



## **Phase I Environmental Site Assessment**

500 Main Street  
New Rochelle, New York

### **Property Owner:**

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### **Prepared For:**

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**Pure Solutions Project 03.375**

December 8, 2003

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## 1.0 INTRODUCTION

This report presents the findings of the Phase I Environmental Site Assessment (PESA) of the property located at 500 Main Street, New Rochelle, New York (the Site). A Site survey and field observations were conducted by PURE on November 8, 2003 in accordance with the American Society for Testing and Materials (ASTM) in the Standard Practice for Environmental Site Assessments: Environmental Site Assessment Process (ASTM Standard E-1527-00) and the scope of work provided by PURE to said client. Our site observations were limited to the areas, which were accessible or made accessible to us, by the Owner's representative, during our site visit.

The Site consists of an approximately 40,000-square foot parcel occupied by a three-story (including a basement level) warehouse/commercial building, which is currently vacant and is not leased. Past use of the facility included commercial retail sales, most recently occupied by Recreation Equipment Inc. (REI), a sporting good and equipment retail store. Prior to REI, the facility was occupied by Grant's Department store. The building was reported as being constructed circa 1952. The facility was observed and noted to be of a slab, below-grade, concrete block and steel construction.

### 1.1 Selected Definitions

The following terms are used throughout this report and, for the purpose of clarity, corresponding definitions are provided. These terms are fully defined in ASTM E 1527-00.

*Environmental Professional* - A person possessing sufficient training and experience necessary to conduct a *site reconnaissance*, *interviews*, and other activities in accordance with this practice, and from the information generated by such activities, having the ability to develop opinions and conclusions regarding *recognized environmental conditions* in connection with the *property* in question.

*Recognized environmental conditions* - The presence or likely presence of any *hazardous substances* or *petroleum products* on a *property* under conditions that indicate an existing release, a past release, or a material threat of a release of any *hazardous substances* or *petroleum products* into structures on the *property* or into the ground, ground water, or surface water of the *property*.

*Historical recognized environmental condition* - An environmental condition, which in the past would have been considered a *recognized environmental condition*, but which may or may not be considered a *recognized environmental condition* currently. The final decision rests with the *environmental professional* and will be influenced by the current impact of the *historical recognized environmental condition* on the *property*.

*de minimis condition* - Conditions that generally do not present a material risk of harm to public health or the environment and that generally would not be the subject of an enforcement action if brought to the attention of appropriate governmental agencies. Conditions determined to be *de minimis* are not *recognized environmental conditions*.

## **1.2 Purpose and Scope of Work**

The purpose of this report was to attempt to recognize and identify any environmental conditions and certain other environmental issues or conditions, as they existed at the Site at the time of our observations and record search. Said client has requested that this assessment be conducted for purposes of environmental due diligence in order to qualify for the innocent landowner defense to CERCLA liability. In addition, the assessment is intended to identify conditions that would have the potential to impact the value of the Site.

Our qualified environmental professionals, utilizing standards of good commercial and customary practice, conducted this site evaluation. Our work was performed in accordance with the ASTM E 1527-00. The scope of work completed for this evaluation included the following:

1. To identify the presence or release of any hazardous substances affecting the Site;
2. To determine the level of compliance with current environmental standards, laws, regulations and permits (if any) with respect to the Site;
3. To provide a basis for the evaluation of the Site;
4. To evaluate any risk to the health and well-being Site occupants;
5. To identify whether any hazardous substances have been stored, released or disposed of on the Site and;
6. To identify the need for additional testing to evaluate the scope, location, source and nature of any release of hazardous substances affecting the Site.

The scope of work for this investigation consisted of a Site walk-through, a limited asbestos survey, and review of available information regarding the Site obtained from relevant regulatory agencies. This report summarizes the results of the walk through and includes a summary of pertinent regulatory files searched with regard to hazardous materials and wastes.

The field investigation, conducted by Mr. Marc Rutstein, of Pure Solutions Corporation, included a Site visit and facility walk through, observation of the existing conditions of the subject property and the immediate neighboring properties, a record search at the local Building Department and Fire Department and the review of the site environmental data report provided to us by EDR.

