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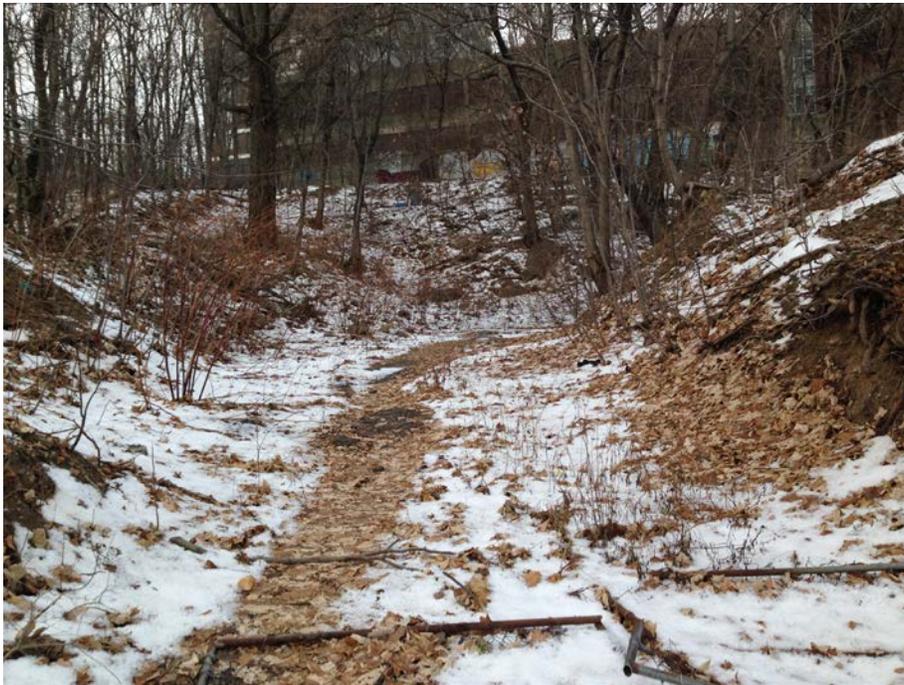
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## PHASE I ENVIRONMENTAL SITE ASSESSMENT REPORT

178 Richmond Terrace and 24 Stuyvesant Place  
Staten Island, New York



For:

Richmond Liberty, LLC  
825 3<sup>rd</sup> Avenue, 37<sup>th</sup> Floor  
New York, NY

January 3, 2014

Hydro Tech Job No. 130348

**PHASE I ENVIRONMENTAL SITE ASSESSMENT REPORT**

**178 Richmond Terrace and 24 Stuyvesant Place  
Staten Island, New York**

**January 3, 2014**

Hydro Tech Environmental, Corp. appreciates the opportunity to work for Richmond Liberty at the property located at 178 Richmond Terrace and 24 Stuyvesant Place Staten Island, New York.

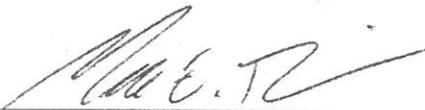
Should you require any additional information or have any comments regarding the contents of this report, please feel free to contact our office at your convenience.

We declare that, to the best of my professional knowledge and belief, HTE personnel meet the definition of an environmental professional as defined in §312.10 of 40 C.F.R. 312, and we have the specific qualifications based on education, training, and experience to assess a property of the nature, history, and setting of the subject property. We have developed and performed the all appropriate inquiries in conformance with the standards and practices set forth in 40 C.F.R. Part 312.

Very Truly Yours,  
**Hydro Tech Environmental, Corp.**

X 

Sasha Rothenberg  
Environmental Scientist

X 

Mark E. Robbins, C.P.G., C.E.I.  
Senior Vice President



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## 1.0 EXECUTIVE SUMMARY

Hydro Tech Environmental, Corp. (Hydro Tech) has performed a Phase I Environmental Site Assessment (Phase I ESA) at the Subject Property located at 178 Richmond Terrace and 24 Stuyvesant Place Staten Island, New York. The Phase I ESA was performed to meet or surpass the American Standard of Testing Materials Standard for Phase I Environmental Site Assessments E 1527-05. The purpose of the assessment was to characterize the environmental quality of the Subject Property through the identification of Recognized Environmental Conditions. All work was performed under the supervision of a Hydro Tech Project Manager and under the guidance of a Hydro Tech geologist.

The results of the Phase I Environmental Site Assessment are contained in this report. The Phase I Environmental Site Assessment has revealed the following Recognized Environmental Condition(s) at the Subject Property:

- The presence of unknown fill material (§4.0)
- The suspect presence of heating oil tanks (§4.0)

No effort has been made to perform any investigation beyond what is included in this Report. The observations and conclusions included herein summarize the results of the Phase I Environmental Site Assessment up to the date of the fieldwork and the date of this Report.

The following sections provide the details and specific information pertaining to the various components of the Phase I Environmental Site Assessment.

