



PHASE I ENVIRONMENTAL SITE ASSESSMENT REPORT

FOR

**Proposed Self-Storage Facility
1426-1460 39th Street
Brooklyn, New York 11218**

Prepared For:

**SNL XXII, LLC
3333 New Hyde Park Road
Lake Success, NY 11042**

Prepared By:

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Project No.: 10737

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1.0 SUMMARY

SESI Consulting Engineers (SESI), at the request of SNL XX II, LLC (User) has conducted a Phase I Environmental Site Assessment (Report) for the subject property located at 1426-1460 39th Street, in the City of the Brooklyn, Kings County, New York (Site). Our services included a site reconnaissance, a state and federal records search, and an examination of available historic maps. The procedures used and conclusions of our investigation are outlined in this Phase I Report. Sub-surface site investigation is ongoing and will be reported under separate cover.

Based on our investigation of online databases, historic records, our site reconnaissance, and research of current and historic records for the Site and properties within close proximity of the Site, three (3) Recognized Environmental Conditions (RECs) and two (2) business environmental risks (BERs) were identified at the Site.

The following RECs have been identified:

- **REC 1 – Underground Storage Tank(s):** Evidence of a historic gasoline UST(s) was identified on Sanborn Maps between 1929 and 2007 and observed during site inspection activities. At least seven (7) USTs were reportedly previously abandoned in place at the Site. Possible overfills and/or releases from the system while in operation may have occurred and a sub-surface investigation should be completed in the vicinity of these USTs.
- **REC 2 –Historical Site Operations:** Based on a review of Sanborn Map records, automotive repair operations were identified on-Site and at adjacent properties beginning as early as 1929. Operations in the vicinity of potential floor drains may have resulted in the release(s) of automotive fluids to floor drains within the Site buildings.
- **REC 3 – Historic Fill:** Historic fill has reportedly been identified at the site during geotechnical investigations. Additional soil investigation activities to characterize fill material should be completed. Special handling and/or disposal of disturbed soil may be required during site redevelopment.

The following BERs have been identified:

- **BER 1 – Asbestos Containing Material (ACM):** ACM screening was not conducted as part of the Phase I Environmental Site Assessment. Based on the age of the structures located on-Site, the possibility of presence of ACM cannot be ruled out.

- **BER 2 – Lead based Paint (LBP):** LBP screening was not conducted as part of the Phase I Environmental Site Assessment. Based on the age of the structures located on-Site, the possibility of presence of LBP cannot be ruled out.

The RECs are discussed further in **Section 9.0 CONCLUSIONS AND RECOMMENDATIONS** section of this report.

2.0 INTRODUCTION

2.1 PURPOSE

The purpose of this study is to determine the RECs at the Site for due diligence purposes related to the redevelopment of the Site. Sub-surface site investigation is ongoing and will be reported under separate cover.

SESI has developed this Phase 1 ESA Report on behalf of the User. It has been developed in substantial conformance with the ASTM's International Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process E 1527-13.

2.2 SCOPE OF SERVICES

The Scope of Work and contract for services are outlined in a Professional Services Agreement (Agreement) dated September 10, 2019 and authorized by the User on September 13, 2019.

2.3 SIGNIFICANT ASSUMPTIONS

Information obtained by SESI and by third parties is assumed to be accurate and/or true. SESI makes no warranty, either implied or expressed, regarding the accuracy or validity of information supplied by others.

2.4 LIMITATIONS/METHODOLOGY

This report was prepared for the exclusive use of SNL XX II, LLC. During our investigation, we have used methodologies that conform to generally accepted practices for this type of work. The scope and character of our environmental assessment were, in our professional judgment, sufficient to justify the stated conclusions, after giving due consideration to the purpose of the investigation, the data reviewed, the background history of the Site as found in historical records, and visual observation of the Site. No other investigation was performed other than that which is expressly noted in this Report.

2.5 TERMS AND CONDITIONS

The terms and conditions governing the services provided in preparing this report are detailed in the Agreement referenced in Section 2.2.

2.6 USER RELIANCE

This investigation was conducted for SNL XX II, LLC. It is intended to identify RECs in connection with the Site.

2.7 DISCLAIMER

This Report was prepared by SESI for the sole and exclusive use of SNL XX II, LLC. Nothing under the Agreement between SESI and the User shall be construed to give any rights or benefits to anyone other than the User and SESI, and all duties and responsibilities undertaken pursuant to the Agreement will be for the sole and exclusive benefit of the User and SESI and not for the benefit of any other party. SESI does not intend, without its written consent, for this Report to be disseminated to anyone other than the User, or to be used or relied upon by anyone other than the User. Use of the Report by any other person is unauthorized and such use is at their sole risk.

3.0 SITE DESCRIPTION

3.1 LOCATION/STRUCTURES/LEGAL DESCRIPTION

The Site consists of an approximately 28,818-square feet (0.66-acres) parcel located at 1426-1460 39th Street, Kings County, Brooklyn, New York (hereinafter referred to as "the Site"). The Site is improved by three (3) single story structures and one (1) two-story structure. The Site building operations include warehousing and commercial office uses. The Site is bound to the northeast by 39th Street, beyond which lies one and two-story commercial properties; to the northwest and southwest by a one and two-story commercial properties; and to the southwest by two-story residential properties along 40th Street. The Site is identified on tax map records as Block 5346; Lots 15, 16, 17, 26, 28 and 149; however, it is our understanding that you will not be developing Lots 15 & 16.

The Property is proposed to be redeveloped with four-story self-storage facility with a cellar and sub-cellar. The estimated building footprint will encompass approximately 23,060 square feet. Site figures are included in **Appendix A**.

3.2 SITE & VICINITY CHARACTERISTICS

The Site is located in a mixed commercial and residential area. The closest notable surface water body is the Prospect Park Lake located approximately 1.1 miles northeast of the site.

3.3 CURRENT USE OF THE PROPERTY

The Site is currently utilized for commercial purposes.

3.4 DESCRIPTION OF STRUCTURES, ROADS, AND SITE IMPROVEMENTS

The Site is an irregularly shaped approximately 0.66-acre property. An estimated 0.54 acres of the Site covered by structures. An estimated 0.12 acres of the Site is improved by concrete surface cover utilized for automotive parking.

3.5 ENVIRONMENTAL PERMITS

Review of the EDR Radius Map Report for the Site indicates no environmental permits attributed to the Site. EDR Reports are provided in **Appendix B**.

3.6 CURRENT USES OF ADJOINING PROPERTIES

Direction	Adjacent Property
Northeast	39 th Street, commercial properties beyond
Southeast	1 and 2-Story Commercial Properties
Southwest	2-Story Residential Properties, 40 th Street Beyond
Northwest	1 and 2-Story Commercial Properties

4.0 USER PROVIDED INFORMATION

4.1 TITLE INFORMATION

The following title information for the Site was available for SESI to review:

Block 5346, Lot 15

Deed 1:

Type of deed: Deed

Title is vested in: Aciermo Realty Corporation

Title received from: NA

Deed dated: Prior to 1980

Date Recorded: Prior to 1980

Block 5346, Lot 16

Deed 1:

Type of deed: Deed

Title is vested in: Aciermo Realty Corporation

Title received from: NA

Deed dated: Prior to 1980

Date Recorded: Prior to 1980

Block 5346, Lot 17

Deed 1:

Type of deed: Deed

Title is vested in: Aciermo, J,

Title received from: NA

Deed dated: Prior to 1980

Date Recorded: Prior to 1980

Block 5346, Lot 26

Deed 1:

Type of deed: Bargain and Sale Deed

Title is vested in: Aciermo Realty LLC

Title received from: Frank Allocca

Deed dated: October 7, 2013

Date Recorded: February 17, 2004

Block 5346, Lot 28

Deed 1:

Type of deed: Bargain and Sale Deed

Title is vested in: Aciermo Realty II LLC

Title received from: Samuel Hafner

Deed dated: June 20, 2013

Date Recorded: August 8, 2013

Block 5346, Lot 149

Deed 1:

Type of deed: Deed

Title is vested in: Acierno Garage Corporation

Title received from: City of New York

Deed dated: February 14, 1986

Date Recorded: March 18, 1986

EDR Reports are provided in **Appendix B**.

4.2 ENVIRONMENTAL LIENS OR ACTIVITY AND USE LIMITATIONS

SESI did not find any information regarding environmental liens or activity and use limitations.

EDR Reports are provided in **Appendix B**.

4.3 SPECIALIZED KNOWLEDGE/OTHER USER PROVIDED INFORMATION

SESI was provided with the following previous environmental reports regarding the subject Site:

Phase I Environmental Site Assessment Report, 1426-1460 39th Street, Brooklyn, New York 11218, prepared for Dime Community Bank, prepared by Merritt Environmental Consulting Corp. (MEC), dated February 7, 2019

MEC completed a Phase I ESA investigation and concluded the following:

- MECs obtained the following: Affidavit issued by Tone gasoline tank & Pump, Inc. (June 1985); tank test results conducted by Crown Leak Detection, Inc. (March 1995); affidavit by Call the Experts, Ltd. (March 1995); invoicing from Petroleum Tank Cleaners, Inc. (March 1995); and NYSDEC Petroleum Bulk Storage Application (April 1995).
- MEC Identified that six (6) 550-gallon heating oil USTs filled with water, one (1) 1,080-gallon heating oil UST filled with sand were historically operated at the Site. Two additional USTs including one (1) gasoline tank and one (1) heating oil tank were documented. The size and closure method for the two additional tanks were not identified.
- Filling a UST with water is no longer an approved method of abandonment.
- A UST integrity test (tightness test) was performed on the 1,080-gallon UST; the results of which did not identify evidence to suggest UST failure.
- Soil samples were not collected during UST abandonment activities.

