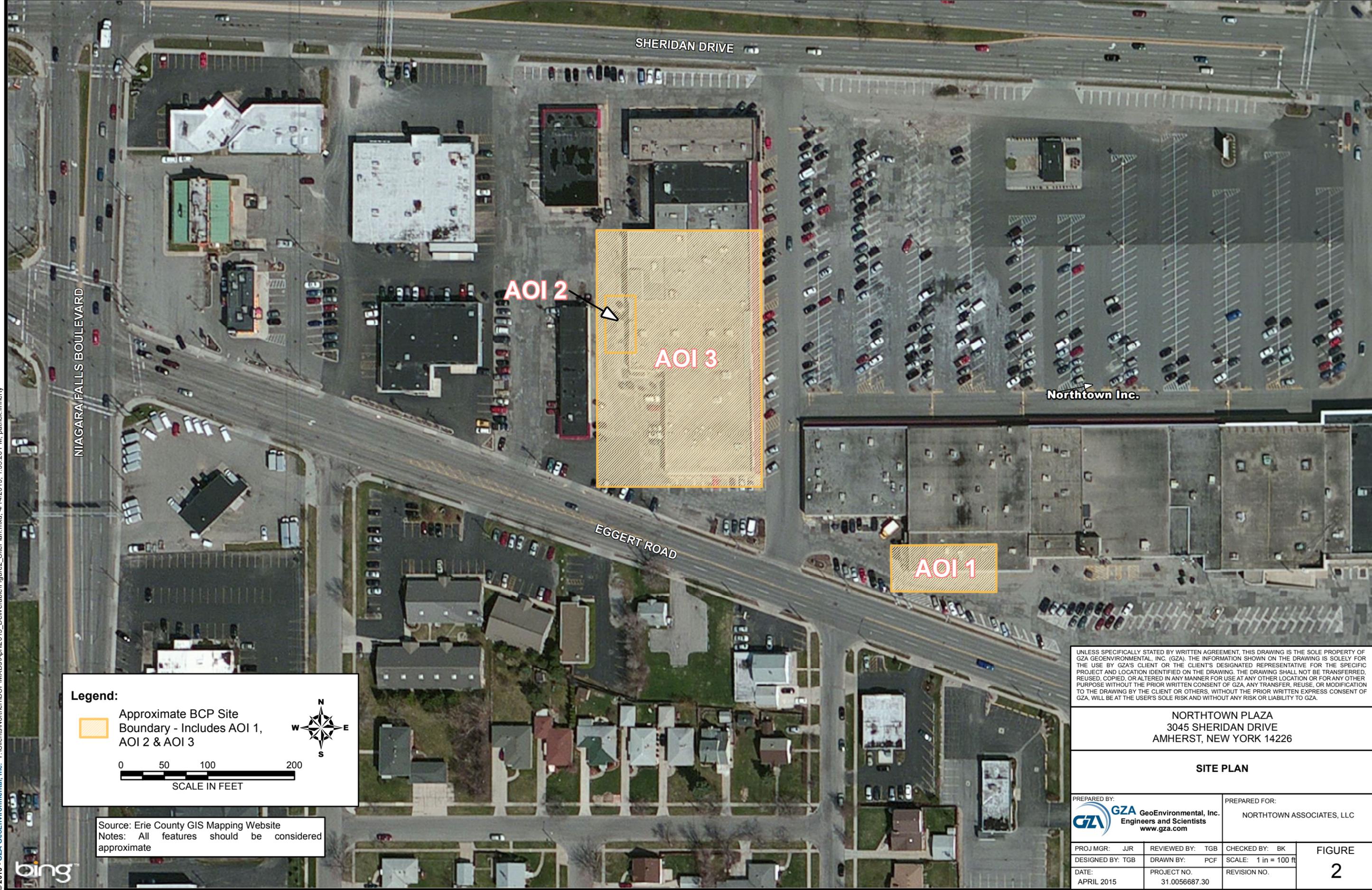


© 2015 - GZA GeoEnvironmental, Inc. T:\Clients\NorthernBCP\MXDs\April2015_Deliverable\Figure2_SitePlan.mxd, 4/14/2015, 1:35:26 PM, patrick.finnerty



Legend:

 Approximate BCP Site Boundary - Includes AOI 1, AOI 2 & AOI 3

0 50 100 200
SCALE IN FEET



Source: Erie County GIS Mapping Website
Notes: All features should be considered approximate

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NORTHTOWN PLAZA
3045 SHERIDAN DRIVE
AMHERST, NEW YORK 14226

SITE PLAN

PREPARED BY:  **GZA GeoEnvironmental, Inc.**
Engineers and Scientists
www.gza.com

PREPARED FOR:
NORTHTOWN ASSOCIATES, LLC

PROJ MGR: JJR	REVIEWED BY: TGB	CHECKED BY: BK	FIGURE 2
DESIGNED BY: TGB	DRAWN BY: PCF	SCALE: 1 in = 100 ft	
DATE: APRIL 2015	PROJECT NO.: 31.0056687.30	REVISION NO.:	

APPENDIX C

Health & Safety Plan

GZA SITE-SPECIFIC HEALTH, SAFETY & ACCIDENT PREVENTION STANDARD-PLAN

1. CLIENT/SITE/PROJECT INFORMATION		
Client: Northtown Associates, LLC		
Site Address: 3097 Sheridan Drive, Amherst, NY 14226		
Site Description, Work Environment: Active suburban shopping plaza, work environment is primarily outdoors in parking areas and indoors in active and vacant retail space.		
Job/Project #: 31.0056687.30	Estimated Start Date: June 2015	Estimated Finish Date: July 2015
Site is Covered by the Following Regulations:	OSHA HAZWOPER Standard <input checked="" type="checkbox"/>	Mine Safety and Health Administration <input type="checkbox"/>
	OSHA Construction Regulations <input type="checkbox"/>	None of these <input type="checkbox"/>

2. EMERGENCY INFORMATION		
Hospital Name: Millard Fillmore Suburban Hospital		Hospital #: (716) 568-3600
Hospital Address: 1540 Maple Road, Williamsville, NY 14221		Directions and Street Map Attached: <input checked="" type="checkbox"/> Yes
Local Fire #: 911 or	Local Ambulance #: 911 or	Local Police #: 911 or
WorkCare Incident Intervention Services:	For non-emergencies, if an employee becomes hurt or sick call 888-449-7787	
Other Emergency Contact(s):	Phone #'s:	
Site-Specific Emergency Preparedness/Response Procedures/Concerns:		
<ul style="list-style-type: none"> All EHS Events (incidents, first aid, near misses, unsafe acts/conditions, fires, chemical spills, property damage, extraordinary safe behaviors) must be reported immediately to the Project Manager, and within 24hours to the EHS Event Reporting Portal at www.kelleronline.com/portal. Username gempl1; Password 4Incidents!. In the event of a chemical release greater than 5 gallons, site personnel will evacuate the affected area and relocate to an upwind location. The GZA Field Safety Officer and client site representative shall be contacted immediately. Site work shall not be conducted during severe weather, including high winds and lightning. In the event of severe weather, stop work, lower any equipment (drill rigs), and evacuate the affected area. 		

3. SUB-SURFACE WORK, UNDERGROUND UTILITY LOCATION	
Will subsurface explorations be conducted as part of this work? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Site property ownership where underground explorations will be conducted on:	Public Access Property <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Private Property <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Have Necessary Underground Utility Notifications for Subsurface Work Been Made?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Yet to be conducted
Specify Clearance Date & Time, Dig Safe Clearance I.D. #, And Other Relevant Information: Drilling and excavation subcontractors will be calling in the UFPO.	
IMPORTANT! For subsurface work, prior to the initiation of ground penetrating activities, GZA personnel to assess whether the underground utility clearance (UUC) process has been completed in a manner that appears acceptable, based on participation/ confirmation by other responsible parties (utility companies, subcontractor, client, owner, etc.), for the following:	
Electric:	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> Other _____
Fuel (gas, petroleum, steam):	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> Other _____
Communication:	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> Other _____
Water:	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> Other _____
Sewer:	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> Other _____
Other: _____	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> Other _____
Comments:	

