niagara Falls, NY

**Test Report: Asbestos Analysis of Non-Friable Organically Bound materials by
Transmission Electron Microscopy via NYS ELAP Method 198.4**

SAMPLE ID	DESCRIPTION	APPEARANCE	MATRIX MATERIAL	% NON-ASBESTOS FIBERS	ASBESTOS TYPES	% TOTAL ASBESTOS
5-12-15-600-2 141501920-0074	1st fl hall - cloth wrapped wire	Brown Fibrous Homogeneous	100% Other	None	No Asbestos Detected	

Analyst(s)

Kelly Gallisdorfer (14)

Taron Williams (20)

Rhonda McGee, Laboratory Manager
or other approved signatory

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Samples analyzed by EMSL Analytical, Inc. Depew, NY NYS ELAP 11606

Report Amended: 05/23/2015 13:59:38 Replaces the Initial Report 05/22/2015 21:46:02. Reason Code: Data Entry-Results Changed

Test Report NY/TEMNOB-7.27.8 Printed: 5/23/2015 1:59:38 PM

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EMSL Order: 141501921

CustomerID: AEVT25

CustomerPO:

ProjectID:

Attn: **John Pusztay**
Aurora Environmental LLC
1850 Davis Rd.
West Falls, NY 14170

Phone: (716) 982-3031

Fax:

Received: 05/16/15 10:15 AM

Analysis Date: 5/21/2015

Collected: 5/14/2015

Project: AE-381

Test Report: Asbestos Analysis of Non-Friable Organically Bound Materials by PLM
via the NY State ELAP 198.6 Method

SAMPLE ID	DESCRIPTION	APPEARANCE	MATRIX MATERIAL	% NON-ASBESTOS FIBERS	ASBESTOS TYPES
5-14-15-700-1 141501921-0001	ext/front wall - caulk gray	Gray Fibrous Homogeneous	98.0% Other	None	2.0% Chrysotile 2.0% Total
5-14-15-700-2 141501921-0002	window/so stair - caulk gray	Gray Non-Fibrous Homogeneous	100% Other	None	Inconclusive: No Asbestos Detected
5-14-15-702-1 141501921-0005	lower roof - flashing cement	Gray/Black Fibrous Homogeneous	79.4% Other	None	20.6% Chrysotile 20.6% Total
5-14-15-702-2 141501921-0006	upper roof - flashing cement	Gray/Black/Silver Fibrous Homogeneous	75.7% Other	None	24.3% Chrysotile 24.3% Total
5-14-15-703-1 141501921-0007	lower roof - flashing	Brown/Silver Fibrous Homogeneous	81.2% Other	None	18.8% Chrysotile 18.8% Total
5-14-15-703-2 141501921-0008	upper roof - flashing	Brown Fibrous Homogeneous	89.0% Other	None	11.0% Chrysotile 11.0% Total
5-14-15-704-1 141501921-0009	lower roof - built-up roof	Brown Non-Fibrous Homogeneous	100% Other	None	Inconclusive: No Asbestos Detected

Analyst(s)

Shauna Simad (8)

Rhonda McGee, Laboratory Manager
or other approved signatory

*Polarized Light Microscopy (PLM) is not consistently reliable in detecting asbestos in floor coverings and similar non-friable organically bound materials. Quantitative Transmission Electron Microscopy is currently the only method that can be used to determine if this material can be considered or treated as non-asbestos containing. The test results contained within this report meet the requirements of NELAC unless otherwise noted. EMSL maintains liability limited to cost of analysis. This report relates only to the samples reported above and may not be reproduced, except in full, without written approval by EMSL. The above test report relates only to the items tested. EMSL bears no responsibility for sample collection activities or analytical method limitations. Samples received in good condition unless otherwise noted.

Samples analyzed by EMSL Analytical, Inc. Depew, NY NYS ELAP 11606

Initial report from 05/21/2015 16:39:40

Test Report PLMNYNOB-7.27.8 Printed: 5/21/2015 4:39:40 PM

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<http://www.EMSL.com>buffalolab@emsl.com

EMSL Order: 141501921

CustomerID: AEVT25

CustomerPO:

ProjectID:

Attn: **John Pusztay**
Aurora Environmental LLC
1850 Davis Rd.
West Falls, NY 14170

Phone: (716) 982-3031

Fax:

Received: 05/16/15 10:15 AM

Analysis Date: 5/21/2015

Collected: 5/14/2015

Project: AE-381

Test Report: Asbestos Analysis of Non-Friable Organically Bound Materials by PLM
via the NY State ELAP 198.6 Method