## 2.0 INTRODUCTION & SCOPE OF WORK

### 2.1 Introduction

Hydro Tech Environmental, Corp. (Hydro Tech, the “*Preparer*”) has been retained by Richmond Liberty, LLC (the “*User*”) to perform a Phase I Environmental Site Assessment at the property located at 178 Richmond Terrace and 24 Stuyvesant Place, Staten Island. The User is the “*Prospective Buyer*” of the property. The Phase I was prepared for due diligence purposes towards a purchase transaction of the property. The property will hereafter be referred to as the “*Subject Property*”.

The purpose of a Phase I Assessment is to characterize the environmental quality of the Subject Property through the determination of the presence of Recognized Environmental Conditions (RECs). As defined by the American Society of Testing and Materials (ASTM), a REC is, “the presence or likely presence of any hazardous substances or petroleum products on a property under conditions that indicate an existing release, a past release or a material threat of a release of any hazardous substances or petroleum products into structures on the property or into the ground, groundwater or surface water of the property” (ASTM E 1527-05, §1.1.1).

To this end, Hydro Tech has collected information through a number of sources including, but not limited to: a property and neighborhood inspection by trained environmental personnel, a review of historical and current information collected from various federal, state, county and municipal agencies and personnel interviews with Site representatives. Recommendations are offered where prudent. Firms subcontracted by Hydro Tech and the User may have collected some information used in this report. Some or all of the Assessment has been performed or supervised by environmental professionals as required by 40 CFR Part 310. The procurement of Title and Judicial Records for Environmental Liens and/or Activity and Use Limitations (“AULs”) by HTE is beyond the scope of this practice (ASTM E1527-05) and investigation.

### 2.2 Scope of Work

The general activities of the Phase I Assessment included the performance of the following tasks:

1. A detailed inspection of the Site and its general vicinity.
2. A review of all reasonably ascertainable regulatory agency documents.
3. A neighborhood hazardous waste survey utilizing Federal and State databases.
4. A review and evaluation of reasonably ascertainable geologic and hydrogeologic reference materials.
5. Interviews with representatives of the Site.
6. The preparation of a Phase I Environmental Site Assessment Report.

The Phase I ESA was performed in accordance with ASTM E 1527 except where noted in Section 2.3 and Hydro Tech’s Proposal. As required by ASTM, the User has supplied information that has been relied upon by Hydro Tech in the rendering of findings, conclusions and opinions, except where indicated in Section 2.3 or elsewhere in the report.

### 2.3 Limitations and Exceptions & Data Gaps

In addition to those items outlined by ASTM E 1527, asbestos, radon, lead-based paint and lead in water were also considered in the scope of work. While this Phase I Assessment provides information with respect to both asbestos and lead-based paint, the presence of these materials can only be confirmed through the collection and analysis of bulk samples.

This report is not intended to serve as a full asbestos survey or lead-based paint survey. These surveys are commonly performed for the purpose of building demolition/renovation or the recognition/identification

of any building materials that may contain asbestos or lead-based paint and it is recommended that they be performed prior to any such work.

Business Environmental Risks have not been considered and are not included in the scope of work. This Phase I Assessment is not intended to address the soil/groundwater quality at the Subject Property for general Site characterization or waste disposal purposes. This Phase I Assessment is not intended to evaluate the fair market price of the property if it is not affected by hazardous or petroleum products.

Portions of this report have been prepared utilizing information provided by third party sources or the user. As such, Hydro Tech relies upon these sources and has recorded findings, conclusions and opinions based upon this information. Hydro Tech cannot attest to the accuracy of this information but where possible had attempted to verify the information.

This Phase I ESA Report is not intended to serve or be construed as a regulatory compliance report for the property. No legal opinions are provided with this report.

It should be noted that the USEPA has determined in their final ruling (40 C.F.R. Part 312, Standards and Practices for All Appropriate Inquiries) of November 1, 2005 that "persons conducting all appropriate inquiries may use the procedures included in the ASTM E1527-05 standard to comply with today's final rule." Therefore, while all appropriate inquiry could be considered satisfied as this ESA was prepared in exceedances(s) of the ASTM E1527-05 standard, persons attempting to utilize this ESA while seeking one of CERCLA's LLPs must note that; a) they will not maintain CERCLA liability protections unless they also comply with all of the continuing obligations established under the statute that are beyond the scope of this practice (ASTM E1527-05) and investigation; and b) in order to qualify for one of the CERCLA LLPs, the person commissioning the Phase I Environmental Site Assessment must have provided site-specific information (if available) to Hydro Tech before the date of this ESA, otherwise a determination could be made that all appropriate inquiry is not complete.

As defined by ASTM, a Data Gap is defined as an inability to obtain information during the Phase I process, as required under the Standard, despite a good faith effort by the Environmental Professional to obtain this information. The Phase I ESA report must contain information pertaining to Data Gap(s) and evaluate their relative significance.

