PHASE I ENVIRONMENTAL SITE ASSESSMENT

for

VITAL BROOKLYN – SITES E, F, G, and H
Brooklyn, New York

Prepared for:

Monadnock Development, LLC
155 3rd Street
Brooklyn, NY 11231

Prepared by:

Langan Engineering, Environmental, Surveying,
Landscape Architecture and Geology, D.P.C.
21 Penn Plaza
360 West 31st Street, 8th Floor
New York, New York

DRAFT

Mimi S. Raygorodetsky
Principal

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EXECUTIVE SUMMARY

Langan Engineering, Environmental, Surveying, Landscape Architecture and Geology, D.P.C. (Langan) prepared this Phase I Environmental Site Assessment (ESA) on behalf of Monadnock Development, LLC (the User) for the property comprising the northern portion of the Kingsbrook Jewish Medical Center campus in the East Flatbush neighborhood of Brooklyn, New York (the Subject Property). The Subject Property is identified on the Brooklyn Borough Tax Map as the northern portions of Lots 1 and 5 on Block 4602. The Subject Property is about 101,951 square feet in area (2.34 acres) and is identified as Vital Brooklyn[1] Sites E, F, G, and H, as detailed below:

- Site E - 561 Schenectady Avenue – a four-story building (the Leviton Building) primarily used for office space and vaccine administration
- Site F - 830 Rutland Road – a mostly-vacant six-story building (the Masin Building), with the exception of ground floor offices and second and third floor laboratories, and a courtyard and a vacant security booth
- Sites G and H - 73 East 49th Street – adjoining six- and four-story buildings (the Blumberg and LeFrak Buildings, respectively) used for doctor's offices, medical equipment storage, administrative offices, and dialysis treatment

The Subject Property is bound by Rutland Road to the north, East 49th Street to the east, the southern part of the Kingsbrook Jewish Medical Center campus to the south, and Schenectady Avenue to the west.

This Phase I ESA was conducted in accordance with ASTM International (ASTM) Standard E1527-13 (Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process) and the United States Environmental Protection Agency (USEPA) All Appropriate Inquiry (AAI) Rule for the purpose of identifying Recognized Environmental Conditions (REC), historical RECs (HREC), controlled RECs (CREC), and business environmental risks (BER). The Phase I ESA identified two RECs, one BER, and one non-ASTM consideration.

[1] The Vital Brooklyn Initiative is an ongoing community development program for underserved neighborhoods in Central Brooklyn. Vital Brooklyn offers a holistic approach that focused on eight integrated areas of improvement: open space and recreation; healthy food; education; economic empowerment; community-based violence prevention; community-based health care; affordable housing; and resiliency.

Recognized Environmental Conditions

The Phase I ESA identified the following RECs:

REC 1 – Historical Hazardous Waste Generation at the Subject Property

The Subject Property was listed as a Resource Conservation and Recovery Act (RCRA) Small Quantity Generator and a Non Generator/Longer Regulated (NonGen/NLR) between 1991 and 2007 for the generation of hazardous wastes. Violations related to RCRA generator status were identified. Based on the length of hazardous waste handling operations, record of violations, and types of waste handled historical releases of hazardous materials may have adversely impact soil, groundwater and/or soil vapor at the Subject Property.

REC 2 – Open Petroleum Spill Cases at Surrounding Properties

An active gasoline filling station (530 Utica Avenue – 250 feet east) and a former gasoline filling station and automotive repair facility (529 Utica Avenue – 350 feet east) are the subject of two open petroleum spill cases. Both properties are located up/cross-gradient of the Subject Property. Both spills were reported when subsurface impacts were identified during tank removals. Remedial actions were completed at both sites; however, on-going groundwater monitoring indicates concentrations of petroleum compounds in groundwater at concentrations above current regulatory standards as of 2017 and 2020. Both spill cases remain open. Residual petroleum contamination from the gasoline filling stations may adversely impact groundwater and/or soil vapor at the Subject Property.

REC 3 – Current and Historical Uses of Adjoining and Surrounding Properties

Current and historical uses of adjoining and surrounding properties include gasoline filling stations, auto repair facilities, and car washes (circa 1969-present) and a coal power generation facility (date unknown – circa 1980).

Releases of petroleum products, solvents, and other hazardous substances associated with the current and historical activity at adjoining and surrounding properties may have affected groundwater and/or soil vapor beneath the Subject Property.

Business Environmental Risk

A BER is defined by ASTM E1527-13 as a risk that can have a material environmental or environmentally driven impact on the business associated with the current or planned use of a parcel of commercial real estate not necessarily limited to those environmental issues required to be investigated in this practice. The following BER was identified for the Subject Property:

Fill was observed in stockpiles located near to where a buried steam pipe was previously repaired. Fill found in urban environments typically contains ash, demolition debris, and/or

municipal waste products and may contain contaminants (e.g., semivolatile organic compounds [SVOCs] or metals) at concentrations above current regulatory standards and at often at hazardous concentrations. Fill at the Subject Property may require implementation of soil handling and management procedures during future site redevelopment to address excavation, re-use, handling, and off-site disposal, which may result in material cost to the User.

Non-ASTM Consideration

A Non-ASTM Scope Consideration is identified by ASTM E1527-13 as an environmental issue or condition at a property that parties may wish to assess in connection with commercial real estate that are outside the scope of ASTM E1527-13. The following non-ASTM consideration was identified for the Subject Property:

The buildings on the Subject Property were constructed in and 1927 (LeFrak), 1933 (Blumberg and Leviton) and 1957 (Masin), potentially with asbestos-containing material ACM, lead-based paint (LBP), and polychlorinated biphenyl (PCB)-containing materials. An intrusive survey to identify ACM, LBP, and PCB-containing material was not conducted as part of this Phase I ESA.

1.0 INTRODUCTION

Langan Engineering, Environmental, Surveying, Landscape Architecture and Geology, D.P.C. (Langan) prepared this Phase I Environmental Site Assessment (ESA) on behalf of Monadnock Development, LLC (the User) for the property comprising the northern portion of the Kingsbrook Jewish Medical Center campus in the East Flatbush neighborhood of Brooklyn, New York (the Subject Property). The Subject Property is identified on the Brooklyn Borough Tax Map as the northern portions of Lots 1 and 5 on Block 4602. The Subject Property is about 101,951 square feet in area (2.34 acres), and is identified as Vital Brooklyn[1] Sites E, F, G, and H, as detailed below:

- Site E - 561 Schenectady Avenue – a four-story building (the Leviton building), primarily used for office space and vaccine administration
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The Subject Property is bound by Rutland Road to the north, East 49th Street to the east, the southern part of the Kingsbrook Jewish Medical Center campus to the south, and Schenectady Avenue to the west.

This Phase I ESA was performed in accordance with ASTM International (ASTM) Standard E1527-13 (Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process) and the United States Environmental Protection Agency (USEPA) All Appropriate Inquiries (AAI) Rule, 40 Code of Federal Regulations (CFR) Part 312.

1.1 Purpose

The purpose of this Phase I ESA is to accomplish the following:

(1) Identify Recognized Environmental Conditions (REC) in connection with the Subject Property, as defined in ASTM E1527-13, which states: The presence or likely presence of any hazardous substances or petroleum products in, on, or at a property: (a) due to any release to the environment; (b) under conditions indicative of a release to the environment; or (c) under conditions that pose a material threat of a future release to the environment. The term is not intended to include de minimis conditions that generally do not present a material risk of harm to public health or the environment and that generally would not be the subject of an enforcement action if brought to the attention of appropriate governmental agencies.

(2) Provide services consistent with the USEPA 40 CFR Part 312 Subpart C Standards and Practices §312.20 AAI Rule.

1.2 Scope of the ESA

This Phase I ESA was conducted utilizing a standard of good commercial and customary practice that is consistent with ASTM E1527-13. Any significant scope-of-work additions, deletions, or deviations to ASTM E1527-13 are noted in Section 8.0 of this report. In general, the scope of this assessment consisted of obtaining information from the User; reviewing reasonably ascertainable information and environmental data relating to the Subject Property; reviewing maps and records maintained by federal, state, and local regulatory agencies; interviewing persons knowledgeable about the Subject Property; and conducting a site inspection. The specific scope of this assessment included the following:

1. A reconnaissance to characterize conditions and assess the Subject Property's location with respect to adjoining and surrounding property uses and natural surface features. The reconnaissance included the surrounding roads and observations of surrounding properties from public rights-of-way to identify obvious potential environmental conditions on neighboring properties. The site reconnaissance was conducted in a systematic manner focusing on the spatial extent of the Subject Property and then progressing to adjacent and surrounding properties. Photographs taken as part of the site reconnaissance are provided in Appendix A.
2. A review of the responses to the User/Owner questionnaire, which is included as Appendix B.
3. A review of previous environmental reports associated with the Site. Copies of previous environmental reports are included in Appendix C.
4. A review of environmental databases maintained by the USEPA, state, and local agencies within the approximate minimum search distance. Environmental Data Resources, Inc. (EDR) provided the environmental database report, which is included in Appendix D.
5. Filing of Freedom of Information Act (FOIA) requests with federal, state, and local agencies. Copies of the FOIA requests and responses received to-date are included in Appendix E.
6. A review of NYC Department of Buildings (DOB) and NYC Department of City Planning (DCP) records, and a Zoning Map. Available DOB and DCP records and the Zoning Map are included in Appendices F and G, respectively.
7. A review of physical characteristics of the Subject Property through a review of referenced sources for topographic, geologic, soils, and hydrologic data.

8. A review and interpretation of aerial photographs, Sanborn® Fire Insurance Maps (Sanborn Maps), historical topographic maps, and city directories to identify previous activities on and near the Subject Property. Copies are included in Appendices H, I, J, and K respectively.
9. A review of an Environmental Lien search for the Subject Property. A copy of the environmental lien search report is included in Appendix L.
10. A review of published radon occurrence maps to evaluate whether the Subject Property is located in an area with a propensity for elevated radon levels.

1.3 Assumptions, Limitations, and Exceptions

This Phase I ESA report was prepared for the User for the Subject Property at 561 Schenectady Avenue, 830 Rutland Road, and 73 East 49th Street (Tax Block 4602, northern portions of Lots 1 and 5) in Brooklyn, New York. The report is intended to be used in its entirety. Excerpts taken from this report are not necessarily representative of the assessment findings. Langan cannot assume responsibility for use of this report for any property other than the Subject Property addressed herein, or by any other third party without a written authorization from Langan.

Langan's scope of services, which is described in Section 1.2, was limited to that agreed to with the User and no other services beyond those explicitly stated are implied. The services performed and agreed upon for this effort comports to those prescribed in ASTM E1527-13. Intrusive sampling (i.e., soil borings and groundwater sampling) was not performed as part of this Phase I ESA.

This Phase I ESA is not intended to be a definitive investigation of possible environmental impacts at the Subject Property. The purpose of this investigation was limited to determining if there is reason to suspect the possibility of RECs at the Subject Property. It should be understood that even the most comprehensive Phase I ESA might fail to detect environmental liabilities at a particular Subject Property. Therefore, Langan cannot "insure" or "certify" that the Subject Property is free of environmental impacts. No expressed or implied representation or warranty is included or intended in this report, except that our services were performed, within the limits prescribed by the User, with the customary standard of care exercised by professionals performing similar services under similar circumstances within the same jurisdiction.

