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June 16, 2021

Mr. Emanuel Kokinakis
Development Manager
Mega Development LLC
48-02 25th Avenue, Suite 400
Astoria, New York 11103

Re: **Phase I Environmental Site Assessment**
31-07 31st Street
Astoria, New York
AKRF Project Number 210124

Dear Mr. Kokinakis:

AKRF, Inc. (AKRF) is pleased to submit this Phase I Environmental Site Assessment Report for the above-referenced Property. This report includes the findings of a reconnaissance of the Property, an evaluation of readily available historical information and selected environmental databases and electronic records. AKRF met the requirements of the American Society for Testing and Materials (ASTM) as established by ASTM Standard E1527-13 unless noted otherwise in Section 9.0: "Limitations and Data Gaps".

We appreciate the opportunity to provide you with our services. If you should have any questions, please do not hesitate to contact Deborah at 646-388-9544.

Sincerely,
AKRF, Inc.

A handwritten signature in blue ink, appearing to read 'D. Shapiro'.

Deborah Shapiro, QEP
Sr. Vice President

EXECUTIVE SUMMARY

AKRF, Inc. (AKRF) was retained by Mega Development LLC to prepare a Phase I Environmental Site Assessment (ESA) of 31-07 31st Street, located in Astoria, Queens (the “Property”). The Property was identified as Queens Tax Block 611, Lot 25. The Property was generally bounded by commercial units to the north, residential/institutional units to the south, commercial/residential units and 32nd Street to the east, and 31st Street and an elevated subway station to the west (as shown on Figure 1). The Property consisted of an existing 20,880 square-foot municipal parking facility.

The greater surrounding area was primarily commercial/retail with some residential and transit uses. The objective of this assessment was to identify any potential environmental concerns associated with the Property resulting from past or current usage of the Property or neighboring properties.

This Phase I Environmental Site Assessment was performed in conformance with ASTM Standard E1527-13, *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Practice*. Any exceptions to, or deletions from, the Standard and/or data gaps are described in Section 9.0. The term “Recognized Environmental Condition” (REC) means 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 Standard also includes definitions of Historic REC (HREC), Controlled REC (CREC), and *De Minimis* Condition. A *De Minimis* Condition is defined as an environmental concern that is not a threat to human health or the environment and would not be subject to enforcement action.

A Tier 1 Vapor Encroachment Screen was also conducted in accordance with ASTM Standard E2600-15, *Standard Guide for Vapor Encroachment Screening on Property Involved in Real Estate Transactions*. The term “Vapor Encroachment Condition” (VEC) means the presence or likely presence of vapors from chemicals of concern (COC) in the subsurface of a property caused by the release of vapors on or near the property.

A summary of the assessment findings is presented below:

Recognized Environmental Conditions (RECs)/Vapor Encroachment Conditions (VECs)

- One groundwater monitoring well was observed on 31st Street sidewalk west-adjacent of the Property.
- Sanborn maps, city directories, and the environmental databases reviewed identified automotive and dry cleaning uses in the surrounding area.

Business Environmental Risks (including items outside the scope of ASTM E1527-13 such as asbestos containing material [ACM], lead-based paint [LBP] and/or polychlorinated biphenyls [PCBs] in building materials or fill/debris)

- Buried demolition debris from former on-site structures could contain ACM, LBP, PCBs and/or underground storage tanks.

De minimis

- Three five-gallon containers of orphan waste were located on the southeaster-most corner of the Property. Two of the three containers were labeled as kerosene and lacquer; the third container was unmarked. These containers should be removed from the Property and properly disposed of in accordance with federal, state, and local requirements.

Recommendations

- A subsurface (Phase II) investigation should be conducted at the Property to investigate the identified RECs/VECs.

- During any future subsurface disturbance, excavated soil should be handled and disposed of in accordance with all applicable regulatory requirements, with testing as required. Any evidence of a petroleum spill must be reported to the NYSDEC and addressed in accordance with applicable requirements. If any tanks are encountered, they should be properly assessed, closed, and removed in accordance with federal, state, and local regulations. Transportation of material leaving the Property for off-site disposal should be in accordance with federal, state, and local requirements covering licensing of haulers and trucks, placarding, truck routes, manifesting, etc.
- If dewatering is required during future construction activities, water must be discharged in accordance with the New York City Department of Environmental Protection (NYCDEP) requirements.
- Any activities with the potential to disturb LBP must be performed in accordance with applicable requirements (including federal Occupational Safety and Health Administration regulation 29 CFR 1926.62 - Lead Exposure in Construction) and NYC Local Laws regarding tenant notification, contractor licensing, abatement procedures, etc. Additional requirements, even if no disturbance is planned (e.g., tenant notification, inspections, contractor licensing, and abatement) apply to occupied residential buildings.
- Unless there is labeling or test data that indicates that fluorescent lights and other electrical equipment are not mercury- and/or PCB-containing, if disposal is required, it should be performed in accordance with applicable federal, state, and local regulations and guidelines.
- Any suspect ACM- containing material and/or LBP encountered during excavation should be properly characterized, managed and disposed of in accordance with applicable regulations.

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1.0 INTRODUCTION

AKRF, Inc. (AKRF) was retained by Mega Development LLC (User or Client) to prepare a Phase I Environmental Site Assessment (ESA) of 31-07 31st Street, located in Astoria, Queens (the “Property”). The Property was identified as Queens Tax Block 611, Lot 25. The Property was generally bounded by commercial units to the north, residential/commercial units to the south, commercial/residential units and 32nd Street to the east, and 31st Street and an elevated subway station to the west (as shown on Figure 1). The Property consisted of an existing approximately 0.5-acre municipal parking facility (as shown on Figure 2).

The objective of this assessment was to identify any potential environmental concerns associated with the Property resulting from past or current usage of the Property or surrounding properties.

The scope of services for this assessment was in conformance with ASTM Standard E1527-13 (*Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Practice*) and ASTM Standard E2600-15 (*Standard Guide for Vapor Encroachment Screening on Property Involved in Real Estate Transactions*). Any exceptions to, or deletions from, this practice are described in Section 9.0. The scope included the following:

