

MIDDLETON ENVIRONMENTAL, INC.
Environmental Consultants and Engineers

PHASE I ENVIRONMENTAL SITE ASSESSMENT REPORT

Property located at 80 Richards Street

In Brooklyn, New York



Prepared for the Independence Community Bank

October 2, 2003

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A. EXECUTIVE SUMMARY:

The subject site is located at 80 Richards Street in Brooklyn, New York. The site is 1.84 acres in size and there are two (2) industrial buildings on the site. The main building is approximately 146,650 square feet in size and has six floors and a basement. The building is utilized as a furniture storage facility and is primarily vacant. There is also a 5,800 square foot building on the site that has two floors and a basement. The smaller building is presently vacant.

It was determined from the physical site inspection, records review and interviews that there were no recognized environmental conditions with regard to the subject site. Recognized environmental conditions are those conditions that could adversely affect the environmental integrity of the property.

The site inspection did not indicate the presence of any oil fill ports or fuel vents for any underground storage tanks on the subject site. A review of the New York City Fire Department (NYCFD), storage tank files and the New York State Department of Environmental Conservation (NYSDEC), Petroleum Bulk Storage Tank database did not indicate the presence of any registered underground storage tanks on the site. A review of available Sanborn Fire Insurance Maps did not indicate the presence of any buried tanks on the site.

The large building is heated by oil that is stored in a 5,000 gallon above ground storage tank. This tank did not show any signs of staining or leakage. This tank is properly registered with the NYCFD. However, this tank is not presently registered with the NYSDEC and it is recommended that this tank be properly registered as soon as possible.

The boiler in the basement of the large building was not insulated by friable Presumed Asbestos Containing Material (PACM). However, the overhead pipes in the basement were insulated by PACM. This majority of this material has been encapsulated and was in good condition. Removal of this material is not recommended (it should be noted that there was previously PACM on the overhead pipes on the upper floors that has been removed). There were no signs of PACM observed in the smaller building.

There were two (2) floor drains observed in the basement of the building that did not show any signs of chemical staining. It was reported that these drains led to the municipal sewer system and not to an on-site cesspool or drywell. There were no floor drains observed in the smaller building.

There were no 55 gallon drums or any above ground electrical transformers noticed inside the buildings. There was an out-of-service paint spray booth noticed on the 4th floor of the large building that was properly vented outside the building.

There were no outside above ground storage tanks or any outside above ground electrical transformers noticed on the site. There were six (6) unmarked 55 gallon drums noticed behind the smaller building that did not show any signs of leakage. It is recommended that these drums be removed from the subject site. There were no signs of stressed vegetation or soil contamination noticed on the site. There were several piles of miscellaneous debris noticed outside the large building. It is recommended that these piles be removed from the site.

It is the opinion of Middleton Environmental Incorporated that no further testing (subsurface or otherwise), is required on the subject site.

B. INTRODUCTION:

1. Purpose:

The general purpose of this Phase I Environmental Site Assessment is to determine whether or not the property is subject to certain recognized environmental conditions that may affect property use or increase the risk of liability exposure associated with the property. Recognized environmental conditions include the presence or possible presence of hazardous substances or petroleum related products that indicate an existing release, past release, or a significant threat of a release into structures on the property, into the ground, groundwater or surface water. Recognized environmental conditions can include past uses, disposal practices, spills, off-site contamination, and regulatory compliance.

The findings and conclusions of this report can be found in Sections F. Sections C, D, E describe the property, reviews records related to the property and contains information gathered during site reconnaissance and interviews. MEI Phase I Site Assessments are prepared by environmental professionals, supervised by Professional Engineers. Signatures and qualification statements can be found in Sections G and H of this report.

2. Limiting Conditions and Methodology Utilized:

The limiting conditions and methodology used in preparing this Phase I Environmental Site Assessment Report are those contained in ASTM Standard E1527-00. This practice does not address requirements of any state or local laws or any federal laws other than the appropriate inquiry provisions of CERCLA's "Innocent Landowner Defense". Users are cautioned that federal, state, and local laws may impose environmental assessment obligations that are beyond the scope of this practice. Users should also be aware that there are likely to be other legal obligations with regard to hazardous substances or petroleum products discovered on property that are not addressed in this practice and that may pose risks of civil and/or criminal sanctions for non-compliance.

The report is not, and should not be construed as, a guaranty, warranty, or certification of the presence or absence of any toxic substances, (which can be made only with testing), and contains no formal plans or recommendations to rectify or remediate the presence of any toxic substances, (which may be subject to regulatory approval). No environmental site assessment can wholly eliminate uncertainty regarding the potential for recognized environmental conditions in connection with a property. Performance of this practice under ASTM Standards is intended to reduce, but not eliminate, uncertainty regarding the potential for recognized environmental conditions in connection with a property.

Except for acts and omissions by Middleton Environmental Incorporated (MEI), or its employees which are shown to be grossly negligent and which represent intentional misconduct, the Independence Community Bank has agreed, to the maximum extent permitted by law, to hold harmless and indemnify MEI from and against any and all claims and liabilities arising in respect to the Environmental Site Assessment performed by MEI on behalf of the Independence Community Bank. All liability on the part of MEI shall be limited to the cost of this report. MEI shall have no liability for any other damages, whether consequential, compensatory, punitive, or special arising out of, incidental to, or as a result of this report. MEI assumes no liability for the use of this report by any person or entity other than the client for whom the report was prepared.

C. SITE INFORMATION:

1. Location and Legal Description:

The subject site is located at 80 Richards Street in Brooklyn, New York (Block 522 Lots 11, 15, 22 and 50). The site is 1.84 acres in size and is zoned for industrial usage.

2. Site and Vicinity Characteristics:

The property site and vicinity characteristics listed below were analyzed utilizing a current USGS 7.5 Minute Topographic Map. This information is useful in determining the grade and topography of the subject site. It was determined that the property is primarily flat and there were no slopes, depressions or rolling hills observed on the subject site. The site has been graded for commercial usage and slopes on the subject site range from 0 to 3 percent. The groundwater flow beneath the subject site is in a generally westerly direction as obtained from groundwater contour maps developed by the United States Geologic Survey (USGS Groundwater Flow and USGS Contour Map).

3. Information Reported by User Regarding Environmental Liens or Specialized Knowledge or Experience:

No information concerning any environmental liens that may be currently recorded against the property was reported to MEI. Moreover, no specialized knowledge or experience related to recognized environmental conditions at the property was reported to MEI prior to site examination.

4. Current Uses of the Property:

The current use of the property is industrial. The site is 1.84 acres in size and there are two (2) industrial buildings on the site. The main building is approximately 146,650 square feet in size and has six floors and a basement. The building is utilized as a furniture storage facility and is primarily vacant. There is also a 5,800 square foot building on the site that has two floors and a basement. The smaller building is presently vacant.

