PHASE I ENVIRONMENTAL SITE ASSESSMENT

for

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

Prepared for:

Monadnock Development, LLC
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LANGAN

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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

Based on information from the User, the proposed redevelopment of the Subject Property includes demolition of all on-site buildings, and construction of two new five-story residential buildings (referred to as the Naseberry and Tamarind buildings), and one seven-story residential building (referred to as the Graviola building).

The Subject Property is bound to the north by Rutland Road followed by a multi-story residential building and parking lot, to the east by East 49th Street followed by a parking lot for the medical center (Vital Brooklyn – Site K), to the south by the southern part of the Kingsbrook Jewish Medical Center campus, and to the west by Schenectady Avenue followed by multi-story residential and commercial buildings.

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

[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.

Conditions (REC), historical RECs (HREC), controlled RECs (CREC), and business environmental risks (BER). The Phase I ESA identified one REC, two BERs, and one non-ASTM consideration.

Recognized Environmental Conditions and Business Environmental Risks

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.

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 Phase I ESA identified the following one RECs and two BERs:

<u>REC 1/BER 1 –Soil and Groundwater Impacts Related to Historic Fill at the Subject Property</u>

Soil and groundwater contamination was identified at the Subject Property in a June 2021 Phase II Environmental Site Investigation (ESI) Report. The following compounds were detected in soil at concentrations exceeding applicable New York State Department of Environmental Conservation (NYSDEC) Part 375 Unrestricted Use (UU) and/or Restricted Use Restricted-Residential (RURR) Soil Cleanup Objectives (SCO): semi-volatile organic compounds (SVOCs), metals, and pesticides. Additionally, SVOCs were detected in groundwater at concentrations above the NYSDEC Technical and Operational Guidance Series (TOGS) 1.1.1 Class GA Standards and Guidance Values (SGVs). The contamination identified at the Subject Property above applicable regulatory comparison criteria is considered a REC.

These impacts attributed to the presence of historic fill at the Subject Property, which was dumped and disposed at the Subject Property during the course of its development history. The historic fill is generally characterized as varied-colored, fine- to medium-grained sand with varying amounts of fine gravel, brick, concrete, and glass immediately extending to varying depths of about 6 to 12.5 feet below ground surface (bgs). The presence of historic 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, therefore, it is also considered a BER.

<u>BER 2 – Petroleum Bulk Storage at the Subject Property</u>

During a geophysical survey conducted in 2021, one geophysical anomaly resembling an underground storage tank (UST) was identified within the landscaped area between Schenectady Avenue and the northwestern corner of the Leviton building. A fill port and vent pipe were observed in this area during the site reconnaissance. A soil boring and temporary monitoring well location were advanced south-adjacent to the anomaly and evidence of a petroleum release was

not identified based on visual, olfactory, and instrumental screening and analytical results. Planned redevelopment activities at the Subject Property will require proper closure and registration of the UST with the NYSDEC Petroleum Bulk Storage (PBS) unit. Agency coordination and UST removal will result in material cost to the User, therefore this finding is considered a BER.

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 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. These materials will require proper management (survey and/or abatement, as necessary) during future site redevelopment.

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[2] Sites E, F, G, and H, as detailed below:

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The Subject Property is bound to the north by Rutland Road followed by a multi-story residential building and parking lot, to the east by East 49th Street followed by a parking lot for the medical center (Vital Brooklyn – Site K), to the south by the southern part of the Kingsbrook Jewish Medical Center campus, and to the west by Schenectady Avenue followed by multi-story residential and commercial buildings.

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.

[2] 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.

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 Subject Property. 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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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 and 5	Southern portion of the Kingsbrook Jewish Medical Center campus (585 Schenectady Avenue)	Multi-family residential buildings followed by Winthrop Street
West	Schenectady Avenue			Multi-family residential and commercial buildings
	4826	7 to 14	Multi-story residential and commercial buildings (544 to 560 Schenectady Avenue)	

Direction	Block	Lot	Adjoining Properties	Surrounding Properties
		16	One-story medical building (566 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 – 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.
	Lot 5 – four-story building with cellar (Leviton)
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 (David Minkin Rehabilitation Institute (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 January 13, 2022. 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. (AKRF), a May 2021 Phase I ESA performed by Langan, and a June 2021 Phase II Environmental Site Investigation (ESI) performed by Langan (Section 3.3), a copy of these reports are included in Appendix C.

3.2 Owner/Operator Questionnaire

A questionnaire was not provided to the Subject Property owner/operator as part of this report. However; an Owner/Operator Questionnaire was completed by Mr. Tony Renteria, Key Site Manager for the Kingsbrook Jewish Medical Center, during a previous Phase I ESA. The completed questionnaire is dated 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

The following previous environmental reports for the Subject Property were provided by the User, and are included in Appendix C.

Phase I ESA, prepared by AKRF, Inc., dated January 2014

AKRF performed a Phase I ESA on behalf of the Owner in accordance with ASTM Standard E1527-13. This report covered the entire Kingsbrook Jeweish Medical Center campus including the entirety of Block 4602, Lots 1 and 5, as well as the eastern parking lot (a.k.a Vital Brooklyn Site K). The following RECs were identified in regards to the Subject Property and adjoining properties:

- Records for Petroleum Bulk Storage (PBS) were identified for the Subject Property and adjoining properties, including for 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.

- Historical uses of the Subject Property and adjoining property included 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.
- Groundwater monitoring wells associated with a surrounding gasoline station spill were observed east of the Subject Property (a.k.a Vital Brooklyn Parcel K).

The following environmental concerns were also identified for the Subject Property and adjoining properties:

- A 2012 geotechnical Investigation within the Briger parking lot, located in the southern part of Lot 1, identified fill material 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). Fill material may also be present on the Subject Property, given the entirety of the Kingsbrook Jewish Medical Center campus was developed concurrently.
- Based on building age, asbestos containing materials (ACM), polychlorinated biphenyl (PCB)-containing materials, and lead based paint (LBP) may be present in buildings throughout the Subject Property.
- The following historical off-site uses were identified:
    - A gasoline filling station located to the east of the Subject Property (530 Utica Avenue) 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 Subject Property.

