FRITO LAY, INC.

PHASE I ENVIRONMENTAL SITE ASSESSMENT
202–218 MORGAN AVENUE
BROOKLYN, NEW YORK

PROJECT NO. 47734.001

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EXECUTIVE SUMMARY

Frito Lay, Inc. retained Gannett Fleming Engineers, P.C. (GF) to perform a Phase I Environmental Site Assessment (ESA) of 202-218 Morgan Avenue, in Brooklyn, New York. This site assessment was performed to evaluate environmental conditions on the subject property associated with historical property use and current operations to satisfy the requirements of the *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process (ASTM Designation E1527-05)*.

Pre-inspection activities consisted of an environmental database search and historical document review. On-site activities consisted of a site reconnaissance to assess current conditions, visible evidence of spills, discharges, or other potential environmental liabilities and a review of historical site operations. Freedom of Information Law (FOIL) requests were made to federal, state, and local regulatory agencies.

The subject property is currently vacant with multiple debris piles throughout. Past use of the subject property as a solid waste storage facility and scrap metal recycling facility has potentially impacted subsurface conditions. Past historical uses of the neighborhood within the inferred upgradient groundwater flow path of the subject property include a chromium plating business, multiple machine shops, metal finishing shops, foundries, and electrical equipment manufacturing. Regional groundwater quality has potentially been impacted by the heavy industrial use of the surrounding area. This impacted inferred upgradient groundwater has potentially impacted subsurface conditions at the subject property.

This assessment has revealed six environmental conditions (ECs) and two *de minimis* concerns in connection with the subject properties.

ECs are as follows:

- In October 2003, Gannett Fleming Engineers, P.C. (GF) performed a Subsurface Investigation at 202-218 Morgan Avenue in Brooklyn, New York. Based upon the analysis of surface and subsurface soil samples collected, SVOC and metal impacts were prevalent throughout most of the property. Elevated lead and mercury concentrations appeared to be ubiquitous. Significant PCB surface impact was found throughout the site, as well as significant subsurface impact east of the building. Elevated VOC concentrations, including chlorinated compounds were found in surface and subsurface soils collected between the lean-to and the building. Significant lead and mercury concentrations were observed in the groundwater throughout the site. The greatest amount of metals impact was detected in the groundwater sample collected from the eastern edge of the site along the English Kills. Significant VOC concentrations were found in the groundwater sample collected between the lean-to and the building.

- During the site reconnaissance performed by GF in December 2006, numerous debris piles were observed throughout the site. These piles contained an array of miscellaneous debris ranging from tires and concrete pillars to plastics and domestic wastes.

- Although the subject property is shown on the Sanborn® maps partitioned from the scrap yard/transfer station adjacent to the north, the two properties appear to be combined in the aerial maps. Both properties appear to contain connecting mounds of solid waste with access roads running between the mounds. Only in the 1996 map is the adjacent property to the north shown with no mounds of solid waste present and divided from the subject property.

- The Sanborn® maps indicate that the subject property has been developed since at least 1907 and has been used as a solid waste transfer station since the 1960's. Surrounding property usage has been primarily industrial and commercial. The chromium plating business, multiple machine shops, metal finishing shops, foundries, and electrical equipment manufacturing businesses that are within the inferred groundwater flow path of the subject property.

- *Newtown Metal Corp.*, located at 202 Morgan Avenue is registered in the Federal Air Discharge database under EPA Facility Id Number 3604701029. The site is classified by the EPA as *potential uncontrolled emissions < 100 tons/year*. A violation in regard to procedural compliance of nitrogen dioxide discharge is cited. Chlorofluorocarbons (CFCs) and volatile organic compounds (VOCs) are also indicated at the site. Since this listing reports potential uncontrolled discharge of VOCs to the air at the site, the potential for possible VOC contamination to the subsurface may exist.

- *J&M Gas,* located at 885 Grand Street, approximately 1,500 feet west northwest of the subject property is registered under NYSDEC Spill No. 8901284. This site was reported to the NYSDEC on May 9, 1989, when three 550-gallon gasoline tanks failed a tank tightness test. The quantity of gasoline released to the subsurface as well as information describing the response actions is not provided.

The following three ECs refer to *Grand Chromium Plating Corp.,* located at 209 Morgan Ave, approximately 225 feet south of the subject property and within the inferred groundwater flow path of the subject property. This site is listed in the Petroleum Bulk Storage, Chemical Bulk Storage, Hazardous Waste Generators and Transporters, Toxic Release Inventory, and the Federal Air Discharge databases. The following describes ECs found at this site in detail:

- *Grand Chromium Plating Corp.,* is registered in the PBS database under facility ID No. 2-219258. One 3,000-gallon, #5 or 6 fuel-oil UST, one 4,000-gallon, #1, 2, or 4 fuel-oil UST, and one 5,000-gallon #1, 2, or 4 fuel-oil UST are reported present at the site. The 4,000-gallon UST was installed in 1950, and reportedly closed-in-place in 1988. A closed-in-place UST that is identified in the PBS database typically means that the tank was closed in accordance with NYSDEC regulations. Considering the tank was in use for approximately 38 years and there are no active or closed Spill Numbers reported for the site, there is a potential that the subsurface was impacted and the tank was closed improperly. The remaining two tanks were installed in 1960, and are reportedly still in service. These tanks have been in service for approximately 47 years and may have the potential to leak.

- *Grand Chromium Plating Corp.*, is listed in the Federal Toxic Release Inventory Facilities database under Environmental Protection Agency (EPA) Facility ID No. 11237GRNDC209MO and NYSDEC Facility ID No. 610410. Further information regarding a toxic release is not provided.

- *Grand Chromium Plating* is listed in the Federal Air Discharge Sites database under Facility ID No. 36047P001H. The listing indicates that the air discharge program at the site is permanently shut down; however VOCs were discharged in the past. GF considers this site an EC based on the evidence of VOC use in the past.

The following *de minimis* concerns were observed:

- *Williamsburg Houses – NYCHA,* located at 188 Ten Eyck Walk, approximately 2,600 feet west southwest of the subject property is registered under NYSDEC Spill No. 9802239. This site was reported to the NYSDEC on May 20, 1998, when one 20,000-gallon #2 fuel-oil underground storage tank (UST) failed a tank tightness test. Fuel-oil was reportedly observed seeping through the site's basement wall adjacent to the tank. The listing indicates only soil was impacted by the release. Based on the relative immobility of fuel-oil in subsurface soil and the fact that groundwater was not impacted, GF considers this spill of *de minimis* concern to the subject property.

- *372 Ten Eyck St,* located approximately 420 feet west northwest of the subject property is registered under NYSDEC Spill No. 0300518. This site was reported to the NYSDEC on April 15, 2003, when impacts to subsurface soil were discovered during the removal of a 4,000-gallon #2 fuel-oil UST. Reportedly, only soil was impacted by the release. Based on the relative immobility of fuel-oil in subsurface soil and the fact that groundwater was not impacted, GF considers this spill of *de minimis* concern to the subject property.

1.0 INTRODUCTION

1.1 Purpose

Frito Lay, Inc. (Frito Lay) retained Gannett Fleming Engineers, P. C. (GF) to perform a Phase I Environmental Site Assessment (ESA) of 202-218 Morgan Avenue, Brooklyn, New York (subject property). This Phase I ESA was conducted to identify environmental conditions (ECs) indicative of releases and threatened releases of hazardous substances on, at, in, or to the subject property, and included a site inspection, a review of environmental files for the site and surrounding area and a computer database search of environmental regulatory agency files. The site reconnaissance was performed by Ms. Jessica Ferngren of GF's Locust Valley, New York, office on December 21, 2006.

A site location map is provided as Figure 1.

1.2 Detailed Scope of Services

This ESA was conducted in general accordance with the American Standard for Testing & Materials (ASTM) guidance document, *Standard Practice Guidelines for Environmental Site Assessments: Phase I Environmental Site Assessment Process* (E 1527-05). This Phase I ESA was performed by environmental professionals as defined in ASTM E 1527-05. GF performed this assessment in a professional manner using standard practices of the environmental consulting industry. The qualifications for the GF personnel are in Appendix A.

The scope of work completed for this Phase I ESA included a reconnaissance of the subject property, a reconnaissance of the subject property's adjoining properties and/or public rights-of-way and review of reasonably obtainable agency records, database information, aerial photographs and historical information.

1.3 Limitations and Exceptions to the Assessment

This Phase I ESA report is based partially on information obtained from others and GF cannot represent or warrant the accuracy or completeness of this information in describing site operations or environmental conditions. Some of the information presented in this report may be subject to interpretation and differing conclusions are possible. The information contained in this report was developed from information available and conditions observed on the inspection date. GF does not assume liability for financial or other losses, or subsequent damage caused by or related to any use of this document.

GF also visually inspected properties in the immediate vicinity of the subject property. This reconnaissance was performed to observe land use and operations at adjacent properties and to note obvious environmental conditions such as abandoned drums, stained surface soils, underground and aboveground storage tanks and filled areas. Portions of adjacent properties may not have been visible from GF's observation point on the subject property and/or public rights-of-way.

The following items are considered non-scope considerations under ASTM E 1527-05 and were not included in the scope of work for this Phase I ESA:

- Wetlands delineation;
- Regulatory compliance auditing;
- Cultural and historic resource evaluation;
- Industrial hygiene;
- Health and safety;
- Ecological resource evaluation;
- Endangered species surveys;
- Indoor air quality surveys; and
- High voltage power lines.

While the following items are also non-scope considerations under ASTM E 1527-05, GF included sections related to the following:

- Asbestos-containing material (ACM);
- Radon;
- Mold;
- Lead-based paint (LBP); and
- Lead-in-drinking water.

No samples of any media were collected for laboratory analysis.

1.4 User Reliance

This report has been prepared for Frito Lay, Inc., and its subsidiaries and affiliated companies. No other party is entitled to rely upon information or opinions contained in this report without GF's prior written authorization. This Phase I ESA was performed using the industry standard of diligence, care and skill that experienced professionals in the field would use in completing a Phase I ESA under similar circumstances. In preparing this report, GF relied on the information provided to it except to the extent that GF had actual knowledge that certain information was incorrect, or unless it was obvious that certain information was incorrect based on additional information obtained in performing the Phase I ESA.

2.0 ASSESSMENT FINDINGS

2.1 Property Location

The subject property is located at of 202-218 Morgan Avenue, Brooklyn, New York. The subject property is located adjacent to the west side of English Kills on the eastern side of Morgan Avenue between Ten Eyck Street and Stagg Street. The subject property is located near the north end of the borough of Brooklyn approximately 1.9 miles east of the East River, and approximately 5.5 miles south of LaGuardia Airport. The subject property is located approximately at latitude 40º 42' 42" North and Longitude 73º 55' 59" West and found in the New York City Borough, Block, and Lot designation system at Borough 3, Block 2942, and Lot 105. A site location map created from the United States Geological Survey (USGS) 7.5-minute "Brooklyn, New York" Quadrangle is presented as Figure 1.

2.2 Property Description

The subject property is currently not in use but was formerly used as a scrap metal yard. The subject property is located in a commercial area of Brooklyn, New York. The 3.22-acre property has a one-story building which formerly contained an office space, a two-story building and a trailer. Both buildings are unusable in their current state. Typical floors throughout the buildings are concrete. The ceilings in the office area are constructed of concrete, gypsum board and plaster. Electric service is provided by Consolidated Edison. Water and sewer services are provided by New York City.

A site plan of the subject property is included as Figure 2. Photographs documenting site conditions are included as Appendix B.

2.3 Property Setting and Adjacent Properties

The subject property is located in an industrial area. More specific information relative to the surrounding properties is as follows:

North: The subject property is bordered to the north by a Frito Lay warehouse (222 Morgan Avenue).

East: The subject property is bordered to the east by English Kills.

South: The eastern 2/3^{rds} of the subject property is bordered to the south by English Kills. The old *Morgan Oil Terminal* exists south across English Kills. The western 1/3rd of the subject property is bordered to the south by the same industrial property.

West: The subject property is bordered to the west by Morgan Avenue. Industrial properties exist westerly across Morgan Avenue including *Grand Chromium Plating Corporation*.

2.4 Physical Site Setting

A property's physical setting critically influences its potential to be impacted by possible on-site and off-site contaminant sources, and also influences the probable extent and magnitude of the resulting contamination. The geologic setting, hydrogeologic setting, climatic setting and land-use setting are of particular importance in influencing potential site contaminant migration.

The subject property lies approximately 13 feet above mean sea level. The general topographic gradient at the subject property is flat. Depth to groundwater at the subject property is approximately 5 feet below grade. Since the subject property is mostly vacant, surface runoff is directed by the natural topography of the land and percolates through site soil down to the water table. The nearest water body is English Kills located adjacent to the east side of the subject property. Groundwater elevation contour data shows that the regional inferred groundwater flow

direction is to the east towards English Kills with on-site flow radiating from northeast to southeast across the subject property towards English Kills.

According to maps and reports published by the United States Geologic Survey (USGS) and others, the subject property is underlain by unconsolidated Cretaceous to Quaternary age sand and gravel deposits that comprise Long Island's groundwater system. These hydrogeologic units consist of alternating interbedded lenses of gravel, sand, silt, and clay, which form a layered sequence of aquifers and confining units that dip gently to the south and east. Although GF did not collect soil samples, based on the USGS data, underlying soil at the subject property likely consists of well graded fine to coarse grained sand with gravel (SW) or poorly graded fine to coarse grained sand with gravel (SP) as defined by the Unified Soil Classification System (USCS). A more focused study of soil types would be needed to accurately determine the soil conditions at the subject property and is beyond the scope of this Phase I ESA.

2.5 User Provided Information

2.5.1 Title Records

A title record search was performed by Fidelity National Title Insurance Company for the subject property. The title search, dated April 28, 2006, was provided by Frito-Lay, Inc. A copy of the title search is provided in Appendix C. This title search does not indicate any recorded environmental liens on the subject property.

2.5.2 Environmental Liens or Activity and Use Limitations

Environmental liens, activities affecting further unencumbered land use, and/or land use limitations were researched by Toxics Targeting, Inc. (TTI) and the results were reported in the database search report. The subject property was not identified in the search for environmental liens.

2.6 Background Information

2.6.1 Historical Site Use

Sanborn® Fire Insurance Maps dated 1888, 1907, 1933, 1951, 1965, 1979, and 1989 were provided by TTI. Copies of the maps are provided in Appendix D. The following is a summary of the subject and surrounding properties as depicted on the Sanborn Maps:

- **1888** – The subject property is shown undeveloped. The surrounding neighborhood is mostly undeveloped as well.
- **1907** – Two construction supply companies, *American Building Supply Co.* and *Empire Brick and Supply Co.* are shown at the subject property. *Warren Manufacturing Co.* is also shown at the subject property. *Warren Manufacturing Co.* is also shown to the west across Morgan Ave as a paper manufacturer. *Fries Coal Co.* and *Eastern Bermudez Asphalt Co.* are shown adjacent to the south of the subject property. Multiple industrial properties are shown in the surrounding neighborhood.
- **1933** – *Empire Brick and Supply Co.* occupies the majority of the subject property. *American Building Supply Co.* and *Warren Manufacturing Co.* are no longer shown. The asphalt company is no longer shown to the south. *Fries Coal Co.* is now *Burns Bros. Coal Co. Crown Dyeing and Bleaching Co.* is shown to the west of the subject property across Morgan Avenue. Three gasoline tanks are shown in the properties at the southeast corner of Morgan Avenue and Grand Street. These tanks are not within the inferred groundwater flow path of the subject property.
- **1951 –** The subject property is unchanged. The coal company to the south is now labeled *Premium Coal & Oil Co. Inc.* and includes bulk fuel oil storage. 1,359,000-gallons of storage capacity are stated in the fuel oil storage area. These heating oil tanks are within the inferred downgradient groundwater flow path of the subject property. *Crown Dyeing and Bleaching Co. is* no longer shown and the property has been divided into a wood shop and a *Chromium Plating* business.

This chromium plating business is within the inferred upgradient groundwater flow path of the subject property.

- **1965** – The construction supply company is no longer present at the subject property. The subject property appears mostly vacant and is labeled *scrap metal*. An auto painting business is also shown at the subject property. An additional scrap metal yard is shown adjacent to the north of the subject property. Premium *Coal & Oil Co. Inc.* has an additional 660,000 gallons of fuel oil storage shown. In addition to the chromium plating business, multiple machine shops, metal finishing shops, foundries, and electrical equipment manufacturing businesses are shown in the neighborhood to the west of the subject property.
- **1979**– Although the structure still remains at the subject property, it is no longer labeled an auto painting business. No other significant changes are shown.
- **1989**- The scrap metal yard adjacent to the north of the subject property is now labeled a garbage transfer station. Only one gas tank is shown on the properties at the southeast corner of Morgan Avenue and Grand Street. No other significant changes are shown.

In summary, the Sanborn® maps indicate that the subject property has been developed since at least 1907 and has been used as a solid waste transfer station since the 1960's. Surrounding property usage has been primarily industrial and commercial. GF considers the chromium plating business, multiple machine shops, metal finishing shops, foundries, and electrical equipment manufacturing businesses that are within the inferred upgradient groundwater flow path of the subject property in the surrounding neighborhood, environmental conditions (ECs).

Sanborn® maps are included in Appendix D.

Aerial photographs dated 1955, 1966, 1978, 1984 and 1996 were provided by TTI. Although the subject property is shown on the Sanborn® maps partitioned from the scrap yard/transfer station adjacent to the north, the two properties appear to be combined in the aerial maps. Both properties appear to contain connecting mounds of solid waste with access roads running between the mounds. Only in the 1996 map is the adjacent property to the north shown with no

mounds of solid waste present and divided from the subject property. GF considers this discrepancy between the aerials and the Sanborns® an EC. No other significant observations from the aerial photographs were observed for the subject property and the surrounding neighborhood.

Aerial photographs are included in Appendix E.

2.6.2 Past Investigation Activities

In October 2003, Gannett Fleming Engineers, P.C. (GF) performed a Subsurface Investigation at 202-218 Morgan Avenue in Brooklyn, New York. This Subsurface Investigation was performed to assess the environmental quality of the site prior to the potential purchase by Steel Quattro, LLC. The Subsurface Investigation consisted of the collection and analysis of eight soil borehole samples, five surficial soil samples, and four groundwater samples.

Based upon analysis of surface and subsurface soil samples collected, SVOC and metals impacts were prevalent throughout most of the property. SVOC impacts appeared to be greatest to the east of the building near the middle of the site. Elevated lead and mercury concentrations appeared to be ubiquitous. Significant PCB surface impact was found throughout the site, as well as significant subsurface impact east of the building. Elevated VOC concentrations, including chlorinated compounds were found in surface and subsurface soils collected between the lean-to and the building. Several drums were observed in the vicinity which potentially may represent an on-site VOC source area.

Significant lead and mercury concentrations were observed in the groundwater throughout the site. The greatest amount of metals impact was detected in the groundwater sample collected from the eastern edge of the site along the English Kills. Significant VOC concentrations were found in the groundwater sample collected between the lean-to and the building.

2.7 Site Reconnaissance Results

2.7.1 Site Interviews

Mr. Clint Palmer (representative for Frito-Lay, Inc.) was interviewed by Ms. Jessica Ferngren on December 22, 2006, to ascertain the present and past operational activities at the site, present and past owners of the site, and environmental concerns at the site.

Mr. Palmer stated that he was unaware of any past environmental reports or environmental liens associated with the subject property. According to Mr. Palmer, the subject property was formerly used as a scrap metal yard. Mr. Palmer stated that Frito-Lay acquired the subject property during 2006.

2.7.2 Stormwater Runoff

Stormwater runoff flows off site into the roadway's municipal sewer system and English Kills. Some stormwater may also percolate into the on-site soil.

2.7.3 Potable Water Supply and Wastewater Disposal

Potable water and sewer connections are provided by New York City.

2.7.4 Polychlorinated Biphenyls (PCBs)

Potential PCB-containing equipment may have been transported to the subject property and processed for scrap. This is considered an EC.

2.7.5 Landfills, Dumps or Direct Burial Activities

Mounds of debris were observed during the site reconnaissance. These debris mounds included tires, concrete columns, plastics, foam padding and other miscellaneous debris. This is considered an EC.

2.7.6 Solid Waste Generation, Storage and Disposal

Solid waste is not currently generated at the subject property. However, remnants of the previous usage of the property as a scrap metal yard were observed throughout the site.

2.7.7 Hazardous Waste Generation, Storage and Disposal

No hazardous waste is currently generated at the subject property.

2.7.8 Aboveground and Underground Storage Tank Systems

Aboveground and underground storage tanks were not observed on the subject property.

2.7.9 Septic Systems

The subject property does not utilize any on-site septic systems. Sanitary sewage is collected by the City of New York's municipal system.

2.7.10 Drains and Sumps

No drain or sump was observed during the site reconnaissance.

2.7.11 Wells

No evidence of wells was observed during the site reconnaissance.

2.7.12 Drums and Containers

Six drums were observed at the western section of the subject property. All the drums appeared to be empty, rusted, and in poor condition. This is considered an EC.

2.7.13 Stressed Vegetation

No evidence of stressed vegetation was observed during the site reconnaissance.

2.7.14 Stained Soil or Pavement

Surficial staining was not observed during the site reconnaissance.

2.7.15 Mounds or Depressions

Mounds of debris were observed throughout the subject property.

2.7.16 Air Emissions

No air emission sources were observed at the subject property.

2.7.17 Regulated Substances and Hazardous Materials

No regulated substances or hazardous waste is currently generated at the subject property.

2.7.18 Asbestos-Containing Materials and Lead-Based Paint

Gf conducted an asbestos and lead-based paint assessment on February 13, 2007. Suspect asbestos containing material (ACM) and lead-based paint (LBP) was identified associated with the on-site structure and debris piles.

2.7.19 Radon

Radon is a colorless, radioactive, inert gas formed by the decay of radium and may be present in soils and rocks containing granite, shale, phosphate and pitchblende. The United States Environmental Protection Agency (USEPA)'s Radon Zone Map for Kings County places the area in Zone 3, meaning that the indoor average level of radon is less than the USEPA's regulatory level of 4 pico-Curies per liter.

2.7.20 Mold

No evidence of mold was observed during the site reconnaissance.

2.7.21 Lead In Drinking Water

Potable water is supplied to the subject property by the City of New York. The City of New York is responsible for compliance with the applicable local, state and federal drinking water quality standards.

2.7.22 Wetlands

GF is conducting wetland research with the NYSDEC and ACOE to determine if any regulated wetlands have been documented. A letter report documenting these findings will supplement the assessment report.

2.8 Regulatory Compliance Review

2.8.1 Federal and State Database Search

GF reviewed a TTI database search report of the subject property. TTI's radius report summarizes their computer database search of regulatory agency files within a one-mile radius of the subject property. The TTI report is presented in Appendix F and includes the following files:

Federal Files

- National Priority List (NPL)
- Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS)
- CERCLIS No Further Remedial Action Planned (CERC-NFRAP)
- Corrective Action Report (CORRACTS)
- Resource Conservation and Recovery Information System (RCRIS)
  - Treatment, Storage and Disposal (TSD)
  - Large Quantity Generator (LQG)
  - Small Quantity Generator (SQG)
- Emergency Response Notification System (ERNS)
- Federal Toxic Release Inventory Facilities
- Federal Permit Compliance System Toxic Wastewater Discharges
- Federal Air Discharges
- Federal Civil and Administrative Enforcement Docket
- New York and Federal Hazardous Waste Treatment, Storage or Disposal Facilities
- New York and Federal Hazardous Waste Generators and Transporters

State Files

- New York State Inactive Hazardous Waste Disposal Site Registry
- New York Hazardous Substance Disposal Site Draft Study
- New York State Brownfields Cleanup Sites
- New York Solid Waste Facilities Registry
- New York State Major Oil Storage Facilities

- New York and Federal Hazardous Waste Treatment, Storage or Disposal Facilities
- Toxic Spills: Active
- Toxic Spills: Closed
- New York and Local Petroleum Bulk Storage Facilities
- New York and Federal Hazardous Waste Generators and Transporters
- New York Chemical Bulk Storage Facilities

The TTI radius report indicated the subject property is listed on the New York and Federal Hazardous Waste Generators and Transporters and the Federal Air Discharges databases. Details are as follows:

- *DSI Carting Corp*., located at 202 Morgan Avenue is registered under Environmental Protection Agency (EPA) facility ID No. NYN00002A179. No violations are indicated and the listing reports that no hazardous waste activity was reported for the site. Evidence of possible impacts to environmental conditions at the subject property is not provided in this listing.

- *Newtown Metal Corp.*, located at 202 Morgan Avenue is registered in the Federal Air Discharge database under EPA Facility Id Number 3604701029. The site is classified by the EPA as *potential uncontrolled emissions < 100 tons/year*. A violation in regard to procedural compliance of nitrogen dioxide discharge is cited. Chlorofluorocarbons (CFCs) and volatile organic compounds (VOCs) are also indicated at the site. Since this listing reports potential uncontrolled discharge of VOCs to the air at the site, the potential for possible VOC contamination to the subsurface exists. GF considers this an environmental condition (EC).

- *Newtown Metal Corp. (yard)*, located at 202 Morgan Avenue is also registered in the Federal Air Discharge database under EPA Facility ID No. NY047X43T. Further information including site classification and pollutant information are not provided in the listing.

Excluding the subject property, the TTI database search revealed the presence of three-hundred four (304) regulated sites within the specified ASTM search radii. Summary is as follows:

- Five New York and Federal Hazardous Waste Treatment, Storage or Disposal Facilities were identified. None of these sites are within the inferred groundwater flow path of the subject property. Impacts to the environmental conditions at the subject property from these sites are not anticipated.

- Two CERCLIS No Further Remedial Action Planned (CERC-NFRAP) Superfund sites were identified. None of these sites are within the inferred groundwater flow path of the subject property. NFRAP implies that additional Federal action under CERCLA will not be performed at the site unless further information warrants such action. Impacts to the environmental conditions at the subject property from these sites are not anticipated.

