

Bevin Associates LLC

Phase I Environmental Site Assessment 1676 Third Ave., New York, New York



April 2007



DVIRKA AND BARTILUCCI
CONSULTING ENGINEERS
A DIVISION OF WILLIAM F. COSULICH ASSOCIATES, P.C.

**PHASE I ENVIRONMENTAL SITE ASSESSMENT
1676 THIRD AVENUE
NEW YORK, NEW YORK**

Prepared for:
**BEVIN ASSOCIATES, LLC
NEW YORK, NEW YORK**

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APRIL 2007

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S.0 EXECUTIVE SUMMARY

Bevin Associates, LLC retained Dvirka and Bartilucci Consulting Engineers (D&B) to undertake a Phase I Environmental Site Assessment (ESA) of a parcel of land identified in New York City tax records as Block 1522, Lot 40. The approximately 930 square foot (sf) property is located at 1676 Third Avenue in the Borough of Manhattan, New York, New York. The property consists of an undeveloped paved lot located on the southwest corner of Third Avenue and East 94th Street. Third Avenue is oriented in a southwest-northeast direction and East 94th Street is oriented in a northwest-southeast direction.

The purpose of this Phase I ESA was to identify, to the extent feasible, recognized environmental conditions (RECs) associated with the property. This Phase I ESA included a site inspection of the property; interviews with the Owner and Building Superintendent of the adjoining properties; a review of historical information sources (i.e., Sanborn fire insurance maps, aerial photographs, topographic maps); and a review of local, tribal, state and federal environmental databases.

This assessment has identified RECs associated with the property as follows:

- The property was historically used as a gasoline station between the 1930s and 1980s or 1990s. New York State Department of Environmental Conservation (NYSDEC) records indicate that seven underground storage tanks (USTs) for leaded and unleaded gasoline were present on the site that were administratively closed in 1996. D&B submitted a Freedom of Information Letter (FOIL) request to the Fire Department of New York City requesting information on existing or removed motor vehicle tanks at the property. As of the date of this report the receipt of any records is pending. In the absence of documentation verifying that the seven USTs were removed or properly closed in place, D&B recommends that a geophysical survey of the property be completed. Additionally, no information regarding potential impacts from petroleum USTs on soil and groundwater quality conditions underlying the site was available. Therefore, D&B recommends that a limited subsurface investigation be conducted at the site.
- The adjoining properties to the northwest and southwest of the subject property were previously used as or are currently occupied by dry cleaning facilities. The adjoining site uses are of concern since if a spill occurred the potential exists to impact soil and groundwater quality conditions at the site.

1.0 INTRODUCTION

Bevin Associates, LLC retained Dvirka and Bartilucci Consulting Engineers (D&B) to undertake a Phase I Environmental Site Assessment (ESA) of a parcel of land identified in New York City tax records as Block 1522, Lot 40. The approximately 930 square foot (sf) property is located at 1676 Third Avenue in the Borough of Manhattan, New York, New York. The property consists of an undeveloped paved lot located on the southwest corner of Third Avenue and East 94th Street. Third Avenue is oriented in a southwest-northeast direction and East 94th Street is oriented in a northwest-southeast direction.

1.1 Project Scope and Objective

The scope of work for this Phase I ESA of a parcel of land at 1676 Third Avenue, New York, New York was conducted in accordance with the scope and limitations of “Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process” guidance document E 1527-05, published by the American Society for Testing and Materials (ASTM). The purpose of this Phase I ESA was to identify, to the extent feasible, both historic and current recognized environmental conditions (RECs) associated with the property.

This Phase I ESA included a site inspection of the property; interviews with the Owner and Building Superintendent of the adjoining properties; a review of historical information sources (i.e., Sanborn fire insurance maps, aerial photographs, topographic maps); and a review of local, tribal, state and federal environmental databases.

1.2 Limitations and Exceptions

This ESA was conducted in accordance with D&B’s Technical Scope of Work dated March 9, 2007. However, during the site reconnaissance D&B observed that the subject property was being used as a temporary storage area for debris and materials staging by contractors working on the adjoining building to the northwest at 178-180 East 94th Street, which obscured the ground, particularly in the west portion of the parcel, presenting a limitation.

1.3 Special Terms and Conditions

It should be noted that the assessment of lead-based paint (LBP) and asbestos-containing materials (ACM) is not typically conducted in support of Phase I ESAs, since these activities are considered to be “non-scope considerations” in the ASTM standard. Further, an assessment of LBP and ACM does not appear warranted because there are no existing structures on the Site.

