

PHASE I ENVIRONMENTAL SITE ASSESSMENT (ESA)



**22-01/19 QUEENS PLAZA NORTH
AKA 22-09 BRIDGE PLAZA
& 22-09 & 22-02/20 41ST AVENUE
AKA 41-01/13 22ND STREET & 41-02/14 23RD STREET**

PREPARED FOR

NEW YORK COMMUNITY BANK

MECC PROJECT M17702

OCTOBER 2018

MERRITT ENVIRONMENTAL CONSULTING CORP.

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NEW YORK FLORIDA VERMONT

PHASE I ENVIRONMENTAL SITE ASSESSMENT (ESA) ASTM E1527-13

PREPARED IN ACCORDANCE WITH THE ALL APPROPRIATE INQUIRY (AAI) RULE

Site Address	22-01/19 Queens Plaza North AKA 22-09 Bridge Plaza & 22-09 & 22-02/20 41st Avenue AKA 41-01/13 22nd Street & 41-02/14 23rd Street Long Island City, Queens, New York 11373
Prepared for	New York Community Bank 102 Duffy Avenue, 5th Floor Hicksville, New York 11801 Attn: Mr. Oreando Trenchfield Application: 15-1819924-1
Prepared By	Merritt Environmental Consulting Corp. 77 Arkay Drive, Suite D Hauppauge, New York 11788 (631) 617-6200 www.merrittec.com
MECC Project No	Project M17702
Inspection Date	September 12, 2018
Summary Date	October 9, 2018
Final Report Date	October 16, 2018

1) EXECUTIVE SUMMARY

Merritt Environmental Consulting Corp. (MECC) has completed a Phase I Environmental Site Assessment (ESA) at 22-01/19 Queens Plaza North AKA 22-09 Bridge Plaza & 22-09 & 22-02/20 41st Avenue AKA 41-01/13 22nd Street & 41-02/14 23rd Street Long Island City, Queens, New York 11373 (the "Property") in accordance with the scope of work presented in Section 2.2. The report conforms to the ASTM E1527-13 Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process.

MECC was retained to perform this Phase I ESA as an agent for the lending institution (New York Community Bank).

The on site investigation was conducted on September 12, 2018. The Property currently consists of a partial 2-story commercial building, located on a plot size approximately 113,967 square feet. The building was constructed in circa 1970.

The following findings are based upon a visual inspection of the Property, the examination of readily available public records concerning the current and prior use of the Property, and interviews with individuals knowledgeable about present and past property uses.

Based on our site reconnaissance, database review and historical investigation, the following Recognized Environmental Conditions (RECs) were noted at the time of our inspection.

A Recognized Environmental Condition is the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property: (1) due to any release to the environment; (2) under conditions indicative of a release to the environment; or (3) under conditions that pose a material threat of a future release to the environment.

ITEM

1	<p>There appears to be an underground storage tank (UST), which is no longer in use, buried under the front of the property which appears to be open at the fill box with a stich well located on the former tool store floor. At the time of reconnaissance, the owner's representative stated that five (5) underground USTs holding gasoline and diesel were closed / removed on site. In addition, our regulatory database search identified five (5) 4,000-gallon underground storage tank (USTs) registered to 22-09 Queens Plaza North (Facility ID: 2-603679) as closed/removed on April 21, 2013 holding gasoline and diesel. MECC has not been provided with removal documentation. Further evaluation is recommended to determine whether documentation showing proper removal or abandonment of the tanks is available, or if additional investigation (Phase II) is warranted.</p>
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2	During our reconnaissance, several monitoring wells were observed in the site in the yard and 22 nd Street sidewalk near 41 st Avenue. According to our database review, the monitoring wells were installed as part of remediation under NYSDEC spill No. 9705856. Contamination in the wells was discovered and Spill No. 1301128 was also assigned to the property. The Spill event was reported on May 3, 2013 and has not yet been closed. According to the spill remarks, additional wells were installed and monitored on a monthly basis. The most recent information on the well sampling is from January of 2011 in which there was no further concern for contamination. MECC received a response from the NYSDEC in regard to the open spill. The information received included data and spill reports. MECC has not been provided with any additional information on the status of the wells. Further evaluation of the wells is recommended.
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In addition, no de minimis conditions were noted.

A de minimis condition is one that generally does not present a material risk of harm to public health or the environment and that generally would not be subject of an enforcement action if brought to the attention of appropriate governmental agencies (excluding local asbestos & lead situations).

No Controlled Recognized Environmental Conditions (CRECs) were noted.

A Controlled Recognized Environmental Condition (CREC) is an environmental condition resulting from a past release of hazardous substances or petroleum products that has been addressed to the satisfaction of the applicable regulatory authority, with hazardous substances or petroleum products allowed to remain in place subject to the implementation of required controls (e.g., property use restrictions, AULs, institutional controls, or engineering controls).

NON-SCOPE CONSIDERATIONS

There may be environmental issues or conditions at a property that parties may wish to assess in connection with commercial real estate that are outside the scope of this practice (the non-scope considerations). Some substances may be present on a property in quantities and under conditions that may lead to contamination of the property or of nearby properties but are not included in CERCLA's definition of hazardous substances (42 U.S.C. §9601(14)) or do not otherwise present potential CERCLA liability. In any case, they are beyond the scope of this practice. There may be standards or protocols for assessment of potential hazards and conditions associated with non-scope conditions developed by governmental entities, professional organizations, or other private entities. Asbestos-Containing Building Materials, Lead-Based Paint, and Radon are several non-scope considerations that persons may want to assess in connection with commercial real estate.

ITEM

1	Based on the age of the building, Asbestos Containing Materials (ACM) are assumed to be present. During our reconnaissance, suspect asbestos-insulating material and spray on fire proofing were observed on the heating pipes located in the basement areas. The amount of asbestos materials present is undetermined. An asbestos survey should be conducted to verify that the material is positive for asbestos content. The survey should also include recommendations for removal/encapsulation or an Operations & Maintenance Program (OMP) to manage the material.
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MECC has not conducted an asbestos, lead based paint or mold evaluation as these items are considered beyond the scope of the ASTM E1527-13 standard.

The following Historical Recognized Environmental Conditions (HRECs) were identified in our database search/historical review

A Historical Recognized Environmental Condition (HREC) is a past release of any hazardous substances or petroleum products that has occurred in connection with the property and has been addressed to the satisfaction of the applicable regulatory authority, or meets unrestricted use criteria established by a regulatory authority without subjecting the property to any required controls.

The following events occurred at the target property and have been closed:

- | | |
|---|---|
| 1) 22-09 Queens Plaza North
Spill # 0211175
Spill date: 02/06/03
Close date: 03/28/05
Remarks: Equipment Failure | 2) 22-09 Queens Plaza North
Spill # 1410826
Spill date: 02/10/15
Close date: 02/11/15
Remarks: Equipment Failure |
| 3) 22-09 Queens Plaza North
Spill # 0330001
Spill date: 02/05/03
Close date: 01/03/11
Remarks: Contaminated soil | 4) 22-09 Queens Plaza North
Spill # 9705856
Spill date: 08/06/97
Close date: 08/26/03
Spill remarks: Contaminated soil |
| 5) 119 West 145th Street
Spill # 1409664
Spill date: 12/27/14
Close date: 03/19/15
Remarks: Equipment Failure | |

The above spills have been closed by the New York State Department of Environmental Conservation (NYSDEC). On October 3, 2018, MECC was provided with a response from the NYSDEC. According to the information received, it appears corrective action was taken and the above spills were granted regulatory closure.

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2) INTRODUCTION

2.1 PURPOSE

The report was prepared by Merritt Environmental Consulting Corp., whose purpose is to provide comprehensive Phase I Environmental Site Assessments (ESA) in accordance with ASTM E1527-13 Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process.