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- The historic USTs were considered a REC.
- MEC recommended obtaining additional information regarding the closures and/or performing Phase II Site Investigation sampling to assess subsurface conditions.

Phase I Environmental Site Assessment Report, 1426-1460 39th Street, Brooklyn, NY, SNL Development Group, prepared by Soil Mechanics Environmental Services, dated April 2019

Soil Mechanics Environmental Services (SMES) identified four (4) RECs at the Site, which included the following:

- Identified historic uses of the Site including auto garage and motor vehicle repair as an REC and a vapor encroachment condition (VEC). A previous Site occupant, Super Body Collision, was listed as a hazardous waste generator under the Resource Conservation and Recovery Act (RCRA).
- Identified historic operations including industrial, motor vehicle repair, and manufacturing north of the Site within an adjoining building as a REC and a VEC.
- Identified historic UST operations as a REC and VEC.
- Identified historic floor drains in conjunction with historic Site operations as an REC.

Preliminary Geotechnical Report, 1460 39th Street, Brooklyn, NY, Prepared for Mr. Philip Lepine, SNL Construction, prepared by Structural Engineering Technologies, P.C., dated April 23, 2019

- Six (6) geotechnical soil borings were advanced to depths ranging between 52 and 102 feet below grade (ft-bg).
- Uncontrolled fill or historic fill was observed immediately below ground surface (bgs) extending to an estimated depth of 12 ft-bgs. The fill material consisted of sand, silt, gravel, wood, cobbles, boulders and concrete.
- The fill material is underlain by a glacial till layer of fine to coarse sand.
- Groundwater was observed at approximately 45 ft-bgs.

Previous Environmental Reports are provided in **Appendix C**.

4.4 COMMONLY KNOWN OR REASONABLY ASCERTAINABLE RECORDS

SESI completed a review of publicly available NYSDEC mapping and database systems and the United States Environmental Protection Agency (USEPA) database system as part of this report to determine the environmental conditions at the Site and adjacent properties. According to the NYSDEC database, no environmental sites of concern were identified. The database information is attached to this report as **Appendix D**. Based on our review, it was determined that automotive

operations northwest of the Site have the potential to impact the Site. Additional investigation in this portion of the Site is warranted to assess subsurface soil conditions and potential migration of off-site contamination.

4.5 VALUATION REDUCTION FOR ENVIRONMENTAL ISSUES

The Report User indicated no knowledge of any valuation reduction related to environmental concerns.

4.6 OWNER, PROPERTY MANAGER, AND OCCUPANT INFORMATION

The Site parcels are currently owned by the following business/personal entities: Aciermo Realty Corporation, Aciermo, J, Aciermo Realty LLC, Aciermo Realty II LLC, Aciermo Garage Corporation. The Site buildings are currently occupied by office space and warehouse.

5.0 RECORDS REVIEW

5.1 STANDARD ENVIRONMENTAL RECORD SOURCES, FEDERAL CITY AND STATE

5.1.1 EDR Search

A search of available environmental records was conducted by Environmental Data Resources, Inc. (EDR) and reported in the EDR Radius Map Report with GeoCheck. The report meets the government records search requirements of ASTM Standard of Practice for Environmental Site Assessments, E-1527-13. Search distances are per ASTM standards. A Radius Map Check was performed by EDR and are provided in **Appendix B**. The results of all properties in the search area with environmental records are listed below:

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Environmental Listing	Subject Site	0-1/8 Miles	1/8-1/4 Miles	1/4-1/2 Miles	1/2-1 Miles
SEMS-ARCHIVE	0	0	0	1	NR
RCRA-LQG	0	1	9	NR	NR
RCRA-SQG	0	0	4	NR	NR
RCRA-VSQG	0	0	2	NR	NR
NY SHWS	0	0	0	1	1
NY SWF/LF	0	0	2	1	NR
NY LTANKS	0	3	4	18	NR
NY UST	0	4	12	NR	NR
NY AST	0	5	25	NR	NR
NY TANKS	0	1	0	NR	NR
NY VCP	0	0	1	0	NR
NY Spills	0	18	NR	NR	NR
RCRA NonGen / NLR	2	33	73	NR	NR
US AIRS	1	0	NR	NR	NR
FINDS	2	1	NR	NR	NR
ECHO	2	1	NR	NR	NR
NY DRYCLEANERS	0	0	2	NR	NR
NY E DESIGNATION	0	6	NR	NR	NR
NY HSWDS	0	0	0	1	NR
NY MANIFEST	4	38	98	NR	NR
PA MANIFEST	0	0	3	NR	NR
NJ MANIFEST	0	14	26	NR	NR
NY VAPOR REOPENED	0	0	0	1	NR
EDR Hist Auto	0	9	NR	NR	NR
EDR Hist Cleaner	0	5	NR	NR	NR

NR –Not Requested at this search distance

The EDR Radius Map Report identified operations at the Site in the following listings: RCRA NonGen/NLR, US AIRS, FINDS, ECHO, and NY Manifest.

The following federal, state and local databases were reviewed:

RCRA Non-Generators / No Longer Regulated (RCRA NonGen / NLR)

Resource Conservation and Recovery Act Non-Generators (RCRA NonGen) database searches USEPA's comprehensive information system, providing access to data supporting the RCRA of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database includes selective information of facilities, which generate, transport, store, treat and/ or dispose of hazardous waste as described by RCRA. Non-Generators do not presently generate hazardous waste. A review of RCRA NonGen / NLR list provided by EDR, two (2) operations, Super Body Collision Corp and Con Edison Service Box, at the subject Site. Since neither of these facilities currently generate hazardous waste, they are not expected to adversely impact the Site. Additionally, evidence of a release and/or violation associated with disposal was not identified. Therefore, this Site listing does not constitute a REC.

Aerometric Information Retrieval System Facility Subsystem (US AIRS and NJ AIRS)

The AIRS list provides facility information regarding air pollution point sources regulated by the USEPA or NYSDEC. The information is utilized to monitor compliance data associated with industrial plants. A review of the NJ AIRS list provided by EDR identified that Executive Transportation Group formerly operated at the Site and maintained an air compliance permit. Evidence of permit violation(s) was not identified; therefore, this listing does not constitute an REC.

Facility Index System/Facility Registry System (FINDS)

The FINDS database provides a list of facilities that maintain or previously maintained environmental permits or are listed under additional EDR report databases. Super Body Collision and Executive Transportation Group appeared on this list. As previously discussed, Super Body Collision Corp and Executive Transportation Group maintained environmental permits at the subject Site. No violations were identified with these operations at the Site; therefore, this listing does not constitute an REC.

USEPA Enforcement and Compliance History Online (ECHO)

The ECHO database provides a list of compliance and enforcement information for regulated facilities. Super Body Collision and Executive Transportation Group appeared on this list. As previously discussed, Super Body Collision Corp and Executive Transportation Group maintained environmental permits at the subject Site. No violations were identified with these operations at the Site; therefore, this listing does not constitute an REC.

NY MANIFEST Facilities:

MANIFEST Facilities include a list of facilities that have generated hazardous waste or contaminants. A review of the NY MANIFEST list, as provided by EDR, identified four (4) NY Manifest operations (Con Edison Service Box:49255, Con Edison FO 1446 39th Street, Super Body Collision Corp, and Con Edison FO 1456 39th Street) at subject Site. Based on a review of the available database information, no violations or evidence of release(s) were identified; therefore, these listing do not constitute an REC.

5.1.2 PREVIOUS ENVIRONMENTAL REPORT

Previous environmental reports were provided by the User and reviewed as part of this assessment. These reports are discussed in **Section 4.3** of this report.

5.1.3 LOCAL, COUNTY, AND STATE OPRA REQUESTS

On October 1, 2019, SESI filed information requests with the NYSDEC, New York City Department of Environmental Protection (NYCDEP), NY Department of Health (NYDOH), and the Fire Department of New York (FDNY) requesting information regarding potential incidents, spills, hazardous material storage/use and UST decommissioning records. Information request responses submitted to the NYSDEC, NYCDEP, and NYDOH did not identify responsive records. The FDNY request regarding UST closure is currently pending; however, should the response contain information that alters the opinions and conclusions of this report, SESI reserves the right to revise this report based on this information.

The current requests and responses are attached to this report as **Appendix D**.

5.2 PHYSICAL SETTING SOURCES

Sources used to evaluate the physical setting of the property include:

- USGS Topographic Maps,
- Aerial Photographs, and,
- Site Reconnaissance

5.2.1 Topography

The Site is relatively level with regional topography decreasing to the east. According to the United States Geological Survey (USGS) Brooklyn, NY, 2014, 7.5-minute Series topographic map, the Site's topographic elevation is approximately 52 feet above mean sea level (msl). The EDR Topographic Map Report is attached to this report as **Appendix B**.

5.2.2 Surface Waters and Wetlands

The closest open surface water to the Site is the Prospect Park Lake located approximately 1.1 miles northeast of the site.

5.2.3 Geology and Groundwater

As per the USDA National Cooperative Soil Survey (NCSS) map for the area, the soils at the Site are characterized as UoA (Urban Land outwash substratum) urban land which is surface covered by pavement, concrete, buildings, and other structures underlain by disturbed and natural soil

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material, till substratum, 0 to 3 percent slopes. The depth of the groundwater at the Site is approximately 45 feet below ground surface (bgs), and groundwater flow direction is expected to be in the southwest direction.

5.3 HISTORICAL USE INFORMATION FOR THE PROPERTY

Sources used to determine the historical use of the property include:

- Aerial Photographs,
- EDR City Directory Abstract,
- USGS Topographic Maps,
- Sanborn Fire Insurance Maps, and
- Environmental Lien and AUL Search Report

EDR Reports are attached to this report as **Appendix B**.

