PHASE I ENVIRONMENTAL SITE ASSESSMENT

for

2331 and 2335 12th Avenue
New York, New York

Prepared For:

2335 12 Avenue, LLC
1867 Amsterdam Avenue
New York, NY 10013

Prepared By:

Langan Engineering, Environmental, Surveying, Landscape Architecture and Geology, D.P.C.
21 Penn Plaza
360 West 31st Street, 8th Floor
New York, New York 10001

Jennifer Armstrong, CHMM, LEED AP
Senior Project Manager

Jason Hayes, PE, LEED AP
Principal/Vice President

October 2022
Langan Project No. 170560401

LANGAN

TABLE OF CONTENTS

FIGURES

APPENDICES

EXECUTIVE SUMMARY

Langan Engineering, Environmental, Surveying, Landscape Architecture and Geology, D.P.C. (Langan) was retained by 2335 12 Avenue, LLC, the "User", to prepare a Phase I Environmental Site Assessment (ESA) for the properties at 2331 and 2335 12th Avenue (Borough of Manhattan Block 2001 and Lots 100 and 110) in New York, New York (the Subject Property). The about 0.287-acre (12,500-square-foot) Subject Property is situated on the east side of 12th Avenue between 133rd and 134th Street as shown on Figure 1. Lot 100 is improved with a three-story building, but occupants were not confirmed because access was not provided. Lot 110 is improved with a three-story industrial-building that was historically operated as a carpet cleaning facility under the name Cleantex, but has been vacant since early-2022.

This Phase I ESA was completed in general 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 Inquires (AAI) Rule, for the purpose of identifying recognized environmental conditions (REC), historical RECs (HREC), controlled RECs (CREC), and business environmental risks (BER).

A REC is defined by ASTM E1527-13 as the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property due to any release to the environment, under conditions indicative of a release to the environment, or under conditions that pose a material threat of a future release to the environment. The following RECs were identified and are shown on Figure 2:

<u>REC 1 – Historic Use of the Subject Property</u>

Lot 110 operated as Cleantex Co. (a carpet cleaning facility) with aboveground storage tanks (AST) containing mineral spirits from 1939 until early 2022. Out-of-service cleaning machinery is located within the Lot 110 building with staining observed on concrete flooring next to some machinery. Lot 100 was historically operated by auto repair facilities from 1973 to 2000. Inadvertent releases of petroleum products, solvents, and/or or other hazardous substances typically used by these facilities may have impacted soil, groundwater, and/or soil vapor at the Subject Property.

<u>REC 2 – Known and Suspected Underground Storage Tanks</u>

The building on Lot 110 contains a 1,500-gallon No. 2 heating oil underground storage tank (UST) in the loading dock area. Three additional USTs may also be present in the loading dock area

based on a prior geophysical survey. Undocumented releases of petroleum products may have impacted soil, groundwater, and soil vapor.

REC 3 – Known Petroleum and Volatile Organic Compound Contamination and Open Spill on Lot 110

Subsurface investigations in October and November 2018 identified stained and odorous soil between about 10 and 20 feet below grade surface (bgs) in the loading dock. Petroleum-related volatile organic compounds (VOCs) were reported in soil and groundwater at concentrations above relevant standards. Chlorinated VOCs were identified in soil vapor at concentrations above New York State Department of Health Air Guidance Values. Following acquisition of Lot 110 by the User, a spill was reported to the NYSDEC based on petroleum-related impacts observed during a prior subsurface investigation completed to support due diligence of an entity that was considering purchasing Lot 110. NYSDEC assigned Spill No. 2205004 to Lot 110.

REC 4 – Historical Off-Site Uses

The historical uses of the northern-adjoining property at 2341 – 2347 12th Avenue as a garage with 4 USTs (1939 – 1950) and a rubber manufacturing facility (1969 – 2005), the eastern-adjoining property at 637 133rd Street as garages and a gasoline station with a UST (1939 – 1950), and southern adjoining property as an MTA depot associated with several spill cases and hazardous waste generation are considered a REC. Undocumented releases of petroleum products or hazardous substances at these facilities may have impacted groundwater and soil vapor at the Subject Property.

RECs are shown on Figure 2. HRECs and CRECs were not identified at the Subject Property.

Non-Scope Consideration and BERs

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.

A Non- 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-scope consideration/BERs were identified:

Non-native Material at the Subject Property

Based on prior investigation conducted at the Subject Property, non-native material was observed at depths to about 2 to 4 feet bgs throughout the Site. Non-native material is typically impacted with semivolatile organic compounds (SVOCs) and metal. The presence of non-native material in and of itself does not trigger regulatory notifications and does not constitute a REC. If excavated during future site improvements, this material may be associated with a cost premium for transport and disposal.

Asbestos-Containing Material, Lead-Based Paint, Mercury and Polychlorinated Biphenyls

The Subject Property buildings were constructed between 1920 and 1953. Based on the age of the buildings, they may contain asbestos-containing materials (ACM), lead-based paint (LBP), mercury-containing building components, and/or polychlorinated biphenyls (PCBs) in building materials.

Significant Data Gap

Access to the building on Lot 100 was not provided and this lack of inspection is considered a significant data gap.