1.4 User Reliance

This Phase I ESA report was prepared for Bevin Associates, LLC who may rely upon its contents with the limitations noted above.

2.0 PROPERTY DESCRIPTION

2.1 Location and Legal Description

The property consists of a parcel of land approximately 930 square feet (sf) in size and is identified in New York City tax records as Block 1522, Lot 40. The property is located within the block bounded by East 94th Street to the north, Third Avenue to the east, East 93rd Street to the south, and Lexington Avenue to the west, in the Borough of Manhattan, New York, New York. See Figure 2-1 for a site location map and Figure 2-2 for a tax map outlining the property boundaries. A legal description of the property boundaries is included in the environmental lien search report (Appendix B).

2.2 Subject Property and Vicinity General Characteristics

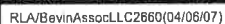
The property is located on the southwest corner of Third Avenue and East 94th Street. The surrounding area is characterized by residential properties and residential properties with ground floor retail stores. The surrounding area is a densely developed urban neighborhood.

2.3 Current Use of the Property

The property consists of an undeveloped paved lot with no current identified use.

2.4 Site Description

The property consists of an approximately 930 square-foot undeveloped paved lot.



SITE LOCATION MAP

FIGURE 2-1

- ☒ Cemeteries
- Property & Land Use**
- ☒ Block/Lot Boundaries
- ☐ Buildings
- ☐ Piers
- ☐ NYCHA Properties
- ☐ Schools
- ☐ Historic Houses
- ☐ 1 & 2 Family Residential
- ☐ Multi-family Residential
- ☐ Mixed Use
- ☐ Commercial
- ☐ Institutions
- ☐ Transportation & Parking
- ☐ Industrial
- ☐ Vacant Lots
- Trees**
- ☐ Greening for Breathing Trees
- ☐ Neighborhood Trees
- ☐ NJ Forested Areas
- Environmental Characteristics**
- ☐ HEP Acquisition Sites
- ☐ HEP Restoration Sites
- ☒ Living Memorials to 9-11-2001
- ☐ Natural Areas
- ☐ Forever Wild Sites
- ☐ zoom in/out Wildlife Refuge
- ☐ zoom in/out Federal Land
- Water & Wetlands**
- ☐ Waterfront Access Points
- ☐ Multiple Use
- ☐ Waterfront Access
- ☐ Cultural Landmark
- ☐ Landmark
- ☐ Boating
- ☐ Restaurant
- ☐ Fishing
- ☐ Park
- ☐ Streams, Lakes, Waterbodies
- ☐ Beaches
- ☐ zoom in/out Aquifers
- ☐ zoom in/out Freshwater Wetlands
- ☐ Natl. Wetlands Inventory



BEVIN ASSOCIATES LLC
1676 THIRD AVENUE
NEW YORK, NEW YORK

SITE PLAN

RLA/BevinAssocLLC2660(04/06/07)

Dvirka and Bartilucci
CONSULTING ENGINEERS
A DIVISION OF WILLIAM F. COSULICH ASSOCIATES, P.C.

2.5 Current Uses of the Adjoining Properties

The current uses of the surrounding properties were noted as follows:

- Southwest: Five-story residential building with ground floor retail space occupied by a Mrs. Roles Hand Launderers French Dry Cleaners (a dry cleaning facility) (1674 Third Avenue). Although a dry cleaner is present, this site does not appear in the regulatory database report as a hazardous waste generator facility indicating it may not be permitted to conduct its dry cleaning operations on the premises.
- Northwest: Two-story residential building attached to three-story residential building with ground floor retail space occupied by Precious Nails (a nail salon) (178-180 East 94th Street). This site appears in the regulatory database report as a dry cleaner and hazardous waste generator facility although it no longer appears to be occupied by a dry cleaner based on the site inspection.
- Northeast: Across East 94th Street: Four-story residential building with ground floor retail space occupied by Barking Dog NYC (a luncheonette) (183 East 94th Street).
- East: Across East 94th Street and Third Avenue: Five-story residential building with ground floor retail space occupied by Tamarind (an Indian food restaurant) (203 East 94th Street/1679 Third Avenue).
- Southeast: Across Third Avenue: Approximately 30-story residential building (Carnegie Park apartments) with ground floor retail space occupied by Duane Reade (a drug store) (200 East 94th Street).