2.2 SCOPE OF WORK

For the Phase I Environmental Site Assessment (ESA), Merritt Environmental Consulting Corp. performed the following primary tasks:

1. *Physical site inspection by Environmental Professionals (EPs) who traversed the interior and exterior areas of the site by foot, in addition to conducting a review of adjacent areas and their exteriors.*
2. *Investigations of historical usage of site based upon:*
 - a. *Interview of persons knowledgeable about the sites current and past usage.*
 - b. *Review of historical Sanborn fire insurance maps*
 - c. *Review of USGS geologic and 7.5 Minute Topographical Maps.*
 - d. *Review of aerial photographs*
 - e. *Review of city directories*
3. *Review of the federal and state environmental databases as per ASTM E1527-13 guidelines, as well as a review of pertinent information provided by local government records.*
4. *Visual inspection of site for the presence of electrical transformers that may contain polychlorinated biphenyl (PCBs).*
5. *Visual inspection of water supply, gas supply, garbage disposal practices, storm and sanitary discharge methods.*
6. *Visual inspection for petroleum storage tanks, above and below grade, stored on site.*
7. *Unless provided with a Client/Lender Scope of Work (SOW) prior to inspection, no other items have been included.*

2.3 SIGNIFICANT ASSUMPTIONS

Information and records provided by the client and outside vendors retained by Merritt Environmental Consulting Corp. are assumed to be correct and complete.

2.4 LIMITATIONS AND EXCEPTIONS

The contents of this report are correct to our knowledge and belief. This report and conclusions stated herein are, however, limited to actual knowledge based upon a visual inspection of the Property, the examination of readily available public records concerning the current and prior use of the Property, and interviews with individuals knowledgeable about present and past property uses.

Merritt Environmental Consulting Corp. has performed this Phase I Environmental Site Assessment (ESA) of the Property in accordance with the detailed scope of work in section 2.2.

Merritt Environmental Consulting Corp. cannot guarantee that the “Property” is completely free of hazardous substances or other materials or conditions that could subject the Client to potential liability. The presence or absence of any such condition can only be confirmed through the collection and analysis of soil and groundwater samples, as well as through testing building materials that may contain asbestos or lead paint. This is beyond the scope of the investigation.

Merritt Environmental Consulting Corp. has no interest other than professional in this Assessment and neither its performance, nor compensation for same, is contingent upon the findings and recommendations that are represented herein.

Transfer Property Acts

Many states have enacted property transfer laws that require notification of environmental conditions to a buyer. This ESA is not designed to meet those parameters or determine if a transfer act applies to the subject site

2.5 SPECIAL TERMS AND CONDITIONS

There are no special terms or conditions to the content of the report that are in addition to the scope outlined in Section 2.2.

2.6 RELIANCE

This Phase I Assessment was performed at the client’s request utilizing methods and procedures that are consistent with acceptable professional standards ASTM-E1527-13.

The report has been prepared for the sole use of MECC’s client. No other party may use the report without the written authority of MECC.

3) SITE DESCRIPTION

3.1 LOCATION AND LEGAL DESCRIPTION

The Property address is 22-01/19 Queens Plaza North AKA 22-09 Bridge Plaza & 22-09 & 22-02/20 41st Avenue AKA 41-01/13 22nd Street & 41-02/14 23rd Street. The legal site address is Block 412, Lots 1 & 25. The site is located in the Long Island City section of Queens, New York.

3.2 SITE AND VICINITY GENERAL CHARACTERISTICS

The current site is situated on a plot size 113,967 square feet.

The current structure was built in circa 1970.

The weather conditions during our on-site inspection consisted of cloudy skies. The temperature was approximately 80°.

3.3 CURRENT USE OF THE PROPERTIES

The current use of the Property consists of three (3) commercial units.

- Owners Company
- Construction Company (2 commercial spaces)

3.4 DESCRIPTIONS OF STRUCTURES, ROADS AND OTHER IMPROVEMENTS

- A. The Property consists of a partial 2-story commercial building, located on a plot size approximately 113,967 square feet (building size is approximately 73,600 square feet). There is a basement which houses the boiler room as well as other utilities.
- B. The Property is located on the west side of Queens Plaza North between the corners of 22nd Street and 23rd Street.
- C. The heating system for the Property is located in the basement and on the ground floor and is supplied by individual gas & oil-fired steam boiler and individual gas fired ceiling hung heating units.

D. STORM AND SANITARY DISCHARGE

On-site sanitary systems such as cesspools /septic tanks are not designed to carry liquids and solids away from the property like municipal sewer systems. They are designed to hold liquids and solids in a constricted structure (septic tank) or leach out into subsurface soils (cesspools). In addition, many on-site sanitary designs include overflow pools to handle the additional liquid /solids when the primary pool reaches capacity. Contaminants have a greater ability to collect in these structures and adversely impact their soils than a municipal sewer system.

FINDINGS

There are no on-site sanitary services such as cesspools or septic tanks located on the Property. The sanitary discharge for this building empties into the New York City municipal sewer system located under Queens Plaza North.

E. WATER SUPPLY

The domestic water is supplied by New York City through aqueducts from upstate reservoirs. There are no private groundwater wells servicing this property.

No testing of the water was conducted under this scope.

F. GARBAGE DISPOSAL

There are currently no active incinerators located on the Property. The garbage to be disposed of is placed in portable cans with covers. These containers are picked up several times per week by private sanitation.

3.5 CURRENT USES OF THE ADJOINING PROPERTIES

ASTM defines adjoining properties as any real property or properties the border of which is contiguous or partially contiguous with that of the Property but for a street, road, or other public thoroughfare separating them.

Contamination originating at adjacent sites has the potential to impact the Property via groundwater flow and vapor encroachment. The current uses of the adjacent properties are as follows:

North	23 rd Street / Residential and commercial buildings
South	22 nd Street / Residential and commercial buildings
East	Queens Plaza North / Residential and commercial buildings
West	Residential and commercial buildings

This area of Queens has been observed to be generally commercial and residential in nature. The current uses of the adjoining sites do not indicate Recognized Environmental Conditions (RECs) in connection with the Property at this time.

4) USER PROVIDED INFORMATION

The “user” is the party seeking to use Practice E1527 to complete an environmental site assessment, a potential purchaser of the property, a potential tenant of property, an owner of property, a lender or property manager. The user has specific obligations for completing a successful application of this practice.

According to the ASTM E1527-13 Standard, in order to qualify for one of the Landowner Liability Protections (LLPs) offered by the Small Business Liability Relief and Brownfields Revitalization Act of 2001 (the “Brownfields Amendments”), the user must provide the following information (if available) to the Environmental Professional. Failure to provide this information could result in a determination that “all appropriate inquiry” is not complete.

A user questionnaire was forwarded to Mr. Shibber Khan on September 10, 2018. The information received has been included in this section and throughout the report (See Appendix A).

Reasonably ascertainable recorded land title records and lien records that are filed under federal, tribal, state, or local law should be reviewed to identify environmental liens or activity and use limitations, if any, that are currently recorded against the property. Environmental liens and activity and use limitations that are imposed by judicial authorities may be recorded or filed in judicial records, and, where applicable, such records should be reviewed.

4.1 TITLE RECORDS

Recorded land title records are records of historical fee ownership which may include leases, land contracts and Activity and Use Limitations (AULs) on or of the Property recorded in a place where land title records are, by law or custom, recorded for the local jurisdiction in which the Property is located.

Title records were provided.

4.2 ENVIRONMENTAL LIENS

No information regarding environmental liens and/or Activity and Use Limitations (AULs) has been provided to MECC by the user. According to the questionnaire, the user is not aware of any Environmental Liens, or AULs associated with the property (See Appendix A).

MECC has retained Environmental Data Resources (EDR) to conduct an Environmental Lien Search on the site. No environmental liens were indicated (See Appendix A).