Additionally, we have prepared and submitted a letter to the Westchester County Department of Health, requesting additional information regarding the information developed by the local Fire Department (DOH), detailing the presence of a 1,000-gallon underground storage tank. This reported underground bulk fuel storage tank was not located, nor observed during our site reconnaissance. The results of our DOH request have yet to be made available, at the time of the preparation of this report, and as such, our report will either be appended or amended as necessary or required, to include any findings or adverse conditions that may be outlined in the DOH response or documents provided.

PURE has made a reasonable effort, using commonly accepted industry standards, to identify and interpret available historical information and current conditions at the Site. PURE's recommendations for further investigation at the Site are presented in Section 5 of this report.

### **1.3 Involved Parties/Information Sources**

Environmental Data Resources, Inc. (EDR) was subcontracted for the task of performing a search of relevant environmental and historical records. EDR maintains a comprehensive database of environmental records pertinent to properties such as this one. This database was searched for properties within applicable radii of the subject Site. Results of this database search are discussed in Section 4. Appendix B contains a list of Information Sources used during this assessment. EDR's Radius Map report is contained in Appendix C.

## **2.0 SITE BACKGROUND**

### **2.1 Site Location and Adjacent Properties**

The Site is located at 500 Main Street, New Rochelle, NY. The Site is located on Main Street across and between Lawton and South Division Streets. Site photographs are provided in Appendix D.

The Site is located in an area identified as the "Business Center at New Rochelle" and is surrounded mainly by commercial property with some residential mixed in. A nearby railroad and major highway 95 are nearby to the property. No automotive, fuel, manufacturing or producing industry facilities were noted to be adjacent to, or within a two-block radius of the subject site.

According to the Building Department Records, the site is classified as a C-2 Zoned District (Block 215, Lots 6 & 12). The surrounding area is a mix of industrial (further away) with commercial and residential usage within the immediate vicinity. Additional review of the local Building Department records revealed one existing violation regarding the installation of new interior partitioning, which had never been filed with the Department.

### **2.2 Site Area Overview**

Our Site observations and record search of the neighboring properties did not reveal any obvious illegal hazardous waste activities. No suspicious discharges, emissions or apparent sources of contamination were observed from the adjoining properties.

### **2.3 Site History**

#### **2.3.1 Historical Fire Insurance Maps**

PURE attempted to review historical Sanborn Fire Insurance Map, however the maps are not legible.

#### **2.3.2 Historical City Directories**

No Historical Directories were reviewed.

### 2.3.3 Local Agency Records

According to files reviewed by **PURE** at the Building and Fire Department, the following is hereby noted:

1. The DOB lists open, one single for an interior alteration filed in 1993.
2. In respect to the Fire Department, as discussed above, the F.D. has recorded, the existence of a one thousand (1,000) gallon Underground Storage Tank (UST). The location of this tank was not observed, nor was known or disclosed by any of the involved parties.

## 3.0 SITE INVESTIGATION

### 3.1 Site Walk Through

Marc Rutstein of **PURE** conducted a Site walk-through, accompanied by Al Desimone, the building manager for approximately forty years. The objective of this survey was to observe any unusual features indicative of potential environmental contamination (i.e., leaking, staining, soil discoloration, stressed vegetation).

### 3.2 Limited Asbestos Survey

A limited asbestos survey was conducted, consisting of observations and inventory of suspected friable asbestos-containing materials (ACM). The purpose of this limited survey was to determine the presence of suspect ACM by type and quantity, with an evaluation of the condition and corrective action recommendations as needed.

**PURE's observations revealed no suspect friable suspect ACM at the Site.** The HVAC room was determined to still contain encapsulated asbestos-containing duct insulation materials. Additionally, several thousand square feet of suspended ceiling tiles were noted. According to the Site representative, these tiles were installed approximately eight years ago. **Based on the reported age of these tiles, it is unlikely the observed tiles are ACM, and no further investigation is recommended.**

Non-friable materials are sampled only when these materials show evidence of previous damage. No attempt was made to sample non-friable materials if they were unbroken and undamaged. Typically, non-friable materials include floor tiles and mastic, other miscellaneous floor coverings, roofing felts and bitumen compounds, wallboard materials and joint compound, textiles (drapes, gloves, linens) gaskets, elevator brake shoes, fire doors and electrical insulators.

