Final Engineering Report

6157 S. Transit Road Site
Lockport, New York

September 2011 0218-001-300

Prepared For:

Basil Toyota

Prepared By:

TurnKey Environmental Restoration, LLC

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BROWNFIELD CLEANUP PROGRAM

FINAL ENGINEERING REPORT

6157 SOUTH TRANSIT ROAD SITE
BCP SITE No. C932130
LOCKPORT, NEW YORK

September 2011 | 0218-001-300

Prepared for:

Basil Toyota
6179 S. Transit Road
Lockport, NY 14094

Prepared By:

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CERTIFICATIONS

I, Thomas H. Forbes, am currently a registered professional engineer licensed by the State of New York, I had primary direct responsibility for implementation of the remedial program activities, and I certify that the Interim Remedial Measures were implemented and that all construction activities were completed in substantial conformance with the Department-approved Remedial Investigation/Alternatives Analysis Report/Interim Remedial Measures (RI/AAR/IRM) Work Plan.

I certify that the data submitted to the Department with this Final Engineering Report demonstrates that the remediation requirements set forth in the RI/AAR/IRM Work Plan and in all applicable statutes and regulations have been or will be achieved in accordance with the time frames, if any, established in for the remedy.

I certify that all documents generated in support of this report have been submitted in accordance with the DER's electronic submission protocols and have been accepted by the Department.

I certify that all data generated in support of this report have been submitted in accordance with the Department's electronic data deliverable and have been accepted by the Department.

I certify that all information and statements in this certification form are true. I understand that a false statement made herein is punishable as a Class "A" misdemeanor, pursuant to Section 210.45 of the Penal Law. I, Thomas H. Forbes, of TurnKey Environmental Restoration, LLC at 2558 Hamburg Turnpike, Buffalo, New York 14218, am certifying as Owner's Designated Site Representative for the site.

NYS Professional Engineer #	Date	Signature

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LIST OF ACRONYMS

Acronym	Definition
AAR	Alternatives Analysis Report
BCA	Brownfield Cleanup Agreement
BCP	Brownfield Cleanup Program
CAMP	Community Air Monitoring Plan
COC	Certificate of Completion
CP	Citizen Participation
CY	Cubic Yard
DER	Department of Environmental Remediation
DUSR	Data Usability Summary Report
EC	Engineering Control
FBGS	Feet Below Ground Surface
FER	Final Engineering Report
HASP	Health and Safety Plan
IC	Institutional Control
IRM	Interim Remedial Measure
NELAP	National Environmental Laboratory Approval Program
NYSDEC	New York State Department of Environmental Conservation
NYSDOH	New York State Department of Health
PID	Photoionization Detector
QAPP	Quality Assurance Project Plan
RAO	Remedial Action Objectives
RAWP	Remedial Action Work Plan
RI	Remedial Investigation
SCOs	Soil Cleanup Objectives
SEQRA	State Environmental Quality Review Act
SVOC	Semi-Volatile Organic Compound
USEPA	United States Environmental Protection Agency
UST	Underground Storage Tank
VOC	Volatile Organic Compound

1.0 BACKGROUND AND SITE DESCRIPTION

Co-applicants 6157 S. Transit, LLC; 6179 S. Transit, LLC; and Mike Basil Motors, Inc. dba Basil Toyota (collectively referred to as Basil Toyota) elected to investigate and remediate an approximate 4.5-acre property located in the Town of Lockport, Niagara County, New York under the New York State Brownfield Cleanup Program (BCP), and entered into a Brownfield Cleanup Agreement (BCA) with the New York State Department of Environmental Conservation (NYSDEC) on January 28, 2011 (BCP Site No. C932130). Although the planned property use allows for a commercial use cleanup, the property was remediated to NYCRR Part 375 Residential soil cleanup objectives (SCOs) and will be used for a new automobile dealership and service operation.

The site is located in the County of Niagara, New York and is identified as a portion of Niagara County S.B.L. No. 138.00-1-26.1. The site is situated on an approximately 4.5-acre portion of a greater 27.2-acre parcel bounded by commercial properties to the north and south; vacant vegetated areas to the east; and South Transit Road to the west (see Figures 1 and 2). The boundaries of the site are fully described in Appendix A: Survey Map, Metes and Bounds.

An electronic copy of this Final Engineering Report (FER) with all supporting documentation is included as Appendix B.

2.0 SUMMARY OF SITE REMEDY

2.1 Remedial Action Objectives

Based on the results of the Remedial Investigation (RI), the following Remedial Action Objectives (RAOs) were identified for this site.

2.1.1 Groundwater RAOs

RAOs for Public Health Protection

- Prevent ingestion of or direct contact with groundwater containing contaminant levels exceeding drinking water standards.

2.1.2 Soil RAOs

RAOs for Public Health Protection

- Prevent ingestion/direct contact with soil/fill containing contaminant concentrations above NYSDEC Part 375 Residential Soil Cleanup Objectives (SCOs).

RAOs for Environmental Protection

- Prevent migration of contaminants that would result in groundwater contamination.

2.1.3 Other RAOs

RAOs for Environmental Protection

- Removal of historic in-ground hydraulic lifts located on-site to prevent potential release.

2.1.4 Sediment RAOs

RAOs for Public Health Protection

- Prevent direct contact with contaminated sediments.

2.2 Description of selected remedy

The site was remediated in accordance with the remedy selected by the NYSDEC in the Remedial Investigation/Alternatives Analysis Report/Interim Remedial Measures (RI/AAR/IRM) Work Plan dated March 2011 (Ref. 1).

The factors considered during the selection of the remedy are those listed in 6NYCRR 375-1.8. The following are the components of the selected remedy:

1. Excavation of soil/fill exceeding Residential SCOs listed in Table 1, in the area of Building #1 (following demolition) and in the vicinity of MW-7 and MW-9, with off-site disposal;
2. Removal of five in-ground hydraulic lifts;
3. Removal of two, approximately 900-gallon underground storage tanks (USTs) discovered south of the former Building #1; and
4. Removal of sediment and debris from on-site catch basins.

3.0 IRMS, OPERABLE UNITS, & REMEDIAL CONTRACTS

The following NYSDEC-approved remedy was completed as an IRM:

- Prior to demolition of the former Building #1, approximately 4.21 tons of abandoned paper and cardboard were removed, transported off-site by Buffalo Transportation, and recycled at Cascades Recovery US, Inc. in Rochester New York.
- Demolition of the former Building #1 automobile sales and service facility. Non-stained building materials (i.e., brick, block and concrete) were sampled and subsequently approved by the NYSDEC for re-use as backfill material.
- Excavation of approximately 412.16-tons of non-hazardous VOC-impacted soil/fill from the northern (MW-7 and MW-9) area, followed by off-site transportation by Modern Transportation for disposal at Modern Landfill in Model City, New York. The remedial excavation was expanded due to the discovery of an abandoned storm water line which had evidence of petroleum impact in the bedding material. Approximately 120 feet of petroleum-impacted pipe and bedding material was excavated and transported off-site for disposal, as described above. The main MW-7 and MW-9 excavation area ranged from 7 to 8-ft in depth; and the pipe run area was approximately 4 feet in depth. The approximate lateral extents of the excavation are shown on Figure 3. Post-excavation soil samples results were below Part 375 Unrestricted Use SCOs, with the minor exception of acetone (a common lab contaminant), which was well below its Part 375 Residential SCO.
- Removal of five in-ground hydraulic lifts, with multiple reservoirs and circulation lines. Hydraulic lifts were emptied of residual product and cleaned on-site prior to off-site recycling as scrap at David Dunn's Salvage, Inc. in Middleport, New York. All residual hydraulic oil collected was containerized and used at Basil Toyota's repair shop in their oil-fired heating furnace.
- Excavation of approximately 1,087.52 tons of non-hazardous petroleum-impacted soil from the Bldg. #1 area, followed by off-site transportation by RE Lorenz for biotreatment and recycling at Tonawanda Terminal Biotreatment facility in Tonawanda, New York. Post-excavation soil samples results were below Part 375 Unrestricted Use SCOs, with the minor exception of acetone (a common lab contaminant), which was well below its Part 375 Residential SCO.
- Excavation of approximately 172.03 tons of stained concrete footers and foundation from the former Building #1, followed by off-site transportation by Modern Transportation for disposal at Modern Landfill in Model City, NY.
- Discovery and removal of two approximate 900-gallon former fuel oil USTs south of the former Building #1. The USTs were discovered during building

foundation removal and grading activities. Approximately 2,020 gallons of petroleum-water mixture and tank cleaning residuals were extracted from the USTs by Green Environmental Services, Inc. (GES) and disposed of at Environmental & Industrial Contracting Services, Inc. (EICS) in Niagara Falls, New York. GES transported the cleaned USTs to Niagara Metals in Niagara Falls, New York for recycling as scrap.

- Excavation of approximately 716.35 tons of non-hazardous petroleum-impacted soil from the UST area followed by off-site transportation by RE Lorenz for biotreatment and recycling at Tonawanda Terminal Biotreatment facility in Tonawanda, New York. Post-excavation soil samples results were below Part 375 Unrestricted Use SCOs, with the minor exception of one sample with acetone (a common lab contaminant), which was well below its Part 375 Residential SCO.
- Approximately 3.58 tons of sediment and/or debris were removed and properly disposed, including of accumulated sediment/debris from on-site catch basins (i.e., CB-1, CB-2, and CB-3) and accumulated sediments within the temporary excavation dewatering tanks. The material was collected by GES and disposed at EICS in Niagara Falls, New York.
- Approximately 10,000 gallons of groundwater from the on-site excavation areas was extracted and transferred to on-site temporary storage tanks during IRM activities. The accumulated water was transported by GES to the City of Lockport Wastewater Treatment Plan for approved discharge into the sewer treatment plant.
- Collection of 37 post-excavation confirmation samples (i.e., 9 from the northern MW-7 and MW-9 area, 19 from the Bldg. #1 area, and 9 from the UST area) for analysis of TCL plus NYSDEC STARS List VOCs (the Bldg. #1 area and UST Area were also analyzed for TCL SVOCs); post-excavation soil sample results were below 6NYCRR Part 375 Unrestricted Soil Cleanup Objectives (SCOs), with the minor exceptions mainly related to laboratory matrix blank contamination as noted in Table 4. All post-excavation soil sample results were below 6NYCRR Part 375 Residential SCOs.
- Placement and compaction of backfill materials. Backfill materials consisted of approximately 500 tons of on-site recycled building materials (i.e., concrete and block); approximately 1,650 tons of on-parcel native soils. Both the building material and on-parcel soil was tested to confirm they met NYSDEC criteria and were approved by NYSDEC to reuse as backfill. Additionally, approximately 249.41 tons of virgin gravel/stone from Buffalo Crushed Stone, Wehrle Plant, were used for cover over the backfill in certain areas, based on the redevelopment plans.