4.3 SPECIALIZED KNOWLEDGE

Users must take into account their specialized knowledge to identify conditions indicative of releases or threatened releases. If the user has any specialized knowledge or experience that is material to Recognized Environmental Conditions (RECs) in connection with the property, the user should communicate any information based on such knowledge or experience.

No information regarding specialized knowledge was provided.

4.4 COMMONLY KNOWN OR REASONABLY ASCERTAINABLE INFORMATION

As per the ASTM E1527-13 standard, commonly known or reasonably ascertainable information within the local community about the Property must be taken into account by the user. If the user is aware of any such information about the Property, that is material to recognized environmental conditions in connection with the Property, the user should communicate this information to the Environmental Professional (MECC).

No commonly known or reasonably ascertainable information regarding the Property has been provided to MECC.

4.5 VALUATION REDUCTION FOR ENVIRONMENTAL ISSUES

In a transaction involving the purchase of commercial real estate the user shall consider the relationship of the purchase price of the property to the fair market value of the property if the property was not affected by hazardous substances or petroleum products. This practice does not require that a real estate appraisal be obtained in order to ascertain fair market value of the property. The user must gather such information to the extent necessary to identify conditions indicative of releases or threatened releases of hazardous substances or petroleum products.

No information regarding the valuation reduction for environmental issues was provided by the user.

4.6 OWNER, PROPERTY MANAGER AND OCCUPANT INFORMATION

The current owner of the site is PEC Realty Corp.

The current occupants are commercial.

4.8 OTHER/ADDITIONAL INFORMATION PROVIDED

- Title Report

5) RECORDS REVIEW

5.1 STANDARD ENVIRONMENTAL RECORD SOURCES

The federal government and New York State have compiled database lists of contaminated, potentially hazardous and regulated sites that may impact the subject property. Environmental Data Resources (EDR) has provided this information to Merritt Environmental Consulting Corp. (MECC).

5.1A DATABASE SEARCHES

The following Federal and State databases were provided to Merritt Environmental Consulting Corp. (MECC) on September 12, 2018. MECC has reviewed the following databases, with the corresponding distance.

FINDINGS

The closest 10 sites have been included in Appendix A.

Due to the density of the area, several of the site printouts have been omitted from the report.

FEDERAL

Database	Radius Searched	Last Updated
1. Federal National Priority List	1 Mile	05/13/18
2. Federal Delisted National Priority List	½ Mile	05/13/18
3. Superfund Enterprise Management System	½ Mile	05/18/18
4. Federal SEMS-ARCHIVE	½ Mile	05/18/18
5. Federal RCRA CORRACTS facilities list	½ Mile	03/01/18
6. Federal RCRA TSD facilities list	½ Mile	03/01/18
7. Federal RCRA generators list	Property & Adjacent Sites	03/01/18

- | | | | |
|----|---|----------|----------|
| 8. | Federal Institutional/ Engineering Control list | Property | 02/13/18 |
| 9. | Federal ERNS list | Property | 03/19/18 |

National Priority List (NPL) - list compiled by EPA pursuant to CERCLA 42 USC 9605(a)(8)(B) of properties with the highest priority for cleanup pursuant to EPA's Hazard Ranking System.

Findings: No sites located within a 1-mile radius.

Delisted National Priority List (NPL): National Priority List Deletions: The National Oil and Hazardous Substances Pollution Contingency Plan (NCP) establishes the criteria that the EPA uses to delete sites from the NPL. In accordance with 40 CFR 300.425.(e), sites may be deleted from the NPL where no further response is appropriate.

Findings: No sites located within a ½ -mile radius.

Superfund Enterprise Management System (SEMS): Hazardous waste sites, potentially hazardous waste sites, and remedial activities performed in support of EPA's Superfund Program across the United States. The list was formerly known as CERCLIS, renamed to SEMS by the EPA in 2015. The list contains data on potentially hazardous waste sites that have been reported to the USEPA by states, municipalities, private companies and private persons, pursuant to Section 103 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). This dataset also contains sites which are either proposed to or on the National Priorities List (NPL) and the sites which are in the screening and assessment phase for possible inclusion on the NPL.

Findings: No sites located within a ½-mile radius.

SEMS-ARCHIVE: SEMS-ARCHIVE (Superfund Enterprise Management System Archive) tracks sites that have no further interest under the Federal Superfund Program based on available information. The list was formerly known as the CERCLIS-NFRAP, renamed to SEMS ARCHIVE by the EPA in 2015. EPA may perform a minimal level of assessment work at a site while it is archived if site conditions change and/or new information becomes available. Archived sites have been removed and archived from the inventory of SEMS sites. Archived status indicates that, to the best of EPA's knowledge, assessment at a site has been completed and that EPA has determined no further steps will be taken to list the site on the National Priorities List (NPL), unless information indicates this decision was not appropriate or other considerations require a recommendation for listing at a later time. The decision does not necessarily mean that there is no hazard associated with a given site; it only means that. Based upon available information, the location is not judged to be potential NPL site.

Findings: No sites located within a ½-mile radius.

Federal RCRA CORRACTS facilities list-CORRACTS: Corrective Action Report. CORRACTS identifies hazardous waste handlers with RCRA corrective action activity.

Findings: 3 sites located within a ½-mile radius.

Resource Conservation Recovery Act (RCRA) Treatment Storage Disposal (TSD) facilities - those facilities on which treatment, storage, and/or disposal of hazardous wastes takes place, as defined and regulated by RCRA. Inclusion on the RCRA TSD list does not imply contamination has occurred on site.

Findings: No sites located within a ½-mile radius.

Resource Conservation Recovery Act (RCRA) generators list - list kept by EPA of those persons or entities that generate hazardous wastes as defined and regulated by RCRA. Inclusion on the RCRA list does not imply contamination has occurred at the site.

Findings: **1 generator listed at property.**
40 generators listed within a ¼-mile radius.

Ronart Leasing Corp.
22-09 Queens Plaza North
Queens, New York

RCRA Non Generator, EPA ID: NYD987018223

Description: Non-Generators do not presently generate hazardous waste

- **Facility is listed in EPA's index system-Facility Index System (FINDS)**
- **Facility is listed in EPA's index system-Enforcement & Compliance History Information (ECHO)**

Federal Engineering and Institutional Controls – properties where engineering controls have been placed to mitigate contaminant migration/and or to reduce the potential of human exposure to contaminants; institutional controls typically consist of property use restrictions as recorded on deed notices.

Findings: Site not listed.

Emergency Response Notification System (ERNS) list - list of reported CERCLA hazardous substance releases or spills in quantities greater than the reportable quantity, as maintained at the National Response Center. Notification requirements for such releases or spills are codified in 40 CFR Parts 302 & 355.

Findings: Site not listed

STATE, TRIBAL, AND LOCAL RECORDS

	Database	Radius Searched	Last Updated
1.	State lists of Hazardous Waste Sites	1 Mile	05/14/18
2.	State landfill/solid waste site lists	½ Mile	12/08/17
3.	State leaking tank lists (LTANKS) /State Spills	½ Mile ⅛ Mile	05/14/18 05/14/18
4.	State Voluntary Cleanup Sites	½ Mile	05/14/18
5.	State Brownfield Sites	½ Mile	05/14/18
6.	State registered tanks	¼ Mile	03/26/18
7.	State Institutional/ Engineering control lists	Property & Adjacent Sites	05/14/18
8.	Indian Reservation	1 Mile	12/31/05
9.	Indian LUST	½ Mile	N/A
10.	Indian UST	¼ Mile	N/A
11.	Indian VCP	½ Mile	N/A

State Hazardous Waste Sites (SHWS) - the New York State Department of Environmental Conservation (NYSDEC) lists the contaminated sites throughout the State. This is the state equivalent to the federal National Priority List.

Findings: 17 sites located within a 1-mile radius.

