Privileged and Confidential

PHASE I ENVIRONMENTAL SITE ASSESSMENT

EASTMAN KODAK COMPANY
HAWKEYE FACILITY
1447 ST. PAUL STREET
ROCHESTER, NEW YORK 14617

Prepared For:

Elliot Stern, Esq.
Eastman Kodak Company
11th Floor, Building 7
343 State Street
Rochester, New York 14650-0217

Prepared By:

Leader Professional Services, Inc.
640 Kreag Road, Suite 300
Pittsford, New York 14534

423.001

December 2003

Table of Contents

Table of Contents

Table of Contents

Table of Contents

FIGURES

APPENDICES

1. EXECUTIVE SUMMARY

Leader Professional Services, Inc. ("Leader") was retained by Eastman Kodak Company ("Kodak") to conduct a Phase I Environmental Site Assessment ("ESA") of the Hawkeye Facility property, including six remote, Kodak-owned parking lots ("Hawkeye"). The Hawkeye manufacturing complex of buildings is located at 1447 St. Paul Street in the City of Rochester, Monroe County, New York (see Figure 1). Eight buildings and two related parking lots are located on approximately five acres (see Figure 2). The buildings, with the exception of the power house (Building 4), are linked together by pedestrian passageways or doorways that share a common building wall. Most buildings are multifunctional, having manufacturing areas, office, and engineering areas. The six remote parking lots are situated on adjacent properties and side streets covering a total area of approximately eight acres.

The Phase I ESA was conducted in general accordance with the American Society of Testing and Materials ("ASTM") Standard Practice for Environmental Site Assessments, E 1527-00, Kodak's requirements and our Proposal 03-122-R dated October 22, 2003. Dominick DeFazio and Peter von Schondorf of Leader completed the ESA, including a reconnaissance of the properties conducted on October 31, 2003. Leader requested access to the City of Rochester, Monroe County Department of Health, and the New York State Department of Environmental Conservation ("NYSDEC") regulatory files. Consistent with ASTM E 1527-00, FirstSearch Technology Corporation ("FirstSearch") was used to perform a regulatory database search. The findings of the Phase I ESA are presented below.

The property has a long and varied history. Portions of the property have been in industrial or commercial use since the 1880's, including for use in photographic and optical product manufacturing, rail car (trolley) maintenance, gasoline stations, and tool & dye operations. The following is a summary of the specific Recognized Environmental Conditions ("RECs") and Figure 3 shows the locations of the RECs:

KODAK PROPERTY

Manufacturing Complex

- The site of three former (removed) underground storage tanks ("USTs") at Building 4, used for fuel oil. Contaminated soil and groundwater were discovered at the Building 4 UST site in 1989 during the tank removals; however, due to the low levels of contamination, no remediation was required by the New York State Department of Environmental Conservation ("NYSDEC"). The current environmental quality conditions of soil and groundwater at the former UST site are undetermined.

- The presence of or potential presence of thorium residue in or on the following areas or features: drain pipes and sewers in and/or adjacent to Buildings 5, 11A,

12 and 12A; apparatus inside Shed 1 and the Generator Shed (both located in the Building 5/12A courtyard); Building 12A return-air duct (4th floor to 9th floor fan room); and Building 12A fan room (9th floor). Thorium assessment and remediation were performed at several of the Hawkeye buildings in the early 1990's. The New York State Department of Labor approved the remediation activities report and closed the site Radioactive Materials License; however, the report recognized that thorium residue remains in some inaccessible areas of the facility.

- Former (closed) thorium glass settling pits located at the following sites: west of Building 5; near the southwest exterior corner of Building 12; near the southwest exterior corner of Building 12A; and inside Building 11A (northwest corner). The current environmental quality conditions of soil and groundwater at the sites are undetermined.

- A drywell located northwest of Building 5. Piping to the drywell is abandoned in-place (plugged); however, information regarding the former use of the drywell (source and characteristics of influent) is unknown. The current environmental quality conditions of soil and groundwater at the drywell are undetermined.

- The site of a release at a former (inactive) photo processing wastewater transfer station located north of Building 12. The impact to the subsurface at the release site, if any, was not determined.

- The area formerly occupied by the Rochester Transit Corporation for use as an equipment repair shop (area currently below Buildings 5 and 12A), plus a coincidental area formerly occupied by a gasoline station (area currently below the southeast corner of Building 5). The impact from the operations, if any, is undetermined.

- The area reportedly formerly occupied by the Rochester Photographic Products Company (also identified as General Aristo Company) for manufacturing purposes prior to ownership by Kodak. This area is currently occupied by Parking Lot No. 2 and is the location of former (demolished) Kodak Buildings 1, 2, 3, 7, 8, 9 and 13. The impact from the former operations, if any, is undetermined.

<u>Remote Kodak Parcels</u>

- The presence of petroleum-contaminated soil and groundwater at the former Cumberland Farms facility parcel in the northeast portion of Parking Lot No. 5. Soil and groundwater remediation in this area has been in progress since 1999 and is the responsibility of Cumberland Farms.

- The former use of the following areas as gasoline stations: portions of Parking Lot No. 5 (southeast area), Parking Lot No. 6 (southeast area), and Parking Lot No. 11 (west area). The impact from the former operations, if any, is undetermined.

OFF-SITE (NON-KODAK) PROPERTIES

- Discovery and remediation of thorium contamination on portions of the Genesee River Gorge slope below the Hawkeye complex of buildings. Remediation was performed in the early 1990's on the accessible portions of the slope, however, with the concurrence of state and local regulatory agencies, inaccessible areas were not addressed.

- Area of the Genesee River Gorge slope potentially impacted by a release of photo processing wastewater from the former (inactive) Building 12 wastewater transfer station. The impact from the release, if any, was not determined.

- Area of the Genesee River Gorge slope potentially impacted by a polychlorinated biphenyl ("PCB") release discovery (1991) at a storm sewer outfall west of Building 12. Portions of the slope were inaccessible to determine the extent of potential impacts.

- The R.C. Shaheen Paint Company has an active UST file (report of leaking tank) with the NYSDEC. The Shaheen property is located immediately north of Parking Lot No. 11 and south of Parking Lot No. 9. Impact to Kodak property from this release, if any, is undetermined.

- Facilities formerly located at 1281 and 1285 St. Paul Street, collectively used as a tool & die shop, automobile supply shop and art supply shop (are located immediately south of Parking Lot No. 6). Impact to Kodak property from these former operations, if any, is undetermined.

2. INTRODUCTION

2.1 Purpose

Leader was retained by the Eastman Kodak Company ("Kodak") to conduct a Phase I ESA of the Hawkeye facility, which is located at 1447 St. Paul Street in the City of Rochester, Monroe County, New York. The Hawkeye facility includes a complex of buildings, on-site parking lots and off-site parking lots, which are found next to the Hawkeye facility and on adjacent side streets. Collectively, the Hawkeye facility and the parking lots will be referred to herein as "Hawkeye."

2.2 Scope of Services

The objective of the Phase I ESA is to identify and quantify areas and substances on or near Hawkeye, which may pose an environmental liability or hazard. Leader designed a scope of work to effectively accomplish the above-referenced objective. This scope is designed to be consistent with ASTM E 1527-00.

The Phase I ESA was conducted in accordance with the American Society of Testing and Materials ("ASTM") Standard Practice for Environmental Site Assessments, E 1527-00 and our Proposal 03-122-R dated October 22, 2003. The purpose of this Phase I ESA was to evaluate the current and past operations and the uses of immediately surrounding properties to identify *recognized environmental conditions* in connection with the Hawkeye property.

Recognized Environmental Conditions ("RECs") are defined in the ASTM Standard as "the presence or likely presence of any *hazardous substances* or *petroleum products* on a property under conditions that indicate an existing release, a past release or a material threat of a release of any *hazardous substances* or *petroleum products* into structures on the property or into the ground, ground water or surface water of the property. The term includes *hazardous substances* or *petroleum products* even under conditions in compliance with laws. The term is not intended to include *de minimis* conditions that generally do not present a material risk of harm to public health or the environment and that generally would not be the subject of an enforcement action if brought to the attention of appropriate governmental agencies. Conditions determined to be *de minimis* are not recognized environmental conditions."

A *Historical Recognized Environmental Condition* is defined in the ASTM Standard as an "environmental condition which in the past would have been considered a *recognized environmental condition*, but which may or may not be considered a *recognized environmental condition* currently.

The Phase I ESA consisted of historical and regulatory records review, a site reconnaissance, and interviews with current owners and/or occupants of Hawkeye. State and Federal regulatory agency database file records were reviewed to identify reported

spills, hazardous activities, and adjacent properties of concern. The site reconnaissance consisted of a walkthrough of the Hawkeye property and the surrounding Kodak properties.

Leader prepared this written report summarizing the findings and conclusions of the Phase I ESA. Our Scope-of-Work is detailed in the Leader proposal dated October 22, 2003, and is subject to the use limitations discussed in the proposal. The ESA limitations are discussed further in Appendix A of this report.

2.3 Assumptions

Leader assumes no liability for losses resulting from errors or omissions arising from the use of inaccurate/incomplete information or misrepresentations made by others during the performance of this Phase I ESA.

2.4 Limitations and Exceptions of Assessment

As appropriate within the project schedule and budget, we review available historical aerial photographs, state and local environmental records, and other public documents regarding the site and surrounding area. Our assessment and reviews are conducted using the industry standard practice for ESA's, ASTM's "Phase I Environmental Site Assessment Process E 1527 - 00." However, much of this information is provided to us by third parties, i.e., owners and regulatory agencies, and we cannot control or guarantee the accuracy or completeness of the information. As a result, our lack of knowledge of prior uses and conditions of the subject property due to the inaccuracy or incompleteness of such information may therefore affect our ability to completely assess associated risks or hazards.

2.5 Limiting Conditions

This Phase I ESA was performed in general conformance with the scope and limitations of ASTM Standard Practice E 1527-00 and our Proposal 03-122-R dated October 22, 2003. This report was prepared in a format consistent with that recommended in ASTM Standard Practice E 1527-00.

Due to the nature of some of the work performed at Hawkeye, access to selected sensitive areas was not permitted. These areas included portions of Kodak's Commercial and Government Systems ("C&GS") area and NexPress. NexPress is a Kodak joint venture company. Leader was permitted to interview Ms. Kathleen Melia, a Kodak Environmental Manager at Hawkeye, Mr. Alan Neu, Hawkeye's Building and Facilities Manager, and Mr. Richard Hefferon, of Hawkeye's Department of Building and Facilities. All of these individuals were familiar with the past and present operations in those areas not accessible to Leader. Please note that not accessing an area of the facility is a deviation from ASTM Practice E 1527-00.

2.6 User Reliance

There are no third-party rights or benefits conferred under this report, except for those conveyed to Kodak. Any reliance on the contents of this report by a third party other than those prescribed in Leader's agreement with Kodak is the sole responsibility of that party.

Further user reliance matters detailed in the ESA Limitations provided in Appendix A and incorporated by reference as an integral part of this ESA Report.