The conclusions, opinions, and recommendations provided in this report are based solely on the specific activities as required for the performance of ASTM E1527-13 and are intended exclusively for the purpose stated herein, at the specified Subject Property, as it existed at the time of our site visit.

2.0 SUBJECT PROPERTY DESCRIPTION

2.1 Location and Description

The Subject Property is identified on the Brooklyn Borough Tax Map on Block 4602 and consists of the northern portions of Lots 1 and 5. The Subject Property is about 101,951 square feet in area (2.34 acres), and is identified as Sites E, F, G, and H, as detailed below:

- Site E - 561 Schenectady Avenue – a four-story building (the Leviton building), primarily used for office space and vaccine administration
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The Subject Property is bound by Rutland Road to the north, East 49th Street to the east, the southern part of the Kingsbrook Jewish Medical Center campus to the south, and Schenectady Avenue to the west. A Subject Property Location Map is included as Figure 1, and the layout of the Subject Property is shown on Figure 2.

Based on visual observations of the surrounding area during the site reconnaissance, the Subject Property is located within an urban area characterized by residential, institutional, and commercial development. Site reconnaissance photographs are included in Appendix A.

Surrounding property use is summarized in the following table:

Direction	Block	Lot	Adjoining Properties	Surrounding Properties
North	Rutland Road			Multi-family residential buildings
	4590	51	A six-story residential building and parking lot (811 Rutland Road)	
East	East 49th Street			Speedway gas station followed by commercial properties
	4603	1	Parking lot for Kingsbrook Jewish Medical Center (832 Rutland Road)	
South	4602	1 & 5	Southern portion of the Kingsbrook Jewish Medical Center campus (86 East 49th Street and 585 Schenectady Avenue)	Multi-family residential buildings followed by Winthrop Street
West	Schenectady Avenue			Multi-family residential and commercial buildings
	4602	5	Multi-story residential and commercial buildings (544 to 612 Schenectady Avenue)	

2.2 Description of Site Improvements

Improvements at the Subject Property are summarized in the following table:

Subject Property Improvements	
Size of the Subject Property	About 101,951 square feet (2.34 acres)
Buildings/Spaces/Structures	Lot 1 – two-story building with cellar (Leviton),
	Lot 5 – six-story building with cellar (Masin) and two adjoining six- and four-story buildings (Blumberg and LeFrak) with cellar and partial cellar, respectively. The Masin and Blumberg buildings connect on the second floor.
Surface Water	None
Potable Water Source	NYC - Municipal
Sanitary and Storm Sewer Utilities	NYC - Municipal
Electrical Utilities	Consolidated Edison, Inc.
Construction Completion Date	Lot 1 – 1927 (LeFrak). 1933 (Blumberg), 1957 (Masin)
	Lot 5 – 1933 (Leviton)
General Construction Type	Concrete block and steel frame with brick façade
Cooling and Ventilation System Type	Window units and air handlers
Heating System Type	Boilers provide steam to all four Subject Property buildings. The boilers are located in a utility building on the southern portion of the Kingsbrook Jewish Medical Center campus.
Emergency Power	Emergency power for Leviton and portions of Masin and Blumberg is provided by two diesel generators located in buildings on the southern portion of the Kingsbrook Jewish Medical Center campus (DMRI/Rutland Nursing Home and Katz-Menken building). No emergency power is provided to LeFrak.

2.3 Title Records

Langan researched ownership records for the Subject Property on the NYC Department of Finance (DOF) Automated City Register Information System (ACRIS) website (https://a836-acris.nyc.gov/DS/DocumentSearch/Index). The ACRIS records did not list any deeds for the Subject Property; however, title records indicated the title for Tax Block 4602, Lot 1 was vested in Kingsbrook Jewish Medical Center and the title for Tax Block 4602, Lot 5 was vested in Rutland Nursing Home, Inc. RECs were not identified for the Subject Property during the title records search.

3.0 USER PROVIDED INFORMATION

3.1 User Questionnaire

Per ASTM E1527-13, a questionnaire was provided to the User to inquire about specialized information related to the Subject Property. The User Questionnaire was completed by Mr. Dean Oliver, a Project Developer for the User, and was returned to Langan on February 24, 2021. Mr. Oliver indicated that he is not aware of any pending, threatened, or past litigation, administrative proceedings, or government notices related to hazardous substances or petroleum products in, on, or emanating from the Subject Property. A copy of the completed questionnaire is included in Appendix B. The User provided a January 2014 Phase I ESA performed by AKRF, Inc. for review, a copy of this report is included in Appendix C.

3.2 Owner/Operator Questionnaire

A questionnaire was provided to the Subject Property owner/operator via the User. The Owner/Operator Questionnaire was completed by Mr. Tony Renteria, Key Site Manager for the Kingsbrook Jewish Medical Center, and was returned to Langan on January 13, 2021. Mr. Renteria indicated that he is not aware of any environmental assessment reports, environmental compliance audits, environmental permits, underground storage tanks (UST) or above ground storage tanks (AST), use limitations, cleanup reports, or violations related to the Subject Property. A copy of the completed questionnaire is included in Appendix B.

3.3 Previous Environmental Reports

AKRF, Inc. performed a Phase I ESA on behalf of the Owner in accordance with ASTM Standard E1527-13. This report covers the entire Kingsbrook Medical Center campus including the southern parts of Block 4602, Lots 1 and 5, as well as the eastern parking lot (a.k.a Vital Brooklyn Site K), referred to as the 'site'. The following RECs were identified:

- Records for Petroleum Bulk Storage (PBS) onsite including No. 4 fuel oil, No. 6 fuel oil and diesel stored in underground storage tanks (USTs) ranging from 500-gallons to 40,000-gallons and above ground storage tanks (ASTs) ranging from 500-gallons to 1,000-gallons were identified. Closure documentation related to two USTs was not identified. Potential releases from current and/or former PBS tanks may have impacted the site subsurface.
- Historic site uses including on-site laboratories and x-ray laboratories, as well as a Resource Conservation and Recovery Act (RCRA) Small Quantity Generators (SQG) and air emissions database listing indicate the historical use of hazardous material. Historic disposal of hazardous substances related to historical uses may have impacted the site subsurface.

- Groundwater monitoring wells associated with an adjoining gasoline station spill were observed throughout the eastern part of the site (a.k.a Vital Brooklyn Parcel K).

Current and former PBS tanks were noted within the southern parts of Block 4602, Lots 1 and 5, outside the Subject Property boundaries, therefore not considered a REC; additional information is provided in Section 4.2. Based on the lack of violations related to the RCRA SQG, it is not considered a REC; additional information is provided in Section 4.1. Potential impacts migrating on-site from an offsite spill is considered a REC, additional information on this spill is provided in Section 4.2.

The following on-site and off-site environmental concerns were identified:

- Hazardous chemical storage associated with hospital operations was observed in designated areas throughout site buildings.
- Based on building age, asbestos containing materials (ACM), polychlorinated biphenyl containing materials (PCBs) and lead based paint (LBP) may be present in buildings throughout the site.
- A greenhouse identified on Sanborn maps between 1969 and 2007 may be associated with historical herbicide/pesticide use and potential lead leaching from greenhouse materials.
- A 2012 geotechnical Investigation within the Briger parking lot, located in the southern part of Lot 1, identified groundwater at approximately 23 feet below ground surface (bgs) with perched groundwater around 10 feet bgs. Fill material was observed to about 12 feet bgs, underlain by varying layers of silt, sandy gravel and sands to boring termination depth (about 29 to 32 feet bgs). Potential buried structures, and debris in fill may be present.
- A gasoline filling station adjoining the site to the east (530 Utica Avenue, adjoining the Vital Brooklyn Site K to the east) was noted from 1969 through 2007. Spill no. 9614292 is associated with this property identified impacted soil and groundwater with off-site delineation ongoing.
- A PBS listing at 282 Midwood Street, about 200 feet north of the Site was identified.
- Historical use of adjoining and surrounding properties include a gasoline filling station, auto repair, laundry, carpenter shop, and a chemical storage warehouse, which may have impacted the site subsurface.

The presence of fill is considered a Business Environmental Risk (BER), additional information is provided in Section 5.3. Potential ACM, PCB-containing materials, and LBP is considered a non ASTM Consideration, additional information is provided in Section 7.2. Potential impacts migrating on-site from an offsite spill is considered a REC, additional information in this spill is provided in Section 4.2. Historical uses of adjoining and surrounding properties is considered a REC, additional information is provided in Section 4.6.

4.0 ENVIRONMENTAL RECORDS

Regulatory database information was provided by EDR and is included in Appendix D. The EDR report is a listing of sites identified on select federal and state standard source environmental databases within the approximate search radii specified by ASTM E1527-13. Langan reviewed each environmental database on a record-by-record basis to evaluate whether the identified sites represent a potential for environmental impact to the Subject Property. Langan also reviewed "Orphan Sites" listed within the report. Orphan Sites are those sites that could not be mapped because of inadequate address information. Any Orphan Sites identified by Langan within the ASTM search radii, either during the site reconnaissance or by cross-referencing to mapped listings, are addressed in the discussion below.

The following table lists the number of sites identified in standard and additional environmental record databases, within the prescribed search radius and appearing in the EDR Report.

DATABASE RECORD SUMMARY			
Database Reviewed (Date of government version)	**Minimum Search Area**	**Subject Property Listed**	**Number of Sites Within Minimum Search Area**
USEPA DATABASES			
National Priorities List (NPL) (12/30/2020)	1 Mile Radius	No	0
Delisted NPL (12/30/2020)	1 Mile Radius	No	0
Superfund Enterprise Management System (SEMS) and SEMS-ARCHIVE (12/30/2020)	1/2 Mile Radius	No	0
Resource Conservation and Recovery Act (RCRA) Corrective Reports (CORRACTS) (12/14/2020)	1 Mile Radius	No	0
RCRA Treatment, Storage, and Disposal Facilities (TSDF) (12/14/2020)	1/2 Mile Radius	No	0
RCRA Generators (RCRA-large quantity generator [LQG], RCRA-small quantity generator [SQG], RCRA-very small quantity generator [VSQG], RCRA Non-Gen) (12/14/2020)	Subject Property and Adjoining	No	4
Facility Index System (FINDS) (11/04/2020)	Subject Property	No	0
Environmental Response Notification System (ERNS) (12/14/2020)	Subject Property	No	0
Engineering Controls (EC) Sites Lists (10/28/2020)	Subject Property	No	0
Institutional Controls (IC) Sites Lists (10/28/2020)	Subject Property	No	0

DATABASE RECORD SUMMARY			
Database Reviewed (Date of government version)	**Minimum Search Area**	**Subject Property Listed**	**Number of Sites Within Minimum Search Area**
NYSDEC DATABASES			
Inactive State Hazardous Waste Sites (SHWS) and Delisted SHWS (11/09/2020)	1 Mile Radius	No	0
Hazardous Substance Waste Disposal Site Inventory (HSWDS) (01/01/2003)	1/2 Mile Radius	No	0
Solid Waste or Landfill Facilities (SWF/LF) (09/30/2020)	1/2 Mile Radius	No	0
Leaking Tanks (LTANKS) (11/09/2020)	1/2 Mile Radius	No	32
SPILLS Information Database (NY SPILLS) (11/09/2020)	1/8 Mile Radius	No	14
Petroleum Bulk Storage Facilities (PBS) UST and AST Databases (09/21/2020)	Subject Property and Adjoining	No	3
Chemical Bulk Storage (CBS) UST and AST Databases (09/21/2020)	Subject Property and Adjoining	No	0
Major Oil Storage Facilities (MOSF) UST and AST Databases (09/21/2020)	1/2 Mile Radius	No	0
Voluntary Cleanup Program (VCP) (11/09/2020)	1/2 Mile Radius	No	0
Brownfields (11/09/2020)	1/2 Mile Radius	No	0
EC Sites (11/09/2020)	Subject Property	No	0
IC Sites (11/09/2020)	Subject Property	No	0
Registered Drycleaners (NY DRYCLEANERS) (12/02/2020)	1/4 Mile Radius	No	3
EDR (PROPRIETARY) DATABASES			
EDR Manufactured Gas Plant (MGP) (N/A)	1 Mile Radius	No	2
EDR Historical Auto Stations (Hist Auto) (N/A)	1/8 Mile Radius	No	8
EDR Historical Cleaners (Hist Cleaner) (N/A)	1/8 Mile Radius	No	0

NA Not Applicable; databases with a "Not Applicable" Minimum Search Radius are databases reviewed as part of the Phase I ESA but not required as per ASTM International E1527-13.