3.0 USER-PROVIDED INFORMATION

3.1 Title Records

Based on an environmental lien search report for the parcel of land identified as Block 1522, Lot 40 (Appendix B), the property title was transferred from Blue 3rd Corporation to Bevin Associates, LLC on December 22, 2006.

3.2 Environmental Liens or Activity and Use Limitations

Based on an environmental lien search report for the parcel of land identified as Block 1522, Lot 40 (Appendix B), records of environmental liens or activity and use limitations were not recorded against the property.

3.3 Specialized Knowledge

D&B was not provided with any specialized knowledge regarding the property other than information that it was previously used as a gasoline station.

3.4 Valuation Reduction for Environmental Issues

D&B was not provided with any information regarding reduction in the value of the property due to known environmental issues.

3.5 Owners, Property Manager and Occupant Information

The subject property is currently owned by Bevin Associates, LLC and is currently unoccupied land with no structures on it.

3.6 Reason for Performing Phase I ESA

Bevin Associates, LLC has retained D&B to undertake this Phase I Environmental Site Assessment of an approximately 930 sf parcel of land identified as 1676 Third Avenue in order to perform due diligence and qualify for a Landowner Liability Protection under the Comprehensive Environmental Response Compensation and Liability Act (CERCLA).

4.0 RECORDS REVIEW

Standard historical sources of information were reviewed as part of the investigation. Information presented in this section is based on a review of current topographic maps and hydrogeological sources, Sanborn (fire insurance) maps from 1896 through 1996, aerial photographs from 1954 through 1994, topographic maps from 1897 through 1995, a city directory search from 1920 to 2000, as well as a review of local, tribal, state and federal regulatory databases.

4.1 Site Geology and Hydrogeology

According to the United States Department of Agriculture's (USDA) Soil Conservation Service (SCS), as reported by the Environmental Data Resources, Inc. (EDR) Radius Map with Geocheck, shallow soil at the site is classified as Urban Land. Urban Land indicates that the majority of the property is covered by buildings and/or paved surfaces. Other shallow soil types in the area of the site are classified as sandy loam.

Based on a review of the United States Geological Survey (USGS) topographic map of the Central Park Quadrangle, the on-site elevation is approximately 60 feet above mean sea level (msl) with a general topographic gradient to the east. Groundwater likely flows in an easterly direction towards the East River, located less than ½-mile east of the subject site.

Based on a review of the EDR Radius Map with Geocheck, depth to bedrock was reported to be 12 feet below grade at a site located within 1/8-mile north of the subject site. Groundwater at the subject site will likely be encountered within 12 feet below grade in the unconsolidated sediments overlying the bedrock.

4.2 Standard and Additional Environmental Records Sources

A computer environmental database search of record sources for the property and surrounding areas was undertaken in accordance with ASTM standards. This section presents a

summary of the findings of the environmental database search. The detailed report is presented in Appendix A.

Subject Property

The subject property was identified on the registered petroleum bulk storage tank (PBS) database. The owner was identified as West Bradhurst Parking Corporation. The site is designated as PBS #2-480452. The site had seven registered underground storage tanks (USTs) including three 550-gallon leaded gasoline USTs that were installed in 1946, two 550-gallon unleaded gasoline USTs that were installed in 1949, one 550-gallon unleaded gasoline UST that was installed in 1954, and one 550-gallon unleaded gasoline UST that was installed in 1977. All seven of these USTs were reported as administratively closed on September 1, 1996. The database states that reasons a facility status may be reported as administratively closed include business is closed and/or mail is undeliverable, and staff cannot check if tanks were removed or a duplicate registration was generated.

Surrounding Properties

The following presents a summary of the mapped properties identified in the local, tribal, state and federal databases:

- No National Priority List (NPL) sites within a 1-mile radius of the subject property;
- No delisted NPL sites within a ½-mile radius of the subject property;
- No Comprehensive Environmental Response Compensation and Liability Information System (CERCLIS) sites within a 1/2-mile radius of the subject property;
- No CERCLIS No Further Remedial Action Planned (NFRAP) sites within a ½-mile radius of the subject property;
- No Resource Conservation and Recovery Act (RCRA) Corrective Action (CORRACTS) sites within a 1-mile radius of the subject property;