5. Historical Usage of the Property:

A review of the New York City Building Department property profile overview and the New York City Department of Assessment files indicated that the large building was constructed in 1916 while the smaller building was constructed prior to 1886. A review of available Sanborn Fire Insurance Maps and New York Telephone Address Directories indicated that the larger building was originally utilized as the Adiance Machine Works Company and by a voting machine company. The building was transferred (prior to 1940), for use by the EJ Trum Paper Box Company and was utilized as a box factory until 1986. The building has been utilized as a furniture storage and repair facility since that time. The smaller building was utilized in the past as an electrical machinery company, a rag storage facility, a pipe fitting facility and as a furniture showroom facility. The vacant areas on the site formerly contained several small two story buildings, all of which were demolished prior to 1980. The available Sanborn Fire Insurance Maps indicated that these buildings were utilized as machine shops, a roofing material supply company, a peanut oil company, an insecticide company, a rag company, and a paper box dry color storage facility for the former box company.

6. Current and Past Uses of the Surrounding Properties:

The past and current use of the adjoining properties is industrial, commercial, mixed and vacant. The property borders are as follows:

North - *The property is bordered to the north by a Delevan Street and several industrial buildings.*

South - *The property is bordered to the south by Verona Street and a church.*

East - *The property is bordered to the east by Richards Street and a vacant lot.*

West - *The property is bordered to the west by a bus storage facility and several mixed use buildings.*



BORDER TO THE NORTH



BORDER TO THE SOUTH



BORDER TO THE EAST



BORDER TO THE WEST

7. General Description of Structure;

A. Improvements;

The subject site is located at 80 Richards Street in Brooklyn, New York. The site is 1.84 acres in size and there are two (2) industrial buildings on the site. The main building is approximately 146,650 square feet in size and has six floors and a basement. The building is utilized as a furniture storage facility and is primarily vacant. There is also a 5,800 square foot building on the site that has two floors and a basement. The smaller building is presently vacant.

B. Heating and Cooling System;

The large building is heated by an oil fired heating system and there are radiator heating units in the loft areas. The smaller building is heated by natural gas and there are radiator heating units inside the building.

C. Roads;

The subject site is entered via Richards Street that is located to the east of the site.

D. Potable Water Supply;

The potable water supply comes from the municipal water supply system. There were no on-site drinking water supply wells noticed on the subject site.

E. Sewage Disposal;

The buildings are connected to the municipal sewer system.

D. RECORD REVIEW:

1. Standard Environmental Record Source, Federal and State:

In preparing this Phase I Environmental Site Assessment Report the following reasonably ascertainable standard environmental record sources were reviewed. Search radii are those that are suggested under ASTM 1527-00.

<i>Federal NPL Site List (Federal Superfund)</i>	-	<i>Within 1 mile</i>
<i>Federal RCRA-TSD List (Treatment, Storage or Disposal facilities)</i>	-	<i>Within 1 mile</i>
<i>Federal CERCLIS List</i>	-	<i>Within 1/2 mile</i>
<i>Federal RCRA Hazardous Waste Generators List</i>	-	<i>Site & Surrounding Sites</i>
<i>State List of Inactive Hazardous Waste Disposal Sites</i>	-	<i>Within 1 mile</i>
<i>State Leaking Underground Storage Tank (LUST) List</i>	-	<i>Within 1/2 mile</i>
<i>State Landfill Site List</i>	-	<i>Within 1/2 mile</i>
<i>Local Department of Health Records (if accessible for Underground Storage Tanks and Environmental Data)</i>	-	<i>Subject Site</i>
<i>Local Sources</i>	-	<i>Fire Department, Building Department, Water/Electric/Utility Company</i>

2. Summary of Environmental Records Review:

NPL:

The National Priorities List did not indicated the presence of any USEPA confirmed hazardous waste facilities within a mile radius of the subject site.

RCRA-TSD:

There were no USEPA RCRA-TSD (Treatment, Storage or Disposal) facilities within a mile radius of the subject site.

CERCLIS:

The USEPA CERCLIS (Comprehensive Environmental Responsibility Cleanup Liability Information Systems), database did not indicate the presence of any treatment, storage or disposal facilities within a half mile radius of the subject site.

RCRA HAZARDOUS WASTE GENERATORS LIST:

Neither the subject site nor any of the surrounding sites were identified as RCRA Hazardous Waste Generators.

STATE HAZARDOUS WASTE SITES:

There was one (1) New York State Department of Environmental Conservation Inactive Hazardous Waste Site within a mile radius of the subject site. The Carroll Gardens Site is located .63 of a mile southeast of the site at 5th and Smith Streets. This site would not have an apparent adverse impact on the site based upon the distance to the site and direction of groundwater flow.

STATE HAZARDOUS SUBSTANCE WASTE DISPOSAL SITE STUDY:

A review of the New York State Department of Environmental Conservation (NYSDEC) Hazardous Substance Waste Disposal Site Study did not indicate the presence of any known or suspected hazardous waste sites within a half mile radius of the subject site.

STATE LEAKING UNDERGROUND STORAGE TANK DATABASE (LUST)/SPILL LIST:

The New York State Department of Environmental Conservation (NYSDEC) Spill Information System Database was searched in order to ascertain whether any spill incidents or leaking underground storage tank (LUST), sites were reported within a half mile radius of the subject site. The search indicated that there were no reported incidents with regard to the subject site (property located at 80 Richards Street in Brooklyn, New York). The search indicated that there were thirty (30) LUST sites within a half mile radius of the subject site. The nearest site was located at 420 Columbia Street (.15 of a mile southeast of the site). Neither this site nor any of the other LUST sites would have an adverse impact on the subject site (see Environmental Data section in appendix information regarding the above referenced LUST sites).

STATE LANDFILL SITE LIST:

The New York State Department of Environmental Conservation (NYSDEC) Landfill List was examined in order to determine if there were any known or suspected landfill sites within the vicinity of the subject site. The search indicated that there were no known or suspected landfill sites within a half mile radius of the subject site.

NEW YORK CITY FIRE DEPARTMENT/NYSDEC PETROLEUM BULK STORAGE DATABASE (PBS):

A review of the New York City Fire Department files indicated the presence of a 5,000 gallon above ground storage tank on the site (for the large building), that did not show any signs of leakage or staining. This tank is presently registered with the NYCFD but not with the NYSDEC. It is recommended that this tank be registered as soon as possible. There were no registered underground storage tanks on the site.

E. INFORMATION FROM SITE RECONNAISSANCE AND INTERVIEWS:

The purpose of site reconnaissance is to identify any recognized environmental conditions that could adversely affect the property. Mr. Donald J. Middleton Jr. conducted the site reconnaissance on September 22, 2003. The site and the periphery of the site were inspected visually and physically.

