EnviroSurv

(516) 968-4245 256-B ORINOCO DRIVE, BRIGHTWATERS, NEW YORK 11718 FAX: (516) 968-4247

JAN 9 1990

January 4, 1990

Mr. Derek Chou
Black Bear Company
44-25 23rd Street
Long Island City, New York 11101

RE: Sight Investigation Emery Building, Long Island City

Dear Mr. Chou:

To confirm our conversation this morning, we propose to provide a soil vapor analysis screening study of the site referred to above and will in addition, take soil samples for laboratory analysis. The soil vapor analysis will be performed using our own field photoionization equipment.

This study will provide qualitative data relative to volatile organics or light hydrocarbon chemicals contaminating the soil. Negative results from the screening study will assure that entire classifications of organic chemicals are not contaminating the soil and groundwater at the site.

In addition, soil samples will be taken and provided for chemical analysis in the laboratory to determine the presence of EP-toxicity heavy metals. If the tests all give negative results, it represents a reasonable assurance that the site has not been contaminated by many of the more common materials considered hazardous by the U.S. Environmental Protection Agency. If positive results are obtained, you will be contacted so that we may discuss options and alternatives if more definitive determinations are desired. After performing the above tests and analyses, we will provide a brief report of our findings for you to use during your short term considerations.

We propose to provide all of the above for a fixed fee of $3,000.00 which includes all expenses, laboratory costs, and fees.

In addition, while at the site, we will obtain as much information as possible in order to evaluate the costs associated with permanently decommissioning the underground gasoline storage tank at the site. The decommissioning will have to be in accordance with all protocols and regulations currently in effect and enforced by Federal Environmental Agencies as well as the State and City Department of Environmental Conservation and Fire Marshal's Offices.

We trust the above meets your requirements. If there are any questions at all, please do not hesitate to contact me directly at any time. We look forward to working with you on this assignment.

Sincerely yours,

Arthur Gerunda
President

AG/sc

EnviroSurv

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HAZARDOUS SUBSTANCES SURVEY & REPORT

27-10 HUNTERSPOINT AVENUE LONG ISLAND CITY, NY

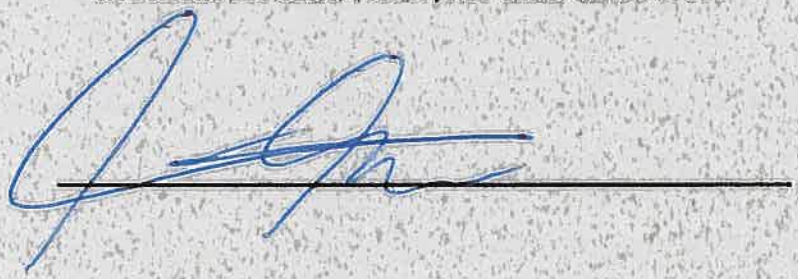
PRESENTED TO BLACK BEAR COMPANY INC.

PROJECT NO. J-955

FEBRUARY 14, 1990

REPORT PREPARED & CERTIFIED BY ARTHUR GERUNDA, PRESIDENT

NYC ASBESTOS CERT. #03397; NYS CERT. #AH88-07511



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EXECUTIVE SUMMARY

The property that was surveyed and is the subject of this report was **found to free of any overt signs of contamination by light hydrocarbons, volatile organics or EP Toxicity heavy metals.**

Asbestos Containing Material (ACM) was found to exist in the building in the form of thermal insulation on heating system pipes and acoustic ceiling tiles forming a dropped ceiling in the office areas.

INTRODUCTION

MTS EnviroSurv Inc. (MTS), was engaged by **Black Bear Inc.** to provide an environmental survey of the property located at 27-10 Hunterspoint Avenue. The purpose of the survey was to determine if there were any environmentally related reasons to prevent Black Bear from considering purchase of the site.

It is not practical to engage in an environmental investigation that includes analysis of soil, groundwater and air in a search for each of the materials considered hazardous and listed as toxic substances by the United States Environmental Protection Agency.

