

CITY OF ROCHESTER PHASE I ENVIRONMENTAL SITE ASSESSMENT



**920 Exchange Street
ROCHESTER, MONROE COUNTY, NEW YORK**

**Prepared for:
CITY OF ROCHESTER DEPARTMENT OF ENVIRONMENTAL SERVICES
City Hall Room 300-B
30 Church Street
Rochester, New York 14614**

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1.0 INTRODUCTION

1.01 Purpose

The purpose of this Phase I Environmental Site Assessment (Phase I ESA) report is to document the investigative activities conducted to identify Recognized Environmental Conditions (RECs) at the Subject Property identified as 920 Exchange Street in the City of Rochester, Monroe County, New York 14608 (Subject Property). This Phase I ESA was conducted as part of environmental due diligence and a means of assessing the potential for redevelopment of the Subject Property. The Subject Property is shown on Figure 1 - Property Location Map.

This Phase I ESA was conducted in accordance with ASTM Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process E-1527-13, published November 2013, and was conducted in accordance with the U.S. Environmental Protection Agency (EPA) All Appropriate Inquiry (AAI).

1.02 Intended Use

This Phase I ESA was conducted by Bergmann Associates (Bergmann) for use by the City of Rochester and their financial institution(s) as a means of assessing the potential for redevelopment of the Subject Property. Bergmann acknowledges that this report may be conveyed to and relied upon by the City of Rochester, its successors, assigns or financial investors.

1.03 Objectives

The primary objective of this Phase I ESA is to identify and document RECs at the Subject Property, in accordance with the ASTM standard. The scope of this Phase I ESA consisted of:

- Review of readily available public records, historic aerial photographs, city directories, and maps.
- Site reconnaissance of the Subject Property.
- Interviews with property owner-representatives, City of Rochester staff and review of existing environmental reports / documents.
- Completion of this Phase I ESA report.

1.04 Limiting Conditions and Deviations

As part of the Phase I ESA, Bergmann personnel conducted a site reconnaissance and walk-over of the Subject Property on Wednesday, February 24, 2016. Bergmann's site observation form, interview form and User Questionnaire are available in Appendix A –Site Forms. Environmental interviews were conducted with Mr. Michael Dedetsinas Papapnu, property manager of the Subject Property, Peter Kolokouris, part owner of the Subject Property and Dorraine Kirkmire, Senior Environmental Specialist with the City of Rochester Department of Environmental Quality.

Limiting Conditions

During the site reconnaissance areas of the building were not fully visible as the lighting system of the structure was no longer in working order. The site reconnaissance was dependent on flashlights to observe the majority of the structure. In addition, portions of the floor were not visible due to items stored in the building. Bergmann's inability to view the full interior of the floor surface in its entirety is considered a limiting condition to this Phase I ESA.

Restricted Access to Building

Access to a portion of the east side of the brick building was not given at the time of the site investigation.



Relationship of the Purchase Price to the Value of the Property

Bergmann was not provided with the purchase price of the Subject Property or with information relative to the value of the property, assuming the property is not contaminated. Tax information obtained from www.LandMaxData.com on February 10, 2016 lists the Assessor Full Market Value of the Subject Property as \$334,200. This Phase I ESA assumes that the user/prospective property owner will consider the relationship of the purchase price relative to the fair market value of the property and consider whether or not the difference in purchase price and fair market value is due to the presence of releases or threatened releases of hazardous substances.

2.0 SITE DESCRIPTION

2.01 Location and Description

The Subject Property for this Phase I ESA consists of two buildings with an associated yard, paved driveway and parking area. The two buildings located on the Subject Site share a common wall. The single-story brick building is approximately 4,800 square feet and constructed in 1870s. Located to the southernmost part of the Subject Property is a three-story concrete structure, approximately 12,000 square feet and constructed in 1870s.

The general location of the Subject Property is shown on Figure 1 – Subject Property Boundary Map. The Subject Property is an irregular shaped parcel measuring approximately 3.83 acres, defined as tax parcel number 121.690-0003-037.0040000. The Subject Property is located on the west bank of the Genesee River and is bound by Violetta Street to the north, Exchange Street to the west and manufacturing buildings to the south, along Flint Street. The properties located along Violetta Street, to the north of the Subject Property are residential, single family dwellings. Along Exchange Street, to the west of the Subject Property, is a mix of residential, single family dwellings and multiple paved parking lots. The former Genesee Valley canal adjoins the Subject Property along the east side of the building and the Genesee River.

A map showing the boundary, site features, and an overlay of past uses at the Subject Property is shown on Figure 2 – Subject Property Boundary Map.

2.02 Site Vicinity and Characteristics

The Subject Property is situated in a residential, commercial and manufacturing area within the Plymouth Exchange neighborhood in City of Rochester, New York. The Subject Property is located in an area south of downtown Rochester. The Subject Property abuts the Genesee River's west bank with the former Genesee Valley canal and rail area separating the Subject Property and the river. Photographs of the Subject Property are provided in the Photographs section of this report.

2.03 Current Uses of the Property

The Subject Property consists of two buildings, both of which are currently primarily vacant. A small portion of the brick single-story building is used as a warehouse/storage facility for miscellaneous restaurant equipment and 9 automobiles. The site was formerly a furniture warehouse with a yard, parking areas, and a driveway. Previous to the furniture warehouse (Sears and Roebuck), the Subject Property was used as an oil refinery (Vacuum Oil). The earliest use of the Subject Property was found to be a tannery.

2.04 Description of Current Structures, Roads and Improvements

Structures

At the time of the March 24, 2016 site visit, the Subject Property contained a single-story former refrigeration container located in the southeastern portion of the main building. The former refrigeration container is connected to a single-story brick building by a loading dock. The single-story brick building is approximately 4,800 square feet and constructed in 1870s. Located to the southernmost part of the Subject Property is a three-story concrete building, approximately 12,000 square feet and constructed in 1870s. The Subject Property's lot dimensions are 360 x 396 square feet.

Photographs were collected during the site visit and are included in the Photographs of this report.

Parking and Access Roads

At the time of the March 24, 2016 site visit, access to the Subject Property was provided by the property owner's representative, Michael Papapanu. The loading dock located to the north of the Subject Property along Violetta Street and extends to a paved parking area. There is a curb cut located on Violetta Street that gives access to the Subject Property using a paved driveway. The paved parking area is closed off by a locked chain fence. Along Exchange Street there are two curb cuts that give access an enclosed section of the three-story concrete structure that was used as a loading dock/truck bay.

Grass or Undeveloped Areas

At the time of the March 24, 2016 site visit, the Subject Property included a grassy area located on the eastern side of the building, between the Subject Property's structure and the former canal and rail area/river. The grassy area contained a visible debris on the ground surface. Photographs of the area were collected during the site visit and are included in Photographs section of this report. These debris are solid waste and are an REC.

3.0 HISTORICAL BACKGROUND

3.05 Past Uses and Historical Background of the Subject Property

The Subject Property has undergone a number of major use and boundary changes. The earliest historical use found was in 1888 where the certified Sanborn maps show that the Subject Property was divided and owned/operated by two different companies. The northern portion of the site was owned by J.C Lighthouse and operated as a tannery. The southern portion of the Subject Property was owned by Vacuum Oil Company and operated as a bulk oil storage in tanks and barrels. The certified Sanborn maps show that in 1892 the three story masonry building located on the southern portion of the Subject Property and owned by Vacuum Oil Company housed an oil warehouse, a harness oil room, a compounding room, and a bone dust room. The potential releases of chemicals and waste used in the tanning industry from historical operations on the Subject Property as a tannery is an REC. The Potential releases of petroleum products, waste, and other chemicals used for oil refining from the former Vacuum Oil Company's operations that took place on the Subject Property and the adjoining off-site properties is an REC. The tannery's operations and the oil warehouse's operations are potential releases of chemicals and waste used in from the historical use of the property as a tannery is an REC.

In 1899 Vacuum Oil Company purchased the single-story brick building located in the northern portion of the Subject Property. The single-story brick building was previously owned by J.C. Lighthouse and used and operated as a tannery. Both the single-story brick building and the three-story concrete masonry building were used as an space for housing refined oil in a warehouse and housed a compounding room, oil tank farms, shipping and receiving of product, a hopper building, a kiln building, a leather oil warehouse.



In 1866 the Vacuum Oil Company patented the process of refining crude petroleum under a vacuum. This process allowed for a more efficient means of generating refined products from crude oil, such as kerosene. As the Vacuum Oil Company's business expanded the company built and used six tank cars to help ease the process of receiving multiple shipments of crude oil. Each tank car held 80 barrels of crude oil. By 1878 the Vacuum Oil Company laid tracks on a tressel to facilitate bringing in the tank cars that arrived from the Erie Railroad into the Subject Property¹. The tank cars would then empty its contents of crude oil and be filled with Vacuum Oil Company's products.

By 1879 the Vacuum Oil Company was purchased by the Standard Oil Company of New York (SOCONY). The Standard Oil Company of New York (SOCONY) changed its name to Mobil Oil in 1959. After the purchase occurred the refinery's primary products were lubricating oil for machinery and naphtha gas for street lighting².