5.3.1 Aerial Photographs

Following is a summary of the EDR review of fifteen (15) Aerial Photographs dated 1924, 1951, 1954, 1961, 1966, 1974, 1976, 1980, 1984, 1994, 1995, 2006, 2009, 2013 and 2017:

Year	General Information	Observations
1924	Quality of the aerial photograph is fair	Site: The property appears vacant. Adjacent Parcels: Five apparent residential structures are present southwest of the Site. One apparent commercial structure is located southeast of the Site. Additional structures are present on the northern side of 39 th Street.
1951	Quality of the aerial photograph is fair	Site: Site is improved with structures separated by an apparent access road or parking area. Adjacent Parcels: No significant changes are observed.
1954	Quality of the aerial photograph is fair	Site: Access road appears to be used as parking area for subject Site buildings. Adjacent Parcels: No significant changes are observed.
1961	Quality of the aerial photograph is fair	No significant changes are observed.
1966	Quality of the aerial photograph is poor	Site: No significant changes are observed. Adjacent Parcels: A new structure is observed on the southern portion of the access road/parking area along 40 th Street.
1974	Quality of the aerial photograph is fair	No significant changes are observed.
1976	Quality of the aerial photograph is poor	Poor image quality prohibited aerial photograph examination.
1980	Quality of the aerial photograph is poor	No significant changes are observed.
1984	Quality of the aerial photograph is poor	No significant changes are observed.
1994	Quality of the aerial photograph is poor	No significant changes are observed.
1995	Quality of the aerial photograph is poor	No significant changes are observed; however, image quality is poor which limited examination of this photograph.

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2006	Quality of the aerial photograph is fair and is in color	No significant changes are observed.
2009	Quality of the aerial photograph is fair and is in color	No significant changes are observed.
2013	Quality of the aerial photograph is fair and is in color	No significant changes are observed.
2017	Quality of the aerial photograph is fair and is in color	No significant changes are observed.

5.3.2 EDR City Directory Abstract

SESI obtained historical city directory data from EDR for the Site. SESI reviewed the City Directory listing for the years 1928, 1934, 1940, 1945, 1949, 1960, 1965, 1970, 1973, 1976, 1980, 1985, 1992, 1997, 2000, 2005, 2010 and 2014.

Historic operations at the Site have included the following: automotive repair; business offices; automotive transportation services; and poultry & food industry. Additional automotive repair operations were identified in vicinity of the Subject Site. Historic automotive operations were assigned **REC 2**.

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5.3.3 USGS Topographic Maps

Following is a summary of the EDR review of Topographic Map Reports.

Source	Year	Minute	Scale
The Narrows	2013/2014	7.5	24000
Coney Island	2013/2014	7.5	24000
Brooklyn	2013/2014	7.5	24000
Jersey City	2013/2014	7.5	24000
Brooklyn	1995/1998	7.5	24000
Coney Island	1995/1998	7.5	24000
The Narrows	1995/1998	7.5	24000
Brooklyn	1979/1981	7.5	24000
Coney Island	1979/1981	7.5	24000
The Narrows	1979/1981	7.5	24000
Jersey City	1979/1981	7.5	24000
Brooklyn	1967	7.5	24000
Jersey City	1967	7.5	24000
Brooklyn	1955/1956	7.5	24000
Jersey City	1955/1956	7.5	24000
The Narrows	1955/1956	7.5	24000
Coney Island	1955/1956	7.5	24000
Brooklyn	1947	7.5	24000
Coney Island	1947	7.5	24000
Jersey City	1947	7.5	24000
The Narrows	1947	7.5	24000
Brooklyn	1900	15	62500
Staten Island	1900	15	62500
Brooklyn	1898	15	62500
Staten Island	1898	15	62500
Brooklyn	1897	15	62500

The topographic maps depict the Site level with an approximate elevation of 52' above msl. Regional topography slopes downward to the east. No wetlands were noted on the maps within or adjacent to the Site. A review of these maps suggest the Site was developed prior to 1947.

5.3.4 Sanborn Fire Insurance Maps

The subject Site was covered on twenty-two (22) of the Sanborn maps from 1906, 1929, 1950, 1969, 1977, 1979, 1981, 1983, 1986, 1987, 1988, 1989, 1992, 1993, 1994, 1995, 2001, 2002, 2003, 2004, 2005, and 2007 described below:

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Year	General Information	Observations
1906	Quality of the map is good	Site: The property appears vacant. The current day parking area is depicted as Utrecht Road. Adjacent Parcels: Two dwellings are present northeast of the Site.
1929	Quality of the map is good	Site: The Site is developed with two (2) garages separated by Utrecht Road. A gas tank is depicted along the northern interior wall of building 1432-1440 along 39 th street in the garage west of access road/parking area. Adjacent Parcels: An additional gas tank is depicted in a garage east of the access road/parking area in the northeast corner of the building.
1950	Quality of the map is fair	Site: Site building east of the access road/parking area is now occupied by poultry and knit wear occupants. Adjacent Parcels: No significant changes are observed. The gasoline UST is not shown at the offsite garage.
1969	Quality of the map is good	Site: Unidentified manufacturing occupies the Site building east of the access road/parking area. Adjacent Parcels: Property south of the Site along 40 th Street developed with two-story residential structures.
1977	Quality of the map is good	Site: Site building east of the access road/parking area is now occupied by an autobody shop and live poultry storage. Adjacent Parcels: No significant changes are observed.
1979	Quality of the map is good	No significant changes are observed. The gasoline UST is still present on-site.
1981	Quality of the map is poor	No significant changes are observed. The gasoline UST is still present on-site.
1983	Quality of the map is good	No significant changes are observed. The gasoline UST is still present on-site.
1986	Quality of the map is good	Site: No significant changes are observed. The gasoline UST is still present on-Site. Adjacent Parcels: Main building use listed as offices. UST no longer listed on maps.
1987	Quality of the map is good	No significant changes are observed. The gasoline UST is still present on-Site.
1988	Quality of the map is good	No significant changes are observed. The gasoline UST is still present on-Site.
1989	Quality of the map is good	No significant changes are observed. The gasoline UST is still present on-Site.
1992	Quality of the map is good	No significant changes are observed. The gasoline UST is still present on-site.
1993	Quality of the map is good	No significant changes are observed. The gasoline UST is still present on-site.
1994	Quality of the map is good	No significant changes are observed. The gasoline UST is still present on-site.
1995	Quality of the map is good	No significant changes are observed. The gasoline UST is still present on-site.
2001	Quality of the map is good	No significant changes are observed. The gasoline UST is still present on-site.
2002	Quality of the map is good	No significant changes are observed. The gasoline UST is still present on-site.
2003	Quality of the map is good	No significant changes are observed. The gasoline UST is still present on-site.
2004	Quality of the map is good	No significant changes are observed. The gasoline UST is still present on-site.
2005	Quality of the map is good	No significant changes are observed. The gasoline UST is still present on-site.
2006	Quality of the map is good	No significant changes are observed. The gasoline UST is still present on-site.

PHASE I ENVIRONMENTAL SITE ASSESSMENT REPORT

1426-1460 39th Street,
Brooklyn, New York
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Year	General Information	Observations
2007	Quality of the map is good	No significant changes are observed. The gasoline UST is still present on-site.

Based on the review of Sanborn Maps, two RECs were identified:

- One (1) UST located within 1432-1440 Site building garage along the northern interior wall (REC 1); and
- Historic automotive repair operations were documented between 1929 and 2007 at the Site (REC 2).

5.3.5 Environmental Lien and AUL Search Report

Based on data provided by EDR, no environmental liens or any other activity or use limitations were found.

5.4 HISTORICAL USE INFORMATION ON ADJOINING PROPERTIES

Sanborn Maps dated 1906, 1929, 1950, 1969, 1977, 1979, 1981, 1983, 1986, 1987, 1988, 1989, 1992, 1993, 1994, 1995, 2001, 2002, 2003, 2004, 2005, and 2007 were evaluated. The adjacent property to the southeast was occupied by a garage where a UST was documented.

City Directory listings dated 1928, 1934, 1940, 1945, 1949, 1960, 1965, 1970, 1973, 1976, 1980, 1985, 1992, 1997, 2000, 2005, 2010 and 2014 were evaluated. Facilities of concern that operated in the vicinity of the Site included several automotive repair shops located immediately northwest and southeast of the Site.

Aerial photographs from 1924, 1951, 1954, 1961, 1966, 1974, 1976, 1980, 1984, 1994, 1995, 2006, 2009, 2013 and 2017 were evaluated. No concerns were identified at the properties surrounding the subject Site.

Based on a review of the EDR Historical Topographic Map report, the surrounding properties are relatively level. No wetlands were observed within the general vicinity of the surrounding properties on the topographic maps.

The following federal, state and local databases were reviewed:

Superfund Enterprise Management System Archive (SEMS-Archive):

PHASE I ENVIRONMENTAL SITE ASSESSMENT REPORT

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SEMS-Archive a federal list that tracks hazardous, potentially hazardous, and remedial action sites associated with the USEPA Superfund Program. Following remedial investigation at the listed SEMS-Archive facilities, the USEPA determined that no additional assessment and/or remediation will be completed under the Superfund Program. Therefore, these sites were removed from the list. According to the SEMS list provided by EDR, there is one (1) NPL facilities (Silver Rod Drug Co) located within 0.5 miles of the Site. This facility is located upgradient from the Site; however, remediation of impacted soil was completed in 1992 and final excavation test results were compliant with applicable remediation standards. Because potential impacted media was remediated, this facility is not expected to adversely impact the Site.