3. SITE DESCRIPTION

3.1 Location

Hawkeye consists of eight buildings (manufacturing site/complex); two on-site parking lots and six remote parking lots (see Figure 2). Located on the east side of the Genesee River, the Hawkeye complex of buildings overlooks the Genesee River Gorge and is located within a neighborhood consisting of small retail stores and shops, a school, and single and multi-family housing. Parking Lots No. 1 and No. 2 are located within the building complex.

The location of six remote parking lots used for employee and visitor parking is described below:

- Parking Lots No. 5 and No. 6, St. Paul Street (west side) and Avenue E.
- Parking Lot No. 7, St. Paul Street (east side) and Avenue D.
- Parking Lot No. 8, St. Paul Street (east side) and Avenue E (south side).
- Parking Lot No. 9, St. Paul Street (east side) and Malling Drive.
- Parking Lot No. 11, St. Paul Street (east side) and Avenue E (north side).

3.2 Site Characteristics

The area occupied by the Hawkeye complex of buildings is completely developed with the exception of Parking Lots No. 1 and No. 2 and facility roadways. Further building construction on the property is restricted by the facility's location on the rim of the Genesee River Gorge and its location to neighboring streets and the Rochester School for the Deaf (immediately north). A retaining wall along the rim of the Gorge indicates that erosion and ground movement toward the Gorge may be a future problem.

The Hawkeye complex property slopes gently toward the Gorge and potentially receives runoff from Avenue E located to the south. Also, storm sewers line the street and are also located on the facility to direct storm water to the Monroe County sewer system.

The six remote Kodak parking lots are located within the neighborhood surrounding Hawkeye and have minimal storm water conveyances. Several of the parking lots are located next to retail shops and commercial properties and may receive storm water from these properties.

3.3 Current Uses of the Property

The site is currently used for the design and manufacture of electrical and optical products for Kodak and for the assembly of printing equipment for Kodak's joint venture company,

NexPress. The parking lots are used for employee and visitor vehicles. The general use of the Hawkeye buildings is as follows:

- Building 4 – Power house (electrical distribution/steam generation).
- Building 5 – offices, equipment assembly floors 1 and 2, non-hazardous and hazardous waste storage (90-day storage area) floor 2, cafeteria floor 3, and laboratory floor 7.
- Building 6 – offices and storage, computer systems floor 2.
- Building 10 – storage and offices.
- Building 11 - offices, equipment room floor 1, electronics laboratory and call center floor 5.
- Building 11A – offices and storage, paint spray booth floor 1, material storage and waste accumulation areas.
- Buildings 12 and 12A – offices, clean room, maintenance/fabrication shops, and photo processing.

3.4 Description of Structures

There are 8 buildings within the Hawkeye complex: Buildings 4, 5, 6, 10, 11, 11A, 12, and 12A. All of the buildings are constructed of brick and/or reinforced concrete and all buildings have multiple floors with the exception of Building 11A, which has a single floor. The total square footage of floor space within the Hawkeye complex of buildings is approximately 780,000 square feet.

3.5 Site Utility Information

The following utilities are available to the site:

Electric – Rochester Gas and Electric Corporation ("RG&E").

Natural Gas – RG&E/boiler fuel.

Sewer – Monroe County Division of Pure Waters.

Water – City of Rochester.

Telephone – Privately owned by Kodak.

No. 6 Fuel Oil – Kodak/emergency boiler fuel.

3.6 Current/Past Uses of Directly Adjoining Properties

Current and past land use directly adjoining Hawkeye was evaluated by visual inspection and Leader's review of historical information. Based on this review, the past and current land use primarily consists of commercial and residential properties. The following Table 1 describes the properties surrounding Hawkeye.

TABLE 1

Location	North	East	South	West
Hawkeye Complex and Parking Lot No. 1 and No. 2	Rochester School for the Deaf	St. Paul Street and commercial properties	Avenue E and Kodak Parking Lot No. 5	Slope of the Genesee River Gorge
Parking Lot No. 5	Avenue E and Hawkeye	Residential properties and Parking Lot No. 8	Parking Lot No. 6	Carthage Drive, the slope of the Genesee River Gorge and a RG&E hydroelectric station
Parking Lot No. 6	Parking Lot No. 5	Residential properties and Parking Lot No. 7	Vacant commercial/ industrial building	Carthage Drive, the slope of the Genesee River Gorge, and a RG&E hydroelectric station
Visitor Parking Lot No. 7	Avenue D and residential property	Residential property	Retail storefront and residential property	Parking Lot No. 6
Parking Lot No. 8	Avenue E and Parking Lot No. 11	Commercial/ industrial property (EIC-Electrical Remanufacturers)	Residential property	Parking Lot No. 5
Parking Lot No. 11	Retail property (R.C. Shaheen Paint Company)	Residential property	Avenue E and residential property	St. Paul St. and Hawkeye
Parking Lot No. 9	Residential Property	Residential Property	Malling Dr. and R.C. Shaheen and residential property.	St. Paul Street and Hawkeye

In general, the properties surrounding Hawkeye have historically been used for retail, commercial, light industrial and residential purposes. Historically, automobile service stations with gasoline tanks have been located on portions of the Hawkeye property. Section 4 provides additional information on the former service stations.

4. HISTORICAL USE AND OTHER SITE INFORMATION

4.1 Historical Use Information

4.1.1 Recorded Land Title Records

Kodak provided Leader with copies of several documents and drawings for review, which provide some of the history of the Hawkeye complex of buildings at the corner of St. Paul Street and Avenue E. The documents reviewed include:

- Quitclaim Deed for five tracks of land;
- "Judgment on the Declaration of Taking" for three of five tracks of land;
- Indenture between the United States of America ("USA") and the Rochester Transit Corporation, USA and Kodak;
- A drawing of the property showing the various existing and demolished buildings, and their age of construction (see Figure 4); and
- A drawing of the Hawkeye complex showing underground piping, pits and tanks, (see Figure 5).

The current Hawkeye building complex (Buildings 4, 5, 6, 10, 11, 11A, 12, 12A, and Parking Lots no. 1 and no. 2) originally consisted of two separate parcels. The first parcel, the original Hawkeye Plant, has been owned and operated by Kodak since 1902, when Kodak purchased the property and related buildings. Historical records (photographs) suggest that Buildings 1, 2, 3, 7, and 8 were known as the Rochester Photographic Products Company prior to acquisition by Kodak, but property transaction records indicate Kodak purchased the property from the General Aristo Company. The second parcel was previously owned and occupied by various entities until 1942 when the United States acquired the property for use by Kodak to expand optical manufacturing operations. Once the United States owned the property, the existing facilities including Rochester Transit Corporation repair shops, a gasoline station and several smaller structures were demolished and Building 5 (the Optical Works) was constructed. At the same time Kodak constructed Buildings 4, 12, and 12A. The property owned by the United States was reportedly transferred to Kodak in the late 1940s.

In 1999, Kodak demolished Buildings 1, 2, 3, 7, 8, 9, and 13. During the demolition project, the buildings were generally leveled to the ground surface. In some areas floor slabs were removed, however some at- and below-grade structures such as building foundations and underground pipelines were left in place, but filled-in or plugged where appropriate.

4.1.2 USGS Topographic Map

Leader used a USGS 1978 (photo revised) Rochester East and West, New York Quadrangle (Figure 6) to review the property use at Hawkeye and the surrounding

properties. The topographic map does not specifically identify the Hawkeye facility, but is color-coded indicating urban property use at the site. With the exception of the adjacent RG&E hydroelectric station, none of the surrounding building uses are shown.

The land surface where the Hawkeye properties are located slopes to the west toward the Genesee River Gorge. Properties east of St. Paul Street have a flatter slope compared to those west of the street. West of St. Paul Street, ground surface elevations drop approximately 8 to 15 feet from the street to the top of the Genesee River Gorge.

4.1.3 Historical City Maps and City Directories

Leader reviewed historical city maps and historical city directories at the Rundel Library in the City of Rochester. In general, the historical Sanborn Fire Insurance Maps that were reviewed contained information from 1913 to 1935 compiled onto a single map (see Figure 7). Hopkin's Platt maps of the city similarly compiled their information from 1900 to 1936 onto a single map. Haines City Directories were also reviewed to obtain some later property use information of the Hawkeye area. In general, one directory was reviewed for each 10-year period from 1935 to 1997. Leader's information from the site reconnaissance was used for current conditions.

Photographs of the Hopkin's maps are provided in Appendix B. In general, the Sanborn maps provided more detailed information on Hawkeye and neighboring properties, but the following historical information of interest was obtained from both maps:

- The corner property currently occupied by Building 5 was used as an Esso gasoline station. The remaining portion of the Building 5 area was used by New York State Railways (a predecessor to Rochester Transit Corporation) as a car shop.

- The northeast corner of the property now used as Parking Lot No. 5 was used as a Texaco gasoline station. The majority of Parking Lot No. 5 was used for vehicle repair and motorboat sales.

- The extreme south end of Parking Lot No. 6 and/or the neighboring property (to the south) was used as a Sinclair gasoline station.

- The area currently occupied by Parking Lot No. 8 was used as a restaurant and bowling alley.

- The area currently occupied by Parking Lot No. 11 was used as a Socony gasoline station and garage.

Table 2 provides historical information of interest obtained from the Rochester City Directory. Blank spaces indicate there was no address given for that particular year or that the property appeared to be used for residential purposes.

TABLE 2

St. Paul St. Address/ Kodak Property Id.	Rochester City Directory Year					
	1946	1954	1965	1975	1986	1997
1281		Wolk Appliance	Wolk Appliance	Graphic Art Supply	GA Computer & Graphic Arts	Destuco Toggle Company (Tool & Die)
1285				Visual Auto Supply		
1286	St. Paul Liquor	Fourmost Floor	Niagara Bearing	Suswein Printers/ Thames Chemical Supply	Metideris Pizzeria	
1295/Parking Lot No. 6	Tiger Service	Sivers Service Station		Villas Disposal	CPV Parking	
1331/Parking Lot No. 5		Shindlers Restaurant	Amalfis Restaurant	Amalfis Restaurant	Amalfis Restaurant	
1333/ Parking Lot No. 5	Mayor Boat	Mayor Boat	Mayor Boat			
1354/ Parking Lot No. 5		J&S Food Store		J&S Food Store		
1355/ Parking Lot No. 5			Gulf Motor Clinic			
1365/ Parking Lot No. 5	Gulf Oil	Melton Service Station		Gulf Oil	NSI Service Station	
1368/ Parking Lot No. 8		St. Paul Pharmacy		American Pubs, Inc./ Music Shop Lounge	Music Shop Lounge	

TABLE 2 continued

St. Paul St. Address/ Kodak Property Id.	Rochester City Directory Year					
	1946	**1954**	**1965**	**1975**	**1986**	**1997**
1376/ Parking Lot No. 11		Galas Service Station	Lee Friendly Service			
1400			Shaheen Paints	Shaheen Paints	Shaheen Paint/ Industrial Lite Paint/Mt. Read Industrial Park	Shaheen Paints
1428/ Parking Lot No. 9						
1444/ Parking Lot No. 9						

Based on our review, the following properties appear to be a potential concern:

- 1281 St. Paul Street, located immediately south of Parking Lot No. 6, was formerly used as a tool and die shop with a loading dock fronting on to Carthage Drive in 1997.
- 1295 St. Paul Street is part of Parking Lot No. 6, and was used as a gasoline station until at least 1954.
- 1333 St. Paul Street is part of Parking Lot No. 6, and was used for motorboat sales until at least 1965. It is unknown if any motor services was done on the property.
- 1355 and 1365 St. Paul Street is part of Parking Lot No. 5, and was also used by Gulf Oil and NSI as a gasoline station and vehicle repair center until at least 1986. In the 1930's, the gasoline and vehicle service building included the motorboat sales office at 1333 St. Paul St. The south end of the building nearly extended to Avenue D.
- 1376 St. Paul Street is part of Parking Lot No. 11, and was used as a gasoline station until at least 1965.
- 1400 St. Paul Street is the Shaheen Paint Company, which has an underground storage tank ("UST") in the St. Paul Street loading dock area on the south side of the property.