THERE WAS THE POTENTIAL FOR CONTAMINATION BY PETROLEUM HYDROCARBONS

A well planned environmental investigation seeks to establish if residual contamination has occurred by polluting the site through potential ecological hazards. For the case of the site in question, materials with a reasonable potential for contaminating the site were motor fuels, engine lubricants and heating oil. Motor fuels and heating oil were stored at the site in underground tanks. Gasoline was contained in 5 four thousand gallon, single wall, steel, storage vessels, installed in a concrete vault in the open paved area of the property. These tanks fed a gasoline pump island that was used to fuel vehicles used by previous occupants, Emery Freight and Purolator Courier.

Engine lubricants were stored in the building in a floor mounted storage tank and in small containers. Number 2 fuel oil was stored in an underground tank installed adjacent to the north-east corner of the building.

The tanks were tested using the petrotite method in November of 1989. Data from these tests, submitted by the current owner of the building indicated that the tanks did not leak.

SOIL VAPOR TESTS AND LABORATORY ANALYSES OF SOILS WERE CONDUCTED

During an inspection of the property, MTS conducted soil vapor analysis to determine if there was any residual contamination of the soil by light hydrocarbons or volatile organics that may have resulted from spilling of these materials. Further, samples of soil were taken from areas surrounding the underground tanks and gasoline pumps and tested for heavy metals. These tests were conducted in order to determine if leaded fuels had been spilled

into the soil in the past or if industrial wastes were dumped on the site or brought in as landfill prior to development and improving the site with the building and other facilities.

Soil vapor tests were likewise conducted adjacent to and over the fuel oil storage tank. These tests were done to determine if any light hydrocarbons had been introduced to the soil by leaking of the fuel oil tank. Soil vapor tests were conducted using a field chromatograph in conjunction with a photoionization device.

Approach to Study

The approach to this study was to verify conclusively that contamination by materials considered to be toxic or hazardous had not occurred. The investigation focused on the contaminants that could generally be classified as flammable explosives, gasoline, petroleum products, polychlorinated biphenyls, including materials defined as hazardous by the Federal Government and the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA): The Hazardous Materials Transportation Act: The Resource Conservation and Recovery Act (RECRA), and statutes adopted as a result of these environmental regulations. In addition, the survey focused on the presence of any extraordinary contaminants, such as asbestos and municipal wastes or other debris and trash.

For the purposes of this environmental audit, it was decided that proof of the absence of any of these materials at the time of the survey, superceded any information suggesting that historical uses of the property had the potential for causing contamination.

Methodology

Determination of the presence of solid contaminants such as asbestos, solid wastes and debris, were determined by visual inspection.

The balance of the contaminants upon which the investigation was focused, were, in actuality, a variety of families of organic chemicals. These organic chemicals fell under the general classification of halogenated and non-halogenated organics, petroleum fractions, hydrocarbons, aliphat below the surface of the soil, or intermingled with the groundwater. The presence of volatile liquid organic material creates vapors containing the organic material. These vapors, being lighter than air, rise from the surface of the liquid through the soil above. The presence of these vapors in the soil is verification of the existence of the liquid below the surface of the soil.

SURVEY & OBSERVATIONS

The property was free of any overt signs of contamination. There were no stains or markings on the surface of the asphalt paving that could have been considered symptoms of spilling of organic chemicals or hydrocarbons. Inspections of low points on the property, where rainwater and runoff had accumulated, showed that there was no silt, sediment or other indications of pollutants in runoff.

PID READINGS WERE NEGATIVE

Soil Vapor Analysis readings were made by boring 5 feet below the surface of the property and pumping the soil vapors through the PID. When performed in and around the tank vault, the PID readings were negative indicating there was no gasoline, light hydrocarbons or volatile organics present in the soil. When performed around the pump island directly adjacent to the underground tanks, some elevated readings were obtained. These readings were low however, less than 30 parts per million higher than ambient air. These slightly elevated readings could be attributed to minor spills of gasoline at the pumping station. The spill could have penetrated through the concrete apron.

Similar soil vapor testing performed adjacent to and directly over the fuel oil storage tank indicated that there were no leaks of #2 oil from the tank into the soil.