1. Physical Site Inspection:

The subject site is located at 80 Richards Street in Brooklyn, New York. The site is 1.84 acres in size and there are two (2) industrial buildings on the site. The main building is approximately 146,650 square feet in size and has six floors and a basement. The building is utilized as a furniture storage facility and is primarily vacant. There is also a 5,800 square foot building on the site that has two floors and a basement. The smaller building is presently vacant.

The first area examined was the large building. The basement level and main and upper floors had concrete floors, walls and ceilings (with the exception of the top floor which was a furniture showroom that had carpeted floors and a drop ceiling). The large building is heated by oil that is stored in a 5,000 gallon above ground storage tank. This tank did not show any signs of staining or leakage. This tank is properly registered with the NYCFD. However, this tank is not presently registered with the NYSDEC and it is recommended that this tank be properly registered as soon as possible. The boiler in the basement was not insulated by friable Presumed Asbestos Containing Material (PACM). However, the overhead pipes in the basement were insulated by PACM. This majority of this material has been encapsulated and was in good condition. Removal of this material is not recommended (it should be noted that there was previously PACM on the overhead pipes on the upper floors that has been removed). There were no signs of PACM fireproofing noticed inside the building. There were two (2) floor drains observed in the basement of the building that did not show any signs of chemical staining. It was reported that these drains led to the municipal sewer system and not to an on-site cesspool or drywell. There were no 55 gallon drums or any above ground electrical transformers noticed inside the building. There was an out-of-service paint spray booth noticed on the 4th floor of the large building that was properly vented outside the building.

The next area examined was the smaller building. The main and second floor had carpeted floors, brick walls and wood ceilings. The basement had a concrete floor, brick walls and a wood ceiling. There were no floor drains, 55 gallon drums or any above ground storage tanks observed in the smaller building. There were no signs of PACM observed in the smaller building.

The last area examined was the outside grounds. The site inspection did not indicate the presence of any oil fill ports or fuel vents for any underground storage tanks on the subject site. A review of the New York City Fire Department (NYCFD), storage tank files and the New York State Department of Environmental Conservation (NYSDEC), Petroleum Bulk Storage Tank database did not indicate the presence of any registered underground storage tanks on the site. A review of available Sanborn Fire Insurance Maps did not indicate the presence of any buried tanks on the site. There were no outside above ground storage tanks or any outside above ground electrical transformers noticed on the site. There were six (6) unmarked 55 gallon drums noticed behind the smaller building that did not show any signs of leakage. It is recommended that these drums be removed from the subject site. There were no signs of stressed vegetation or soil contamination noticed on the site. There were several piles of miscellaneous debris noticed outside the large building. It is recommended that these piles be removed from the site.



BOILER IN BASEMENT OF LARGE BUILDING



BASEMENT OF LARGE BUILDING



PACM ON PIPES IN BASEMENT



HEATING OIL TANK IN BASEMENT



SHOWROOM ON 6TH FLOOR



MAIN FLOOR STORAGE AREA



THIRD FLOOR AREAS



4TH FLOOR AREA



MAIN FLOOR OF SMALLER BUILDING



BOILER IN SMALLER BUILDING



DRUMS BEHIND SMALLER BUILDING



DEBRIS OUTSIDE BUILDINGS

2. Current Uses of the Property:

The current uses are not likely to involve the use, treatment, disposal or generation of hazardous substances or petroleum products (with the exception of on-site heating oil storage).

3. Past Uses of the Property:

To the extent that indications of past uses of the property were visually or physically observed on the site visit, or were identified in the interviews or records review, the past uses were likely to involve the use, treatment, storage, disposal or generation of hazardous substances or petroleum products. The large building was utilized in the past as a machine works. The smaller building was utilized in the past as an electrical machinery company and as a rag storage facility. The vacant areas on the site formerly contained several small two story buildings (all of which were demolished prior to 1980), and were utilized as machine shops, by an insecticide company and as a paper box dry color storage facility for the former box company. No determination regarding the usage, storage or disposal of hazardous wastes while this facility was in operation could be made.

4. Presumed Asbestos Containing Material (PACM):

The boilers in the basements were not insulated by friable Presumed Asbestos Containing Material (PACM). However, the overhead pipes in the basement of the large building were insulated by PACM. This majority of this material has been encapsulated and was in good condition. Removal of this material is not recommended (it should be noted that there was previously PACM on the overhead pipes on the upper floors that has been removed). There were no signs of PACM fireproofing noticed inside the buildings.

5. Above Ground Tanks:

The large building is heated by oil that is stored in a 5,000 gallon above ground storage tank. This tank did not show any signs of staining or leakage. This tank is properly registered with the NYCFD. However, this tank is not presently registered with the NYSDEC and it is recommended that this tank be properly registered as soon as possible.

6. PCB's:

There were no above ground electrical transformers noticed on the subject site.

7. Drums (Interior or Exterior):

There were no 55 gallon drums noticed inside the buildings. However, there were six (6) unmarked 55 gallon drums noticed behind the smaller building that did not show any signs of leakage. It is recommended that these drums be removed from the subject site.

8. Pavement Stains or Corrosion:

There were no signs of severe staining or corrosion on any floors on the subject site.

9. Pools of Liquid:

There were no unusual pools of liquid or sheens detected on the subject site.

10. Odors:

There were no strong, pungent or noxious odors with regard to the subject site.

11. Interior Wall Coverings (if Lead Based Paint is an issue):

There were signs of peeling and flaking paint observed inside the smaller building and it is recommended that any area where peeling or flaking paint is encountered be repaired and repainted.

12. Radon:

Radon is a colorless, odorless, radioactive gas. Radon comes from the natural decay of uranium that is found in nearly all soils. Radon typically moves through the ground and into building through cracks and openings in the foundation. The USEPA has developed a "Map of Radon Zones" indicating the levels of radon concentrations from testing and aerial surveys conducted in all counties in New York State. It was determined that Kings County was designated as "Zone 3" areas where the concentrations are the lowest in the state (see "Map of Radon Zones" in Appendix for more information).

13. Underground Storage Tanks;

There were no oil fill ports or fuel vents noticed on the subject site (such ports or vents could indicate the presence of an underground tank on the subject site). A review of the New York State Department of Environmental Conservation's (NYSDEC), Petroleum Bulk Storage Tank database and New York City Fire Department records did not indicate the presence of any underground storage tanks on the subject site. A review of available Sanborn Fire Insurance Maps did not indicate the presence of any buried storage tanks on the subject site.

14. Solid Wastes;

All solid wastes generated on-site are carted away by a licensed waste hauler to an approved solid waste facility and are not disposed on-site. There were no areas on site that appeared to be filled or graded by non-natural causes. There were several piles of miscellaneous debris noticed outside the large building and it is recommended that these piles be removed from the site.

