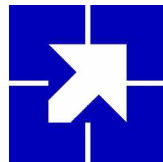


Appendix E: Phase I Environmental Site Assessment

**PHASE I
ENVIRONMENTAL SITE ASSESSMENT**

**EAST 125TH STREET DEVELOPMENT
BETWEEN EAST 125TH AND EAST 127TH STREETS AND SECOND AND
THIRD AVENUES
BLOCK 1789, LOT 46,
BLOCK 1790,
LOTS 1, 3, 5, 6, 8, 12, 13, 20, 24 - 31, 40, 41, 44 - 46, 49 AND 101
BLOCK 1791,
LOTS 1, 25, AND 34
BOROUGH OF MANHATTAN – CITY OF NEW YORK**

Prepared for



**NEW YORK CITY
ECONOMIC DEVELOPMENT CORPORATION
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NEW YORK, NEW YORK 10038**

Prepared by

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PROJECT NO. 60019301.01

November 2006

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EXECUTIVE SUMMARY

Metcalf & Eddy, Inc. (“M&E”) was retained by the New York City Economic Development Corporation (“EDC”) to conduct a Phase I Environmental Site Assessment (“ESA”) of the property identified as the East 125th Street Corridor by the EDC (the “Site”). The Site is located in the East Harlem section of the Borough of Manhattan in the City of New York between East 125th Street and East 127th Street, and between Second and Third Avenues. The Site consists of twenty-seven (27) individual lots which the City identifies as Block 1789 - Lot 46, Block 1790 - Lots 1, 3, 5, 6, 8, 12, 13, 20, 24-31, 40, 41, 44-46, 49, and 101 and Block 1791 - Lots 1, 25, and 34. Of these properties, fifteen (15) lots are owned by the EDC and the New York City Department of Housing Preservation and Development (“HPD”), eleven (11) lots are privately owned, and one (1) lot is owned by the New York City Transit Authority (“NYCTA”).

The environmental database provided by Environmental Data Resources (“EDR”) identified sites within the search radii where documented environmental impacts have occurred. The EDR report indicates that a service station located at Block 1790 Lot 24 (2449 Second Avenue) has impacted soil and groundwater in that area of the Site. The EDR database information did not include any documentation from which it could be concluded that nearby sites identified within the search radii have impacted the Site. It is possible that groundwater under the Site has been impacted due to historical site usage and the potential for leaking residential heating oil tanks on the Site and the surrounding area. However, it should be noted that the groundwater in this area is not used as a potable source.

During the Phase I ESA, a visual inspection of the Site was performed. The visual reconnaissance of the Site revealed a total of fifteen (15) vacant lots; three (3) lots reported as vacant but utilized for parking; and, nine (9) commercial/retail businesses, three of which are located on the ground floor below loft apartments. The reconnaissance of the vacant lots revealed the presence of uneven ground surfaces, asphalt paving, buried foundations and/or fill materials. These observations suggest that buried underground storage tanks (“USTs”) and potentially contaminated fill materials may remain below the surface. Minor oil staining of surface soils was observed at 2453 Second Avenue (Block 1790, Lot 26). The lot located at 2293 Third Avenue (Block 1789, Lot 46) is utilized for automobile parking by the New York City Fire Department (“FDNY”); the lot located at 243 East 125th Street (Block 1790, Lot 13) operates under the name East-End Truck Parking, is asphalt paved and contains a mobile office trailer and truck and automobile parking; and, 2469 Second Avenue (Block 1791, Lot 25) is asphalt paved and used by the NYCTA for bus and automobile parking.

The nine (9) commercial/retail businesses include Fancy Dry Cleaners located at 2315 Third

Avenue (Block 1790, Lot 46), Preferred Floors, Inc., a retail carpet and flooring store located at 2305 Third Avenue (Block 1790, Lot 1), Schmuck Bros. Inc., an antique shop and loft apartments in a 4-story building located at 205 East 125th Street (Block 1790, Lot 101), Tone's Barber Shop and Elizabeth Salon and apparently vacant loft apartments in a 3-story building at 207 East 125th Street, Lee Myles Transmissions and Midas Muffler shop in a 2-story building located at 213 East 125th Street (Block 1790, Lot 8), United Control and Refrigeration, an appliance store and loft apartments in a 4-story building at 225 East 125th Street (Block 1790, Lot 12), a BP gasoline service station (2449 Second Avenue), Dunkin Donuts (255 East 125th Street) and Lugo Flat Fix present on Block 1790, Lot 40. The Manhattan Coach Works, a one-story automobile restoration and repair shop, is located at 212 East 127th Street (Block 1791, Lot 1). Used automobile engines and other potentially oil-filled parts were observed along side the Manhattan Coach Works building. Cycle Therapy, a 5-story motorcycle dealership and repair shop with showrooms on the upper floors is located at 230 East 127th Street (Block 1791, Lot 34).

Based upon the observations of the vacant lots, a subsurface investigation of these lots limited to test pits and geophysical investigation methods is recommended to characterize fill materials and identify potential USTs. An asbestos and lead based paint ("LBP") survey should be conducted on the nine (9) structures that occupy the Site to determine if asbestos and/or LBP are present.

Additional recommendations could be warranted should potential environmental issues be identified from outstanding FOIL/Information requests submitted to the New York State Department of Mental Health and Hygiene, the New York State Department of Environmental Conservation, New York City Department of Environmental Protection, or the Fire Department of the City of New York.

1.0 INTRODUCTION

Metcalf & Eddy, Inc. (“M&E”) was retained by the New York City Economic Development Corporation (“EDC”) to conduct a Phase I Environmental Site Assessment (“ESA”) of the property identified as the East 125th Street corridor by the EDC (the “Site”). The Site is located in the East Harlem section of the Borough of Manhattan in the City of New York between East 125th Street and East 127th Street, between Second and Third Avenues. The Site consists of twenty-seven (27) individual lots which the City identifies as Block 1789 - Lot 46, Block 1790 - Lots 1, 3, 5, 6, 8, 12, 13, 20, 24-31, 40, 41, 44-46, 49, and 101 and Block 1791 - Lots 1, 25, and 34. Of these properties, fifteen (15) lots are owned by the EDC and the New York City Department of Housing Preservation and Development (“HPD”), eleven (11) lots are privately owned, and one (1) lot is owned by the New York City Transit Authority (“NYCTA”).

1.1 Purpose

The ESA was performed at the request of the EDC in anticipation of the future development of property.

1.2 Report Outline

The report is divided into twelve (12) sections:

- Section 1 presents the introduction to the report;
- Section 2 details M&E's scope of work for this project;
- Section 3 provides information on the site background, setting, and operations;
- Section 4 provides details on the historical use and development of the site;
- Section 5 presents the results of the regulatory agency review;
- Section 6 presents the results of contacts with local agencies;
- Section 7 presents information provided by the client;
- Section 8 provides observations made during the site reconnaissance;
- Section 9 identifies facility personnel who were interviewed;
- Section 10 presents M&E's findings and conclusions;
- Section 11 presents a statement of limitations, and;
- Section 12 contains a list of references.

2.0 SCOPE OF WORK

2.1 Scope of Assessment

The purpose of the ESA was to evaluate site conditions with respect to potential impacts to soil or groundwater from petroleum products or hazardous substances. The scope of the ESA consisted of the performance of a site walk-through to inspect the Site with respect to environmental issues, interviews with key personnel, and requesting / reviewing local governmental files relating to environmental issues at the Site. An environmental database search (Appendix B), historical aerial photographs (Appendix C), Sanborn Fire Insurance Maps (Appendix D), historical topographic maps (Appendix E), and a city directory search (Appendix F) were obtained from Environmental Data Resources, Inc. (“EDR”) in Southport, Connecticut.

2.2 Significant Assumptions

This Phase I ESA was prepared using information obtained from and/or provided by the following sources:

- Visual inspection of the Site;
- Available published information;
- EDR database searches;
- Local/State government officials, and;
- Site/Owner representatives.

It is assumed that the information obtained through the above methods is valid and accurate as provided. The passage of time, manifestation of latent conditions, and occurrence of future events or changes to existing codes/regulations may alter the conclusions and recommendations of this report.

2.3 Limitations and Exceptions

Performance of the Phase I ESA was limited to accessible areas of the Site. The privately owned vacant lots located at 249 East 125th Street (Block 1790, Lot 20) and 208 East 126th Street (Block 1790, Lot 44) are fenced and the Site conditions were observed from the sidewalk areas. In addition, City owned vacant lots located at 2309 Third Avenue (Block 1790, Lot 3), 2313 Third Avenue (Block 1790, Lot 49), 209 East 125th Street (Block 1790, Lot 6) and a portion of 2321 Third Avenue (Block 1791, Lot 1) located at the intersection of Third Avenue and East 126th Street are fenced and the Site conditions were observed from the sidewalk areas. The nine (9) commercial/retail properties were not entered during the Phase I ESA thus limiting the visual inspection to the exteriors of these properties.

2.4 Reliance

This report has been prepared on behalf of and for the exclusive use of the EDC and is subject to and issued in connection with the Agreement and provisions thereof.