- Seven New York State Brownfields Cleanup Sites (including the Voluntary Cleanup Program (VCP) and the Brownfields Cleanup Program) were identified. None of these sites are within the inferred groundwater flow path of the subject property. Impacts to the environmental conditions at the subject property from these sites are not anticipated.

- Seventeen New York Solid Waste Facilities Registry sites were identified. Three of these sites are located within the inferred groundwater flow path of the subject property. *N.Y. Carting Co, Inc.* registered under Facility ID No. 24t46, approximately 180 feet northwest of the subject property, and *Du-Rite Service* registered under Facility ID No. 24t67, approximately 670 feet northwest of the subject property, are both classified as *Large Transfer Station (>50000 Cy/Yr)* however their addresses were not specified. *Eastern Transfer* located at 222 Morgan Avenue, registered under State Facility ID No. 24T76, adjacent to the north side of the subject property, is also classified as *Large Transfer Station (>50000 Cy/Yr)*. All three facilities have reportedly been deleted from the current registry. No further information was provided and no violations were cited. Based on this information, impacts to the environmental conditions at the subject property from these seventeen sites are not anticipated.

- Twenty-four (24) active NY Toxic Spills sites were identified. Their active status indicates that the New York State Department of Environmental Conservation (NYSDEC) considers these sites to presently be continued threats to human health and the environment. Five of these sites are located within the inferred upgradient groundwater flow path of the subject property. Descriptions are as follows.

    - *Morgan Oil,* located at 200 Morgan Avenue, approximately 200 feet south of the subject property, is registered under NYSDEC Spill No. 9209135. Regulatory activity has been conducted at the site since the early 1990's. Significant petroleum, solvents, and metals contamination exists at the site. This site has undergone NYSDEC state funded cleanup activities including the removal of petroleum and hazardous waste stored at the site and a groundwater investigation with partial remediation. Although significant contamination issues currently exist at the site, the canal to the south of the subject property serves as a hydrologic barrier from *Morgan Oil* and prevents groundwater contamination from traveling to the subject property. Impacts to the environmental conditions at the subject property from this site are not anticipated.

    - *J&M Gas,* located at 885 Grand Street, approximately 1,500 feet west northwest of the subject property is registered under NYSDEC Spill No. 8901284. This site was reported to the NYSDEC on May 9, 1989, when three 550-gallon gasoline tanks failed a tank tightness test. The quantity of gasoline released to the subsurface is not provided and further information describing response actions is not provided.

    - *Williamsburg Houses – NYCHA,* located at 188 Ten Eyck Walk, approximately 2,600 feet west southwest of the subject property is registered under NYSDEC Spill No. 9802239. This site was reported to the NYSDEC on May 20, 1998, when one 20,000-gallon #2 fuel-oil underground storage tank (UST) failed a tank tightness test. Fuel-oil was reportedly observed seeping through the site's

basement wall adjacent to the tank. The listing indicates only soil was impacted by the release. Based on the relative immobility of fuel-oil in subsurface soil and the fact that groundwater was not impacted, GF considers this spill of *de minimis* concern to the subject property.

- *Hess-Merit of New York,* located at 810 Metropolitan Avenue, approximately 2,500 feet west northwest of the subject property is registered under NYSDEC Spill No. 9502757. This site was reported to the NYSDEC on June 5, 1995, when the odor of gasoline was observed after an unreported number of USTs were uncovered. The quantity of gasoline released to the subsurface is not provided however impacts to groundwater exist. Groundwater monitoring wells and a soil vapor extraction system are in place and site remediation is ongoing as of August 29, 2006. The site is sampled tri-annually. The horizontal extent of the contamination is not provided in the listing, however tri-annual sampling and soil vapor extraction suggests impacts to groundwater are not substantial enough to pose a risk to the subject property. GF considers this site of *de minimis* concern.

- *372 Ten Eyck St,* located approximately 420 feet west northwest of the subject property is registered under NYSDEC Spill No. 0300518. This site was reported to the NYSDEC on April 15, 2003, when impacts to subsurface soil were discovered during the removal of a 4,000-gallon #2 fuel-oil UST. Reportedly, only soil was impacted by the release. Based on the relative immobility of fuel-oil in subsurface soil and the fact that groundwater was not impacted, GF considers this spill of *de minimis* concern to the subject property.

- One-hundred forty-three (143) closed New York State Toxic Spills sites were identified. Their closed status indicates that the New York State Department of Environmental Conservation (NYSDEC) does not consider these sites to be continued threats to human health and the environment. Impacts to the environmental conditions at the subject property from these one-hundred forty-three sites are not anticipated.

- Sixty-seven (67) NY Spills sites were provided by TTI in the radius search but were not mapped or profiled. It is not required in the ASTM standard to map or profile these Spills because they are between $^1/_4$-mile and $^1/_2$-mile from the subject property, reported to be less than 100 units in quantity, and were caused by equipment failure, human error, tank overfill, deliberate spill, traffic accident, housekeeping, abandoned drum, or vandalism. Based on this ASTM guideline, these sites were not addressed and are not anticipated to impact environmental conditions at the subject property.

- One New York State Major Oil Storage Facility was identified. *Morgan Oil Terminals Corp.*, located at 200 Morgan Avenue, approximately 200 feet south of the subject property is registered under Facility ID No. 2-1500. This site is also listed in the active NY Toxic Spills database. Regulatory activity has been conducted at the site since the early 1990's. Significant petroleum, solvents, and metals contamination exists at the site. This site has undergone NYSDEC state funded cleanup activities including the removal of petroleum and hazardous waste stored at the site and a groundwater investigation with partial remediation. Although significant contamination issues currently exist at the site, the canal to the south of the subject property serves as a hydrologic barrier from M*organ Oil* and prevents groundwater contamination from traveling to the subject property. Impacts to the environmental conditions at the subject property from this site are not anticipated.

- Eight (8) Petroleum Bulk Storage (PBS) sites were identified in the radius search. Of these eight, three are located within the inferred upgradient groundwater flow path of the subject property. The first two sites, *Warren Fastenings Corp.* and *209 Morgan Ave Corp.* do not have any violations or issues of environmental concern reported. Impacts to the environmental conditions at the subject property from these two sites are not anticipated. *209 Morgan Ave Corp.* is most likely the management company for *Grand Chromium Plating Corp.,* located at 209 Morgan Avenue.

  Grand Chromium Plating Corp., located at 209 Morgan Avenue, approximately 225 feet south of the subject property is registered in the PBS database under facility ID No. 2-

219258. One 3,000-gallon, #5 or 6 fuel-oil UST, one 4,000-gallon, #1, 2, or 4 fuel-oil UST, and one 5,000-gallon #1, 2, or 4 fuel-oil UST are reported present at the site. The 4,000-gallon UST was installed in 1950, and reportedly closed-in-place in 1988. A closed-in-place UST in the PBS database typically means that the tank was closed in accordance with NYSDEC regulations. Considering the tank was in use for approximately 38 years and there are no active or closed Spill Numbers reported for the site, there is a potential that the subsurface was impacted and the tank was closed improperly. The remaining two tanks were installed in 1960, and are reportedly still in service. These tanks have been in service for approximately 47 years and have the potential to leak. GF considers these three tanks ECs.

- Excluding the subject property, fourteen New York and Federal Hazardous Waste Generators and Transporters were identified. Of these fourteen, ten are located within the inferred groundwater flow path of the subject property. No violations or issues of environmental concern were reported for these ten sites. Impacts to environmental conditions at the subject property from these fourteen sites, based on this information, are not anticipated.

- One New York Chemical Bulk Storage Facility was identified. *Grand Chromium Plating Corp*., located at 209 Morgan Ave, approximately 225 feet west of the subject property is registered under Facility ID No. 2-000040. One closed-in-place, 1,500-gallon, hydrochloric acid aboveground storage tank (AST) exists at the site. Impacts to environmental conditions at the subject property from this tank are not anticipated.

- Five New York and Federal Hazardous Waste Treatment, Storage or Disposal Facilities were identified. Of these five, one is located within the inferred groundwater flow path of the subject property. *Morgan Terminal,* located at 200 Morgan Avenue, is approximately 200 feet south of the subject property. Although the site is listed in this database, the listing reports that the site has been removed from the hazardous substances inventory because petroleum is non-hazardous. No additional information is provided

beyond what is provided in the NY Toxic Spills database for this site. Impacts to environmental conditions at the subject property from these five sites are not anticipated.

- One Federal Toxic Release Inventory Facility was identified. *Grand Chromium Plating Corp.*, located at 209 Morgan Ave, approximately 225 feet west of the subject property, and within the inferred upgradient groundwater flow path of the subject property, is registered under Environmental Protection Agency (EPA) Facility ID No. 11237GRNDC209MO and NYSDEC Facility ID No. 610410. Further information regarding a toxic release is not provided. GF considers this an EC.

- One Federal Permit Compliance System Toxic Wastewater Discharges site was identified. *Premium pipeline Inc.,* located at 200 Morgan Avenue, is approximately 200 feet south of the subject property and is registered under EPA Facility ID No. NY0032824. This is also the location of Morgan oil Terminal. This listing documents a permit issued in 1987 for a "minor" unspecified discharge. Impacts to environmental conditions at the subject property from this information are not anticipated

- Excluding the subject property, eight Federal Air Discharge Sites were identified in the radius search. Of these eight sites, one site is one is located within the inferred groundwater flow path of the subject property. *Grand Chromium Plating*, located at 209 Morgan Ave, approximately 225 feet west of the subject property is registered under Facility ID No. 36047P001H. The listing indicates that the air discharge program at the site is permanently shut down; however VOCs were discharged at one point. GF considers this site an EC based on the evidence of VOC use in the past.

Past use of the subject property as a solid waste storage facility likely has impacted subsurface conditions. Past historical uses of the neighborhood within the inferred upgradient groundwater flow path of the subject property include a chromium plating business, multiple machine shops, metal finishing shops, foundries, and electrical equipment manufacturing. Regional groundwater quality has been impacted by the heavy industrial use of the neighborhood. This impacted upgradient groundwater has potentially impacted subsurface conditions at the subject property.

Grand Chromium Plating Corp., located at 209 Morgan Ave, approximately 225 feet west of the subject property, is listed in the Petroleum Bulk Storage, Chemical Bulk Storage, Hazardous Waste Generators and Transporters, Toxic Release Inventory, and the Federal Air Discharge databases. Because of the heavy use of hazardous materials in metal plating and the age of the three USTs present at the site, GF considers this site an EC.

2.8.2 Regulatory File Review

FOIA requests were sent to the EPA, the NYSDEC, the New York City Department of Buildings, and the New York City Department of Health. Copies of the requests are included in Appendix G. The agencies usually take six to eight weeks to process FOIA requests. Any relevant responses will be reviewed and forwarded upon receipt.

3.0 FINDINGS

Environmental conditions (ECs) are conditions indicative of releases and threatened releases of hazardous substances on, at, in, or to the subject property. Historical environmental conditions include conditions that would have been considered environmental conditions in the past, but may or may not be currently considered an environmental condition. These terms are not meant to include *de minimus* 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 enforceable action if brought to the attention of appropriate government agencies.

Past use of the subject property as a solid waste storage facility likely has impacted subsurface conditions. Past historical uses of the neighborhood within the inferred upgradient groundwater flow path of the subject property include a chromium plating business, multiple machine shops, metal finishing shops, foundries, and electrical equipment manufacturing. Regional groundwater quality has potentially been impacted by the heavy industrial use of the neighborhood. This impacted upgradient groundwater has potentially impacted subsurface conditions at the subject property.

This assessment has revealed six environmental conditions (ECs) and two *de minimis* concerns in connection with the subject properties.

ECs are as follows:

- In October 2003, Gannett Fleming Engineers, P.C. (GF) performed a Subsurface Investigation at 202-218 Morgan Avenue in Brooklyn, New York. Based upon the analysis of surface and subsurface soil samples collected, SVOC and metals impacts were prevalent throughout most of the property. Elevated lead and mercury concentrations appeared to be ubiquitous. Significant PCB surface impact was found throughout the site, as well as significant subsurface impact east of the building. Elevated VOC

concentrations, including chlorinated compounds were found in surface and subsurface soils collected between the lean-to and the building. Significant lead and mercury concentrations were observed in the groundwater throughout the site. The greatest amount of metals impact was detected in the groundwater sample collected from the eastern edge of the site along the English Kills. Significant VOC concentrations were found in the groundwater sample collected between the lean-to and the building. These findings are considered an EC.

- During the site reconnaissance performed by GF in December 2006, numerous debris piles were observed throughout the site. These piles contained an array of miscellaneous debris ranging from tires and concrete pillars to plastics and domestic wastes. Due to the past usage of the property as a scrap metal yard, and the present condition of the property, this is considered an EC.

- Although the subject property is shown is shown in the Sanborn® maps partitioned from the scrap yard/transfer station adjacent to the north, the two properties appear to be combined in the aerial maps. Both properties appear to contain connecting mounds of solid waste with access roads running between the mounds. Only in the 1996 map is the adjacent property to the north shown with no mounds of solid waste present and divided from the subject property. GF considers this discrepancy between the aerials and the Sanborns® an EC.

- The Sanborn® maps indicate that the subject property has been developed since at least 1907 and has been used as a solid waste transfer station since the 1960's. Surrounding property usage has been primarily industrial and commercial. GF considers the chromium plating business, multiple machine shops, metal finishing shops, foundries, and electrical equipment manufacturing businesses that are within the inferred groundwater flow path of the subject property in the surrounding neighborhood, environmental conditions (ECs).

- *Newtown Metal Corp.*, located at 202 Morgan Avenue is registered in the Federal Air Discharge database under EPA Facility Id Number 3604701029. The site is classified by the EPA as *potential uncontrolled emissions < 100 tons/year*. A violation in regard to procedural compliance of nitrogen dioxide discharge is cited. Chlorofluorocarbons (CFCs) and volatile organic compounds (VOCs) are also indicated at the site. Since this listing reports potential uncontrolled discharge of VOCs to the air at the site, the potential for possible VOC contamination to the subsurface exists.

- *J&M Gas,* located at 885 Grand Street, approximately 1,500 feet west northwest of the subject property is registered under NYSDEC Spill No. 8901284. This site was reported to the NYSDEC on May 9, 1989, when three 550-gallon gasoline tanks failed a tank tightness test. The quantity of gasoline released to the subsurface as well as information describing the response action is not provided.

The following three ECs refer to *Grand Chromium Plating Corp.,* located at 209 Morgan Ave, approximately 225 feet south of the subject property and within the inferred groundwater flow path of the subject property. This site is listed in the Petroleum Bulk Storage, Chemical Bulk Storage, Hazardous Waste Generators and Transporters, Toxic Release Inventory, and the Federal Air Discharge databases. Because of the heavy use of hazardous materials in metal plating and the age of the three USTs present at the site, GF considers this site an EC. The following describes ECs found at the site in detail:

- *Grand Chromium Plating Corp.,* is registered in the PBS database under facility ID No. 2-219258. One 3,000-gallon, #5 or 6 fuel-oil UST, one 4,000-gallon, #1, 2, or 4 fuel-oil UST, and one 5,000-gallon #1, 2, or 4 fuel-oil UST are reported present at the site. The 4,000-gallon UST was installed in 1950, and reportedly closed-in-place in 1988. A closed-in-place UST that is identified in the PBS database typically means that the tank was closed in accordance with NYSDEC regulations. Considering the tank was in use for approximately 38 years and there are no active or closed Spill Numbers reported for the site, there is a potential that the subsurface was impacted and the tank was closed improperly. The remaining two tanks were installed in 1960, and are reportedly still in

service. These tanks have been in service for approximately 47 years and may have the potential to leak.

- *Grand Chromium Plating Corp.*, is listed in the Federal Toxic Release Inventory Facilities database under Environmental Protection Agency (EPA) Facility ID No. 11237GRNDC209MO and NYSDEC Facility ID No. 610410. Further information regarding a toxic release is not provided.

- *Grand Chromium Plating* is listed in the Federal Air Discharge Sites database under Facility ID No. 36047P001H. The listing indicates that the air discharge program at the site is permanently shut down; however VOCs were discharged in the past. GF considers this site an EC based on the evidence of VOC use in the past.

The following *de minimis* concerns were observed:

- *Williamsburg Houses – NYCHA,* located at 188 Ten Eyck Walk, approximately 2,600 feet west southwest of the subject property is registered under NYSDEC Spill No. 9802239. This site was reported to the NYSDEC on May 20, 1998, when one 20,000-gallon #2 fuel-oil underground storage tank (UST) failed a tank tightness test. Fuel-oil was reportedly observed seeping through the site's basement wall adjacent to the tank. The listing indicates only soil was impacted by the release. Based on the relative immobility of fuel-oil in subsurface soil and the fact that groundwater was not impacted, GF considers this spill of *de minimis* concern to the subject property.

- *372 Ten Eyck St,* located approximately 420 feet west northwest of the subject property is registered under NYSDEC Spill No. 0300518. This site was reported to the NYSDEC on April 15, 2003, when impacts to subsurface soil were discovered during the removal of a 4,000-gallon #2 fuel-oil UST. Reportedly, only soil was impacted by the release. Based on the relative immobility of fuel-oil in subsurface soil and the fact that groundwater was not impacted, GF considers this spill of *de minimis* concern to the subject property.

4.0 CONCLUSIONS AND RECOMMENDATIONS

GF has performed this Phase I ESA in general conformance with the scope and limitations of ASTM E 1527-05 on the subject property located at 202 through 218 Morgan Avenue, Brooklyn, New York. With the exception of a discussion of the non-scope considerations listed in Section 1.3, no additional services were conducted nor were there deviations from E 1527-05 during the preparation of this Phase I ESA.

This assessment has revealed six environmental conditions (ECs) and two *de minimis* concerns in connection with the subject properties. The following lists the recommendations based upon the ECs.

During the site reconnaissance performed by GF in December 2006, numerous debris piles were observed throughout the site. These piles contained an array of miscellaneous debris ranging from tires and concrete pillars to plastics and domestic wastes. Additionally, the October 2003 investigation report by GF identified VOC, SVOC, PCB, and metals impacts to soil and groundwater on the subject property. Due to the past usage of the property as a scrap metal yard, and the present condition of the property, soil, groundwater and soil gas sampling and analysis are recommended.

Past historical uses of the neighborhood within the inferred upgradient groundwater flow path of the subject property include a chromium plating business, multiple machine shops, metal finishing shops, foundries, and electrical equipment manufacturing. Regional groundwater quality has potentially been impacted by the heavy industrial use of the neighborhood. This impacted upgradient groundwater has potentially impacted subsurface conditions at the subject property. Soil, groundwater, and soil gas sample collection and analysis are recommended to identify whether the subject property has been impacted by upgradient site activities. Additionally, the sites of concern should be researched to determine if more information is available from regulatory agencies.

5.0 REFERENCES

- ASTM, *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process*, ASTM Standard E 1527-05, 2005.

- Toxics Targeting, Inc., *Environmental Report, 202-218 Morgan Avenue, Brooklyn, NY 11237*, December 6, 2006.

- Toxics Targeting, Inc., *Aerial Photographs*, *202-218 Morgan Avenue, Brooklyn, NY 11237*, December 11, 2006.

- American Society for Testing and Materials, 1985, D 2487-83, *Classification of Soils for Engineering Purposes: Annual Book of ASTM Standards.* Vol. 04.08, pp 395-408.

- *New York City Department of Finance Property Borough, Block, and Lot*. (n.d.). Retrieved December 11, 2006 from http://www.nyc.gov/html/dof/html/property/property_info_bbl.shtml

6.0 SIGNATURES OF ENVIRONMENTAL PROFESSIONAL(S)

This Phase I Environmental Site Assessment has been prepared by the following environmental professionals and is true and accurate to the best of their knowledge:

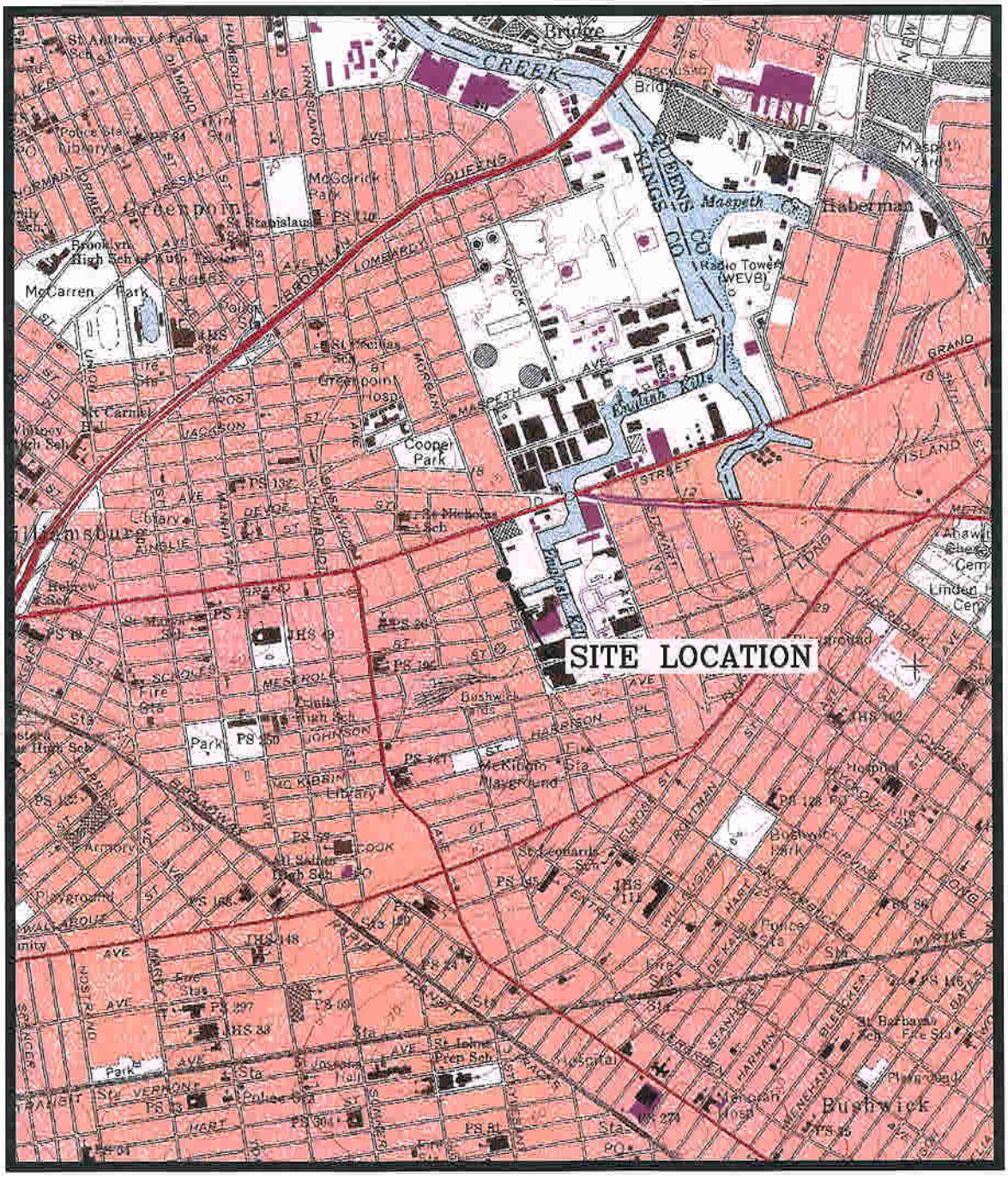
JESSICA FERNGREN
Environmental Scientist

ANTHONY VANATTA
Environmental Scientist

VINCENT FRISINA, P.E.
Director of Environmental Services

FIGURES

202–218 MORGAN AVENUE
BROOKLYN, NEW YORK

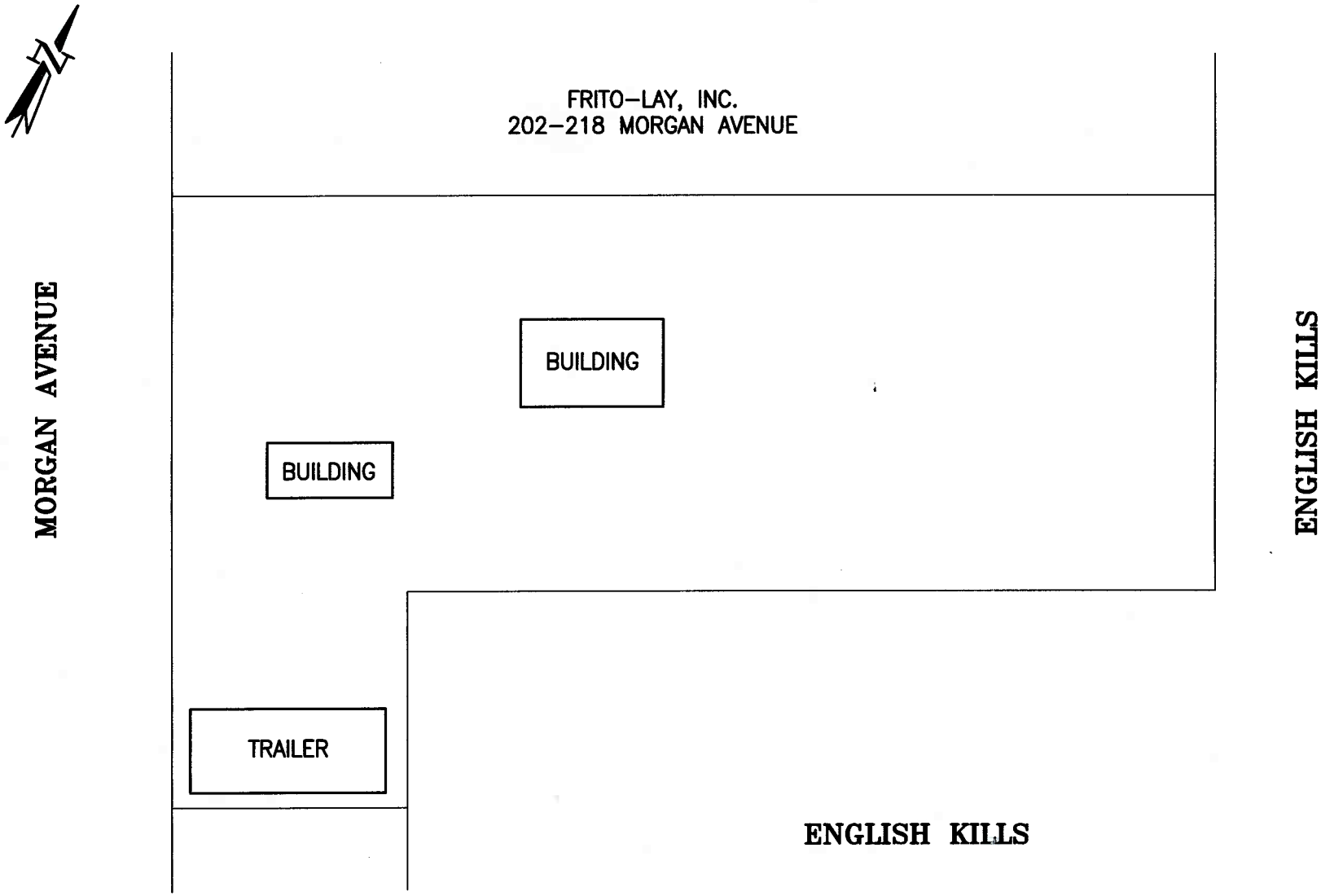


SCALE 1"=2000'

U.S.G.S. 7.5 MINUTE QUADRANGLE
BROOKLYN, NEW YORK

LOCATION MAP

REVDATE



NOT TO SCALE

SITE PLAN

FRITO-LAY, INC.

