NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION

BROWNFIELD CLEANUP PROGRAM (BCP)
APPLICATION FORM

HAWKEYE TRADE CENTER AND RESIDENCES
1405 ST. PAUL STREET
ROCHESTER, NEW YORK 14650

Submitted For:

WBS Capital, Inc.
136-20 38th Avenue Suite 9J
Flushing, New York 11354

Prepared By:

BE3 CORP
PANAMERICAN
ENVIRONMENT • ENGINEERING • ENERGY
1270 Niagara Street
Buffalo, New York, 14213

January 2018

Prepared By: Alexander Brennen	**Signature**	**Date:** 1/30/18	**Title:** BE3 - EIT
Reviewed By: Jason M. Brydges, PE	**Signature:**	**Date:** 1/30/18	**Title:** BE3 - PE

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NEW YORK STATE OF OPPORTUNITY | Department of Environmental Conservation

BROWNFIELD CLEANUP PROGRAM (BCP) APPLICATION FORM

DEC requires an application to request major changes to the description of the property set forth in a Brownfield Cleanup Agreement, or "*BCA*" (e.g., adding a significant amount of new property, or adding property that could affect an eligibility determination due to contamination levels or intended land use). Such application must be submitted and processed in the same manner as the original application, including the required public comment period. **Is this an application to amend an existing BCA?**

☐ **Yes** ☑ **No** **If yes, provide existing site number:** _____

PART A (note: application is separated into Parts A and B for DEC review purposes) ***BCP App Rev 9***

Section I. Requestor Information - See Instructions for Further Guidance

DEC USE ONLY
BCP SITE #:

NAME WBS CAPITAL INC

ADDRESS 136-20 38TH Avenue Suite 9J

CITY/TOWN Flushing ZIP CODE 11354

PHONE 716-655-4991 | FAX | E-MAIL john@schenne.com

Is the requestor authorized to conduct business in New York State (NYS)? ☑ Yes ☐ No

- If the requestor is a Corporation, LLC, LLP or other entity requiring authorization from the NYS Department of State to conduct business in NYS, the requestor's name must appear, exactly as given above, in the NYS Department of State's Corporation & Business Entity Database. A print-out of entity information from the database must be submitted to the New York State Department of Environmental Conservation (DEC) with the application, to document that the requestor is authorized to do business in NYS. Refer to **Exhibit A**

Do all individuals that will be certifying documents meet the requirements detailed below? ☑ Yes ☐ No

- Individuals that will be certifying BCP documents, as well as their employers, meet the requirements of Section 1.5 of *DER-10: Technical Guidance for Site Investigation and Remediation* and Article 145 of New York State Education Law. **Documents that are not properly certified will be not approved under the BCP**.

Section II. Project Description Refer to **Exhibit B**

1. What stage is the project starting at? ☑ Investigation ☐ Remediation

2. If the project is starting at the remediation stage, a Remedial Investigation Report (RIR), Alternatives Analysis, and Remedial Work Plan must be attached (see *DER-10 / Technical Guidance for Site Investigation and Remediation* for further guidance).

3. If a final RIR is included, please verify it meets the requirements of Environmental Conservation Law (ECL) Article 27-1415(2): ☐ Yes ☐ No Final RIR not included

4. Please attach a short description of the overall development project, including:

- the date that the remedial program is to start; and
- the date the Certificate of Completion is anticipated.

Section III. Property's Environmental History

All applications **must include** an Investigation Report (per ECL 27-1407(1)). The report must be sufficient to establish contamination of environmental media on the site above applicable Standards, Criteria and Guidance (SCGs) based on the reasonably anticipated use of the property.

To the extent that existing information/studies/reports are available to the requestor, please attach the following (**please submit the information requested in this section in electronic format only**):

1. **Reports:** an example of an Investigation Report is a Phase II Environmental Site Assessment report prepared in accordance with the latest American Society for Testing and Materials standard (ASTM E1903). Refer to **Exhibit C**

2. SAMPLING DATA: INDICATE KNOWN CONTAMINANTS AND THE MEDIA WHICH ARE KNOWN TO HAVE BEEN AFFECTED. LABORATORY REPORTS SHOULD BE REFERENCED AND COPIES INCLUDED.

Contaminant Category	Soil	Groundwater	Soil Gas (See Exhibit C)
Petroleum			
Chlorinated Solvents		X	X
Other VOCs			
SVOCs		X	
Metals		X	
Pesticides			
PCBs			
Other*	X		

***Please describe:** Historical gasoline filling station on-site - investigation has not been completed.

3. FOR EACH IMPACTED MEDIUM INDICATED ABOVE, INCLUDE A SITE DRAWING INDICATING:

See full report in Exhibit C, summary text in Exhibit D, and site drawing with data tables in Figures 1b-d

- **SAMPLE LOCATION**
- **DATE OF SAMPLING EVENT**
- **KEY CONTAMINANTS AND CONCENTRATION DETECTED**
- **FOR SOIL, HIGHLIGHT IF ABOVE REASONABLY ANTICIPATED USE**
- **FOR GROUNDWATER, HIGHLIGHT EXCEEDANCES OF 6NYCRR PART 703.5**
- **FOR SOIL GAS/ SOIL VAPOR/ INDOOR AIR, HIGHLIGHT IF ABOVE MITIGATE LEVELS ON THE NEW YORK STATE DEPARTMENT OF HEALTH MATRIX**

THESE DRAWINGS ARE TO BE REPRESENTATIVE OF ALL DATA BEING RELIED UPON TO MAKE THE CASE THAT THE SITE IS IN NEED OF REMEDIATION UNDER THE BCP. DRAWINGS SHOULD NOT BE BIGGER THAN 11" X 17". THESE DRAWINGS SHOULD BE PREPARED IN ACCORDANCE WITH ANY GUIDANCE PROVIDED.

ARE THE REQUIRED MAPS INCLUDED WITH THE APPLICATION?* (*answering No will result in an incomplete application) ☑ **Yes** ☐ **No**

4. INDICATE PAST LAND USES (CHECK ALL THAT APPLY):

☐ Coal Gas Manufacturing	☑ Manufacturing	☐ Agricultural Co-op	☐ Dry Cleaner
☐ Salvage Yard	☐ Bulk Plant	☐ Pipeline	☑ Service Station
☐ Landfill	☐ Tannery	☐ Electroplating	☐ Unknown

Other: Rail Car Repair and Machine Shop

Section IV. Property Information - See Instructions for Further Guidance

PROPOSED SITE NAME Hawkeye Trade Center and Residences

ADDRESS/LOCATION 1405 St Paul Street

CITY/TOWN Rochester ZIP CODE 14650

MUNICIPALITY(IF MORE THAN ONE, LIST ALL): City of Rochester

COUNTY Monroe SITE SIZE (ACRES) 1.82

LATITUDE (degrees/minutes/seconds)	LONGITUDE (degrees/minutes/seconds)
43 ° 10 ‘ 54.02 “	77 ° 37 ‘ 32.58 “

COMPLETE TAX MAP INFORMATION FOR ALL TAX PARCELS INCLUDED WITHIN THE PROPERTY BOUNDARIES. ATTACH REQUIRED MAPS PER THE APPLICATION INSTRUCTIONS.

See Figure 2

Parcel Address	Section No.	Block No.	Lot No.	Acreage
1405 St Paul Street	090.84	1	2.001	1.82

1. Do the proposed site boundaries correspond to tax map metes and bounds? ☑ Yes ☐ No
   If no, please attach a metes and bounds description of the property. See Survey Map Figure 3
2. Is the required property map attached to the application? ☑ Yes ☐ No
   (application will not be processed without map) See Figures 2-5 that include Quad Map and Adjacent Properties Map
3. Is the property within a designated Environmental Zone (En-zone) pursuant to Tax Law 21(b)(6)?
   (See DEC's website for more information) Yes ☑ No ☐

   If yes, identify census tract : 46.02

   Percentage of property in En-zone (check one): ☐ 0-49% ☐ 50-99% ☑ 100%
4. Is this application one of multiple applications for a large development project, where the development project spans more than 25 acres (see additional criteria in BCP application instructions)? ☐ Yes ☑ No

   If yes, identify name of properties (and site numbers if available) in related BCP applications:_____
5. Is the contamination from groundwater or soil vapor solely emanating from property other than the site subject to the present application? See Figures 1c and Exhibit E. VOC contamination shown upgradient. ☐ Yes ☑ No
6. Has the property previously been remediated pursuant to Titles 9, 13, or 14 of ECL Article 27, Title 5 of ECL Article 56, or Article 12 of Navigation Law? ☐ Yes ☑ No
   If yes, attach relevant supporting documentation.
7. Are there any lands under water? ☐ Yes ☑ No
   If yes, these lands should be clearly delineated on the site map.

Section IV. Property Information (continued)

8. Are there any easements or existing rights of way that would preclude remediation in these areas? If yes, identify here and attach appropriate information. ☐ Yes ☑ No

Easement/Right-of-way Holder	Description
NONE	

9. List of Permits issued by the DEC or USEPA Relating to the Proposed Site (type here or attach information)

Type	Issuing Agency	Description
NONE		

10. Property Description and Environmental Assessment – **please refer to application instructions for the proper format of each narrative requested.**
Are the Property Description and Environmental Assessment narratives included in the **prescribed format**? See Exhibit E ☑ Yes ☐ No

11. For sites located within the five counties comprising New York City, is the requestor seeking a determination that the site is eligible for tangible property tax credits? If yes, requestor must answer questions on the supplement at the end of this form. Not Applicable ☐ Yes ☐ No

12. Is the Requestor now, or will the Requestor in the future, seek a determination that the property is Upside Down? ☐ Yes ☑ No

13. If you have answered *Yes* to Question 12, above, is an independent appraisal of the value of the property, as of the date of application, prepared under the hypothetical condition that the property is not contaminated, included with the application? ☐ Yes ☐ No Not Applicable

NOTE: If a tangible property tax credit determination is not being requested in the application to participate in the BCP, the applicant may seek this determination at any time before issuance of a certificate of completion by using the BCP Amendment Application, except for sites seeking eligibility under the underutilized category.

If any changes to Section IV are required prior to application approval, a new page, initialed by each requestor, must be submitted. Exhibit E was changed

Initials of each Requestor: _____ _____ _____ _____ _____ _____

BCP application - PART B (note: application is separated into Parts A and B for DEC review purposes)

Section V. Additional Requestor Information See Instructions for Further Guidance	DEC USE ONLY BCP SITE NAME: _____ BCP SITE #: _____	
NAME OF REQUESTOR'S AUTHORIZED REPRESENTATIVE John Schenne		
ADDRESS Hotel LaFayette - Suite 800		
CITY/TOWN Buffalo		ZIP CODE 14203
PHONE 716-655-4991	FAX	E-MAIL john@schenne.com
NAME OF REQUESTOR'S CONSULTANT BE3 Corp./Panamerican		
ADDRESS 1270 Niagara Street		
CITY/TOWN Buffalo		ZIP CODE 14213
PHONE 716-249-6880	FAX	E-MAIL abrennen@be3corp.com
NAME OF REQUESTOR'S ATTORNEY Francis L. Gorman		
ADDRESS 99 Gamsey Road		
CITY/TOWN Pittsford		ZIP CODE 14534
PHONE 585-419-8628	FAX	E-MAIL flgorman@harrisbeach.com
Section VI. Current Property Owner/Operator Information – if not a Requestor	See Exhibit F	
CURRENT OWNER'S NAME Eastman Kodak Company		OWNERSHIP START DATE: 1942
ADDRESS 343 State St		
CITY/TOWN Rochester		ZIP CODE 14650
PHONE 585-724-4000	FAX	E-MAIL bryan.gallagher@kodak.com
CURRENT OPERATOR'S NAME Same - Bryan P. Gallagher		
ADDRESS		
CITY/TOWN		ZIP CODE
PHONE	FAX	E-MAIL

IF REQUESTOR IS NOT THE CURRENT OWNER, DESCRIBE REQUESTOR'S RELATIONSHIP TO THE CURRENT OWNER, INCLUDING ANY RELATIONSHIP BETWEEN REQUESTOR'S CORPORATE MEMBERS AND THE CURRENT OWNER.
PROVIDE A LIST OF PREVIOUS PROPERTY OWNERS AND OPERATORS WITH NAMES, LAST KNOWN ADDRESSES AND TELEPHONE NUMBERS AS AN ATTACHMENT. DESCRIBE REQUESTOR'S RELATIONSHIP, TO EACH PREVIOUS OWNER AND OPERATOR, INCLUDING ANY RELATIONSHIP BETWEEN REQUESTOR'S CORPORATE MEMBERS AND PREVIOUS OWNER AND OPERATOR. IF NO RELATIONSHIP, PUT "NONE".

Section VII. Requestor Eligibility Information (Please refer to ECL § 27-1407)

If answering "yes" to any of the following questions, please provide an explanation as an attachment.

1. Are any enforcement actions pending against the requestor regarding this site? ☐ Yes ☑ No
2. Is the requestor subject to an existing order for the investigation, removal or remediation of contamination at the site? ☐ Yes ☑ No
3. Is the requestor subject to an outstanding claim by the Spill Fund for this site? Any questions regarding whether a party is subject to a spill claim should be discussed with the Spill Fund Administrator. ☐ Yes ☑ No

Section VII. Requestor Eligibility Information (continued)

4. Has the requestor been determined in an administrative, civil or criminal proceeding to be in violation of i) any provision of the ECL Article 27; ii) any order or determination; iii) any regulation implementing Title 14; or iv) any similar statute, regulation of the state or federal government? If so, provide an explanation on a separate attachment. ☐ Yes ☑ No
5. Has the requestor previously been denied entry to the BCP? If so, include information relative to the application, such as name, address, DEC assigned site number, the reason for denial, and other relevant information. ☐ Yes ☑ No
6. Has the requestor been found in a civil proceeding to have committed a negligent or intentionally tortious act involving the handling, storing, treating, disposing or transporting of contaminants? ☐ Yes ☑ No
7. Has the requestor been convicted of a criminal offense i) involving the handling, storing, treating, disposing or transporting of contaminants; or ii) that involves a violent felony, fraud, bribery, perjury, theft, or offense against public administration (as that term is used in Article 195 of the Penal Law) under federal law or the laws of any state? ☐ Yes ☑ No
8. Has the requestor knowingly falsified statements or concealed material facts in any matter within the jurisdiction of DEC, or submitted a false statement or made use of or made a false statement in connection with any document or application submitted to DEC? ☐ Yes ☑ No
9. Is the requestor an individual or entity of the type set forth in ECL 27-1407.9 (f) that committed an act or failed to act, and such act or failure to act could be the basis for denial of a BCP application? ☐ Yes ☑ No
10. Was the requestor's participation in any remedial program under DEC's oversight terminated by DEC or by a court for failure to substantially comply with an agreement or order? ☐ Yes ☑ No
11. Are there any unregistered bulk storage tanks on-site which require registration? ☑ Yes ☐ No

See Exhibits C, D, & G

THE REQUESTOR MUST CERTIFY THAT HE/SHE IS EITHER A PARTICIPANT OR VOLUNTEER IN ACCORDANCE WITH ECL 27-1405 (1) BY CHECKING ONE OF THE BOXES BELOW:

☐ PARTICIPANT

A requestor who either 1) was the owner of the site at the time of the disposal of hazardous waste or discharge of petroleum or 2) is otherwise a person responsible for the contamination, unless the liability arises solely as a result of ownership, operation of, or involvement with the site subsequent to the disposal of hazardous waste or discharge of petroleum.

☑ VOLUNTEER

A requestor other than a participant, including a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site subsequent to the disposal of hazardous waste or discharge of petroleum.

NOTE: By checking this box, a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site certifies that he/she has exercised appropriate care with respect to the hazardous waste found at the facility by taking reasonable steps to: i) stop any continuing discharge; ii) prevent any threatened future release; iii) prevent or limit human, environmental, or natural resource exposure to any previously released hazardous waste. See **Exhibit G**

If a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site, submit a statement describing why you should be considered a volunteer – be specific as to the appropriate care taken.

Section VII. Requestor Eligibility Information (continued)

Requestor Relationship to Property (check one):
☐ Previous Owner ☐ Current Owner ☑ Potential /Future Purchaser ☐ Other_____

If requestor is not the current site owner, **proof of site access sufficient to complete the remediation must be submitted**. Proof must show that the requestor will have access to the property before signing the BCA and throughout the BCP project, including the ability to place an easement on the site Is this proof attached?

☑ Yes ☐ No See Exhibit H

Note: a purchase contract does not suffice as proof of access.

Section VIII. Property Eligibility Information - See Instructions for Further Guidance

1. Is / was the property, or any portion of the property, listed on the National Priorities List?
   If yes, please provide relevant information as an attachment. ☐ Yes ☑ No
2. Is / was the property, or any portion of the property, listed on the NYS Registry of Inactive Hazardous Waste Disposal Sites pursuant to ECL 27-1305? ☐ Yes ☑ No
   If yes, please provide: Site #_____ Class # _____
3. Is / was the property subject to a permit under ECL Article 27, Title 9, other than an Interim Status facility? ☐ Yes ☑ No
   If yes, please provide: Permit type:_____ EPA ID Number:_____
   Date permit issued:_____ Permit expiration date:_____
4. If the answer to question 2 or 3 above is yes, is the site owned by a volunteer as defined under ECL 27-1405(1)(b), or under contract to be transferred to a volunteer? Attach any information available to the requestor related to previous owners or operators of the facility or property and their financial viability, including any bankruptcy filing and corporate dissolution documentation. Not applicable ☐ Yes ☐ No
5. Is the property subject to a cleanup order under Navigation Law Article 12 or ECL Article 17 Title 10?
   If yes, please provide: Order #_____ ☐ Yes ☑ No
6. Is the property subject to a state or federal enforcement action related to hazardous waste or petroleum?
   If yes, please provide explanation as an attachment. ☐ Yes ☑ No

Section IX. Contact List Information See Exhibit I

To be considered complete, the application must include the Brownfield Site Contact List in accordance with *DER-23 / Citizen Participation Handbook for Remedial Programs*. Please attach, at a minimum, the names and addresses of the following:

1. The chief executive officer and planning board chairperson of each county, city, town and village in which the property is located.
2. Residents, owners, and occupants of the property and properties adjacent to the property.
3. Local news media from which the community typically obtains information.
4. The public water supplier which services the area in which the property is located.
5. Any person who has requested to be placed on the contact list.
6. The administrator of any school or day care facility located on or near the property.
7. The location of a document repository for the project (e.g., local library). In addition, attach a copy of an acknowledgement from the repository indicating that it agrees to act as the document repository for the property. See Exhibit J
8. Any community board located in a city with a population of one million or more, if the proposed site is located within such community board's boundaries.

Section X. Land Use Factors

1. What is the current zoning for the site? What uses are allowed by the current zoning?
☐ Residential ☑ Commercial ☑ Industrial
If zoning change is imminent, please provide documentation from the appropriate zoning authority.