1.0 INTRODUCTION

Langan Engineering, Environmental, Surveying, Landscape Architecture and Geology, D.P.C. (Langan) was retained by 2335 12th Avenue, LLC (the User) to prepare a Phase I Environmental Site Assessment (ESA) for the property at 2331 and 2335 12 Avenue in New York, New York (the Subject Property). This Phase I ESA was performed for the User in general 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's (USEPA) All Appropriate Inquires (AAI) Rule.

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 International Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process, Designation E1527-13, which states: The presence or likely presence of any hazardous substances or petroleum products in, on, or at a property: (1) due to any release to the environment, (2) under conditions indicative of a release to the environment, or (3) 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) Satisfy the criteria of United States Environmental Protection Agency (USEPA) 40 Code of Federal Regulations (CFR) Part 312 Subpart C Standards and Practices §312.20 All Appropriate Inquiries.

For the purpose of this ESA report, a REC is defined as follows:

"*The presence or likely presence of any hazardous substances or petroleum products in, on, or at a property: (1) due to release to the environment; (2) under conditions indicative of a release to the environment; or (3) under conditions that pose a material threat of a future release to the environment. De minimis conditions are not recognized environmental conditions.*"

A Historical REC (HREC) is defined as follows:

"A past release of any hazardous substances or petroleum products that has occurred in connection with the property and has been addressed to the satisfaction of the applicable regulatory authority or meeting unrestricted use criteria established by a regulatory authority, without subjecting the property to any required controls (for

example, property use restrictions, activity and use limitations, institutional controls, or engineering controls)."

A Controlled REC (CREC) is defined as follows:

"A recognized environmental condition resulting from a past release of hazardous substances or petroleum products that has been addressed to the satisfaction of the applicable regulatory authority (for example, as evidenced by the issuance of a no further action letter or equivalent, or meeting risk-based criteria established by regulatory authority), with hazardous substances or petroleum products allowed to remain in place subject to the implementation of required controls (for example, property use restrictions, activity and use limitations, institutional controls, or engineering controls)."

A Business Environmental Risk (BER) is defined as follows:

"A risk that can have a material environmental or environmental-driven impact on business associated with the current or planned use of a parcel of commercial real estate."

A Non-Scope Consideration is defined as follows:

"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."

1.2. Scope of the ESA

This Phase I ESA was conducted using a standard of good commercial and customary practice that is consistent with ASTM E1527-13. No significant scope-of-work additions, deletions, or deviations to ASTM E1527-13 were made in connection with this report, as described in Section 8.0. 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 reconnaissance. The specific scope of this assessment included the following:

1. A site 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 adjoining and surrounding properties. Photographs taken as part of the site reconnaissance are included in Appendix A.

2. A review of the response to the User and Owner/Occupant questionnaires. The completed questionnaires are included in Appendix B.
3. Review of previous environmental reports provided by the User, included in Appendix B.
4. A review of environmental databases maintained by the USEPA, state, and local agencies within the approximate minimum search area. The environmental database report was provided by Environmental Data Resources, Inc. (EDR), and is included in Appendix C.
5. Filing of Freedom of Information Act (FOIA) requests with federal, state, and local agencies. Copies of the FOIA requests are included in Appendix D.
6. A review of New York City Department of Buildings (NYCDOB) records and a Planning Commission Zoning Map. Available NYCDOB records and the Zoning Map are included in Appendices E and F, respectively.
7. A review of the Federal Emergency Management Administration (FEMA) flood map, which is included in Appendix G.
8. A review of physical characteristics of the Subject Property through a review of referenced sources for topographic, geologic, soils, and hydrologic data.
9. 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 in the vicinity of the Subject Property. Copies are included in Appendices H, I, J, and K respectively.
10. A review of an environmental lien search for the Subject Property. A copy of the environmental lien search report is included in Appendix L.
11. 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 2335 12 Avenue, LLC for the Subject Property at 2331 and 2335 12th Avenue in New York, 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 the ASTM Standard 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 was 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 are any RECs affecting 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 our client, 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 SITE DESCRIPTION

2.1. Location and Description

The Subject Property includes 2331 and 2335 12th Avenue (Borough of Manhattan Block 2001 and Lots 100 and 110) in New York, New York. The about 0.287-acre (12,500-square-foot) Subject Property is situated on the east side of 12th Avenue between 133rd and 134th Street as shown on Figure 1. Lot 100 is improved with a three-story building, but occupants were not confirmed because the access to the building was not provided. Lot 110 is improved with a three-story industrial-building that was historically operated as a carpet cleaning facility under the name Cleantex, but has been vacant since early-2022.