Solid Waste Disposal Site - any place, location, tract of land, area, or premises used for the disposal of solid wastes as defined by state solid waste regulations. The term is synonymous with the term landfill and is also known as a garbage dump, trash dump or by similar terms.

Findings: 4 sites located within a ½-mile radius.

Spill Logs/LTANKS list – New York State Department of Environmental Conservation (NYSDEC) has a computerized list of spills that have occurred as of 1986, including the present status of the sites. In addition, the leaking tank (LTANKS) database was also reviewed for reported incidents in the area.

Findings: 67 LTANKS located within a ½-mile radius.

57 NY Spills located within a 1/8-mile radius.

There is one (1) open spill that occurred at target property:

- 1) **22-09 Queens Plaza North**
Spill # 1301128
Spill date: 05/03/13
Close date: Not closed
Remarks: Equipment Failure

During our reconnaissance, several monitoring wells were observed in the site in the yard and 22nd Street sidewalk near 41st Avenue. According to our database review, the monitoring wells were installed as part of remediation under NYSDEC spill No. 9705856. Contamination in the wells was discovered and Spill No. 1301128 was also assigned to the property. The Spill event was reported on May 3, 2013 and has not yet been closed. According to the spill remarks, additional wells were installed and monitored on a monthly basis. The most recent information on the well sampling is from January of 2011 in which there was no further concern for contamination. MECC received a response from the NYSDEC in regard to the open spill. The information received included data and spill reports. MECC has not been provided with any additional information on the status of the wells. Further evaluation of the wells is recommended.

The following events occurred at the target property and have been closed:

- | | |
|---|---|
| 1) 22-09 Queens Plaza North
Spill # 0211175
Spill date: 02/06/03
Close date: 03/28/05
Remarks: Equipment Failure | 2) 22-09 Queens Plaza North
Spill # 1410826
Spill date: 02/10/15
Close date: 02/11/15
Remarks: Equipment Failure |
| 3) 22-09 Queens Plaza North
Spill # 0330001
Spill date: 02/05/03
Close date: 01/03/11
Remarks: Contaminated soil | 4) 22-09 Queens Plaza North
Spill # 9705856
Spill date: 08/06/97
Close date: 08/26/03
Spill remarks: Contaminated soil |

- 5) **119 West 145th Street**
Spill # 1409664
Spill date: 12/27/14
Close date: 03/19/15
Remarks: Equipment Failure

The above spills have been closed by the New York State Department of Environmental Conservation (NYSDEC). On October 3, 2018, MECC was provided with a response from the NYSDEC. According to the information received, it appears corrective action was taken and the above spills were granted regulatory closure.

VCP: Voluntary Cleanup Agreements New York established its Voluntary Cleanup Program (VCP) to address the environmental, legal and financial barriers that often hinder the redevelopment and reuse of contaminated properties. The Voluntary Cleanup Program was developed to enhance private sector cleanup of brownfields by enabling parties to remediate sites using private rather than public funds and to reduce the development pressures on "greenfield" sites.

Findings: 6 sites located within a 1/2-mile radius.

Brownfields: Brownfields Site List A Brownfield is any real property where redevelopment or re-use may be complicated by the presence or potential presence of a hazardous waste, petroleum, pollutant, or contaminant.

Findings: 29 sites located within a 1/2-mile radius.

State registered tanks - state lists of storage tanks required to be registered under Subtitle I. Section 9002 of RCRA.

Findings: **5 registered tanks located on site.**
115 registered tank sites located within a 1/4-mile radius.

Petrocelli Electric Co. Inc.
22-09 Queens Plaza North
Queens, New York

4,000-gallon Underground Storage Tank (UST)
Permit No. 2-603679, Tank No. 001
Tank Status: Closed/removed
Closure date: 04/21/13
Contents: Gasoline

4,000-gallon Underground Storage Tank (UST)
Permit No. 2-603679, Tank No. 002
Tank Status: Closed/removed
Closure date: 04/21/13
Contents: Diesel

4,000-gallon Underground Storage Tank (UST)
Permit No. 2-603679, Tank No. 003
Tank Status: Closed/removed
Closure date: 04/21/13
Contents: Diesel

4,000-gallon Underground Storage Tank (UST)
Permit No. 2-603679, Tank No. 004
Tank Status: Closed/removed
Closure date: 04/21/13
Contents: Empty

4,000-gallon Underground Storage Tank (UST)
Permit No. 2-603679, Tank No. 005
Tank Status: Closed/removed
Closure date: 04/21/13
Contents: Empty

State Engineering and Institutional Controls: Registry of Engineering Controls Environmental Remediation sites that have engineering controls in place. Registry of Institutional Controls Environmental Remediation sites that have institutional controls in place.

Findings: Neither the site nor any property adjoining the site are listed.

Indian Reservation: Indian Reservations This map layer portrays Indian administered lands of the United States that have any area equal to or greater than 640 acres.

Findings: No sites located within a 1-mile radius.

Indian LUST: Leaking Underground Storage Tanks on Indian Land. A listing of leaking underground storage tank locations on Indian Land. MECC has been informed that records regarding this database were not made available to EDR for all EPA Regions, including 2 and 3.

Findings: No sites located within a ½-mile radius.

Indian UST: Underground Storage Tanks on Indian Land. A listing of underground storage tank locations on Indian Land. MECC has been informed that records regarding this database were not made available to EDR for all EPA Regions, including 2 and 3.

Findings: No sites located within a ¼-mile radius.

Indian VCP: Voluntary Cleanup Program on Indian Land. A listing of voluntary cleanup priority sites located on Indian Land. MECC has been informed that records regarding this database were not made available to EDR for all EPA Regions, including 2 and 3.

Findings: No sites located within a ½-mile radius.

ADDITIONAL DATABASE RECORDS SEARCHED

Database	Radius Searched	Last Updated
1. EDR Manufactured Gas Plants	1 Mile	N/A
2. EDR US Hist Auto Stations	¼ Mile	N/A
3. EDR US Hist Cleaners	¼ Mile	N/A

EDR MGP: EDR Proprietary Manufactured Gas Plants The EDR Proprietary Manufactured Gas Plant Database includes records of coal gas plants (manufactured gas plants) compiled by EDR's researchers. Manufactured gas sites were used in the United States from the 1800's to 1950's to produce a gas that could be distributed and used as fuel. These plants used whale oil, rosin, coal, or a mixture of coal, oil, and water that also produced a significant amount of waste. Many of the byproducts of the gas production, such as coal tar (oily waste containing volatile and non-volatile chemicals), sludges, oils and other compounds are potentially hazardous to human health and the environment. The byproduct from this process was frequently disposed of directly at the plant site and can remain or spread slowly, serving as a continuous source of soil and groundwater contamination.

Findings: No sites located within a 1-mile radius.

EDR Historical Auto Stations- EDR has searched selected national collections of business directories and has collected listings of potential gas station /filling station /service station sites that were available to EDR researchers. EDR's review was limited to those categories that might, in EDR's opinion, include gas station /filling station /service station establishments. The categories reviewed included, but were not limited to gas, gas station, gasoline station, filling station, auto, automobile repair, auto service station, etc.

Findings: 8 sites located within a ¼-mile radius.

EDR US Hist Cleaners-EDR has searched selected national collections of business directories and has collected listings of potential dry cleaner sites that were available to EDR Researchers. EDR's review was limited to those categories of sources that might, in EDR's opinion include dry cleaning establishments. The categories reviewed, included, but were not limited to dry cleaners, cleaners, laundry, Laundromat, cleaning /laundry, wash & dry etc. This database falls within a category of information EDR classifies as "High Risk Historical Records", or HRHR. EDR's HRHR effort presents unique and sometimes proprietary data about past sites and operations that typically create environmental concerns, but may not show up in current government records searches.

Findings: 3 sites located within a ¼-mile radius.