2. Current Use: ☐ Residential ☐ Commercial ☐ Industrial ☑ Vacant ☐ Recreational (check all that apply) See Exhibit K, but also see information previously provided in Exhibits B, D and E.
Attach a summary of current business operations or uses, with an emphasis on identifying possible contaminant source areas. If operations or uses have ceased, provide the date.

3. Reasonably anticipated use Post Remediation: ☐ Residential ☑ Commercial ☑ Industrial (check all that apply) **Attach a statement detailing the specific proposed use.**
See Exhibit K, but also see information previously provided in Exhibits B, D and E.
If residential, does it qualify as single family housing? ☐ Yes ☑ No

4. Do current historical and/or recent development patterns support the proposed use?	☑ Yes ☐ No
5. Is the proposed use consistent with applicable zoning laws/maps? Briefly explain below, or attach additional information and documentation if necessary. Current zoning at the property is M-1, Industrial District. The purpose of the M-1 Industrial District according to the City of Rochester Division of Zoning is to retain and grow employment opportunities through industrial uses and complimentary uses. It encourages the redevelopment of former manufacturing buildings and allows retail sales and services, offices, and eating and drinking establishments. Residential uses to support the commercial and manufacturing uses are also permitted. The anticipated use post-remediation plans to redevelop the property into a mixture of commercial, manufacturing, and flex space, which directly coincides with zoning laws.	☑ Yes ☐ No
6. Is the proposed use consistent with applicable comprehensive community master plans, local waterfront revitalization plans, or other adopted land use plans? Briefly explain below, or attach additional information and documentation if necessary. Yes, redevelopment of the property to its anticipated use is consistent with the City of Rochester local waterfront revitalization plan and the neighborhood-managed BOA: Group 14621 Neighborhood Revitalization Plan, where the property is located. Redevelopment of the currently vacant manufacturing area will bring further draw and updates to the Genesee River Waterfront as well as provide a higher quality of life to the residential areas surrounding the property.	☑ Yes ☐ No

XI. Statement of Certification and Signatures

(By requestor who is an individual)

If this application is approved, I hereby acknowledge and agree: (1) to execute a Brownfield Cleanup Agreement (BCA) within 60 days of the date of DEC's approval letter; (2) to the general terms and conditions set forth in the *DER-32, Brownfield Cleanup Program Applications and Agreements*; and (3) that in the event of a conflict between the general terms and conditions of participation and the terms contained in a site-specific BCA, the terms in the site-specific BCA shall control. Further, I hereby affirm that information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to section 210.45 of the Penal Law.

Date: _____ Signature: _____

Print Name: _____

(By a requestor other than an individual)

I hereby affirm that I am_ authorized representative_(title) of _WBS CAPITAL INC_____(entity); that I am authorized by that entity to make this application and execute the Brownfield Cleanup Agreement (BCA) and all subsequent amendments; that this application was prepared by me or under my supervision and direction. If this application is approved, I acknowledge and agree: (1) to execute a BCA within 60 days of the date of DEC's approval letter; (2) to the general terms and conditions set forth in the *DER-32, Brownfield Cleanup Program Applications and Agreements*; and (3) that in the event of a conflict between the general terms and conditions of participation and the terms contained in a site-specific BCA, the terms in the site-specific BCA shall control. Further, I hereby affirm that information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.

Date: 2/28/2018 Signature: _____

Print Name: JOHN SCHENNA

SUBMITTAL INFORMATION:

- **Two (2)** copies, one paper copy with original signatures and one electronic copy in Portable Document Format (PDF), must be sent to:
    - Chief, Site Control Section
    - New York State Department of Environmental Conservation
    - Division of Environmental Remediation
    - 625 Broadway
    - Albany, NY 12233-7020

FOR DEC USE ONLY
BCP SITE T&A CODE:_____ **LEAD OFFICE:**_____

NOT APPLICABLE

Supplemental Questions for Sites Seeking Tangible Property Credits in New York City ONLY. Sufficient information to demonstrate that the site meets one or more of the criteria identified in ECL 27 1407(1-a) must be submitted if requestor is seeking this determination.

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Property is in Bronx, Kings, New York, Queens, or Richmond counties. ☐ Yes ☐ No
Requestor seeks a determination that the site is eligible for the tangible property credit component of the brownfield redevelopment tax credit. ☐ Yes ☐ No
Please answer questions below and provide documentation necessary to support answers.
1. Is at least 50% of the site area located within an environmental zone pursuant to NYS Tax Law 21(b)(6)? Please see DEC's website for more information. ☐ Yes ☐ No
2. Is the property upside down or underutilized as defined below? Upside Down? ☐ Yes ☐ No Underutilized? ☐ Yes ☐ No **From ECL 27-1405(31):** "Upside down" shall mean a property where the projected and incurred cost of the investigation and remediation which is protective for the anticipated use of the property equals or exceeds seventy-five percent of its independent appraised value, as of the date of submission of the application for participation in the brownfield cleanup program, developed under the hypothetical condition that the property is not contaminated. **From 6 NYCRR 375-3.2(l) as of August 12, 2016:** (Please note: Eligibility determination for the underutilized category can only be made at the time of application) 375-3.2: (l) "Underutilized" means, as of the date of application, real property on which no more than fifty percent of the permissible floor area of the building or buildings is certified by the applicant to have been used under the applicable base zoning for at least three years prior to the application, which zoning has been in effect for at least three years; and (1) the proposed use is at least 75 percent for industrial uses; or (2) at which: (i) the proposed use is at least 75 percent for commercial or commercial and industrial uses; (ii) the proposed development could not take place without substantial government assistance, as certified by the municipality in which the site is located; and (iii) one or more of the following conditions exists, as certified by the applicant: (a) property tax payments have been in arrears for at least five years immediately prior to the application; (b) a building is presently condemned, or presently exhibits documented structural deficiencies, as certified by a professional engineer, which present a public health or safety hazard; or (c) there are no structures. "Substantial government assistance" shall mean a substantial loan, grant, land purchase subsidy, land purchase cost exemption or waiver, or tax credit, or some combination thereof, from a governmental entity.

Supplemental Questions for Sites Seeking Tangible Property Credits in New York City (continued)

3. If you are seeking a formal determination as to whether your project is eligible for Tangible Property Tax Credits based in whole or in part on its status as an affordable housing project (defined below), you must attach the regulatory agreement with the appropriate housing agency (typically, these would be with the *New York City Department of Housing, Preservation and Development*; *the New York State Housing Trust Fund Corporation*; the *New York State Department of Housing and Community Renewal*; or the *New York State Housing Finance Agency*, though other entities may be acceptable pending Department review). **Check appropriate box, below**:

☐ Project is an Affordable Housing Project - Regulatory Agreement Attached;

☐ Project is Planned as Affordable Housing, But Agreement is Not Yet Available* (*Checking this box will result in a "pending" status. The Regulatory Agreement will need to be provided to the Department and the Brownfield Cleanup Agreement will need to be amended prior to issuance of the CoC in order for a positive determination to be made.);

☐ This is Not an Affordable Housing Project.

From 6 NYCRR 375- 3.2(a) as of August 12, 2016:

(a) "Affordable housing project" means, for purposes of this part, title fourteen of article twenty seven of the environmental conservation law and section twenty-one of the tax law only, a project that is developed for residential use or mixed residential use that must include affordable residential rental units and/or affordable home ownership units.

(1) Affordable residential rental projects under this subdivision must be subject to a federal, state, or local government housing agency's affordable housing program, or a local government's regulatory agreement or legally binding restriction, which defines (i) a percentage of the residential rental units in the affordable housing project to be dedicated to (ii) tenants at a defined maximum percentage of the area median income based on the occupants' households annual gross income.

(2) Affordable home ownership projects under this subdivision must be subject to a federal, state, or local government housing agency's affordable housing program, or a local government's regulatory agreement or legally binding restriction, which sets affordable units aside for home owners at a defined maximum percentage of the area median income.

(3) "Area median income" means, for purposes of this subdivision, the area median income for the primary metropolitan statistical area, or for the county if located outside a metropolitan statistical area, as determined by the United States department of housing and urban development, or its successor, for a family of four, as adjusted for family size.

BCP Application Summary (for DEC use only)

Site Name: Hawkeye Trade Center and Residences **Site Address:** 1405 St Paul Street
City: Rochester **County:** Monroe **Zip:** 14650

Tax Block & Lot
Section (if applicable): 090.84 **Block:** 1 **Lot:** 2.001

Requestor Name: WBS CAPITAL INC **Requestor Address:** 136-20 38TH Avenue Suite 9J
City: Flushing **Zip:** 11354 **Email:** john@schenne.com

Requestor's Representative (for billing purposes)
Name: John Schenne **Address:** Hotel LaFayette - Suite 800
City: Buffalo **Zip:** 14203 **Email:** john@schenne.com

Requestor's Attorney
Name: Francis L. Gorman **Address:** 99 Gamsey Road
City: Pittsford **Zip:** 14534 **Email:** flgorman@harrisbeach.com

Requestor's Consultant
Name: BE3 Corp./Panamerican **Address:** 1270 Niagara Street
City: Buffalo **Zip:** 14213 **Email:** abrennen@be3corp.com

Percentage claimed within an En-Zone: ☐ **0%** ☐ **<50%** ☐ **50-99%** ☑ **100%**

DER Determination: ☐ Agree ☐ Disagree

Requestor's Requested Status: ☑ **Volunteer** ☐ **Participant**

DER/OGC Determination: ☐ Agree ☐ Disagree
Notes:

For NYC Sites, is the Requestor Seeking Tangible Property Credits: ☐ Yes ☐ No

Does Requestor Claim Property is Upside Down: ☐ Yes ☐ No
DER/OGC Determination: ☐ Agree ☐ Disagree ☐ Undetermined
Notes:

Does Requestor Claim Property is Underutilized: ☐ Yes ☐ No
DER/OGC Determination: ☐ Agree ☐ Disagree ☐ Undetermined
Notes:

Does Requestor Claim Affordable Housing Status: ☐ Yes ☐ No ☐ Planned, No Contract
DER/OGC Determination: ☐ Agree ☐ Disagree ☐ Undetermined
Notes:

EXHIBIT A

SECTION I: REQUESTOR INFORMATION

NYSDOS CORP & BUSINESS ENTITY PRINTOUT

NYS Department of State

Division of Corporations

Entity Information

The information contained in this database is current through January 17, 2018.

Selected Entity Name: WBS CAPITAL INC

Selected Entity Status Information

Current Entity Name:	WBS CAPITAL INC
DOS ID #:	5161251
Initial DOS Filing Date:	JUNE 27, 2017
County:	QUEENS
Jurisdiction:	NEW YORK
Entity Type:	DOMESTIC BUSINESS CORPORATION
Current Entity Status:	ACTIVE

Selected Entity Address Information

DOS Process (Address to which DOS will mail process if accepted on behalf of the entity)

WBS CAPITAL INC
136-20 38TH AVENUE
SUITE 9J
FLUSHING, NEW YORK, 11354

Registered Agent

NONE

This office does not record information regarding the names and addresses of officers, shareholders or directors of nonprofessional corporations except the chief executive officer, if provided, which would be listed above. Professional corporations must include the name(s) and address(es) of the initial officers, directors, and shareholders in the initial certificate of incorporation, however this information is not recorded and only available by viewing the certificate.

*Stock Information

# of Shares	Type of Stock	$ Value per Share
200	No Par Value	

*Stock information is applicable to domestic business corporations.

Name History

Filing Date	Name Type	Entity Name
JUN 27, 2017	Actual	WBS CAPITAL INC

A **Fictitious** name must be used when the **Actual** name of a foreign entity is unavailable for use in New York State. The entity must use the fictitious name when conducting its activities or business in New York State.

NOTE: New York State does not issue organizational identification numbers.

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EXHIBIT B

SECTION II: PROJECT DESCRIPTION

PURPOSE OF THE PROJECT

The purpose is to complete a remediation of the property for residential reuse; to reduce the potential exposure to volatile organics associated with vapor migration into the site building and exposure to PCBs and VOCs; to enhance public and environmental health; and to reduce potential impacts to groundwater and nearby surface water.

Current and past use of the property and adjacent properties has been a mix of industrial/commercial, which has impacted environmental media. The residential reuse will require remediation of these impacts. The BCP program will help support the significant remediation costs necessary to redevelop the property for the intended reuse.

DATE REMEDIAL ACTION TO START

The anticipated date remedial activities and renovations are to start are November 2018.

DATE OF ANTICIPATED CERTIFICATE OF COMPLETION

The anticipated date of the certificate of completion is December 2019.

ANTICIPATED USE AFTER REMEDIATION

The proposed Hawkeye Trade Center and Residences project plans to use the property for a mixture of commercial/office space, flex space, and manufacturing. The site will be used to promote economic growth in the area by drawing in a variety of businesses. Further details on the post remediation use have yet to be provided by the requestor.

EXHIBIT C

SECTION III: PROPERTY'S ENVIRONMENTAL HISTORY

INVESTIGATION REPORT (E COPY ONLY)

EXHIBIT D

SECTION III: PROPERTY'S ENVIRONMENTAL HISTORY

Summary

Investigation reports for the property and adjacent properties indicated that potential environmental impacts exist at the property from past activities on the property and from the adjacent/nearby properties. The past investigations on the property include:

- *Phase I Environmental Site Assessment Eastman Kodak Company Hawkeye Facility 1447 St, Paul Street Rochester, New York 14617* completed by Leader Professional Services, Inc. in December 2003
- *Phase II Environmental Site Assessment Eastman Kodak Company Hawkeye Facility 1405 & 1447 St. Paul Street and Associated Parking Lots* completed by Labella Associates, O.P.C.

The Phase I investigation showed that manufacturing/industrial processes have occurred on the property since at least the early 1900's. The property has served as a New York State Railway repair, maintenance, and machine shop dating back to 1911. The Rochester Transit Corporation used the property as an equipment repair shop. The southeast corner of the property formerly contained a gas station in the early to mid - 1900's reportedly operated by Esso. Impacts from these two properties have not been determined. The Eastman Kodak Company purchased the property in approximately 1942 and began using the property for offices, laboratory, non-hazardous and hazardous waste, and equipment assembly. The Kodak facility was known to create optical lens equipment with thorium glass. Multiple thorium glass settling pits were noted in the Phase I on the adjacent parcel (1447 St. Paul Street). A drywell was also located off the southwest corner of the property. The existence of USTs associated with the onsite gas station are unknown. In addition to the former gasoline filling station on site, two additional filling stations existed on adjacent parking lots (Lot #5 and #11).

The Phase II on the property shows contaminants of concern to primarily be associated with VOCs, specifically TCE. TCE was found at 13.6 ppb, exceeding NYCRR Part 703 in a monitoring well located on the property. Hydraulically down gradient monitoring well samples also had levels of TCE, but the source of these readings is unknown. Two vapor intrusion and indoor air samples were taken at the north and south ends of the property. Sub slab vapor intrusion and indoor air sampling shows TCE across the site. The May 2017 NYSDOH decision matrices results are Mitigate for both samples. Historically, a gasoline filling station was located on site, however, the Phase II did not conduct sampling in this area. A previous Phase II also shows metals and SVOC exceeding NYCRR 703.5 Groundwater Quality Standards on the property in May 2004.

EXHIBIT E

SECTION IV: PROPERTY INFORMATION

PROPERTY NARRATIVE AND ENVIRONMENTAL ASSESSMENT

Location

The property is in a suburban area roughly in the center of the City of Rochester municipality, north of downtown area; approximately a half a mile south of State Route 104; along the Genesee River. The property sits at the northeast corner of the intersection of St. Paul Street and Avenue E. The property is located within the Group 14261 Neighborhood Revitalization Plan BOA. The property is in an En-Zone.

Site Features

The main site features include a large manufacturing/office building which comprises most of the parcel. A small driveway is located to the north off St. Paul Street and wraps around the northwest corner of the building. The property is surrounded by another former Kodak Company building associated with manufacturing uses (1447 St. Paul Street) along its west and north borders. Seneca Park and the Genesee River gorge sit to the west.

Current Zoning and Land Use

Currently the property is vacant and is zoned for M-1; industrial use. The property is surrounded by additional industrial uses. Residential zones begin a few blocks to the south, east and northeast of the property. The Rochester school for the deaf exists to the immediate north of the property and Seneca park; O-S: open space zoning, exists to the west along the Genesee River.

Past Use of the Site

The property has been associated with industrial/manufacturing since the early 1900's. Before the current owner's purchase in 1942, the property had multiple uses associated with transportation. The New York State Railway machine and repair shop was located on the property in 1911, Rochester Transit Corporation rail car maintenance was previously located at the facility in the late 1930's until Kodak purchased the property in 1942, as well as a former gasoline filling station in the early to mid-1900's. Impacts of these uses are currently unknown; however, petroleum and chlorinated solvent contamination sources are associated with these uses. Eastman Kodak Company purchased the property in 1942. The Kodak Hawkeye Facility manufactured optical lenses and equipment using thorium glass. The current building was erected (Building 5 in previous reports) and was used for office space, equipment assembly, non-hazardous and hazardous waste storage laboratory, and cafeteria. A building labeled "kerosene" was discovered on the property in the northwest corner from the 1950 Sanborn map. Potential sources of contamination include a former drywell of unknown located southwest of the property, previous contamination of solvents below Building 5 from past site use, past releases

from the small kerosene labeled building, and petroleum migration from the former gas station at Lot #11.

Site Geology and Hydrogeology

Based on the previous environmental reports, site soil has been generally classified as fine sand and fine to coarse gravel with some silt and clay at deeper depths of soil borings. Silt and clay have been noted at shallower depths towards western edge of the property and the Genesee River gorge. Groundwater flow direction has been determined to flow west towards the Genesee River with a depth to groundwater of approximately 8 to 10 feet bgs.

Environmental Assessment

Based on the previous environmental investigations, the primary contaminants of concern are TCE, SVOCs, and metals in groundwater and soil vapor. TCE was detected in MW-12 located west of Building 5 on the property. Concentration of TCE (13.6 ppb) exceeded NYCRR 703 Groundwater Quality Standards. TCE and dichloroethylene were also discovered in a hydraulically down gradient monitoring well just off the western edge of the property line. Metals and SVOCs were also detected above NYSDEC groundwater standards in the northeast corner of the parcel. These were detected in the 2005 investigation. Sub slab vapor intrusion samples showed TCE in sub slab and indoor air samples. TCE in sub slab samples ranged from 110 to 260 ug/m^3 and in indoor air samples ranged from 1.3 to 2.5 ug/m^3 in both the northern and southern sections of the site. The May 2017 NYSDOH Decision Matrices calls for Mitigation based on these results. The former gasoline filling station on site is believed to pose a petroleum impact, however sampling of the suspected contaminants was not completed in the earlier investigation.

EXHIBIT F

SECTION VI CURRENT PROPERTY OWNER/OPERATOR INFORMATION

CURRENT OWNERS

Eastman Kodak Company
343 State St
Rochester, NY 14650
585-724-4000

RELATIONSHIP OF REQUESTOR TO CURRENT AND PREVIOUS OWNERS AND OPERATORS

NONE. The requestor has no relationship to the current or previous owners or current or past operators of the property.