GZA SITE-SPECIFIC HEALTH, SAFETY & ACCIDENT PREVENTION STANDARD-PLAN

4. SCOPE OF WORK	
<p>Any OSHA PERMIT-REQUIRED CONFINED SPACE entry?</p> <p style="text-align: center;"> <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO </p> <p>If yes, use <u>Site Specific H&S Plan/Confined Space Entry Permit</u> for that portion of the work</p>	<p>Any INDOOR fieldwork? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>If yes, explain: Will be installing sub-slab depressurization systems in two tenant spaces in the strip plaza building and the Total Automotive building.</p>
<p>General project description, and phase(s) or work to which this H&S Plan applies.</p>	<p>GZA will implement Interim Remedial Measures using subcontractors that consist of the following activities: excavation and off-site disposal of USTs and related impacted soil at two locations, excavation and off-site disposal of PCE-impacted subsurface soil, installation of sub-slab depressurization systems at two commercial tenant spaces within the plaza and the Total Automotive building, including requisite sample collection, equipment decontamination and handling of investigation wastes.</p>
<p>Specific Tasks Performed by GZA:</p>	<p>GZA will observe excavation and SSDS installation subcontractors, screen soil for VOCs, provide CAMP monitoring, and collect confirmation and characterization soil and IDW samples.</p>
<p>Concurrent Tasks to be Performed by GZA Subcontractors (List Subcontractors by Name):</p>	<p>Monitoring well installation oversight, removal of the UST oversight, soil excavation oversight and analytical sampling/testing.</p>
<p>Concurrent Tasks to be Performed by Others:</p>	

5. SITE-SPECIFIC OVERVIEW OF H&S HAZARDS/MITIGATIONS (NOTE: Based on Hazard Assessment, Section 10)	
<p>Describe the major hazards expected to be present at the jobsite, and describe the safety measures to be implemented for worker protection. Use brief abstract statements or more detailed narrative as may be appropriate.</p>	
ON-SITE HAZARDS:	HAZARD MITIGATIONS:
Site Traffic	Use of Hi-Vis Safety vests and traffic cones. Avoiding work in main drive lanes of plaza
Underground Utilities	Review of site drawings, ground disturbance approval from facility management, UFPO clearance.
Soil Vapor	Screen soil cores and breathing zone for presence of organic vapors
Flammable Liquids	Use only approved fuel containers for fuel; store flammable liquids in an appropriate area when not in use
Hazardous Materials	Identify wells with hazardous concentrations of contaminants; sample wells in order of least to most impacted; wear proper gloves when handling jars
Noise	Wear appropriate hearing protection during activities that produce noise (running generators, air compressors, pumps, etc.)

GZA SITE-SPECIFIC HEALTH, SAFETY & ACCIDENT PREVENTION STANDARD-PLAN

6. HEALTH AND SAFETY EQUIPMENT AND CONTROLS

AIR MONITORING INSTRUMENTS

- PID Type: Lamp Energy: eV
- FID Type:
- Carbon Monoxide Meter
- Hydrogen Sulfide Meter
- O₂/LEL Meter
- Particulate (Dust) Meter
- Calibration Gas Type
- Others:

Note: Ensure instruments have been properly calibrated

OTHER H&S EQUIPMENT & GEAR

- Fire Extinguisher
- Caution Tape
- Traffic Cones or Stanchions
- Warning Signs or Placards
- Decon Buckets, Brushes, etc.
- Portable Ground Fault Interrupter (GFI)
- Lockout/Tagout Equipment
- Ventilation Equipment
- Others:

PERSONAL PROTECTIVE EQUIPMENT

- Respirator Type:
- Resp-Cartridge Type:
- Hardhat
- Outer Gloves Type: Nitrile (Disposable)
- Inner Gloves Type:
- Steel-toed boots/shoes
- Coveralls Type:
- Outer Boots Type:
- Eye Protection with side shields
- Face Shield
- Traffic Vest
- Personal Flotation Device (PFD)
- Fire Retardant Clothing
- EH (Electrical Hazard) Rated Boots, Gloves, etc.
- Noise/Hearing Protection
- Others:

Discuss/Clarify, as Appropriate:

7. AIR MONITORING ACTION LEVELS

Is air monitoring to be performed for this project? Yes No

Make sure air monitoring instruments are in working order and have been calibrated prior to use. Depending on project-specific requirements, periodic field calibration checks may be necessary during the day of instrument use.

ACTION LEVELS FOR OXYGEN DEFICIENCY AND EXPLOSIVE ATMOSPHERIC HAZARDS (Action levels apply to occupied work space in general work area)

Applicable, See Below. Not Applicable

Parameter	Response Actions for Elevated Airborne Hazards
Oxygen	At 19.5% or below – Exit area, provide adequate ventilation, or proceed to Level B, or discontinue activities Verify presence of adequate oxygen (approx. 12% or more) before taking readings with LEL meter. Note: If oxygen levels are below 12%, LEL meter readings are not valid.
LEL	Less than 10% LEL – Continue working, continue to monitor LEL levels Greater than or Equal to 10% LEL – Discontinue work operations and immediately withdraw from area. Resume work activities ONLY after LEL readings have been reduced to less than 10% through passive dissipation, or through active vapor control measures.

ACTION LEVELS FOR INHALATION OF TOXIC/HAZARDOUS SUBSTANCES (Action levels are for sustained breathing zone concentrations)

Applicable, See Below. Not Applicable

Air Quality Parameters (Check all that apply)	Remain in Level D or Modified D	Response Actions for Elevated Airborne Hazards
<input checked="" type="checkbox"/> VOCs	0 to 5 ppm	From 5 ppm to 10 ppm: Proceed to Level C, or Ventilate, or Discontinue Activities If greater than 10 ppm: Proceed to Level B, or, Ventilate, or Discontinue Activities

GZA SITE-SPECIFIC HEALTH, SAFETY & ACCIDENT PREVENTION STANDARD-PLAN

<input type="checkbox"/>	Carbon Monoxide	0 to 35 ppm	At greater than 35 ppm, exit area, provide adequate ventilation, proceed to Level B, or discontinue activities.
<input type="checkbox"/>	Hydrogen Sulfide	0 to 10 ppm	At greater than 10 ppm, exit area, provide adequate ventilation, proceed to Level B, or discontinue activities
<input checked="" type="checkbox"/>	Dust	0 to 100 mcg/m ³	If greater than 100 micro grams/m ³ above background, employ dust suppression. If greater than 150 mcg/m ³ above background stop work.
<input type="checkbox"/>			
SPECIAL INSTRUCTIONS/COMMENTS REGARDING AIR MONITORING (IF APPLICABLE)			

8. H&S TRAINING/QUALIFICATIONS FOR FIELD PERSONNEL

- | | |
|--|--|
| <input checked="" type="checkbox"/> Project-Specific H&S Orientation (Required for All Projects/Staff) | <input type="checkbox"/> Bloodborne Pathogen Training |
| <input checked="" type="checkbox"/> OSHA 40-Hour HAZWOPER/8 Hour Refreshers | <input type="checkbox"/> Fall Protection Training |
| <input checked="" type="checkbox"/> Hazard Communication (for project-specific chemical products) | <input checked="" type="checkbox"/> Trenching & Excavation |
| <input checked="" type="checkbox"/> First Aid/CPR (at least one individual on site) | <input type="checkbox"/> Current Medical Clearance Letter |
| <input type="checkbox"/> General Construction Safety Training | <input type="checkbox"/> |
| <input type="checkbox"/> Lockout/Tagout Training | <input type="checkbox"/> |
| <input type="checkbox"/> Electrical Safety Training | <input type="checkbox"/> |

Discuss/Clarify, as needed:

9. PROJECT PERSONNEL - ROLES AND RESPONSIBILITIES

GZA ON-SITE PERSONNEL:

Name(s)	Project Title/Assigned Role	Telephone Numbers
Todd Bown	Site Supervisor	Work: 716-844-7044 Cell: 716-381-7778
Todd Bown	Field Safety Officer	Work: 716-844-7044 Cell: 716-381-7778
Todd Bown	First Aid Personnel	Work: 716-844-7044 Cell: 716-381-7778
Thomas Bohlen	GZA Project Team Members	Cell: 716-570-5983

Site Supervisors and Project Managers (SS/PM): Responsibility for compliance with GZA Health and Safety programs, policies, procedures and applicable laws and regulations is shared by all GZA management and supervisory personnel. This includes the need for effective oversight and supervision of project staff necessary to control the Health and Safety aspects of GZA on-site activities.

Site Safety Officer (SSO): The SSO is responsible for implementation of the Site Specific Health and Safety Plan.

First Aid Personnel: At least one individual designated by GZA who has current training and certification in basic first aid and cardiopulmonary resuscitation (CPR) must be present during on-site activities involving multiple GZA personnel.

GZA Project Team: Follow instructions relayed by the HASP and GZA manager on-site.