According to the 2019 United States Geological Survey (USGS) Central Park Quadrangle 7.5-minute Series Topographic Map, the elevation of the Subject Property is about 30 feet above mean sea level (msl). The Subject Property and surrounding area slope west, southwest toward the Hudson River. Based on visual observations of the surrounding area during the site reconnaissance, the Subject Property is located within a mixed-use district characterized by commercial, industrial and residential properties. 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	2001	120	Seven-story industrial building (Manhattan Mini Storage)	Residential, commercial, and industrial properties
South	2001	100	133rd Street followed by a NYC Transit Authority Bus Depot	Residential, commercial, and industrial properties
East	2001	5	37-story school complex with parking garage (Terrence D. Tolbert Educational Complex, MPG: Manhattan Parking, New Design School, and Kipp Star Harlem College Prep Elementary School)	Residential, commercial, and industrial properties
West	12th Avenue			Residential, commercial, and industrial properties, Riverside Park and the Hudson River
	2005	12	Two-story commercial building (Skinny's Cantina)	
	2005	9	Three-story industrial building (F.W. Webb Company)	

2.2. Description of Site Improvements

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

SITE IMPROVEMENTS	
Size of the Subject Property	About 0.287-acres (12,500 square feet)
Buildings/Spaces/Structures	Lot 100 – An about 14,625-gross-square-foot, three story building. Lot 110 - An about 22,500-gross-square-foot, vacant, three-story industrial building (formerly Cleantex carpet cleaning)
Surface Water	None
Potable Water Source	New York City
Sanitary and Storm Sewer Utilities	New York City
Electrical Utilities	Con Edison
Gas Utilities	National Grid
Construction Completion Date	1920 - 1953
General Construction Type	Brick and concrete masonry units, concrete slab foundation, asphalt shingle and membrane roofs
Cooling and Ventilation System Type	Lot 110 - HVAC units cool the building. Lot 100 – Not Accessible
Heating System Type	Lot 110 - Two No. 2 heating oil boilers heat the building. Lot 100 – Not Accessible
Emergency Power	None

2.3. Title Records

Langan researched ownership records for the Subject Property on the Automated City Register Information System (ACRIS) website (https://a836-acris.nyc.gov/DS/DocumentSearch/Index). The records indicate that 2335 12 Avenue, LLC owns lot 110 and J & C MISSARA owns Lot 110. Available deed information is summarized below.

Block 2001, Lot 110			
Date	**Document Type**	**First Party**	**Second Party**
03/03/2022	Deed	12th Avenue, LLC	2335 12 Avenue, LLC
01/20/2010	Deed	2335 12th Avenue Realty Corp.	12th Avenue, LLC
08/06/1998	Deed	J.T. Molla Realty Corp.	2335 12th Avenue Realty Corp.
08/06/1998	Deed	Cedar Cres Company, Ltd.	J.T. Molla Realty Corp.
06/14/1997	Deed	J.T. Molla Realty Corp.	Cedar Cres Company, Ltd.
08/01/1986	Deed	Alexander Kahn	J.T. Molla Realty Corp.

Deeds for Lot 100 were not available on ACRIS. Available deeds are not indicative of RECs.

3.0 USER PROVIDED INFORMATION

3.1. User and Owner Questionnaires

Javier Martinez completed the User and Owner questionnaires. Mr. Martinez indicated that he is not aware of environmental liens or land use limitations associated with the Subject Property and that the purchase price (March 2022) was representative of fair market value. He also indicated that the he is aware of the presence of environmental releases (see Sections 3.2 and 4.3 for additional information). The completed User questionnaire is included in Appendix B.

3.2. Previous Environmental Reports

The User provided the following documents regarding Lot 110.

1. June 14, 2018 Phase I ESA for 2337 12th Avenue, prepared by Galli Engineering P.C. (Galli);
2. November 9. 2018 Phase II ESA for 2335 12th Avenue, prepared by Galli; and
3. January 22, 2019 Due Diligence Memo for 2335 12th Avenue, prepared by Langan.

The 2018 Phase I ESA identified RECs related to the use of Lot 110 as an industrial upholstery/carpet cleaning facility that operated as early as the 1930's, staining around a 500-gallon mineral spirit aboveground storage tank (AST) with no secondary containment on a floor that was in poor condition, and the general handling of solvent waste. Subsurface investigations completed by Galli and Langan indicated the following:

- Below the concrete surface, the subsurface strata consists of non-native material characterized by brown to black, medium to fine sand with varying amounts of brick, concrete, and gravel. The non-native material layer ranged from about 2 to 4 feet below ground surface (bgs) and was underlain by red to brown fine and medium sand with varying amounts of gravel and silt.
- An active 1,500-gallon underground storage tank (UST) containing No. 2 heating oil was located in the loading dock area in the northwestern part of the site. Based on a geophysical survey, three additional USTs may be located in the vicinity of the 1,500-gallon UST. Two active ASTs (300-gallon and 500-gallon) containing mineral spirits were observed on the 1st floor and loading dock, respectfully.
- A total of 13 soil borings were advanced by Galli and Langan. Staining and odors were observed in the northwestern part of the site at depths ranging from 10 to 20 feet bgs. Petroleum-related VOCs were detected at concentrations exceeding NYSDEC Part 375 Unrestricted Use (UU), Restricted Use Restricted Residential (RURR), and/or Commercial

Use (CU) soil cleanup objectives (SCOs) in soil samples collected from the loading dock area. Total polychlorinated biphenyls (PCBs) exceeded the UU SCOs in the shallow fill sample collected from soil boring SB-01.