- No RCRA Treatment Storage or Disposal (TSD) facilities within a 1/2-mile radius of the subject property;
- One RCRA hazardous waste generator facility adjoining the subject property;
- No institutional or engineering controls listing for the subject property;
- No Emergency Response Notification System (ERNS) listing for the subject property;
- No State Hazardous Waste Sites (SHWS) within a 1-mile radius of the subject property;
- No Hazardous Substance Waste Disposal Sites (HSWDS) within a 1/2-mile radius of the subject property;
- No state landfills/solid waste facilities (SWF) within a 1/2-mile radius of the subject property;
- Ninety-nine Leaking Underground Storage Tanks (LTANKS) sites within a 1/2-mile radius of the subject property;
- Eighteen SPILLS sites within an 1/8-mile radius of the subject property;
- One registered petroleum bulk storage (PBS) tank site adjoining the subject property;
- No voluntary cleanup agreement (VCP) sites within a 1/2-mile radius of the subject property;
- No Brownfield sites within a 1/2-mile radius of the subject property;
- Three manufactured gas plant (MGP) sites within a 1-mile radius of the subject property.

RCRA Generators

Resource Conservation and Recovery Act (RCRA) Information is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database includes selective information on sites that generate hazardous waste as defined by the RCRA. Generator facilities are classified as either conditionally exempt, small quantity or large quantity depending on the quantities of hazardous waste generated per month.

The ASTM standard requires the reporting of hazardous waste generator facilities on the site and adjoining properties.

The following adjoining site was identified in the RCRA small quantity hazardous waste generator database:

- Laundromat 94th Street Corporation/Green Castle Cleaners at 178 East 94th Street (northwest).

The database indicates that this facility generated halogenated solvents and still bottoms from recovery of solvents between 1989 and 1993.

The database identifies a number of other RCRA hazardous waste generator facilities that are upgradient and within 1/8-mile of the subject property. However, no RCRA violations were reported at any of these facilities. Therefore, it is unlikely that these hazardous waste generator facilities have impacted the subject property.

LTANKS and NY SPILLS

The Spills information database contains an inventory of reported leaking storage tank (LTANKS) incidents reported from April 1, 1986 through the most recent update. They can be either leaking underground storage tanks or leaking aboveground storage tanks. The causes of the incidents are tank test failures, tank failures or tank overfills. The ASTM standard requires the reporting of LTANKS sites within a ½-mile radius of the subject property. Ninety-nine LTANKS sites were identified within a ½-mile radius of the subject property.

The Spills information database also includes an inventory of reported minor spill incidents (NY SPILLS) that are not tank-related. The causes of the incidents are human error, traffic accidents and equipment failure. Eighteen NY SPILLS sites were identified within a 1/8-mile radius of the subject property.

Eighty six of the 99 LTANKS sites and 18 of the 18 NY SPILLS sites listed in the database have closed spills. Based on information supplied by representatives of the NYSDEC Spill Unit, a Spill Close Date indicates that the NYSDEC has concluded its investigation and remediation of the spill (if any) has been completed to their satisfaction. Since it is not expected that the closed spills have adversely impacted the subject property, only the active spills were evaluated. The following 13 active LTANKS sites were evaluated:

- Monterey Apartments, 175 E. 96th Street, Spill No. 0011155, 0-1/8 mile north, No. 4 fuel oil tank failure, affecting soil.
- 245 E. 93rd Street, Spill No. 9608048, 1/8-1/4 mile southeast, No. 6 fuel oil tank failure, affecting soil.
- Isaacs Houses, 403 E. 93rd Street, Spill No. 9212885, 1/4-1/2 mile southeast, No. 4 fuel oil tank failure, affecting soil.
- Isaacs Houses, 403 E. 93rd Street, Spill No. 0008678, 1/4-1/2 mile southeast, No. 2 fuel oil tank test failure, affecting soil.
- Rathbones, 1702 2nd Avenue, Spill No. 9813864, 1/4-1/2 mile south, No. 2 fuel oil tank test failure, affecting soil.
- 1901 1st Avenue, Spill No. 9300607, 1/4-1/2 mile east, Gasoline tank test failure, affecting soil.
- 424 E. 89th Street, Spill No. 9504595, 1/4-1/2 mile south-southeast, No. 6 fuel oil tank failure, affecting soil.
- 401 E. 88th Street, Spill No. 9509647, 1/4-1/2 mile south-southeast, No. 6 fuel oil tank test failure, affecting soil.
- Metro North Houses, Spill No. 9315472, 1/4-1/2 mile northeast, No. 2 fuel oil tank test failure, affecting groundwater.
- Apartment, 110 E. 87th Street, Spill No. 0502037, 1/4-1/2 mile southwest, No. 6 fuel oil tank failure, affecting groundwater.
- Mexican Restaurant, 314 E. 86th Street, Spill No. 8709801, 1/4-1/2 mile south, No. 2 fuel oil tank failure, affecting groundwater.
- 103 E. 86th Street, Spill No. 9706570, 1/4-1/2 mile southwest, No. 6 fuel oil tank failure, affecting soil.