4.1.4 Aerial Photographs

The Monroe County Environmental Management Council provided historical aerial photographs dated 1930, 1951, 1961, 1970, 1988, 1993, 1996, and 1999. Our observations are written below. Copies of the aerial photographs are provided in Appendix C.

1930

Hawkeye Complex (including Parking Lots No. 1 and No. 2)

- The property is developed. On the north side of the property, there is an industrial complex of buildings. Comparing the photographs with Sanborn map information and information obtained from Kodak, these buildings include former Buildings 1, 2, 3, 7, and 8, and current Buildings 6, 10, 11, and 11A. There are several smaller structures located to the north and west of the larger buildings. According to the Sanborn maps, the two western-most buildings are garages.

- North of the manufacturing complex is a vacant field and several smaller buildings, which compose the Rochester School for the Deaf.

- On the south side of the property there is a larger building, which is used by the Rochester Transit Corporation and four smaller structures. One structure on the corner of St. Paul Street and Avenue E is a gasoline station.

Parking Lots No. 5 and No. 6

- The property appears to be developed for commercial use and residential uses. The north side of the property (Parking Lot No. 5) appears to be developed for commercial use and possibly residential use. The commercial property fronts onto St. Paul Street and has the appearance of a strip mall. According to the Sanborn map, this building is actually a gasoline station and car repair facility. To the west there is a small structure at the corner of Carthage Drive and Avenue E. The remaining portions of the lot appear to be either an unpaved surface or lawn.

- The southern portion of the property (Parking Lot No. 6) is tree covered and may be used for residential purposes. The Sanborn map shows that the southern-most parcel (1295 St. Paul Street) is used for a gasoline station during this time.

Parking Lot No. 7

- This property is shown in the photograph as a tree covered parcel and possibly used for residential or retail purposes. This is consistent with the Sanborn maps.

Parking Lot No. 8

- This property is developed with up to seven structures. Three of the structures located behind (east of) buildings appear to be car garages. The other structures have flat roofs similar to retail or multi-family dwellings. Surrounding buildings are either single-family residential buildings or retail style buildings.

Parking Lot No. 9

- There appears to be three structures on the property. The buildings could be for residential use, which would be consistent with the Sanborn map. The surrounding structures appear to have a similar use.

Parking Lot No. 11

- There are two structures on the property; one small shed-like building and a larger retail or multi-family dwelling. The shed-like building is associated with a large parking area, which suggests a gasoline station. The gasoline station is confirmed on the Sanborn map. The larger building is indicated on the Sanborn map a commercial/warehouse building.

1951

Hawkeye Complex (including Parking Lots No. 1 and No. 2)

- The property appears to be fully developed compared to the 1930 conditions. The individual structures appear changed and no longer are separate, with the exception of defined roof levels. The small structures on the south and west sides of the property are no longer present. Buildings 5, 12 and 12A have been constructed in these areas. Building 4 has been constructed in the northwest corner of the property.

- North of the industrial complex is a vacant field and several smaller buildings which compose the Rochester School for the Deaf.

Parking Lots No. 5 and No. 6

- The property remains developed, but the smaller structures on Carthage Drive and south of the strip mall-like commercial property appear to be gone. The majority of the property is used for parking. A service station indicated in the 1930s is present on the south side.

Parking Lot No. 7

- This property does not appear to have changed since the 1930 photograph.

Parking Lot No. 8

- This property does not appear to have changed since the 1930 photograph.

Parking Lot No. 9

- This property does not appear to have changed since the 1930 photograph.

Parking Lot No. 11

- This property does not appear to have changed since the 1930 photograph.

1961

Hawkeye Complex (including Parking Lots No. 1 and No. 2)

- This property does not appear to have changed since the 1951 photograph. On the west side of the property, within the Genesee River Gorge, several areas of disturbance are indicated, which suggests active erosion possibly from storm sewer outfalls along the bank.

Parking Lots No. 5 and No. 6

- The property remains developed, but the strip mall-like commercial property appears to have been subdivided into smaller commercial or retail buildings. On the corner of St. Paul Street and Avenue E, the gasoline station is clearly seen. The majority of the property is still used for parking. A service station indicated in the 1930s is present on the south side. South of the property there is a larger commercial or retail building present that was not present in the 1951 photograph.

Parking Lot No. 7

- This property does not appear to have changed since the 1951 photograph.

Parking Lot No. 8

- This property does not appear to have changed since the 1951 photograph.

Parking Lot No. 9

- This property does not appear to have changed since the 1951 photograph.

Parking Lot No. 11

- This property does not appear to have changed since the 1951 photograph, with the exception that the second structure (not related to the gasoline station) appears to be larger and used for commercial purposes.

1970

Hawkeye Complex (including Parking Lots No. 1 and No. 2)

- This property does not appear to have changed since the 1961 photograph.

Parking Lots No. 5 and No. 6

- The property remains developed, but some of the smaller buildings (former strip mall buildings) appear to have been removed. The gasoline station on the north side of the property appears to have had an addition placed on the west side of the building. The remaining areas of the property are used as a parking lot.

Parking Lot No. 7

- This property does not appear to have changed since the 1961 photograph.

Parking Lot No. 8

- This property does not appear to have changed since the 1961 photograph.

Parking Lot No. 9

- This property is now used as a parking lot.

Parking Lot No. 11

- This property does not appear to have changed since the 1961 photograph, with the exception that the second structure (not related to the gasoline station) appears to be larger and used for commercial purposes.

1988

Hawkeye Complex (including Parking Lots No. 1 and No. 2)

- This property does not appear to have changed since the 1970 photograph.

Parking Lots No. 5 and No. 6

- The property does not appear to be substantially changed from the 1970 photograph. Two buildings appear: the gasoline station near the corner of St. Paul Street and Avenue E and a building located across from where Avenue D intersects with St. Paul Street.

Parking Lot No. 7

- The former building(s) have been removed and the property is used as a parking lot.

Parking Lot No. 8

- One building remains on the corner of Avenue E and St. Paul Street, but the remaining portions of the property are used as a parking lot.

Parking Lot No. 9

- This property appears not to have changed since the 1970 photograph.

Parking Lot No. 11

- All buildings have been removed from the property and the property now is used for parking. The building immediately to the north appears to have been removed and a larger commercial/retail building has been constructed. The building appears that it may be linked to the building immediately to the north. In 1988, the building is part of R.C. Shaheen.

1993

Hawkeye Complex (including Parking Lots No. 1 and No. 2)

- This property does not appear to have changed since the 1988 photograph.

Parking Lots No. 5 and No. 6

- The property does not appear to be substantially changed from the 1988 photograph. Only one building remains, the gasoline station near the corner of St. Paul Street.

Parking Lot No. 7

- This property does not appear to have changed since the 1988 photograph.

Parking Lot No. 8

- The building identified in 1988 has been removed and the property is used as a parking lot.

Parking Lot No. 9

- This property appears not to have changed since the 1988 photograph.

Parking Lot No. 11

- This property does not appear to have changed since the 1988 photograph.

1996

Hawkeye Complex (including Parking Lots No. 1 and No. 2)

- This property does not appear to have changed since the 1993 photograph.

Parking Lots No. 5 and No. 6

- The property appears unchanged from the 1993 photograph.

Parking Lot No. 7

- This property does not appear to have changed since the 1993 photograph.

Parking Lot No. 8

- This property does not appear to have changed since the 1993 photograph.

Parking Lot No. 9

- This property appears not to have changed since the 1993 photograph.

Parking Lot No. 11

- This property does not appear to have changed since the 1993 photograph.

1999

Hawkeye Complex (including Parking Lots No. 1 and No. 2)

- This property does not appear to have changed since the 1996 photograph.

Parking Lots No. 5 and No. 6

- The gasoline station at the corner of St. Paul Street and Avenue E has been removed and the property is used entirely for parking.

Parking Lot No. 7

- This property does not appear to have changed since the 1996 photograph.

Parking Lot No. 8

- This property does not appear to have changed since the 1996 photograph.

Parking Lot No. 9

- This property appears not to have changed since the 1996 photograph.

Parking Lot No. 11

- This property does not appear to have changed since the 1996 photograph.

4.1.5 Previous Investigations and Reports

Environmental investigations concerning the Hawkeye properties cover four different issues: thorium contamination of the Hawkeye complex and Genesee River Gorge; polychlorinated biphenyls ("PCBs") found on the Gorge slope below a storm water pipe and in the storm water pipe from the Hawkeye complex; removal of underground fuel oil storage tanks near the power house (Building 4); and petroleum contamination found in Parking Lot No. 5. Table 3 summarizes correspondence and reports prepared for Kodak or received by Kodak related to the cited issues. Discussion of the four issues is presented following Table 3.