Federal RCRA Large Quantity Generators (RCRA-LQG) Facilities:

The RCRA-LQG includes a list of facilities that generate over 1,000 kilograms of hazardous waste, or over 1 kilogram of acutely hazardous waste per month. According to the RCRA-LQG list provided by EDR, there are ten (10) RCRA-LQG facilities within approximately 0.25 miles of the Site. Con Edison is listed separately seven (7) times which are described as manholes and/or transformers. The remaining three (3) facilities appear to be either associated with transformers or hazardous waste disposal; however, no documented environmental release conditions were identified with these facilities. In the absence of any documented release, these facilities do not constitute a REC.

Federal RCRA Small Quantity Generators (RCRA-SQG) Sites:

The RCRA-SQG includes a list of facilities that generate more than 100 and less than 1,000 kilograms of hazardous waste during any calendar month and accumulates less than 6,000 kilograms of hazardous waste at any time. According to the RCRA-SQG list provided by EDR, there are four (4) RCRA-SQG facilities within approximately 0.25 miles of the Site. The nearest facility is located approximately 850 feet east of the Site and is not associated with a release of hazardous materials. Based on the distance relative to the subject Site and the absence of any documented release, these facilities do not constitute a REC.

RCRA Very Small Quantity Generator (RCRA-VSQG):

The RCRA-VSQG includes a list of facilities that generate less than 100 kilograms of hazardous waste, or less than 1 kilogram of acutely hazardous waste per month. According to the RCRA-VSQG list provided by EDR, there are two (2) RCRA-CESQG facilities within approximately 0.25 miles of the Site. Both facilities appear to be located hydraulically downgradient from the Site and do not constitute a REC.

NY State Hazardous Waste Sites (NY SHWS):

NY SHWS is a list of known contaminated facilities in New York. Two (2) SHWS facilities, Silver Rod Drug Co. and 22 Caton Place, are located within 1 mile of the Site. Soil and groundwater investigation completed at 22 Caton Place indicate that impacted media originating on the facility property has been remediated. Therefore, neither the 22 Caton Place facility or the Rod Drug Co. (as previously discussed) constitute a REC.

Solid Waste Facility/Landfill (SWF/LF)

The SWF/LF provides a list of facilities that operate solid waste disposal facilities. These facilities may be active or inactive, or open dumps that failed to meet RCRA Subtitle D Section 4004 criteria for solid waste landfills or disposal facilities. A review of the SWF/LF list provided by EDR identified three (3) facilities within approximately 0.5 miles of the subject Site. All three facilities operated automotive dismantling and recycling operations; however, a review of available information did not identify evidence of a spill, release or documented impacted soil/groundwater associated with these facilities. Therefore, these facilities are not expected to have adversely impacted the Site.

NY Leaking Underground Storage Tanks Sites (NY LUST):

The NY LUST is a listing of leaking regulated USTs that have a cleanup underway. Twenty-five (25) NY LUST facilities are located within approximately 0.5 miles of the subject Site. The nearest facility located at 1413 38th Street (north of the Site) was identified due to a failed UST tightness test. Subsequent soil investigation did not identify petroleum related compounds at concentrations in excess of applicable NYSDEC standards. Based on the distance to the remaining facilities, the remaining NY LUST facilities presented in this listing do not constitute a REC.

NY Underground Storage Tanks Sites (NY UST):

The NY UST database contains registered USTs maintained by the associated facilities. USTs are regulated under Subtitle I of the RCRA. Sixteen (16) NY UST facilities are located within approximately 0.25 miles of the subject Site. Documented evidence of UST failure at these facilities has not been identified. Additionally, the nearest UST facility on this list is located approximately 250 feet northeast of the Site. Based on the distance to these facilities, these facilities do not constitute a REC.

NY Above Ground Storage Tank Sites (NY AST/NY Tanks):

The NY AST/NY Tanks database contains registered ASTs and/or USTs maintained by the associated facilities. Thirty-one (31) facilities were identified within approximately 0.25 miles of the subject Site. The nearest property is located along 40th street approximately 250 feet northeast of the Site. Although these facilities operate an ASTs and/or USTs, a release from these storage tanks has not been documented. SESI notes that the EDR report suggests the AST is in contact with the ground and cannot be inspected for evidence of failure; however, since a documented failure of the AST has not been observed, none of these facilities constitute a REC.

NY Voluntary Clean Up Program (NY VCP)

The NY VCP is a list of responsible parties, developers, local officials, or individuals working with the department to remediate non-priority contaminated sites that pose no immediate threat to human health or the environment. A review of NY VCP list provided by EDR has revealed that there is one (1) NY VCP facility within approximately 0.5 miles of the subject Site. Based on the distance to the subject Site and that these facilities often have engineering and/or institutional control in place, this facility is not expected to have adversely impacted the Site.

NY SPILLS:

NY Spills are facilities that have documented releases/spills associated with either petroleum bulk storage or chemical bulk storage at their facilities. Eighteen (18) NY SPILLS sites are located within 0.125 miles of the Site. The nearest facility is located approximately 65 feet north of the Site. A review of available information identified that human error caused the release of approximately thirteen (13) gallons of petroleum. Due to the documented quantity of the spill, it is unlikely that this release adversely impacted the Site. Evidence to suggest that contamination has migrated from the remaining facilities was not identified. Therefore, these facilities do not constitute a REC.

RCRA NonGen/NLR Sites:

RCRA NonGen/NLR Sites are facilities which no longer generate hazardous waste. A review of the RCRA NonGen/NLR list, as provided by EDR, has revealed that there are 108 RCRA NonGen/NLR sites within approximately 0.25 miles of the subject Site. Because these facilities no longer generate hazardous waste, these facilities do not constitute a REC.

NY DRYCLEANERS Sites:

NY DRYCLEANERS database provides a listing of active dry cleaner facilities. Four (4) NY DRYCLEANERS sites within approximately 0.25 miles of the subject Site. According to available database information, none of these facilities have a documented release(s). Additionally, based on the distance to the subject Site, these facilities do not constitute a REC.

Facility Index System/Facility Registry System (FINDS)

The FINDS database provides a list of facilities that maintain or previously maintained environmental permits or are listed under additional EDR report databases. In addition to the two (2) on-Site operations previously discussed, one facility (Con Edison-Service Box) was identified within 0.125 miles of the Site. No violations or release conditions were identified with this listing; therefore, this listing does not constitute a REC.

USEPA Enforcement and Compliance History Online (ECHO)

The ECHO database provides a list of compliance and enforcement information for regulated facilities. In addition to the two (2) on-Site operations previously discussed, one facility (Con Edison-Service Box) was identified within 0.125 miles of the Site. No violations or release conditions were identified with this listing; therefore, this listing does not constitute a REC.

NY MANIFEST Sites:

MANIFEST Facilities include a list of facilities that have generated hazardous waste or contaminants. A review of the NY and NJ MANIFEST list, as provided by EDR, has revealed that there are forty-two (42) NY Manifest and nine (9) NJ MANIFEST facilities within approximately 0.25 miles of the subject Site. Based on a review of the available database information, documented releases have not occurred at these facilities and therefore do not constitute a REC.

NY DRYCLEANERS Sites

NY DRYCLEANERS provides a list of facilities whose operations are consistent with dry cleaning facilities. These categories include: dry cleaners, cleaners, laundry, laundromat, cleaning/laundry, and wash & dry. A review of the NY DRYCLEANERS list provided by EDR has revealed that there are two (2) NY DRYCLEANERS facilities within approximately 0.25 miles of the subject Site. A review of the available information identified the following: an air permit violation was documented at Primetime Six cleaners; 13th Avenue Dry Cleaners is a hazardous waste generator. A documented release of hazardous materials to the environment was not identified at either facility. Therefore, these facilities are not expected to adversely impact the Site.

NY E Designation:

NY E Designation provides a list of facilities where environmental impacts may present health related concerns for future residents. These facilities are required to sample and remediate impacted media at the facility prior to the NYSDEC issuance of a building permit. A review of the NY E Designation list provided by EDR has revealed that there are six (6) NY E Designation facilities within approximately 0.125 miles of the subject Site. A review of the available information identified VEC at the facilities which require vapor mitigation. These facilities are located approximately 350 feet northeast of the Site and are not expected to adversely impact the Site.

NY Hazardous Substance Waste Disposal Site Inventory (NY HSWDS):

The NY HSWDS provides a list of facilities where known or suspected hazardous substances disposal has occurred. These facilities have completed USEPA Preliminary Assessments and/or Site Investigations and are eligible to be Superfund Sites. A review of the NY HSWDS list provided by EDR identified one (1) facility within approximately 0.5 miles of the subject Site. Limited information was available for review; however, this facility is situated hydraulically side-gradient from the subject Site and is not expected to adversely impact the Site.

NY/NJ/PA MANIFEST Facilities:

NY/NJ/PA MANIFEST Facilities include a list of facilities that have generated hazardous waste or contaminants. A review of the NY/PA MANIFEST list, as provided by EDR, identified 183 NY/NJ/PA Manifest operations within 0.25 miles of the Site. Based on a review of the available database information, these facilities appear to be associated with Con Edison listings for transformers, manholes and service boxes. No violations or evidence of release(s) were identified; therefore, these listing do not constitute a REC.

NY Vapor Reopened:

The NY Vapor Reopened list provides historic facilities where New York is currently re-evaluating previous assumptions and decision regarding the potential for soil vapor intrusion. A review of the NY Vapor Reopened list, as provided by EDR identified one (1) facility located within 0.5 miles of the Site. Available information lists this facility as “complete” and states “no further action” is required to evaluate the facility. Therefore, this listing does not constitute a REC.

EDR Hist Auto:

The EDR Hist Auto list provides historic facilities associated with potential gas station/filling station/services station facilities and include automotive repair and services stations. These historic facilities are considered “High Risk” by EDR. A review of the EDR Hist Auto list, as provided by EDR identified nine (9) facilities located within 0.125 miles of the Site. Documented environmental concerns have not been identified at these facilities at this time and therefore do not constitute a REC.