202-218 MORGAN AVENUE, BROOKLYN, NEW YORK

Gannett Fleming

FIGURE 2

APPENDIX A
PERSONNEL QUALIFICATIONS

YEARS EXPERIENCE WITH FIRM: 1

YEARS EXPERIENCE WITH OTHER FIRMS: 27

EDUCATION:

B.C.E., Civil Engineering, Manhattan College, 1977
M.E., Engineering (Environmental Focus), Manhattan College, 1978
40-Hour OSHA Hazardous Waste Operations and Emergency Response (HAZWOPER) Training, 1992
8-Hour OSHA Hazardous Waste Operations and Emergency Response Refresher Courses, 1993-2004
OSHA Hazardous Waste Operations and Emergency Response Supervisor Training, 1998
OSHA Confined Space Entry Training, 1992-2004
Roadway Worker Protection Training, Long Island Rail Road, 1995-2004
East Side Access Project Contractor Safety Training, Long Island Rail Road, 1999-2004
American Red Cross Standard First Aid Training
American Red Cross Adult CPR Training

PROFESSIONAL REGISTRATION(S):

P.E..: New York - No. 059115 (1982)
New Jersey - No. 24GE03741000 (1993)
Connecticut - No. PEN.0019688 (1996)
Massachusetts - No. 39559 (1996)
Pennsylvania - No. PE051815E (1996)
Maryland - No. 22230 (1996)
Delaware - No. 10919 (1996)
Wisconsin - No. 31963 (1997)
Illinois - No. 62051394 (1997)
Florida - No. 51618 (1997)
Missouri - No. 028724 (1997)
Virginia - No. 031392 (1997)
Mississippi - No. 13321 (1997)
West Virginia - No. 013765 (1998)
Texas - No. 85173 (1999)

CURRENT RESPONSIBILITIES:

Senior Project Manager responsible for the supervision and technical performance of environmental investigations and assessments, remediation projects, and aboveground and underground storage tank (AST/UST) removal and replacement. Has managed and provided designs for subsurface remediation efforts, hazardous materials remediation, landfill construction and closure on projects for the Long Island Rail Road (LIRR). With a thorough knowledge on U.S. Environmental Protection Agency, state, and local environmental regulations and permitting requirements, is experienced in the preparation of hazardous materials assessments, construction contaminant management plans (CCMP), and environmental impact statements (EIS), as well as site planning, permitting, and stormwater management documents.

SUMMARY OF EXPERIENCE:

Groundwater Investigation of Petroleum Contamination, Richmond Hill and Morris Park Facilities, New York, NY, *MTA Long Island Rail Road (LIRR).* Project Manager responsible for the delineation of on-site and off-site petroleum-impacted groundwater and the preparation of an investigative report recommending remedial alternatives. The investigative approach uses historical investigative data and existing monitoring well sampling data and incorporates new monitoring well sampling data to quantify and delineate petroleum-impacted groundwater. Groundwater quality data is also being used to evaluate areas of historical petroleum releases. Manages several subcontractors whose activities are critical to the success of the project. Conducts meetings with the LIRR and New York State Department of Environmental Conservation at appropriate stages of the project to discuss the investigative work plan approach, schedule, and findings. Field activities require coordination with LIRR yard personnel to pre-arrange train movement and track outages for a safe operation that also minimizes interference with yard operations.

Massapequa Creek Streamflow Augmentation and Pond Restoration, Nassau County, NY, *Nassau County Department of Public Works.* Project Manager responsible for managing the analyses, studies, modeling, permitting, and design efforts for a groundwater extraction well system and pump station. Stream-flow augmentation is part of Nassau County's plan to mitigate sewering impacts on the Massapequa Preserve. Groundwater will be extracted and conveyed to two upstream locations, augmenting the stream flow during low flow conditions. Prepared a work plan for the installation of borings and attainment of groundwater samples to determine soil lithology and groundwater quality. Coordinated the use of a groundwater fate and transport modeling effort to illustrate the impacts that the augmentation well system will have on existing contaminant plumes, nearby water supply wells, and surface water drawdown. Prepared a work plan and managed the aquifer testing efforts to analyze aquifer yield and determine augmentation well design parameters. Managed the preparation of design documents for the augmentation well and pump station system and preparation of Long Island well and wetland impact/mitigation permit applications.

Phase 2 Subsurface Investigation, Brooklyn, NY, *Berry Street, LLC/Essex Capital Partners, Ltd.* Project Manager responsible for preparing a property pre-acquisition assessment work plan for the Phase 2 subsurface investigation of an industrial site on Berry Street. Manages the implementation of the investigation that focuses on chlorinated volatile organic compounds and heavy metals within the subsurface soil and groundwater associated with historical site use as a metals fabrication operation. Adjusted field procedures and analytical protocol after field evidence suggested the possible presence of an underground fuel oil tank. Also prepared the investigative findings/recommendations report and cost estimates for soil handling and disposal procedures and tank-removal efforts.

Spill Prevention, Control, and Countermeasure Plan, Hempstead, NY, *Hofstra University.* Project Manager responsible for preparing amendments to the University's Petroleum Spill Prevention, Control, and Countermeasure Plan (SPCC) to incorporate facility modifications and additions, including waste oil and oil/water separator systems and hydraulic elevators. Assessed existing waste oil and associated oil/water separator systems for compliance with Nassau County Article XI requirements.

Food Products Assessment, Osceola, AR, *Creative Foods, LLC.* Project Manager responsible for conducting an environmental site assessment and environmental compliance audit for a food products facility as part of the pre-acquisition due diligence for the facility. The assessment included a review of historical information, site inspection, and report preparation using the historical research methods standardized by the American Standards of Testing and Materials (ASTM) E-1527-00. The environmental compliance audit involved a review of air emissions and associated permit requirements, review of a U.S. EPA compliance inspection report involving the storage of anhydrous ammonia as a

refrigerant, the review of their industrial wastewater pretreatment discharge permit criteria, an assessment of raw and waste drum storage practices, and the assessment of the facility's petroleum storage system. Recommendations included upgrades to the petroleum storage facility, upgrades to the drum storage practices and the need for a stormwater management plan and discharge permit.

Hazardous Materials Policy, Copiague, NY, *Watson Pharmaceuticals, Inc.* Project Manager responsible for reviewing corporate hazardous materials and hazardous waste handling and transport procedures. Developed site-specific policies for the handling and transportation procedures in conformance with Watson's corporate policies and federal, state, and county requirements.

Environmental Site Assessment, Queens, NY, *Tully Environmental/Willets Point Asphalt.* Project Manager responsible for managing the environmental assessment of an active asphalt plant. The assessment included a review of historical information, site inspection, and report preparation using the historical research methods standardized by the American Standards of Testing and Materials (ASTM) E-1527-00 and used by both the financial-lending and environmental-consulting industries. Managed a detailed property inspection to identify any apparent or potentially adverse conditions on or adjacent to the property and to confirm information that the team obtained during the site's historical review. The environmental assessment included a review of the facility's air emissions permit and historical monitoring data, underground petroleum storage tank testing reports and regulatory compliance, and recommendations for the preparation of a stormwater management plan and State Pollutant Discharge Elimination System (SPDES) permit.

EXPERIENCE PRIOR TO GANNETT FLEMING:

STV Incorporated, New York, NY

RAIL

Phase I Environmental Site Assessment, Acquisition of Property, Copiague, NY, *MTA Long Island Rail Road.* Environmental Program Manager responsible for managing the assessment of a 0.7-acre former auto repair shop site that the MTA planned to acquire to provide additional parking at the local railroad station. The assessment included a review of historical information, site inspection, and report preparation using the historical research methods standardized by the American Standards of Testing and Materials (ASTM) E-1527 and used by both the financial-lending and environmental-consulting industries. Managed a detailed property inspection to identify any apparent or potentially adverse conditions on or adjacent to the property and to confirm information that the team obtained during the site's historical review. Visual site assessments uncovered a suspect cesspool/sanitary system and stained asphalt. The team found upgradient sources of contamination that impacted the project. As a result of these findings, prepared recommendations and cost estimates for conducting a Phase II subsurface investigation.

Meadows Maintenance Complex (MMC) Expansion, Keamy, NJ, *New Jersey Transit.* Environmental Task Manager/Environmental Program Manager responsible for conducting and managing a subsurface geotechnical and environmental soil investigation to quantify and delineate soil contamination for the $87 million expansion of the existing facility. Managed the preparation of a construction contaminant management plan (CCMP) detailing contaminated soil handling and disposal procedures. Duties also included overseeing the closure assessment and replacement design of underground petroleum storage tanks and the development of specifications for the proper disposal of contaminated groundwater during construction. Oversaw these tasks to minimize the cost and scheduling impacts on construction.

East Side Access Phase II and Remedial Site Investigations, Manhattan and Queens Counties, NY, *MTA Long Island Rail Road*. Program Manager responsible for managing all aspects of Phase II and remedial site investigations for rail yards and track alignments, as part of a $4.3 billion project to provide Long Island Rail Road service to Manhattan's East Side. Provided technical direction on the handling and disposal of contaminated and excavated soils and managed technical staff in the preparation of sampling plans, investigative finding reports, subsurface contaminant fate and transport modeling indicating the distance that contamination traveled and the location to which it spread, and construction contaminant management plans (CCMP).

Highbridge Yard Development Design/Build, Bronx, NY, *MTA Metro-North Railroad.* Environmental Task Manager responsible for managing a full subsurface investigation prior to the $90 million design and construction of the 20-acre yard. The oversight was instrumental in keeping the contractor's costs within the estimated range.

Northeast Corridor Acela High-Speed Rail Maintenance Facilities Design/Build, Various Locations, *National Railroad Passenger Corporation (Amtrak).* Environmental Technical Advisor responsible for providing technical guidance on the handling and disposal of contaminated and excavated soils for the $112 million design/build of three new vehicle maintenance facilities at the Sunnyside Yard in Queens, NY; the Southampton Yard in Boston, MA; and Ivy City Yard in Washington, DC. Provided technical guidance at Southampton Yard, which contained soils contaminated with petroleum and polycyclic aromatic hydrocarbons and heavy metals, and required the excavation of soils containing 20,000 cubic yards (30,000 tons) of industrial fill and ash that had been previously used to fill in an area of open water. Since the concentrations of contaminants were within Massachusetts' criteria, remediation of the 60,350-square-foot yard was unnecessary. At Sunnyside Yard, technical guidance encompassed the excavation and disposal of soil contaminated by diesel fuel and polychlorinated biphenyls (PCBs). The analysis of the soil determined that the proposed location of the 900-foot-by-60-foot facility did not contain the light non-aqueous phase liquid (LNAPL) body of diesel fuel, although it was present near the site. With refined knowledge of the groundwater elevation at the site, oversaw a design modification to build the shop at a higher elevation from the ground, thereby reducing the required depth of foundation excavation and avoiding groundwater dewatering. Due in large part to these efforts, excavation and construction continued on schedule at the site. Also responsible for gathering information on the soil conditions at Ivy City Yard and providing guidance on excavation procedures.

Phase I Environmental Assessment for the Acquisition of Property, Speonk, NY, *MTA Long Island Rail Road.* Program Manager responsible for managing a Phase I environmental assessment of a single-family residence and assorted outbuildings, located at the southwest comer of the intersection of Phillips Avenue and the railroad. Managed a detailed inspection of the 1.6-acre site to identify any apparent or potentially adverse conditions on or adjacent to the property and to confirm information that was obtained during the site's historical review. As part of the $8 million project, made certain that the staff prepared reports and adhered to the American Standards of Testing and Materials (ASTM) E-1527 research methods and procedures that also are standard for the financial-lending and environmental-consulting industries. Based on the research, recommended a geophysical survey to confirm the presence or absence of underground storage tanks (USTs) used for heating oil, and sanitary septic/leaching systems. The MTA planned to acquire this property to provide additional parking at the Speonk train station.

Phase I Environmental Assessment for the Acquisition of Three Properties, Merrick, NY, *MTA Long Island Rail Road.* Program Manager responsible for managing Phase I environmental assessments for three properties located on Benson Lane. The MTA hoped to acquire these properties to provide additional parking at the nearby train station. Managed a detailed site inspection and the review of historical records from federal, state, and local regulatory agencies concerning past and present environmental conditions on and adjacent to the properties. Throughout the assessment, oversaw the

work of environmental engineers for compliance with the standard research methods and procedures of the American Standards of Testing and Materials (ASTM) E-1527 and the financial-lending and environmental-consulting industries.

Phase II Site Investigation at Conway Rail Yard, Conway, PA, *Norfolk Southern Corporation.*Environmental Task Manager responsible for managing the assessment of potential hazardous materials prior to and during the proposed construction of a $70 million locomotive service building at an active freight rail yard maintenance facility. The assessment included five areas of concern: the turntable/roundhouse area and proposed location of the main shop; the location of a proposed turntable, parking lot, and track/track realignment area; a proposed maintenance line building location; a proposed replacement wheel-truing building; and the currently active south end of the rail yard. Supervised the advancement of 84 soil borings and 168 soil and groundwater samples to determine the aerial and vertical extent of any petroleum-impacted soil and assess groundwater quality for construction dewatering activities. Also coordinated Phase II findings with the construction manager for the overall construction contaminant management program. Supervised a groundwater investigation to define the site hydraulic conditions and groundwater flow rates that could assist construction dewatering planning. Throughout the project, verified that all work complied with PADEP regulations.

Richmond Hill Locomotive Shop and Yard, Queens County, NY, *MTA Long Island Rail Road.* Environmental Task Manager responsible for managing the fast-track examination of subsurface soil and groundwater contamination due to the presence of three active petroleum spills at the site, and 48 spills within its half-mile radius, all documented by the New York City Department of Environmental Conservation. Coordinated the preparation of environmental specification documents recommending the environmental procedures for the proposed $26 million, 19,600-square-foot addition to the existing Sheridan Shop. The addition accommodates the inspection and maintenance of new DE-30 diesel-electric and DM-30 dual-mode locomotives. Conducted site visits, providing hands-on direction of sampling efforts. Using Geoprobe® drilling methods, as well as accelerated laboratory turnarounds to expedite soil sampling, the team met the tight deadline for the investigation.

Remedial Investigation and Pilot Remediation Studies, Morris Park Yard, Queens County, NY, *MTA Long Island Rail Road.* Project Manager responsible for managing a large and complex investigation of soil and groundwater contamination beneath a 23-acre major vehicle fueling, maintenance, and repair facility within the Long Island sole-source aquifer area for drinking water. Coordinated the project with regulatory agencies such as the New York State Department of Environmental Conservation. Supervised an initial geophysical and Geoprobe® survey that identified six areas of shallow diesel petroleum contamination. By means of deeper soil borings and monitoring wells, established the vertical extent of contamination, the absence of petroleum contamination in groundwater, and the presence of a Freon-contaminated groundwater plume. The soil borings also provided information needed to characterize light non-aqueous phase liquids (LNAPL) and dense non-aqueous phase liquids (DNAPL) contamination and create a fate transport model indicating the distance that the contamination had spread and the location to which it spread. Supervised pilot testing of remedial technologies such as soil vapor extraction, bioventing, and bioremediation to determine their feasibility. Based on this data, coordinated the services of suppliers of the remediation technologies and led the preparation of a cost analysis for the remedial action plan. Involved in the project for 40 months, submitted the final report to the regulatory agency, which approved the plan, and proceeded to manage the remedial design.

UST Management Services at Eight Rail Yards, Various Locations, NY, *MTA Long Island Rail Road.* Project Manager responsible for managing the closure assessment of over 40 underground storage tanks (UST) at eight Long Island Rail Road yards, in conformance with federal UST regulations (40 CFR Part 280) and New York State Department of Environmental Conservation (NYSDEC) Spill Prevention

Operation Technology Series #14 (SPOT #14) guidelines. Also supervised the preparation of replacement design drawings and specifications for the tanks and their related appurtenances, in conformance with LIRR standards and CSI format requirements. Responsibilities included overseeing construction for the yards involved in the project: the Babylon, Morris Park, Port Jefferson, Hicksville Divide, Oyster Bay, and Speonk passenger rail yards on Long Island, NY, and the Long Island City freight and passenger yards in Queens County, NY. Due in part to his able management skills, replacement tanks were installed on time without interrupting operations at the yards.

JFK International Airport AirTrain Operations, Maintenance, and Storage Facility, Phase 1/11 Site Investigations, Queens County, NY, *Port Authority of New York and New Jersey.* Environmental Task Manager responsible for managing environmental investigations to determine the extent of potential hazardous waste present at the site of a vehicle operations, maintenance, and storage facility (OMSF). Verified compliance with New York State Department of Environmental Conservation regulations and Port Authority Technical Provisions during the investigations, which included a Phase I environmental site assessment (ESA) that involved research on the history of the site's usage and materials released from it, in compliance with American Standards of Testing and Materials (ASTM) protocol. Based on these results, oversaw the baseline Phase II environmental site investigation (ESI) of soil and groundwater contamination, in which the team recommended an Additional Phase II Environmental Site Investigation (ESI) of samples. Duties included supervising soil borings that were advanced using a Geoprobe® unit, and leading the collection and analysis of soil and groundwater samples from the five sites. Submitted the appropriate Baseline Phase II ESI reports, which were subsequently approved, and coordinated Phase II ESI findings with the overall construction contaminant management program (CCMP) to address potential exposure due to excavation and/or dewatering during construction.

Remedial Investigation/Feasibility Study at Jamaica Station, Jamaica, NY, *MTA Long Island Rail Road.* Project Manager responsible for conducting a remedial investigation (RI) and feasibility study (FS) for a rail site. The investigation determined the soil and groundwater quality and extent of contamination from petroleum stored in underground tanks that fueled the station's boilers. Results indicated that petroleum-impacted the soil around the tanks, but not the groundwater. Managed pilot studies for the engineering evaluation and remedial design of an in situ bioremediation system. Supervised the development of a remedial action plan that involved injecting nutrients into the soil to increase the rate of natural petroleum degradation and soil remediation by microbes. Other aspects of the plan included risk-based corrective action (RBCA) analysis and a corresponding cost analysis.

Remedial Investigation/Feasibility Study, Long Island City Passenger Yard, Queens County, NY, *MTA Long Island Rail Road.* Project Manager responsible for managing the technical supervision and engineering for the investigation of petroleum contamination at a 100-year-old, 8-acre rail yard that contained vehicle fueling, minor maintenance, and vehicle storage provisions. The investigation included the development of the work plan, sampling plan, and health and safety plan. Groundwater samples collected from monitoring wells indicated the presence of diesel fuel floating on the groundwater, but the absence of off-site migration. Samples obtained using Geoprobe® and conventional drilling demonstrated that soil in the western third of the yard contained petroleum. Supervised pilot tests to evaluate the feasibility of using the skim pump to recover light non-aqueous phase liquids (LNAPL) from the soil. Using five monitoring wells with skim pumps as recovery wells, the system recovered more than 9,000 gallons of LNAPL.

Remedial Investigation/Feasibility Study, Long Island City Freight Yard, Long Island City, NY, *MTA Long Island Rail Road.* Project Manager responsible for managing a remedial investigation (RI) and feasibility study (FS) of an active rail freight yard to determine the groundwater gradient and quality and assess the site's impact on the surrounding environment. Data indicated that off-site groundwater contained the volatile organic compounds lead and antimony in excess of groundwater standards, but this

data may have been influenced by an active gasoline station directly downgradient of the site. Because of these findings, led the development of a remedial action plan that recommended monitoring on-site groundwater quality. Supervised environmental engineers recommending a risk-based corrective action (RBCA) approach to support site closure, in compliance with guidelines of the American Standards of Testing and Materials (ASTM ES38-94) and the New York State Department of Environmental Conservation Draft Interim Procedures for Inactivation of Petroleum-Impacted Sites.

Farmingdale Diesel Spill Remediation Litigation Support, Suffolk County, NY, *MTA Long Island Rail Road.* Environmental Program Manager responsible for providing litigation support confirming the property owner's claim that a petroleum spill from a locomotive had migrated beneath the foundation of the adjacent facility and into the groundwater of the site. Duties included designing a soil and groundwater pre-remediation investigation to verify the previous spill investigation results and providing further information regarding groundwater quality and flow. Also coordinated with LIRR legal counsel in performing the investigation, which consisted of a geophysical investigation, installation of soil borings, and collection of soil and groundwater samples from the spill area and from inside the adjacent facility. Avoided disrupting the property owner's business by conducting field activities on weekends and employing innovative means, including a remote-controlled, track-mounted Geoprobe® rig to collect samples. In the presentation prepared for New York State Department of Environmental Conservation, recommended spill closure.

Farmingdale Diesel Spill Investigation and Remediation, Farmingdale, NY, *MTA Long Island Rail Road.* Environmental Program Manager responsible for conducting the spill investigation and remediation alternatives analysis. Submitted the findings of the spill investigation in a remedial investigation report that indicated that the petroleum-impacted soil was limited to the area around the spill and had not migrated under the adjacent facility's foundation. Additionally, conducted a feasibility study and remedial analysis of the site, which determined that soil excavation with off-site disposal was the most expeditious method for remediating the petroleum-impacted soil. The $200 million investigation involved construction management, site supervision, endpoint soil sampling, and preparation of a spill closure report for New York State Department of Environmental Conservation.

Contamination Investigation and Remedial Design at Seven Rail Yards, Various Locations, NY, *MTA Long Island Rail Road*. Environmental Manager responsible for supervising soil borings and groundwater investigations in the area around fuel handling and storage facilities to define areas of contamination and remedial alternatives to maximize oil-return quantity and minimize disruptions to site operations. Provided environmental planning, field investigations, health and safety, and remedial design for seven rail yard sites in New York City and Long Island. The project was part of a general engineering design contract for Long Island Rail Road shops and yards.

East Side Access Project Major Investment Study, New York, NY, *MTA Long Island Rail Road*. Environmental Engineer/Hazmats responsible for supervising a hazardous materials investigation to support the establishment of Long Island Rail Road access from Queens County to Manhattan. Following an evaluation of historical documentation and federal and state databases of contaminated sites in the vicinity, prepared the technical appendix hazardous materials contamination along and around the proposed $4.3 billion project alignment.

Reconstruction of Housatonic Avenue and Demolition of Railroad Viaduct, Phase II Construction and Alignment Investigation, Bridgeport, CT, *City of Bridgeport.* Environmental Task Manager responsible for developing a subsurface investigation work plan and managing the alignment investigation of 6,600 linear feet of abandoned railroad property and 4,100 linear feet of corridor along Housatonic Avenue. Supervised a subsurface soil and groundwater investigation to characterize and delineate contamination within the planned demolition and construction areas. Also led an assessment of

lead paint to confirm the existence of lead-based paint on the abandoned viaduct structures. Duties included overseeing the development of a findings report that quantified and delineated lead- and petroleum-impacted soil and petroleum-impacted groundwater. Also supervised the development of construction specifications that dictated the proper handling and disposal of the construction-related waste, excavated soil, viaducts, and dewatering effluent.

AIRPORTS

Westchester County Airport Parallel Taxiway "L" Reconstruction and Extension, Westchester County, NY, *Westchester County Department of Public Works (DPW).* Environmental Task Manager responsible for investigating subsurface environmental conditions, including the potential for buried drums, tanks, and leaching fields using geophysical survey instrumentation and soil/groundwater sampling. Also performed a lead paint and asbestos assessment of the existing hangar to be demolished. The results of the subsurface investigation and hangar assessment were used to develop construction contaminant management plans and specifications. Additional duties included the preparation of a stormwater pollution prevention plan, due to the airport's proximity to the New York City watershed, in accordance with New York City Department of Environmental Protection guidelines. The plan included the diversion of any stormwater associated with airport operations away from the drinking supply watershed to the non-drinking water supply watershed, and an analysis of the impacts resulting from the diversion, as well as predicted pollutant loading impacts resulting from the proposed construction activities. During another portion of the project, prepared a tank closure assessment plan and oversaw the removal of two 1,000-gallon fuel tanks and one 1,000-gallon septic tank. Prepared the sampling and developed an assessment report following federal and state underground storage tank closure protocols. The $4.5 million project involved preliminary and final design and construction-phase services for the reconstruction and extension of 2,100 feet of taxiway, in accordance with Westchester County DPW and Federal Aviation Administration guidelines.