A description of the reviewed databases is provided in the EDR Report (Appendix D). A summary of sites identified within the prescribed search area is presented below.

4.1 Federal Agency Database Findings

The Subject Property and/or sites within the respective minimum search distances as specified by ASTM E1527-13 were not listed in the following Federal Agency databases: NPL, Delisted NPL, SEMS, SEMS-ARCHIVE, RCRA CORRACTS, RCRA TDSF, FINDS, ERNS, EC sites, or IC sites. The following summary describes the sites identified within the designated search radii:

RCRA Generators Database

The RCRA generators/transporters database is USEPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database includes selective information on sites that generate, transport, store, treat and/or dispose of hazardous waste as defined by RCRA. RCRA Databases include Large Quantity Generators (LQG), Small Quantity Generators (SQG), Very Small Quantity Generators (VSQG), and Non Generators (NonGen). The minimum search distance for these databases is the Subject Property and adjoining properties. The Subject Property was not identified in the RCRA generator databases by listing address; however, four adjoining properties were identified within the search radius. Three listings were identified as Con Edison manholes or vaults. Con Edison maintains an internal protocol for managing hazardous substances and no violations were identified for these listings; therefore, they are not considered RECs. The remaining listing is summarized below:

Site Name: Kingsbrook Jewish Medical Center
Site Address: 585 Schenectady Avenue, Brooklyn, NY
Location: Subject Property and south-adjoining property (downgradient)
Description: Kingsbrook Jewish Medical Center is listed under EPA ID NYD986954188 as a NonGen (1995, 2006) and a SQG (1991, 2003, 2007) for the generation of ignitable waste (D001), corrosive waste (D002), reactive waste (D003), mercury (D009), silver (D011), and spent halogenated solvents (F001, F002, F003, F004, and F005). The facility has received notices for violations including small quantity handlers of universal waste, general generator violations and on-site compliance evaluation inspections. Based on the length of hazardous waste handling operations (at least 1991 to 2007), record of violations, and types of waste handled the potential release of hazardous materials to the Subject Property is considered a REC.

Note: the address registered with this listing does not pertain to the Subject Property; however, the Subject Property is part of the Kingsbrook Jewish Medical Center. Therefore, hazardous waste identified in this listing may have been generated or stored in the Subject Property.

4.2 State Agency Database Findings

The Subject Property and sites within the respective minimum search distances as specified by ASTM E1527-13 were not listed in the following State Agency databases: SHWS, Delisted SHWS, HSWDS, SWF/LF, VCP, Brownfields, EC Sites, IC Sites, CBS, or MOSF. The following summary describes the sites identified within the designated search radii:

NY Leaking Storage Tanks Database

The LTANKS database contains an inventory of reported leaking storage tank incidents, including leaking USTs and ASTs. The primary causes of LTANKS incidents include tank test failures, tank failures, and tank overfills. The Subject Property was not identified in the LTANKS database; however, 32 listings were identified within the ½-mile search radius. Twenty eight (28) of the LTANK listings have been granted closed status by the NYSDEC, indicating that NYSDEC is satisfied with spill remediation. The remaining LTANK listings are over 945 feet upgradient of the Subject Property. Based on the regulatory status and/or distance from the Subject Property, these listings are not considered RECs.

NY Spills Database

The Spills database, maintained and updated by NYSDEC, is an inventory of sites where spills have been identified and reported to the NYSDEC. The Subject Property was not listed in the Spills database; however, 14 spills associated with sites within the minimum search area of 1/8-mile were identified. Twelve (12) of the listings have been granted closed status by the NYSDEC, indicating that NYSDEC is satisfied with spill remediation. The remaining two listings are summarized below:

Site Name: BP Amoco Station #655
Site Address: 529 Utica Avenue, Bronx, NY
Location: About 350 feet east (up/cross-gradient) of the Subject Property
Description: Spill No. 9309669 was reported on November 10, 1993 for an unknown quantity of gasoline released to the subsurface that was identified during tank removal. On March 18, 2003 the property operator entered a stipulation agreement with the NYSDEC remediate spill impacts. Remedial activities including groundwater sampling have been reported through February 2017. Depth to water was reported at about 23 to 24 feet bgs and was calculated to flow southeast. A maximum BTEX (benzene, toluene, ethylbenzene, and xylenes) concentration of 7,100 parts per billion (ppb) in groundwater was reported.

Site Name: Speedway 7837 (Former Hess Station 32534)
Site Address: 530 Utica Avenue, Brooklyn, NY
Location: About 250 feet east (up/cross-gradient) of the Subject Property

Description: Spill No. 9614292 was reported on March 10, 1997 for an unknown quantity of gasoline released to the subsurface that was identified during tank removal. . Remedial activities including groundwater sampling have been reported through June 2020, A maximum total VOC (volatile organic compounds) concentration of 4,470.2 micrograms per liter (ug/L) was reported. The spill case remains open with the NYSDEC.

Based on the open regulatory status, elevated concentrations of petroleum compounds detected in in groundwater, and proximity to the Subject Property, Spill Nos. 9309669 and 9614292 at the nearby current and former gasoline filling stations are considered RECs.

PBS UST and AST Databases

The PBS database is a listing of USTs and ASTs registered with the NYSDEC. A registered PBS UST or AST does not constitute a REC in and of itself; however, properties listed on the UST or AST databases with a reported leak, spill, or release could constitute a REC with respect to the Subject Property. The minimum search distance for these databases is the Subject Property and adjoining properties. The Subject Property was not identified in the PBS AST or UST databases by physical address. Two listings were identified within the search radius. These listings are summarized below:

Site Name: Harry Silver Housing Co.
Site Address: 828 Midwood Street, Brooklyn, NY
Site Location: Northern-adjoining property (upgradient)
Description: PBS No. 2-199095 indicates two in-service No. 2 fuel oil ASTs (4,000 and 6,000 gallons) installed on December 1, 1991 in subterranean vaults and two closed and removed No. 6 fuel oil ASTs (10,000 and 20,000 gallons).

Site Name: Kingsbrook Jewish Medical Center
Site Address: 585 Schenectady Avenue, Brooklyn, NY
Site Location: Subject Property and south-adjoining property (cross/downgradient)
Description: NYSDEC PBS facility (PBS No. 2-109126) indicates one in-service 1,000-gallon diesel AST in contact with an impervious barrier installed on February 1, 2002; one in-service 2,500-gallon diesel AST installed on February 1, 1991 in a subterranean vault; one in-service 20,000-gallon No. 2 fuel oil UST installed on January 1, 1976; one in-service 40,000-gallon No. 6 fuel oil UST installed on January 1, 1962; two diesel USTs (500 and 1,000 gallons) that were closed and removed on June 24, 2002; and one in-service 1,500-gallon diesel UST that was installed on February 1, 2002.

Note: the address registered with this listing does not pertain to the buildings on the Subject Property; however, the Subject Property is part of the Kingsbrook Jewish Medical Center. Based on interviews conducted during reconnaissance (Section 5.0), there is no active or historical petroleum bulk storage within the Subject Property boundary. All petroleum bulk storage for the Kingsbrook Jewish Medical Center is off-site in southern-adjoining portions of the campus.

Spills and/or LTANK listings were not listed in association with these sites. Based on the absence of violations associated with these PBS facilities, these listings are not considered RECs.

NY Drycleaners Database

The NY Drycleaners database is a listing of registered dry cleaning facilities. Dry cleaning facilities are associated with the use of tetrachloroethylene (PCE), a solvent that has the potential to infiltrate groundwater and can readily migrate to surrounding properties. The Subject Property was not listed in the NY Drycleaners database; however three listings were identified within the 1/4-mile search radius. Two of the listings are located over 1,000 feet north-northwest (up/cross-gradient) of the Subject Property. One of the listings was identified as a RCRA-SQG; however, no violations or spills were associated with either of the two sites. The remaining listing is about 750 feet north-northwest (up/cross-gradient) of the Subject Property and has no associated spills, violations or RCRA generator listings. Based on the distance with respect to the Subject Property and absence of violations associated with these listings, they are not considered RECs.

4.3 Other Database Findings

Manufactured Gas Plant

The MGP Site database is a proprietary database that includes records of historical manufactured coal gas plants compiled by EDR. The Subject Property was not listed in the MGP database; however, two listings were identified within the one-mile search radius. This listings are located more than 4,200 feet upgradient from the Subject Property and are not considered RECs.

Historical Auto Stations

The Hist Auto database is a proprietary database that lists potential gas station/filling station/service station sites based on review of national collections of business directories that were available to EDR researchers. The Subject Property was not listed in the Historic Auto database, however eight listings were identified within the 1/8-mile search radius. Six sites are located over 400 feet northeast (up/cross-gradient) or over 550 feet southeast (downgradient) from the Subject Property and are not associated with other Spills, LTANKS, RCRA generator listings; therefore these sites are not considered RECs. The remaining two Hist Auto listings are summarized below:

Site Name: Merit Oil Corporation
Site Address: 530 Utica Avenue, Brooklyn, NY
Site Location: About 250 feet east (up/cross-gradient) of the Subject Property
Description: This facility was identified as an engine fuels and oils supplier and gasoline service station between 1986 and 2010. The address of the listing corresponds to the spill listing for the BP Amoco Station #655, which is considered a REC.

Site Name: Tacoma & Company
Site Address: 529 Utica Avenue, Brooklyn, NY
Site Location: About 350 feet east (up/cross-gradient) of the Subject Property
Description: This facility was identified as a gasoline service station between 1974 and 1983 and an auto repair shop between 1986 and 2004. The address of the listing corresponds to the spill listing for Speedway 7837 (Former Hess Station 32534), which is considered a REC.

Based on the proximity of the sites with respect to the Subject Property, and association with open NYSDEC Spill cases, these listings are considered RECs.

4.4 Local Regulatory Agency Findings

FOIA Requests

FOIA requests were submitted on March 2, 2021 to the following federal, state, and local agencies via written correspondence:

- New York City Department of Environmental Protection (NYCDEP)
- NYC Department of Health and Mental Hygiene (DHMH)
- NYC Fire Department (FDNY)
- New York State Department of Health (NYSDOH)
- NYSDEC
- USEPA – Database Search

With the exception of the USEPA, complete responses have not been received from the agencies regarding the Subject Property. Should future responses alter the conclusions of this Phase I ESA, an addendum will be issued. Copies of the FOIA requests are included in Appendix D.