The exact year the Vacuum Oil Company ceased operations is unclear, but the Subject Property was bought by Sears Roebuck and Company in 1960. A number of sources including Plat books indicate that by 1935 all Vacuum Oil Company's operations along Exchange Street had ceased. Sears Roebuck and Company used the entire Subject Property for furniture storage and stove and furnace repairs. In 1975 Eagan M Company Inc. used a portion of the Subject Property for the production of can food and produce, as well as, Sears and Roebuck & Company for the storage of furniture and stove and furnace repair. Sears and Roebuck & Company moved out by 1982, leaving their portion of the Subject Property vacant. Eagan M Company Inc. continued to use the Subject Property for can food production. By 1985 the Subject Property was being used for food services and food storage by Bevaco Food Service of Genesee and Valley Food Products. By 1990 Zorba's Palace purchased the Subject Property and was used by North Atlantic Fisheries. By 2000 a portion of the three-story concrete building located on the southern portion of the Subject Property was used by Complete Paintball. The remaining space of the Subject Property was used by Warehouse Distributive for general warehouse purposes. By 2008, the Subject Property was used by Argento Francis C Sr. Eis for commercial purposes, as well as by Warehouse Distributive SVC for the storage of household goods.

It was reported in newspaper articles that at least one tank car has been pulled out of the Genesee River. The location of the tank car was opposite 700 Exchange Street, located approximately 600 feet north of the Subject Property. Due to the proximity of Vacuum Oil's operation to the railroad, the common practice of burying railroad tank cars may have also taken place.

Also reported were the existence of pipelines running from the Vacuum Oil Company's property to various locations throughout the City of Rochester. A three inch pipeline was identified to have run from the Vacuum Oil Company's property on Exchange Street along the former canal and rail bed and connected to three tanks at the Vacuum Oil Company's operation on Glasgow Street¹, approximately 1,000 feet from the Subject Property.

Newspapers reported an investigation that was being undertaken by the Department of Health. A large number of complaints were made about the Subject Property and the Vacuum Oil Company's site continually draining material into the Genesee Valley Canal bed, located to the east of the Subject Property. The papers were dated in 1883 and in 1884. During this time the Subject Property was being used by J.C Lighthouse as a tannery. The condition of the canal ditch, located to the east of the Subject Property was noted for being "horrible"³. A number of articles follow and state the residents of the area were petitioning for a change in the draining process to occur. Historical documented discharge of tannery material to the land and surface water is considered a potential REC.

Newspapers reported a fire that occurred in 1887 at the Vacuum Oil Company's site. While the Vacuum Oil Company's site extended further than the Subject Property, and the Subject Property was divided and owned by two different companies; J.C. Lighthouse Tannery to the north and Vacuum Oil Company to the south; it is still imperative to mention the repercussion this fire had on the City of Rochester as whole. The potential impact from the release of naphtha petroleum to the Subject Property from the Vacuum oil company fire on the adjoining property during the

¹ "Detailed Historic Site Assessment of the Vacuum Oil Company's Facilities and Locations" C.C. Wagner (1990)

² "Historic and Current Site Conditions Report" AMEC Earth and Environmental (2005)

³ "Board of Health: Action Upon Numerous Matters of Interest" Rochester Democrat and Chronicle, Rochester NY, September 6, 1884

1887 fire is an REC. The 1887 fire caused major damage and a release of an unknown amount of naphtha, ranging from 6,000 to 14,000 gallons. The source states that the naphtha release penetrated the Genesee Valley outlet sewer and caused a number of explosions¹. While these explosions occurred in multiple locations outside of the Subject Property and throughout the city; including in an old flour mill not located on the Subject Property. Several people were killed as a result of the explosions. The Daily Sentinel, a major newspaper in Rome, NY released an article on December 22, 1887 which states, inquiry at the office of the Municipal Gas Company lead to the conclusion that the cause of the explosions was that “the Vacuum Oil Company ran a pipe from its works to those of the Municipal Gas Company, in order to supply it with naphtha”⁴. The paper sites the pipe running along the bed of the Genesee Valley Canal, approximately three or four feet underground.

After these explosions the Vacuum Oil Company paid a \$100,000 bond to cover the City of Rochester’s liability for damage suites. Additionally, the Vacuum Oil Company as a whole adopted more stringent fire and accident precautions. Again, while these actions did not occur while the Subject Property was owned by the Vacuum Oil Company, it is still important to mention due the documented release of naphtha on the off-site property that adjoins the Subject Property.

The repercussions of the 1887 explosions and release lead to the City of Rochester not allowing the Vacuum Oil Company to be on the City sewer system. As a result, the Vacuum Oil Company installed a complete system of drains and sumps of their own to care for the surface and ground water for their own property and the property of the Pennsylvania Railroad. The possible discharge of the oil refinery’s product, byproduct and waste into the sewer may have affected the Subject Property. The sewer laterals may have been impacted since the Subject Property is down gradient from the originating discharge property. The sewer and sewer bed for the Subject Property may have been compromised.

Newspapers reported a legal testimony from the former Vacuum Oil Works superintendent. The Weekly Courant on December 29th 1887 reported that Thomas Hayes, the former superintendent of the Vacuum Oil works gave a sworn testimony stating that he had witnessed twenty-five to thirty barrels of oil on the surface of the old canal and that at one point a pipe was laid to the ricer to obtain water, which was later broken⁵. The Daily Saratogian newspaper reported on a testimony made by A. A. Miller, a former superintendent of the Vacuum Oil Works on Thursday, January 5th 1888. The testimony states that the Miller, former superintendent described various explosions and leakages which he alleges occurred at the Vacuum Oil Works site during his employment with the company. He continued his testimony by stating that a number of sewers drained into the old canal and that oil has escaped using these sewer drainage points⁶.

After the north portion of the Subject Property was purchased by the Vacuum Oil Company in 1899. After this purchase occurred a number of fires were reported. In 1900 two buildings were reported to have been destroyed by a fire. The buildings were used for burning bone charcoal. In 1901 a large fire destroyed a large part of the refinery. Both the storage tanks and the naphtha tanks burned.

Sears and Roebuck used the building as a warehouse and for stove repair from 1960 to approximately 1965. During the early 1990’s the buildings were used to store drummed chemicals. Multiple chemicals were stored on the Subject Property including; what was listed as flammable/combustible liquids in class I,II, and III, flammable/compressed gas, corrosive liquids, and combustible materials. Refer to Appendix C FOIL Request/FOIL Responses for more detail and a full list of chemicals stored on the Subject Property. Refer to Appendix C for the full list of chemicals that were found to be stored on the Subject Property.

⁴ “Exploding Naphtha Gas: A Peculiar and Fatal Accident in Rochester” Daily Sentinel, Rome NY, December 22, 1887

⁵ “Important Testimony Taken- Jurors Warned Against Bribery” The Weekly Courant, Randolph NY, December 29, 1887 Volume 10 Number 1

⁶ “The Rochester Explosion” The Daily Saratogian, Saratoga NY, January 5, 1888

3.06 Current and Past Uses of Adjoining Properties

North of the Subject Property

At the time of the site visit, residential homes bordered the Subject Property to the north along Violetta Street.

East of the Subject Property

At the time of the site visit, a grass area with a walking path bordered the Subject Property to the east. The grass area was formerly the Genesee Valley Canal Right of Way and Rail Area. Prior to 1936 this area facilitated the distribution of Vacuum Oil's product. Historic records indicate buried underground piping for naphtha and crude oil from the canal is located below this area. During the site visit, the area was overgrown with vegetation and a significant amount of debris. Potential releases of naphtha and crude oil from the buried Vacuum Oil's underground piping is an REC from this adjoining off-site location.

South of the Subject Property

At the time of the site visit a vacant manufactured building and a paved area bordered the Subject Property to the south. This bordering property was formerly used by Foodlink, a regional food bank. Prior to Foodlink, the parcels located to the south of the Subject Property were used by the Vacuum Oil Company, and was used as a bulk oil storage facility, oil blending location, bleachers, machine shop, laboratory, settling tanks, lumber shed, can shop, shipping and receiving point for oil product, filling station of product and can filling room, until it was purchased by Rochester Distilling in 1935 and used as a whiskey distillery. Potential releases of petroleum products, waste, and other chemicals due to the activities that took place on site from the former Vacuum Oil Company building that adjoins the Subject Property is an REC.

West of the Subject Property

At the time of the site visit, residential homes were located on the west side of Exchange Street along with multiple paved parking lots.

4.0 ENVIRONMENTAL RECORDS REVIEW

4.01 Standard Environmental Record Sources, Federal, State and County

Regulatory database searches were conducted for the Subject Property as part of the scope of this Phase I ESA. The regulatory database search was conducted for Bergmann by Environmental Data Resources Inc. (EDR), a nationally recognized database search service.

The regulatory databases searched include the following:

EDR report dated February 9, 2016.

Review of the USEPA web-based Envirofacts Database February 2016.