- Observations of accessible portions of the Property (reconnaissance) to identify potential sources or indications of hazardous substances, including: aboveground storage tanks (ASTs); underground storage tanks (USTs); tank vents and fill ports; transformers and other items that could contain polychlorinated biphenyls (PCBs), drums or areas where hazardous materials were used, stored, or disposed; stained surfaces and soils; leaks; odors. In addition, neighboring properties were viewed, but only from public rights-of-way, to identify similar concerns.
- Readily available geological and groundwater (hydrogeological) information was evaluated to assist in determining the potential for contamination migration (including in soil, soil vapor and/or groundwater) within, from and onto the Property.
- The reconnaissance of accessible portions of the Property included observation of any readily visible suspect asbestos-containing materials (ACMs) and potential lead-based paint (LBP). However, no samples were collected or analyzed as part of reconnaissance and this reconnaissance provides neither definitive nor exhaustive information.
- A state database of county-level radon concentrations was used to determine typical indoor radon levels and compare them to United States Environmental Protection Agency (USEPA) guidelines.
- Historical land use maps for the Property and nearby sites were reviewed to evaluate historical land uses.
- The following federal regulatory databases were reviewed to determine the regulatory status of the Property and other properties within the ASTM-defined radii: the National Priority List (NPL); Superfund Enterprise Management System (SEMS), including Superfund Enterprise Management System Archive (SEMS-ARCHIVE); Comprehensive Environmental Response, Compensation, and Liability Information System-No Further Remedial Action Planned (CERCLIS-NFRAP); Corrective Actions Report (CORRACTS); Resource Conservation and Recovery Information System (RCRIS); and Emergency Response Notification System (ERNS). Federal ASTM supplemental records reviewed included: Toxic Chemical Release Inventory System (TRIS); Superfund Consent Decrees (CONSENT); Records of Decision (ROD); National Priority List Deletions (Delisted NPL); and United States Brownfields.
- The following state regulatory databases were reviewed to determine the regulatory status of the Property and other properties within predetermined radii: petroleum and hazardous material spills

(SPILLS); Leaking Underground Storage Tanks (LTANKs); Chemical Bulk Storage (CBS); Solid Waste Facilities (SWF); Petroleum Bulk Storage (PBS); State Inactive Hazardous Waste Disposal Sites (SHWS); Hazardous Substance Waste Disposal Site Inventory (HSWDS); Major Oil Storage Facilities (MOSF); Environmental Restoration Program (ERP); Voluntary Cleanup Program (VCP); and New York Brownfield Cleanup Program (BCP).

- Local agency reviews including online Buildings and Finance Departments records and Environmental Quality Review (CEQR) E Designation-sites were conducted for the Property only.
- Review of historic reports including non-ASTM scope items.

2.0 PHYSICAL SITE DESCRIPTION

Visual inspection of the Property was performed on May 4, 2021 by Ms. Elizabeth Baird of AKRF. Ms. Baird was not accompanied by a Client representative during the inspection. At the time of the inspection, the weather was partly cloudy and approximately 65°F with generally good visibility. The majority of the parking spaces were occupied and surface conditions of the Property were not fully visible during inspection.

The Property was inspected for the presence of stained surfaces and soil, evidence of storage tanks, drums, leaking pipes, transformers, and any other evidence of hazardous material usage and storage on-site. Neighboring properties were also viewed, but only from public rights-of-way. Photographs documenting the inspection are included in Appendix A.

2.1 General Site Conditions

The Property consisted of an approximately 20,880 square foot municipal parking facility for short-term parking. The Property was generally bounded by commercial/retail units to the north, residential/commercial units to the south, residential units and 32nd Street to the east, and 31st Street/an elevated subway station to the west.

The parking facility was comprised of an at-grade asphalt paved parking lot with 60 parking spaces and two pay stations. The asphalt pavement was in poor condition with cracking, patches, and petroleum-like staining observed. Several pole lights, steel traffic bollards, and guard rails were observed on the Property. No other above-grade structures were observed on the Property.

Three apparent storm drains were observed and were presumably connected to the municipal sewer system. Utility manholes were observed along 31st Street and 32nd Street.

Three five-gallon containers of orphan waste were observed in the southeastern-most corner of the Property. Two of the containers were labeled as kerosene and lacquer; the remaining container was unmarked. One trash can, containing household waste, was located on the Property.

No pits, ponds, or lagoons exhibiting evidence (e.g., discolored water, distressed vegetation, obvious wastewater discharge) of holding liquids or sludge containing hazardous substances or petroleum products were observed on the Property. One groundwater monitoring well was observed in the eastern sidewalk along 31st Street, along the western Property boundary. A second monitoring well was observed in the sidewalk of the west-adjacent Property block.

2.2 Topography and Hydrogeology

Based on the U.S. Geological Survey, Central Park, New York 2013 Quadrangle map, the Property lies at approximately 49 feet above mean sea level, with the general surrounding area topography gently sloping down in a westerly direction towards the East River. The East River is located approximately one mile west of the Property.

Based upon a review of topographical data, groundwater is assumed to flow in a westerly direction toward the East River; however, actual groundwater flow at the Property can be affected by many factors, including past filling activities, underground utilities, and other subsurface openings or obstructions such as basements, nearby subway lines, and other factors beyond the scope of this study. There are no surface water bodies or streams on or immediately adjacent to the Property. Groundwater in Queens is not used as a source of potable water.

2.3 Storage Tanks

2.3.1 Underground Storage Tanks (USTs)

During the Property inspection, no evidence, such as manways, vent pipes, or dispenser equipment, was observed that would indicate past or present USTs at the Property. NYC Department of Buildings (NYCDOB) records did not indicate any USTs on the Property.

Off-site USTs are discussed in Section 5.2.2.

2.3.2 Aboveground Storage Tanks (ASTs)

No evidence, such as tanks or vaults likely to contain tanks, vent pipes or fill caps, was observed during the reconnaissance to indicate that ASTs are or were present. NYCDOB records did not indicate any records of ASTs at the Property.

Off-site ASTs are discussed in Section 5.2.2.

2.4 Polychlorinated Biphenyls (PCBs)

Until 1979, polychlorinated biphenyls (PCBs), which provided beneficial insulating properties, were used in a variety of products, in particular electrical equipment such as transformers, capacitors, fluorescent light fixtures, and voltage regulators, but also in hydraulic fluids and some other products such as caulking.

No suspect PCB-containing equipment was identified, and no obvious leaks or odors were noted at the Property.

2.5 Lead-Based Paint (LBP)

Although use of lead-based paint (LBP) has diminished since the 1960s, LBP may still sometimes be used outdoors. Lead-based paint can present a hazard, particularly to children, especially when it is in poor condition.

Painted surfaces on the Property were observed to be in generally good to fair condition, with some damaged paint noted on the steel traffic bollards. Any renovation activities with the potential to disturb lead-based paint must be performed in accordance with the applicable Occupational Safety and Health Administration regulation (OSHA 29 CFR 1926.62—Lead Exposure in Construction).

2.6 Utilities

Consolidated Edison provided electricity to the Property and electricity and natural gas to the surrounding area. The Property was connected to the New York City municipal water and sewer systems.

2.7 Waste Management and Chemical Handling

General refuse generated at the Property was presumably removed by the NYC Department of Sanitation. No evidence of current on-site hazardous waste operations was observed during the site reconnaissance.