**PURE** was unable to gain access to the roof to confirm this information regarding the roofing materials present. It is **PURE's** opinion that the actual composition and asbestos content of the roofing materials should be determined, prior to performing roofing renovations or the disturbance of these non-friable building materials.

In respect to the asbestos, a survey conducted by ATC associates did involve the inspection and sampling of all interior building materials and with the exception of the duct insulation materials, previously identified as asbestos-containing, within the HVAC room, additionally, the floor tile and the associated floor tile mastic were identified as being asbestos-containing. The roof has been presumed to be asbestos-containing during our site survey.

### **3.3 Above Ground Storage Tanks (ASTs) and Underground Storage Tanks (USTs)**

PURE's observations and records search revealed the presence of a single 5,000-gallon aboveground, vaulted storage tank. Additionally, an underground storage tank (1,000 gallon) was identified within the Fire Department records, however the location of the tank is unknown and no information is available to further assist in identifying the location. A request for additional information regarding the presence and current location of this tank, has been requested from the Westchester County Department of Health, and any and all information released to us will be forwarded to NYCC, if and when received by us. This information was requested in a letter, as a function of the "freedom of information act" and we anticipate a response at some future date.

### **3.4 Lead**

Lead-based paint was not addressed due to the non-residential nature of the Site.

### **3.5 Radon**

According to Geocheck, the average Radon Concentration for New Rochelle is 1.9 pCi/L and the level of concern as noted by the EPA is 4 pCi/L. New Rochelle is located in the Federal EPA Radon Zone #3 which has an average of < 2.0 pCi/L.

### **3.6 Waste Disposal Facilities, Hazardous Waste Generation, Storage & Disposal**

Based upon PURE's survey, the Site's housekeeping procedures were not applicable, as the site was vacated at the time of our survey. No hazardous waste generation, storage or disposal operations were noted to exist within the property and no visual signs of stressed vegetation, stained soil, or odors were noted, either inside or outside the facility.

### **3.7 Storage of Hazardous Materials**

PURE's observations of the Site revealed no hazardous materials used or stored at the Site.

### **3.8 Urea Formaldehyde Foam Insulation (UFFI)**

PURE's observations did not reveal any newly installed urea formaldehyde foam insulation (UFFI) at the Site. Newly installed UFFI has been associated with indoor air quality problems.

### **3.9 Petroleum Hydrocarbon Contamination**

PURE's observations of the Site revealed no obvious problems at the Site.

### **3.10 Polychlorinated Biphenyls (PCBs)**

PURE's observations did not reveal the presence of electrical transformers at the Site. No potential PCB-containing equipment was observed at the Site with the exception of fluorescent light ballasts present, which may contain small quantities of PCBs, if not labeled otherwise.

### **3.11 Regulatory Actions**

According to the EDR regulatory agency database, the Site is not listed.

### **3.12 Regional Problems**

The Site is located in a commercial section of the City of New Rochelle. Several surrounding properties were identified in regulatory agency records provided by EDR, and reviewed by PURE as part of this assessment. No obvious indicators of environmental problems on adjacent properties that may impact the Site property was found in the records searched. However, this can only be determined through the sampling and analysis of soil and groundwater at the Site, which was outside scope of this investigation. Please refer to Section 4.0 of this report – *Records Search* for further information regarding regulatory listings in the vicinity of the Site.

### **3.13 Physical Setting**

According to the U.S.G.S. (U.S. Geological Survey) 7.5-Minute Series Topographic Map (Mt. Vernon), Quadrangle, dated 1987, the Site elevation is approximately 94 feet above mean sea level (MSL). Topographically, the Site is relatively level with no abrupt changes in elevation. Depth to groundwater could not be determined precisely for the Site. Based on topography and local waterways, general regional groundwater flow direction can be inferred to be towards the sound in a southeast direction. Actual groundwater flow direction can only be accurately determined by the measurement of the groundwater levels through the installation of groundwater monitoring wells.

## **4. RECORDS SEARCH**

Environmental Data Resources Inc. (EDR) was subcontracted for the task of performing the records search for the subject Site.