3.0 SITE BACKGROUND

3.1 Location

The Site is located in the East Harlem section of the Borough of Manhattan in the City of New York between East 125th Street and East 127th Street, between Second and Third Avenues (Figure 1). The City identifies the Site as Block 1789 - Lot 46, Block 1790 - Lots 1, 3, 5, 6, 8, 12, 13, 20, 24-31, 40, 41, 44-46, 49, and 101 and Block 1791 - Lots 1, 25, and 34. The Site has a combined acreage of approximately 5.53 acres (240,604 square feet). The elevation of the Site is approximately 10-20 feet above mean sea level (“msl”). A site plan is provided as Figure 2.

3.2 Regional Geology/Hydrogeology

The Borough of Manhattan lies within the glaciated highlands physiographic region of New York. The local geologic strata in the area surrounding the Site consist of a surficial unit of unconsolidated fill (imported material or re-worked native soil of glacial origin) overlying undisturbed glacial material and bedrock identified as the Manhattan Schist. The bedrock surface ranges from near the surface to a depth greater than 50 feet. It is believed to be at a greater depth near the Site. Groundwater flow in the area of the Site is anticipated to be in an easterly direction towards the Harlem River. However, localized variations in the flow of groundwater may be present due to the presence of building foundations, underground utilities and other below grade structures.

The buried, native soils in the general area of the Site are believed to be composed of loamy sand, silt loam, sandy loam and fine sandy loam. The deeper soil types are believed to consist of very gravelly-loamy sand, and stratified sandy loam.

3.3 Facility Description and Operations

The Site consists of twenty-seven lots with a combined acreage of approximately 5.53 acres (240,604 square feet). Fifteen (15) of the lots are fenced and vacant and were observed to have uneven ground surfaces, asphalt paving, buried foundations and/or fill materials. Three (3) lots are reported as vacant but utilized for automobile, bus and truck parking, and nine (9) lots are occupied by commercial/retail businesses, three (3) of which are located on the ground floor below loft apartments. A description of the lots that comprise the Site is provided in the table below.

Block	Lot	Address	Description
1789	46	2293 Third Avenue	Reported as a City owned vacant lot, used for automobile parking by the City of New York Fire Department (“FDNY”).
1790	1	2305 Third Avenue	Preferred Flooring, Inc., retail carpet and flooring store.

1790	3	2309 Third Avenue	City owned vacant lot.
1790	5	207 East 125 th Street	Tone's Barber Shop and Elizabeth Salon in a 3-story building.
1790	6	209 East 125 th Street	City owned vacant lot.
1790	8	213 East 125 th Street	Lee Myles and Midas Muffler Shop in a 2-story building.
1790	12	225 East 125 th Street	United Control and Refrigeration, appliance parts store in a 4-story building
1790	13	243 East 125 th Street	Reported city owned vacant lot occupied by East-End Truck Parking.
1790	20	249 East 125 th Street	Privately owned vacant lot.
1790	24	2449 Second Avenue	BP gasoline service station, Dunkin Donuts (255 East 125 th Street), and Lugo Flat Fix.
1790	25	2451 Second Avenue	City owned vacant lot.
1790	26	2453 Second Avenue	City owned vacant lot.
1790	27	2455 Second Avenue	City owned vacant lot.
1790	28	2457 Second Avenue	Privately owned vacant lot.
1790	29	2459 Second Avenue	City owned vacant lot.
1790	30	238 East 126 th Street	City owned vacant lot.
1790	31	236 East 126 th Street	City owned vacant lot.
1790	40	214 East 126 th Street	City owned vacant lot.
1790	41	210 East 126 th Street	City owned vacant lot.
1790	44	208 East 126 th Street	Privately owned vacant lot.
1790	45	204 East 126 th Street	City owned vacant lot.
1790	46	2315 Third Avenue	Fancy Drycleaners
1790	49	2313 Third Avenue	City owned vacant lot.
1790	101	205 East 125 th Street	Schmuck Bros. Antique Store in a 4-story building.
1791	1	2321 Third Avenue	Manhattan Coach Works, a 1-story automobile repair and restoration shop at 212 East 127 th Street. The remainder of the lot is used for automobile parking.
1791	25	2469 Second Avenue	New York City Transit bus and automobile parking lot.
1791	34	230 East 127 th Street	Cycle Therapy, a motorcycle dealership, repair shop and showrooms in a 5-story building.

3.4 Adjacent Properties

The buildings and land use types surrounding the site are as follows:

- North: Harlem Auto Mall;
- South: Commercial/retail properties with loft apartments fronting on East 125th Street;
- East: A NYCTA bus depot east of Block 1791 and commercial/retail properties east of Block 1790; and,
- West: Commercial/office buildings that include the Salvation Army west of Block 1790 and New York City Jobs Office west of Block 1791.

4.0 SITE HISTORY

4.1 General Site History

The Site is located in the East Harlem section of the Borough of Manhattan, New York. The area was developed by the late 1800s. Historical site information was obtained from historical aerial photographs, Sanborn Fire Insurance Maps, historical topographic maps and a City Directory Search. A review of these sources indicates that portions of the property were developed as early as the late 1800s, and were used for commercial, retail and residential purposes. Based on the aerial photographs, the Site contained the buildings with outlines that match those of buildings depicted on Sanborn Maps for the same period of coverage. A detailed description of the documents that were reviewed is presented below.

4.2 Historical Aerial Photographs

Historical aerial photographs were reviewed for the years 1954, 1966, 1975, 1984, and 1994. A brief description of each photograph is presented below. Aerial photographs are included as Appendix C.

1954 Aerial Photograph (Scale 1" = 750')

This photograph shows the site and surrounding properties as developed. The local streets are shown largely as they appear today. The Site contains the buildings with outlines that match those of buildings depicted on Sanborn Maps for the same period of coverage. Finer details of the Site cannot be determined due to the scale of the photograph.

1966 Aerial Photograph (Scale 1" = 750')

Site features on the 1966 aerial photograph appear to be similar to those shown on the 1954 aerial photograph. The Franklin D. Roosevelt ("FDR") Drive is now present north and east of the Site.

1975 Aerial Photograph (Scale: 1"=750')

Several significant changes to the Site are depicted on the 1975 aerial photograph. It appears that two to three buildings on Block 1790 fronting Second Avenue have been demolished as well as several buildings located on Block 1790 and fronting East 126th Street, west of the former Public School ("PS") 39. All but three (3) of the buildings located on Block 1791 and fronting East 126th Street have been demolished. The exception being the buildings located on the corners of East 126th Street, Second Avenue and Third Avenue and one building in the center of the block. In addition, the buildings located between 212 and 230 East 127th Street have also been demolished. Many of the buildings located on the adjacent blocks surrounding the Site depicted

on the 1966 aerial photo have been razed and replaced with the buildings that currently occupy those locations.

1984 Aerial Photograph (Scale: 1"=750')

Due to the poor quality of this photograph, finer details cannot be determined. However, it appears that the former PS 39 building is no longer present and the building located at the corner of East 126th Street and Second Avenue, as well as the building in the central portion of Block 1791 and fronting East 126th Street have been razed. Minimal changes to the surrounding area are also present.

1994 Aerial Photograph (Scale 1" = 750')

Due to the poor quality of this photograph, finer details cannot be determined. The structure located at the corner of East 126th Street and Third Avenue appears to have been demolished. There appear to be no changes to the surrounding area from the previous photograph.

4.3 Sanborn Fire Insurance Maps

The Sanborn Fire Insurance Map database was searched by EDR. Sanborn Maps were reviewed for the years 1896, 1911, 1939, 1951, 1968, 1979, 1982, 1989, 1993 and 1996 (Appendix D). The following is a brief description of features observed on each map.

1896 Sanborn Map

The majority of the Site is developed with the exception of the lot located at the northwest corner of the intersection of East 126th Street and Second Avenue. The majority of the structures appear to be storefronts and private dwellings. Grammar School No. 39 is present fronting East 125th Street. A lodging house is located at 2315-2317 Third Avenue, and a Car House operated by the Second Avenue Railroad Company is located at the southwest corner of East 127th Street and Second Avenue.

1911 Sanborn Map

The Site has undergone minimal changes from the previous Sanborn map. The lot located at the northwest corner of the intersection of East 126th Street and Second Avenue is now occupied by storefronts and dwellings and the lot formerly occupied by the Car House located at the southwest corner of East 127th Street and Second Avenue is shown as vacant. The properties located at 216 to 234 East 126th Street have been demolished and replaced by the expanded PS 39 structure. The property located at 206 East 126th Street is listed as a Chine Laundry. The buildings located at 205-211 East 125th Street are shown as furniture storage and auction rooms,

as well as the building on Block 1789 Lot 46 (2293 Third Avenue).

1939 Sanborn Map

The majority of the properties on the Site remain relatively unchanged with some notable exceptions. The original PS 39 building fronting on East 125th Street has been demolished along with the six (6) dwellings located at 213 to 223 East 125th Street. These buildings were replaced with the current 2-story garage building which was constructed in 1917. The former dwelling at 249 East 125th Street is now listed as the All Saint's Roman Catholic Church. The Chine Laundry is still present and the property located at 249 East 126th Street is noted as containing "junk". The lodging house located at 2315-2317 Third Avenue and the storefronts and/or dwellings located at 253 East 125th Street, 228 East 127th Street and 2455 Second Avenue have been demolished and are shown as vacant. The property located at 2321 Third Avenue is now listed as a hotel and the property at 212 East 127th Street is listed as containing waste paper and rags. The property at 230 East 127th Street is now utilized as a furniture warehouse and the lot formerly occupied by the Car House located at the southwest corner of East 127th Street and Second Avenue is shown as a garage with a capacity of 105 cars. The Sanborn map also notes two (2) buried 550 gallon gasoline tanks present at this property.