2.8 Radon

Radon is a colorless, odorless gas most commonly produced by the natural radioactive decay of certain rocks. According to a New York State Department of Health database, 563 radon tests were conducted in Queens in December 2020. The average basement radon level was found to be 1.22 picoCuries per liter (pCi/L), below the USEPA recommended action level of 4.0 pCi/.

3.0 ASBESTOS-CONTAINING MATERIAL (ACM)

Asbestos refers to a group of natural minerals that provide good fire resistance and insulation. Asbestos is also commonly found in vinyl flooring, plaster, drywall, joint compound, ceiling tiles, roofing materials, gaskets, mastics, caulks and other products. Materials containing more than one percent asbestos are considered asbestos-containing materials (ACM). ACM are classified as either friable (i.e., more readily release fibers, such as most spray-applied fireproofing) or non-friable (such as floor tiles).

Suspect ACM was not observed during the reconnaissance. However, this reconnaissance did not constitute and cannot substitute for an asbestos survey, which includes comprehensive inspection and material sampling with laboratory testing.

Regulatory requirements for ACM (or suspect ACM until proven not to be ACM) include maintaining the materials in good condition and, prior to any renovation or demolition, inspection/sampling by a NYC-certified asbestos investigator to determine whether the project will disturb ACM. Any ACM that would be disturbed by the renovation or demolition must be properly removed prior to such activity.

4.0 ADJACENT LAND USE

The Property was abutted to the north by commercial/retail units, followed by Broadway; to the west by 31st Street and an elevated subway station, followed by commercial/retail and residential units; to the south by residential units and the Cretans Association Omonia, Inc. Cultural Facility, followed by retail and commercial units; and to the east by residential units and 32nd Street. The greater surrounding area was primarily commercial/retail, residential and transit uses.

5.0 PROPERTY HISTORY AND RECORDS REVIEW

5.1 Prior Ownership and Usage

5.1.1 Historical Land Use Maps

Historical maps were reviewed for indications of uses (or other evidence) suggesting hazardous materials generation, usage or disposal on or near the Property. Specifically, Sanborn Fire Insurance Maps from 1898, 1915, 1936, 1948, 1950, 1967, 1977, 1979, 1981, 1985, 1986, 1988, 1989, 1990, 1991, 1992, 1993, 1994, 1995, 1996, 1999, 2001, 2002, 2003, 2004, 2005, and 2006. Copies of the maps are provided in Appendix B.

1898

Property:

The Property was depicted as multiple vacant lots with one dwelling and associated shed located on the northern portion of the Property.

Surrounding Properties:

The surrounding properties were primarily vacant lots and some residential dwellings. The William H. Siebrecht Florist Greenhouses were identified north of Broadway between 30th and 31st Streets.

1915

Property:

The Property remained primarily vacant. The previously identified dwelling and shed were replaced with a new dwelling and shed located in the northwestern portion of the Property.

Surrounding Properties:

The surrounding areas were further developed as mostly residential with some commercial uses. A beer bottling and wagon shed was identified on the north-adjacent Property block. Retail stores and wagon sheds were identified on the northwest-adjacent Property block.

1936

Property:

The Property remained mostly unchanged from the 1915 map except for the addition of a one-car garage to the east of the previously identified dwelling.

Surrounding Properties:

The surrounding areas were further developed with residential apartment buildings and rowhouse dwellings as well as commercial uses. A two-story building with shops, a bowling alley, and offices was noted north-adjacent to the Property. The elevated Broadway Subway Station was identified running north-south along 31st Street. The previously identified beer bottling and wagon shed was noted as retail stores. The Broadway Theater Moving Picture Studio was identified north of Property at the intersection of Broadway and 32nd Street. A garage with a gasoline tank and auto repair shop with three adjacent gasoline tanks were noted northwest of the Property at the intersection of Broadway and 29th Street.

1948**Property:**

The Property remained mostly unchanged from the 1936 map.

Surrounding Properties:

The surrounding areas continued to develop with more residential (i.e., apartment buildings and rowhouses) and commercial/retail uses. The previously identified William H. Siebrecht Florist Greenhouses were now noted as residential dwellings. The previously identified Broadway Theater Moving Picture Studio and the auto garage and repair shop with gasoline tanks remained unchanged from the 1936 map.

1950**Property:**

The Property remained mostly unchanged from the 1948 map except for the configuration and number of the property lot lines, which was reduced to five.

Surrounding Properties:

The surrounding area remained mostly unchanged from the 1948 map. The previously identified auto repair shop and nearby gasoline tanks were no longer depicted northwest of the Property.

1967-1977**Property:**

The Property remained unchanged from the 1950 map.

Surrounding Properties:

The surrounding area remained mostly unchanged from the 1950 map. A filling station was identified north-northeast of the Property on 31st Street. A commercial building was identified south-adjacent to the Property. A mechanic's shop and warehouse was identified southwest of the Property along 31st Street between Broadway and 34th Avenue. A dry cleaners was identified along Broadway between 32nd and 33rd Streets, northeast of the Property. The building previously identified as Broadway Theater Moving Picture Studio was no longer identified as such. The eastern-most portions of the 1967 and 1977 maps were indiscernible due to poor image quality.

1979-1986**Property:**

The previously identified dwelling was no longer depicted on the Property. The previously identified one-car garage remained on the Property. The western portion of the Property was identified as parking.

Surrounding Properties:

The Property block and surrounding areas remained mostly unchanged, with minimal changes in commercial and residential uses.

1988-1989**Property:**

The previously identified one-car garage was no longer identified on the map and the entirety of the Property was labeled as parking.

Surrounding Properties:

The Property block and surrounding areas remained mostly unchanged, with minimal changes in commercial and residential uses.

1990**Property:**

The Property remained unchanged from the 1988-1989 maps.

Surrounding Properties:

The previously identified mechanic's shop was noted as a fitness center; the neighboring mechanic's warehouse remained unchanged. The surrounding areas remained mostly unchanged, with minimal changes in commercial and residential uses.

1991-2006**Property:**

The Property remained unchanged from the 1990 map.

Surrounding Properties:

The Property block and surrounding areas remained mostly unchanged, with minimal changes in commercial and residential uses.

In summary, historical Sanborn maps indicated that the Property was developed as a residential dwelling from at least 1898 to 1979. The Property was developed in its current configuration as a parking facility by 1988.

Sanborn maps identified primarily residential and commercial uses adjacent to the Property and in the surrounding area. Some of the pertinent commercial listings between circa 1936 and 2006 included: a filling station located north-northeast of the Property; a garage and auto repair shop with gasoline tanks located northwest of the Property; a dry cleaners located northeast of the Property; and a machine shop and warehouse located southwest of the Property.

5.1.2 Property Tax Files and Zoning Records

Based on NYC Department of City Planning's Zoning Map information, the Property was zoned C1-2 (Commercial District Overlay) and R5 (Residential).