PREVIOUS OWNERS AND OPERATORS

Chain of Use

2015 – Eastman Kodak Company (previous owner and operator)
1942 – Eastman Kodak Company (previous owner and operator)
1938 – Rochester Transit Corporation (formerly New York State Railway) (previous owner and operator)
1930 – New York State Railways (previous owner and operator) & Colonial Beacon Oil Corporation and Esso Gasoline (Currently Exxon) (previous owner and operator)
1911 – New York State Railways (previous owner and operator)

LAST KNOWN ADDRESS AND TELEPHONE NUMBERS OF THE PREVIOUS OWNERS/OPERATORS

Eastman Kodak Company (Current Owner)
343 State St
Rochester, NY 14650
585-724-4000

Rochester Transit Corporation (formerly New York State Railways)
Out of Business

ExxonMobil (formerly Esso Gasoline – formerly Colonial Beacon Oil Corporation)
Fuels and Lubricants Product Information
No address given
1-800-662-4524

EXHIBIT G

SECTION VII. REQUESTOR ELIGIBILITY INFORMATION

VOLUNTEER STATEMENT

The requestor has answered no to all but one eligibility question.

The requestor is certifying that they are volunteers and their liability arises solely because of future ownership and development of the Site after the disposal of hazardous waste or discharge of petroleum.

The requestors have not yet purchased the property and certify that they have exercised appropriate care with respect to the chemical impacts found at the property by:

- Obtaining and reviewed a recently completed Phase I Environmental Site Assessment (ESA) completed on the property by others which identified potential recognized environmental conditions;
- Completed a detailed review of past investigations which identified chemical release concerns; and
- Identified the BCP program to further investigate and remediate the concerns.

The requestor has not initiated any operations or property use that would contribute to environmental impacts to the property. As a result, the requestor is a volunteer; was not the owner of the site at the time of the release of chemical impacts and is not the person responsible for the contamination.

The Requestor has no legal relationship beyond the real estate contract to purchase the property. Eastman Kodak Company will have absolutely no involvement with the development activities of the Requestor going forward. Because acceptance into the BCP is a condition precedent of the real estate contract, Eastman Kodak Company remains in title currently and the Requestor is the contract-vendee.

EXHIBIT H
SECTION VII: REQUESTOR ELIGIBILITY INFORAMTION

Proof of Site Access
CERTIFICATION

Date: January 24, 2018
Property Address: 1405 St. Paul Street, Rochester, NY
Property/Parcel Owner Name: Eastman Kodak Company
Property Owner Address: 343 State Street, Rochester, NY 14650-0208
Applicant Name: WBS Capital, Inc.
BCP Project Number: N/A

The undersigned hereby certified as follows:

1.) I am duly authorized to furnish this Certification on behalf of **Eastman Kodak Company** (the "Owner").

2.) As of the date hereof, the Owner is the fee simple owner of the property located at 1405 St. Paul Street, Rochester, NY 14261 (the "Property").

3.) The Owner is aware that (a) WBS Capital, Inc. (the "Applicant") is filing a Brownfield Cleanup Program Application ("BCPA") relating to the Property.

4.) The Owner has no objection to the Applicant filing the BCPA with the New York State Department of Environmental Conservation.

5.) This will confirm that the Applicant has been granted legal access to the Property for the purposes of the BCPA and will be granted all necessary legal access, including an easement, if required, to complete the remediation of the Property.

IN WITNESS WHEREOF, this Certification has been duly executed and delivered as of the date set forth above.

Eastman Kodak Company

By: Arline M Liberti

Name: Arline M Liberti

Title: VP Corporate Real Estate

EXHIBIT I

SECTION IX: CONTACT LIST INFORMATION

1. THE CHIEF EXECUTIVE OFFICER AND PLANNING BOARD/DEPT. CHAIR OF EACH COUNTY, CITY, TOWN AND VILLAGE IN WHICH THE PROPERTY IS LOCATED.

Monroe County

County Executive – Cheryl Dinolfo
110 County Office Building
39 W. Main St.
Rochester, NY 14614
Phone:(585) 753-1000
Email: countyexecutive@monroecounty.gov

Chief Economic Development Officer – Jeff Adair
City Place
50 W. Main St
Rochester, NY 14614
Phone: (585) 753-2000
Email: mcplanning@monroecounty.gov

City of Rochester

Mayor – Lovely A. Warren
City Hall, Room 307A
30 Church St
Rochester, NY 14614
Mayor's Office Telephone: (585) 428-7045

City Planning Commission Chair - David L. Watson
Division of Zoning
City Hall, Room 125B
Rochester, NY 14614
Phone: (585) 428-6914

2. RESIDENTS, OWNERS, AND OCCUPANTS OF THE PROPERTY AND PROPERTIES ADJACENT TO THE PROPERTY.

Property Owners

Eastman Kodak Company
343 State St
Rochester, NY14650

Adjacent Property Owners

Eastman Kodak Company (090.84-1-3.001, 090.76-24.002, 090.84-1-22.001, 1364-1368, 090.84-1-39, 090.84-1-42.001, 090.84-1-69, 090.84-1-68)
343 State St
Rochester, NY14650

RCS Property Holdings LLC (090.84-1-21.001)
1400 St Paul St
Rochester, NY 14621

3. LOCAL NEWS MEDIA FROM WHICH THE COMMUNITY TYPICALLY OBTAINS INFORMATION.

News Papers

CITY Newspaper
250 N. Goodman St.
Rochester, NY 14607
Phone: 585-244-3329
Fax: 585-244-1126

Rochester Democrat and Chronicle
245 E Main St.
Rochester, NY 14604
(585) 232-7100

TV

R News
YNN Rochester
71 Mt. Hope Ave.
Rochester, NY 14620
585-756-2424

WROC
201 Humboldt St.
Rochester, New York 14610
585-288-8400

4. THE PUBLIC WATER SUPPLIER WHICH SERVICES THE AREA IN WHICH THE PROPERTY IS LOCATED

Public Water Supplier:

City of Rochester Bureau of Water
10 Felix St
Rochester, NY 14608

County:

Monroe County Water Authority
475 Norris Dr
P.O. Box 10999
Rochester, NY 14610

5. ANY PERSON WHO HAS REQUESTED TO BE PLACED ON THE CONTACT LIST.

Monroe County Planning Manager
Thomas Goodwin
8100 City Place
50 W. Main St.
Rochester, NY 14614
Phone: 585 753-2000
mcplanning@monroecounty.gov

Group 14621 Community Association, Inc.
A Subsidiary of North East Area Development, Inc./NEAD
1171 North Clinton Avenue
Rochester, New York 14621
Phone 585.266.4693
group14621@group14621.com

6. THE ADMINISTRATOR OF ANY SCHOOL OR DAY CARE FACILITY LOCATED ON OR NEAR THE PROPERTY.

There are no schools/day care facilities on the property.

Rochester School for the Deaf
1545 St Paul St
Rochester, NY 14621
Phone: 585-544-1240
Administrator: Gary Meyer

7. THE LOCATION OF A DOCUMENT REPOSITORY FOR THE PROJECT (E.G., LOCAL LIBRARY).

Lincoln Branch Library
851 Joseph Ave
Rochester, NY 14261
Phone: 585-428-8210

8. COMMUNITY BOARD – NOT APPLICABLE

EXHIBIT J

SECTION IX: CONTACT LIST INFORMATION

LIBRARY ACKNOWLEDGEMENT LETTER

Lincoln Branch Library
Mr. Jason Gogniat
851 Joseph Ave
Rochester, NY 14621

BE3 CORP
PANAMERICAN
ENVIRONMENT • ENGINEERING • ENERGY

1270 Niagara Street
Buffalo, NY 14213
716.249.6880 be3corp.com

1/19/2018

Mr. Jason Gogniat
Lincoln Branch Library
851 Joseph Ave
Rochester, NY 14621

Re: BCP Project 1405 St Paul Street, Rochester, NY

Dear Mr. Gogniat

WBS Capital Inc. is in the process of applying to the New York State Department of Environmental Conservation (NYSDEC) Brownfield Cleanup Program (BCP) for a project at 1405 St Paul Street, Rochester, NY. On behalf of the project applicant, WBS Capital Inc. I am requesting that the Lincoln Branch Library function as the document repository for the public documents associated with this project. The project documentation may include the application, work plans, investigation reports and management plans etc. associated with the project. Currently the project is anticipating initiating activities in early 2018 with the application and ending in late 2018.

The process requires that we receive formal acknowledgement that your library agrees to function as a document repository for this project. Your acceptance of the use of the Lincoln Branch Library as a document repository for the project may be indicated by signing in the space provided below or by providing a letter indicating acceptance.

Thank you for agreeing to function in this capacity. If you have any question, please call me at 716-249-6880.

Sincerely,

Alex Brennen, EIT
BE3 Corp./Panamerican

Lincoln Branch Library accepts the role of Public Repository for 1405 St Paul Street BCP project documents.

Accepted by:

_____Jason Gogniat_____
Name

____Lincoln Branch Library_____
Library Name
Branch Manager

_____
Title

_____1/22/2018_____
Date

EXHIBIT K

SECTION X: LAND USE FACTORS

CURRENT ZONING

The property at 1405 St. Paul Street is currently zoned for M-1, Industrial District. The M-1 Industrial District in the City of Rochester allows for industrial uses and complimentary uses. Redevelopment of former industrial facilities is encouraged in the M-1, industrial district to accommodate commercial and residential needs as well.

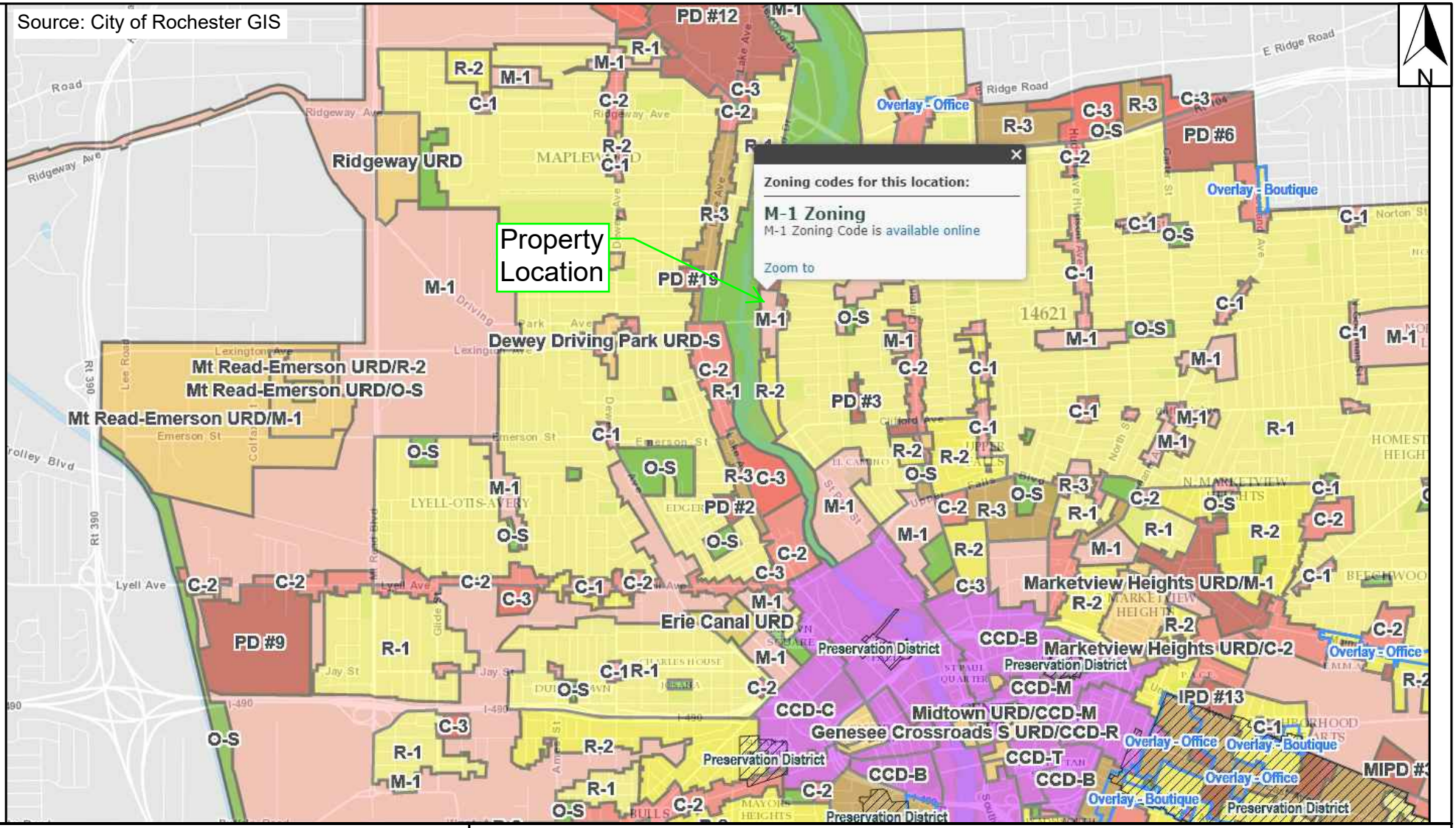
Surrounding parcels are also within the same zoning ordinance. The primary zoning in the surrounding area is residential to the north, east, and south. The Rochester school for the deaf exists to the immediate north of the property and Seneca Park; O-S: open space zoning, exists to the west along the Genesee River.

CURRENT USE

The former Kodak office/warehouse space is now vacant. The former Kodak operations were halted in 2015. Original manufacturing equipment and processes have been removed and specific contaminant sources pertaining to this cannot be determined. Contaminant source areas on the property are not suspected due to current vacancy. The Phase II identifies previous potential contaminant sources as the former gasoline filling station, former railway repair and machine shop, a 1950 Sanborn Map building labeled kerosene, and possible petroleum migration from upgradient Lot #11.

REASONABLY ANTICIPATED USE POST REMEDIATION

The proposed Hawkeye Trade Center and Residences project plans to use the property for a mixture of manufacturing, commercial/office space, and flex space. The site will be used to promote economic growth in the area by drawing in a variety of businesses.



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Buffalo, NY 14213
716.249.6880 be3corp.com