1951 Sanborn Map

Minimal changes to the Site have occurred since the previous Sanborn map. A storefront is present on the lot previously shown as vacant and located at 253 East 125th Street. The dwelling located at 2459 Second Avenue is now listed as a storefront and the junk notation at the property located at 242 East 126th Street is no longer present. The dwelling located 236 East 126th Street is no longer present and the lot shown as vacant. The vacant lot located at 2315-2317 Third Avenue is now depicted as a parking lot. The property at 2321 Third Avenue is no longer listed as a hotel. Three (3) storefronts/dwellings located at 2325-2329 Third Avenue have been demolished and replaced with a 25 car garage with two (2) gasoline tanks present. The property listed as containing waste paper and rags at 212 East 127th Street expanded to include 208-210 East 127th Street and the vacant lot at 228 East 127th Street is now listed as a motor freight station. A dwelling at 224 East 127th Street has been razed and the lot shown as vacant. A storefront/dwelling located at 249-251 East 126th Street and the first floor of a former dwelling located at 225 East 126th Street are now shown as Iron Works. The garage located at the southwest corner of East 127th Street and Second Avenue is now listed as the Crown Wire Manufacturing Company. The two (2) buried 550 gallon gasoline tanks previously identified on the 1939 Sanborn map are not present on this map.

1968 Sanborn Map

The parking lot located at 2315-2317 Third Avenue and storefronts and dwellings located at 200-202 East 126th Street have been replaced with a Metal Supplies company. The storefronts/dwellings located at 253-259 East 125th Street (2449 Second Avenue) have been demolished and replaced with a filling station. The storefronts/dwellings located at 2451 and 2453 Second Avenue are reported as boarded up and the formerly vacant lots at 2455 Second Avenue and 236 East 126th Street are depicted as automobile repair shops. Dwellings at 207-211 and 237-239 East 126th Street have been demolished and the lots are shown as vacant and the property located at 247 East 126th Street is depicted as a dwelling and church. The vacant lot at 224 East 127th Street is now depicted as an automobile repair shop and the Crown Wire Manufacturing Company is now a Filmways Inc. Studio. The property located at 2331-2339 Third Avenue and 200-206 East 127th Street (Block 1791, Lot 44) which is currently occupied by the United Moravian Church and not part of this ESA was formerly used as storefronts/dwellings and included a tin shop and junk dealer is listed as a filling station.

1979 Sanborn Map

The Site has undergone significant changes from the previous Sanborn map. The building located at 2293 Third Avenue is no longer listed as furniture storage and auction rooms and the furniture storage and auction rooms located at 209-211 East 125th Street have been demolished and the lots vacant. The storefronts and/or dwellings including the Chine Laundry located at 204-214 East 126th Street have been demolished and the lots depicted as vacant. All Saint's Church located at 249 East 125th Street as well as the storefronts/dwellings at 251 East 125th Street, 2451 Second Avenue and 2457-2459 Second Avenue have been demolished and the lots vacant. The property located at 2453 Second Avenue is still reported as boarded up. The 2-story garage building located at 213 to 223 East 125th Street is depicted as the Opportunities Industrialization Center and the former PS 39 is now the Harlem S.P.A.R.K. City Service Center. The building located at 2321 Third Avenue and the parking garage located at 2325-2329 Third Avenue have been demolished and the lots vacant. A commercial building remains at 2323 Third Avenue. The dwellings at 203-205, 213-223, 227-235 and 241-251 and the Iron Works at 225 East 126th Street have all been demolished and the lots are depicted as vacant. The dwellings, auto repair shop and motor freight station located at 214-228 East 127th Street have also been demolished and the lots vacant. The buildings at 208-212 and 230 East 127th Street remain as does the Filmways Studio and storefront/dwellings and apartment building located at 2461-2469 Second Avenue. The filling station located at 2331-2339 Third Avenue is now shown as a church, constructed in 1977.

1982 Sanborn Map

The former PS 39 and Harlem S.P.A.R.K. Center and the boarded up building located at 2453 Second Avenue have been demolished and the lots depicted as vacant. The filling station at 2449 Second Avenue and the auto repair shop at 2455 Second Avenue remain as does the automobile repair shop located at 236 East 126th Street. The residential property located at 238 East 126th Street is listed as vacant. The commercial property located at 2323 Third Avenue and the storefront/dwellings and apartment building located at 2461-2469 Second Avenue have been demolished and the lots vacant.

1989 Sanborn Map

Changes to the Site are difficult to determine due to the poor quality of the 1989 Sanborn map; however, it appears that the Filmways Studio building located at the southwest corner of East 127th Street is no longer present. The properties located at 2457-2459 Second Avenue are depicted as a parking lot.

1993 Sanborn Map

The filling station located at 2449 Second Avenue appears to have been demolished and replaced with a new filling station in its current configuration with a separate building in the northwestern portion of the lot (currently a Dunkin Donuts). The building located at 208-212 East 127th Street is now listed as an automobile repair shop and the building at 230 East 127th Street is listed as a commercial property.

1996 Sanborn Map

The automobile repair shop located at 2455 Second Avenue has been razed and the lot shown along with the properties located at 2457-2459 Second Avenue as a parking lot. The 1996 Sanborn map indicates that all or portions of 216-234 East 126th Street are used for truck rental, although no other details are presented. The former Filmways Studio property is listed as a parking lot used by the NYCTA.

4.4 Historical Topographic Maps

Historical topographic maps (USGS 7.5 minute Quadrangle sections) were obtained from EDR, and were reviewed for the years 1897, 1947, 1966, 1979 and 1995. A brief description of each of the maps and the map scale is presented below. The historical topographic maps are included as Appendix E.

1897 Topographic Map (1:62,500)

Due to the scale of this map, the structural features of the Site cannot be identified; however, the street network is shown much as it appears today.

1947 Topographic Map (1:25,000)

The Site and environs are in an area shown as completely urbanized; however, no specific features on the Site are identifiable.

1966-1995 Topographic Maps (1:24,000)

PS 39 is the only specific feature of the Site depicted on these topographic maps.

4.5 City Directory Search

A City Directory Search was conducted for the years 1920 - 2000, using 250 East 126th Street as the center point of the search (Appendix E). The Site address was not listed in the research source. A search of neighboring properties includes a succession of residential properties with few retail/commercial properties surrounding the Site. Residential properties include the addresses at 238-241, 243, 245, 247, 249, 251 and 253 East 126th Street with retail/commercial properties included at the 240, 243, 249 and 253 East 126th Street addresses. The 243 East 126th Street address was formerly an ice and coal house in the 1920s and 1930s. The property located 247 East 126th Street is listed as Saint Peter and Paul Church from 1963 to 1968. The 249 East 126th Street was formerly an iron works from 1938 to 1958 and a grocery store in 1963. The property at 242 East 126th Street was listed as a junk dealer in 1942 and 1947 and not listed again until 1988 as Hermans Shoe Repair.

4.6 Historical Information Concerning Adjacent Properties

Some site-specific information on the history of the adjoining properties is available through the Sanborn maps, aerial photographs, and the city directory search. The majority of the area surrounding the Site has been used for residential, retail, and commercial purposes since the area was initially developed. Residential uses in this area since the late 1800s have ranged from single to multi-family homes and many former retail establishments included loft apartments.

5.0 REGULATORY AGENCY DATABASE REVIEW

EDR conducted a regulatory file review for the Site and surrounding areas. The search radii for the database review centered on a point located near the center of the Site at the midpoint along East 126th Street between Second and Third Avenues. The coordinates for the center point of the search are 40° 48' 14.0" N, 73° 56' 3.1" W. A copy of the EDR report is provided in Appendix B. The Phase I ESA discusses only those facilities identified by EDR in the databases searched and at the distances from the center point of the Site noted below. The databases were searched and selected by EDR based on the requirements of ASTM E1527-00.

Federal Database Records

- National Priority List (“NPL”) for both existing and deleted facilities within a 1-mile boundary of the Site as of April 19, 2006.
- Proposed NPL, sites proposed for inclusion on the NPL as of April 19, 2006.
- The NPL Deletions database for sites approximately 1 mile of the Site as of April 19, 2006. The NPL Deletions database identifies sites meeting the EPA’s criteria to delete sites from the NPL per the National Oil and Hazardous Substances Pollution Contingency Plan.
- NPL Recovery database as of October 15, 1991. The NPL Liens database lists those sites where the USEPA has filed liens against real property in order to recover remedial action expenditures. The database search is for only the Site.
- Comprehensive Environmental Response, Compensation, and Liability Information System (“CERCLIS”) sites located within approximately 1/2 mile of the boundary of the Site as of June 19, 2006.
- No Further Remedial Action Proposed (“NFRAP”) sites located within 1/2 mile of the boundary of the Site as of February 1, 2006.
- RCRA Corrective Action Activity (“CORRACTS”) sites located within 1 mile of the Site as of March 15, 2006. CORRACTS identifies RCRA facilities under corrective action activity.
- Resource Conservation and Recovery Information System (“RCRIS”) Facilities Lists including large and small quantity generators and treatment facilities located within approximately 1/4 mile and storage, transportation, and disposal facilities located within approximately 1/2 mile of the boundary of the Site as of June 13, 2006.