A probing inspection was made of the interior of the building. There was a 275 gallon tank mounted to the floor of the garage area inside the building. This tank was used to store engine lubricating oil. Leaks and spills of this material were observed. **The concrete floor was sufficient to contain the material however, and prevented it from penetrating into the soil and groundwater beneath the building.**

ASBESTOS FOUND IN CEILING TILES

An inspection was made of the space in the building on the ground floor and the second floor that was developed as office space. There was a dropped ceiling formed by acoustic tiles throughout most of the office, locker room and restroom areas. A sample of the ceiling tile was taken and analysis in the laboratory using polarized light microscopy indicated that the tiles contained Chrysotile Asbestos. **The material was in good condition and not friable.**

An inspection of the space above the dropped ceiling revealed that there was no pipe insulation, HVAC duct insulation, fireproofing or any other materials that could have been suspected of containing asbestos.

ASBESTOS FOUND ON PIPE INSULATION IN BOILER ROOM

An inspection of the boiler room which was located on the north side of the building revealed that there was thermal insulation on the piping that contained asbestos. The boiler room was constantly kept under lock and key and inaccessible to any visitors, tenants or employees except for maintenance workers. The material was in poor condition and was friable.

CONCLUSIONS AND RECOMMENDATIONS

The property did not appear to have suffered any consequential contamination of the soil and groundwater as a result of previous activities at the site. All tests indicated that there was no trace of entire classifications of chemicals in the soil such as volatile organics, light hydrocarbons and other groups of volatile organic containing two or more carbon atoms.

The optimum economic scenario for the five underground storage tanks should be developed. The capital cost for installation and testing of the tanks has already been expended. The situation can be exploited by adapting the tank for use as storage capacity for fuels, lubricants and other inventory. While the existence of the tanks represents a significant asset, to take advantage of the situation certain liabilities must be assumed. These liabilities are related to underground storage tank monitoring, maintenance and periodic testing and costs for these operating functions. In the office areas, the ACM is a liability because it exposes the owner of the building to legal responsibility for health related factors of utilities and occupants, justified or otherwise.

LABORATORY ANALYSIS

Bulk samples of materials suspected of containing asbestos were subjected to Polarized Light Microscopy analysis at the facilities of Laboratory Testing Services, Inc., an EPA and NIOSH approved laboratory located in Westbury, New York.

Samples of soil and groundwater were subjected to chemical laboratory analysis at the facilities of H2M Labs, Inc., an EPA approved and New York State certified laboratory located in Melville, New York.

GENERAL ANALYSIS

This report is based on the observations made on January 16, 1990 at the site described. The survey was made to determine if there were any overt signs of contamination present at the site, any hazard due to friable Asbestos, or if there was any indication of noncompliance with Federal or Local Environmental Regulations.

This report applies only to those portions of the building, property, rooms, public access areas and utility areas inspected. The observations reported do not apply to those areas or items not seen, not capable of being seen or otherwise difficult to inspect.

This report is not to be construed as or used a guarantee, a warranty, a prediction of future condition or an estimate of value.

APPENDIX

LAB. NO.: 90-03132

REPORT OF ASBESTOS DETERMINATION FOR

MANAGEMENT & TECHNOLOGY SERVICES
256-B ORINOCO DRIVE
BRIGHTWATERS, NEW YORK 11718

JANUARY 18, 1990

75 URBAN AVENUE, WESTBURY, NEW YORK 11590 • (516) 334-7770 • (800) 433-0008 • FAX NO. 516-334-7720

Laboratory Testing Services

LAB. NO.: 90-03132

CLIENT: Management & Technology Services
256-B Orinoco Drive
Brightwaters, New York 11718
Attn: Mr. Art Gerunda

MATERIAL: Thirteen (13) Bulk Samples

SUBMITTED FOR: Asbestos Determination

1.0 BACKGROUND:

Laboratory Testing Services, Inc. received thirteen (13) bulk samples for asbestos determination from Management Technology Services, Brightwaters, New York.