USEPA

Langan performed a search of the USEPA MyProperty and MyEnvironment databases on March 2, 2021. The Subject Property was not identified in MyProperty. MyEnvironment listings cited public health indexes (air quality, water quality, etc.) for the area and did not indicate any RECs associated with the Subject Property. A copy of the MyEnvironment records are included in Appendix D.

New York City Department of Buildings

Langan conducted a records search through the DOB online query system on March 2, 2021. The Subject Property is identified on the Brooklyn Borough Tax Map as then northern portions of Lots 1 and 5 on Block 4602, with Building Identification Numbers (BINs) 3327554 and 3327565, respectively. Lots 1 and 5 are both classified as I1-Hospitals and Health by the Department of Finance (DOF).

Forty-one (41) active NYCDOB violations and 5 active Environmental Control Board (ECB) violations are listed for Lot 1, and 44 NYCDOB and 10 ECB violations were identified for Lot 5. Violations are associated with failure to maintain building façade and appurtenances, failure to submit a report documenting compliance with exterior wall and appurtenances inspections, failure to submit an acceptable report indicating correction of unsafe conditions, failure to maintain elevator compliance, and operation of place of assembly without a permit.

Temporary Certificates of Occupancy (CO) were identified for the Subject Property between 1976 and 1992 under Building Identification Number (BIN) 3327565. All Temporary COs are attributed to the same BIN, however different time periods appear to refer to different buildings, it is unclear which buildings fall within the Subject Property boundaries and which are located within the southern part of Block 4602, Lots 1 and 5.

A review of NYCDOB records for the Subject Property did not identify any RECs. Records obtained from the DOB are provided in Appendix E.

New York City Planning Commission

According to the New York City Planning Commission Zoning Map 17b, the Subject Property is located in an R6 zoning district. This is a residential zoning district that allows medium-density apartment building use. A copy of the zoning map is provided in Appendix F.

E-Designation

Tax Lots can be designated with an "E" on the Zoning Maps of the City of New York for potential hazardous material contamination, air quality and/or noise impacts. For properties that have been E-Designated, the DOB restricts issuance of building permits until the OER reviews information prepared by an environmental professional and makes a determination to issue a "Notice-of-No-Objection" or a "Notice-to-Proceed" to the DOB. Before the OER was established in 2008, the DEP conducted these reviews. Langan reviewed the following information sources to determine if the Subject Property was listed as an E-Designated site:

- City Environmental Quality Review (CEQR) Environmental Designations List on March 11, 2021 (https://zr.planning.nyc.gov/appendix-c-table-1-city-environmental-quality-review-ceqr-environmental-requirements-e-designations)
- CEQR Restrictive Declaration List on March 11, 2021 (https://zr.planning.nyc.gov/appendix-c-table-2-city-environmental-quality-review-ceqr-environmental-requirements-environmental)
- NYCDOB BIS on March 11, 2021 (http://a810-bisweb.nyc.gov/bisweb/bispi00.jsp)

According to the list of CEQR Environmental Designations available on the NYC Department of City Planning (DCP) website, the Subject Property is not an E-Designated site.

4.5 Physical Setting Sources

4.5.1 Topography

According to the 2013 United States Geological Survey (USGS) Brooklyn Quadrangle 7.5-Minute Series Topographic Map, the Subject Property is at an elevation of about 30 feet above mean sea level (msl). The surface topography at the Subject Property slopes downward slightly to the southeast.

4.5.2 Geology

Based on a review of the "Bedrock and Engineering Geologic Maps of Kings and Queens Counties, New York, and Parts of Bergen and Hudson Counties, New Jersey" by Charles A. Baskerville, et al., the bedrock underlying the Subject Property is the Hartland Formation. The Hartland Formation is comprised of a dark grey, medium to coarse-grained muscovite-biotite-garnet (mica) schist and grey fine-grained quartz feldspar granulite with biotite and garnet, with localized concentrations of granite and intrusions of coarse-grained granitic pegmatite. Geological surface features (e.g., rock outcroppings) were not observed at the Subject Property.

Fill was observed in soil stockpiles in an excavated area during the site reconnaissance. Fill found in urban environments typically contains ash, demolition debris, and/or municipal waste products and may contain contaminants (e.g., semivolatile organic compounds [SVOCs] or metals) at concentrations above regulatory standards. The likely presence of fill at the Subject Property will require implementation of soil handling and management procedures during future site redevelopment to address excavation, re-use, handling, and off-site disposal, which may result in material cost to the User. As such, the presence of fill at the Subject Property is considered a BER.

4.5.3 Hydrogeology

Groundwater flow is typically topographically influenced, as shallow groundwater tends to originate in areas of topographic highs and flow toward areas of topographic lows, such as rivers, stream valleys, ponds, and wetlands. A broader, interconnected hydrogeologic network often governs groundwater flow at depth or in the bedrock aquifer. Groundwater depth and flow direction are also subject to hydrogeologic and anthropogenic variables such as precipitation, evaporation, extent of vegetative cover, and coverage by impervious surfaces. Other factors influencing groundwater include depth to bedrock, the presence of artificial fill, and variability in local geology and groundwater sources or sinks.

Based on a review of regulatory database records for nearby properties (Section 4.2), groundwater is expected to be encountered about 23 feet below grade at the Subject Property, and flow to the southeast. The closest body of water is Prospect Park Lake, approximately 1.75 miles southwest of the Subject Property. Groundwater in New York City is not used as a potable

water source. Potable water in Brooklyn is obtained from surface impoundments in the Croton, Catskill, and Delaware watersheds.

Based on the Federal Emergency Management Agency (FEMA) Effective Flood Insurance Rate Map (FIRM) dated September 5, 2007 (Map Number 3604970216F), the Subject Property is located in Zone X, which describes an area of minimal flood hazard.

4.6 Historical Use Information

Langan reviewed available historical resources (including aerial photographs, Sanborn and topographic maps, and city directories) dated 1897 through 2017. Findings of the reviews are presented below.

4.6.1 Aerial Photographs

Langan reviewed aerial photographs of the Subject Property and surrounding areas for the years 1924, 1951, 1954, 1961, 1966, 1976 1980, 1984, 1994, 2006, 2009, 2013 and 2017. The photographs indicate that the Subject Property was located in a partially developed area as early as 1924. Circa 1924, the Subject Property appeared primarily vacant and unimproved, with the exception of a structure located in the northeastern portion the Subject Property. By 1951, existing structure was demolished, and the Subject Property was developed with a central courtyard, and the Leviton, Blumberg, LeFrak buildings. The southern adjoining property appeared partially developed with other buildings for the Kingsbrook Jewish Medical Center. By 1961, the Masin building was constructed in the northeastern portion of the Subject Property. The Subject Property appears primarily unchanged in aerial photographs from 1961 to 2017.

From 1951 to 1954, the surrounding area appeared more densely developed with residential buildings, apartment complexes, and sporting fields. Gasoline filling station operations can be seen to the northeast by 1961 (530 Utica Avenue) and 1980 (529 Utica Avenue). Additional buildings were constructed on the southern adjoining Kingsbrook Jewish Medical Center circa 1966 to 1994. A review of aerial photographs did not identify RECs. Copies of aerial photographs are included in Appendix G.

4.6.2 Sanborn Fire Insurance Maps

Langan reviewed Sanborn Maps for the Subject Property for the years 1905, 1929, 1951, 1969, 1977, 1979, 1980, 1981, 1983, 1986, 1987, 1989 through 1995, and 2001 through 2007. Sanborn Maps include detailed historical property information for many cities and towns in the United States. Copies of the maps are provided in Appendix H.

The 1905 Sanborn Map shows that the Subject Property is undeveloped, and East 48th Street transects the center of the Subject Property, running north to south. The LeFrak building was constructed in 1927. By 1929, several dwellings and storage buildings are shown along the

norther boundary of the Subject Property. In the 1951 Sanborn Map, the alignment for East 48th Street is no longer shown, and the Blumberg and Leviton are shown (construction dates were noted to be 1933). The dwellings and storage buildings are no longer shown, indicated their demolition and removal. A gate house in the north-central portion of the Subject Property is shown. In the 1969, Sanborn Map, the Masin building is apparent and noted to have been constructed in 1957 for used administrative and laboratory purposes. The Subject Property appears primarily unchanged in Sanborn Maps between 1969 and 2007.

The 1905 Sanborn Map, the adjoining and surrounding properties were primarily undeveloped with the exception of few dwellings northwest of the Subject Property. In Sanborn Maps from 1951 to 1991, adjoining and surrounding properties were densely developed with residential, recreational, institutional and commercial buildings. The nearby properties appear primarily unchanged in Sanborn Maps between 1996 and 2007.

Nearby properties with the potential to impact the environmental integrity of the Subject Property are described below. Releases of petroleum products, solvents, and other hazardous substances associated with the historical operations of these properties may have adversely impacted groundwater and/or soil vapor at the Subject Property and are considered RECs.

- 504 Utica Avenue (about 400 feet northeast of the Subject Property – upgradient) gasoline filling station, auto repair, and car wash (circa 1951 to 2007)
- 530-540 Utica Avenue (about 160 feet east of the Subject Property – up/cross-gradient) gasoline filling station (circa 1969 to 2007)

4.6.2 Historical USGS Topographic Quadrangles

Langan reviewed historical USGS Topographic Quadrangles obtained from EDR for information regarding past uses of the Subject Property and surrounding improvement. Quadrangle maps were available for the Subject Property for the years 1897, 1898, 1900, 1947, 1956, 1967, 1979, 1995 and 2013. Copies of the topographic maps are provided in Appendix I.

Based on a review of the historical topographic maps, the Subject Property appears located in a sparsely developed area in 1897. By 1947, dense urban development is shown at the Subject Property and surrounding area. The topography around Subject Property slopes downward from the northwest to the southeast. A review of topographic maps did not identify RECs.

4.6.3 City Directories

The City Directory Abstract, obtained from EDR, is a review of available business directories, including city, cross-reference, and telephone directories, at approximately five-year intervals for the years spanning 1928 through 2017. A copy of the City Directory Abstract is provided in Appendix J.

Listings for Subject Property addresses (560 Schenectady Avenue, 830 Rutland Road, and 73 East 49th Street) appear residential from 1928 to 2017. Listings for adjoining and surrounding properties are primarily residential listings, and listings associated with the Kingsbrook Jewish Medical Center, including hospital, radiology, MRI services, and a pharmacy (1994 to 2017). A review of City Directory listings did not identify RECs.

4.6.4 Title Records, Environmental Liens, and Use Limitations

Langan contracted EDR to conduct an Environmental Lien search for the Subject Property. The results of the search, which included a compilation of available data and verification of the findings with the appropriate regulatory authorities, revealed that there are no Environmental Liens or other Activity and Use Limitations (AUL) associated with the Subject Property. The current owner of Lot 1 is noted as Kingsbrook Jewish Medical Center, and the current owner of Lot 5 is Rutland Nursing Home, Inc. A copy of the Environmental Lien Search is provided in Appendix K.

5.0 SITE RECONNAISSANCE

5.1 Methodology and Limiting Conditions

The site reconnaissance was conducted in a systematic manner focusing on the spatial extent of the Subject Property and then progressing to the adjacent and surrounding properties. The assessment of the adjacent and surrounding properties was limited to identifying, if possible, any indications of past or current use that may involve the use, storage, disposal, or generation of hazardous substances or petroleum products; noting the general type of current use; the general topography of the surrounding area; and providing a general description of adjoining or adjacent structures. The adjacent properties were observed from public rights-of-way. Site reconnaissance photographs that illustrate the current condition of the Subject Property are presented in Appendix A.