Zoning Map

1405 St. Paul Street	1/22/2018
Rochester, NY	WBS Capital, Inc.

FIGURES 1a-d

SECTION III: PROPERTY'S ENVIRONMENTAL HISTORY

SITE MAPS – SOIL LABORATORY DATA TABLES

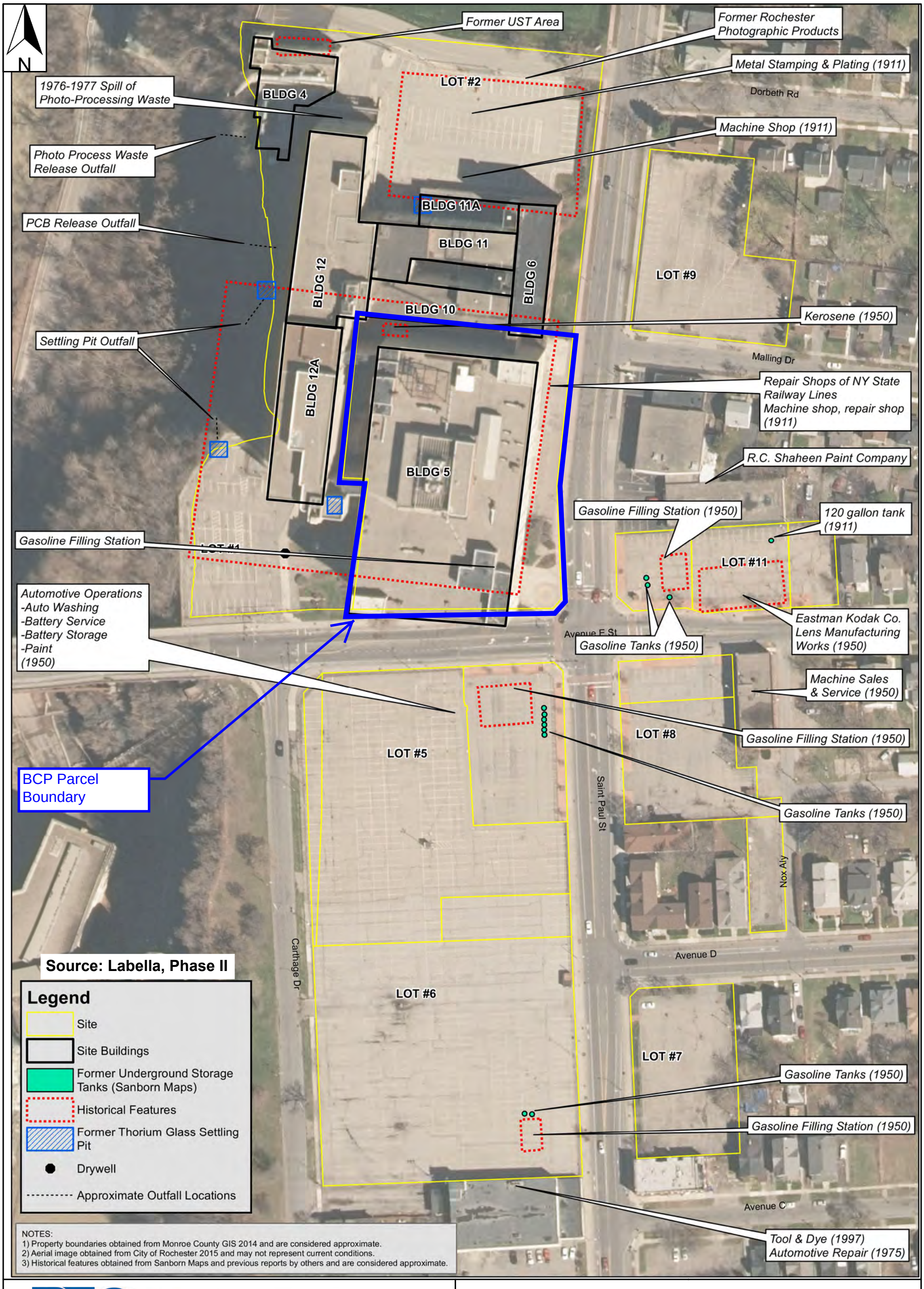

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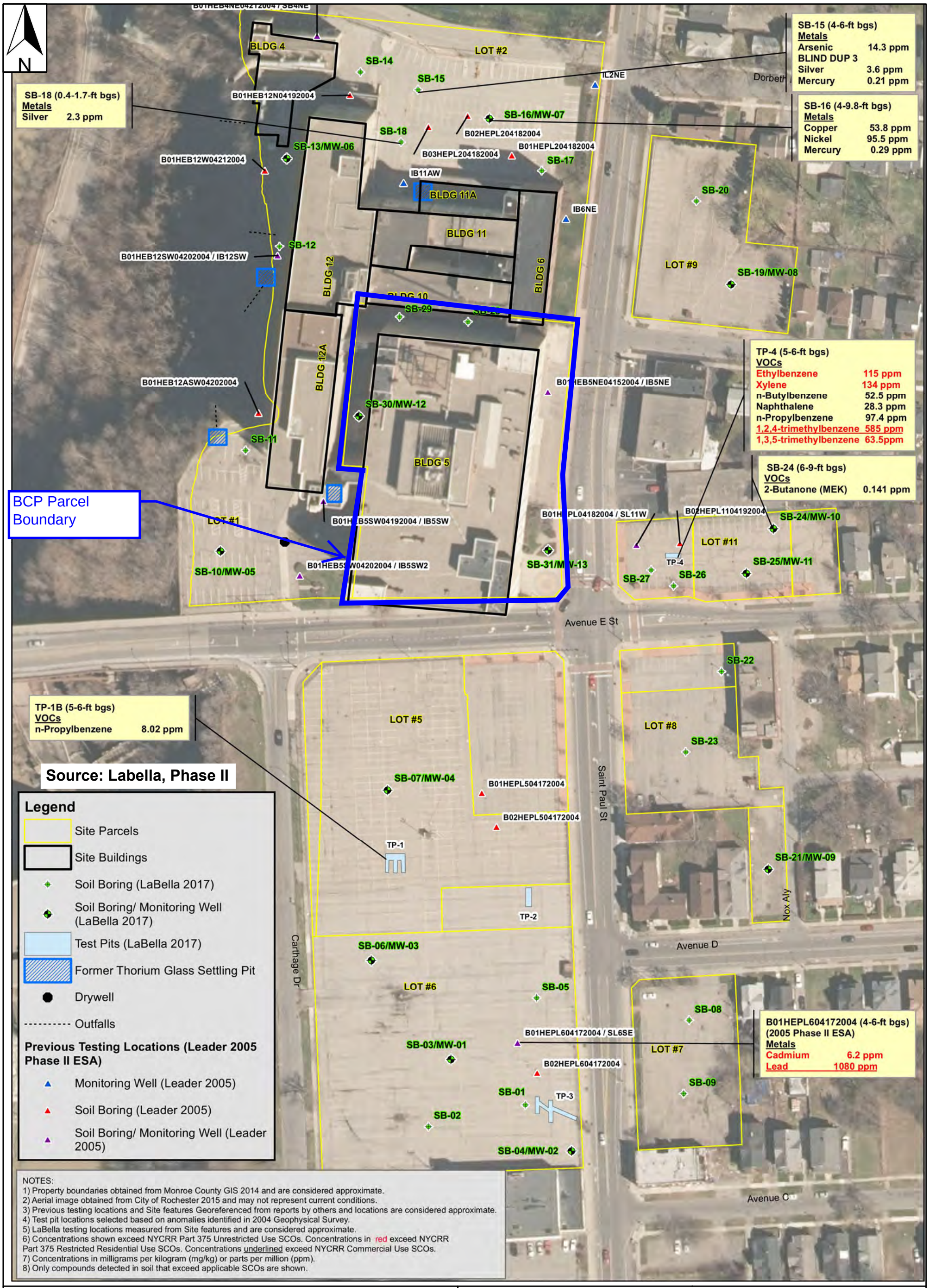
Figure 1a: Site Map □Historical □se Features

1405 St. Paul Street	1/2□/2018
Rochester, NY	WBS Capital, Inc.



NOTES:
1) Property boundaries obtained from Monroe County GIS 2014 and are considered approximate.
2) Aerial image obtained from City of Rochester 2015 and may not represent current conditions.
3) Previous testing locations and Site features Georeferenced from reports by others and locations are considered approximate.
4) Test pit locations selected based on anomalies identified in 2004 Geophysical Survey.
5) LaBella testing locations measured from Site features and are considered approximate.
6) Concentrations shown exceed NYCRR Part 375 Unrestricted Use SCOs. Concentrations in red exceed NYCRR Part 375 Restricted Residential Use SCOs. Concentrations underlined exceed NYCRR Commercial Use SCOs.
7) Concentrations in milligrams per kilogram (mg/kg) or parts per million (ppm).
8) Only compounds detected in soil that exceed applicable SCOs are shown.

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Figure 1□: Site Map □I□pacts to Soil

1405 St. Paul Street	1/2□/2018
Rochester, NY	WBS Capital, Inc.

Phase II ESA
Eastman Kodak Company
Hawkeye Facility
St. Paul Street
Rochester, New York

Table 1- Page 1 of 2
Summary of Detected Compounds in Soil

Sample ID	Units	NYCRR Part 375 Unrestricted Use SCOs	NYCRR Part 375 Restricted Residential Use SCOs	NYCRR Part 375 Commercial Use SCOs	TP-1B	TP-4	SB-01	SB-02	SB-10	SB-10	SB-11	SB-13	SB-13	SB-13	SB-13	SB-14	SB-15	SB-16	SB-17	SB-18	SB-18
Sample Depth (ft bgs)					5-6	5-6	11-13	8-10	9-10	10-11	11-12	6-8	7-10	8-11	11-11.8	1.9-2.4	4-6	4-9.8	0.5-2.3	0.4-1.7	4-5
Sample Date					9/14/2017	9/14/2017	8/30/2017	8/30/2017	8/31/2017	8/31/2017	8/31/2017	8/31/2017	8/31/2017	8/31/2017	8/31/2017	8/31/2017	8/31/2017	8/31/2017	8/31/2017	8/31/2017	8/31/2017
Metals																					
Aluminum	mg/kg	NL	NL	NL			3470					3780					8350	4240	4310	5700	
Antimony	mg/kg	NL	NL	NL			<3.4					<3.3					<3.9	<3.8	<3.2	<3.1	
Arsenic	mg/kg	13	16	16			4.6					6.6					**14.3**	7.0	6.2	5.2	
Barium	mg/kg	350	400	400			36.5					25.5					83.1	22.7	26.5	75.2	
Beryllium	mg/kg	7.2	72	590			0.21 J					0.28					0.35	0.22 J	0.28	0.10 J	
Cadmium	mg/kg	2.5	4.3	9.3			0.25					0.31					0.50	1.6	0.33	0.52	
Calcium	mg/kg	NL	NL	NL			157000					134000					14000	119000	137000	145000	
Chromium	mg/kg	30	180	1500			2.0					2.0					5.3	3.3	2.8	8.0	
Cobalt	mg/kg	NL	NL	NL			3.2					3.4					6.9	4.1	3.1	3.0	
Copper	mg/kg	50	270	270			14.1					17.3					25.8	**53.8**	10.4	12.6	
Iron	mg/kg	NL	NL	NL			9210					10300					22100	11000	10400	9480	
Lead	mg/kg	63	400	1000	NA	NA	16.6	NA	NA	NA	NA	15.7	NA	NA	NA	NA	16.6	18.8	20.6	21.2	NA
Magnesium	mg/kg	NL	NL	NL			14800					21900					4570	18200	22100	48800	
Manganese	mg/kg	1600	2000	10000			342					334					898	367	277	319	
Nickel	mg/kg	30	310	310			8.2					7.1					16.8	**95.5**	8.4	7.9	
Potassium	mg/kg	NL	NL	NL			1930					2330					1580	1870	2550	1420	
Selenium	mg/kg	3.9	180	1500			<0.57					<5.5					<0.66	<6.3	<5.3	<5.2	
Silver	mg/kg	2	180	1500			<0.57					<0.55					1.2	1.5	1.3	**2.3**	
Sodium	mg/kg	NL	NL	NL			2240					1890					1720	2040	2680	2760	
Thallium	mg/kg	NL	NL	NL			<0.57					0.34 J					0.97	<0.63	0.30 J	<0.52	
Vanadium	mg/kg	NL	NL	NL			6.7					6.7					16.6	8.0	6.9	13.0	
Zinc	mg/kg	109	10000	10000			16.8					43.1					62.3	91.7	59.7	80.2	
Mercury	mg/kg	0.18	0.81	2.8			0.13					0.057					0.13	**0.29**	0.052	0.091	
PCBs																					
PCB-1242	mg/kg	0.1	1	1	NA	NA	NA	NA	<0.0364	NA	<0.0386	NA	<0.0371	NA	NA	NA	NA	NA	NA	NA	NA
Total PCBs	mg/kg	0.1	1	1					ND		ND		ND								
VOCs																					
2-Butanone (MEK)	mg/kg	0.12	100	500	NA	NA	<0.0027	<0.121		<0.0023	<0.0023				<0.0021	0.0035					<0.0025
Acetone	mg/kg	0.05	100	500	NA	NA	<0.0027	<0.121		0.0069	0.0012 J				0.0036	0.0114					0.0131
Cyclohexane	mg/kg	NL	NL	NL	NA	NA	<0.0027	1.7		<0.0023	<0.0023				<0.0021	<0.0026					<0.0025
Ethylbenzene	mg/kg	1	41	390	0.913	**115**	<0.0027	0.100 J		<0.0023	<0.0023				<0.0021	<0.0026					<0.0025
Isopropylbenzene (Cumene)	mg/kg	NL	NL	NL	1.41	23.3	<0.0027	0.255		<0.0023	<0.0023				<0.0021	<0.0026					<0.0025
Methylcyclohexane	mg/kg	NL	NL	NL	NA	NA	<0.0027	8.31		<0.0023	<0.0023				<0.0021	<0.0026					<0.0025
Methylene Chloride	mg/kg	0.05	100	500	NA	NA	0.0024 J	<0.121		0.0018 J	0.0016 J				0.0016 J	0.0014 J					<0.0025
Tetrachloroethene	mg/kg	1.3	19	150	NA	NA	<0.0027	<0.121		<0.0023	<0.0023				<0.0021	0.008					<0.0025
Trichloroethene	mg/kg	0.47	21	200	NA	NA	<0.0027	<0.121		<0.0023	0.0012 J				<0.0021	0.0436					0.0017 J
Xylene (Total)	mg/kg	0.26	100	500	<0.5	**134**	<0.0055	0.120 J		<0.0047	<0.0046				<0.0043	<0.0052					<0.0049
cis-1,2-Dichloroethene	mg/kg	0.25	100	500	NA	NA	<0.0027	<0.121	NA	<0.0023	<0.0023	NA	NA	NA	<0.0021	0.0014 J	NA	NA	NA	NA	<0.0025
n-Butylbenzene	mg/kg	12	NL	NL	9.38	**52.5**	<0.0027	NA		NA	NA				NA	NA					NA
sec-Butylbenzene	mg/kg	11	100	500	4.43	<2.82	<0.0027	NA		NA	NA				NA	NA					NA
tert-Butylbenzene	mg/kg	5.9	100	500	<0.25	<2.82	<0.0027	NA		NA	NA				NA	NA					NA
p-Isopropyltoluene	mg/kg	NL	NL	NL	0.983	9.6	<0.0027	NA		NA	NA				NA	NA					NA
Methyl tert-butyl ether	mg/kg	0.93	100	500	<0.25	<2.82	<0.0027	<0.121		<0.0023	<0.0023				<0.0021	0.0014 J					<0.0025
Naphthalene	mg/kg	12	100	500	0.365	**28.3**	<0.0027	NA		NA	NA				NA	NA					NA
n-Propylbenzene	mg/kg	3.9	100	500	**8.02**	**97.4**	<0.0027	NA		NA	NA				NA	NA					NA
Toluene	mg/kg	0.7	100	500	<0.25	<2.82	<0.0027	<0.121		<0.0023	<0.0023				<0.0021	0.0014 J					<0.0025
1,2,4-trimethylbenzene	mg/kg	3.6	52	190	<0.25	**585**	<0.0027	NA		NA	NA				NA	NA					NA
1,3,5-trimethylbenzene	mg/kg	8.4	52	190	<0.25	**63.5**	<0.0027	NA		NA	NA				NA	NA					NA
SVOCs																					
2-Methylnaphthalene	mg/kg	NL	NL	NL	NA	NA	<0.0800							<0.0751		<0.0822					
Naphthalene	mg/kg	12	100	500	<0.0817	7.05	<0.0800	NA	NA	NA	NA	NA	NA	<0.0751	NA	<0.0822	NA	NA	NA	NA	NA
Phenanthrene	mg/kg	100	100	500	<0.0817	0.0925	<0.0800							<0.0751		<0.0822					
Thorium																					
Thorium-228	pCi/g	6.06[A]	6.06[A]	6.06[A]																	
Thorium-230	pCi/g	6.06[A]	6.06[A]	6.06[A]	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Thorium-232	pCi/g	6.06[A]	6.06[A]	6.06[A]																	

NOTES:
"<" indicates compound not detected above laboratory method detection limit (MDL) with the limit shown
Thorium data displayed as "Activity (± Uncertainty - 95% Confidence Interval)".
[A]Part 375 comparison criteria not listed for radionuclides. Values shown are the "General Soil Screening Levels for Radionuclides: Migration to Groundwater: 20DAF" obtained from Appendix A of the USEPA's Soil Screening Guidance for Radionuclides Technical Background Document.
"20 DAF" indicates a dilution factor of 20 to account for natural processes that reduce contaminant concentrations in the subsurface.
VOCs analyzed by USEPA Method 8260
SVOCs analyzed by USEPA Method 8270
Metals analyzed by USEPA Method 6010/7470
PCBs analyzed by USEPA Method 8082
Thorium Isotopes analyzed by USEPA Method HSL 300
Bold font indicates value above NYCRR Part 375 6-8 (a) Unrestricted Use SCOs
Yellow highlighted cells indicates value above NYCRR Part 375 6-8 (b) Restricted Residential Use SCOs
Red font indicates value above NYCRR Part 375-6.8(b) Commercial Use SCOs
NL indicates Not Listed
NA indicates Not Analyzed
ND indiates non-detect
J indicates an estimated value
* indicates data not yet received from laboratory.

Phase II ESA
Eastman Kodak Company
Hawkeye Facility
St. Paul Street
Rochester, New York

Table 1- Page 2 of 2
Summary of Detected Compounds in Soil

Sample ID	Units	NYCRR Part 375 Unrestricted Use SCOs	NYCRR Part 375 Restricted Residential Use SCOs	NYCRR Part 375 Commercial Use SCOs	SB-22	SB-24	SB-26	SB-27	SB-29	SB-29	SB-29	SB-30	SB-31	BLIND DUP 1 (SB-10)	BLIND DUP 1 (SB-10)	BLIND DUP 2 (SB-13)	BLIND DUP 3 (SB-15)	BLIND DUP-4 (SB-26)	BLIND DUP-5 (SB-27)	BLIND DUP-6 (SB-29)	BLIND DUP-6 (SB-29)	BLIND DUP-7 (SB-30)
Sample Depth (ft bgs)					8-10	6-9	6.5-10	7-10	4-4.8	6-8	8-8.4	6-8.6	3-6	9-10	10-11	8-11	4-6	6.5-10	7-10	8-8.4	6-8	6-8.6
Sample Date					9/1/2017	9/1/2017	9/1/2017	9/1/2017	9/6/2017	9/6/2017	9/6/2017	9/6/2017	9/6/2017	8/31/2017	8/31/2017	8/31/2017	8/31/2017	9/1/2017	9/1/2017	9/6/2017	9/6/2017	9/6/2017
Metals																						
Aluminum	mg/kg	NL	NL	NL	3530		3870					3500					10000	6500				6120
Antimony	mg/kg	NL	NL	NL	<3.5		<3.7					<3.2					<4.0	<3.5				<3.7
Arsenic	mg/kg	13	16	16	2.7		4.3					8.1					11.5	8.0				8.1
Barium	mg/kg	350	400	400	43.1		36.3					44.9					93.3	47.1				37
Beryllium	mg/kg	7.2	72	590	<0.29		0.058 J					0.20 J					0.47	0.14 J				0.26 J
Cadmium	mg/kg	2.5	4.3	9.3	0.19		0.24					0.37					0.71	0.42				0.36
Calcium	mg/kg	NL	NL	NL	27800		42400					156000					33700	99700				14400
Chromium	mg/kg	30	180	1500	3.0		6.1					2.2					9.3	8.3				4.5
Cobalt	mg/kg	NL	NL	NL	3.7		4.1					4.5					8.2	6.3				7.6
Copper	mg/kg	50	270	270	9.6		13.9					12.5					40.8	19.8				15.9
Iron	mg/kg	NL	NL	NL	9320		9690					11600					21100	14900				16100
Lead	mg/kg	63	400	1000	1.9	NA	7.2	NA	NA	NA	NA	9.6	NA	NA	NA	NA	40.1	10.8	NA	NA	NA	12.7
Magnesium	mg/kg	NL	NL	NL	6060		10500					7630					13600	13800				6250
Manganese	mg/kg	1600	2000	10000	311		350					862					1030	778				630
Nickel	mg/kg	30	310	310	7.6		8.7					9.1					25.4	13.3				16.5
Potassium	mg/kg	NL	NL	NL	698		1060					1230					2330	1770				986
Selenium	mg/kg	3.9	180	1500	<0.58		<0.62					<0.53					<6.7	<0.59				<6.2
Silver	mg/kg	2	180	1500	<0.58		<0.62					<0.53					**3.6**	<0.59				<0.62
Sodium	mg/kg	NL	NL	NL	814		1330					1290					2380	1840				<312
Thallium	mg/kg	NL	NL	NL	0.22 J		0.26 J					0.49 J					0.98	0.79				0.31 J
Vanadium	mg/kg	NL	NL	NL	11.8		11.5					6.7					20.1	15.5				11.6
Zinc	mg/kg	109	10000	10000	18.2		53.3					37.1					90.4	47.5				45.9
Mercury	mg/kg	0.18	0.81	2.8	0.029 J		0.045					0.057					**0.21**	0.043				0.06
PCBs																						
PCB-1242	mg/kg	0.1	1	1	NA	NA	NA	NA	NA	0.0647	NA	<0.0370	NA	<0.0398	NA	NA	NA	NA	NA	NA	<0.0398	NA
Total PCBs	mg/kg	0.1	1	1						0.0647		ND		ND							ND	
VOCs																						
2-Butanone (MEK)	mg/kg	0.12	100	500	<0.0024	**0.141**	<0.124	0.105				<0.0026						0.0977		<0.0023		
Acetone	mg/kg	0.05	100	500	<0.0024	<0.111	<0.124	<0.0852				<0.0026						<0.0824		<0.0023		
Cyclohexane	mg/kg	NL	NL	NL	<0.0024	<0.111	<0.124	<0.0852				<0.0026						<0.0824		<0.0023		
Ethylbenzene	mg/kg	1	41	390	<0.0024	<0.111	0.143	0.221				<0.0026						0.856		<0.0023		
Isopropylbenzene (Cumene)	mg/kg	NL	NL	NL	<0.0024	<0.111	<0.124	0.180				<0.0026						0.349		<0.0023		
Methylcyclohexane	mg/kg	NL	NL	NL	<0.0024	<0.111	<0.124	<0.0852				<0.0026						<0.0824		<0.0023		
Methylene Chloride	mg/kg	0.05	100	500	0.0021 J	<0.111	<0.124	<0.0852				<0.0026						<0.0824		<0.0023		
Tetrachloroethene	mg/kg	1.3	19	150	<0.0024	<0.111	<0.124	<0.0852				<0.0026						<0.0824		<0.0023		
Trichloroethene	mg/kg	0.47	21	200	<0.0024	<0.111	<0.124	<0.0852				0.0121						<0.0824		<0.0023		
Xylene (Total)	mg/kg	0.26	100	500	<0.0047	<0.223	<0.248	0.114 J				<0.0052						0.115 J		<0.0045		
cis-1,2-Dichloroethene	mg/kg	0.25	100	500	<0.0024	<0.111	<0.124	<0.0852	NA	NA		<0.0026	NA	NA	NA			<0.0824	NA	<0.0023	NA	NA
n-Butylbenzene	mg/kg	12	NL	NL	NA	NA	NA	NA				NA						NA		NA		
sec-Butylbenzene	mg/kg	11	100	500	NA	NA	NA	NA				NA						NA		NA		
tert-Butylbenzene	mg/kg	5.9	100	500	NA	NA	NA	NA				NA						NA		NA		
p-Isopropyltoluene	mg/kg	NL	NL	NL	NA	NA	NA	NA				NA						NA		NA		
Methyl tert-butyl ether	mg/kg	0.93	100	500	<0.0024	<0.111	<0.124	<0.0852				<0.0026						<0.0824		<0.0023		
Naphthalene	mg/kg	12	100	500	NA	NA	NA	NA				NA						NA		NA		
n-Propylbenzene	mg/kg	3.9	100	500	NA	NA	NA	NA				NA						NA		NA		
Toluene	mg/kg	0.7	100	500	<0.0024	<0.111	<0.124	<0.0852				<0.0026						<0.0824		<0.0023		
1,2,4-trimethylbenzene	mg/kg	3.6	52	190	NA	NA	NA	NA				NA						NA		NA		
1,3,5-trimethylbenzene	mg/kg	8.4	52	190	NA	NA	NA	NA				NA						NA		NA		
SVOCs																						
2-Methylnaphthalene	mg/kg	NL	NL	NL				1.430								<0.0747			0.194			
Naphthalene	mg/kg	12	100	500	NA	NA	NA	1.240	NA	NA	NA	NA	NA	NA	NA	<0.0747	NA	NA	0.139	NA	NA	NA
Phenanthrene	mg/kg	100	100	500				<0.0857								<0.0747			<0.0745			
Thorium																						
Thorium-228	pCi/g	6.06[A]	6.06[A]	6.06[A]					0.560 (±0.212)				0.443 (±0.222)									
Thorium-230	pCi/g	6.06[A]	6.06[A]	6.06[A]	NA	NA	NA	NA	0.473 (±0.184)	NA	NA	NA	0.415 (±0.196)	NA	NA	NA	NA	NA	NA	NA	NA	NA
Thorium-232	pCi/g	6.06[A]	6.06[A]	6.06[A]					0.742 (±0.239)				0.478 (±0.212)									