JFK International Airport, Phase I Environmental Site Assessment of Various Buildings and Hangars, Jamaica, NY, *Port Authority of New York and New Jersey (PANY&NJ).* Environmental Task Manager responsible for managing historical research on and visual site surveys of three hangars and a commissary at the John F. Kennedy International Airport. The environmental site assessments (ESAs) identified potential areas of concern (AOC) within the site in accordance with guidelines provided by the PANY&NJ and the American Society for Testing and Materials (ASTM) Standards on Environmental Site Assessment for Commercial/Industrial Real Estate. In addition, the ESAs determined whether the building occupant and/or the Authority complied with applicable federal, state, and local environmental laws and regulations. The report recommendations enabled the Authority to remedy any deficiencies expeditiously, maintain its policy of safe and regulatory compliant hazardous waste management, and prepare new facility leases for its tenants, since the assessments of the facilities were conducted at the termination of the facility lease.

INDUSTRIAL FACILITIES

Plum Island Animal Disease Center, Spill Prevention Control and Countermeasures Plan, Greenport, NY, *United States Department of Agriculture.* Environmental Engineer responsible for reviewing as-built plans and inspecting and evaluating a fuel storage facility, which included storage tanks, distribution systems, spill containment and control provisions, transfer and pumping operations, pipelines, and discharge. Adhering to the U.S. Environmental Protection Agency's (EPA) Oil Pollution Prevention Regulation (40CFR112), prepared a spill prevention control and countermeasures (SPCC) plan for the center's fuel oil storage operations to prevent any discharge of oil into navigable waters or adjoining shorelines.

Environmental Compliance Projects, Ridley Township, PA, *Boeing Helicopters*. Project Engineer responsible for preparing engineering design and specifications for a series of environmental compliance projects at a major manufacturing complex located in suburban Philadelphia. Projects consisted of the design of several spill-containment areas to contain potential oil and fuel spills at existing tank truck unloading areas, as well as the design of several underground petroleum storage and spill-containment tanks to bring about compliance with applicable federal storage tank regulations.

ROADWAYS

Phase I Environmental Assessments for Street Improvements, Brooklyn, NY, *New York City Department of Design and Construction.* Environmental Task Manager responsible for overseeing environmental research for roadway improvements to Nostrand, Wyckoff, Columbia, and Kent Avenues. Managed the assessments in accordance with American Society for Testing and Materials (ASTM) 1527-00. These results were used to evaluate the potential existence of contaminated soil and groundwater, which may impact design and construction.

Harper Street Yard Master Plan and Facility Design, Flushing, NY, *New York City Department of Design and Construction.* Environmental Program Manager responsible for preparing a master plan and design documents for the replacement of a former asphalt plant and current New York City Department of Transportation maintenance facility. Identified and prepared all environmental permit applications to support planning, design, and construction of the asphalt plant and maintenance facility. The preparation and implementation of a subsurface sampling and analysis plan quantified and delineated subsurface soil, groundwater, and sediment contamination. This data, along with data from previous subsurface investigations, was used to prepare the master plan's contamination issues, as well as design documents for the proper handling and disposal of contaminated material. A component of the master plan and design effort is the management of underground and aboveground petroleum storage tank systems. Closure assessment plans and operational planning and design documents were prepared to support the master planning and design effort.

Harper Street Vehicle Maintenance Facility and Asphalt Plant, Queens County, NY, *New York City Department of Design and Construction.* Environmental Task Manager responsible for managing the investigation of subsurface contaminants, including petroleum and other hazardous materials used at the existing facility, as well as the permitting and stormwater management tasks that would impact the master plan, design, and construction of the New York City Department of Transportation vehicle maintenance facility and asphalt plant. Permitting issues encompassed wetlands, since the facility is located near Flushing Bay; bulkheading to prevent erosion and stabilize the portion of the facility on dry land; and air emissions from the heated asphalt tanks. Provided the management of underground storage tanks (USTs) and supervised the preparation of environmental assessment documents, including the assessment of natural resources, all in accordance with the City Environmental Quality Review (CEQR). Responsibilities also included the implementation of a sediment sampling program for waste characterization and Army Corps of Engineers permitting for bulkheading and dredging to allow barged aggregate deliveries. The facility consists of a shop for vehicles and equipment involved in heavy roadway construction, and a new asphalt plant.

Glen Cove Road Extension, NEPA/SEQRA Environmental Assessment, Glen Cove, NY, *Glen Cove Community Development Agency/City of Glen Cove.* Environmental Task Manager responsible for managing an environmental review for a $2 million roadway connector project, in response to the New York State Department of Transportation's determination that the proposed road extension is a NEPA Class III/ State Environmental Quality Review Act (SEQRA) Non-Type II project. Managed an environmental assessment, including a NEPA scoping process and the evaluation of the social, economic, and environmental impacts of the proposed design alternatives. Supervised a field investigation to

determine the general characteristics of all bodies of surface water, establish surface water and groundwater classifications, delineate wetlands, determine wetland permitting requirements, evaluate the effects of construction activities on surface water bodies, and determine wetland mitigation measures. Duties included overseeing the assessment of the impacts of design alternatives on the air quality of the project area, a microscale analysis for carbon monoxide concentrations, and the determination of the construction impact on the air quality of the study area. Managed the preparation of a hazardous waste/contaminated materials screening reports, supervised an environmental site investigation, and oversaw the drafting of a remediation plan and preparation of a preliminary asbestos assessment.

HIGHWAYS

1-35 Commuter Rail Assessment, Preliminary Environmental Assessment, Kansas City, MO, *Johnson County Transit.* Environmental Program Manager responsible for overseeing environmental analyses for the assessment of a proposed $4.5 million, five-station commuter rail line extending 23 miles from downtown Kansas City, continuing southwest to Lenexa and Olathe in Johnson County. The preliminary evaluation of possible environmental impacts associated with each alternative included ecological water resources, wetlands, hydrology, floodplains, vegetation, and wildlife; visual enhancement; cultural resources; and hazardous materials impacts. Monitored these tasks for compliance with Federal Transportation Authority (FTA) and Federal Highway Administration (FHWA) guidelines.

Springfield-Branson Transportation Corridor Study, MO, *Missouri Department of Transportation.* Environmental Task Manager responsible for managing and conducting an analysis of natural and cultural features, including wetlands, floodplains, threatened and endangered species, and parkland, and conducted a Phase I environmental assessment of the proposed transportation corridor in accordance with Federal Transportation Authority (FTA) and Federal Highway Administration (FHWA) guidelines. Also supervised the preparation of a NEPA environmental assessment document identifying potential environmental impacts to the proposed corridor between Springfield and Branson.

COMMERCIAL FACILITIES

Victoria Theater Environmental Investigation, Manhattan, NY, *Apollo Theater Foundation Inc.* Environmental Program Manager responsible for managing Phase I of an environmental site assessment to determine whether the 90,000-square-foot theater needed renovations or demolition and rebuilding. The Phase I assessment followed American Standards of Testing and Materials (ASTM) 152700 historical research protocol and also included assessments of lead-based paint and asbestos-containing materials. Based on recommendations within the Phase I report, advised and recommended an intrusive investigation, which included geophysical surveys and soil borings in the vicinity of an underground storage tank (UST). Also managed a findings report that included mitigation cost estimates.

HEALTH FACILITIES

Environmental Assessment and Environmental Impact Statement, Coney Island Hospital Modernization, Coney Island, NY, *Dormitory Authority of the State of New York.* Hazardous Materials Task Manager responsible for managing the completion of a hazardous materials assessment and environmental impact statement (EIS) for the modernization of the existing Coney Island Hospital campus. One of the issues addressed was the need to protect the air quality in the environmentally sensitive area. Prepared the hazardous materials chapter of the EIS, which relied upon the completion and acceptance of the Environmental Assessment Form (EAF), the initial step in the State Environmental Quality Review Act (SEQRA) process. Contributed to the project as part of the overall effort to replace and upgrade the facility's structures and create a more modern and efficient hospital complex.

EDUCATIONAL FACILITIES

High School 800/High School for Architecture and Urban Planning, Queens County, NY, *New York City School Construction Authority*. Environmental Program Manager responsible for managing the preparation of a subsurface sampling and analysis plan (SAP) and health and safety plan to quantify and delineate subsurface soil and groundwater contamination. Reviewed historical data and Phase I assessment reports in preparation for the subsurface investigation. The findings supported the preparation of specifications and a construction contaminant management plan (CCMP), which detailed contaminated soil and dewatering handling and disposal criteria. Soil gas survey and groundwater plume data were the basis for design documents, which detailed the installation of a solvent vapor-collection system and foundation membrane to prevent vapor intrusion into the structure of the school.

Medgar Evers College Campus Master Plan, Environmental Impact Statement, Brooklyn, NY, *Dormitory Authority of the State of New York.* Hazardous Materials Task Manager responsible for managing the completion of a hazardous materials assessment as part of the environmental impact statement (EIS) for the renovation and expansion of a college campus, particularly the existing Bedford Avenue Building and Carroll Street Building. Prepared the hazardous materials chapter of the EIS following the completion and acceptance of the Phase I assessment. The scope of the assessment included the renovation of more than 250,000 square feet within the two buildings, including the demolition of 12,000 feet within the Bedford Avenue Building. Also conducted a hazardous materials analysis for the master plan for the construction of a new 57,000-square-foot addition to the Carroll Street Building and a 700,000-square-foot addition to the Bedford Avenue Main Campus.

SUNY New Paltz Wetland Mitigation Planning and Permitting, NY, *Dormitory Authority of the State of New York.* Program Manager responsible for assessing the freshwater wetland impacts associated with a planned dormitory expansion and supporting facilities. Evaluated the wetland delineation report, provided a wetland habitat analysis, developed a wetland mitigation plan, and prepared a U.S. Army Corps of Engineers permit application to mitigate the dormitory's impact on the existing wetland area.

SUNY New Paltz Athletic Facility, Environmental Impact Statement with Phase I Environmental Site Assessment, NY, *Dormitory Authority of the State of New York.* Environmental Task Manager responsible for managing the preparation of an environmental impact statement to meet the requirements of the State Environmental Quality Review Act (SEQRA). Oversaw the assessment of the environmental impacts of the construction of a new natatorium, hockey rink, arena, parking lot, the relocation of existing tennis courts, and the extension of an existing road on natural surroundings. The task entailed field reconnaissance and the review of New York State Department of Environmental Conservation rare and endangered species information and the type of vegetation and wildlife, wetlands, and water bodies. Furthermore, the statement included a review of hazardous materials impacts on the proposed athletic facility based on the findings of a Phase I assessment analysis. Also managed an infrastructure analysis to focus on the adequacy of existing utility systems (stormwater, water, sewage, gas, and electric to handle the additional demand as a result of proposed athletic facilities. Oversaw air-quality modeling to determine the short-term or construction-related impacts on air quality. The task included a screening analysis to indicate the need for a microscale and mesoscale analysis.

RESIDENTIAL BUILDINGS

Cooper Square Urban Renewal Area EAS, Manhattan, NY, *New York City Housing Preservation and Development.* Environmental Task Manager responsible for managing the preparation of an environmental assessment statement (EAS) for an urban renewal program, which involved the evaluation of community and business impact issues, such as traffic, transit, and pedestrian activity; air quality; noise; and hazardous materials on the development of 623 new dwelling units and up to 221,000 square

feet of community facilities and commercial retail space in the Cooper Square area. Verified that all surveys, inventories, and analyses were conducted in accordance with City Environmental Quality Review (CEQR) Technical Manual standards. The $64.5 million program aimed to redevelop properties for commercial and community/public use, and to preserve buildings for sale to current residential tenants.

OTHER

Harper Street Asphalt Plant, NY, *New York City Department of Design and Construction*. Environmental Operations Manager responsible for providing technical guidance and supervision for the master plan and design phases of an asphalt plant, maintenance facility, and site re-development. Environmental tasks included aboveground and underground storage tanks management, subsurface soil and groundwater investigation, and remedial action planning, remedial design, sanitary sewage treatment plant design criteria and vendor selection, stormwater management, and sewage effluent discharge permitting. Responsibilities also included the implementation of a sediment sampling program for waste characterization and Army Corps of Engineers permitting for bulk heading and dredging to allow barged aggregate deliveries.

Subsurface Soil Investigation, Camp Smith Active Firearms Training Facility, Peekskill, NY, *Federal Bureau of Investigation.* Environmental Task Manager responsible for managing a subsurface soil investigation to determine subsurface soil conditions for an expansion to an active firearms training facility at Camp Smith. Oversaw a geophysical survey to clear soil boring locations and confirm the presence of underground storage tanks (USTs). Supervised the use of a Geoprobe® system to obtain soil samples, which were analyzed for lead and petroleum constituents, due to the nature of on-site activities. Led the preparation of an investigative work plan, including a health and safety plan and Quality Assurance Project Plan (QAPP) for the project and its submittal to the client; coordinated the preparation and submittal of an investigative report, including results of the geophysical survey and analytical tests; and developed recommendations for handling excavated soils.

BUS FACILITIES

100th Street Bus Depot Design/Build, New York, NY, *MTA New York City Transit.* Environmental Task Manager responsible for managing environmental investigation services for the design and construction of a $95 million, four-story bus maintenance and storage facility in Manhattan. Supervised the collection and analysis of soil samples and the digging of test pits to determine existing subsurface environmental conditions prior to construction. Also coordinated a geophysical survey to guide the advancement of soil borings to the depth of excavation, and managed the preparation of a construction contaminant management plan (CCMP) that delineated and quantified the extent of contaminated soil and hazardous waste that could impact the depots design and construction, and detailed the procedures for contaminated soil and groundwater handling and disposal. The 80,000-square-foot, 98-foot-tall building houses standard buses and 133 articulated, 60-foot-long buses.

Fenley & Nicol Environmental, Deer Park, NY

Subsurface Remediation Projects. Technical Director/Engineering Manager responsible for overseeing the technical direction of the installation, operation, maintenance, cost estimating, permit attainment, and project management of various subsurface remediation projects. Work for the projects included soil vapor extraction, air sparging, bioremediation, and air stripping. Also directed Phase I and II site assessments, and supervised and directed engineering/geology personnel. Provided technical direction for the cost estimating, permit attainment, decommissioning, and project management of both underground and aboveground petroleum and hazardous material storage tank systems. Witnessed installations and

provided as-built drawings to the various regulatory agencies. Clients included the New York State Department of Environmental Conservation, New York State Department of Mental Health, New York City Department of Transportation, Suffolk County Community College, Greenburgh Central School District, Suffolk County Department of Public Works, Grumman Aerospace Corporation, Getty Petroleum, Sun Oil Company, Mobil Oil, Shell Oil, Garrett Aviation Services, United Parcel Services, Cummins Metropower, and Fire Island Ferries.

Suffolk County Department of Health, Farmingville, NY

Senior Public Health Engineer for the County's Bureau of Hazardous Materials with responsibilities centering on groundwater and surface water protection, as regulated by the U.S. Environmental Protection Agency, New York State Department of Environmental Conservation, and Suffolk County's Sanitary Code. Served as the supervising engineer for the construction unit, which established and evaluated design and specification criteria for subsurface remediation and hazardous/toxic materials storage facilities. Primary duties were the review of engineering and architectural designs for compliance with the County's design and specification requirements, as well as the review of engineering and hydrogeologic proposed subsurface investigation and remediation systems. Also reviewed sanitary landfill closure plans, including capping, leachate collection, and groundwater monitoring. Authored several specification documents, including underground storage tank designs, drum storage area designs, aboveground tank containment areas, leak and overfill alarm operational requirements, and underground tank and piping installation and testing procedures. Managed several computer databases, which provided storage inventory and compliance information. Also performed numerous construction sites and completed site inspections. Coordinated with several field inspectors regarding installation and completion of the storage facilities. Reviewed equipment and tank manufacturer's products for compliance with the regulations and specifications.

Eder Associates, Consulting Engineers, Locust Valley, NY

Project Engineer responsible for designing and writing specifications for several industrial and municipal wastewater treatment facilities, hazardous materials storage facilities, sludge and solid waste landfills, and sludge dewatering facilities. Treatment plant designs included aerated lagoon systems, activated sludge systems, physical/chemical systems, spray irrigation systems, and anaerobic systems. Design experience also included process design, hydraulic design, structural design, and construction drawing preparation, as well as the design of hazardous materials storage facilities for industrial firms on Long Island, NY. Designed landfill facilities for treatment plant sludge and solid waste, which involved leachate collection systems, membrane and clay liner systems, capping systems, groundwater monitoring, and landfill cell operational parameters. Clients included Georgia Pacific, Milk Industry Foundation, Flambeau Paper, Fort Orange Paper, Pope and Talbot Paper, City of Peshtigo (WI), Fairchild Republic, Fairchild Industries, and Dairylea.

PROFESSIONAL AFFILIATIONS AND PUBLICATIONS:

American Society of Civil Engineers
National Registry of Environmental Professionals

Jessica Ferngren Resume

CURRENT RESPONSIBILITIES:

Field/Staff Geologist responsible for developing and preparing reports and for coordinating and conducting fieldwork. Tasks include the development of work plans, site assessment reports, investigation summaries, UST and spill closure reports and quarterly/monthly status reports; sampling soil, groundwater, and air; performing site characterizations; and providing contractor oversight services.

Project Assignment:
Field/Staff Geologist

Years Experience With Firm: 1

Years Experience With Other Firms: 5

Education:
B.A., Geological Sciences, State University of New York College at Geneseo, Geneseo, New York, 2000

Professional Registration(s):
Asbestos Air Monitoring Technician Licensed in 2003, expires March 2005
OSHA 40-hour HAZWOPER Certification – October 2000, expires February 2007

SUMMARY OF EXPERIENCE:

New York City Housing Authority *Numerous Locations in New York, NY*
Staff Geologist providing development of work plans and generating site assessment reports and investigation summaries/remedial plans for numerous fuel oil impacted sites.
Field Geologist providing field sampling of soil and groundwater; performing site characterizations and providing contractor oversight.

Verizon Communications, Inc. *Manhattan, NY.*
Staff Geologist providing report preparation for UST and NYSDEC Spill Closure and acting contact liaison between the NYSDEC and Verizon, New York.
Field Geologist providing on-site inspection (documentation, sampling, and monitoring) services during soil and bedrock excavation for a high-rise building foundation.Tasks included documenting excavation/dewatering activities, operating dust monitoring data loggers, tracking waste (soil, rock, C&D, etc.) disposal, collecting soil characterization samples for disposal, documenting removal of underground petroleum tanks and hydraulic lift systems, collecting post-excavation soil and groundwater samples, and coordinating recovery of free petroleum product.

Blueline Pools and Spas, Inc. *Locust Valley, NY*
Project Manager responsible for work plan development, field implementation and report preparation for a limited geotechnical investigation at a residential property.

Levco Metal Refinishing *Astoria, NY*
Staff/Field Geologist responsible for quarterly report preparation and coordinating and conducting field work, including groundwater sampling, soil gas sampling and AS/SVE system monitoring for a chlorinated solvent impacted property.

Salem Fields Cemetery *Glendale, NY*
Staff/Field Geologist responsible for conducting quarterly soil gas sampling to monitor explosive gas conditions at the site due to former waste disposal operations and compile field data.

Westhampton Beach and Tennis *Westhampton, NY*
Field Geologist providing indoor air sampling and preparation of status reports for a fuel oil impacted property.

EXPERIENCE PRIOR TO GANNETT FLEMING:

Shaw Environmental & Infrastructure, Inc., Holbrook, New York (2003-2005)

Numerous Retail Petroleum Sites *Long Island, NY*
Geologist: Managed tasks for seven retail petroleum sites on Long Island, NY. Tasks included remedial investigations, preparation of remedial action work plans and corresponding with NYSDEC.

NYSDEC Class 2 Inactive Hazardous Waste Site, Oser Avenue, *Hauppauge, NY*
Environmental Scientist/Geologist: Provided oversight of construction activities for AS/SVE system installation and groundwater monitoring for tetrachloroethylene-impacted groundwater issue.

Voluntary Cleanup Program, Bulova Corporation *Jackson Heights, NY*
Project Geologist: Provided oversight of soil and groundwater subsurface investigations for chlorinated solvents, monitoring well installation and groundwater monitoring.

New York City School Construction Authority *Numerous Locations, New York, NY*
Environmental Scientist/Geologist: Provided services for many subsurface investigations including soil gas/vapor sampling, soil and groundwater investigative work, oversight of construction activities for AS/SVE system installation and preparation of work plans and Phase II reports.

Consolidated Edison *Numerous Locations, New York, NY*
Environmental Scientist/Geologist: Provided field services for soil and groundwater investigations and groundwater monitoring for petroleum-based site impacts.

New City Department of Design and Construction *Numerous Locations, New York, NY*
Environmental Scientist/Geologist: Provided field services soil and groundwater investigations, groundwater monitoring, monitoring well installation, oversight of chemical oxidation injection plans for petroleum-based impact and preparation of quarterly reports.

New York City Transit Authority Remediation Project *New York, NY*
Environmental Scientist: Provided field services for oversight of construction activities and management of operations and maintenance (O&M) activities for a product recovery and groundwater treatment system.

Environmental Resources Management (ERM), Melville, New York (2000-2003)

Geologist with experience includes various subsurface water quality sampling methods, monitoring and recovery well installation, GeoProbe investigations, hollow stem auger and mud rotary drilling oversight. Served as site health and safety officer on numerous field projects. Assisted in report writing and data management using GIS Key and Scout software. Data validation of analytical package deliverables for adherence to USEPA CLP, NYSDEC ASP, and NJDEP protocols.

CURRENT RESPONSIBILITIES:

Environmental Scientist responsible for coordinating and conducting fieldwork, including soil, groundwater, air, and asbestos sampling; site characterization; and contractor oversight. Also responsible for the upkeep of sampling equipment and supplies, as well as the compilation and tabulation of analytical data. Writes report and assists project management in writing reports.

Years Experience With Firm: 4

Years Experience With Other Firms: 1

Education:

B.S., Environmental Studies, St. Johns University, 2001

OSHA 40-Hour Hazardous Materials and Site Investigations Training, Condor Geotechnical Services, 2004

OSHA 40-Hour Hazardous Materials and Site Investigations Training Refresher, Gannett Fleming, 2005

Visible Emissions Evaluation, Eastern Technical Associates, 2005

Professional Registration(s):

New York State Department of Labor: Air Sampling Technician - No. 02-15873 (2002) (Refresher 2005)

New York State Department of Labor: Asbestos Inspector - No. 02-15873 (2004) (Refresher 2005)

SUMMARY OF EXPERIENCE:

Soil Boring Investigations and Groundwater Well Installation and Monitoring, New York, *Various Clients including Verizon New York, Inc., FedEx Ground, CSX Transportation, Inc., New York City Housing Authority, 10 West End Avenue Holdings, LLC, and Steel Equities, Inc., etc.* Environmental Scientist responsible for conducting screening and sampling of subsurface soils for contamination. Responsible for the oversight of groundwater well installations and sampling/routine monitoring of groundwater quality in site wells. Compiled and tabulated analytical results, wrote reports, or assisted project manager in writing reports. Created potentiometric and contaminant concentration maps

Underground Injection Control System Sampling and Remediation, New York, *Various Clients.* Environmental Scientist responsible for sampling and coordinating remedial cleanouts of industrial and commercial drywells, storm water catch basins, and septic systems. Tabulated analytical results, wrote reports, or assisted project manager in writing reports.

Construction Excavation Oversight, New York, NY, *Various Clients including Verizon New York Inc., 10 West End Avenue Holdings, LLC, Inc., and New York City Metropolitan Transportation Authority.* Environmental Scientist responsible for on-site oversight of excavation activities including soil boring investigations for soil characterization; monitoring soil excavation activities and tracking proper disposal of soil; documenting and reporting discovered contamination in site soils; oversee the closure of underground storage tanks (USTs) and collect endpoint samples; and assure that contractors follow environmental regulations.

Dust, Odor, and Volatile Organic Compound (VOC) Sampling, New York, NY, *Various Clients.* Environmental Scientist responsible for sampling dust, odor, and VOC levels in the air around the perimeter of various putrescible and non-putrescible waste transfer stations in the Bronx, Brooklyn, Staten Island, and Queens. Provided data to be submitted to the New York State Department of Environmental Conservation for the annual permitting of transfer stations.

Building Asbestos Survey and Asbestos Air Sampling, New York, *Various clients.* New York State Department of Labor licensed Asbestos Inspector responsible for identifying, quantifying, and sampling building materials that are possibly asbestos containing. New York State Department of Labor licensed Air Sampling Technician responsible for monitoring concentrations of airborne asbestos in and around

asbestos abatement projects. Compile and tabulate analytical results, write reports or assist project manager in writing reports.

Resource Conservation and Recovery Act (RCRA) Facility Decommissioning, Hauppauge, NY, *Standard Microsystems Corporation.* Environmental Inspector responsible for overseeing and documenting the demolition and RCRA decommissioning of a wastewater treatment facility.

Wall Street Tank Demolition, Islip, NY, *Suffolk County Water Authority.* Environmental Scientist responsible for overseeing the demolition and removal of a 250,000-gallon water storage tank to verify the use of proper procedures and safety precautions. Safety oversight included monitoring dust and lead dust levels, making certain that workers were using the proper personal protective equipment, and implementing fire safety guidelines.

Ferry Point Park, Bronx, NY, *Ferry Point Partners, Inc.* Site Overseer responsible for screening materials for filling and contouring activities associated with the conversion of a former New York City landfill into a 250-acre professional golf course and recreational facility.

DEL 158, Shafts 10 and 17, Westchester and Putnam Counties, NY, *New York City Department of Environmental Protection.* Environmental Scientist responsible for collecting surface water, groundwater, and sediment samples to assess the quality of groundwater impacted by the environmental hazards of a reservoir pumping station. Compiled field data and generated report drawings. Also conducted air sampling activities in subsurface utility vaults.

Salem Fields Cemetery, Queens, NY, *Confidential Client.* Environmental Scientist responsible for conducting quarterly sampling to monitor groundwater impacted by waste disposal operations. Also performed quarterly soil gas sampling to monitor explosive gas conditions at the site and compiled field data.