5.2 Date and Time of Inspection

The reconnaissance was performed on March 9, 2021 at 10:00 am by Lexi Haley of Langan. Ms. Haley was accompanied by Mr. Kerwin John, a project manager for the Kingsbrook Jewish Medical Center, and Mr. William O'Connell, the facilities manager for the Kingsbrook Jewish Medical Center. The weather at the time of the inspection was sunny and about 60 degrees Fahrenheit. Site reconnaissance photographs are included in Appendix A.

5.3 General Site Setting and Reconnaissance Observations

The Subject Property is improved with two adjoining six- and four-story buildings (Blumberg and LeFrak) along East 49th Street, a six-story building (Masin) along Rutland Road, and a four-story building (Leviton) along Schenectady Avenue. The Subject Property also includes a central courtyard and a vacant security booth along the northern property boundary. The Leviton building is primarily used for office space and vaccine administration. The Masin building is mostly vacant with the exception of ground floor offices and laboratories on the second and third floors. The Blumberg and Lefrak buildings consist of ground floor doctor's offices, medical equipment storage, administrative offices, and a dialysis treatment center.

Pits, Ponds, Lagoons

Pits, ponds, or lagoons were not observed at the Subject Property.

Pools of Liquid

Standing water was observed within the maintenance area in the cellar of the Blumberg building near a hot water tank which appeared to have leaking pipes. Neither staining nor chemical odors were observed.

About 1- to 2- inches of standing water was observed in a utility room in the cellar of the Masin building. The water appeared to be leaking from piping attached to the hot water tank. Rust-like staining was observed on the concrete slab beneath the leaking pipes; however, neither odor nor evidence of a release of hazardous substances or petroleum were observed.

Storm Drains, Wells, and Cisterns

One drain was observed adjacent to the leaking hot water tank in the cellar of the Blumberg building, and two drains were observed in the hallway outside the hot water tank room in the cellar of the Masin building. According to Mr. John, the drains connect to the municipal sewer system. The drains appeared to be collecting water from the leaking water tanks at the time of inspection. Odor, staining or sheen were not observed in or around the drains.

In addition to cellar drains, each building on the Subject Property contained roof drains which appeared to be dry at the time of inspection. Storm drains were identified along the adjoining sidewalks to the northwest and northeast of the Subject Property.

Polychlorinated Biphenyl Transformers and Suspect Equipment

One transformer was observed in the cellar of the Masin building. The transformer was atop concrete legs and appeared to be in good condition. Staining, sheen or other indications of a release were not observed in the area surrounding the transformer.

Storage Containers, Drums, and Chemical Storage Areas

Chemical storage was observed throughout the Subject Property. The following chemicals were observed: fire extinguishers, elevator gear oil, paint, phosphorous reagent, electrolyte buffer, heat transfer fluid, sodium hydroxide, dry acid concentrate, germicidal bleach, hydrogen peroxide and isopropyl alcohol. Chemicals were observed to be staged on shelving or atop intact concrete flooring with no staining or other indications of a release.

One 55-gallon plastic drum of propylene glycol was observed in the leaking hot water tank room in the cellar of the Masin building. The drum was staged on a concrete slab which appeared to be in good condition with no staining beneath or around the drum. Five plastic drums of unknown contents were observed in the maintenance room on the roof of the Masin building. The drums were positioned atop concrete and did not appear to be leaking. Four 55-gallon plastic drums of unknown contents were observed outside the fire exit on the roof of the LeFrak building. Two of the drums were positioned on their sides; however all of the drums appeared to be in good condition.

Waste Generation, Storage, and Disposal

Waste generation, storage, and disposal were not observed on the Subject Property at the time of the inspection; however, empty reusable sharps containers with biohazard labels were

observed in the sample storage room of the laboratory on the third floor of the Masin building. Mr. O'Connell was unaware of the disposal procedures of waste generated by the laboratory. RCRA waste generation was not observed on the Subject Property.

Sumps

One sump was observed in the utility room in the cellar of the Leviton building. No liquid was present in the sump at the time of the inspection. Odor, staining or sheen were not observed in or around the sump. Two sumps were observed in the cellar hallway of the Leviton building. The sumps appeared to be constructed of concrete sides with no drain and was dry at the time of inspection. The bottom of the sumps were observed to contain soil and debris. Staining or sheen was not observed in or around the sums.

One sump was observed within the maintenance area in the cellar of the Blumberg building. The sump was observed to be constructed of concrete sides with no drain and was dry at the time of inspection. The bottom of the sump was observed to contain soil. Staining or sheen were not observed in or around the sump.

USTs or ASTs

One fill port and vent pipe were observed in a landscaped area between Schenectady Avenue and the Leviton building. Mr. O'Connell explained that the fill port and vent pipe were connected to a 1,500-gallon diesel fuel AST located inside the DMRI/Rutland Nursing Home building on the south-adjoining portion of the medical campus, adjoining the Subject Property. No staining or odors were present near or around the fill port and vent pipe. USTs and ASTs were not observed on the Subject Property.

Stained or Discolored Soil

Stained or discolored soil were not observed on the Subject Property; however, soil stockpiles were observed adjacent to the Blumberg building in the courtyard. Mr. John indicated that stockpiles were related to the previous repair of a buried pressurized steam pipe.

Monitoring Wells or Remedial Activities

Monitoring wells were not observed on the Subject Property; however, two circular patches of concrete were identified on the sidewalk near the entrance to the LeFrak building on East 49th Street. In addition, one monitoring well was observed on the sidewalk across East 49th Street, indicating the potential of previous investigation activities.

Leachate or Seeps

Leachate or seeps were not observed at the Subject Property.

Adjoining and Surrounding Property Uses

The Subject Property is bound to the north by a Rutland Road followed by a residential multi-family housing complex; to the east by East 49th Street followed by a parking lot and gasoline service station; to the south by the southern part of the Kingsbrook Jewish Medical Center campus; and to the west by Schenectady Avenue followed by multi-family residential buildings.

Mr. O'Connell indicated that a power-generation facility for boilers is located off-site on the southern adjoining medical campus. The power-generation facility, which adjoins the LeFrak building had previously operated as a coal generation power plant. Flue gas stacks were observed on the roof of the Blumberg building. Mr. John confirmed that the stacks were out of service, but had previously been in use when the coal generation plant was in operation. The boilers are currently fueled by a 2,500 gallon diesel AST, which was observed in the off-site power-generation facility during the time of the site reconnaissance. The AST was encased in concrete, and no staining or odors were observed in the area.

A brick vault and fill port were observed in the courtyard on the southern-adjoining portion of the medical campus. According to Mr. John, the vault contains a 40,000 gallon No. 6 Fuel Oil UST. According to Mr. O'Connell, the UST is no longer in use due to NYSDEC restrictions on No. 6 Fuel Oil; however, the contents have the tank have not been removed and the tank has not been formally closed. As previously discussed in Section 4.2, based on the lack of reported releases or violations associated with petroleum bulk storage at the Kingsbrook Jewish Medical Center, the UST at southern-adjoining medical campus is not considered a REC.

Site Reconnaissance Conclusions

At the time of the site reconnaissance, some rooms (including one room infested with bed bugs) were locked and inaccessible. Inaccessible spaces in the building cellars were confirmed not to contain hazardous materials by site personnel. Furthermore, not all areas of the Subject Property were visible during the inspection. This is considered a data gap, discussed further in Section 8.2.

Stockpiles of fill were observed in the central part of the Subject Property in the courtyard adjacent to the Blumberg building. Mr. John indicated that stockpiles were related to the previous repair of a buried pressurized steam pipe. The presence of fill at the Subject Property will require implementation of soil handling and management procedures during future site redevelopment; this is considered a BER as it may result in a material cost to the User.

Active RCRA waste generation was not observed during the site reconnaissance, however as discussed in Section 4.1, the site formerly operated as a RCRA generator. Based on the length of hazardous waste handling operations (at least 1991 to 2007), record of violations, and types of waste handled\ the potential release of hazardous materials to the Subject Property is considered a REC.

Historical operation of a coal power generation facility at the southern-adjoining property may have resulted in potential release of hazardous substances which may have adversely impacted groundwater and/or soil vapor at the Subject Property and is therefore considered a REC.

6.0 INTERVIEWS

6.1 Subject Property Owner/Occupant

Mr. William O'Connell, the facilities manager for the Kingsbrook Jewish Medical Center, was interviewed after the site reconnaissance. Mr. O'Connell indicated the Subject Property was heated by steam generated by boilers in the off-site power-generation building on the southern-adjoining property, south of the Lefrak and Blumberg buildings. According to Mr. O'Connell, the building previously operated as a coal generation power plant. The plant has not been used for coal generation since at least the 1980s. The boilers are currently fueled by a 2,500 gallon diesel AST, which was observed within the power-generation building during the time of the site reconnaissance. The AST was encased in concrete, and no staining or odors were observed in the area. Mr. O'Connell is unaware of any spills or leaks that may have occurred on the Subject Property or on the southern-adjoining property in regards to petroleum bulk storage.

Mr. O'Connell is aware of the current use of the Masin, Blumberg, and LeFrak buildings for laboratories, dialysis water treatment, and laboratory chemical storage. Mr. O'Connell is unaware of any chemical spills or leaks that may have occurred relating to the current use of the buildings on the Subject Property, and is unaware of the handling and disposal procedures for laboratory chemicals on the Subject Property.

6.2 Tenants/Operators of Adjacent Properties

Tenants or operators of adjacent properties were not interviewed during the site reconnaissance.

7.0 ADDITIONAL SERVICES

7.1 Radon

Radon is a colorless, odorless radioactive gas that results from the natural breakdown of uranium minerals in soil, rock, and water, which subsequently enters the atmosphere. It can concentrate in buildings, entering through cracks and other penetrations of a building foundation. Some areas are more likely to have elevated concentrations of radon than others, reflecting subsurface lithologic conditions.

The USEPA has established a recommended radon action level of 4.0 pico Curies per liter (pCi/L) for residential properties. According to the USEPA Radon Zone Map, the Subject Property is located in Zone 3, which indicates a predicted average indoor radon screening level less than 2 pCi/L. The NYSDOH maintains a database of radon test results on a local and county level. According to the NYSDOH, 483 radon tests have been conducted in basements in Kings County with results indicating that about 10.1 percent of basements have radon concentrations above the USEPA action level of 4 pCi/L. Based on this information, it is unlikely that elevated levels of radon gas are present at the Subject Property.

7.2 ACM, LBP, and PCBs

A formal survey to identify asbestos containing material (ACM), lead based paint (LBP), and PCB-containing material was not conducted as part of the Phase I ESA. Based on the construction date of the existing buildings at the Subject Property (1927, 1933 and 1957), it is likely that various building components contain ACM, LBP, and/or PCBs.

8.0 DEVIATIONS AND DATA GAPS

8.1 Deviations

Langan performed a Phase I ESA of the Subject Property utilizing a standard of good commercial and customary practice that is consistent with the ASTM E1527-13 and 40 CFR AAI Rule.