4.0 DESCRIPTION OF REMEDIAL ACTIONS PERFORMED

Remedial activities completed at the Site were conducted in accordance with the NYSDEC-approved RI/AAR/IRM Work Plan for the 6157 South Transit Road Site (Ref. 1). All deviations from the RI/AAR/IRM Work Plan are noted below.

4.1 Governing Documents

4.1.1 Site Specific Health & Safety Plan (HASP)

All remedial work performed under this Remedial Action was in full compliance with governmental requirements, including Site and worker safety requirements mandated by Federal OSHA.

The Health and Safety Plan (HASP) was complied with for all remedial and invasive work performed at the Site.

4.1.2 Quality Assurance Project Plan (QAPP)

The QAPP was included as Section 5.0 of the RI/AAR/IRM Work Plan approved by the NYSDEC. The QAPP describes the specific policies, objectives, organization, functional activities, and quality assurance/ quality control activities designed to achieve the project data quality objectives.

4.1.3 Community Air Monitoring Plan (CAMP)

Real-time community air monitoring was performed during IRM activities at the Site. A Community Air Monitoring Plan (CAMP) is included with TurnKey's Health and Safety Plan (HASP). Particulate and volatile organic compound (VOC) monitoring was performed along the downwind perimeter of the work area during subgrade excavation, grading, and soil/fill handling activities in accordance with the CAMP. The CAMP is consistent with the requirements for community air monitoring at remediation sites as established by the NYSDOH and NYSDEC. Accordingly, it follows procedures and practices outlined under NYSDEC's DER-10 (Ref. 2) Appendix 1A (NYSDOH's Generic Community Air Monitoring Plan) and Appendix 1B (Fugitive Dust and Particulate Monitoring).

4.1.4 Community Participation Plan

The Citizen Participation (CP) Plan for the Site was finalized in September 2010. A fact sheet was sent in April 2011 to those individuals and organizations on the mailing list in the CP Plan. The fact sheet provided an overview of the demolition and cleanup activities anticipated to begin in April 2011. Appendix C includes a copy of the fact sheet and the public notice.

At the time NYSDEC approves the FER, a fact sheet will be prepared and mailed to announce completion of the remedial construction and issuance of the Certificate of Completion (COC).

4.2 Remedial Program Elements

4.2.1 Contractors and Consultants

Richard Truesdell Contracting (Truesdell), the prime contractor for the remedial work, performed the following tasks:

- Mobilized personnel and equipment
- Demolished building and crushed reusable building material
- Excavated and loaded impacted soil/fill for off-site disposal
- Backfilled excavations with crushed building material, on-site soil, and crushed stone
- Cleaned up site upon completion of work

Green Environmental Specialists, Inc. (GES) performed the following tasks:

- Mobilized personnel and equipment
- Dewatered excavations and transported groundwater off-site for disposal
- Removed water/residuals from USTs and transported off-site disposal
- Cleaned and removed USTs and transported to off-site scrap facility
- Removed sediment and debris from catch basins and transported off-site for disposal

Buffalo Transportation, Modern Transportation, and RE Lorenz Construction, Inc. transported materials off-site.

TurnKey Environmental Restoration, LLC (TurnKey), the Engineer of Record, inspected the work and collected samples for analysis.

4.2.2 Site Preparation

Prior to implementing IRM activities, a pre-demolition survey was conducted. Abandoned drums, automobile related fluids, paint, and miscellaneous debris located within Building #1 was removal and properly disposed. Approximately 4.21 tons of abandoned paper and cardboard was removed, transported off-site by Buffalo Transportation, and recycled at Cascades Recovery U.S., Inc. in Rochester, NY. The former Building #1 automobile sales and service facility was demolished to grade prior to in-ground lift and impacted soil removal. Scrap steel was transported off-site by Truesdell for recycling at David Dunn's Salvage, Inc. in Middleport, NY.

On April 5, 2011, TurnKey personnel mobilized to the Site to set up the air monitoring equipment, and Truesdell mobilized to the Site to begin excavation work. Utility marker layout was completed prior to intrusive activities on the Site.

A pre-construction meeting was held with the contractors on April 5, 2011.

Documentation of agency approvals required by the RI/AAR/IRM Work Plan is included in Appendix D.

All State Environmental Quality Review Act (SEQRA) requirements and all substantive compliance requirements for attainment of applicable natural resource or other permits were achieved during this Remedial Action.

4.2.3 General Site Controls

TurnKey personnel completed daily reports from April 5 to May 4, 2011 to detail the work progress.

Lighting over the majority of the Site was provided by light poles along South Transit Road. Active car dealerships are located on both sides of the Site, providing additional lighting and security.

Temporary site controls were employed for off-site migration of soil/fill and safety hazards during construction. These controls included safety fencing and groundwater management as further described below:

- Temporary safety construction fencing (i.e., 3-foot high orange plastic) was placed around the outer perimeter of excavation areas at the end of each day of activity and was not removed until the excavation and general backfill work was completed.
- Extraction of approximately 10,000 gallons of groundwater from the excavation areas was transferred to on-site temporary storage tanks. The accumulated water was transported by Green Environmental Services to the City of Lockport Wastewater Treatment Plan for approved discharge.

At the completion of the excavation work, Truesdell removed impacted soil/fill from the excavator and included this residual material with its final load to Modern Landfill on April 15, 2011.

4.2.4 Nuisance Controls

The nuisance controls during the IRM included dust suppression during Site excavation work and soil backfill activities. During soil/fill excavation and loading activities, the contractor applied a water spray across the excavation face and surrounding areas if necessary to mitigate airborne dust formation and migration.

In general, community air monitoring results indicated particulate levels below action levels; therefore, additional dust suppression techniques were not employed. All attempts were made to keep visible and/or fugitive dust to a minimum.

Petroleum odors and elevated photoionization detector (PID) measurements were observed during impacted soil/fill excavations; however, these impacts were immediate to the excavation area and did not require odor control. Equipment was decontaminated prior to leaving the Site. Trucks accessed the Site using the access road off South Transit Road along the southern boundary of the Site. No nuisance complaints related to the IRM activities were received during the construction period.

4.2.5 CAMP Results

Air monitoring equipment was set up at one downwind location each day excavation and backfilling activities were being conducted at the Site, with the exception of days it was raining or excessively windy at the Site. Air monitoring was conducted from April 5-8, April 11-15, and April 18-19, 2011.

All monitoring results conformed to the community air monitoring perimeter particulate requirement (i.e., <100 μg/m^3) and the organic vapor requirement (i.e., <5 ppm).

Continuous VOC monitoring was not conducted on April 19, 2011 during CAMP monitoring events. Excavated materials were field screened by TurnKey personnel with a PID; volatile organics were not detected. According to NYSDOH's Generic CAMP, continuous downwind monitoring is not required when volatiles are not detected during intrusive activities.

Copies of all field data sheets relating to the CAMP are provided in electronic format in Appendix E.

4.2.6 Reporting

Standard reporting procedures included preparation of a daily report. The following information is included in the daily report:

- Description and location of construction activities.
- Equipment and personnel working in the area, including subcontractors.
- Number and type of truckloads of material removed off-site and brought on-site.
- Soil screening results and visual/olfactory impacts measured during excavation activities.
- Approximate verification sampling locations (sketches) and sample designations.

The completed reports were available on-site during the IRM activities. All daily reports are included in electronic format in Appendix F.

The digital photo log required by the RI/AA/IRM Work Plan is included in electronic format in Appendix G.

4.3 Contaminated Materials Removal

4.3.1 In-Ground Hydraulic Lifts

On April 7 and 8, 2011, five in-ground hydraulic lifts, including multiple reservoirs and circulation lines, were removed. The hydraulic lifts were emptied of residual product and cleaned on-site prior to off-site recycling. All residual hydraulic oil collected was

containerized and used at Basil Toyota's repair shop in the oil-fired heating furnace. Figure 3 shows the approximate former location of the hydraulic lifts.

4.3.1.1 Disposal/Recycling Details

The hydraulic lifts were emptied of residual product and cleaned on-site prior to off-site transportation by Truesdell on April 11, 2011 to David Dunn's Salvage, Inc. in Middleport, NY for recycling as scrap.

Table 2 shows the total quantities of each category of material removed from the Site and the disposal/recycling locations.

Letters from Applicants to disposal facility owners and acceptance letters from disposal facility owners are attached in Appendix H1.

Manifests, disposal receipts, and bills of lading are included in electronic format in Appendix H2.

4.3.1.2 On-Site Reuse

Approximately 100 gallons of residual hydraulic oil collected during cleanout of the lifts was containerized and used at Basil Toyota's repair shop in the oil-fired heating furnace.

4.3.2 VOC-Impacted Soil/Fill

Between April 5 and 7, 2011, approximately 412 tons of non-hazardous VOC-impacted soil/fill was excavated from the northern (MW-7 and MW-9) area of the Site and direct-loaded to dump truck for off-site transportation by Lewiston Trucking Co., Inc. (a division of Modern Disposal). The planned excavation area was expanded due to the discovery of an abandoned storm water line on April 5, 2011 that had evidence of petroleum impact in the bedding material. Approximately 120 feet of petroleum-impacted pipe and bedding material was excavated and transported off-site with the excavated soil/fill. The main MW-7 and MW-9 excavation area ranged between 7 and 8 feet deep, and the pipe run area was excavated to approximately 4 feet below grade. Post-excavation soil sample results were below Part 375 Unrestricted Use SCOs, with the minor exception of acetone (a common lab contaminant), which was detected at concentrations well below its Part 375 Residential SCO. Figure 3 shows the approximate lateral extent of the excavations and the locations of the confirmatory samples.

4.3.2.1 Disposal Details

Between April 5 and 7, 2011, the excavated soil/fill, and petroleum-impacted pipe and bedding material were direct-loaded and transported by Lewiston Trucking Co., Inc. for disposal at Modern Landfill in Model City, NY.

Table 2 shows the total quantities of each category of material removed from the Site, the transporter's name and license number, and the disposal locations.

Letters from Applicants to disposal facility owners and acceptance letters from disposal facility owners are attached in Appendix H1.

Manifests, disposal receipts, and bills of lading are included in electronic format in Appendix H2. Appendix H3 includes the load summary from Modern Disposal.