A&A Landfill, Staten Island, NY, *CSX Transportation, Inc.* Environmental Scientist responsible for coordinating and conducting quarterly surface water, groundwater, and sediment sampling events. Performed quarterly soil gas sampling to monitor explosive gas conditions at the site. Compiled analytical data and summarized field activities/notes.

Old Bethpage Landfill, Bethpage, NY, *Town of Oyster Bay.* Environmental Scientist responsible for planning and conducting quarterly sampling activities, monitoring concentrations of contaminants in impacted groundwater, and tracking the progress of the contaminant plume. Compiled field data and developed groundwater contour maps for quarterly reports.

EXPERIENCE PRIOR TO GANNETT FLEMING:

Nassau County Soil and Water Conservation District, Plainview, NY

Engineering Intern responsible for:

- Assisting in multiple site surveys.
- Conducting soil sampling and analyses for the Nassau County Department of Recreation and Parks.
- Assisting with the revision and the acquisition of new information for the County's water quality strategy.
- Researching funding sources for District grant writing.
- Preparing maps and charts for District site assessments.

APPENDIX B
SITE PHOTOGRAPHS

218 MORGAN AVENUE
BROOKLYN, NEW YORK

FRONT OF SUBJECT PROPERTY ALONG MORGAN AVENUE

FRONT OF SUBJECT PROPERTY ALONG MORGAN AVENUE

218 MORGAN AVENUE
BROOKLYN, NEW YORK

FRONT OF SUBJECT PROPERTY ALONG MORGAN AVENUE

ADJACENT PROPERTY TO THE SOUTHEAST OF THE SUBJECT PROPERTY

ADJACENT PROPERTY (FRITO-LAY, INC. PROPERTY AT 220 MORGAN AVENUE) TO THE NORTHWEST OF THE SUBJECT PROPERTY

ADJACENT PROPERTY (FRITO-LAY, INC. PROPERTY AT 220 MORGAN AVENUE) TO THE NORTHWEST OF THE SUBJECT PROPERTY

PROPERTY ACROSS MORGAN AVENUE TO THE SOUTHWEST OF THE SUBJECT PROPERTY

PROPERTY ACROSS MORGAN AVENUE TO THE SOUTHWEST OF THE SUBJECT PROPERTY

PROPERTY ACROSS MORGAN AVENUE TO THE WEST OF THE SUBJECT PROPERTY

PROPERTY ACROSS MORGAN AVENUE TO THE WEST/SOUTHWEST OF THE SUBJECT PROPERTY

218 MORGAN AVENUE
BROOKLYN, NEW YORK

NORTHEAST AREA OF THE SUBJECT PROPERTY

SOUTHWEST AREA OF THE SUBJECT PROPERTY

DAMAGED DRUMS ON THE SOUTHWEST SIDE OF THE SUBJECT PROPERTY

ONE OF THE ABANDONED BUILDINGS ON THE SUBJECT PROPERTY

218 MORGAN AVENUE
BROOKLYN, NEW YORK

SOUTHEAST CORNER OF THE SUBJECT PROPERTY

SACLE ADJACENT TO ONE OF THE ABANDONED BUILDINGS ON THE SUBJECT PROPERTY

RUNNING WATER WITHIN ONE OF THE ABANDONED BUILDINGS ON THE SUBJECT PROPERTY

TRAILER LOCATED AT THE SOUTHEAST CORNER OF THE SUBJECT PROPERTY

PROPERTY LINE ADJACENT TO THE CREEK ON THE SUBJECT PROPERTY

DAMAGED DRUMS AT THE SOUTHEAST AREA OF THE SUBJECT PROPERTY

DAMAGED DRUMS AT THE SOUTHEAST AREA OF THE SUBJECT PROPERTY

CREEK ADJACENT TO THE SUBJECT PROPERTY

CREEK ADJACENT TO THE SUBJECT PROPERTY

SOUTHEAST AREA ALONG THE CREEK ON THE SUBJECT PROPERTY

DEBRIS PILES ON THE SOUTHEAST AREA OF THE SUBJECT PROPERTY

DEBRIS PILES ON THE SOUTHEAST AREA OF THE SUBJECT PROPERTY

CONCRETE STRUCTURE AT THE EASTERN SECTION OF THE SUBJECT PROPERTY

DEBRIS PILES LOCATED AT THE EASTERN SECTION OF THE SUBJECT PROPERTY

DEBRIS PILES LOCATED AT THE EASTERN SECTION OF THE SUBJECT PROPERTY

DEBRIS PILES LOCATED AT THE EASTERN SECTION OF THE SUBJECT PROPERTY

DEBRIS PILES LOCATED AT THE NORTHWESTERN BORDER OF THE SUBJECT PROPERTY

DEBRIS PILES LOCATED AT THE NORTHWESTERN BORDER OF THE SUBJECT PROPERTY

SECOND ABANDONED BUILDING LOCATED ON THE SUBJECT PROPERTY

SECOND ABANDONED BUILDING LOCATED ON THE SUBJECT PROPERTY

218 MORGAN AVENUE
BROOKLYN, NEW YORK

STRUCTURE ADJACENT TO THE SECOND ABANDONED BUILDING ON THE SUBJECT PROPERTY

APPENDIX C
TITLE INFORMATION

Standard N.Y.B.T.U. Form 8002. Bargain & Sale Deed,
with covenant against grantor's acts - Ind. or Corp.; single sheet. 11-98

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT - THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY

THIS INDENTURE, made on **April 28, 2006**

BETWEEN

GLORIA DEVELOPMENT CORP., with offices located at 181 4th Avenue, Brooklyn, New York 11217

party of the first part, and

ROLLING FRITO-LAY SALES, LP, a Delaware limited partnership, with an address of 7701 Legacy Drive, Real Estate 4A-237, Plano, Texas 75024-4099

party of the second part,

WITNESSETH, that the party of the first part, in consideration of Ten Dollars and other valuable consideration paid by the party of the second part, doer, hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

SEE SCHEDULE A ATTACHED HERETO AND MADE A PART HEREOF.

THIS CONVEYANCE IS WITH THE UNANIMOUS CONSENT OF ALL SHAREHOLDERS.

Said premises being known as 202 – 218 Morgan Avenue, Brooklyn, New York

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof; TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises; TO HAVE AND TO HOLD the premises herein granted unto the party of the second part. the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.
AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose. The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:

GLORIA DEVELOPMENT CORP.

BY: _____
Name: Ken K. Tu
Title: President

BY: _____
Name: Wenn Tung
Title: Secretary

SCHEDULE A

ALL THAT CERTAIN PLOT, piece or parcel of land, situate, lying and being in the Borough of Brooklyn, County of Kings, City and State of New York, bounded and described as follows:

PARCEL I (Tax Lot 112)

BEGINNING at a point of the easterly side of Morgan Avenue where the same is intersected by the formerly center line of Meadow Street as it was laid out on the Commissioners Map of the City of Brooklyn prior to July 20, 1983;

RUNNING THENCE northerly along the easterly side of Morgan Avenue, 157 feet 6 inches;

THENCE easterly parallel with or nearly so with Ten Eyck Street as laid out on the Commissioners Map of the City of Brooklyn 214 feet;

THENCE southerly parallel or nearly so with the easterly side of Morgan Avenue 157 feet 6 inches to the center line of the said former Meadow Street, and

THENCE westerly along the center line of said former Meadow Street, 214 feet to the point or place of BEGINNING.

PARCEL II (Tax Lots 105 & 111)

BEGINNING at a point on the easterly side of Morgan Avenue located two hundred and thirty (230) feet southerly from the corner formed by the intersection of the easterly side of Morgan Avenue with the southerly side of Ten Eyck Street;

RUNNING THENCE easterly and parallel with Ten Eyck Street two hundred and fourteen (214) feet;

THENCE northerly and parallel with Morgan Avenue one hundred fifty seven (157) feet and six (6) inches;

THENCE easterly and parallel with Ten Eyck Street, two hundred and seventy-five (275) feet to the canal or Newton Creek;

THENCE southerly along said canal two hundred and eighty seven (287) feet six (6) inches;

THENCE westerly and parallel with Ten Eyck Street four hundred eighty nine (489) feet to the easterly side of Morgan Avenue;

THENCE northerly along said Morgan Avenue, one hundred thirty (130) feet to the point or place of BEGINNING.

For conveyancing only, if intended to be conveyed:

TOGETHER with all the right, title and interest of the party of the first part of, in and to the land lying in the street in front of and adjoining said premises.

ACKNOWLEDGMENT IN NEW YORK STATE (RPL 309-a)

State of New York, County of Kings SS:
On April 28, 2006
before me, the undersigned, personally appeared
KEN K. TU AND WENN TUNG
personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

BARRY MENDLOWITZ
Notary Public, State of New York
No. 24-4864688
Qualified in Kings County
Commission Expires Sept. 2, 2006

NOTARY PUBLIC

ACKNOWLEDGMENT OUTSIDE NEW YORK STATE (RPL 309-b)

State of County of SS.:
On before me,
the undersigned,

personally appeared personally known to me or proved to me on the basis of satisfactory evidence to be the name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.
(insert city or political subdivision and state or county or other place acknowledgment taken)

NOTARY PUBLIC

ACKNOWLEDGMENT BY SUBSCRIBING WITNESS(ES)

State of County of SS.:
On before me,
the undersigned,

personally appeared
the subscribing witnesses to the foregoing instrument, with whom I am personally acquainted, who, being by me duly .sworn, did depose and say that he/she/they reside(s) in *(if the place of residence iv in a city, include the street and street number, if any, thereof);*

that he/she/they know(s) to be the individual(s) described in and who executed the foregoing instrument; that said subscribing witnesses) was (were) present and saw said
execute the same; and that said Witnesses at the same time subscribed his/her/their name(s) as a Witnesses thereto.
(___ *if taken outside New York State insert city or political subdivision and state or country or other place acknowledgment taken* And that said subscribing witnesses made such appearance before the undersigned in _____

NOTARY PUBLIC

BARGAIN and SALE DEED
With Covenants Against Grantor's Acts

TITLE NO.: SC22111-K

GLORIA DEVELOPMENT CORP.

TO

ROLLING FRITO-LAY SALES, LP

SECTION: 10
BLOCK: 2942
LOT: 105, 111, 112
COUNTY OR TOWN:
KINGS

RETURN BY MAIL TO:

Stutzman, Bromberg, Esserman & Plifka
2323 Bryan St., Suite 2200
Dallas, TX 75201-2689
Attn: Noah K. Hansford, Esq.

Reserve this space for use of Recording Office.

SCHEDULE A

SUTTON LAND SERVICES, LLC issuing policies for

Fidelity National Title Insurance Company

Order No.: **SL 22111** Policy No. **71463705**

Date of Policy: **04/28/2006** County: **Kings**

Amount of Insurance: **$6,500,000.00**

1. Name of Insured:

   Rolling Frito-Lay Sales, LP

2. The estate or interest insured by this policy:

   Fee Simple

3. Title to the estate or interest in the land is vested in:

   Rolling Frito-Lay Sales, LP, who acquired title from Gloria Development Corp., by deed dated 04/28/2006, being duly recorded in the Kings County Register's Office.

4 The land referred to in this policy is described as follows:

ALL THAT CERTAIN PLOT, piece or parcel of land, situate, lying and being in the Borough of Brooklyn, County of Kings, City and State of New York, bounded and described as follows:

PARCEL I (Tax Lot 112)

BEGINNING at a point of the easterly side of Morgan Avenue where the same is intersected by the formerly center line of Meadow Street as it was laid out on the Commissioners Map of the City of Brooklyn prior to July 20, 1983;

RUNNING THENCE northerly along the easterly side of Morgan Avenue, 157 feet 6 inches;

THENCE easterly parallel with or nearly so with Ten Eyck Street as laid out on the Commissioners Map of the City of Brooklyn 214 feet;

THENCE southerly parallel or nearly so with the easterly side of Morgan Avenue 157 feet 6 inches to the center line of the said former Meadow Street; and

THENCE westerly along the center line of said former Meadow Street, 214 feet to the point or place of BEGINNING.

PARCEL II (Tax Lots 105 & 111)

BEGINNING at a point on the easterly side of Morgan Avenue located two hundred and thirty (230) feet southerly from the corner formed by the intersection of the easterly side of Morgan Avenue with the southerly side of Ten Eyck Street;

RUNNING THENCE easterly and parallel with Ten Eyck Street two hundred and fourteen (214) feet;

THENCE northerly and parallel with Morgan Avenue one hundred fifty seven (157) feet and six (6) inches;

THENCE easterly and parallel with Ten Eyck Street, two hundred and seventy-five (275) feet to the canal or Newton Creek;

THENCE southerly along said canal two hundred and eighty seven (287) feet six (6) inches;

THENCE westerly and parallel with Ten Eyck Street four hundred eighty nine (489) feet to the easterly side of Morgan Avenue;

THENCE northerly along said Morgan Avenue, one hundred thirty (130) feet to the point or place of BEGINNING.

SCHEDULE B

Policy No. 71463705

Title No. SL 22111

The following estates, interests, defects, objections to title, liens and encumbrances and other matters are excepted from the coverage of our standard form of policy:

1. SURVEY READING FOR SL# 22111

Survey dated 04/04/2006, made by Boro Land Surveying, P.C. shows one (1) two-story structure, one (1) one-story structure, shed and frame trailer with no encroachments or variations of lot lines except the following:

1. Fence along a portion of the northerly line varies with record line.

2. Wall along a portion of the northerly line varies with record line.

3. Corrugated metal Bulkhead along the easterly record line.

4. Fence and wall with Gates along the westerly line situate up to 2 feet 11-3/4 inches east of record line.

No Reading is made herein with respect to interior lot lines.

2. Rights of tenants or persons in possession.

3. Emergency Repair charges pursuant to the Administrative Code of the City of New York may have accrued and not yet been filed as liens with the New York City Department of Finance. No liability is assumed for same.

4. Section 26-128 (formerly 643a-14.0) of the Administrative Code of the City of New York, amended by LL 10, 1981 and LL 25, 1984 and Section 27-4029.1 of the Administrative Code of the City of New York, amended by LL 43, 1988, created tax liens for unpaid Inspection Fees and Permit Fees, respectively, billed by the Building Department and Fire Department, regardless of the fact that said fees may not be reflected in the Tax Collector's Records. Policy excepts any loss, claim or damage for any unpaid fee or charge claimed by the Building Department and/or Fire Department and entered in the records of the City Collector after the date of closing.

5. No title is insured to any land now or formerly lying, in the bed of **Newton Creek/English Kills/Basin**, its arms, branches or tributaries by whatever name called. affecting only that certain portion of the property shown to be so lying on that certain ALTA/ASCM Land Title Survey dated April 4, 2006, prepared by Vincent J. Dicce (Reg. No 049333) of Boro Land Surveying, P.C.

6. No title is insured to any land lying below the present or any former high water line of **Newton Creek/English Kills/Basin**, affecting only that certain portion of the property shown to be so lying on that certain ALTA/ASCM Land Title Survey dated April 4, 2006, prepared by Vincent J. Dicce (Reg. No 049333) of Boro Land Surveying, P.C.

7. Except the right of the United States Government to establish harbor, bulkhead or pier lines or to change or alter any such existing line and to remove or compel the removal of fill and improvements thereon from land now or formerly lying below the high water mark of **Newton Creek/English Kills/Basin** without compensation to the insured.

8. Except the rights of the United States Government, the State of New York and the City of New York, or any of their departments or agencies to regulate and control the use of the piers, bulkheads, land under water and land adjacent thereto.

9. Policy excepts subsequent and/or additional meter readings, entered after the date of closing, and the water and/or sewer charges based upon said readings.

10. Railroad Agreement dated 12/29/1903 and recorded 01/29/1904 in Liber 19 Sec. 10 Page 7 (affects Morgan Avenue).

11. Sewer Agreement recorded 07/26/1904 in Liber 21 Sect. 10 Pages 300 and 301 (in favor of the City of New York to run a sewer drain from Morgan Avenue through said lands out to the basin for the purposes of discharging surface runoff in to the said basin).

Fidelity National Title Insurance Company
STANDARD NEW YORK ENDORSEMENT
(OWNER'S POLICY)

Attached to and made a part of Policy No. 71463705

1. The following is added to the insuring provisions on the face page of this policy:

"5. Any statutory lien for services, labor or materials furnished prior to the date hereof, and which has now gained or which may hereafter gain priority over the estate or interest of the insured as shown in Schedule A of this policy."

2. The following is added to Paragraph 7 of the Conditions and Stipulations of this policy:

"(d) If the recording date of the instruments creating the insured interest is later than the policy date, such policy shall also cover intervening liens or incumbrances, except real estate taxes, assessments, water charges and sewer rents."

Nothing herein contained shall be construed as extending or changing the effective date of the policy unless otherwise expressly stated.

This endorsement, when countersigned below by a validating signatory, is made a part of the policy and is subject to the Exclusions from Coverage, Schedules, Conditions and Stipulations therein, except as modified by the provisions hereof.

Countersigned this **28th** day of **April**, of the year **2006.**

Authorized Agent: _____

Fidelity National Title Insurance Company
LAND SAME AS SURVEY ENDORSEMENT

Attached to and made a part of Policy No. **71463705**

The Company hereby assures the Insured that said land is the same as that delineated on the plat of a survey made by **Boro Land Surveying, PC** designated Job No. **SL22111**.

The Company hereby insures said Assured against loss which said Assured shall sustain in the event said assurances herein shall prove to be incorrect.

The total liability of the Company under said policy and any endorsement therein shall not exceed, in the aggregate, the face amount of said policy and costs which the Company is obligated under the Conditions and Stipulations thereof to pay.

This endorsement is made a part of the policy and is subject to all of the terms and provisions thereof and of any prior endorsements thereto. Except to the extent expressly stated, it neither modifies any of the terms and provisions of the policy and any prior endorsements, nor does it extend the effective date of the policy and any prior endorsements, nor does it increase the face amount thereof.

Countersigned this **28th** day of **April**, of the year **2006.**

Authorized Agent: _____

Fidelity National Title Insurance Company

NAME CHANGE ENDORSEMENT

Attached to and made a part of this **Commitment, Title Certificate, Title Report, Policy or Endorsement to Policy:**

Wherever this **Title Commitment, Title Certificate, Title Report, Policy or Endorsement to a Policy** to which this Endorsement form is attached identifies **Fidelity National Title Insurance Company of New York,** a New York Corporation, it shall be deemed amended to read **Fidelity National Title Insurance Company,** a California Corporation.

Effective July 30, 2004, **Fidelity National Title Insurance Company of New York** merged into **Fidelity National Title Insurance Company.**

THIS ENDORSEMENT is made a part of the Title Commitment, Title Certification, Title Report, Policy or Endorsement to a Policy (the "Document") to which it is attached and is subject to all of the terms and provisions thereof and of any endorsement thereto. Except to the extent expressly stated, it neither modifies any of the terms and provisions of the Document and any prior endorsements, nor does it extend the effective date of the Document, nor does it increase the face amount thereof.

IN WITNESS WHEREOF, the Company has caused its corporate name and seal to be hereunto affixed by its duly authorized signatory.

Countersigned this **28th** day of **April,** of the year **2006.**

Authorized Agent: _____

Fidelity National Title Insurance Company

ACCESS ENDORSEMENT

Attached to and made a part of Policy No. **71463705**

The Policy hereby insures the Insured against loss which the Insured shall sustain in the event that the described land does not abut upon a physically open public street known as: **Morgan Avenue.**

This endorsement is made a part of the policy and is subject to all of the terms and provisions thereof and of any prior endorsements thereto. Except to the extent expressly stated, it neither modifies any of the terms and provisions of the policy and any prior endorsements, nor does it extend the effective date of the policy and any other endorsements, nor does it increase the amount thereof.

Countersigned this **28th** day of **April**, of the year **2006.**

Authorized Agent: _____

Fidelity National Title Insurance Company

TAX PARCEL ENDORSEMENT
More Than One Tax Lot

Attached to and made a part of Policy No. **71463705**

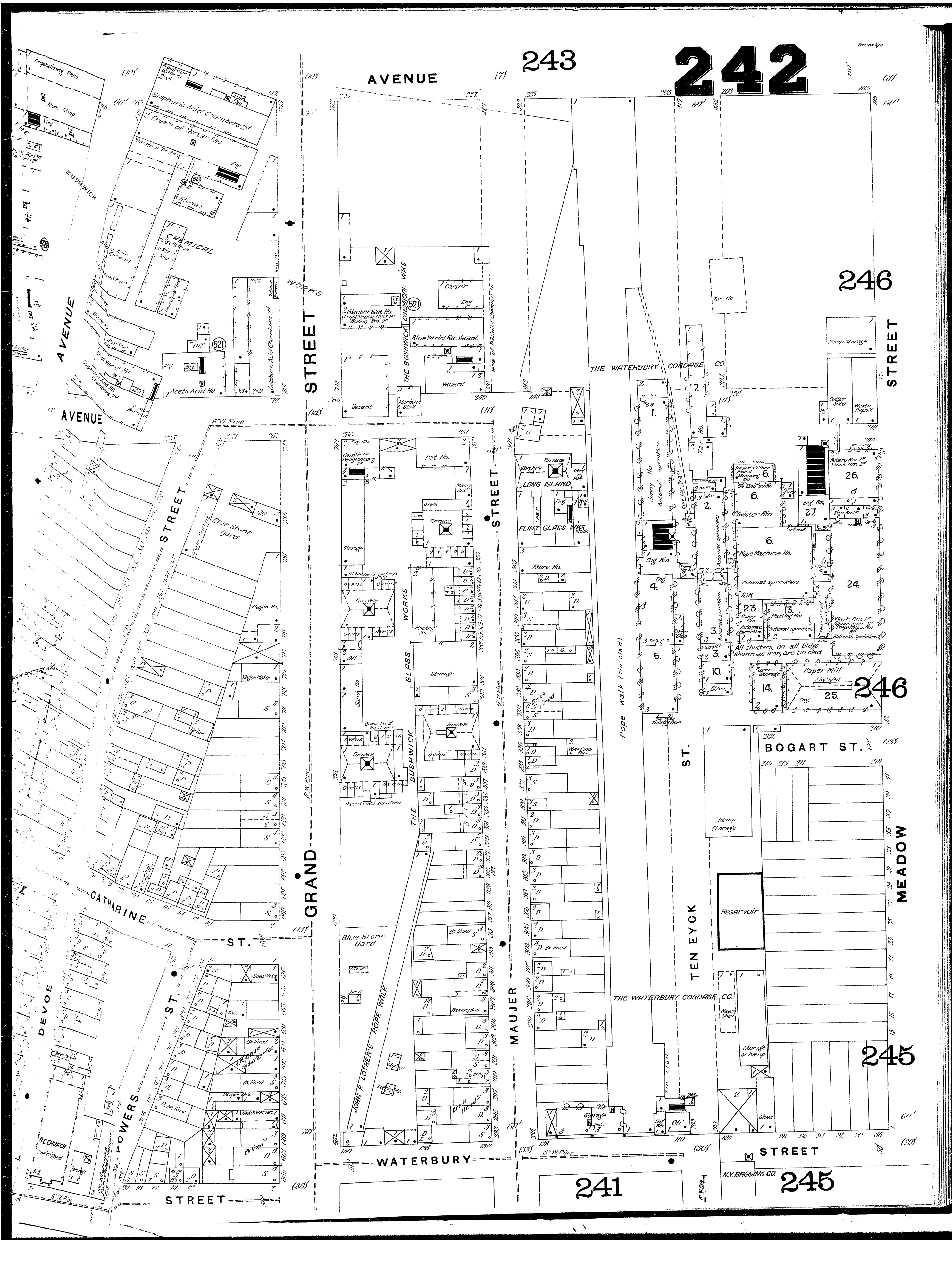
The Policy insures against loss or damage which the insured may sustain by reason that the land described in Schedule A is not assessed for real estate tax purposes as a separate tax lot which, when taken together, includes no land other than that described in Schedule A.

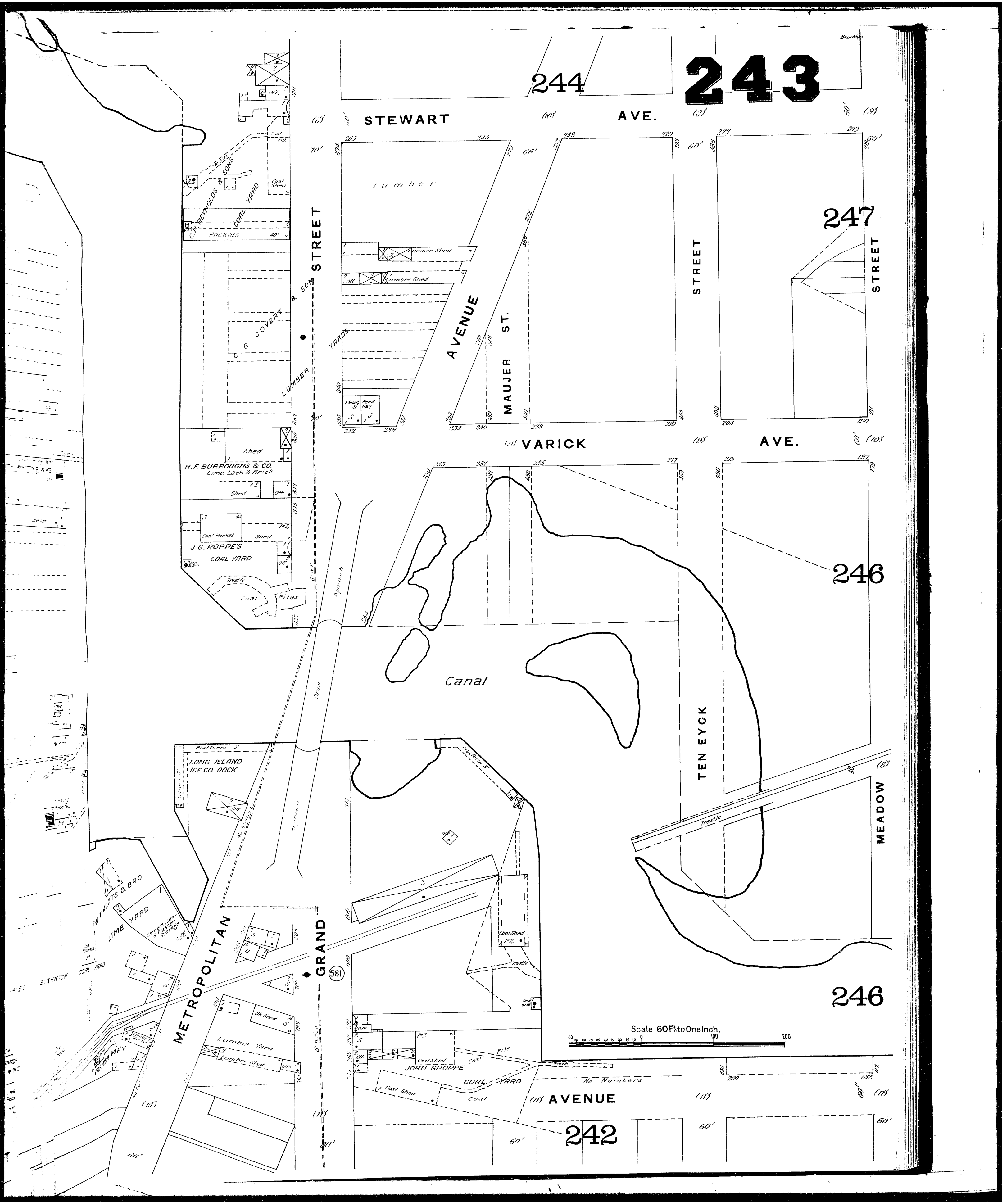
This endorsement is made a part of the policy and is subject to all of the terms and provisions thereof and of any other endorsements thereto. Except to tile extent expressly stated, it neither modifies any of the terms and provisions of tile policy and any other endorsements, nor does it extend the effective date of the policy and any other endorsements, nor does it increase tile face amount thereof.