8.2 Data Gaps

In order to address data gaps, additional sources of information may be consulted. According to 40 CFR AAI Rule, Section 312.20 (g), "to the extent there are data gaps (as defined in section 312.10) in the information developed that affect the ability of persons (including the environmental professional) conducting the all appropriate inquiries to identify conditions indicative of releases or threatened releases such persons should identify such data gaps, identify the sources of information consulted to address such data gaps, and comment upon the significance of such data gaps." According to ASTM E1527-13, Section 8.3.2.3, "historical research is complete when either: (1) the objectives in 8.3.1 through 8.3.2.2 are achieved; or (2) data failure is encountered. Data failure occurs when all standard historical sources that are reasonably ascertainable and likely to be useful have been reviewed and yet the objectives have not been met. If data failure is encountered, the report shall document the failure and, if any of the standard historical sources were excluded, give the reasons for the exclusion."

This Phase I ESA was completed with the following data gaps:

- Locked rooms within multiple buildings prevented complete inspection of the Subject Property
- Complete responses to FOIA requests have not been received

It is unlikely that satisfaction of these data gaps would alter the results of the Phase I ESA, therefore they are not considered significant. Should access be provided to these areas and the observations alter the conclusions of this Phase I ESA or additional FOIA information became available that alters the conclusion of this Phase I ESA, an addendum will be issued to this report.

9.0 FINDINGS, OPINIONS, AND CONCLUSIONS

This Phase I ESA was conducted in accordance with ASTM E1527-13 (Standard Practice for ESA: Phase I ESA Process) and the USEPA AAI Rule for the purpose of identifying for the purpose of identifying RECs, historical RECs (HREC), controlled RECs (CREC), and BERs. The Phase I ESA did not identify CRECs or HRECs. The Phase I ESA identified the following three RECs, one BER, one de minimis condition, and one non-ASTM consideration:

REC

A REC is defined by ASTM E1527-13 as the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property due to any release to the environment, under conditions indicative of a release to the environment, or under conditions that pose a material threat of a future release to the environment. The Phase I ESA identified the following RECs:

The Phase I ESA identified the following RECs:

<u>REC 1 – Historical Hazardous Waste Generation at the Subject Property</u>

The Subject Property was listed as a RCRA SGQ and NonGen/NLR between 1991 and 2007 for the generation of hazardous wastes. Violations related to RCRA generator status were identified. Based on the length of hazardous waste handling operations, record of violations, and types of waste handled historical releases of hazardous materials may have adversely impact soil, groundwater and/or soil vapor at the Subject Property.

<u>REC 2 – Open Petroleum Spill Cases at Surrounding Properties</u>

An active gasoline filling station (530 Utica Avenue – 250 feet east) and a former gasoline filling station and automotive repair facility (529 Utica Avenue – 350 feet east) are the subject of two open petroleum spill cases. Both properties are located up/cross-gradient of the Subject Property. Both spills were reported when subsurface impacts were identified during tank removals. Remedial actions were completed at both sites; however, on-going groundwater monitoring indicates concentrations of petroleum compounds in groundwater at concentrations above current regulatory standards as of 2017 and 2020. Both spill cases remain open. Residual petroleum contamination from the gasoline filling stations may adversely impact groundwater and/or soil vapor at the Subject Property.

<u>REC 3 – Current and Historical Uses of Adjoining and Surrounding Properties</u>

Current and historical uses of adjoining and surrounding properties include gasoline filling stations, auto repair facilities, and car washes (circa 1969-present) and a coal power generation facility (date unknown – circa 1980).

Releases of petroleum products, solvents, and other hazardous substances associated with the current and historical activity at adjoining and surrounding properties may have affected groundwater and/or soil vapor beneath the Subject Property.

BER

A BER is defined by ASTM E1527-13 as a risk that can have a material environmental or environmentally driven impact on the business associated with the current or planned use of a parcel of commercial real estate not necessarily limited to those environmental issues required to be investigated in this practice. The following BER was identified for the Subject Property:

Fill was observed in stockpiles located near to where a buried steam pipe was previously repaired. Fill found in urban environments typically contains ash, demolition debris, and/or municipal waste products and may contain contaminants (e.g., SVOCs or metals) at concentrations above current regulatory standards and at often at hazardous concentrations. Fill at the Subject Property may require implementation of soil handling and management procedures during future site redevelopment to address excavation, re-use, handling, and off-site disposal, which may result in material cost to the User.

Non-ASTM Consideration

A Non-ASTM Scope Consideration is identified by ASTM E1527-13 as an environmental issue or condition at a property that parties may wish to assess in connection with commercial real estate that are outside the scope of ASTM E1527-13. The following non-ASTM consideration was identified for the Subject Property:

The buildings on the Subject Property were constructed in and 1927 (LeFrak), 1933 (Blumberg and Leviton) and 1957 (Masin), potentially with ACM, LBP, and PCB-containing materials. An intrusive survey to identify ACM, LBP, and PCB-containing material was not conducted as part of this Phase I ESA.

10.0 REFERENCES

The following references were reviewed as part of this Phase I ESA:

1. City Online Register, http://www.nyc.gov/html/dof/html/jump/acris.shtml, retrieved March 2, 2021.
2. Environmental Data Resources, Inc. March 2, 2021. Aerial Photo Decade Package.
3. Environmental Data Resources, Inc. March 2, 2021. City Directory Abstract.
4. Environmental Data Resources, Inc. March 3, 2021. Environmental Lien Search.
5. Environmental Data Resources, Inc. March 1, 2021. Historical Topographic Map Report.
6. Environmental Data Resources, Inc. March 2, 2021. Radius Map with GeoCheck.
7. Environmental Data Resources, Inc. March 2, 2021. Sanborn Map Report.
8. New York State Department of Health, NYSDOH Basement, First Floor Radon Screening Levels (December 2020), https://www.health.ny.gov/environmental/radiological/radon/towns.htm
9. New York City Department of Buildings, Building Information System, http://www.nyc.gov/html/dob/html/bis/bis.shtml, retrieved March 2, 2021.
10. New York City Planning Commission, Zoning Map 17b.

11.0 STATEMENT OF QUALIFICATIONS AND SIGNATURES

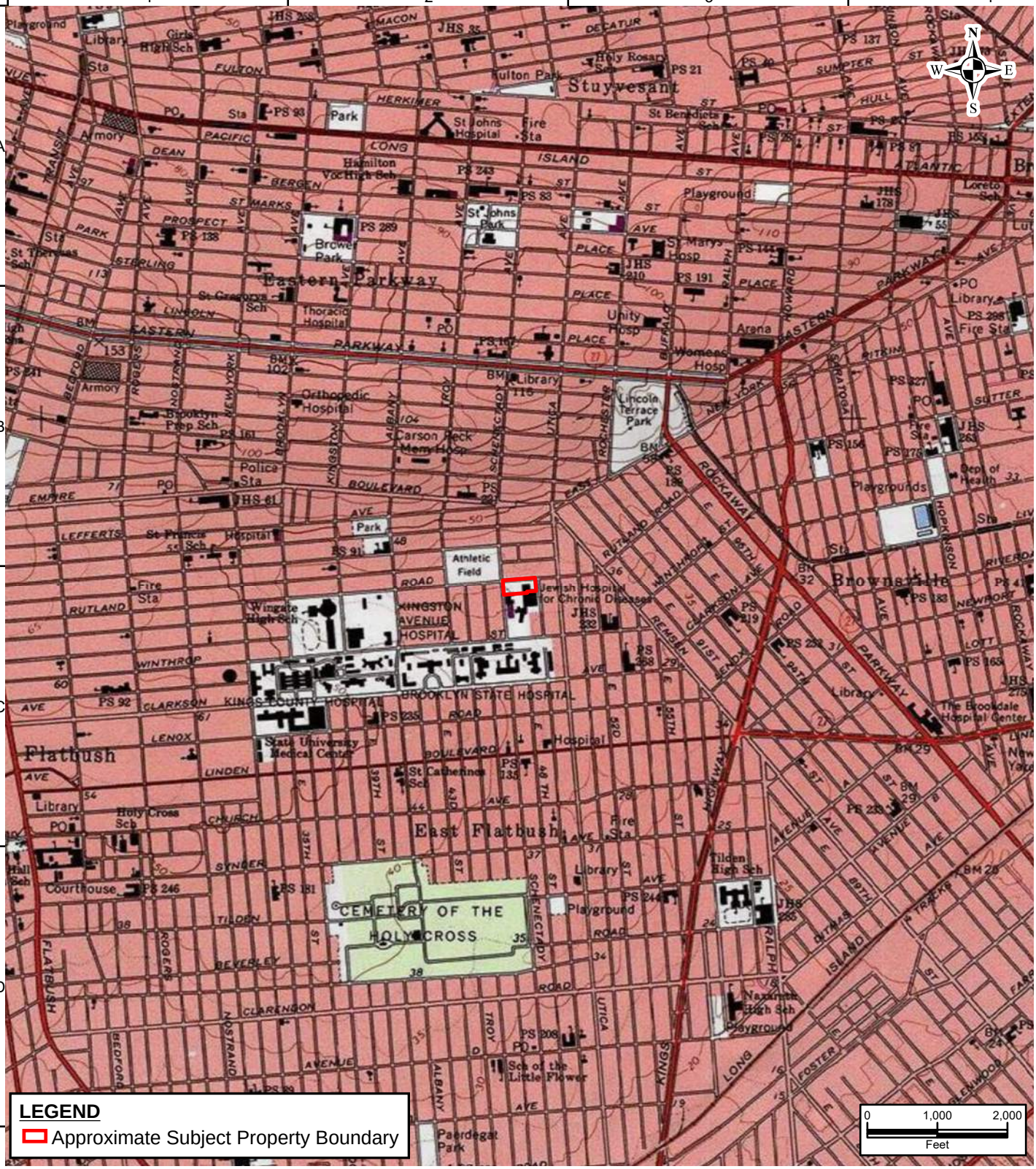
Langan declares that, to the best of its professional knowledge and belief, the personnel who performed this Phase I ESA meet the definition of Environmental Professional as defined in Subsection 312 10 of 40 CFR 312 and that they have the specific qualifications based on education, training, and experience to assess a property of the nature, history, and setting of the Subject Property. They have developed and performed the AAIs in conformance with the standards and practices set forth in 40 CFR Part 312. Resumes outlining the qualifications of the Environmental Professionals who performed this Phase I ESA are provided in Appendix L.

Langan Engineering, Environmental, Surveying, Landscape Architecture and Geology, D.P.C.