- Apartment Building, 55 E. 87th Street, Spill No. 9210788, ¼-1/2 mile west-southwest,
No. 6 fuel oil tank failure, affecting groundwater.

An evaluation of the 13 active spills identified above indicates that none affected soil on an adjoining property or groundwater upgradient of the subject property. Therefore, it is not expected that these spills have adversely impacted the subject property.

PBS

The petroleum bulk storage tank (PBS) database identifies facilities that have petroleum storage capacities in excess of 1,100 gallons and less than 400,000 gallons. These facilities may have underground storage tanks (USTs) and/or aboveground storage tanks (ASTs). The ASTM standard requires the reporting of PBS facilities on the site and adjoining properties.

The following adjoining site was identified in the PBS tank database:

- Carnegie Park Apartments, 200 East 94th Street (southeast).

The database indicates that it is a registered underground storage tank facility. Two 15,000-gallon USTs for no. 1, 2 or 4 fuel oil were installed on 9/1/1985. The PBS permit is active until 5/29/2010. No active spills were reported. Therefore, it is unlikely that this PBS facility has impacted the subject property.

MGP sites

Although not an ASTM requirement to review, the following three sites were identified in the manufactured gas plant (MGP) sites database:

- Con Edison East 99th St. Works, ¼-1/2 mile east-northeast
- Con Edison East 108th St. Station, ½-1 mile northeast

- Con Edison East 111th St. Works, ½-1 mile northeast

Based on distances and since none of these MGP sites appear to be situated hydraulically upgradient, it is not expected that these sites have adversely impacted the subject property.

Orphan Sites Summary

Due to poor or inadequate address information, 43 sites were identified on various databases but were not mapped. These sites are listed on the LTANKS, NY SPILLS, RCRA Generator, NY MANIFEST, and AST databases. However, sufficient information is not provided to determine the potential environmental concerns from these properties.

4.3 Historical Use Information for Property and Adjoining Properties

4.3.1 Sanborn (Fire Insurance) Maps

Noteworthy findings from the review of Sanborn (fire insurance) maps dated 1896, 1911, 1939, 1951, 1979, 1980, 1981, 1983, 1985, 1986, 1988, 1991, 1992, 1993, 1994, 1995 and 1996 (see Appendix B) are presented below:

1896-1911:

The subject property contains a one-story shed at the northeast corner of the lot and is otherwise a vacant lot. The surrounding area is completely developed with residential buildings and stores.

1939:

The subject property is identified as a gasoline station having three 550-gallon buried gasoline tanks. The surrounding area is completely developed with residential buildings and stores. Some larger residential buildings have been constructed to the west-northwest of the site. There are also two auto houses (garages) adjoining the subject property to the northwest.

1951:

No changes to the subject property. No changes to the surrounding area except that a paints store is adjoining the subject property to the southwest.

1979-1980:

The subject property is identified as a filling station. The surrounding area is completely developed with residential buildings and stores.

1981-1988:

No changes to the subject property. No changes to the surrounding area except that a large residential building has been constructed to the northeast of the site.

1991-1994:

The subject property is a vacant lot. No changes to the surrounding area.

1995-1996:

The subject property is developed with a one-story concrete structure. No changes to the surrounding area.

The Sanborn maps indicate that the subject property was historically used as a gasoline station with underground storage tanks between the 1930s and late 1980s or early 1990s. The Sanborn maps indicate that the surrounding area was historically developed with a mix of residential buildings and stores.

4.3.2 Aerial Photographs

No noteworthy findings were provided from the review of aerial photographs dated 1954, 1966, 1975, 1984 and 1994 (see Appendix B). Historically, the area surrounding the subject property has been completely developed.