NOTES:
"<" indicates compound not detected above laboratory method detection limit (MDL) with the lin
Thorium data displayed as "Activity (± Uncertainty - 95% Confidence Interval)".
[A]Part 375 comparison criteria not listed for radionuclides. Values shown are the "General Soil S
"20 DAF" indicates a dilution factor of 20 to account for natural processes that reduce contamina
VOCs analyzed by USEPA Method 8260
SVOCs analyzed by USEPA Method 8270
Metals analyzed by USEPA Method 6010/7470
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Thorium Isotopes analyzed by USEPA Method HSL 300
Bold font indicates value above NYCRR Part 375 6-8 (a) Unrestricted Use SCOs
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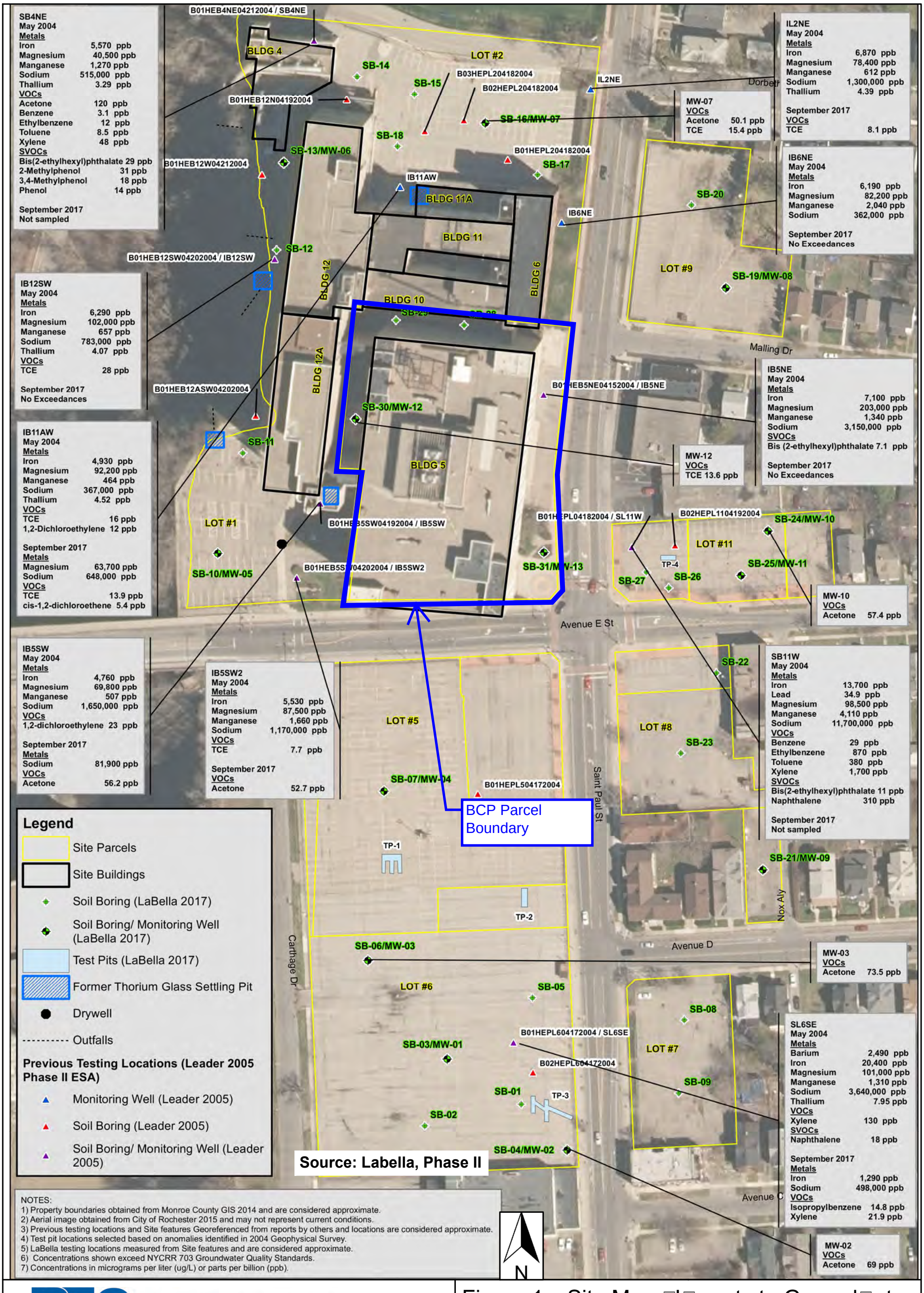

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Figure 1c: Site Map □I□pacts to Ground□ater

1405 St. Paul Street	1/2□/2018
Rochester, NY	WBS Capital, Inc.

On-Site Monitoring Well

Phase II ESA
Eastman Kodak Company
Hawkeye Facility
St. Paul Street
Rochester, New York

Table 2- Page 1 of 3
Summary of Detected Compounds in Groundwater

Sample ID	Units	NYSDEC Groundwater Quality Standards	MW-01	MW-02	MW-03	MW-04	MW-07	MW-08	MW-09	MW-10	MW-11	MW-12
Screened Interval (ft bgs)			5-10	7-12	4-9	3.5-8.5	4.5-9.5	8.3-18.3	10.8-15.8	8.5-13.5	2.5-12.5	3.6-8.6
Sample Date			9/6/2017	9/6/2017	9/6/2017	9/6/2017	9/6/2017	9/7/2017	9/6/2017	9/7/2017	9/7/2017	9/7/2017
Metals												
Aluminum	ug/L	NL										
Arsenic	ug/L	25										
Barium	ug/L	1,000										
Cadmium	ug/L	5										
Calcium	ug/L	NL										
Chromium	ug/L	50										
Cobalt	ug/L	NL										
Copper	ug/L	200										
Iron	ug/L	300										
Lead	ug/L	25										
Magnesium	ug/L	35,000	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Manganese	ug/L	300										
Nickel	ug/L	100										
Potassium	ug/L	NL										
Selenium	ug/L	10										
Silver	ug/L	50										
Sodium	ug/L	20,000										
Thallium	ug/L	0.5										
Vanadium	ug/L	NL										
Zinc	ug/L	2,000										
Mercury	ug/L	0.7										
VOCs												
2-Butanone (MEK)	ug/L	50	<5.0	1.5 J	1.8 J	<5.0	<5.0	<5.0	1.8 J	<5.0	1.7 J	3.1 J
2-Hexanone	ug/L	50	<5.0	<5.0	<5.0	<5.0	<5.0	<5.0	<5.0	<5.0	<5.0	1.8 J
Acetone	ug/L	50	45.2	69	73.5	40.9	50.1	40.8	34.7	57.4	31.3	15.9
Benzene	ug/L	1	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	0.72 J
Carbon disulfide	ug/L	60	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	1.2
Ethylbenzene	ug/L	5	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	1.1	<1.0	<1.0
Isopropylbenzene (Cumene)	ug/L	5	<1.0	<1.0	<1.0	1.5	<1.0	<1.0	<1.0	8.3	<1.0	<1.0
Methyl acetate	ug/L	NL	<1.0	<1.0	5.3	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0
Methyl-tert-butyl ether	ug/L	10	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0
Methylcyclohexane	ug/L	NL	<1.0	<1.0	<1.0	3.9	1.2	<1.0	<1.0	<1.0	<1.0	1.3
Tetrachloroethene	ug/L	5	<1.0	<1.0	<1.0	<1.0	2.2	<1.0	<1.0	<1.0	<1.0	<1.0
Toluene	ug/L	5	<1.0	<1.0	1.1	1.5	1.3	<1.0	<1.0	<1.0	<1.0	1.9
Trichloroethene	ug/L	5	<1.0	<1.0	<1.0	<1.0	15.4	<1.0	<1.0	<1.0	<1.0	13.6
Xylene (Total)	ug/L	5	<2.0	<2.0	<2.0	1.3 J	1.0 J	<2.0	<2.0	3.0	<2.0	1.5 J
cis-1,2-Dichloroethene	ug/L	5	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0
trans-1,2-Dichloroethene	ug/L	5	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0
1,2-Dichloroethylene (Total)	ug/L	5	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
SVOCs												
2-Methylnaphthalene	ug/L	NL		<5.0							<5.0	
Acenaphthene	ug/L	20		<5.0							<5.0	
Benzoic Acid	ug/L	NL		NA							NA	
Bis(2-ethylhexyl)phthalate	ug/L	5		NA							NA	
Fluorene	ug/L	50		<5.0							<5.0	
2-Methylphenol	ug/L	1	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
3,4-Methylphenol	ug/L	1		NA							NA	
Phenanthrene	ug/L	50		<5.0							<5.0	
Phenol	ug/L	1		NA							NA	
Pyrene	ug/L	50		<5.0							<5.0	
Naphthalene	ug/L	10		<5.0							<5.0	
Cyanide												
Cyanide	ug/L	200	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Thorium												
Thorium-228	pCi/L	15[(A)]									0.020 (±0.119)	0.098 (±0.231)
Thorium-230	pCi/L	15[(A)]	NA	NA	NA	NA	NA	NA	NA	NA	0.045 (±0.088)	0.040 (±0.111)
Thorium-232	pCi/L	15[(A)]									0.024 (±0.088)	0.009 (±0.111)

NOTES:
"<" indicates compound not detected above laboratory method detection limit (MDL) with the limit shown
Thorium data displayed as "Activity (± Uncertainty - 95% Confidence Interval)".
[(A)]NYCRR Part 703 Groundwater Quality Standard not listed. Values shown are the "Radionuclide Drinking Water Maximum Contaminant Levels" obtained from the USEPA's Soil Screening Guidance for Radionuclides Technical Background Document.
VOCs analyzed by USEPA Method 8260
SVOCs analyzed by USEPA Method 8270
Metals analyzed by USEPA Method 6010/7470
Cyanide analzyed by USEPA Method 9012
Thorium Isotopes analyzed by USEPA Method HSL 300
Yellow highlighted cells indicates value above NYSDEC NYCRR Part 703 Groundwater Quality Standards
NL indicates Not Listed
NA indicates Not Analyzed
2004 samples collected by Leader and the data was obtained from the 2005 Phase II ESA Report by Leader. ND indicates compound not detected
J indicates an estimated value
D indicates result is from a dilution
P indicates preservation
B indicates analyte detected in a blank
* indicates data not yet received from laboratory.

Phase II ESA
Eastman Kodak Company
Hawkeye Facility
St. Paul Street
Rochester, New York

Table 2- Page 2 of 3
Summary of Detected Compounds in Groundwater

Sample ID	Units	NYSDEC Groundwater Quality Standards	IB5NE		IB5SW		IB5SW2		IB6NE		IB11AW		IB12SW		IL2NE		SL6SE		SL11W	SB4NE
Screened Interval (ft bgs)			19.8-29.8		5-15		4.5-19.5		14.5-24.5		13-23		5-15		14-24		5.5-14.5		8.5-22.5	5.6-13.6
Sample Date			5/7/2004	9/7/2017	5/6/2004	9/6-7/2017	5/6/2004	9/6-7/2017	5/7/2004	9/7/2017	5/6/2004	9/7/2017	5/6/2004	9/6-7/2017	5/6/2004	9/7/2017	5/7/2004	9/6-7/2017	5/7/2004	5/6-7/2004
Metals																				
Aluminum	ug/L	NL	2430		1710	97.0 J	499		437		2,100	<200	827		2,110		611	<200	5120	7160
Arsenic	ug/L	25	5.49 J		ND	<10.0	ND		ND		ND	<10.0	6.83 J		ND		4.7 J	<10.0	3.23 J	10.8
Barium	ug/L	1,000	173 J		343	14.2 J	135 J		296		253	122 J	107 J		127 J		2490	63.2 J	796	168 J
Cadmium	ug/L	5	ND		ND	0.19 J	ND		ND		ND	<2.5	ND		ND		ND	<2.5	ND	ND
Calcium	ug/L	NL	761,000 D		447,000	21,800	1,400,000 D		1,220,000 D		408	166,000	363,000		481,000		1,370,000 D	14,400	1,050,000 D	1,450 D
Chromium	ug/L	50	3.51 J		5.24 J	<10.0	ND		ND		3.9 J	<10.0	2.56 J		8.51 J		ND	<10.0	10.4	6.46 J
Cobalt	ug/L	NL	ND		ND	<50.0	34.1 J		ND		ND	1.1 J	13.3 J		ND		ND	<50.0	ND	ND
Copper	ug/L	200	16.5 J		7.3 J	<25.0	ND		ND		ND	<25.0	9.61 J		8.09 J		ND	<25.0	30.7	9.55 J
Iron	ug/L	300	7100		4760	131	5530		6190		4,930	<200	6290		6870		20,400	1,290	13,700	5570
Lead	ug/L	25	21.9		16.4	1.6 J	1.44 J		2.86 J		12	2.3 J	18		18.5		5.19	<5.0	34.9	9.21
Magnesium	ug/L	35,000	203,000	NA	69,800	6,800	87,500	NA	82,200	NA	92,200	63,700	102,000	NA	78,400	NA	101,000	2,210	98,500	40500
Manganese	ug/L	300	1340		507	2.3 J	1660		2040		464	44.2	657		612		1,310	6.2 J	4110	1270
Nickel	ug/L	100	10.8 J		9.31 J	<40.0	40.4		18.7 J		7.54 J	2.1 J	30.6 J		24.1 J		11.3 J	<40.0	10.1 J	29.3 J
Potassium	ug/L	NL	32,800		31,000	2,710 J	54300		15,900		16,000	9,100	44,900		20,500		17,800	2,400 J	80600 D	159,000 D
Selenium	ug/L	10	1.4 J		1.44 J	<10.0	1.57 J		1.68 J		1.44 J	<10.0	1.39 J		1.41 J		1.8 J	<10.0	1.94 J	1.79 J
Silver	ug/L	50	5.43 J		2.67 J	<10.0	7.84 J		7.57 J		ND	<10.0	ND		3.61 J		8.47 J	<10.0	5.76 J	8.65 J
Sodium	ug/L	20,000	3,150,000		1,650,000	81,900	1,170,000 D		362,000		367,000	648,000	783,000		1,300,000 D		3,640,000	498,000	11,700,000 D	515000
Thallium	ug/L	0.5	ND		ND	<10.0	ND		ND		4.52 J	<10.0	4.07 J		4.39 J		7.95 J	<10.0	ND	3.29 J
Vanadium	ug/L	NL	ND		ND	1.4 J	ND		ND		ND	1.0 J	ND		ND		ND	1.9 J	ND	ND
Zinc	ug/L	2,000	27.7 B		17.5 J	<20.0	15 JB		22.6 B		36.5 B	21.5	36.8 B		30.5 B		32.9 B	<20.0	63.2 B	37.5 B
Mercury	ug/L	0.7	ND		ND	0.066 J	ND		ND		ND	<0.20	ND		ND		ND	0.056 J	ND	ND
VOCs																				
2-Butanone (MEK)	ug/L	50	ND	<5.0	ND	<5.0	ND	<5.0	ND	<5.0	ND	<5.0	ND	<5.0	ND	<5.0	ND	<5.0	ND	18 P
2-Hexanone	ug/L	50	ND	<5.0	ND	<5.0	ND	<5.0	ND	<5.0	ND	<5.0	ND	<5.0	ND	<5.0	ND	<5.0	ND	ND
Acetone	ug/L	50	ND	22.8	ND	56.2	ND	52.7	ND	10.9	ND	16.2	ND	41.2	ND	19	ND	34.4	ND	120 J
Benzene	ug/L	1	ND	<1.0	ND	<1.0	ND	<1.0	ND	<1.0	ND	<1.0	ND	<1.0	ND	<1.0	ND	<1.0	29 DJ	3.1 JP
Carbon disulfide	ug/L	60	ND	<1.0	ND	<1.0	3.1 JP	<1.0	ND	<1.0	ND	<1.0	2.8 JP	<1.0	ND	<1.0	ND	<1.0	ND	5.5 P
Ethylbenzene	ug/L	5	ND	<1.0	ND	<1.0	ND	<1.0	ND	<1.0	ND	<1.0	ND	<1.0	ND	<1.0	ND	2.0	870 D	12
Isopropylbenzene (Cumene)	ug/L	5	ND	<1.0	ND	<1.0	ND	<1.0	ND	<1.0	ND	<1.0	ND	<1.0	ND	<1.0	ND	14.8	ND	ND
Methyl acetate	ug/L	NL	ND	<1.0	ND	<1.0	ND	<1.0	ND	<1.0	ND	<1.0	ND	<1.0	ND	<1.0	ND	<1.0	ND	ND
Methyl-tert-butyl ether	ug/L	10	ND	<1.0	ND	<1.0	ND	<1.0	ND	3.1	ND	4.8	ND	<1.0	ND	<1.0	ND	<1.0	ND	ND
Methylcyclohexane	ug/L	NL	ND	<1.0	ND	<1.0	ND	<1.0	ND	<1.0	ND	<1.0	ND	<1.0	ND	<1.0	ND	16.2	ND	ND
Tetrachloroethene	ug/L	5	ND	<1.0	ND	<1.0	ND	<1.0	ND	<1.0	ND	<1.0	ND	<1.0	ND	2.2	ND	<1.0	ND	ND
Toluene	ug/L	5	ND	<1.0	ND	<1.0	ND	<1.0	ND	1.0	ND	<1.0	1.5 JP	<1.0	ND	<1.0	ND	<1.0	380 D	8.5 P
Trichloroethene	ug/L	5	ND	<1.0	4.8 J	<1.0	7.7 P	2.1	ND	<1.0	16	13.9	28 P	<1.0	3.9 J	8.1	ND	<1.0	ND	ND
Xylene (Total)	ug/L	5	ND	<2.0	ND	<2.0	ND	<2.0	ND	<2.0	ND	<2.0	ND	<2.0	ND	<2.0	130 D	21.9	1700 D	48 P
cis-1,2-Dichloroethene	ug/L	5	NA	<1.0	NA	<1.0	NA	<1.0	NA	<1.0	NA	5.4	NA	1.6	NA	<1.0	NA	<1.0	NA	NA
trans-1,2-Dichloroethene	ug/L	5	NA	<1.0	NA	<1.0	NA	<1.0	NA	<1.0	NA	<1.0	NA	1.3	NA	<1.0	NA	<1.0	NA	NA
1,2-Dichloroethylene (Total)	ug/L	5	ND	NA	23	NA	3.5 JP	NA	ND	NA	12	NA	ND	NA	ND	NA	ND	NA	ND	ND
SVOCs																				
2-Methylnaphthalene	ug/L	NL	ND		ND		ND		ND		ND		ND		ND		16	2.2 J	56 D	20 D
Acenaphthene	ug/L	20	ND		ND		ND		ND		ND		ND		ND		ND	<5.0	<5.0	5.9 DJ
Benzoic Acid	ug/L	NL	ND		ND		ND		ND		ND		ND		ND		ND	NA	ND	42 DJ
Bis(2-ethylhexyl)phthalate	ug/L	5	7.1 J		ND		ND		2.7 J		ND		3.1 J		ND		3 J	NA	11 DJ	29 D
Fluorene	ug/L	50	ND		ND		ND		ND		ND		ND		ND		ND	<5.0	ND	4.6 DJ
2-Methylphenol	ug/L	1	ND	NA	ND	NA	ND	NA	ND	NA	ND	NA	ND	NA	ND	NA	ND	NA	ND	31 D
3,4-Methylphenol	ug/L	1	ND		ND		ND		ND		ND		ND		ND		ND	NA	ND	18 D
Phenanthrene	ug/L	50	ND		ND		ND		ND		ND		ND		ND		ND	<5.0	ND	13 DJ
Phenol	ug/L	1	ND		ND		ND		ND		ND		ND		ND		ND	NA	ND	14 DJ
Pyrene	ug/L	50	ND		ND		ND		ND		ND		ND		ND		ND	<5.0	ND	5.7 DJ
Naphthalene	ug/L	10	ND		ND		ND		ND		ND		ND		ND		18	9.4	310 D	4.7 DJ
Cyanide																				
Cyanide	ug/L	200	NA	NA	NA	<10.0	NA	NA	NA	NA	NA	NA	NA	<10.0	NA	NA	NA	NA	NA	NA
Thorium																				
Thorium-228	pCi/L	15[(A)]	NA	NA	ND	0.029 (±0.141)	NA	0.117 (±0.166)	NA	0.004 (±0.401)	0.58	1.30 (±0.458)	0.53	0.185 (±0.191)	1.1	NA	NA	NA	NA	NA
Thorium-230	pCi/L	15[(A)]			ND	-0.007 (±0.110)		-0.022 (±0.108)		-0.061 (±0.115)	1.3	0.061 (±0.122)	2.1	0.061 (±0.110)	2.1					
Thorium-232	pCi/L	15[(A)]			3.7	-0.007 (±0.110)		-0.007 (±0.108)		-0.008 (±0.114)	0.54	0.522 (±0.258)	0.46	0.030 (±0.109)	1.1					