DRAFT

Mimi S. Raygorodetsky
Principal

FIGURES



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LANGAN
21 Penn Plaza, 360 West 31st Street, 8th Floor
New York, NY 10001-2727
T: 212.479.5400 F: 212.479.5444 www.langan.com
Langan Engineering & Environmental Services, Inc.
Langan Engineering, Environmental, Surveying, Landscape Architecture and Geology, D.P.C.
Langan International
Collectively known as Langan

Project
VITAL BROOKLYN SITES E, F, G, AND H
BROOKLYN
KINGS COUNTY NEW YORK

Figure Title
SUBJECT PROPERTY LOCATION MAP

Project No.	170655401
Date	3/12/2021
Scale	1:2,000
Drawn By	Site Analyzer
Submission Date	03/11/2021
Figure	1
	Sheet 1 of 3

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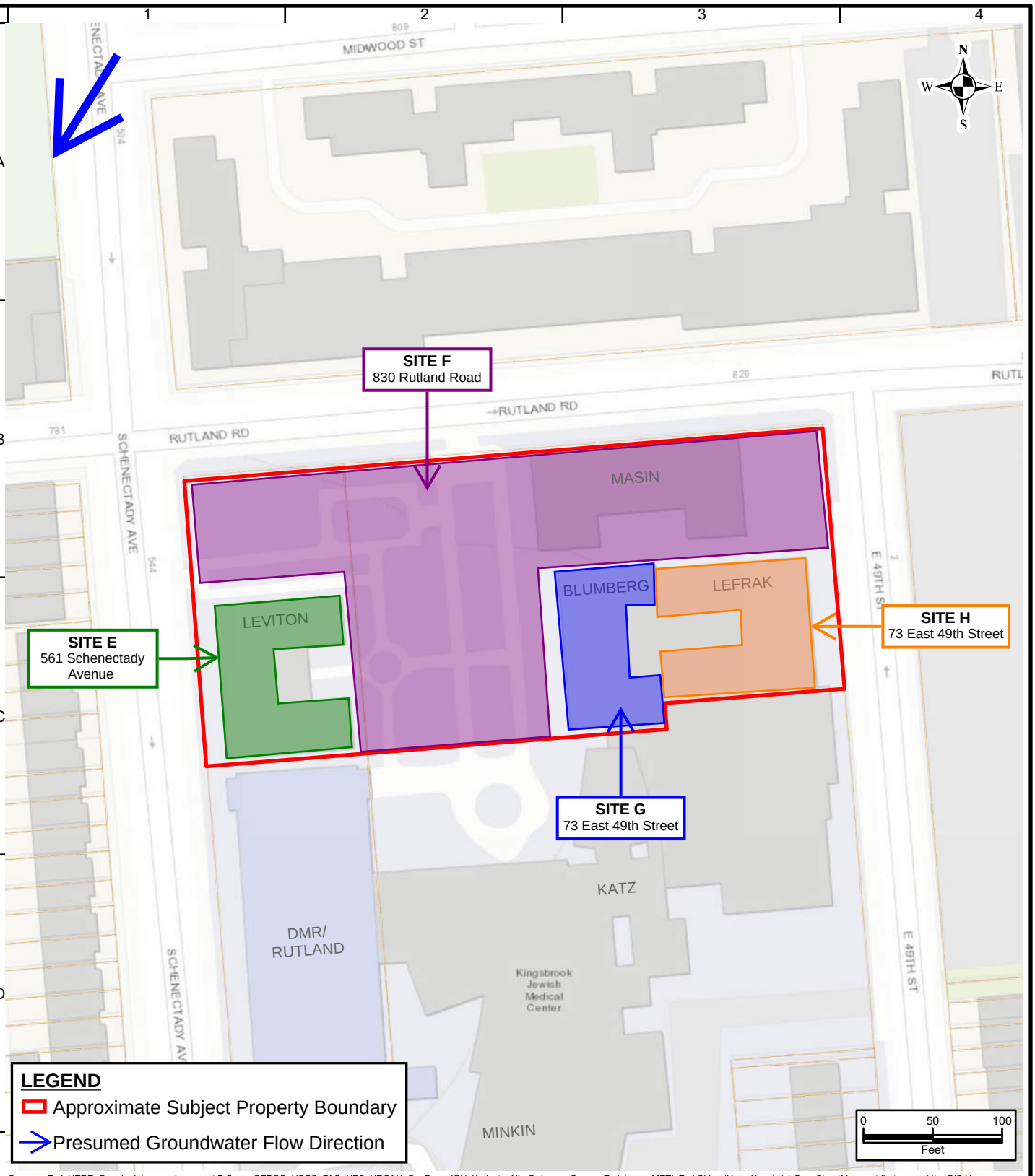

Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community, © Real Estate Portal USA, LLC 2021; © Real Estate Portal USA, LLC 2018

LANGAN
21 Penn Plaza, 360 West 31st Street, 8th Floor
New York, NY 10001-2727
T: 212.479.5400 F: 212.479.5444 www.langan.com
Langan Engineering & Environmental Services, Inc.
Langan Engineering, Environmental, Surveying, Landscape Architecture and Geology, D.P.C.
Langan International
Collectively known as Langan

Project	Figure Title	Project No.	Figure
VITAL BROOKLYN SITES E, F, G, AND H BROOKLYN KINGS COUNTY NEW YORK	SUBJECT PROPERTY PLAN	170655401	2
		Date 3/11/2021	
		Scale 1:100	
		Drawn By Site Analyzer	
		Submission Date 03/11/2021	Sheet 2 of 3

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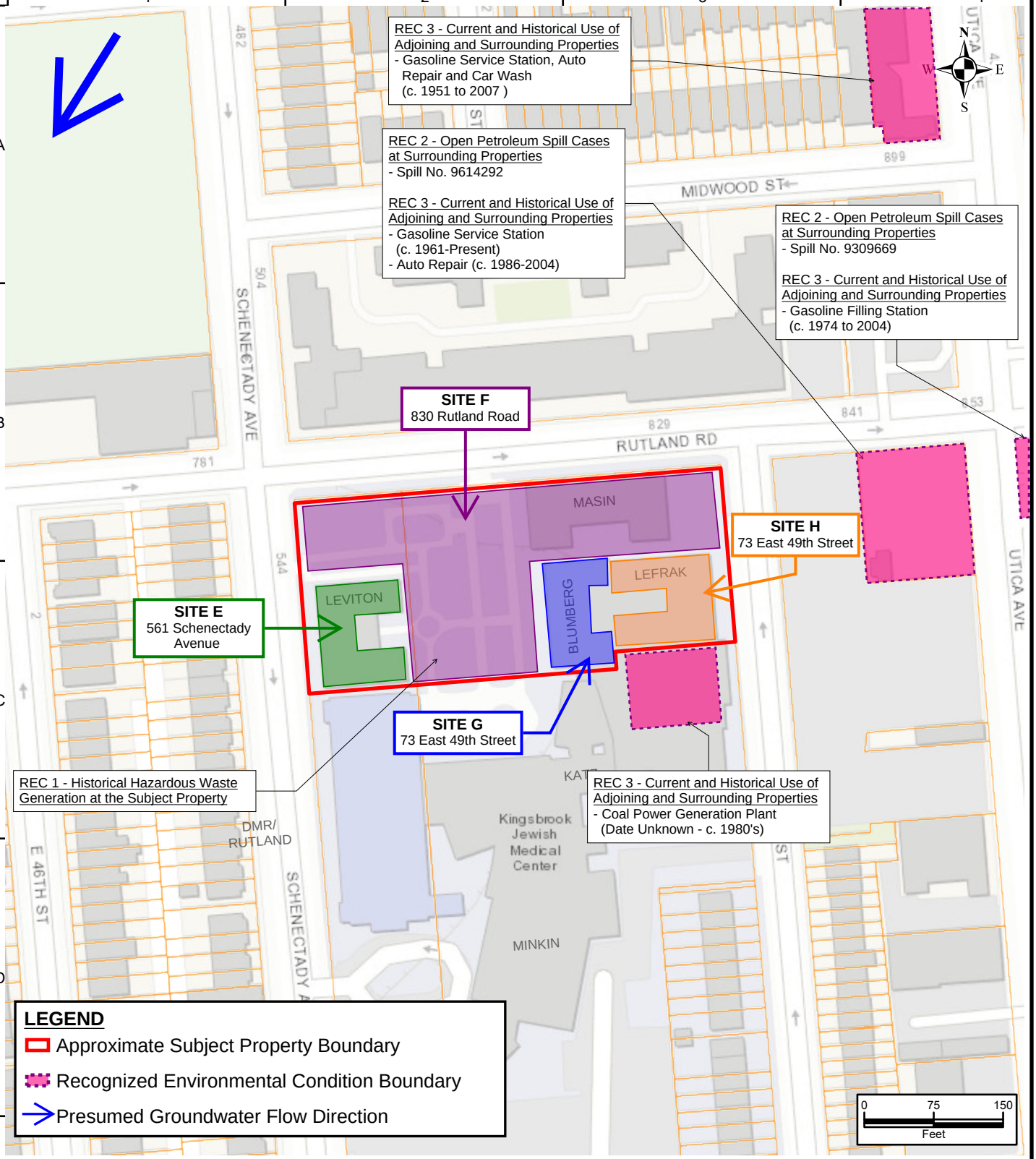

Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community, © Real Estate Portal USA, LLC 2021; © Real Estate Portal USA, LLC 2018

LANGAN
21 Penn Plaza, 360 West 31st Street, 8th Floor
New York, NY 10001-2727
T: 212.479.5400 F: 212.479.5444 www.langan.com
Langan Engineering & Environmental Services, Inc.
Langan Engineering, Environmental, Surveying, Landscape Architecture and Geology, D.P.C.
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Project	Figure Title	Project No.	Figure
VITAL BROOKLYN SITES E, F, G, AND H BROOKLYN KINGS COUNTY NEW YORK	RECOGNIZED ENVIRONMENTAL CONDITION MAP	170655401	3
		Date 4/7/2021	
		Scale 1:150	
		Drawn By Site Analyzer	
		Submission Date 03/11/2021	Sheet 3 of 3

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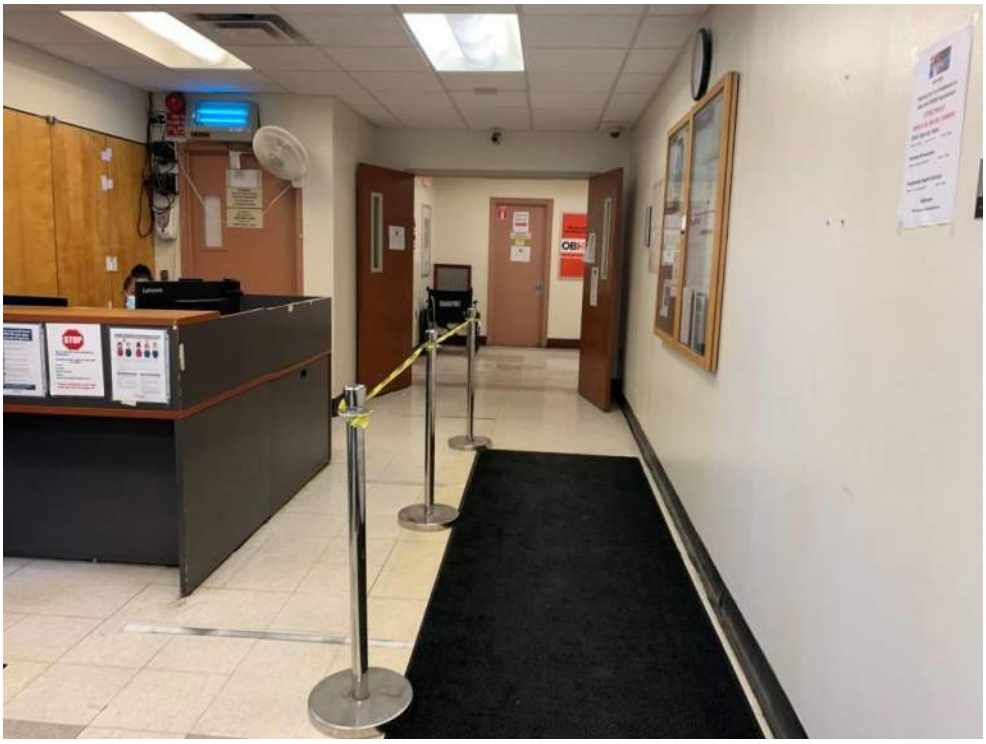
APPENDIX A

SITE RECONNAISSANCE PHOTOGRAPHS

Photograph 1: Entrance to the LeFrak building on East 49th Street (facing southwest).



Photograph 2: View of lobby area on ground floor of the LeFrak building (facing south).