TABLE 3

Environmental Activities and Documents for the Eastman Kodak Hawkeye Plant

Description of Activity	Date
Geotechnical Evaluation of Deep Stability – West Property Line-Hawkeye Plant, prepared for Eastman Kodak Company by Empire Soils Investigations.	May 1985
Letter from John Heyer, Eastman Kodak Company, to George Kasyk, NYSDOL, release for unrestricted use of an area on the 4th floor of Building 5.	October 29, 1987
Letter from Thomas R. Graham, Environmental Technical Services, to Carl Hendbauer, NYSDEC, regarding the removal of USTs at the Hawkeye Plant.	January 17, 1990

TABLE 3 continued

Description of Activity	Date
Memo from John Heyer, Radiation Safety Officer, to Pat Hutchings Site Management, Eastman Kodak Company, notification that elevated thorium levels have been found on equipment and more sampling is needed before equipment can leave the property.	March 1, 1990
Radiological Site Assessment of Hawk-Eye Facility, Phase I Final Report, prepared by Quadrex Environmental Company for Eastman Kodak Company.	December 7, 1990
Visual Inspection Report – Genesee River Gorge, Hawkeye Plant, prepared for Eastman Kodak Company by Donald J. Bergman and Associates, P.C.	May 23, 1991
Letter from Bruce Klanderman, Ph.D., Eastman Kodak Company, to Thomas Marriott, NYSDEC, regarding proposed action following the finding of PCBs in a storm sewer and soil and rock near the top of the Genesee River Gorge. The concerns for possible thorium contamination were relayed to NYSDEC. Plans to remove the PCB contamination and sampling for thorium contamination were outlined.	July 10, 1991
Radian Corporation prepares for the Eastman Kodak Company a "Work Plan for Thorium Investigation for the Hawkeye Gorge Area."	August 1991
Work Plan-Thorium Investigation for the Hawkeye Gorge Area, prepared by Radian Corporation for Eastman Kodak Company.	August 1991
Radiological Site Assessment of Hawk-Eye Facility, Rev. 1, prepared by Quadrex Corporation for Eastman Kodak Company.	August 9, 1991
Letter from Thomas Marriott, NYSDEC, to Bruce Klanderman, Ph.D., Eastman Kodak Company, regarding sampling of a sewer pipe and the Genesee River Gorge slope for PCB contaminated soil and rock and the need to sample for thorium.	August 6, 1991
Letter from John Heyer, Eastman Kodak Company, to George Kasyk, NYSDOL, requesting acceptance of thorium cleanup of a 3,000 sq. ft. area on the second floor of Building 12A.	August 15, 1991
Letter from Bruce Klanderman, Ph.D., Eastman Kodak Company, to Thomas Marriott, NYSDEC, sampling of soil and rock on the Genesee River Gorge slope for PCBs and thorium.	September 3, 1991
John Heyer, Eastman Kodak Company, transmittal of draft Work Plan by Radian Corporation for the Genesee River Gorge to Dr. Paul Merges, NYSDEC.	September 6, 1991
Radiological Site Assessment of Hawkeye Facility, Rev. 1, prepared by Quadrex Corporation for Eastman Kodak Company.	November 6, 1991
Letter from John Heyer, Eastman Kodak Company, to George Kasyk, NYSDOL, regarding the decommissioning activities at the Hawkeye Facility.	January 16, 1992

TABLE 3 continued

Description of Activity	Date
Hawkeye Gorge Thorium Investigation Final Report, prepared by Radian Corporation for Eastman Kodak Company.	February 1992
Letter from Haines Lockhart, Ph.D., Eastman Kodak Company, to Thomas Marriott, NYSDEC, regarding contaminated soil and rock removal and sampling for PCB and thorium. Elevated levels of radiation were detected.	February 11, 1992
Transmittal of the Radian Corporation Thorium Investigation Report for the Genesee River Gorge Project, to Dr. Paul Merges, NYSDEC.	February 17, 1992
Letter from John Heyer, Eastman Kodak Company, to George Kasyk, NYSDOL, requesting NYSDOL conduct a radiological survey of the fourth floor of Building 12 and 12A.	March 2. 1992
Letter from John Kadlecek, NYSDEC, to John Heyer, Eastman Kokak Company, comments to the Radian Corporation Thorium Investigation Report.	March 13, 1992
Letter from John Heyer, Eastman Kodak Company, to Louis Cabasino, NYSDOL, sample results from an area on the fourth floor of Building 12 and 12A.	March 27, 1992
Geotechnical Evaluation – Existing Bin Walls, Eastman Kodak Hawkeye Plant, prepared for Eastman Kodak Company by Huntingdon Consulting Engineers and Environmental Scientists.	October 1992
William Tetley, PE., NYSDEC, to John Heyer, Eastman Kodak Company, providing sample results collected from the Genesee River Gorge.	December 21, 1992 (date received)
Work Plan for the Hawkeye Gorge Site Remediation, Revised, submitted to Eastman Kodak Company by Sevenson Environmental Services, Inc.	March 19, 1993
Letter from Richard Elliot, Monroe County Department of Health, to John Heyer, Eastman Kodak Company, Acceptance of comments on Work Plan and Health and Safety Plan for the Hawkeye Gorge site remediation.	April 9, 1993
Final Release Survey for the Radiological Decommissioning of the Eastman Kodak Hawkeye Facility, prepared by Quadrex Recycle Center, for Eastman Kodak Company.	May 3, 1993
Memo from Mark Gregor, City of Rochester, to Sue Juliano, Eastman Kodak Company, providing comments to Eastman Kodak on the June 1993 Hawkeye Gorge Characterization Investigation Work Plan.	June 29, 1993
Hawkeye Gorge Characterization Investigation Report, prepared by H&A of New York for Eastman Kodak Company.	August 23, 1993

TABLE 3 continued

Description of Activity	Date
Letter from Thomas Marriott, NYSDEC, to John Heyer, Eastman Kodak Company, accepting Hawkeye Gorge Characterization Report.	September 16, 1993
Letter from Mark Gregor, City of Rochester, to John Heyer, Eastman Kodak Company, review of revised remedial approach for the Genesee River Gorge project.	September 17, 1993
Letter from Darrell Bradfield, Eastman Kodak Company, to Thomas Marriott, NYSDEC, transmitting Hawkeye Gorge Soil Characterization Sampling Plan.	September 21, 1993
Letter from John Heyer, Eastman Kodak Company, to Rita Aldrich, NYSDOL, requesting termination of NYSDOL Radioactive Materials License No. 799-0253.	December 20, 1993
Final Report – Hawkeye Gorge Sampling Plan, Rochester, NY, prepared by Sevenson Environmental Services, Inc. and submitted to Eastman Kodak Company.	Undated
Letter from Lee Young, Quadrex Corporation, to John Heyer, Eastman Kodak Company, regarding data from the Hawkeye Facility D&D Project Radiological Assessment.	April 8, 1994
Letter from Mark Gregor, City of Rochester, to John Heyer, Eastman Kodak Company, review of Sevenson Cleanup report for the Genesee River Gorge project.	December 22, 1994
Letter from NYSDOL Radiological Unit, to Joseph Greco, Eastman Kodak Company, regarding termination of Hawkeye Thorium Plant Radioactive Materials License No. 799-0253.	March 1, 1994
Letter from Mark Gregor, City of Rochester, to John Heyer, Eastman Kodak Company, regarding the review of the thorium clean up report, the city's monitoring of the post-clean up area, and development of a joint plan to stabilize the area.	December 22, 1994
Letter from Joseph Greco and R. Hayes Bell, Eastman Kodak Company, to Rita Aldrich, NYSDOL, Addressing NYSDOL comments on the "Final Release Survey for the Radiological Decommissioning of the Eastman Kodak Hawkeye Facility."	January 4, 1995
Geotechnical Evaluation for Hawkeye parking lot, prepared for the Eastman Kodak Company by Huntington Engineers and Environmental Scientists.	April 1995
Letter from Rita Aldrich, NYSDOL, to Joseph Greco, Eastman Kodak Company, confirming termination of NYSDOL Radioactive Materials License No. 799-0253.	May 10, 1995
Letter from Kevin J. McCabe, Cumberland Farms, Inc. to Bruce Finster, NYSDEC, regarding 1365 St. Paul St., Gulf Oil Facility	June 5, 1995
NSI Station Environmental Assessment Report, prepared for Eastman Kodak Company, by IT Corporation	November 1996

TABLE 3 continued

Description of Activity	Date
City of Rochester radiation monitoring report entitled "Kodak Hawkeye Monitoring Summary Report - Genesee River Gorge, Rochester, NY" dated May 7, 1997.	May 7, 1997 (report date)
Letter from Peter R. Miller, from NYSDEC, to Dick Spiegel, from Eastman Kodak Company, regarding responsibility of petroleum spill at 1365 St. Paul St.	November 13, 1997
Groundwater Monitoring Map, for the former Cumberland Farms property at No. 1365 St. Paul St., by Groundwater and Environmental Services, Inc. (map showing the elevation of groundwater and contaminant concentrations).	February 9, 1998
Letter from Robert Drabot, Groundwater & Environmental Services, to Timothy Dowell, from Cumberland Farms, regarding work plan for 1365 St. Paul St. the former Cumberland Farms Station	November 25, 1998
Letter from Peter R. Miller, NYSDEC, to Richard Koehn, City of Rochester, approving of the Groundwater & Environmental Services investigation work plan.	January 21, 1999
Quarterly Groundwater Monitoring Reports for Former Cumberland Farms Station (February 15, 2000 to July 10, 2000	February 15, 2000
Report on Preliminary Slope Evaluation EKC Hawkeye Plant, Rochester, NY prepared by Haley & Aldrich of New York for Eastman Kodak Company.	May 30, 2001
Quarterly Groundwater Monitoring Report for Former Cumberland Farms Station	September 12, 2002

Thorium Contamination

Among the many products Kodak manufactured at Hawkeye were optical quality glass lenses and optical equipment. Kodak found that the use of thorium in glass made superior glass for special optical uses. As a result of the use of thorium for a prolonged period of time (1930s-1980s), thorium-contaminated dust and waste had made its way into building cavities, some drain/sewer pipes, air ducts, and on to portions of the Genesee River Gorge. Using thorium required a license from the Nuclear Regulatory Commission. In New York, the radioactive materials program is managed and regulated by the New York State Department of Labor ("NYSDOL").

After many years of maintaining the NYSDOL license, Kodak relinquished the license because thorium glass manufacturing operations at the facility had been discontinued. As a part of this decision, Kodak completed an assessment to evaluate the existing conditions and to develop a cleanup plan to remove all radioactivity to regulated levels. After the cleanup, an additional radiological assessment survey was completed to confirm that cleanup levels were attained ("Final Release Survey for the Radiological Decommissioning of the Eastman Kodak Hawkeye Facility," by Quadrex Recycle Center, May 3, 1993). The

main areas of remediation included Buildings 5, 11A, 12, and 12A, and the Courtyard between Buildings 5 and 12A. Additionally, several of the surrounding buildings were also surveyed following completion of the remediation effort to ensure that no migration of the material had occurred. The release survey results were evaluated and compared to the regulatory requirements and guidance in New York State Code Rules and U.S. Nuclear Regulatory Commission policies. The results of the remediation found that Hawkeye met the requirements for unrestricted use as defined by the applicable regulatory codes. On May 10, 1995 Kodak received confirmation from the NYSDOL of the termination of the NYSDOL license (see Appendix F).

Although the remediation was successful, elevated levels of thorium potentially remain in the Hawkeye Complex in areas where remediation could not be completed. The areas where elevated levels of thorium may exist include: inside Shed No. 1 (96-inch coater building) located in the courtyard between Buildings 5 and 12A; the Generator Shed also located in the Building 5 and Building 12A courtyard; a return air-chase (duct) located in Building 12A between the 4th and 9th floors; the fan room located in Building 12A on the 9th floor; and in some interior drain pipes and underground pipes located beneath Buildings 5, 11A, 12 and 12A. These areas remain areas of potential contamination because they were inaccessible and would not be an exposure threat unless disturbed by removal of the structures surrounding the potentially contaminated area or if the conditions of use at Hawkeye changed.

In addition to the building cleanup, Kodak found thorium contamination on the slope of the Genesee River gorge. Kodak completed an investigation and cleanup of the contaminated slope area with NYSDEC, NYSDOH, Monroe County DOH and City of Rochester oversight. During the cleanup, access to some potentially contaminated areas was limited because of the angle of the slope. A decision was made by Kodak, NYSDEC, NYSDOH and the City of Rochester that these areas could remain, because access to the areas was limited and could be further restricted by the placement of a fence. If conditions on the slope change Kodak would be required to re-evaluate the threat and possibly do additional cleanup.