4.3.3 Historical Topographic Maps

No noteworthy findings were provided from the review of topographic maps dated 1897, 1947, 1966, 1979 and 1995 (see Appendix B). Historically, the area surrounding the subject property has been completely developed.

4.3.4 City Directory

A city directory is a compilation of prior tenants occupying a specified property based on historical telephone book records by address. The city directory search (see Appendix B) did not provide any record of the prior occupants of the subject property.

4.3.5 Historical Reports and Investigations

No prior historical reports or prior investigation reports for the property were provided to D&B for review.

5.0 SITE RECONNAISSANCE

5.1 Methodology and Limiting Conditions

Christine E. Beaver of D&B conducted a site inspection of the parcel of land identified in New York City tax records as Block 1522, Lot 40 on March 29, 2007. The site reconnaissance consisted of a thorough investigation of the subject property and observation of the surrounding area. However, during the site reconnaissance D&B observed that the subject property was being used as a temporary storage area for debris by contractors working on the adjoining building to the northwest at 178-180 East 94th Street, which obscured the ground, particularly in the west portion of the parcel, presenting a limitation. Note that photographs taken during the site inspection are provided in Appendix C.

5.2 General Site Setting

The general site setting is a densely developed urban neighborhood. The surrounding area is characterized by residential properties and residential properties with ground floor retail stores. The site is located in a C2-8 commercial zoning district.

5.3 Perimeter Observations

The subject property is located on the southwest corner of Third Avenue and East 94th Street. The subject property consists of approximately 25 linear feet of frontage along Third Avenue and 36 feet of linear frontage along East 94th Street. Curb cuts for entrance to and exit from the subject property were observed along both sidewalks. The subject property is not enclosed by fencing or other barriers on its north and east sides and is enclosed by the adjoining buildings on its south and west sides.

5.4 Property Observations

During the site reconnaissance, D&B observed that the subject property consists of an undeveloped paved lot. No cracks or staining were observed in the asphalt pavement. Although no structures were present on the site, an outline of a former structure that existed on the property was observed on the exterior wall of the adjoining building to the southwest at 1674 Third Avenue. There was no evidence of utilities connecting to the subject property.

During the site reconnaissance, D&B observed that contractors working on the adjoining building to the northwest at 178-180 East 94th Street were using the subject property as a temporary storage area for debris and materials staging. The on-site materials consisted of roofing materials, metal pipes, garbage bags, plywood, rolls of material, and three 5-gallon containers of cement and adhesive.

6.0 INTERVIEWS

6.1 Interviews with Owners and Occupants

Since the subject property is undeveloped and unoccupied, during the Site inspection D&B interviewed two individuals who identified themselves as the Owner and Building Superintendent of the adjoining properties to the northwest and southwest at 178-180 East 94th Street and 1674 Third Avenue, respectively. Based on the interviews conducted, the subject property has been vacant for approximately the past six months, was used as a farmer's market for at least eight years prior to that during which time there was no building present, was vacant for approximately three years prior to that, and was used as a gasoline station prior to that. The gasoline station reportedly had underground storage tanks that were removed between approximately 1980 and 1982. The gasoline station reportedly did not have a garage that performed auto repairs. The gasoline station reportedly did have a cashier's booth in the southern portion of the property. The individuals interviewed stated that they did not recall the locations of the former pump islands at the gasoline station.

6.2 Interviews with Local Government Officials

D&B submitted a Freedom of Information Letter (FOIL) request to the New York City Department of Environmental Protection (DEP), requesting all environmental records this agency may maintain concerning the subject property. A copy of the FOIL request is provided in Appendix D. Upon receipt of a response from the DEP, pertinent information will be forwarded and an addendum provided, if necessary.

D&B submitted a FOIL request to the Fire Department of New York City (FDNY) requesting information on existing or removed motor vehicle tanks at the subject property. As of the date of this report the receipt of any records is pending. A copy of the FOIL request is provided in Appendix D. Upon receipt of a response from the FDNY, pertinent information will be forwarded and an addendum provided, if necessary.

7.0 FINDINGS AND CONCLUSIONS

D&B performed a Phase I ESA of an approximately 930 sf parcel of land identified in New York City tax records as Block 1522, Lot 40, located at 1676 Third Avenue, in the Borough of Manhattan, New York, New York, in accordance with our March 9, 2007 technical scope of work. The scope of work for the Phase I ESA was completed in conformance with the scope and limitations of "Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process" guidance document E 1527-05, published by ASTM. Any exceptions to, or deletions from, this practice are described in Section 1.2 of this report.