4.3.3 Petroleum-Impacted Soil/Fill

On April 11 and 13, 2011, approximately 1,088 tons of non-hazardous petroleum-impacted soil/fill were excavated from the former Building #1 area, followed by off-site transportation by RE Lorenz Construction, Inc. Post-excavation soil sample results were below Part 375 Unrestricted Use SCOs, with the minor exception of acetone (a common lab contaminant), which was detected at concentrations well below its Part 375 Residential SCO.

On April 18 and 19, 2011, approximately 716 tons of non-hazardous petroleum-impacted soil/fill were excavated from the UST area (see Section 4.3.4), followed by off-site transportation by RE Lorenz. Post-excavation soil sample results were below Part 375 Unrestricted Use SCOs, with the minor exception of one sample with acetone (a common lab contaminant), which was detected at a concentration well below its Part 375 Residential SCO.

Figure 3 shows the approximate lateral extent of the excavations and the locations of the confirmatory samples.

4.3.3.1 Disposal/Recycling Details

Between April 11 and 19, 2011, a total of 1,804 tons of non-hazardous petroleum-impacted soil/fill was transported off-site by RE Lorenz to the Tonawanda Terminals Biotreatment facility in Tonawanda, NY for biotreatment and recycling.

Table 2 shows the total quantities of each category of material removed from the Site, the transporter's name and license number, and the disposal locations.

Letters from Applicants to disposal facility owners and acceptance letters from disposal facility owners are attached in Appendix H1.

Manifests, disposal receipts, and bills of lading are included in electronic format in Appendix H2. Appendix H3 includes the weight tickets from Tonawanda Terminals.

4.3.4 Underground Storage Tanks

On April 14-15, 2011, two USTs were discovered south of the former Building #1 during foundation removal and grading activities. Figure 3 shows the approximate locations of the USTs. The two approximate 900-gallon USTs suspected of previously containing virgin petroleum product contained infiltrated water. According to Green Environmental Services, Inc. (GES), light sheen was evident but no odor was detected. A total of 2,020-gallons of petroleum-water mixture and tank cleaning residuals were extracted from the USTs by GES into a vacuum truck. GES subsequently loaded the USTs onto a tow-behind trailer for transport to the EICS facility. TurnKey completed the NYSDEC Petroleum Bulk Storage (PBS) Application to register the two unregistered orphaned USTs. The Site was formerly Gambino Ford (PBS No. 9-600172) and, as such, these USTs have been identified as Tank No. 07 and 08 in accordance with the numbering on the in-active PBS registration for the former automobile dealership. Appendix D includes the September 7, 2011 letter transmitting the completed PBS Application to the NYSDEC.

4.3.4.1 Disposal/Recycling Details

On April 15, 2011, the petroleum-water waste material from the USTs was transported to Environmental & Industrial Contracting Services, Inc. (EICS) in Niagara Falls, NY for processing (solidification) then sent to Modern Disposal in a roll-off on April 21, 2011. The USTs received final cleaning and dismantling at the EICS facility, and were transported by EICS to Niagara Metals in Niagara Falls, NY for recycling as scrap.

Table 2 shows the total quantities of each category of material removed from the Site, the transporter's name and license number, and the disposal locations.

Letters from Applicants to disposal facility owners and acceptance letters from disposal facility owners are attached in Appendix H1.

Manifests, disposal receipts, and bills of lading are included in electronic format in Appendix H2.

4.3.5 Concrete Building Demolition Material

On April 13, 2011, following demolition of the former Building #1 automobile sales and service facility, Truesdell excavated the concrete foundation footers. Approximately 172 tons of stained concrete footers and foundation from the former Building #1 were temporarily stockpiled on-site followed by off-site transportation by Lewiston Trucking Co., Inc. for disposal at Modern Landfill in Model City, NY

4.3.5.1 Disposal Details

On April 14 and 15, 2011, the stained concrete material was transported off-site by Lewiston Trucking Co., Inc. for disposal at Modern Landfill in Model City, NY.

Table 2 shows the total quantities of each category of material removed from the Site, the transporter's name and license number, and the disposal locations.

Letters from Applicants to disposal facility owners and acceptance letters from disposal facility owners are attached in Appendix H1.

Manifests, disposal receipts, and bills of lading are included in electronic format in Appendix H2. Appendix H3 includes the load summary from Modern Disposal.

4.3.5.2 On-Site Reuse

Approximately 500 tons of non-stained concrete footers and foundation material was stockpiled for re-use as backfill material. The building material was tested to confirm that it met NYSDEC's criteria and was approved by NYSDEC for reuse as backfill. Appendix I includes the documentation for on-site re-use of this material.

4.3.6 Sediment

On May 4, 2011, approximately 3.58 tons of sediment and debris were removed from on-site catch basins CB-1, CB-2, and CB-3 (see Figure 3) and within the temporary excavation dewatering tanks (i.e., accumulated sediment).

4.3.6.1 Disposal Details

The sediment and debris material was collected by GES and disposed at EICS in Niagara Falls, NY on May 4, 2011.

Table 2 shows the total quantities of each category of material removed from the Site and the disposal locations.

Letters from Applicants to disposal facility owners and acceptance letters from disposal facility owners are attached in Appendix H1.

Manifests, disposal receipts, and bills of lading are included in electronic format in Appendix H2.

4.4 Remedial Performance/Documentation Sampling

Following removal of the USTs and excavation of impacted soil, a total of 37 verification grab soil/fill samples were collected as follows:

- North Area (MW-7 and MW-9): six sidewall and three floor samples
- Building #1 Area: 13 sidewall and six floor samples
- UST Area: six sidewall and three floor samples

All samples were analyzed by TestAmerica, a National Environmental Laboratory Approval Program (NELAP)-approved laboratory, for TCL VOCs and semi-volatile organic compounds (SVOCs) by United States Environmental Protection Agency (USEPA) Methods 8260B and 8270C, with the exception of the North Area samples that were only analyzed for TCL VOCs. Table 4 summarizes the verification sample results and compares them to unrestricted and residential SCOs. Thirteen of the 37 samples detected acetone at concentrations slightly above its unrestricted SCO, two of which were qualified due to detection of acetone in the corresponding blank. All parameters were detected at concentrations below the Residential SCOs. Figure 3 shows the approximate verification sample locations.

Data Usability Summary Reports (DUSRs) were prepared for all data generated in this remedial performance evaluation program. These DUSRs are included in Appendix J, and associated raw analytical data is provided electronically in Appendix K.

4.5 Imported and On-Site Backfill

With NYSDEC concurrence that the excavations were complete, they were backfilled with approximately 500 tons of on-site recycled building materials (i.e., concrete and block) and 1,650 tons of on-parcel native soils. Both the building material and on-parcel soil was tested to confirm they met NYSDEC criteria and were approved by NYSDEC to reuse as backfill. Additionally, approximately 249.41 tons of virgin gravel/stone from Buffalo

Crushed Stone's Wehrle Plant was used for cover over the backfill in certain areas, based on the redevelopment plans. In accordance with DER-10, the virgin gravel/stone was approved for import without chemical testing since it contains less than 10% by weight material that would pass through a size 80 sieve and originated from a permitted mine or quarry. Appendix I includes documentation on the backfill materials used.

The chemical analytical results for the on-property soil backfill and on-site recycled building materials, in comparison to allowable levels, are summarized in Table 3.

4.6 Contamination Remaining at the Site

The remedial work described in Section 4.3 removed all known "source area" soil/fill, which included petroleum- and VOC-impacted soil/fill. The hydraulic lifts, USTs, and associated impacted soil/fill encountered were also removed. Based on the removal of historic impacts and the results of the post-excavation verification sampling, no soil/fill contamination remains at the Site above Part 375 Residential Use SCOs.

The only constituent remaining above unrestricted-use SCOs is acetone, based on the results of the post-excavation verification sampling. Based on the data, it is not possible to quantify with any certainty areas that do not exceed the acetone unrestricted-use SCO. Based on the historic and planned future use of the Site as a commercial facility, and the results of the RI/IRM, all areas of the Site (approximately 3.75 acres) not excavated during the IRM would need to be excavated to an average depth of 8 feet below ground surface (fbgs). The estimated total volume of impacted soil/fill that would be removed from these areas is approximately 47,300 cubic yards (CY). Based on the minor exceedances of groundwater concentrations and the removal of 8 feet of soil/fill across the Site thereby removing any potential source area, no groundwater remediation or long-term monitoring would be required.

Table 4 summarizes the results of all soil samples remaining at the site after completion of Remedial Action that exceed the Track 1 (unrestricted) SCOs.

Since contaminated soil and groundwater does not remain beneath the Site after completion of the Remedial Action, Institutional and Engineering Controls (IC/ECs) are not required to protect human health and the environment.

4.7 Other Engineering Controls

The remedy for the site does not require the construction of any engineering control systems.

4.8 Institutional Controls

The remedy for the site does not require any institutional controls.

4.9 Deviations from the Remedial Action Work Plan

There were no substantial deviations from the RAWP with the exception of the following:

- Based on the approved Work Plan, existing monitoring wells (i.e., MW-5, MW-6, MW-7, MW-9, and MW-10) were planned for sampling and analysis of TCL SVOCs. Due to poor well recovery, only MW-7 was able to be sampled and analyzed for SVOCs. All five existing wells were sampled and analyzed for TCL plus STARS VOCs, in accordance with the Work Plan. This deviation was discussed with and verbally approved by the NYSDEC representative on-site.
- As described in Section 4.3.2, additional material was removed and disposed off-site due to the discovery of an abandoned storm water line that had evidence of petroleum impact in the bedding material during excavation of the northern (MW-7 and MW-9) area of the Site. Approximately 120 feet of petroleum-impacted pipe and bedding material (to approximately 4 fbgs) was excavated and transported off-site to Modern landfill with the excavated soil/fill.
- As described in Section 4.3.4, two approximate 900-gallon former fuel oil USTs were discovered during Building #1 foundation removal and grading activities. Approximately 2,020 gallons of petroleum-water mixture and tank cleaning residuals were removed from the USTs, and transported off-site for recycling as scrap. As a result, approximately 716 tons of non-hazardous petroleum-impacted soil was excavated from the UST area and transported off-site to Tonawanda Terminals for biotreatment and recycling.

5.0 REFERENCES

1. TurnKey Environmental Restoration, LLC. *Work Plan for Remedial Investigation/ Alternatives Analysis Report/Interim Remedial Measures, 6157 South Transit Road Site, Lockport, New York*. September 2010; Revised March 2011.
2. New York State Department of Environmental Conservation. *DER-10; Technical Guidance for Site Investigation and Remediation*. May 2010.