PCB Contamination

During the removal of thorium-related materials from the Genesee River Gorge slope, some materials were found to contain PCBs and some RCRA hazardous metals. An investigation found that the PCBs probably originated from the Hawkeye complex and were deposited on the slope by rainwater or wastewater from a discharge pipe. The discharge pipe was cleaned and the soil around several catch basins sampled to determine the PCB's point of entry and possible source. No definitive source of the PCBs was found and the NYSDEC accepted Kodak's assessment and cleanup of the problem.

Building 4 Fuel Oil Storage Tanks

In the late 1980s, Kodak maintained two underground fuel oil storage tanks adjacent to Building 4 (east side). In 1983 an earlier-used tank was cleaned and abandoned in-place.

On December 5, 1989, petroleum found in an excavation led to the removal of all of the USTs. Contaminated soil and groundwater were removed from the excavation and NYSDEC required no further action. Following the removal of these three tanks, Kodak installed a new 33,000-gallon tank in a concrete lined vault on the north side of Building 4.

Parking Lot No. 5 Petroleum Contamination

Kodak discovered an UST during the demolition of the former Cumberland Farms/NSI service station on the corner of St. Paul Street and Avenue E. During the demolition, a small amount of petroleum-contaminated soil was found. As part of the sale agreement the former owner (Cumberland Farms) assumed responsibility for the contamination, however, in a letter from NYSDEC to Mr. Richard Spiegel of Kodak, dated November 13, 1997, NYSDEC considers both Cumberland Farms and Kodak responsible parties. Cumberland Farms' consultant is working with NYSDEC to complete the clean up and monitor the site conditions. A work plan for the investigation and cleanup of the property was approved by the NYSDEC on January 21, 1999. According to a third quarter sampling results conveyed to NYSDEC on September 12, 2002, the groundwater remains contaminated with petroleum-related volatile organic compounds ranging from 1 to 410 parts per billion. In general, the cleanup concentration for individual volatile organic compounds in groundwater is 5 parts per billion ("ppb") with the exception of benzene, which is 0.7 ppb, naphthalene, which is 10 ppb, and MTBE, which is 50 ppb.

4.2 Physical Setting Source(s)

The information in this section is based on our review of several texts: Geology of New York by Yngvar Isachen, Roadside Geology of New York by Bradford Van Diver and the Soil Survey of Monroe County.

The Hawkeye properties are located in an area designated by the Soil Survey as Urban Soil, which is soil that has been modified by building development and covered with fill. This area of Monroe County is also known to be covered with layers of glacial drift, which is soil consisting of a mixture composed of mostly sand, silt and clay. The location of the properties near the Genesee River Gorge could also tend to brings more variability in the soil types, because depressions or ravines entering the Gorge could fill in with coarser sediment types from water spilling into the Gorge and manmade debris being thrown in to level out the land. The actual thickness of the soil varies across Hawkeye, but soil boring completed in Parking Lot #5 found the soil thickness is between 13 and 15 feet.

The upper bedrock units in the Hawkeye vicinity are composed of Silurian age shale, sandstone, and limestone. The more resistant sandstone and limestone units form recognizable layers within the Gorge below Hawkeye, but immediately below the overburden is less resistant shale. The depth to bedrock is estimated to be range between 5 and 20 feet in the Hawkeye area.

Groundwater is expected to be found near the bedrock surface and flow toward the Genesee River. The direction of groundwater flow was determined during Cumberland

Farms' investigation of their former gasoline station on the corner of St. Paul Street and Avenue E. Cumberland Farms estimate the direction of groundwater flow to be to the northwest.

It should be recognized that local groundwater flow directions and elevations in the vicinity of Hawkeye might vary considerably as a result of underground utilities, heterogeneous subsurface conditions, and the distance to the face of the River Gorge among other factors.

4.3 Environmental Liens or Activity and Use Limitations

There are no known environmental liens, deed restrictions or use limitations placed on the subject property.

4.4 User Information/Specialized Knowledge

User information/specialized knowledge made available to Leader during the completion of this report are described in Section 4.1.1.

5. REGULATORY INFORMATION

Below is a summary of the regulatory information provided in the FirstSearch Environmental report ("FirstSearch"), and available information from local government agencies. Regulatory information requested directly from NYSDEC was not available at the time that this report was prepared. The FirstSearch report is provided in Appendix D.

Kodak is listed eight times by FirstSearch in the USEPA and NYSDEC regulatory databases. The references are the following categories: Spills, Chemical Bulk Storage ("CBS"), Leaking Underground Storage Tanks ("USTs"), Petroleum Bulk Storage ("PBS") and Hazardous Waste Generation. In addition to these references, FirstSearch also identifies Kodak Parking Lot No. 5 as being the site of several spills and a leaking UST. The site name in this instance is Cumberland Farms and NSI Gasoline Station No. 550.

Kodak is listed four times in the Spill listings. Only one of the spill listings remains open with NYSDEC. The open spill was reported on October 17, 1997 at the corner of Avenue E and St. Paul St. The spill involved the release of approximately 5-gallons of fuel oil from an UST that was accidentally struck during excavating. Upon further investigation by NYSDEC, the spiller was identified as Cumberland Farms. On January 22, 1999, NYSDEC approved of a GES (Cumberland Farms' environmental consultant) Work Plan to install monitoring wells and explore the use of Oxygen Release Compound ("ORC") to assist in the remediation of the contamination.

In 1976 or 1977, a tank truck parked at the Building 12 loading dock had a release of photographic processing wastewater. According to Ms. Kathleen Melia, the spill entered the storm water system and out to the Genesee River Gorge. No clean up operation was completed. The remaining closed NYSDEC spills include:

- January 15, 1990 - a spill of No. 6 fuel oil occurred from a punctured tank located at Building 4 (power house building), while cleaning an adjacent tank. Contaminated soil and groundwater was removed. The spill file was closed on June 6, 1990.

- February 29, 1996 - a spill of Diesel fuel from a vehicle owned by C.P. Ward. The spill file was closed on February 29, 1996.

- July 20, 2000 - a release of asbestos occurred during demolition of a building. The incident was referred to NYSDEC on-site Monitors at Kodak Park. The spill file was closed July 25, 2000.

As mentioned earlier, Kodak was also identified as having other listings in USEPA and NYSDEC regulatory databases. These listings include:

- An inactive CBS registration for five, reconfigured 475-gallon sodium hydroxide aboveground storage tanks ("ASTs") located in Building 12.

- One leaking UST. The leaking UST was discovered on May 4, 1989 when odors were found during an excavation at Building 4. The source of the odor was a decommissioned tank. Insignificant contamination was found associated with the tank and the Leaking UST file was closed on May 5, 1989.

- An active Petroleum Bulk Storage ("PBS") registration. Records indicate that Hawkeye has one active storage tank and one AST listed. The listed storage tank is technically an AST because the exterior of the tank can be inspected. The tank is located in a below grade, lined concrete vault. The tank has a capacity of 33,000-gallons and is reported to be used for No. 5 or No. 6 fuel oil. The vault (see photos in Appendix E) is located adjacent to Building 4. Leak detection is monitored with a product level gauge, high level alarms, and an inspection port. The tank is protected with a sacrificial anode.

  The AST is a 250-gallon Diesel fuel tank located inside Building 12A within a concrete dike. The tank has a product level gauge. The tank is painted with asphalt and has wrapped, copper product piping. The AST fuels an emergency fire pump engine.

  The listing also has three closed USTs, with capacities of 20,000 gallons each. The listing indicates that the closures were done prior to April 1991. These tanks reportedly were used for storing No. 5 and No. 6 fuel oil. (These three USTs were located adjacent to Building 4 and were removed as described in Subsection 4.1.5)

- The Kodak Apparatus Division at the Hawkeye facility is identified as a large-quantity generator in the database with USEPA Identification number NYD000809335. According to Ms. Kathleen Melia, the complex currently is a small-quantity generator, but because of a one-time shipment of mercury light bulbs and other wastes, Hawkeye exceeded the small-quantity generator threshold.

5.1 Standard Environmental Record Source(s)

5.1.1 Federal NPL Sites

There are no National Priority List ("NPL") facilities listed within a 1.00-mile radius of Hawkeye.

5.1.2 Federal CORRACTS (TSD) Facilities

There is one facility within a 1.00-mile radius of Hawkeye that is included on the Resource Conservation and Recovery Act ("RCRA") Corrective Actions and associated Treatment, Storage, or Disposal ("TSD") Facility list.

FACILITY	DISTANCE FROM SITE (miles), ORIENTATION (topographic gradient)	STATUS
DuPont 69 Seneca Avenue	0.91-miles northeast, upgradient and cross gradient	On-going. This facility's incinerator is subject to RCRA Corrective Action. During the 1980's and 1990's the facility received violations and also has been subject to enforcement actions.

This facility does not represent a concern to the Hawkeye property because of its distance from Hawkeye and topography is such that spills to the ground surface could not affect the Hawkeye property. Although it is possible that the facility is hydraulically upgradient from Hawkeye, it is doubtful that any groundwater contamination from the facility would significantly impact Hawkeye.

5.1.3 State Equivalent Priority List

There are three facilities within a 1.00-mile radius of Hawkeye that are included on the New York Inactive Hazardous Waste Disposal Sites/State Priority List ("SPL").

FACILITY	DISTANCE FROM SITE (miles), ORIENTATION (topographic gradient)	STATUS
Genesee River Gorge south of Driving Park Bridge	0.26-miles southwest, downgradient	On-going. Contamination of the soil, bedrock, and groundwater has been identified. Contaminants involve residuals from coal tar.
Eastman Kodak Company, KPX, 1669 Lake Avenue	0.95-miles northwest, gradient not applicable	On-going. Contamination related to the use of a tank farm associated with Building 218.
Eastman Kodak Company, KPE, 1669 Lake Avenue	1.0-miles northwest, gradient not applicable	On-going. Contamination related to the use and storage of chemical from Kodak's manufacturing process.

The Genesee River Gorge facility is topographically and hydraulically downgradient of Hawkeye and it is not likely to have an impact on the site conditions. KPX and KPE are

both located on the west side of the Genesee River and Gorge. The River and the Gorge present a physical barrier to the migration of contaminants toward Hawkeye.

5.1.4 State Equivalent CERCLIS Sites

New York State does not have an equivalent Comprehensive Environmental Response, Compensation, and Liability Information System ("CERCLIS").

5.1.5 Federal CERCLIS/NFRAP Site List

There are three Federal Comprehensive Environmental Response, Compensation, and Liability Information System ("CERCLIS")/No Further Action Required ("NFRAP") facilities listed within a 0.50-mile radius of Hawkeye.

FACILITY	DISTANCE FROM SITE (miles), ORIENTATION (topographic gradient)	STATUS
Genesee River Gorge, south of Driving Park Bridge	0.19-miles southwest, downgradient	No Further Remedial Action Planned. State is coordinating on-going investigation and remediation.
Monroe Plating Inc., 265 Hollenbeck Street	0.45-miles northeast, upgradient	No Further Remedial Action Planned.
Rochester Germicide, 333 Hollenbeck Street	0.45-miles northeast, upgradient	No Further Remedial Action Planned.