ORPHAN SITES

Our database review indicated several sites that cannot be positively plotted (orphan sites). A total of 10 sites were classified as orphans. MECC reviewed the orphan summary and identified no property or incident that may be located in close proximity of the site, or which could adversely affect the environmental integrity of the site. In addition, the site is not identified in the orphan summary.

5.2 ADDITIONAL RESOURCES SEARCHED

MECC has used the following websites to research information on the subject property:

- NYC Housing and Preservation
- NYC Department of Finance
- NYC Department of Buildings
- NYCityMap City-Wide GIS

5.3 PHYSICAL SETTING SOURCES

A. BODIES OF WATER

The nearest body of water to the subject site is the East River, which is approximately 1/2 mile west of the site.

B. GROUND WATER FLOW

Through information provided by EDR, hydrological data involving ground water flow has been obtained. Based on our findings, the hydrological groundwater flows in a westerly direction eventually emptying into the East River.

Groundwater in this area is at a depth of approximately 23 feet.

Drinking water for the five boroughs has been supplied by the New York reservoir system for many years (See Map in Appendix A). Groundwater is not a primary source of drinking water for Queens.

C. ECOLOGICALLY SENSITIVE AREA

Based on information provided by Environmental Data Resources (EDR), no designated wetlands are located in the immediate vicinity of the property.

D. SITE GEOLOGY AND TOPOGRAPHY

Information pertaining to the hydrogeologic setting in the vicinity of the Property was obtained from a review of selected published documents and maps. United States Geological Survey (USGS) 7.5-minute Topographic Maps were used to characterize surface topography, water table elevation and drainage. Subsurface characteristics were obtained from USGS Surficial and Bedrock Geology Maps.

The Property elevation is approximately 23 feet above mean sea level.

Surface topography is hilly with a slight downward slope to the west.

The geologic conditions in this area of Queens generally consist of urban soils.

5.4 HISTORICAL USE INFORMATION ON THE PROPERTY

MECC has consulted the following historical sources to develop a history of the previous uses of the Property and surrounding area, in order to help identify the likelihood of past uses having led to Recognized Environmental Conditions (RECs).

In accordance with the ASTM standard, MECC has made an attempt to identify all obvious uses of the property from the present, back to the Property's first developed use, or back to 1940, whichever is earlier. Standard historical sources were available dating back to the year 1898, and the Property's first developed use was as a Lumber yard in the year 1898.

A. Sanborn Fire Insurance maps

Sanborn Fire Insurance maps of the site and immediate area were available for the years 1898, 1915, 1936, 1947, 1950, 1970, 1977, 1979, 1980, 1985, 1986, 1988, 1989, 1990, 1991, 1992, 1993, 1994, 1995, 1996, 2001, 2002, 2003, 2004, 2005 and 2006. The maps indicate the following information:

1898-2006 Commercial / manufacturing / Auto Repair

B. Aerial Photographs

Aerial Photographs of the site and immediate area were available for the years 1924, 1941, 1951, 1954, 1961, 1974, 1976, 1980, 1984, 1991, 1994, 2006, 2010, 2013 and 2017. The photos indicate the following information:

This section of Queens has been developed with residential and commercial buildings from 1924 through the latest aerial photo available (2017).

C. City Directories

City Directories were ordered for the site (See Appendix A). The search indicated the following:

1934-2014 Commercial occupants

*Due to the size of the City Directories provided, the adjacent property listings have been omitted. They are on file in our office.

D. Topographic Maps

A topographic map (topo) is a color coded line-and-symbol representation of natural and selected artificial features plotted to a scale. Topos show the shape, elevation, and development of the terrain in precise detail by using contour lines and color coded symbols. The colors of the lines usually indicate similar classes of information. For example, topographic contours (brown); lakes, streams, irrigation ditches, etc. (blue); land grids and important roads (red); secondary roads and trails, railroads, boundaries, etc. (black).

Historical topographic maps are a valuable historical resource for documenting the prior use of a property and its surrounding area.

Topographic Maps of the site and immediate area were available for the years 1897, 1898, 1900, 1947, 1956, 1966, 1967, 1979, 1995, 1997 and 2013. The maps reveal that the Property is situated in a densely developed urban area.

E. Building Permit Report

MECC has reviewed EDR's Building Permit Report for the subject site (See Appendix A). The report indicated the following:

Several permits for structural alterations and electrical applications were identified within the report. The information reviewed does not appear to impact the scope of this assessment.

*Due to the size of the Building Permits provided, the adjacent property listings have been omitted. They are on file in our office.

DATA FAILURES

A data failure is a failure to achieve the historical research objectives. Even after reviewing standard historical sources. Data failure is one type of data gap.

No significant data failures were noted within the historical research conducted by Merritt Environmental Consulting Corp (MECC).

5.5 HISTORICAL USE INFORMATION ON ADJOINING PROPERTIES

The above historical sources were reviewed by Merritt Environmental Consulting Corp. (MECC) for the adjoining properties on the north, south, east & west.

The adjoining properties have historically been commercial and residential in nature.

6) SITE RECONNAISSANCE

6.1 METHODOLOGY AND LIMITING CONDITIONS

On September 12, 2018, a physical site inspection was performed by an Environmental Professional (EP) who traversed the interior and exterior areas of the site by foot, in addition to conducting a review of adjacent areas and their exteriors.

At the time of our inspection, the following areas were accessed by Mr. John Perotti, of our staff: basement areas, boiler room, ground floor, public hallways, mechanical areas, utilities areas, and all accessible exterior areas of the site.

6.2 GENERAL SITE SETTING

West side of Queens Plaza North
Topography is hilly

6.3 EXTERIOR OBSERVATIONS

No on-site wells, drinking water wells, odors, pools of liquid, sumps, pits, ponds or lagoons, were observed during the site reconnaissance.

During our reconnaissance, several monitoring wells were observed in the site in the yard and 22nd Street sidewalk near 41st Avenue. According to our database review, the monitoring wells were installed as part of remediation under NYSDEC spill No. 9705856. Contamination in the wells was discovered and Spill No. 1301128 was also assigned to the property. The Spill event was reported on May 3, 2013 and has not yet been closed. According to the spill remarks, additional wells were installed and monitored on a monthly basis. The most recent information on the well sampling is from January of 2011 in which there was no further concern for contamination. MECC received a response from the NYSDEC in regard to the open spill. The information received included data and spill reports. MECC has not been provided with any additional information on the status of the wells. Further evaluation of the wells is recommended.

6.4 INTERIOR OBSERVATIONS

The interior inspection revealed no evidence of any on-site staining of petroleum products, chemicals, or other hazardous materials.

During our inspection, several drums were noted on site. The contents of the drums is oil and grease used in the course of daily business. No further evaluation is recommended.

No on-site wells, drinking water wells, odors, pools of liquid, sumps, pits, ponds or lagoons, were observed during the site reconnaissance.

6.5 UNDERGROUND STORAGE TANKS (UST) AND DRUMS

Each year, thousands of petroleum leaks and spills are reported nationwide. Thousands of others may go unreported mainly because they have not yet been discovered. These leaks can enter the ground, seep into an aquifer and contaminate a water supply. In some places, water wells have been closed down and people have had to vacate their homes. Even small amounts of petroleum in soil or groundwater can be tasted or smelled and can subsequently affect health.

Leaking petroleum storage tanks are a major source of groundwater contamination. Many older tanks are bare steel and were installed underground in the 1950s and 1960s. These tanks have weakened by rust and have a fifty percent chance of developing leaks.