The following table provides a breakdown of the Data Gap(s) encountered and their relative significance.

<b>Data Gap</b>	<b>Significance</b>
Site History - not conducted to time of first development and/or 5 year intervals.	Low - unlikely to alter conclusions due to findings of other resource(s).
No environmental lien provided.	Low - unlikely to alter conclusions due to findings of other resource(s).
Municipal Records - FOIAs not returned as of date of report.	Unknown - Any FOIA responses that alter the conclusions of the report will be provided upon receipt.

Due to other historical information obtained over the course of this investigation, Hydro Tech does not consider these data failures/data gaps significant, as they appear unlikely to have affected potential Recognized Environmental Conditions at the Subject Property.

### 3.0 SUBJECT PROPERTY DESCRIPTION

#### 3.1 Subject Property Vicinity

The Subject Property is located on the west side of Richmond Terrace and Stuyvesant Place, between Nicholas Place to the north and Hamilton Avenue to the south, in the borough of Staten Island, NY. The borough of Staten Island is situated in the southern portion of New York City.

The vicinity of the Subject Property consists of commercial and residential properties. The ground surfaces in the vicinity of the Site consist of asphalt, bare soil and concrete.

#### 3.2 Subject Property Description

The address of the Subject Property is identified as 178 to 194 Richmond Terrace, 8, 18 and 22 to 26 Stuyvesant Place, Staten Island, NY. The Subject Property is approximately 89,800 square feet in area and is currently a vacant lot containing trees and other vegetation. The ground surface throughout the property is bare soil. Miscellaneous debris and broken fences are scattered throughout the Subject Property. Concrete building foundations were identified in the northern portion of the Subject Property. These foundations were observed to be in new condition and are part of a development that was halted during 2004 when development plans expanded to include additional lots. *Appendix A* provides photographs of the Subject Property.

Access to the Subject Property is via Richmond Terrace and Stuyvesant Place to the east and Hamilton Avenue to the south. The Subject Property is not connected to the municipal water, gas and electric services.

The topography of the Subject Property is uneven throughout the Site and the topography of the vicinity is sloping towards the northeast. **Figure 1** provides a Site Plan.

#### 3.3 Adjacent Land Use

The Subject Property is located in a residential and commercial area. The following properties were identified immediately adjacent to the Subject Property:

<b>Direction</b>	<b>Adjacent Parcel</b>	<b>Surrounding Parcels</b>
North	Parking lot, residential	Residential
South	Residential	Residential / Commercial
East	Commercial (coffee shop) and municipal offices	Residential
West	Residential	Residential / Commercial

Hydro Tech does not believe that the present uses of the adjacent properties identified above should impact upon the environmental quality of the Subject Property.

#### 3.4 Proximity to Environmentally Sensitive Areas

The results of the Site inspection and an evaluation of the United States Geological Survey (USGS) 7-1/2 Minute Topographic Map containing the properties indicate there are no sensitive receptors present within a 0.125-mile radius of the Subject Property.

#### 3.5 Environmental Setting

The Site is located in the northern portion of Richmond County, New York. The elevation of the Subject Property is approximately 14 feet above mean sea level (USGS 7 1/2-Minute Jersey City, New York

Quadrangle, 1969, Photo revised 1981).

During the Jurassic Period (230-198 million years ago) sediment of the Newark basin was lithified into the sedimentary rocks that characterize the vicinity of the Site. The sedimentary rock units of the Newark Basin that appear as bedrock on Staten Island are known as the Stockton Formation, consisting of sandstones and arkoses; the Lockatong Formation, consisting of siltstones and shale; the Passaic Formation, consisting of shale, siltstone, sandstone and conglomerate. During the Cretaceous period of the Mesozoic era (approximately 80 million years ago), material eroded from adjacent highland areas and was deposited as coastal plain sediments that overlay the bedrock in the vicinity of the Site.

The depth to groundwater in the vicinity of the Site is estimated to be in excess of 10 feet. The groundwater flow direction in the vicinity of the Site is toward the south-southeast in the direction of the Lower New York Bay.

## 4.0 HISTORICAL USE

### 4.1 Sanborn Maps

Sanborn Fire Rate Insurance Maps for the Subject Property and its vicinity dated 1898, 1917, 1922, 1937, 1950, 1962, 1977, 1981, 1983, 1986, 1987, 1988, 1989, 1990, 1991, 1993, 1994, 1995, 1996, 2001, 2002, 2003, 2004, 2005, 2006, 2007 were obtained from EDR and evaluated in order to establish the history of the Site.

**Appendix B** provides a copy of the Sanborn Fire Rate Insurance Maps.

Date	Subject Property Shown As	Surrounding area
1898 - 1922	Multiple 2 and 3-story dwellings (six with basements) throughout Subject Property	Residential and commercial buildings
1937 - 1962	Multiple 2 and 3-story dwellings (four with basements); Remaining portion is vacant land	Residential and commercial buildings, parking
1977-2005	One 3-story dwelling (no basement); Remaining portion is vacant land	
2005-2007	Vacant land	

### 4.2 City Directory Search

In order to further assess the property's history, available City Directory files were obtained from EDR for review. The City Directories document known occupants of specific properties and sorted by individual addresses. **Appendix C** provides a copy of the City Directory Search.