15. Stressed Vegetation or Stained Soil;

There were no signs of stressed vegetation or stained soil noticed on the subject site.

16. Sumps, Pits, Ponds, Lagoons or Wetlands;

There were no visible sumps, pits, ponds, lagoons or wetlands noticed on the subject site.

17. Waste Water;

There were no signs of improper disposal of waste water into drains, ditches or streams on the site.

18. Wells;

There were no irrigation wells or any groundwater monitoring wells noticed on the site.

19. Underground Injection Control (floor drains or interior drywells):

The Federal Environmental Protection Agency Underground Injection Control (UIC) Program is Congressionally mandated under the Safe Drinking Water Act. The UIC Program is designed to prevent any contamination of underground sources of drinking water by any man-made well, drywell or other subsurface hole that is deeper than its largest surface dimension. Generally, State and local regulatory programs implement UIC. Currently, regulatory efforts are concentrating on testing and sealing floor drains in industrial, automobile repair and dry cleaning facilities. It is expected that this initial focus will expand in the near future to include other facilities, drywells, etc.. There were two (2) floor drains observed in the basement of the building that did not show any signs of chemical staining. It was reported that these drains led to the municipal sewer system and not to an on-site cesspool or drywell.

20. Possibility of Migrating Hazardous Substances:

Due to the distance, groundwater flow direction and nature of the contamination, the nearest known identified hazardous waste site was not judged to have the potential for adversely impacting the subject site.

21. Additional Concerns:

There were no additional concerns with regard to the subject site.

22. Interviews:

The following persons were interviewed with regard to the subject site.

- 1. David Shlosh - Independence Community Bank (for site inspection)*
- 2. Paul Richards - New York City Department of Assessment (for property information)*
- 3. Lisa Horsley - New York City Fire Department (for storage tank information)*
- 4. Mr. Turano - Property Owner (for past property usage information)*
- 5. Isaac Ades - Potential buyer of the building (for site access and information)*

F. FINDINGS AND CONCLUSIONS:

We have performed a Phase I Environmental Site Assessment in conformance with the scope and limitations of ASTM Practice E1527 on the property located at 80 Richards Street in Brooklyn, New York. This assessment has revealed no evidence of recognized environmental conditions in connection with the property.

The site reconnaissance, interviews and review of records have not found the presence or possible presence of hazardous substances or petroleum related products that could indicate an existing release, past release or significant threat of a release into structures on the property, into ground, groundwater or surface water.

It is the opinion of Middleton Environmental Incorporated that no further testing (subsurface or otherwise), is required on the subject site. However, it is recommended that the 5,000 gallon above ground heating oil storage tank for the larger building be properly registered with the NYSDEC as soon as possible. It is also recommended that the piles of debris and 55 gallon drums behind the smaller building be removed from the site.

G. SIGNATURES OF ENVIRONMENTAL PROFESSIONALS:

This Phase I Environmental Site Assessment report was reviewed by;

A handwritten signature in black ink, written over a horizontal line. The signature is stylized and appears to be "Signature".

Signature

H. PROFESSIONALS QUALIFICATIONS:

MEI Phase I Environmental Site Assessment reports are prepared by or under the supervision of the following professionals:

DONALD J. MIDDLETON JR.

Don Middleton Jr. has been President at Middleton Environmental Incorporated from May 1990 to present. Serves as the manager of the Environmental Site Assessment Program. This program helps lenders to avoid clean-up liability and litigation cost often associated with asbestos and hazardous waste contaminated properties. Conducting and supervising field inspection of the subject property, a regulatory agency search and a survey of past and current property use. A "Phase One" report is then submitted and if analysis shows no sign of contamination, the service is concluded.

If contamination is suspected, air water, and soil samples are collected and a report on the laboratory analyses and findings is then submitted. This "Phase Two" report includes mortgage or loan recommendations and clean up costs. Environmental Site Assessments have been prepared for more than 35 lending institutions on Long Island, in the tri-state area and throughout the country. Assessments have also been conducted for real estate & law firms, the FDIC & RTC.

Don Jr. received his Bachelors of Science from Fordham University College of Business Administration in May of 1988 (where he completed his undergraduate education in three years). Don Jr. attended Iona College in New Rochelle, New York from September 1985 - May 1986. Don Jr. has also attended the NYU School for Continuing Education where he received his New York State Department of Health Asbestos Investigator & Management Planners Licenses in 1993.

DONALD J. MIDDLETON SR.

Don Middleton was President of Middleton, Kontokosta Associates, an environmental consulting firm he founded in 1984 with offices on Long Island and New York City. Don has more than 20 years of public service experience. He served as Assistant Professor at the Fordham University Graduate School of Social Service at Lincoln Center in 1970 and '71, and was appointed by Mayor John Lindsay to the Mayor's Office of Neighborhood Services from 1972 to '76. From 1976 to 1983, Don served as Long Island Regional Director for the New York State Department of Environmental Conservation, having been appointed by Governor Hugh Carey.

Since establishing his firm, Don has directed a number of environmental consulting projects. Over the past seven years Don's firm has specialized in preparing Environmental Site Assessments to assist banks, the FDIC and the RTC to assess and avoid clean-up liability and litigation costs associated with contaminated properties. Don's firm has also been involved in major environmental impact studies for state and local governmental agencies and a number of private clients. Don's firm's clients include more than thirty banks and a range of private clients, including Browning-Ferris Industries and the Rolite Corporation. Don has been a member of the Board of the Long Island Association since 1985 and serves as Chairman of the Association's Environment and Energy Committee. He has served on the Board of Directors of the New York League of Conservation Voters, the Board of the Museum of Long Island Natural Science, and as Chairman of the Town of Babylon Board of Assessment Review.

Don has both his Bachelor of Science degree and Masters degree from Fordham University.

I. APPENDICES:

The following sources were utilized in order to determine the physical setting of the subject site, current and past usage of the site and are researched in order to evaluate and recognized environmental conditions that might have an adverse affect on the subject site.

- A. USGS 7.5 Minute Topographic Map*
- B. Zoning/Land Use Records*
- C. Department of Assessment Records*
- D. Sanborn or Belcher-Hyde Fire Insurance Maps (if available)*
- E. Coles Directory*
- F. Aerial Photographs*
- G. Local Street Directories*
- H. Building Department Records*
- I. Prior Environmental Site Assessment*
- J. Soils Conditions Report (from the U.S.G.S. Soil Conservation Service)*
- K. Groundwater Conditions (U.S.G.S. Groundwater Flow Map)*

ENVIRONMENTAL DATA (SUPPLIED BY FIRSTSEARCH TECHNOLOGY)

FirstSearch Technology Corporation

Environmental FirstSearch™ Report

TARGET PROPERTY:

80 RICHARDS ST

BROOKLYN NY 11231

Job Number: 03-512

PREPARED FOR:

Middleton Environmental, Inc.