NOTES:
"<" indicates compound not detected above laboratory method detection limit (MDL) with the limit shown
Thorium data displayed as "Activity (± Uncertainty - 95% Confidence Interval)".
[(A)]NYCRR Part 703 Groundwater Quality Standard not listed. Values shown are the "Radionuclide Drinking Water Maximum Contaminant Levels" obtained from the USEPA's Soil Screening Guidance for Radionuclides Technical Background Document.
VOCs analyzed by USEPA Method 8260
SVOCs analyzed by USEPA Method 8270
Metals analyzed by USEPA Method 6010/7470
Cyanide analzyed by USEPA Method 9012
Thorium Isotopes analyzed by USEPA Method HASL 300
Yellow highlighted cells indicates value above NYSDEC NYCRR Part 703 Groundwater Quality Standards
NL indicates Not Listed
NA indicates Not Analyzed
2004 samples collected by Leader and the data was obtained from the 2005 Phase II ESA Report by Leader. ND indicates compound not detected
J indicates an estimated value
D indicates result is from a dilution
P indicates preservation
B indicates analyte detected in a blank
* indicates data not yet received from laboratory.

Phase II ESA
Eastman Kodak Company
Hawkeye Facility
St. Paul Street
Rochester, New York

Table 2- Page 3 of 3
Summary of Detected Compounds in Groundwater

Sample ID	Units	NYSDEC Groundwater Quality Standards	BLIND DUPLICATE (SL6SE)	BLIND DUPLICATE 2 (IB5SW)	BLIND DUPLICATE 3 (IB5SW)	BLIND DUPLICATE 4 (IB12SW)	TRIP BLANK 1	TRIP BLANK 2
Screened Interval (ft bgs)			5.5-14.5	5-15	5-15	5-15	NA	NA
Sample Date			9/7/2017	9/6/2017	9/6/2017	9/6/2017	9/7/2017	9/7/2017
Metals								
Aluminum	ug/L	NL		129 J				
Arsenic	ug/L	25		<10.0				
Barium	ug/L	1,000		14.8 J				
Cadmium	ug/L	5		0.20 J				
Calcium	ug/L	NL		22,000				
Chromium	ug/L	50		1.6 J				
Cobalt	ug/L	NL		<50.0				
Copper	ug/L	200		<25.0				
Iron	ug/L	300		146				
Lead	ug/L	25		<5.0				
Magnesium	ug/L	35,000	NA	6,960	NA	NA	NA	NA
Manganese	ug/L	300		2.6 J				
Nickel	ug/L	100		1.2 J				
Potassium	ug/L	NL		2,640 J				
Selenium	ug/L	10		<10.0				
Silver	ug/L	50		<10.0				
Sodium	ug/L	20,000		82,600				
Thallium	ug/L	0.5		<10.0				
Vanadium	ug/L	NL		2.4 J				
Zinc	ug/L	2,000		<20.0				
Mercury	ug/L	0.7		0.046 J				
VOCs								
2-Butanone (MEK)	ug/L	50				<5.0	<5.0	<5.0
2-Hexanone	ug/L	50				<5.0	<5.0	<5.0
Acetone	ug/L	50				66.9	27.9	46.1
Benzene	ug/L	1				<1.0	<1.0	<1.0
Carbon disulfide	ug/L	60				<1.0	<1.0	<1.0
Ethylbenzene	ug/L	5				<1.0	<1.0	<1.0
Isopropylbenzene (Cumene)	ug/L	5				<1.0	<1.0	<1.0
Methyl acetate	ug/L	NL	NA	NA	NA	<1.0	<1.0	<1.0
Methyl-tert-butyl ether	ug/L	10				<1.0	<1.0	<1.0
Methylcyclohexane	ug/L	NL				<1.0	<1.0	<1.0
Tetrachloroethene	ug/L	5				<1.0	<1.0	<1.0
Toluene	ug/L	5				<1.0	<1.0	<1.0
Trichloroethene	ug/L	5				<1.0	<1.0	<1.0
Xylene (Total)	ug/L	5				<2.0	<2.0	<2.0
cis-1,2-Dichloroethene	ug/L	5				1.8	<1.0	<1.0
trans-1,2-Dichloroethene	ug/L	5				1.5	<1.0	<1.0
1,2-Dichloroethylene (Total)	ug/L	5						
SVOCs								
2-Methylnaphthalene	ug/L	NL	3.2 J					
Acenaphthene	ug/L	20	<5.0					
Benzoic Acid	ug/L	NL	NA					
Bis(2-ethylhexyl)phthalate	ug/L	5	NA					
Fluorene	ug/L	50	1.4 J					
2-Methylphenol	ug/L	1	NA	NA	NA	NA	NA	NA
3,4-Methylphenol	ug/L	1	NA					
Phenanthrene	ug/L	50	<5.0					
Phenol	ug/L	1	NA					
Pyrene	ug/L	50	<5.0					
Naphthalene	ug/L	10	10.9					
Cyanide								
Cyanide	ug/L	200	NA	NA	<10.0	NA	NA	NA
Thorium								
Thorium-228	pCi/L	15 [(A)]						
Thorium-230	pCi/L	15 [(A)]	NA	NA	NA	NA	NA	NA
Thorium-232	pCi/L	15 [(A)]						

NOTES:
"<" indicates compound not detected above laboratory method detection limit (MDL) with the limit shown
Thorium data displayed as "Activity (± Uncertainty - 95% Confidence Interval)".
[(A)]NYCRR Part 703 Groundwater Quality Standard not listed. Values shown are the "Radionuclide Drinking Water Maximum Contaminant Levels" obtained from the USEPA's Soil Screening Guidance for Radionuclides Technical Background Document.
VOCs analyzed by USEPA Method 8260
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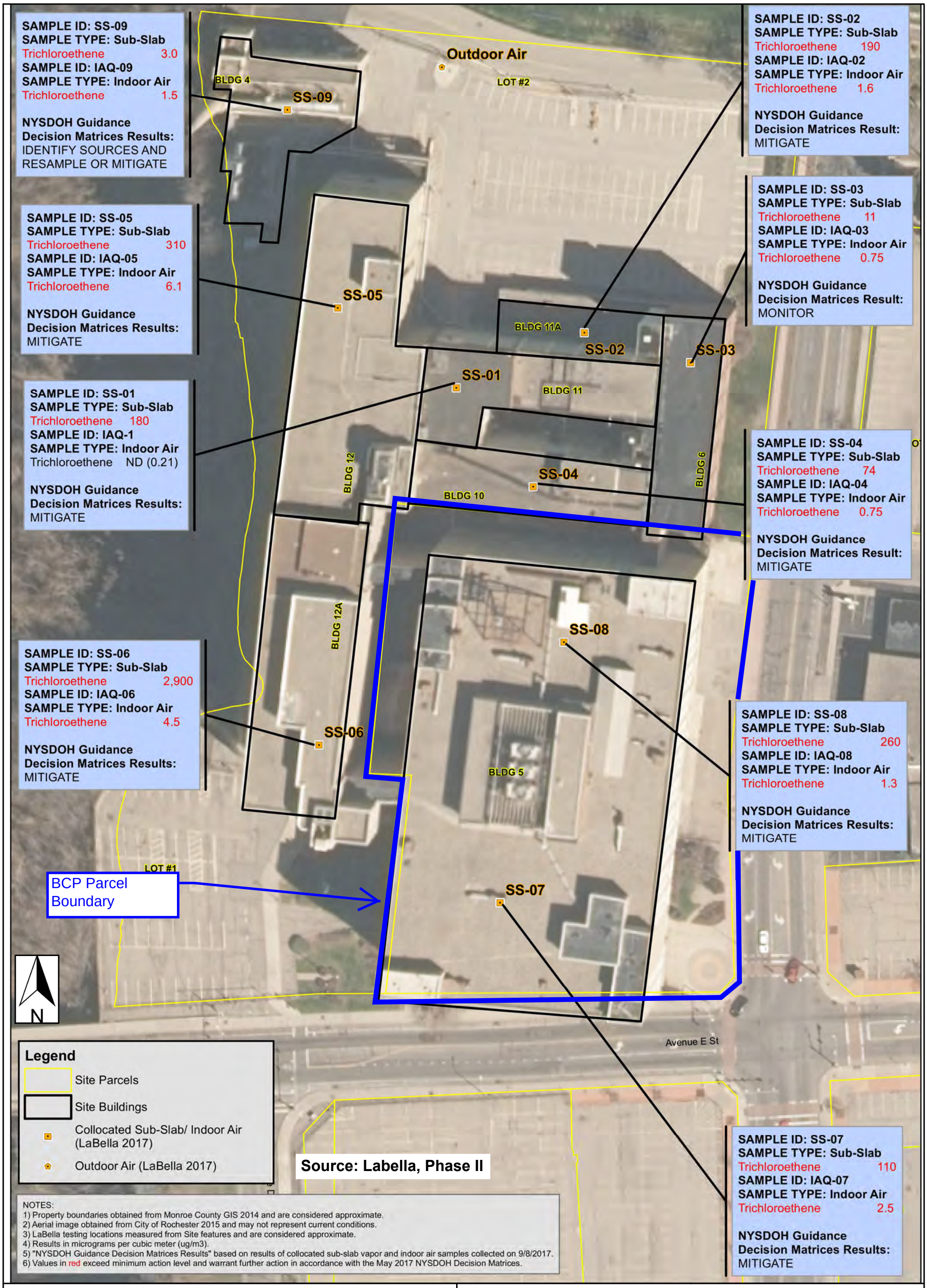

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Figure 1d: Site Map □Su□ Sla□ □apor Intrusion Results

1405 St. Paul Street	1/2□/2018
Rochester, NY	WBS Capital, Inc.

Phase II ESA
Eastman Kodak Company
Hawkeye Facility
St. Paul Street
Rochester, New York

Table 3- Page 1 of 2
Summary of Soil Vapor Intrusion Testing

Building Number	Building 11		Building 11a		Building 6		Building 10		Building 12				
Sample ID	SS-01	IAQ-01	SS-02	IAQ-02	SS-03	IAQ-03	SS-04	IAQ-04	SS-05	IAQ-05	NYSDOH Sub-Slab Vapor Concentration Decision Matrix (minimum action level) [1]	NYSDOH Indoor Air Concentration (minimum action level) [1]	NYSDOH Guidance Table C2. USEPA BASE Database - 90th Percentile [2]
Sample Type	Sub-Slab	Indoor Air	Sub-Slab	Indoor Air	Sub-Slab	Indoor Air	Sub-Slab	Indoor Air	Sub-Slab	Indoor Air			
Sample Date	9/8/2017	9/8/2017	9/8/2017	9/8/2017	9/8/2017	9/8/2017	9/8/2017	9/8/2017	9/8/2017	9/8/2017			
1,1,1-Trichloroethane	13	<0.82	13	<0.82	2.0	<0.82	2.7	<0.82	<0.82	<0.82	100***	3***	20.6
1,2,4-Trimethylbenzene	3.4	<0.74	9.0	0.54 J	6.3	0.64 J	6.7	0.59 J	6.3	0.59 J	NL	NL	9.5
1,3,5-Trimethylbenzene	1.3	<0.74	3.5	<0.74	2.7	<0.74	2.7	<0.74	2.5	<0.74	NL	NL	3.7
4-ethyltoluene	0.98	<0.74	2.4	<0.74	2.1	<0.74	1.9	<0.74	1.9	<0.74	NL	NL	3.6
Acetone	110	7.0	250	19	68	14	1300	17	380	18	NL	NL	98.9
Benzene	3.5	0.35 J	11	0.35 J	5.7	0.45 J	23	0.48	11	0.38 J	NL	NL	9.4
Carbon Disulfide	3.4	<0.47	16	<0.47	2.7	<0.47	26	<0.47	3.5	<0.47	NL	NL	4.2
Carbon Tetrachloride	0.82 J	0.63	1.0	0.50	0.88 J	0.69	<0.94	0.63	0.69 J	0.69	6 **	0.2**	<1.3
Chloroform	1.5	<0.73	7.0	<0.73	0.93	<0.73	1.1	<0.73	10	<0.73	NL	NL	1.1
Chloromethane	1.1	1.4	4.5	0.93	1.8	1.2	1.5	1.2	<0.31	1.2	NL	NL	3.7
cis-1,2-Dichloroethene	<0.59	<0.59 [3]	0.71	<0.59 [3]	<0.59	<0.59 [3]	<0.59	<0.59 [3]	50	<0.59 [3]	6**	0.2**	NL
Cyclohexane	16	<0.52	35	<0.52	10	<0.52	42	<0.52	20	<0.52	NL	NL	NL
Ethyl acetate	<0.54	<0.54	<0.54	0.50 J	<0.54	0.61	<0.54	0.50 J	<0.54	0.47 J	NL	NL	5.4
Ethylbenzene	0.82	<0.65	1.5	<0.65	1.1	<0.65	1.3	<0.65	2.0	<0.65	NL	NL	5.7
Freon 11	6.1	1.6	4.6	3.0	3.3	2.2	12	2.1	2.5	1.5	NL	NL	18.1
Freon 113	2.3	<1.1	2.3	<1.1	1.9	<1.1	1.5	<1.1	1.1 J	<1.1	NL	NL	<5.0
Freon 12	1.8	2.7	2.9	2.9	3.6	3.0	2.9	2.9	3.1	2.8	NL	NL	16.5
Heptane	50	<0.61	96	<0.61	20	<0.61	89	0.45 J	43	0.45 J	NL	NL	NL
Hexane	49	<0.53	79	0.56	16	0.49 J	79	0.53	44	0.67	NL	NL	10.2
Isopropyl alcohol	48	2.1	53	3.0	29	1.7	47	2.5	41	1.8	NL	NL	NL
m&p-xylene	2.1	<1.3	3.9	0.48 J	3.0	0.56 J	3.0	0.52 J	4.6	0.78 J	NL	NL	22.2
Methyl Ethyl Ketone	6.0	0.47 J	5.6 J	0.91	6.0	1.3	26	0.71 J	9.4	0.59 J	NL	NL	NL
Methyl Isobutyl Ketone	<1.2	<1.2	<1.2	<1.2	<1.2	<1.2	<1.2	<1.2	<1.2	5.7	NL	NL	NL
Methylene chloride	6.9	1.5	15	1.6	14	1.4	19	2.6	11	0.97	100***	3***/60*	NL
o-xylene	0.82	<0.65	1.6	<0.65	1.2	<0.65	1.4	<0.65	1.6	<0.65	NL	NL	7.9
Styrene	0.60 J	<0.64	0.98	<0.64	0.89	<0.64	0.94	<0.64	0.89	<0.64	NL	NL	1.9
Tetrachloroethylene	0.95 J	<1.0	2.2	<1.0	1.1	<1.0	9.9	<1.0	2.6	<1.0	100***	3***/30*	NL
Tetrahydrofuran	<0.44	<0.44	<0.44	<0.44	1.3	<0.44	<0.44	<0.44	2.1	<0.44	NL	NL	3.3
Toluene	29	0.90	26	1.6	16	1.6	27	1.1	22	1.9	NL	NL	43
trans-1,2-Dichloroethene	<0.59	<0.59	<0.59	<0.59	<0.59	<0.59	<0.59	<0.59	0.87	<0.59	NL	NL	NL
Trichloroethene	180	<0.21	190	1.6	11	0.75	74	0.75	310	6.1	6 **	0.2** / 2*	4.2
Vinyl chloride	0.41	<0.10	0.56	<0.10	0.97	<0.10	2.3	<0.10	1.2	<0.10	6****	0.2****	< 1.9

Notes:

Concentrations in micrograms per cubic meter (ug/m^3)

Samples analyzed by USEPA Method TO-15

< indicates the concentration was not detected above the reporting limit

(1) *New York State Department of Health (NYSDOH), Guidance for Evaluating Soil Vapor Intrusion in the State of New York* , October 2006 and subsequent updates. [Note: This Guidance uses a combination of indoor air and sub-slab soil vapor when comparing to the matrices. In addition, for compounds not listed in the matrices an overall site approach is employed which utilizes the USEPA BASE Database (see 2. below) as typical background for commercial buildings and also uses the outdoor air sample, refer to Guidance document for details.]