The following provides a listing of all documented usages of the Subject Property:

Date	Use of Subject Property	Surrounding Property Use
1928-2000	24, 22, 20, 18 and 8 Stuyvesant Place: Residential	Residences & commercial
1928-1990	170 Richmond Terrace: Retail space 172 Richmond Terrace: Residential 178 Richmond Terrace: Residential 188 Richmond Terrace: Residential 194 Richmond Terrace: Residential, clothing store in 1960	

### 4.3 Previous Studies

Hydro Tech requested copies of any available historical environmental reports associated with the Subject Property. Hydro Tech was provided with a September 2005 Phase I report by Singer Environmental Group, LTD. This report is provided in **Appendix D**. This Phase I ESA was performed only for Lots 82, 92, 100, 103 and 104 of the Subject Property and did not identify any RECs associated with the Subject Property.

### 4.4 Previous Owners

According to the property listing on Property Shark, the following provides a list of historical owners of the Site

Year	Name Of Previous Owner(s)
2007-2013	Liberty Towers Realty LLC

#### **4.5 Historical Use Summary**

Based on a review of available information provided and/or obtained for the Subject Property as of the date of this ESA, it appears that the Subject Property was developed prior to 1898 with several residential buildings. The historical maps indicate that six of these former dwellings at the Subject Property had basements. With the exception of one 3-story dwelling in the northern portion, the Subject Property has been vacant since 1977. The dwelling in the northern portion was demolished by 2005.

No evidence of former basements was observed at the Subject Property indicating the presence of fill material. The presence of unknown fill material may have impacted upon the environmental quality of the Subject Property and should be considered a REC.

Heating oil tanks were commonly used in residential dwellings during the time period that the Subject Property was developed (1898 through 1977). Additionally, properties in the immediate vicinity of the Subject Property appear to utilize heating oil tanks. Given the site history and observations at nearby properties, the presence of heating oil tanks may have impacted upon the environmental quality of the Subject Property and should be considered a REC.

## 5.0 RECORDS REVIEW

### 5.1 Environmental Databases

Federal, State, Local and Tribal hazardous waste databases were reviewed with respect to the Subject Property and surrounding properties. ASTM E 1527 specifies the search area for each database. In addition, all orphan sites (those without adequate information for mapping purposes) listed in the database search were also reviewed, evaluated and incorporated (as needed). *Appendix D* provides a copy of the Database Search Results. The following databases, with the appropriate search radius, were reviewed:

ASTM Standard Environmental Record Source	Approx. ASTM Minimum Search Distance (MSD)	Number of Mapped Sites within MSD	Number of Orphan Sites
1. NPL (Superfund) <i>National Priorities List</i>	1.0 Mile	0	0
2. Delisted NPL Site <i>Delisted National Priorities List Site</i>	0.5 Mile	0	0
3. CERCLIS <i>Comprehensive Environmental Response Compensation &amp; Liability Information System</i>	0.5 Mile	0	1
4. CERCLIS NFRAP <i>CERCLIS No Further Remedial Action Planned Site</i>	0.5 Mile	0	0
5. RCRA-TSD CORRACTS <i>Resource Conservation &amp; Recovery Treatment/Storage/Disposal Facility Subject to Corrective Action</i>	1.0 Mile	0	0
6. RCRA-TSD <i>Resource Conservation &amp; Recovery Treatment/Storage/Disposal Facility (Non-Corrective Action)</i>	0.5 Mile	0	0
7. RCRA-LG <i>Resource Conservation &amp; Recovery Large Quantity Generator</i>	Site & Adjoining	0	2
8. RCRA-SG <i>Resource Conservation &amp; Recovery Small Quantity Generator</i>	Site & Adjoining	0	1
9. ERNS <i>Emergency Response Notification System</i>	Property Only	0	0
10. Local / State / Tribal UST, PBS <i>Registered Storage Tanks</i>	Site & Adjoining	1	0
11. Local / State / Tribal LTANKS <i>Leaking Underground Storage Tanks</i>	0.5 Mile	21	0
12. State Spill Incidents <i>NYSDEC Spill Sites</i>	0.125 Mile	4	3
13. Local / State / Tribal SWF <i>Solid Waste Facility / Landfill</i>	0.5 Mile	0	0
14. Local / State / Tribal CERCLIS <i>Inactive Hazardous Waste Disposal Site</i>	0.5 Mile	0	0
16. Inst. / Engineering Controls <i>Registry of Institutional and/or Engineering Controls</i>	Property Only	0	0
17. Voluntary Cleanup Program Sites <i>Local / State / Tribal VCP Sites</i>	0.5 Mile	0	3
18. Brownfield Sites <i>Local / State / Tribal Brownfield Sites</i>	0.5 Mile	0	0

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19. Non-ASTM Record Source(s)	Not Applicable	No MSD has been established by ASTM for these sources
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The review and evaluation of the above Federal and State/Tribal/Local Databases indicates that the Subject Property was not identified in any of the searched databases.