EDR Hist Cleaner:

The EDR Hist Cleaner list provides historic facilities with potential dry cleaner facilities. The list includes facilities with operations described as the following: dry cleaners, cleaners, laundry, laundromats, cleaning/laundry, wash & Dry operations. A review of the EDR Hist cleaner list, as provided by EDR identified five (5) facilities located within 0.125 miles of the Site. Documented environmental concerns have not been identified at these facilities at this time and therefore do not constitute a REC.

6.0 SITE RECONNAISSANCE

6.1 METHODOLOGY AND LIMITING CONDITIONS

An environmental professional from SESI visited the Site on May 2, 11,14, and November 18-21, 2019 to identify potential RECs. The Site was observed to the extent that it was accessible and not obstructed. An inspection photolog is attached to this report as **Appendix E**.

6.2 SITE OBSERVATIONS

The Site is improved by one and two-story buildings separated by a concrete parking area and is rectangularly shaped. Surfaces are covered by either concrete building slabs or poured concrete surface cover.

6.3 CHEMICAL STORAGE AND USAGE

SESI did not observe any chemical usage or storage on the Site beyond typical cleaning supplies.

6.4 BULK STORAGE TANKS

SESI personnel observed a suspected vent pipe extending above the single-story roof at 1432-1440 building. A fill pipe was not located. A GPR survey of this building's interior suggests the presence of metallic anomalies indicative of a UST(s) along the northern interior wall. Previous Phase I ESA reporting documented up to seven (7) USTs which included: six (6) 550-gallon gasoline USTs and one (1) 1,080-gallon heating oil UST that were previously abandoned in place at the Site. Recommendations for additional investigation are provided in **Section 9** of this report. The potential presence of USTs at the Site was assigned **REC 1**.

6.5 SITE WASTE AND WASTEWATER

SESI did not observe any waste or wastewater present at the time of the site reconnaissance.

6.6 STAINED SOIL, STAINED PAVEMENT, OR STRESSED VEGETATION

SESI did not observe any indications of stained soil, stained pavement, or stressed vegetation.

6.7 PITS, PONDS, OR LAGOONS

No pits, ponds or lagoons were identified at the Site.

6.8 WELLS

SESI did not observe any on-site dry wells, irrigation wells, injection wells, observation wells, monitoring wells, potable water wells, recovery wells, or abandoned wells.

6.9 FLOOR DRAINS AND SUMPS

A suspected floor drainage system and several approximately two (2) foot by two (2) foot foot sub-surface vaults were observed within the Site buildings. Water was observed in these vaults;

however, the construction of this potential drainage system could not be determined. No staining was observed in the vicinity of the drainage system. Water extracted from this sub-surface system did not exhibit petroleum odors; however, due to historic operations as an automotive repair operation additional investigation is warranted. REC recommendations for additional investigation are provided in **Section 9** of this report.

6.10 PCB

One (1) exterior pad mounted transformer was observed along the eastern exterior wall of building 1440. No staining or evidence of a release from this transformer was observed. No additional investigation is warranted.

6.11 ASBESTOS-CONTAINING MATERIAL (ACM)

ACM surveying was not included in SESI's scope of work; however, based on the age of the facility, an ACM survey is recommended.

6.12 RADON

Radon surveying was not included in SESI's scope of work; however, based on the age of the facility, a Radon survey is recommended.

6.13 LEAD-BASED PAINT (LBP)

LBP surveying was not included in SESI's scope of work; however, based on the age of the facility, an LBP survey is recommended.

7.0 FINDINGS

Based on our investigation, we conclude that there is evidence to indicate areas of potential environmental concern on- Site due to the historical usage as an automotive repair business and the presence of historical USTs. See Section 9.0 *CONCLUSIONS* of this report.

8.0 OPINION

In our professional judgment, the scope and character of our environmental assessment were sufficient to justify the stated conclusions, after giving due consideration to the purpose of the investigation, the data reviewed, the background history of the Site as found in historical records, and visual observation of the Site.

9.0 CONCLUSIONS AND RECOMMENDATIONS

Based on our investigation, we conclude that there is evidence to indicate areas of recognized environmental concern on the Site and that additional investigation of these areas is warranted. Our conclusions and recommendations in this regard are as follows:

- **REC 1 – Underground Storage Tank(s):** Evidence of a historic gasoline UST(s) was identified on Sanborn Maps between 1929 and 2007 and observed during site inspection activities. Additional USTs were reportedly abandoned at the Site without soil investigation activities. As a result, additional investigation is warranted. SESI recommends reidentifying the suspected UST by retaining a specialty sub-contractor to conduct a ground penetrating radar (GPR) and Electromagnetic (EM) survey at the Site to locate underground structures including USTs. Sub-surface soil should also be evaluated in the vicinity of the suspected UST.
- **REC 2 –Historical Site Operations:** Based on a review of Sanborn Map records, automotive repair businesses operated beginning as early as 1929. Operations in the vicinity of potential floor drains may have resulted release(s) of automotive fluids to floor drains within the Site buildings. Additional investigation of the floor drainage construction and soil sampling is recommended.
- **REC 3 – Historic Fill:** Historic fill has reportedly been identified at the site during geotechnical investigations. Additional soil investigation activities to characterize fill material should be completed. Special handling and/or disposal of disturbed soil may be required during site redevelopment.

Additionally, two (2) BERs were identified:

- **BER 1 – Asbestos Containing Material (ACM):** ACM screening was not conducted as part of the Phase I Environmental Site Assessment. Based on the age of the structures located on-Site, the possibility of presence of ACM cannot be ruled out.
- **BER 2 – Lead based Paint (LBP):** LBP screening was not conducted as part of the Phase I Environmental Site Assessment. Based on the age of the structures located on-Site, the possibility of presence of LBP cannot be ruled out.

10.0 DEVIATIONS

This report was prepared with no significant deviation from ASTM Standard Practice E1527-13.

DRAFT

11.0 REFERENCES

Environmental Data Resources, Inc. – “Certified Sanborn Map Report”, Inquiry No 5810358.3, dated September 30, 2019

Environmental Data Resources, Inc. – “EDR – Historical Topographic Map Report”, 5810358.4, dated September 30, 2019

Environmental Data Resources, Inc. – “The EDR Environmental Lien and AUL Search Report”, Inquiry No. 5810358.7S, dated October 2, 2019

Environmental Data Resources, Inc. – “The EDR Aerial Photo Decade Package”, Inquiry No. 5810358.11, dated September 30, 2019

Environmental Data Resources, Inc. – “The EDR Radius Map Report”, Inquiry No. 5810358.2S, dated September 30, 2019

Environmental Data Resources, Inc. – “The EDR – City Directory Abstract”, Inquiry No. 5810358.5, dated October 1, 2019

Environmental Data Resources, Inc. – “The EDR –Property Tax Map”, Inquiry No. 5810358.6, dated September 30, 2018

Environmental Data Resources, Inc. – “The EDR Building Permit Report”, Inquiry No. 5810358.8, dated September 30, 2019

12.0 SIGNATURE OF ENVIRONMENTAL PROFESSIONAL

As required in 40 CFR 312.21(d), this section includes statements made by the environmental professional conducting this assessment.

"I declare that, to the best of my professional knowledge and belief, I meet the definition of Environmental Professional as defined in §312.10 of 40 CFR Part 312."

"I declare that I have the specific qualifications based on education, training, and experience to assess a property of the nature, history, and setting of the subject property."

"I have developed and performed the 'all appropriate inquiry' in conformance with the standards, limitations, and practices set forth in 40 CFR Part 312."

This report incorporates the consultant's best professional judgment in conductance of this Phase One Environmental Site Assessment.