The following records were reviewed:

1. National Priority List (NPL)
2. Comprehensive Environmental Response, Compensation and Liability Information System (CERCLIS)
3. Resource Conservation and Recovery Act (RCRA); Treatment, storage and/or disposal sites; Large Quantity Generators and; Small Quantity Generators
4. State Priority List (SPL)



5. Leaking Underground Storage Tanks (LUSTs), Registered Above Ground Storage Tanks (ASTs) and Underground Storage Tanks (USTs)
6. State Solid Waste Landfills, Incinerators or Transfer Stations (SWLF)
7. Emergency Response Notification System of Spills (ERNS)
8. State Spills List
9. State Equivalent CERCLIS List (State Hazardous Waste Sites) Sites

#### **4.1 National Priority List (NPL)**

The National Priorities List (NPL) is EPA's database of uncontrolled or abandoned hazardous waste sites identified for priority remedial action under the Superfund Program. The sites on this list are prioritized as to their significant risks to human health and the environment. Only NPL sites can receive CERCLA funding. A review of this list did not reveal any NPL sites located within one mile of the Site.

#### **4.2 Comprehensive Environmental Response, Compensation and Liability Information System (CERCLIS)**

The CERCLIS List is a compilation by the EPA of the sites that the EPA has investigated or is currently investigating for a release or threatened release of hazardous substances pursuant to the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA or Superfund Act). A review of this list revealed no CERCLIS sites within a one-mile radius of the Site.

#### **4.3 Resource Conservation Recovery Act (RCRA)**

The USEPA's Resource Conservation and Recovery Act (RCRA) Program identifies and tracks hazardous waste from the point of generation to the point of disposal and our review revealed:

0 to 1/4 mile Radius:

Equal/Higher Elevation:	4 sites
Lower Elevation:	11 sites

Based upon a review of the sites, **PURE** concludes that these listings do not represent a recognized environmental condition for the Site, and no further investigation is recommended.

#### **4.4 State Priority List (SPL)**

The State Priority List is a generic name for databases maintained by many states that contain sites considered to be actually or potentially contaminated and presenting a possible threat to human health and the environment.

These sites are generally listed by the state to warn the public, or as a part of an investigation or cleanup program managed by the state. A review of this list did not reveal any SPL sites located within one mile of the Site.

#### **4.5 Leaking Underground Storage Tanks (LUSTs), Registered Above Ground Storage Tanks (ASTs) and Underground Storage Tanks (USTs)**

These are databases maintained by state or local agencies of known or suspected leaking underground storage tanks (LUSTs) and registered underground storage tanks (USTs). A total of sixty-three (63) LUST sites are located within a half mile of the subject Site. They are not located on the adjoining properties. Forty-two (42) of these LUST sites are listed as "Cleanup met status and cases are closed." The remaining twenty-one (21) LUSTs sites have cleanup status listed as "Not Reported". Of the forty-two sites listed as Not Reported, only one site is located at a higher elevation and within a distance < 1/8 miles from the site (15 Division Street). The other sites determined to be present are all lower in elevation than the inspected site.

Based upon these findings, PURE concludes that LUST and AST/UST listings do not represent a recognized environmental condition for the Site, and no further investigation is recommended.

#### **4.6 State Solid Waste Landfills, Incinerators and Transfer Stations (SWLF)**

This is a database maintained by state or local agencies of solid waste landfills, incinerators and transfer stations (SWLF). A review of this database revealed the presence of one SWLF site within a one-half mile radius of the Site.

One State Hazardous Waste site is located within a one-quarter to a one-half mile distance from the site and is located at the Con Edison Site on Echo Avenue Site. The site is approximately 150 by 600 feet (90,000 sq. ft) and was originally owned by Westchester Lighting Co. The site has documented PCB's and contamination.

#### **4.7 Emergency Response Notification System of Spills (ERNS)**

This is a national database used to collect information on reported releases of oil and hazardous substances. This information consists of spill reports made to federal authorities including the USEPA, the US Coast Guard, the National Response Center and the Department of Transportation. A review of the ERNS database did not reveal any spills at the Site.

#### **4.8 State Spills List**

This is a State specific database used to collect information on reported releases of oil and hazardous substances in certain states. Based upon the database, seven (7) spills were located within a 1/8 mile radius of the site. Three of the sites were higher in elevation and four were lower.