Five (5) properties are listed in the NY Spills database within a 0.125-mile radius of the Subject Property. One of the spill sites is located adjacent to the south of the Subject Property. This adjacent site is listed for two closed spill incidents, #8603334 and #9613326, and is also listed in the NYSDEC PBS database under Facility ID 2-056170. The property is registered for two 25,000-gallon active fuel oil USTs. Spill case #8603334 was reported and closed during August 1986 and the NYSDEC records indicate that the cleanup meets standards and only impacted soil. NYSDEC records for spill case #9613326 indicate that it was reported and closed during February 1997 and that the release was caused by a vehicle leak. The spill was cleaned up by the responsible party and only impacted soil.

Four of the five Spill sites have been cleaned up to the satisfaction of the NYSDEC and are listed as closed, while the remaining site is active. The active site is located 561 feet to the southeast and crossgradient to the Subject Property. None of the NY Spill sites should impact upon the environmental quality of the Subject Property.

Twenty one (21) sites are listed in the Leaking Underground Storage Tanks (LUSTs) database within a 1/2 mile radius of the Subject Property. One of the sites is located adjacent to the south of the Subject Property and was also listed in the NY Spills and PBS databases. This adjacent site is listed in the LUST database for spill #0803628; NYSDEC records indicate that the tank test failure was due to faulty gauges that were replaced and the spill case was closed during July 2008. Twenty two of the 24 LUSTs have been cleaned up to the satisfaction of the NYSDEC and are considered closed; the remaining two LUST sites are active. One of the active LUST sites is located 1,743 feet southeast and crossgradient of the Subject Property. The remaining active LUST site is located 2,139 feet south and downgradient of the Subject Property. Due to the spill status, location and proximity, none of the LUST sites should impact upon the environmental quality of the Subject Property.

None of the remaining properties identified in the databases, including Orphan Sites, should impact upon the environmental quality of the Subject Property.

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## 5.2 Municipal Records

Freedom of Information Act (FOIA) requests were issued to the following regulatory agencies with respect to the Subject Property. All reasonably ascertainable municipal records are provided with this report. . *Appendix E* provides copies of the municipal documents.

- New York City Department of City Planning
- New York City Department of Building
- New York City Department of Housing Preservation and Development
- New York City Department of Health
- New York City Bureau of Fire Department
- New York State Department of Environmental Conservation
- New York City Department of Environmental Protection

### *New York City Department of City Planning*

A FOIA request was submitted to the New York City Zoning Department. The New York City Zoning Department indicates the Subject Property is zoned R6 with a commercial overlay of C2-2. The Little "E" Restriction for the Subject Property is listed as "N/A- not applicable". The Department of Finance Occupancy Code for Subject Property is listed as "A5-1 Family Dwelling" and "V1 Vacant Land".

### *New York City Department of Building*

A FOIA request was submitted to the New York City Department of Building (NYCDOB). The Subject Property is identified as 27-33 Hamilton Avenue, 8, 18, and 22-26 Stuyvesant Place, and 180-194 Richmond Terrace, Staten Island, NY. The Tax Map number for the Subject Property is Block 13 and Lots 75, 78, 79, 80, 81, 82, 92, 100, 103 and 104. The NYCDOB records indicate that there are 3 open DOB violations, 1 open complaint and 1 open Environmental Control Board (ECB) violation. The violations are related to working without permits and stalled construction. The NYCDOB records further indicate that the Subject Property is associated with 25 jobs and 18 actions. The jobs and actions are related to construction, demolition, permits, zoning, alterations and building notices.

The NYCDOB records do not provide any Certificates of Occupancy for the Subject Property.

### *New York City Department of Housing Preservation and Development*

A FOIA request was submitted to the New York City Department of Housing Preservation and Development (NYCHPD). The NYCHPD records indicate no open violations are listed for the Subject Property.

### *New York City Department of Health*

A FOIA request was submitted to the New York City Department of Health (NYCDOH). The NYCDOH has assigned FOIL log number 2013FR03485 to the request. Any information provided by the NYCDOH will be provided as soon as it has been received and evaluated.

### *New York City Bureau of Fire Prevention*

A FOIA request was submitted to the New York City Bureau of Fire Prevention (NYCBFP). The NYCBFP has indicated that they do not maintain any records on the Subject Property.

### *New York State Department of Environmental Conservation*

A FOIA request was submitted to the New York State Department of Environmental Conservation (NYSDEC). As of the date of this report, the NYSDEC has not responded to our initial search request or subsequent follow-up calls. Any information provided by the NYSDEC will be provided as soon as it has been received and evaluated.