OTHER PROJECT PERSONNEL:

Name	Project Title/Assigned Role	Telephone Numbers
Bart Klettke	Principal-in-Charge	Work: 716-844-7035 Cell: 716-570-2093

GZA SITE-SPECIFIC HEALTH, SAFETY & ACCIDENT PREVENTION STANDARD-PLAN

Jim Richert	Project Manager	Work: 716-844-7048 Cell: 716-341-4459
Troy Miller	Health and Safety Coordinator (HSC)	Work: 716-844-7049 Cell: 716-343-5293
Richard Ecord	GZA EHS Director	Work: 781-278-3809 Cell: 404-234-2834
<p>Principal-in-Charge: Responsible of overall project oversight, including responsibility for Health and Safety.</p> <p>Project Manager: Responsible for day-to-day project management, including Health and Safety.</p> <p>Health and Safety Coordinator: General Health and Safety guidance and assistance.</p> <p>GZA EHS Director: H &S technical and regulatory guidance, assistance regarding GZA H&S policies and procedures.</p>		

10. HAZARD ASSESSMENT (CHECK ALL THAT APPLY)

A. GENERAL FIELDWORK HAZARDS

<input type="checkbox"/> Confined Space Entry (STOP – Use Confined Space Entry HASP) <input type="checkbox"/> Abandoned or vacant building/Enclosed Spaces <input checked="" type="checkbox"/> Significant Slip/Trip/Fall Hazards <input type="checkbox"/> Unsanitary/Infectious Hazards <input type="checkbox"/> Poisonous Plants <input type="checkbox"/> Biting/Stinging Insects <input type="checkbox"/> Feral Animal Hazards <input type="checkbox"/> Water/Wetlands Hazards <input type="checkbox"/> Remote Locations/Navigation/Orientation hazards <input checked="" type="checkbox"/> Heavy Traffic or Work Alongside a Roadway <input checked="" type="checkbox"/> Weather-Related Hazards <input checked="" type="checkbox"/> Motor vehicle operation Hazards <input checked="" type="checkbox"/> Heavy Equipment Hazards <input type="checkbox"/> Structural Hazards (i.e. unsafe floors/stairways/roof) <input type="checkbox"/> Demolition/Renovation <input checked="" type="checkbox"/> Presence of Pedestrians or the General Public	<input type="checkbox"/> Overhead Hazards (i.e. falling objects, overhead power lines) <input checked="" type="checkbox"/> Portable Hand Tools or Power Tools <input checked="" type="checkbox"/> Significant Lifting or Ergonomic Hazards <input type="checkbox"/> Electrical Hazards (i.e. Equipment 120 Volts or Greater, Work Inside Electrical Panels, or Maintenance of Electrical Equipment) <input type="checkbox"/> Other Stored energy Hazards (i.e. Equipment with High Pressure or Stored Chemicals) <input type="checkbox"/> Fire and/or Explosion Hazard <input checked="" type="checkbox"/> Elevated Noise Levels <input checked="" type="checkbox"/> Excavations/Test Pits <input type="checkbox"/> Explosives or Unexploded Ordinance/MEC <input type="checkbox"/> Long Distance or Overnight Travel <input type="checkbox"/> Personal Security or High Crime Area Hazards <input type="checkbox"/> Working Alone <input type="checkbox"/> Ionizing Radiation or Non-Ionizing Radiation <input checked="" type="checkbox"/> Chemical/Exposure Hazards (See Part B for Details) <input type="checkbox"/> Other:
--	---

GZA SITE-SPECIFIC HEALTH, SAFETY & ACCIDENT PREVENTION STANDARD-PLAN

B. CHEMICAL/EXPOSURE HAZARDS

<input type="checkbox"/> No chemical hazards anticipated <input type="checkbox"/> Hydrogen Sulfide (H ₂ S) <input type="checkbox"/> Cyanides, Hydrogen Cyanide (HCN) <input type="checkbox"/> Carbon Monoxide <input type="checkbox"/> Herbicides, Pesticide, Fungicide, Animal Poisons <input type="checkbox"/> Metals, Metal Compounds <input type="checkbox"/> Corrosives, Acids, Caustics, Strong Irritants <input type="checkbox"/> Polychlorinated Biphenyls (PCBs) <input type="checkbox"/> Polycyclic Aromatic Hydrocarbons (PAHs) <input type="checkbox"/> Compressed Gases <input checked="" type="checkbox"/> Flammable/Combustible Liquids <input type="checkbox"/> Radiation Hazards (i.e. radioactive sealed/open source, x-rays, ultra violet, infrared, radio-frequency, etc.)	<input type="checkbox"/> Methane <input type="checkbox"/> Chemicals Subject to OSHA Hazard Communication (Note: For commercial chemical products, attach MSDSs if applicable) <input type="checkbox"/> Containerized Waste, Chemicals in Piping & Process Equipment <input checked="" type="checkbox"/> Emissions from Gasoline-, Diesel-, Propane-fired Engine, Heater, Similar Equipment <input type="checkbox"/> General Work Site Airborne Dust Hazards <input checked="" type="checkbox"/> Volatile Organic Compounds (VOCs), BTEX <input checked="" type="checkbox"/> Chlorinated Organic Compounds <input checked="" type="checkbox"/> Fuel Oil, Gasoline, Petroleum Products, Waste Oil <input type="checkbox"/> Asbestos <input type="checkbox"/> Oxygen Deficiency, Asphyxiation Hazards <input type="checkbox"/> Other:
--	--

GZA SITE-SPECIFIC HEALTH, SAFETY & ACCIDENT PREVENTION STANDARD-PLAN

11. PLAN ACKNOWLEDGEMENT AND APPROVALS			
GZA Employee Plan Acknowledgement			
<i>I have read, understood, and agree to abide by the information set forth in this Safety and Accident Prevention Plan. I will follow guidance in this plan and in the GZA Health and Safety Program Manual. I understand the training and medical monitoring requirements covered by the work outlined in this plan and have met those requirements.</i>			
GZA Employee Name	GZA Employee Signature	Date	
Todd Bown			
Thomas Bohlen			
Subcontractor Employee Plan Acknowledgement			
<i>GZA has prepared this plan solely for the purpose of protecting the health and safety of GZA employees. Subcontractors, visitors, and others at the site must refer to their organization's health and safety program or site-specific HASP for their protection. Subcontractor employees may use this plan for general informational purposes only. Subcontractor firms are obligated to comply with safety regulations applicable to their work, and understand this plan covers GZA activities only.</i>			
Subcontractor Employee Name	Subcontractor Employee Signatures	Date	
GZA Site-Specific Health and Safety Plan Approval Signatures			
<i>The following individuals indicate their acknowledgement and/or approval of the contents of this Site Specific H&S Plan based on their understanding of project work activities, associated hazards and the appropriateness of health and safety measures to be implemented.</i>			
GZA Signatory	Employee Name	Employee Signature	Date
Preparer:	Todd Bown		
EHS Reviewer:	Troy Miller		4/16/15
PIC Approval:	Bart Klettke		4/17/15

GZA SITE-SPECIFIC HEALTH, SAFETY & ACCIDENT PREVENTION STANDARD-PLAN



A 3097 Sheridan Dr, Amherst, NY 14226-1910

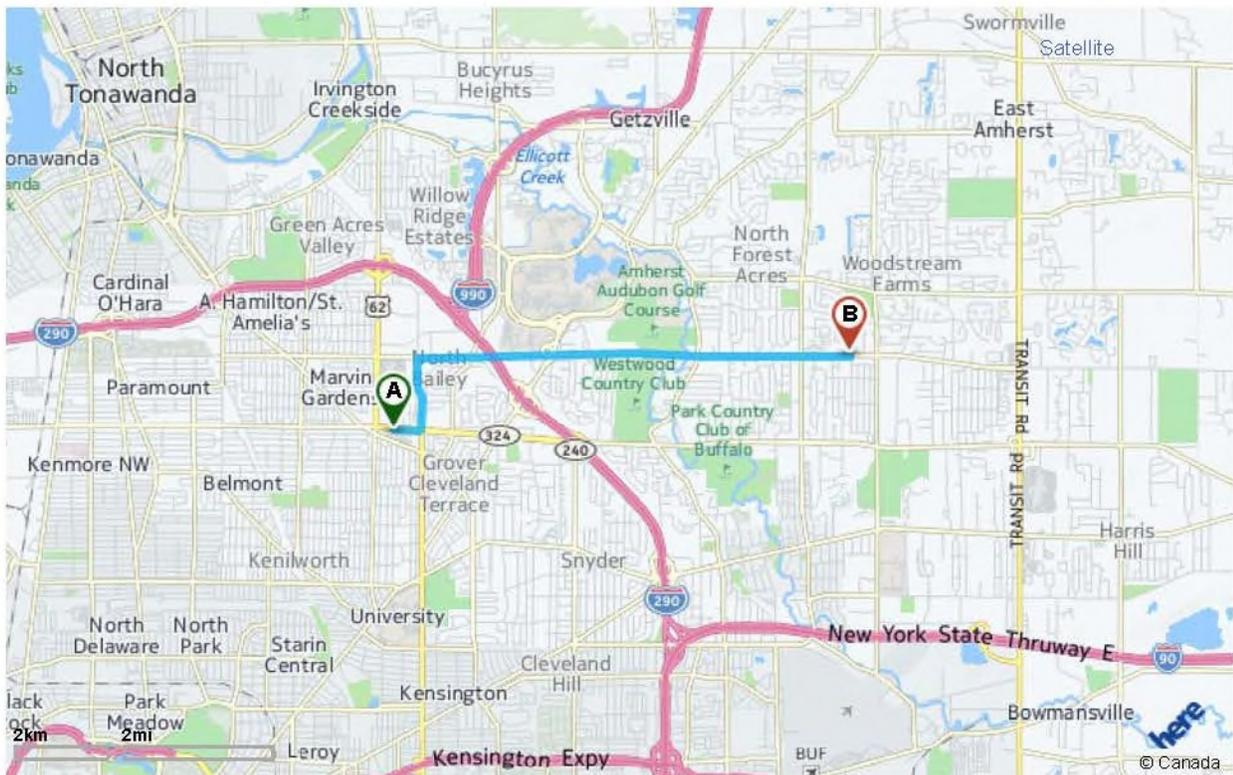
B 1540 Maple Rd, Buffalo, NY 14221-3647

Enter notes here

255

Total Distance: 5.3 mi— Total Time: 12 mins

Map Layout



A 3097 Sheridan Dr, Amherst, NY 14226-1910

[Expand All](#)