- Two temporary monitoring wells were installed and sampled by Galli in the loading dock in the western part of the site. During well development, free product was observed in purged groundwater collected from each temporary monitoring well, but not recorded as measurable with an interface probe. The VOCs 2-methylnaphthalene, bis(2-ethylhexyl)phthalate, 1,2,4,5-tetramethylbenzene, isopropylbenzene, n-butylbenzene, n-propylbenzene, sec-butylbenzene, tert-butylbenzene, 1,2,4-trimethylbenzene, 1,3,5-trimethylbenzene, 4-isopropyltoluene, and naphthalene were detected in groundwater at concentrations above NYSDEC Technical and Operational Guidance Series (TOGS) 1.1.1 Ambient Water Quality Standards and Guidance Values for Glass GA (SGVs).
- Three soil vapor samples were collected by Langan. The chlorinated VOCs trichloroethene (TCE) and tetrachloroethene (PCE) were detected above their respective New York State Department of Health (NYSDOH) Air Guidance Values (AGVs) in the central part of the site. Soil vapor samples also contained benzene, toluene, ethylbenzene, and xylene (BTEX) throughout the southern and central parts of the site; however, there are no AGVs for these compounds.

Based on the review of prior reports, we conclude the following regarding Lot 110:

- The mineral spirit ASTs are no longer in service as Cleantex vacated prior to March 3, 2022.
- Documented petroleum impacts to soil, groundwater, and soil vapor from known or suspected USTs is a REC.
- Chlorinated VOCs in soil vapor are a REC.

Copies of these previous environmental reports are included as Appendix B.

4.0 ENVIRONMENTAL RECORDS

A regulatory database search was provided by EDR and is included in Appendix C. The EDR report provides a listing of sites identified on select federal and state standard source environmental databases within the approximate search radius 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 one "Orphan Site" listed within the report. Orphan Sites are those sites that could not be mapped by EDR due to inadequate address information. One Orphan Site was located and found to be inside the relevant ASTM search radius and is included in the table below.

The following table lists the number of sites identified in standard and additional environmental record databases, within the prescribed search area 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) (07/26/2022)	1 Mile Radius	No	1
Delisted NPL (07/26/2022)	1 Mile Radius	No	0
Superfund Enterprise Management System (SEMS, formerly CERCLIS) and SEMS-Archive (formerly known as CERCLIS-NFRAP) (07/26/2022)	1/2 Mile Radius	No	1
Resource Conservation and Recovery Act (RCRA) Corrective Reports (CORRACTS) (06/20/2022)	1 Mile Radius	No	2
RCRA Treatment, Storage, and Disposal Facilities (TSDF) (06/20/2022)	1/2 Mile Radius	No	0
RCRA Generators (Large Quantity Generator [LQG], Small Quantity Generator [SQG], Very Small Quantity Generator [VSQG], Conditionally Exempt Small Quantity Generator [CESQG], Non-Generators [Non-Gen]) (06/20/2022)	Subject Property and Adjoining Properties	No	4
Facility Index System (FINDS) (05/13/2022)	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**
Environmental Response Notification System (ERNS) (06/14/2022)	Subject Property	No	0
US Brownfields (02/23/2022)	1/2 Mile Radius	No	1
Federal Engineering Controls (US ENG CONTROLS) Sites Lists (05/16/2022)	Subject Property	No	0
Federal Institutional Controls (US INST CONTROLS) Sites Lists (05/16/2022)	Subject Property	No	0
NYSDEC and NJDEP DATABASES			
Hazardous Waste Disposal Sites (SHWS) (08/09/2022)	1 Mile Radius	No	20
Solid Waste or Landfill Facilities (SWF/LF) (03/29/2022)	1/2 Mile Radius	No	1
Leaking Storage Tanks (LTANKS) (05/09/2022)	1/2 Mile Radius	No	53
SPILLS Information Database (NY SPILLS) (05/09/2022)	1/8 Mile Radius	Yes	96
EC Sites Lists (05/09/2022)	Subject Property	No	0
IC Sites Lists (05/09/2022)	Subject Property	No	0
NY Voluntary Cleanup Program (VCP) (05/09/2022)	1/2 Mile Radius	No	4*
Brownfields (05/09/2022)	1/2 Mile Radius	No	0
Solid Waste Disposal Sites Registered Recycling Facility List (SWRCY) (03/29/2022)	1/2 Mile Radius	No	0

DATABASE RECORD SUMMARY			
Database Reviewed (Date of government version)	**Minimum Search Area**	**Subject Property listed**	**Number of Sites Within Minimum Search Area**
Chemical Bulk Storage (CBS) Underground Storage Tank (UST) and Aboveground Storage Tanks (AST) Databases (06/21/2022)	Subject Property and Adjoining Properties	No	1
Major Oil Storage Facilities (MOSF) UST and AST Databases (06/21/2022)	Subject Property and Adjoining Properties	No	0
Registered Drycleaners (08/30/2022)	1/4 Mile Radius	No	2
Petroleum Bulk Storage Facilities (PBS) UST and AST Databases (06/21/2022)	Subject Property and Adjoining Properties	No	2
EDR (PROPRIETARY) DATABASES			
EDR Historical Cleaners (DRYCLEANERS)	1/8 Mile Radius	Yes	1
EDR Former Manufactured Gas Plant (MGP) Sites (N/A)	1 Mile Radius	No	2
EDR US Historical Auto Stations (N/A)	1/8 Mile Radius	No	2

N/A – Not Applicable; databases were reviewed as part of this Phase I ESA but not required as per ASTM E1527-13.
NJDEP = New Jersey Department of Environmental Protection
* = An Orphan Site was identified within minimum search area.