181 West Main Street, Suite B

Babylon, NY 11702

09-22-03



Tel: (914) 763-0515

Fax: (914) 763-3454

Environmental FirstSearch Search Summary Report

Target Site: 80 RICHARDS ST
BROOKLYN NY 11231

FirstSearch Summary

Database	Sel	Updated	Radius	Site	1/8	1/4	1/2	1/2>	ZIP	TOTALS
NPL	Y	07-09-03	1.00	0	0	0	0	0	0	0
CERCLIS	Y	06-09-03	0.50	0	0	0	0	-	0	0
NFRAP	Y	06-09-03	0.25	0	0	0	-	-	0	0
RCRA TSD	Y	12-09-02	0.50	0	0	0	0	-	0	0
RCRA COR	Y	12-09-02	1.00	0	0	0	0	1	0	1
RCRA GEN	Y	12-09-02	0.25	0	1	6	-	-	0	7
RCRA NLR	N	12-09-02	0.25	-	-	-	-	-	-	-
ERNS	Y	12-31-02	0.15	0	0	0	-	-	0	0
NPDES	N	04-15-03	0.25	-	-	-	-	-	-	-
FINDS	N	07-16-98	0.25	-	-	-	-	-	-	-
TRIS	N	03-07-03	0.25	-	-	-	-	-	-	-
State Sites	Y	01-01-03	1.00	0	0	0	0	3	0	3
Spills-1990	Y	01-01-02	0.15	0	2	5	-	-	0	7
Spills-1980	N	10-18-00	0.15	-	-	-	-	-	-	-
SWL	Y	03-03-02	0.50	0	0	0	2	-	2	4
Permits	N	NA	0.25	-	-	-	-	-	-	-
Other	N	01-01-02	0.25	-	-	-	-	-	-	-
REG UST/AST	Y	01-01-02	0.15	0	2	3	-	-	0	5
Leaking UST	Y	01-01-02	0.50	0	0	8	22	-	0	30
State Wells	N	02-02-98	0.50	-	-	-	-	-	-	-
Aquifers	N	07-06-01	0.50	-	-	-	-	-	-	-
ACEC	N	NA	0.50	-	-	-	-	-	-	-
Wetlands	N	11-20-00	0.50	-	-	-	-	-	-	-
Floodplains	N	04-08-98	0.50	-	-	-	-	-	-	-
Nuclear Permits	N	04-30-99	0.50	-	-	-	-	-	-	-
Historic/Landmark	N	09-01-02	0.50	-	-	-	-	-	-	-
Federal Land Use	N	06-17-98	0.50	-	-	-	-	-	-	-
Federal Wells	N	NA	0.50	-	-	-	-	-	-	-
Releases(Air/Water)	N	12-31-01	0.25	-	-	-	-	-	-	-
HMIRS	N	05-24-02	0.25	-	-	-	-	-	-	-
NCDB	N	03-28-02	0.25	-	-	-	-	-	-	-
PADS	N	07-23-03	0.25	-	-	-	-	-	-	-
Federal Other	N	NA	0.25	-	-	-	-	-	-	-
Misc	N	NA	0.25	-	-	-	-	-	-	-
Towers	N	08-16-01	0.25	-	-	-	-	-	-	-
Soils	N	03-18-97	0.25	-	-	-	-	-	-	-
Receptors	N	01-01-95	0.50	-	-	-	-	-	-	-
- TOTALS -				0	5	22	24	4	2	57

Notice of Disclaimer

Due to the limitations, constraints, inaccuracies and incompleteness of government information and computer mapping data currently available to FirstSearch Technology Corp., certain conventions have been utilized in preparing the locations of all federal, state and local agency sites residing in FirstSearch Technology Corp.'s databases. All EPA NPL and state landfill sites are depicted by a rectangle approximating their location and size. The boundaries of the rectangles represent the eastern and western most longitudes; the northern and southern most latitudes. As such, the mapped areas may exceed the actual areas and do not represent the actual boundaries of these properties. All other sites are depicted by a point representing their approximate address location and make no attempt to represent the actual areas of the associated property. Actual boundaries and locations of individual properties can be found in the files residing at the agency responsible for such information.

Waiver of Liability

Although FirstSearch Technology Corp. uses its best efforts to research the actual location of each site, FirstSearch Technology Corp. does not and can not warrant the accuracy of these sites with regard to exact location and size. All authorized users of FirstSearch Technology Corp.'s services proceeding are signifying an understanding of FirstSearch Technology Corp.'s searching and mapping conventions, and agree to waive any and all liability claims associated with search and map results showing incomplete and or inaccurate site locations.

***Environmental FirstSearch
Site Information Report***

Request Date: 09-22-03
Requestor Name: amy
Standard: ASTM

Search Type: COORD
Job Number: 03-512
Filtered Report

TARGET ADDRESS: 80 RICHARDS ST
BROOKLYN NY 11231

Demographics

Sites: 57	Non-Geocoded: 2	Population: NA
Radon: OF THE 6 HOMES TESTED, THE AVG. PCI/L LEVEL WAS .8		

Site Location

	<u>Degrees (Decimal)</u>	<u>Degrees (Min/Sec)</u>		<u>UTMs</u>
Longitude:	-74.008288	-74::30	Easting:	583810.648
Latitude:	40.67904	40:40:45	Northing:	4503389.933
			Zone:	18

Comment

Comment:

Additional Requests/Services

Adjacent ZIP Codes: 0 Mile(s)

Services:

ZIP Code	City Name	ST	Dist/Dir	Sel

	Requested?	Date
Sanborns	Yes	09-22-03
Aerial Photographs	No	
Topographical Maps	No	
City Directories	No	
Title Search	No	
Municipal Reports	No	
Online Topos	No	