Head east on Sheridan Dr (US-62)

Go for 0.3 mi

[Hide](#)



Turn left onto N Bailey Ave

Go for 0.7 mi

[Hide](#)



Turn right onto Maple Rd (CR-192)

Go for 4.3 mi

[Hide](#)

Arrive at Maple Rd (CR-192). Your destination is on the left.

[Hide](#)

New York State Department of Health Generic Community Air Monitoring Plan

A Community Air Monitoring Plan (CAMP) requires real-time monitoring for volatile organic compounds (VOCs) and particulates (i.e., dust) at the downwind perimeter of each designated work area when certain activities are in progress at contaminated sites. The CAMP is not intended for use in establishing action levels for worker respiratory protection. Rather, its intent is to provide a measure of protection for the downwind community (i.e., off-site receptors including residences and businesses and on-site workers not directly involved with the subject work activities) from potential airborne contaminant releases as a direct result of investigative and remedial work activities. The action levels specified herein require increased monitoring, corrective actions to abate emissions, and/or work shutdown. Additionally, the CAMP helps to confirm that work activities did not spread contamination off-site through the air.

The generic CAMP presented below will be sufficient to cover many, if not most, sites. Specific requirements should be reviewed for each situation in consultation with NYSDOH to ensure proper applicability. In some cases, a separate site-specific CAMP or supplement may be required. Depending upon the nature of contamination, chemical-specific monitoring with appropriately-sensitive methods may be required. Depending upon the proximity of potentially exposed individuals, more stringent monitoring or response levels than those presented below may be required. Special requirements will be necessary for work within 20 feet of potentially exposed individuals or structures and for indoor work with co-located residences or facilities. These requirements should be determined in consultation with NYSDOH.

Reliance on the CAMP should not preclude simple, common-sense measures to keep VOCs, dust, and odors at a minimum around the work areas.

Community Air Monitoring Plan

Depending upon the nature of known or potential contaminants at each site, real-time air monitoring for volatile organic compounds (VOCs) and/or particulate levels at the perimeter of the exclusion zone or work area will be necessary. Most sites will involve VOC and particulate monitoring; sites known to be contaminated with heavy metals alone may only require particulate monitoring. If radiological contamination is a concern, additional monitoring requirements may be necessary per consultation with appropriate NYSDEC/NYSDOH staff.

Continuous monitoring will be required for all ground intrusive activities and during the demolition of contaminated or potentially contaminated structures. Ground intrusive activities include, but are not limited to, soil/waste excavation and handling, test pitting or trenching, and the installation of soil borings or monitoring wells.

Periodic monitoring for VOCs will be required during non-intrusive activities such as the collection of soil and sediment samples or the collection of groundwater samples from existing monitoring wells. “Periodic” monitoring during sample collection might reasonably consist of taking a reading upon arrival at a sample location, monitoring while opening a well cap or overturning soil, monitoring during well baling/purging, and taking a reading prior to leaving a sample location. In some instances, depending upon the proximity of potentially exposed individuals, continuous monitoring may be required during sampling activities. Examples of such situations include groundwater sampling at wells on the curb of a busy urban street, in the midst of a public park, or adjacent to a school or residence.

VOC Monitoring, Response Levels, and Actions

Volatile organic compounds (VOCs) must be monitored at the downwind perimeter of the immediate work area (i.e., the exclusion zone) on a **continuous** basis or as otherwise specified. Upwind concentrations should be measured at the start of each workday and periodically thereafter to establish background conditions. The monitoring work should be performed using equipment appropriate to measure the types of contaminants known or suspected to be present. The equipment should be calibrated at least daily for the contaminant(s) of concern or for an appropriate surrogate. The equipment should be capable of calculating 15-minute running average concentrations, which will be compared to the levels specified below.

- If the ambient air concentration of total organic vapors at the downwind perimeter of the work area or exclusion zone exceeds 5 parts per million (ppm) above background for the 15-minute average, work activities must be temporarily halted and monitoring continued. If the total organic vapor level readily decreases (per instantaneous readings) below 5 ppm over background, work activities can resume with continued monitoring.
- If total organic vapor levels at the downwind perimeter of the work area or exclusion zone persist at levels in excess of 5 ppm over background but less than 25 ppm, work activities must be halted, the source of vapors identified, corrective actions taken to abate emissions, and monitoring continued. After these steps, work activities can resume provided that the total organic vapor level 200 feet downwind of the exclusion zone or half the distance to the nearest potential receptor or residential/commercial structure, whichever is less - but in no case less than 20 feet, is below 5 ppm over background for the 15-minute average.
- If the organic vapor level is above 25 ppm at the perimeter of the work area, activities must be shutdown.

All 15-minute readings must be recorded and be available for State (DEC and DOH) personnel to review. Instantaneous readings, if any, used for decision purposes should also be recorded.

Particulate Monitoring, Response Levels, and Actions

Particulate concentrations should be monitored **continuously** at the upwind and downwind perimeters of the exclusion zone at temporary particulate monitoring stations. The particulate monitoring should be performed using real-time monitoring equipment capable of measuring particulate matter less than 10 micrometers in size (PM-10) and capable of integrating over a period of 15 minutes (or less) for comparison to the airborne particulate action level. The equipment must be equipped with an audible alarm to indicate exceedance of the action level. In addition, fugitive dust migration should be visually assessed during all work activities.

- If the downwind PM-10 particulate level is 100 micrograms per cubic meter (mcg/m^3) greater than background (upwind perimeter) for the 15-minute period or if airborne dust is observed leaving the work area, then dust suppression techniques must be employed. Work may continue with dust suppression techniques provided that downwind PM-10 particulate levels do not exceed $150 \text{ mcg}/\text{m}^3$ above the upwind level and provided that no visible dust is migrating from the work area.
- If, after implementation of dust suppression techniques, downwind PM-10 particulate levels are greater than $150 \text{ mcg}/\text{m}^3$ above the upwind level, work must be stopped and a re-evaluation of activities initiated. Work can resume provided that dust suppression measures and other controls are successful in reducing the downwind PM-10 particulate concentration to within $150 \text{ mcg}/\text{m}^3$ of the upwind level and in preventing visible dust migration.

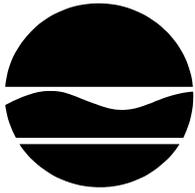
All readings must be recorded and be available for State (DEC and DOH) personnel to review.

June 20, 2000

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APPENDIX D

Citizen Participation Plan



New York State Department of Environmental Conservation

Brownfield Cleanup Program

Citizen Participation Plan for Northtown Inc.

3097 Sheridan Drive
Town of Amherst
Erie County, New York
Site Number: C915292

May 2015

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* * * * *

Note: The information presented in this Citizen Participation Plan was current as of the date of its approval by the New York State Department of Environmental Conservation. Portions of this Citizen Participation Plan may be revised during the brownfield site’s remedial process.

Applicant: **Northtown Associates LLC (“Applicant”)**
Site Name: **Northtown Inc. (“site”)**
Site Address: **3097 Sheridan Drive**
Site County: **Erie County**
Site Number: **C915292**

1. What is New York’s Brownfield Cleanup Program?

New York’s Brownfield Cleanup Program (BCP) is designed to encourage the private sector to investigate, remediate (clean up) and redevelop brownfields. A brownfield is any real property where redevelopment or reuse may be complicated by the presence or potential presence of a contaminant. A brownfield typically is a former industrial or commercial property where operations may have resulted in environmental contamination. A brownfield can pose environmental, legal and financial burdens on a community. If the brownfield is not addressed, it can reduce property values in the area and affect economic development of nearby properties.