- Emergency Response Notification System (“ERNS”) listings for the Site as of December 31, 2005.
- The Hazardous Materials Information Reporting System (“HMIRS”) as of July 3, 2006. The HMIRS database contains hazardous materials spill incidents reported to the DOT. The database search is for only the Site.
- US ENG Control as of March 21, 2006 is a listing of sites with engineering controls in place including various forms of caps, building foundations, liners and treatment methods to create pathway elimination for regulated substances to enter environmental media or affect human health.
- US INST Control as of March 21, 2006 is a listing of sites with institutional controls in place including administrative measures such as groundwater use, construction and property use restrictions, and post remediation care requirements intended to prevent exposure to contaminant remaining on site.
- Department of Defense (“DOD”) database include federally owned or lands administered by the DOD that have any area greater than 640 acres. This data set was last updated December 31, 2004.
- Formerly Used Defense Site (“FUDS”) database as of December 5, 2005 includes properties where the US Army Corps of Engineers is actively working and will take necessary cleanup measures.
- US Brownfields database as of April 26, 2006 includes sites addressed by Targeted Brownfield Assessments (“TBA”) and EPA Cooperative Agreement Recipients.
- The Superfund Consent Decrees (“CONSENT”) are major legal settlements that establish responsibility and standards for cleanup at NPL (Superfund) sites including settlements within approximately 1 mile of the boundary of the Site. This data set was last updated December 14, 2004.
- The Record of Decision (“ROD”) for sites approximately 1 mile of the Site as of April 13, 2006. The ROD documents mandate a permanent remedy at an NPL site containing technical and health information to aid in the cleanup.

- The Toxic Release Inventory System (“TRIS”) Database searches for the Site as of December 31, 2004. The TRIS sites are required to complete a Toxic Chemical Release Form (Form R) for specified chemicals.
- The Toxic Substances Control Act (“TSCA”) database as of December 31, 2002. The TSCA database identifies facilities that manufacture or chemical substances included on the TSCA Chemical Substance Inventory list. The database search is for only the Site.
- The FIFRA/TSCA Tracking System (“FTTS”) database as of March 29, 2006. The FTTS database tracks administrative cases and pesticide enforcement actions related to the Federal Insecticide, Fungicide, and Rodenticide Act (“FIFRA”), TSCA, and Emergency Planning and Right to Know (“EPCRA”) Act. The database search is for only the Site.
- SSTS database as of December 31, 2004 is the Section Seven Tracking Systems database of the FTTS, which requires all pesticide producing establishments to submit an annual report to the EPA by March 1 of each year.
- The PCB Activity Database System (“PADS”) as of December 27, 2005. PADS is maintained by EPA and identifies generators, transporters, commercial storers and /or brokers and disposers of PCB’s. The database search is for only the Site.
- The Material Licensing Tracking System (“MLTS”) as of April 12, 2006. MLTS is maintained by the Nuclear Regulatory Commission and contains a list of approximately 8,100 sites that possess or use radioactive materials and which are subject to NRC licensing requirements. The database search is for only the Site.
- The Mines Master Index File (“MINES”) for sites within 1/4 mile of the Site as of May 16, 2006. MINES is maintained by the Department of Labor, Mine Safety and Health Administration to identify mining issues.
- The Facility Index System/Facility Identification Initiative Program Summary Report (“FINDS”) as of April 27, 2006. The FINDS database contains both facility information and “pointers” to other sources that contain more detail. The database search is for only the Site.
- The RCRA Administrative Action Tracking System (“RAATS”) database has been discontinued; however the EPA has retained a copy for historical records.

- The Biennial Reporting System (“BRS”) as of December 31, 2003. The BRS is a system administered by EPA that collects data on the generation and management of hazardous wastes.

State of New York ASTM Standard Records

- The Hazardous Substance Waste Disposal Site Inventory (“HSWDS”) database contains a listing of any known or suspected hazardous waste disposal sites that are within 1/2 mile of the Site. Also included are sites delisted from the Registry of Inactive Hazardous Waste Disposal Sites and non-registry sites that USEPA Preliminary Assessment (“PA”) reports or Site Investigation (“SI”) reports were prepared. This database is no longer maintained as a separate entity. The last update to the database was made September 1, 2002, and the last EDR contact was August 28, 2006.
- The Inactive Hazardous Waste Disposal Sites (“SHWS”) database contains site records within 1 mile of the Site that are the State’s equivalent to CERCLIS. The date of the last EDR contact was June 15, 2006.
- DEL SHWS is a database of sites delisted from the Registry of Inactive Hazardous Waste Disposal Sites. The latest update was made May 25, 2006.
- The Solid Waste Facilities/Landfill Sites (“SWF/LF”) database contains an inventory of solid waste disposal facilities or landfills in the state within 1/2 mile of the Site. The latest update to the database was May 3, 2006.
- The Registered Recycling Facility List (“SWRCY”) as of May 3, 2006. The database list facilities that are within 1/2 mile of the Site.
- The Registered Waste Tire Storage Facility List (“SWTIRE”) as of April 1, 2004. The database identifies if the Site is on the list.
- LTANKS is the Spills Information Database which includes Leaking Storage Tank Incident Reports and contains an inventory as of June 6, 2006 of reported leaking storage tanks (above or underground) within 1/2 mile of the Site. The causes include tank test failures, tank failures, or tank overfills. HIST LTANKS is a listing of leaking underground and above ground storage tanks. In 2002 the DEC stopped providing updates to its original Spills Information Database. The date of the last EDR contact was July 7, 2006.
- The Petroleum Bulk Storage database (“PBS UST”) identifies underground storage tanks

(“UST”) sites with capacities ranging from 1,100 gallons to 400,000 gallons that are located within 1/4 mile of the Site. The date of the last EDR contact was July 26, 2006.

- The Chemical Bulk Storage Database (“CBS”) identifies facilities within 1/4 mile of the Site that store regulated hazardous substances in USTs of any size. The date of the last EDR contact was October 24, 2005.
- The Major Oil Storage Facilities Database UST (“MOSF”) identifies facilities within 1/2 mile of the Site that may be onshore facilities, or vessels, with petroleum storage capacities of 400,000 gallons or greater. The date of the last EDR contact was July 25, 2005.
- The Petroleum Bulk Storage (“PBS AST”) database identifies registered aboveground storage tanks (“AST”) located at the Site. The date of the last EDR contact was July 26, 2006.
- The Chemical Bulk Storage Database, AST (“CBS AST”) identifies facilities within 1/4 mile of the Site that store regulated hazardous substances in ASTs with capacities of 185 gallons or greater, and/or in USTs of any size. The date of the last EDR contact was July 25, 2005.
- The Major Oil Storage Facilities Database AST (“MOSF AST”) identifies AST facilities within 1/2 mile of the Site that may be onshore facilities or vessels, with petroleum storage capacities of 400,000 gallons or greater. The date of the last EDR contact was July 25, 2005.
- NY MANIFEST as of May 2, 2006 is a database that tracks facility and manifest data.
- The Spills Information Database (“SPILLS”) identifies data collected on spills within 1/8 mile of the Site that were reported to NYSDEC as required by one or more of the following: Article 12 of the Navigation Law, 6 NYCRR Section 613.8 (from PBS regs), or 6 NYCRR Section 595.2 (from CBS regs). It includes spills active as of April 1, 1986, as well as spills occurring since this date. The latest update to the database was June 6, 2006. HIST SPILLS is a listing of leaking USTs and ASTs. In 2002 the DEC stopped providing updates to its original Spills Information Database. The date of the last EDR contact was July 7, 2005.
- ENG CONTROL as of May 25, 2006 is a listing of sites with engineering controls in place including various forms of caps, building foundations, liners and treatment methods to create pathway elimination for regulated substances to enter environmental media or affect human health.
- INST CONTROL as of May 25, 2006 is a listing of sites with institutional controls in place including administrative measures such as groundwater use, construction and property use

restrictions, and post remediation care requirements intended to prevent exposure to contaminant remaining on site.

- The Voluntary Cleanup Agreements (“VCP”) identifies sites within 1/2 mile of the Site where private monies are being used to remediate contaminated sites to levels allowing for the sites’ productive use. The program covers virtually any kind of site and contamination. The date of the last EDR contact was June 15, 2006.
- DRYCLEANERS as of June 15, 2004 is a listing of registered dry cleaning facilities.
- BROWNFIELDS as of May 25, 2006 is the New York State Brownfields site list.
- The State Pollutant Discharge Elimination System (“SPDES”) for the control of wastewater and stormwater discharges in accordance with the Clean Water Act. SPDES also controls point source discharges to groundwater as well as surface waters. The last EDR contact was August 8, 2006.
- The Aerometric Information Retrieval System (“AIRS”) as of December 31, 2002 includes air emissions data.

The following sections discuss EDR's findings. Only databases for which information was found are presented below.

5.1 Results of Database Search

5.1.1 Subject Site

Due to the size of the Site, a generic address of Third Avenue was used as the target address for the Site. The EDR report lists five (5) sites with a target address of Third Avenue; however, none of these sites are located at addresses included in this Phase I ESA, or appear to be in close proximity to the Site to have had an environmental impact on the Site.

