



IMPACT ENVIRONMENTAL

❖ a division of impact environmental consulting, inc.

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IMPACTENVIRONMENTAL.COM

December 5, 2001

Ms. Anita Abrams
The Bank of New York
123 Main Street
White Plains, New York

Re: *2425 Atlantic Avenue / 30 - 42 Havens Place, Brooklyn, New York*

Dear Ms. Abrams:

This letter serves as a Phase III Environmental Site Assessment (ESA) report prepared with respect to the above referenced property. This assessment was performed in accordance with recommendations made in a Phase II ESA, Selective Sampling Investigation report performed by Impact Environmental Consulting, Inc. for the subject property, dated July 26, 2001. The Phase II ESA identified several areas of concern that were addressed during the performance of the Phase III ESA.

The Phase II ESA established that the former operation and maintenance of the underground storage tank (UST) adjacent to the northern side of the existing building impacted the environmental quality of the subject property. Consequently, it was recommended that the UST be properly abandoned and that the New York State Department of Environmental Conservation (NYSDEC) be contacted to determine what, if any, actions are necessary to mitigate the detected contaminants. [See the attached UST Closure Report.]

The eleven hundred (1,100) gallon fuel oil UST and the associated contaminated soil was excavated and removed from the subject property under the auspices of the New York State Department of Environmental Conservation (NYSDEC). Laboratory analysis of the endpoint samples secured from the remediated UST excavation, generated data that satisfies the NYSDEC Recommended Soil Cleanup Objectives according to TAGM # HR-94-4046. Accordingly, we have prompted the NYSDEC to close the associated spill file #0106974.

It was determined that the Underground Injection Wells (UIWs) identified within the basement of the building received discharges that impacted the environmental quality of the subject property. Accordingly, it was recommended that the detected contaminants within the UIWs be mitigated and that the UIWs be backfilled and permanently sealed. Additionally, it was recommended that these activities be performed under the auspices of the United States Environmental Protection Agency (USEPA). [See the attached UIW Closure Report.]

The impacted sediments detected within the UIWs were excavated and removed from the subject property in accordance with a Remediation Plan approved by the USEPA. Laboratory analysis of the endpoint samples secured from the remediated UIWs generated data that satisfies the NYSDEC Recommended

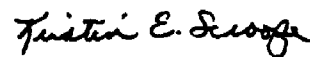


Soil Cleanup Objectives according to TAGM # HR-94-4046. Accordingly, we have prompted the USEPA to close the Underground Injection Control file for the subject property.

During the performance of a remote survey, an anomaly was detected on the southern side of the building within the basement. Said anomaly was suspected to represent a UST beneath the basement slab. A destructive survey was performed on October 4, 2001 to investigate the area of detected anomaly for the presence of an underground storage tank. The destructive survey failed to identify an underground storage tank associated with the detected anomaly.

Impact Environmental Consulting, Inc. has performed a Phase III Environmental Site Assessment on the subject property in accordance with good commercial and customary practice and generally accepted protocols within the consulting industry. Based upon the data generated from the performance of the Phase I, II and III Environmental Site Assessments, Impact Environmental Consulting, Inc. concludes that the remedial activities performed have sufficiently mitigated the contaminants that existed on the subject property. Accordingly, no additional activities are required to further define or enhance the environmental quality of the subject property.

Sincerely,
**Impact Environmental
Consulting, Inc.**



Kristin E. Scroope
Environmental Engineer

cc: Michael Hamroff @ 2425 Holding Corp.

attachments:

- *UST Closure Report, dated November 15, 2001*
- *Underground Injection Control Closure Report, dated November 15, 2001*



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

DEC 12 2001

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Article Number: 7001 0320 0002 1056 8061

Property Owner:

Michael Hamroff
2425 Holding Corporation
87-46 123rd Street
Richmond Hill NY 11418

Facility:

2425 Atlantic Avenue/30 Havens Place
Brooklyn NY
NYC Tax Map Designation:
Block 1574; Lots 23

Re: Class V Underground Injection Control (UIC) Closeout Letter

Dear Mr. Hamroff:

The Ground Water Compliance Section of the U.S. Environmental Protection Agency (EPA) has reviewed the report prepared by Impact Environmental (dated November 15, 2001), concerning the remediation of the four (4) Class V underground injection wells, UIW-1-EP, UIW-2-EP, UIW-3-EP and UIW-4-EP.

The Class V UIC wells have been remediated to the satisfaction of this office. Based on my review, the UIC Program will now close its file on the above subject matter.

Please be advised that you are under a continuing obligation to comply with all applicable federal, state, and local regulations.

If you have any questions, please contact Margaret Halley of my staff at (212) 637-3092 or at halley.margaret@epamail.epa.gov.

Sincerely,

Robert Ferri, Acting Chief
Ground Water Compliance Section

cc: Paul Kolakowsky
Environmental Engineer II
Division of Water
New York State Department
of Environmental Conservation

Kristin E. Scroope
Impact Environmental Consulting, Inc.
1 Village Plaza
Kings Park, NY 11754

15 02 02:50p

New York State Department of Environmental Conservation
 Division of Environmental Remediation
 Bureau of Spills Management
 47-40 21st Street, Long Island City, NY 11101
 Phone: (718) 482-4927
 Fax: (718) 482-4098



Erin M. Crotty
 Commissioner

February 13, 2002

Mr. Kristen Scroope
 Impact Environmental
 1 Village Plaza
 Kings Park, New York 11745

RE: 2425 Holding Corp.
 2425 Atlantic Ave/30-42 Havens Place
 Brooklyn, New York

Spill#: 0106974

Dear Mr. Scroope:

Based on the submitted documentation provided to date by Impact Environmental Inc., no further investigation or response will be required concerning the #2 oil tank removal performed at 2425 Atlantic Avenue/30-42 Havens Place Brooklyn, New York, with regard to spill number 0106974.

Notwithstanding this approval, the New York Department hereby reserves all of its rights concerning, and such forbearance shall not extend to, any further investigation or remedial action the Department deems necessary:

- I. Due to the off-site migration of petroleum contaminants that was not addressed by this evaluation.
- II. Due to environmental conditions related to the Site which were unknown to the Department at the time of this approval.
- III. Due to information received, in whole or part, after the Department's approval for inactivation, which indicates that inactivation decision and/or corrective action is not sufficiently protective of human health for the reasonably anticipated use of the site.
- IV. Due to fraud in obtaining this approval for inactivation.

Please be advised that you should maintain a permanent file of all documentation and correspondence regarding this release for future property transactions, refinancing, etc. The Department's files regarding this release may not be maintained indefinitely.

Sincerely,

Michelle Tipple
 Engineering Geologist
 Environmental Remediation Division