*New York City Department of Environmental Protection*

A FOIA request was submitted to the New York City Department of Environmental Protection (NYCDEP). The NYCDEP has assigned the request the following FOIL log numbers: 108937, 108938, 108939, 108940, 198941, 108942, 108943 and 108944. Any information provided by the NYCDEP will be provided as soon as they have been received and evaluated.

## 6.0 SITE RECONNAISSANCE

Ms. Sasha Rothenberg of Hydro Tech performed the site reconnaissance portion of the Phase I Assessment on December 16<sup>th</sup>, 2013. The weather during the inspection was sunny and approximately 25 degrees Fahrenheit.

Hydro Tech inspected all accessible portions of the Subject Property. The following pertinent information was obtained during the Subject Property Reconnaissance:

1. Industrial Processes:

No industrial processes were observed at the Subject Property. No evidence of historical industrial processes was observed at the Subject Property.

2. Suspect Asbestos-Containing Materials:

No visual evidence of suspect asbestos containing material (ACM) was identified at the Subject Property.

3. Suspect Lead-Based Paint:

No visual evidence of peeling paint was identified at the Subject Property.

4. Drum Storage Areas:

No current or former drum storage areas were observed at the Subject Property.

5. Storage Tanks:

No visual evidence of underground storage tanks (USTs) or aboveground storage tanks (ASTs) was identified at the Subject Property. No evidence of former ASTs or USTs was identified at the Subject Property.

6. Subsurface Drainage Structures/Drains/Sumps:

No subsurface drainage structures, such as leaching pools, cesspools, or drywells were observed at the Subject Property. No evidence of former subsurface drainage structures was observed at the Subject Property.

No evidence of current or former septic/waste water/storm water discharge systems is identified at the Subject Property. The Subject Property is located in a well-served area in the New York City with a publicly managed combined sewer system.

No floor drains were observed at the Subject Property. No evidence of former floor drains was identified at the Subject Property.

No sumps were observed inside the building at the Subject Property. No evidence of former sumps was identified inside the building at the Subject Property.

7. PCB-Containing Equipment:

No PCB-containing equipment was identified at the Subject Property.

8. Monitoring / Potable Water Wells:

No potable water wells were observed at the Subject Property.

The Subject Property does not utilize wells for the generation of potable water.

No monitoring wells were identified on the adjacent properties.

No monitoring wells were identified at the Subject Property.

9. Mold

No visual evidence of mold was identified at the Subject Property.

10. Pits, Ponds, or Lagoons:

No waste disposal pits, ponds, or lagoons were observed at the Subject Property. No evidence of former pits, ponds, pools of liquid or lagoons were observed at the Subject Property.

11. Wetlands

No evidence of wetlands or wetlands growth is identified at the Subject Property. The location of the Subject Property and its vicinity do not appear in the USA National Wetlands Inventory.

12. Staining/Stressed Vegetation:

No significant staining was identified at the Subject Property. No stressed vegetation was observed at the Subject Property.

13. Fill / Land Disposal / Solid Waste:

No visual areas of fill or evidence of land disposal of solid waste material(s) were observed at the Subject Property.

14. Engineering Controls:

No engineering controls were noted at the Subject Property.

15. Odors/Air Emissions:

No odors indicative of a petroleum, chemical or hazardous substance spill or release were identified at the Subject Property. No evidence of air emissions or air emission equipment was identified at the Subject Property.

16. Hazardous Substance / Petroleum Containers:

No evidence of suspect hazardous substance or other petroleum containers were identified at the Subject Property.

17. Radon:

USEPA's recommended action level is 4 picoCuries/liter and the average radon gas concentrations predicted in the Manhattan area is 2 picoCuries/liter. Since Staten Island is located in a Low Radon Potential area, radon gas should not represent a potential environmental concern that would warrant the sampling for radon gas at the Subject Property.

## 7.0 CLIENT / USER-PROVIDED INFORMATION & INTERVIEWS

### 7.1 Client/User-Provided Information

During the course of the Phase I Assessment, interviews were conducted with respect to the operation and history of the Site and a Client/User Questionnaire was provided.

1. The client/user provided no records to Hydro Tech's request for information associated with Environmental Liens or Activity and Use Limitations against the property that may have been filed or listed under federal, tribal, state, or local law.
2. The client/user reported no specialized or actual knowledge or experience related to any potential Recognized Environmental Conditions at the Subject Property or nearby properties.
3. The client/user did not respond to Hydro Tech's request for information regarding the relationship of the purchase price of the property to fair market value, specifically if it has been adjusted due to the known or potential presence of on-site contamination.
4. The client/user reported no commonly known information or information within the local community regarding past use(s) of the property (including the storage and/or release of chemicals, hazardous substances, petroleum products, etc.) that could have affected the environmental integrity of the subject site.
5. The client/user could not confirm whether no environmental contamination or cleanups have occurred at the property in the past.
6. Hydro Tech Environmental provided the Questionnaire for the client/user to complete. The user did not provide the completed questionnaire to Hydro Tech for review.