SESI CONSULTING ENGINEERS

Justin M. Protasiewicz, PE
Environmental Professional
December 2019

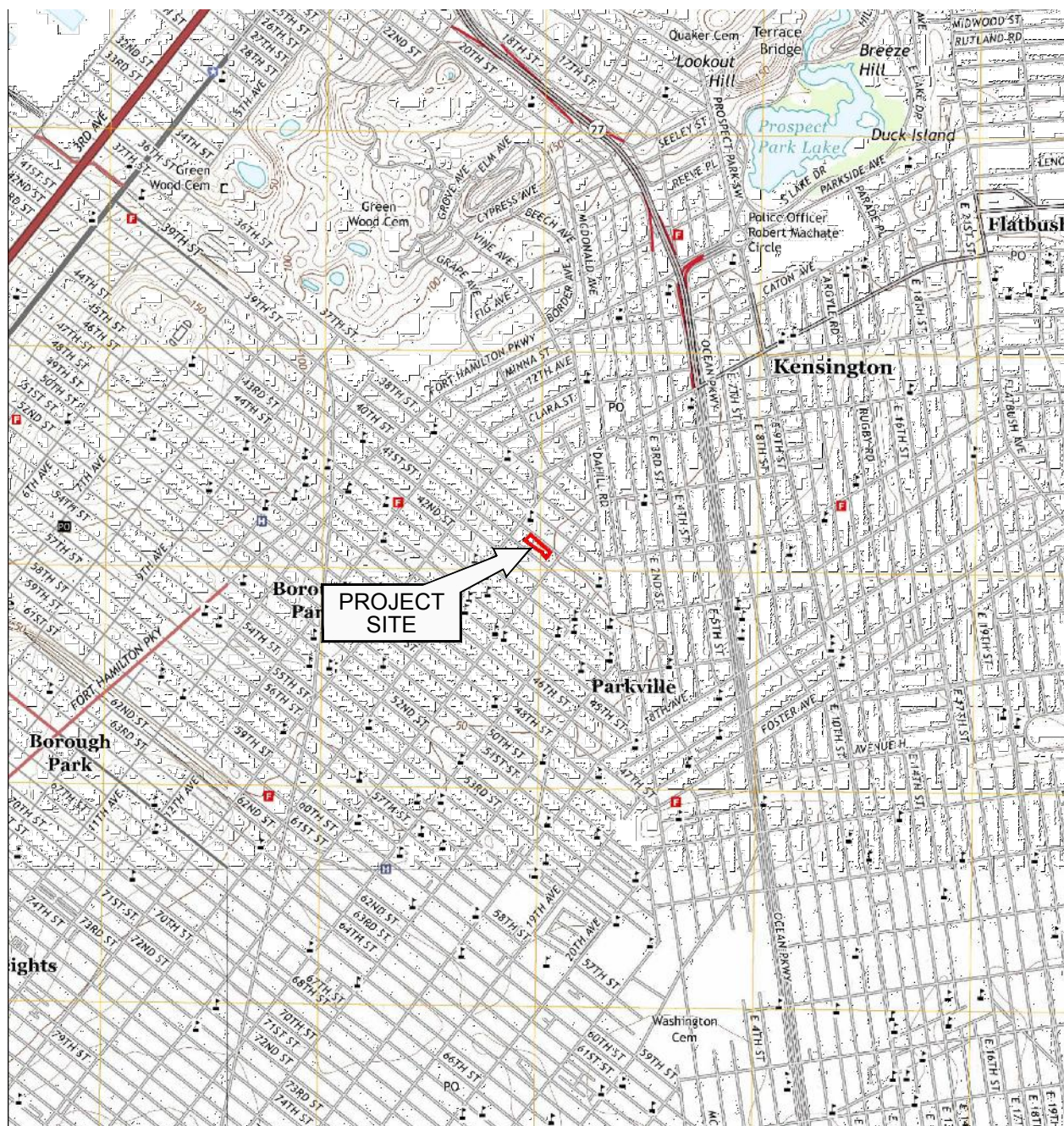
13.0 APPENDICES

APPENDIX A	FIGURES
APPENDIX B	ENVIRONMENTAL DATA RESOURCES, INC. REPORTS
APPENDIX C	ENVIRONMENTAL REPORTS AND RELEVANT HISTORICAL DOCUMENTS
APPENDIX D	ENVIRONMENTAL RECORD SEARCH RESULTS AND INFORMATION REQUESTS
APPENDIX E	SITE PHOTO LOG

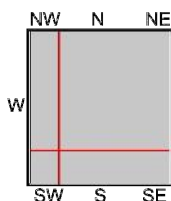
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APPENDIX A
FIGURES



This report includes information from the following map sheet(s).



TP, Brooklyn, 2013, 7.5-minute
SE, Coney Island, 2013, 7.5-minute
SW, The Narrows, 2013, 7.5-minute
NW, Jersey City, 2014, 7.5-minute

Scale 1"=2500'



1426-1460 39TH STREET
BLOCK 5346; LOTS 15, 16, 17, 26, 28, 149
BROOKLYN, NY

SITE LOCATION MAP

SESI
CONSULTING
ENGINEERS D.P.C.

SOILS / FOUNDATIONS
SITE DESIGN
ENVIRONMENTAL

12A MAPLE AVE. PINE BROOK, N.J. 07058 PH: 973-808-9050

FIG-1

DRAWN BY: yy

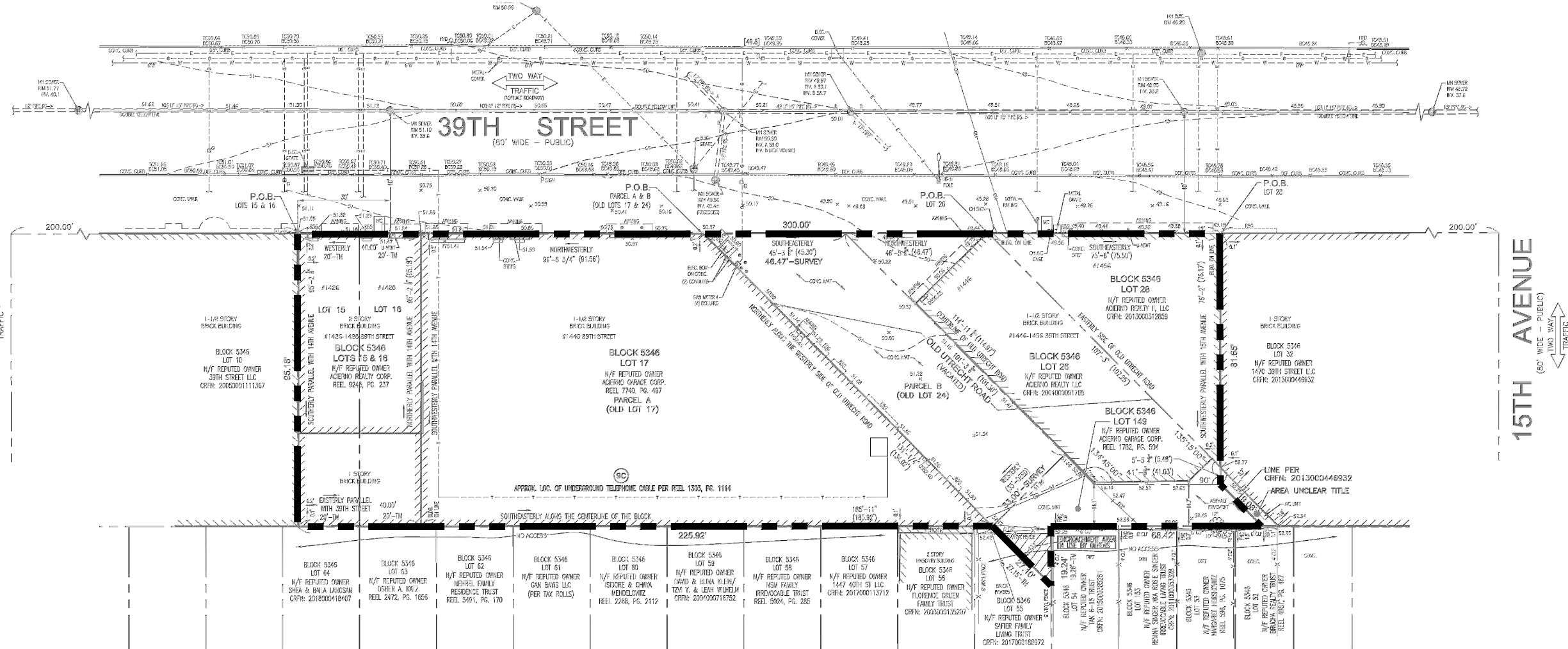
CHECKED BY: TTK

SCALE: AS NOTED

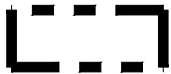
DATE: 11/12/19

JOB NO.: 10737

14TH AVENUE
(90' WIDE - PUBLIC)
ONE WAY
TRAFFIC



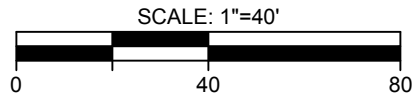
LEGEND:



- PROPERTY BOUNDARY (APPROX.)

NYS Education Law
Unauthorized alterations or additions to this plan are a violation of section 7209 (2) of the New York State Education Law. Copies of this map not having the seal of the engineer shall not be valid.

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1426-1460 39TH STREET
BLOCK 5346; LOTS 15, 16, 17, 26, 28, 149
BROOKLYN, NY

SITE LOCATION PLAN

job no: 10737
drawing no:

FIG-2

SOILS / FOUNDATIONS
SITE DESIGN
ENVIRONMENTAL

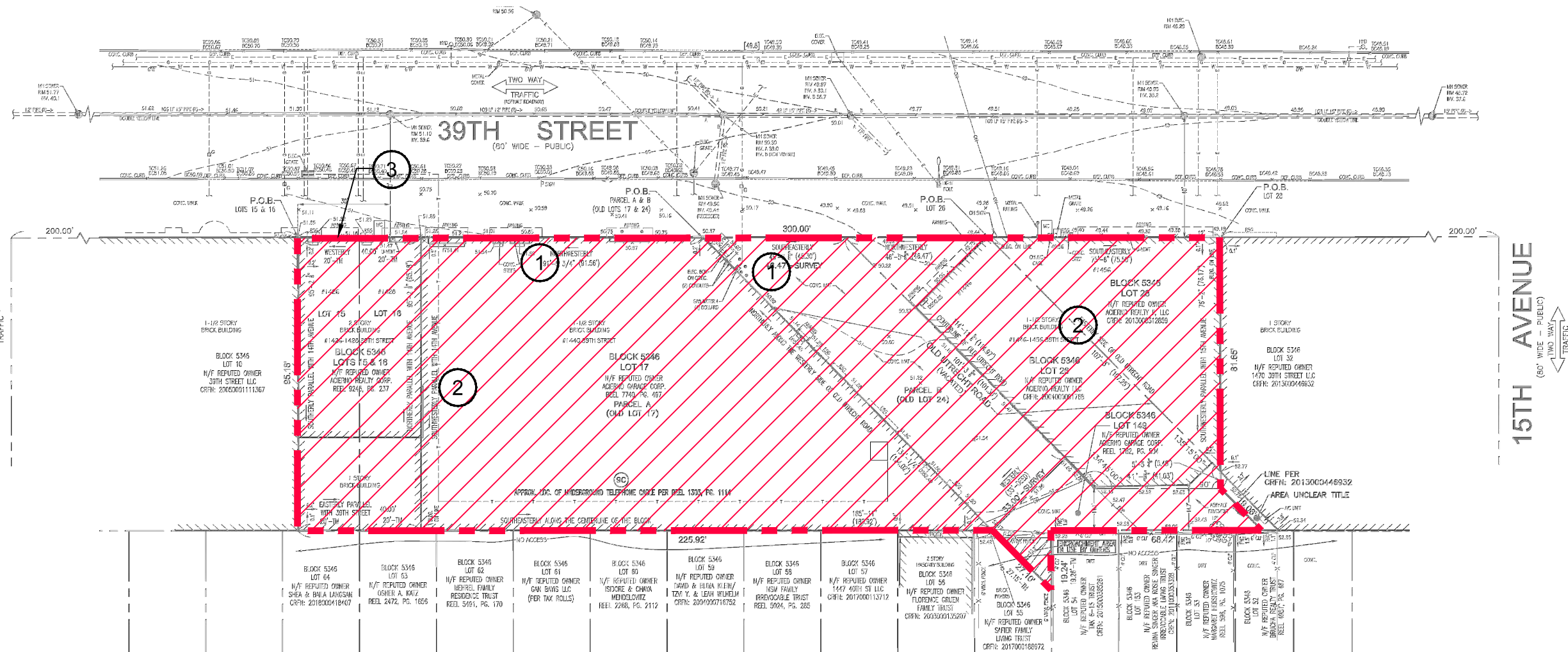
SESI
CONSULTING
ENGINEERS D.P.C.