SAMPLE ID	DESCRIPTION	APPEARANCE	MATRIX MATERIAL	% NON-ASBESTOS FIBERS	ASBESTOS TYPES
5-14-15-704-2 141501921-0010	upper roof - built-up roof	Brown/Yellow Non-Fibrous Homogeneous	100% Other	None	Inconclusive: No Asbestos Detected

Analyst(s)

Shauna Strnad (8)

Rhonda McGee, Laboratory Manager
or other approved signatory

*Polarized Light Microscopy (PLM) is not consistently reliable in detecting asbestos in floor coverings and similar non-friable organically bound materials. Quantitative Transmission Electron Microscopy is currently the only method that can be used to determine if this material can be considered or treated as non-asbestos containing. The test results contained within this report meet the requirements of NELAC unless otherwise noted. EMSL maintains liability limited to cost of analysis. This report relates only to the samples reported above and may not be reproduced, except in full, without written approval by EMSL. The above test report relates only to the items tested. EMSL bears no responsibility for sample collection activities or analytical method limitations. Samples received in good condition unless otherwise noted.

Samples analyzed by EMSL Analytical, Inc. Depew, NY NYS ELAP 11606

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EMSL Order: 141501921

CustomerID: AEVT25

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Aurora Environmental LLC
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West Falls, NY 14170

Phone: (716) 982-3031
Fax:
Received: 05/16/15 10:15 AM
Analysis Date: 5/20/2015
Collected: 5/14/2015

Project: AE-381

Test Report: Asbestos Analysis of Bulk Materials by PLM via the NY State ELAP 198.1
Method

Sample	Description	Appearance	Non-Asbestos		Asbestos
			% Fibrous	% Non-Fibrous	% Type
5-14-15-701-1 141501921-0003	lower roof - perlite board	Brown Fibrous Homogeneous		98.00% Perlite 2.00% Non-fibrous (other)	None Detected
5-14-15-701-2 141501921-0004	upper roof - perlite board	Brown Fibrous Homogeneous		98.00% Perlite 2.00% Non-fibrous (other)	None Detected

Analyst(s)

Shauna Strnad (2)

Rhonda McGee, Laboratory Manager
or other approved signatory

EMSL maintains liability limited to cost of analysis. This report relates only to the samples reported and may not be reproduced, except in full, without written approval by EMSL. EMSL bears no responsibility for sample collection activities or analytical method limitations. Interpretation and use of test results are the responsibility of the client. This report must not be used by the client to claim product certification, approval, or endorsement by NVLAP, NIST or any agency of the federal government. Non-friable organically bound materials present a problem matrix and therefore EMSL recommends gravimetric reduction prior to analysis. Samples received in good condition unless otherwise noted. All samples examined for the presence of vermiculite.

Samples analyzed by EMSL Analytical, Inc. Depew, NY NYS ELAP 11605

Initial report from 05/20/2015 18:54:48

Test Report PLMPTC-7.25.0 Printed: 5/20/2015 6:54:48 PM

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<http://www.EMSL.com>buffalolab@emsi.com

EMSL Order: 141501921

CustomerID: AEVT25

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Attn: **John Pusztay**
Aurora Environmental LLC
1850 Davis Rd.
West Falls, NY 14170

Phone: (716) 982-3031
Fax:
Received: 05/16/15 10:15 AM
Analysis Date: 5/22/2015
Collected: 5/14/2015

Project: AE-381

**Test Report: Asbestos Analysis of Non-Friable Organically Bound materials by
Transmission Electron Microscopy via NYS ELAP Method 198.4**

SAMPLE ID	DESCRIPTION	APPEARANCE	MATRIX MATERIAL	% NON-ASBESTOS FIBERS	ASBESTOS TYPES	% TOTAL ASBESTOS
5-14-15-700-1 141501921-0001	ext/front wall - caulk gray					
Not Analyzed						
5-14-15-700-2 141501921-0002	window/so stair - caulk gray	Gray Non-Fibrous Homogeneous	100% Other	None	No Asbestos Detected	
5-14-15-702-1 141501921-0005	lower roof - flashing cement					
Not Analyzed						
5-14-15-702-2 141501921-0006	upper roof - flashing cement					
Not Analyzed						
5-14-15-703-1 141501921-0007	lower roof - flashing					
Not Analyzed						
5-14-15-703-2 141501921-0008	upper roof - flashing					
Not Analyzed						
5-14-15-704-1 141501921-0009	lower roof - built-up roof	Brown Fibrous Homogeneous	100% Other	None	No Asbestos Detected	
5-14-15-704-2 141501921-0010	upper roof - built-up roof	Brown/Yellow Fibrous Homogeneous	100% Other	None	No Asbestos Detected	