A review of the nearby sites indicates that there are six (6) sites with addresses within the scope of this Phase I ESA. Each of the nearby sites identified as part of the target property are listed below with respect to the database in which they appear. The same site may be listed with multiple addresses and found on more than one database.

Site Name	Address	Database(s)	Comments
2 nd Avenue Subway-NYCT	127 th Street and Second Avenue	NY SPILLS	Spill No. 0306147 reported 9/10/03. Gasoline contaminated soil reported in soil boring. Spill remains open.
BP SS#13401	255 East 125 th Street	UST HIST UST	One (1) 550 gallon steel fuel oil UST (installation date unknown) and five (5) 4,000 gallon steel unleaded gasoline USTs installed in 1987 are reported on site. One (1) 4,000 gallon steel unleaded gasoline UST reported installed in 1971 and one (1) 4,000 gallon and twelve (12) 550 gallon steel USTs installed in 1965 are also reported at the site. No tank closure dates are reported for any of the USTs and the total capacity for the site is listed as 16,000 gallons.
255 East 125 th Street/Amoco	255 East 125 th Street	LTANKS	Spill No. 8809618 reported 3/14/89. Two (2) 4,000 gallon UST siphoned together failed tank tightness test. Spill closed 3/25/04 and consolidated with Spill No. 9711337.
Amoco Service Station	255 East 125 th Street	NY SPILLS	Spill No. 9711337 reported 1/9/98 due to equipment failure remains open. 30-50 gallons of gasoline and water pumped from tank sump. Soil and groundwater sampling indicated VOC concentrations above clean up standards. UST piping was reported replaced and abandoned steel piping removed. The UST system reported upgraded with sumps, spill containment boxes beneath the dispensers and leak detection of product piping tied into an existing leak detection system.
Limax Corp-Amoco	255 East 125 th Street	RCRIS-SQG FINDS	No violations reported. Other pertinent activity identified in RCRAInfo database.
Carmie Elmore S/S 13401	2449 Second Avenue and 125 th Street	FINDS	Other pertinent activity identified in AIRS and the NYSDEC Facility Information System ("FIS").
Fancy East Side Cleaners	2315 Third Avenue	RCRIS-SQG NY MANIFEST	Conditionally exempt SQG, no violations found.
Lot Next to Amoco Station	249 East 125 th Street	NY SPILLS	Spill No. 0411494 reported 1/25/05. Evidence of a spill reported in soil and groundwater samples collected on the site. Analytical results of soil and groundwater samples indicated no exceedances detected. Spill closed 5/4/05.

Site Name	Address	Database(s)	Comments
Uptown Auto Est. DBA Midas	223 East 125 th Street	AST	One (1) registered waste oil AST reported on site. Capacity of tank is not reported.
Manhattan Coach Auto Body	212 East 127 th Street	FINDS	Other pertinent activity identified in the NYSDEC FIS.

5.1.2 Nearby Sites

EDR identified a total of one hundred seventy (170) sites within the search radii of the Site, including the six (6) sites identified as part of the target property. The following identifies the sites that are within 1/4 mile of the Site and have assumed groundwater elevations equal to or higher than the Site (based upon the assumed flow direction of groundwater to the east-northeast). Downgradient sites are not included since the potential for these sites to impact the Site is low. Each of the nearby sites is identified below with respect to the database in which they appear and the same site may be listed on more than one database.

5.1.2.1 RCRIS (LQG) Sites

EDR identified a total of four (4) Large Quantity Generator (“LQG”) sites within 1/4 mile of the Site; however, all four (4) sites are downgradient of the Site. LQGs generate over 1,000 kilograms (“kg”) of hazardous waste or over 1 kg of acutely hazardous waste per month.

5.1.2.2 RCRIS (SQG) Sites

EDR identified a total of twenty-four (24) listed Small Quantity Generator (“SQG”) sites within 1/4 mile of the Site, two (2) of which are identified as part of the target property. Of the remaining twenty-two (22) SQG sites, twelve (12) were located at elevations equal to or higher and hydrogeologically upgradient or sidegradient of the Site with respect to the assumed groundwater flow direction. SQGs generate between 100 and 1,000 kg of hazardous waster per month. These SQGs are summarized below:

Site Name	Address	Distance / Direction ⁽¹⁾	Comments
USPS-Triborough Station	167 East 124 th Street	0-1/8 mile W / upgradient	Conditionally exempt SQG. No violations found.
William Somerville Inc.	166 East 124 th Street	0-1/8 mile W / upgradient	Conditionally exempt SQG. No violations found.
2083 Dry Clean Inc.	2083 Lexington Avenue	0-1/8 mile WNW / sidegradient	Conditionally exempt SQG. No violations found.
MTA NYCT-125 th Street and Lexington Avenue	125 th Street and Lexington Avenue	0-1/8 mile WNW / sidegradient	SQG. No violations found.
NYCTA-248 Central Instr Rm	125 th Street and Lexington Avenue	0-1/8 mile WNW / sidegradient	No violations found.
NYCTA-South 125 th Street Relay Rm	125 th Street and Lexington Avenue	0-1/8 mile WNW / sidegradient	No violations found.
Taino Towers Dry Cleaners	2253 Third Avenue	0-1/8 mile SSW / upgradient	No violations found.

Site Name	Address	Distance / Direction ⁽¹⁾	Comments
Our Cleaners	2021 Lexington Avenue	1/8-1/4 mile W / upgradient	No violations found.
Chandler Royce Co.	185 East 122 nd Street	1/8-1/4 mile SW / upgradient	No violations found.
Odyssey House of New York	219 East 121 st Street	1/8-1/4 mile SSW / upgradient	No violations found.
Lee Building	103 East 125 th Street	1/8-1/4 mile WNW / sidegradient	No violations found.
Lore Decorators	2201 Third Avenue	1/8-1/4 mile SSW / upgradient	Conditionally exempt SQG. No violations found.

1. Upgradient/sidegradient direction based on assumed groundwater flow direction.

5.1.2.3 LTANKs Sites

EDR identified fifty-one (51) sites on the LTANKS database within 1/2 mile of the Site, one (1) of which is identified as part of the target property. Of these, eight (8) were located at elevations equal to or higher and hydrogeologically upgradient or sidegradient of the Site with respect to the assumed groundwater flow direction and within 1/4 mile of the Site. A summary of the LTANK sites are provided below:

Site Name	Address	Distance / Direction ⁽¹⁾	Comments
Eng Co. 35	2283 Third Avenue	0-1/8 mile SSW / upgradient	Spill No. 9801567 reported 5/6/98. Originally reported as a tank overflow, spill a result of soil contamination detected during tank closure-in-place activities. Spill closed 5/9/05.
Not Reported	205 East 124 th Street	0-1/8 mile SSW / upgradient	Spill No. 9802381 reported 5/23/98. No. 2 fuel oil tank failed tank tightness test, tank passed re-test, spill closed 11/26/04.
230 East 123 rd Street/Manh	230 East 123 rd Street	0-1/8 mile S / upgradient	Spill No. 8905085 reported 8/22/89. Thirty (30) gallons of #2 fuel oil spilled as a result of a tank overflow. Spill reported cleaned up and closed 11/15/94.
Taino Tower	2253 Third Avenue	0-1/8 mile SSW / upgradient	Spill No. 0514031 reported 3/8/06. Unknown quantity of No.2 fuel oil spilled from vent pipe onto sidewalk and asphalt during transfer of fuel oil from one tank to another. Spill remains open. Note three (3) 20,000 gallon fuel oil USTs are referenced but the site is not reported in the UST database searched by EDR.
2021 Lexington Avenue	2021 Lexington Avenue	1/8-1/4 mile W / upgradient	Spill No. 9410094 reported 10/28/94. Spillage from leaking fittings on concrete encased AST observed. Spill closed 12/3/03.

Site Name	Address	Distance / Direction ⁽¹⁾	Comments
Residence	212 East 122 nd Street	1/8-1/4 mile SSW / upgradient	Spill No. 0000067 reported 4/3/00. No. 2 fuel oil tank reported failed tightness test. Spill remains open.
Store front	124 East 124 th Street	1/8-1/4 mile WNW / sidegradient	Spill No. 0508613 reported 10/18/05. No. 2 fuel oil tank reported failed tightness test. Spill remains open.
1824 Park Avenue/Sunoco	1824 Park Avenue	1/8-1/4 mile WNW / sidegradient	Spill No. 9108459 reported 11/7/91. Gasoline UST failed tightness test, spill remains open.

1. Upgradient/sidegradient direction based on assumed groundwater flow direction.

5.1.2.4 UST Sites

EDR identified fourteen (14) sites on the UST database, one (1) of which is identified as part of the target property. Of the remaining thirteen UST sites, four (4) were within 1/4 mile of the Site and hydrogeologically upgradient or sidegradient with respect to the assumed groundwater flow direction. Note that one (1) additional site was identified; however the site was incorrectly mapped and, based upon the address, determined to be located downgradient of the Site. A summary of the UST sites is provided below:

Site Name	Address	Distance / Direction ⁽¹⁾	Comments
156-158 East 126 th Street	156-158 East 126 th Street	0-1/8 mile WNW / sidegradient	One (1) 2,000 gallon fuel oil UST reported closed 3/1/01.
Block 1774 Lot 27	157 East 125 th Street	0-1/8 mile WNW / sidegradient	One (1) 1,500 gallon vaulted steel fuel oil UST reported closed 11/1/00.
Police Service Area #5 (NYPD Housing Bureau)	221 East 123 rd Street	0-1/8 mile SSW / upgradient	Three (3) 2,500 gallon fiberglass reinforced plastic (“FRP”) USTs containing Nos. 1, 2, or 4 fuel oil and diesel fuel reported installed in 1995 and remaining in service.
UPACA I & II (KNW Assoc.)	1990 Lexington Avenue	1/8-1/4 mile WSW/ upgradient	One (1) 5,000 gallon No. 5 or 6 fuel oil UST reported closed 10/1/96.