(2) USEPA Building Assessment and Survey Evaluation (BASE) Database (90th Percentile). As recommended in Section 3.2.4 of the NYSDOH Guidance (Refer to Footnote "1") this database is referenced for the indoor air sampling results. This database is also referenced to provide initial benchmarks for comparison to the air sampling data and does not represent regulatory standards or compliance values.

(3) The reporting limit of 0.59 ug/m3 is above the minimum action level in the decision matrix of 0.2 ug/m3, therefore although the compound was not detected it is possible for the compound to be present above 0.2 ug/m^3

* = Air Guideline Values obtained from Table 3.1, NYSDOH, Guidance for Evaluating Soil Vapor Intrusion in the State of New York and updates in September 2013 for PCE and August 2015 for TCE.

** = Guideline Value obtained from Soil Vapor/Indoor Air Matrix A (minimum action level), NYSDOH, Guidance for Evaluating Soil Vapor Intrusion in the State of New York May 2017.

*** = Guidance Value obtained from Soil Vapor/Indoor Air Matrix B (minimum action level), NYSDOH Guidance for Evaluating Soil Vapor Intrusion in the State of New York May 2017.

**** = Guidance Value obtained from Soil Vapor/Indoor Air Matrix C (minimum action level), NYSDOH Guidance for Evaluating Soil Vapor Intrusion in the State of New York May 2017.

Red values are above Air Guideline Derived by NYSDOH in Table 3.1 of NYSDOH Guidance titled "Evaluating Soil Vapor Intrusion in the State of New York", October 2006 (and subsequent updates).

J indicates an estimated value

***NYSDOH Guidance for Evaluating Soil Vapor Intrusion in the State of New York* , May 2017 Decision Matrices Notes:**

NO FURTHER ACTION:

Given that the compound was not detected in the indoor air sample and that the concentration detected in the sub -slab vapor sample is not expected to significantly affect indoor air quality, no additional actions are needed to address human exposures.

IDENTIFY SOURCE(S) AND RESAMPLE OR MITIGATE:

The concentration detected in the indoor air sample is likely due to indoor and/or outdoor sources rather than soil vapor int rusion given the concentration detected in the sub-slab vapor sample. Therefore, steps should be taken to identify potential source(s) and to reduce exposures accordingly (e.g., by keeping containers tightly capped or by storing volatile organic compound-containing products in places where people do not spend much time, such as a garage or outdoor shed). Resampling may be recommended to demonstrate the effectiveness of actions taken to reduce exposures.

MONITOR:

Monitoring, including sub-slab vapor, basement air, lowest occupied living space air, and outdoor air sampling, is needed to determine whether concen trations in the indoor air or sub-slab vapor have changed. Monitoring may also be needed to determine whether existing building conditions (e.g., positive pre ssure heating, ventilation and air-conditioning systems) are maintaining the desired mitigation endpoint and to determine whether changes are needed. The type and frequency of monitoring is determined on a site-specific and building-specific basis, taking into account applicable environmental data and building operating conditions. Monitoring is an interim measure required to evaluate exposures related to soil vapor intrusion until contaminated environmental media are remediated.

MITIGATE:

Mitigation is needed to minimize current or potential exposures associated with soil vapor intrusion. The most common mitigation methods are sealing preferential pathways in conjunction with installing a sub-slab depressurization system, and changing the pressurization of the building in conjunction with monitoring. The type, or combination of types, of mitigation is determined on a building-specific basis, taking into account building construction and operating conditions. Mitigation is considered a temporary measure implemented to address exposures related to soil vapor in trusion until contaminated environmental media are remediated.

Phase II ESA
Eastman Kodak Company
Hawkeye Facility
St. Paul Street
Rochester, New York

On Site Building

Table 3- Page 2 of 2
Summary of Soil Vapor Intrusion Testing

Building Number	Building 12a		Building 5		Building 5		Building 4		N/A			
Sample ID	SS-06	IAQ-06	SS-07	IAQ-07	SS-08	IAQ-08	SS-09	IAQ-09	Outdoor Air	NYSDOH Sub-Slab Vapor Concentration Decision Matrix (minimum action level) (1)	NYSDOH Indoor Air Concentration (minimum action level) (1)	NYSDOH Guidance Table C2. USEPA BASE Database - 90th Percentile (2)
Sample Type	Sub-Slab	Indoor Air	Sub-Slab	Indoor Air	Sub-Slab	Indoor Air	Sub-Slab	Indoor Air	Outdoor Air			
Sample Date	9/8/2017	9/8/2017	9/8/2017	9/8/2017	9/8/2017	9/8/2017	9/8/2017	9/8/2017	9/8/2017			
1,1,1-Trichloroethane	0.87	<0.82	2.6	<0.82	2.4	<0.82	<0.82	<0.82	<0.82	100***	3***	20.6
1,2,4-Trimethylbenzene	9.4	<0.74	11	0.64 J	8.7	<0.74	8.5	0.84	<0.74	NL	NL	9.5
1,3,5-Trimethylbenzene	3.5	<0.74	4.2	0.74	3.4	<0.74	3.4	<0.74	<0.74	NL	NL	3.7
4-ethyltoluene	2.3	<0.74	2.9	<0.74	2.4	<0.74	2.2	<0.74	<0.74	NL	NL	3.6
Acetone	79	16	110	25	210	21	98	23	23	NL	NL	98.9
Benzene	3.7	1.1	2.4	0.54	1.3	0.42 J	1.6	0.42 J	0.35 J	NL	NL	9.4
Carbon Disulfide	<0.47	0.37 J	11	<0.47	6.8	<0.47	3.9	<0.47	0.37 J	NL	NL	4.2
Carbon Tetrachloride	<0.94	0.63	0.69 J	0.63	0.69 J	0.63	1.7	0.69	0.69	6 **	0.2**	<1.3
Chloroform	4.2	0.54 J	4.2	0.54 J	3.3	<0.73	3.6	<0.73	<0.73	NL	NL	1.1
Chloromethane	1.1	1.5	2.2	1.4	2.7	1.2	1.7	2.2	1.7	NL	NL	3.7
cis-1,2-Dichloroethene	25	<0.59(3)	<0.59	<0.59(3)	<0.59	<0.59(3)	<0.59	<0.59(3)	<0.59	6**	0.2**	NL
Cyclohexane	5.4	<0.52	5.0	<0.52	1.8	<0.52	1.9	<0.52	<0.52	NL	NL	NL
Ethyl acetate	<0.54	0.47 J	9.0	0.90	8.3	<0.54	5.6	0.65	0.47 J	NL	NL	5.4
Ethylbenzene	1.9	<0.65	1.3	<0.65	1.1	<0.65	2.0	<0.65	<0.65	NL	NL	5.7
Freon 11	1.9	1.7	2.0	2.0	2.4	2.6	21	37	1.5	NL	NL	18.1
Freon 113	3100	1.6	4.5	1.1	6.1	<1.1	5.1	<1.1	<1.1	NL	NL	<5.0
Freon 12	<0.74	2.9	34	3.4	20	3.3	2.6	3.1	2.7	NL	NL	16.5
Heptane	22	0.53 J	8.2	0.57 J	7.3	<0.61	9.0	0.45 J	<0.61	NL	NL	NL
Hexane	18	0.67	8.1	0.74	7.0	0.46 J	5.9	1.1	0.39 J	NL	NL	10.2
Isopropyl alcohol	50	2.5	42	2.9	53	3.8	29	3.0	4.5	NL	NL	NL
m&p-xylene	5.4	0.65 J	3.6	0.65 J	3.0	<1.3	3.7	0.61 J	<1.3	NL	NL	22.2
Methyl Ethyl Ketone	7.7 J	0.71 J	6.5 J	1.2	6.2	0.68 J	8.8	1.0	0.77 J	NL	NL	NL
Methyl Isobutyl Ketone	<1.2	0.98 J	1.8	0.57 J	1.0 J	<1.2	<1.2	<1.2	<1.2	NL	NL	NL
Methylene chloride	10	1.6	28	2.9	26	2.0	18	2.5	1.3	100***	3***/60*	NL
o-xylene	2.1	<0.65	1.6	<0.65	1.3	<0.65	<0.65	<0.65	<0.65	NL	NL	7.9
Styrene	1.3	<0.64	1.2	<0.64	0.89	<0.64	<0.64	<0.64	<0.64	NL	NL	1.9
Tetrachloroethylene	1.4	<1.0	0.95 J	<1.0	0.81 J	<1.0	<1.0	<1.0	<1.0	100***	3***/30*	NL
Tetrahydrofuran	<0.44	<0.44	<0.44	<0.44	1.1	<0.44	1.2	<0.44	<0.44	NL	NL	3.3
Toluene	44	1.2	29	2.8	23	1.0	15	2.7	1.4	NL	NL	43
trans-1,2-Dichloroethene	1.1	<0.59	<0.59	<0.59	<0.59	<0.59	<0.59	<0.59	<0.59	NL	NL	NL
Trichloroethene	2900	4.5	110	2.5	260	1.3	3.0	1.5	<0.21	6 **	0.2** / 2*	4.2
Vinyl chloride	0.49	<0.10	0.79	<0.10	0.66	<0.10	<0.38	<0.10	<0.10	6****	0.2****	< 1.9

Notes:

Concentrations in micrograms per cubic meter (ug/m^3)
Samples analyzed by USEPA Method TO-15
< indicates the concentration was not detected above the reporting limit

(1) *New York State Department of Health (NYSDOH), Guidance for Evaluating Soil Vapor Intrusion in the State of New York* , October 2006 and subsequent updates. [Note: This Guidance uses a combination of indoor air and sub-slab soil vapor when comparing to the matrices. In addition, for compounds not listed in the matrices an overall site approach is employed which utilizes the USEPA BASE Database (see 2. below) as typical background for commercial buildings and also uses the outdoor air sample, refer to Guidance document for details.]

(2) USEPA Building Assessment and Survey Evaluation (BASE) Database (90th Percentile). As recommended in Section 3.2.4 of the NYSDOH Guidance (Refer to Footnote "1") this database is referenced for the indoor air sampling results. This database is also referenced to provide initial benchmarks for comparison to the air sampling data and does not represent regulatory standards or compliance values.

(3) The reporting limit of 0.59 ug/m3 is above the minimum action level in the decision matrix of 0.2 ug/m3, therefore although the compound was not detected it is possible for the compound to be present above 0.2 ug/m^3

***** = Air Guideline Values obtained from Table 3.1, NYSDOH, Guidance for Evaluating Soil Vapor Intrusion in the State of New York and updates in September 2013 for PCE and August 2015 for TCE.
****** = Guideline Value obtained from Soil Vapor/Indoor Air Matrix A (minimum action level), NYSDOH, Guidance for Evaluating Soil Vapor Intrusion in the State of New York May 2017.
******* = Guidance Value obtained from Soil Vapor/Indoor Air Matrix B (minimum action level), NYSDOH Guidance for Evaluating Soil Vapor Intrusion in the State of New York May 2017.
******** = Guidance Value obtained from Soil Vapor/Indoor Air Matrix C (minimum action level), NYSDOH Guidance for Evaluating Soil Vapor Intrusion in the State of New York May 2017.
Red values are above Air Guideline Derived by NYSDOH in Table 3.1 of NYSDOH Guidance titled "Evaluating Soil Vapor Intrusion in the State of New York", October 2006 (and subsequent updates).
J indicates an estimated value

***NYSDOH Guidance for Evaluating Soil Vapor Intrusion in the State of New York* , May 2017 Decision Matrices Notes:**

NO FURTHER ACTION:
Given that the compound was not detected in the indoor air sample and that the concentration detected in the sub -slab vapor sample is not expected to significantly affect indoor air quality, no additional actions are needed to address human exposures.

IDENTIFY SOURCE(S) AND RESAMPLE OR MITIGATE:
The concentration detected in the indoor air sample is likely due to indoor and/or outdoor sources rather than soil vapor int rusion given the concentration detected in the sub-slab vapor sample. Therefore, steps should be taken to identify potential source(s) and to reduce exposures accordingly (e.g., by keeping containers tightly capped or by storing volatile organic compound-containing products in places where people do not spend much time, such as a garage or outdoor shed). Resampling may be recommended to demonstrate the effectiveness of actions taken to reduce exposures.

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Figure 2: Tax Map

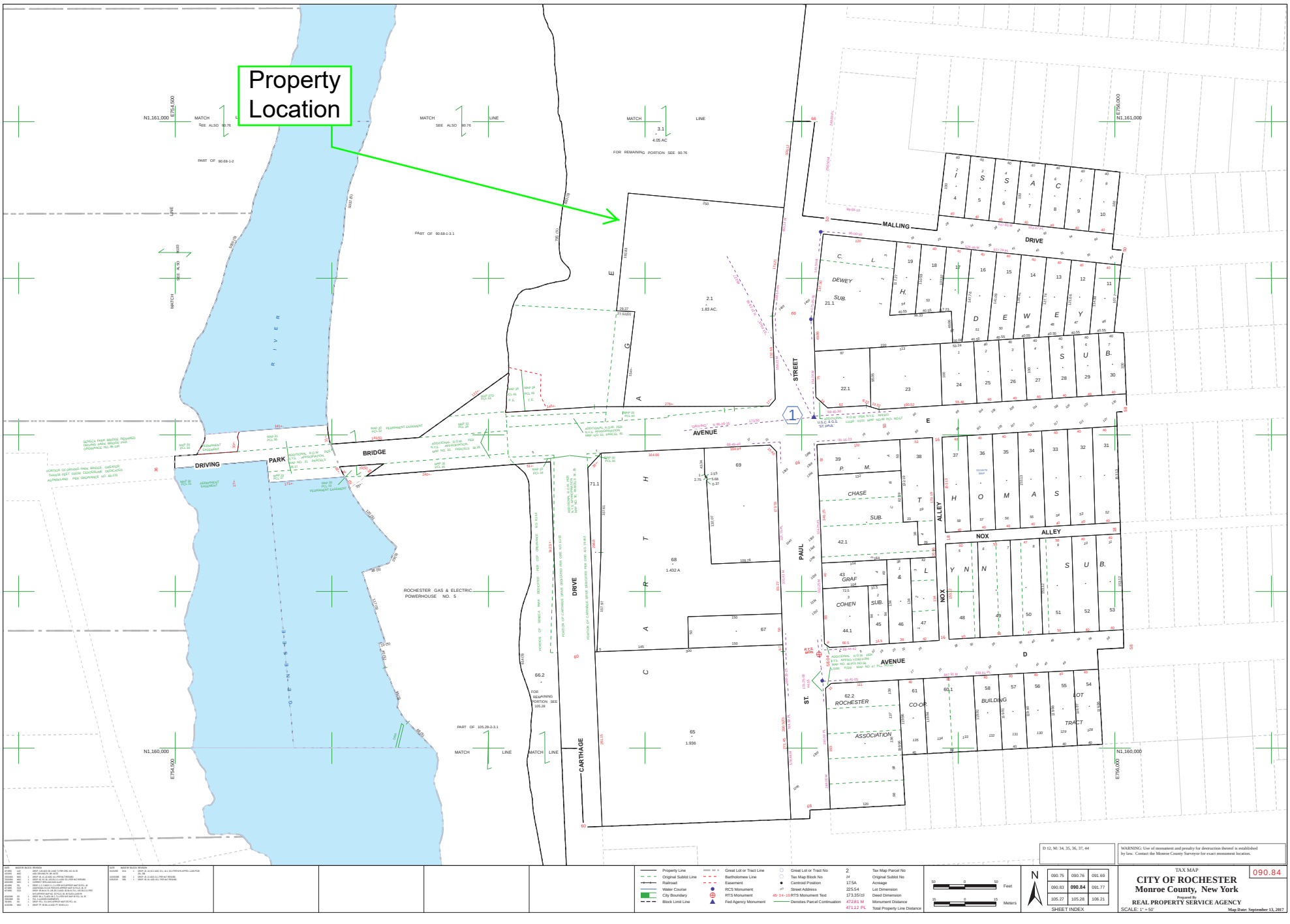
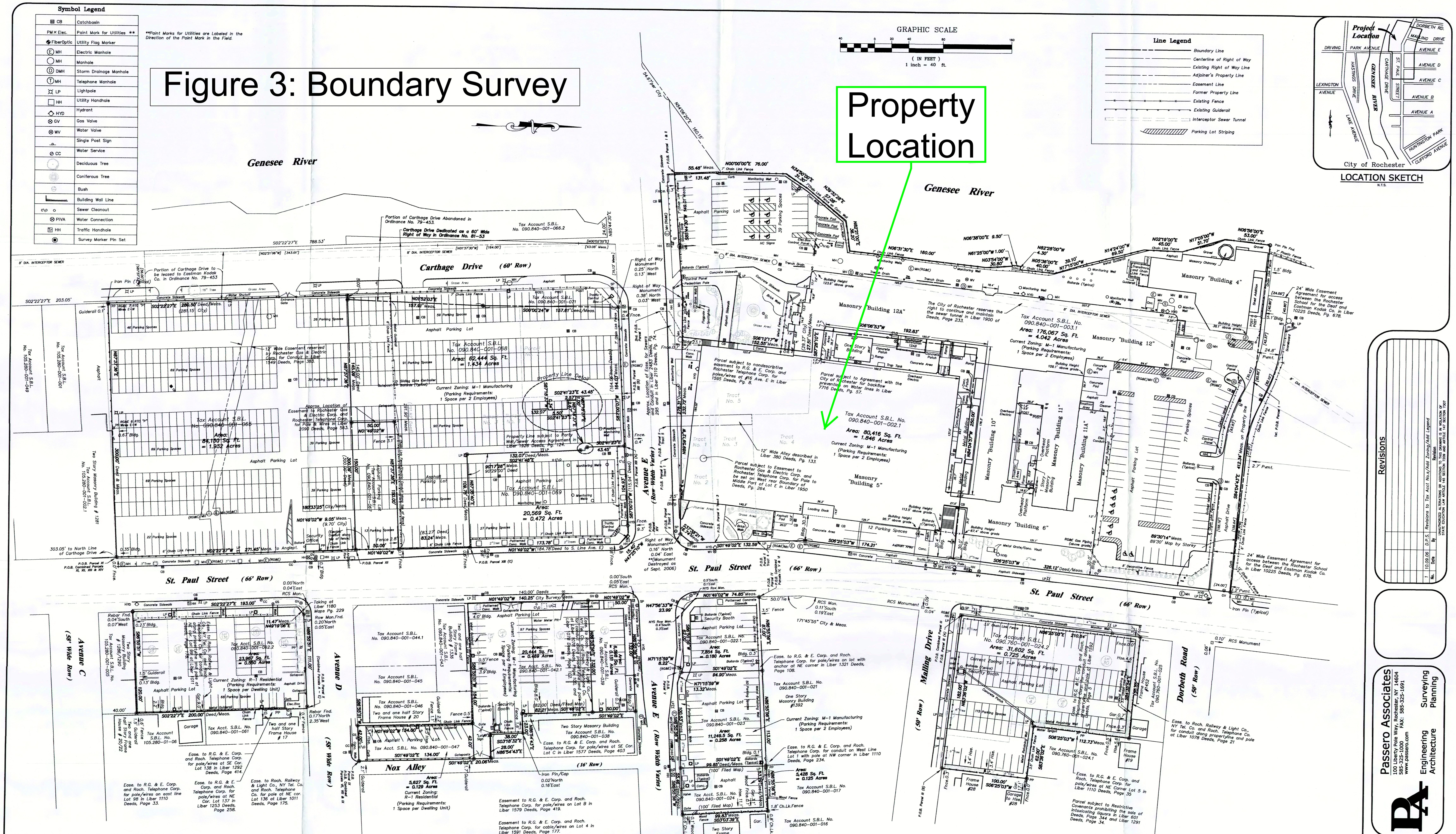