Review of the NYSDEC web-based Environmental Databases February 2016.

The database searches were conducted at or beyond the radii established by the Federal All Appropriate Inquiry (AAI) Rule and/or ASTM E 1527-13, whichever was greater, for the Subject Property. The EDR database reviewed by Bergmann for this Phase I ESA is included in Appendix B - EDR Database Search Report.

A summary of the major environmental databases searched by EDR is provided in Table 1 located below. The dates of the environmental databases were the most recent releases as of the February 9, 2016 EDR environmental database review. These reviews were supplemented with a search using the Federal USEPA Envirofacts web-based databases, the NYSDEC web-based PBS/CBS/MOSF registries and the NYSDEC Spills Event web-based database and the findings are summarized below.

4.02 Environmental Listings for the Subject Property

The Subject Property was identified three times in the New York Spills database. On December 17th, 1993 the Subject Property was put on the New York Spills database for a known release that created the potential for fire or hazards from nine 55-gallon abandoned drums located on the Subject Property. Corrective action was taken. Unknown petroleum was found in the nine drums. The report found that all nine drums were missing their lids and stored behind the warehouse building on the Subject Property. An unknown number of drums had been knocked over resulting in an unknown amount of sludge material spilling onto the ground.

On March 11th, 1999, a traffic accident occurred that resulted in a known release with minimal potential for fire or hazard. Corrective action was taken. A commercial vehicle was reversing on the Subject Property when the vehicle's saddle tank was ruptured, spilling approximately 70 gallons of diesel onto the asphalt and storm sewer.

On October 1st, 1999, equipment failure resulted in a spill taking place on the Subject Property. A commercial tractor trailer released 30 gallons of diesel onto the asphalt. An unknown amount was released into the storm sewer.

October 15th, 1999, on the Subject Property a known release took place as a result of human error and was identified on the New York Spills Database. The release was sighted to have minimal potential for fire or hazards. Corrective action was taken. A commercial tractor trailer vehicle ruptured its saddle tank, spilling 12-15 gallons of diesel. An unknown amount of diesel impacted the storm sewer.

The Subject Property was most recently sited on the New York Spills database on November 4th, 2013 when a known release occurred due to equipment failure. Corrective action was taken. A contractor reportedly working for the property owners at the time (John K & Associates) broke one of their commercial vehicle's hydraulic line on a skid steer. Approximately 10 gallons of hydraulic oil was released on the roadway leading up to the Subject Property, as well as on the asphalt within the Subject Property.

The environmental database review did not indicate other listings in the regulatory database searches conducted for the Subject Property as part of the scope of this Phase I ESA. A review of un-mapped/orphan sites indicates two former Vacuum Oil site on Flint Street and Cottage Street. Petroleum releases on the former Vacuum Oil facility of Flint Street have a potential to impact the Subject Property. The Subject Property was not identified as a Federal or State NPL or Inactive Hazardous Waste Disposal Site, active landfill or solid waste disposal site. The Subject Property was not identified as located on a Native American Indian reservation or on tribal administered lands.

Table 1
Reviewed Environmental Database Records

Source Reviewed	Agency ¹	ASTM Minimum Search Distance	Recent Date of Record Update ²
Federal NPL List	US EPA	1.25 miles	1/26/2016
Federal Proposed NPL	US EPA	1.25 miles	1/26/2016
Federal De-listed NPL List	US EPA	1.25 miles	1/26/2016
Federal CERCLIS List	US EPA	0.75 miles	1/6/2016
Federal CERCLIS-NFRAP List	US EPA	0.75 miles	11/23/2015
Federal RCRA CORRACTS List	US EPA	1.25 miles	12/18/2015
Federal RCRA TSDF List	US EPA	0.75 miles	12/18/2015
Federal RCRA Generators List	US EPA	0.5 miles	12/18/2015
Federal ERNS List	US EPA	0.25 miles	12/29/2015
CERCLA Lien	US EPA	0.25 miles	1/25/2016
State/Tribal List of Inactive Hazardous Waste Sites	NYSDEC	0.5 miles	1/12/2016
State/Tribal List of Solid Waste Facilities	NYSDEC	0.75 miles	1/4/2016
State/Tribal Registry of Petroleum & Chemical Bulk Storage Facilities	NYSDEC	0.5 miles	1/4/2016
State/Tribal LTANKS Registry	NYSDEC	0.75 miles	11/19/2015
State Spills Inventory	NYSDEC	0.75 miles	11/19/2015
State/Tribal VCP Sites	NYSDEC	0.75 miles	1/12/2016
State/Tribal Brownfield Sites	NYSDEC	0.75 miles	1/12/2016

1. US EPA – United States Environmental Protection Agency
NYSDEC – New York State Department of Environmental Conservation
2. Record updates are based on the database records reported in the Environmental Database Search conducted on February 9, 2016. The referenced dates are the most recent government releases as of the February 2016 database review.

4.03 Identified Off-Site Environmental Listings

The environmental database identified off-site listings that are not located on the Subject Property but which lie within 1 mile of the Subject Property which may present recognized environmental concerns to the Subject Property. The properties below are within 1/8 - mile of the Subject Property. Please note: The entries in bold text have been listed in multiple databases. For the off-site listings located further than 1/8 – mile of the Subject Property, refer to Appendix B.



**Table 2
Identified Off-Site Environmental Listings**

Site	Address	Database	Location & Report Information Summary
Vacuum Oil Refinery	15 Flint Street Rochester, NY 14608	Federal FCRA Generators List, Local Brownfield Lists, Records of Emergency Release Report	<1/8-mile SW of Subject Property. Large quantity generator- handling metal, petroleum and solvents. Phase II assessment was completed and revealed; asbestos, lead contaminate, VOCs, PAHs, PCBs and petro products found, groundwater and soil affected. 2001 known release; corrective action taken. DEC found soil and groundwater contamination on the property. 2014 known release that creates potential for fire or hazards due to abandoned drums. Corrective action taken. Unknown material. 2007 known release that creates for fire or hazard; corrective action taken. After removing some debris of former junkyard, concerns about disturbing toxic chemicals. 2015 found 4 metal drums, barrels
Canfield & Tack	925 Exchange Street	Federal FCRA Generators List	<1/8 SW of Subject Property. Small Quantity Generator- handling ignitable waste, petroleum products. Approximately 30 metal drums, barrels
Foodlink Inc.- TOM	936 Exchange Street	State and Tribal Landfill and/or Solid Waste Disposal Site Lists	<1/8 WSW of Subject Property. Inactive site. Composting- source separated organic waste- registration
Frank C Philippone	Lee Apartments	State and Tribal Registered Storage tank lists	1/8-1/4 NNW of Subject Property. Apartment Building/Office Building 3 tanks with fuel #2 for on-site consumption.
Nationwide Precision	925 Exchange Street	Records of Emergency Release Reports	<1/8 WSW of Subject Property. Known release with minimal potential for fire or hazards. Corrective action taken. Material released: Petroleum. Fork lift hit 2 barrels of cutting oil and punctured them. Drums were secured. Snow that was oil saturated was put into 55 gallon drums.
XLI Corporation (Former Vacuum	950-984 Exchange Street	Records of Emergency Release Reports, Other Ascertainable Records	<1/8 WSW of Subject Property. 2008 known release; Corrective action taken. Material released: Petroleum. Small Quantity Generator which does not generate hazardous waste.
Fenwick Street/ South Plymouth	Fenwick Street/ South Plymouth	Records of Emergency Release Reports	<1/8 NW of Subject Property. 1985 known release, Corrective action taken, Material released: Petroleum.
CERA Residence	991 Exchange Street	Records of Emergency Release Reports	<1/8 NW of Subject Property. 1988 known release due to equipment failure. Corrective action taken. Monroe Coal & Oil overfilled the fuel oil tank of a private dwelling resulting in the tank bursting. #2 fuel oil spilled.
Fozzuto Trucking	South Plymouth and Flint	Records of Emergency Release Reports	1/8-1/4 W of Subject Property. 2003 know release due to a traffic accident. Corrective action taken. Truck backed up and ruptured its saddle tank; spilling oil to ground and into a catch basin. Monroe County flushed the sewer to push the oil downstream to a treatment plant. Material Name: Diesel.
57 Doran Street	57 Doran Street	Records of Emergency Release Reports	1/8-1/4 NNE of Subject Property. 1998 known deliberate release. Corrective action taken. Several 5 gallon containers of an unknown chemical waste was placed in a dumpster and taken to a landfill—suspect a midnight dumping from a commercial source.
Rochester Gas and Electric	32 Lee Place	Records of Emergency Release Reports	1/8-1/4 NNW of Subject Property. 2010 possible release with minimal potential for fire or hazard. No corrective action required. Transformer oil released. KBH environmental hired to cleanup and dispose of the material.
Irondequoit Bay	5 Day Board	Records of Emergency Release Reports	1/8-1/4 NW of Subject Property. 2014 known release with minimal potential for fire or hazard due to traffic accident. Corrective action taken. Boat struck the #8 Day and began to take on water. Material name: Gasoline.