2.0 PROCEDURE:

Analysis of friable samples was done in accordance with EPA "Interim Method for the Determination of Asbestos in Bulk Insulation Samples" (EPA-600/M4-82-020, Dec. 1982).

This method utilizing Polarized Light Microscopy is applicable to all bulk samples of friable insulation materials submitted for identification and quantification of asbestos components.

Analysis of non-friable materials is performed by a modified version of (EPA-600/M4-82-020). Non-friable substances are not within the scope of the EPA method. Quantification of asbestos in these samples may deviate from the accurate range normally obtained from (EPA/600/M4-82-020).

3.0 APPLICABLE QUALIFICATIONS:

Our Laboratory is accreditted under the National Voluntary Laboratory Accreditation Program (NVLAP) for bulk asbestos analysis. Our laboratory has been assigned NVLAP Laboratory Code Number 1332. This program is performed under the United States Department of Commerce, National Institute of Standards and Technology (formerly National Bureau of Standards), Gaithersburg, Maryland.

Laboratory Testing Services, Inc. is an approved laboratory in the New York State Department of Health (NYSDOH) Environmental Laboratory Approval Program (ELAP Identification # 10837).

4.0 RESULTS:

The following results were obtained from our tests.

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1.22.1990 14:01

RESULTS:

SAMPLE NO.	LTS ID#	COLOR, METHOD	SAMPLE IDENTIFICATION	ASBESTOS CONTENT (% BY VOLUME)	ASBESTOS TYPE	OTHER COMPONENTS
06	90B-365	GREY,1	251 W-74 FITTING (BOILER)	65	CHRYSOTILE	FIBROUS GLASS <1%, CELLULOSE 5%, CEMENT & OPAQUES 30%
07	90B-366	GREY,1	251 W-74 PIPE (LAUNDRY)	60	CHRYSOTILE	CELLULOSE 35%, BINDER 5%
08	90B-367	TAN,1	PIERMONT BOILER PIPE	10	CHRYSOTILE	CELLULOSE 75%, BINDER 15%
09	90B-368	TAN,1	PIERMONT PIPE (POOL)	ND	--	CELLULOSE 85%, BINDER & OPAQUES 15%
10	90B-369	WHITE,1	PIERMONT PAINT	ND	--	FIBROUS GLASS 3%, CELLULOSE 4%, PLASTER & OPAQUES 93%
11	90B-370	TAN,1	LIC CEILING TILE	8	AMOSITE	FIBROUS GLASS 72%, CELLULOSE 5%, BINDER & OPAQUES 15%
12	90B-371	GREY,1	LIC A.C. DUCT	65	CHRYSOTILE	CELLULOSE 10%, CEMENT & OPAQUES 25%
13	90B-372	GREY,1	EMERY BOILER ROOM FITTING	70	CHRYSOTILE	CELLULOSE 5%, CEMENT & OPAQUES 25%

*Non-friable substances are not within the scope of the EPA method for bulk asbestos analysis.
Quantification of asbestos in these samples may deviate from the accuracy range normally obtained from EPA/600/M4-82-020.

FROM - Y

75 URBAN AVENUE, WESTBURY, NEW YORK 11590 • (516) 334-7770 • (800) 433-0008 • FAX NO. 516-334-7720

5.0 CERTIFICATION AND SIGNATURES:

We certify this report is a true and authentic report of results obtained from our tests.

Respectfully submitted,

LABORATORY TESTING SERVICES, INC.

Brian Heneveld, P.E.
Vice President

David C. Harvey
President

aj

Report on sample by client applies only to sample. Report on samples by us applies only to lot sampled.
Information contained herein is not to be used for reproduction except by special permission.
Samples retained for thirty days maximum after date of report unless specifically requested otherwise by client. The liability of the Laboratory Testing Services, Inc. with respect to the services charged for herein, shall in no event exceed the amount of the invoice.