A description of the reviewed databases is provided in the EDR Report (Appendix C). A summary of Subject Property database listings and other sites identified within the prescribed search areas are provided below. Each environmental database was reviewed on a record-by-record basis to determine if certain sites identified in the report are suspected to represent a potential impact to the Subject Property. The following is a summary of records for the Subject Property and relevant adjoining/surrounding properties.

4.1. Subject Property Findings

The Subject Property was identified in the following databases:

- EDR Hist Cleaner, which stated that the Subject Property operated as a dry cleaning facility from 1969 to 2014 under the names Cleantex Process Co. Inc., Lustre Fab Process Inc., Drapery Care Inc., Cleartone Process Inc., and Swash. Historic use of the Subject Property as a dry cleaner is a RECs as inadvertent releases of chlorinated solvents may have impacted soil, groundwater, and soil vapor at the Subject Property.
- NY Spills, which stated that about two gallons of No. 2 heating oil spilled from a fill line on January 5, 1996 - The spill received a closed status from NYSDEC on the same day that it occurred. Based on the amount and the closure of the spill, it is not considered a REC.
- Following acquisition of Lot 110 by the User, a spill was reported to the NYSDEC based on petroleum-related impacts observed during a prior subsurface investigation completed to support due diligence of an entity that was considering purchasing Lot 110. NYSDEC assigned Spill No. 2205004 to Lot 110. This open spill is a REC.

4.2. Adjoining and Surrounding Properties

An MTA Depot that adjoins the Subject Property to the south beyond West 133rd Street is associated with several closed petroleum spills and LTANKS and was included in the RCRA database as both an LGQ and SGQ between 1993 and 2022 for waste types including, but not limited to, several non-halogenated solvents, benzene, and ignitable wastes. This depot is also listed in the CBS database as an active facility; however, additional details on materials stored was not available. Based on proximity to the Subject Property and solubility of known contaminants of concern, inadvertent releases of solvents or petroleum products at this location may have migrated and impacted groundwater and/or soil vapor at the Subject Property.

An MGP site (132nd Street Station) was mapped about 80 feet southwest (downgradient) of the Subject Property. Additional information was not available in the EDR report, but upon further review of online information from NYSDEC and Con Edison, a site characterization investigation concluded that MGP-related contamination was not present and further action was not necessary.

Other database listings are not indicative of RECs based on regulatory status (e.g. closed), nature of the incident (e.g. volume of release, contaminant of concern with minimal migration potential, off-site groundwater or soil vapor data, etc.), distance and topographic gradient in relation to the

Subject Property, and/or a lack of violations. Contamination, if present at the other listed properties, is not expected to impact soil, groundwater, or soil vapor at the Subject Property.

4.3. Local Regulatory Agency Findings.

FOIA Requests

FOIA requests were submitted during the week of September 12, 2022 to the following federal, state, and local agencies via written correspondence:

- New York City Department of Environmental Protection (NYCDEP);
- New York City Department of Health and Mental Hygiene (NYCDHMH);
- New York City Fire Department (FDNY);
- New York State Department of Health (NYSDOH);
- NYSDEC; and
- USEPA, Region 2.

A search of the USEPA database found no information regarding the Subject Property.

A search of the NYSDEC Spill Incidents database identified a spill at the Subject Property, which is discussed in Section 4.0.

At the date of publication of this report, complete responses had not been received from NYCDEP, NYSDHMH, NYSDOH, and FDNY.

Should future responses alter the conclusions of this report, an addendum will be issued. Copies of the FOIA requests and online records searches are included in Appendix D.

New York City Department of Buildings

Langan conducted a records search through the NYCDOB online query system on October 21, 2022. The building on Lot 110 was designated with a Department of Finance Classification of "E1-Warehouse"while Lot 100 had a classification of "O5-Office Buildings." Certificates of Occupancy (COs) between 1942 and 1956 for Lot 110 specified dry cleaning and pressing. COs for Lot 100 listed offices and a warehouse (1922), garage, workshop and offices (1930 and 1933), part of the dry cleaning facility on Lot 110 (1942), garage (1949), and ground/basement level restaurant and second floor offices and factory (2013 – 2015). Use of the Subject Property for

dry cleaning is a REC as inadvertent releases of solvents may have impacted soil, groundwater, and/or soil vapor at the Subject Property. DOB records are included as Appendix E.

Zoning Department

According to the New York City Planning Commission Zoning Map 5c, the site is located in a C6-2 zoning district, which primarily permits commercial and residential uses. The site is also located within the Special Manhattanville Mixed Use District, which allows for greater density and a wider variety of land uses to facilitate commercial and residential development. A copy of the zoning map is included in Appendix F.

4.4. Physical Setting Sources

4.4.1. Topography

According to the USGS Central Park Quadrangle 7.5-minute Series Topographic Map, the elevation of the Subject Property is about 30 feet above msl. The general topographic gradient of the Subject Property and surrounding area slopes gently west, southwest toward the Hudson River.