Site	Address	Database	Location & Report Information Summary
Nordon Tool	711 Exchange Street	Records of Emergency Release Reports	1/8-1/4 NE of Subject Property. 2011 known release with minimal potential for fire or hazard due to equipment failure. Corrective action taken. Material Name: Hydraulic Oil
Impact Motors	720 Exchange Street	Records of Emergency Release Reports, Other Ascertainable Records	1/8-1/4 NE of Subject Property. 1994 known release with minimal potential for fire or hazard, cause is unknown. Corrective action taken. Material Name: unknown petroleum. 1992 site was used for automotive repairing and servicing 1985 site was used for automotive repair
Rochester Sanitary Prod	Exchange Street	Records of Emergency Release Reports	<1/8 NE of Subject Property. 1982 known release with minimal potential for fire or hazard. Corrective action taken. Report states new owners of property were cleaning out store room and dumping refuse into a truck. Contents spilled on an employee. Employee was taken to hospital for chemical burns. Genesee River reported to be affected. Material: hydrogen chloride.
22 Flint Street	22 Flint Street	Records of Emergency Release Reports	<1/8 SSW of Subject Property. 1987 possible release with minimal potential for fire or hazards or known release with no damage. Corrective action taken. Some soil found contamination was found upon excavation. Material Name: #2 Fuel Oil.
1 Flint Street	1 Flint Street	Records of Emergency Release Reports, Other Ascertainable Records	<1/8 S of Subject Property. 1996 Deliberate known release with minimal potential for fire or hazard; corrective action taken. Debris dumped on site, Debris was from the Schawb Coal & Oil. Spill responder on site due to the site's previous owner. 1982 non-listed ignitable wastes found in 23 metal drums, barrels
Easy Food Market	700 Plymouth Avenue	Records of Emergency Release Reports	<1/8 N of Subject Property. 2010 known release with minimal potential for fire or hazard due to equipment failure. Corrective action taken. Spill source: gasoline station or other PBS facility. Sloppy housekeeping during filter change. Soil was directly impacted due to a seeping pipe. Material name: gasoline 1996 known release with minimal potential for fire or hazard due to human error. Corrective action taken. Spill Source: Gasoline Station or other PBS facility. Car pulled away from gas pump with hose still attached. Some spillage occurred. Material name: gasoline.
Elmwood Bridge	Opposite 710 Exchange Street	Records of Emergency Release Reports	1/8-1/4 NNE of Subject Property. 1986 possible release with minimal potential for fire or hazard. Corrective action taken. Spill cause: unknown; Material name: unknown.
City of Rochester	South Plymouth Avenue	Records of Emergency Release Reports	1/8-1/4 N of Subject Property. 1996 Known release due to equipment failure. Corrective action taken. 2 gallons of hydraulic oil spilled onto roadway at intersection. Spill caused by blown hydraulic line on garbage truck. Material Name: Hydraulic Oil.
Rochester Housing Authority	Olean and South Plymouth	Records of Emergency Release Reports	1/8-1/4 N of Subject Property. 2004 known release due to equipment failure. Corrective action taken. 500 gallon underground #2 fuel tank was encountered while doing work on site. Tank was removed, but contamination was still present. Material Name: Petroleum.
Beck Albert Auto Repair	835 Exchange Street	EDR High Risk Historical Records	<1/8 NNE of Subject Property. 1950-1965 site was used for Automotive repair
Bohlig Gustav	944 Plymouth Avenue South	EDR High Risk Historical Records	1/8-1/4 WSW of Subject Property. 1940- site was used for an automobile garage
Monroe Oil Company Gasoline	87 Exchange Street	EDR High Risk Historical Records	1/8-1/4 WSW of Subject Property. 1926-1930 site was used by a gasoline station
Ralphs Arco Service	743 Plymouth Avenue S	EDR High Risk Historical Records	1/8-1/4 N of Subject Property. 1950-1975 Site was used by a gasoline station 1985-1992 Site was used for Automobile repairing and service
Standard Service Station	735 Plymouth Avenue S	EDR High Risk Historical Records	1/8-1/4 N of Subject Property. 1940- Site was used as an automobile garage 1945- Site was used as a gasoline station
27 Columbia Avenue	27 Columbia	EDR High Risk Historical Records	1/8-1/4 NNW of Subject Property. 2005- Site was used for Rambo Automobile Repair
Western New York Gasoline	770 Exchange Street	EDR High Risk Historical Records	1/8-1/4 NE of Subject Property. 1926- Site was used as a gasoline station
American Oil Company Station	700 Plymouth Avenue South	EDR High Risk Historical Records	1/8-1/4 N of Subject Property. 1965-1982- Site was used as a gas station



Site	Address	Database	Location & Report Information Summary
Schwalb Nick & Son Gas Station	664 Plymouth Avenue South	EDR High Risk Historical Records	1/8-1/4 N of Subject Property. 1940-1960 site was used as a gasoline station
Associated Dry Cleaning	5 Flora Street	EDR High Risk Historical Records	<1/8 N of Subject Property. 1940- Site was used for a dry cleaners
Parker Dry Cleaners	815 Plymouth Avenue South	EDR High Risk Historical Records	1/8-1/4 NW of Subject Property. 1940-1970 Site was used for a dry cleaners
Foster Cleaners & Dyers	813 Plymouth Avenue South	EDR High Risk Historical Records	1/8-1/4 NW of Subject Property. 1950-1955 Site was used for a dry cleaners
Maple Dry Cleaners	793 Plymouth Avenue South	EDR High Risk Historical Records	1/8-1/4 NW of Subject Property 1950-1970 Site was used for a dry cleaners
Kinneys Dry Cleaners	775 Plymouth Avenue South	EDR High Risk Historical Records	1/8-1/4 NNW of Subject Property 1975-2000 Site was used for a dry cleaners
Doucette Building and Carpet Cleaning Inc.	993 Exchange Street	EDR High Risk Historical Records	1/8-1/4 WSW of Subject Property 1975- Site was used for by a carpet and rug cleaner
93 99 Swiss Laundry Company	93 Exchange Street	EDR High Risk Historical Records	1/8-1/4 WSW of Subject Property 1926-1935 Site was used as a laundry
Genesee Rug & Furniture	840 Exchange Street	EDR High Risk Historical Records	<1/8 NNE of Subject Property 1950- Site was used as a carpet and rug cleaners
Jefferson Laundry Service	680 Plymouth Avenue South	EDR High Risk Historical Records	1/8-1/4 N of Subject Property 1940-1985- Site was used for a self-serve laundry
Whiz Cleaners & Laundry	676 Plymouth Avenue South	EDR High Risk Historical Records	1/8-1/4 N of Subject Property 1992- Site was used for a self-serve laundry

The environmental impacts at the off-site properties listed in the February 9, 2016 EDR Database Report do not appear to be potential RECs to the Subject Property due to distance, direction, elevation and/or NYSDEC closed status. With the exception of sites the Vacuum Oil Site listed first on Table 2: Identified Off-Site Environmental Listings. The Vacuum Oil Site listed on Table 2 has the potential to effect the Subject Property as the property has experienced a number of releases that may have impacted the groundwater.

4.04 Unmapped Listed Sites

The EDR database search cannot always accurately locate a facility listed in a given database due to incomplete or faulty addresses and/or longitude and latitude coordinates. In these cases, EDR has supplied a list of un-mapped sites. Based upon the information provided and the required search radius for a given database, it is sometimes not possible to determine if an un-mapped site falls within the given search radius or if it may be removed from consideration.

A total of 5 un-mapped sites were provided by EDR based on the site having the same zip code as the Subject Property or proximity to the Subject Property. This listing in the EDR Orphan Report did not include references identifying the Subject Property or properties in close proximity to the Subject Property.

In order to determine which unmapped sites were within the specified search radii, the site visits conducted by Bergmann included observations to attempt to locate these sites. Street maps of the Subject Property vicinity were reviewed and Internet yellow and white page searches were conducted. Based upon this review, it appears that the listed "Orphan Sites" are not within close proximity to the Subject Property and do not likely present an environmental concern, with the exception of the Former Vacuum Oil site on Flint Street, based on the information in the EDR report.



**Table 3
Orphan Sites**

Site	Address	Database	Close Proximity/Environmental Threat
LaChasse Facilities	South Avenue	NY LTANKS	Not in close proximity
RGE- Canal Street	Canal Street	NY VCP	Not in close proximity
Rochester © C&D LF	City Hall	NY SWF/LF	Not in close proximity
Former Vacuum Oil	Cottage Street	NY HSWDS	Not an environmental threat
Former Vacuum Oil	Flint/Exchange/Cottage Street	NY SHWS, NY Brownfields	Environmental threat

4.05 Additional Record Sources and Interviews

As part of the due diligence component of this Phase I ESA, Bergmann interviewed the property owner representative. The following documents the interview:

Mr. Michael Dedetsinas Papapanu, Property Owner Representative

Mr. Michael Dedetsinas Papapanu is a family member of the property owner and acted as the representative during the site visit of the Subject Property. He has a vast knowledge of the past uses of the Subject Property. Mr. Papapanu stated that at some point the Subject Property had been vandalized and the means of lighting part of the property had been stolen. Mr. Papapanu escorted the Bergmann team around the Subject Property on multiple occasions.