5.1.3 Recorded Land Title Records

Copies of title records were not provided to AKRF for review. A review of computerized New York City Automated City Register Information System (ACRIS) records, which included records of financial transactions involving the Property, identified no environmental liens for the Property.

5.1.4 Local Street Directories

A City Directory prepared by Environmental Data Resources, Inc. (EDR) was reviewed as part of this Phase I ESA. The City Directory consisted of the names of businesses located on-site and in adjacent properties, compiled from city and reverse telephone directories at approximately five-year intervals starting in 1920. A summary of the directory findings is below:

The Property was listed in the City Directory in 1934, 1945, 1967, 2000, and 2005; all occupants identified were residential occupants. No occupants indicating non-residential use were listed.

In the surrounding areas, the directories identified mainly residential uses, with some proximal commercial uses, including:

- TR Service Station at 31-70 31st Street (located north-northeast of the Property) in 1962, 1967, 1970, and 1983.
- Riteway/Bartley's Service Station at 32-02 30th Street (located southwest of the Property) in 1939 and 1962.
- Brighton Cleaners/City Cleaners at 31-84 33rd Road/31-85 33rd Street/33-14 Broadway (located northeast of the Property) in 1934, 1939, 1945, 1962, 1994, 2004, 2005, 2014, and 2017.
- Minerva Cleaners at 31-89 29th Street/29-09 Broadway (located northwest of the Property) in 1970, 1994, 2004, 2005, 2009, 2014, and 2017.
- Jeon's Cleaners/Renee French Cleaners at 30-08 Broadway (located north-northwest of the Property) in 1962, 1994, 2004, 2005, 2009, and 2017.
- United Cleaners at 30-02 and 30-06 Broadway (located north-northwest of the Property) in 1934.
- D&F Cleaners at 33-12 Broadway (located east of the Property) in 1934.
- World Cleaners at 32-08 Broadway (located east of the Property) in 2005 and 2009.
- Roosevelt Cleaners at 30-17 Broadway (located north of the Property) in 1962.
- M&M Auto Service at 31-73 31st Street (located northwest of the Property) in 1939.

Given their locations, the above-listed facilities have some potential to have affected the Property subsurface.

The City Directory search results are included in Appendix C.

5.2 Regulatory Review

EDR of Shelton, Connecticut, was contracted to obtain information regarding the regulatory status of the Property and the surrounding area. This information included records from databases maintained by the USEPA and New York State Department of Environmental Conservation (NYSDEC). AKRF reviewed these records to identify the use, generation, storage, treatment and/or disposal of hazardous material and chemicals, or releases of such materials which may impact the project site. All applicable regulatory databases meet ASTM guidelines requesting utilization of information within 90 days' receipt from the appropriate agency. Copies of the pertinent sections of the EDR report are included in Appendix D.

5.2.1 Federal

Federal ASTM standard records reviewed included: the National Priority List (NPL); Superfund Enterprise Management System (SEMS), including Superfund Enterprise Management System Archive (SEMS-ARCHIVE); Comprehensive Environmental Response, Compensation, and Liability Information System-No Further Remedial Action Planned (CERCLIS-NFRAP); Corrective Actions Report (CORRACTS); Resource Conservation and Recovery Information System (RCRIS); and Emergency Response Notification System (ERNS).

Federal ASTM supplemental records reviewed included: Toxic Chemical Release Inventory System (TRIS); Superfund Consent Decrees (CONSENT); Records of Decision (ROD); National Priority List Deletions (Delisted NPL); and United States Brownfields.

National Priority List (NPL)

The NPL is the USEPA's database of some of the most serious uncontrolled or abandoned hazardous waste sites identified for probable remedial action under the Superfund Program. These sites may constitute an immediate threat to human health and the environment. Due to the amount of public attention focused on NPL sites, they pose a significant risk of stigmatizing surrounding properties and potentially impacting property values.

The Property was not listed on the NPL database. No NPL sites were identified within a one-mile radius of the Property.

Superfund Enterprise Management System (SEMS), including Superfund Enterprise Management System Archive (SEMS-ARCHIVE)

The SEMS (formerly known as CERCLIS) list is a compilation of known and suspected uncontrolled or abandoned hazardous waste sites which are, or were, under investigation by USEPA but have not been elevated to the status of a Superfund (NPL) site. Former CERCLIS sites that have been granted the status of No Further Remedial Action Planned (NFRAP), currently known as Superfund Enterprise Management System Archive (SEMS-ARCHIVE) sites, are also included in this database.

The Property was not listed on the SEMS or SEMS-ARCHIVE databases. No SEMS or SEMS-ARCHIVE were identified within a ½-mile radius of the Property.

Corrective Actions Report (CORRACTS)

The CORRACTS database identifies hazardous waste handlers with RCRA corrective action activity.

The Property was not listed on the CORRACTS database. No CORRACTS sites were identified within a one-mile radius of the Property.

Resource Conservation and Recovery Information System (RCRIS)

This database lists sites that have filed notification forms regarding hazardous waste activity, including: treatment, storage and disposal facilities (TSDs); very small quantity generators (VSQG), small quantity generators (SQG), and large quantity generators (LQG); and transporters regulated under RCRA.

The Property was not listed on RCRIS databases. No TSD or LQG facilities were identified within a ½-mile radius of the Property.

One SQG and two VSQG facilities were identified within a 1/8-mile radius of the Property. Of these, the following facilities has some limited potential to have affected environmental conditions at the Property:

- Rite Aid Store No. 10569, located at 32-14 31st Street, approximately 100 feet west of the Property, was listed as a conditionally exempt small quantity generator of wastes associated with photograph development activities and pharmaceutical handling activities.
- The New York City Transit (NYCT) Elevated Subway Station, located at 31st Street and Broadway, approximately 140 feet north-northeast of the Property, was listed as a small quantity generator of lead in 2015.
- Brighton Cleaners, located at 33-14 Broadway, approximately 453 feet northeast of the Property, was listed as a conditionally exempt small quantity generator of spent halogenated solvents in 2006 and 2007 and as a small quantity generator in 1987.

Details of the listings are included in Appendix F.

Emergency Response Notification System (ERNS)

This federal database, compiled by the Emergency Response Notification System, records and stores information on certain reported releases of petroleum and other potentially hazardous substances.

No ERNS listings were identified at the Property.

Toxic Chemical Release Inventory System (TRIS)

The TRIS contains information reported by a variety of industries on their annual estimated releases of certain chemicals.

The Property was not identified on the TRIS database. No TRIS sites were identified within a 1/8-mile radius of the Property.

Superfund Consent Decrees (CONSENT)

Superfund consent decrees are major legal settlements that establish responsibility and standards for cleanup at NPL (Superfund) sites. These decrees are periodically released by the United States District Courts after settlement by parties to litigation matters.

The Property was not listed on the CONSENT database. No CONSENT sites were identified within a one-mile radius of the Property.