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Laboratory Testing Services

Methodology Explanation:

Laboratory Testing Services, Inc. follows guidelines of EPA-600/M4-82-020 for the analysis of bulk samples for asbestos by polarized light microscopy. This method was prepared by the EPA to set criteria for the analysis of friable substances. (Easily crumbled or reduced to a powder by hand pressure). Friable samples typically include pipe wrap and pipe joint cement. Occasionally, samples of non-friable materials are submitted for analysis for asbestos. Examples of these substances are floor tile and wall plaster. Analysis of these materials sometimes require deviations from the EPA method. Laboratory Testing Services, Inc. utilizes the following methods to analyze substances which require a deviation from EPA method 600/M4-82-020:

A) Low Temperature Ashing - The sample is placed in a furnace at low temperature (less than 350°c) to burn off vinyl matricies or large amounts of cellulose, Asbestos is a mineral and will not burn off. This method facilitates the detection of small amounts of asbestos in substances with a vinyl matrix (floor tile) or those with a large amount of cellulose (certain pipe wraps and ceiling tile).

B) Milling - Non-friable substances are placed in a mortar and pestle or "Wiley" mill and are pulverized.

C) Acid Wash - The sample was washed in warm dilute Hydrochloric Acid or Acetic Acid to remove calcium carbonate, gypsum and/or bassanite (plaster) deposits.

D) Hexametaphosphate Wash - The sample was washed in a 1% Hexametaphosphate solution to remove calcium carbonate, gypsum and/or bassanite (plaster) deposits.

When a deviation from EPA Method 600-M4-82-020 was used to analyze a sample, this is noted in column 3 of Laboratory Testing Services, Inc. results reporting forms (under "color, method"). For example, if ashing was used as part of the analytical process, this is signified as "2-A" in the method column. If milling was used as part of the Analytical process, this is signified as "2-B" in the method column.

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H2M LABS, INC.
Environmental Testing Laboratories
575 Broad Hollow Road, Melville, New York 11747-5076 • (516) 694-3040

Water/Waste Water Laboratory • Hazardous Waste Laboratory • Air Testing Laboratory
Pilot Plant Studies and Other Analytical Services

LABORATORY REPORT

LAB NO. 751772

PROJECT NO. 2C

CLIENT'S NAME AND ADDRESS	
MTS ENVIROSURV, INC. 2568 ORINOCO DR BRIGHTWATERS NY 11718	TYPE OF SAMPLE - MISCELLANEOUS COLLECTED BY CL 99 DATE COLLECTED - 1/19/90 DATE RECEIVED - 1/19/90 E.P. TOXICITY 27-10 AVE. HUNTERS POINT SOIL SAMPLE

PARAMETER	RESULT
ARSENIC	<62.0 #
BARIUM	0.46
CADMIUM	11.0 #
CHROMIUM	0.02
LEAD	136.#
MERCURY	<0.20#
SELENIUM	85.0 #
SILVER	<0.01
TOTAL SOLIDS	85.4 %

ALL RESULTS IN (MG/L) EXCEPT AS NOTED BY # (UG/L) OR % (PERCENT) AND
T.COLI BACT. & FECAL COLI (MPN/100ML)
COLOR, ODOR, TURBIDITY & PH (UNITS)
APC & FECAL STREP (COUNTS/ML)
SPEC.COND. (UMHOS) SETT.SOLIDS(ML/L)

DATE REPORTED 1/29/90

LABORATORY DIRECTOR

CHAIN OF CUSTODY RECORD

PROJ. NO.	PROJECT NAME
	27-10 HUNTERS POINT

SAMPLERS: (Signature)
MTS

STA. NO.	DATE	TIME	COMP.	GRAB	STATION LOCATION	NO. OF CONTAINERS	REMARKS
					27-10 HUNTERS POINT FUE		EP TOX METALS

Relinquished by: (Signature)	Date / Time	Received by: (Signature)	Relinquished by: (Signature)	Date / Time	Received by: (Signature)
[signature]	1/13/86 1530	[signature]			
Relinquished by: (Signature)	Date / Time	Received by: (Signature)	Relinquished by: (Signature)	Date / Time	Received by: (Signature)
Relinquished by: (Signature)	Date / Time	Received for Laboratory by: (Signature)	Date / Time	Remarks	A. GOLUBOFF 56-968745

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