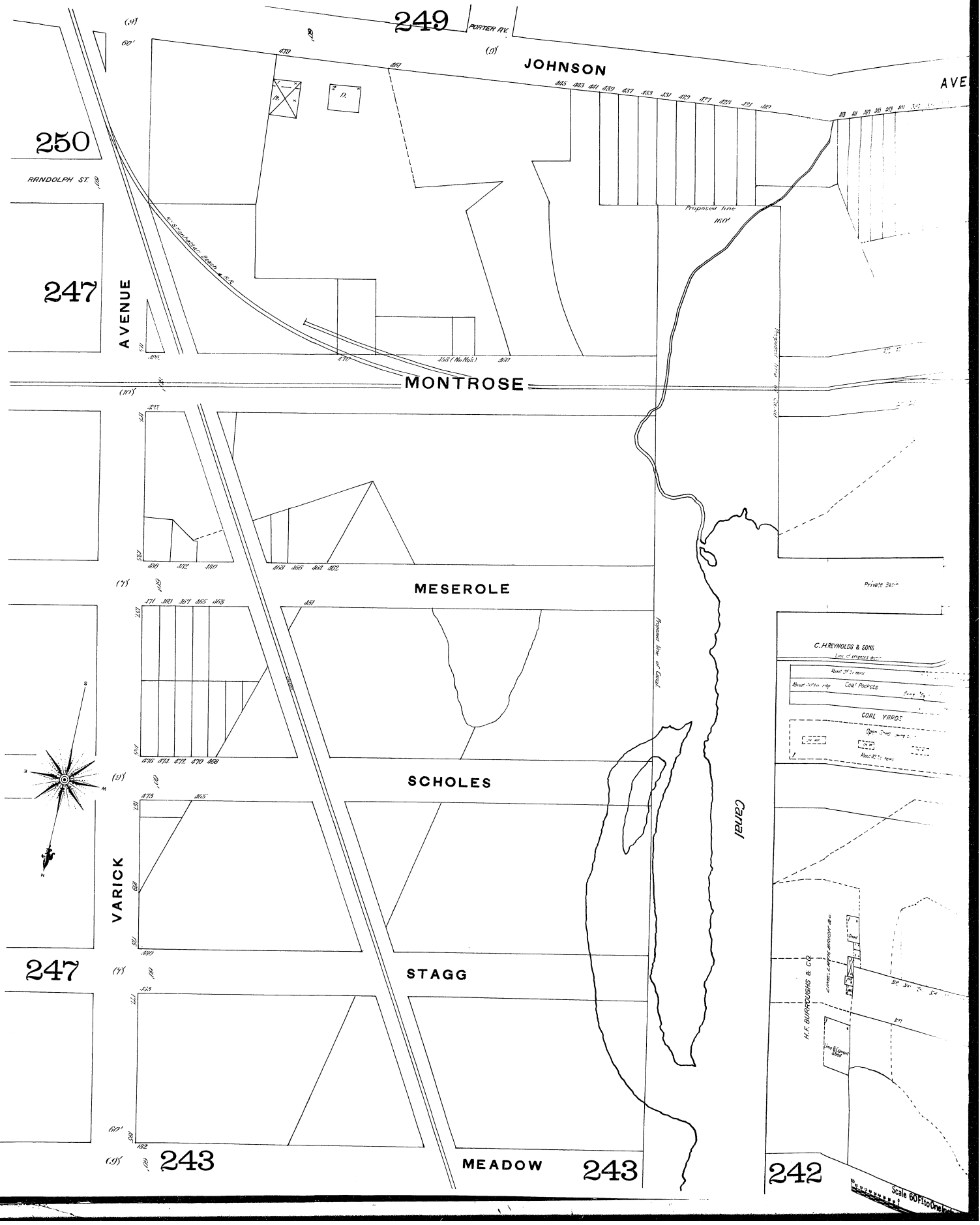
Countersigned this **28th** day of **April**, of the year **2006.**

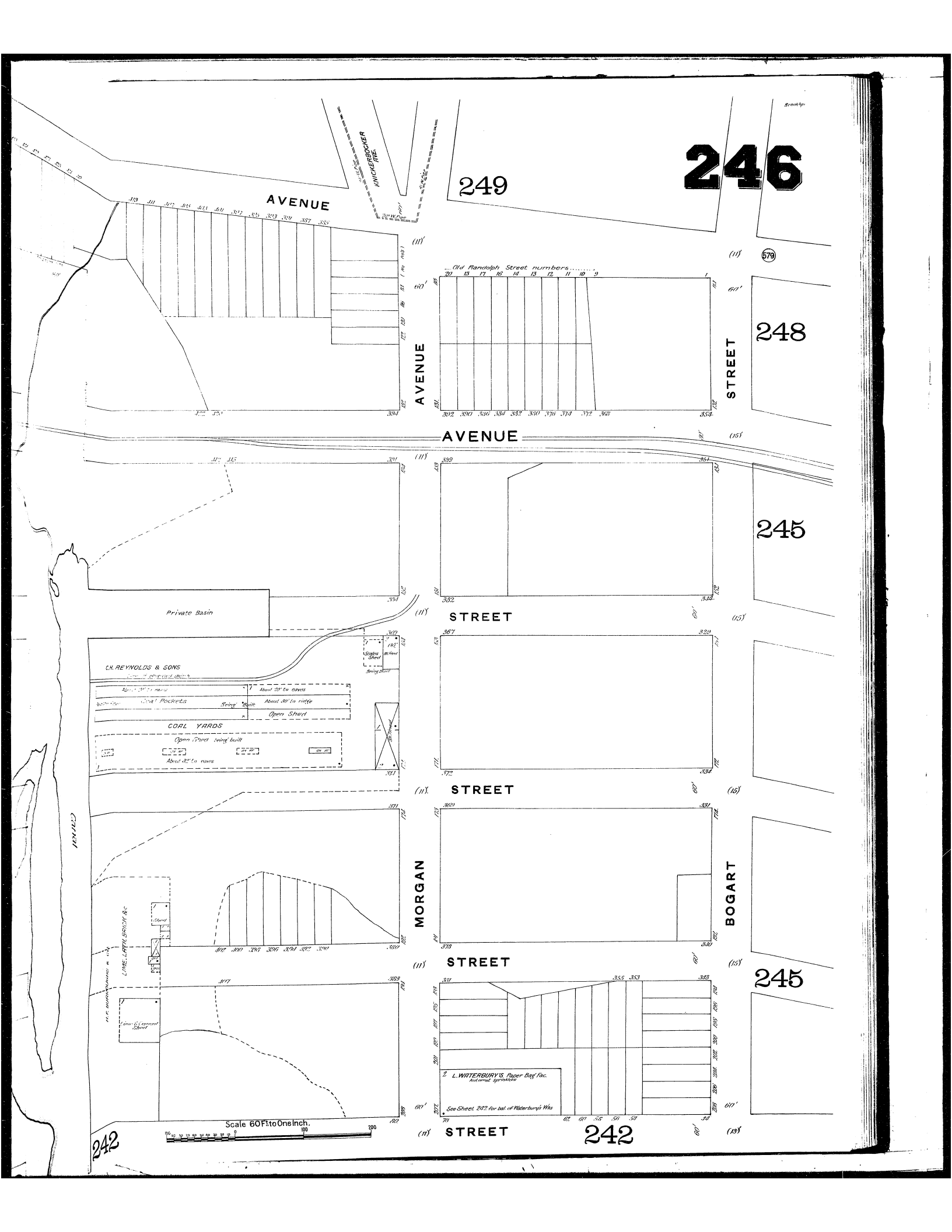
Authorized Agent: _____

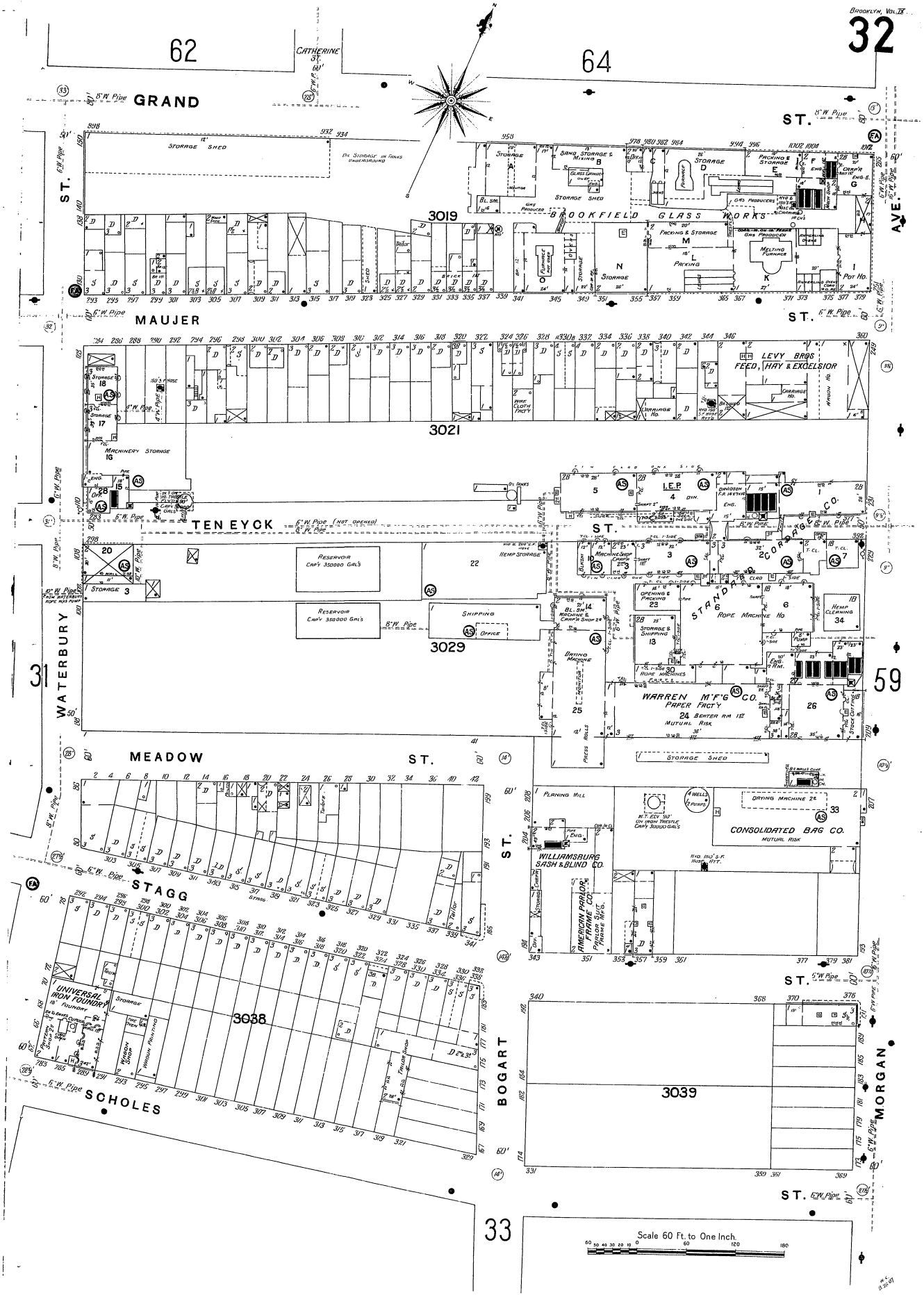
APPENDIX D
SANBORN® MAPS

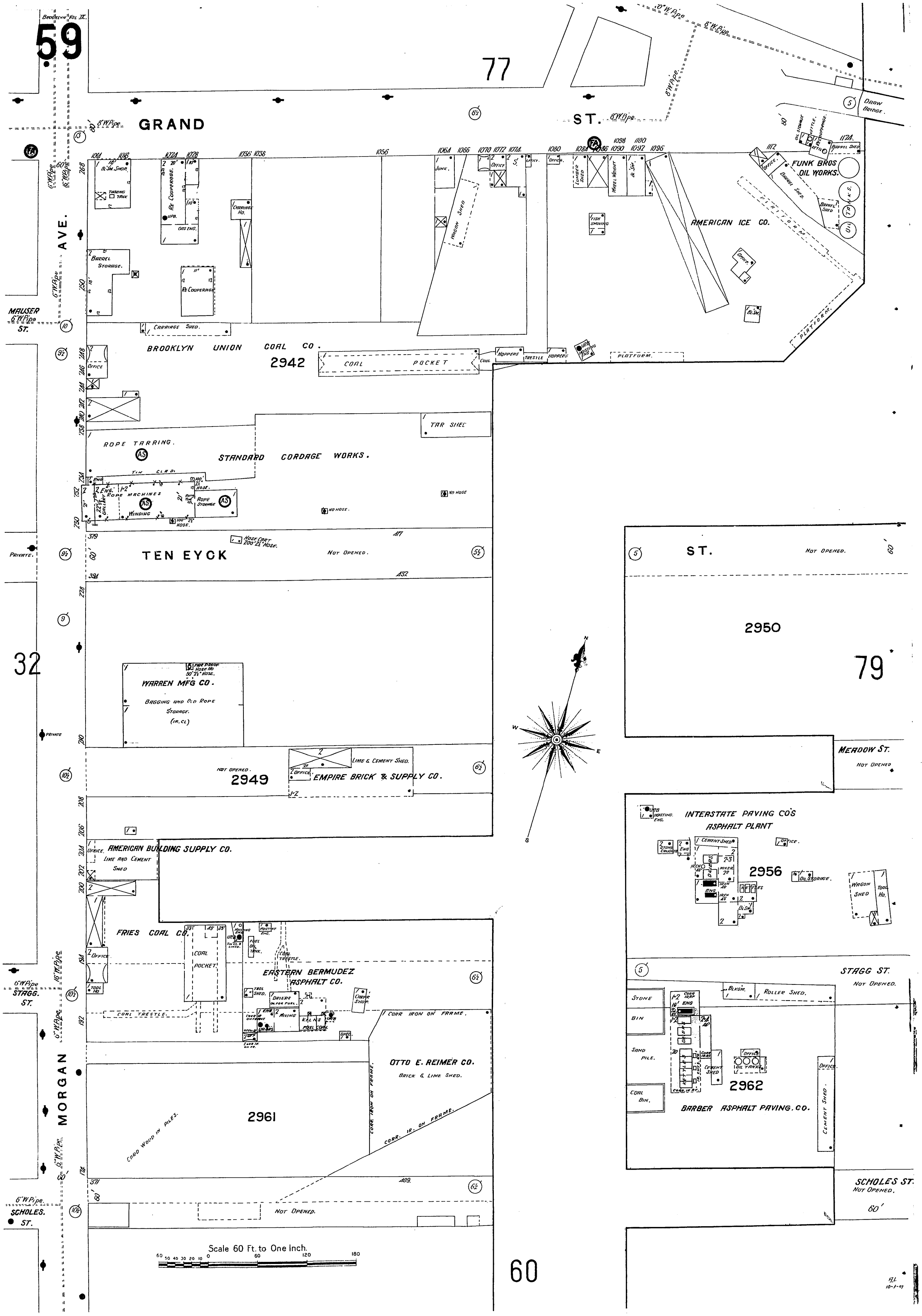

242
243
246
245
241
Brooklyn
AVENUE
BUSHWICK AVENUE
GRAND STREET
STREET
CATHARINE ST.
DEVOE STREET
POWERS ST.
WATERBURY STREET
MAUJER STREET
TEN EYCK ST.
BOGART ST.
MEADOW STREET
THE BUSHWICK CHEMICAL WKS
CHEMICAL WORKS
Sulphuric Acid Chambers
Cream of Tartar Fac.
Acetic Acid Ho.
Glauber Salt Ho.
Blue Vitriol Fac. Vacant
Vacant
Muriatic Still
THE BUSHWICK GLASS WORKS
Pot Ho.
Storage
Sand Ho.
LONG ISLAND FLINT GLASS WKS
Store Ho.
Wire Cage Fac.
Blue Stone Yard
JOHN F. LOTHER'S ROPE WALK
Wagon Ho.
Wagon Maker
Soap Wks.
R.C. CHURCH Unfinished
THE WATERBURY CORDAGE CO.
Rope walk (tin clad)
Tar Ho.
Hemp Storage
Rope Machine Ho.
Twister Rm.
Automat. sprinklers
All shutters on all Bldgs shown as iron, are tin clad
Paper Mill
Paper Storage
Cutter Shed
Waste Depot
Reservoir
Storage of hemp
Shed
N.Y. BAGGING CO.

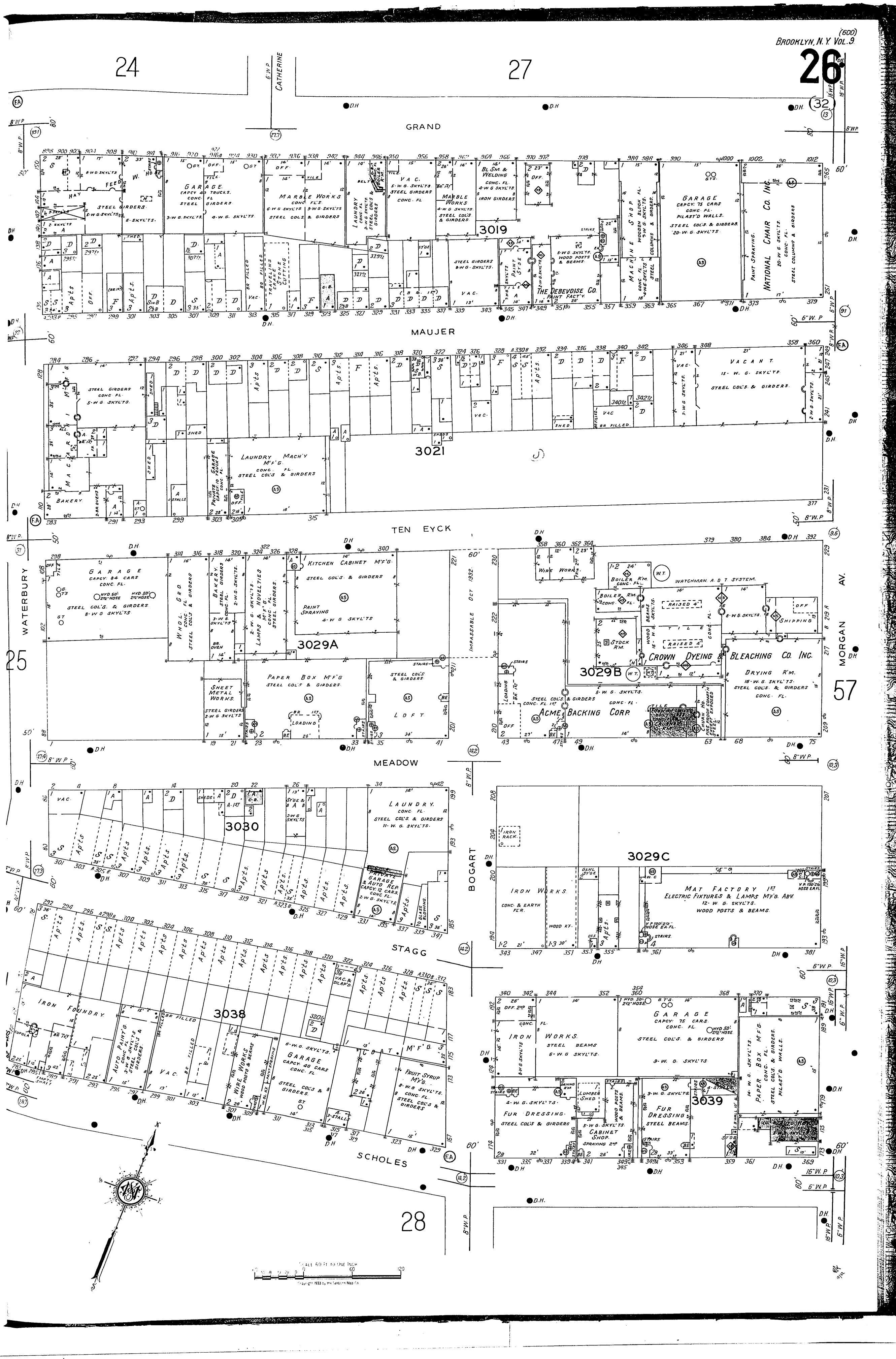

243
244
STEWART AVE.
STREET
AVENUE
MAUJER ST.
VARICK AVE.
TEN EYCK STREET
MEADOW STREET
247
246
242
Lumber
Lumber Shed
C.H. REYNOLDS & SONS COAL YARD
Coal Shed
Pockets
G. COVERT & SON LUMBER YARDS
Flour & Feed Hay
H.F. BURROUGHS & CO.
Lime, Lath & Brick
Shed
J.G. ROPPE'S COAL YARD
Coal Pocket
Trestle
Coal Piles
Approach
Draw
Canal
LONG ISLAND ICE CO. DOCK
Platform
W.T. KLOTS & BRO LIME YARD
METROPOLITAN
GRAND
581
Lumber Yard
Coal Shed
JOHN GROPPE COAL YARD
No Numbers
Scale 60 Ft. to One Inch.


249
PORTER AV.
JOHNSON
AVE
250
RANDOLPH ST.
247
AVENUE
Proposed line
1610'
MONTROSE
MESEROLE
SCHOLES
VARICK
247
STAGG
243
MEADOW
243
Proposed line of Canal
Canal
Private Basin
C. H. REYNOLDS & SONS
Coal Pockets
COAL YARDS
H. F. BURROUGHS & CO.
242
Scale 60 Ft. to One Inch


246
249
248
245
242
AVENUE
KNICKERBOCKER AVE.
STREET
Old Flandolph Street numbers
Private Basin
C.H. REYNOLDS & SONS
Coal Pockets
Open Shed
COAL YARDS
Open Shed being built
About 30' to eaves
About 30' to ridge
L. WATERBURY'S Paper Bag Fac.
Automat. Sprinklers
See Sheet 242 for bal. of Waterbury's Wks
Scale 60 Ft. to One Inch.


BROOKLYN, VOL. 18
32
62
64
CATHERINE ST.
GRAND ST.
MAUJER ST.
TEN EYCK ST.
MEADOW ST.
STAGG ST.
SCHOLES ST.
BOGART ST.
MORGAN AVE.
WATERBURY
3019
BROOKFIELD GLASS WORKS
3021
LEVY BROS FEED, HAY & EXCELSIOR
3029
STANDARD CORDAGE CO.
WARREN M'F'G CO. PAPER FACTY
CONSOLIDATED BAG CO.
WILLIAMSBURG SASH & BLIND CO.
AMERICAN PARLOR FRAME CO.
UNIVERSAL IRON FOUNDRY
3038
3039
31
59
33
Scale 60 Ft. to One Inch.