1. Upgradient/sidegradient direction based on assumed groundwater flow direction.

5.1.2.5 NY Spills Sites

EDR identified thirty-one (31) sites on the Spills Information database that were within 1/8 mile of the Site, two (2) of which are identified as part of the target property. Of the remaining twenty-nine (29) sites, nine (9) are hydrogeologically upgradient or sidegradient to the Site with respect to groundwater flow. Note that one (1) additional site was identified; however the site was incorrectly mapped and, based upon the address, determined to be located downgradient of the Site. A summary of the NYSPILLS sites is provided below.

Site Name	Address	Distance / Direction ⁽¹⁾	Comments
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Site Name	Address	Distance / Direction ⁽¹⁾	Comments
Manhole #45816	East 127 th Street and Third Avenue	0-1/8 mile / sidegradient	Spill No. 9814391 reported 3/2/99. Less than one (1) gallon unknown oil in manhole. Spill remains open.
Manhole #45805	East 126 th Street and Second Avenue	0-1/8 mile / sidegradient	Spill No. 9814395 reported 3/2/99. Less than one (1) gallon of dielectric fluid in manhole. Spill closed 3/12/99.
IFO Firehouse	2282 Third Avenue	0-1/8 mile SSW / upgradient	Spill No. 0330038 reported 9/15/03. Drum with a reported 20 gallons of unknown petroleum was left in front of the firehouse. Drum removed and spill closed 10/3/03
Vault #9153	Third Avenue and East 123 rd Street	0-1/8 mile SSW / upgradient	Spill No. 0400692 reported 4/21/04. Less than one (1) gallon of unknown oil mixed with water from transformer leak. Spill closed 7/27/04.
Manhole #39250	126 th Street and Lexington Avenue	0-1/8 mile WNW / sidegradient	Spill No. 0403213 reported 6/23/04. Less than one (1) gallon of dielectric fluid from feeder cable leak. Spill closed 9/29/04.
2 nd Ave Subway- NYCT	125 th Street and Lexington Avenue	0-1/8 mile WNW / sidegradient	Spill No. 0300354 reported 4/10/03. Elevated PID reading in a boring performed as part of the 2 nd Avenue Subway project. Spill closed 8/26/05.
Not Reported	125 th Street and Lexington Avenue	0-1/8 mile WNW / sidegradient	Spill No. 9905454 reported 8/5/99. Less than one (1) gallon of unknown oil on 200 gallons of water. Spill closed 8/6/99.
Not Reported	125 th Street and Lexington Avenue	0-1/8 mile WNW / sidegradient	Spill No. 9907360 reported 9/19/99. Less than one (1) gallon of unknown oil on 25 gallons of water. Spill closed 2/3/04.
Manhole #39242	125 th Street and Lexington Avenue	0-1/8 mile WNW / sidegradient	Spill No. 9809077 reported 10/21/98. Approximately five (5) gallons of unknown oil on 100 gallons of water in manhole. Spill closed 11/14/03.

1. Upgradient/sidegradient direction based on assumed groundwater flow direction.

5.1.3 Orphan Sites

Orphan sites are those having limited address information that precludes mapping the site. Fifty (50) unmapped sites were identified by EDR. Orphan sites are listed in the EDR report found in Appendix B. None of the orphan sites were identified during the site reconnaissance.

6.0 AGENCY REVIEW

M&E contacted several city, borough, and state officials to determine whether they had any knowledge of the Site or environmental concerns in the vicinity of the Site. A brief summary of M&E’s correspondence is presented in the following sections, with copies of FOIL requests included in Appendix G and downloaded New York City Department of Buildings (“DOB”) information included in Appendix H.

6.1 City/Borough Agencies

The following is a summary of information obtained from several local regulatory agencies.

Fire Department of the City of New York

A Records Search Request was submitted to the Fire Department of the City of New York (“FDNY”) for any records related to heating oil tanks at the properties comprising the Site. No response from the FDNY has been received to date.

New York City Department of Buildings

M&E performed a search on the Buildings Information Search (“BIS”) on the NYC DOB website on September 8, 12 and 13, 2006. The following table lists the properties that comprise the Site and includes the number of Actions, or pre-BIS construction related activities, complaints, DOB violations and Environmental Control Board (“ECB”) violations reported for each property and other relevant information regarding the properties provided in available Certificates of Occupancy.

Address	Complaints (total/open)	DOB-Violations (total/open)	ECB-Violations (total/open)	Actions	Additional Information
2293 Third Avenue (Block 1789 Lot 46)	0/0	0/0	0/0	0	None.
2305 Third Avenue (Block 1790 Lot 1)	0/0	11/0	0/0	30	None.
2309 Third Avenue (Block 1790 Lot 3)	1/0	0/0	0/0	47	None.

Address	Complaints (total/open)	DOB- Violations (total/open)	ECB- Violations (total/open)	Actions	Additional Information
207 East 125 th Street (Block 1790 Lot 5)	2/0	1/1	0/0	14	A 1977 CO indicates a 3-story building with cellar storage, a store on the first floor and the second and third floors to remain vacant.
209 East 125 th Street (Block 1790 Lot 6)	0/0	5/5	1/1	29	None.
213 East 125 th Street (Block 1790 Lot 8)	3/1	6/5	0/0	61	A 1973 CO indicates a boiler room in the cellar, fabric storage in the basement and an adult trade school on the first floor. An elevator is also reported on the site.
225 East 125 th Street (Block 1790 Lot 12)	1/0	4/1	1/0	25	A 1949 CO indicates a 4-story building with a cellar boiler room and storage, a store on the first floor and factory and office space on the second through fourth floors. Fuel oil installation was approved by the FDNY on 1/8/49. A 1958 CO indicates no change to the cellar and 1 st floors, a shop and office on the second floor and single family dwellings on the 3 rd and 4 th floors. Fuel oil installation was approved by FDNY on 8/21/57.
243 East 125 th Street (Block 1790 Lot 13)	0/0	0/0	0/0	23	None.
249 East 125 th Street (Block 1790 Lot 20)	0/0	2/2	0/0	15	A 1917 CO indicates a 3-story building with cellar storage, a church mission (All Saints RC Church) on the first floor, office and meeting room on the second floor and a dwelling on the third floor.
2449 Second Avenue (Block 1790 Lot 24)	0/0	2/2	1/1	101	A 1948 CO for 253 East 125 th Street (Block 1790 Lot 22) indicates a 1-story structure on site used as an office, salesroom and warehouse. The 1958 CO for this address indicates that the sales room is for used motor vehicles. The 1954 CO for 255-259 East 125 th Street (Block 1790 Lots 23 and 24) indicates the site is used for used car sales and contains a 1-story temporary frame office. The 1965 CO for Lots 22 and 24 and the 1987 CO Lot 22 indicate that the site is a retail gasoline station.
2451 Second Avenue (Block 1790 Lot 25)	0/0	20/20	0/0	60	The 1945 CO indicates a 5-story building with a cellar boiler room and storage. The first story is occupied by two (2) stores and two (2) apartments and multi-family dwellings on the second through fifth stories.
2453 Second Avenue (Block 1790 Lot 26)	0/0	0/0	0/0	0	Address not listed in property file.
2455 Second Avenue (Block 1790 Lot 27)	0/0	0/0	0/0	0	Reported as vacant land.

Address	Complaints (total/open)	DOB- Violations (total/open)	ECB- Violations (total/open)	Actions	Additional Information
2457 Second Avenue (Block 1790 Lot 28)	0/0	0/0	0/0	0	Reported as vacant land
2459 Second Avenue (Block 1790 Lot 29)	0/0	0/0	0/0	0	Address not listed in property file.
238 East 126 th Street (Block 1790 Lot 30)	1/0	11/0	0/0	13	None.
236 East 126 th Street (Block 1790 Lot 31)	2/0	1/0	0/0	16	1955 CO indicates a single story motor vehicle repair shop and garage for five (5) motor vehicles.
214 East 126 th Street (Block 1790 Lot 40)	0/0	0/0	0/0	0	Address not listed in property file.
210 East 126 th Street (Block 1790 Lot 41)	0/0	0/0	0/0	11	1939 CO indicates a 5-story apartment building with a boiler room in the basement.
208 East 126 th Street (Block 1790 Lot 44)	0/0	0/0	2/0	15	None.
204 East 126 th Street (Block 1790 Lot 45)	0/0	9/9	0/0	17	1961 CO indicates a 5-story apartment building with a boiler room in the basement.
2315 Third Avenue (Block 1790 Lot 46)	0/0	12/12	0/0	61	1948 CO indicates the site usage as a parking lot for 5 or more motor vehicles. 1957 CO indicates a parking lot and used car dealership with a 1-story wood frame temporary office. Application for a gasoline tank was also filed in 1957. The 1967 CO indicates a 1-story building with a storage cellar used as a steel and metal manufacturing business. Two (2) Fulton FB 030-A boilers are currently registered on site.
2313 Third Avenue (Block 1790 Lot 49)	0/0	3/3	0/0	15	None.
205 East 125 th Street (Block 1790 Lot 101)	4/0	4/2	7/0	12	None.