TABLES

TABLE 1

SUMMARY OF SOIL ANALYTICAL DATA COMPARED TO SOIL CLEANUP OBJECTIVES (SCOs)

6157 SOUTH TRANSIT ROAD SITE

LOCKPORT, NEW YORK

Parameter [1]	Unrestricted SCOs [2]	Residential SCOs [2]	Soil Boring Sample Locations																		
			Historic Investigation (2009)				Remedial Investigation (2011)														
			SB-6 (0.4-2.0)	SB-7 (2-4)	SB-9 (4-7)	SB-10 (4-7)	BCP MW 1 (2-4)	BCP MW 2 (4.5-6.5)	BCP MW 3 (4-6)	BCP MW 4 (4-6)	BCP MW 5 (4-6)	BCP MW 6 (3-5)	BCP MW 7 (3.5-5.5)	SB 1 (6-8)	SB 2 (4-6)	SB 3 (4-6)	SB 4 (3-5)	SB 5 (4-6)	SB 6 (4-6)	SB 7 (5-7)	SB 8 (2-4)
Volatile Organic Compounds (VOCs) - mg/Kg [4]																					
1,2,4-Trimethylbenzene	**3.6**	**47**	**5.4**	0.032	0.7	**45**	ND	NA	NA	NA	NA	NA	NA	ND	NA	NA	ND	ND	NA	NA	ND
1,3,5-Trimethylbenzene	**8.4**	**47**	5.1	ND	0.28	**32**	ND	NA	NA	NA	NA	NA	NA	ND	NA	NA	ND	ND	NA	NA	ND
2-Butanone (MEK) [4]	**100**	**100**	ND	ND	ND	ND	ND	NA	NA	NA	NA	NA	NA	ND	NA	NA	0.0055 J	ND	NA	NA	ND
p-Cymene	**--**	**--**	0.29	ND	0.039	2.2	ND	NA	NA	NA	NA	NA	NA	ND	NA	NA	ND	ND	NA	NA	ND
Acetone	**0.05**	**100**	ND	**0.43**	ND	ND	0.019 J	NA	NA	NA	NA	NA	NA	ND	NA	NA	0.046	0.042	NA	NA	0.011
Benzene	**0.06**	**2.9**	ND	ND	ND	ND	ND	NA	NA	NA	NA	NA	NA	ND	NA	NA	ND	0.0016 J	NA	NA	ND
Carbon Disulfide[4]	**100**	**100**	0.044	ND	ND	ND	ND	NA	NA	NA	NA	NA	NA	ND	NA	NA	ND	ND	NA	NA	ND
cis-1,2-Dichloroethene	**0.25**	**59**	0.095	ND	ND	ND	ND	NA	NA	NA	NA	NA	NA	ND	NA	NA	ND	ND	NA	NA	ND
Ethylbenzene	**1**	**30**	0.043	ND	ND	0.38	ND	NA	NA	NA	NA	NA	NA	ND	NA	NA	ND	0.0021 J	NA	NA	ND
Isopropylbenzene (Cumene)	**100**	**100**	0.23	ND	0.059	7.5	ND	NA	NA	NA	NA	NA	NA	ND	NA	NA	ND	ND	NA	NA	ND
Methyl acetate	**--**	**--**	0.15	0.23	ND	ND	ND	NA	NA	NA	NA	NA	NA	ND	NA	NA	ND	ND	NA	NA	ND
Methylcyclohexane	**--**	**--**	0.052	ND	ND	0.093	ND	NA	NA	NA	NA	NA	NA	ND	NA	NA	ND	ND	NA	NA	ND
Methyl tert butyl ether (MTBE)	**0.93**	**62**	ND	ND	ND	ND	ND	NA	NA	NA	NA	NA	NA	ND	NA	NA	ND	0.15	NA	NA	ND
Methylene Chloride	**0.05**	**51**	0.024	ND	ND	ND	0.0083	NA	NA	NA	NA	NA	NA	0.0083	NA	NA	0.0084	ND	NA	NA	0.0066
n-Propylbenzene	**3.9**	**100**	0.33	ND	0.13	**11**	ND	NA	NA	NA	NA	NA	NA	ND	NA	NA	ND	ND	NA	NA	ND
sec-Butylbenzene	**11**	**100**	0.23	ND	0.04	3	ND	NA	NA	NA	NA	NA	NA	ND	NA	NA	ND	ND	NA	NA	ND
Toluene	**0.7**	**100**	0.041	ND	ND	ND	ND	NA	NA	NA	NA	NA	NA	ND	NA	NA	ND	0.0021 BJ	NA	NA	ND
Total Xylenes	**0.26**	**100**	**1.6**	ND	0.049	**3.9**	ND	NA	NA	NA	NA	NA	NA	ND	NA	NA	ND	ND	NA	NA	ND
Semi-Volatile Organic Compounds (SVOCs) - mg/Kg [3]																					
Acenaphthylene	**100**	**100**	ND	ND	ND	ND	ND	ND	ND	0.013 J	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Acenaphthene	**20**	**100**	ND	ND	ND	ND	ND	ND	ND	0.0077 J	ND	ND	ND	ND	ND	ND	ND	0.14 J	ND	ND	ND
Anthracene	**100**	**100**	ND	ND	ND	ND	ND	ND	ND	0.018 J	ND	ND	ND	0.013 J	ND	ND	ND	0.14 J	ND	ND	ND
Benzo(a)anthracene	**1**	**1**	ND	0.011	ND	ND	0.26 J	ND	ND	0.12 J	ND	ND	ND	0.049 J	ND	ND	ND	0.26 J	ND	ND	ND
Benzo(b)fluoranthene	**1**	**1**	ND	0.011	ND	ND	0.44 J	ND	0.014 J	0.16 J	ND	ND	ND	0.033 J	0.019 J	0.15 J	0.016 J	0.23 J	ND	ND	ND
Benzo(k)fluoranthene	**0.8**	**1**	ND	ND	ND	ND	ND	ND	0.0058 J	0.059 J	ND	ND	ND	0.025 J	0.0067 J	0.049 J	0.0047 J	0.091 J	ND	ND	ND
Benzo(g,h,i)perylene	**100**	**100**	ND	ND	ND	ND	0.22 J	ND	0.013 J	0.058 J	ND	ND	ND	0.024 J	0.016 J	ND	ND	ND	ND	0.014 J	0.098 J
Benzo(a)pyrene	**1**	**1**	ND	ND	ND	ND	0.26 J	ND	0.011 J	0.12 J	ND	ND	ND	0.037 J	0.02 J	0.1 J	0.01 J	0.13 J	ND	ND	0.054
Bis(2-ethylhexl) phthalate [4]	**50**	**50**	ND	ND	ND	ND	ND	ND	2	ND	0.069 J	0.36 J	ND	0.071 J	0.087 J	ND	0.18 J	1.7	0.15 J	0.093 J	ND
Butyl benzyl phthalate [4]	**100**	**100**	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	0.28 J
Carbazole	--	--	ND	ND	ND	ND	0.04 J	ND	ND	0.018 J	ND	ND	ND	ND	ND	ND	ND	0.066 J	ND	ND	ND
Chrysene	**1**	**1**	0.082	0.0087	ND	ND	0.27 J	ND	ND	0.12 J	ND	ND	ND	0.041 J	ND	ND	ND	0.32 J	ND	ND	ND
Di-n-butyl phthalate [4]	**100**	**100**	ND	ND	ND	ND	ND	ND	0.13 J	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Dibenzo(a,h)anthracene	**0.33**	**0.33**	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	0.013 J	0.078 J
Dibenzofuran	--	--	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	0.14 J	ND	ND	ND
Fluoranthene	**100**	**100**	0.013	0.018	ND	ND	0.57 J	ND	0.019 J	0.24	ND	0.0053 J	ND	0.088 J	0.01 J	0.19 J	0.042 J	0.99 J	0.0093 J	ND	0.038 J
Fluorene	**30**	**100**	0.057	ND	ND	0.19	ND	ND	ND	0.0097 J	ND	ND	ND	ND	ND	ND	ND	0.13 J	ND	ND	ND
Indeno(1,2,3-cd)pyrene	**0.5**	**0.5**	ND	ND	ND	ND	0.19 J	ND	0.0085 J	0.075 J	ND	ND	ND	ND	0.012 J	ND	0.0069 J	ND	ND	0.012 J	0.086 J
Naphthalene	**12**	**100**	0.45	ND	ND	ND	ND	ND	0.0054 J	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Phenanthrene	**100**	**100**	0.034	0.011	0.013	0.074	0.21 J	ND	ND	0.1 J	ND	ND	ND	0.047 J	ND	0.079 J	0.02 J	1.1	0.0072 J	ND	ND
Pyrene	**100**	**100**	0.019	ND	0.013	0.017	0.46 J	0.0073	0.017 J	0.19 J	ND	0.0062 J	ND	0.068 J	0.015 J	0.19 J	0.028 J	0.78 J	0.011 J	ND	0.044 J

TABLE 1

SUMMARY OF SOIL ANALYTICAL DATA COMPARED TO SOIL CLEANUP OBJECTIVES (SCOs)

6157 SOUTH TRANSIT ROAD SITE

LOCKPORT, NEW YORK

Parameter [1]	Unrestricted SCOs [2]	Residential SCOs [2]	Soil Boring Sample Locations																		
			Historic Investigation (2009)				Remedial Investigation (2011)														
			SB-6 (0.4-2.0)	SB-7 (2-4)	SB-9 (4-7)	SB-10 (4-7)	BCP MW 1 (2-4)	BCP MW 2 (4.5-6.5)	BCP MW 3 (4-6)	BCP MW 4 (4-6)	BCP MW 5 (4-6)	BCP MW 6 (3-5)	BCP MW 7 (3.5-5.5)	SB 1 (6-8)	SB 2 (4-6)	SB 3 (4-6)	SB 4 (3-5)	SB 5 (4-6)	SB 6 (4-6)	SB 7 (5-7)	SB 8 (2-4)
Metals - mg/Kg																					
Aluminum[4]	**10000**	**--**	NA	NA	NA	NA	8140	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	6980	NA	NA	6840
Arsenic	**13**	**16**	NA	NA	NA	NA	5.2	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	2.9	NA	NA	4
Barium	**350**	**350**	NA	NA	NA	NA	74.1	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	43.3	NA	NA	45.6
Beryllium	**7.2**	**14**	NA	NA	NA	NA	0.44	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	0.37	NA	NA	0.4
Cadmium	**2.5**	**2.5**	NA	NA	NA	NA	0.53	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	0.6	NA	NA	0.9
Calcium[4]	**10000**	**--**	NA	NA	NA	NA	94400	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	41800	NA	NA	50900
Chromium	**30**	**36**	NA	NA	NA	NA	11.2	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	9.6	NA	NA	10.7
Cobalt [4]	**20**	**30**	NA	NA	NA	NA	8.1	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	5.2	NA	NA	7.4
Copper	**50**	**270**	NA	NA	NA	NA	16.6	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	13.4	NA	NA	22.8
Iron [4]	**2000**	**2000**	NA	NA	NA	NA	**16300**	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	**11600**	NA	NA	**13700**
Lead	**63**	**400**	NA	NA	NA	NA	26.6	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	33.2	NA	NA	37.5
Magnesium	**--**	**--**	NA	NA	NA	NA	35800	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	20200	NA	NA	18500
Manganese	**1600**	**2000**	NA	NA	NA	NA	640	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	510	NA	NA	668
Nickel	**30**	**140**	NA	NA	NA	NA	19.7	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	11.6	NA	NA	13.5
Potassium	**--**	**--**	NA	NA	NA	NA	1110	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	493	NA	NA	639
Sodium	**--**	**--**	NA	NA	NA	NA	215	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	ND	NA	NA	170
Vanadium [4]	**100**	**100**	NA	NA	NA	NA	19	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	16.3	NA	NA	17.2
Zinc	**109**	**2200**	NA	NA	NA	NA	115	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	120	NA	NA	248
Mercury	**0.18**	**0.81**	NA	NA	NA	NA	ND	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	0.025	NA	NA	ND