FINDINGS

There appears to be an underground storage tank (UST), which is no longer in use, buried under the front of the property which appears to be open at the fill box with a stich well located on the former tool store floor. At the time of reconnaissance, the owner's representative stated that five (5) underground USTs holding gasoline and diesel were closed / removed on site. In addition, our regulatory database search identified five (5) 4,000-gallon underground storage tank (USTs) registered to 22-09 Queens Plaza North (Facility ID: 2-603679) as closed/removed on April 21, 2013 holding gasoline and diesel. MECC has not been provided with removal documentation. Further evaluation is recommended to determine whether documentation showing proper removal or abandonment of the tanks is available, or if additional investigation (Phase II) is warranted.

6.6 ABOVEGROUND STORAGE TANKS (AST)

Aboveground Storage Tanks (ASTs) are less susceptible to leaking mainly because they are typically located in basement areas and protected from weather related elements that cause premature failure. In addition, since ASTs are usually visible and accessible they are easier to inspect than buried tank vessels. According to the Part 613 of Title 6 of the New York State Code of Rules and Regulations (NYCRR) tanks in subterranean vaults or basements which cannot be visually inspected are considered underground tanks and must be tested.

FINDINGS

No aboveground tanks or storage drums were observed in any of the accessible areas at the time of our inspection.

6.7 ELECTRICAL TRANSFORMERS (PCBs)

Transformers often contain polychlorinated biphenyl (PCB) Askarel coolant liquid and are generally used in hazardous locations where flammability is of concern. PCB transformers are no longer produced because of EPA's ban on the manufacture of new equipment containing PCBs. However, older equipment does remain in certain areas and may contain PCBs.

As of January, 1979, polychlorinated biphenyls (PCB) and other toxic materials used in fluorescent ballasts were phased out. Any building constructed prior to 1979 may contain PCB in minor quantities and is not considered a major health threat.

Further evaluation goes beyond the scope of a Phase I Environmental Report. Should you need any additional information, a technical engineer may be contacted for assistance.

FINDINGS

There is one vaulted underground electrical transformer located on the exterior of the building. At the time of our inspection, the transformer did not demonstrate signs of leaking. No staining or dead vegetation was observed adjacent to the transformer.

As per the Toxic Substance Control Act (TSCA), the transformer owner, i.e. the utility company, is responsible for all transformer maintenance and all spills of PCBs from their transformers.

Fluorescent light fixtures were not inspected for PCB content under the scope of this assessment.

6.8 NATURAL GAS

There is one underground gas main entering the building from Queens Plaza North. The main is connected to a meter located in the basement. The gas is then distributed throughout the building by branch lines of black iron pipe.

Gas service is provided by National Grid.

6.9 VAPOR ENCROACHMENT

A Vapor Encroachment Condition (VEC) is defined by ASTM E2600-10 as the presence or likely presence of contaminant of concern (COC) vapors in the subsurface of the Target Property (TP) caused by contaminated soil or groundwater. This can occur at the TP or adjoining properties.

MECC conducted a review of historical resources and regulatory database listings to identify any potential sources of contamination at the subject site that may result in Vapor Encroachment. In addition, MECC has reviewed available information for surrounding properties within the appropriate search distances to identify potential sources of a VEC at the subject site.

This is not intended to meet the criteria of a Vapor Encroachment Screen (VES) as outlined by ASTM E2600-10 Standard Guide for Vapor Encroachment Screening on Property Involved in Real Estate Transaction. This is beyond the scope of a Phase I ESA.

FINDINGS:

During our reconnaissance, several monitoring wells were observed in the site in the yard and 22nd Street sidewalk near 41st Avenue. According to our database review, the monitoring wells were installed as part of remediation under NYSDEC spill No. 9705856. Contamination in the wells was discovered and Spill No. 1301128 was also assigned to the property. The Spill event was reported on May 3, 2013 and has not yet been closed. According to the spill remarks, additional wells were installed and monitored on a monthly basis. The most recent information on the well sampling is from January of 2011 in which there was no further concern for contamination. MECC received a response from the NYSDEC in regard to the open spill. The information received included data and spill reports. MECC has not been provided with any additional information on the status of the wells.

It is recommended that any prior reports or other documentation that may address a VEC/VIC be provided to our office for review.

6.10 NON-SCOPE ASTM CONSIDERATIONS

There may be environmental issues or conditions at a property that parties may wish to assess in connection with commercial real estate that are outside the scope of this practice (the non-scope considerations). Some substances may be present on a property in quantities and under conditions that may lead to contamination of the property or of nearby properties but are not included in CERCLA's definition of hazardous substances (42 U.S.C. §9601(14)) or do not otherwise present potential CERCLA liability. In any case, they are beyond the scope of this practice. There may be standards or protocols for assessment of potential hazards and conditions associated with non-scope conditions developed by governmental entities, professional organizations, or other private entities. Asbestos-Containing Building Materials, Lead-Based Paint, and Radon are several non-scope considerations that persons may want to assess in connection with commercial real estate.

A. ASBESTOS

Asbestos is the name given to several types of fire resistant mineral fiber found in rocks. These minerals are not easily destroyed or degraded by natural processes. Those minerals that have been used most commonly by the construction industry include chrysotile, actinolite, amosite, anthrophyllite, crocidolite and tremolite.

Because of its superior insulating and tensile ability, asbestos has traditionally been used by the building industry in varied forms. Between 1920 and 1980, blanket-type pipe insulation of ACM was prevalent in commercial and residential dwellings. Furthermore, buildings built or remodeled between 1945 and 1978 were often completed with a friable ACM sprayed or trowelled onto the ceiling or walls.

The EPA has identified over 3,000 products containing asbestos that have been used in building construction since World War II.

Friable asbestos, as defined by the Federal Environmental Protection Agency as any material, which may be pulverized with hand pressure. This material has the potential to release asbestos fibers into the atmosphere and in turn may be hazardous to the building occupants' health.

Non-friable asbestos can be found in materials such as vinyl asbestos floor tiles, exterior asbestos shingles, asbestos roofing felts, etc. Many of these materials are still manufactured today and not considered hazardous unless the material is cut, sawed, or grounded in a manner that might release asbestos fibers into the atmosphere.

ASBESTOS FINDINGS

MECC has not conducted an asbestos evaluation as this item is considered beyond the scope of ASTM E1527-13 standard.

Based on the age of the building, Asbestos Containing Materials (ACM) are assumed to be present. During our reconnaissance, suspect asbestos-insulating material and spray on fire proofing were observed on the heating pipes located in the basement areas. The amount of asbestos materials present is undetermined. An asbestos survey should be conducted to verify that the material is positive for asbestos content. The survey should also include recommendations for removal/encapsulation or an Operations & Maintenance Program (OMP) to manage the material.

B. LEAD BASED PAINT

Lead-based paint (LBP) was used extensively in buildings and structures that were constructed prior to 1978 and can be hazardous when damaged (i.e., chipped, broken, crumbling, pulverized); lead is toxic to humans particularly to children, if ingested, inhaled, or otherwise absorbed. Exposure to lead can cause health problems in children ranging from damage to the brain and nervous system, behavioral and learning problems (such as hyperactivity), slowed growth, hearing problems and headaches. In adults the health problems can range from difficulties during pregnancy, other reproductive problems, high blood pressure, digestive problems, nerve disorders, memory and concentration problems and muscle and joint pain.

Our research indicates the building was constructed **prior to 1978**, and lead based paint may be present throughout the building.

FINDINGS

MECC has not conducted a lead based paint evaluation as this item is considered beyond the scope of ASTM E1527-13 standard.

Research of the Housing Preservation and Development (HPD) Department records did not reveal any lead based paint violations against the subject site (See Appendix A).

A lead based paint survey in accordance with The Housing & Urban Development (HUD) guidelines was not conducted under the scope of this assessment.

C. MOLD

Mold contamination has become the cause of rising public concern. Mold not only creates a serious health hazard with a variety of on-going illnesses, infections, and disease- its presence can lower the value of the real estate in question.