Address	Complaints (total/open)	DOB- Violations (total/open)	ECB- Violations (total/open)	Actions	Additional Information
2321 Third Avenue (Block 1791 Lot 1)	3/0	19/19	1/0	452	<p>A 1921 CO for 215 East 126th St. (Lot 8) indicates a 3-story structure with a storage cellar, basement level mattress shop, first floor office and sewing room and single family dwellings on the second and third floors. The 1942 CO for this lot indicates a conversion to a multi-family dwelling. A 1937 CO for 221 East 126th St. (Lot 9 ½) indicates a 3-story multi-family dwelling with a storage cellar. The 1937 CO for 212 East 127th St. (Lot 42) indicates a junk shop with scrap paper and rags on the first floor and mezzanine levels and the second through fifth floors are not to be occupied. In 1938, the CO for this lot no longer lists floors 2 through 5. The 1938 CO for 2465 Second Ave. (part of Lot 24) lists a 6-story apartment building with storage cellar. A 1948 CO for 228 East 127th St. (Lot 35) indicates a 1-story garage for four (4) vehicles and a gasoline tank approved by the FDNY in May 1948. The 1948 CO for 225 East 126th St. (Lot 11 ½) indicates a 5-story building with a storage cellar and first floor iron works. The second to fifth floors are listed as vacant. The 1949 CO for 208-210 East 127th St. (Lots 43 & 44) indicates a 1-story building used as storage and bailing. A 1-story motor vehicle repair is listed at 224 East 127th St. (Lot 37) on a 1952 CO. The 1954 CO for 207 East 126th St. (part of Lot 5) indicates a 3-story building with cellar storage, a basement factory and furnished rooms on the first through third stories. The 1954 COs for 237 East 126th St. (Lot 16 ½) indicates a 3-story building with a cellar boiler room and multi-family dwellings and fuel oil installation approved by the FDNY in June 1954; 203 East 126th St. (Lot 4 ¼) is listed as a 3-story multi-family dwelling with a cellar heating plant and fuel oil installation approved by the FDNY in July 1954; and, 239 East 126th St. (Lot 17) is listed as a 3-story multi-family dwelling with a cellar boiler room. A 1955 CO for 229 East 126th St. (Lot 13) lists a 5-story multi-family dwelling with a cellar boiler room. The 1957 COs for 235 East 126th St. (Lot 13) and 219 East 126th St. (Lot 9) indicate 3-story multi-family dwellings with cellar boiler rooms on each lot. The 1961 CO for 247 East 126th St. (Lot 20) indicates an open cellar and heating space, basement and second floor dwellings and a chapel on the first floor. The 1962 CO for 205 East 126th St. (Lot 105) indicates a 3-story multi-family dwelling with cellar boiler room and an undated fuel oil installation permit.</p>

Address	Complaints (total/open)	DOB-Violations (total/open)	ECB-Violations (total/open)	Actions	Additional Information
2469 Second Avenue (Block 1791 Lot 25)	0/0	0/0	0/0	0	Address not listed in property file.
230 East 127 th Street (Block 1791 Lot 34)	6/0	26/3	3/0	20	Temporary COs for June and October 1960 and January and September 1961 indicated a 5-story building with a first floor factory, second floor electrical shop and warehousing throughout. The April 1963 CO indicates the building was used as a carpenters shop, electrical shop and warehousing for the motion picture industry.

CO – Certificate of Occupancy

New York City Department of Health and Mental Hygiene

FOIL letters were submitted to the Records Access Officer of the New York City Department of Health and Mental Hygiene (“NYCDHMH”) by M&E requesting a file search for the properties that comprise the Site. No response from the NYCDHMH has been received to date. M&E will immediately notify the EDC should the NYCDHMH provide information indicating the presence of additional environmental concerns at the Site.

New York City Department of Environmental Protection

FOIL letters were submitted to Mr. Frank Schiano, legal advisor to the NYCDEP and the New York City Department of Environmental Health (“NYCDEH”) for the properties that comprise the Site. To date, no response has been received from the NYCDEP or the NYCDEH. M&E will notify EDC if additional site information is provided by this agency.

6.2 State Agencies

New York State Department of Environmental Conservation

FOIL letters were submitted to the Records Access Officer of the New York State Department of Environmental Conservation (“NYSDEC”) by M&E requesting a file search of the properties that comprise the Site. No response has been received from the NYSDEC to date. M&E will immediately notify the EDC should the NYSDEC provide information indicating the presence of additional environmental concerns at the Site.

7.0 Client Provided Information

M&E requested that the EDC provide copies of all available information related to the Site or surrounding area. The EDC provided a map depicting the site location and block and lot numbers and a spreadsheet listing the block, lot, owner and address of each of the parcels that comprise the Site.

8.0 SITE RECONNAISSANCE

Mr. Ronald Kantor of M&E conducted the site reconnaissance on September 11 and 19, 2006. Mr. George Sotiroff of HPD was present on September 19 to provide M&E access to the property located at 2293 Third Avenue which was locked during the initial site visit. A photographic log is located in Appendix I.

8.1 Methodology and Limiting Conditions

Performance of the Phase I ESA was limited to accessible areas of the Site. The privately owned vacant lots located at 249 East 125th Street (Block 1790, Lot 20) and 208 East 126th Street (Block 1790, Lot 44) are fenced and the Site conditions were observed from the sidewalk areas. In addition, City owned vacant lots located 2309 Third Avenue (Block 1790, Lot 3), 2313 Third Avenue (Block 1790, Lot 49), 209 East 125th Street (Block 1790, Lot 6) and a portion of 2321 Third Avenue (Block 1791, Lot 1) located at the intersection of Third Avenue and East 126th Street are fenced and the Site conditions were observed from the sidewalk areas. The nine (9) commercial/retail properties were not entered during the Phase I ESA thus limiting the visual inspection to the exteriors of these properties.

8.2 Site Conditions

The visual reconnaissance of the Site revealed a total of fifteen (15) vacant lots; three (3) lots reported as vacant but utilized for parking; and, nine (9) commercial/retail businesses, three of which are located on the ground floor below loft apartments. The vacant lots are fenced and all were accessible with the exception of the privately owned vacant lots located at 249 East 125th Street (Block 1790, Lot 20) and 208 East 126th Street (Block 1790, Lot 44) and the City owned vacant lots located 2309 Third Avenue (Block 1790, Lot 3), 2313 Third Avenue (Block 1790, Lot 49), 209 East 125th Street (Block 1790, Lot 6). In addition, an unimproved portion of the City owned Block 1791, Lot 1 located at the corner of East 126th Street and Third Avenue was fenced and not accessible. Observations of the Site conditions of these lots were made from the sidewalk areas. The reconnaissance of the accessible vacant lots revealed the presence of uneven ground surfaces, asphalt paving, buried foundations and/or fill materials. These observations suggest that buried USTs and potentially contaminated fill materials may remain below the surface. Minor oil staining of surface soils was observed at 2453 Second Avenue (Block 1790, Lot 26). The lot located at 2293 Third Avenue (Block 1789, Lot 46) is utilized for automobile parking by the FDNY; the lot located at 243 East 125th Street (Block 1790, Lot 13) operates under the name East-End Truck Parking is asphalt paved and contains a mobile office trailer and truck and automobile parking; and, 2469 Second Avenue (Block 1791, Lot 25) is asphalt paved

and used by NYCTA for bus and automobile parking.

The nine (9) commercial/retail businesses include Fancy Dry Cleaners located at 2315 Third Avenue (Block 1790, Lot 46), Preferred Floors, Inc., a retail carpet and flooring store located at 2305 Third Avenue (Block 1790, Lot 1), Schmuck Bros. Inc., an antique shop and loft apartments in a 4-story building located at 205 East 125th Street (Block 1790, Lot 101), Tone's Barber Shop and Elizabeth Salon and apparently vacant loft apartments in a 3-story building at 207 East 125th Street (Block 1790, Lot 5), Lee Myles Transmissions and Midas Muffler shop in a 2-story building located at 213 East 125th Street (Block 1790, Lot 8), United Control and Refrigeration, an appliance store and loft apartments in a 4-story building at 225 East 125th Street (Block 1790, Lot 12), a BP gasoline service station (2449 Second Avenue), Dunkin Donuts (255 East 125th Street) and Lugo Flat Fix present on Block 1790, Lot 40. The Manhattan Coach Works, a one-story automobile restoration and repair shop, is located at 212 East 127th Street (Block 1791, Lot 1). Used automobile engines and other potentially oil-filled parts were observed along side the Manhattan Coach Works building. Cycle Therapy, a 5-story motorcycle dealership and repair shop with showrooms on the upper floors is located at 230 East 127th Street (Block 1791, Lot 34). The nine (9) commercial/retail properties are privately owned and were not internally inspected during the Phase I ESA.