Notes:

1. Only those parameters detected at a minimum of one sample location are presented in this table; all other compounds were reported as non-detect.
2. Values per 6NYCRR Part 375 Soil Cleanup Objectives (December 2006).
3. Sample results were reported by the laboratory in ug/Kg and converted to mg/Kg for comparison to SCOs.
4. Values per NYSDEC Commissioner's Policy Soil Cleanup Guidance (CP-51); Supplemental Soil Cleanup Objectives (SSCO's) (October 2010).

Definitions:

ND = Parameter not detected above laboratory detection limit.
NA = Parameter not Analysed.
"--" = No SCO available.
J = Estimated value; result is less than the sample quantitation limit but greater than zero.
B = Analyte was detected in the associated blank as well as in the sample. Value is above the action level for consideration as being external contamination.

= Exceedance of Part 375 - Unrestricted Soil Cleanup Objectives (SCOs)
= Exceedance of Part 375 - Residential Use Soil Cleanup Objectives (SCOs)

TABLE 2

SUMMARY OF MATERIALS REUSED ON-SITE OR RECYCLED/DISPOSED OFF-SITE

Final Engineering Report
6157 South Transit Road Site
Lockport, New York

IRM Activity and Material/Item	Quantity	Units	Responsible Company(ies)	Trucking No.	Disposal Location
Building Demolition					
Paper and cardboard (abandoned in building)	4.21	tons	Buffalo Transportation	NA	Cascades Recovery U.S., Inc. (recycled)
Non-stained concrete and block material	500	tons	Richard Truesdell Contracting (Truesdell)	NA	Re-used on-site as backfill
Stained concrete and block material	172.03	tons	Truesdell / Lewiston Trucking Co., Inc.	9A073 (1)	Modern Landfill
Plate and structural steel scrap	53.2	tons	Truesdell / David Dunn's Salvage	NA	David Dunn's Salvage, Inc.
Asbestos waste	55.7	tons	Truesdell (Lyn-Rich, Inc.) / Waste Mgmt.	NA	Waste Management Chaffee Landfill
Soil/Fill Excavation					
Non-hazardous, petroleum-impacted soil/fill under Building #1	1,088	tons	Truesdell / RE Lorenz Construction, Inc.	9A799	Tonawanda Terminal Biotreatment Facility
Non-hazardous, petroleum-impacted soil/fill from UST Area	716	tons	Truesdell / RE Lorenz Construction, Inc.	9A799	Tonawanda Terminal Biotreatment Facility
Non-hazardous, VOC-impacted soil/fill from MW-7 & MW-9 areas	412.16	tons	Truesdell / Lewiston Trucking Co., Inc.	9A073 (1)	Modern Landfill
Petroleum-impacted stormwater piping and bedding material (120 ft)	*Included in 412.16 tons*				
Groundwater from dewatering excavations	10,000	gallons	Green Environmental Specialists, Inc.	9A520	City of Lockport WWTP
UST Removal					
Steel 900-gallon USTs (cleaned)	2	tank	Green Environmental Specialists, Inc.	9A520	Niagara Metals (recycled as scrap)
UST water/residuals (petroleum-impacted)	2,020	gallons	Green Environmental Specialists, Inc.	9A520	Environmental & Industrial Contracting Services, Inc. (EICS)
Hydraulic Lift Removal					
In-ground hydraulic lifts, reservoirs and circulation lines	4.65	tons	Truesdell	NA	David Dunn's Salvage, Inc.
Residual hydraulic oil (from hydraulic lifts)	100	gallons	Truesdell	NA	Containerized for use in repair shop oil-fired heating furnace
Miscellaneous					
On-site catchbasins	3.58	tons	Green Environmental Specialists, Inc.	9A520	Environmental & Industrial Contracting Services, Inc. (EICS)

Notes:
(1) Modern Landfill Inc. dba Lewiston Trucking Co Inc. (9A073).

TABLE 3

SUMMARY OF BACKFILL MATERIAL ANALYTICAL RESULTS

6157 SOUTH TRANSIT ROAD SITE

LOCKPORT, NEW YORK

Parameter [1]	Criteria for Imported Soil/Fill [2]	Sample Locations			
		Bldg#1 (concrete)	Soil Backfill 1	Soil Backfill 2	Soil Backfill 3
Volatile Organic Compounds (VOCs) - mg/kg [3]					
Acetone	**0.05**	0.0054 J	ND	ND	ND
Methylene Chloride	**0.05**	0.0029 J	0.0037 J	0.0048 J	0.0039 J
Toluene	**0.7**	0.00068 J	ND	ND	ND
Semi-Volatile Organic Compounds (SVOCs) - mg/kg [3]					
Acenaphthylene	**100**	ND	ND	ND	0.0059 J
Acenaphthene	**98**	ND	ND	ND	0.031 J
Anthracene	**100**	ND	ND	0.013 J	0.11 J
Benzo(a)anthracene	**1**	ND	ND	0.054 J	0.45
Benzo(b)fluoranthene	**1**	ND	ND	0.086 J	0.74
Benzo(k)fluoranthene	**1**	ND	ND	0.043 J	0.25
Benzo(g,h,i)perylene	**100**	ND	ND	0.05 J	0.38
Benzo(a)pyrene	**1**	ND	ND	0.078 J	0.56
Bis (2-ethylhexyl) phthalate	**--**	0.62	ND	ND	ND
Butyl benzyl phthalate	**--**	0.14 J	ND	ND	ND
Carbazole	**--**	ND	ND	ND	0.066 J
Chrysene	**1**	ND	ND	0.071 J	0.55
Dibenzo(a,h)anthracene	**0.33**	ND	ND	ND	0.091 J
Dibenzofuran	**--**	ND	ND	ND	0.01 J
Fluoranthene	**100**	0.059 J	0.01 J	0.14 J	1.3
Fluorene	**100**	ND	ND	ND	0.035 J
Indeno(1,2,3-cd)pyrene	**0.5**	ND	ND	0.051 J	0.32
Phenanthrene	**100**	0.023 J	ND	0.052 J	0.62
Pyrene	**100**	0.052 J	0.016 J	0.11 J	0.94
Metals - mg/kg					
Aluminum	**--**	5680	6540	7400	15600
Arsenic	**16**	2	3.3	4.2	5.2
Barium	**350**	118	46.3	72.2	131
Beryllium	**14**	0.2	0.28	0.4	0.72
Cadmium	**2.5**	ND	0.72	0.64	0.74
Calcium	**--**	99700	54500	50900	9980
Chromium	**19**	5.6	8.6	9.4	17.8
Cobalt	**--**	1.5	6.2	6.4	7.8
Copper	**270**	5.5	17.7	18.9	16.6
Iron	**--**	4210	11400	12900	21600
Lead	**400**	4.2	26.7	30.9	51.9
Magnesium	**--**	19300	26100	21200	6240
Maganese	**2000**	218	521	619	355
Nickel	**130**	5.1	12.9	13.5	18.5
Potassium	**--**	882	976	788	1340
Sodium	**--**	397	ND	ND	ND
Vanadium	**--**	8.8	12.3	14.9	24.6
Zinc	**2200**	19.9	203	131	155
Mercury	**0.73**	ND	ND	0.031	0.069

TABLE 3

SUMMARY OF BACKFILL MATERIAL ANALYTICAL RESULTS

6157 SOUTH TRANSIT ROAD SITE

LOCKPORT, NEW YORK

Parameter [1]	Criteria for Imported Soil/Fill [2]	Sample Locations			
		Bldg#1 (concrete)	Soil Backfill 1	Soil Backfill 2	Soil Backfill 3
Pesticides - mg/kg [3]					
4,4' -DDE	**1.8**	0.00076 J	0.00068 J	0.0008 J	ND
4,4' -DDT	**1.7**	ND	ND	0.0012 J	ND

Notes:

1. Only those parameters detected at a minimum of one sample location are presented in this table; all other compounds were reportec
2. Values per the Department's approved RI/AAR/IRM Work Plan; Table 2 - Criteria for Imported Soil (dated March 2011)
3. Sample results were reported by the laboratory in ug/kg and converted to mg/kg for comparison to SCOs.

Definitions:

ND = Parameter not detected above laboratory detection limit.
"--" = No SCO available.
J = Estimated value; result is less than the sample quantitation limit but greater than zero.