Records of Decision (ROD)

ROD documents mandate permanent remedies at NPL sites, and contain technical and health information to aid in the cleanup.

The Property was not listed on the ROD database. No ROD sites were identified within a one-mile radius of the Property.

National Priority List Deletions (Delisted NPL)

This database described former NPL sites that are removed from the NPL list by the US EPA. The National Oil and Hazardous Substances Pollution Contingency Plan (NCP) establish the criteria used by the EPA to delist sites where no further federal response is needed.

The Property was not listed on the delisted NPL database. No delisted NPL sites were identified within a one-mile radius of the Property.

US Brownfields

The US Brownfields program is for properties that report cleanups to the EPA and are served by Brownfields grant programs.

The Property was not listed on the US Brownfields database. No US Brownfields sites were identified within a ½-mile radius of the Property.

5.2.2 State

The state records reviewed included the listings of hazardous material spills (SPILLS); Leaking Underground Storage Tanks (LTANKs); Chemical Bulk Storage (CBS); Solid Waste Facilities (SWF); Petroleum Bulk Storage (PBS); State Inactive Hazardous Waste Disposal Sites (SHWS); Hazardous Substance Waste Disposal Site Inventory (HSWDS); Major Oil Storage Facilities (MOSF); Environmental Restoration Program (ERP); Voluntary Cleanup Program (VCP); and New York Brownfield Cleanup Program (BCP).

New York State Spills Information Database (NY Spills)/Leaking Underground Storage Tanks (LTANKs)

This database includes releases reported to the NYSDEC, including tank test failures (for USTs only) and tank failures.

The Property was not listed within the NY Spills and LTANKS listings. A total of 282 spills, which included 52 leaking tanks, were reporting on surrounding properties within a ½-mile radius. Based on their proximity (within approximately 400 feet), assumed hydraulic relationships, and/or listing details, the following listings have some limited potential to affect subsurface conditions at the Property:

- NYSDEC Spill No. 0512053 was reported at 32-16 33rd Street, approximately 214 feet east-northeast of the Property, and involved a leaking fuel oil AST (presumably with a capacity of 275 gallons) in a residential basement. According to the spill report, following a 230-gallon oil delivery, the entire contents of the tank were released to concrete and soil within the basement. Approximately 17 cubic yards of soil were excavated; however, residual contamination was documented via endpoint sampling. A passive venting system was installed at the property and the spill was closed in 2006.
- NYSDEC Spill Nos. 8903296, 9003215, and 0613804 were reported at 31-70 31st Street, approximately 446 feet north-northeast of the Property and were related to an auto service station with several USTs. According to the information provided in the spill listings, petroleum product was identified in an on-site groundwater monitoring well in 1990; no additional details regarding remediation was provided.

The listing also reported that several USTs (quantity unknown) were removed and replaced at the site circa 1999, following a tank test failure. Information regarding the tank removals was not provided to NYSDEC and therefore, NYSDEC required further assessment of the site. A Phase II ESA was performed at the site in 2006; the assessment did not encounter petroleum-impacted soils or groundwater and NYSDEC subsequently issued a “No Further Action”. In 2007, two 4,000-gallon USTs, six previously unidentified 550-gallon USTs, two pump islands, and associated piping were removed from the site. During tank removal activities,

impacted soil was encountered and approximately 270 tons of petroleum-contaminated soil were excavated from the site. No further investigation or remediation was required and NYSDEC closed the spill in 2007. According to the Petroleum Bulk Storage (PBS) listing, it was reported that the two 4,000-gallon tanks had been converted to non-regulated use. See the PBS Database summary below for additional details.

Based on their locations, assumed hydraulic relationships, and/or listing details, the remaining listings are not likely to have significantly affected subsurface conditions at the Property. Details for all listed NY Spills and LTANKS sites are included in Appendix D.

Chemical Bulk Storage (CBS) Database

The New York CBS is a list of facilities that store regulated non-petroleum substances in aboveground tanks with capacities greater than 185 gallons and/or in underground tanks of any size.

The Property was not listed on the CBS database. No CBS facilities were identified within a 1/8-mile radius of the Property.

Solid Waste Facilities/Landfill Sites (SWF/LF)

The SWF/LF database is a comprehensive listing of state permitted/recorded solid waste management facilities including certain landfills, incinerators, transfer stations, recycling centers, and other sites which manage solid waste.

The Property was not listed in the SWF/LF database. No SWF/LF facilities were identified within a 1/2-mile radius of the Property.

Petroleum Bulk Storage (PBS) Database

This database lists facilities that registered having either aboveground or underground petroleum tanks with total storage exceeding 1,100 gallons. Facilities with more than 400,000 gallons appear on the Major Oil Storage Facilities (MOSF) database (see below).

Thirty PBS facilities were identified within a 1/8-mile radius of the Property. Of these, the following facilities have some limited potential to have affected environmental conditions at the Property:

Table 1
Area Petroleum Bulk Storage Facility Data

Location	Capacity (gallons)	Product Stored	Status	Distance/Direction from the Property
34-04/08 Broadway	1 x 1,500 AST	No. 2 Fuel Oil	Closed - removed in 2012	140 feet east
30-18 Broadway	1 x 3,000 AST	No. 2 Fuel Oil	Active	147 feet north
31-01 Broadway	1 x 1,500 UST	No. 2 Fuel Oil	Closed - removed in 1990	184 feet north-northeast
30-02 Broadway	1 x 3,000 AST	No. 2 Fuel Oil	Active	197 feet north-northwest
32-12 Broadway	1 x 1,500 UST	No. 2 Fuel Oil	Closed - in place in 1991	197 feet east
31-11 Broadway	1 x 2,000 UST	No. 2 Fuel Oil	Active	200 feet northeast
32-15 30 th Street	1 x 3,000 AST	No. 2 Fuel Oil	Active	238 feet northwest
31-77 32 nd Street	1 x 5,000 AST	No. 2 Fuel Oil	Active	340 feet east-northeast
32-42 33 rd Street	1 x 5,000 UST	No. 6 Fuel Oil	Active	352 feet south-southeast
31-70 31 st Street	2 x 4,000 UST	Gasoline	Converted to Non-regulated Use (According to the LTANLKS/SPILLS listings, these tanks, along with six 550-gallon USTs were removed in 2007)	446 feet north-northeast

Based on listing details, distance from the Property and/or inferred groundwater flow direction, the remaining listings would not be expected to have significantly affected the Property.

Details of all PBS listings are included in Appendix D.

State Inactive Hazardous Waste Disposal Site Registry (SHWS)

This program, also known as State Superfund, lists information regarding a variety of sites likely requiring cleanup.