The BCP is administered by the New York State Department of Environmental Conservation (NYSDEC) which oversees Applicants that conduct brownfield site remedial activities.¹ An Applicant is a person whose request to participate in the BCP has been accepted by NYSDEC. The BCP contains investigation and remediation (cleanup) requirements, ensuring that cleanups protect public health and the environment. When NYSDEC certifies that these requirements have been met, the property can be reused or redeveloped for the intended use.

For more information about the BCP, go online at: <http://www.dec.ny.gov/chemical/8450.html> .

2. Citizen Participation Plan Overview

This Citizen Participation (CP) Plan provides members of the affected and interested public with information about how NYSDEC will inform and involve them during the investigation and remediation of the site identified above. The public information and involvement program will be carried out with assistance, as appropriate, from the Applicant.

Appendix A contains a map identifying the location of the site.

Project Contacts

Appendix B identifies NYSDEC project contact(s) to whom the public should address questions or request information about the site’s remedial program. The public’s suggestions about this CP

¹ “Remedial activities”, “remedial action”, and “remediation” are defined as all activities or actions undertaken to eliminate, remove, treat, abate, control, manage, or monitor contaminants at or coming from a brownfield site.

Plan and the CP program for the site are always welcome. Interested people are encouraged to share their ideas and suggestions with the project contacts at any time.

Document Repositories

The locations of the site's document repositories also are identified in Appendix B. The document repositories provide convenient access to important project documents for public review and comment.

Site Contact List

Appendix C contains the brownfield site contact list. This list has been developed to keep the community informed about, and involved in, the site's investigation and remediation process. The brownfield site contact list will be used periodically to distribute fact sheets that provide updates about the status of the project. These will include notifications of upcoming remedial activities at the site (such as fieldwork), as well as availability of project documents and announcements about public comment periods.

The brownfield site contact list includes, at a minimum:

- X chief executive officer and official(s) principally involved with relevant zoning and planning matters of each county, city, town and village in which the site is located;
- X residents, owners, and occupants of the site and properties adjacent to the site;
- X the public water supplier which services the area in which the site is located;
- X any person who has requested to be placed on the site contact list;
- X the administrator of any school or day care facility located on or near the site for purposes of posting and/or dissemination of information at the facility;
- X document repositories.

Where the site or adjacent real property contains multiple dwelling units, the Applicant will work with NYSDEC to develop an alternative method for providing such notice in lieu of mailing to each individual. For example, the owner of such a property that contains multiple dwellings may be requested to prominently display fact sheets and notices required to be developed during the site's remedial process. This procedure would substitute for the mailing of such notices and fact sheets, especially at locations where renters, tenants and other residents may number in the hundreds or thousands, making the mailing of such notices impractical.

The brownfield site contact list will be reviewed periodically and updated as appropriate. Individuals and organizations will be added to the site contact list upon request. Such requests should be submitted to the NYSDEC project contact(s) identified in Appendix B. Other additions to the brownfield site contact list may be made on a site-specific basis at the discretion of the NYSDEC project manager, in consultation with other NYSDEC staff as appropriate.

CP Activities

Appendix D identifies the CP activities, at a minimum, that have been and will be conducted during the site's remedial program. The flowchart in Appendix E shows how these CP activities integrate with the site remedial process. The public is informed about these CP activities through fact sheets and notices developed at significant points in the site's remedial process.

- X **Notices and fact sheets** help the interested and affected public to understand contamination issues related to a brownfield site, and the nature and progress of efforts to investigate and remediate a brownfield site.

- X **Public forums, comment periods and contact with project managers** provide opportunities for the public to contribute information, opinions and perspectives that have potential to influence decisions about a brownfield site's investigation and remediation.

The public is encouraged to contact project staff at any time during the site's remedial process with questions, comments, or requests for information about the remedial program.

This CP Plan may be revised due to changes in major issues of public concern identified in Section 6. or in the nature and scope of remedial activities. Modifications may include additions to the brownfield site contact list and changes in planned citizen participation activities.

3. Site Information

Site Description

The Northtown Plaza is located at 3097 Sheridan Drive in the Town of Amherst, Erie County, New York. Amherst is located approximately 10 miles east of Buffalo, New York. General adjoining land uses are residential and commercial. The proposed Brownfield Cleanup Program Area (BCP Area) consists of approximately 1.51 acres within a 19 +/- acre parcel (see Appendix A). The BCP Area consists of three Areas of Interest (AOIs). AOI-1 is located on the south-central portion of the parcel and is associated with an abandoned fuel oil underground storage tank (UST). AOI-1 is approximately 0.15-acres in size and has soil impacted by fuel oil. AOI-2 is located on the western portion of the parcel and is associated with another abandoned fuel oil UST. AOI-2 is approximately 0.05-acres in size and has soil impacted by fuel oil. AOI-3 is located on the western portion of the parcel in the vicinity of a former dry cleaning tenant space. AOI-3 is approximately 1.36-acres in size and is impacted by chlorinated volatile organic compounds (VOCs). The BCP Area is occupied by portions of the southern and western plaza buildings and associated paved parking areas.

Site History

The Site appears to have been agricultural land until it was developed for commercial use in the early 1950s. Site development occurred from the mid 1950s to 1983 when it reached a site configuration similar to today. Site occupant uses of environmental concern included a dry

cleaner. On-site dry cleaning operations ceased in the 1990s, but there currently is an active pick-up/drop-off dry cleaning tenant in the same location (cleaning is performed at an off-site facility). Dunn Tire and Total Automotive also currently occupy other portions of Northtown Plaza.

No USTs are currently used at the BCP Area or other portions of the Northtown Plaza. However, two USTs formerly used for heating oil remain at AOI-1 and AOI-2.

Environmental History

A Phase I Environmental Site Assessment (ESA) was completed by GZA for the entire Northtown Plaza property in accordance with ASTM 1527-05 identified Recognized Environmental Conditions (RECs). The RECs included the former use of USTs (see above) and the former on-site dry cleaning operations.

A Phase II ESA was completed by GZA to assess the identified RECs. The Phase II ESA included the following:

- The completion of 51 soil probes and the installation of three groundwater monitoring wells;
- The analyses of 53 soil samples for VOCs (Target Compound List (TCL)) via EPA Method 8260, semi-volatile organic compounds (SVOCs) (Spill Technology and Remediation (STARS) list) via EPA Method 8270, and Poly Chlorinated Biphenyls (PCBs) via EPA Method 8082;
- The analyses of three groundwater samples for VOCs (TCL) via EPA Method 8260;
- Indoor air and subslab soil vapor sampling at three tenant spaces;
- A camera survey of sewer lines associated with the dry cleaning unit; and,
- A GPR study of known current and former UST locations.

Soil impacts were detected at three discreet locations: proximate to the two abandoned fuel oil USTs and in the vicinity of the dry cleaner tenant space.

No VOCs were detected above NYSDEC Class GA Criteria in groundwater collected from the three monitoring wells completed at the Northtown Plaza.

Limited areas of visual and olfactory evidence of petroleum were encountered in the vicinity of the southern and western inactive heating oil USTs. NYSDEC was notified on May 9, 2014 and spill number 1401409 was assigned. The extent of the impact detected in the UST areas are immediately adjacent to the USTs and limited to the uppermost six to eight feet. Approximately 20 soil probes were completed on the west side of the dry cleaner's space. Fifty-three soil samples were analyzed for VOCs. Tetrachloroethene (PCE) was detected above the Unrestricted Soil Cleanup Objective (USCO) in 16 soil samples, above the Commercial Soil Cleanup Objective (CSCO) in two samples, and above the Industrial Soil Cleanup Objective (ISCO) in one sample. The PCE impacts were restricted to a depth of between six and 18 feet below ground surface. No surficial soil impacts were identified.

Monitoring wells installed in the area of the PCE soil impacts and two other locations did not show impacts to the groundwater in this area. Groundwater was encountered at approximately 50 feet below ground surface.

Soil vapor intrusion air sampling was completed in three strip plaza tenant spaces: the dry cleaners, the adjoining vacant unit (formerly occupied by Manhattan Bagel), and the basement of the Shoppers Choice store. Soil vapor intrusion air sampling was also completed in the Total Automotive building located near the western border of AOI-3. The air sampling was conducted in accordance with the New York State Department of Health (NYSDOH) guidelines.

PCE was detected above Air Guidance Values in the dry cleaning unit and the adjoining vacant unit. PCE was detected above Air Guidance Values in the Total Automotive building. No impacts to air quality were detected in the basement of the Shoppers Choice unit. It is noted that because PCE is used in the off-site business operations associated with the dry cleaning space (i.e. clothes dry cleaned off-site with solvents are stored here prior to pick-up), the NYSDOH guidance values may not be applicable. The levels observed were well below OSHA exposure levels.