Draft Phase I ESA, prepared by Langan, dated May 25, 2021

Langan performed a Phase I ESA for the Subject Property on behalf of the User in accordance with ASTM Standard E1527-13. The following RECs were identified in the Draft Phase I ESA:

- The Subject Property was historically listed as a RCRA SQG and a Non-Gen/ NLR between 1991 and 2007 for hazardous waste generation.
- There are open petroleum spill cases at two surrounding properties, associated with an active gasoline filling station, and a former gasoline filling station and automotive repair facility. Both properties are located cross-gradient of the Subject Property and were reported when subsurface impacts were identified during tank removals. Remedial actions were completed at both sites; however, on-going groundwater monitoring indicated concentrations of petroleum compounds in groundwater above regulatory standards as of 2017 and 2020.

- Historical and current uses of adjoining and surrounding properties, including gasoline filling stations auto repair facilities, car washes, and coal power generation.

Phase II Environmental Site Investigation (ESI) Report, prepared by Langan, dated June 29, 2021

A Phase II ESI was completed to investigate RECs identified in the May 25, 2021 Draft Phase I ESA and to collect soil, groundwater, and soil vapor data in support of proposed redevelopment. Langan conducted the Phase II ESI in accordance with Title 6 of the New York Codes, Rules, and Regulations (NYCRR) New York State Department of Environmental Conservation (NYSDEC) Part 375, DER-10 (May 2010), the NYSDEC Draft Brownfield Cleanup Program Guide (May 2004), and the New York State Department of Health (NYSDOH) Guidance for Evaluating Soil Vapor Intrusion in the State of New York (October 2006) (hereinafter referred to as NYSDOH Guidance).

The Phase II ESI included:

- Geophysical survey to preclear sampling locations and identify a suspected exterior UST;
- Advancement of six soil borings to 16 to 28 feet bgs, and installation of two temporary groundwater monitoring wells, two soil vapor points and one sub-slab vapor point; and
- Collection of seven soil samples, two groundwater sample, two soil vapor samples, and one sub-slab vapor samples for laboratory analysis (one duplicate soil and groundwater sample were collected for quality assurance/quality control [QA/QC] purposes).

Field observations and laboratory analytical results include:

- Geophysical Survey: One geophysical anomaly resembling a UST was identified within the landscaped area between Schenectady Avenue and the northwestern corner of the Leviton building. A soil boring and temporary monitoring was advanced south-adjacent to the anomaly, and no indications of a release (based on visual, olfactory, and instrumental screening and analytical results) were identified.
- Soil: The subsurface consists of varied-colored, fine- to medium-grained sand with varying amounts of fine gravel, brick, concrete, and glass was observed immediately below the existing cover (grass) extending to about 6 to 12.5 feet below ground surface (bgs). From about 12.5 feet bgs and below, brown fine sand with varying amounts of medium sand, silt, gravel, and clay was encountered. A 10.5-foot-thick silt layer was observed from about 12 to 22.5 feet bgs in the eastern portion of the Subject Property. Langan observed an unidentifiable odor in a black-colored native sand interval from 15 to 16 feet bgs in the central portion of the Subject Property. Bedrock was not encountered.

  Seven SVOCs (benzo(a)anthracene, benzo(a)pyrene, benzo(b) fluoranthene, benzo(k)fluoranthene, chrysene, dibenz(a,h)anthracene, and indeno(1,2,3-cd)pyrene), five pesticides (4,4'-DDD, 4,4'-DDE, 4-4'-DDT, alpha chlordane, and dieldrin), and six metals (arsenic, copper, lead, mercury, nickel, and zinc) were detected in six of the seven soil samples collected throughout the Subject Property at concentrations above the NYSDEC

Part 375 Unrestricted Use (UU) and/or Restricted Use Restricted-Residential (RURR) Soil Cleanup Objectives (SCO).

- Groundwater: Groundwater was encountered between about 8.57 feet bgs and 20.94 feet bgs. Regulatory database records for nearby properties indicate groundwater at the Subject Property has been measured at about 23 feet bgs and is reported to flow southeast. Shallow groundwater elevations recorded during the ESI likely represent a perched groundwater condition due to silty soil observed in the boring.

  Six SVOCs (benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, benzo(k)fluoranthene, chrysene, and indeno(1,2,3)pyrene) were detected in one groundwater sample at concentrations above the NYSDEC Technical and Operational Guidance Series (TOGS) 1.1.1 Class GA Standards and Guidance Values (SGVs).

- Soil Vapor and Sub-slab Vapor: Concentrations of VOCs were not detected above the minimum concentrations at which mitigation is recommended in the NYSDOH Decision Matrices.

Report Review Conclusions

The soil and groundwater contamination identified on the Subject Property during the 2021 Phase II ESI is considered a REC. The contamination is attributed to on-site historic fill.

The presence of historic fill at the Subject Property and the UST anomaly identified in the geophysical survey are considered Business Environmental Risks (BERs).

The potential for ACM, PCB-containing materials, and LBP to be present in buildings throughout the Subject Property is considered a Non-ASTM consideration.