Mr. Peter Kolokouris, Part Owner of Property

Mr. Peter Kolokouris has been a partner of John K & Associates and the partial owner of the Subject Property for approximately 10 years. Mr. Kolokouris stated that an underground storage tank was removed from the parking lot near the loading dock in 1990s. Mr. Kolokouris stated that this tank was used to fuel trucks prior to his ownership of the Subject Property. Mr. Kolokouris does not have documentation or a report on the tank removal. According to the City of Rochester buildings permit, the property had a 3,000 gallon tank removed in December 1996. Mr. Kolokouris described the tank that was removed from the northwestern area of the site in the paved parking area. The potential impact to the subsurface from bulk petroleum storage from this undocumented tank is an REC.

Freedom of Information Requests

As part of the background research component of the Phase I ESA, Bergmann Associates contacted State and Local government officials. Written FOIL applications were submitted to US EPA Region 2, the New York State Department of Health (NYSDOH), New York State Department of Environmental Conservation (NYSDEC) Region 8, City of Rochester, and Monroe County.

US EPA Region 2 Office

Bergmann sent a Freedom of Information Legislation (FOIL) letter to the US EPA Region 2 Freedom of Information Officer, dated February 22, 2016 requesting information for the Subject Property. As of the date of this report, no response has been received from this request.

New York State Department of Environmental Conservation

Bergmann sent a FOIL form to the NYSDEC Records Access Officer, dated February 22, 2016 requesting information for the Subject Property. As of the date of this report, no response has been received from this request.

New York State Department of Environmental Conservation Region 8 Office

Bergmann sent a FOIL form to the NYSDEC Region 8 Records Access Officer, dated February 22, 2016 requesting information for the Subject Property. On February 25, 2016 Bergmann received an email stating that the FOIL request has been received. The FOIL request number assigned is #W004290-022516. On February 29, 2016



Bergmann received an email with spill reports and a number of scanned handwritten Hazmat Incident Response forms from Monroe County's Department of Health.

New York State Department of Health

Bergmann sent a FOIL form to the New York State Department of Health (NYS DOH) Records Access Officer, dated February 22, 2016 requesting information for the Subject Property. On March 3, 2016 the New York State Department of Health returned an acknowledgement of Bergmann's FOIL request. The FOIL request number assigned is #16-03-031. On March 31, 2016 the Department of Health responded to Bergmann's FOIL request and stated that no records responsive to the request have been located.

United States Environmental Protection Agency Region 2 Office

Bergmann sent a FOIL form to the EPS Region 2 Records Access Officer, dated February 22, 2016 requesting information for the Subject Property. As of the date of this report, no response has been received from this request.

Monroe County Department of Communications Office

Bergmann sent a FOIL letter to the City of Rochester Records Access office, dated February 22, 2016 requesting information for the Subject Property. Bergmann's request was granted in part and denied in part. Some records could not be released because of the Public Officers Law Section 89-2 (c)(i). The FOIL request number was #16-0490. The records that were sent include a number of Hazmat Incident Response from the County of Monroe's Department of Health: Division of Environmental Health. Also included were a number of NYSDEC Spill Report Forms.

City of Rochester Fire Marshall

Bergmann sent a FOIL letter via email to the City of Rochester Records Access office, dated February 19, 2016 requesting information for the Subject Property. As of the date of this report, no response has been received from this request.

City of Rochester Tax Assessor

Bergmann sent a FOIL letter to the City of Rochester Records Access office, dated February 22, 2016 requesting information for the Subject Property. On March 17th 2016 Bergmann received 4 CDs containing various documents including previous environmental assessments, fire safety records for the Vacuum Oil site as a whole.

City of Rochester Records Access Office

Bergmann sent a FOIL letter to the City of Rochester Records Access office, dated February 22, 2016 requesting information for the Subject Property. On March 18th 2016 Bergmann received a number of documents including fire documents and hazardous material reports.

Copies of agency correspondence are included in Appendix C – FOIL Requests/FOIL Responses.

Client Supplied Information

The City of Rochester provided Bergmann with a number of historical documents; including The City of Rochester's Fire Department Permit citations dating back to 1989. Also included were a number of photocopied newspaper articles dating back to the 1800s that mention the Vacuum Oil Company and the Subject Property. Also included are historical Sanborn maps from 1875, 1888, 1900, and 1910.



5.0 SUBJECT PROPERTY PHYSICAL SETTING REVIEW

5.01 Historical Use Information

Publicly available city directories, topographic maps, Historic Sanborn® maps and historical aerial photographs were reviewed as part of this Phase I ESA. Below is a summary of this review.

5.02 Topographic Map Review

Historic Topographic Maps dated 1895, 1898, 1912, 1920, 1931, 1935, 1952, 1969, 1971, 1978, 2013 were available from EDR. A review of these maps is below.

1895

The Subject Property is located on the Rochester, New York 15 minute series quadrangle map obtained from EDR. This map is dated 1895. The Subject Property appears to have one building on its lot. A railroad line runs along the eastern border of the Subject Property as well as, the Genesee River. Due to the scale of the map, individual site features are not visible.

1898

The Subject Property is located on the Rochester, New York 15 minute series quadrangle map obtained from EDR. This map is dated 1898. The Subject Property and surrounding properties appear similar to the 1895 map.

1912

The Subject Property is located on the Rochester, New York 15 minute series quadrangle map obtained from EDR. This map is dated 1912. The Subject Property appears to have multiple buildings on its lot as well as, what appears to be tanks. The Genesee River and a railroad line runs along the eastern border of the Subject Property. Due to the scale of the map, individual site features are not visible.

1920

The Subject Property is located on the Rochester, New York 15 minute series quadrangle map obtained from EDR. This map is dated 1920. The Subject Property and surrounding properties appear similar to the 1912 map.

1931

The Subject Property is located on the Rochester East, New York 7.5 minute series quadrangle map obtained from EDR. This map is dated 1931. The Subject Property and surrounding properties appear similar to the 1920 map.

1935

The Subject Property is located on the Rochester East, New York 7.5 minute series quadrangle map obtained from EDR. This map is dated 1935. The surrounding properties have urbanized, as it compares to the 1931 map. The buildings located on the Subject Property are showed to be more clustered.

1952

The Subject Property is located on the Rochester East, New York 7.5 minute series quadrangle map obtained from EDR. This map is dated 1952. The surrounding properties have urbanized greatly, as it compares to the 1935 map. The buildings located on the Subject Property are not shown on this map.

1969

The Subject Property is located on the Rochester East, New York 7.5 minute series quadrangle map obtained from EDR. This map is dated 1969. The Subject Property and surrounding properties appear similar to the 1952 map.



1971

The Subject Property is located on the Rochester East, New York 7.5 minute series quadrangle map obtained from EDR. This map is dated 1971. The Subject Property and surrounding properties appear similar to the 1969 map.

1978

The Subject Property is located on the Rochester East, New York 7.5 minute series quadrangle map obtained from EDR. This map is dated 1978. The Subject Property and surrounding properties appear similar to the 1971 map.

2013

The Subject Property is located on the Rochester East, New York 7.5 minute series quadrangle map obtained from EDR. This map is dated 2013. The Subject Property and surrounding properties appear similar to the 1978 map except a greater number of streets are labeled.

Copies of the historic topographic maps are included in Appendix D – Historic Topographic Maps.

5.03 Historic Sanborn® Map Review

Historic Sanborn® Fire Insurance Maps dated 1892, 1912, 1938, 1950, and 1971 were available for the Subject Property and surrounding area from EDR. A review of these maps is below.

1892

The Subject Property was divided and owned/operated by two different companies. The northern portion of the site was owned by J.C Lighthouse and operated as a tannery. The southern portion of the Subject Property was owned by Vacuum Oil Company and operated as a bulk oil storage in tanks and barrels. The Historic Sanborn® maps show that in 1892 the three story masonry building located on the southern portion of the Subject Property was owned by Vacuum Oil Company and housed an oil warehouse, filter houses, a harness oil room, a compounding room, and a bone dust room. The northern portion of the Subject Property owned by the J.C Lighthouse included two storage structures, a tan pit area, and a shed. The northern portion of the Subject Property used heat that was powered by steam. No lights were used on the site. Both the northern and southern portions of the Subject Property show numerous tanks throughout.

The surrounding properties include the Western New York & Pennsylvania Railroad LLC line located to the east of the Subject Property. The railroad LLC was incorporated in 1887 and ran from Emporium, Pennsylvania across the state line to Olean, New York, to Hinsdale, New York ending in Rochester, New York. To the north and west of the site, along Violetta Street a number of smaller parcels used for residential purposes. The southern parcel adjacent to the Subject Property was used by Vacuum Oil Company, the predecessor to Mobil Oil. This site was in operation as an oil refinery from 1866 to 1935. The Vacuum Oil Company's site included several process and storage buildings, a rail yard, a tank farm area and several pipelines. Reports dating from 1887 indicate that Vacuum Oil Works' site having over 135 tanks and 6 boilers. The Vacuum Oil Company's site facility refined over 4 million gallons of crude oil per year.