The Property was not listed on the SHWS database. Eleven SHWS sites were identified within a one-mile radius of the Property. Of these, the following listing has some limited potential to have affected environmental conditions at the Property:

- An auto repair facility, located at 34-14 31st Street, approximately 808 feet southwest of the Property, was listed in the database as a 4,000-square foot facility which had operated as an auto repair shop since at least 1936. Elevated concentrations of the volatile organic compounds (VOCs) tetrachloroethylene (PCE) and metals (lead, mercury, and nickel) were detected in site soils. PCE and trichloroethene (TCE) were detected at elevated concentrations in sub-slab vapor samples. Groundwater was not encountered during the remedial investigation. Remediation at this site has been completed; no information regarding the nature and extent of the remediation was provided in the database listing.

Based on the distance from the Property and/or presumed hydraulic relationship, the other facilities are not anticipated to have affected subsurface conditions at the Property.

Details of the SHWS listing are included in Appendix D.

Hazardous Substance Waste Disposal Site Inventory (HSWDS)

The list includes any known or suspected hazardous substance waste disposal sites. Also included are sites delisted from the Registry of Inactive Hazardous Waste Disposal Sites and non-Registry sites that USEPA Preliminary Assessment (PA) reports or Site Investigation (SI) reports were prepared. Hazardous Substance Waste Disposal Sites are eligible to be Superfund sites.

The Property was not listed on the HSWDS database. No HSWDS sites were identified within a ½-mile radius of the Property.

Major Oil Storage Facilities (MOSF) Database

These facilities have petroleum storage of 400,000 gallons or more.

The Property was not listed on the MOSF database. No MOSF facilities were reported within a ⅛-mile radius of the Property.

Environmental Restoration Program (ERP)

These sites (which are generally municipally-owned) are receiving New York State funding for site investigation and remediation. Some sites in this program have known contamination, whereas others have not had sufficient investigation to determine whether contamination is present.

The Property was not listed on the ERP database. No ERP sites were identified within a ½-mile radius of the Property.

Voluntary Cleanup Program (VCP)

The VCP is a NYSDEC program for investigation and remediation of (generally) privately-owned sites. Some sites in this program have known contamination, whereas others have not had sufficient investigation to determine whether contamination is present.

The Property was not listed on the VCP database. One VCP site, the Levco Metals Finishers site, was identified within a ½-mile radius of the Property. The Levco Metals Finishers site was located at 34-11 36th Street, approximately 2,000 feet south of the Property. Based on the distance from the Property and the presumed hydraulic relationship, this facility is not anticipated to have affected subsurface conditions at the Property.

Details of the VCP listing are included in Appendix D.

Brownfield Cleanup Program (BCP)

The BCP is a NYSDEC program and is the successor to the VCP. Some sites have known contamination, whereas others have not had sufficient investigation to determine whether contamination is present.

The Property was not listed on the BCP database. One BCP site, Teitelbaum Dry Cleaning, Inc., was identified within a ½ -mile radius of the Property. The Teitelbaum Dry Cleaning site is located at 35-45 35th Street, approximately 2,000 feet south of the Property. Based on the distance from the Property and the presumed hydraulic relationship, this BCP site is not anticipated to have affected subsurface conditions at the Property.

Details of the BCP listing are included in Appendix D.

New York City E-Designation Site Listing

A New York City “E” designation for a property requires that the fee owner of the site conduct a testing and sampling protocol, and remediation where appropriate, to the satisfaction of the NYC Office of Environmental Remediation (OER) before the issuance of a building permit by the NYC Department of Buildings pursuant to the provisions of Section 11-15 of the Zoning Resolution (Environmental Requirements).

The Property was not listed with an E-designation in the database information.

EDR US Historic Auto Station Listings

The EDR US Historic Auto Station database was researched to identify listings for the Property and within a 1/8-mile radius of the Property. This database lists properties that might include gas/filling station establishments based on EDR’s search of select national business directories.

The Property was not listed on the historic auto stations database. One EDR historic auto station was identified within a 1/8-mile radius:

- TR Service Station/Sunoco Service Station, located at 31-70 31st Street, approximately 446 feet north-northeast of the Property.

Please refer to the SPILLS/LTANKS listings for further details on this site.

Manufactured Gas Plant (MGP) Sites (Coal Gas)

The EDR manufactured gas plant (MGP) database was researched to identify listings for the Property and facilities within a one-mile radius of the Property.

The Property was not listed on the MGP database. No MGP sites were identified within a one-mile radius of the Property.

Registered Dry Cleaners/EDR US Hist Cleaners

The registered dry cleaners database was researched to identify listings within 1/4-mile of the Site. As a supplement to the registered dry cleaners database, EDR’s proprietary listing of potential drycleaner sites (listings based on the opinion of EDR) was also reviewed.

The Property was not listed on the database. Six registered dry cleaners and four US EDR Historic Cleaners sites were listed within a 1/4-mile radius of the Property. Of these, the following facilities have very limited potential to have affected environmental conditions at the Property:

- City/Brighton Cleaners, Inc., located at 33-14 Broadway, approximately 453 feet east-southeast of the Property, was listed as a dry cleaner and a dry cleaning plant, except rugs in the EDR historical cleaners records between the years of 1991 and 2012.
- Minerva Tailors and Cleaners, located at 29-09 Broadway, approximately 490 feet north-northwest of the Property, was listed as a dry cleaning drop shop. This facility was also listed as a garment pressing and cleaners’ agent between the years of 1987 and 1991 and a dry cleaning plant, except rugs between the years of 1992 and 2014 in the EDR historical cleaners records.
- Jeon’s Cleaners, located at 30-08 Broadway, approximately 182 feet north-northwest of the Property, was listed as a registered dry cleaning drop shop. This facility, also identified as 3008 Incorporated ERS/Renee French Cleaners, was

listed as a garment pressing and cleaners' agent between the years of 1987 and 2003 and as a cleaning service between the years of 2004 and 2014 in the EDR historical cleaners records.

- Market Supervisory Services, located at 29-10 Broadway, approximately 437 feet northwest of the Property, was listed as a garment pressing and cleaners' agent in 1997 in the EDR historical cleaners records.

Based on their distance from the Property and/or presumed groundwater flow, the remaining facilities are not anticipated to have affected subsurface conditions at the Property.

Details of the registered dry cleaners/EDR US historic cleaners listing are included in Appendix D.

5.2.3 Local Agency File Review

Records available online from the New York City Buildings and Finance Departments were viewed for the Property. Since the local records typically address a multitude of issues, the review focused on items likely to relate to the potential presence of hazardous materials, e.g., petroleum tank installation applications and permits, and records indicating prior uses. Copies of pertinent information are included in Appendix E (Buildings and Finance Department Records).

NYC Buildings Department (DOB)

Electronic NYCDOB records for the Property were reviewed to determine whether there were any references to buildings, tanks or other structures, property usage or inspection reports that may have indicated the presence, past use, or release of hazardous substances, wastes or petroleum products within the Property. A Certificate of Occupancy dated 1957 identified the Property usage as a parking lot. No additional pertinent environmental records were identified in the NYCDOB electronic files.