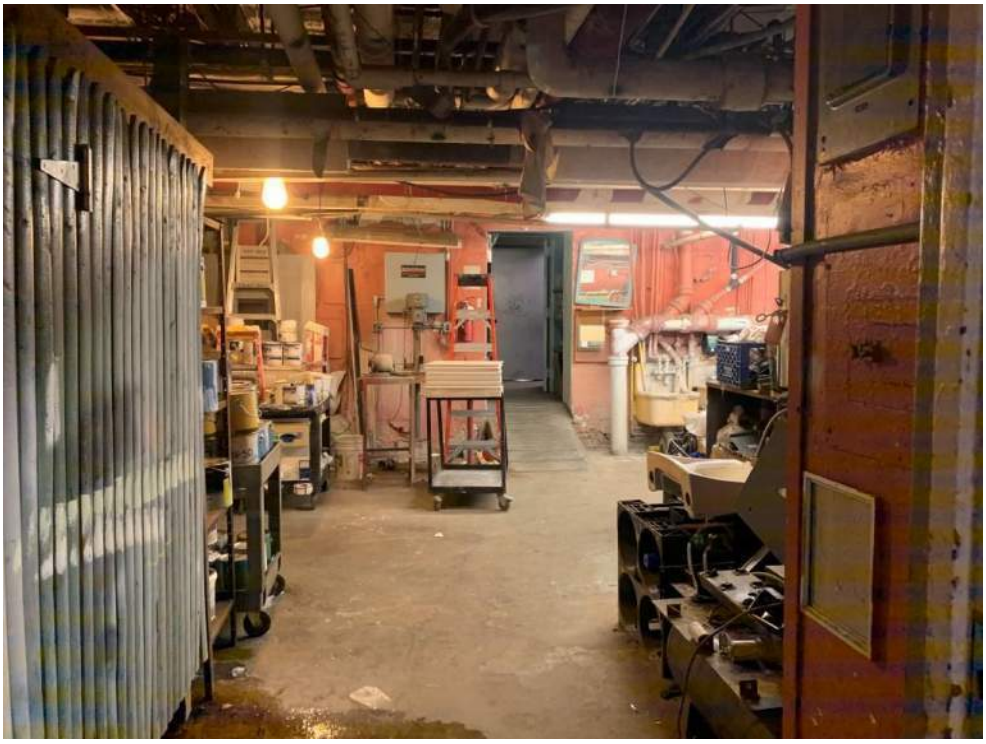
Photograph 3: View of portable air conditioning unit in partial cellar of the LeFrak building (facing east).

Photograph 4: General view of biomedical storage area on the third floors of the LeFrak and Blumberg buildings (facing west).

Photograph 5: View of dry acid concentrate in biomedical storage area on the third floor of the LeFrak building (facing northwest).

Photograph 6: View of plastic 55-gallon drums on the roof of the LeFrak building (facing west).

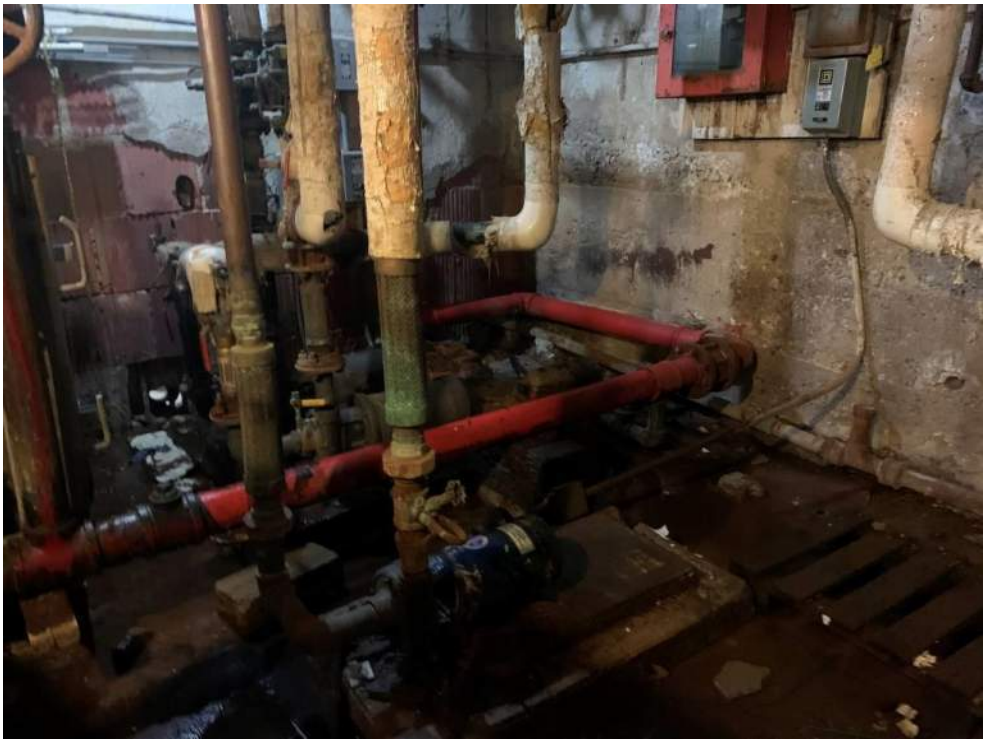
Photograph 7: View of the Blumberg and Masin buildings from courtyard (facing northeast).



Photograph 8: General view of maintenance area in cellar of the Blumberg building (facing south).

Photograph 9: View of paint storage and floor drain in maintenance area of Blumberg building cellar (facing northeast).

Photograph 10: View of standing water in maintenance area of Blumberg building cellar (facing east).



Photograph 11: View of leaking boiler in maintenance area of Blumberg building cellar (facing northeast).

Photograph 12: View of bicarbonate tanks in dialysis water treatment room on the fifth floor of the Blumberg building (facing northeast).

Photograph 13: View of sediment filter, carbon tanks, and brine tank in dialysis room on the fifth floor of the Blumberg building (facing west).

Photograph 14: View of water tank on roof of Blumberg building (facing northeast).

Photograph 15: View of flue gas stacks and steam column from roof of Blumberg building (facing east).

Photograph 16: View of elevator motor atop concrete slab in motor room on Blumberg roof (facing northwest).

Photograph 17: View of a heating, ventilation and air conditioning (HVAC) unit between Masin and Blumberg buildings (facing east).

Photograph 18: View of entrance to the Masin building from courtyard (facing east).

Photograph 19: View of electrical power boxes in cellar of the Masin building (facing north).

Photograph 20: View of paint storage room in cellar of the Masin building (facing south).

Photograph 21: View of a dry type transformer in cellar of the Masin building (facing east).

Photograph 22: View of leaking water from boiler room and floor drain in cellar of the Masin building (facing east).

Photograph 23: View of plastic 55-gallon drum of propylene glycol in boiler room of Masin cellar (facing southeast).

Photograph 24: View of rust-stained concrete and standing water in boiler room of Masin cellar (facing northwest).

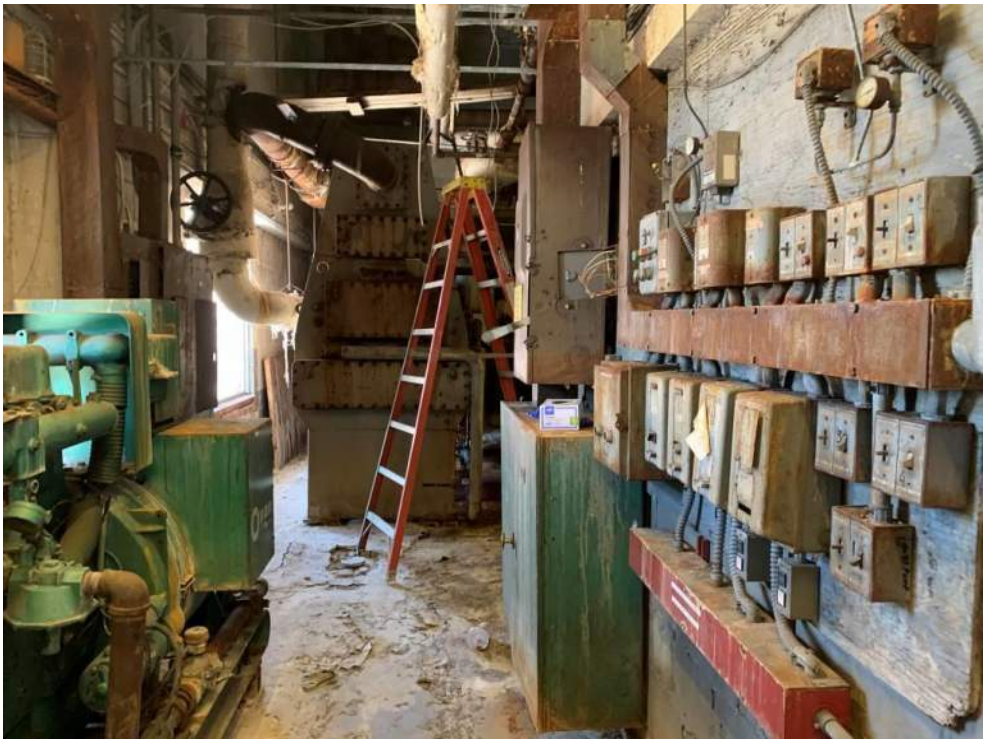
Photograph 25: View of hot water tank and standing water in boiler room of Masin cellar (facing east).

Photograph 26: View of chemical storage room on third floor of the Masin building (facing south).

Photograph 27: View of phosphorous reagent in chemical storage room in the Masin building (facing northwest).

Photograph 28: View of biological freezers in freezer storage room on third floor of the Masin building (facing northwest).

Photograph 29: General view of biological laboratory on third floor of the Masin building (facing west).



Photograph 30: View of compressor and boiler in maintenance area on roof of the Masin building (facing north).

Photograph 31: View of hot water tank in maintenance area on roof of the Masin building (facing east).

Photograph 32: View of plastic drums with unknown contents and HVAC system in maintenance area on roof of the Masin building (facing south).

Photograph 33: View of courtyard and Leviton building from roof of the Masin building (facing west).

Photograph 34: View of sump pit in cellar of the Leviton building (facing west).

Photograph 35: View of boiler room in cellar of the Leviton building (facing southwest).

Photograph 36: View of sump in the boiler room of the Leviton cellar (facing east).

Photograph 37: View of DC Inverter air conditioning unit on the roof of the Leviton building (facing south).

Photograph 38: View of stockpiled soil in the courtyard outside of the Blumberg building (facing east).

Photograph 39: General view of northern boundary of the Subject Property (facing west).

Photograph 40: General view of southern boundary of the Subject Property (facing west).

Photograph 41: View of 40,000 gallon No. 6 Fuel Oil underground storage tank (UST) vault and fill port on southern adjoining property in courtyard (facing west).

Photograph 42: View of East 49th Street followed by eastern-adjoining parking lot (facing southeast).

Photograph 43: View of patched concrete in potential borehole locations on sidewalk near the LeFrak building entrance (facing north).

Photograph 44: View of monitoring well on western-adjoining property sidewalk located west of the LeFrak building (facing south).

Photograph 45: View of northern-adjoining residential property on Rutland Road (facing west).

Photograph 46: View of western-adjoining multi-family residential buildings on Schenectady Avenue (facing southwest).

Photograph 47: View of fill port and vent pipe along Leviton exterior from Schenectady Avenue (facing northeast).