### 7.2 Interviews

During the course of the Phase I Assessment, interviews were conducted with key site personnel with respect to the operation and history of the Subject Property. The following key site personnel were interviewed:

- John Pitera, Broker

The following information was provided:

- The foundations in the northern portion of the Subject Property were part of a development that was halted during 2004 as additional lots were purchased.

The interview did not reveal the presence of any other potential Recognized Environmental Conditions in connection with the subject site, and did not provide any additional information with respect to the environmental integrity of the subject property that was not obtained from other sources over the course of this investigation.

In addition, although an interview with the former owner(s) was not possible as none were provided to HTE as of the date of this ESA, we do not believe that any such owner(s) would have additional material information regarding the potential for contamination at the property that was not obtained from other sources over the course of this investigation.

## 8.0 CONCLUSIONS

Hydro Tech has performed a Phase I Environmental Site Assessment at the Subject Property, and has identified the following Recognized Environmental Conditions (RECs):

- The presence of unknown fill material (§4.0)
- The suspect presence of heating oil tanks (§4.0)

## **9.0 CREDENTIALS & DECLARATION**

### **9.1 Credentials**

In accordance with ASTM E 1527, the credentials of those personnel directly involved with the production of this Phase I are provided with this report. *Appendix G* provides a copy of the personnel credentials.

### **9.2 Environmental Professional Declaration**

We declare that to the best of our professional knowledge and belief, we meet the definition of environmental professional as defined in 40 CFR Part 312. We have the specific qualifications based on education, training and experience to assess a property of the nature, history and setting of the Subject Property. Only where indicated we have developed and performed the AAIs in conformance with the standards and practices set forth in 40 C.F.R. Part 312.

## 10.0 REFERENCES

1. Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process, ASTM E 1527-05, American Society for Testing and Materials, West Conshohocken, PA.
2. Principals of Groundwater Engineering, William C. Walton, Lewis Publishers, Inc., 1991.
3. The Long Island Ground Water Pollution Study, New York State Department of Environmental Conservation, 1972.
4. *Geochemical traverse across Cameron's Line, Boro Hall Park, Bronx, New York*, Cadmus, D., Hodgson, R., Gatto, L.M., and Puffer, J.H., Geology Department, Rutgers University, Newark, NJ.
5. *EDR Environmental Data Resources, 24 Stuyvesant Place and 178 Richmond Terrace, Staten Island, NY, December 12, 2013*. The EDR – Aerial Photographs, Milford, Connecticut.
6. *EDR Environmental Data Resources, 24 Stuyvesant Place and 178 Richmond Terrace, Staten Island, NY, December 12, 2013*. The EDR – City Directory Abstract, Milford, Connecticut.
7. *EDR Environmental Data Resources, 24 Stuyvesant Place and 178 Richmond Terrace, Staten Island, NY, December 12, 2013*. The EDR – Radius Map, Milford, Connecticut.
8. Property Shark Property Profile for 24 Stuyvesant Place and 178 Richmond Terrace, Staten Island, NY, December 12, 2013. from <http://www.propertyshark.com/mason/>.
9. Long Island Home Inspection, (n.d.), Radon on Long Island, from <http://www.longislandhomeinspection.com/content/radon-long-island>
9. U.S Fish Wildlife Services National Wetlands Inventory <http://www.fws.gov/wetlands/Wetlands-Mapper.html>

## 11.0 EXCLUSIONS & DISCLAIMER

The observations described in this report were made under the conditions stated therein. The conclusions presented in the report were based solely upon the services described therein, and not on scientific tasks or procedures beyond the scope of described services or the time and budgetary constraints imposed by the Client. No warranty, expressed or implied, is made whatsoever in connection with this report.

In preparing this report, Hydro Tech Environmental, Corp. may have relied on certain information provided by state and local officials and other parties referenced therein, and on information contained in the files of state and/or local agencies available to Hydro Tech Environmental, Corp. at the time of the subject property assessment. Although there may have been some degree of overlap in the information provided by these various sources, Hydro Tech Environmental, Corp. did not attempt to independently verify the accuracy or completeness of all information reviewed or received during the course of this subject property assessment.

No environmental site assessment can wholly eliminate uncertainty regarding the potential for RECs in connection with a Subject Property (ASTM E 1527-05 Section 4.5.1). The intent of an environmental site assessment is to reduce but not eliminate uncertainty regarding the presence of potential RECs within reasonable limits of both time and cost.