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) (10/20/2021)	1 Mile Radius	No	0
Delisted NPL (10/20/2021)	1 Mile Radius	No	0
Superfund Enterprise Management System (SEMS) and SEMS-ARCHIVE (10/20/2021)	1/2 Mile Radius	No	0
Resource Conservation and Recovery Act (RCRA) Corrective Reports (CORRACTS) (09/13/2021)	1 Mile Radius	No	0
RCRA Treatment, Storage, and Disposal Facilities (TSDF) (09/13/2021)	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-Generators [Non-Gen]) (09/13/2021)	Subject Property and Adjoining	No	4
Facility Index System (FINDS) (05/05/2021)	Subject Property	No	0
Environmental Response Notification System (ERNS) (09/13/2021)	Subject Property	No	0
Engineering Controls (EC) Sites Lists (08/23/2021)	Subject Property	No	0
Institutional Controls (IC) Sites Lists (08/23/2021)	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 (08/09/2021)	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) (07/12/2021)	1/2 Mile Radius	No	0
Solid Waste Recycling Facilities (SWRCY) (09/30/2021)	1/2 Mile Radius	No	1
Leaking Tanks (LTANKS) (08/09/2021)	1/2 Mile Radius	No	32
SPILLS Information Database (NY SPILLS) (08/09/2021)	1/8 Mile Radius	No	14
Petroleum Bulk Storage Facilities (PBS) UST and Above Ground Storage Tank (AST) Databases (09/21/2021)	Subject Property and Adjoining	No	3
Chemical Bulk Storage (CBS) UST and AST Databases (09/21/2021)	Subject Property and Adjoining	No	0
Major Oil Storage Facilities (MOSF) UST and AST Databases (09/21/2021)	1/2 Mile Radius	No	0
Voluntary Cleanup Program (VCP) (08/09/2021)	1/2 Mile Radius	No	0
Brownfields (08/09/2021)	1/2 Mile Radius	No	0
EC Sites (08/09/2021)	Subject Property	No	0
IC Sites (08/09/2021)	Subject Property	No	0
Registered Drycleaners (NY DRYCLEANERS) (09/02/2021)	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 LQG, Small SQG, VSQG, and Non-Gen. 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, the larger Kingbrook Jewish Medical Center was listed in the database, along with three adjoining properties. The 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 listing for the larger Kingsbrook Jewish Medical Center 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), a VSQG (2006), and a SQG (1991, 2003, 2007) for the generation of undefined waste (D000), ignitable waste (D001), corrosive waste (D002), reactive waste (D003), mercury (D009), silver (D011), spent halogenated solvents (F001 and F002), and spent non-halogenated solvents (F003, F004, and F005). The facility has received notices for violations including small quantity handlers of universal waste and general generator violations during on-site compliance evaluation inspections conducted in 2016. Based on the results of the June 2021 Phase II ESI (Section 3.3), contamination associated with unreported releases of these wastes was not identified at the Subject Property; and therefore this RCRA generator listing is not considered a REC.

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 Solid Waste Recycling Database

The SWRCY database contains a list of recycling facility locations. The Subject Property was not identified in the SWRCY database; however, one site was identified within the ½-mile search radius. The site is no longer active and is not associated with other Spills, LTANKS, or RCRA generator listings Based on the regulatory status, this listing is not considered RECs.

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. Thirty (30) 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: Amoco
Site Address: 529 Utica Avenue, Brooklyn, NY
Location: About 350 feet east (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. Groundwater is reported to have historically flowed northwest. A maximum BTEX (benzene, toluene, ethylbenzene, and

xylenes) concentration of 52,800 parts per billion (ppb) in groundwater was reported in 2011.

Site Name: Hess Station #32534)
Site Address: 530-546 Utica Avenue, Brooklyn, NY
Location: About 370 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 March 2021. A maximum total VOC concentration of 6,778.8 micrograms per liter (ug/L) was reported. Depth to water was reported at about 22 to 26 feet bgs and calculated to flow southeast.

A Phase II ESI was completed by Langan in 2021 (Section 3.3) to investigate potential impacts associated with these surrounding sites. The results of the Phase II ESI detected SVOCs in groundwater above the NYSDEC SGVs; however, the contamination does not appear to be associated with petroleum impacts. Therefore, releases associated with the nearby current and former gasoline filling stations are not 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: Kingsbrook Jewish Medical Center
Site Address: 585 Schenectady Avenue, Brooklyn, NY
Site Location: Subject Property and south-adjoining property (cross/downgradient)
Description: The larger Kingbrook Jewish Medical Center was identified in the AST and UST databases under the NYSDEC PBS facility (PBS No. 2-109126) for 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; one in-service 1,500-gallon diesel UST that was installed on February 1, 2002; and two diesel USTs (500 and 1,000 gallons) that were closed and removed on June 24, 2002.

During a Phase II ESI completed for the Subject Property in 2021 (Section 3.3), an anomaly resembling a UST was identified during a geophysical survey outside of the northwestern corner of the Leviton building. Soil and groundwater samples were collected adjacent to the UST anomaly and no contamination was detected. The ASTs and USTs (with the

exception of the potential UST identified during the Phase II ESI) are assumed to be present on other parts of the larger Kingsbrook Jewish Medical Center that adjoin the Subject Property. The one identified UST anomaly identified on the Subject Property is not considered a REC as no evidence of a release was identified during the Phase II ESI. The removal of the USTs anomaly during future redevelopment will be registered with the NYSDEC PBS unit and may require implementation management procedures to address excavation, handling, and off-site disposal, which may result in material cost to the User. These additional costs are considered a BER.

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).

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 these 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. These 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, or RCRA generator listings; therefore these sites are not considered RECs. The remaining two Hist Auto listings were associated with the NY Spills databases listings, discussed above. The sites are not 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 (DOHMH)
- NYC Fire Department (FDNY)
- 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 E.

USEPA

Langan performed a search of the USEPA MyProperty and MyEnvironment databases on January 6, 2022. The Kingsbrook Jewish Medical Center and Rutland Nursing Home were identified in the RCRA and Air Facility System (AFS) databases under the 585 Schenectady Avenue address, an address that pertains to the larger Kingsbrook Jewish Medical Center campus. The listings do not indicate any RECs associated with the Subject Property. A copy of the records are included in Appendix E.

New York City Department of Buildings

Langan conducted a records search through the DOB online query system on January 3, 2022. The Subject Property is identified on the Brooklyn Borough Tax Map as then northern portions of Lots 1 and 5 on Block 4602. One historical lot (Lot 12) was also identified with the Subject Property. Lots 1 and 5 are both classified as I1-Hospitals and Health by the Department of Finance (DOF), while historical Lot 12 is not classified. The following Building Identification Numbers (BINs) were identified:

BIN	Lot	Addresses
3327554	1	86-112 East 49th Street
3327559	1	74-84 East 49th Street / 830 Rutland Road
3327560	5	784 Rutland Road / 543-567 Schenectady Avenue
3327565	5	569-605 Schenectady Avenue
3346580	1	808 Rutland Road
3833765	NA	74 East 49th Street
3834443	12	85 East 48th Street
3834444	12	86 East 48th Street

In total, 124 active NYCDOB violations and 28 active Environmental Control Board (ECB) violations are listed for the Subject Property. 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.

Certificates of Occupancy (CO) were identified for the Subject Property between 1976 and 1992 under Building Identification Number (BIN) 3327565. All COs are attributed to the same BIN, however COs from different years 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 F.

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 G.