Brooklyn Vol. IX.
59
77
GRAND ST.
8"W.Pipe
6"W.Pipe
Draw Bridge.
FUNK BROS OIL WORKS.
Oil Tanks
Barrel Shed
Platform
AMERICAN ICE CO.
Bl'Sm. Shop.
Re Cooperage.
Barrel Storage.
Carriage Ho.
Wagon Shed
Junk.
Office
Lumber Shed
Wheel Wright
Fish Smoking
Carriage Shed.
BROOKLYN UNION COAL CO.
2942
COAL POCKET
Hoppers
Trestle
Platform.
MAUSER ST.
TAR SHED
ROPE TARRING.
STANDARD CORDAGE WORKS.
Rope Machines
Winding
Rope Storage
TEN EYCK ST.
Not Opened.
Private.
32
WARREN MFG CO.
Bagging and Old Rope Storage.
Lime & Cement Shed.
Office
EMPIRE BRICK & SUPPLY CO.
2949
Not Opened.
AMERICAN BUILDING SUPPLY CO.
Lime and Cement Shed
FRIES COAL CO.
Coal Pocket
Coal Trestle.
EASTERN BERMUDEZ ASPHALT CO.
Corr. Iron on Frame.
OTTO E. REIMER CO.
Brick & Lime Shed.
2961
Cord Wood in Piles.
STAGG ST.
SCHOLES ST.
MORGAN AVE.
Not Opened.
2950
79
MEADOW ST.
Not Opened
INTERSTATE PAVING CO'S ASPHALT PLANT
Cement Shed
2956
Office.
Oil Storage.
Wagon Shed
Tool Ho.
STAGG ST. Not Opened.
Roller Shed.
Stone
Bin
Sand Pile.
Coal Bin.
Oil Tanks
Cement Shed
2962
BARBER ASPHALT PAVING. CO.
SCHOLES ST. Not Opened.
Scale 60 Ft. to One Inch.
60
N
S
E
W


24
27
CATHERINE
GRAND
MAUJER
TEN EYCK
MEADOW
STAGG
SCHOLES
WATERBURY
BOGART
MORGAN AV.
25
57
28
3019
3021
3029A
3029B
3029C
3030
3038
3039
GARAGE
MARBLE WORKS
LAUNDRY
THE DEBEVOISE CO. PAINT FACT'Y.
NATIONAL CHAIR CO. INC.
LAUNDRY MACH'Y M'F'G.
BAKERY
KITCHEN CABINET M'F'G.
PAINT SPRAYING
PAPER BOX M'F'G
SHEET METAL WORKS
LOFT
WIRE WORKS
CROWN DYEING & BLEACHING CO. INC.
ACME BACKING CORP.
DRYING R'M.
IRON WORKS
MAT FACTORY 1ST ELECTRIC FIXTURES & LAMPS M'F'G. ABV.
PRIVATE GARAGE & AUTO REP.
IRON FOUNDRY
AUTO PAINT'G
GARAGE CAPCY. 40 CARS
FRUIT SYRUP M'F'G.
FUR DRESSING
CABINET SHOP
PAPER BOX M'F'G.
IMPASSABLE OCT 1932
SCALE 50 FT. TO ONE INCH
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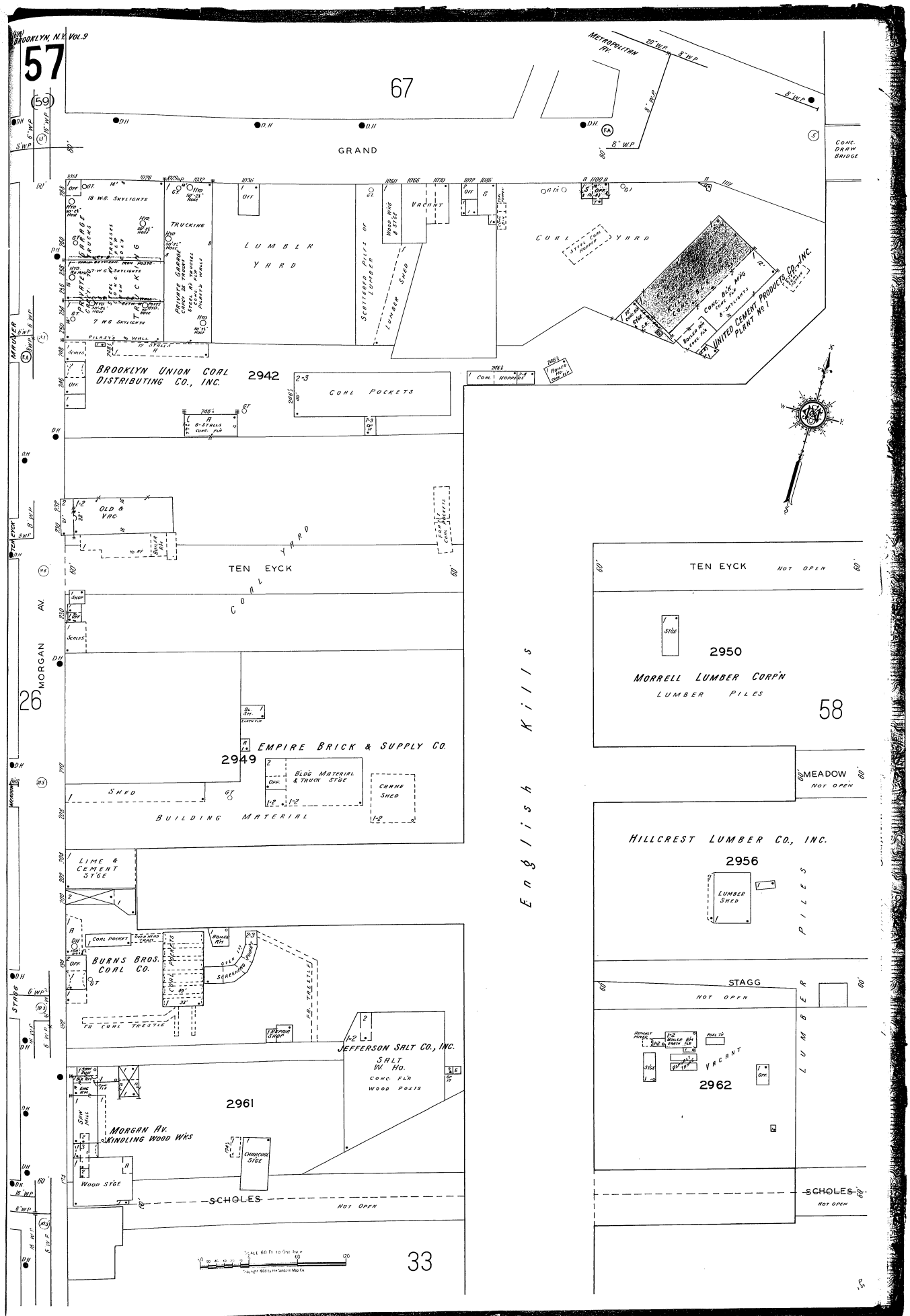
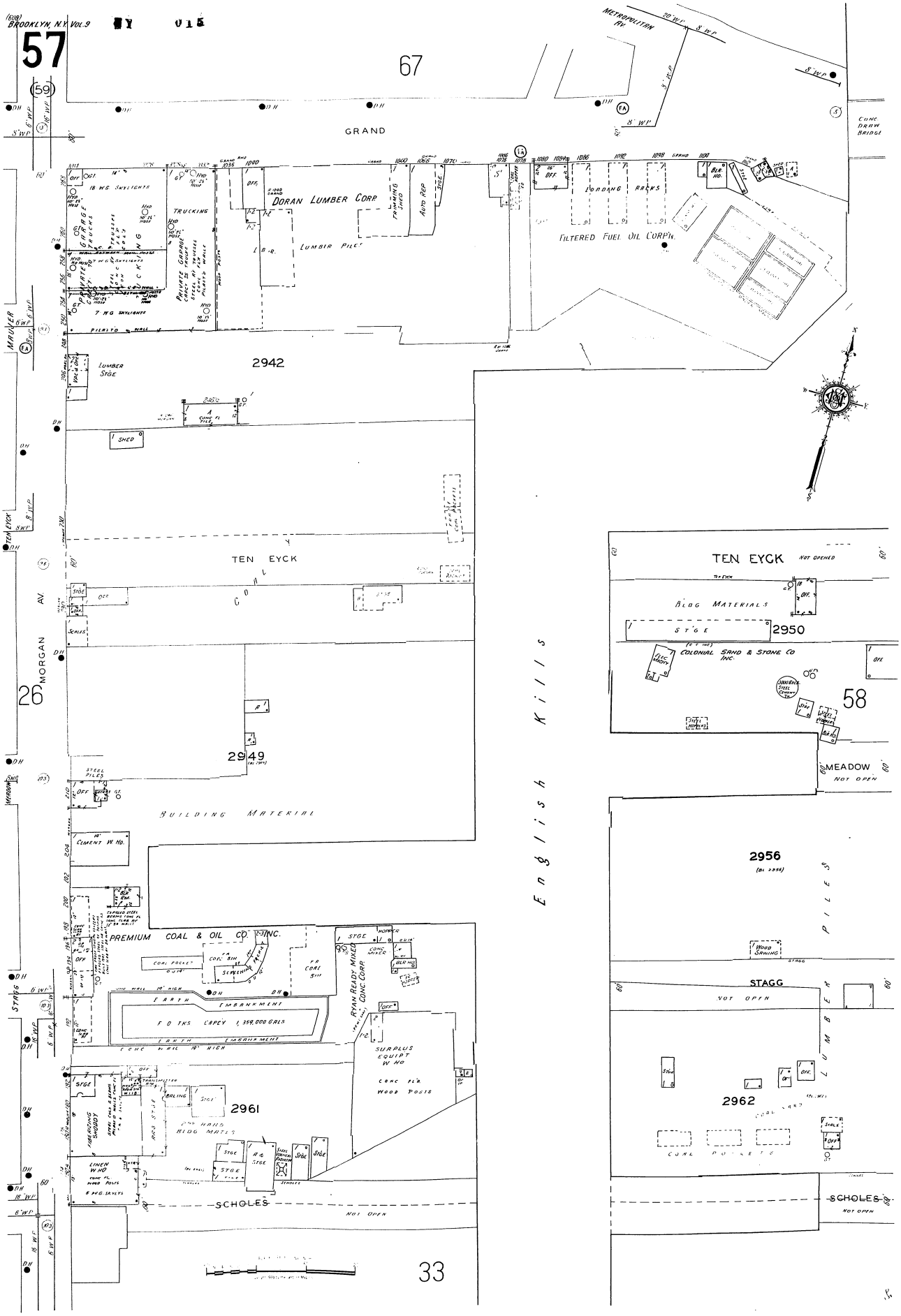
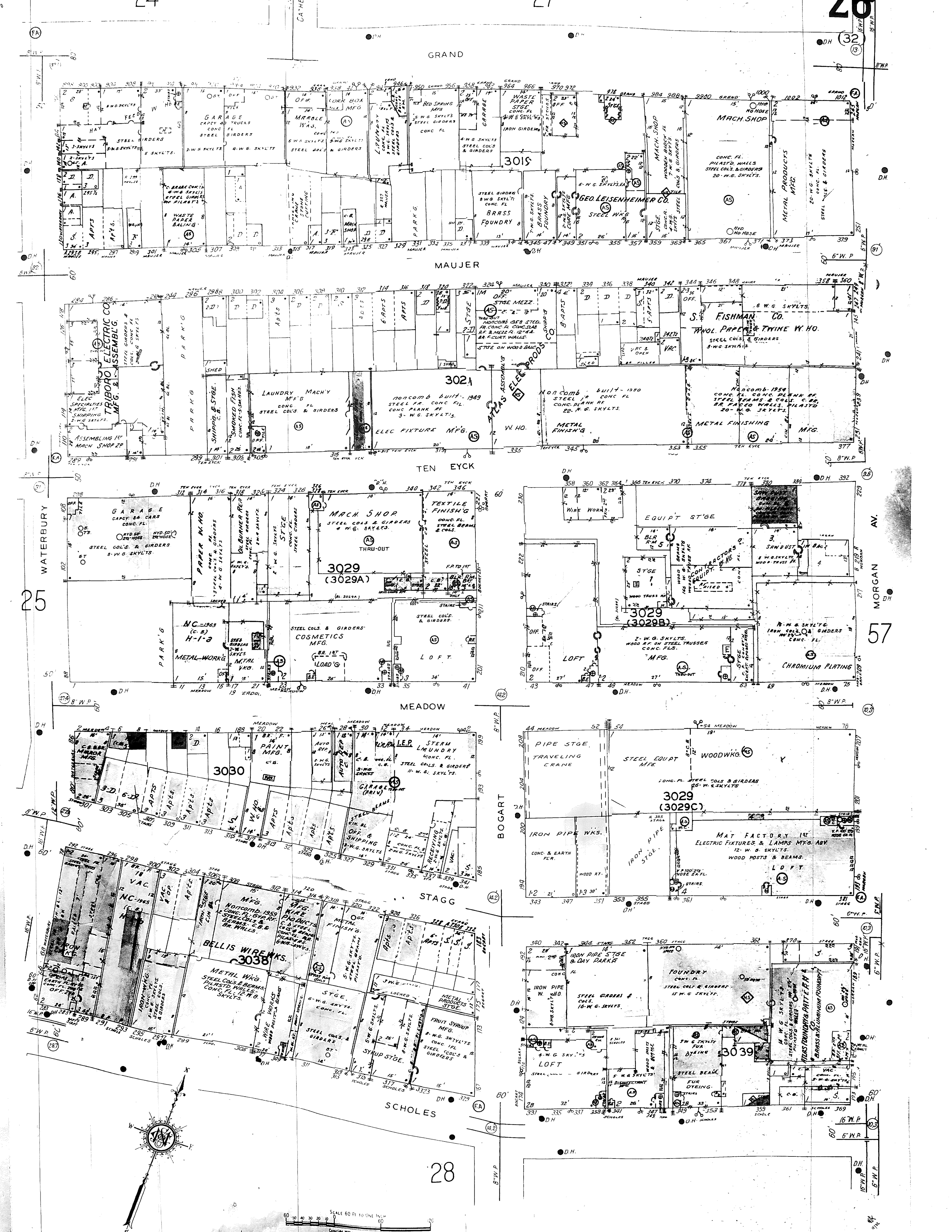
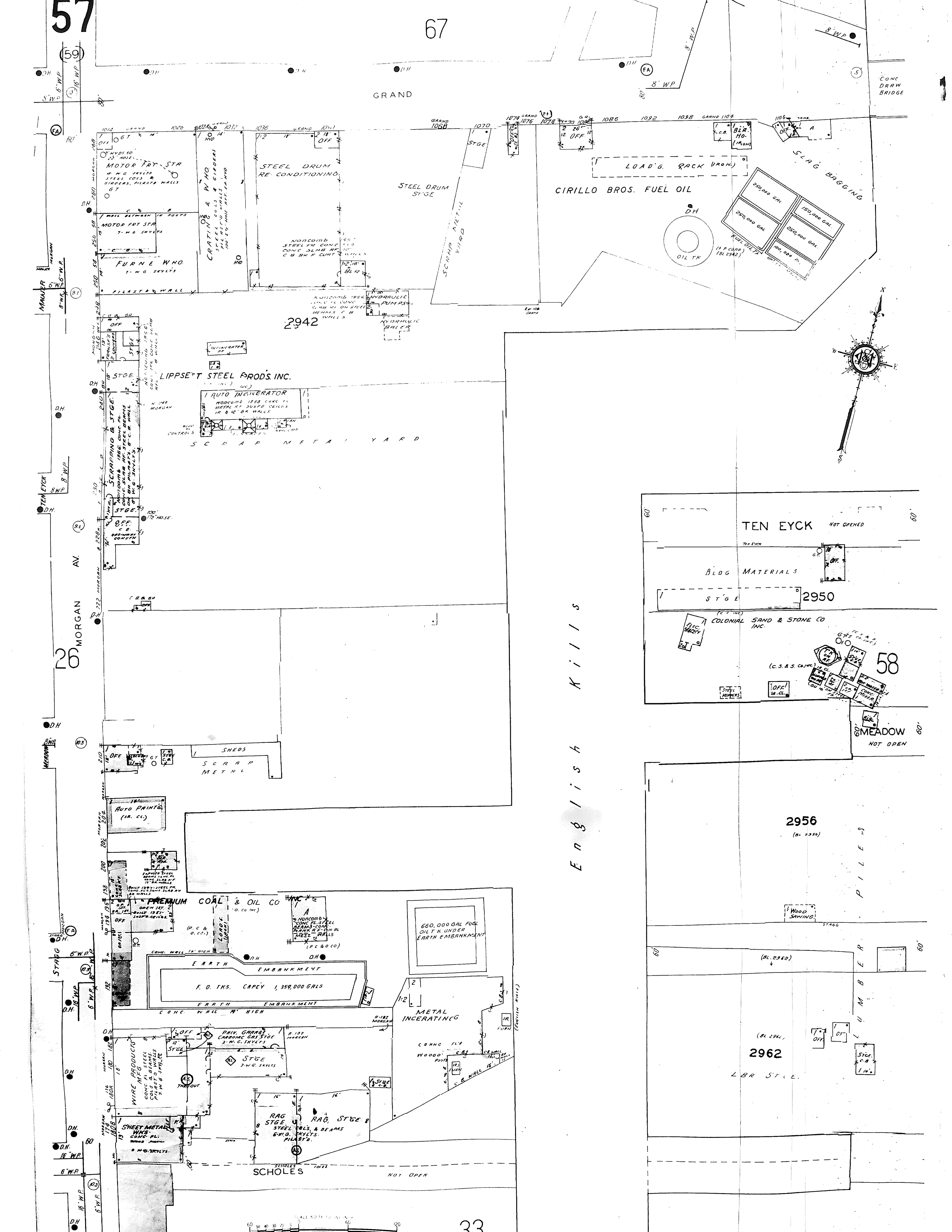
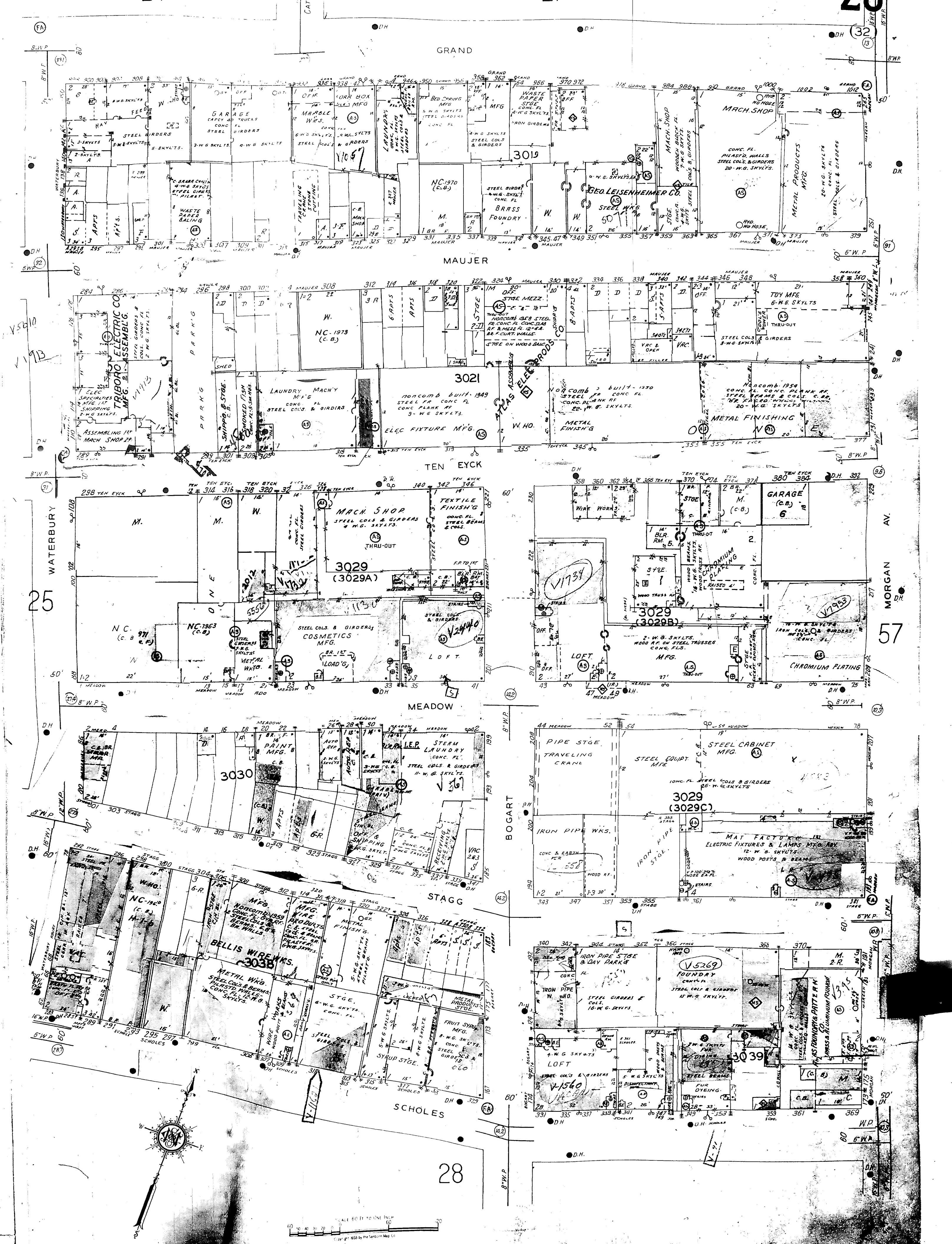

BROOKLYN, N.Y. VOL. 9
57
59
67
GRAND
METROPOLITAN PK.
20' W.P.
8' W.P.
CONC. DRAW BRIDGE
18 WG. SKYLIGHTS
TRUCKING
LUMBER YARD
SCATTERED PILES OF LUMBER
LUMBER SHED
VACANT
COAL YARD
UNITED CEMENT PRODUCTS CO., INC. PLANT NO. 1
BROOKLYN UNION COAL DISTRIBUTING CO., INC.
2942
COAL POCKETS
OLD & VAC.
TEN EYCK
COAL YARD
MORGAN AV.
26
EMPIRE BRICK & SUPPLY CO.
2949
BLDG. MATERIAL & TRUCK STGE
SHED
BUILDING MATERIAL
CRANE SHED
LIME & CEMENT STGE
BURNS BROS. COAL CO.
COAL POCKET
SCREENING POCKET
FR. COAL TRESTLE
JEFFERSON SALT CO., INC.
SALT W. HO.
CONC. FL'R
WOOD POSTS
2961
MORGAN AV. KINDLING WOOD WKS
WOOD STGE
CHIMCOAL STGE
SCHOLES
NOT OPEN
33
English Kills
TEN EYCK
NOT OPEN
2950
MORRELL LUMBER CORP'N
LUMBER PILES
58
MEADOW
NOT OPEN
HILLCREST LUMBER CO., INC.
2956
LUMBER SHED
PILES
STAGG
NOT OPEN
LUMBER
VACANT
2962
SCHOLES
NOT OPEN
SCALE 60 Ft. TO ONE INCH
Copyright 1933 by Sanborn Map Co.

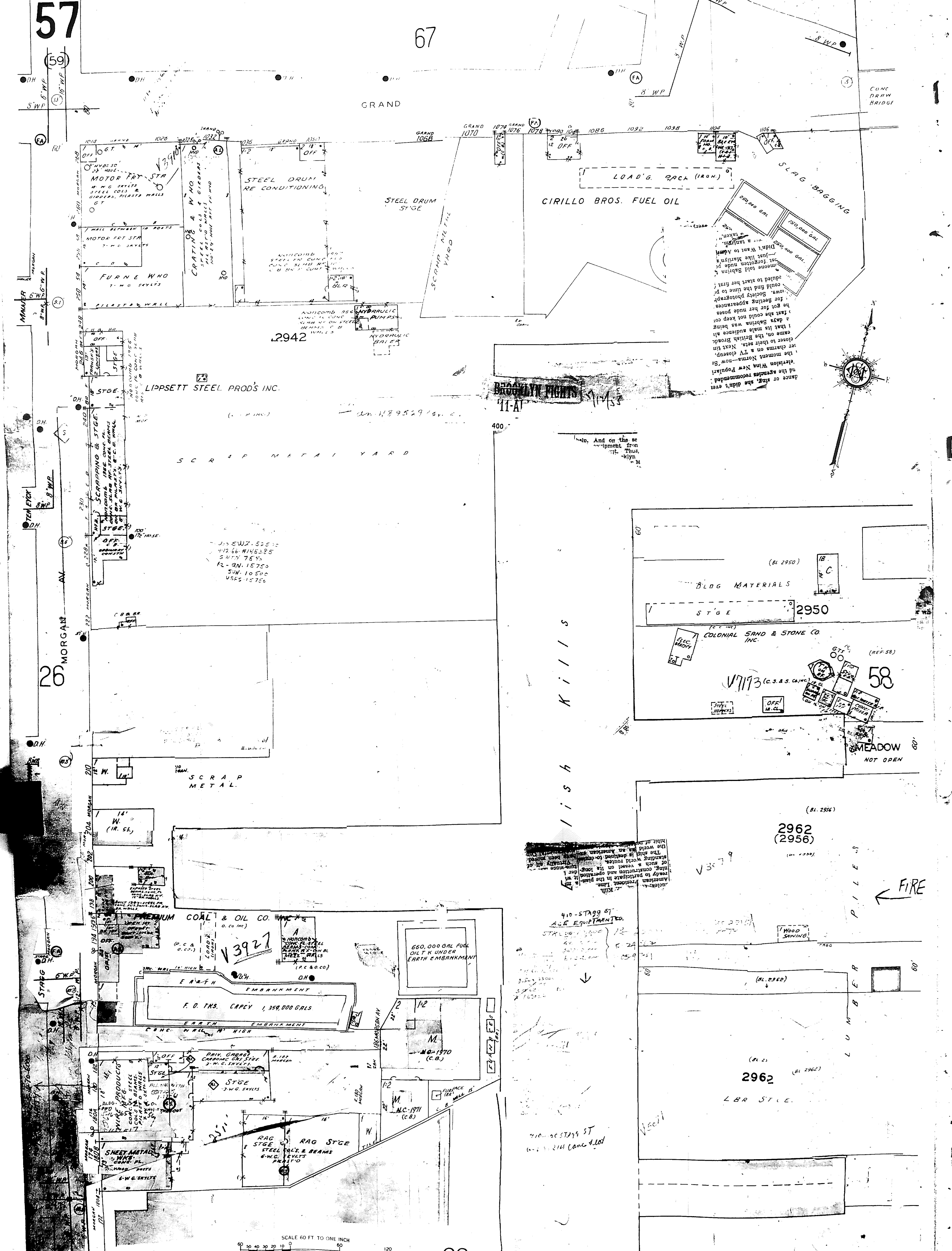

(610) BROOKLYN, N.Y. VOL. 9
57
59
67
GRAND
METROPOLITAN AV.
CONC DRAW BRIDGE
DORAN LUMBER CORP
LUMBER PILE
FILTERED FUEL OIL CORP'N.
LONDANG RANKS
2942
LUMBER STGE
1 SHED
TEN EYCK
MORGAN AV.
26
2949
BUILDING MATERIAL
PREMIUM COAL & OIL CO. INC.
EARTH EMBANKMENT
F O TKS CAPCY 1,359,000 GALS
RYAN READY MIXED CONC CORP.
SURPLUS EQUIPT W HO
CONC PL'D WOOD POSTS
2961
SCHOLES
Not Open
33
English Kills
TEN EYCK Not Opened
BLDG MATERIALS
STGE
2950
COLONIAL SAND & STONE CO INC.
58
MEADOW
NOT OPEN
2956
(BL 2956)
PILES
WOOD SAWING
STAGG
NOT OPEN
LUMBER
2962
COAL PULLETS
SCHOLES
NOT OPEN