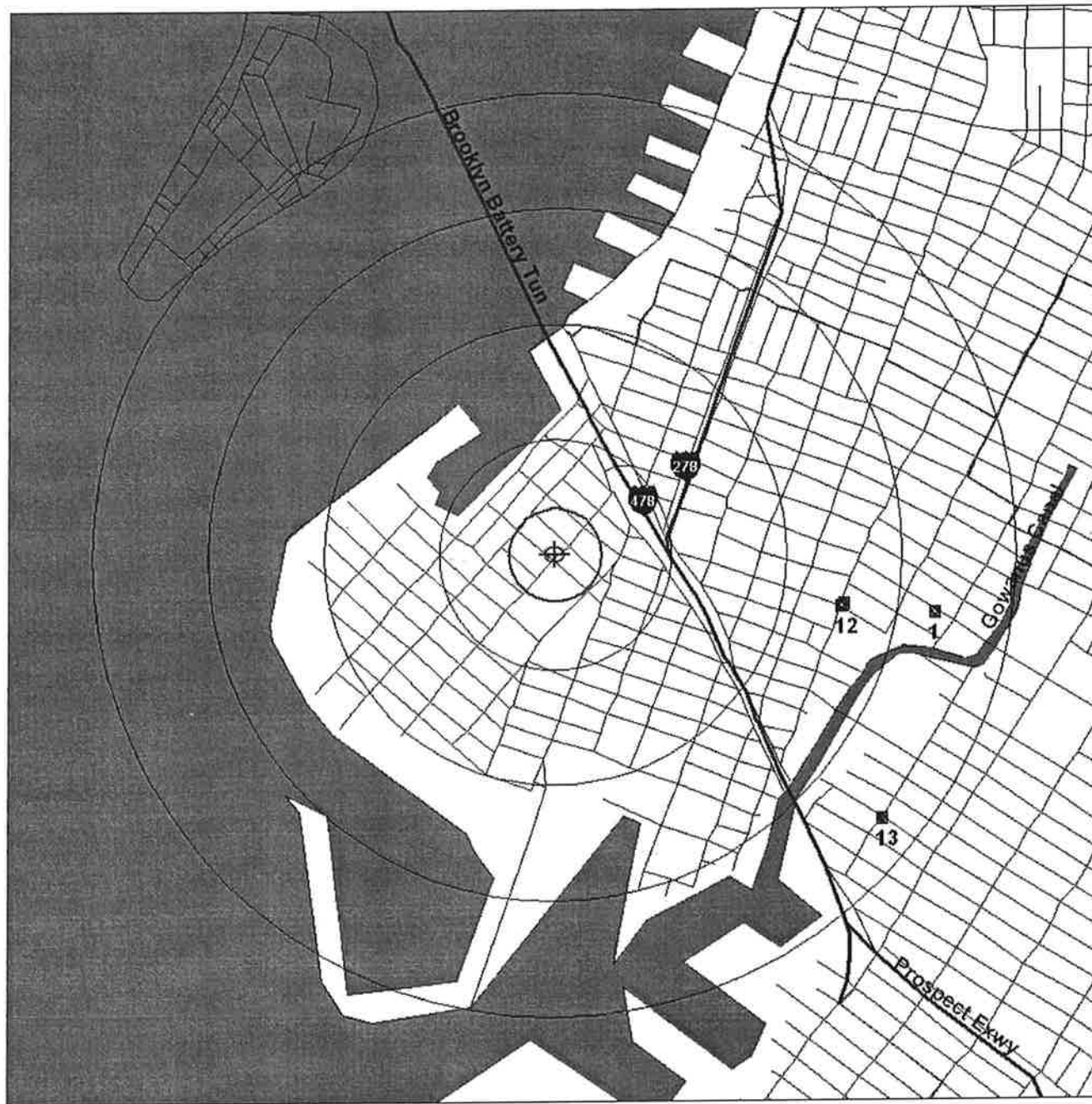
Environmental FirstSearch

1 Mile Radius

ASTM: NPL, RCRACOR, STATE



80 RICHARDS ST, BROOKLYN NY 11231



Source: 1999 U.S. Census TIGER Files

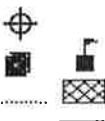
Target Site (Latitude: 40.67904 Longitude: -74.008288)