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 January 6, 2022 (https://zr.planning.nyc.gov/appendix-c-table-1-city-environmental-quality-review-ceqr-environmental-requirements-e-designations)
- CEQR Restrictive Declaration List on January 6, 2022 (https://zr.planning.nyc.gov/appendix-c-table-2-city-environmental-quality-review-ceqr-environmental-requirements-environmental)
- NYCDOB BIS on January 6, 2022 (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.

The 2021 Phase II ESI (Section 3.3) identified historic fill at the Subject Property generally characterized as varied-colored, fine- to medium-grained sand with varying amounts of fine gravel, brick, concrete, and glass at the Subject Property extending to varying depths between about 6 to 12.5 feet bgs. The historic fill was underlain by native soil, which included a silt layer encountered between about 12 to 22.5 feet bgs in the eastern part of the Subject Property. Brown fine sand with varying amounts of medium sand, silt, gravel, and clay was encountered below the fill layer to the boring terminus.

Historic 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 regulatory standards. A Phase II ESI performed on the Subject Property in 2001 identified SVOCs and metals at concentrations above current regulatory standards in historic fill (Section 3.3). Historic 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 historic 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.

During the 2021 Phase II ESI (Section 3.3) groundwater was encountered between about 8.57 feet bgs and 20.94 feet bgs. Shallow groundwater elevations recorded during the ESI likely represent a perched groundwater condition due to silty soil observed in the boring. Regulatory database records for nearby properties indicate groundwater at the Subject Property has been measured at about 23 feet bgs and is reported to flow southeast.

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. Copies of the aerial photographs are provided in Appendix H.

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 an unknown structure located in the north central portion the Subject Property. Schenectady Avenue and East 49th Street were not constructed. By 1951, the existing structure was demolished, and the Subject Property was developed with a central courtyard, and the Leviton, Blumberg, LeFrak buildings. The surrounding area was developed into city blocks and 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.

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 I.

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 and was occupied by the Jewish Santorum for Incurables. The building consisted of three stories with a partial above ground cellar, and had an address of 86 East 49th Street. By 1929, several dwellings and miscellaneous buildings are shown along the northern and southern boundaries of the Subject Property (located at 808 Rutland Road and 93-97 East 48th Street). In the 1951 Sanborn Map, the alignment for East 48th Street and the dwellings and storage buildings are no longer shown, and the Blumberg and Leviton are shown (construction dates were noted to be 1933). The Blumberg building consisted of a six-story building adjoining the LeFrak building, and was occupied by the Jewish Sanitarium and Hospital for Chronic Diseases. The Leviton building consisted on a four-story building with a basement, and was occupied by a nurses' home located at 567 Schenectady Avenue. A gatehouse is also depicted in the 1951 Sanborn Map, located in the north-central portion of the Subject Property. In the 1969, Sanborn Map, the Masin building is shown and noted to have been constructed in 1957. The building consisted of a six-story building, and was used for administrative and laboratory purposes. By 1977, the Subject Property was occupied by the Kingsbrook Jewish Medical Center. The Subject Property appears primarily unchanged in Sanborn Maps between 1969 and 2007.

The addresses for the Subject Property, as noted on the Sanborn Maps, include:

- 443, 543, and 567 Schenectady Avenue;
- 784, 798, 800, 802, 806, 808, 810, 812, 816, 818, 828, 830 Rutland Road;
- 73, 74, 83, 84, 85, 93, 95, 96, and 97 East 48th Street; and
- 74, 84, 86, 96, and 98 East 49th Street.

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. A review of Sanborn Maps did not identify RECs.

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, 2013, 2016, and 2019. Copies of the topographic maps are provided in Appendix J.

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 K.

Listings for Subject Property were identified under the following addresses:

Address	Year	Occupant
86 East 49th Street	2004, 2005	Chafiian, Jonas MD; Custis, Kevin T MD; Fresko, David MD; Jackson, Rosemary M MD; Kalanadhabhatt, Vivekanand MD
	1994, 1997, 2000, 2004	Adamsons, Roland J MD PC
	1994	Dove, Charles; Turoff, Blanche
	1965, 1970, 1973	Isaac Albert Research Inst. of The Jewish Chronic Disease Hosp
	1965	Fish, Sidney
	1934	Jewish Sanitarium for Incurables
830 Rutland Road	1928, 1940, 1945	Signorile, Pasquale

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 L.

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 January 5, 2022 at 10:00 am by Deirdre Casey of Langan. Ms. Casey was accompanied by Mr. Patrick Marsh, a security guard for the Kingsbrook Jewish Medical Center. The weather at the time of the inspection was overcast and raining, and about 35 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 on-call rooms. The top two floors of the Masin building are vacant; floors one through four are used for offices, laboratories, and classrooms; and the cellar is used for storage and maintenance shops. The Blumberg and Lefrak buildings consist of ground floor doctor's offices, medical equipment storage, administrative offices, and a dialysis treatment center. Five storage containers, construction materials, and scaffolding were observed adjoining the Leviton building to the north. According to Mr. Marsh, these materials supported ongoing repairs to the Leviton Building façade.

Pits, Ponds, Lagoons

A sewage cleanout pit was observed in the cellar of the Leviton building. The pit was observed to be dry and the sides constructed on concrete; however, soil and debris prevented inspection of the base of the pit.

Pools of Liquid

A damp concrete area was observed beneath a heating ventilation and air conditioning (HVAC) unit in the cellar of the Leviton building. Neither staining nor chemical odors were observed.

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 4- 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 and precipitation entering through an open exterior door. 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, two drains were observed in the hallway outside the former boiler room in the cellar of the Masin building, and two clogged floor drains were observed within the boiler room in the cellar of the Masin building. According to Mr. Marsh, 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, joint compound, Stoddard solvent plastic cleaner, propylene glycol, sump treatment, lacquer thinner, mineral spirits, paint and varnish remover, flooring adhesive, sanding liquid, drain and lift station cleaner, Teflon lubricant, sodium hydroxide, 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.

Three rooms in the cellar of the Masin building contained large quantities of paint in one– to five-gallon containers. Paint was observed on the floor beneath the paint storage area; however, these

releases were observed atop concrete in good condition, with no significant cracks or discontinuities.