Figure 3: Boundary Survey



REFERENCE:

1.) MAP PREPARED BY THE CITY OF ROCHESTER DES/ENGINEERING SERVICES ENTITLED "SENECA PARK BOUNDARY SURVEY". JOB # 93-001, DRAWINGS 1-4, DATED MAY 15, 1993.

2.) CITY OF ROCHESTER MAPS & SURVEY RECORD COORDINATES AND SURVEY INFORMATION FOR SENECA PARK; AVENUE E TO NORTON STREET AND ST. PAUL STREET TO CONKEY AVENUE.

3.) MAP PREPARED BY JEFFREY DISPENZA, L.S. FOR EASTMAN KODAK CO. ENTITLED "RESUBDIVISION OF LANDS OWNED BY EASTMAN KODAK CO.", FILED IN THE MONROE COUNTY CLERKS OFFICE IN LIBER 284 OF MAPS, PAGE 31.

4.) MAP PREPARED BY W.R. STOREY, ENTITLED "MAP OF PROPERTY OF HAWKEYE WORKS", DATED MAY 1917.

5.) 14 ABSTRACTS OF TITLE PREPARED BY MONROE TITLE INSURANCE CORPORATION:

PARCEL I :	NO. 453735	DATED JUNE 06, 2006
PARCEL II :	NO. 453748	DATED JUNE 06, 2006
PARCEL III :	NO. 453738	DATED JUNE 06, 2006
PARCEL IV :	NO. 453772	DATED JUNE 06, 2006
PARCEL V :	NO. 453749	DATED JUNE 06, 2006
PARCEL VI :	NO. 453699	DATED JUNE 06, 2006
PARCEL VII :	NO. 453771	DATED JUNE 06, 2006
PARCEL VIII :	NO. 453748	DATED JUNE 06, 2006
PARCEL IX :	NO. 453773	DATED JUNE 06, 2006
PARCEL X :	NO. 453770	DATED JUNE 06, 2006
PARCEL XI :	NO. 453752	DATED JUNE 06, 2006
PARCEL XII :	NO. 453769	DATED JUNE 06, 2006
PARCEL XIII :	NO. 453739	DATED JUNE 06, 2006
PARCEL XIV :	NO. 453750	DATED JUNE 06, 2006

6.) LIBER 1858 OF DEEDS, PAGE 433.
7.) LIBER 1859 OF DEEDS, PAGE 17.
8.) LIBER 2483 OF DEEDS, PAGE 295.
9.) LIBER 2483 OF DEEDS, PAGE 303.
10.) LIBER 1147 OF ACQUISITION MAPS, PAGE 1.
11.) LIBER 1168 OF ACQUISITION MAPS, PAGE 7.
12.) LIBER 664 OF DEEDS, PAGE 390.
13.) LIBER 1900 OF DEEDS, PAGE 233.
14.) LIBER 3127 OF DEEDS, PAGE 463.
15.) LIBER 3171 OF DEEDS, PAGE 416.
16.) LIBER 3173 OF DEEDS, PAGE 244.
17.) LIBER 3257 OF DEEDS, PAGE 539.
18.) LIBER 8673 OF DEEDS, PAGE 289.
19.) LIBER 1147 OF ACQUISITION MAPS, PAGE 2.
20.) LIBER 1180 OF ACQUISITION MAPS, PAGE 231.
21.) LIBER 5874 OF DEEDS, PAGE 225.
22.) LIBER 2074 OF DEEDS, PAGE 44.
23.) LIBER 5750 OF DEEDS, PAGE 127.
24.) LIBER 6459 OF DEEDS, PAGE 205.
25.) LIBER 6339 OF DEEDS, PAGE 74.
26.) LIBER 6399 OF DEEDS, PAGE 331.
27.) LIBER 6401 OF DEEDS, PAGE 145.
28.) LIBER 6519 OF DEEDS, PAGE 218.
29.) LIBER 6356 OF DEEDS, PAGE 257.
30.) LIBER 6386 OF DEEDS, PAGE 65.
31.) LIBER 6393 OF DEEDS, PAGE 178.
32.) LIBER 6402 OF DEEDS, PAGE 298.
33.) LIBER 6411 OF DEEDS, PAGE 266.
34.) LIBER 1180 OF ACQUISITION MAPS, PAGE 229.
35.) LIBER 8242 OF DEEDS, PAGES 442, 444, 447, 451, 455.
36.) LIBER 1168 OF ACQUISITION MAPS, PAGE 4.
37.) LIBER 3590 OF DEEDS, PAGE 314.
38.) LIBER 3592 OF DEEDS, PAGE 87.
39.) LIBER 3983 OF DEEDS, PAGE 156.
40) LIBER 8834 OF DEEDS, PAGE 380.

PARCEL AREAS:

PARCEL I	TAX ACCT. S.B.L. NO. 090.840-001-003.1	176,067 SQ. FT.	4.042 ACRES
PARCEL II	TAX ACCT. S.B.L. NO. 090.840-001-002.1	80,416 SQ. FT.	1.846 ACRES
PARCEL III	TAX ACCT. S.B.L. NO. 090.840-001-024	31,602 SQ. FT.	0.725 ACRES
PARCEL IV	TAX ACCT. S.B.L. NO. 090.840-001-022.1	7,854 SQ. FT.	0.180 ACRES
PARCEL V	TAX ACCT. S.B.L. NO. 090.840-001-023	11,250 SQ. FT.	0.258 ACRES
PARCEL VI	TAX ACCT. S.B.L. NO. 090.840-001-024	5,428 SQ. FT.	0.125 ACRES
PARCEL VII	TAX ACCT. S.B.L. NO. 090.840-001-039	6,598 SQ. FT.	0.151 ACRES
PARCEL VIII	TAX ACCT. S.B.L. NO. 090.840-001-042.1	20,444 SQ. FT.	0.469 ACRES
PARCEL IX	TAX ACCT. S.B.L. NO. 090.840-001-047	5,627 SQ. FT.	0.129 ACRES
PARCEL X	TAX ACCT. S.B.L. NO. 090.840-001-062.2	23,967 SQ. FT.	0.550 ACRES
PARCEL XI	TAX ACCT. S.B.L. NO. 090.840-001-065	84,150 SQ. FT.	1.932 ACRES
PARCEL XII	TAX ACCT. S.B.L. NO. 090.840-001-067	7,500 SQ. FT.	0.172 ACRES
PARCEL XIII	TAX ACCT. S.B.L. NO. 090.840-001-068	62,444 SQ. FT.	1.434 ACRES
PARCEL XIV	TAX ACCT. S.B.L. NO. 090.840-001-069	20,569 SQ. FT.	0.4724 ACRES

SURVEY NOTES:

1.) THE HORIZONTAL DATUM IS REFERENCED TO THE N.Y.S. PLANE COORDINATE SYSTEM, WEST ZONE, TRANSVERSE MERCATOR SYSTEM.

2.) DISTANCES SHOWN HEREON ARE GROUND DISTANCES. BEARINGS AND COORDINATES ARE REFERENCED TO GRID, NAD 83.

3.) SURVEY FIELD WORK ON THIS SURVEY WAS DONE TO AN ACCURACY GREATER THAN ONE PART IN 10,000, (1:10,000), USING ESTABLISHED CONTROL MONUMENTS REFERENCED HEREON.

RCS MON. SE COR. ST. PAUL/AVENUE E	NORTHING 1,160,529.911	EASTING 1,403,878.484	NAD 83
RCS MON. SE COR. ST. PAUL/AVENUE D	NORTHING 1,160,147.849	EASTING 1,403,891.083	NAD 83
C & GS MON. CUNNINGHAM (1925)	NORTHING 1,160,651.943	EASTING 1,405,230.759	NAD 83

COORDINATES PROVIDED BY THE CITY OF ROCHESTER MAPS & SURVEY DEPT.

CERTIFICATION:

THIS SURVEY IS MADE FOR THE BENEFIT OF:
CIBC INC., A DELAWARE CORPORATION, ITS SUCCESSORS AND/OR ASSIGNS (Lender), MADISON TITLE AGENCY, LLC (Title Company), COMMONWEALTH LAND TITLE INSURANCE COMPANY (Underwriter), AND HAWKEYE FACILITIES HOLDING LLC (Purchaser) :

I, EDWARD J. FREEMAN, PROFESSIONAL LAND SURVEYOR DO HEREBY CERTIFY TO THE AFORESAID PARTIES, AS OF THE DATE SET FORTH ABOVE THAT I HAVE MADE A CAREFUL SURVEY OF A TRACT OF LAND DESCRIBED IN SCHEDULE A ON THE FOLLOWING SHEET IS-2.

1. THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE "MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS" JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS IN 2005, AND INCLUDES ITEMS 1, 2, 3, 4, 6, 7(a) (b) (1) (c), 8, 9, 10, 11(a) AND 13 OF TABLE A THEREOF. PURSUANT TO THE ACCURACY STANDARDS AS ADOPTED BY ALTA AND NSPS AND IN EFFECT ON THE DATE OF THIS CERTIFICATION, UNDERSIGNED FURTHER CERTIFIES THAT IN MY PROFESSIONAL OPINION, AS A LAND SURVEYOR REGISTERED IN THE STATE OF NEW YORK, THE POSITIONAL UNCERTAINTIES RESULTING FROM THE SURVEY MEASUREMENTS MADE ON THE SURVEY DO NOT EXCEED THE ALLOWABLE POSITIONAL TOLERANCE.

2. THE ACCOMPANYING SURVEY WAS MADE ON THE GROUND AND ACCURATELY SHOWS THE LOCATION OF ALL BUILDINGS, STRUCTURES AND OTHER IMPROVEMENTS SITUATED ON THE ABOVE PREMISES; THERE ARE NO VISIBLE ENCROACHMENTS ON THE SUBJECT PROPERTY OR UPON ADJACENT LAND ABUTTING SAID PROPERTY EXCEPT AS SHOWN HEREON AND WAS MADE IN ACCORDANCE WITH LAWS AND/OR MINIMUM STANDARDS OF THE STATE OF NEW YORK.

3. THE PROPERTY DESCRIBED HEREON IS THE SAME AS THE PROPERTY DESCRIBED IN COMMONWEALTH LAND TITLE INSURANCE COMPANY'S COMMITMENT NO. MTANY-03270 WITH AN EFFECTIVE DATE OF AUGUST 03, 2006 AND THAT ALL EASEMENTS, COVENANTS AND RESTRICTIONS REFERENCED IN SAID TITLE COMMITMENT OR APPARENT FROM A PHYSICAL INSPECTION OF THE SITE OR OTHERWISE KNOWN TO ME HAVE BEEN PLOTTED HEREON OR OTHERWISE NOTED AS TO THEIR EFFECT ON THE SUBJECT PROPERTY.

4. SAID DESCRIBED PROPERTY IS LOCATED WITHIN AN AREA HAVING A ZONE DESIGNATION "ZONE C" BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), ON FLOOD INSURANCE RATE MAP NO. 0020 B, WITH A DATE OF IDENTIFICATION OF NOVEMBER 1, 1978, FOR COMMUNITY NO. 360431, IN MONROE COUNTY, STATE OF NEW YORK, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH SAID PREMISES IS SITUATED.

5. THE PROPERTY HAS DIRECT ACCESS TO ST. PAUL STREET, A DEDICATED PUBLIC STREET OR HIGHWAY.

6. THE TOTAL NUMBER OF STRIPED PARKING SPACES ON THE SUBJECT PROPERTY IS 1240, INCLUDING 16 DESIGNATED HANDICAP SPACES.

EDWARD J. FREEMAN N.Y.S.P.L.S. NO. 049771 DATE

Passero Associates
100 Liberty Pole Way, Rochester, NY 14604
585-325-1000 FAX: 585-325-1691
www.passero.com
Engineering Architecture Surveying Planning

Project: ALTA/ACSM Instrument Survey of Lands Now or Formerly of Eastman Kodak Co.
In the Area of Carthage St., Dorbeth Rd., St. Paul St. and the the Genesee River City of Rochester, County of Monroe, State of New York

Drawing: Kodak "Hawkeye" Plant

Client: Eastman Kodak Co., State Street, Rochester, New York 14608

Principal-in-Charge: J.F.C.
Project Manager: E.J.F.
Drafted by: D.P.S.

Project No. 2006688.03
Drawing No. IS-1
Scale: 1" = 40'
Date: Sept. 2006

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Figure 4: USGS Quad Map	
1405 St. Paul Street	1/22/2018
Rochester, NY	WBS Capital, Inc.

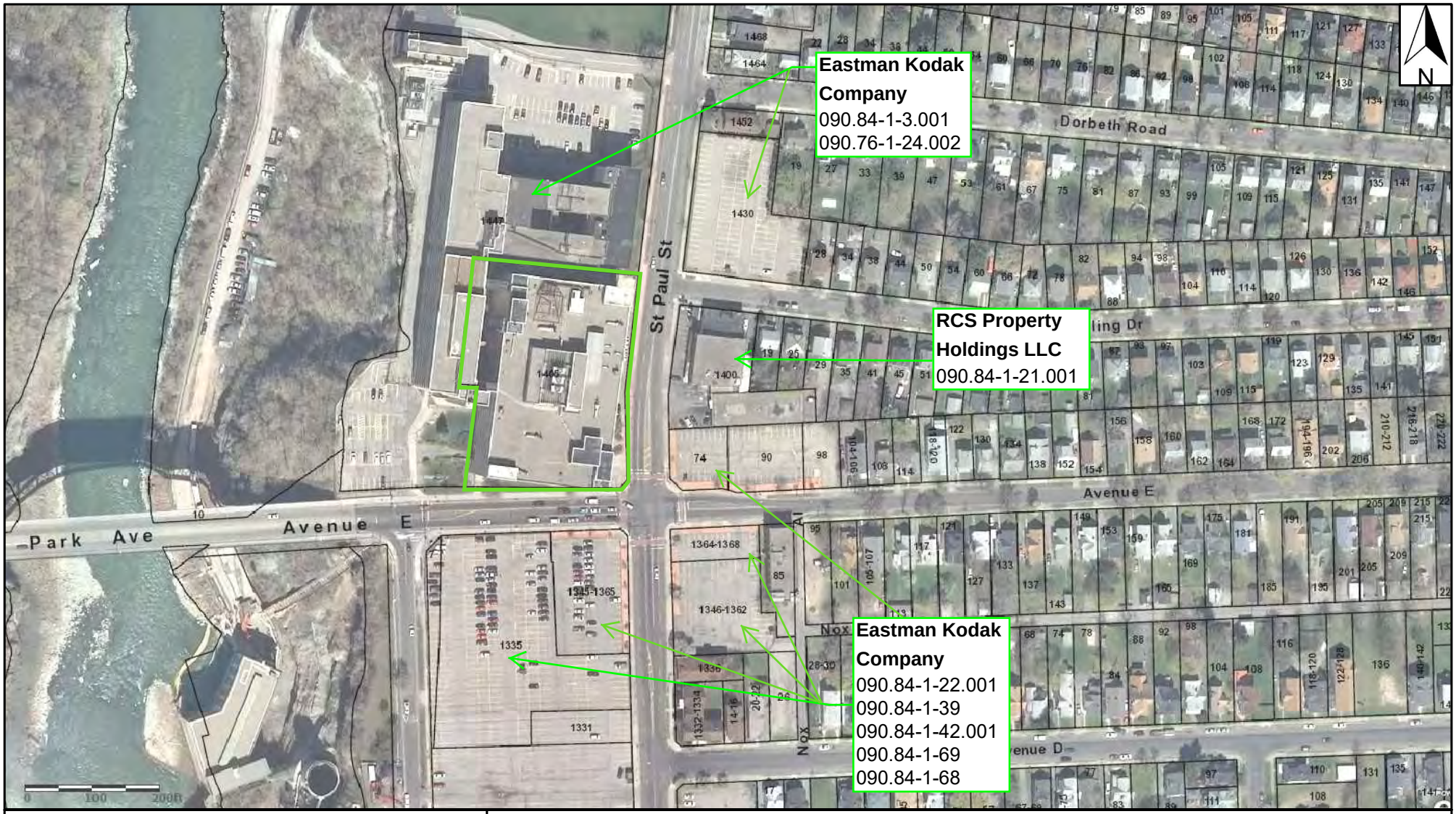

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Figure 5: Proposed Property Boundary Lines and Adjacent Property Owners

1405 St. Paul Street	1/22/2018
Rochester, NY	WBS Capital, Inc.