1912

The northern and southern portions of the Subject Property both became a part of the Vacuum Oil Company Refinery. The Subject Property included approximately 7 structures which uses ranged from shipping buildings to tank buildings. The tank building number 2, located in the southwestern area of the Subject Property housed a total of 38 tanks. The southeastern portion of the site, parallel to the Genesee River shows an oil tank area. Within the oil tank area, there are 4 large cylindrical oil tanks, along with 6 rectangular oil tanks. A number of conveyer belts connect the different structures on the Subject Property. The Subject Property also housed buildings labeled as a hopper building, kiln building, tank building, refined oil warehouse, clay bin building, and a compounding room.

The surrounding properties include the Western New York & Pennsylvania Railroad LLC line located to the east of the Subject Property. The railroad LLC was incorporated in 1887 and ran from Emporium, Pennsylvania across the state line to Olean, New York, to Hinsdale, New York ending in Rochester, New York. To the north and west of the



site, along Violetta Street a number of smaller parcels used for residential purposes. The southern parcel adjacent to the Subject Property was used by Vacuum Oil Works, the predecessor to Mobil Oil. This site was in operation as an oil refinery from 1866 to 1935. The Vacuum Oil Works' site included several process and storage buildings, a rail yard, a tank farm area and several pipelines. Reports dating from 1887 indicate that Vacuum Oil Works' site having over 135 tanks and 6 boilers. The Vacuum Oil Works' site facility refined over 4 million gallons of crude oil per year.

1938

The Subject Property does not have details on the building locations. The text "For Location of this Detachment See Sheet 425". When further researching the details listed on sheet 425; the building footprints shown and the primary owner, see Figure 4- Historic Sanborn Map- Sheet 425. The Historic Sanborn® has the property owners listed as the Rochester Distilling Co. Inc.

1950

The Subject Property does not have details on the building locations. The text "For Location of this Detachment See Sheet 425". When further researching the details listed on sheet 425; the building footprints shown and the primary owner, see sheet 425 above. The Historic Sanborn® has the property owners listed as Sears Roebuck and Co. Ware Ho. The Historic Sanborn® has listed a number of activities that occurred on the Subject Property including a furnace and stove repair area.

1971

The Subject Property does not have details on the building locations. The text "For Location of this Detachment See Sheet 425". When further researching the details listed on sheet 425; the building footprints shown and the primary owner, see sheet 425 above. The Historic Sanborn® has the property owners listed as Sears Roebuck and Co. Ware Ho. The Historic Sanborn® has listed a number of activities that occurred on the Subject Property including a furnace and stove repair area.

Copies of the Historic Sanborn® Fire Insurance Maps are included in Appendix E – Historic Sanborn® Map Report.

5.04 Historic Aerial Photograph Review

Aerial photographs dated 1951, 1958, 1966, 1971, 1980, 1985, 1994, 2006, 2008, 2009 and 2011 were available from EDR. A review of these maps is below.

1951

The Subject Property appears developed; however, due to the scale and quality of the photograph, individual features are not discernible. The Subject Property is in an area of urban development. Multiple residences located to the north and west of the site. The train line can be seen to the east of the Subject Property.

1958

The Subject Property appears developed; however, due to the scale and quality of the photograph, individual features are not discernible. The Subject Property is in an area of urban development. Multiple residences located to the north and west of the site. The train line can be seen to the east of the Subject Property.

1966

The Subject Property appears developed; however, due to the scale and quality of the photograph, individual features are not discernible. The Subject Property is in an area of urban development. Located to the west and north of the site are single-family residences.

1971

The Subject Property appears similar to its current configuration; containing one building with an associated yard. The Subject Property is in an area of urban development. Located to the west and north of the site are single-family residences. The railroad line can be seen to the east of the Subject Property. Located to the approximately 50 feet



north of the site are a number of apartment complexes, which include buildings and associated courtyards. Located to the south of the Subject Property, on the south side of Flint Street, is what resembles a refuse dump.

1980

The Subject Property appears similar to its current configuration. No significant changes appear to have occurred at the Subject Property or surrounding properties.

1985

The Subject Property appears similar its current configuration. No significant changes have occurred at the Subject Property or surrounding properties.

1994

The Subject Property appears similar to its current configuration. No additional significant changes have occurred at the Subject Property or surrounding properties.

2006

The Subject Property appears similar to its current configuration. No significant changes have occurred at the Subject Property. The residential housing development located to the north of the Subject Property, along Ford Street, have increased the number of units and have added an additional cul-de-sac.

2008

The Subject Property appears similar to its current configuration. No significant changes have occurred at the Subject Property. To the south of the property it appears that a large amount of vegetation was removed along the southern end of Flint Street.

2009

The Subject Property appears similar to its current configuration. No significant changes have occurred at the Subject Property or surrounding properties.

2011

The Subject Property appears similar to its current configuration. No significant changes have occurred at the Subject Property or surrounding properties.

Copies of the Aerial Photographs are included in Appendix F – Historic Aerial Photographs.

5.05 City Directory Image Review

The Subject Property was identified on City Directories for the years 1960, 1965, 1970, 1975, 1982, 1985, 2000, and 2008. The following listing information was available for the Subject Property.

1960 - 1965

The Subject Property is listed used by Sears & Roebuck & Company as a warehouse and service center for stoves and furnaces.

1970

The Subject Property is listed used by Sears & Roebuck & Company as a warehouse and service center for stoves and furnaces.

1975

The Subject Property is listed used by Eagan M Company Inc. for the production of can food and produce and Sears & Roebuck & Company as a warehouse and service center for stoves and furnaces.



1982

The Subject Property is listed used by Eagan M Company Inc. for the production of can food and produce and partially vacant.

1985

The Subject Property is listed used by Bevaco Food Service of Genesee and Valley Food Products.

2000

The Subject Property is listed used by Compete Paintball for amusement and recreation activities and by Warehousing Distributive for general warehouse purposes.

2008

The Subject Property is listed used by Argento Francis C Sr Eis for commercial purposes, and by Warehouse & Distributive SVC for household storage.

Copies of the City Directories are included in Appendix G – City Directory Image Report.

5.06 Wetland Review

The NYSDEC Environmental Resource Mapper online application was reviewed and determine there is no presence of wetlands on our around the Subject Property. Based on the information obtained through the application, wetlands were not indicated on the Subject Property. A copy of the Environmental Resource Map is included in Appendix H – NYSDEC Environmental Resource Map.

5.07 Flood Hazard Boundary Review

Flood plains delineation has not been conducted. The property is currently an existing developed parcel. A review of the Federal Emergency Management Agency (FEMA) National Flood Insurance Program – Flood Boundary and Floodway Map for the Subject Property indicates that the Subject Property is within the Zone X flood area. Zone X falls into a moderate to low risk flood area. This flood area falls outside of the 1% annual chance floodplain. This area does not require flood insurance to be purchased. A copy of the Flood Insurance Rate Map (FIRM) is included in Appendix I – FEMA Fire Insurance Rate Map.

5.08 Soil Survey Review, Local Groundwater and Subsurface Characterization

Bedrock and overburden geology was reviewed using geologic maps from the New York State Museum and Science Center. Overburden sediments at the subject parcel are mapped on the Surficial Geologic Map, Finger Lakes Sheet (Map and Chart Series No. 40, 1986) as lacustrine silt and clay, deposited in pro-glacial lakes. Thickness is variable. The Genesee River is located approximately less than 100 feet east of the Subject Property. Based on topography and the presence of the river, the local groundwater flow is likely to the east.

The Geologic Map of New York Finger Lakes Sheet (Map and Chart Series No. 15, 1970) shows bedrock to be sedimentary deposits, consisting of the Upper Silurian Lockport Dolomite. The Lockport Dolomite occurs at the surface under most of the central and southern portions of metropolitan Rochester.

According to the U.S. Department of Agriculture (USDA) Soil Conservation Services (SCS), soils at the Subject Property are composed of the Urban Land soil type, characterized by loamy fine sand. The hydrologic group is defined as Class C – slow infiltration rates.

The Federal USGS database does not list any public water supply wells within a 1-mile radius of the Subject Property.



6.0 INFORMATION GATHERED DURING THE SITE RECONNAISSANCE VISIT

Ms. Meagan Aaron, Planner from Bergmann and Stephen DeMeo, Senior Geologist from Bergmann, conducted a site reconnaissance visit and walk-over of the Subject Property on February 24, 2016. Photographs taken of the Subject Property during the site visits are included in the Photographs Section of this report. The Bergmann Associates Site Observation Form is provided in Appendix A.