One 55-gallon plastic drum of propylene glycol was observed in the former boiler 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. Four 55-gallon plastic drums of unknown contents were observed staged atop intact roofing material outside the fire exit on the roof of the LeFrak building. One of the drums was positioned on its side; 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. Marsh 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. About 3 inches of water was observed within the sump pit. 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. Soil and debris prevented inspection of the base of the sumps. Staining or sheen was not observed in or around the sumps.

One sump pit was observed in the former boiler room in the cellar of the Masin building. The sump contained about 1 foot of standing water. The sump pump was active at the time of inspection. Soil and debris prevented inspection of the base of the pit. Odor, staining, or sheen were not observed in or around the sump.

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. Soil and debris prevented inspection of the base of the pit. Staining or sheen were not observed in or around the sump.

USTs or ASTs

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. The 2021 Phase I ESA (Section 3.3) 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.

The southeastern adjoining building houses a three-boiler steam generation facility that provides steam heating to buildings throughout the Kingsbrook Jewish Medical Center campus, including for buildings on the Subject Property. The 2021 Phase I ESA indicates this facility previously operated as a coal generation power plant. Flue gas stacks were observed on the roof of the Blumberg building. According to Mr. Jean E. Flerime, a stationary engineer for the Kingsbrook Jewish Medical Center, the boilers are currently fueled by natural gas. A 2,500-gallon diesel AST was observed in the off-site power-generation facility during the time of the site reconnaissance. The AST was inaccessible for inspection at the time of site reconnaissance.

A brick vault and fill port were observed off-site in the courtyard on the southern-adjoining portion of the medical campus. According to Mr. Flerime, the vault contains a 40,000-gallon No. 6 Fuel Oil UST. According to Mr. Flerime, the boilers have been converted to natural gas as a power source and the UST is no longer in use. Based on the results of the 2021 Draft Phase I ESA (Section 3.3) and the off-site location of the UST, it is not considered a REC.

Site Reconnaissance Conclusions

At the time of the site reconnaissance, some rooms 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. The stockpiled soil was related to the repair of a buried pressurized steam pipe was comprised of historic fill material. 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.

6.0 INTERVIEWS

6.1 Subject Property Owner/Occupant

Mr. Patrick Marsh, a security guard for the Kingsbrook Jewish Medical Center, was interviewed during the site reconnaissance. Mr. Marsh is aware of the current use of the Masin, Blumberg, and LeFrak buildings for laboratories, dialysis water treatment, and laboratory chemical storage. Mr. Marsh 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.

Mr. Jean E. Flerime, a stationary engineer for the Kingsbrook Jewish Medical Center, was interviewed after the site reconnaissance. Mr. Flerime indicated the Leviton, Masin, and Blumberg buildings were previously heated by individual boilers, and eventually heated by steam generated in the southeastern adjoining building. Steam was generated by three boilers powered by No. 6 fuel oil until about 2017 when boilers were converted to natural gas. A 40,000-gallon No. 6 fuel oil tank, which formerly supported the boilers, remains in-place in the courtyard adjoining the Subject Property to the south.

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 ACM, 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 one REC, two BERs, and one non-ASTM consideration:

Recognized Environmental Conditions and Business Environmental Risks

REC 1/BER 1 –Soil and Groundwater Impacts Related to Historic Fill at the Subject Property

Soil and groundwater contamination was identified at the Subject Property in a June 2021 Phase II ESI Report. The following compounds were detected in soil at concentrations exceeding applicable NYSDEC Part 375 UU and/or RURR SCO: SVOCs, metals, and pesticides. Additionally, SVOCs were detected in groundwater at concentrations above the NYSDEC TOGS 1.1.1 Class GA SGVs. The contamination identified at the Subject Property above applicable regulatory comparison criteria is considered a REC.

These impacts attributed to the presence of historic fill at the Subject Property, which was dumped and disposed at the Subject Property during the course of its development history. The historic fill is generally characterized as varied-colored, fine- to medium-grained sand with varying amounts of fine gravel, brick, concrete, and glass immediately extending to varying depths of about 6 to 12.5 feet bgs. The presence of historic 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, therefore, it is also considered a BER.

BER 2 – Petroleum Bulk Storage at the Subject Property

During a geophysical survey conducted in 2021, one geophysical anomaly resembling an UST was identified within the landscaped area between Schenectady Avenue and the northwestern corner of the Leviton building. A fill port and vent pipe were observed in this area during the site reconnaissance. A soil boring and temporary monitoring well location were advanced south-adjacent to the anomaly and evidence of a petroleum release was not identified based on visual, olfactory, and instrumental screening and analytical results. Planned redevelopment activities at the Subject Property will require proper closure and registration of the UST with the NYSDEC PBS unit. Agency coordination and UST removal will result in material cost to the User, therefore this finding is considered a BER.

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 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. These materials will require proper management (survey and/or abatement, as necessary) during future site redevelopment.

10.0 REFERENCES

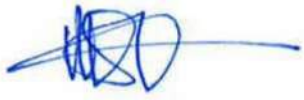
The following references were reviewed as part of this Phase I ESA:

1. City Online Register, http://www.nyc.gov/html/dof/html/jump/acris.shtml, retrieved January 6, 2022.
2. Environmental Data Resources, Inc. January 4, 2022. Aerial Photo Decade Package.
3. Environmental Data Resources, Inc. January 4, 2022. City Directory Abstract.
4. Environmental Data Resources, Inc. January 7, 2022. Environmental Lien Search.
5. Environmental Data Resources, Inc. January 3, 2022. Historical Topographic Map Report.
6. Environmental Data Resources, Inc. January 3, 2022. Radius Map with GeoCheck.
7. Environmental Data Resources, Inc. January 3, 2022. 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, retrieved January 3, 2022.
9. New York City Department of Buildings, Building Information System, http://www.nyc.gov/html/dob/html/bis/bis.shtml, retrieved January 3, 2022.
10. New York City Planning Commission, Zoning Map 17b.