TABLE 4

SUMMARY OF POST-EXCAVATION SOIL ENDPOINT ANALYTICAL RESULTS

6157 SOUTH TRANSIT ROAD SITE

LOCKPORT, NEW YORK

Parameter [1]	Unrestricted SCOs [2]	Residential SCOs [2]	Confirmatory Post-Excavation Sample Locations																																			
			North Area (MW-7 and MW-9)									Building 1 Area																		UST Excavation Area								
			NW-1	NW-2	SW-1	SW-2	EW	WW	BOT-1	BOT-2	BOT-3	NW-1	NW-2	NW-3	EW-1	EW-2	EW-3	EW-4	SW-1	SW-2	SW-3	WW-1	WW-2	WW-3	BOT-1	BOT-2	BOT-3	BOT-4	BOT-5	BOT-6	NW	EW-1	EW-2	SW	WW-1	WW-2	BOT-1	BOT-2	BOT-3
Volatile Organic Compounds (VOCs) - mg/kg [3]																																						
Acetone	**0.05**	**100**	0.03	0.019 BJ	**0.11**	**0.085 B**	**0.066 B**	0.029 J	0.021 J	0.0095 J	**0.051**	**0.052**	**0.053**	**0.078**	ND	0.011 J	ND	ND	0.0047 J	0.021 J	**0.14**	0.0051 J	**0.063**	**0.073**	0.016 J	ND	**0.062**	0.03	0.026 J	**0.055**	0.013 J	**0.081**	0.016 J	0.013 J	0.017 J	0.016 J	0.037	0.013 J	0.0068 J
2-Butanone (MEK) [4]	**100**	**100**	0.0041 J	ND	0.017 J	0.01 J	0.0073	0.0032 J	ND	ND	0.0074 J	0.0083 J	0.0069 J	0.011 J	0.01 J	ND	ND	ND	ND	ND	0.018 J	ND	0.0076 J	0.0076 J	ND	ND	ND	ND	ND	0.0053 J	ND	0.0089 J	ND	ND	ND	ND	0.0043 J	ND	ND
n-Butylbenzene	**12**	**--**	ND	0.0042 J	ND	0.0089	0.0065	ND	ND	ND	0.0027 J	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
sec-Butylbenzene	**11**	**100**	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	0.0017 J	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
tert-Butylbenzene	**5.9**	**100**	ND	ND	ND	0.0019 J	0.0012 J	ND	ND	ND	0.0028 J	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Chlorobenzene	**1.1**	**100**	ND	0.0011 J	ND	0.0016 J	0.0013 J	0.0027 J	0.0021 J	ND	0.0066	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
1,2-Dichlorobenzene	**1.1**	**100**	ND	0.0061 B	ND	ND	0.014	0.015 B	0.0097 B	ND	0.006 BJ	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
1,3-Dichlorobenzene	**2.4**	**17**	ND	0.0022 J	ND	0.0067	0.0042 J	0.0049 J	0.0031 J	ND	0.0022 J	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
1,4-Dichlorobenzene	**1.8**	**9.8**	ND	0.0022 J	ND	0.0039 J	0.0022 J	0.0033 J	0.0023 J	ND	0.0039 J	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Ethylbenzene	**1**	**30**	ND	ND	ND	0.0019 J	0.00077 J	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	0.0013 J	ND	ND	ND	ND	0.00048 BJ	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Isopropylbenzene (Cumene) [4]	**100**	**100**	ND	0.00097 J	ND	0.0037 J	0.002 J	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	0.0067	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
4-Isopropyltoluene	**--**	**--**	ND	0.0045 J	ND	0.011 J	0.0068	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	0.0022 J	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Methylene Chloride	**0.05**	**51**	0.0074	0.0095 B	0.0063 J	0.014 B	0.013 B	0.0074	0.0064	0.011	0.011	0.0093	0.0044 J	0.0047 J	0.0053 J	0.0057	0.0039 J	0.0043 J	0.0081 J	0.003 J	0.0062	0.0086	0.0035 J	0.0049 J	0.0063	0.0048 J	0.0045 J	0.0069 B	0.0045 BJ	0.0062 B	0.0081 B	0.0077 B	0.0079	0.011 B	0.0089 B	0.0091	0.0085 B	0.0078 B	0.0089
n-Propylbenzene	**3.9**	**100**	ND	0.0025 J	ND	0.01	0.0057 J	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	0.0067	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Tetrachloroethene	**1.3**	**5.5**	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	0.0018 J	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Toluene	**0.7**	**100**	ND	0.00059 J	ND	0.00082 J	0.00054 J	ND	ND	ND	ND	0.00092 BJ	ND	0.00062 BJ	0.00061 BJ	ND	ND	ND	0.00077 BJ	0.0013 BJ	0.00081 BJ	0.00094 BJ	ND	ND	0.00084 BJ	0.00077 BJ	ND	0.00068 BJ	0.00065 BJ	0.00063 BJ	ND	ND	ND	ND	ND	ND	ND	ND	ND
1,2,4-Trichlorobenzene	**--**	**--**	ND	ND	ND	ND	ND	ND	ND	ND	0.00053 BJ	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
1,2,4-Trimethylbenzene	**3.6**	**47**	ND	0.034 B	ND	0.12 B	0.068 B	ND	ND	ND	ND	ND	ND	ND	0.0012 BJ	0.0024 BJ	ND	ND	ND	0.018 B	ND	ND	0.0011 BJ	ND	0.0015 BJ	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
1,3,5-Trimethylbenzene	**8.4**	**47**	ND	0.0012 J	ND	0.019	0.0089	ND	ND	ND	ND	ND	ND	ND	ND	0.00077 J	ND	ND	ND	0.042	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Total Xylene	**0.26**	**100**	ND	0.0066 J	ND	0.026	0.0097 J	ND	ND	ND	ND	0.0011 BJ	ND	ND	0.0014 BJ	0.0022 BJ	ND	ND	ND	0.022 B	ND	ND	ND	ND	0.0028 BJ	0.0012 BJ	ND	0.001 J	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Semi-Volatile Organic Compounds (SVOCs) - mg/kg [3]																																						
2-Methylnaphthalene [4]	**0.41**	**0.41**	NA	NA	NA	NA	NA	NA	NA	NA	NA	ND	ND	ND	ND	ND	ND	ND	ND	0.018 J	ND	ND	ND	ND	0.0034 J	ND	ND	ND	ND	ND	ND	ND	ND	0.013	ND	ND	ND	0.032 J	ND
Acenaphthene	**20**	**100**	NA	NA	NA	NA	NA	NA	NA	NA	NA	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	0.0049 J	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Benso(a)anthracene	**1**	**1**	NA	NA	NA	NA	NA	NA	NA	NA	NA	0.017 J	ND	ND	ND	ND	0.013 J	0.0073 J	ND	0.055 J	0.0068 J	ND	0.047 J	ND	ND	ND	0.012 J	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Benzo(a)pyrene	**1**	**1**	NA	NA	NA	NA	NA	NA	NA	NA	NA	0.016 J	ND	ND	ND	ND	0.014 J		ND	0.049 J	ND	ND	0.068 J	ND	ND	ND	0.0086 J	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Benzo(b)fluoranthene	**1**	**1**	NA	NA	NA	NA	NA	NA	NA	NA	NA	0.019 J	0.0058 J	ND	ND	ND	0.016 J	0.0041 J	ND	0.059 J	0.0062 J	ND	0.09 J	ND	ND	ND	0.015 J	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Benzo(g,h,i)perylene	**100**	**100**	NA	NA	NA	NA	NA	NA	NA	NA	NA	0.0099 J	ND	ND	ND	ND	0.01 J	0.0027 J	ND	0.047 J	ND	ND	0.06 J	ND	ND	ND	0.0092 J	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Benzo(k)fluoranthene	**0.8**	**1**	NA	NA	NA	NA	NA	NA	NA	NA	NA	0.01 J	ND	ND	ND	ND	0.0095 J	0.003 J	ND	0.026 J	ND	ND	0.051 J	ND	ND	ND	0.0065 J	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Carbazole	**--**	**--**	NA	NA	NA	NA	NA	NA	NA	NA	NA	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	0.0098 J	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Chrysene	**1**	**1**	NA	NA	NA	NA	NA	NA	NA	NA	NA	0.016 J	ND	ND	ND	ND	0.015 J	0.0044 J	ND	0.059 J	0.005 J	ND	0.076 J	ND	ND	ND	0.012 J	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Dibenz(a,h)anthracene	**0.33**	**0.33**	NA	NA	NA	NA	NA	NA	NA	NA	NA	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	0.0092 J	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Diethyl phthalate [4]	**100**	**100**	NA	NA	NA	NA	NA	NA	NA	NA	NA	ND	ND	ND	ND	ND	0.031 J	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Di-n-butyl phthalate [4]	**100**	**100**	NA	NA	NA	NA	NA	NA	NA	NA	NA	ND	ND	ND	ND	ND	0.089 BJ	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Fluoranthen	**100**	**100**	NA	NA	NA	NA	NA	NA	NA	NA	NA	0.026 J	0.0036 J	ND	ND	0.0058 J	0.021 J	0.0064 J	ND	0.12 J	0.01 J	ND	0.14 J	0.004 J	ND	ND	0.023 J	ND	0.0041 J	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Fluorene	**30**	**100**	NA	NA	NA	NA	NA	NA	NA	NA	NA	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	0.016 J	ND	ND	ND	ND	ND	ND	ND
Indeno(1,2,3-cd)pyrene	**0.5**	**0.5**	NA	NA	NA	NA	NA	NA	NA	NA	NA	0.0088 J	ND	ND	ND	ND	0.0086 J	ND	ND	0.04 J	ND	ND	0.051 J	ND	ND	ND	0.0075 J	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Naphthalene	**12**	**100**	NA	NA	NA	NA	NA	NA	NA	NA	NA	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	0.0092 J	ND	ND	0.018 J	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Phenanthrene	**100**	**100**	NA	NA	NA	NA	NA	NA	NA	NA	NA	0.012 J	ND	ND	ND	ND	0.0073 J	ND	ND	0.7 J	0.007 J	ND	0.067 J	ND	ND	ND	0.011 J	ND	ND	ND	ND	0.032 J	ND	0.018 J	0.02 J	ND	ND	ND	ND
Pyrene	**100**	**100**	NA	NA	NA	NA	NA	NA	NA	NA	NA	ND	0.003 J	0.0033 J	ND	0.005 J	0.017 J	0.0052 J	ND	0.94 J	0.007 J	ND	0.11 J	0.0028 J	ND	ND	0.017 J	ND	0.0035 J	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND

Notes:

1. Only those parameters detected at a minimum of one sample location are presented in this table; all other compounds were reported as non-detect.
2. Values per 6NYCRR Part 375 Soil Cleanup Objectives (December 2006)
3. Sample results were reported by the laboratory in ug/kg and converted to mg/kg for comparison to SCOs.
4. Values per NYSDEC Commissioner's Policy Soil Cleanup Guidance (CP-51); Supplemental Soil Cleanup Objectives (SSCOs).