The USEPA has designated these facilities as not requiring any additional remedial action. Since Monroe Plating and Rochester Germicide are not listed as Spill or State facilities, there is no information to conclude that these facilities are a concern to Hawkeye.

5.1.6 Federal RCRA non-CORRACTS TSD Sites

There are no Federal RCRA non-Corrective Action ("non-CORRACTS") Treatment, Storage, or Disposal ("TSD") facilities listed within a 1.00-mile radius of Hawkeye.

5.1.7 State Leaking Underground Storage Tanks

There are 15 facilities within a 0.50-mile radius of Hawkeye that are included on the New York State Leaking UST List. Hawkeye is included on this database. Five of the listed 15 facilities have not been remediated and their files closed by the NYSDEC. The five open Leaking UST facilities are listed below.

FACILITY	DISTANCE FROM SITE (miles), ORIENTATION (topographic gradient)	STATUS
R.C. Shaheen Paint Company	0.07-miles southeast, upgradient	Active leaking UST file first reported on September 21, 1991. Contaminated soil was to be excavated. Product was also found. No information is provided to suggest that contaminated soil or groundwater remediation has begun.
Proposed McDonalds, 800 Lake Avenue	0.40-miles southwest, gradient not applicable	Active, but facility is located west of the Genesee River.
Nazareth Academy	0.40-miles northwest, gradient not applicable	Active, but facility is located west of the Genesee River.
Regional Recycling, 315 Hollenbeck Street	0.45-miles northeast, upgradient	Active leaking tank found during tank tightness testing. Tank stored No. 2 fuel oil. No information provided to indicate that the cleanup was completed.
Former C-Store, 655 Lake Avenue	0.50-miles southwest, gradient not applicable	Active, but facility is located west of the Genesee River.

The R.C. Shaheen leaking UST is a concern, because it is undetermined whether the site has been remediated and it is located immediately north of Parking Lot No. 11 and east of St. Paul Street from the Hawkeye complex of buildings. To a lesser extent, the Regional Recycling facility is also a concern; however, the distance between Hawkeye and the facility is such that the chance of contaminants from the leaking UST impacting Hawkeye appears to be remote. The remaining facilities are located on the west side of the Genesee River Gorge, which provides a significant physical barrier to the migration of contaminants traveling east toward Hawkeye.

5.1.8 State Solid Waste Landfill Sites/Incinerators/Transfer Stations

There are no facilities within a 0.50-mile radius of Hawkeye that are included on the New York State Landfill/Solid Waste Disposal Site ("SWLF") list.

5.1.9 State Underground/Aboveground Storage Tank Sites

There are four facilities listed within a 0.25-mile radius of Hawkeye, which are listed by New York on the PBS and CBS registry for USTs and ASTs. Two of the listed facilities are located in the Hawkeye complex of buildings and are discussed in greater detail in Section 5.0. The following facilities were evaluated in more detail:

FACILITY	DISTANCE FROM SITE (miles), ORIENTATION (topographic gradient)	STATUS
Eastman Kodak Company, 20 Avenue E (Building 12)	On-site.	Decommissioned - non-regulated, CBS facility, five, 475-gallon sodium hydroxide ASTs.
Kodak Equipment Manufacturing Division, Hawkeye Plant	On-site.	Active PBS facility, one 33,000-gallon No. 5 or No. 6 fuel oil storage tank (Building 4) and two 20,000-gallon fuel oil USTs have been removed (Building 4). One 250-gallon, Diesel fuel AST (Building 12A).
R.C. Shaheen Paint Company, 1400 St. Paul Street	0.07-miles southeast, upgradient	Active PBS facility, one 4,000-gallon gasoline UST. One 4,000-gallon gasoline UST that has been closed and removed.
Cumberland Farms, 1365 St. Paul Street and Avenue E.	0.13-miles southwest, upgradient	Unregulated PBS facility, five closed or removed USTs ranging in size from 4,000 to 1,000-gallons.

The R.C. Shaheen UST is a concern as discussed in Section 5.1.7. The Cumberland Farms facility is also a concern, because the tanks may or may not been removed. NYSDEC and Cumberland Farms are currently working to resolve a contamination issue from this location.

5.1.10 Federal ERNS List

There are no incidents reported within a 0.25-mile radius of Hawkeye that are included on the Federal Emergency Response Notification System ("ERNS") list.

5.1.11 Federal RCRA Generators List

The Resource Conservation and Recovery Act ("RCRA") - Large-Quantity Generator's ("LQG") list (i.e., >1000 kg of RCRA waste/month) and Small-Quantity Generator's ("SQG") list (i.e., <1000 kg of RCRA waste/month) were both included in this search. Two generators of hazardous waste are listed within a 0.25-mile radius of Hawkeye. One of the listed generators is Hawkeye (see Section 5.0 for additional information).

FACILITY	DISTANCE FROM SITE (miles), ORIENTATION (Topographic gradient)	STATUS
Kodak Apparatus Division-Hawkeye, 20 Avenue E.	On-site.	Large-quantity generator.
Cumberland Farms, 1365 St. Paul Street	0.13-miles southwest, upgradient	Small-quantity generator.

The Cumberland Farms facility is no longer an off-site concern for hazardous waste generation because the facility is no longer present.

5.1.12 State Spills Registry

Thirteen spills were identified by FirstSearch from the New York Spills registry database within 0.25-miles of the site and all but four of the listed spills have been closed by NYSDEC. As previously mentioned, one of the spill locations is Hawkeye and this incident is discussed in Section 5.0. Three additional spills have occurred near Hawkeye and are discussed below.

FACILITY	DISTANCE FROM SITE (miles), ORIENTATION (topographic gradient)	STATUS
Eastman Kodak Company, Corner of Avenue E and St. Paul Street (Parking Lot No. 5)	On-site.	Active. In 1997, an UST was struck during construction work in a parking lot spilling approximately 5-gallons of fuel oil. Cumberland Farms was identified as the spiller and their consultant GES has received approval for installing monitoring wells and studying the potential for Oxygen Release Compound based remediation (1999).
R.C. Shaheen Paint Company, 1400 St. Paul Street	0.07-miles southeast, upgradient	Active. In 1991, contaminated soil and product was discovered during the removal of a UST. No information is provided to suggest that contaminated soil or groundwater remediation has begun.
Nox Alley	0.21-miles southeast, upgradient	Active, three drums of waste oil were found abandoned in the alley. Monroe County Health Department and the City of Rochester had the drums sampled and removed.
143 Northview Trail	0.25-miles northeast, upgradient	Active, a parked motor vehicle routinely leaks oil in the street. No cleanup required.

The spill at the corner of Avenue E and St. Paul Street and the spill at the R.C. Shaheen Paint Company are concerns because of their location adjacent to Hawkeye.

6. SITE RECONNAISSANCE OBSERVATIONS

On October 31, 2003, Mr. Dominick DeFazio and Mr. Peter von Schondorf of Leader conducted a site reconnaissance of the Hawkeye property. Accompanying Leader on the site reconnaissance was Mr. David Shevlin, of NPEC, Mr. Alan Neu, of Kodak Hawkeye, and Mr. Richard Hefferon, of Kodak Hawkeye. Ms. Kathleen Miela, of Kodak Hawkeye met with Leader and accompanied the group for part of the day. Assessment activities included a visual evaluation of the properties and the adjacent properties. Additional information regarding the site and area history was obtained from research at various public agencies. Photographs of the site are located in Appendix E.

6.1 Drains, Sumps and other Subsurface Structures

Floor drains were observed in most of the buildings, building courtyards and in most transformers vaults. According to Mr. Neu, all of the drains enter the City of Rochester sewer system. There are three manhole locations where the wastewater from Hawkeye enter the municipal sewer system: 1) a manhole located on the east side of the power plant (Building 4) receives both sanitary, industrial and storm water; 2) a manhole located on the south side of the Hawkeye complex in Avenue E near the entrance of Parking Lot No. 1 receives sanitary and industrial waste; and 3) next to the manhole identified in 2 above, there is another manhole, which receives only overflow storm water (see Figure 5). Kodak and Monroe County use the manhole located on the east side of Building 4 for monitoring compliance with the Hawkeye sewer use permit.

Storm water drains found in the courtyard between Buildings 5 and 12A have removable plugs.

Transformer vaults are located on the south side of Building 4, on the west side of Building 11A, and on the north side of Building 12. No drains were identified in the vault next to Building 4 or Building 12, but Figure 5 shows a drain in the vault next to Building 12. A floor drain was identified during the site reconnaissance in the vault next to Building 11A. All underground pipelines from the vaults can be traced to a sewer pipe that eventually enters the municipal sewer.

In addition to these drains there is a dry well located in the vicinity of Parking Lot No. 1 south of Building 12A. The dry well may have received runoff from the parking lot and directed overflow to a pipe connecting it to a catch basin near Building 5. The dry well is reported to be plugged as is the catchbasin located downstream from the dry well location.

6.2 Drums

Drums were observed in three locations during the site reconnaissance:

- Building 5, second floor hazardous and non hazardous waste storage areas;

- Building 12, photo processing chemical area; and
- Building 11A, material and satellite accumulation areas.

All drums were labeled with the appropriate information for identification as a hazardous or non-hazardous waste. All the drums were located in an area with sealed concrete floors and most of the filled drums were placed on pallets. Each waste storage area had materials for spill management.

The hazardous waste storage area in Building 5 is located in a single purpose room with a door lock. The concrete floor is sealed and no floor drains and no floor stains were noticed. The entry to the room provided a barrier to spilled fluids making the room its own containment area. Each drum had labels and signage is provided on the walls indicating the use of the area or the drum immediately below the sign. Hawkeye personnel keep an inventory of the room.

The Building 5 non-hazardous waste storage room was located in an area surrounded by chain link fencing with a locked door. In addition to non-hazardous wastes, the area is also used for the storage of rinsed drums, fiber drums, and medical waste.

The Building 12 photo processing chemical area is a self-contained area with a sealed concrete floor. In addition to the secondary containment of the room, there is also a sub-floor pit or tank, which would receive most spills or spills would be flushed into. The area also had a hazardous waste satellite accumulation drum and product drums. The satellite accumulation drum was located in a part of the area so it would not be confused with products drums.

The Building 11A drum storage accumulation areas have sealed concrete floors. The walls of the area were labeled to designate areas for specific uses.

Each mechanical room also had several 55-gallon and larger containers, which are part of the water treatment system for Hawkeye's boiler and chiller water system. The containers held biocides and corrosives for water treatment.

6.3 Petroleum Containers

Petroleum containers observed during the site reconnaissance included small containers for lubricating equipment, small quantities (less than five-gallons) of gasoline for snow removal equipment, oily water from condensate blow-down, drums of lubricating oil, a 250 gallon diesel fuel AST (Building 12A) for a fire protection pump engine, and a vaulted 33,000 gallon No. 6 fuel oil storage tank (Building 4) for emergency fuel for the boilers.

The mechanical rooms and the power house had small containers for machine oil or aerosol cans of petroleum distillates for spray lubrication. Fuel cans for snow blowers and containers of cutting oil were observed in the storage shed in the courtyard between Buildings 5 and 10. Small one to five–gallon containers used to collect oily water from

condensate pipes were found in several locations in each of the mechanical rooms and in Building 4. The containers were labeled as containing oily water. The containers had small open tops and were not in any secondary containment. The floors beneath the containers were all sealed concrete, but the containers would have to be frequently monitored to avoid spills. No floor stains were evident in these areas.