11.0 STATEMENT OF QUALIFICATIONS AND SIGNATURES

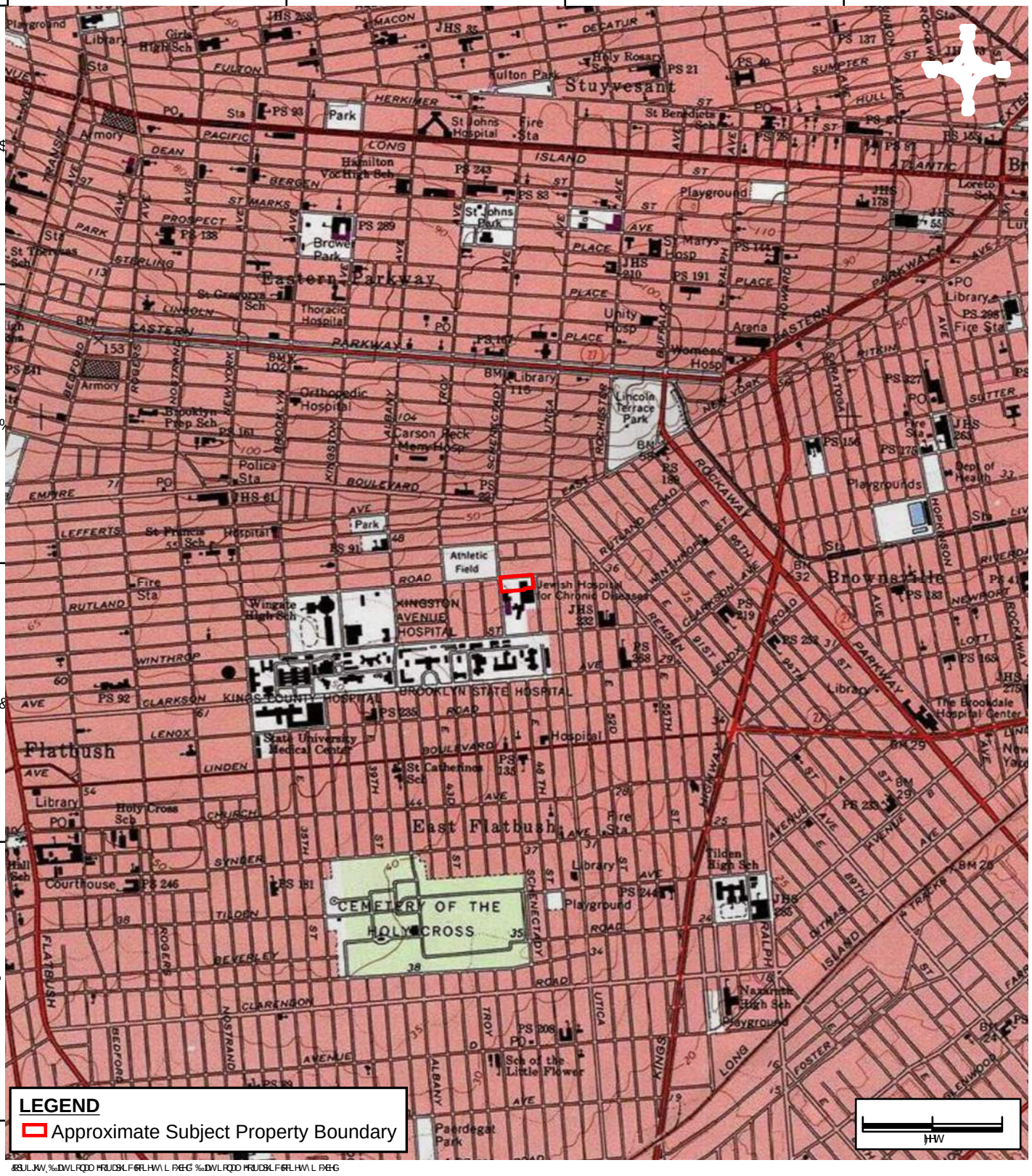
Langan declares that, to the best of its professional knowledge and belief, the personnel who performed this Phase I ESA meet the definition of Environmental Professional as defined in Subsection 312 10 of 40 CFR 312 and that they have the specific qualifications based on education, training, and experience 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 M.