8.3 Site Utilities

The commercial/retail and residential properties on the Site are likely served by ConEd (electricity), Keyspan Energy (natural gas), the NYCDEP (water, sewer) and Verizon (telephone). No heating oil fill pipes or vent lines were observed at the on-site buildings. A visual inspection of the surrounding right-of-ways confirmed electrical utility grates, water mains/valves, sewer manholes and gas valves.

8.4 Site Drainage

Runoff leaving the Site is collected by inlets along the adjoining streets, and flows to the Wards Island sewage treatment facility, which ultimately discharges to the upper East River. Some of precipitation falling on the vacant lots of the Site may infiltrate to the subsurface.

8.5 Underground and Aboveground Storage Tanks

One (1) 550 gallon steel fuel oil UST (installation date unknown) and five (5) 4,000 gallon steel unleaded gasoline USTs installed in 1987 are reported at the BP service station located at 2449 Second Avenue. One (1) registered waste oil AST of unknown capacity is reported at the Midas Muffler/Lee Myles shop located at 213 East 125th Street. However, historic building demolition

may have resulted in the burial of historic heating oil or gasoline tanks that served the residential and commercial buildings that formerly occupied the Site.

8.6 Oil-Filled Equipment

Oil-filled equipment was not observed on the vacant lots of the Site; however, used automobile engine parts were observed along side the Manhattan Coach Works at 212 East 127th Street and additional oil-filled equipment may be present at the other privately owned businesses that occupy the Site.

8.7 Hazardous Materials Storage

Gasoline, fuel oil and petroleum products are present at the BP service station located at 2449 Second Avenue. Waste oil and petroleum products are expected to exist at the Midas Muffler/Lee Myles shop located at 213 East 125th Street and may also be present at the Manhattan Coach Works, Inc. an automotive repair and body shop located at 212 East 127th Street and at Cycle Therapy, a motorcycle dealership and repair shop located at 230 East 127th Street. Hazardous materials in the form of dry cleaning solvents and chemicals may also be present at Fancy Dry Cleaners located at 2315 Third Avenue. In addition, potentially hazardous flooring adhesives may be present at Preferred Flooring, Inc. located at 2305 Third Avenue. No hazardous materials were observed on the vacant parcels of the Site.

8.8 Waste Generation

Household wastes generated at the Site are collected by the New York City Department of Sanitation. Hazardous and non-hazardous industrial wastes may be generated by the BP service station located at 2449 Second Avenue, the Midas Muffler/Lee Myles located at 213 East 125th Street, Fancy Dry Cleaners located at 2315 Third Avenue, Manhattan Coach Works, Inc. located at 212 East 127th Street and at Cycle Therapy located at 230 East 127th Street. The vacant properties of the Site are accumulating trash deposited by others.

8.9 Neighboring Properties

The neighboring properties include the Harlem Auto Mall to the north, commercial/retail properties with loft apartments fronting on East 125th Street to the south, a NYCTA bus depot and commercial/retail properties east of the Site, and commercial/office buildings that include the Salvation Army and a New York City Jobs Office west of the Site.

9.0 INTERVIEWS WITH FACILITY PERSONNEL

No individuals with site-specific knowledge of the Site or its history were available for interviews as part of this Phase I ESA.

10.0 FINDINGS AND CONCLUSIONS

The environmental database provided by EDR identified sites within the search radii where documented environmental impacts have occurred. The EDR report indicates that the service station located at 2449 Second Avenue has impacted soil and groundwater in that area of the Site. The EDR database information did not include any documentation from which it could be concluded that the nearby sites identified within the search radii have impacted the Site. It is possible that groundwater under the Site has been impacted due to historical site usage and the potential for leaking residential heating oil tanks on the Site and the surrounding area. However, it should be noted that the groundwater in this area is not used as a potable source.

During the Phase I ESA, a visual inspection of the Site was performed. The visual reconnaissance of the Site revealed a total of fifteen (15) vacant lots; three (3) lots reported as vacant but utilized for parking; and, nine (9) commercial/retail businesses, three of which are located on the ground floor below loft apartments. The reconnaissance of the vacant lots revealed the presence of uneven ground surfaces, asphalt paving, buried foundations and/or fill materials. These observations suggest that buried USTs and potentially contaminated fill materials may remain below the surface. Minor oil staining of surface soils was observed at 2453 Second Avenue (Block 1790, Lot 26). The lot located at 2293 Third Avenue (Block 1789, Lot 46) is utilized for automobile parking by the New York City Fire Department (“FDNY”); the lot located at 243 East 125th Street (Block 1790, Lot 13) operates under the name East-End Truck Parking, is asphalt paved and contains a mobile office trailer and truck and automobile parking; and, 2469 Second Avenue (Block 1791, Lot 25) is asphalt paved and used by the NYCTA for bus and automobile parking.

The nine (9) commercial/retail businesses include Fancy Dry Cleaners located at 2315 Third Avenue (Block 1790, Lot 46), Preferred Floors, Inc., a retail carpet and flooring store located at 2305 Third Avenue (Block 1790, Lot 1), Schmuck Bros. Inc., an antique shop and loft apartments in a 4-story building located at 205 East 125th Street (Block 1790, Lot 101), Tone’s Barber Shop and Elizabeth Salon and apparently vacant loft apartments in a 3-story building at 207 East 125th Street, Lee Myles Transmissions and Midas Muffler shop in a 2-story building located at 213 East 125th Street (Block 1790, Lot 8), United Control and Refrigeration, an appliance store and loft apartments in a 4-story building at 225 East 125th Street (Block 1790, Lot 12), a BP gasoline service station (2449 Second Avenue), Dunkin Donuts (255 East 125th Street) and Lugo Flat Fix present on Block 1790, Lot 40. The Manhattan Coach Works, a one-story automobile restoration and repair shop, is located at 212 East 127th Street (Block 1791, Lot 1). Used automobile engines and other potentially oil-filled parts were observed along side the Manhattan Coach Works building. Cycle Therapy, a 5-story motorcycle dealership and repair

shop with showrooms on the upper floors is located at 230 East 127th Street (Block 1791, Lot 34).

Based upon the observations of the vacant lots, a subsurface investigation of these lots limited to test pits and geophysical investigation methods is recommended to characterize fill materials and identify potential USTs. An asbestos and lead based paint (“LBP”) survey should be conducted on the nine (9) structures that occupy the Site to determine if asbestos and/or LBP are present.

Additional recommendations could be warranted should potential environmental issues be identified from outstanding FOIL/Information requests submitted to the New York State Department of Mental Health and Hygiene, the New York State Department of Environmental Conservation, New York City Department of Environmental Protection, or the Fire Department of the City of New York.

Ronald W. Kantor

Ronald W. Kantor
Senior Scientist

Nelson J. Abrams

Nelson J. Abrams, P.G.
Project Manager

11.0 STATEMENT OF LIMITATIONS

The data presented and the opinions expressed in this report are qualified as follows:

1. The sole purpose of the investigation and of this report is to assess the physical characteristics of the Site with respect to the presence or absence in the environment of oil or hazardous materials and substances as defined in the applicable state and federal environmental laws and regulations and to gather information regarding current and past environmental conditions at the Site.
2. Metcalf & Eddy (M&E) derived the data in this report primarily from visual inspections, examination of records in the public domain, and interviews with individuals with information about the Site. The passage of time, manifestation of latent conditions or occurrence of future events may require further exploration at the Site, analysis of the data, and reevaluation of the findings, observations, and conclusions expressed in the report.
3. In preparing this report, M&E has relied upon and presumed accurate certain information (or the absence thereof) about the Site and adjacent properties provided by governmental officials and agencies, the Client, and others identified herein. Except as otherwise stated in the report, M&E has not attempted to verify the accuracy or completeness of any such information.
4. The data reported and the findings, observations, and conclusions expressed in the report are limited by the Scope of Services. The Scope of Services was defined by the requests of the Client, the time and budgetary constraints imposed by the Client, and the availability of access to the Site.
5. Because of the limitations stated above, the findings, observations, and conclusions expressed by M&E in this report are not, and should not be considered, an opinion concerning the compliance of any past or present owner or operator of the site with any federal, state or local law or regulation. No warranty or guarantee, whether express or implied, is made with respect to the data reported or findings, observations, and conclusions expressed in this report. Further, such data, findings observations, and conclusions are based solely upon site conditions in existence at the time of investigation.
6. This report has been prepared on behalf of and for the exclusive use of the Client, and is subject to and issued in connection with the Agreement and the provisions thereof.

7. The Phase I ESA was performed using standard engineering practices, with the understanding that environmental professionals can and should use their professional judgment in carrying out environmental site assessments.

12.0 REFERENCES

Baskerville, Charles A. *Bedrock and Engineering Geologic Maps of Brooklyn County and Parts of New York and Queens Counties, New York* 1992 United States Geologic Survey

FIGURES

APPENDIX A

QUALIFICATION OF RESPONSIBLE ENVIRONMENTAL PROFESSIONALS

APPENDIX B

EDR DATABASE SEARCH REPORT

APPENDIX C

HISTORICAL AERIAL PHOTOGRAPHS

APPENDIX D

SANBORN FIRE INSURANCE MAPS

APPENDIX E

HISTORICAL TOPOGRAPHIC MAPS

APPENDIX F

CITY DIRECTORY SEARCH

APPENDIX G

FOIL / INFORMATION REQUESTS

APPENDIX H

NYC DEPT OF BUILDINGS INFORMATION

APPENDIX I

SITE PHOTOGRAPHS