Mold is often encountered after flooding, catastrophic damage, or as a result of construction defects or damage to building components which allow moisture to be trapped within a building. Since mold can often be contained beyond visible areas it is difficult to control these potential risks from underneath floors, inside walls, and in HVAC systems without the help of professionals.

FINDINGS

MECC has not conducted a comprehensive Indoor Air Quality (IAQ) or mold evaluation as this item is considered beyond the scope of ASTM E1527-13 standard.

D. RADON

Radon first gained national attention in early 1984, when extremely high levels of indoor radon were found in areas of Connecticut, Pennsylvania, New Jersey, and New York. Radon is a colorless, odorless radioactive gas. Nearly one out of every 15 homes in the U.S. is estimated to have elevated annual average levels of indoor radon. EPA established a Radon Program in 1985 to assist States and homeowners in reducing their risk of lung cancer from indoor radon.

FINDINGS

The New York State Department of Health indicates the average radon level for this area of Queens to be 1.4 picocuries per liter (pCi/L), which is below the EPA action level of 4 pCi/L.

A radon canister was not initiated at the time of our inspection since this is beyond the scope of this assessment.

E. LEAD IN WATER

The U.S. Environmental Protection Agency estimates that drinking water can comprise 20% or more of a person's total exposure to lead. Although lead in drinking water is rarely the single cause of lead poisoning, it can significantly increase a person's total lead exposure. Infants who are fed baby formula or drinks mixed with hot water from the tap are the most vulnerable to lead in drinking water. Lead solder can leach into the water supply. Standing water in the piping system can aid in the leaching process.

The EPA action level for lead in drinking water is 15 parts per billion, (PPB).

A sample with lead levels that equal or exceed 15 PPB is considered to have elevated levels of lead, and it is recommended that response action be taken. This response action may include additional testing, replacement of plumbing components, or an operations and maintenance program.

FINDINGS

No lead water mains were observed in the accessible areas of the Property at the time of our inspection.

7) INTERVIEWS

7.1 INTERVIEW WITH OWNER

The owner was not present during our inspection.

7.2 INTERVIEW WITH SITE REPRESENTATIVE

During our on-site visit, we interviewed Mr. Carlos Salmon who is the director of facilities and Mr. Mike O'Sullivan, who is the general manager.

Copies of the above records of communications are included in Appendices, Section 10.6.

7.3 INTERVIEWS WITH OCCUPANTS (TENANTS)

No other individuals were interviewed regarding the facility.

7.4 INTERVIEWS WITH LOCAL GOVERNMENT OFFICIALS

Government Agency

We are researching the following state and local agency records for any information of hazardous operations including, past spills, leaks or violations:

- New York State Health Department

Pursuant to ASTM Standard E1527 Section 7.1.4.2, information that is obtainable within a reasonable time frame is information that will be provided by the source within 20 calendar days of receiving a public information request. As MECC has not received a response from the Fire Department of New York since September 2017, records from this agency are not considered reasonably ascertainable.

The Health Department information indicated there are no file son the subject property.

“E” Designation

According to a NYCDOB memorandum (12/23/03), “E” designated lots are amendments to the New York City Zoning Maps that may include environmental designations of certain tax lots that have physical or historical evidence of uses related to hazardous materials. Zoning Resolution 11-15 provides that the Department of Buildings may not issue a building permit for work on a tax lot labeled “E”, until the Department of Buildings is provided with a report from the Department of Environmental Protection stating that the environmental requirements for the lot have been met.

On September 12, 2018, MECC researched the NYC Building Department and found that there are no “E” designations associated with the property.

7.5 INTERVIEWS WITH OTHERS

No additional interviews were conducted as part of this assessment.

8) DATA GAPS

A data gap is a lack of or inability to obtain information required by the ASTM E 1527 standard, despite good faith efforts. Data gaps may result from incompleteness in any of the activities required in this practice, including, but not limited to site reconnaissance and interviews.

Based on our reconnaissance, historical searches and documentation reviewed, no significant data gaps were identified by Merritt Environmental Consulting Corp (MECC).

9) REPORT FINDINGS

Based on our site reconnaissance, database review and historical investigation, the following Recognized Environmental Conditions (RECs) were noted at the time of our inspection.

A Recognized Environmental Condition is the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property: (1) due to any release to the environment; (2) under conditions indicative of a release to the environment; or (3) under conditions that pose a material threat of a future release to the environment.

ITEM

1	There appears to be an underground storage tank (UST), which is no longer in use, buried under the front of the property which appears to be open at the fill box with a stich well located on the former tool store floor. At the time of reconnaissance, the owner’s representative stated that five (5) underground USTs holding gasoline and diesel were closed / removed on site. In addition, our regulatory database search identified five (5) 4,000-gallon underground storage tank (USTs) registered to 22-09 Queens Plaza North (Facility ID: 2-603679) as closed/removed on April 21, 2013 holding gasoline and diesel. MECC has not been provided with removal documentation. Further evaluation is recommended to determine whether documentation showing proper removal or abandonment of the tanks is available, or if additional investigation (Phase II) is warranted.
2	During our reconnaissance, several monitoring wells were observed in the site in the yard and 22 nd Street sidewalk near 41 st Avenue. According to our database review, the monitoring wells were installed as part of remediation under NYSDEC spill No. 9705856. Contamination in the wells was discovered and Spill No. 1301128 was also assigned to the property. The Spill event was reported on May 3, 2013 and has not yet been closed. According to the spill remarks, additional wells were installed and monitored on a monthly basis. The most recent information on the well sampling is from January of 2011 in which there was no further concern for contamination. MECC received a response from the NYSDEC in regard to the open spill. The information received included data and spill reports. MECC has not been provided with any additional information on the status of the wells. Further evaluation of the wells is recommended.

In addition, no de minimis conditions were noted.

A de minimis condition is one that generally does not present a material risk of harm to public health or the environment and that generally would not be subject of an enforcement action if brought to the attention of appropriate governmental agencies (excluding local asbestos & lead situations).

No Controlled Recognized Environmental Conditions (CRECs) were noted.

A Controlled Recognized Environmental Condition (CREC) is an environmental condition resulting from a past release of hazardous substances or petroleum products that has been addressed to the satisfaction of the applicable regulatory authority, with hazardous substances or petroleum products allowed to remain in place subject to the implementation of required controls (e.g., property use restrictions, AULs, institutional controls, or engineering controls).

NON-SCOPE CONSIDERATIONS

There may be environmental issues or conditions at a property that parties may wish to assess in connection with commercial real estate that are outside the scope of this practice (the non-scope considerations). Some substances may be present on a property in quantities and under conditions that may lead to contamination of the property or of nearby properties but are not included in CERCLA's definition of hazardous substances (42 U.S.C. §9601(14) or do not otherwise present potential CERCLA liability. In any case, they are beyond the scope of this practice. There may be standards or protocols for assessment of potential hazards and conditions associated with non-scope conditions developed by governmental entities, professional organizations, or other private entities. Asbestos-Containing Building Materials, Lead-Based Paint, and Radon are several non-scope considerations that persons may want to assess in connection with commercial real estate.

ITEM

1	Based on the age of the building, Asbestos Containing Materials (ACM) are assumed to be present. During our reconnaissance, suspect asbestos-insulating material and spray on fire proofing were observed on the heating pipes located in the basement areas. The amount of asbestos materials present is undetermined. An asbestos survey should be conducted to verify that the material is positive for asbestos content. The survey should also include recommendations for removal/encapsulation or an Operations & Maintenance Program (OMP) to manage the material.
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MECC has not conducted an asbestos, lead based paint or mold evaluation as these items are considered beyond the scope of the ASTM E1527-13 standard.

The following Historical Recognized Environmental Conditions (HRECs) were identified in our database search/historical review

A Historical Recognized Environmental Condition (HREC) is a past release of any hazardous substances or petroleum products that has occurred in connection with the property and has been addressed to the satisfaction of the applicable regulatory authority, or meets unrestricted use criteria established by a regulatory authority without subjecting the property to any required controls.