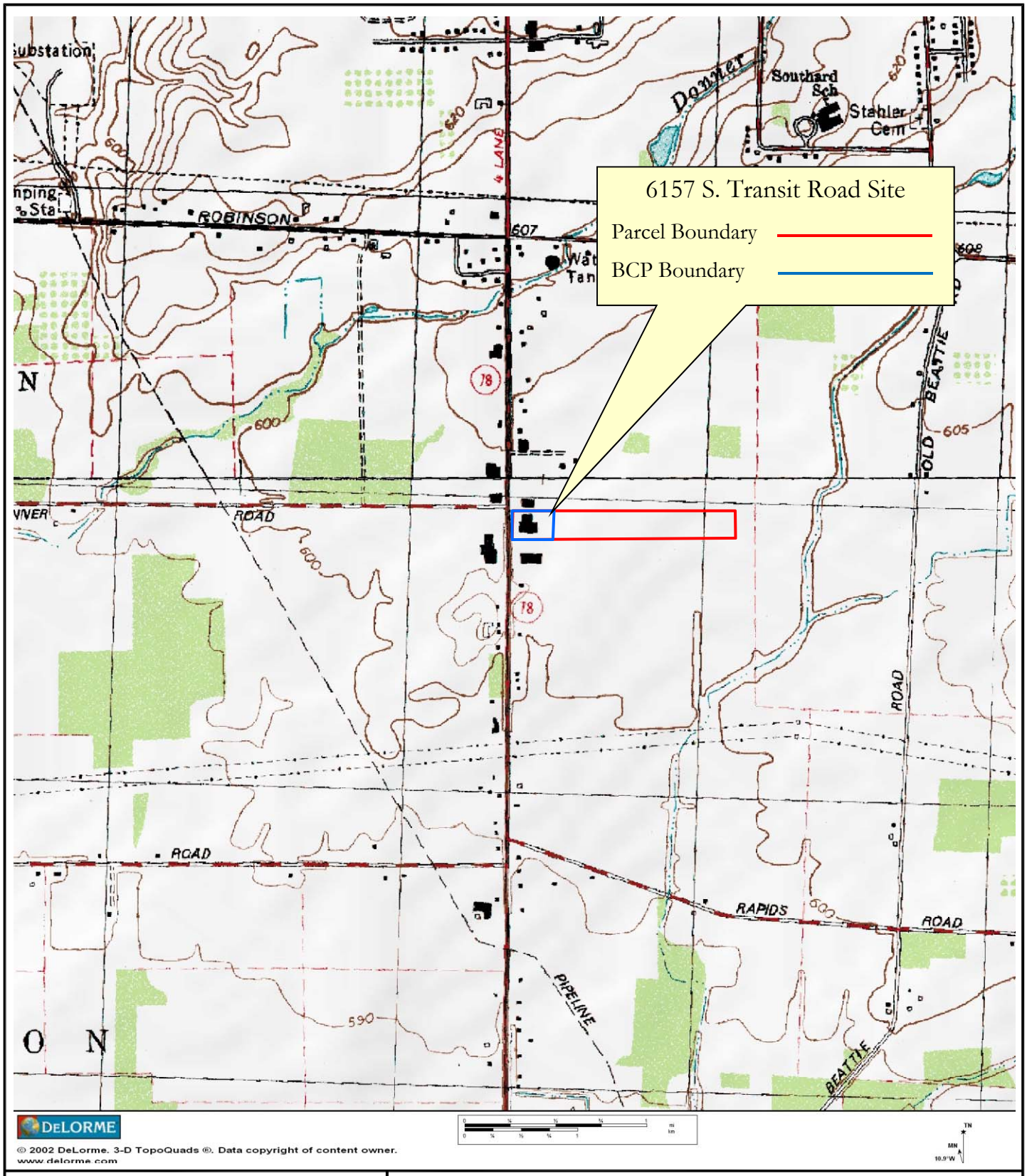
Definitions:

ND = Parameter not detected above laboratory detection limit.
NA = Parameter not analysed.
"--" = No SCO available.
J = Estimated value; result is less than the sample quantitation limit but greater than zero.
B = Indicates a value greater than or equal to the instrument detection limit, but less than the quantitation limit.

= Exceedance of Part 375 - Unrestriced Soil Cleanup Objectives (SCOs)
= Exceedance of Part 375 - Residential Use Soil Cleanup Objectives (SCOs)

FIGURES

FIGURE 1



TurnKey Environmental Restoration, LLC
2558 HAMBURG TURNPIKE
SUITE 300
BUFFALO, NY 14218
(716) 856-0635

PROJECT NO.: 0218-001-300

DATE: SEPTEMBER 2011

DRAFTED BY: NTM

SITE LOCATION AND VICINITY MAP

FINAL ENGINEERING REPORT

6157 SOUTH TRANSIT ROAD SITE

LOCKPORT, NEW YORK

PREPARED FOR

BASIL TOYOTA

Parcel Boundary (approximate)

BCP Boundary (approximate)

Property Information per Niagara County GIS

Not to Scale

N

TurnKey Environmental Restoration, LLC
2558 HAMBURG TURNPIKE
SUITE 300
BUFFALO, NY 14218
(716) 856-0635

PROJECT NO.: 0218-001-300

DATE: SEPTEMBER 2011

DRAFTED BY: NTM

SITE PLAN (AERIAL)

FINAL ENGINEERING REPORT

6157 SOUTH TRANSIT ROAD SITE

LOCKPORT, NEW YORK

PREPARED FOR

BASIL TOYOTA

FIGURE 2

DATE: SEPTEMBER 2011
DRAFTED BY: NTM

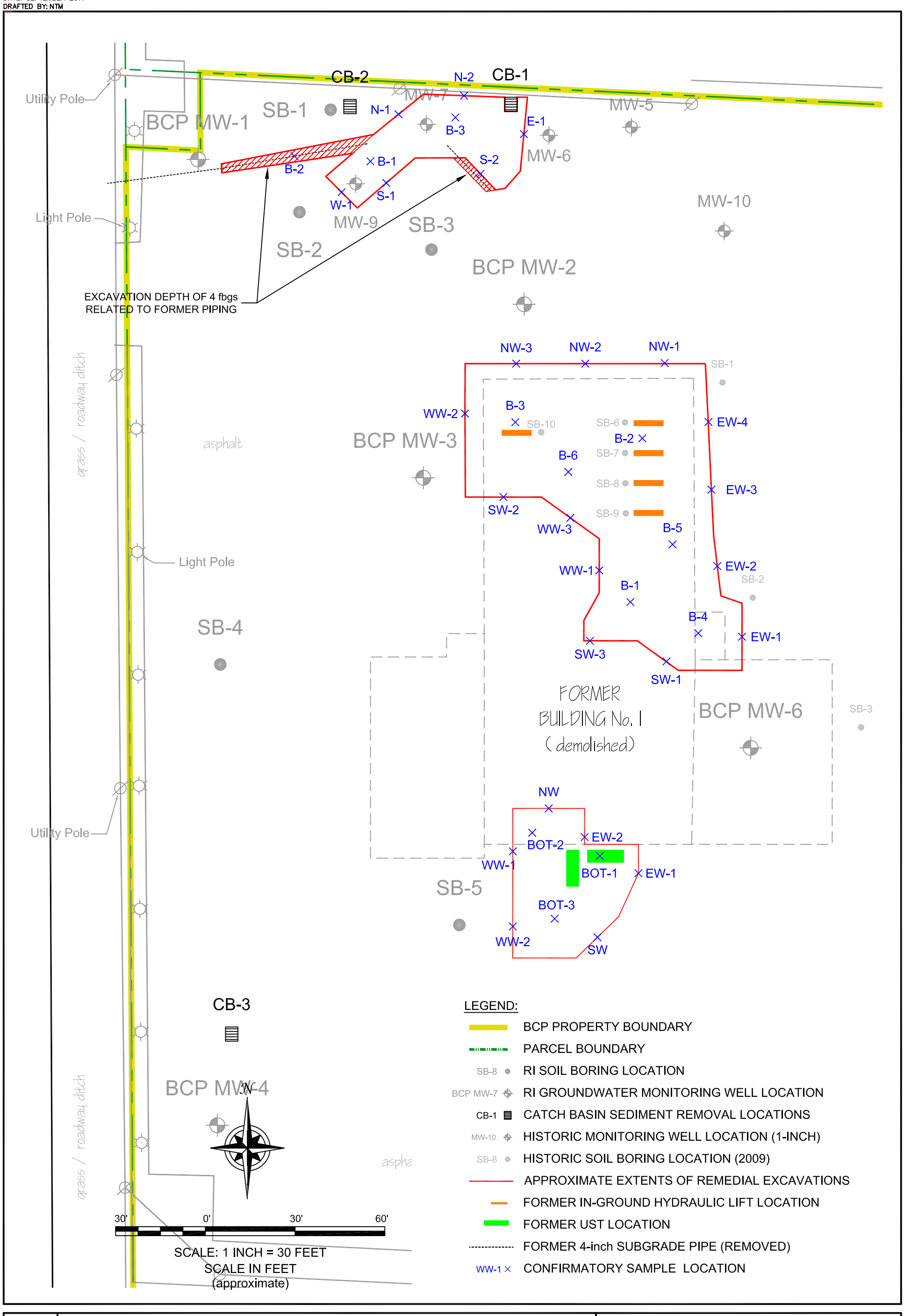


FIGURE 3

IRM ACTIVITIES

FINAL ENGINEERING REPORT

6157 S. TRANSIT ROAD SITE

LOCKPORT, NEW YORK

PREPARED FOR

BASIL TOYOTA

TURNKEY ENVIRONMENTAL RESTORATION, LLC

2558 HAMBURG TURNPIKE
SUITE 300
BUFFALO, NY 14218
(716) 856-0635

JOB NO.: 0218-001-300

APPENDIX A

SURVEY MAP
METES & BOUNDS

EASEMENT NOTE:

MAYBE SUBJECT TO 20' WIDE INGREES AND EGRESS TO TOWN OF LOCKPORT WATER DISTRICT NO.3 BY LIBER 1364 DEEDS PAGE 417 (AS DESCRIBED EXACT LOCATION IS NOT PLOTABLE)

MAYBE SUBJECT TO EASEMENT BY NEW YORK STATE ELECTRIC & GAS CORPORATION BY LIBER 877 DEEDS PAGE 141 (AS DESCRIBED EXACT LOCATION IS NOT PLOTABLE)