The BCP Area consists of three AOIs totaling approximately 1.5-acres. AOI-1 is an abandoned fuel oil UST and is approximately 0.15-acres (6,480 square feet) and has soil impacted with fuel oil. AOI-2 is an abandoned fuel oil UST and is approximately 0.05-acres (2,215 square feet) and has soil impacted with fuel oil. AOI-3 is approximately 1.36-acres (65,600 square feet) and is located near the former dry cleaning space and has soil impacted with chlorinated VOCs.

To further characterize AOI-3, GZA completed a Pre-Design Field Characterization (PDFC) in March and April 2015. Twenty-five additional soil probes were advanced using direct push drilling methods; 18 of these soil probes were located at exterior areas of AOI-3, and seven were located within the vacant former Manhattan Bagel, which is directly north and adjacent to the dry cleaner space. GZA installed six, 1-inch diameter, shallow water monitoring wells at six of the soil probe locations.

The following field samples were collected as part of the PDFC:

- 30 subsurface soil samples;
- 7 sub-slab soil vapor samples;
- 7 indoor air samples, co-located with corresponding sub-slab soil vapor samples;
- 2 soil gas samples from beneath pavement; and
- 5 pore water samples, from the 5 wells that produced water of sufficient volume to sample.

All of the above samples were analyzed for chlorinated volatile organic compounds (CVOCs).

Results of the RDFC are summarized as follows:

- Two of the 30 subsurface soil samples contained PCE at a concentration greater than the CSCO, one of which also exceeded the ISCO.

- Soil vapor intrusion sampling performed at the six tenant spaces, north of the vacant which adjoins the drycleaner, did not detect significant CVOCs that would warrant further testing or mitigation.
- Pore water samples collected from the moist upper overburden at the two wells located within the known area of soil impact contained PCE at concentrations greater than the NYSDEC standard used for drinking water wells.
- Soil gas samples collected near the east and west boundaries of AOI-3 contained PCE at concentrations less than 10 µg/m³. The State of New York does not have standards, criteria or guidance values for concentrations of VOCs in subsurface soil vapors. For reference however, the concentrations detected were well below the NYSDOH indoor/outdoor air guidance values (AGV).

Hydrogeologic conditions encountered during the PDFC include:

- Subsurface soils to depths up to 24 feet consist of glacial till composed of clay with varying size and amounts of gravel and sand.
- The fine-grained compact nature of the subsurface soil inhibits flow of subsurface water and acts as a confining layer above the water bearing zone encountered during the Phase II investigation at significant depth (between 45 and 55 feet).
- The moist soils observed in the zero to 24 feet depth at the Site yielded no to little pore water.
- Water samples collected were of very high turbidity and are not representative of actual groundwater but are more so pore water or residual water maintained by capillary tension exerted by the soil pores.

Based on the results of the Phase II and PDFC, four areas of PCE impacted subsurface soil were identified at the western exterior of AOI-3. The extent of impact at each of these areas is of limited extent. The impacted depth intervals in exceedance of the CSCOs range from six feet to 17 feet. Soil samples collected from probes surrounding the four PCE impacted data points contained PCE at concentrations below the CSCO, illustrating the limited extent of the higher concentrations of PCE.

4. Remedial Process

Note: See Appendix E for a flowchart of the brownfield site remedial process.

Application

The Applicant has applied for acceptance into New York's Brownfield Cleanup Program as a Volunteer. This means that the Applicant was not responsible for the disposal or discharge of the contaminants or whose ownership or operation of the site took place after the discharge or disposal of contaminants. The Volunteer must fully characterize the nature and extent of contamination onsite, and must conduct a "qualitative exposure assessment," a process that characterizes the actual or potential exposures of people, fish and wildlife to contaminants on the site and to contamination that has migrated from the site.

The Applicant in its Application proposes that the site will be used for restricted purposes.

To achieve this goal, the Applicant will conduct remedial activities at the site with oversight provided by NYSDEC. The Brownfield Cleanup Agreement to be executed by NYSDEC and the Applicant sets forth the responsibilities of each party in conducting a remedial program at the site.

Investigation

If the Applicant conducts a remedial investigation (RI) of the site, it will be performed with NYSDEC oversight. The Applicant must develop a remedial investigation work plan, which is subject to public comment as noted in Appendix D. The goals of the investigation are as follows:

- 1) Define the nature and extent of contamination in soil, surface water, groundwater and any other impacted media;
- 2) Identify the source(s) of the contamination;
- 3) Assess the impact of the contamination on public health and/or the environment; and
- 4) Provide information to support the development of a Remedial Work Plan to address the contamination, or to support a conclusion that the contamination does not need to be addressed.

The Applicant will prepare an RI Report after it completes the RI. This report will summarize the results of the RI and will include the Applicant's recommendation of whether remediation is needed to address site-related contamination. The RI Report is subject to review and approval by NYSDEC. Before the RI Report is approved, a fact sheet that describes the RI Report will be sent to the site's contact list.

NYSDEC will determine if the site poses a significant threat to public health and/or the environment. If NYSDEC determines that the site is a "significant threat," a qualifying community group may apply for a Technical Assistance Grant (TAG). The purpose of a TAG is to provide funds to the qualifying community group to obtain independent technical assistance. This assistance helps the TAG recipient to interpret and understand existing environmental information about the nature and extent of contamination related to the site and the development/implementation of a remedy.

An eligible community group must certify that its membership represents the interests of the community affected by the site, and that its members' health, economic well-being or enjoyment of the environment may be affected by a release or threatened release of contamination at the eligible site.

For more information about the TAG Program and the availability of TAGs, go online at: <http://www.dec.ny.gov/regulations/2590.html> .

Remedy Selection

After NYSDEC approves the RI Report, the Applicant will be able to develop a Remedial Work Plan, if remediation is required. The Remedial Work Plan describes how the Applicant would address the contamination related to the site.

The public will have the opportunity to review and comment on the draft Remedial Work Plan. The site contact list will be sent a fact sheet that describes the draft Remedial Work Plan and announces a 45-day public comment period. NYSDEC will factor this input into its decision to approve, reject or modify the draft Remedial Work Plan.

A public meeting may be held by NYSDEC about the proposed Remedial Work Plan if requested by the affected community and if significant substantive issues are raised about the draft Remedial Work Plan. Please note that, in order to request a public meeting, the health, economic well-being or enjoyment of the environment of those requesting the public meeting must be threatened or potentially threatened by the site. In addition, the request for the public meeting should be made within the first 30 days of the 45-day public comment period for the draft Remedial Work Plan. A public meeting also may be held at the discretion of the NYSDEC project manager in consultation with other NYSDEC staff as appropriate.

Remedial Action

Approval of the Remedial Work Plan by NYSDEC will allow the Applicant to design and construct the alternative selected to remediate the site. The site contact list will receive notification before the start of site remediation. When the Applicant completes remedial activities, it will prepare a final engineering report that certifies that remediation requirements have been achieved or will be achieved within a specific time frame. NYSDEC will review the report to be certain that the remediation is protective of public health and the environment for the intended use of the site. The site contact list will receive a fact sheet that announces the completion of remedial activities and the review of the final engineering report.

Certificate of Completion and Site Management

Once NYSDEC approves the final engineering report, it will issue the Applicant a Certificate of Completion. This Certificate states that remediation goals have been achieved, and relieves the Applicant from future remedial liability, subject to statutory conditions. The Certificate also includes a description of any institutional and engineering controls or monitoring required by the approved remedial work plan. If the Applicant uses institutional controls or engineering controls to achieve remedial objectives, the site contact list will receive a fact sheet that discusses such controls.

An institutional control is a non-physical restriction on use of the brownfield site, such as a deed restriction that would prevent or restrict certain uses of the remediated property. An institutional control may be used when the remedial action leaves some contamination that makes the site suitable for some, but not all uses.

An engineering control is a physical barrier or method to manage contamination, such as a cap or vapor barrier.

Site management will be conducted by the Applicant as required. NYSDEC will provide appropriate oversight. Site management involves the institutional and engineering controls required for the brownfield site. Examples include: operation of a water treatment plant, maintenance of a cap or cover, and monitoring of groundwater quality.

5. Citizen Participation Activities

CP activities that have already occurred and are planned during the investigation and remediation of the site under the BCP are identified in Appendix D: Identification of Citizen Participation Activities. These activities also are identified in the flowchart of the BCP process in Appendix E. NYSDEC will ensure that these CP activities are conducted, with appropriate assistance from the Applicant.

All CP activities are conducted to provide the public with significant information about site findings and planned remedial activities, and some activities announce comment periods and request public input about important draft documents such as the Remedial Work Plan.