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



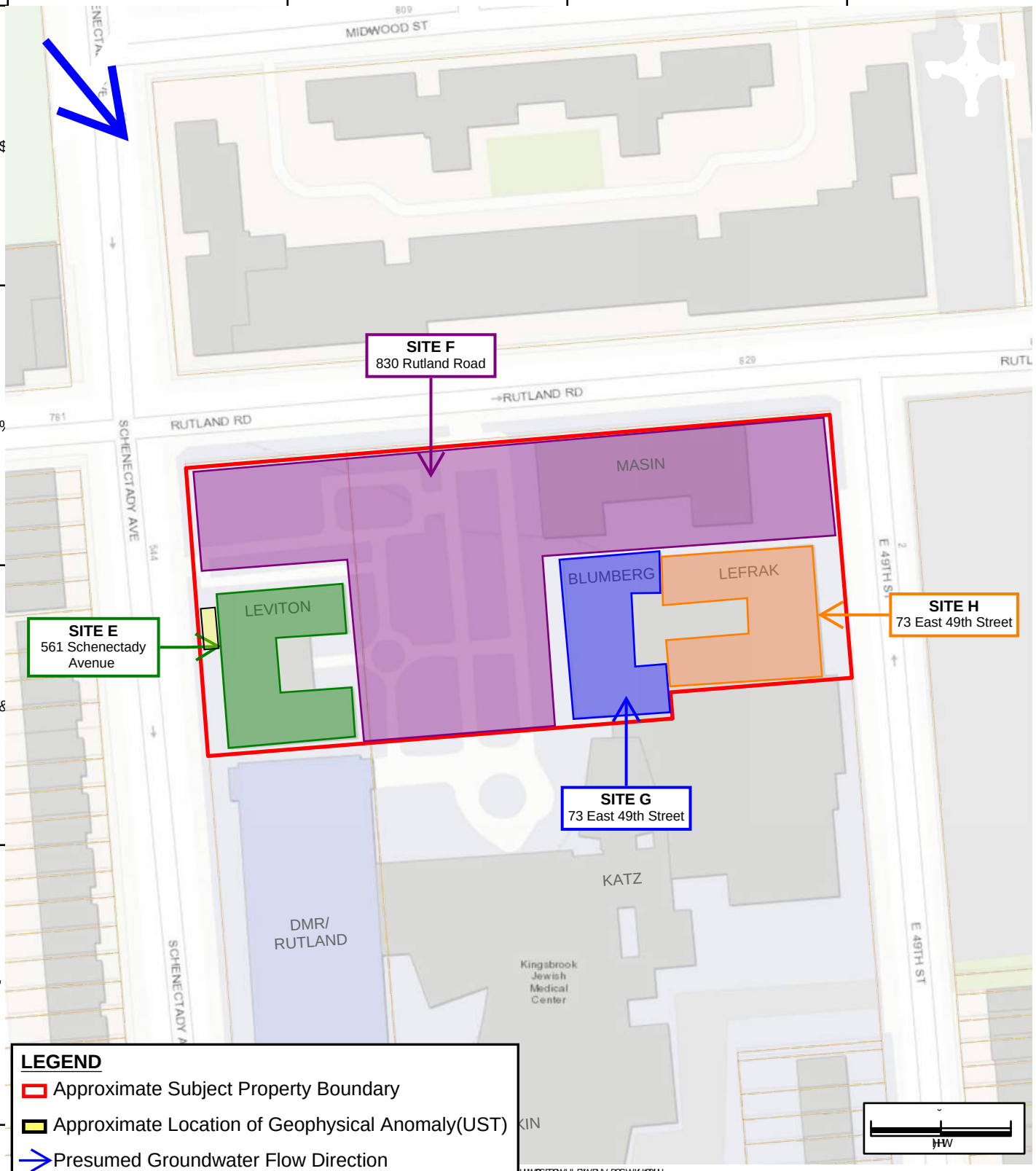
Mimi S. Raygorodetsky
Principal

FIGURES



Source: Google Earth Pro, Image © 2021 Maxar Technologies

LANGAN	Project	Figure Title	Project No. / Figure
1 PENN PLAZA, SUITE 2500 NEW YORK, NY 10119 T: (212) 479-5400 F: (212) 479-5444 www.langan.com	VITAL BROOKLYN SITES E, F, G, AND H	SUBJECT PROPERTY LOCATION MAP	Date: 1/7/2022 Scale: NTS Drawn By: OLW Checked By: 1/7/2022 Figure 1 Sheet 1 of 3



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VITAL BROOKLYN
SITES E, F, G, AND H

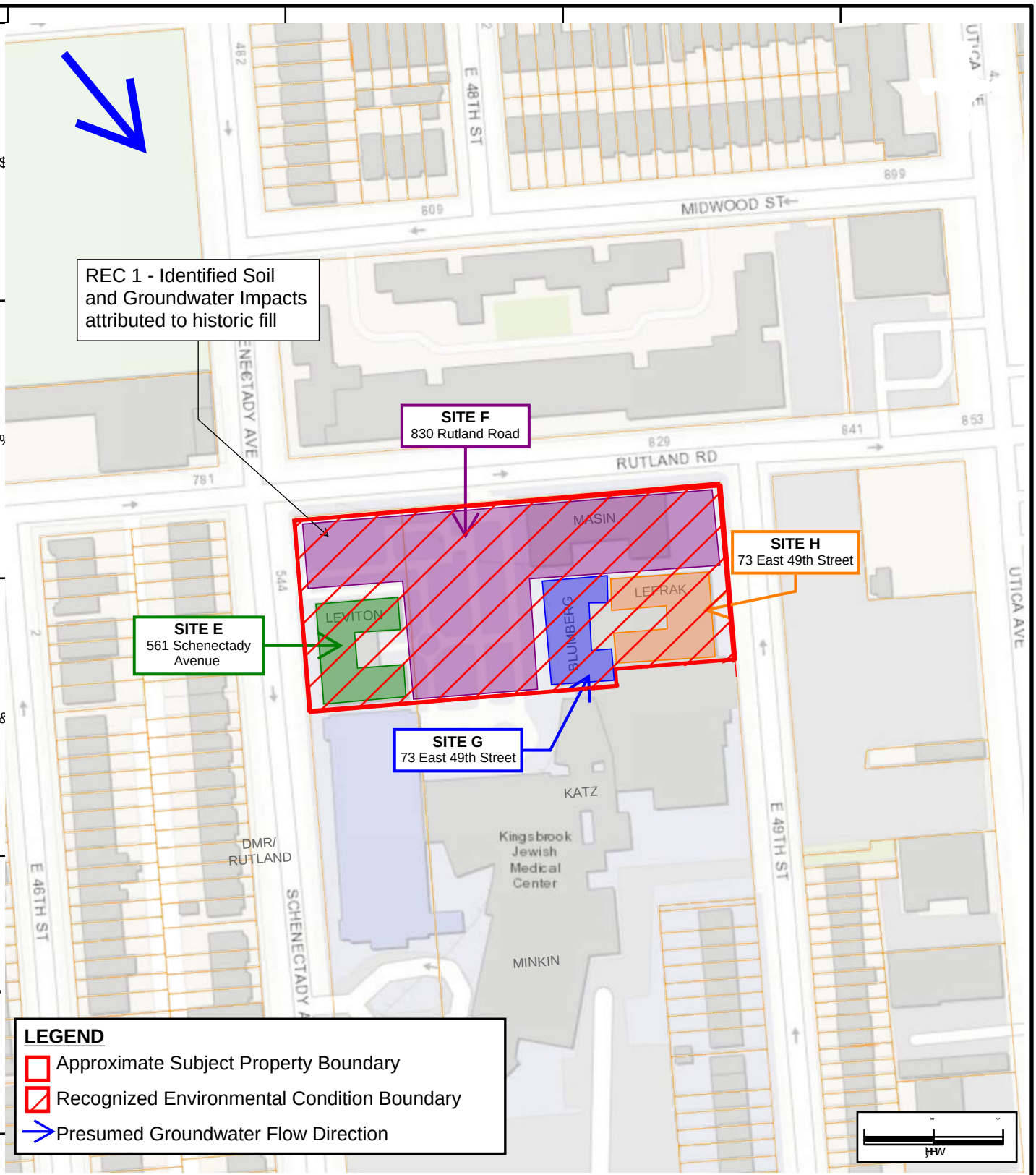
Figure Title

SUBJECT PROPERTY PLAN

DATE 1/7/2022

FIGURE NO. 2

Sheet 2 of 3



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VITAL BROOKLYN SITES E, F, G, AND H