Identified Site, Multiple Site s, Receptor

NPL, Solid Waste Landfill (SWL) or Hazardous Waste

Railroads

Black Rings Represent 1/4 Mile Radii; Red Ring Represents 500 ft. Radius



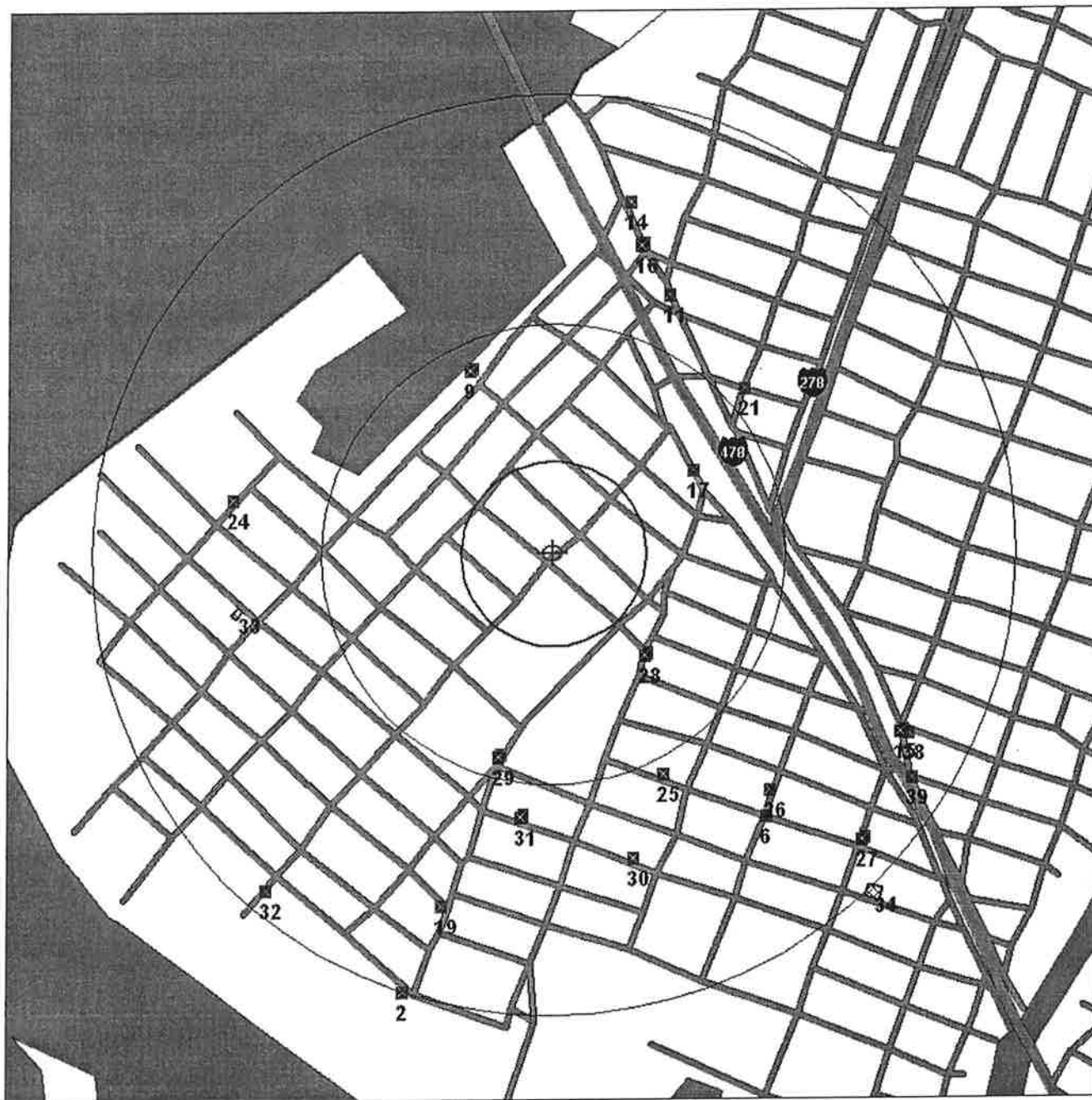


Environmental FirstSearch

.5 Mile Radius
ASTM: CERCLIS, RCRATSD, LUST, SWL



80 RICHARDS ST, BROOKLYN NY 11231



Source: 1999 U.S. Census TIGER Files

- Target Site (Latitude: 40.67904 Longitude: -74.008288)
- Identified Site, Multiple Sites, Receptor
- NPL, Solid Waste Landfill (SWL) or Hazardous Waste
- Railroads
- Black Rings Represent 1/4 Mile Radii; Red Ring Represents 500 ft. Radius

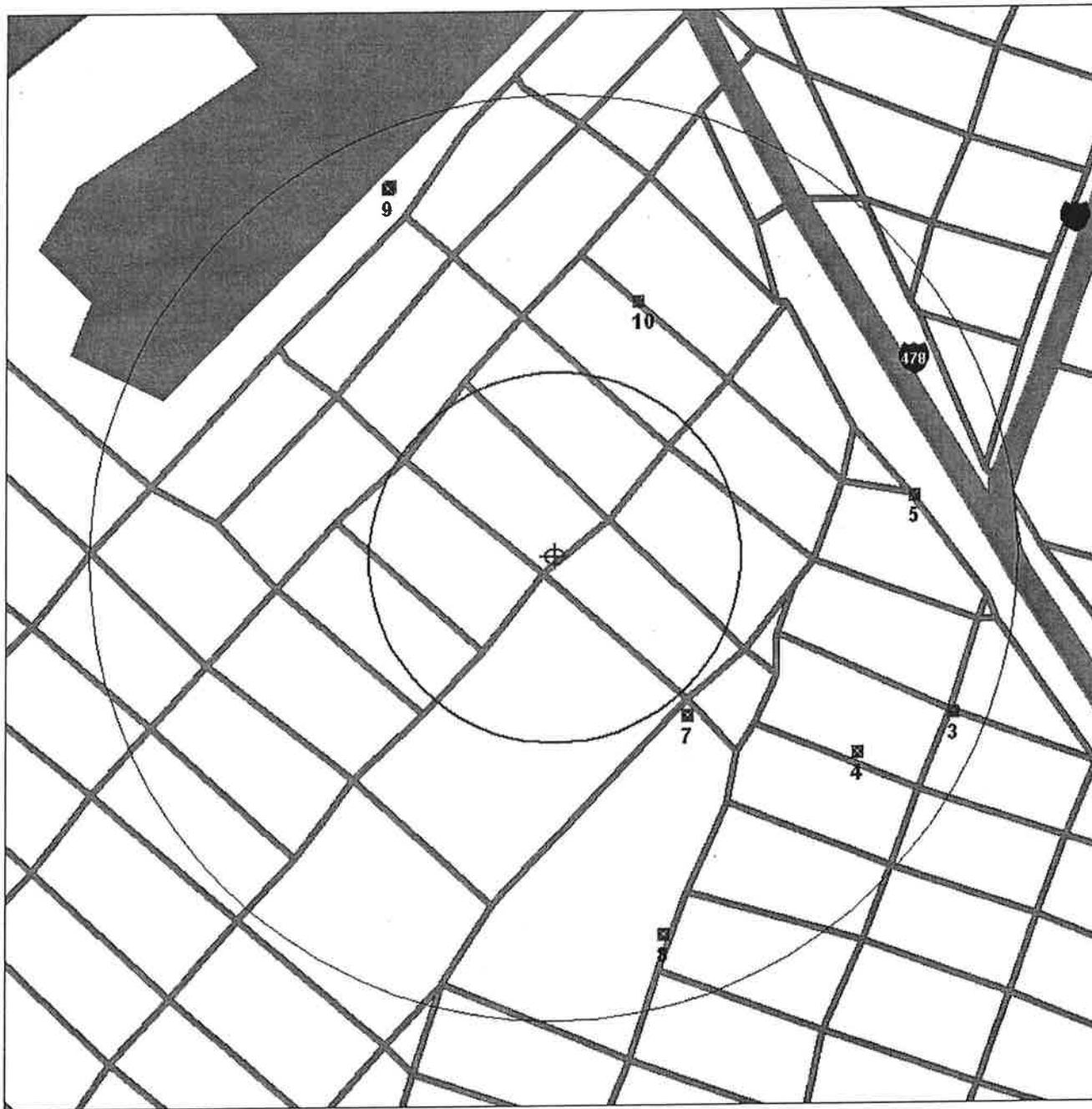


Environmental FirstSearch

.25 Mile Radius
ASTM: NFRAP, RCRAGEN



80 RICHARDS ST, BROOKLYN NY 11231



Source: 1999 U.S. Census TIGER Files

Target Site (Latitude: 40.67904 Longitude: -74.008288)