All written materials developed for the public will be reviewed and approved by NYSDEC for clarity and accuracy before they are distributed. Notices and fact sheets can be combined at the discretion, and with the approval of, NYSDEC.

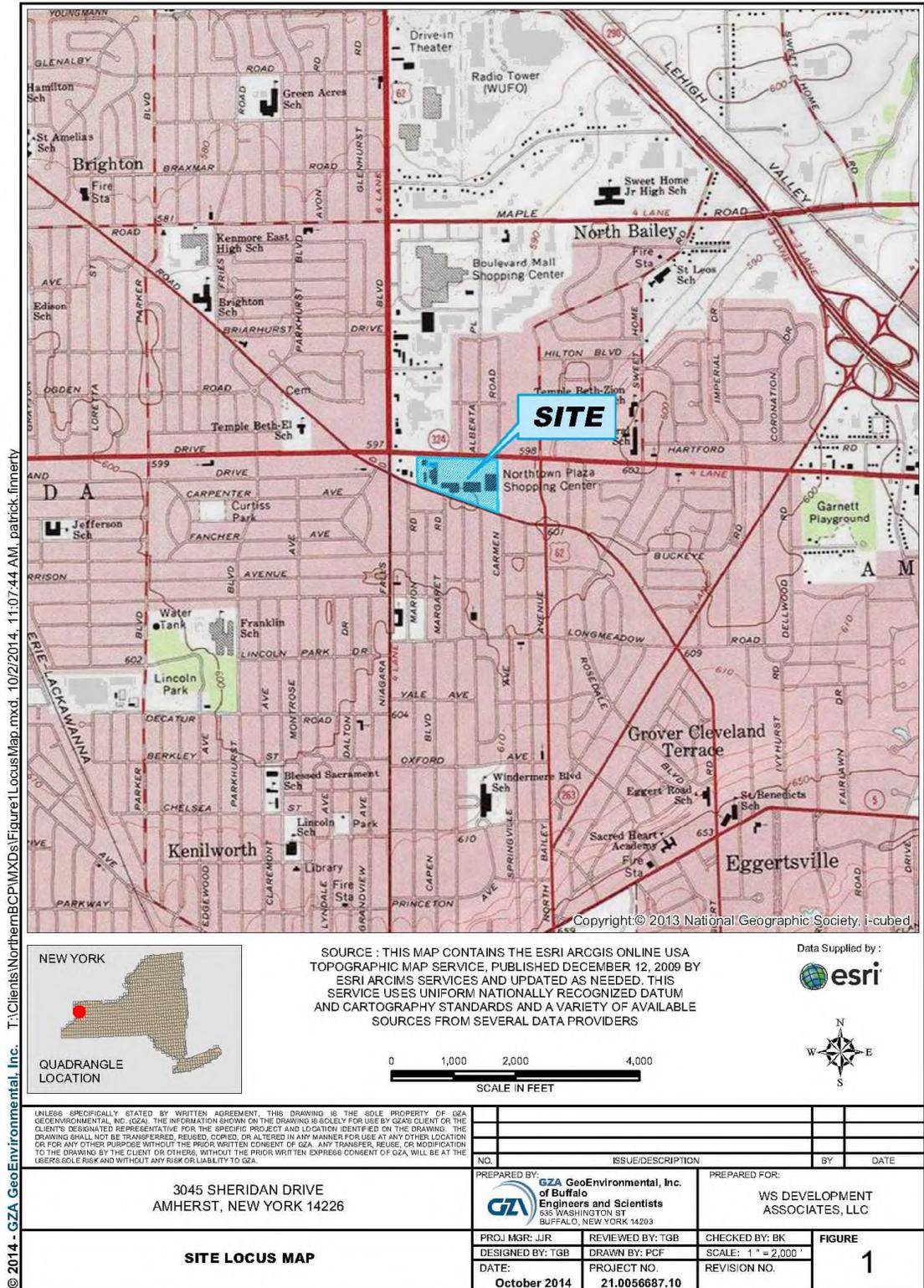
6. Major Issues of Public Concern

This section of the CP Plan identifies major issues of public concern, if any, that relate to the site. Additional major issues of public concern may be identified during the site's remedial process.

At this time, no Major Issues of Public Concern have been identified. Upon completion of the Interim remedial measures, this section may be revisited to determine if any major issues of public concern have been identified.

The Contact List in Appendix C will be used to keep the community informed of the Interim remedial process. It will be used periodically to distribute fact sheets that provide updates about the status of the BCP project. These will include availability of project documents and announcements about public comment periods.

Appendix A – Site Location Map



© 2014 - GZA GeoEnvironmental, Inc. T:\Clients\Northern\BCP\MXDs\Figure1\LocusMap.mxd, 10/22/2014, 11:07:44 AM, patrick.finnerly

Appendix B – Project Contacts and Document Repositories

Project Contacts

For information about the site’s remedial program, the public may contact any of the following project staff:

New York State Department of Environmental Conservation (NYSDEC):

Timothy Dieffenbach
Project Manager
NYSDEC 9
Division of Environmental Remediation
270 Michigan Avenue, Buffalo, NY 14203
716-851-7220

Mark Baetzhold
Citizen Participation Specialist
NYSDEC 9
270 Michigan Avenue, Buffalo, NY 14203
716-851-7220

New York State Department of Health (NYSDOH):

Brad Wenskoski
Project Manager
NYSDOH
Empire State Plaza, Corning Tower, Room
1787
Albany, New York 12237
518/486-7860

Document Repositories

The document repositories identified below have been established to provide the public with convenient access to important project documents:

Audubon Branch Library
350 John J. Audubon Parkway
Amherst, NY 14228
Attn: Roseanne Butler-Smith
Hours: Monday through Thursday 10 am to 9 pm
 Fri & Sat: 10 am to 6 pm
 Sunday: 12 pm to 5 pm
Phone: 716-689-4922

NYSDEC Region 9 Office
Attn: Tim Dieffenbach
Phone: 716-851-7220
(call for appointment)

Appendix C – Brownfield Site Contact List

<p><u>NYS Department of Conservation</u> Gregory Sutton, P.E. 270 Michigan Avenue Buffalo, NY 14203</p>	<p><u>Town of Amherst – Council Members</u> Ramona D. Popowich 5583 Main Street Williamsville, NY 14221</p>
<p><u>NYS Department of Health</u> Matthew Forcucci 584 Delaware Avenue Buffalo, NY 14203</p>	<p><u>Town of Amherst – Council Members</u> Steven D. Sanders 5583 Main Street Williamsville, NY 14221</p>
<p><u>Erie County – Executive</u> Mark Poloncarz 95 Franklin Street Buffalo, NY 14202</p>	<p><u>Town of Amherst – Community Development</u> Susan DiVita 5583 Main Street Williamsville, NY 14221</p>
<p><u>Erie County – Department of Environment & Planning</u> Maria R. Whyte 95 Franklin Street Buffalo, NY 14202</p>	<p><u>Town of Amherst – Planning Department</u> Eric Gillert 5583 Main Street Williamsville, NY 14221</p>
<p><u>Town of Amherst – Supervisor</u> Dr. Barry A. Weinstein 5583 Main Street Williamsville, NY 14221</p>	<p><u>Town of Amherst – Building Department</u> Thomas Ketchum 5583 Main Street Williamsville, NY 14221</p>
<p><u>Town of Amherst – Deputy Supervisor</u> Guy R. Marlette 5583 Main Street Williamsville, NY 14221</p>	<p><u>Town of Amherst – Town Clerk</u> Marjory Jaeger 5583 Main Street Williamsville, NY 1422</p>
<p><u>Town of Amherst – Council Members</u> Mark A. Manna 5583 Main Street Williamsville, NY 14221</p>	<p><u>Roseanne Butler-Smith – Director</u> Audubon Branch Library 350 John J Audubon Parkway Amherst, NY 14228</p>
<p><u>Town of Amherst – Town Comptroller</u> Darlene Carroll 5583 Main Street Williamsville, NY 14221</p>	<p><u>Town of Amherst – Town Attorney</u> E. Thomas Jones 5583 Main Street Williamsville, NY 14221</p>