Observations were made of the subject property and of structures on the subject property as indicated within the report. Where access to portions of the subject property or to structures on the subject property was unavailable or limited, Hydro Tech Environmental, Corp. renders no opinion as to the presence of non-hazardous or hazardous materials, or to the presence of indirect evidence relating to a non-hazardous or hazardous materials, in that portion of the subject property or structure. In addition, Hydro Tech Environmental, Corp. renders no opinion as to the presence of hazardous materials, or the presence of indirect evidence relating to hazardous materials, where direct observation of the interior walls, floors, or ceiling of a structure on a subject property was obstructed by objects or coverings on or over these surfaces.

Hydro Tech Environmental, Corp. did not perform testing or analyses to determine the presence or concentration of asbestos or lead-based paint at the Subject Property or in the environment of the subject property under the scope of the services performed.

Any water level reading made in test pits, borings, and/or observation wells were made at the times and under the conditions stated in the report. However, it must be noted that fluctuations in the level of groundwater may occur due to variations in rainfall and other factors different from those prevailing at the time measurements were made.

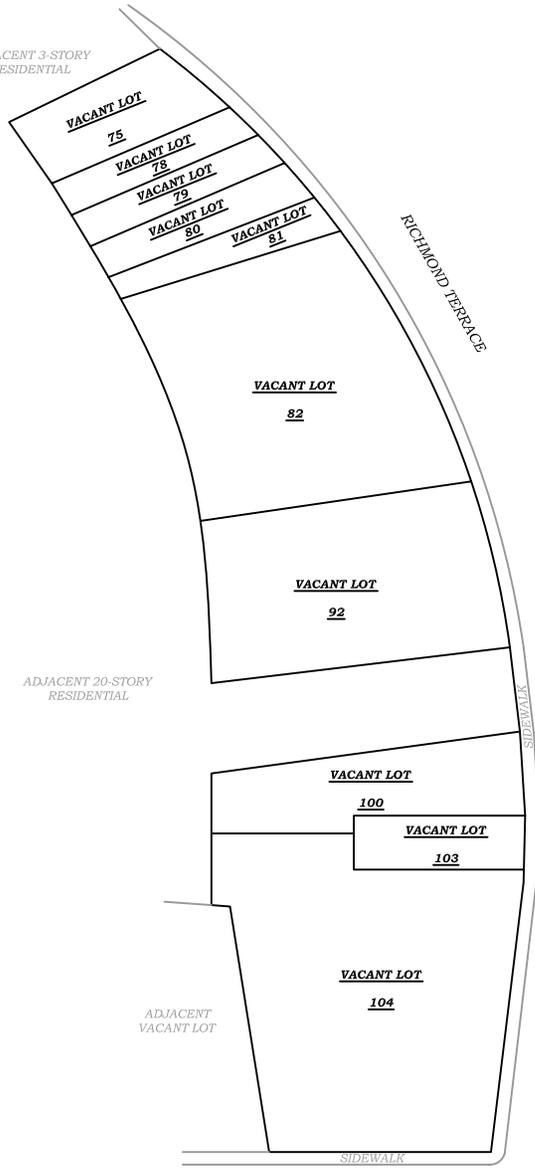
Except as noted within the text of the report, no qualitative laboratory testing was performed as part of the subject property assessment. Where an outside laboratory, Hydro Tech Environmental, has conducted such analyses Corp. has relied upon the data provided, and has not conducted an independent evaluation of the reliability of the data.

The conclusions contained in this report are based in part, where noted, upon various types of chemical data and are contingent upon their validity. The data have been reviewed and interpretations were made in the report. As indicated within the report, some of the data may be preliminary "screening" level data, and should be confirmed with quantitative analyses if more specific information is necessary. Moreover, it should be noted that variations in the types and concentrations of contaminants and variations in their flow paths may occur due to seasonal water table fluctuations, past disposal practices, the passage of time, and other factors. Should additional chemical data become available in the future, the data should be reviewed, and the conclusions and recommendations presented herein modified accordingly. If in the opinion of the Client/User or any third party claiming reliance on this report, that Hydro Tech was negligent or in breach of contract, such aforementioned parties shall have 6 months from the date of Hydro Tech's visit to make a claim.

This report was prepared solely for the use of the Client/User and is not intended for use by third parties. Unauthorized third parties shall indemnify and hold Hydro Tech harmless against any liability for any loss arising out of, or related to, reliance by any third party on any work performed hereunder, or the contents of this report.

## FIGURES

ADJACENT 3-STORY  
RESIDENTIAL



RICHMOND TERRACE

SIDEWALK

STUYVESANT PL

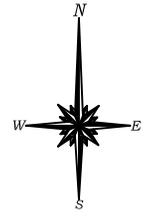
HAMILTON AVENUE

ADJACENT 6-STORY  
RESIDENTIAL

ADJACENT 20-STORY  
RESIDENTIAL

ADJACENT  
VACANT LOT

ADJACENT 2-STORY  
COMMERCIAL



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Drawn By: C.Q.  
Reviewed By: M.R.  
Approved By: M.S.  
Date: 01/02/13  
Scale: AS NOTED

TITLE:

FIGURE 1: SITE PLAN