The following events occurred at the target property and have been closed:

- | | |
|--|--|
| <p>1) 22-09 Queens Plaza North
Spill # 0211175
Spill date: 02/06/03
Close date: 03/28/05
Remarks: Equipment Failure</p> | <p>2) 22-09 Queens Plaza North
Spill # 1410826
Spill date: 02/10/15
Close date: 02/11/15
Remarks: Equipment Failure</p> |
| <p>3) 22-09 Queens Plaza North
Spill # 0330001
Spill date: 02/05/03
Close date: 01/03/11
Remarks: Contaminated soil</p> | <p>4) 22-09 Queens Plaza North
Spill # 9705856
Spill date: 08/06/97
Close date: 08/26/03
Spill remarks: Contaminated soil</p> |
| <p>5) 119 West 145th Street
Spill # 1409664
Spill date: 12/27/14
Close date: 03/19/15
Remarks: Equipment Failure</p> | |

The above spills have been closed by the New York State Department of Environmental Conservation (NYSDEC). On October 3, 2018, MECC was provided with a response from the NYSDEC. According to the information received, it appears corrective action was taken and the above spills were granted regulatory closure.

10) OPINIONS

Based on our site reconnaissance, database review, historical review and interviews with persons familiar with the subject site and adjacent properties, the above Recognized Environmental Conditions (RECs) were identified under the scope of services outlined in Section 2.2.

Based on our site reconnaissance, database review, historical review and interviews with persons familiar with the subject site and adjacent properties, no de minimis conditions or Controlled Recognized Environmental Conditions (CRECs) were identified under the scope of services outlined in Section 2.2.

The following Historical Recognized Environmental Conditions (HRECs) were identified in our database search/historical review

The following events occurred at the target property and have been closed:

- | | |
|--|--|
| <p>1) 22-09 Queens Plaza North
Spill # 0211175
Spill date: 02/06/03
Close date: 03/28/05
Remarks: Equipment Failure</p> | <p>2) 22-09 Queens Plaza North
Spill # 1410826
Spill date: 02/10/15
Close date: 02/11/15
Remarks: Equipment Failure</p> |
| <p>3) 22-09 Queens Plaza North
Spill # 0330001
Spill date: 02/05/03
Close date: 01/03/11
Remarks: Contaminated soil</p> | <p>4) 22-09 Queens Plaza North
Spill # 9705856
Spill date: 08/06/97
Close date: 08/26/03
Spill remarks: Contaminated soil</p> |
| <p>5) 119 West 145th Street
Spill # 1409664
Spill date: 12/27/14
Close date: 03/19/15
Remarks: Equipment Failure</p> | |

The above spills have been closed by the New York State Department of Environmental Conservation (NYSDEC). On October 3, 2018, MECC was provided with a response from the NYSDEC. According to the information received, it appears corrective action was taken and the above spills were granted regulatory closure.

11) CONCLUSION

Merritt Environmental Consulting Corp has performed a Phase I Environmental Site Assessment (ESA) in conformance with the scope and limitations of ASTM Practice E1527 of 22-01/19 Queens Plaza North AKA 22-09 Bridge Plaza & 22-09 & 22-02/20 41st Avenue AKA 41-01/13 22nd Street & 41-02/14 23rd Street Long Island City, Queens, New York 11373, the property. Any exceptions to, or deletions from, this practice are described in Section [2.2] of this report.

12) DEVIATIONS

The assessment was performed in accordance with the ASTM 1527-13 Standards as well as the detailed scope of services outlined in section 2.2 of this report.

13) ADDITIONAL SERVICES

No additional services were performed beyond the detailed scope of services in section 2.2.

14) REFERENCES

All references relied upon are located in Appendix A.

15) SIGNATURE OF ENVIRONMENTAL PROFESSIONAL

We thank you for allowing Merritt Environmental Consulting Corp., to serve as your Environmental Consultant for this project. We declare that, to the best of our professional knowledge and belief, we meet the definition of Environmental Professional as defined in §312.10 of 40 CFR 312, and

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 the "All Appropriate Inquiries" in conformance with the standards and practices set forth in 40 CFR Part 312.

Should you have any questions regarding the contents of this report, please feel free to contact us to discuss the report in further detail.

Site Inspector:



John Perotti
Environmental Professional

Reviewed by:



Charles G. Merritt
Environmental Professional /LEED AP

16) QUALIFICATIONS

See Appendix A



APPENDICES

- Site Photography
- Site Vicinity Map
- Regulatory Records Documentation
- Historical Research Documentation
- Interview Documentation
- Qualifications
- Special Contractual Conditions between User & Environmental Professional (If Applicable)
- Additional Information obtained

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SITE PHOTOGRAPHY



MERRITT ENVIRONMENTAL CONSULTING CORP.

SITE ADDRESS: QUEENS PLAZA NORTH /22nd & 23rd ST /41st AVENUE PROJECT M 17702



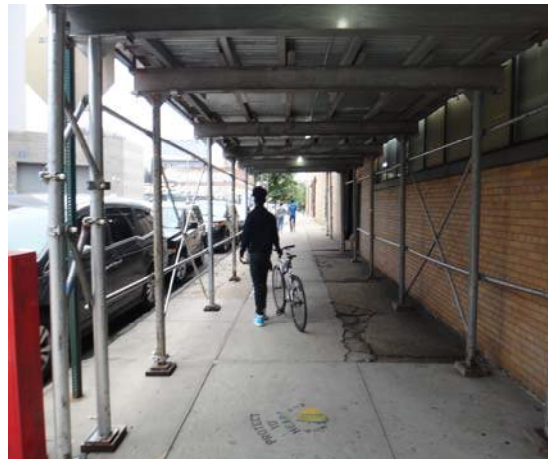
VIEW OF SITE
AT QUEENS PLAZA NORTH & 22nd STREET



VIEW OF SITE
AT QUEENS PLAZA NORTH & 23rd STREET



TYPICAL VIEW LOOKING
DOWN 22nd STREET TO 41st AVENUE



TYPICAL VIEW LOOKING
DOWN 23rd STREET TO 41st AVENUE



VIEW LOOKING DOWN 41st AVENUE
FROM 22nd STREET TO 23rd STREET



VIEW OF ROLL UP DOORS ON 23rd STREET



MERRITT ENVIRONMENTAL CONSULTING CORP.

SITE ADDRESS: QUEENS PLAZA NORTH / 22nd & 23rd ST /41st AVENUE PROJECT M 17702



TYPICAL VIEW OF SUSPECT ASBESTOS
SPRAY ON FIRE PROOFING ON SITE



TYPICAL VIEW OF SUSPECT
ASBESTOS PIPE INSULATION ON SITE



VIEW OF AREA OF ABANDONED
UNDERGROUND HEATING OIL TANK
{ NOTE OIL TANK STICK WELL
IN GROUND FLOOR SLAB }



TYPICAL VIEW OF OIL/GAS FIRED
STEAM BOILER ON SITE



TYPICAL VIEW OF
OWNERS WAREHOUSE SPACE



TYPICAL VIEW OF FORMER OWNERS
OFFICE AREA OF SITE



MERRITT ENVIRONMENTAL CONSULTING CORP.

SITE ADDRESS: QUEENS PLAZA NORTH / 22nd & 23rd ST/41st AVENUE PROJECT M 17702



TYPICAL VIEW OF TENANT SPACE



TYPICAL VIEW OF TENANT YARD AREA



TYPICAL VIEW OF MONITORING
WELL ON SITE



TYPICAL VIEW OF TENANTS
WAREHOUSE AREA



TYPICAL VIEW OF
55 GALLON DRUMS ON SITE



VIEW OF ABANDONED
GASOLINE TANK VENT