Based upon a review of the sites, PURE concludes these listings do not represent a recognized environmental condition for the Site, and no further investigation is recommended.

#### **4.9 State Equivalent CERCLIS List (State Hazardous Waste Sites) Sites**

This is the database maintained by the state of facilities subject to investigations concerning likely or threatened releases of hazardous substances from those facilities. A review of this database revealed no SHWS sites located within one mile of the subject Site.

For more information regarding the above-mentioned sites, please refer to the EDR Radius Map included in Appendix C of this report.

### **5. CONCLUSIONS AND RECOMMENDATIONS**

Based on the Site walk through, an interview with the current Site owner, and the agency records review, PURE makes the following conclusions and recommendations:

#### **5.1 Regulatory Agency Records Review**

The Site is not listed on any of the databases searched.

#### **5.2 Site Historical Use**

Review of local records revealed that the Site was used commercially only and does not appear to present any potential problems in respect to past uses.

#### **5.3 Aboveground Storage Tanks and Underground Storage Tanks**

PURE has concerns regarding the identification of the 1,000-gallon UST that is listed as being present on the property. We suggest that additions efforts be made to confirm or deny the presence and actual location of the tank.

In respect to the 5,000-gallon vaulted tank, we recommend that this tank be tested for integrity, as no existing documentation or records were made available, detailing recent tank fitness testing.

#### **5.4 Asbestos-Containing Materials (ACM)**

PURE identified the presence of friable duct insulation materials, located within the HVAC room, which was reported and appeared to have had been encapsulated. Within regard to the remainder of the facility, documentation was reviewed which indicates that the floor finish materials (tile and mastic) should be considered to be asbestos-containing. Additionally, it is our presumption that the built up roofing materials present are presumed to be asbestos-containing, unless otherwise determined.

### **6.0 RECOMMENDATIONS**

PURE recommends that the existence of the underground tank be further investigated and that the vaulted tank undergo a tank test to insure the integrity of the tank.

Additionally, this report may be amended depending upon the information provided within the Westchester DOH documents.

#### **7.0. LIABILITY RELEASE**

**PURE** recognizes that Mr. Charlton Hamer, of the New York Covenant Church, is relying on the contents of this report in evaluating the Site. This report is based on activities performed by **PURE's** professional staff. We state that observations made in this report are accurate to the best of our knowledge, and that no findings or observations concerning the potential release of hazardous substances have been withheld or amended.

The research and observations have been conducted in a manner consistent with industry and professional standards. **PURE** shall have no liability or obligation to any party other New York Covenant Church, and **PURE's** obligations and liabilities to NYCC, its successors or assigns and Ms. Sharon Eaddy, or his successors or assigns is limited to fraudulent statements made, or negligent or willful acts or omission.

#### **8.0. CONFIDENTIALITY STATEMENT**

**PURE** agrees to hold the information contained in this report, or any portion thereof, confidential. This report or information contained herein will not be released to any party except as required by law, without the consent of Mr. Charlton Hamer, of the NYCC, its successors or assigns. Upon Client *written* approval and authorization, this report will be issued to any designated party, as directed by our Client.

## EXECUTIVE SUMMARY

In accordance with a proposal agreement with Mr. Charlton Hamer, of the New York Covenant Church (NYCC), **Pure Solutions Corporation (PURE)** performed a Phase I Environmental Site Assessment (PESA) of the property located at 500 Main Street, New Rochelle, NY (the Site).

The Site consists of a 40,000 square foot parcel occupied by a three-story warehouse /commercial building that is currently vacant. The structure is a three-story, slab-below grade, concrete block building that was erected in 1952 and is currently co-owned by Mr. Stanley M. Stern, Ms. Jane Stern and Ms. Babette S. Katz.

Information in this report represents the results of the PESA of the above-referenced property. The Site investigation conducted by **PURE** included a Site walk through, an interview with the current Site owner's representative Al Desimone, Site history research (Sanborn Maps), EDR databases and an asbestos inspection report dated January 15, 1999. The objective of this assessment was to determine the present condition of the Site and to determine the potential for contamination of the Site by hazardous materials. The following provides a summary of **PURE's** findings and recommendations:

### *Regulatory Agency Records Review*

The Site is not listed on any of the databases searched by EDR.