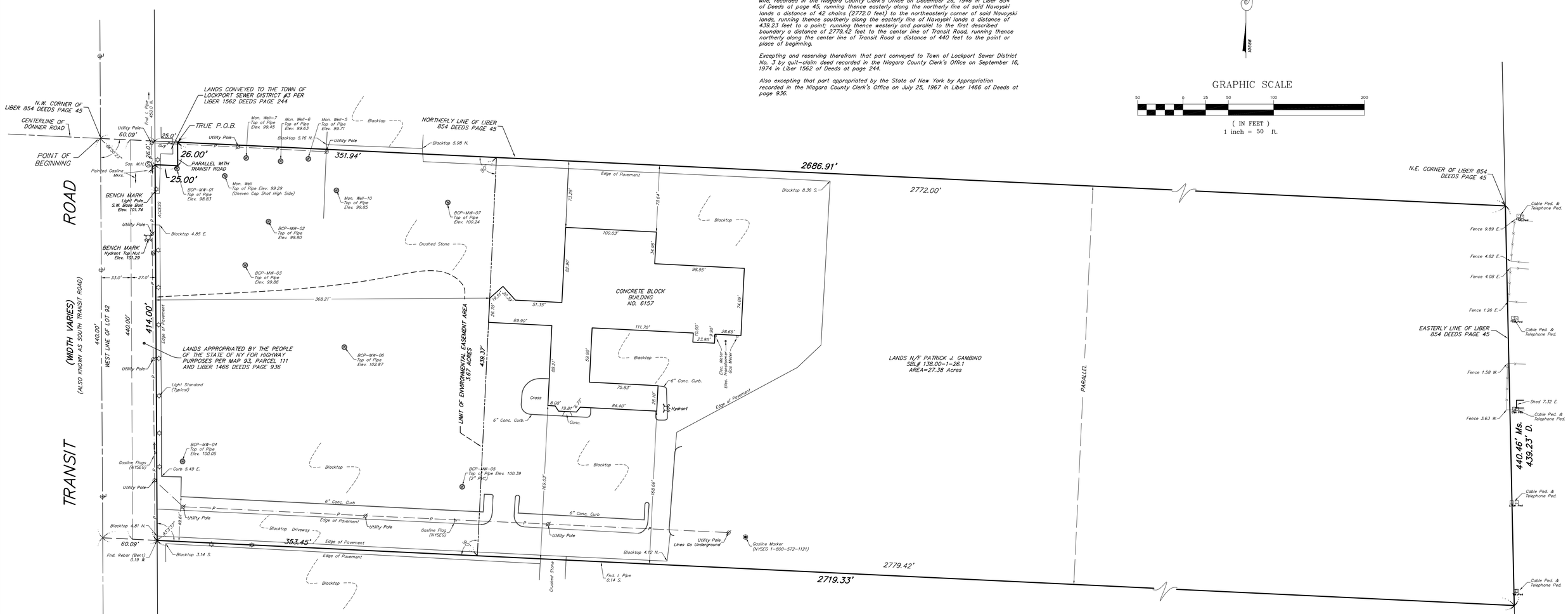
LEGAL DESCRIPTION PER FILED DEED

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Lockport, County of Niagara and State of New York, being part of Lot Number 92, Township 13, Range 6 of the Holland Land Company's Survey, so called, bounded and described as follows:

Beginning at a point on the center line of Transit Road (center line of Transit Road being also the westerly line of Lot Number 92) at its intersection with the center line of Donnor Road, said point of beginning being and intended to be the northwesterly corner of land described in deed from Roger C. Raduns and Henry E. Navoyski and Marie J., his wife, recorded in the Niagara County Clerk's Office on December 26, 1946 in Liber 854 of Deeds at page 45, running thence easterly along the northerly line of said Navoyski lands a distance of 42 chains (2772.0 feet) to the northeasterly corner of said Navoyski lands, running thence southerly along the easterly line of Navoyski lands a distance of 439.23 feet to a point; running thence westerly and parallel to the first described boundary a distance of 2779.42 feet to the center line of Transit Road, running thence northerly along the center line of Transit Road a distance of 440 feet to the point or place of beginning.

Excepting and reserving therefrom that part conveyed to Town of Lockport Sewer District No. 3 by quit-claim deed recorded in the Niagara County Clerk's Office on September 16, 1974 in Liber 1562 of Deeds at page 244.

Also excepting that part appropriated by the State of New York by Appropriation recorded in the Niagara County Clerk's Office on July 25, 1967 in Liber 1466 of Deeds at page 936.



ENVIRONMENTAL EASEMENT AREA DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Lockport, County of Niagara. State of New York and being a part of Lot 92, Township 13, Range 6 of the Holland Land Company's Survey (so called) bounded and described as follows:

BEGINNING at a point on the westerly line of Lot 92 (westerly line of Lot 61 being the center line of Transit Road) at its intersection with the center line of Donner Road, said point being the northwesterly corner of lands described in Liber 854 of Deeds at page 45;

Thence easterly along the northerly line of said Liber 854 of Deeds at Page 45, making an interior angle with Transit Road of 86°56'23", a distance of 85.09 feet to the True Point and Place of Beginning;
Thence continuing easterly along the northerly line of said Liber 854 of Deeds at Page 45, a distance of 351.94 feet to a point;
Thence southerly at right angles, a distance of 439.37 feet to a point,
Thence westerly along a line making an interior angle with Transit Road of 93°03'37", a distance of 353.45 feet to a point in the easterly line of Transit Road as now laid out per N.Y. State Department of Transportation Map 93, Parcel 111;
Thence northerly at an interior angle of 93°03'37"; and along the easterly line of said Transit Road per Map 93, Parcel 111, a distance of 414.00 feet to a point;
Thence easterly and parallel with the northerly line of said Liber 854 of Deeds at Page 45, a distance of 25.00 feet to a point;
Thence northerly and parallel with the easterly line of said Transit Road, a distance of 26.00 feet to the True Point and Place of Beginning.

This parcel containg 3.67 acres of land.

THE ENGINEERING AND INSTUTIONAL CONTROLS FOR THIS EASEMENT ARE SET FORTH IN THE SITE MANAGEMENT PLAN (SMP). A COPY OF THE SMP MUST BE OBTAINED BY ANY PARTY WITH AN INTEREST IN THE PROPERTY. THE SMP CAN BE OBTAINED FROM NYS DEPARTMENT OF ENVIRNYMENTAL CONSERVATION, DIVISON OF ENVIRONMENTAL CONSERVATION, DIVISION OF ENVIRONMENTAL REMEDIATION, SITE CONTROL SECTION, 625 BROADWAY, ALBANY, N.Y. 12233 OR AT derweb@gw.dec.state.ny.us

SURVEYOR'S DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Lockport, County of Niagara. State of New York and being a part of Lot 92, Township 13, Range 6 of the Holland Land Company's Survey (so called) bounded and described as follows:

BEGINNING at a point on the westerly line of Lot 92 (westerly line of Lot 61 being the center line of Transit Road) at its intersection with the center line of Donner Road, said point being the northwesterly corner of lands described in Liber 854 of Deeds at page 45;

Thence easterly along the northerly line of said Liber 854 of Deeds at Page 45, making an interior angle with Transit Road of 86°56'23", a distance of 85.09 feet to the True Point and Place of Beginning;
Thence continuing easterly along the northerly line of said Liber 854 of Deeds at Page 45, a distance of 2686.91 feet to the northeast corner of said Liber 854 of Deeds at page 45;
Thence southerly and along the easterly line of said Liber 854 of Deeds at Page 45, a distance of 440.46 feet to a point,
Thence westerly along a line making an interior angle with Transit Road of 93°03'37", a distance of 2719.33 feet to a point in the easterly line of Transit Road as now laid out per N.Y. State Department of Transportation Map 93, Parcel 111;
Thence northerly at an interior angle of 93°03'37"; and along the easterly line of said Transit Road per Map 93, Parcel 111, a distance of 414.00 feet to a point;
Thence easterly and parallel with the northerly line of said Liber 854 of Deeds at Page 45, a distance of 25.00 feet to a point;
Thence northerly and parallel with the easterly line of said Transit Road, a distance of 26.00 feet to the True Point and Place of Beginning.

This parcel containg 27.38 acres of land.

LEGEND

Ø	UTILITY / SERVICE POLE	R.O.W.	RIGHT OF WAY
WV	WATER LINE VALVE	CONC.	CONCRETE
FH	FIRE HYDRANT	INV.	INVERT
D	D.I. (DROP INLET – STORM)	M.H.	MANHOLE
D	MANHOLE (STORM)	—G—	GAS LINE
E	MANHOLE (ELECTRIC)	—W—	WATER LINE
T	MANHOLE (TRAFFIC)	—T—	TELEPHONE LINE
S	MANHOLE (SANITARY)	—E—	ELECTRIC LINE
	LDR (LIGHT DUTY RECEIVER – STORM)	—P—	UTILITY LINES
	BYD (BACKYARD DRAIN INLET – STORM)	—C—	CABLE LINES
GV	GAS LINE VALVE	D.	DEED
	LIGHT STANDARD	M.	MEASURED
	SIGN	L.	LIBER
H.C.	HANDICAP	P.	PAGE

AMEND: 4–20–11
ADD EASEMENT NOTE

INSTRUMENT(S) UTILIZED IN DETERMINING LOCATION OF BOUNDARY LINES: LEGAL DESCRIPTION, LIBER 2529 DEEDS PAGE 137

THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT ABSTRACT OF TITLE AND IS SUBJECT TO ANY STATE OF FACTS THAT MAY BE REVEALED IN SAID ABSTRACT.

NOTE: PROPERTY CORNER MONUMENTS WERE NOT PLACED AS PART OF THIS SURVEY.

I HEREBY CERTIFY TO: The People of the State of New York acting through its Commissioner of the Department of Environmental Conservation.
THAT THIS SURVEY MAP WAS PREPARED IN ACCORDANCE WITH THE CURRENT STANDARD FOR LAND SURVEYS ADOPTED BY THE ERIE COUNTY BAR ASSOCIATION. THIS CERTIFICATION SHALL EXTEND ONLY TO THE ENTITIES LISTED HEREIN AND TO THE SUCESSORS AND/OR ASSIGNES OF THE LENDING INSTITUTION. THIS CERTIFICATION IS NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS OTHER THAN STATED ABOVE.

FRANCIS C. DELLES — NYSPLS No. 050477

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Millard, MacKay & Delles
LAND SURVEYORS, LLP
150 AERO DRIVE
BUFFALO, NEW YORK 14225
PHONE (716) 631-5140 ~ FAX 631-3811

AMEND:
SURVEY DATE: 4–1–11
©DRAWING DATE: 4–4–11
SCALE: 1" = 50'

"ALL RIGHTS RESERVED"

THIS MAP VOID UNLESS EMBOSSED WITH NEW YORK STATE LICENSED LAND SURVEYOR'S SEAL. ALTERING ANY ITEM ON THIS MAP IS A VIOLATION OF THE LAW EXCEPT AS PROVIDED IN SECTION 7209, PART 2, OF THE NEW YORK STATE EDUCATION LAW.

PART OF LOT 92 SECTION ____ TOWNSHIP 13 RANGE 6 OF THE Holland Land Company's SURVEY – Niagara COUNTY, N.Y.

SURVEY OF: 6157 Transit Road, Town of Lockport

SBL No. 138.00–1–26.1