Analyst(s)

Kelly Gallisdorfer (3)

Rhonda McGee, Laboratory Manager
or other approved signatory

This laboratory is not responsible for % asbestos in total sample when the residue only is submitted for analysis. The above report relates only to the items tested. This report may not be reproduced, except in full, without written approval by EMSL Analytical, Inc. Samples received in good condition unless otherwise noted.
Samples analyzed by EMSL Analytical, Inc. Depew, NY NYS ELAP 11606

Initial report from 05/22/2015 18:27:44

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<http://www.EMSL.com>buffalolab@emsl.com

EMSL Order: 141501921

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Attn: **John Pusztay**
Aurora Environmental LLC
1850 Davis Rd.
West Falls, NY 14170

Phone: (716) 982-3031

Fax:

Received: 05/16/15 10:15 AM

Analysis Date: 5/22/2015

Collected: 5/14/2015

Project: AE-381

**Test Report: Asbestos Analysis of Non-Friable Organically Bound materials by
Transmission Electron Microscopy via NYS ELAP Method 198.4**

SAMPLE ID	DESCRIPTION	APPEARANCE	MATRIX MATERIAL	% NON-ASBESTOS FIBERS	ASBESTOS TYPES	% TOTAL ASBESTOS
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Analyst(s)

Kelly Gallisdorfer (3)

Rhonda McGee, Laboratory Manager
or other approved signatory

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Samples analyzed by EMSL Analytical, Inc. Depew, NY NYS ELAP 11606

Initial report from 05/22/2015 18:27:44

Test Report NY/TEMNOB-7.27.8 Printed: 5/22/2015 6:27:44 PM

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Appendix D

Asbestos sample floor plans

2

Military RD

10

105 AB-1

207-2

10-8

103-1

24th

52

26

27

30

31

29

302-1

Hall - 2nd FL A

f-201

202-1,2

106

13

34

62

36

24

23

32 K

104-1

—

14

20



August 10, 2015

Attn: David Tosetto
David Communities

RE: 4185 Military Road, Niagara Falls

Dear David:

Thank you for the opportunity to provide you with our services. Below, please find a quote for the above referenced project.

For the removal and disposal of asbestos containing materials as per the provided asbestos survey. Demolition of items down to existing structural surfaces including roof removal and blow down of flaking lead paint.

(Four Hundred Seventy Three Thousand Dollars)

\$473,000.00

Please note – we reserve the right to withdraw our proposal if the 3rd party air/project monitor that's awarded the job has any affiliation or shared ownership with an asbestos abatement company; also, applicable sales tax is not included in the above prices, but will be included in the billing unless an appropriate certificate is provided.

Price Includes:

General liability insurance of 1 million and 5 million umbrella; per project aggregate of 2 million and all statutory workers' compensation; disability insurance; OSHA compliance for all EBD employees; cleanup of all EBD work areas.

Not Included if Applicable:

Main utility shutoffs; disposal for other trades; temporary fall, weather and security protection at removals; pre-demolition asbestos survey; 3rd party air & project monitoring/inspection; fence maintenance.

All work will be done in strict accordance with all applicable rules and regulations.

If you have should have any questions, please do not hesitate to contact me at (716) 685-4588

Sincerely,

Michael Young
Estimator

Phone (716) 685-4588

Fax (716) 685-6055

APPENDIX 9

Reference of Published Sources

Reference of Published Sources

USGS 7.5 Minute Topographic Quadrangle Map
Niagara Falls, New York

www.usgs.gov

USEPA NPL, Delisted NPL, CERCLIS,
CERCLIS NFRAP, RCRA TSD, RCRA Generator,
Federal Institutional and Engineering Controls,
and ERNS Listings

USEPA Website

NYSDEC IHWDS, Voluntary Cleanup Site,
Brownfield Sites and Updated Spills

NYSDEC Website

NYS Hazardous Substance Sites

NYSDEC Hazardous Substance Waste Disposal
Site Study Book, 1998

Local Landfill or Solid Waste Information

Erie Division of Solid Waste

Part 360 Permitted Landfill listings

NYSDEC Division of Solid & Hazardous
Material Listing Website February 2006

Niagara County Soil Survey

www.websoilsurvey.nrcs.gov/app/

Historical Plat Maps

Buffalo Erie County Public Library

Street Directories

Buffalo Erie County Public Library

Sanborn Fire Insurance Maps

Environmental Data Resources, Inc.

Aerial Photographs

Erie County Soil and Water Conservation
District and Google Earth