12A MAPLE AVE. PINE BROOK, N.J. 07058 PH: 973-808-9050

dwg by: yy
chk by: JS
scale: AS NOTED
date: 11/12/19

N:\ACAD\10737\PHASE 1 REPORT\10737 FIG-3 REC LOCATION PLAN.DWG 12/12/19 03:36:38PM, cad, LAYOUT:FIG-3

14TH AVENUE
(90' WIDE - PUBLIC)
ONE WAY TRAFFIC



LEGEND:



- PROPERTY BOUNDARY (APPROX.)



- RECOGNIZED ENVIRONMENTAL CONDITIONS

REC KEY

REC-1	SUSPECTED UST LOCATIONS
REC-2	SITE OPERATIONS
REC-3	HISTORIC FILL

SCALE: 1"=40'



NYS Education Law
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SOILS / FOUNDATIONS

SITE DESIGN

ENVIRONMENTAL

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12A MAPLE AVE. PINE BROOK, N.J. 07058 PH: 973-808-9050

1426-1460 39TH STREET
BLOCK 5346; LOTS 15, 16, 17, 26, 28, 149
BROOKLYN, NY

REC LOCATION PLAN

job no: 10737
drawing no:

FIG-3

dwg by: yy
chk by: JS
scale: AS NOTED
date: 12/12/19

APPENDIX B
ENVIRONMENTAL DATA RESOURCES, INC. REPORTS

DRAFT

APPENDIX C
ENVIRONMENTAL REPORTS AND RELEVANT HISTORICAL DOCUMENTS

APPENDIX D
ENVIRONMENTAL RECORD SEARCH RESULTS AND INFORMATION REQUESTS



FIRE DEPARTMENT – CITY OF NEW YORK
Public Records Unit / Tanks Section
9 MetroTech Center
Brooklyn, New York 11201-3857
(718) 999-2441 or 2442



Fuel Tank Special Report Request Form

SECTION A

CUSTOMER INFORMATION

Please print the required information below.

Name _____

Address _____

State _____

Zip Code _____

Telephone Number _____

OFFICE USE ONLY

Cashier / Search No. _____

PRU Staff

Accepted By/Initials: _____

Searched By: _____

Total Amount: _____

Note: Please make sure you complete this form and attach all required documents. Enclose a check or money order made payable to the **NYC Fire Department** and a stamped self-addressed envelope (with postage). Mail checks or money orders directly to the address and unit listed above. **DO NOT MAIL CASH.**

SECTION B

FUEL TANK REPORT - FEE \$10.00 / PER REPORT

House Number _____

Street Name _____

Borough _____

- ☐ THE TOTAL AMOUNT AND SIZE OF EXISTING FUEL OIL / HEATING TANKS
- ☐ THE TOTAL AMOUNT AND SIZE OF REMOVED OR SEALED FUEL OIL / HEATING TANKS
- ☐ THE TOTAL AMOUNT AND SIZE OF EXISTING BURIED MOTOR VEHICLE TANKS
- ☐ THE TOTAL AMOUNT AND SIZE OF REMOVED OR SEALED BURIED MOTOR VEHICLE TANKS
- ☐ MOST RECENT TANK / PIPING TEST RESULTS
- ☐ HISTORY OF BURIED TANKS LEAKS

Note: Requests will be responded to within 10 business days.

PR3 (July-08)

New York City Fire Department Fuel Tank Special Report

The New York City Fire Department issues New York City Fire Code Fuel Tank Inspection Reports and issues violations for bulk fuel storage tanks within New York City. The FDNY does not maintain copies of Fuel Tank Inspection Report records for bulk fuel storage tanks located outside of New York City.

Where do I obtain a copy of my FDNY Fuel Tank Special Report?

- You can perform an on-line search for a summons, see a copy of the summons, find your NYC Office of Administrative Trials and Hearings (OATH) Environmental Control Board (ECB) hearing date, hearing results, and make payments. You can search for this information by name, address or the summons number. You can search for this information by name, address or the summons number by going to the [Summons Finder](#).
- You may obtain copies from the FDNY Public Records Unit through the following methods,
 - In Person
 - By Mail
 - [Online](#)

If you are picking your Report up *in person* or want to request the records *by mail*, please either visit or mail requests to:

FDNY Public Records Unit

9 MetroTech Center- First Floor

Brooklyn, N.Y. 11201

Use the FLATBUSH AVENUE ENTRANCE

Hours of Operation: Monday - Friday 9:00am to 4:00pm (except Holidays)

(718) 999-1998 or 1999

Who is eligible to obtain a copy of a FDNY Fuel Tank Special Report?

- Anyone may obtain a copy of a FDNY Fuel Tank Special Report.

What is the fee for a copy of an FDNY Fuel Special Tank Report?

- The fee is \$10.00 per Report.
- Payments for Mail or Online requests may be made by check or money order payable to the New York City Fire Department - **Do not send cash.**
 - *NOTE: Payments submitted from foreign countries must be made by a check drawn on a United States bank or by international money order.*



FIRE DEPARTMENT – CITY OF NEW YORK
Public Records Unit / Tanks Section
9 MetroTech Center
Brooklyn, New York 11201-3857
(718) 999-2441 or 2442



Fuel Tank Special Report Request Form

SECTION A

CUSTOMER INFORMATION

Please print the required information below.

Name

Address

State

Zip Code

Telephone Number

OFFICE USE ONLY

Cashier / Search No.

PRU Staff

Accepted By/Initials: _____

Searched By: _____

Total Amount: _____

Note: Please make sure you complete this form and attach all required documents. Enclose a check or money order made payable to the **NYC Fire Department** and a stamped self-addressed envelope (with postage). Mail checks or money orders directly to the address and unit listed above. **DO NOT MAIL CASH.**

SECTION B

FUEL TANK REPORT - FEE \$10.00 / PER REPORT

House Number

Street Name

Borough

- ☐ THE TOTAL AMOUNT AND SIZE OF EXISTING FUEL OIL / HEATING TANKS
- ☐ THE TOTAL AMOUNT AND SIZE OF REMOVED OR SEALED FUEL OIL / HEATING TANKS
- ☐ THE TOTAL AMOUNT AND SIZE OF EXISTING BURIED MOTOR VEHICLE TANKS
- ☐ THE TOTAL AMOUNT AND SIZE OF REMOVED OR SEALED BURIED MOTOR VEHICLE TANKS
- ☐ MOST RECENT TANK / PIPING TEST RESULTS
- ☐ HISTORY OF BURIED TANKS LEAKS

Note: Requests will be responded to within 10 business days.

PR3 (July-08)

New York City Fire Department Fuel Tank Special Report

The New York City Fire Department issues New York City Fire Code Fuel Tank Inspection Reports and issues violations for bulk fuel storage tanks within New York City. The FDNY does not maintain copies of Fuel Tank Inspection Report records for bulk fuel storage tanks located outside of New York City.

Where do I obtain a copy of my FDNY Fuel Tank Special Report?

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 - In Person
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FDNY Public Records Unit

9 MetroTech Center- First Floor

Brooklyn, N.Y. 11201

Use the FLATBUSH AVENUE ENTRANCE

Hours of Operation: Monday - Friday 9:00am to 4:00pm (except Holidays)

(718) 999-1998 or 1999

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NEW YORK CITY DEPARTMENT OF HEALTH AND
MENTAL HYGIENE

For office use only

CONTROL NUMBER:

FREEDOM OF INFORMATION LAW REQUEST FORM

To: Records Access Officer
NYC Department of Health and Mental Hygiene
42-09 28th Street, 14th Floor, CN 31
Long Island City, NY 11101
Phone: (347) 396-6078/6116
Fax: (347) 396-6087
recordsaccess@health.nyc.gov

Date ____ / ____ / ____

Dear Record Access Officer:

I, _____ request copies of any inspection reports and/or records located in
the Bureau of _____, of the New York City
Department of Health and Mental Hygiene.

The records pertain to:

- | | | |
|--|--|--|
| <input type="checkbox"/> Lead Poisoning | <input type="checkbox"/> Animal bite | <input type="checkbox"/> Employment/Human Resources |
| <input type="checkbox"/> Contracts/RFPs | <input type="checkbox"/> Pest Control | <input type="checkbox"/> Environmental for specific property |
| <input type="checkbox"/> Early Intervention | <input type="checkbox"/> Food Safety | <input type="checkbox"/> Mental Health |
| <input type="checkbox"/> Communicable Diseases | <input type="checkbox"/> School Health | <input type="checkbox"/> Day Care |
| <input type="checkbox"/> Other: _____ | | |

Please specify/describe the records you are requesting from the above program(s):

There is a charge of 25¢ per page or actual costs of reproduction, payable in advance.