6.01 On-Site Buildings and Structures

At the time of the site visits the Subject Property contained two buildings and an associated yard, driveway, and parking area. The exterior of the buildings appeared to be in fair condition and was mostly composed of concrete and brick and all adjoining each other. Located within the single-story brick building, a number of sumps and floor drains were observed. A number of the floor drains were filled in with what appears to be concrete. Three floor sumps were observed. Refer to the Photographs section of this report. The sump pumps are considered a REC for unknown discharge point(s) and a potential route of exposure to released petroleum chemical compounds in the subsurface on the Subject Property.

6.02 Hazardous Substances in Connection with Identified Uses

During the February 24, 2016 site visit, one 40 gallon barrel was seen on the first floor of the three-story concrete building. The barrel did not have a lid on but was labeled "Corrosive 8". Also located on first floor of the three-story concrete building were two gallon bleach jugs in its original packaging. Located on the second floor of the three-story concrete building was four 40 gallon barrels. The substances within the barrels are unknown. The material threat of a release of the unknown substances or hazardous materials from the various barrels is considered a REC.

6.03 Underground Storage Tanks and Aboveground Storage Tanks

During the February 24, 2016 site visit three tanks were found in three separate below-grade vaults on the first floor of the three-story concrete building located on the Subject Property. These tanks appear to be associated with fuel storage for the boilers and are located adjacent to the boiler room. The substance stored in the tanks is unknown and condition of the tanks are unknown. The material threat of a release to the subsurface at the Subject Property from potential vaulted tanks is considered a REC. There is a material threat of a release of unknown substances or other hazardous materials from the three tanks is considered a REC.

6.04 Indications of Polychlorinated Biphenyls (PCBs)

A polychlorinated biphenyls (PCB) material survey was not conducted as part of the scope of work for this Phase I ESA. There is one transformer located along Violetta Street. The potential for PCB-containing oil in this transformer is a potential Business Environmental Risk (BER).

6.05 Indications of Solid Waste Disposal

During the February 24, 2016 site visit, debris and solid waste was observed on the grass area (ground surface) behind the three-story concrete building located on the Subject Property. Also within the three-story concrete structure, two rooms located on the second floor were filled with a conglomeration of solid waste. On both the first and second floor of the three-story concrete structure a substantial amount of bird feces as well as bird remains were observed. Suspect mice droppings were observed in areas throughout the first floor of the three-story concrete structure.

6.06 Other Conditions or Concerns

During the February 24, 2016 site visit on the second floor of the three-story concrete building a pipe from the roof was observed draining onto the floor. Located on the first floor of the three-story concrete building suspect fire

damage was observed on the walls and ceiling of the structure. Also, on the first floor, some dark staining was observed in areas on the floor and wall. Multiple drum rings etched into the concrete floor of the first floor were observed that indicate former drum / barrel or tank storage.

7.0 BUSINESS ENVIRONMENTAL RISK CONSIDERATIONS

This Phase I ESA has included an evaluation of factors that could pose a business environmental risk based on the present day (January 2014) use of the property. These issues are supplemental to the ASTM 1527-13 Standard Practice. The following Business Environmental Risk (BER) was identified during this Phase I ESA:

Potential presence of Lead Based Paint (LBP) and Asbestos Containing Materials (ACM) are considered BERs. Based on the date of construction, LBP and ACM may be present in painted surfaces. A LBP and ACM survey is recommended, in accordance with local, State, and Federal regulations. There is one transformer located along Violetta Street. The potential for PCB-containing oil in this transformer is a potential Business Environmental Risk (BER).

Section 7.1 of this Phase I ESA presents the BERs for the Subject Property.

7.01 Environmental Regulatory Compliance

The potential for unregistered petroleum bulk storage (PBS) tanks at the Subject Property exists based on the records that were reviewed and observations made as part of this report. City of Rochester Building Permit records indicate the testing of tanks at the Subject Property. NYSDEC records do not list these tanks as registered at the Subject Property. Environmental regulatory compliance survey was not part of Bergmann's scope of work.

7.02 Asbestos Containing Materials

Asbestos was not identified as an asbestos containing materials (ACM) survey was not conducted as part of the scope of work for this Phase I ESA. During the multiple field visits Bergmann attended, there were items seen that have the potential to contain asbestos, in turn being a potential BER. The potential BER materials seen on site include; the 9x9 partial flooring material seen on the first and second floor. AMC potential was also seen in the boiler room in the single-story brick building on the equipment and the pipes. The three-story masonry building contained some suspect ACM material on the roof. Also, located throughout both buildings the windows and caulk are suspect for ACM material.

7.03 Lead Based Paint

A Lead-Based paint (LBP) survey was not conducted as part of this Phase I ESA. Based on the age of the building, LBP may have been used during construction or within the construction material. The potential presence of LBP at the Subject Property is considered a BER. A lead-based paint (LBP) survey was not conducted as part of the scope of work for this Phase I ESA.

7.04 On-Site Radon

The U.S. EPA Action limit for indoor Radon is 4.0 pCi/L. Area Radon information for Monroe County indicates that 94% of basements screened fall between ≥ 4 and ≤ 20 pCi/L and 1% exceed 20 pCi/L. A radon survey was not conducted as part of the scope of work for this Phase I ESA.

7.05 Vapor Encroachment

A vapor encroachment survey (VES) was not conducted as part of this Phase I ESA. The potential for soil vapor intrusion into the buildings on the Subject Property and future on-site buildings exists due to the former use of the Subject Property as an oil refinery with multiple tanks in vaults at the Subject Property and unknown nature of the fill materials below the subsurface at the Subject Property. The potential for soil vapor intrusion condition to exist at the Subject Property is considered a REC.

7.06 Indoor Air Quality

Indoor Air Quality was not evaluated as part of this Phase I ESA. Future indoor air quality may be impacted by vapor intrusion, as described above. An indoor air quality survey was not conducted as part of the scope of work for this Phase I ESA.

7.07 Lead in Drinking Water

The Subject Property is connected to a municipal water supply system. Lead in drinking water is not considered to be a risk consideration for the Subject Property.

7.08 High Voltage Power Lines

High voltage power lines were not observed on the Subject Property. There is one transformer located along Violetta Street. The potential for PCB-containing oil in this transformer is a potential Business Environmental Risk (BER).

7.09 Cultural, Historic and Archeological Resources

A review of potential adverse impact to cultural, historic and archaeological resources was conducted. Cultural, historic and archaeological resources are not known or have not been identified at or are adjacent to the Subject Property based on the information reviewed. Therefore, cultural, historic and archaeological resources should not be impacted by the proposed development and are not considered to be a risk consideration.

7.10 Wetlands and Surface Waters

The NYSDEC Environmental Resource Mapper online application was reviewed to determine the presence of wetlands on our around the Subject Property. Wetlands are not indicated on the Subject Property based on the information obtained through the application.

7.11 Threatened, Endangered and Other Protected Species

The NYSDEC Environmental Resource Mapper online application was reviewed to determine the presence of threatened, endangered and other protected species on or around the Subject Property. Threatened, endangered and other protected species were not indicated on the Subject Property based on the information obtained through the application.

7.12 Wildlife Sanctuaries and Other Natural Resource Preserves

A review of potential adverse impact to wildlife sanctuaries and other natural resource preserves was conducted. Local, State or Federal Sanctuaries or other natural resource preserves are not known or have not been identified at or are adjacent to the Subject Property.

7.13 Biological Agents

Biological agents were not observed on the exterior of the on-site building or in the outdoor areas of the Subject Property at the time of the site visit.

7.14 Mold

Mold was not observed not observed on the exterior of the on-site building or in the outdoor areas of the Subject Property at the time of the site visit. A mold survey was not conducted as part of the scope of work for this Phase I ESA.

7.15 Potential Impacts/Implications of Environmental Issues for Site Development and Construction

Prior to any building demolition, an LBP survey should be conducted.

8.0 PHASE I ESA FINDINGS AND OPINION

8.01 Findings

Bergmann Associates completed a Phase I Environmental Site Assessment (ESA) Report of 920 Exchange Street in the City of Rochester, Monroe County, New York 14608, in conformance with the scope and limitations of ASTM Practice E 1527-13 *Standard Practice for Environmental Site Assessments*. This Phase I ESA was also conducted in accordance with the US EPA All Appropriate Inquiry (AAI).

The following Business Environmental Risks (BERs) were identified for the Subject Property:

1. Possible presence of Lead Based Paint. Based on the date of construction, lead based paint may be present in the buildings located on the Subject Property.
2. Asbestos Containing Materials (ACM). Asbestos was not identified as an asbestos containing materials (ACM) survey was not conducted as part of the scope of work for this Phase I ESA. During the multiple field visits Bergmann attended, there were building items observed and materials in the boiler room that had the potential to contain asbestos in turn being a potential BER.
3. Pole Transformer. Located along Violetta Street in the public right of way, there is one transformer. There is a potential for PCB-containing oil or other hazardous materials from the transformer which is a BER.