4.4.2. Geology

Geological surface features (e.g., rock outcroppings) were not observed at the Subject Property. Information within the EDR report identifies the underlying geology of the Subject Property as politic schist and amphibolite. Depth to bedrock in the area of the Subject Property may range from about 30 feet bgs to 60 feet bgs.

Based on prior investigations on Lot 110, the Subject Property is underlain by non-native material characterized by brown to black, medium to fine sand with varying amounts of brick, concrete, and gravel. The non-native material layer ranged from about 2 to 4 feet below ground surface (bgs) and was underlain by red to brown fine and medium sand with varying amounts of gravel and silt.

4.4.3. Hydrology

Groundwater flow is typically topographically influenced, as shallow groundwater tends to originate in areas of topographic highs and flows toward areas of topographic lows, such as rivers, stream valleys, ponds, and wetlands. A broader, interconnected hydrogeological network often governs groundwater flow at depth or in the bedrock aquifer. Groundwater depth and flow direction are also subject to hydrogeological and anthropogenic variables such as precipitation, evaporation, extent of vegetation cover, and coverage by impervious surfaces. Other factors

influencing groundwater include depth to bedrock, the presence of artificial fill, and variability in local geology and groundwater sources or sinks.

Based on available previous reports, groundwater at the Subject Property is estimated at about 10 feet bgs and is inferred to flow west, southwest toward the Hudson River.

The current Federal Emergency Management Agency (FEMA) Advisory Base Flood Elevation Maps include new advisory flood zone boundaries and advisory base flood elevations. According to the current FEMA Effective Flood Insurance Rate Maps (FIRM) dated September 5, 2007 (Map Number 3604970079F) the Subject Property falls within Zone X – are of minimal flood hazard. A copy of the FEMA flood map is provided in Appendix G.

4.5. Historical Use Information

Langan reviewed the following historical resources, each obtained from EDR:

- Aerial photographs for the years 1924, 1951, 1954, 1961, 1966, 1976, 1984, 1991, 1995, 2006, 2010, 2013, and 2017 (copies of aerial photographs are included in Appendix H)
- Sanborn® Fire Insurance Maps for the Subject Property for the years 1893, 1902, 1909, 1912, 1922, 1928, 1939, 1950, 1951, 1969, 1976, 1978, 1979, 1981, 1983, 1985, 1986, 1988, 1989, 1991, 1992, 1993, 1994, 1995, 1996, 2001, 2002, 2003, 2004, and 2005 (copies are included in Appendix I)
- Historical USGS Topographic Quadrangle maps for the years 1897, 1898, 1900, 1947, 1956, 1966, 1979, 1997, 2013, 2016, and 2019 (copies included in Appendix J)
- The City Directory Abstract, at approximately five-year intervals, for the years spanning 1920 through 2017 (a copy is provided in Appendix K)

The following is a summary of relevant information for the Subject Property and adjoining/surrounding properties based on our review of the above historical references.

Subject Property

According to Sanborn maps, Lot 110 was first developed with a two-story building by 1939 that was used as Cleantex Co and contained a solvent tank. Sanborn maps also indicated a third story was added to Lot 110 and the building continued to operate as Cleantex Co. by 1969.

Sanborn maps indicate Lot 100 was improved with a three-story building by 1909 and the building has been occupied by a marble company (1909), grocery warehouse (1950), warehouse and exporting (1969 – 1983), and unspecified commercial and warehouse use (1986 – 2001). City

directory listings identified 697 West 133rd Street (Lot 100) as auto repair facilities from 1973 – 2000.

Prior use of Lot 110 as Cleantex Co and Lot 100 for auto repair are a REC as potential inadvertent releases of petroleum products, chlorinated solvents, or other hazardous substances may have impacted soil, groundwater, and soil vapor at the Subject Property.

Adjoining and Surrounding Properties

As discussed in Section 4.0, an MGP facility formerly located at 132nd Street is not a REC. Based on proximity to the Subject Property and relative gradient, the following uses at adjoining properties are considered a REC:

- 2341 – 2347 12th Avenue (northern adjoining/up-gradient of the Subject Property) was occupied by a garage with 4 buried 550-gallon gasoline tanks from 1939 – 1950 and a rubber manufacturing facility between 1969 and 2005 (Sanborn).
- 637 133rd Street (eastern adjoining/upgradient) was occupied by several single garages and a gasoline station with one note 550-gallon buried gasoline tank from 1939 – 1950 (Sanborn).

Undocumented releases of petroleum products or hazardous substances at these facilities may have impacted groundwater and soil vapor at the Subject Property.

4.5.1. Environmental Lien Search

Langan contracted EDR to conduct an environmental lien search for Lot 110y. 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 Lot 110. ACRIS was searched for liens associated with Lot 110, but were not found. A copy of the Environmental Lien Search is included in Appendix L.

5.0 SITE RECONNAISSANCE

The site reconnaissance was conducted in a systematic manner focusing on the spatial extent of the Subject Property and progressing to the adjoining and surrounding properties. The assessment of the adjoining 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 and surrounding structures.

The site reconnaissance was performed at 3:00 PM on September 26, 2022 by Tom Herold of Langan, who was unaccompanied. The weather at the time of the inspection was sunny and approximately 70°F. A photo log of the site reconnaissance is included in Appendix A.