The purpose of this Phase I ESA was to identify, to the extent feasible, recognized environmental conditions (RECs) associated with the property.

This assessment has identified RECs associated with the property as follows:

- The property was historically used as a gasoline station between the 1930s and 1980s or 1990s. New York State Department of Environmental Conservation (NYSDEC) records indicate that seven underground storage tanks (USTs) for leaded and unleaded gasoline were present on the site that were administratively closed in 1996. D&B submitted a Freedom of Information Letter (FOIL) request to the Fire Department of New York City requesting information on existing or removed motor vehicle tanks at the property. As of the date of this report the receipt of any records is pending. In the absence of documentation verifying that the seven USTs were removed or properly closed in place, D&B recommends that a geophysical survey of the property be completed. Additionally, no information regarding potential impacts from petroleum USTs on soil and groundwater quality conditions underlying the site was available. Therefore, D&B recommends that a limited subsurface investigation be conducted at the site.
- The adjoining properties to the northwest and southwest of the subject property were previously used as or are currently occupied by dry cleaning facilities. The adjoining site uses are of concern since if a spill occurred the potential exists to impact soil and groundwater quality conditions at the site.

8.0 REFERENCES

- Environmental Data Resources, Inc., *Radius Map with GeoCheck, Inquiry No. 1889256.2S*, March 28, 2007.
- Environmental Data Resources, Inc., *Sanborn Map Report, Inquiry No. 1889256.3S*, March 28, 2007.
- Environmental Data Resources, Inc., *Aerial Photo Decade Package, Inquiry No. 1889256.5*, March 28, 2007.
- Environmental Data Resources, Inc., *Historical Topographic Map Report, Inquiry No. 1889256.4*, March 28, 2007.
- Environmental Data Resources, Inc., *City Directory Abstract, Inquiry No. 1889256.6*, March 28, 2007.
- Environmental Data Resources, Inc., *Environmental Lien Search Report, Project No. L07-01967*, March 30, 2007.

9.0 SIGNATURES OF ENVIRONMENTAL PROFESSIONALS

We declare that, to the best of our professional knowledge and belief, we meet the definition of Environment Professional as defined in §312.10 of 40 CFR Part 312.

We have the specific qualifications based on education, training, and experience to assess a property of the nature, history and setting of the subject property. We have developed and performed all the appropriate inquiries in conformance with the standards and practices set forth in 40 CFR Part 312.

Prepared By:

Christine E. Beaver, Environmental Scientist

Date

Reviewed By:

Albert H. Jaroszewski, Senior Hydrogeologist

Date

10.0 QUALIFICATIONS OF ENVIRONMENTAL PROFESSIONALS

The assignment was completed under the direction of Richard M. Walka, Senior Vice President and Director of the Division of Environmental Remediation and Multimedia Environmental Compliance. Mr. Walka has 30 years of environmental remediation and regulatory experience and has directed, managed and prepared numerous Phase I/Phase II Environmental Site Assessments.

Albert H. Jaroszewski, Senior Hydrogeologist, served as the Project Manager for this assignment. Mr. Jaroszewski has over 20 years of experience in site investigation, impact assessment and remediation associated with petroleum processing storage and distribution facilities, industrial sites, former manufactured gas plant sites, landfills, agricultural sites, research and public service facilities.

Christine E. Beaver, Environmental Scientist, performed the review of the historical records and environmental databases and conducted the site reconnaissance and report writing tasks for this project. Ms. Beaver has over 10 years of experience in the investigation and remediation of contaminated sites. Ms. Beaver has prepared Phase I Environmental Site Assessments for lending institutions and property owners for hundreds of properties located throughout the Boroughs of New York City; Nassau, Suffolk and Westchester Counties; New Jersey, Connecticut and Pennsylvania. She has also performed Phase I Environmental Site Assessments of corridors for transportation agencies in relation to feasibility studies.

The résumés for the above staff members are provided in Appendix E.

APPENDIX A

REGULATORY DATABASE

APPENDIX B

HISTORIC RESEARCH DOCUMENTATION

APPENDIX C

SITE RECONNAISSANCE PHOTOGRAPHS

APPENDIX D

FREEDOM OF INFORMATION REQUESTS

APPENDIX E

RESUMES