The following recognized environmental conditions (RECs) were identified for the Subject Property:

1. Former Tannery. Potential releases of chemicals and waste used in the tanning industry from historical operations on the Subject Property as a tannery is an REC. According to Historic Sanborn® Fire Insurance Maps, the property was formerly used as a Tannery.
2. Former Oil Facility. Potential releases of petroleum products, waste, and other chemicals used for oil refining from the former Vacuum Oil Company's operations that took place on the Subject Property and the adjoining off-site properties is an REC. According to Historic Sanborn® Fire Insurance Maps, the Subject Property was formerly used as an Oil Refinery. Potential releases of naphtha and crude oil from the buried refinery's underground piping is an REC from this adjoining off-site location.
3. Vaulted Below-Grade Storage Tanks. There is a material threat of a release of unknown substances, petroleum or other hazardous materials from the three vaulted below-grade tanks, which is considered a REC. During the February 24, 2016 site visit, three vaults were observed with three separate tanks. The tanks are suspected to be used for the heating system and are located adjacent to the boiler room.
4. Undocumented Underground Storage Tanks Removal. The material threat of a release to the subsurface at the Subject Property from a former tank is considered a REC. According to the Buildings Permits, the property had a 3,000 gallon tank removed in December 1996. It is not clear if this 3,000 gallon tank is the



same tank that the property's owner discussed during the in person interview on March 7, 2016. The Subject Property owner stated that there was a petroleum tank that was removed in 1985.

5. Historic Petroleum Bulk Storage. There are documented releases of petroleum substances and other chemicals used in the oil refinery and tannery operations that occurred on the Subject Property. Historic petroleum bulk storage tanks, barrels and or drummed chemicals are considered an REC. According to Historic Sanborn® Fire Insurance Maps, the Subject Property included an oil tank farm and tank houses.
6. Barrel Storage. The material threat of a release of unknown substances and or hazardous materials in the barrels is considered a REC. During the February 24, 2016 site visit, four 40 gallon barrels with unknown materials were observed and appeared to not be properly stored or managed. The materials stored appeared to not be in their original containers. The area surrounding the drums did not appear to be stained, and no odors were detected.
7. Former onsite barrel storage. The potential for a spill having occurred in the past is considered an REC as the Subject Property was used to store numerous barrels of chemicals dating back to the 1990s.
8. Soil Vapor Intrusion. The potential for soil vapor intrusion to exist at the Subject Property is considered a REC. A vapor intrusion survey (VIS) was not conducted as part of this Phase I ESA. The potential for soil vapor intrusion into the existing buildings and future on-site buildings exists due to several releases of hazardous materials during the Subject Property's use and operations as a tannery and oil refinery.
9. Soil Vapor Encroachment. The potential for soil vapor encroachment to exist at and/or on the Subject Property is considered a REC. A vapor encroachment survey (VES) was not conducted as part of this Phase I ESA. The potential for volatile organic vapors from petroleum and chemical releases have the capability to migrate onto adjoining properties and the Subject Property.
10. Potential Impacts from Offsite Properties. The material threat of the migration of petroleum and/or hazardous material from adjoining offsite properties to land and/or groundwater is considered an REC. According to various databases several adjoining properties have been cited for a number of documented environmental releases. Refer to Table 2 Identified Off-Site Environmental Listings for more detail.
11. Documented Discharge. Historic and current documentation of numerous spills, releases and fires are a considered an REC. Numerous documented explosions and spills occurred dating from 1899 to 2013. The exact vicinity and location is not specific for a number of the explosions.
12. Compromised Historic Infrastructure. The potential impact from the release of naphtha petroleum to the Subject Property from the Vacuum Oil Company's fire on the adjoining property during the 1887 fire is an REC. The 1887 fire led to a known release which compromised the municipal sewer system.
13. Railroad Spur. There is a potential for release on the railroad spur from transfer of petroleum product to rail cars.
14. Boiler Room. The piping in the boiler room, located on the first floor of the brick building is considered an REC for a material threat of a release of petroleum.
15. Sump Pumps. The sump pumps are is considered an REC for unknown discharge point(s) and a potential route of exposure to released petroleum chemical compounds in the subsurface at the Subject Property... The Subject Property has three sump pumps located throughout the first floor of the existing brick structure.
16. Solid Waste Disposal. Located on the grass area along the east side of the Subject Property (and in various rooms on the second floor of the concrete building) is debris and solid waste materials. The unknown solid waste debris is considered and REC.
17. Floor Drains/ Filled in Floor Drains. Located throughout the brick structure are various floor drains. Some of the floor drains have been filled in with concrete. The existence of floor drains with unknown discharge points is considered an REC.

8.02 Opinion

Environmental site assessments cannot completely eliminate uncertainty regarding the potential for the presence of recognized environmental conditions in connection with a property. In our opinion the recognized environmental conditions at the Subject Property as described in this Phase I ESA Report have been identified based on our Phase I ESA project work.

In our opinion, the subsurface at the Subject Property has potentially been impacted by releases of hazardous materials and/or petroleum products and current and future buildings on the Subject Property are suspect for potential soil vapor intrusion, based on the identified RECs above.

8.03 Recommendations

Bergmann recommends the performance of a Phase II ESA at the Subject Property including surface and subsurface explorations to evaluate soil and groundwater quality conditions at the Subject Property. Subsurface explorations may include, but should not be limited to the installation of soil borings, groundwater monitoring wells, and test pits. Bergmann recommends the collection of environmental samples by an environmental professional and the analysis of samples by a New York State Environmental Laboratory Approval Program (NYS ELAP) certified laboratory. Bergmann recommends the identification and proper disposal of all materials containing lead-based paint (LBP) and/or asbestos containing materials (ACM) from within the building at the Subject Property prior to redevelopment or demolition. Bergmann recommends the performance of a soil vapor encroachment survey on current and future buildings at the Subject Property.

8.04 Statement of Reliance

This report is certified to, can be relied upon by, and has been prepared for the exclusive use of the following entities: Bergmann Associates (As City of Rochester Engineering Consultant); The City of Rochester and their respective successors, assigns, affiliates, and subsidiaries. The named entities above can convey this report to an affiliate, related entity, subsidiary, lender, title insurer, regulatory/city agency or current property owner(s) and their agents, but further dissemination to other parties or persons requires prior written approval from Bergmann Associates.

8.05 Significant Data Gaps

Significant data gaps as defined by §312.10 of AAI Final Rule and §12.7 of ASTM E1527-13 include missing or unattainable information that affects the ability of the environmental professional to identify conditions indicative of releases or threatened releases of hazardous substances, and as applicable, pollutants and contaminants, petroleum or petroleum products, or controlled substances, on, at, in, or to the Subject Property.

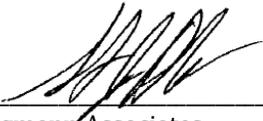
Significant data gaps were not identified for this Phase I ESA.

9.0 SIGNATURES

The undersigned environmental professionals conducted this Phase I ESA as employees of Bergmann Associates. Neither the undersigned nor Bergmann Associates warrants information provided by others nor guarantees any future events or results. Neither the undersigned nor Bergmann Associates makes any warranty, guarantee, nor representation whatsoever upon any facts or conditions that for any reason were not observed by the undersigned during the execution of this Updated Phase I ESA.

The statements made in this Phase I ESA are true to the best of our knowledge and belief. We meet the definition of Environmental Professional as defined in §312.10 of the Federal All Appropriate Inquiries (AAI) Rule. We have the specific qualifications based on education, training, and experience to assess a property of the nature, history, and setting of the Subject Property. We have developed and performed the all appropriate inquiries in conformance with the standards and practices set forth in 40 CFR Part 312.

Meagan Aaron
Bergmann Associates
Meagan Aaron, Planner
Phase I ESA Assessment



Bergmann Associates
Stephen J. DeMeo, Senior Geologist
Phase I ESA QA/QC Reviewer

10.0 QUALIFICATIONS

The following summarizes the qualifications of the environmental professionals who conducted this Phase I ESA:

- **Meagan Aaron** – Ms. Aaron is an Urban Planner with Bergmann Associates and has over 5 years of professional experience. Her responsibilities include the preparation of Phase I Environmental Site Assessments, writing zoning codes for a number of communities throughout New York State and writing Brownfield Opportunity Area Studies. Ms. Aaron is also a GIS Analyst responsible for geographic information system (GIS) projects related to environmental work, including map creation and database management. Ms. Aaron has a Bachelor of Arts degree in Urban & Regional Planning, Globalization Studies and Chinese Studies from the State University of New York (SUNY) Albany and a Master of Science degree in Urban Planning with a focus in Environmental Planning from Columbia University in the City of New York.
- **Stephen J. DeMeo, P.G.** – Mr. DeMeo has over 26 years of experience on a wide range of environmental and geotechnical projects including soil and groundwater investigation and remediation, environmental site assessments, compliance, and risk-based assessments. His remediation experience includes full scale remedial design and implementation, including soil vapor extraction, bioremediation, groundwater pump-and-treat, and low temperature thermal treatment. He has also provided geologic expertise for geotechnical engineering projects involving soil and rock tunnels, pipelines, highways, utilities, dams, and deep foundations. Listed below is selected project experience. Mr. DeMeo is a licensed professional Geologist in the States of Pennsylvania and Delaware.