Land Title Records and Tax Records

Copies of title records were not provided to AKRF for review. A review of computerized New York City ACRIS records, which included records of financial transactions involving the Property, identified no environmental liens or use restrictions for the Property. No deed information was provided in the ACRIS files. Pertinent Property information obtained from the ACRIS files is summarized below:

Year	Land Title Records Information for the Property
1983	Deed for Block 611, Lot 25 Grantor is: Louise Tedeschi (Executor); Grantee is: Frederick Tedeschi and James Tedeschi
1997	Court Order for Block 611, Lots 25, 29, 31, and 32 Grantor is: James Tedeschi and Frederick Tedeschi; Grantee is the City of New York

New York City Department of Health and Mental Hygiene (NYCDOHMH)

AKRF sent a freedom of information law (FOIL) request to the NYCDOHMH for pertinent environmental records on April 29, 2021. On April 29, 2021, NYCDOHMH issued a response e-mail acknowledging the request.

To date, no response has been provided. If issues of potential concern are noted upon receipt of the information, an addendum to this report will be created to discuss relevant findings.

New York City Department of Environmental Protection (NYCDEP)

AKRF sent a FOIL request to the NYCDEP on April 29, 2021. On April 29, 2021, NYCDEP issued a response e-mail acknowledging the request.

To date, no response has been provided. If issues of potential concern are noted upon receipt of the information, an addendum to this report will be created to discuss relevant findings.

5.2.4 Additional Environmental Record Sources

To enhance the search, ASTM requires that additional local records be reviewed (i.e., beyond those included as part of the standard database search or checked online) when, in judgment of the environmental professional, such records for the Property or any adjoining property would be reasonably ascertainable; useful, accurate and complete in light of the objective of the records review. These records may include:

- Local Brownfields Lists
- Local Lists of Landfill/solid waste disposal sites
- Local Lists of Hazardous Waste/Contaminated Sites
- Local Lists of Registered Tanks
- Local Land Records (for activity use limitations)
- Records of emergency release reports
- Records of contaminated public wells

Sources for these records include:

- Department of Health/Environmental Division
- Fire Department
- Building Permit/Inspection Department
- Local/Regional Pollution Control Agency
- Local/Regional Water Quality Agency
- Local Electric Utility (for PCB records)

On April 29, 2021, AKRF sent FOIL requests to the following agencies requesting information pertaining to environmental records for the Property;

- Fire Department of the City of New York (FDNY)
- NYSDEC Region 2
- New York State Department of Health (NYSDOH)

To date, no responses have been provided. If issues of potential concern are noted upon receipt of the information, an addendum to this report will be created to discuss relevant findings.

In addition, AKRF submitted a FOIL request to NYSDEC Region 2 regarding the former auto service station located at 31-70 31st Street, on the northwest-adjacent Property block. To date, no response has been provided. Additional information regarding this site is provided in Section 5.2.2.

In AKRF's judgment, no other local records meeting the ASTM criteria are pertinent for the Property.

6.0 USER-PROVIDED INFORMATION

In preparing this Phase I ESA, AKRF requested that the client provide any pertinent information regarding the Property, specifically:

- Whether any environmental liens or activity and land use limitations (AULs) are in place or filed or recorded against the Property?
- Whether they had any specialized knowledge or experience related to the Property or nearby properties (e.g., specialized knowledge of any chemicals used on-site)?
- Whether the (anticipated) purchase price reflects that the Property is or could be contaminated?
- Whether they were aware of commonly known or reasonably ascertainable information about environmental conditions of the Property?
- Whether they were aware of any obvious indicators of contamination at the Property?
- Whether they were aware of any pending, threatened, ongoing or past litigation/enforcement action/consent order/notice of violation related to hazardous substances or petroleum products?

Mr. Emanuel Kokinakis of Mega Development LLC completed a user questionnaire for the Property. Mr. Kokinakis was not aware/had no information on the status of any: environmental liens or activity use limitations on the Property; property value reduction due to environmental issues; any pending, threatened, ongoing or past litigation/enforcement action/consent order/notice of violation related to hazardous substances or petroleum products; or any obvious indicators of contamination on the Property. To the extent that pertinent additional information was provided, it has been summarized elsewhere in this report.

7.0 PREVIOUS STUDIES

No previous studies were provided for review.

8.0 VAPOR ENCROACHMENT SCREENING

A Tier 1 Vapor Encroachment Screening was conducted in accordance with ASTM Standard E2600-15, Standard Guide for Vapor Encroachment Screening on Property Involved in Real Estate Transactions. The term “Vapor Encroachment Condition” means the presence or likely presence of vapors from chemicals of concern (COC) in the subsurface of a Property caused by the release of vapors on or near the Property. The object of the Tier 1 screening is to conduct a screen for vapor encroachment based on findings from the Phase I ESA to determine if a possible VEC exists at the Property.

Based on AKRF’s review of historical and regulatory database records, the following potential VECs were identified based on the Tier 1 Vapor Encroachment Screening:

- One groundwater monitoring well was observed on 31st Street sidewalk west-adjacent of the Property.
- Sanborn maps, city directories, and the environmental databases reviewed identified automotive and dry cleaning uses in the surrounding area.

9.0 LIMITATIONS AND DATA GAPS

This assessment met the requirements of the American Society for Testing and Materials (ASTM) as established by ASTM Standard E1527-13 at the time it was performed, with the following limitations:

- Results of this investigation are valid as of the dates on which the investigation was performed.
- During the site reconnaissance, the majority of the parking spaces were occupied and surface conditions of the asphalt parking lot were not fully visible during inspection.
- Interviews and user-provided information were limited to those discussed in Section 6.0. To the extent that interviews were not conducted with the list of interviewees cited in the ASTM Standard (past and present owners, operators, and occupants of the Property and local government officials), AKRF does not believe that this represents a significant data gap likely to result in additional or significantly changed recognized environmental conditions or conclusions.
- The Property area history was not conducted in five-year intervals. However, sufficient information about the history of the site and surrounding area could be obtained from the available historical Sanborn maps, and this data gap is not likely to alter the conclusions of this report.
- Agency file reviews for the Property and adjacent properties consisted of a review of standard databases and electronic records maintained by pertinent departments and agencies (summarized in Section 5.2), as well as FOIL requests submitted to NYSDEC, NYCDEP, NYSDOH, and NYCDOH. AKRF believes that this file review was sufficient in determining the potential for recognized environmental conditions or other environmental concerns at the Property and additional reviews beyond this are not warranted and would not likely change the conclusions of this assessment.