Figure Title

RECOGNIZED ENVIRONMENTAL CONDITION MAP

DWH 1/7/2022

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1/7/2022

3

Sheet 3 of 3

APPENDIX A

SITE RECONNAISSANCE PHOTOGRAPHS

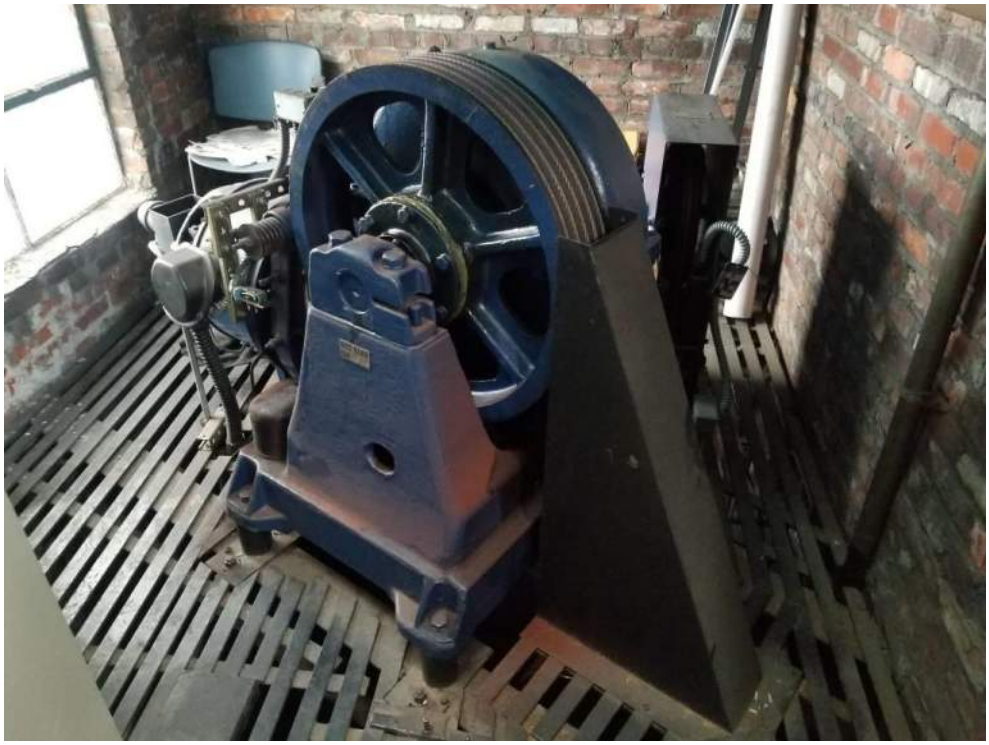
Photograph 1: View of the Leviton building and courtyard from the roof of the Masin building (facing southwest)

Photograph 2: View of the Masin building from the courtyard (facing east)

Photograph 3: View of the Blumberg building from the southern adjoining courtyard (facing northeast).

Photograph 4: View of the LeFrak Building from the parking lot across East 49th Street (facing northwest).

Photograph 5: General view of material storage in the cellar of the Leviton Building (facing west).



Photograph 6: View of elevator motor located on the roof of the Leviton building (facing south).

Photograph 7: View of water and rust staining beneath a pump in the cellar of the Leviton building (facing south).

Photograph 8: View of boiler room in cellar of the Leviton building (facing southwest).

Photograph 9: View of sump in the boiler room of the Leviton cellar (facing east).

Photograph 10: View of inactive heating, ventilation, and air conditioning (HVAC) equipment on the roof of the Leviton building (facing northwest).

Photograph 11: View of façade restoration construction material storage adjoining the Leviton building to the north (facing north).

Photograph 12: View of a hallway on the third floor of the Masin building (facing south).

Photograph 13: View of a maintenance shop in the cellar of the Masin building (facing east).

Photograph 14: View of paint storage in the cellar of the Masin building and a release of paint atop the concrete slab (facing west).

Photograph 15: View of a maintenance shop in the cellar of the Masin building (facing east).

Photograph 16: View of paint storage in maintenance area of Blumberg building cellar (facing east).

Photograph 17: Entrance foyer on the ground floor of the Masin building (facing northwest).

Photograph 18: View of paint storage room in cellar of the Masin building (facing south).

Photograph 19: View of plastic 55-gallon drum of propylene glycol in boiler room of Masin cellar (facing southeast).

Photograph 20: View of sump pump in the former boiler room in the cellar of the Masin building (facing south).

Photograph 21: View of leaking pipes in the former boiler room in the cellar of the Masin building (facing north).

Photograph 22: View of leaking boiler in maintenance area of Blumberg building cellar (facing south).

Photograph 23: View of sewer cleanout pit in the cellar of the Blumberg building (facing south).

Photograph 24: View of water tank on roof of Blumberg building (facing northeast).

Photograph 25: View of elevator motor rooms on the roof of the Blumberg building (facing northeast).

Photograph 26: View of elevator motor atop concrete slab in motor room on Blumberg building roof (facing northwest).

Photograph 27: View of two unlabeled plastic 55-gallon drums on the roof of the LeFrak building (facing north).

Photograph 28: View of a staff break room in the cellar of the LeFrak building (facing south).

Photograph 29: View of the LeFrak Building (right), the southeastern adjoining building which contains three steam boilers from the eastern side of East 49th Street (left, facing west).

Photograph 30: View of two of three natural gas powered boilers that provide steam to the Kingsbrook Jewish Medical Center campus, located on the ground floor of the southeastern adjoining building (facing southwest).

Photograph 31: View of a diesel tank fill port on the southeastern adjoining building (facing north).

Photograph 32: View of southern Subject Property boundary between the Leviton building and Rutland Nursing Home (facing south).

Photograph 33: View of stockpiled soil in the courtyard outside of the Blumberg building (facing east).

Photograph 34: General view of southern adjoining courtyard of the Subject Property (facing southwest).

Photograph 35: View of 40,000 gallon No. 6 Fuel Oil underground storage tank (UST) vault and fill port and access hatch on southern adjoining property in courtyard (facing west).

Photograph 36: View of East 49th Street followed by eastern-adjoining parking lot (facing southeast).

Photograph 37: View of northern-adjoining residential property on Rutland Road (facing northwest).

Photograph 38: View of western-adjoining multi-family residential buildings on Schenectady Avenue (facing northwest).