Identified Site, Multiple Site s, Receptor

NPL, Solid Waste Landfill (SWL) or Hazardous Waste

Railroads

Black Rings Represent 1/4 Mile Radii; Red Ring Represents 500 ft. Radius

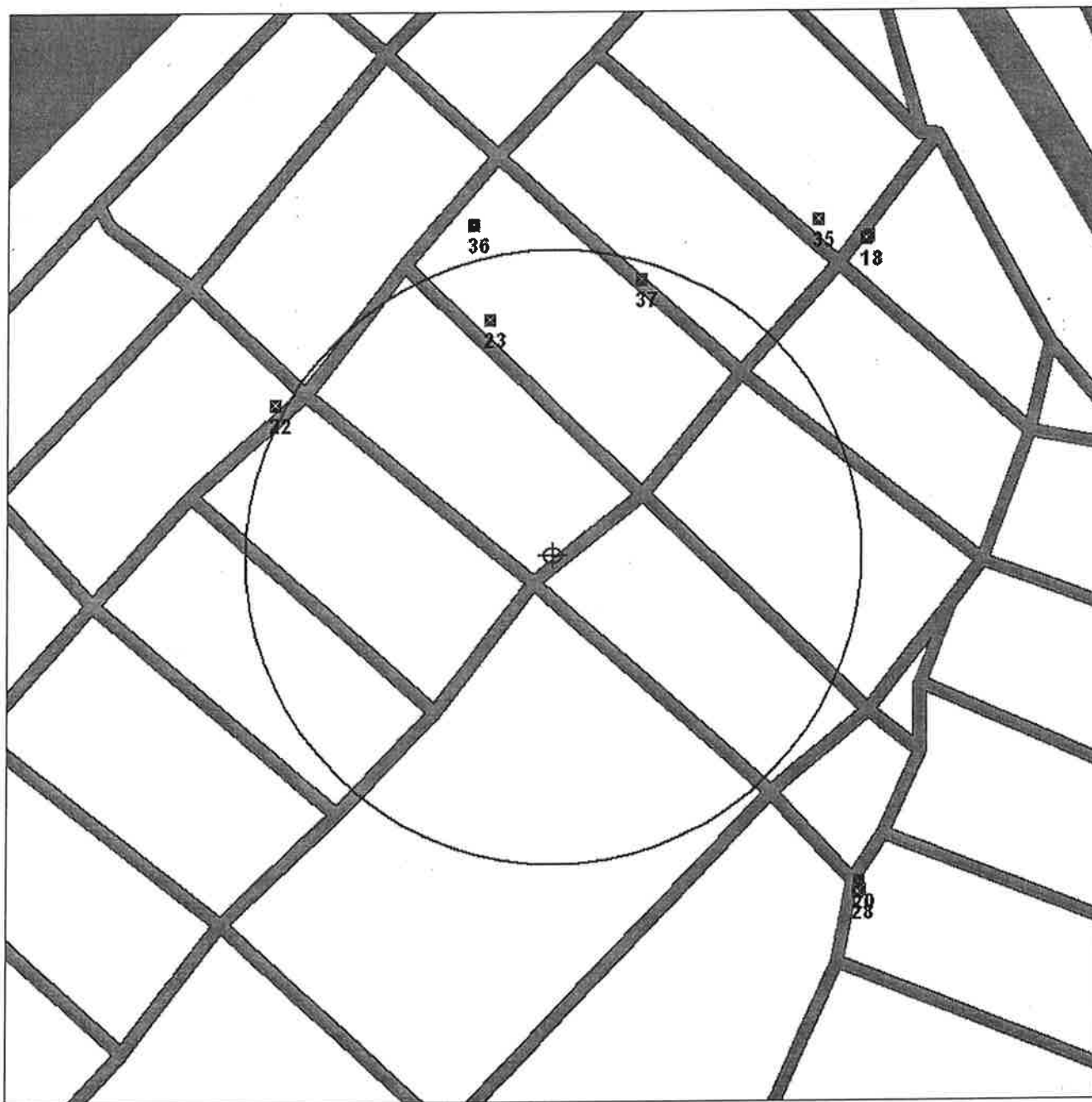


Environmental FirstSearch

.15 Mile Radius
ASTM: SPILLS90, ERNS, UST



80 RICHARDS ST, BROOKLYN NY 11231



Source: 1999 U.S. Census TIGER Files

- Target Site (Latitude: 40.67904 Longitude: -74.008288) 
- Identified Site, Multiple Sites, Receptor   
- NPL, Solid Waste Landfill (SWL) or Hazardous Waste 
- Railroads 
- Black Rings Represent 1/4 Mile Radii; Red Ring Represents 500 ft. Radius

Environmental FirstSearch

Sites Summary Report

TARGET SITE: 80 RICHARDS ST
BROOKLYN NY 11231

JOB: 03-512

TOTAL: 57 **GEOCODED:** 55 **NON GEOCODED:** 2 **SELECTED:** 23

ID	DB Type	Site Name/ID/Status	Address	Dist/Dir	Map ID
44	LUST	RED HOOK HOUSES 9502334/ACTIVE	420 COLUMBIA STREET BROOKLYN NY 11231	0.15 SE	28
53	LUST	RED HOOK WEST 9011015/ACTIVE	420 COLUMBIA STREET BROOKLYN NY 11231	0.15 SE	28
52	LUST	RED HOOK WEST 9200023/ACTIVE	420 COLUMBIA STREET BROOKLYN NY 11231	0.15 SE	28
34	LUST	BROOKLYN BATTERY TUNNEL 9201988/ACTIVE	160 HAMILTON AVENUE BROOKLYN NY 11231	0.18 NE	17
45	LUST	RED HOOK MARINE TRMNL 8806571/ACTIVE	ADMINISTRATION BLDG BROOKLYN NY 11231	0.22 NW	9
46	LUST	RED HOOK TERM/BKLYN/ 8903111/ACTIVE	RED HOOK TERMINAL BROOKLYN NY 11231	0.22 NW	9
48	LUST	RED HOOK WEST 9505488/ACTIVE	82 DWIGHT STREET BROOKLYN NY 11231	0.23 SW	29
49	LUST	RED HOOK WEST 9011065/CLOSED	82 DWIGHT STREET BROOKLYN NY 11231	0.23 SW	29
37	LUST	MOBIL S/S 9312498/CLOSED	304 COLUMBIA STREET BROOKLYN NY 11231	0.27 NE	21
39	LUST	RED HOOK EAST 9011672/ACTIVE	37 CENTER MALL BROOKLYN NY 11231	0.27 SE	25
50	LUST	RED HOOK WEST 9200022/ACTIVE	17 LORRAINE ST. BROOKLYN NY 11231	0.29 SW	31
54	LUST	RED HOOK WEST 9105606/ACTIVE	17 LORRAINE ST BROOKLYN NY 11231	0.29 SW	31
47	LUST	RED HOOK TERMINALS 9705748/CLOSED	70 HAMILTON AVENUE BROOKLYN NY 11231	0.31 NE	11
51	LUST	RED HOOK WEST 9011066/ACTIVE	85 LORRAINE STREET BROOKLYN NY 11231	0.34 SE	30
29	LUST	60 HAMILTON AVE/MELBROOK 8803005/ACTIVE	60 HAMILTON AV BROOKLYN NY 11231	0.35 NE	16
33	LUST	BROOKLYN BATTERY TUNNEL 8912103/CLOSED	160 HAMILTON AVENUE BROOKLYN NY 11231	0.35 NE	16
38	LUST	PORT AUTHORITY MARINE 9914821/CLOSED	32 FERRIS STREET BROOKLYN NY 11231	0.35 NW	24
42	LUST	RED HOOK EAST 9011309/ACTIVE	754 HENRY STREET BROOKLYN NY 11231	0.35 SE	26
40	LUST	RED HOOK EAST 9105605/ACTIVE	770 HENRY ST BROOKLYN NY 11231	0.37 SE	6
28	LUST	37 HAMILTON AVE/BKLYN 9012122/CLOSED	37 HAMILTON AVENUE BROOKLYN NY 11231	0.39 NE	14
36	LUST	JOE FAZ TRANS. INC 9714140/ACTIVE	1 COFFEY ST BROOKLYN NY 11231	0.40 SW	19