10.0 CONCLUSIONS AND RECOMMENDATIONS

AKRF, Inc. was retained by Mega Development LLC to prepare a Phase I ESA of 31-07 31st Street, located in Astoria, Queens (the “Property”). The Property was identified as Queens Tax Block 611, Lot 25. The Property was generally bounded by commercial units to the north, residential/institutional units to the south, commercial/residential units and 32nd Street to the east, and 31st Street and an elevated subway station to the west (as shown on Figure 1). The Property consisted of an existing 20,880 square-foot municipal parking facility.

The greater surrounding area was primarily residential and commercial/retail with some transit uses. The objective of this assessment was to identify any potential environmental concerns associated with the Property resulting from past or current usage of the Property or neighboring properties.

This Phase I Environmental Site Assessment was performed in conformance with ASTM Standard E1527-13, *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Practice*. Any exceptions to, or deletions from, the Standard and/or data gaps are described in Section 9.0. The term “Recognized Environmental Condition” (REC) means 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 Standard also includes definitions of Historic REC (HREC), Controlled REC (CREC), and *De Minimis* Condition. A *De Minimis* Condition is defined as an environmental concern that is not a threat to human health or the environment and would not be subject to enforcement action.

A Tier 1 Vapor Encroachment Screen was also conducted in accordance with ASTM Standard E2600-15, *Standard Guide for Vapor Encroachment Screening on Property Involved in Real Estate Transactions*. The term “Vapor Encroachment Condition” (VEC) means the presence or likely presence of vapors from chemicals of concern (COC) in the subsurface of a property caused by the release of vapors on or near the property.

A summary of the assessment findings is presented below:

Recognized Environmental Conditions (RECs)/Vapor Encroachment Conditions (VECs)

- One groundwater monitoring well was observed on 31st Street sidewalk west-adjacent of the Property.
- Sanborn maps, city directories, and the environmental databases reviewed identified automotive and dry cleaning uses in the surrounding area.

Business Environmental Risks (including items outside the scope of ASTM E1527-13 such as asbestos containing material [ACM], lead-based paint [LBP] and/or polychlorinated biphenyls [PCBs] in building materials or fill/debris)

- Buried demolition debris from former on-site structures could contain ACM, LBP, PCBs and/or underground storage tanks.

De Minimis

- Three five-gallon containers of orphan waste were located on the southeastern-most corner of the Property. Two of the three containers were labeled as kerosene and lacquer; the third container was unmarked. These containers should be removed from the Property and properly disposed of in accordance with federal, state, and local requirements.

Recommendations

- A subsurface (Phase II) investigation should be conducted at the Property to investigate the identified RECs/VECs.
- During any future subsurface disturbance, excavated soil should be handled and disposed of in accordance with all applicable regulatory requirements, with testing as required. Any evidence of a petroleum spill must be reported to the NYSDEC and addressed in accordance with applicable requirements. If any tanks are encountered, they should be properly assessed, closed, and removed in accordance with federal, state, and local regulations. Transportation of material leaving the Property for off-site disposal should be in accordance with federal, state, and local requirements covering licensing of haulers and trucks, placarding, truck routes, manifesting, etc.
- If dewatering is required during future construction activities, water must be discharged in accordance with the New York City Department of Environmental Protection (NYCDEP) requirements.
- Any activities with the potential to disturb LBP must be performed in accordance with applicable requirements (including federal Occupational Safety and Health Administration regulation 29 CFR 1926.62 - Lead Exposure in Construction) and NYC Local Laws regarding tenant notification, contractor licensing, abatement procedures, etc. Additional requirements, even if no disturbance is planned (e.g., tenant notification, inspections, contractor licensing, and abatement) apply to occupied residential buildings.
- Unless there is labeling or test data that indicates that fluorescent lights and other electrical equipment are not mercury- and/or PCB-containing, if disposal is required, it should be performed in accordance with applicable federal, state, and local regulations and guidelines.
- Any suspect ACM-containing material and/or LBP encountered during excavation should be properly characterized, managed and disposed of in accordance with applicable regulations.

11.0 SIGNATURE PAGE

I declare that, to the best of our professional knowledge and belief, I meet the definition of Environmental Professional as defined in §312.10 of 40 CFR 312.

I have the specific qualifications based on education, training, and experience to assess a property of the nature, history, and setting of the Property for which the assessment was performed. I have performed all the appropriate inquiries in conformance with standards and practices set forth in 40 CFR Part 312.



Deborah Shapiro, QEP
Senior Vice President

12.0 QUALIFICATIONS

The purpose of this assessment was to convey a professional opinion about the potential presence or absence of contamination, or possible sources of contamination on the Property, and to identify existing and/or potential environmental issues associated with the Property including *Recognized Environmental Conditions* as defined in ASTM Standard E1527-13, *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Practice*.

The assessment was performed in accordance with customary principles and practices in the environmental consulting industry, and in accordance with the above-referenced ASTM Standard, except as noted otherwise in Section 8.0. It should only be used as a guide in determining the possible presence or absence of hazardous materials on the Property at the time of the reconnaissance, as it is based upon the review of readily available records relating to both the Property and to the surrounding area, as well as a visual reconnaissance of current conditions.

This Phase I Assessment is not, and should not be construed as, a guarantee, warranty, or certification of the presence or absence of hazardous substances, which can be made only with testing, and contains no formal plans or recommendations to rectify or remediate the presence of any hazardous substances which may be subject to regulatory approval. This report is not a regulatory compliance audit.

This report is based on services performed by AKRF, Inc. professional staff and observation of the Property and its surroundings. We represent that observations made in this assessment are accurate to the best of our knowledge, and that no findings or observations concerning the potential presence of hazardous substances have been withheld or amended. The research and reconnaissance have been carried to a level that meets accepted industry and professional standards. Nevertheless, AKRF and the undersigned shall have no liability or obligation to any party other than the Mega Development LLC and their successors or assignees, and AKRF's obligations and liabilities to the above, their successors or assignees is limited to fraudulent statements made, or grossly negligent or willful acts or omissions.

13.0 REFERENCES

1. Environmental Data Resources, Inc., 31-07 31st Street, Regulatory Radius MapTM Report with GeoCheck[®], April 2021.
2. *U.S. Geological Survey – Central Park, New York 2013 Quadrangle*, 7.5 minute Series (Topographic), Scale 1:24,000, 2013.
3. New York State Department of Health: Office of Public Health - Environmental Radiation Section, Basement Radon Screening Data, December 2020.
4. Historical Sanborn maps dated 1898, 1915, 1936, 1948, 1950, 1967, 1977, 1979, 1981, 1985, 1986, 1988, 1989, 1990, 1991, 1992, 1993, 1994, 1995, 1996, 1999, 2001, 2002, 2003, 2004, 2005, and 2006.
5. Environmental Data Resources, 31-07 31st Street City Directory Abstract, April 2021.
6. New York City Department of Buildings, Building Information Search Online (<http://a810-bisweb.nyc.gov/bisweb>).