In the mechanical room in Building 11 there is also an oil/water separator with a capacity of less than 35 gallons. The waste oil from the separator discharges into an open pail. The waste oil is collected and placed into a waste oil drum. The pail is not within a secondary containment device, but the concrete floor in this area is sealed and in good condition. The pail would require frequent monitoring to avoid spills. A small floor stain is located beneath the separator, but not directly beneath the collection pail.

Four 55-gallon drums of Nutting technical oil were observed in the waste storage area of Building 11A. The drums contained new product and were placed on wood pallets.

The emergency fire protection pump room in Building 12A contained a 250 gallon AST that fuels the pump engine. The tank rests on legs so the underside of the tank can be inspected. To prevent spills from the tank, the tank is located in a concrete secondary containment basin.

The petroleum storage tank for Building 4 is located on the north side of the building in a below-grade concrete vault that is partially lined. The tank holds 33,000-gallons of No. 6 fuel oil. The floor of the vault is slope so spilled fuel, groundwater or rainwater gathers in one corner of the vault. The vault is inspected daily by workers in Building 4. Section 5.0 provides additional information on the use of ASTs and USTs at Hawkeye.

6.4 Hazardous Substances Containers

Hazardous substance containers include products used in the maintenance of equipment, janitorial supplies, products for the treatment of boiler and chilled water, and the operation of photo processing equipment. In addition to these areas the Hawkeye complex has laboratories that support manufacturing and Building 4. Leader was allowed to visit the Building 4 laboratory, which is used to monitor water treatment processes for the boiler water.

Mechanical rooms in Buildings 4, 5 11 and 12A all had a collection of products which could include hazardous substances. In general, the product containers were placed in metal flammable cabinets, on open shelves, or on wood pallets. The tool shop in Building 5 also has a parts washer using water-based cleaner. The waste from the parts washer is filtered and the solids removed for disposal. As needed, new cleaner is added to the parts clean tank. Water treatment supplies are held in secondary containment vessels. Refilling of the water treatment chemicals (Benzotriazole, used as a corrosion inhibitor, and Sodium Hydroxide, used as a biocide) are handled by a subcontractor. The photo processing chemical area had the widest assortment of product containers for the operation of their systems. Large containers such as sacks for dry materials, and 35 and

55-gallon drums for liquids and dry materials were stored on pallets in a part of the area away from process equipment. Smaller containers are stored on shelves. Kodak keeps an inventory of materials and chemicals used in the operation of the equipment, processes, and laboratories within the Hawkeye complex. Leader was provided with and reviewed a list of Material Safety Data Sheets ("MSDS") for the photo processing chemical area (Building 12), which is the most chemical-intensive area within the Hawkeye building complex.

6.5 Odors

No overt odors were observed in any of the Hawkeye buildings.

6.6 Polychlorinated Biphenyls (PCBs)

The Hawkeye complex has six oil-filled transformers, at least one oil-filled switchgear, and dry transformers for each floor of the buildings. The buildings all have fluorescent light ballasts, some of which might also contain a small amount of PCB oil. Kodak is in the process of replacing older light ballasts.

The oil-filled transformers are located on the south side of Building 4, and on the north and east sides of Building 12. Each of these transformers is labeled as containing PCBs at a concentration of less than 50 parts per million. According to Mr. Neu, the transformers were recently dechlorinated to further reduce the concentration of PCB in the oil. PCB oil was replaced in all of the units in the 1980's. Each floor of every building has a substation with dry transformers. According to Mr. Neu, the substation transformers were removed and replaced with dry transformers in the 1970's. In addition to the substations in the buildings, there are also substations in the courtyard between Buildings 5 and 12A and Buildings 10 and 11. Copies of records for the PCB transformers and the oil-filled transformers, which were removed for dry transformers are provided in Appendix F.

In July of 1991 while investigating the extent of thorium contamination, Kodak found PCB residuals in a soil sample and solids in a storm water discharge pipe discharging to the bank of the Genesee River Gorge. After sampling below the pipe and in the vicinity of a catch basin in the parking lot, it was determined that the PCBs were probably from a historic spill. The pipe was cleaned and abandoned and the contaminated pipe materials disposed of.

On the south side of Parking Lot No. 6 are three pole-mounted transformers. The transformers are unlabeled and appear not to be on Kodak property. The transformers appear to be in good condition. According to Dennis Lynch of RG&E, the transformers at 1281 and 1285 St. Paul Street belong to RG&E and should be considered to be contaminated with PCB oil.

6.7 Pits, Ponds, or Lagoons

No ponds or lagoons were observed during the site reconnaissance. Pits observed during the site reconnaissance could be grouped into three categories: pits for the collection of steam condensate; pits to access pipes or valves; and pits to collect wastewater. In addition to these pits, Kodak had approximately five other pits both inside and outside the Hawkeye complex of buildings that were used for collect wastewater. Four of the pits were designed for the settling of glass particulates and an abrasive or rouge out of the wastewater stream.

Pits for the collection of steam condensate were found in Buildings 5, 11, and 12. The pits are constructed with concrete and appear to be sealed or at least painted. The concrete is in good condition. The pits collect condensate and it appeared that it was piped back into the boiler water system. The pits are open for inspection and ringed with handrails. At least one pit also had a ladder to access the pit bottom.

One pipe access pit was located on the west side of Building 5 in the courtyard between Buildings 5 and 12A. The pit is covered with a steel plate, which may allow rainwater to infiltrate into the pit. The pit has a depth of approximately four feet and it appeared to contain approximately two feet of water. The pit was constructed using concrete, which appeared to be in good condition. According to a facility underground piping drawing, this pit was also part of the former waste discharge piping, which discharged thorium-containing wastes to a pit located on the west side of Building 5 (see Figure 5).

Two pits for the collection of wastewater were found during the site reconnaissance in Building 11A and in Building 12A. The pit located in 11A was found in a curbed area used to wash floor mats. The purpose of the pit was to collect wash water and pump it into the building's sewer system. The washing area is also located in an area used for the storage of maintenance chemicals, tools, and hazardous and non-hazardous waste. The pit was constructed using concrete, which appeared to be in good condition. The second pit is located in the photo processing chemical area of Building 12A. The pit is used to collect wastewaters from the various processes, but spills and the floor washing could enter the pit. The wastewater is then pumped to a monitored manhole located on the east side of Building 12 and discharged as a non-hazardous wastewater to the municipal sewer system. The pit is covered with metal floor plates and could not be viewed.

The settling and rouge pits formerly used in the glass grinding and polishing operations were located in the following areas (see Figure 5): in the roadway west of Buildings 12 and 12A; on the west side of Building 5; and, within Building 11A. The pits were cleaned and filled with concrete during Kodak's cleanup of thorium contamination during the early 1990's or had been closed earlier. Portions of the piping to these pits were also cleaned and in some cases removed or filled with concrete.

6.8 Pools of Liquid

No pools of standing water were observed associated with any processes, tanks or pipes.

6.9 Solid Waste

In general solid waste is sent directly to a solid waste disposal facility. Recyclable materials are sent to Kodak Park. Recyclables are sorted and a vendor purchases the materials.

6.10 Stained Soil and Distressed Vegetation

No areas of distressed vegetation or soils were observed during the site reconnaissance.

6.11 Stains and Corrosion

Minor oil stains were observed in Parking Lots No. 5 and No. 6. Corrosion on piping was found at several locations within the Hawkeye complex. The corrosion appeared to be the result of air conditioners and not from leaking process fluids. Most of the corroded piping were found in the mechanical rooms.

6.12 Storage Tanks

There are regulated storage tanks within the Hawkeye complex: a 250 gallon AST for fueling a fire pump engine in Building 12A and a 33,000 gallon No. 6 fuel oil tank located at Building 4 for the power house boiler emergency fuel.

The 250 gallon AST is located in the emergency fire protection pump room in Building 12A. The tank rests on legs so the underside of the tank can be inspected. To prevent the release of spills from the tank, the tank is located in a concrete secondary containment area.

The petroleum storage tank for the Building 4 power house is located on the north side in a below-grade concrete vault that is partially lined. The tank holds 33,000 gallons of No. 6 fuel oil. The floor of the vault is sloped so spilled fuel, groundwater or rainwater gathers in one corner of the vault. The vault is inspected daily by workers in the power house. Section 5.0 provides additional information on the use of ASTs and storage tanks at Hawkeye.

The Hawkeye complex has other tanks that are not regulated by NYSDEC, including storage tanks located in the Building 12 photo processing chemical area. Five of these Building 12 tanks were formerly regulated Chemical Bulk Storage ("CBS") tanks. Chemical formulations were changed for the contents of four of the tanks, resulting in the tanks no longer being regulated. The fifth tank was retrofitted to a working capacity of 475 gallons, resulting in its unregulated status. All of these tanks are constructed of stainless steel and are used for storage of photographic developer solutions.

Other non-regulated tanks include a portable 532-pound compressed gasoline tank of R-11 refrigerant located in the mechanical room in Building 11 and a 35-gallon oil/water

separator also located in the mechanical room of Building 11. Waste oil from the separator is collected in an open pail.

Figure 5 also shows an abandoned reservoir structure in the area immediately north of the Building 11A and former Building 3 area. According to Mr. Richard DeVogalier, the below-grade structure was used to contain fire fighting water and demolished in 1936. The closure procedure and fill materials are unknown.

6.13 Surface Water and Stormwater

No surface water was observed on the Hawkeye properties during the site reconnaissance. Stormwater is directed to catch basins in the courtyards, parking lots and adjoining street where stormwater sewers were observed. Catch basins located in the courtyards between Buildings 5 and 12A and Buildings 5 and 10 are plugged with removable mechanical plugs. Roof drains are connected to underground pipes, which drain into the Rochester City storm sewer or into the sanitary sewer. The nearest surface water is Genesee River, which is located less than 500 feet west of the Hawkeye complex.

6.14 Wastewater and Septic Systems

According to Mr. Neu, all wastewater is directed to the municipal sewer system. Sewer pipes from demolished buildings have been plugged. Wastewater is directed to a portion of the municipal sewer that transects the Hawkeye property in the vicinity of Building 4, Building 12 and Building 12A. Kodak and the Monroe County Department of Pure Waters monitor the wastewater entering the sewer system for compliance with the Industrial Sewer Use Permit. No records regarding septic systems were located.

6.15 Wells

No wells were observed within the Hawkeye manufacturing complex, but several monitoring wells were located in Parking Lot No. 5 (Figure 8). These monitoring wells were installed to investigate petroleum contamination from a former Cumberland Farms service station. Section 5.0 has additional information regarding the petroleum spill investigation.