Requester's Name: _____
(Please print)

Todd Kelly
(Signature)

Requester's Organization: _____

Requester's Address: _____
Street City State Zip code

Telephone Number: (____) _____ - _____ E-mail: _____



Department of Health

ANDREW M. CUOMO
Governor

HOWARD A. ZUCKER, M.D., J.D.
Commissioner

SALLY DRESLIN, M.S., R.N.
Executive Deputy Commissioner

October 4, 2019

Todd Kelly
SESI Consulting Engineers
12A Maple Avenue
Pine Brook, NJ 07058

FOIL # 19-10-050

Dear Mr. Kelly:

This will acknowledge receipt of your request for records under the Freedom of Information Law, received by this office on October 1, 2019.

Your request has been forwarded to the appropriate Department program area(s) to identify documents that are responsive to your request and which may be made available pursuant to all applicable provisions of the Freedom of Information Law.

A determination as to whether your request is granted or denied will be reached in approximately 20 business days or we will notify you in writing if the responsible program area(s) should require additional time to locate, assemble, and review documents that may be responsive to your request.

Please note that, pursuant to Article 6 of the Public Officers Law, a charge may be applied to your request, including the actual cost of the medium used to respond to your Freedom of Information Law request and/or other related costs. When responsive records have been identified, you will be informed of any cost and how payment should be made.

Sincerely,

A handwritten signature in blue ink, appearing to read "Rosemarie Hewig".

Rosemarie Hewig, Esq.
Records Access Officer

RH/sjp

Todd T. Kelly

From: donotreply@records.nyc.gov
Sent: Wednesday, October 23, 2019 1:56 PM
To: Todd T. Kelly
Subject: [OpenRecords] Request FOIL-2019-826-04378 Closed

The Department of Environmental Protection (DEP) has **closed** your FOIL request [FOIL-2019-826-04378](#) for the following reasons:

- A diligent search for records responsive to your request did not locate any such records. Accordingly, your request is denied.

You may appeal the decision to deny access to material that was redacted in part or withheld in entirety by contacting the agency's FOIL Appeals Officer: foilappeals@dep.nyc.gov within 30 days.

Request Information:

Request Title: Phase I Environmental Site Assessment

Request Description: Site Address: 1426-1460 39th Street, Brooklyn, NY (Block 5346, Lots 15,16,17,26,28, and 149. SESI requests any available records of the following: Documentation of aboveground or underground storage tank installation, removal or abandonment; documented illegal dumping or disposal; records of hazardous chemical storage or use; records associated with documented release(s), spills or discharges of hazardous chemicals; site inspections reports conducted for health and/or environmental purposes including code violations; emergency response reports associated with the site; and any environmental reports associated with soil/groundwater investigative sampling.



Department of Health

ANDREW M. CUOMO
Governor

HOWARD A. ZUCKER, M.D., J.D.
Commissioner

SALLY DRESLIN, M.S., R.N.
Executive Deputy Commissioner

October 23, 2019

Todd Kelly
SESI Consulting Engineers
12A Maple Avenue
Pine Brook, NJ 07058

FOIL #: 19-10-050

Dear Mr. Kelly:

This letter responds to your Freedom of Information Law request of October 1, 2019, in which you requested environmental records pertaining to "1426-1460 39th Street, Brooklyn, NY."

Please be advised that after conducting a diligent search, no records responsive to your request have been located.

Additionally, please note that this address is served by the New York City public water system (NY7003493). Any violation reports for the public water system can be found at the following link:

http://www.health.ny.gov/environmental/water/drinking/violations/previous_compliance_reports.htm

Should you feel that you have been unlawfully denied access to records, you may appeal such denial in writing within 30 days to the Records Access Appeals Officer, Division of Legal Affairs, Empire State Plaza, 2438 Corning Tower, Albany, New York, 12237-0026.

If you require additional information or wish to discuss this matter further, please do not hesitate to contact me at (518) 474-8734.

Sincerely,

A handwritten signature in cursive script, appearing to read "Rosemarie Hewig".

Rosemarie Hewig, Esq.
Records Access Officer

RH/sm

Todd T. Kelly

From: New York DEC Support <newyorkdec@mycusthelp.net>
Sent: Friday, October 25, 2019 12:54 PM
To: Todd T. Kelly
Subject: Freedom of Information Law Request :: W058964-100119

--- Please respond above this line ---



Region 2 - Long Island City
P: (718) 482-3103 | F:
www.dec.ny.gov

RE: PUBLIC RECORDS REQUEST of 10/1/2019, Reference # W058964-100119

Date: 10/25/2019

Dear Todd Kelly,

I write in response to your Freedom of Information Law (FOIL) request seeking:

*Site Address: 1426-1460 39th Street, Brooklyn, NY (Block 5346, Lots 15,16,17,26,28, and 149.
SESI is conducting a Phase I Environmental Site Assessment and request the following: Documentation of
aboveground or underground storage tank installation, removal or abandonment; documented illegal dumping or
disposal; records of hazardous chemical storage or use; records associated with documented release(s), spills or
discharges of hazardous chemicals; site inspections reports conducted for health and/or environmental purposes
including code violations; emergency response reports; and any environmental reports associated with
soil/groundwater investigative sampling.*

Please be advised that a diligent search of the files maintained by DEC produced no responsive records.

If you believe you have been unlawfully denied access to responsive records, you have the right to appeal. Any such appeal must be submitted in writing and within thirty (30) days of the date of this email. Appeals must be directed to:

FOIL Appeals Officer
Office of General Counsel
New York State Department of Environmental Conservation
625 Broadway, 14th Floor
Albany, NY 12233-1500

Your FOIL request is now closed. If I can be of further assistance, please contact me at (718) 482-3103 and reference FOIL #W058964-100119, or simply reply to this email. Thank you.

Sincerely,

Region 2 FOIL Coordinator

DRAFT

APPENDIX E
INSPECTION PHOTO LOG



Photo 1: Photo 5: Photograph of the Buildings 1426-1440 along 39th Street.



Photo 2: Photograph of parking/access road.



Photo 3: Photograph of Buildings 1546-1560.



Photo 4: View of neighboring property north of the site



Photo 5: Photograph of the Buildings 1426-1440.



Photo 6: Photograph of reported UST location.



Photo 7: Photograph of possible floor drains within Building 1426.

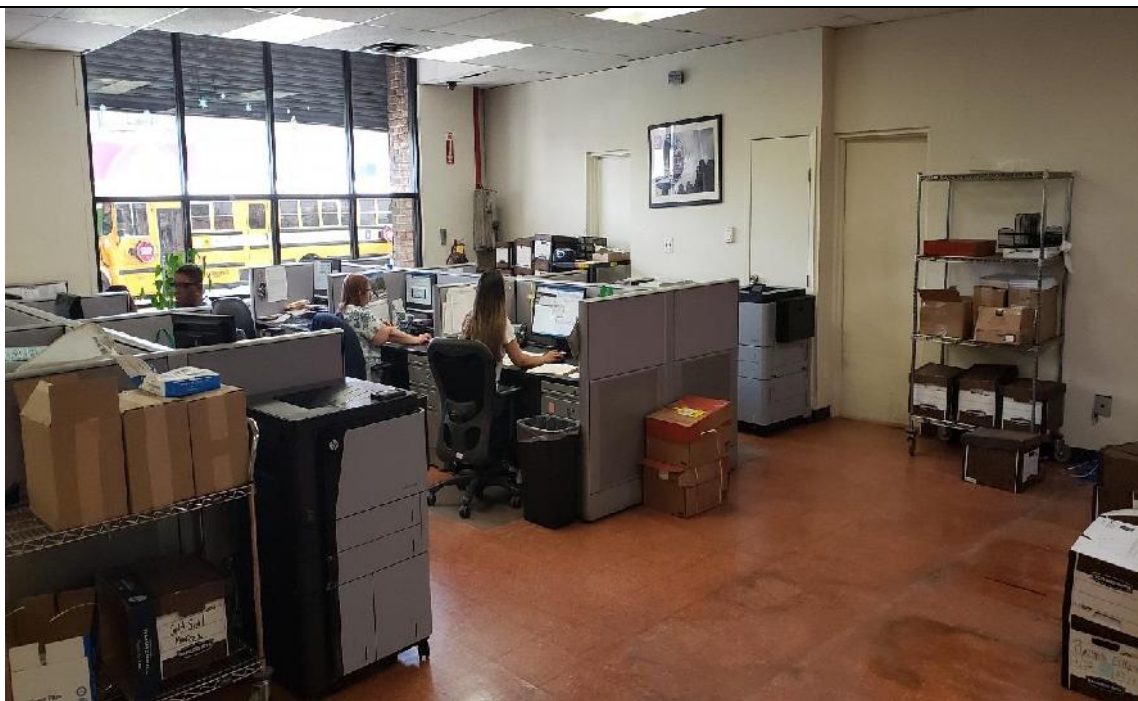


Photo 8: Photograph of suspected interior UST location within Building 1432-1440.



Photo 9: Transformer located along the eastern exterior wall of Building 1440.



Photo 10: Unknown pipe located within Building 1456.



Photo 11: Unknown vault located inside the building under the floor.



Photo 12: Unknown utility vault located inside the building under the floor.



Photo 13: Bailer of liquid inside the unknown pipe from the vault. No petroleum odors detected.



Photo 14: Unknown utility under the floor inside the building.



Photo 15: Unknown utility under the floor inside the building.