<p><u>Branch Holdings LLC</u> Thompson Property Tax Services PO Box 460049 Houston, TX 77056</p>	<p><u>Kavcon Development LLC</u> 2230 South Park Ave Buffalo, NY 14220</p>
<p><u>Demakos & Co Trust</u> Peter Demakos 4568 N. Bailey Ave Amherst, NY 14226</p>	<p><u>First Niagara Bank</u> 726 Exchange Street Buffalo, NY 14220</p>
<p><u>3171 Sheridan Drive LLC</u> Keybank National Association PO Box 961009 Fort Worth, TX 76161</p>	<p>Norberto F. DiSante 15 Argosy Drive Amherst, NY 14226</p>
<p><u>Ni's Family Inc.</u> 3173 Sheridan Drive Amherst, NY 14226</p>	<p><u>Bailey Properties LLC</u> 4513 Bailey Ave Amherst, NY 14226</p>
<p><u>Bailey Properties LLC</u> Dean Davis 47 Tee Ct. Williamsville, NY 14221</p>	<p>William & Margaret Guiher 141 Broadmoor Drive Tonawanda, NY 14150</p>
<p><u>Amherst Bee – Advertising Dept.</u> 204-4934 Salesdept@BeeNews.com Advertising Sales Director: Mary Anne Cappon (716) 204-4937 macappon@BeeNews.com</p>	<p><u>Colvin Brighton Child Care Center</u> P.K. Curtis Presbyterian Church 748 Woodland Drive Buffalo, NY 14223</p>
<p>Jonathan O'Rourke – Chairman Town of Amherst Planning Board 5583 Main Street, Williamsville, NY 14221</p>	<p>Erie County Water Authority 295 Main Street Buffalo, New York 14047</p>

<p><u>FEDERAL MEAT</u> Federal Markets Co., Inc. 3366 Genesee Street Cheektowaga, New York 14225</p>	<p><u>TREATS UNLEASHED</u> Treats Unleashed, Inc. 3057 Sheridan Drive Amherst, New York 14226</p>
<p><u>MY BURGER BAR</u> My Tomato Pie, Inc. D.B.A. My Burger Bar 3085 Sheridan Drive Amherst, New York 14226</p>	<p><u>RIVERSIDE MEN'S SHOP</u> Neumann-Zeal, Corp. 3063 Sheridan Drive Amherst, New York 14226</p>
<p><u>SHOPPER'S CHOICE</u> Chapel Enterprises, Inc. 66 Fox Chapel Drive Orchard Park, New York 14127</p>	<p><u>CUTTING EDGE SPORTS</u> Joe DiPietro, D.B.A. Cutting Edge Sports 1063 100th Street Niagara Falls, New York 14304</p>
<p><u>JACKSON HEWITT TAX SERVICE</u> Jackson Hewitt Tax Service 3071 Sheridan Drive Amherst, New York 14226</p>	<p><u>TOTAL AUTOMOTIVE, INC.</u> Total Automotive, Inc. 2125 Eggert Road Amherst, New York 14226</p>
<p><u>GI-RO CLEANERS</u> GI-RO Cleaners 3079 Sheridan Drive Amherst, N.Y. 14226</p>	<p><u>FANCY FLORIST</u> Lash Varadan 2119 Eggert Road Amherst, New York 14226</p>
<p><u>CONOVER CHIROPRACTIC (DR. KEITH CONOVER)</u> Dr. Keith Conover 2107 Eggert Road Amherst, New York 14226</p>	

ADJACENT PROPERTIES TO BE REMOVED FROM CPP CONTACT LIST THAT WILL GO TO THE DOCUMENT REPOSITORY

TABLE 1: ADJACENT PROPERTY OWNERS

SBL	Street Address	City	State	Property Description	Owner 1	Owner 2
67.10-1-2	3025 SHERIDAN DR	Amherst	NY	>1use sm bld	KAVCON DEVELOPMENT LLC	
67.10-1-4.1	3051 SHERIDAN DR	Amherst	NY	Bank	FIRST NIAGARA BANK	NATIONAL ASSOCIATION
67.10-1-5.1	2131 EGGERT RD	Amherst	NY	Auto body	KAVCON DEVELOPMENT LLC	
67.41-1-1	3171 SHERIDAN DR	Amherst	NY	Branch bank	3171 SHERIDAN DRIVE LLC	C/O ATTN: KEYBANK NATIONAL ASS
67.41-1-8	3173 SHERIDAN DR	Amherst	NY	>1use sm bld	NI'S FAMILY INC.	
67.41-1-19	4550 BAILEY AVE	Amherst	NY	>1use sm bld	DEMAKOS & CO TRUST	C/O ATTN: PETER DEMAKOS
67.41-1-4	1971 EGGERT RD	Amherst	NY	Apartment	DAVIS DEAN A	
67.41-1-5	1963 EGGERT RD	Amherst	NY	Apartment	DAVIS DEAN A	
67.41-1-6	1957 EGGERT RD	Amherst	NY	Apartment	DAVIS DEAN A	
67.41-1-10	1947 EGGERT RD	Amherst	NY	Apartment	DAVIS DEAN A	
67.41-1-11	1941 EGGERT RD	Amherst	NY	Apartment	DI SANTE NORBERTO F	
67.41-1-12	1935 EGGERT RD	Amherst	NY	Apartment	DI SANTE NORBERTO F &	DI SANTE JULIA H/W
67.41-1-14	4510 BAILEY AVE	Amherst	NY	1 use sm bld	BAILEY PROPERTIES LLC	
67.41-1-16	4524 BAILEY AVE	Amherst	NY	>1use sm bld	GUIHER WILLIAM &	GUIHER MARGARET

Appendix D – Identification of Citizen Participation Activities

Required Citizen Participation (CP) Activities	Timing of CP Requirement(s)
Application Process:	
<ul style="list-style-type: none"> • Prepare brownfield site contact list (BSCL) • Establish document repository 	When Requestor prepares Application to participate in BCP
<ul style="list-style-type: none"> • Place complete Application in document repository • Publish notice in Environmental Notice Bulletin (ENB) announcing receipt of application and 30-day comment period • Publish notice in local newspaper • Mail notice to site contact list • Conduct 30-day public comment period on the complete Application 	When NYSDEC determines that Application is complete. Comment period begins on publication date of ENB notice. End date is as stated in ENB notice. ENB, newspaper, and site contact list notices should be provided at the same time. Notice should request comments on all appropriate documents included in Application package (RI Work Plan, RI Report and/or RWP)
After Execution of Brownfield Cleanup Agreement (BCA):	
<ul style="list-style-type: none"> • Prepare Citizen Participation (CP) Plan 	Draft CP Plan must be submitted to NYSDEC within 20 days of execution of BCA. CP Plan must be approved by NYSDEC before distribution
Before NYSDEC Approves Proposed Remedial Investigation (RI) Work Plan:	
<ul style="list-style-type: none"> • Place proposed RI Work Plan in document repository • Mail fact sheet to BSCL about proposed RI Work Plan and 30-day public comment period on the proposed RI Work Plan 	Before NYSDEC approves RI Work Plan. If RI Work Plan is submitted with Application, comment periods will be combined and public notice will include fact sheet. 30-day comment period begins/ends as per dates identified in fact sheet
<ul style="list-style-type: none"> • Place approved RI Work Plan in document repository 	When NYSDEC approves RI Work Plan
Before NYSDEC Approves Remedial Investigation Report:	
<ul style="list-style-type: none"> • Mail fact sheet to BSCL that describes RI results 	Before NYSDEC approves RI Report
<ul style="list-style-type: none"> • Place approved RI Report in document repository 	When NYSDEC approves RI Report
Significant Threat Determination:	
<ul style="list-style-type: none"> • Mail fact sheet to BSCL that discusses significant threat determination. Combine notice with another fact sheet where appropriate 	Determination may be made any time during remedial process but no later than 20 days after NYSDEC approves RI Report. A significant threat site is eligible for a Technical Assistance Grant
Before NYSDEC Approves Remedial Work Plan (RWP):	
<ul style="list-style-type: none"> • Place draft RWP in document repository • Mail fact sheet to BSCL that describes draft RWP and announces 45-day comment period • Conduct 45-day public comment period about draft RWP • Hold public meeting about draft RWP if site a significant threat and requested by community 	Before NYSDEC approves RWP. Comment period begins/ends as per dates identified in fact sheet. Public meeting would be held within the 45-day comment period
<ul style="list-style-type: none"> • Place approved RWP and final Decision Document in document repository 	When NYSDEC approves RWP and finalizes Decision Document

(continued)

Required Citizen Participation (CP) Activities	Timing of CP Requirement(s)
<p>Before Applicant Starts Remedial Action (RA):</p> <ul style="list-style-type: none"> • Mail fact sheet to BSCL that describes upcoming RA 	<p>Before the start of RA at the site</p>
<p>Before NYSDEC Approves Final Engineering Report:</p> <ul style="list-style-type: none"> • Mail fact sheet to BSCL that describes report, and any proposed institutional/engineering controls • Mail fact sheet to BSCL announcing issuance of Certificate of Completion (COC) 	<p>Before NYSDEC approves Final Engineering Report</p>
<p>When NYSDEC Issues Certificate of Completion (COC):</p> <ul style="list-style-type: none"> • Place notice of COC in document repository • Mail fact sheet to site contact list that announces issuance of COC 	<p>Within 10 days after NYSDEC issues COC</p>

Appendix E – Brownfield Cleanup Program Process