### *Site Historical Use*

Review of local records revealed that the Site was used as a business establishment since its construction in 1952. The property has always been commercial. In 1979, an application was made to convert the space to a skating rink, however this was not performed. The space was initially used as a department store and was later occupied by Recreation Equipment Inc., a store specializing in the sale of outdoor adventure activities (hiking, camping, boating, etc.)

### *Aboveground Storage Tanks and Underground Storage Tanks*

**PURE** identified the presence of one 5,000-gallon vaulted above ground petroleum storage tank (ASTs) currently at the Site. The fill pipe and vent pipe were located on the side loading dock area. According to the site representation, Al Desimone, the tank has never been tested and he is not aware of any problems relating leakage. Visual of the interior meter did not identify the presence of any product, however, it was not known whether the meter was working properly. The presence of fuel products and the operational mode of the fuel level meter should be further investigated. Additionally, **PURE** recommends that the vaulted tank undergo appropriate testing to assure the integrity and that the tank has not been compromised.

During a visit to the Fire Department, it was also learned that a one thousand (1,000) gallon Underground Storage Tank is also located on the site, however no additional information has been identified and a review of the property has not identified any further information as to the possible location of such tank. It is our opinion that further investigation may need to be considered, so as the tanks presence can be confirmed or denied, as well as to the existence of any fuel products remaining.

### ***Asbestos-Containing Materials (ACM)***

**PURE** did identify the presence of encapsulated asbestos-conduct duct insulation materials, within the 2<sup>nd</sup> floor HVAC room and also reviewed the 1999 asbestos plan prepared by ATC Associates whereby various asbestos containing materials (plumbing insulation, floor tiles and mastic, etc.) were noted as present within the building. According to the site representative, the HVAC room duct insulation was encapsulated several years ago. The roof, which was not mentioned in the report, is likely to be constructed with asbestos-containing building materials, given the age of the building.

### ***Local Building Department Research***

**PURE** did identify the presence of one Department of Buildings (DOB) violation, which cited the facility for a project consisting of the installation of interior partitioning walls, which had not been filed with the local DOB and is considered to be an illegally performed renovation activity. This outstanding violation should be corrected by the current ownership, so as a post-legalization can be conducted in order to satisfy the local DOB requirements for construction.

### ***Additional Information***

**PURE** has requested the research of any existing documentation from the Westchester County Department of Health (DOH) (under the "freedom of information act"), with regard to the existence of the unfounded 1,000-gallon underground storage tank, which was reportedly present at the subject location. We will prepare and submit all additional information regarding our finding upon the receipt, in the form of an appendix, should we receive enlightening data regarding this situation.

Methods of locating the tank, should the DOH information be uninformative, can include ground penetrating radar (GPR) and the installation of ground coring or probe wells, in an effort to locate the tank and/or establish the presence of any subsurface petroleum contamination.

## **LIMITATIONS**

This report was prepared in general conformance with the American Society for Testing and Materials (ASTM) in the Standard Practice for Environmental Site Assessments: Environmental Site Assessment Process (ASTM Standard E-1527-00) and the scope of work provided by **PURE** to the New York Covenant Church. This report is solely for the use and benefit of the New York Covenant Church, its successors and assigns, and may not be relied upon by any other party without the express consent of NYCC and **PURE**. Our professional services have been performed, our findings obtained and our recommendations prepared in accordance with customary principles and practices in the field of environmental science. This warranty is in lieu of all other warranties either expressed or implied. This company is not responsible for the independent conclusions, opinions or recommendations made by others based on the field exploration presented in this report.

All surficial environmental assessments are inherently limited in the sense that conclusions are drawn and recommendations developed from information obtained from limited research and site evaluation. Subsurface conditions were not field investigated as part of this study and may differ from the conditions implied by the surficial observations. Additionally, the passage of time may result in a change in the environmental characteristics at this site and surrounding properties.

No investigation can absolutely rule out the existence of any hazardous materials at a given site. This assessment has been based upon prior site history and observable conditions and activities. Existing hazardous materials and contaminants can escape detection using these methods.

Furthermore, the work performed in conjunction with this assessment and the data developed are intended as a description of available information at the dates and location given. This report does not warrant against future operations or conditions, nor does it warrant against operations or conditions present of a type or at a location not investigated.