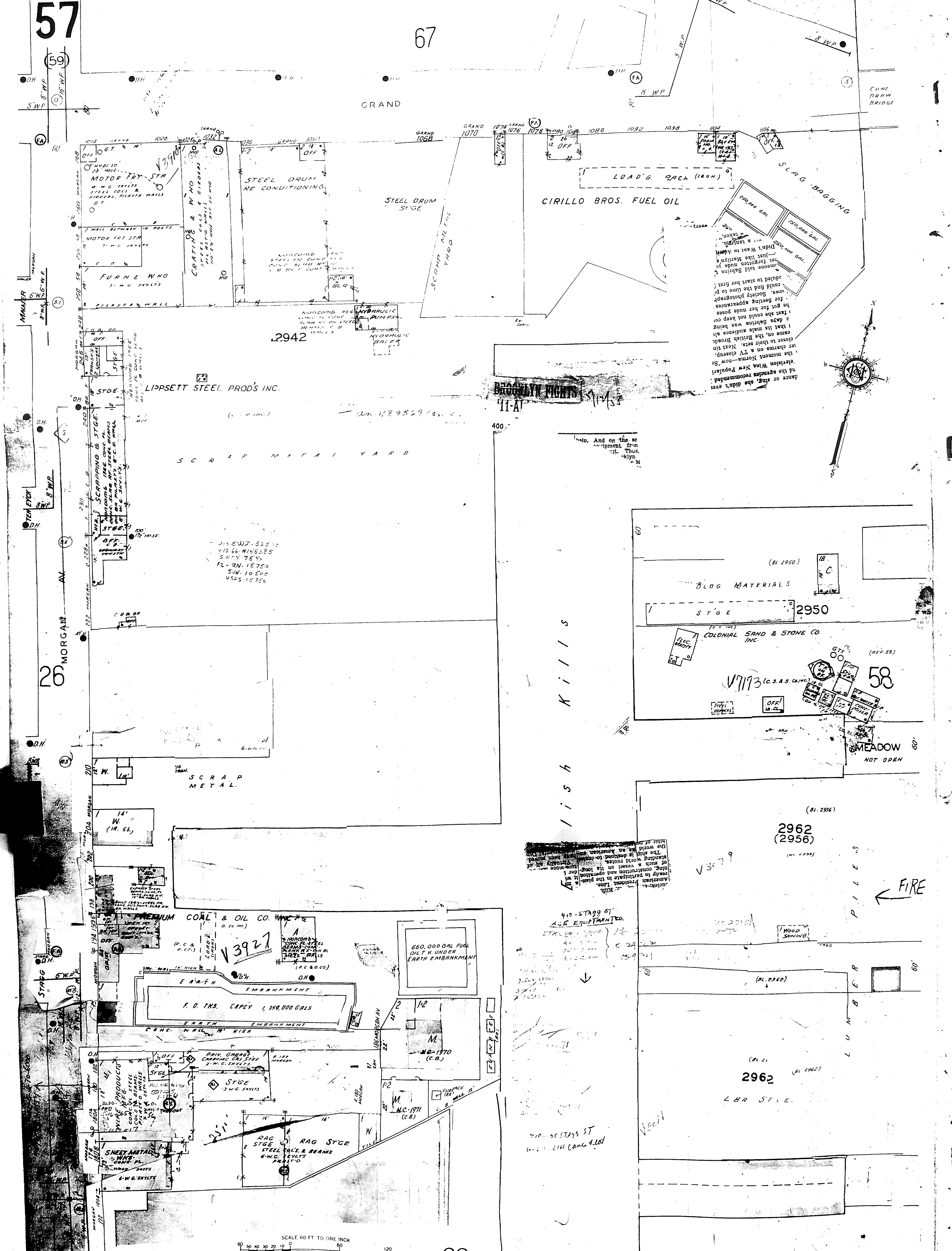


26
GRAND
MAUJER
TEN EYCK
MEADOW
STAGG
SCHOLES
WATERBURY
BOGART
MORGAN AV.
MACH. SHOP
METAL PRODUCTS MFG.
GEO. LEISENHEIMER CO.
BRASS FOUNDRY
GARAGE
MARBLE WKS.
CORK BOX MFG
BED SPRING MFG.
WASTE PAPER STGE
3015
TRIBORO ELECTRIC CO. MFG. & ASSEMBL'G.
S. FISHMAN CO.
WHOL. PAPER & TWINE W. HO.
ATLAS ELEC PRODS CO.
LAUNDRY MACH'Y MFG
SMOKED FISH
ELEC FIXTURE MFG.
METAL FINISHING
3021
GARAGE
PAPER W. HO.
MACH. SHOP
TEXTILE FINISH'G
3029
(3029A)
COSMETICS MFG.
METAL WORK'G
LOFT
EQUIP'T ST'GE
CONTRACTORS EQUIPT. W. HO.
SAWDUST
(3029B)
CHROMIUM PLATING
3030
PAINT MFG.
STEAM LAUNDRY
MIRROR MFG.
APTS
GARAGE
PIPE STGE.
TRAVELING CRANE
STEEL EQUPT MFG.
WOODWK'G
(3029C)
IRON PIPE WKS.
IRON PIPE STGE.
MAT FACTORY
ELECTRIC FIXTURES & LAMPS MFG.
BELLIS WIRE WKS.
3038
METAL WKG.
METAL FINISH'G
FRUIT SYRUP MFG.
SYRUP STGE.
METAL PRODUCTS STGE.
IRON PIPE STGE & DAY PARK'G
FOUNDRY
FUR DYEING
3039
ATLAS FOUNDRY & PATTERN CO.
BRASS & ALUMINUM FOUNDRY
25
57
28
SCALE 60 FT. TO ONE INCH

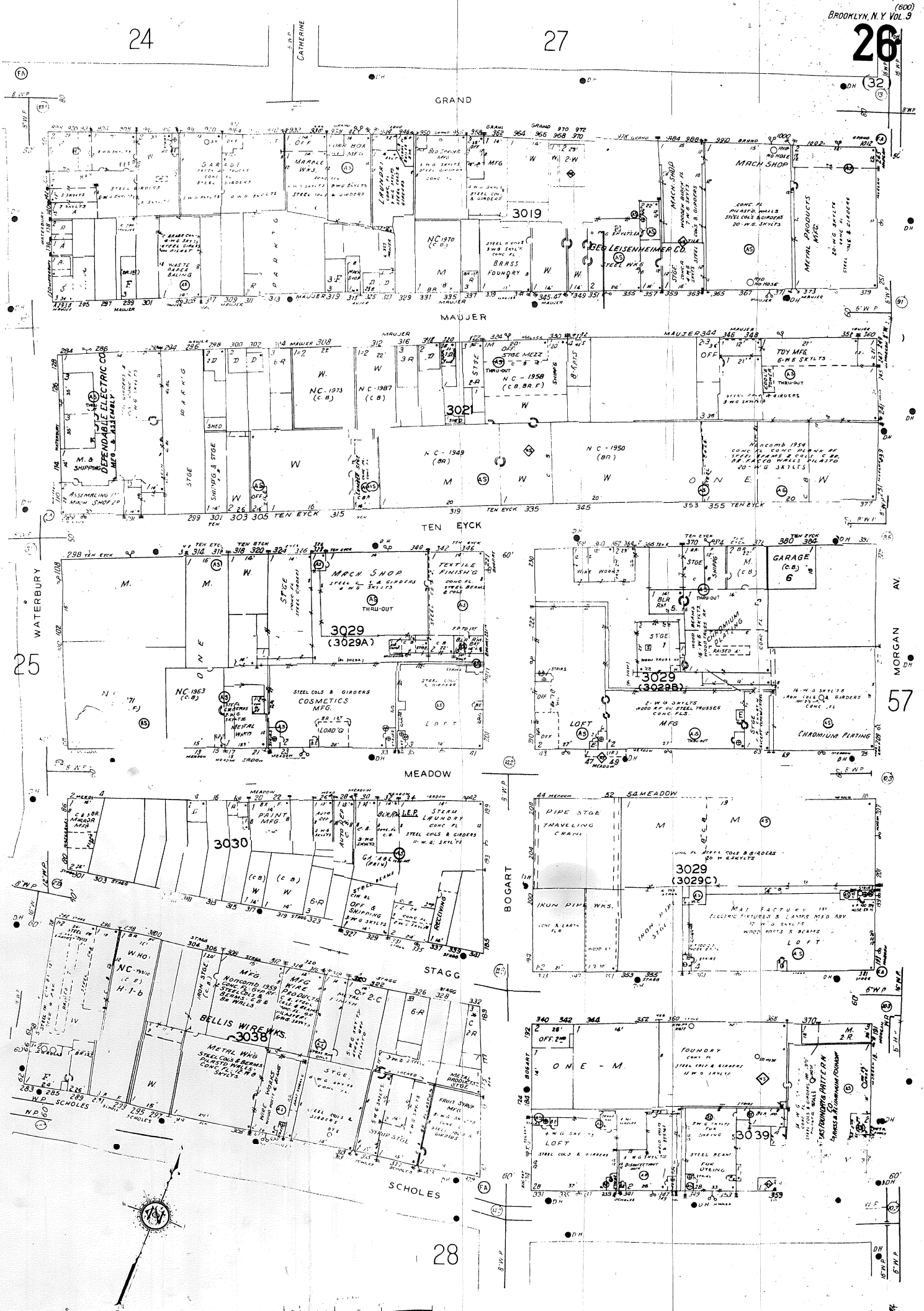

57
67
GRAND
CONC DRAW BRIDGE
MOTOR FRT STA
STEEL DRUM RE-CONDITIONING
STEEL DRUM STGE
CRATING & WHO
SCRAP METAL YARD
LOAD'G RACK (IRON)
CIRILLO BROS. FUEL OIL
SLAG BAGGING
250,000 GAL
150,000 GAL
100,000 GAL
OIL TK
FURNE WHO.
HYDRAULIC PUMPS
HYDRAULIC BALER
2942
LIPPSETT STEEL PRODS. INC.
AUTO INCINERATOR
SCRAP METAL YARD
SCRAPPING & STGE
MORGAN AV.
26
TEN EYCK
MAUJER
MEADOW
STAGG
ENGLISH KILLS
TEN EYCK NOT OPENED
BLDG MATERIALS
STGE
2950
COLONIAL SAND & STONE CO INC.
58
MEADOW NOT OPEN
2956
LUMBER PILES
WOOD SAWING
2962
LBR STGE
SHEDS
SCRAP METAL
AUTO PAINTG
PREMIUM COAL & OIL CO INC
660,000 GAL FUEL OIL TK UNDER EARTH EMBANKMENT
EARTH EMBANKMENT
F. O. TKS. CAPCY 1,359,000 GALS
CONC. WALL 19' HIGH
METAL INCERATING
PRIV. GARAGE CARBONIC GAS STGE
STGE
WIRE PRODUCTS MFG
SHEET METAL WKS
RAG STGE
RAG STGE
SCHOLES
NOT OPEN
33

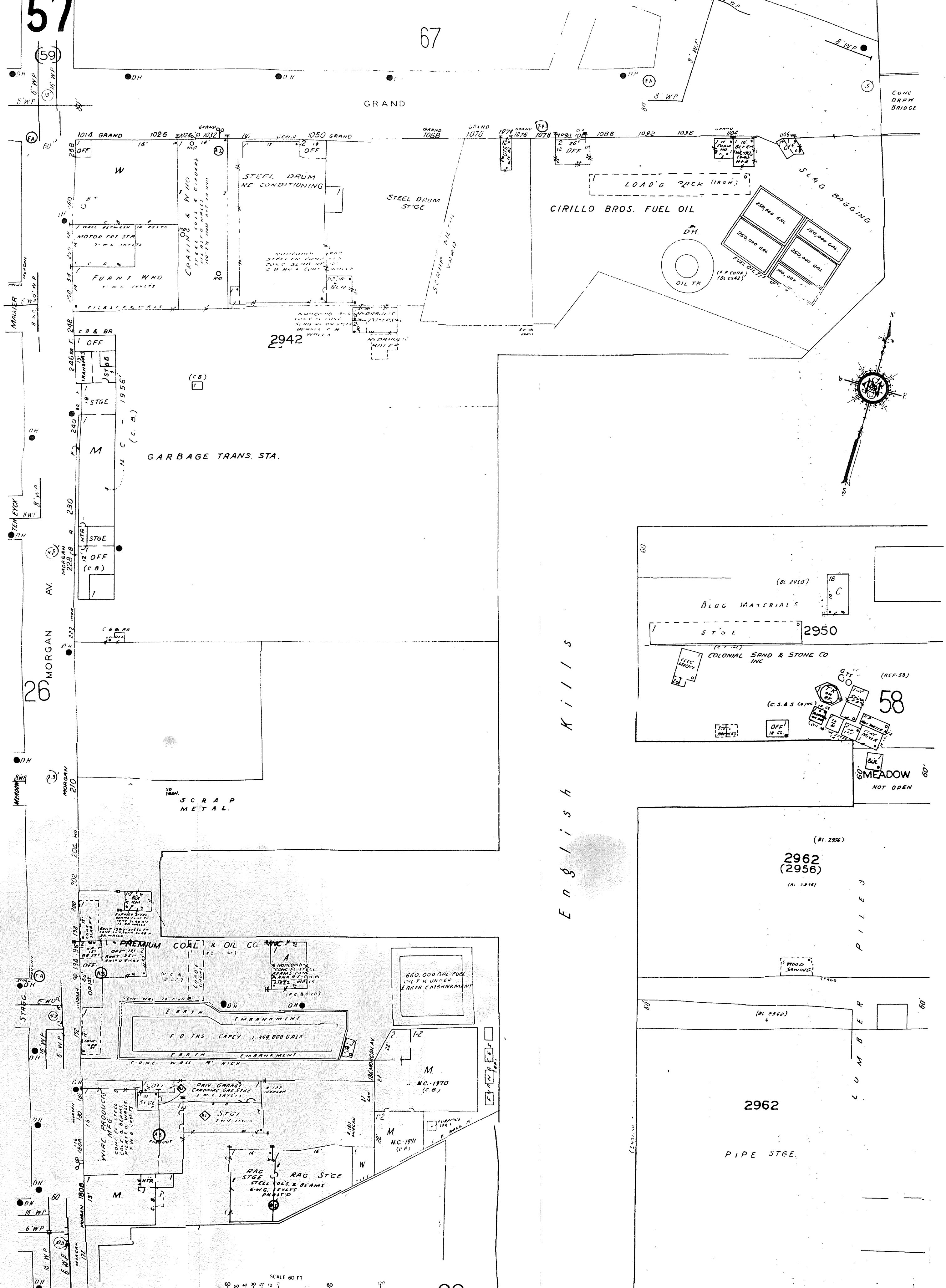

GRAND
MAUJER
TEN EYCK
MEADOW
STAGG
SCHOLES
WATERBURY
BOGART
MORGAN AV.
25
57
28
MACH. SHOP
METAL PRODUCTS MFG.
GEO. LEISENHEIMER CO. STEEL WKG
BRASS FOUNDRY
WASTE PAPER STGE
BED SPRING MFG
LAUNDRY
CORR BOX MFG
MARBLE WKS.
GARAGE
WASTE PAPER BALING
TRAVELING CRANE STONE CUTTING
3019
3021
TRIBORO ELECTRIC CO. MFG. & ASSEMBL'G.
ELEC SPECIALTIES MFG.
ASSEMBLING 1ST MACH SHOP 2D
SHIPP'G & STGE.
SMOKED FISH
LAUNDRY MACH'Y MF'G
ELEC FIXTURE MF'G.
ATLAS ELEC PRODS CO.
METAL FINISH'G
METAL FINISHING
TOY MFG.
3029 (3029A)
MACH. SHOP
TEXTILE FINISH'G
COSMETICS MFG.
LOFT
3029 (3029B)
WIRE WORKS
GARAGE
CHROMIUM PLATING
3030
PAINT MFG.
STEAM LAUNDRY
AUTO REP.
PIPE STGE. TRAVELING CRANE
STEEL EQUIPT MFG.
STEEL CABINET MFG.
3029 (3029C)
IRON PIPE WKS.
IRON PIPE STGE.
MAT FACTORY
ELECTRIC FIXTURES & LAMPS MFG. ASY
BELLIS WIRE WKS.
3038
METAL WKG.
MFG. WIRE PRODUCTS
METAL FINISH'G.
WIRE WORKS
STGE.
SYRUP STGE.
FRUIT SYRUP MFG.
METAL PRODUCTS STGE.
IRON PIPE STGE & DAY PARK'G
IRON PIPE W. HO.
FOUNDRY
LOFT
FUR DYEING
3039
FOUNDRY & PATTERN CO. BRASS & ALUMINUM FOUNDRY
SCALE 60 FT. TO ONE INCH
Copyright 1933 by the Sanborn Map Co.


67
GRAND
STEEL DRUM RE CONDITIONING
STEEL DRUM ST'GE
SCRAP METAL YARD
CIRILLO BROS. FUEL OIL
LOAD'G. RACK (IRON)
SLAG BAGGING
CONC DRAW BRIDGE
MOTOR FRT STA
FURNE WHO
CRATING & WHO
HYDRAULIC PUMPS
HYDRAULIC BALER
2942
LIPPSETT STEEL PROD'S INC.
S C R A P M E T A L Y A R D
SCRAPPING & ST'GE
MORGAN AV.
MASPETH
TEN EYCK
STAGG
26
S C R A P METAL
BROOKLYN FIGHTS
BLDG MATERIALS
ST'GE
2950
COLONIAL SAND & STONE CO. INC.
58
MEADOW NOT OPEN
2962 (2956)
FIRE
LUMBER PILES
WOOD SAWING
2962
LBR ST'GE
PREMIUM COAL & OIL CO. INC.
V3927
660,000 GAL FUEL OIL T'K UNDER EARTH EMBANKMENT
EARTH EMBANKMENT
F. O. TKS. CAPCY 1,359,000 GALS
PRIV. GARAGE
ST'GE
WIRE PROD'S MF'G.
SHEET METAL WKS.
RAG ST'GE
STEEL COL'S & BEAMS
SCALE 60 FT. TO ONE INCH



(59)
67
GRAND
MORGAN AV
MASPETH
TEN EYCK
STAGG
MOTOR FRT STA
STEEL DRUM RE CONDITIONING
STEEL DRUM ST'GE
SCRAP METAL YARD
CIRILLO BROS. FUEL OIL
LOAD'G. RACK (IRON)
SLAG BAGGING
CONC DRAW BRIDGE
FURNE WHO
HYDRAULIC PUMPS
HYDRAULIC BALER
2942
LIPPSETT STEEL PROD'S INC.
S C R A P   M E T A L   Y A R D
SCRAPPING & ST'GE
BROOKLYN FIGHTS
'11-A'
English Kills
26
SCRAP METAL
BLDG MATERIALS
ST'GE
2950
COLONIAL SAND & STONE CO. INC.
58
MEADOW
NOT OPEN
2962
(2956)
FIRE
LUMBER PILES
PREMIUM COAL & OIL CO. INC.
V3927
660,000 GAL FUEL OIL T'K UNDER EARTH EMBANKMENT
EARTH EMBANKMENT
F. O. TKS. CAP'CY 1,359,000 GALS
PRIV. GARAGE
ST'GE
WIRE PRODUCTS MFG.
RAG ST'GE
SHEET METAL WKS.
LBR ST'GE
WOOD SAWING
410-STAGG ST
SCALE 60 FT. TO ONE INCH


24
27
28
25
CATHERINE
GRAND
MAUJER
TEN EYCK
MEADOW
STAGG
SCHOLES
BOGART
WATERBURY
MORGAN AV.
3019
3021
3029
(3029A)
3029
(3029B)
3029
(3029C)
3030
3038
3039
DEPENDABLE ELECTRIC CO
MFG & ASSEMBLY
MACH SHOP
GEO. LEISENHEIMER CO.
METAL PRODUCTS MFG.
BRASS FOUNDRY
TOY MFG.
COSMETICS MFG.
CHROMIUM PLATING
PAINT MFG.
STEAM LAUNDRY
IRON PIPE WKS.
BELLIS WIRE WKS.
FOUNDRY
GARAGE
LOFT
MFG


(59)
67
GRAND
METROPOLITAN AV.
CONC DRAW BRIDGE
1014 GRAND
1026
1050 GRAND
1068
1070
1076
1078
1086
1092
1098
1104
1106
STEEL DRUM RE CONDITIONING
STEEL DRUM STGE
SCRAP METAL YARD
CIRILLO BROS. FUEL OIL
LOAD'G RACK (IRON)
SLAG BAGGING
250,000 GAL
150,000 GAL
OIL TK
FURN WHO
MOTOR FRT STA
CRATING & W HO
2942
GARBAGE TRANS. STA.
MAUJER
TEN EYCK
MORGAN AV.
26
SCRAP METAL
English Kills
BLDG MATERIALS
STGE
2950
COLONIAL SAND & STONE CO INC
58
MEADOW
NOT OPEN
2962
(2956)
LUMBER PILES
WOOD SAWING
2962
PIPE STGE
PREMIUM COAL & OIL CO. INC
660,000 GAL FUEL OIL TK UNDER EARTH EMBANKMENT
EARTH EMBANKMENT
F.O. TKS CAPCY 1,359,000 GALS
CONC WALL 10' HIGH
M
N.C.-1970 (C.B)
N.C.-1971 (C.B)
STGE
WIRE PRODUCTS MFG
RAG STGE
STEEL COL'S & BEAMS
STAGG
SCALE 60 FT

APPENDIX E
AERIAL PHOTOGRAPHS

AERIAL PHOTO 1955

AERIAL PHOTO 1966

AERIAL PHOTO 1978

AERIAL PHOTO 1984

AERIAL PHOTO 1996

APPENDIX F
TOXICS TARGETING, INC. DATABASE SEARCH

APPENDIX G

FOIL REQUEST LETTERS

Gannett Fleming

GANNETT FLEMING ENGINEERS, PC
480 Forest Avenue
P.O. Box 707
Locust Valley, NY 11560-0707
Office: (516) 671-8440
Toll Free: (800) 249-3337
Fax: (516) 671-3349
www.gannettfleming.com

December 22, 2006

New York City Department of Buildings
210 Joralemon Street
8th Floor
Brooklyn, NY 11201

Re: Freedom of Information Request

Dear Madam or Sir:

Gannett Fleming requests copies of environmental files, records, and memoranda concerning the following property:

218 Morgan Avenue
Brooklyn, New York

This information should include: 1) Certificate of Occupancy records; 2) building permit records; 3) county tax records and maps; 4) deed and lease records; 5) past and present underground storage tank registration(s); 6) reported spills or releases of hazardous substances; 7) generation, storage, treatment, or disposal of hazardous substances; 8) past and present groundwater, surface water, and soil investigations; and 9) environmental permits/violations.

We will gladly pay copying costs.

Please let us know if you can accommodate this request in an expedient manner. We would like to schedule an appointment to copy the files/records if this is not possible.

Please call if you have any questions.

Very truly yours,

GANNETT FLEMING ENGINEERS, P.C.

JESSICA FERNGREN
Geologist

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Gannett Fleming

GANNETT FLEMING ENGINEERS, PC
480 Forest Avenue
P.O. Box 707
Locust Valley, NY 11560-0707
Office: (516) 671-8440
Toll Free: (800) 249-3337
Fax: (516) 671-3349
www.gannettfleming.com

December 22, 2006

Mr. Fawzy Abdelsadek
Regional Records Access Officer
New York State Department of
Environmental Conservation
Region II
47-40 21st Street
Long Island City, New York 10035

Re: Freedom of Information Request

Dear Mr. Hewitt:

Gannett Fleming requests copies of environmental files, records, and memoranda concerning:

218 Morgan Avenue
Brooklyn, New York

This information should include: 1) past and present underground storage tank registration(s); 2) reported spills or releases of hazardous substances; 3) generation, storage, treatment, or disposal of hazardous substances; 4) past and present groundwater, surface water, and soil investigations; and 5) environmental permits/violations.

We will gladly pay copying costs.

Please let us know if you can accommodate this request in an expedient manner. We would like to schedule an appointment to copy the files/records if this is not possible.

Please call if you have any questions.

Very truly yours,

GANNETT FLEMING ENGINEERS, P.C.

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December 22, 2006

Ms. Patricia Caruso
New York City Department of Health
125 Worth Street
New York, New York 10013

Re: Freedom of Information Request

Dear Ms Caruso:

Gannett Fleming requests copies of environmental files, records, and memoranda concerning:

218 Morgan Avenue
Brooklyn, New York

This information should include: 1) past and present underground storage tank registration(s); 2) reported spills or releases of hazardous substances; 3) generation, storage, treatment, or disposal of hazardous substances; 4) past and present groundwater, surface water, and soil investigations; and 5) environmental permits/violations.

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Please call if you have any questions.

Very truly yours,

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December 22, 2006

Ms. Wanda Vasquez
Freedom of Information Officer
United States Environmental
Protection Agency, Region II
290 Broadway, #1539
New York, New York 10007-1823

Re: Freedom of Information Request

Dear Ms. Vasquez:

Gannett Fleming requests copies of environmental files, records, and memoranda concerning the following property:

218 Morgan Avenue
Brooklyn, New York

This information should include: 1) past and present underground storage tank registration(s); 2) reported spills or releases of hazardous substances; 3) generation, storage, treatment, or disposal of hazardous substances; 4) past and present groundwater, surface water, and soil investigations; and 5) environmental permits/violations.

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Please call if you have any questions.

Very truly yours,

GANNETT FLEMING ENGINEERS, P.C.

JESSICA FERNGREN
Geologist

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