6.16 Other Conditions or Concerns

6.16.1 Suspect Asbestos-Containing Materials

Suspect asbestos-containing materials ("ACMs") were observed in all buildings within the Hawkeye complex. Suspected ACMs included pipe wrap on fiberglass insulation, canvas-type wrap on boiler fiberglass insulation, sheetrock/joint compound, and roofing materials (roofing was not assessed). Reportedly, Kodak had an asbestos survey completed in the past, but this document was not available for review. Kodak's procedure for identifying asbestos is to have a sampling survey completed prior to the

start of any renovations or repairs. When work begins, the Kodak Work Safety Permit will identify the location of the ACM in the project area. Hawkeye has an asbestos licensed Supervisor and Handler on-site to handle all ACM related issues.

During the site reconnaissance many insulated pipes were observed labeled to identify asbestos from non-asbestos-containing materials.

6.16.2 Lead Paint

All of the Hawkeye buildings are suspected of having lead-based paint because of their age. Suspect lead paint is handled in the same way as suspected ACM; Kodak will have the painted surfaces sampled prior to the start of any renovations or repairs. When work begins, the Kodak Work Safety Permit will identify the location of the lead-based paint in the project area. Hawkeye has a trained lead sampler for the collection and handling of all lead paint related issues.

6.16.3 Radon

The FirstSearch report found that the indoor level of radon gas in the vicinity of the site averaged 2.0 pico Curies per liter of air (pCi/L); this value is based on the average of 53 tested homes in the area. The USEPA recommended action level is 4.0 pCi/L. Testing would be required to determine if radon was present at elevated levels.

7. INTERVIEWS

7.1 Interview with Owner

Leader interviewed the following Kodak employees: Mr. Alan Neu, Mr. Richard Hefferon, and Ms. Kathleen Melia. Questions asked by Leader were sometimes answered by others and the information was conveyed to Leader by David Shevlin, of NPEC, Inc. Mr. Shevlin, Mr. Neu, Mr. Hefferon, and Ms. Melia accompanied Mr. DeFazio and Mr. von Schondorf during the site reconnaissance on October 31, 2003.

7.2 Interviews with Government Officials

7.2.1 New York State Department of Environmental Conservation

A written Freedom of Information Act ("FOIA") request was sent to the New York State Department of Environmental Conservation ("NYSDEC") Region 8 Office in Avon, NY. Copies of our FOIA request, dated October 27, 2003 is provided in Appendix G. On October 31, 2003 we received a response from NYSDEC acknowledging receipt of our request. Due to the large volume of requests they receive, it may be several weeks before we receive a reply.

Should we receive any additional information that is not already presented in this report, we will issue an addendum containing that information.

7.2.2 City of Rochester

A written FOIA request was sent to the City of Rochester on October 27, 2003, concerning building permits, Fire Department records, notices of violation, property use and property ownership. A copy of our FOIA request is provided in Appendix G.

Should we receive any additional information that is not already presented in this report, we will issue an addendum containing that information.

7.2.3 Monroe County Department of Health

A written FOIA request was sent to the Monroe County Department of Health ("DOH") on October 27, 2003. A copy of our FOIA request is provided in Appendix G. On October 30 we received a response from the Monroe County DOH. Leader reviewed documents on November 6, 2003. Information obtained from these documents are provided in the appropriate areas of the ESA.

Should we receive any additional information that is not already presented in this report, we will issue an addendum containing that information.

8. DEVIATIONS

Deviations to the ASTM Standard Practice for Environmental Site Assessments, E 5127-00 for this ESA include the lack of access to parts of the government secure areas and NexPress areas of Hawkeye complex. Leader did interview the following Kodak employees that have access to these restricted areas: Ms. Kathleen Melia, Mr. Alan Neu, and Mr. Richard Hefferon

9. SUMMARY AND FINDINGS

9.1 Summary

Leader was retained by Kodak to conduct a Phase I Environmental Site Assessment ("ESA") in general conformance with the scope and limitations of ASTM practice E 1527-00 for the Hawkeye facility located at 1447 St. Paul Street and its associated parking lots located at or near the corner of St. Paul St. and Avenue E in the City of Rochester, Monroe County, New York.

Dominick DeFazio and Peter von Schondorf of Leader completed the ESA, including a reconnaissance of the site conducted on October 31, 2003. A FOIA request was submitted to the NYSDEC, City of Rochester, and the Monroe County Health files. Consistent with ASTM E 1527-00, FirstSearch Technology Corporation ("FirstSearch") was used to perform a regulatory database search.

9.2 Findings

The major findings of the Phase I ESA are listed below.

The property has a long and varied history. Portions of the property have been in industrial or commercial use since the 1880's, including for use in photographic and optical product manufacturing, rail car (trolley) maintenance, gasoline stations, and tool & dye operations. The following is a summary of the specific Recognized Environmental Conditions ("RECs"):

KODAK PROPERTY

Manufacturing Complex

- The site of three former (removed) underground storage tanks ("USTs") at Building 4, used for fuel oil. Contaminated soil and groundwater were discovered at the Building 4 UST site in 1989 during the tank removals; however, due to the low levels of contamination, no remediation was required by the New York State Department of Environmental Conservation ("NYSDEC"). The current environmental quality conditions of soil and groundwater at the former UST site are undetermined.

- The presence of or potential presence of thorium residue in or on the following areas or features: drain pipes and sewers in and/or adjacent to Buildings 5, 11A, 12 and 12A; apparatus inside Shed 1 and the Generator Shed (both located in the Building 5/12A courtyard); Building 12A return-air duct (4^{th} floor to 9^{th} floor fan room); and Building 12A fan room (9^{th} floor). Thorium assessment and remediation were performed at several of the Hawkeye buildings in the early 1990's. The New York State Department of Labor approved the remediation

activities report and closed the site Radioactive Materials License; however, the report recognized that thorium residue remains in some inaccessible areas of the facility.

- Former (closed) thorium glass settling pits located at the following sites: west of Building 5; near the southwest exterior corner of Building 12; near the southwest exterior corner of Building 12A; and inside Building 11A (northwest corner). The current environmental quality conditions of soil and groundwater at the sites are undetermined.

- A drywell located northwest of Building 5. Piping to the drywell is abandoned in-place (plugged); however, information regarding the former use of the drywell (source and characteristics of influent) is unknown. The current environmental quality conditions of soil and groundwater at the drywell are undetermined.

- The site of a release at a former (inactive) photo processing wastewater transfer station located north of Building 12. The impact to the subsurface at the release site, if any, was not determined.

- The area formerly occupied by the Rochester Transit Corporation for use as an equipment repair shop (area currently below Buildings 5 and 12A), plus a coincidental area formerly occupied by a gasoline station (area currently below the southeast corner of Building 5). The impact from the operations, if any, is undetermined.

- The area reportedly formerly occupied by the Rochester Photographic Products Company (also identified as General Aristo Company) for manufacturing purposes prior to ownership by Kodak. This area is currently occupied by Parking Lot No. 2 and is the location of former (demolished) Kodak Buildings 1, 2, 3, 7, 8, 9 and 13. The impact from the former operations, if any, is undetermined.

<u>Remote Kodak Parcels</u>

- The presence of petroleum-contaminated soil and groundwater at the former Cumberland Farms facility parcel in the northeast portion of Parking Lot No. 5. Soil and groundwater remediation in this area has been in progress since 1999 and is the responsibility of Cumberland Farms.

- The former use of the following areas as gasoline stations: portions of Parking Lot No. 5 (southeast area), Parking Lot No. 6 (southeast area), and Parking Lot No. 11 (west area). The impact from the former operations, if any, is undetermined.

OFF-SITE (NON-KODAK) PROPERTIES

- Discovery and remediation of thorium contamination on portions of the Genesee River Gorge slope below the Hawkeye complex of buildings. Remediation was performed in the early 1990's on the accessible portions of the slope, however, with the concurrence of state and local regulatory agencies, inaccessible areas were not addressed.

- Area of the Genesee River Gorge slope potentially impacted by a release of photo processing wastewater from the former (inactive) Building 12 wastewater transfer station. The impact from the release, if any, was not determined.

- Area of the Genesee River Gorge slope potentially impacted by a polychlorinated biphenyl ("PCB") release discovery (1991) at a storm sewer outfall west of Building 12. Portions of the slope were inaccessible to determine the extent of potential impacts.

- The R.C. Shaheen Paint Company has an active UST file (report of leaking tank) with the NYSDEC. The Shaheen property is located immediately north of Parking Lot No. 11 and south of Parking Lot No. 9. Impact to Kodak property from this release, if any, is undetermined.

- Facilities formerly located at 1281 and 1285 St. Paul Street, collectively used as a tool & die shop, automobile supply shop and art supply shop (are located immediately south of Parking Lot No. 6). Impact to Kodak property from these former operations, if any, is undetermined.

10. REFERENCES

⇒ Bureau of Communications, City Hall, 30 Church Street, Rochester, New York.

⇒ DeVogelaere, Richard, Eastman Kodak Company, Rochester, New York.

⇒ Elliott, Richard, FOI Officer, Monroe County Department of Health, Rochester, New York.

⇒ Final Release Survey for the Radiological Decommissioning of the Eastman Kodak Hawkeye Facility, prepared by Quadrex Recycle Center, for Eastman Kodak Company. May 3, 1993.

⇒ First Search Technology Corporation. Environmental First Search Report. October 2003.

⇒ Geology of New York, Yngvar Isachen; The New York State Museum; Second Edition, 2000. 300pgs.

⇒ Haines Rochester City Directories, 1935 – 1997, Rochester Rundel Library, Rochester, New York.

⇒ Hefferon, Richard, Eastman Kodak Company, Rochester, New York.

⇒ Hopkin's Platt Maps, 1900 – 1936, Rochester Rundel Library, Rochester, New York.

⇒ Lynch, Dennis, RG&E, Rochester, New York.

⇒ Melia, Kathleen, Eastman Kodak Company, Rochester, New York.

⇒ Monroe County Soil Survey, United States Department of Agriculture, March 1973.

⇒ Neu, Alan, Eastman Kodak Company, Rochester, New York.

⇒ Radiological Site Assessment of Hawkeye Facility, Phase I Final Report, prepared by Quadrex Environmental Company for Eastman Kodak Company. December 7, 1990.

⇒ Radiological Site Assessment of Hawkeye Facility, Rev. 1, prepared by Quadrex Corporation for Eastman Kodak Company. August 9, 1991.

⇒ Radiological Site Assessment of Hawkeye Facility, Rev. 1, prepared by Quadrex Corporation for Eastman Kodak Company. November 6, 1991.

⇒ Roadside Geology of New York, Bradford Van Diver; Mountain Press Publishing Company, 2003. 411pgs.

⇒ Sanborn Fire Insurance Maps, 1913 – 1935, Rochester Rundel Library, Rochester, New York.

⇒ Shevlin, David, NPEC, Inc., Rochester, New York.

⇒ Shutts, Kimberly, New York State Department of Environmental Conservation, Region 8 Office, Avon, New York.

⇒ Tang, Mai, Monroe County Environmental Management Council, Rochester, New York.

⇒ United States Geological Survey (USGS). 1978. 7.5-Minute Topographic Map Series, Rochester East and West, New York Quadrangle.

11. SIGNATURES OF ENVIRONMENTAL PROFESSIONALS

Resumes of the environmental assessors involved in this ESA are included in Appendix II. Below are the signatures of the Environmental Assessors who completed the ESA for the site.

Peter von Schondorf
Project Manager

Michael P. Rumrill
Principal