5.1. General Site Setting and Reconnaissance Observations

Lot 110

Lot 110 consists of an about 22,500-gross-square foot, three-story industrial building. The first and second floors are unoccupied and the third floor is used as an art studio. The building also contains a cable traction freight elevator.

The first floor contains a loading dock, a boiler room, and several machine rooms. A 500-gallon mineral spirit AST, a gas meter, and two garage doors were observed in the loading dock area. An about 10-foot-long by 10-foot-wide area of the floor in the loading dock area consisted of broken concrete and sand. This area was in the same location that a 1,500-gallon No. 2 heating oil UST was identified during a previous geophysical survey. The machine rooms contain out-of-service dry cleaning machinery and a 300-gallon mineral spirit AST. Two 2-foot by 2-foot areas of staining were observed on the floor near the machinery. The boiler room contains two No.2 heating oil-fired boilers.

The second floor contains a warehouse area, offices, and a bathroom. An out-of-use water heater was observed in the stairwell on the second floor. The third floor warehouse area is used as an art studio and contains paints and canvases.

Exterior portions of Lot 110 included two fill ports in the 12th Avenue sidewalk. Vent pipes associated with a UST and the 500-gallon mineral spirit AST in the loading dock area are located near the southwest corner of the Lot 110 building. Access to the roof was not provided.

Lot 100

The building on Lot 100 was not accessible at the time of this Phase I ESA.

5.2. Pits, Ponds, Lagoons

Pits, ponds, or lagoons were not observed on Lot 110.

5.3. Pools of Liquid

Pools of liquid were not observed on Lot 110.

5.4. Storm Drains, Wells, and Cisterns

Drains were not observed on Lot 110.

5.5. Polychlorinated Biphenyl (PCB) Transformers and Other Suspect Equipment

PCB Transformers and other suspect equipment were not observed on Lot 110.

5.6. Storage Containers, Drums, and Chemical Storage Areas

Storage containers, drums, and chemical storage areas were not observed on Lot 110.

5.7. Sewage Ejector Pits and Sumps

Sewage ejector pits and sumps were not observed on Lot 110.

5.8. Waste Generation, Storage, and Disposal

Waste generation, storage, and disposal were not observed on Lot 110.

5.9. Air Emissions or Wastewater Discharges

Vents associated with the 1,500-gallon No. 2 heating oil UST and 500-gallon mineral oil AST were observed near the southwest exterior of the building. Wastewater discharges were not observed on Lot 110.

5.10. USTs or ASTs

A 1,500-gallon No. 2 heating oil UST is located beneath the slab in the Lot 110 loading dock area. An out-of-use 500-gallon mineral spirit AST is located in the loading dock area and an out-of-use 300-gallon mineral spirit AST is located in the first floor machine room. No leaks or staining was observed near the ASTs.

5.11. Monitoring Wells or Remedial Activities

Monitoring wells were not observed on Lot 110.

5.12. Stained or Discolored Soil

Staining was observed on the concrete floor in two areas near out-of-use dry cleaning machinery in the first floor machine rooms on Lot 110. Each stain was about four square feet in area.

5.13. Leachate or Seeps

Leachate or seeps were not observed on Lot 110.

Site Reconnaissance Conclusions:

Lack of access to the building on Lot 100 is considered a significant data gap. Current use of the Subject Property is not a REC; however, the following RECs were identified:

- Prior use as a dry cleaning facility with mineral spirit tanks; and
- Presence of a 1,500-gallon No. 2 heating oil UST in the building on Lot 110.

6.0 INTERVIEWS

6.1. Site Owner/Operator

Langan conducted an interview with Javier Martinez, the property owner of Lot 110. Information provided by Mr. Martinez is discussed throughout the body of the report where applicable.

6.2. Owners/Tenants of Adjoining Properties

Owners/tenants of adjoining properties were not interviewed as part of this Phase I ESA.

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 maintains a recommended radon action level of 4.0 picoCuries per liter (pCi/L). 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, 193 radon tests have been conducted in the Borough of Manhattan with results indicating that about 1 percent of living areas and 11 percent of basements have radon concentrations above 4 pCi/L, the USEPA action level. Based on the available data, it is unlikely that elevated levels of radon gas are present at the Subject Property.

7.2. ACM, LBP, Mercury and PCBs

A formal survey to identify asbestos containing material (ACM), lead based paint (LBP), and mercury or PCB-containing material was not conducted as part of this Phase I ESA. Based on the construction dates of buildings on the Subject Property (1920 – 1953), building materials may contain ACM, LBP, mercury, and PCBs

8.0 DEVIATIONS AND DATA GAPS

8.1. Deviations

Langan performed a Phase I ESA of the Subject Property using a standard of good commercial and customary practice that is consistent with the ASTM E1527-13 and the 40 CFR Part 312 Standards and Practices for AAI. Significant deviations were not made to the above referenced standards.

8.2. Data Gaps

In order to address data gaps, additional sources of information may be consulted. According to AAI, 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 without significant data gaps except for the following:

- Access to the building on Lot 100 was not provided
- Responses to all FOIA requests have not been received

These data gaps are not expected to alter the results of the Phase I ESA. If information becomes available that alters the conclusions of this report, an addendum will be issued.

9.0 FINDINGS, OPINIONS, AND CONCLUSIONS

This Phase I ESA was completed in general accordance with ASTM Standard E1527-13 (Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process) and the USEPA AAI Rule, for the purpose of identifying RECs, HRECs, CRECs, and BERs. HRECs and CRECs were not identified at the Subject Property.

A REC is defined by ASTM E1527-13 as the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property due to any release to the environment, under conditions indicative of a release to the environment, or under conditions that pose a material threat of a future release to the environment. The following RECs were identified and are shown on Figure 2:

REC 1 – Historic Use of the Subject Property as a Dry Cleaning Facility

Lot 110 operated as Cleantex Co. (a carpet cleaning facility) with AST containing mineral spirits from 1939 until early 2022. Out-of-service cleaning machinery is located within the Lot 110 building with staining observed on concrete flooring next to some machinery. Lot 100 was historically operated by an auto repair facilities from 1973 to 2000. Inadvertent releases of petroleum products, solvents, and/or or other hazardous substances typically used by these facilities may have impacted soil, groundwater, and/or soil vapor at the Subject Property.

REC 2 – Known and Suspected Underground Storage Tanks

The Subject Property contains a 1,500-gallon No. 2 heating oil UST in the loading dock area of the Lot 110 building. Three additional USTs may also be present in the loading dock area based on a prior geophysical survey. Undocumented releases of petroleum products may have impacted soil, groundwater, and soil vapor.

REC 3 – Known Petroleum and Volatile Organic Compound Contamination and Open Spill on Lot 110

Subsurface investigations in October and November 2018 identified stained and odorous soil between about 10 and 20 feet bgs in the loading dock. Petroleum-related VOCs were reported in soil and groundwater at concentrations above relevant standards. Chlorinated VOCs were identified in soil vapor at concentrations above New York State Department of Health Air Guidance Values. Following acquisition of Lot 110 by the User, a spill was reported to the NYSDEC based on petroleum-related impacts observed during a prior subsurface investigation completed to support due diligence of an entity that was considering purchasing Lot 110. NYSDEC assigned Spill No. 2205004 to Lot 110.

REC 4 – Historical Off-Site Uses

The historical uses of the northern-adjoining property at 2341 – 2347 12th Avenue as a garage with 4 USTs (1939 – 1950) and a rubber manufacturing facility (1969 – 2005), the eastern-adjoining property at 637 133rd Street as garages and a gasoline station with a UST (1939 – 1950), and southern adjoining property as an MTA depot associated with several spill cases and hazardous waste generation are considered a REC. Undocumented releases of petroleum products or hazardous substances at these facilities may have impacted groundwater and soil vapor at the Subject Property.

RECs are shown on Figure 2. HRECs and CRECs were not identified at the Subject Property.

Non-Scope Consideration and BERs

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.

A Non- 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-scope consideration/BERs were identified:

Non-native Material at the Subject Property

Based on prior investigation conducted at the Subject Property, non-native material was observed at depths to about 2 to 4 feet bgs throughout the Site. Non-native material is typically impacted with semivolatile organic compounds (SVOCs) and metal. The presence of non-native material in and of itself does not trigger regulatory notifications and does not constitute a REC. If excavated during future site improvements, this material may be associated with a cost premium for transport and disposal.

Asbestos-Containing Material, Lead-Based Paint, Mercury and Polychlorinated Biphenyls

The Subject Property building was constructed by 1939 and a third floor was added by 1969. Based on the age of the building, they may contain ACM, LBP, mercury-containing building components, and/or polychlorinated biphenyls (PCBs) in building materials.

Significant Data Gap

Access to the building on Lot 100 was not provided and this lack of inspection is considered a significant data gap.

10.0 REFERENCES

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

1. Environmental Data Resources, Inc. September 15, 2022. Aerial Photo Decade Package.
2. Environmental Data Resources, Inc. September 13, 2022. Building Permit Report.
3. Environmental Data Resources, Inc. September 14. City Directory Abstract.
4. Environmental Data Resources, Inc. September 14. Environmental Lien Search.
5. Environmental Data Resources, Inc. September 13, 2022. Historical Topographic Map Report.
6. Environmental Data Resources, Inc. September 13. Radius Map with GeoCheck.
7. Environmental Data Resources, Inc. September 14, 2022. Sanborn® Map Report.
8. USEPA Envirofacts, MyEnvironment and MyProperty, https://enviro.epa.gov/, retrieved September 21, 2022.
9. Fisher, D.W., Isachsen, Y.W., and Rickard, L.V., 1970, Geologic Map of New York State, consisting of 5 sheets: Niagara, Finger Lakes, Hudson-Mohawk, Adirondack, and Lower Hudson, New York State Museum and Science Service, Map and Chart Series No. 15, scale 1:250,000.
10. National Wetlands Inventory, https://www.fws.gov/wetlands/data/mapper.html, retrieved September 20, 2022.
11. Federal Emergency Management Agency (FEMA) Flood Map Service Center, https://msc.fema.gov/portal/home, retrieved September 20, 2022.

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 Part 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 included in Appendix M.

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

Jennifer Armstrong, CHMM, LEED AP
Senior Project Manager

Jason Hayes, PE, LEED AP
Principal/Vice President